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On Earth Day, Mayor de Blasio and City Council

Announce Plans for Biggest Update to City's Air Pollution Control Code Since 1975

April 22, 2014

Video available at: <http://www.youtube.com/watch?v=z7Xnc4NwNaE>

New changes target dangerous soot pollution from commercial char broilers, fireplaces, food trucks and refrigeration vehicles, reducing dangerous particulates that contribute to more than 2,000 deaths each year

NEW YORK—Marking the 44th annual celebration of Earth Day, Mayor Bill de Blasio, City Council Speaker Melissa Mark-Viverito, Council Member Donovan Richards, and DEP Commissioner Emily Lloyd announced the most sweeping update to New York City's Air Pollution Control Code since 1975. The proposed revisions, a goal of the city's PlaNYC sustainability blueprint, will update emission standards and focus on pollution sources that currently have little or no emission control requirements.

Those emissions include tiny particulates generated by commercial char broilers, fireplaces, food trucks, and refrigeration vehicles, which are a leading contributor to asthma. The New York City Council Committee on Environmental Protection will hold a hearing on Intro 271, legislation authored by Council Member Richards that would codify the revisions to the Air Code, this Wednesday.

The changes, developed in close consultation with stakeholders, affirm New York City's commitment to remaining a national leader in protecting its air and water quality. The city's air is cleaner than it has been in a half-century, thanks in part to stricter regulation of commercial and residential buildings burning No.6 and No. 4 fuel oils, as well as the NYC Clean Heat Program, resulting in reductions in Sulfur Dioxide pollution (down 69 percent since 2008) and particulate matter (down 23 percent since 2007).

"This city has a legacy of leading the nation when it comes to protecting the health and safety of our environment. From resiliency planning to the restoration of our waterways, we are continuing that tradition. Today's reforms—the biggest in a generation—will make a fundamental difference for thousands of New Yorkers living with asthma and pave the way for other cities around the nation to follow suit," said **Mayor Bill de Blasio**.

"For years, New York City has been at the forefront of sustainable and responsible environmental practices," said **Council Speaker Melissa Mark-Viverito**. "These reforms continue that trend by protecting our air, our water, and our city's residents from harmful emissions. I thank Mayor de Blasio and DEP Commissioner Lloyd for their work on this issue, and I look forward to working with my colleagues in the future to further improve environmental standards in New York."

"The quality of the air we breathe is an issue for every New Yorker, and we have worked with community and environmental groups, scientists, engineers, businesses, and industry stakeholders to draft common sense updates to the city's Air Code," said **DEP Commissioner Emily Lloyd**. "Passing the important piece of legislation will allow DEP to address localized sources of pollution that currently have little or no emission control requirements, and this will prevent hundreds of New Yorkers from getting sick or dying from air pollution related illnesses."

"Air pollution is a serious public health issue in New York City, with young children, seniors, and those with chronic heart and lung disease among the most vulnerable," said **Health Commissioner Dr. Mary Bassett**. "Improvements in air quality have had important health benefits, including preventing deaths related to air pollution and reducing hospital visits for people with asthma. These revisions to the Air Pollution Control Code will continue the city's progress towards cleaner air and help all of us stay healthier."

"Environmental justice communities still suffer from some of the highest asthma rates in New York City due to poor air quality," said **Council Member Donovan Richards**. "Today, we are taking a major step in the right direction by updating the air code, which will decrease dangerous particulate matter and deaths associated with toxins in the air. I would like to thank Speaker Melissa Mark-Viverito and Mayor de Blasio for their commitment to a healthier and safer earth."

“Clean air is one of the most vital needs for a city to be healthy,” said **Daniel Zarrilli, Acting Director of the Mayor’s Office of Long-Term Planning and Sustainability**. “Today’s announcement is welcome news as we advance PlaNYC initiatives to build a more sustainable city.”

“New York’s Air Code has long needed to be modernized to better protect city residents, especially our most vulnerable, from air pollution hazards,” said **Eric A. Goldstein, Director of New York City’s Environment at the Natural Resources Defense Council**. “We welcome Mayor de Blasio’s efforts to bring this much-needed reform to fruition.”

“Today’s news is literally a breath of fresh air for New York City,” said **Marcia Bystryn, President of the New York League of Conservation Voters**. “For too long, New Yorkers have borne the brunt of poor air quality, particularly those in low-income communities and communities of color. This legislation underscores the city’s commitment to righting this wrong, by regulating these sources of pollution and going beyond requirements set by the state and federal governments. We applaud Mayor de Blasio, Speaker Mark-Viverito, Commissioner Lloyd and Council Member Richards for this important step forward, and we look forward to working with them to getting this legislation passed.”

“Tremendous work is already being done to improve air quality in New York City, and the update to the Air Pollution Control Code shows further commitment to that work. Environmental Defense Fund is proud to have worked in partnership with the City of New York on air quality issues in the past, in particular the NYC Clean Heat program. We believe New York City can continue to be an example for other cities around the world,” said **Rory Christian, New York Director, Clean Energy for the Environmental Defense Fund**.

The revisions of the Code over the last 43 years have been limited in scope and focused primarily on the reduction of particulate matter from large sources, including residential and commercial fuel combustion, as well as non-road and on-road diesel emissions. For example, in 2011, more than 5,200 buildings burned Number 6 heating oil, the dirtiest grade of oil, which emits significant amounts of PM2.5, sulfur dioxide, nickel and other pollutants. A rule that took effect that same year required that all buildings must convert from Number 6 heating oil to a cleaner burning fuel by July of 2015. Thus far, more than 3,000 buildings have made the conversion and no longer burn Number 6. Neighborhoods with the highest density of emissions reductions from boiler conversions – such as northern Manhattan, northern Queens, and the South Bronx – have seen dramatic improvements in air quality.

The city has also worked with property owners to devise rules that will both improve air quality and reduce costs. Earlier this year, a rule took effect which requires large building boilers to have annual tune-ups and combustion efficiency tests to ensure the boilers meet updated burning efficiency criteria. By increasing an existing boilers burning efficiency from 80 to 83 percent, the New York State standard for new boilers, a building will use thousands of gallons less fuel every year and save tens of thousands of

dollars in costs.

Due to these air quality improvements, the New York City Department of Health and Mental Hygiene estimates that 800 lives will be saved each year, and approximately 1,600 emergency department visits for asthma and 460 hospitalizations for respiratory and cardiovascular issues will be prevented every year. As buildings continue to convert to cleaner fuels and raise the efficiency of their boilers over the next several years, the city expects further improvements in air quality and the health of all New Yorkers.

The regulation of these large sources now allows the city to focus on smaller, localized sources throughout the city, which, viewed as a whole, contribute a significant amount of particulate matter. These sources include commercial char broilers, coal- and wood-fired ovens, and fireplaces. Focusing on these sources will reduce particulate matter emissions, which will ultimately save lives. For example, commercial char broilers throughout the five boroughs emit an estimated 1,400 tons of particulate matter per year. The Department of Health and Mental Hygiene estimates that those emissions contributed to more than 12 percent of PM2.5-attributable premature deaths annually in 2005 to 2007, or 400 deaths per year in that period. If all commercial char broilers had had control technology installed, the reduction in ambient PM2.5 concentrations could have prevented nearly 350 of these premature deaths each year.

To simplify compliance the proposed revisions to the Code will eliminate outdated elements, reduce work permit turnaround time and allow online permitting. The changes will integrate the work permit and Certificate of Operations process, and allow inspectors to use mobile hand-held devices in the field.

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