

Committee on the Environment
March 18, 2015

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON THE ENVIRONMENT

Room 400, City Hall
Philadelphia, Pennsylvania
Wednesday, March 18, 2015
2:12 p.m.

PRESENT:

COUNCILWOMAN BLONDELL REYNOLDS BROWN - CHAIR
COUNCILMAN DAVID OH

ALSO PRESENT:

COUNCILMAN CURTIS JONES, JR.

RESOLUTIONS: 150132

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2 COUNCILWOMAN REYNOLDS BROWN: Good
3 afternoon, good afternoon. Welcome to the
4 City Hall Council Chambers. And we will now
5 ask the Clerk to please read the title of
6 the Resolution, please.

7 THE CLERK: Resolution 150132, a
8 resolution authorizing City Council's
9 Committee on the Environment to hold public
10 hearings regarding the state of the
11 Philadelphia environment.

12 COUNCILWOMAN REYNOLDS-BROWN: We are
13 appreciative of your attendance this
14 afternoon and more appreciative of your
15 interest in trying to make sure that not
16 only for us but for our children and our
17 grandchildren they have air to breathe and
18 clean water to drink. As one of the Mayor's
19 top goals has been to make Philadelphia the
20 greenest and most sustainable city in
21 America.

22 In 2009, the Mayor's Office of
23 Sustainability launched Greenworks, a
24 six-year initiative to help achieve that

1 goal by setting a number of initiatives in
2 energy, environment, equity, economy and
3 engagement to be completed by 2015. And
4 there have been a number of achievements.

5 SEPTA's ridership is at its highest
6 point in over two decades and is working
7 hard to reduce emissions while also meeting
8 increased demand. In 2013, SEPTA purchased
9 160 new hybrid diesel buses. And by 2015,
10 over 50 percent of SEPTA's bus fleet will be
11 fuel efficient hybrid vehicles.

12 Philadelphia was ranked fourth Most
13 Bikable City in the United States in 2013.
14 Were we excited about that? Yes. And
15 whereas, Greenworks has reported that
16 95 percent of the 166 initiatives were
17 underway or completed as of 2013 Annual
18 Report. So thereby improving our -- the
19 environment in Philadelphia, we are also
20 lowering energy costs for residents,
21 businesses while creating "green" jobs.

22 With that, we are delighted to have five
23 panels this afternoon that will address
24 various aspects of the environment and

1 sustainability. And we want to say a huge
2 thank you to all of you who professionally
3 and/or personally care about making sure we
4 sustain and maintain a healthy environment.
5 With that, we are going to bring up the
6 Administration, the Executive Director of
7 the Mayor's Office of Sustainability. And
8 that would be Katherine Gajewski.

9 MS. GAJEWSKI: Good afternoon --

10 COUNCILWOMAN REYNOLDS BROWN: Good
11 afternoon.

12 MS. GAJEWSKI: -- Councilwoman Reynolds
13 Brown.

14 COUNCILWOMAN REYNOLDS BROWN: Pull the
15 mic close to you so we can hear you.

16 MS. GAJEWSKI: Yeah. Can you hear me?

17 COUNCILWOMAN REYNOLDS BROWN:

18 MS. GAJEWSKI: I'm Katherine Gajewski,
19 Director of Sustainability. And I want to
20 open by saying I appreciate your calling us
21 together to get issues and ideas on the
22 record before City Council. I am going to
23 keep my testimony brief. I know we have a
24 lot of people to hear from this afternoon.

1 And I hope that everyone in the room by now
2 is familiar with Greenworks, the City's
3 comprehensive sustainability plan. And if
4 you are not, I have put copies of our most
5 recent report on the table by the door.

6 As you mentioned, Councilwoman, we are
7 now in our sixth year of implementation and
8 are pleased to report that work on more than
9 160 separate initiatives is either underway
10 or complete, spanning every neighborhood,
11 nearly all departments and agencies and, in
12 many cases, in partnerships with
13 stakeholders outside of government.

14 Together we have put Philadelphia on the map
15 as a national leader in urban
16 sustainability.

17 The Office of Sustainability is in the
18 process of drafting the 2015 Report to be
19 published in June which will serve dual
20 functions as both an annual and a final
21 report, summarizing the progress made on the
22 Nutter Administration's Commitments. We
23 intend to provide a snapshot of the work
24 performed over the past year along with

1 cumulative metrics, narrative takeaways,
2 notes of work that remains in process and
3 ideas for what could happen next. We want
4 to document for the public record what we
5 did, what we didn't do, why and what we
6 learned along the way. Our intention is to
7 share knowledge and experiences, our hope is
8 to provide the framework for next generation
9 sustainability plan using Greenworks as a
10 template and extending these commitments
11 past 2015 into the next administration and
12 beyond.

13 Starting today and continuing over the
14 course of the next three months, we will be
15 inviting partners to share feedback on
16 Greenworks initiatives and to brainstorm
17 with us about where sustainability planning
18 can go next. This hearing is a great forum
19 from which to get input and ideas to bring
20 into our report. Everyone from our office
21 is here today to hear what comments and
22 ideas people have to bring to the
23 conversation and put on the record.

24 You know, really six years in, our

1 takeaway is that the work has really just
2 begun. Philadelphia faces significant
3 challenges and opportunities in becoming a
4 more liveable, equitable and vibrant city.
5 Among the big issues that I believe we need
6 to address next are achieving energy
7 efficiency at scale, diversifying our energy
8 economy, Deepening investments and climate
9 adaptation planning, driving deep greenhouse
10 gas emissions, incorporating environmental
11 outcomes into the DNA of budgeting and long
12 term planning, advancing the connection
13 between sustainable and equitable
14 development in low income and
15 under-represented neighborhoods and making a
16 shift from waste management to waste
17 reduction. Taking on these issues will
18 require continued and sustained focus and
19 commitment.

20 I'll close by saying that even though
21 the Office of Sustainability is now
22 permanent thanks to your efforts,
23 Councilwoman, we don't yet know what future
24 leadership will bring and how it will impact

1 or change the City's approach to
2 sustainability. We will all need to
3 continue to work together to advocate for,
4 improve the value of sustainability efforts.

5 I'd like to thank Council for convening
6 in this hearing and thank everyone who is
7 here today for their engagement and
8 partnership. I look forward to hearing the
9 rest of the testimony provided this
10 afternoon. Thank you.

11 COUNCILWOMAN REYNOLDS BROWN: You're
12 very, very welcome.

13 MS. GAJEWSKI: I'd be happy to take
14 questions.

15 COUNCILWOMAN REYNOLDS BROWN: Just one.
16 So if you had to stack Philadelphia
17 against other cities across the country of
18 similar size, where might we fall in terms
19 of the accomplishments we've completed to
20 date?

21 MS. GAJEWSKI: I'd like to think that we
22 are in towards the front of the pack. You
23 know, every city has its strengths and
24 weakness. There are some programs in other

1 cities that we really aspire towards and
2 then other programs that cities really look
3 to us as a leader on. There's a
4 conversation right now between cities across
5 North America trying to figure out where we
6 can build out standardization around a core
7 set of metrics to better be able to really
8 compare ourselves against one another.

9 For example, standardized tools and
10 protocols for greenhouse gas reporting.

11 COUNCILWOMAN REYNOLDS BROWN: Okay.

12 MS. GAJEWSKI: So, it's a question that
13 there's a very active conversation underway
14 on. I will say that what Philadelphia gets
15 comments on about a lot is the range of
16 issues that we're working --

17 COUNCILWOMAN REYNOLDS BROWN: Is the
18 what?

19 MS. GAJEWSKI: The broad range of issues
20 that we are working on: Open space, energy,
21 green stormwater investments. That range,
22 it's not that we are just picking one area
23 and driving hard, we are really focused over
24 an array of issues. I think that puts us in

1 a really strong position.

2 COUNCILWOMAN REYNOLDS BROWN: Okay. So,
3 the next three top priorities for the
4 Administration for the remaining months of
5 this year are what?

6 MS. GAJEWSKI: I think our core
7 priorities, putting out our 2015 Annual
8 Report --

9 COUNCILWOMAN REYNOLDS BROWN: Okay.

10 MS. GAJEWSKI: -- and working with folks
11 to do that knowledge share, climate
12 adaptation. We are going to be putting out
13 a roadmap report for where we think the City
14 should be heading and preparing for the
15 climate projections that we believe are in
16 Philadelphia's climate future. And then I
17 think our third focus is really doing some
18 deeper greenhouse gas reporting work.

19 COUNCILWOMAN REYNOLDS BROWN: Okay. So,
20 I thought of one, but two final questions.

21 What do you think we can do better as a
22 City to enlighten and ignite the imagination
23 of young people around the importance of
24 caring about our environment and

1 sustainability? And I'm talking about high
2 school young people.

3 MS. GAJEWSKI: We think that
4 sustainability needs to really be brought
5 into the School District both in terms of
6 the curriculum and also their operation, so
7 that they are sending signals out that this
8 is something that's important and also
9 providing opportunities for education and
10 engagement to students.

11 Actually, the School District just this
12 year launched a sustainability planning
13 initiative of their own modeled after
14 Greenworks.

15 COUNCILWOMAN REYNOLDS BROWN: Is that
16 right?

17 MS. GAJEWSKI: And City representatives
18 are at the table advising and helping them
19 to shape out their program. And we have
20 been pushing them politely for many years
21 now. And finally, they are taking action
22 and being able to have students see
23 recycling happen in their school, see lights
24 go off when no one is in the room. Those

1 kinds of signals are really important to be
2 sending out to young people.

3 COUNCILWOMAN REYNOLDS BROWN: My office
4 would be interested in knowing more about
5 who is shepherding that process at the
6 School District, so let us know so that we
7 can possibly get to the table.

8 MS. GAJEWSKI: Happy to make an
9 introduction.

10 COUNCILWOMAN REYNOLDS BROWN: Okay.
11 Thank you for your important work.

12 MS. GAJEWSKI: Thank you.

13 COUNCILWOMAN REYNOLDS BROWN: Our first
14 panel will be David Masur, Executive
15 Director of PennEnvironment; Michael Volpe,
16 President of the Executive Board for Rivers
17 Edge Condominium; and Tracy Carluccio,
18 Deputy Director for Delaware River Keeper.

19 Up next will be two community leaders
20 Rebecca Finkel and Bonnie Isenfeld. Please
21 be prepared.

22 Welcome.

23 (Panel approaches Witness Table.)

24 COUNCILWOMAN REYNOLDS BROWN: Good

1 afternoon, welcome back.

2 MR. MASUR: Good afternoon. My name is
3 David Masur. I'm the Executive Director for
4 Penn Environment. And PennEnvironment is a
5 statewide citizen-based environmental
6 advocacy group. I'd like to thank
7 Philadelphia City Council and Councilwoman
8 Blondell Reynolds Brown for having me today
9 testifying in the very pressing issue of oil
10 train traffic through Philadelphia.

11 It may not happen today or tomorrow, but
12 one day a town or a city is going to get
13 wiped out. Those were the words of Larry
14 Mann, a principal author of the Federal
15 Railroad Safety Act and National Rail Safety
16 expert on the issue of crude oil
17 transportation in the U.S. This warning
18 shouldn't be taken lightly here in
19 Philadelphia since Philly.com reports that
20 our city is now the nation's top destination
21 for oil trains coming from North Dakota's
22 Bakken oil fields.

23 The risk of a potentially catastrophic
24 oil train disaster is due to a confluence of

1 dangerous factors, including the Bakken
2 Formation crude oil being far more volatile
3 and combustible than typical crude. The
4 roots for these trains traveling through
5 highly populated cities, counties and
6 neighborhoods. Bakken Formation crude is
7 often shipped in massive amounts, often more
8 than a hundred cars or over 3 million
9 gallons per train. And the nation's
10 existing laws to protect and inform the
11 public are woefully inadequate to avert
12 derailments and worst-case accidents from
13 occurring.

14 In the past few years, production of
15 Bakken crude oil has skyrocketed from a rate
16 of 9,500 car loads in 2008 to nearly a half
17 million in 2014, a 15-fold increase over the
18 last six years. Predictably, this increase
19 has led to more derailments, accidents and
20 disasters involving oil trains putting local
21 communities at risk. In the past two years,
22 there have been major disasters in North
23 Dakota, Virginia and Alabama as well as
24 recent explosions in with West Virginia and

1 only days later, another in Galena,
2 Illinois. The worse of these was the town
3 of Lac-Megantic in Canada's Quebec Province.
4 This catastrophic oil train explosion took
5 place on July 6, 2013 killing 47 people and
6 leveling half the town.

7 Pennsylvania has had three near misses
8 in the last two years alone, two in
9 Philadelphia and one near Pittsburgh. We
10 were fortunate that these oil train
11 accidents did not lead to explosions or
12 fires. All of these incidents point to one
13 fact, that unless we take action to curb the
14 growing threat of oil trains, the next time
15 a derailment occurs, an unsuspecting
16 community may not be so lucky.

