



NEW YORK STATE SENATOR

Brad Hoylman-Sigal

## West Side Electeds Testimony on Pier 98

BRAD HOYLMAN-SIGAL April 28, 2023

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### **Testimony of Congressman Jerrold Nadler, State Senator Brad Hoylman-Sigal, Assemblymember Linda Rosenthal, and City Council Member Erik Bottcher to the New York State Department of Environmental Conservation on the SPDES Permit Related to Con Edison Operations at Pier 98**

Thank you for the opportunity to submit comments on the modification and renewal of the State Pollutant Discharge Elimination System (SPDES) permit related to Con Edison's operations at Pier 98 in Senate District 47.

Con Edison's facilities related to Pier 98 are the 59<sup>th</sup> Street Steam Station and the 49<sup>th</sup> Street Electrical Substation. The 59<sup>th</sup> Street Steam Station uses natural gas to produce steam for approximately 1,600 Manhattan buildings to power heating, hot water, and air conditioning, and serves as a back-up source of electricity for local substations during peak periods. The 49<sup>th</sup> Street Electrical Substation provides electricity to 80,000 customers in Manhattan, including major facilities and important infrastructure.

These facilities make use of two outfalls on Pier 98. Outfall 002 is associated with the 59<sup>th</sup> Street Steam Station. Municipal water is used to create steam, then treated and released into the river at Outfall 002. Outfall 003 is associated with the 49<sup>th</sup> Street Electrical Substation. At this outfall, river water is taken in and used to provide cooling for electrical transmission

cables to enable the operations of the substation, then released back into the river.

These industrial uses of the Piers for essential infrastructure must be balanced with the need to protect and maintain the Hudson River's estuarine sanctuary. Additionally, millions of visitors visit the park every year, and tens of thousands of people participate in boating activities on the water annually. We echo the concerns raised by the Hudson River Park Advisory Council, and their suggestions to address the potential negative impact on the estuarine sanctuary by these discharges.

Concerns have been raised that the SPDES permit allows discharge of water up to 104 degrees, while the limit for estuaries is 90 degrees. The 90 degree limit pertains to surface temperature, and the outfalls are located below the surface. We encourage the 104 degree limit to be closely examined, however, to ensure that the water is not being released at a temperature that could harm the estuarine sanctuary. We also encourage DEC to consider limiting thermal discharges to 188 days per year, as recommended by the Advisory Council. We encourage DEC to work with Con Ed to explore ways the water could be further cooled before being released. This change would be not only be beneficial at Pier 98, but more efficient heat-capturing systems are necessary as more electricity is brought into the city as part of the state's transition away from fossil fuels.

We also encourage DEC to work with Con Ed to explore alternatives to discharging the leftover water from the steam creation process into the river. Thank you for your consideration of our input as part of the permit renewal process.