



Don't Put The Marine Transfer Station By LaGuardia

By Congressman Gary Ackerman

The dangers that bird strikes pose to air travel and the communities surrounding airports has become part of a national conversation in the wake of the crash landing of US Airways Flight 1549 in the Hudson River on January 15.

It is an issue I have been dealing with for the past several years, in particular regard to the New York City Department of Sanitation's plan to construct a garbage transfer tower just 1,900 feet from the end of LaGuardia Airport's eastern runway in College Point, Queens.

In March, I wrote to the Acting Administrator Federal Aviation Administration (FAA) – my third correspondence with agency officials since 2006 – about my continuing concern over the increased threat of bird strikes that the facility may bring to planes landing and taking off from LaGuardia.

Last September, the FAA determined in an aeronautical study that the trash tower, formally known as a Marine Transfer Station (MTS), was not a hazard to air navigation. However, in my correspondence to Administrator Lynne Osmus, I asked whether her agency is reconsidering its determination in light of Flight 1549 and other reported bird strikes across the country.

In my previous correspondence on this issue, in November 2006 and January 2007, I out-

lined my concern about building the now 100 foot tall MTS in the path of Runway 13-31, and the risk of birds being naturally attracted to the facility.

We are all aware of the danger birds pose to planes. It is an indisputable fact. Even from a layman's vantage point, such as mine, I find it difficult to believe that with garbage trucks lined up, waiting to dump their trash at the facility or with trash raised 100 feet in the air, hungry birds would not be eagerly gathering about and circling above.

Wisely, the FAA itself has previously determined that birds hovering near waste-transfer sites pose a threat to aircrafts. As a result, the FAA set up minimum distances from airports where these types of facilities should be built. I don't know why the FAA would choose to make LaGuardia the exception to this logical policy.

It is deeply troubling that the Department of Sanitation still has a green light from the FAA for this \$125 million sanitation transfer station that will bring 2,700 tons of garbage a day and be located at the mouth of the runway. The fact that this project is still being considered defies logic and reason.

As I stated in my previous letters to the FAA, a review of its own protocol on "Hazardous Wildlife Attractants on or Near Airports" reveals that the agency has two clearly stated criteria. These include:

- 1) A 10,000 foot separation between an air-

port operating jet aircrafts and a waste disposal facility and;

- 2) A distance of at least five miles between a waste disposal operation and approach or departure airspace.

At 1,900 feet from the end of an active runway, the proposed MTS falls well within both hazard areas.

Although the garbage station would be encapsulated, we all know that garbage trucks usually leak liquids and slimy substances. Imagine the stench and amount of discharge that would accumulate when dozens of garbage trucks line up and wait to pull inside the facility.

According to FAA guidelines, trash transfer facilities that store uncovered quantities of municipal waste outside, even if only for a short time, do not meet FAA's definition of a fully enclosed trash transfer station. The FAA considers these facilities incompatible with safe airport operations if they are located closer than the separation distances

In the interest of ensuring the safety of the flying public and the communities surrounding LaGuardia Airport, I have asked the FAA to explain how the College Point facility complies with the agency's protocols, and why, in its determination, it will not increase the threat of bird strikes for planes landing and taking off from LaGuardia.

Congressman Gary Ackerman is a Democrat representing Queens and Long Island.



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We Need To Focus On Energy Efficiency

By Assemblymember Andrew Hevesi

The last few years in New York State and the country have seen a tremendous increase in the interest and investment in renewable sources of energy. While this is a welcome development, it is incumbent upon policy makers to continue to focus on energy efficiency and demand reduction. Focusing on energy efficiency has a number of tangible benefits, including immediate savings for consumers, decreased demand and stress on the grid, and the greatest short term reduction in greenhouse gas emissions.

One of the most successful programs designed to reduce energy demand in the United States is the Energy Star Program. Administered jointly by the Federal Environmental Protection Agency (EPA) and the United States Department of Energy (DOE), Energy Star is a consumer information program which places a label on products in the marketplace that rank in the top 25 percent in energy efficiency for each category of products. This program has yielded significant results since its creation in 1992, as illustrated recently by the EPA announcement that in 2008 alone, Americans were able to reduce their energy bills by over \$19 billion and elim-

inate carbon emissions equivalent to the use of 29 million cars via the expanded use of Energy Star products.

Considering the level of success of the program, my staff and I began drafting legislation to direct New York State to expand the use of Energy Star products as a tool for statewide demand reduction. However, after we thoroughly reviewed the process through which Energy Star products receive that designation, we found problems with how the standards were determined and gaps in compliance.

To address these issues, my office wrote and introduced Assembly Resolution K13, which subsequently passed out of the state legislature on February 23 of this year. Resolution K13 had a number of specific recommendations designed to enhance and improve the Energy Star Program. These included mandating periodic testing of the 10 categories of products that use the most energy, requiring inclusion of developmental products that will be placed on the market within two years and random testing of products that have an Energy Star rating for compliance purposes, among others.

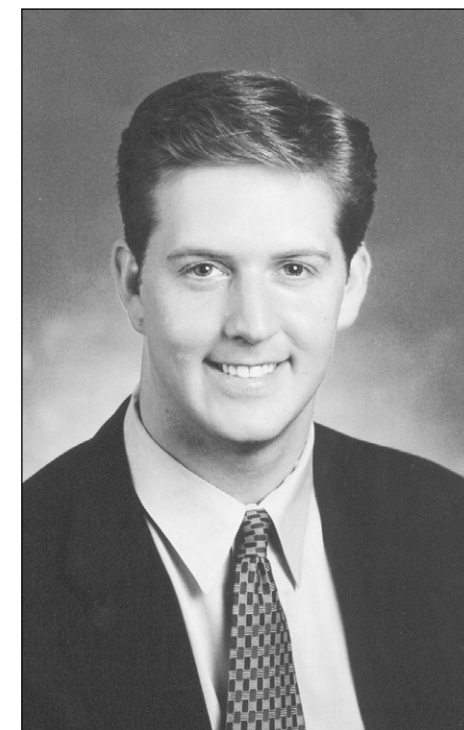
After the passage of K13, Congressman Anthony Weiner agreed to introduce the resolutions' recommendations as an amendment to HR 2454, the American Clean Energy and

Security Act of 2009. His amendment was adopted into the bill by unanimous consent.

Once HR 2454 is passed into law at the federal level, which both the Congressman and I anticipate, I will pursue several pieces of related legislation in New York State. The general concepts of these bills include creatively staggering and eliminating in certain circumstances the state sales taxes on Energy Star products designated to promote their use. A second bill will require departments and agencies within state government and other money allocated by the state legislature to be used for Energy Star products alone, unless specific circumstances prevent it.

The Congressman's actions, and those of my colleagues in the state legislature, will ensure that the Energy Star Program continues to be the gold standard for energy efficient products in the United States. Their actions will not only significantly improve the program itself, but have laid the groundwork for states like New York to actively pursue future policy which will achieve crucial energy demand reduction.

Assemblymember Andrew Hevesi is the Chair of the Subcommittee on Renewable Energy.



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