17 Using the same evacuation range used by
18 first responders in the West Virginia oil
19 explosion, PennEnvironment released a new
20 study two weeks ago that uncovered the
21 following stark findings. Over 700,000
22 Philadelphians live within a half mile
23 evacuation zone for a potential oil train
24 accident. If you rank Pennsylvania ZIP

1 codes with the most people at risk, 16 of
2 the top most vulnerable 25 ZIP codes, the
3 top percentile in the entire Commonwealth
4 are all based within Philadelphia with the
5 first five all found within the City proper.
6 These ZIP codes are West Philadelphia 19143
7 with more than 53,000 residents living
8 within the potential half mile evacuation
9 zone; Northeast Philadelphia's 19134 ZIP
10 code with over 48,000 residents; Olney's
11 19120 with 45,000 residents; Huntington
12 Park's 1940 -- 19140, excuse me, with more
13 than 38,000 residents; and University City's
14 19104 ZIP code with over 32,000 residents
15 living within the half mile evacuation zone.

16 Sadly, even the most basic common sense
17 policies that are needed to protect our
18 communities and the public are not in the
19 hands of municipal officials or even
20 statewide policymakers. Philadelphia's City
21 Council and elected officials in
22 Pennsylvania should be aggressively pushing
23 for federal reforms that include rerouting
24 oil trains away from heavily populated

1 communities, requiring oil train companies
2 to release all information about their oil
3 train traffic, not just trains carrying over
4 one million gallons, ensuring oil companies
5 pay their fair share to engage in this risky
6 endeavor, insurance must cover worst case
7 scenario accidents and rail companies should
8 cover the creation of an emergency response
9 plans as well as first responders' equipment
10 and time. These costs should not be a
11 burden on the taxpayers.

12 We need to dramatically increase
13 inspections and have stiff mandatory
14 penalties that incentivize compliance and we
15 need to improve America's ailing rail
16 infrastructure. Yet, state and municipal
17 officials do have the ability to improve
18 transparency for local residents and
19 communities by releasing information that
20 rail companies are required to share with
21 the states under federal law.

22 Some have said that this cannot be done
23 because it would give terrorist access to
24 information for an attack. This is purely a

1 red herring. I have not spoken with a
2 single first responder who believes that.
3 In fact, most state what Fred Miller, an
4 independent rail consultant and hazardous
5 material safety advocate so eloquently when
6 he noted, "Any half-assed terrorist can see
7 where a good place to blow up a train would
8 in a major city."

9 Of course, the best way to protect the
10 public is to get America off oil. The
11 threat of oil change just adds to the
12 laundry list of ways in which our dependence
13 on fossil fuels puts our health at risk,
14 adds instability to the marketplace and job
15 creation and causes environmental calamity
16 like climate change.

17 Again, I'd like to thank City Council
18 and Councilwoman Blondell Reynolds Brown for
19 inviting me to testify today. And I'd love
20 to take any questions. Thank you.

21 COUNCILWOMAN REYNOLDS BROWN: We would
22 like to hear from everyone and then we'll
23 open it up for questions. Please proceed.

24 Who was up next? Tell you in a minute.

1 Yes.

2 MR. VOLPE: Good afternoon. I want to
3 thank Councilwoman Brown for inviting me. I
4 also want to thank you for being you and
5 Councilman Johnson for having the backbone
6 to stand up to the railroads publicly and
7 keep this issue alive because government has
8 been appallingly silent. I'll speak more to
9 that in a moment.

10 Let me base my -- my testimony this
11 afternoon on two quotations. The first is
12 from Senator Casey, Robert Casey in
13 Pennsylvania, who was quoted in the Inquirer
14 February 27 of this year and said, "We know
15 that rail transportation is critical to our
16 economy and growth of the country, but we
17 also have to be mindful that millions of
18 Americans live near these rail lines and
19 should have a right to expect their
20 government to take every step necessary to
21 protect them and ensure their safety."

22 And then let me follow that with a quote
23 from the Inquirer from January of 2014.
24 "The joint recommendations of the United

1 States national Transportation Safety Board
2 and the Transportation Safety Board of
3 Canada include better route planning for
4 trains carrying hazardous materials to avoid
5 populated and other sensitive areas."

6 Okay. So why am I here. Who am I?
7 I'm, after all, a nobody.

8 COUNCILWOMAN REYNOLDS BROWN: Who are
9 you? We want you to tell us who you are by
10 giving us your full name.

11 MR. VOLPE: Oh, don't worry, I will. I
12 am a nobody, all right. I'm pretty much a
13 faceless nobody except I happen to be
14 standing here, so I have a face. But
15 certainly not one --

16 THE CLERK: Sorry, we need it for the
17 record just to state your full name.

18 MR. VOLPE: I'm getting there. But I'm
19 a nobody who happens to be elected by his
20 neighbors of his condominium to my
21 constituents to represent them and to take
22 every step necessary to protect them and
23 ensure their safety.

24 So, I'm Michael Volpe. I'm President of

1 the Rivers Edge Condominium. We are located
2 at 23rd and Cherry Street, which just
3 happens to be about 50 feet from the
4 railroad tracks. So, I am here basically to
5 represent not only my building but about
6 eight residences and two commercial
7 buildings and, I'm not sure, that are within
8 a hundred feet of the railroad tracks.

9 I'm going to fast forward a little bit
10 just to save my time. You can see from my
11 testimony that I've included pictures, so
12 you know what the building looks like and
13 you know what 30,000 gallons of Bakken oil
14 look like when they blow up. And David has
15 very succinctly described all of the nasty
16 things that happens when that happens. So,
17 let me kind of fast forward to page 4.

18 Let me call your attention, though, to
19 the top of page 4, the pictures of the PECO
20 headquarters and the design center where you
21 can clearly see that these two buildings,
22 one on the north and south sides of Market
23 Street, are within -- I didn't measure them,
24 but I am going to say 15, 20 feet of the

1 railroad tracks. And if that fireball goes
2 off next to one of those buildings, an army
3 of first responders is not going to save the
4 people in those buildings. And it's the
5 same in my building Edgewater, and the whole
6 slew of buildings that line the whole
7 Schuylkill River.

8 So let me -- let me go to the Section
9 and Action Plan for Center City. We all
10 recognize that Bakken oil is going to be
11 shipped around the country because economic
12 and geopolitical realities demand it. And
13 the railroad tracks are where they are and
14 they're not going to move. So, the only
15 action we can possibly take would be to
16 route the trains on the paths that endanger
17 the fewest people and take every step
18 possible to improve the safety of train
19 shipments for those who remain along its
20 path.

21 The Philly.com website published a map
22 of train lines throughout the Delaware
23 Valley and the refineries where they deliver
24 their shipments. The only place where the

1 train tracks travel in parallel and
2 therefore provide an opportunity to choose
3 their route for public safety lies along the
4 Schuylkill River through Center City. Let
5 me repeat this. The one and only place
6 where we have an opportunity to route these
7 trains to save people's lives in Center City
8 is along the Schuylkill River.

9 Currently, oil trains traveled or
10 traverse Center City on both sides of the
11 Schuylkill River. They endanger everyone on
12 both sides of the river. Why? For the
13 business convenience of CSX. We put the
14 business interests of CSX above the safety
15 of everyone who lives, works and travels
16 near the Schuylkill River. We don't have to
17 allow that. City government must insist
18 that the federal regulators optimize the
19 routing of these trains through
20 Philadelphia, so the fewest number of people
21 are endangered.

22 Well, that raises the unpleasant but
23 unavoidable question of which side of the
24 Schuylkill will the trains run on. The

1 answer is obvious no matter how distasteful
2 it is for some people to acknowledge, one
3 must only look at an aerial photograph which
4 you see supplied. Along the western
5 Schuylkill, the trains use the high line
6 which runs down the center of a massive
7 train yard avoiding the bridges and does not
8 pass close to any building until it reaches
9 Market Street. On the eastern side, it
10 passes within a hundred feet or less of
11 eight residential towers, two office
12 buildings, six bridges and the Schuylkill
13 River Trail Park. Thousands more people are
14 immediately endangered on at the eastern
15 path than on the western. They don't need
16 to be.

17 City and state government don't have no
18 regulatory power to do anything about
19 railroad safety, but you have immense
20 rhetorical power. You can stand with
21 Senator Casey who declared that citizens
22 have a right to expect their government to
23 take every necessary step to protect them
24 and ensure their safety. You must speak up

1 loud and clear and often. You must demand
2 from the federal regulators in Washington
3 that the safety of people is more important
4 than the business interest of CSX. Don't
5 ask but demand that first trains in
6 Philadelphia be routed to minimize the
7 safety risk to as many people as possible,
8 specifically to move all train traffic in
9 Center City to the western side of the
10 Schuylkill; and two, that the railroad be
11 forced to invest from their sizable profits
12 in Bakken oil shipments to improve the
13 western tracks, strengthen the tank cars,
14 build fire walls and take all other safety
15 measures possible along the tracks at
16 vulnerable points to minimize the danger to
17 everyone.

18 Thank you.

19 COUNCILWOMAN REYNOLDS BROWN: You're
20 welcome. You are welcome. I thank you for
21 all of that instruction you've already
22 provided. We need to pass that on to
23 Katherine Gajewski so we can share that
24 powerful instructive testimony.

1 Thank you.

2 Please.

3 MS. CARLUCCIO: Thank you. I'm Tracy
4 Carluccio, Deputy Director of Delaware River
5 Keeper Network. Thank you very much for the
6 opportunity to speak here today. I'd like
7 to specifically thank Councilwoman Blondell
8 Reynolds Brown for holding this hearing and
9 particularly for adding safety and rail into
10 this hearing here today. And thank you for
11 supporting the important oil train
12 resolution that was passed unanimously by
13 City Council last week.

14 There are several next steps that are
15 key to achieve safety and public health
16 protections from the dangerous and dirty oil
17 trains that travel through the City in
18 addition to the immediate ban of all tank
19 cars used today to transport Bakken crude.

20 Federal intervention is needed to
21 require that domestic crude oil be
22 reclassified to reflect its high dissolve
23 content, volatility and corrosive
24 properties. The wrong cars are being used

1 because the material is not classified
2 properly. Many experts question the use of
3 non-pressure general purpose tank cars for
4 this cargo at all. And federal regulations
5 that treat the oil at the extraction point
6 before transport by rail or by pipeline are
7 being considered. North Dakota has put some
8 forward, but they're not good enough and do
9 not make it safe.

10 Here in Philadelphia, more can be done,
11 as well. For instance, Philadelphia Energy
12 Solutions is the largest single customer of
13 Bakken crude in the nation. Operates the
14 largest crude by rail yard in the United
15 States and has the largest refinery complex
16 on the eastern seaboard.

17 The City shouldn't issue any more
18 permits and they should advise Pennsylvania
19 DEP not to issue permits that would allow
20 expansion at PES or Monroe refineries or the
21 rail yards that would require more train
22 traffic before an overhaul of the currently
23 aging infrastructure is accomplished to make
24 the bridges and the elevated roadways and

1 rail tracks that carry the two to three oil
2 trains that course through the City's
3 neighborhoods every day meet the highest
4 safety specifications. An inspection blitz
5 like the one ordered last year by New York
6 Governor Cuomo of all rail components
7 including our bridges and an analysis to
8 assess the adequacy of maintenance, repair
9 and operational workers should be performed
10 at the direction of the City and/or the
11 state in concert with labor organizations.

12 Philadelphia asks the railway operators
13 to improve their operations in its oil train
14 resolution last week but more should be
15 called for. CSX and Norfolk Southern should
16 step up like the head of the Federal Railway
17 Administration recently told rail operators
18 they should, voluntarily making operational
19 changes and footing the bill for repairs and
20 emergency response training, not the
21 taxpayers.

22 Changes that could be made today by the
23 operators and the refineries that would
24 protect the City and the neighborhoods and

1 workplaces that are now exposed to
2 unacceptable risk and day-to-day pollutions
3 from the oil trains include speed should be
4 limited to below 8 miles per hour, which is
5 the rate that DOT-111s, the most commonly
6 used cars, puncture when derailed.
7 Punctures cause explosion, virtually
8 uncontrollable fires. Double brakes and
9 brake signaling system should be immediately
10 installed on all cars. This is not even
11 being put forward by the U.S. department of
12 transportation proposed rule making but
13 should be.

14 The 100 or more cars in unit trains
15 should be limited to a maximum of 20 cars to
16 reduce the magnitude of a catastrophic
17 derailment. There is absolutely no reason
18 to have these "pipelines on wheels"
19 traveling in 100 to a 120 tank cars.

20 Finally, communities should be able to
21 decide if they want to accept the train
22 traffic. Right now people don't even know
23 about the trains, what they are carrying,
24 the safety risk and the emergency response

1 should there be a disaster. We look forward
2 to the community forums, the city's
3 resolution tasks Philadelphia's Office of
4 Emergency Management with. But with all the
5 recent firey train derailments, the time has
6 come for the City to seek keeping these
7 trains out all together before we have the
8 quote "accident waiting to happen."

