

1 carefully there because I think you have a better
2 argument to me if you said -- if I said, well, you
3 know, hey, just limit all these startups to five hours,
4 and I've had it. Well, you know, I don't see that in
5 the regulations.

6 And if your aim is just to be putting in
7 the only required due or obligated to do is put in the
8 applicable limits, then I see that might be going too
9 far. But to require better reporting and better
10 justification, I don't know if that's sort of rewriting
11 the regulations or going beyond the scope or intent of
12 the Title V requirement.

13 MR. VOGEL: Okay. Thank you very much.
14 I appreciate your taking the time to be with us today.

15 MR. ZARS: Okay, well, thank you.

16 MR. VOGEL: We are expecting one more
17 speaker, Deborah Master.

18 MS. MASTERS: Yes, I'm here.

19 MR. VOGEL: Thank you.

20 MS. MASTERS: Should I just go ahead?

21 MS. VOGEL: Are there any other speakers
22 on the line?

23 Deborah, go ahead, please.

24 MS. MASTERS: I have to say that there's
25 a gigantic fire in the Brooklyn Navy Yard next to me,

1 so I'm having a little bit of trouble speaking, so if
2 you could bear with me.

3 My name is Deborah Masters. I'm chair of
4 the Brooklyn Community Board 1 Environmental Committee
5 and I'm the pollution prevention coordinator for NAG,
6 which stands for Neighbors Against Garbage. I was also
7 the first director of the Watchperson project here. I
8 live in Greenpoint -- live and work in
9 Greenpoint/Williamsburg of Brooklyn, New York.

10 The physical document for the Title V
11 application in New York State has too much heavy black
12 writing and lines on the page, which makes it really
13 difficult to read it. We would -- the community would
14 prefer a much simpler page layout that read from left
15 to right that was a normal typeface, not everything in
16 big bold, big black writing.

17 I'm going to go through specific examples
18 of Title V in our community. One permit we look at is
19 the Newtown Creek Sewage Treatment Plant. This
20 facility exists in Greenpoint/Williamsburg's heaviest
21 industrial zoning area. And environmental justice
22 community begins two blocks from this site and wraps
23 around the entire M3 district, a zoning area.

24 Newtown Creek Sewage Treatment Plant is
25 the largest sewage treatment plant on the East Coast

1 and handles much of the heaviest industrial influent in
2 New York City. It is undergoing reconstruction to meet
3 secondary treatment levels.

4 The Title V permit is actually really
5 good for this plant. It says that each of the plant's
6 emission sources, including mobile sources during
7 construction. However, it does not record the levels
8 of industrial influent. New York City DEP air
9 monitoring, shows that at least 25,000 tons per year of
10 VOC's evaporate during the aeration process from this
11 plant. This is a major air emission.

12 The NCMC or the Newtown Creek monitoring
13 committee is a committee of volunteers, has been
14 meeting for 12 years. We succeeded in getting the
15 aeration tanks covered in the plant's upgrade as a
16 mitigation. The upgrade won't be completed until 2012.

17 This victory saw no support from DEC or
18 EPA despite NAPA report recommendations that in quotes,
19 "EPA's permit writers should identify ways to mitigate
20 or reduce emissions and other environmental and public
21 health impacts of proposed facilities such as required
22 pollution prevention and implementing environmental
23 management systems." This seems an instance where an
24 EJ community could have received EPA support in the
25 Title V permit or during mitigation negotiations.

1 Another Title V permit, Diamond Asphalt,
2 we call this company DAC. The company proposes to
3 reopen adjacent to the sewage treatment plant, also in
4 the heaviest industry area two blocks from an EJ
5 community. It will produce one-third of New York
6 City's asphalt.

7 DEC did not attend the public information
8 meeting. There was no transcript. 35 community
9 members made educated statements based on a careful
10 reading of the air permit. Ten politicians or their
11 representatives also asked educated questions and made
12 informed statements. Yet we were not granted a public
13 hearing. From my experience, the high level of
14 comments we provided merited an issues conference, not
15 just a public hearing. Permit documents could not be
16 located in the library until the day before this
17 meeting.

18 Using particulate matter emissions data
19 provided by Diamond Asphalt in their permit
20 application, an engineer working with the community
21 found that PM2.5 impacts would require DAC to develop
22 an EIS. DEC neg'd at this application and denied
23 further PM2.5 analysis or mitigation.

