



NEW YORK STATE SENATOR

Alessandra Biaggi

SENATOR ALESSANDRA BIAGGI AND ASSEMBLY MEMBER AMANDA SEPTIMO ADVANCE BILL TO REDUCE AIR TOXINS IN ENVIRONMENTAL JUSTICE COMMUNITIES ACROSS NEW YORK STATE

ALESSANDRA BIAGGI February 9, 2021

ALBANY, NY – State Senator Alessandra Biaggi and Assembly Member Amanda Septimo have introduced bill [S4371B](#) (assembly number forthcoming) to establish standards for and limits on the emissions of toxic air contaminants, and to create a community benefit fund through the enforcement of such limits via civil and administrative penalties. Today, the bill moved through the Senate Committee on Environmental Conservation.

“The fatal devastation wrought by COVID-19 in the Bronx is intrinsically linked to decades of environmental injustice. The Bronx has suffered from some of the [highest](#) asthma death and hospitalization rates in the country, largely stemming from air pollution pouring into our neighborhoods by industrial plants and corporations. The purpose of this legislation is to reduce the emission of harmful air contaminants into the air we breathe, and hold corporations accountable for their role in reducing pollution within vulnerable communities. Breathing clean air in the neighborhood that you live in is a basic human right, and that’s what this legislation serves to accomplish,” said **State Senator Alessandra Biaggi (D-Bronx/Westchester)**.

"Communities of color, like the South Bronx, have been bearing the brunt of environmental racism for decades. Reducing harmful emissions is not only an environmental justice issue, but also a racial justice issue. This legislation is another step in the long fight to protect our community against toxic air contaminants, which, for years have been contributing to soaring health disparities in The Bronx and across New York. We must ensure that our state policies are reflective of our values, and this legislation says that we believe everyone has a right to clean, breathable air," said **Assembly Member Amanda Septimo (D-Bronx)**.

The legislation requires the Department of Environmental Conservation to implement standards for toxic air contaminants including benzene, formaldehyde, vinyl chloride, polychlorinated dibenzodioxins, polychlorinated dibenzofurans, trichloroethylene and mercury.

Owners or operators of major air-contamination sources located within a one mile radius of environmental justice communities will be required to install and operate fence-line monitoring systems which measure the concentrations of these contaminants. They will then be required to submit publicly-accessible quarterly reports to the Department of Environmental Conservation showing the results of the monitoring systems.

Owners or operators who violate the standards or any rule or regulation pursuant to this legislation will be subject to civil and administrative penalties, including monetary fines or the withholding of permits and approvals by the Department of Environmental Conservation. Monetary penalties will be paid into a community benefit fund, which will be used for environmental benefit projects in the environmental justice communities located near such major air-contamination sources.

"In an era where medical harm caused by toxic pollutants is a matter of fact, not theory, it is unacceptable for the city of New York to continue poisoning the lungs and minds of Bronx

youth. Our infrastructure feels practically designed to handicap Bronx residents from the moment they take their first breath. The Bronx has some of the highest asthma rates in the United States. The widespread presence of pollutants causing physical health issues is so prominent it may take years to understand the long-term impact it has had on our population. For the sake of a better future for the Bronx, The Point CDC is proud to support bill S4371B introduced by Senator Biaggi and Point CDC alumni Assembly Member Amanda Septimo," said **Victor Davila Community Organizer, The Point CDC.**

"Jewish Climate Action Network NYC (JCAN NYC) strongly supports Senator Biaggi's bill, S4371B, as a much needed catalyst to reducing harmful emissions concentrated in communities in our state. We have fought to reduce greenhouse gases and toxic emissions in New York state to create a healthy, liveable climate for all New Yorkers both today and in generations to come. This bill puts the spotlight on emissions that have gone too far and the means to turn the situation around," said **Wendy Seligson, Steering Committee Member, Jewish Climate Action Network NYC.**

"We welcome the introduction of NY Senate bill S4371 regulating toxic air pollutants causing respiratory and heart damage as well as lung and other forms of cancer. These pollutants, from diesel trucks and other sources have long unequally impacted the South Bronx and other communities of color in New York State. It is time to provide all Americans with equal protection from these pollutants and a healthy environment in which to live," said **Joanna Underwood, Founder, Energy Vision.**

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RELATED LEGISLATION

2021-S4371B

- Introduced
- - In Committee Assembly
 - In Committee Senate
- - On Floor Calendar Assembly
 - On Floor Calendar Senate
- - Passed Assembly
 - Passed Senate
- Delivered to Governor
- Signed By Governor
-

Relates to emissions of toxic air contaminants

February 03, 2021

Passed Assembly

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Do you support this bill?