9 Federal and state officials are calling
10 for similar safety changes. U.S. Senator
11 Bob Casey was in Philadelphia just this week
12 pushing his bill to train first responders.
13 Pennsylvania Department of Transportation
14 Acting Secretary told the legislature, the
15 state needs to identify grand opportunities
16 to help pay for specialty equipment like
17 flame retardant. Many rural communities
18 that are passed through as the trains head
19 towards Philadelphia don't even have the
20 phone that's needed to contain the
21 exceptionally hot fires that erupt when a
22 train car explodes. As we saw in West
23 Virginia and all the other recent accidents,
24 they just stand back and let the fire burn.

1 That would be catastrophic here in
2 Philadelphia.

3 Delaware River Keeper Network asks this
4 Committee and the Councilwoman as Chairman
5 to consider an even bolder but highly
6 reasonable course of action. Considering
7 the dangers of domestic crude oil and
8 considering that rerouting will not remove
9 all of the danger and the risks and the
10 documented, very limited production
11 longevity of the North Dakota frack shale
12 oil wells, a more secure and safe strategy
13 would be to leave this oil in the ground
14 where it can be stored for the future.

15 Today the more viable, economical,
16 sustainable and environmentally protective
17 path is to leave fossil fuels behind and
18 instead develop a "green" economy for
19 Philadelphia based on renewable energy
20 efficient energy sources that will support
21 healthy communities and a thriving
22 biodiverse environment here where the
23 Delaware and the Schuylkill Rivers come
24 together, bringing us so many environmental

1 and economic benefits if we protect them
2 from the degradation and pollution of these
3 oil trains.

4 Thank you.

5 COUNCILWOMAN REYNOLDS BROWN: You're
6 very well. You're very, very welcome. I
7 appreciate the work we have done so far
8 around the -- the issue of the travel of the
9 trains. And we clearly have more work to
10 do.

11 And in doing that, my ask is always that
12 we work cooperatively with the other side of
13 the ledger because you get a lot more done
14 when we can be friendly in our persuasion to
15 help those who don't -- who are at a
16 different place than we are philosophically.
17 We do better in bringing them along.

18 Sometimes you have to -- we just do better
19 in bringing others along. I will leave it
20 there.

21 It does not mean we should squelch our
22 passion for the issue. But in wanting to do
23 better and helping others to do better, a
24 lot more gets accomplished as we can be

1 friendly as we go down that road. That's
2 the only proviso I would add.

3 Thank you very much for the work that
4 you do. The mission continues.

5 Councilman, do you have any questions,
6 observations, comments?

7 COUNCILMAN OH: I do have a question for
8 whomever like to answer it because this is
9 an area I'm not familiar with.

10 In what Senator Casey is proposing to
11 do, is it somehow changing the current
12 status of the law regarding rail lines?
13 Because as much we deal with problems with
14 rail lines and bridges in the City, it's
15 very difficult for us. I'm told
16 consistently that we cannot legislate on our
17 roads and other things because we cannot do
18 anything that affects property owned by the
19 rail lines.

20 MS. CARLUCCIO: My understanding is it
21 would not change the federal jurisdiction
22 responsibilities that are presently in
23 place. It's more about getting to first
24 responders and communities what they need in

1 order to protect themselves and putting
2 safety first over the oil companies
3 revenues.

4 MR. VOLPE: Councilman, if you'll pardon
5 my vulgarity, one of the problems -- the
6 biggest problem with government dealing with
7 the railroads and especially at the federal
8 level is they need to stop kissing the
9 behind of the railroads and starting kicking
10 it. Public safety trumps business profits.

11 You represent -- you represent your
12 constituents and you are here. The whole
13 purpose of having a government is to protect
14 the society, all right. The fact that they
15 manage to go to Washington with their
16 high-priced attorneys and get special
17 interest legislation that completely allows
18 them to operate virtually in secret, that's
19 bad legislation that needs to be overturned.
20 We don't have to sit here and honor that
21 legislation. We should be fighting it.

22 And I think City Council, I think the
23 Mayor, I think the governor, I think
24 everyone in every part of government in this

1 country needs to stop cow towing to the
2 railroads. And my advice to you would be
3 is, I would pull a sanitation truck across
4 that railroad line and park it. First, let
5 them go fight it out in the courts, number
6 one.

7 But number two, do it so that the Wall
8 Street -- the fellas on Wall Street realize
9 that you're not going to allow them to just
10 pick up revenue every day. You're going to
11 stop the revenue flow until they come and
12 deal with us responsibly. And the short
13 sellers on Wall Street will in five minutes
14 solve a problem that government can't seem
15 to address in years. And that is, they will
16 shut them down until they have a business
17 model that works and works for everybody.
18 And as Councilwoman Brown said, we do have
19 to figure out a solution that works for
20 everybody. And right now, we only have a
21 solution that works for the railroad.

22 So park the sanitation truck, let's have
23 some fun. And I'll bet you if you park that
24 truck tomorrow, before the sun sets Friday,

1 I'll bet you you'll see more action on this
2 issue than we have seen from years from the
3 Federal Government.

4 COUNCILMAN OH: Well, I appreciate your
5 opinion. I will say that I do think that it
6 would be a good idea for us to introduce
7 legislation as I plan to so we can better
8 care for our roads and streets and other
9 things despite the fact that there's a
10 railroad, but that will probably lose. And
11 there are federal representatives and
12 federal laws and other things that have been
13 decided.

14 So, to that extent, you know, I am more
15 than happy to do that. However, as you
16 said, we will see how things evolve. If
17 there is movement right now in the federal
18 side, I think that's an indication of some
19 adjustments in how we are doing things.

20 MR. VOLPE: Councilman, the people of
21 Philadelphia have -- for the Council, the
22 people of Philadelphia have your backs. Be
23 as aggressive as you possibly can on this
24 issue. We are with you.

1 COUNCILMAN OH: Well, thank you very
2 much. Thank you.

3 COUNCILWOMAN REYNOLDS BROWN: Please
4 don't ever lose your enthusiasm. It's
5 important. It really does drive and helps
6 to get things done.

7 MR. VOLPE: When you are 50 feet away
8 from 30,000 gallons of Bakken oil, it
9 doesn't take much to get the blood flowing.

10 COUNCILWOMAN REYNOLDS BROWN: Indeed.
11 The activism matters. Thank you all very,
12 very much.

13 We are going to invite up our two
14 community leaders, Rebecca Finkel and Bonnie
15 Isenfeld. I have to step away for a
16 mandatory 20-minute meeting. And my
17 colleague Minority Whip Councilman David Oh
18 is going to continue so that we don't skip
19 any time here.

20 MS. FINKEL: Thank you, however,
21 Councilwoman for inviting me.

22 COUNCILWOMAN REYNOLDS BROWN: You are
23 absolutely welcome. And you'll state your
24 name for the record and proceed with your

1 testimony.

2 MS. FINKEL: Sure. My name is Rebecca
3 Finkel. Hello, Councilwoman Oh --
4 Councilman Oh.

5 Last March, the day after the City
6 Council hearing on the January 20, 2014
7 derailment that left a rail car carrying
8 Bakken crude oil dangling over the
9 Schuylkill --

10 COUNCILWOMAN REYNOLDS BROWN: Please,
11 pull the mic closer so we can all hear and
12 also so that we can capture your testimony.

13 MS. FINKEL: How is this? Is this
14 better?

15 COUNCILWOMAN REYNOLDS BROWN: Better.

16 MS. FINKEL: Okay. Last March the day
17 after the City Council hearing on the
18 January 20, 2014 derailment that left a rail
19 car carrying Bakken crude oil dangling over
20 the Schuylkill, Councilman Jones was
21 recorded as saying sometimes as a
22 Councilperson, you really wish you could
23 forget what you learned. You don't sleep
24 well at night because what you know now and

1 that burden of knowledge.

2 Unfortunately, the entire City of
3 Philadelphia now shares that burden of
4 knowledge. I, too, find it difficult to
5 sleep. My husband and I live four blocks
6 away from the train route. The whistles
7 blow all night reminding us and our
8 neighbors of the near constant danger. We
9 are now moving because we don't want to
10 raise our children in a blast zone.
11 Unfortunately, we fear that our proximity to
12 these trains will make it difficult to sell
13 our home.

14 I recently spoke about this with
15 Representative Maria Donatucci, a member of
16 the Governor Wolfe's Emergency Preparedness
17 Committee. She told me that Bakken crude is
18 less volatile than traditional crude oil.
19 She was also under the impression that
20 crude-by-rail routes were classified as a
21 Homeland Security concern, which they have
22 not been for about a year now. I was
23 shocked that a resident could know so much
24 more than a Representative, knowledge that

1 could save lives.

2 We live in an unprecedented age of free
3 information. Your constituents have the
4 ability to learn as much as you do about
5 this issue and or others. Even if they are
6 not online, they are watching the news and
7 seeing flaming trains that look just like
8 the ones that pass through our city twice a
9 day. We know that one in four
10 Philadelphians live in the blast zone of
11 these trains. We know that the cars were
12 not designed to carry volatile substances.
13 We know that the federal regulations
14 proposed are inadequate. We know that the
15 DOT has predicted ten derailments per year
16 country-wide.

17 We read the editorial from former
18 Philadelphia Fire Chief Joseph P. McCool in
19 the Philadelphia Inquirer who wrote that due
20 to cutbacks, the Fire Department lacks
21 sufficient resources to easily handle a
22 major incident involving an oil train.

23 We know that PEMA was not consulted when
24 Philadelphia Energy Solutions set up shop

1 three years ago and commissioned these oil
2 trains. We know as reported by Bloomberg
3 News that the train that recently exploded
4 in Illinois was headed to Philadelphia
5 Energy Solutions. We know that this train
6 burned for three days before it could be
7 extinguished. We know that there is no
8 public response plan if such an accident
9 occurs. We know that if such an accident
10 happens in Philly, it could kill 200 people,
11 compromise our water supply and cost the
12 City billions. And we know that
13 Philadelphia Energy Solutions plans to bring
14 even more of these trains into our City.

15 Freedom from fear is a basic human
16 right. When these trains were welcomed into
17 our community, Philadelphians were stripped
18 of that freedom and the City lost control of
19 our safety. I am very grateful to the
20 Council for supporting stricter federal
21 regulations for crude oil rail transport.
22 Unfortunately, until Federal Government
23 takes action, there is very little that can
24 be done to protect residents and first

1 responders from a devastating accident.

2 However, you on City Council can prevent
3 new threats from entering our communities.
4 Philadelphia Energy Solutions can and should
5 pay to reduce the volatility of the crude
6 oil that it ships. I think that's fair
7 considering that taxpayers are footing the
8 bill for enhanced emergency response
9 measures.

10 Additionally as proposed, the energy hub
11 vision will introduce even more hazards,
12 pollutants and environmental degradation to
13 our City. It's up to you on Council to
14 engage the health and safety experts who
15 could have foretold the dangers of the oil
16 trains. Indeed, there were no public health
17 or emergency response specialists invited to
18 speak at last Friday's meeting on energy
19 opportunities. Let's make sure that our
20 best interests are represented at the next
21 one. If they aren't, I don't know how many
22 of us will be able to sleep at night.

23 Thank you.

24 COUNCILMAN OH: All right. Thank you

1 very much. For my information, would you
2 let me know, because the only thing it says
3 here, it lists your name and community
4 leader. And so, would you just tell us a
5 little bit about your group, your
6 organization or some of the people that you
7 are speaking on behalf of.

8 MS. FINKEL: I belong to the Girard
9 Estate Neighborhood Association, but I am
10 speaking on my own behalf.

11 COUNCILMAN OH: Okay. Well, thank you
12 very much for coming and sharing your
13 concerns.

14 MS. FINKEL: Thank you.

15 COUNCILMAN OH: All right.

16 Next witness.

17 THE CLERK: Bonnie Isenfeld, followed by
18 Daniel Solis-Cohen.

19 Bonnie Isenfeld? Daniel Solis-Cohen.

20 COUNCILMAN OH: We seem to have somebody
21 here. I will just remind you that your
22 testimony is being transcribed and it is
23 being televised, basically, on a television
24 station and over the internet, I believe.

1 And Councilmembers and their staff generally
2 do listen to these hearings.

3 So please, identify yourself. And if
4 you would like to let us know that you speak
5 for more than yourself or just yourself,
6 that's fine so that we get a good
7 understanding of, you know, who you are
8 speaking on behalf of.

9 Would you identify yourself, sir?

10 MR. SOLIS-COHEN: Yes, sir. Thank you.
11 My name is Daniel Solis-Cohen. I'm a member
12 of the Logan Square Neighborhood Association
13 and specifically on the Health and Safety
14 Subcommittee.

