

Opposing A New Power Plant Facility At The Former Danskammer Energy Site In Newburgh (Orange County) New York

WITHDRAWN BY SPONSOR

Referred to: The Energy and Environment Committee (Chairwoman Greene and Legislators Eckert, Heppner, Wawro, and Woltman)

Legislator Kathy Nolan and XX offer the following:

WHEREAS, Danskammer Energy, LLC “Danskammer”, seeks a permit through the State of New York's Article 10 of the Public Service Law Power Plant Siting Process to build and operate a new power facility, similar in design to the CPV (Competitive Power Ventures) power plant, which is expected to generate approximately 550 megawatts of power via combustion of methane (“natural gas”), obtained via horizontal hydraulic fracturing (“fracking”); and

WHEREAS, no process has been put into place for the Orange County Executive and the Orange County Legislature to meet with public health, public interest, community, or environmental groups despite substantial evidence of public opposition to the proposed power plant; and

WHEREAS, the existing Danskammer Power Plant will probably not be able to meet new emissions standards and is therefore likely to be decommissioned, raising questions about the best means to provide power for electric needs following the closure of Indian Point; and

WHEREAS, the site proposed for construction of the new Danskammer facility flooded badly in Superstorm Sandy and its operation would require storage of aqueous ammonia and diesel in a highly flood prone area, threatening toxic exposures of the Hudson River and its organic life, including plants, fish, and water birds and animals; and

WHEREAS, the proposed new facility will operate continuously, bringing at least a 10-fold increase in emissions of air pollutants such as nitrogen oxide, carbon monoxide, and volatile organic compounds and a dramatic increase in local air pollution in the city of Newburgh and the entire region; and

WHEREAS, the Hudson Valley contains some of the most polluted air in all of New York State if not the country, with Orange County receiving a C grade; Putnam, Dutchess, and Rockland counties receiving D grades; and Westchester an F grade, due to high ozone days summarized in the 2017 American Lung Association report; and

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WHEREAS, together the air pollution in these five counties (Orange, Putnam, Dutchess, Rockland, and Westchester) contributes causally to more than 43,000 children with pediatric asthma, 152,000 adults with asthma, 85,000 adults with Chronic Obstructive Pulmonary Disease and 1,200 people with lung cancer and worsens the health of many additional individuals already suffering due to cardiovascular disease, diabetes, and poverty; and

WHEREAS, a new constructed baseline Danskammer power plant would be a new major natural gas consumer that will necessitate additional drilling and fracking over the 40-year lifetime typical for such a facility, leading to toxic pollution in distant host communities, generating expansion of gas delivery infrastructure, and producing extremely high volumes of contaminated and radioactive fracking wastewater, which is pumped into injection wells, including in New York State, for permanent underground storage, threatening drinking water sources; and

WHEREAS, increased consumption of methane for production of power further binds New York State and the entire country to a climate degrading source of energy production for generations to come; and

WHEREAS, the current proposals do not require taking down the existing power plant on the Hudson River, and the new facility would be taller than the existing plant, adding a harmful, menacing aesthetic impact on the riverfront; and

WHEREAS, the American Wind Energy Association ranks New York eleventh in the nation for installed wind generation capacity, with twenty wind energy project operating by the spring of 2014 and two additional wind power projects under construction in New York, with a third under active review; and

WHEREAS, the State of New York recently passed the Climate Leadership and Community Protection Act (CLCPA) which, in summary, established programs, obligations and targets to meet zero emissions by 2050, 70% renewable by 2030 and the electrical sector to be carbon free by 2040; and

WHEREAS, the Climate Leadership and Community Protection Act (CLCPA) codifies Governor Andrew Cuomo's nation-leading commitments to install 9,000 megawatts of offshore wind by 2035; 6,000 megawatts of distributed solar by 2025; and 3,000 megawatts of energy storage by 2030, without any suggestion that new fracked gas power plants are mandated or necessary;

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WHEREAS, large scale generation of electricity are currently possible through wind, solar, geothermal, and hydro, and can be coupled with battery storage, providing greater climate and financial benefit, as well as the prospect of more and better green jobs in the renewable energy sector; and

WHEREAS, we can continue to run the existing Danskammer plant for a short interval, such as for another 5 years, during our green energy transition, which would reduce negative environmental, social, and health outcomes relative to locking in fracked gas fossil fuel infrastructure in Newburgh, on the Hudson River until 2053, which is the proposed permitted life of a new Danskammer plant; and

WHEREAS, according to 2019 NYISO Power Trends, New York does not have an energy gap, and instead demand is continually going down as energy efficiency and behind the meter infrastructure and home improvements like home-scale solar and insulation continue to reverberate through the marketplace; and

WHEREAS, power needs throughout Ulster County and our surrounding region are best served by additional battery storage, such as that planned for the Town of Ulster and the Town of Catskill, along with transmission line improvements that would add reliability and efficiency to our aging electrical grid and remove the mid-state transmission bottleneck; and

WHEREAS, Ulster County supports the initiatives proposed in the Climate Leadership and Community Protection Act and will take an active role in supporting renewable energy projects in Ulster County; and

WHEREAS, a transition to renewable sources of power generation is inevitable, and any analysis of the economic benefit of the proposed new Danskammer facility must address remediation of the proposed construction site (currently a coal ash pit and a huge building) and lost opportunity costs in terms of introducing new solar generation and battery storage; and

WHEREAS, the proposed site for new power generation can accommodate a combined battery storage and solar facility, adding downstate storage infrastructure for hydropower, wind and solar from upstate; and

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WHEREAS, the City of Beacon, the City of Newburgh, the Village of Cold Spring, the Town of Phillipstown, the Town of Peekskill, the City of Kingston, the Town of Rosendale, the Village of New Paltz, and the Village of Saugerties have passed resolutions opposing the construction of a new fossil-fuel powered Danskammer power plant; now, therefore be it

RESOLVED, that the Ulster County Legislature hereby opposes the proposed Danskammer Project, based upon the information received about the project, concerns that the host town and surrounding towns and areas will be harmed by the project, and the overall economic benefits to Ulster County and adjacent counties of pursuing battery storage and other alternatives for the proposed plant; and, be it further

RESOLVED, the Clerk of the Ulster County Legislature shall forward copies of this resolution to the Orange County Legislature, Governor Andrew Cuomo, Assembly and Senate Majority and Minority Leaders, Assembly and Senate Environmental Conservation Committee Chairs, all Ulster County elected Assemblymembers and Senators, and the Orange County Legislature,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

Passed Committee: Energy and Environment on _____.

FINANCIAL IMPACT:

NONE