Comment on CLCPA Draft Scoping Plan

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This Scoping Plan document is extremely disappointing-and derelict- in its omission of any plan to address what is rapidly becoming the worst public health and environmental threat in NY State.

DEC Commissioner Seggos, in his recent interview with WAMC, acknowledged that all New York state residents are susceptible to the negative health effects of poor air quality, but disadvantaged communities suffer inordinately from the effects of air pollution, including asthma, cardiac arrest and stroke, asthma, and even premature death.

The Commissioner (and the Draft Scoping Plan for the CLCPA) are correct that the adverse health and environmental effects of air pollution are well known. Widely considered the most dangerous pollutant to human health is PM 2.5.

What the document fails to adequately address is that the health and environmental effects of wood burning have been shown to be worse than those produced by the burning of fossil fuels, per unit of mass burned when looking at PM 2.5, and even worse than coal; the document acknowledges that “although only 2% of households are estimated to burn wood for heat, the PM 2.5 produced by wood burning is more than that generated by BOTH power and transportation sectors combined.”

This should set off ALARM bells, yet the Document proposes NO immediate action to combat this threat to public health:

“Although no strategies target wood combustion specifically, upstate areas experience benefit from reduced wood combustion due to electrification and energy efficiency.”

From page 87:

“Biomass and biofuels are burned in New York for heat and combined heat and power for the residential, commercial, and industrial sectors. Of these energy use sectors, the residential sector has the greatest use as residents increasingly turn to biomass to heat their homes.”

As most of the woodsmoke pollution emanates from heating and the recreational burning of wood, targeting the electricity sector does not begin to address this type of pollution.

Page 56: Considering Health in Climate Policy:

The Document acknowledges the serious negative effects on human health of NO2, SO2, and PM 2.5, all of which are produced by wood combustion.

Since the Document acknowledges the overwhelming evidence that PM 2.5 produced by wood burning affects more people than that produced by both the transportation and power sectors COMBINED, NYS has no choice, in fulfilling the objectives of the CLCPA, than to ban wood burning in the state of NY.

There are two logical fallacies in the document’s proposal NOT to act in this regard:

- It assumes that heating is the only (or even the primary) source of woodsmoke pollution.

In fact, increasing numbers of people in the Northeast, including in NYS, (both in rural, suburban, and urban areas) are choosing to burn wood (both indoors and out) for ambiance, as reported by the Yale-generated report, “The Health Effects of Woodsmoke and the Rise of Recreational Wood Burning”. This includes: fireplaces; wood burning stoves for “ambiance”; outdoor firepits and cooking appliances such as woodfired ovens and smokers. The numbers of these devices has astronomically increased in the last decade. (And Page 87 acknowledges that people are **increasingly** turning to wood to heat their homes.)

-Another unsubstantiated assumption is that woodburning is a largely rural practice, and therefore does not affect those in densely populated cities. The document assumes that “upstate rural areas” have ‘less-dense’ populations”, and therefore, that woodsmoke pollution is acceptable there. There are multiple references to “upstate” vs. downstate” in this document. But, large swaths of “upstate” are comprised of cities such as Newburgh, Poughkeepsie, Kingston, Saugerites, Hudson, and many others further upstate in which residents’ homes are sometimes only a couple of feet apart. The draft document is misleading- and poses a danger to public health- in stating that woodsmoke is found in “particularly rural areas of the state”. This also completely dismisses the woodsmoke pollution experienced in other, more rural parts of NY State, and especially that experienced by residents of cities, both upstate and down.

As woodburning is increasing in most communities in the northeast,

proclaiming that woodsmoke pollution exists mostly in rural areas serves to divert attention from the fact that woodsmoke pollution is not only a serious public health threat, but one that disproportionately affects Environmental Justice areas.

Science shows us that hyperlocal air quality defines a block, a neighborhood, a community, and this is accentuated in Environmental Justice communities because they are disproportionately subject to all kinds of air pollutants.

Appendix F: The document states that there are 54 monitoring stations for criteria and non-criteria pollutants in NY State, but fails to recognize that when monitoring air pollution, hyperlocal conditions are what matters. The sparseness of these monitors means that the state is making decisions for all residents based on data that do not include their neighborhoods and homes. This is unacceptable, and should not be the case.

-The 2021 report by NESCAUM shows the EPA’s process for certification of wood burning devices to be unreliable at best and dangerous at worst, as EPA methodology and testing protocols have been shown to be invalid, and have been suspect for years. The flawed methodology of this testing process has left states such as NY with incentive programs that encourage use of wood burning devices that are as bad as or worse than older certified devices.