15 COUNCILMAN OH: Thank you very much.
16 Would you please provide us with your
17 testimony.

18 MR. SOLIS-COHEN: Sure. Thank you for
19 giving me the opportunity, Councilman.

20 COUNCILMAN OH: Thank you for being
21 here.

22 MR. SOLIS-COHEN: Imagine if you're M.
23 Night Shyamalan and you are going to produce
24 the next movie thriller and the Pope is

1 holding his special mass on the Parkway on
2 September 27 and the Bakken oil train goes
3 right underneath his pulpit while he's doing
4 mass and it explodes right under the Pope.
5 Imagine that with a million people on the
6 Parkway.

7 Now, that's probably not going to
8 happen. And even though M. Night Shyamalan
9 is a great movie producer and director and
10 had some great movies in the City of
11 Philadelphia, that probably will not happen
12 because Homeland Security will probably shut
13 that line down hopefully for two weeks prior
14 to the Pope's visit. Hopefully, there will
15 be no traffic on that line per Homeland
16 Security to make sure that the line is safe
17 for the Pope's visit.

18 And all we're asking for, and this is
19 for OEM as well, any time there's a major
20 event on the Parkway, somebody in OEM
21 contact CSX and tell them to keep the line
22 vacant. No trains when there is a major
23 event on the Parkway. That includes July 4,
24 that includes the Susan G. Komen Race for

1 the Cure and Mother's Day, that includes any
2 major parades on the Parkway, that includes
3 Made in America, the concert on September 7,
4 2015. No trains near these things when you
5 have hundreds of thousands of people in the
6 area. Because if a train did explode when
7 you had visitors on the Parkway, we would
8 have a major catastrophe.

9 So, that's the really the purpose of my
10 testimony is to make sure that they don't
11 operate in cloak and dagger secrecy, at
12 least let OEM know when they are going to
13 use the line and what is on their trains. I
14 know it's a competitive business.

15 I am also speaking as a shareholder of
16 CSX. As a shareholder, I have votes. I
17 have called the company numerous times in
18 their Jacksonville headquarters and alerted
19 them that Philadelphia is not happy with
20 what they're doing in my city here. The
21 stock has done fairly well. It's gone from
22 25 to 35, so they are making profits.

23 Mike Volpe my neighbor has mentioned,
24 let's hit them where they speak and make

1 sure these people sell the stock short and
2 things like that. That's a great idea to be
3 honest with you, but it's very competitive
4 business that rail transportation business.
5 They need to be more forthright with what
6 they are doing.

7 You can call CSX in their Jacksonville
8 headquarters and that's on the internet or
9 you can go on CSX.com any time there is a
10 train idling for more than 24 hours in back
11 of Michael's house and blocking the Race
12 Street on ramp to the Schuylkill River's
13 bank path. I have alerted them that they
14 block that ramp for days on end with idling
15 trains that don't move 48 to 72 hours. They
16 saw you can report that, and I will start
17 doing that.

18 I urge all of Philadelphians that enjoy
19 using the Schuylkill River bank path whether
20 you bike, jog, walk, roller blade, just want
21 to walk along the river and enjoy a
22 beautiful day to notify CSX at CSX.com any
23 time one of the entrances or exits to the
24 path is blocked by a freight train. These

1 trains idle for days on end. They have more
2 than just Bakken oil. They have garbage
3 that idle. And as the weather gets hot,
4 these trains stink. They haul orange juice
5 pulp garbage to wherever the landfill is
6 from the juice factories. And those cars
7 idle for days on end and block the path.

8 So, that's the purpose of my testimony.
9 I do plan to be proactive person, go on
10 CSX.com and report blockages. I would hope
11 that they would be more forthright in
12 scheduling with Offices of Emergency
13 Management, let them know when they plan to
14 do that and maybe OEM can reach out to them
15 and say there are times when you are not
16 allowed to use that spur because of events
17 on the Parkway. We fear for public safety.

18 Thank you.

19 COUNCILMAN OH: Thank you very much,
20 sir. If you would wait, there might be
21 questions for you. I will just recognize on
22 the record that our Majority Leader Curtis
23 Jones, Jr. has joined us.

24 MR. SOLIS-COHEN: Hi, Mr. Jones. I know

1 your wife.

2 COUNCILMAN OH: And I'll yield tot he
3 Councilman.

4 COUNCILMAN JONES: Thank you. And I've
5 been listening to the testimony in my
6 office. And you do know my wife because she
7 was at most of those events you mentioned.

8 And we had hearings on the dangers of
9 these rail cars coming through our
10 neighborhoods throughout Philadelphia. And
11 what was deeply concerning was the fact that
12 we don't know what their cargo is at any
13 given point in time. And so, as they
14 criss-cross through our City and
15 neighborhoods, we really have to at least
16 know what the potential threat level of
17 contaminant would be in case of an accident
18 so that our HazMAT units are at least aware,
19 and I agree a hundred percent, if we are
20 having a major event, the Pope is going to
21 be here and is estimated we will have
22 1.5 million people in the City of
23 Philadelphia at that given time. And they
24 are meandering around a lot of these

1 thoroughfares where these trains are going.

2 That is a concern.

3 MR. SOLIS-COHEN: Thank you.

4 COUNCILMAN JONES: And I appreciate your
5 testimony.

6 MR. SOLIS-COHEN: Thank you.

7 COUNCILMAN OH: Please call the next
8 witness.

9 THE CLERK: That concludes our Safety
10 Panel. Next up is our Water Panel. Would
11 the first group of Michael Roles, Program
12 Organizer Clean Water Action; Katie
13 Bartolotta, Philadelphia Outreach
14 Coordinator for PennFuture; and Amy Laura
15 Cahn, Staff Attorney Garden Justice Legal
16 Initiative, Public Interest Law Center of
17 Philadelphia.

18 COUNCILMAN OH: On this panel, we are
19 going to proceed with each of you in the
20 order called. Michael Roles, Katie
21 Bartolotta, Amy Laura Cahn. Would you
22 please just identify yourself for the
23 record, the organization or community group
24 you are with and proceed with your

1 testimony.

2 Please draw the mic close to you so that
3 everyone can hear you. Thank you.

4 MR. ROLES: Thank you very much for this
5 opportunity. Good afternoon. My name is
6 Michael Roles. I'm a program organizer with
7 the Clean Water Action here in Philadelphia.
8 I want to sincerely thank Councilwoman
9 Reynolds Brown, Councilman Oh, Councilman
10 Jones and the entire City Council for this
11 opportunity.

12 I've submitted my written testimony for
13 the record. And as you can see, it is quite
14 lengthy, so I am going to do my best to
15 summarize.

16 When Clean Water Action works towards
17 solutions, we strive to keep a critical eye
18 toward three intentions. The first, of
19 course, is ensuring that we are working
20 towards supports the environment; second, we
21 work to make sure that it strengthens our
22 local economy and improves prosperity; and
23 third, we aim to improve equity and
24 opportunity in the community.

1 Whenever we are producing upon an
2 initiative, that's achieving all three
3 criteria -- environment, economy and
4 equity -- we know we are pursuing the right
5 goals. It's through this lens that I like
6 to offer solutions that Clean Water Action
7 is working toward and those in which we
8 encourage support from City Council.

9 But first, I want to extend my sincere
10 appreciation about recent support this
11 legislative body has provided. Last year,
12 Clean Water Action undertook an initiative
13 to restore protections for all rivers and
14 streams under the Clean Water Act. And
15 Philadelphia actually became the first city
16 in the United States to adopt a City Council
17 resolution declaring unequivocal support for
18 those protections. Thank you to all of you.
19 Thank you especially to Councilwoman
20 Reynolds Brown for spearheading that
21 resolution.

22 Clean Water Action also applauds
23 Councilwoman Reynolds Brown for introducing
24 legislation that would expand energy and

1 water usage benchmarking, expend the Green
2 Roof Tax Credit and reduce litter and trash.
3 We're also excited about City's Council work
4 to advance organics recycling opportunity in
5 this City, otherwise known as composting
6 mostly thanks to Councilwoman Bass and
7 Councilman O'Brien. Additionally, Clean
8 Water Action thanks Councilman Johnson for
9 leading the charge towards last Thursday's
10 adoption of the resolution regarding oil
11 trains in Philadelphia.

12 Clean Water Action is heavily engaged on
13 local water quality, particularly we're
14 focusing on reducing runoff and flooding
15 from stormwater. Our City's Green City
16 Clean Water Plan is an innovative approach
17 to mitigating these challenges through its
18 integration of green stormwater
19 infrastructure like rain barrels, green
20 roofs and tree trenches.

21 We see the Philadelphia Water Department
22 doing a tremendous job about being
23 innovative with implementing green
24 stormwater solutions. Any incentives

1 proposed to promote green infrastructure are
2 usually a good idea because advancing these
3 opportunities are mostly good for the City.

4 Because Green City, Clean Waters is
5 still in its fledgling stages, what Clean
6 Water Action has learned to this point about
7 green stormwater infrastructure in
8 Philadelphia is that there is still a
9 knowledge gap in our neighborhoods about
10 recognizing green infrastructure where it is
11 and fully understanding the multitude of
12 community benefits it provides.

13 Clean Water Action is currently
14 examining a series of neighborhood
15 indicators to analyze where green stormwater
16 infrastructure is prioritized and how we can
17 work with Philadelphia neighborhoods and the
18 Water Department to help fill that void.
19 Clean Water Action fully supports a policy
20 that encourages the establishment of
21 interpretive signage wherever green
22 infrastructure projects are completed so
23 that those local neighbors are able to grasp
24 the functional nature of those projects that

1 are installed and their community and
2 perhaps trigger an interest in the Green
3 City, Clean Waters Program. It's a tongue
4 twister.

5 Green stormwater infrastructure is the
6 best way to introduce stormwater in our
7 waterways, but it's also a very smart way to
8 reduce flooding in communities. Because the
9 purpose of Green City, Clean Water exists to
10 reduce stormwater impacts in our combined
11 sewer area, Philadelphia communities located
12 outside of the combined sewer area are not
13 able to reap the same benefits of this
14 program.

15 Some of these communities are
16 experiencing flooding. And you will hear
17 more about that from Amy and Laura, and will
18 benefit from the presence of green
19 stormwater infrastructure in their
20 neighborhoods. Clean Water Action therefore
21 respectfully ask City officials to examine
22 how we can begin offering green
23 infrastructure opportunities to help reduce
24 flooding risks and provide societal benefits

1 in those areas that are also located outside
2 of the combined sewer. But I want to be
3 clear, any exploration of this issue cannot
4 compromise the intended outcomes of Green
5 City, Clean Waters.

6 To borrow the words of a friend and
7 colleague Maurice Sampson, who should be
8 speaking later, "I'd like to talk trash."

9 Clean Water Action's concerned about the
10 amount of trash that's ending up in our
11 waterways. Most of the waste is in the form
12 of floatable trash like plastic bags,
13 styrofoam, snack bags, plastic bottles. And
14 they end up in our sewers. And they are
15 eventually carried out to our waterways via
16 stormwater outfalls.

17 Clean Water Action recommends the
18 following actions to begin to remedy this
19 problem. One, adoption of a single-use bag
20 ordinance by placing a fee on single-use
21 bags; and two, creation of a city-wide
22 street cleaning program.

23 Clean Water Action also works heavily to
24 achieve the ambitious vision of zero waste.

1 Working towards zero waste is critical
2 because landfills run out of space and waste
3 incinerators produce some of the most toxic
4 forms of air pollution in our communities.
5 We are member of the Recycle Now Coalition
6 and deeply engaged with our partners within
7 the coalition on this issue.

8 Clean Water Action fields calls
9 regularly that come in from Philadelphians
10 via the website known as Recycle Now
11 Philly.org. And these calls usually entail
12 questions about what to recycle, how to get
13 rid of appliances, how to locate a recycling
14 bin, how to obtain recycling resources or
15 why residents received a cit -- a ticket
16 from the City. These are from residents,
17 they're from business owners, they're from a
18 lot of schools, as well.

19 But this brings me to my next point. If
20 Philadelphia wants to get serious about
21 reducing waste, we need to do a better job
22 about engaging businesses and residences
23 about recycling right. Clean Water Action
24 believes Philadelphia's Recycling Office is

1 doing a stellar job utilizing the resources
2 that they have to improve transparency and
3 better engage the public. But we think they
4 sorely lack the necessary capacity to
5 provide the adequate outreach needed for a
6 City of one and a half million.

7 In light of this, Clean Water Action
8 strongly urges an increase in funding for
9 the Recycling Office so that they can
10 comprehensively engage residents and
11 business owners and provide the right kind
12 of information resources necessary to help
13 them become better participants in
14 Philadelphia's recycling program.

15 The greatest area for opportunity to
16 grow Philadelphia's waste aversion rate is
17 through recycling of organic wastes
18 including leaf and yard debris and food. We
19 propose a full inventory of currently
20 existing regional and community
21 opportunities and assets as that process
22 moves along so that best practices are
23 understood, that lessons are learned and are
24 able to take full advantage of

1 infrastructure that's already here in order
2 to do a city-wide compost program.

