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Testimony of Congresswoman Carolyn B. Maloney
On the Draft Environmental Impact Statement
Concerning the Proposed East 91st Street Marine Transfer Station
December 20, 2004

I am U.S. Representative Carolyn Maloney, and I represent New York's 14th Congressional District, in which the proposed site of the East 91st Street Marine Transfer Station is located. This is the only MTS planned for a heavily residential neighborhood. Not only will the stench foul the air of this community, but it will be located near a park that serves tens of thousands of children from around the city. I hold serious reservations about the Draft Environmental Impact Statement on the proposed East 91st Street Marine Transfer Station, which I believe contains significant flaws that reflect the proposal's heavy deference to political rather than policy concerns.

First, the DEIS clearly does not reflect the realities of operating a Marine Transfer Station in a densely populated residential community, such as the Gracie Square and Yorkville neighborhoods. Specifically, the impact of the proposed site on local air quality, traffic management, pediatric health, neighborhood open space, and public health are examined in cursory detail, if at all. Because the site is located within blocks of Community Board 11, where the rates of asthma and other respiratory ailments are among the very highest of any neighborhood anywhere in the United States, these impacts must be studied extensively before such a massive and seemingly permanent facility is located at this site.

When the original marine transfer station located at this site was first built in 1940, the neighborhood was very different. This was still a manufacturing district. Since that time, the residential population has increased exponentially, manufacturing has ended Asphalt Green became a park. Indeed, under the current Department of Sanitation siting rules, a private transfer station would be not be permitted within 400 feet of a park. It is wrong to set aside those rules to allow a massive public marine transfer station at the East 91st Street location adjacent to the Asphalt Green building and playing fields.

Reopening the MTS at the East 91st Street site is not a question of merely flipping a switch and starting up the previous MTS, or even simply retrofitting it. The City wants to completely demolish the current MTS and create a new facility that would handle more than four times the solid waste that could be managed by the station's current capacity. The Department of Sanitation has given no justification for why this site is suitable for a massive, brand-new Marine Transfer Station. If the City intends to proceed with a new MTS, it should make every concerted effort to examine exhaustively the possibility of erecting such facilities at waterfront sites in non-residential neighborhoods.

This DEIS fails to examine many factors that would have a major impact on the surrounding community. Most significant, the proposed facility will be built to process 4,290 tons of garbage per day. The DEIS, however, only considers the environmental impact of 1700-1800 tons of garbage per day, thereby violating the State Environmental Quality Review Act, which mandates analysis at full capacity. It strains credibility to assume the City will really use less than half of its capacity.

The DEIS also ignores the possible negative impacts on air quality and vehicular traffic caused by the proposed demolition and construction of the current MTS. Similarly, it fails to address specifically how the siting of this massive new facility would affect public usage of the Asphalt Green recreational facilities. To suggest that there would be no effect on activities taking place at Asphalt Green while construction is underway is either disingenuous or naive. In

addition, the DEIS fails to analyze possible odor pollution inflicted by the proposed MTS on recreational facilities and vital open space such as Asphalt Green, Carl Schurz Park and the John Finley Walk on the East River Esplanade, all of which abut the proposed site. The DEIS presents only vague descriptions of the dimensions and appearance of the new MTS and goes so far as to suggest that, although it is projected to be twice the height of its predecessor facility, it will exert no visual impact on the community. The blithe ignorance of these factors lends itself to the conclusion that the DEIS was drafted to fit a preordained conclusion in a manner reminiscent of the trial court in *Alice in Wonderland*.

New York City faces unique problems in dealing with the problems of waste disposal. We live in one of the largest and most highly developed regions of the country. Yet somehow, we have to find a way to dispose of the thousands of tons of waste generated each day by New York's residents, institutions and businesses. Given the current situation, I am glad this Mayor has taken on the task of devising a solid waste management plan for entire the city. But in striving for fairness by having a Marine Transfer Station in each borough he has created a nightmare for this residential community and a result that is distinctly unfair.