This report recommends that results from these tests be **revoked**.

The concept that newer stoves, OWBs, and other woodburning devices are “cleaner” (and that that protects health) is based on skewed and misleading data. The Draft document acknowledges the dirty truth about wood burning–that exposure to any amount of PM 2.5 is unsafe– but goes on to make faulty assumptions in order to support the wood pellet/logging/woodstove and outdoor wood boiler manufacturing industries in NYS.

This has led to NYS’s not only persisting in permitting wood burning devices, but incentivizing these polluting dangerously unhealthy devices despite the overwhelming evidence that this is destructive to the planet and terrible for human health. And, despite the mandate from the “Health Across the All Policies” Executive Order (cited on page14 of the

Document Overview):

“ Health Effects”:

“The Health Across All Policies Initiative (Executive Order 190, 2018) developed the necessary network and communications between agencies to address and improve public and individual health through collaborative efforts to address social determinants of health, like air quality, housing, and access to affordable energy.”

Page 57: The document claims that **indirect** health benefits will accrue to environmental justice communities due to co-pollutant reduction. These benefits are marginal– and aspirational–in comparison to those very real and significant benefits that would accrue from a direct effort to ban wood burning. The toxins listed in Appendix F as emanating from fossil fuel emission are present in large quantities in woodsmoke, and the overall PM 2.5 emitted eclipses that emitted by other sources. The benefits to cardiac health from reducing this source of PM 2.5 have been shown to be significant, as has the impact on asthma, stroke, dementia, and SIDS.

In addition to PM 2.5, the research shows that woodsmoke is composed of at least 16 EPA priority toxins, including benzene and formaldehyde.

-Given the science - and the statement above that indicates the State should be “addressing and improving public health through addressing air quality” - NYSERDA’s continuing to incentivize woodburning in NYS is shocking and irresponsible in the extreme. In the 21st century, we have choices, and we in NY State are in both an environmental and health emergency in NY State. The technology exists for us to pivot to CLEAN sources of energy—in both the electric and heating sectors of our power. We need not - and SHOULD not– rely on burning anything: fossil fuels, coal, and especially wood, because it produces exponentially more PM 2.5–the most dangerous pollutant to human health– and produces the most CO2 per unit of mass burned of any fuel. NYS should be DIRECTLY incentivizing air source heat pumps along with the clean energy jobs that go with them.

Given this serious threat to public health and the opportunity for NYS to achieve what it purports to do in the CLCPA, the Zero-Emissions standards set forth in this document SHOULD include emissions from wood combustion.

One forest Management goal set in the document is:

Restore degraded forest assets: DEC should implement restoration measures in degraded forests that have the potential for improved carbon storage, carbon sequestration, and climate resilience such as extending harvest intervals, uneven aged harvests, rehabilitating high graded and under stocked stands, and invasive species management and prevention. With current estimates of 1.1 million acres of understocked forests in NY immediate action and substantial funding is necessary to rehabilitate these acres to increase their carbon sequestration potential.” The biomass and wood pellet/firewood industries are major contributors to degrading forests, and in addition, produce prodigious amounts of polluting emissions.

Related to this is the section on Bioeconomy (pages 223-4):

The idea that NYS should continue to encourage jobs that pollute the air is completely inconsistent with the mission of the CLCPA. Contrary to the statement that this works toward climate and social justice goals, it does the opposite by worsening NYS’s overall air quality.

Page 227: Including as a part of the document a plan to INCREASE biomass burning with the idea that replacing fossil fuel emissions will negate the effects of burning wood is simply, scientifically untrue. The emissions of biomass include black carbon as well as multiple EPA priority toxins such as benzene and formaldehyde, and most worrying, large volumes of PM 2.5. Furthermore, including this as a “solution” is KNOWN to state officials to be harmful to both the environment and to public health; seeks to divert attention from these facts; and sidesteps the State’s responsibility to address the climate crisis and protect human health.

Page 251: “Biogas Use”:

No combustion of any sort should be part of this document. Seeking ways to use biogas encourages the continued use of the worst polluting fuel.

Not only does this document allow NYS to abdicate its responsibility to implement a CLEAN energy economy, but it encourages policies that will further put marginalized communities at risk. The State must move toward a zero-emissions, zero-combustion model.

The document must follow through on its purpose to protect the climate and human health of all residents, especially those in Environmental Justice communities, and must recommend a ban on wood and biomass burning in NYS.