3 I'd also like to touch upon the threats
4 that Philadelphia faces from extreme weather
5 due to a changing climate. Experts have
6 concluded that communities need to start
7 preparing for extreme weather. While
8 flooding's impacts are easily available as
9 it occurs, high heat can be equally, if not
10 more dangerous because the risks are not
11 seen as easily.

12 Key vulnerabilities include sensitive
13 infrastructure like our roads, buildings,
14 hospitals and also our electricity grid.
15 Another critical aspect is to protect our
16 most vulnerable residents who include low
17 income families, the elderly and people with
18 poor health. Working with our neighbors to
19 share information on how to become more
20 self-reliant and resilient in the face of a
21 changing climate is what I believe to be one
22 of the greatest community services that one
23 can provide.

24 With that, Clean Water Action calls for

1 the creation of a commission to evaluate the
2 vulnerabilities from a changing climate to
3 Philadelphia's populations infrastructure
4 and natural resources and to develop
5 strategies to prepare and protect those key
6 areas. Additionally, we support a
7 requirement that new construction meet
8 guidelines to protect new infrastructure
9 from increased extreme weather. It's no
10 secret that climate changes exacerbated from
11 the burning of fossil fuels. This is one
12 major reason why Clean Water Action is
13 extremely concerned about recent discussions
14 within the City to expand a petroleum energy
15 hub in the region.

16 Make no mistake, Philadelphia will not
17 become the greenest city in America if the
18 energy hub dream is realized. There is
19 serious health and safety concerns involved
20 with development of fossil fuel
21 infrastructure especially in areas as dense
22 as Philadelphia's neighborhood and
23 surrounding region. The proposal to build a
24 pipeline through the Philadelphia area is

1 completely irresponsible. And the impacts
2 are clear, obviously, if a project does run
3 through any of our neighborhoods. But let
4 me emphasize that constructing a pipeline in
5 the bed of the Delaware River is an equally
6 dangerous and shortsided endeavor.

7 The Delaware River, I want to remind
8 you, is a major source of drinking water for
9 Philadelphia. The activity of construction
10 and dredging in a river like the Delaware is
11 extremely harmful to its quality. This will
12 result in impact to its ecosystem and the
13 City's water supply. Nonetheless, the
14 incident of a pipeline leak could result in
15 irreparable damage.

16 As energy hub ideas evolve, we need
17 robust transparent Council review and
18 scrutiny for each specific proposal put
19 forward by the industry. Additionally, the
20 Clean Water Action strongly urges an
21 independent environmental and health impact
22 study commissioned by City Council for all
23 energy hub proposals. I'd like to close by
24 addressing what we've recently been

1 experiencing from the petroleum industry.
2 All of us have witnessed the recent
3 devastating derailments of oil trains every
4 few weeks. You've observed that through
5 many of the speakers in the previous panel.
6 And this is, obviously, a great concern here
7 because we are the most common destination
8 for these trains. There is serious concern.
9 And here is something where we have power
10 within the City to address.

11 The Philadelphia Office of Emergency
12 Management has not done enough to ensure
13 that our first responders are prepared, nor
14 that our communities are aware of how to
15 respond. This is something within the
16 City's power. Oil trains, however, are just
17 one component of the health and safety
18 impacts involved with being a host to fossil
19 fuel refining activities.

20 Just this year, we already experienced
21 two flare ups at a Philadelphia refinery.
22 Let me be clear. If the industry doesn't
23 have its act together now, how are we able
24 to trust them to be responsible in further

1 development of a petroleum hub?

2 Well, on behalf of Clean Water Action,
3 I'd like to express our sincere appreciation
4 to Councilwoman Reynolds Brown for
5 organizing this hearing and for the time
6 that all of you have taken to hear about
7 Philadelphia's environmental challenges and
8 the steps that we can all take together to
9 develop smart solutions for our communities.

10 I do want to conclude this by
11 challenging each of you as you create new
12 policies for our City, to ask yourselves how
13 each new consideration impacts the
14 environment, local economy and social equity
15 of Philadelphia. If you do find something
16 that positively effects all three, then we
17 are one step closer to becoming the greenest
18 city and the envy of the nation.

19 Thank you very much.

20 COUNCILMAN OH: Thank you very much.

21 Unless the Majority Leader has some
22 questions now, we will complete the panel
23 and then see if there is any questions.

24 And so, Katie Bartolotta would you

1 identify yourself for the record and provide
2 us with your testimony.

3 MS. BARTOLOTTA: Sure. Good afternoon,
4 Councilman Oh and Councilmember Jones.
5 Thank you for having us here today. Again,
6 my name is Katie Bartolotta. And I'm the
7 Philadelphia Outreach Coordinator for
8 PennFuture, a statewide environmental
9 advocacy organization that works to create a
10 just future in which nature, communities and
11 the economy thrive. We are grateful for the
12 invitation to speak on today's Water Panel.

13 At PennFuture, our advocacy is focus on
14 an array of environmental issues.
15 Water-related issues are a key component of
16 our Philadelphia area advocacy efforts.
17 Today, we would like to discuss a few topics
18 that are inexorably linked to water quality
19 in Philadelphia. Improper disposal of
20 litter and trash, oil train traffic and
21 stormwater management.

22 Reducing the amount of litter and trash
23 in Philadelphia would have a profound effect
24 on communities throughout the City. We are

1 encouraged by the two bills introduced last
2 week by Councilman Reynolds Brown, Bills
3 15019 and 150198 that seek to require
4 adequate trash and recycling receptacles for
5 dwellings with six or more units within
6 10 feet of the entrance of businesses that
7 sell prepared or prepackaged foods
8 respectably. We look forward to hearings on
9 these bills and will encourage our
10 membership to share their stories to help
11 inform Council of potential effects of both.

12 We'd also like to recommend other policy
13 solutions that can help reduce the amount of
14 litter and trash on our streets and in our
15 waterways. For the sake of time, I will
16 briefly summarize the commonsense, high
17 impact actions that are part of the next
18 great city coalition's Clean Public Spaces
19 recommendation. Detailed information about
20 need/benefits cost and pure examples are all
21 available on the Next Great City.org.

22 Philadelphia should create a citywide
23 street cleaning program. Investment in
24 cleaning out all of the City's neighborhoods

1 on a regular basis would show the City's
2 commitment to neighborhood quality of life
3 as litter in our neighborhood makes the
4 community look less cared for and encourages
5 more litter and crime. Litter also lowers
6 property values by about 7 percent.

7 Mechanical street cleaning not only
8 reduces litter and trash on our roads but it
9 also significantly reduces trash bacteria
10 sediment in our rivers and stream. The
11 Philadelphia Streets Department estimates
12 that a citywide mechanical street cleaning
13 program would require an initial capital
14 investment of 18.5 million for street
15 cleaning equipment and another 3.5 million
16 in annual salary to clean the entire City
17 twice a week. In the long term, however,
18 street cleaning will create savings to the
19 City and specifically to the Water
20 Department by catching trash, debris and
21 pollutants before they enter the stormwater
22 system.

23 Filtering soluble metals commonly found
24 in street dirt, out of stormwater at a

1 combined sewer treatment plant costs
2 approximately \$20 per pound while street
3 cleaning picks up the sediment for 3 to 5
4 dollars per pound. Street cleaning will
5 limit the tons of trash the Water Department
6 must skim out of our rivers every year.

7 Baltimore has begun street sweeping on
8 90 percent of its streets once a month after
9 a decade's long hiatus at the cost of 3.5
10 million a year. During its first month,
11 Baltimore street sweepers removed 400 tons
12 of litter, broken glass, vehicle fluids,
13 bacteria and other pollutants from
14 neighborhood streets.

15 A nominal bag fee is also critically
16 important to both decreasing the amount of
17 litter in neighborhoods and improving water
18 quality. We see plastic bags everywhere in
19 Philadelphia, hanging on trees, blowing on
20 streets and floating in water. The average
21 person uses between 300 and 1200 plastic
22 bags every year. Roughly, 17 percent of the
23 litter floating on our rivers is made up of
24 plastic bags.

1 A study of Washington, DC's bag tax
2 after four years show that a small charge in
3 the City has made a big difference. There's
4 been a 60 percent drop in bags going to
5 households and business owners say they are
6 providing 50 percent fewer bags to
7 customers. 67 percent of residents and 68
8 percent of business owners and managers
9 report seeing fewer plastic beings as
10 litter.

11 We encourage a continued discussion of
12 the specifics of single-use bag legislation
13 that balances the needs of communities and
14 individuals in a way that is not
15 unnecessarily burdensome on consumers or
16 merchants but still reduces the number of
17 bags on our streets and in our water.

18 As part of a comprehensive strategy to
19 reduce litter and trash in our City, we also
20 suggest publicizing and distributing L&I
21 circular non-delivery decals and licensing
22 tire stores and requiring proof of legal
23 tire disposal as Philadelphia currently
24 picks up more than 140,000 tires a year that

1 are illegally dumped in its neighborhoods.
2 We also ask that City Council continue its
3 efforts to protect our water and public
4 health from dangers posed by trains carrying
5 crude oil through our City's population
6 centers and along waterways.

7 We commend City Council for passing
8 Resolution 150129-A proposed by
9 Councilmember Johnson. We share City
10 Council's concerns about the public
11 awareness of oil train routes and schedules
12 and support the call for the use of safer
13 oil train cars. We urge City Council to
14 follow up on the actions called for in its
15 resolution to ensure the greatest possible
16 protection to public health and water
17 quality in Philadelphia.

18 Finally, we ask that City Council
19 continue to support the Green City, Clean
20 Water Program, Philadelphia Water Department
21 Stormwater Management Plan that protects and
22 enhances our waterways with green
23 infrastructure. The Green City, Clean
24 Water's Program is an innovative long term

1 plan for ensuring compliance with federal
2 and state water quality requirements. We
3 ask City Council to continue to ensure that
4 the program is adequately funded and to
5 promote coordination among all City agencies
6 in support of the Water Department's
7 efforts.

8 Thank you for your consideration. I'd
9 be happy to answer any questions.

10 COUNCILMAN OH: Thank you very much.
11 The next witness is Amy Laura Cahn. Would
12 you please identify yourself please.

13 MS. CAHN: Sure. And bear witness.

14 Thank you for the opportunity to testify
15 today. My name is Amy Laura Cahn and I'm
16 testifying in my capacity as a staff
17 attorney for the Public Interest Law Center
18 of Philadelphia.

19 Today I will provide you with a brief
20 update on flooding in extreme weather which
21 implicate both water quality and safety.
22 These are issues of equity and environmental
23 justice. It is our most vulnerable
24 residents, particularly those with limited

1 economic resources, who are most at risk
2 from extreme weather.

3 As a members of Council are aware,
4 Philadelphia has experienced extreme
5 flooding in recent years. According to
6 studies released in 2014 by the National
7 Oceanic and Atmospheric Administration,
8 NOAA, Philadelphia has experienced a
9 650 percent increase in nuisance flooding
10 events, which cause road closures, overwhelm
11 storm drains, and damage infrastructure.

12 NOAA attributes the increase in nuisance
13 flooding over the past 50 years to
14 climate-change related sea level rises, land
15 subsidence or sinking and the destruction of
16 natural coastal barriers from development.

17 In May 2014, the Schuylkill River
18 flooded and caused severe damage to the
19 Fairmount Waterworks, a national historic
20 landmark and education center. This
21 flooding also damaged the Schuylkill River
22 Trail, which it was in fact designed to help
23 buffer flooding and it's one of the first
24 green spaces visitors encounter leaving 30th

1 Street Station. Although, both locations
2 have made recoveries, these events serve as
3 important reminders of the vulnerabilities
4 of City infrastructure.

5 In neighborhoods such as East Germantown
6 and Eastwick, Philadelphia residents know
7 this increase in flooding events firsthand.
8 East Germantown has long experienced extreme
9 flooding culminating in the summer of 2011
10 with over 3 inches of rain on one September
11 day which has caused what is reported to be
12 the City's first flood-related death.

13 In Eastwick, a neighborhood built on
14 filled wetlands, residents report that
15 flooding overwhelmed storm drains occur with
16 increasing frequency and intensity since
17 Hurricane Floyd and Hurricane Irene. While
18 the Philadelphia Water Department has paid
19 attention to cleaning storm drains and
20 creating new inlets in Eastwick, PWD has no
21 jurisdiction to address risk of more
22 catastrophic flooding.

23 The anxiety and concern experience by
24 Eastwick residents continues to be

1 heightened by uncertainty about when
2 Eastwick will see a wholistic federal
3 solution to flood mitigation. The burden of
4 rising flood insurance rates as a result of
5 recent U.S. congressional legislation and a
6 lack of clarity about proposed plans for new
7 development in the flood plain at multiple
8 locations.

9 Eastwick, as Mike, mentioned is not part
10 of the Green City, Clean Water's Program
11 because it post dates the combined sewer
12 system, but it still needs green stormwater
13 infrastructure. It also needs larger
14 wholistic solutions from the army corps of
15 engineers.

