

FOR IMMEDIATE RELEASE

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**Business and Labor Leaders Urge New York Department of Environmental Conservation to Reassess Cooling Water Intake Proposal;**

**Warn measure “will drive businesses out of New York, cost jobs across the state, and raise rates”**

New York, NY/May 5, 2010 – A group of 14 prominent business and labor leaders today urged the New York Department of Environmental Conservation (DEC) to revisit a draft policy, issued March 4, which would effectively require large and expensive cooling tower structures at power plants that generate 54 percent of New York’s electricity.

In a letter to DEC Commissioner Pete Grannis, the business and labor leaders warn of the impacts from the cost of this proposal, estimated at \$8.5 billion, saying, “We believe the net effect of this measure will be increased electricity prices and rising unemployment in New York State. All New Yorkers will ultimately be negatively impacted by the adoption of this measure.”

The letter also cautions that the proposal could “jeopardize the reliability of New York’s electricity grid” and asks the DEC to be mindful of a 2009 U.S. Supreme Court decision that found that cost-benefit analysis can be used when determining environmental regulatory policy. The business and labor leaders also ask for an independent study to pinpoint the number of jobs that will be lost and the additional costs in the form of higher electricity.

The DEC proposal aims to reduce the mortality impact that power plants and certain large industrial facilities have on fish eggs and larvae in New York’s waterways, through entrapment and impingement. There are alternate technologies to cooling towers which can significantly reduce these impacts.

The organizations signing the letter are:

Boilermakers Local 5  
Bronx Chamber of Commerce  
Business Council of New York State  
The Business Council of Westchester  
Hudson Valley Economic Development Corporation  
Independent Power Producers of New York, Inc.  
Insulators Local 12

Millwrights Local 740  
 Nassau and Suffolk Building Trades  
 National Federal of Independent Businesses (New York State)  
 New York Affordable Reliable Electricity Alliance (New York AREA)  
 New York State Building and Construction Trades Council  
 Rockland Business Association  
 Westchester County Association

The above organizations are members of the New York Affordable Reliable Electricity Alliance (New York AREA). Jerry Kremer, chairman of New York AREA, is available to conduct interviews.

# # #

***About New York AREA:*** Founded in November 2003, the New York Affordable Reliable Electricity Alliance (New York AREA) is a diverse group of more than 150 business, labor, and community groups whose mission and purpose is to ensure that the New York metropolitan area has an ample and reliable electricity supply, and economic prosperity for years to come. New York AREA helps to educate policy makers, businesses, and the general public regarding the necessity and importance of safe, low-cost, reliable, clean electricity.

For additional information visit: [www.area-alliance.org](http://www.area-alliance.org).

**Below is the text of today's letter to Commissioner Grannis**

Dear Commissioner Grannis:

As leaders of business and labor organizations throughout New York State, we are seriously concerned about the draft DEC Policy, issued March 4, 2010, regarding Best Technology Available (BTA) for Cooling Water Intake Structures.

This measure would effectively require large and expensive cooling tower structures at the power plants that generate 54 percent of New York's electricity. We believe the net effect of this measure will be increased electricity prices and rising unemployment in New York State. All New Yorkers will ultimately be negatively impacted by the adoption of this measure.

Additionally, this policy will lead to another significant consequence. The measure will jeopardize the reliability of New York's electricity grid, particularly as New York State continues without a statewide power plant siting law, such as the Article X statute that has been expired for more than seven years.

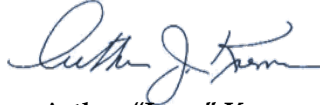
Implementing the mandated changes will cost \$8.5 billion, according to your department's estimates. While other experts believe the costs will be significantly higher, this extraordinary costs leads to our conclusion that enactment of this policy will drive businesses out of New York, cost jobs across the state, and raise rates for commercial and residential electric customers throughout New York. In this time of economic uncertainty, the anticipated economic impacts of this policy are unacceptable.

Finally, we urge the DEC to be mindful of last year's U.S. Supreme Court decision that concludes that cost-benefit analysis can be used when determining environmental regulatory policy. As part of this process, we urge the facilitation of an independent cost-benefit analysis to determine the following:

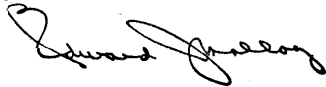
- The number of New York power plants likely to close as a result of this policy.
- The amount of additional costs in the form of higher electricity prices that will be borne by New York consumers and businesses.
- The number of job losses anticipated at closed plants and in the reduction of economic activity throughout the state. We would also like to know if to date the DEC has made any calculation regarding job losses from this proposed policy.

We would appreciate the opportunity to discuss these issues with you in person and welcome your response to our concerns expressed here. Thank you for your attention to this matter.

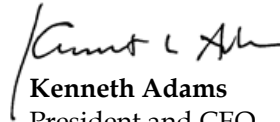
Sincerely,



**Arthur "Jerry" Kremer**  
Chairman



**Edward J. Malloy**  
President  
NYS Building and Construction Trades Council



**Kenneth Adams**  
President and CEO  
Business Council of New York State



**Gavin J. Donohue**  
President and CEO  
Independent Power Producers of New York, Inc.



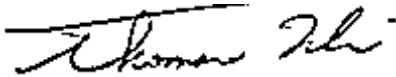
**Michael J. Elmendorf, II**  
State Director  
National Federation of  
Independent Business



**James Castellane**  
President  
Nassau and Suffolk Building Trades



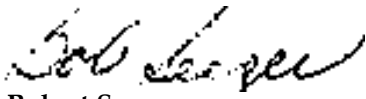
**Michael Oates**  
President and CEO  
Hudson Valley EDC



**Thomas Klein**  
Business Manager  
Boilermakers Local 5



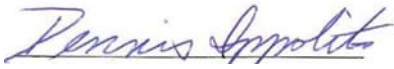
**Dr. Marsha Gordon**  
President and CEO  
The Business Council of Westchester



**Robert Seeger**  
Business Manager  
Millwrights Local 740



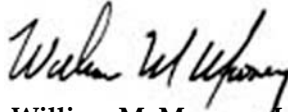
**Al Samuels**  
President and CEO  
Rockland Business Association



**Dennis Ippolito**  
Business Manager  
Insulators Local 12



**Lenny Caro**  
President & CEO  
Bronx Chamber of Commerce



**William M. Mooney, Jr.**  
President  
Westchester County Association

cc: Governor David Paterson  
Senator George Maziarz  
Assemblyman Kevin Cahill