24 The EPA standard for GEP was also waived
25 in this application despite the heavy background load

1 and adjacent Nature Walk that New York City DEP spent
2 millions on as a mitigation to the sewage treatment
3 plant rebuild and nearby residents because of the cost.
4 Neither the adjacent Nature Walk nor tall engineering
5 building at the sewage treatment plant were reflected
6 in sensitive receptor placement in the original model.
7 The engineering building is tall enough to create
8 downwash and pocketing on the Nature Walk. DEC's reply
9 was that if GEP stack height is not feasible,
10 documented justification for the proposed stack height
11 must be presented. DEC sites the bag house as
12 effectively removing all PM2.5, VOC's, carbon monoxide,
13 SOx. EPA did not weigh in on this conversation.

14 The Title V was a rush. The city needs
15 this asphalt. Too many decisions of this sort are
16 political in New York City. Neither the community
17 process nor the Environmental Justice Policy were
18 adequate or thorough.

19 NYPA, New York Power authority, a 45
20 megawatt turbine which is located one block from a
21 lower school with 1,100 mostly Hispanic children with
22 high asthma levels and adjacent to the communities only
23 park. The plant's original application came under
24 SEQRA, State Environmental Quality Review Act. When
25 emissions went over limits, the facility made a Title V

1 application, which permits it's exceedences. It's
2 equipment malfunctions result in many startups and
3 shutdowns contributing to intensive bursts of ammonia
4 particulate matter and VOC's to the community. The
5 Title V permit should provide more monitoring and
6 inspections to meet these problematic conditions.

7 None of the applications in our area
8 acknowledge the Greenpoint/Williamsburg community as
9 high risk despite the community's four power plants, 22
10 toxic release inventories, 220 right to know
11 facilities, the Newtown Creek Sewage Treatment Plant,
12 the Mobile Oil spill, one half of New York City's
13 transfer station activity, and one quarter of the
14 city's bulk petroleum storage with its historic leaks,
15 all within 4.8 square miles.

16 Many major sources in our community are
17 shown to be just below the threshold for particulate
18 matter and VOC over threshold for NOx and SO2.
19 Cumulative risk assessment should be conducted by EPA
20 for each Title V application.

21 Recent air monitoring in Williamsburg
22 adjacent to the Brooklyn Navy Yard show the highest
23 levels of diesel particulate in New York City in
24 city-wide monitoring by CBNS of Queens College and NYU.
25 Mitigation in areas such as ours should not be offset

1 by emissions credits from upstate New York. Emissions
2 problems here are very local.

3 MR. VOGEL: Can I ask you to try to sum
4 up, please?

5 MS. MASTERS: I'm sorry?

6 MR. VOGEL: Can I ask you to sum up,
7 please?

8 MS. MASTER: Yeah, I'm doing that. I'll
9 talk fast.

10 In an EJ community that has a high
11 background load, the Title V permit and it's
12 administrators should account for the existing
13 environmental burden by conducting cumulative risk
14 assessments and should analyze exposures to actual or
15 potential amounts of multiple pollutants. More
16 frequent inspections and comprehensive monitoring
17 should be written into these permits. In an area with
18 high asthma rates PM2.5 problems must be mitigated
19 through local pollution prevention projects.

20 In New York City, five EJ communities
21 assume most of the environmental burden because of the
22 industrial zoning there. It seems that that DEC looks
23 at each new siting in terms of its incremental
24 increase, which does not satisfy the Clean Air Act. We
25 would like a much greater EPA presence in Region 2 in

1 Title V permitting.

2 MR. VOGEL: Thank you very much. Are
3 there any questions from the Task Force? I don't see
4 any.

5 Deborah, could I ask if you have a
6 written -- it sounds like you were reading from
7 something written.

8 MS. MASTERS: Yes, I was. And I actually
9 have a public notice thing that I didn't get to, so
10 I'll send you the whole thing.

11 MR. VOGEL: Yes, please send it to -- you
12 could send to me at my e-mail, Vogel.Ray@EPA.Gov.

13 MS. MASTERS: My e-mail is not working at
14 the moment. Can I fax it to you.

15 MR. VOGEL: Fax it to -- number is
16 919-541-5509.

17 MS. MASTERS: Okay, thank you.

18 MR. VOGEL: Thank you, and thank you for
19 being here today to present your testimony.

20 MS. MASTERS: Okay, thank you. Bye.

21 MR. VOGEL: Is there anyone else on the
22 line? All right. Well, with that, I would like to say
23 thank you to all the speakers and thank the Task Force
24 for being here today. That concludes our proceedings
25 today.

1 THE STATE OF TEXAS)

2 COUNTY OF DALLAS)

3

4 I, Tracey D. Smith, Certified Shorthand
5 Reporter in and for the State of Texas, do hereby
6 certify that the above and foregoing contains a true
7 and correct transcription of all proceedings requested
8 in writing to be included in the transcript, all of
9 which occurred before me and were reported by me.

10

11 Given under my hand and official seal of
12 office this the 14th day of December, 2004.

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