16 Climate change projections indicate that
17 flooding and extreme weather in our City
18 will only worsen. Over the next 30 years,
19 tidal events in Philadelphia will grow in
20 frequency from 19 per year to 200 per year.
21 The result will not only be greater
22 frequency of flooding, but also degraded
23 water quality from sewer overflows, urban
24 runoff and bank erosion.

1 Philadelphia is also forecasted to
2 receive more heat waves above 95 degrees.
3 This will cause our City to have one of the
4 highest projected increases in power outages
5 on the east coast. This and the air quality
6 impacts of extreme heat are certain to
7 increase risk in particular to seniors and
8 those with respiratory disease.

9 It is clear that our decision making as
10 a City needs to evolve to protect these
11 vulnerabilities caused by extreme weather
12 especially in response to climate change.
13 As members of the next great City coalition,
14 the Law Center was pleased to play a role in
15 developing recommendations for the City
16 regarding extreme weather. I wish to
17 highlight those here.

18 We need the City to make vulnerability
19 in extreme weather a required factor in
20 decision making when the City invests in
21 infrastructure. When that infrastructure is
22 built, we need to ensure that it can
23 withstand extreme weather. We need to
24 formalize Philadelphia's new flood task

1 force, including implementing FEMA's
2 community rating system, which could
3 mitigate rising flood insurance rates if
4 only in modest ways to start.

5 We need the City to partner with
6 residents and businesses to create a
7 comprehensive public extreme weather
8 emergency response plan and disseminate it
9 in all relevant languages so all our aware.

10 We need to require that newly constructed
11 buildings are designed to withstand
12 increased heat, precipitation and flooding
13 proactively protecting new residents and
14 businesses rather than shifting the burden
15 of risk to them.

16 Finally, we need to protect our critical
17 infrastructure, including hospitals and
18 utilities, and support property owners to do
19 the same, to protect their own homes from
20 moisture and weather exposure. And I want
21 to echo Clean Water Action's call for a
22 commission on extreme weather on vulnerable
23 people and places. These risks are only
24 projected to increase with climate change.

1 However, recognizing these risks now and
2 putting concrete plans in place to manage
3 risk can mitigate the disastrous
4 consequences of a lack of preparedness. The
5 occurrence of extreme weather is not a
6 matter of if but when. The only question
7 that remains is whether our City will be
8 resilient enough to respond to these events.

9 I urge this Committee to consider these
10 developments. And thank you for your time
11 today.

12 COUNCILMAN OH: Thank you very much.
13 Would you wait just a second.

14 Let me ask the Majority Leader if he has
15 any questions.

16 COUNCILMAN JONES: I really liked your
17 talking trash comment.

18 MR. ROLES: I borrowed -- and he's here
19 now. Maurice Sampson is the author of that
20 comment. I can't take credit for that.

21 COUNCILMAN JONES: But I want to take
22 the opportunity to talk a little trash about
23 the Fourth District and its green
24 infrastructure. We are really thankful to

1 you guys. Because I would imagine eight
2 years ago, all of this type of green
3 measurement, wasn't really on our radar.
4 And so much so is it indoctrinated into most
5 Councilmembers and we are measuring things.

6 Recently, the Water Department actually
7 started really measuring what green
8 infrastructure projects were broken by
9 district, I mean, literally. So, you're
10 having a collective impact on our
11 consciousness during our budget project to
12 talk about reducing, restoring and
13 recycling. So, it is working.

14 And we're slow, we're a little dense.
15 So keep at it. And I wanted to just say
16 that before I came here, I wouldn't have
17 called myself a "green" Councilperson. But
18 because of you, we had to learn our green
19 real quick. And so, whether it was fracking
20 and doing hearings here which had the honor
21 of being a part of and dealing with the
22 actual downstream impacts on the Schuylkill
23 River which represents 50 percent of our
24 water supply, we thank you for educating us

1 in that regard.

2 Some of the things that have happened
3 since then is Venice Island is, because of
4 the EPA, if anybody knows the history of
5 that, the EPA said because of our combined
6 sewer systems, we had to do something. And
7 we have now one of the largest retention
8 basins in the region.

9 MR. ROLES: That's my favorite success
10 story in Philadelphia, personally.

11 COUNCILMAN JONES: And it's
12 amphitheater, we took that and did something
13 old, something new, something borrowed
14 something blue and created something nice.
15 And that's all with an environmental touch.

16 We've, in West Philadelphia, in my
17 district, in the Fourth District, we did a
18 daylighting project where we took old
19 runoff, brought it up above, created one of
20 the most beautiful meandering zig-zagging
21 creeks with 10 foot at each turn piece. And
22 I met with the Governor Wednesday to talk
23 about now stocking those ponds so that kids
24 in the inner city can actually go catch a

1 fish like Opie in Mayberry, but in Morris
2 Park. So, we are real excited about that.

3 The Manitoba Farms overlay that we did,
4 Council did to protect farmland against
5 overdevelopment are things you guys brought
6 to our attention in one form or testimony or
7 another. So, we are real thankful for that.

8 And I wanted to tell you that Centennial
9 Lake, I don't know if you've ever been there
10 in my district is the first man-made lake in
11 the country. And it was the site of

12 dumping. It was the home of the Red Belly
13 Turtle. I wouldn't have known what the Red
14 Belly Turtle was until we started restoring
15 that lake, creating a walking path,
16 amphitheater for kids to come and do outdoor
17 classes. And it won a national award. All
18 of these things, all of these things because
19 you guys are like our environmental compass.

20 So, we thank the Chairwoman for staying
21 on top of this and Members of the Committee,
22 but we thank you for every now and then
23 tapping us on the shoulder and say, hey,
24 have you thought about, can you do this

1 better. So for everybody that's here to
2 testify, thank you.

3 MR. ROLES: Thank you for those
4 reinforcing comments, Councilman. I love
5 talking about green stormwater. I'd love to
6 talk to you more about it.

7 MS. CAHN: And let's keep talking about
8 climate change.

9 MR. ROLES: Exactly.

10 COUNCILMAN JONES: Okay. We are ready
11 to go to grad school.

12 COUNCILMAN OH: Thank you very much.

13 MR. ROLES: Thank you.

14 COUNCILMAN OH: Clerk, could you call up
15 the next panel.

16 THE CLERK: Next panel is Maura
17 McCarthy, Executive Director, Friends of the
18 Wissahickon; and Carol Collier, Senior
19 Advisor for Watershed Management and Policy,
20 Academy of Natural Sciences.

21 COUNCILMAN OH: Good afternoon. Good
22 afternoon. Would you please identify
23 yourself for the record and your
24 organization and provide us with your

1 testimony. Thank you. In the order that
2 you were called.

3 Maura McCarthy first.

4 MS. MCCARTHY: Okay. Thank you. I'm
5 Maura McCarthy. I'm the Executive Director
6 of Friends of the Wissahickon. I want to
7 thank you for having us make our statement
8 here today.

9 I am speaking today in support of the
10 issues that the Councilman just raised, the
11 great record and especially in the Fourth
12 District of taking and putting into practice
13 the concerns raised by conservation groups
14 and making them policy in the City of
15 Philadelphia. And it's really about the
16 importance of adhering to the policies that
17 we set to ourselves and making sure that we
18 stick to our guns in enforcement of those
19 policies.

20 The specific policy I'd like for us to
21 concentrate on in this session is the
22 Wissahickon Watershed Overlay. I urge the
23 Members of this Committee to support the
24 consistent enforcement of this and similar

1 environmentally sensitive zoning throughout
2 your own council districts and the whole
3 City and to remember that the long term
4 health of Philadelphia's people, public
5 lands and economy depends on upholding these
6 important regulations.

7 Friends of the Wissahickon, or FOW, was
8 formed in 1924. We are the oldest and
9 largest of the nonprofit volunteer groups
10 active in Philadelphia's Parks and
11 Recreation system. For over 90 years, FOW
12 has been the story of the Wissahickon
13 Valley, beautiful northern stretch of
14 Fairmount Park in the northwest section of
15 our City.

16 Our 1600 members maintain and repair
17 trails of historic structures, care for
18 native plants and animal species and protect
19 our watershed. Our work would not be
20 effective if were not coupled with municipal
21 recognition of the value of both the water
22 of the Wissahickon Creek which contributes
23 to the drinking water of 350,000
24 Philadelphians through the intake at Queen

1 Lane and to the land of the Wissahickon
2 Valley Park, which sees over 1 million
3 recreation visits each year.

4 In 1975, the City Council recognized the
5 importance of setbacks for our drinking
6 waters in the Wissahickon Watershed with the
7 targeted ordinance that mandated a 200-foot
8 setback for significant streams and a
9 50-foot setback from minor tributaries as
10 well as protection for steep slopes and tree
11 canopy. This unique treatment of our
12 watershed zonings also served to create
13 zones of protection for some of
14 Philadelphia's most stable and beautiful
15 neighborhoods: Roxborough, Manayunk, East
16 Falls, Germantown, Mt. Airy and Chestnut
17 Hill.

18 In 2010 during Philadelphia's rezoning
19 initiative, this ordinance was
20 reincorporated as one of the few remaining
21 overlays in the new City Code. The Planning
22 Commission Council agreed on the importance
23 of this aspect of the code due to the
24 special nature of the Wissahickon as a

1 drinkable waterway, as a source of
2 recreation and quality of life for our
3 citizens, as an economic anchor for all of
4 the neighborhoods of Northwest Philadelphia.

5 As new develop is planned in
6 Philadelphia, particularly in the northwest
7 there is a tendency to prioritize the
8 current economic needs to increase jobs,
9 revenue and tax base at the expense of those
10 qualities that already make our City
11 extraordinary and lend resiliency to our
12 local economy. I ask the Committee to be
13 responsive to their constituents when asked
14 for uniform enforcement of the Wissahickon
15 Watershed Overlay no matter how compelling
16 the request for variance may be.

17 Failure to adhere to these provisions
18 not only erodes our City's precious natural
19 resources, it creates long term damage to
20 our already damaged watershed that costs all
21 of us and our citizens time and productivity
22 as flooding impacts property and commuters,
23 and public health as it impacts our drinking
24 water and other ecosystem services. And in

1 the long term baseline revenues for the City
2 as our most valuable and stable
3 neighborhoods are damaged and as we incur
4 new costs in repairing our landscapes, roads
5 and upgrading water processing facilities.

6 Thank you very much for your attention
7 in this matter.

8 COUNCILMAN OH: Thank you very much.

9 Next would be Carol Collier. And I
10 understand that Tracy Carluccio does have
11 separate testimony than previously given, so
12 we will take your testimony after hers.

13 Thank you.

14 Please identify yourself for the record.

15 MS. COLLIER: Thank you very much.

16 Councilman Oh and Jones. I really
17 appreciate being here. I am Carol Collier.

18 I'm a Senior Advisor for Watershed
19 Management and Policy at the Academy of
20 Natural Sciences and also Director of the
21 Environmental Studies and Sustainability
22 Program, a new program at Drexel.

23 I really appreciate your invitation to
24 talk about water resources, my favorite

1 topic. I've been at the Academy one year
2 now. And for the previous 15 years, I was
3 the Executive Director for the Delaware
4 River Basin Commission.

5 There are three issues I would like to
6 address. Number one, reinventing the
7 Philadelphia Energy Hub Program. Two, the
8 need to address climate change. And three,
9 the effectiveness of working with others
10 upstream to improve water quality.
11 Addressing these areas of concern will
12 result in cost effective and environmentally
13 effective solutions for Philadelphia if
14 decisions are based on sound science.

15 First, let me address the energy hub.
16 The discussions I have heard about
17 Philadelphia as an energy hub have all
18 resolved around natural gas and expanded
19 commerce. Creating an energy hub in and
20 around Philadelphia may have major benefits
21 for the region but only if it is sustainable
22 and a more expansive strategy is developed.
23 In addition to energy and commerce, the plan
24 must include environmental protection and

1 neighborhood enhancement.

2 Think of other forms of renewable
3 energy, innovation built around our
4 universities, new manufacturing
5 opportunities. The plan needs to float all
6 boats and do no harm.

7 The issue of climate change is very
8 large and controversial, but there are
9 issues that must be addressed now related to
10 water resources. From past trends in
11 scientific predictions, we can expect
12 increasingly intense storms in winter and
13 spring leading to increase flooding while
14 still experiencing potential droughts during
15 summer months. We know that sea level is
16 rising and has been documented in the
17 Delaware River, the tidal river, right in
18 Philadelphia.

19 The combined forces of these changes can
20 have major impacts on the Philadelphia water
21 supply, specifically the Torresdale intake
22 and other infrastructure. Residences in
23 critical facilities will be in harm's way
24 and water quality will be affected. We need

1 to be prepared addressing actions that make
2 us more resilient to change. The time is
3 now for Philadelphia to develop a strong
4 climate change adaptation strategy and
5 follow it with action.

6 The third issue involves working with
7 communities upstream to enhance our water
8 resources. And there is an exciting
9 initiative under way. It's important to
10 look upstream because Philadelphia's
11 situated near the bottom of the watershed and
12 dependent on what happens upstream on the
13 Schuylkill and the Delaware Rivers. And in
14 the packet, I did include a map of the whole
15 river basin. And you can see that there is
16 a lot of territory upstream of Philadelphia.

17 We live in a very large river basin.
18 And as you know, rivers do not respect
19 political boundaries.

20 The Philadelphia Water Department is
21 already doing great work on developing
22 source water protection plans and stormwater
23 management with innovative programs
24 including Green City, Clean Waters, River

1 Cast, and the Early Warning System. Now
2 there's an opportunity to work with
3 neighbors to improve the quality of water
4 before it reaches Philadelphia. A new
5 program, the Delaware River Watershed
6 Initiative, was kickstarted by William Penn
7 Foundation to improve water quality and
8 aquatic communities through targeted
9 restoration and protection. Working through
10 50 NGOs, nongovernment organizations,
11 William Penn Foundation is providing
12 \$35 million over a three-year period for on
13 the ground restoration and forest protection
14 projects.

15 The Academy of Natural Sciences would
16 provide \$3 million grant to provide the
17 building blocks of science, leading
18 monitoring and assessment, distribution of
19 data. Working with the major universities
20 in the region, we are also building a
21 research agenda for critical issues in the
22 Delaware River Basin.

23 All these findings are publicly
24 available, and I have provided a website for

1 you to use. These upstream initiatives can
2 only help Philadelphia. And on the table, I
3 did include a little summary of that.

4 Finally, I want to conclude with
5 recommendations. One, all these issues need
6 a basis of sound science. These issues are
7 complex but with a regional experts' tools
8 including monitoring and modeling,
9 translation of the scientific findings to
10 implementation strategies that decision
11 makers can use, progress can be made. There
12 are outstanding universities in Philadelphia
13 in the region that can assist you in putting
14 these pieces together.

15 As an example, Drexel now has the new
16 Environmental Studies and Sustainability
17 Program. And we have excellent students
18 that would love to work with you throughout
19 the co-op program.

20 Education, dialogue and strategy. All
21 these three issues -- the energy hub,
22 climate change and working with our
23 neighbors -- really need more discussion and
24 education. One, I would be glad to have

1 additional meetings with you and others
2 bringing Academy Sciences to have a more
3 robust discussion. We can also give
4 presentations on the whole Watershed
5 Initiative that I mentioned.

6 Academy of Natural Sciences has been a
7 long term working relationship with City
8 agencies and Council to be a venue for open
9 dialogue and strategy building. We would
10 really like to discuss how we can work
11 together in the future on these issues and
12 priorities to inform the public, receive
13 input and move the ball forward.

14 Thank you very much. And I would be
15 glad to take questions.

16 COUNCILMAN OH: Thank you very much. I
17 know we have one more witness. Okay, then
18 would you please identify yourself for the
19 record and provide us with your testimony.

20 MS. CARLUCCIO: Yes, hello. I'm Tracy
21 Carluccio, Deputy Director of Delaware River
22 Keeper Networks. Thank you, Councilman
23 Jones and Councilman Oh for this hearing
24 today. We greatly appreciate the Committee

1 on the Environment hearing us.

2 I'm presenting testimony today for
3 Delaware River Keeper Network, a nonprofit
4 member supported organization with over
5 15,000 members dedicated to the defense,
6 protection and restoration of the Delaware
7 River and it's nearly 13,000 square mile
8 watershed. Many of our members live and
9 work in Philadelphia. And I'm speaking
10 today on their behalf and for the living
11 communities, human and non-human, of the
12 Delaware River, its tributaries including
13 the largest tributary, the Schuylkill
14 watershed that feeds our river.

15 Philadelphia as a downstream
16 metropolitan area is dependent on the health
17 and quality of the Delaware River and its
18 major tributaries, including both the
19 Schuylkill and the main stem Delaware, which
20 provides drinking water to 1.5 million water
21 users from its three water intakes.

22 The cleanliness of Philadelphia's
23 drinking water and the Delaware River's
24 greatly influenced but the upstream water

1 conditions and river flows. But it is also
2 defined by Philadelphia regions activities,
3 particularly those related to oil.

4 Since 1974, there have been 27
5 significant oil spill events on the Delaware
6 River spilling hundreds of thousands of
7 gallons of oil. All of the large spills
8 have occurred due to tanker accidents. The
9 largest spill here so far this century was
10 in 2004 when approximately 265,000 gallons
11 of oil spilled into the river from TS Athos
12 1 tanker.

13 The most recent spill occurred Monday of
14 just last week when between 4 and 500
15 gallons of oil spilled near Wilmington
16 during fueling of a barge washing up on both
17 Delaware and New Jersey coasts. Nationwide,
18 recent expansion of transport of oil by
19 trains has resulted in more oil being spilt
20 in 2013 than in the previous four decades.
21 Much was caused by leaking valves and the
22 substandard tank cars used to transport
23 domestic crude, the death of a thousand
24 cuts, and most was due to catastrophic

1 derailments according to the Federal
2 Railroad Administration.

3 This has big implications for
4 Philadelphia because of all the oil train
5 traffic which we already talked about.

6 Well, refinery closures in the last
7 several years may mean shipping of oil has
8 been reduced. The Delaware River Port
9 Complex is still the largest freshwater port
10 in the world. And when the horrors of the
11 days when the Schuylkill River burst into
12 flames due to the oil waste they routinely
13 dumped are gone, the pollution legacy of oil
14 refining are still with us.

15 Oil residue is still present in the
16 sediments of the Schuylkill River. And the
17 groundwater in South Philadelphia is
18 contaminated with petrol chemicals and heavy
19 metals, much of it attributable to the
20 millions of gallons of oil, millions spilled
21 upriver on the Schuylkill decades ago and
22 carried downstream and to the Point Breeze
23 and Girard Point refineries, the oldest
24 continuously operating oil refinery complex

1 in the nation operating as Philadelphia
2 Energy Solutions since 2012.

3 Undoubtedly, the fact that oil refining
4 has come under the restrictions of
5 environmental laws has lessened the harms.
6 But the truth is, oil refining has greatly
7 defined the region's water quality and its
8 water supplies and the City's public health,
9 particularly in South Philadelphia proximate
10 to these refinery sites. And now in 2015,
11 we are facing another wave of refinery
12 development that has the potential to add to
13 this environmental pollution legacy and
14 layer new damages to already
15 disproportionately burdened neighborhood
16 populations near Philadelphia Energy
17 Solutions.

18 There is no denying that these burdens
19 are an environmental justice issue because
20 of the local areas higher occurrence of
21 related health problems, the lower than
22 average income, and the fact that
23 60 percent, 60 percent of the population in
24 the area surrounding Philadelphia Energy

1 Solutions is minority, the largest minority
2 African-American.

3 The loudly trumpeted expansion of
4 operations at Philadelphia Energy Solutions
5 by CEO Phil Rinaldi has translated already
6 into Philadelphia Energy Solutions being
7 responsible for 72 percent of the toxic
8 releases in the City according to EPA's
9 Toxic Release Inventory, placing them among
10 the top toxic emitters in the petroleum
11 industry nationwide.

12 In addition to a host of highly toxic
13 air pollutants, toxic releases of water from
14 Philadelphia Energy Solutions include
15 significant amounts of phenol, lead
16 compounds and antimony compounds to name a
17 few. These are all toxic. The three-year
18 compliance report from October 2011 to
19 September 2014 rated PES, Philadelphia
20 Energy Solutions, in "significant
21 noncompliance" of several environmental
22 permits including clean water permits with
23 11 formal enforcement actions in the prior
24 five years and several informal. Some

1 resulted in substantial fines. These
2 violations included exceeding water permit
3 limits for carcinogenic benzyne, for sulfide
4 and oil and grease among many others.

5 The current record of how Philadelphia
6 Energy Solutions is developing oil is
7 damning. How can the City have any
8 confidence that the environment and the
9 public's health will not suffer degradation
10 as Philadelphia Energy Solutions continues
11 to expand its operation. Philadelphia's
12 Chamber of Commerces Council for Growth and
13 Energy Action team are working to develop a
14 shale gas and oil hub here in Philadelphia
15 without a mention by anyone in authority of
16 the potential environmental and community
17 impacts of increased oil refining,
18 transport, storage and shipping as well.

19 Whether it is frack gas or fracked oil,
20 Philadelphia has already paid the price of
21 generational water and air pollution and
22 degradation and is continuing to pay through
23 both legacy and new day-to-day toxic inputs.
24 The state of Philadelphia's environment is

1 one that is burdened by fossil fuel
2 development pollution. And in good
3 conscience, the City cannot be led blindly
4 down that path again. We hope this hearing
5 today influences the Council's course
6 regarding the energy hub and the essential
7 questions about the real impacts of a fossil
8 fuel hub will be asked and an alternative
9 path chosen, one that leaves fossil fuels
10 and all the processing and infrastructure
11 and pipelines and railways required in the
12 last century.

13 Delaware River Keeper Network urges this
14 Committee and City Council to instead turn
15 to clean renewable energy efficient sources
16 of power and a green economy that will
17 support high water quality, clean drinking
18 water and healthy communities.

19 Thank you. And I'm happy to answer any
20 questions.

21 COUNCILMAN OH: Thank you very much.
22 And I believe the Majority Leader has some
23 questions.

24 COUNCILMAN JONES: I did until -- now I

1 don't want to drink the water.

2 But, on that note, as big cities go, how
3 would you grade our water here in
4 Philadelphia? I should have asked you guys
5 in the prior panel, but I was talking trash
6 about my district.

7 While you're up, how would you grade it.

8 MS. CARLUCCIO: Philadelphia Water
9 Department does a tremendous job. And a lot
10 of money, a lot of expense, a lot of toil is
11 spent every single day to bring the drinking
12 water up to the standards that it needs to
13 meet in order to meet state and federal
14 drinking water quality standards.

15 So what happens is that the surface
16 waters that are polluted have to be cleaned
17 up to those standards so it's actually the
18 rate payers, the taxpayers, the water users
19 that are paying the cost of that. The more
20 we pollute, the more we have to clean up to
21 meet standards for our drinking water.

22 COUNCILMAN JONES: The second thing I
23 would ask is --

24 MS. COLLIER: Sir, can I tie it back

1 into upstream? Philadelphia Water
2 Department is doing an excellent job. And
3 one of the things that really sets
4 Philadelphia apart, besides the Green City,
5 Clean Water, is the fact that they are
6 looking upstream.

7 And when Howard Newbrook started the
8 Office of Watersheds, I believe when they
9 did their vulnerability assessment for their
10 Delaware intake, the number one issue was
11 development upstream, way upstream. And
12 that really is something the City needs to
13 look at because you need to work with the
14 neighbors, improve it upstream and it will
15 be less costly for you downstream.

16 COUNCILMAN JONES: A testimony to what
17 you just said was in a different vein, the
18 100 year storms that we're having every
19 other year now in Manayunk down River Road
20 and parts of my district, whenever we have
21 these rain events, there is a dam upstream
22 that literally opens the floodgates and
23 eight hours later Main Street floods.

24 And when I asked about it, there is no

1 early alert to tell us, hey, by the way,
2 you're going to have a problem in about
3 eight hours. So, we're trying to work with
4 the Governor literally to get at least a
5 communications system going about what's
6 happening upstream.

7 The other question I would have for you
8 guys is hydroelectric power. We have dams
9 on the -- on my side of the district near
10 the Schuylkill that we could use to -- first
11 of all, they need to be replaced and we need
12 to do something with them. But is it -- is
13 it feasible to kind of incorporate that type
14 of energy production out of them?

15 MS. CARLUCCIO: There are some upstream
16 dams on the tributaries in the Delaware that
17 are dammed and have been used for many, many
18 years for hydroelectric generation.
19 Actually, one of them was recently shut down
20 mainly because of economic conditions from
21 what I understand. And there's a whole
22 another system on the Mongaup River that is
23 being -- that has generated electricity
24 through hydroelectric dams for years but

1 needs to be renovated in order to return to
2 that.

3 Small scale hydroelectric can be used,
4 particularly for dam that's already in
5 place. But my organization, Delaware River
6 Keeper Networks, supports the removal of
7 dams because they really do block fish
8 passage and they negatively effect water
9 quality by pooling water and sediment behind
10 the dams and then lowering the water quality
11 that is released to the stream below.

12 And the Delaware River, the main stem
13 being the longest non-dammed river east of
14 the Mississippi has excellent water quality.
15 A lot of it has to do with the watershed,
16 like Carol is talking about, and all the
17 work that has been done to protect the
18 watershed upstream. But it's also due to
19 the fact that there are not dams that are
20 pooling water and sediment and pollutants
21 behind it which lower's the water quality
22 below.

23 MS. COLLIER: There have been a number
24 of studies and interest in existing dams and

1 essentially retrofitting them for hydro.
2 DRBC actually looked at the -- Blue Marsh
3 Reservoir. And that dam just was not cost
4 effective to retrofit. But there are others
5 both in the Lehigh drainage and Schuylkill
6 River that are being looked at.

7 MS. CARLUCCIO: Let me just point out,
8 there is one new dam, hydroelectric facility
9 that's going in right now in one of the New
10 York City reservoirs. It's being done by
11 New York City itself.

12 COUNCILMAN JONES: I'll be "dammed."

13 COUNCILMAN OH: I can tell you joke.
14 Any other questions?

15 COUNCILMAN JOHNSON: No, no thank you.

16 COUNCILMAN OH: Thank you very much for
17 coming in and sharing your testimony. I
18 will ask the Clerk to call the next panel.

19 THE CLERK: The next panel will begin
20 our Air Panel. And the first group is Matt
21 Walker, Community Outreach Director, Clean
22 Air Council; Jennifer McIntyre, Field
23 Manager, Moms Clean Air Force; and Kevin
24 Stewart, Director of Environmental Health,

1 American Lung Association.

2 COUNCILMAN OH: As you approach the
3 table, I will state that you will testify in
4 the order called. Matt Walker, Jennifer
5 McIntyre, Kevin Stewart. Please identify
6 yourself for the record, the organization or
7 community you are representing if that is
8 the case, or if you are just representing
9 your own personal point of view, it's just
10 as important.

11 So, would we start with Mat Walker.

12 MR. WALKER: Thank you. My name is Matt
13 Walker. I'm the Community Outreach Director
14 with Clean Air Council. We are a nonprofit
15 environmental health organization dedicated
16 to protecting everyone's right to breath
17 clean air. I thank you for opportunity to
18 speak here today.

19 Residents of Philadelphia are exposed to
20 chronic level, elevated levels of air
21 pollution. The region is not in attainment
22 of the federal standards for ground level
23 ozone and particulates. The U.S. EPA has
24 proposed tightening the health-based

1 standard for ozone. The Council and its
2 members are seriously concerned about the
3 proposal to transform Philadelphia into
4 fossil fuel energy hub. Such a buildup will
5 substantially further degrade Philadelphia's
6 air quality and have a disproportionated
7 impact on low income neighborhoods being
8 asked to host such facilities.

9 The continued use of fossil fuels are
10 associated with devastating global and
11 regional and local public health and
12 environmental impacts. As City Council well
13 understands, the transport and processing of
14 fossil fuels also presents a substantial
15 safety risk to residents of Philadelphia. A
16 fossil fuel energy hub as it's currently
17 being envisioned would include expanding
18 refineries, liquify natural gas, oil trains,
19 gas and gas liquids, pipelines and
20 petrochemical manufacturing.

21 Increasing the number of such facilities
22 would reverse the progress the City has made
23 in cleaning up its air by reinvigorating and
24 ramping up many of its same types of

1 pollution sources as those largely
2 responsible for Philadelphia's history of
3 poor air quality.

4 New or expanded infrastructure, such as
5 as the expanding Philadelphia Energy
6 Solutions refinery, would significantly
7 increase harmful air pollution in the
8 region. A fossil fuel energy hub would also
9 increase potential risk to public safety
10 should an accident occur. Residents are
11 already increasingly uneasy about the rail
12 cars carrying oil that criss-cross the City.
13 Two derailments in Philadelphia in a year is
14 not reassuring.

15 The fossil fuel energy hub vision is
16 incompatible with the efforts that City
17 Council has taken to make Philadelphia one
18 of the greenest cities in America.
19 Philadelphia today is at a crossroads. Is
20 its future one that promotes fossil fuels or
21 is it one that embraces and environmentally
22 sustainable local economy and continues to
23 see improvements in quality of life. The
24 proposed fossil fuel hub would threaten our

1 chance to continue to build an
2 environmentally sustainable economy that
3 will provide many more good paying, long
4 lasting jobs for residents of Philadelphia
5 while promoting clean air and water and
6 curbing climate change. Hopefully, as
7 Philadelphia's leaders, you will choose to
8 make the choices that are best for the
9 health and safety of your constituents.

10 The number of days when it's unhealthy
11 to breathe due to smog levels is projected
12 to increase by 70 percent in places like
13 Philadelphia as a result of warming
14 temperatures from climate change. Ground
15 level ozone, the main constituent smog,
16 aggravates lung disease such as asthma,
17 emphysema and chronic bronchitis and
18 increases the frequency of asthma attacks.

19 Philadelphia's low income populations
20 are often impacted the most from weather
21 extremes and the health impacts from air
22 pollution the most. Reducing air pollution
23 in Philadelphia is critical where one in
24 four children are diagnosed with asthma and

1 people die every summer from smog,
2 exacerbated from extreme heat from climate
3 change. The proposed elements of a fossil
4 fuel hub in Philadelphia will degrade air
5 quality and exacerbate climate change.

6 It is shortsided to base Philadelphia's
7 future economy on natural gas and related
8 products. The price of Marcellus Shale is
9 volatile and is expected to increase. There
10 is varying opinions about how much gas can
11 be extracted. The newer projections are
12 substantially smaller than initial
13 optimistic estimates. It's financially
14 environmentally risky for PGW to consider
15 acting as an anchor customer of natural gas
16 to simply help pipeline companies build
17 Philadelphia Energy Solutions proposed pipe
18 dream pipeline from Northeast Pennsylvania
19 to Philadelphia.

20 This infrastructure is inherently
21 dangerous and will result in negative public
22 health and environmental impacts. There are
23 a growing number of pipeline explosions and
24 leakages occurring across the country. City

1 Council should not allow large corporate
2 interest to control Philadelphia's
3 environmental and economic future.

4 A new pipeline would likely have to
5 criss-cross many ecosystems, agricultural
6 areas, water bodies and neighborhoods
7 including heavily populated areas. A new
8 pipeline would need to include several
9 enormous compressor stations to pressurize
10 and transport natural gas. Compressor
11 station engines emit large amounts of
12 smog-forming pollutants, including volatile
13 organic compounds like benzene and
14 formaldehyde, known human carcinogens
15 according to the World Health Organization.

16 In addition, the gas industry leaks
17 upwards of 17 percent of methane it produces
18 and is the largest human-made source of
19 methane emissions globally. Methane is 86
20 times more potent at warming the planet than
21 carbon monoxide over a 20-year time period.

22 In addition, a new pipeline would allow for
23 increased liquified natural gas capacity and
24 manufacturing. The proposal to expand

1 capacity at the Port Richmond liquified
2 natural gas facility by adding a second
3 liquifier would lead to an increase in air
4 pollution to the already overburdened
5 neighborhood.

6 Natural gas liquids pipelines and
7 exports are also a central part of the
8 energy hub concept. This will increase the
9 amount of harmful air pollution emitted from
10 refineries like Marcus Hook while creating
11 little to no long term benefit to
12 Philadelphia. The Mariner East 1 and 2
13 pipelines would bring natural gas liquids
14 from Western Pennsylvania an Ohio to the
15 Marcus Hook Refinery in Delaware County.
16 Sunoco logistics plans to construct new
17 facilities at the Marcus Hook Refinery to
18 process and distribute propane, butane and
19 ethane for distribution to local, domestic
20 and international markets. Philadelphia is
21 15 miles downwind of the refinery and will
22 very likely experience negative air quality
23 impacts from it.

24 In addition, the proposed fossil fuel

1 energy hub envisions using raw products such
2 like natural gas liquids to spur future
3 petrochemical manufacturing in the
4 Philadelphia area, which is hoped to be
5 powered by natural gas from Pennsylvania
6 shale fields. Natural gas liquids like
7 ethane and propane can be used as feedstocks
8 to form plastics like polyethylene and
9 polypropylene. Ethane, when used as a
10 plastics feedstock is converted into
11 ethylene by cracking, an energy intensive
12 industrial process, that emits tons of
13 volatile organic compounds and hazardous air
14 pollutants into the air.

15 Propylene can also be derived from
16 cracking or other processes. These
17 industrial processes will contribute to
18 negative air quality impacts and the
19 possibility for plastics processing and
20 further spinoff facilities will further
21 degrade air quality in the region.

22 Make no mistake, the proposed fossil
23 fuel energy hub will result in mostly short
24 term jobs that aren't guaranteed for

1 Philadelphia workers while leaving the City
2 with environmental and economic costs for
3 decades to come. Instead, City Council
4 should be actively pursuing the sustainable
5 economy that would provide long term living
6 wage jobs and revenue to the City without
7 the negative environmental or economic
8 impacts. There is a lot being done and a
9 lot that still needs to be done to realize
10 this vision for a more sustainable and local
11 economy. Now it's time to step up and do
12 the work needed to push for sustainability
13 and green jobs in Philadelphia.

14 The following items are some examples of
15 how Philadelphia can continue striving to be
16 the most sustainable city while reducing air
17 pollution and promoting job growth.

18 Energy efficiency is the cheapest and
19 fastest way to cut air pollution and our
20 carbon footprint dealing with energy
21 production. Besides the environmental,
22 public health and climate benefits of
23 efficiency, retrofits and weatherization
24 provide many local construction jobs and

1 support other businesses involved with this
2 work. Jobs in efficiency and solar can take
3 advantage of local workforce and the work is
4 much more job intensive than the fossil fuel
5 sector.

6 The current tax abatement for all new or
7 renovated buildings achieved the original
8 purpose it set out by City Council.

9 Developers should no longer be able to just
10 build to basic code. If developers want to
11 continue to receive tax abatement from the
12 City, they should be incorporating energy
13 efficiency measures, solar energy and
14 renovating buildings in low-income areas.

15 The council commends the Committee on the
16 Environment for taking the considerable
17 first step on energy benchmarking by
18 including residential buildings.

19 This committee should pursue a more
20 comprehensive measure by greatly reducing
21 the square footage threshold requirement for
22 energy benchmarking. The council recommends
23 that the square footage threshold be scaled
24 down over a period of five years to 5,000

1 square feet renewable energy.

2 Displacing fossil fuel produced energy
3 with renewable energy reduces premature
4 death, lost work days and healthcare costs
5 and provides thousands of local jobs.

6 Scientist with the Intergovernmental Panel
7 on Climate Change stated in their most
8 recent report that to avoid catastrophic
9 climate change, renewable energy must be the
10 dominant energy source by 2050. 2050.

11 The American Council for an Energy
12 Efficient Economy completed a study in 2009
13 that found that with the right policies,
14 efficiency and solar could spur the growth
15 of at least 9,000 jobs in Philadelphia by
16 2025 installing energy efficiency and solar
17 measures. Based on National Renewable
18 Energy laboratory data, the council
19 estimates in Philadelphia cost effective
20 roof top solar can produce about 25 percent
21 of the cities electricity needs, provide
22 more than 4,000 jobs and bring in a lot of
23 revenue to the City, increase grid
24 reliability.

1 Clean Air Council is partnering with a
2 sustainable business network to implement a
3 pilot solarize campaign in Philadelphia to
4 encourage homeowners to purchase rooftop
5 solar at the same time in order to get
6 discounted prices and spur growth in the
7 solar industry. This past year, the council
8 was encouraged that City Council passed a
9 resolution committing to promote solar
10 energy in Philadelphia.

11 While general commitment to solar energy
12 is a great start, the Clean Air Council
13 again urges Philadelphia City Council to
14 take more ambitious steps to promote
15 renewable energy. Despite languishing state
16 policies, Philadelphia can promote solar
17 energy right now. City Council could help
18 increase solar energy by increasing rebates
19 for solar installations and by developing
20 something called a property assessed clean
21 energy mechanism to assist homeowners with
22 the upfront cost of energy efficiency or
23 solar projects. In addition, council could
24 support purchasing additional renewable

1 energy credits from the Philadelphia region
2 to cover the amount of electricity used in
3 the city.

4 Incentives and opportunities for
5 stronger coordinated workforce development
6 initiatives for solar are crucial in
7 ensuring Philadelphia's workforce is full
8 prepared to fulfill job openings in one of
9 the fastest growing job sectors in the
10 country. In Councilman Johnson's recent
11 work on incentivizing workforce development
12 is a good example of the work that needs to
13 be done.

14 Public transit. The most effective way
15 to reduce emissions from
16 transportation-related activities is to
17 limit the trips that people take in cars and
18 increase the bicycle, pedestrian and public
19 transportation use in the region. City
20 Council can be a leader in providing safer
21 infrastructure for cyclist and pedestrians
22 that encourages more of these activities and
23 can be a strong advocate to increase
24 ridership and make SEPTA more efficient.

1 SEPTA's funding is at a 15 year low while
2 the ridership continues to rise. City
3 Council should be an advocate for increased
4 fund to SEPTA.

5 Bike Share is coming to Philadelphia,
6 which is an incredible opportunity to give
7 transportation access to residents across
8 the city and create independence from cars.
9 The Bike Share System can be used at public
10 transit to help residents make the
11 connection to their final destination. Bike
12 Share will include 60 stations in its first
13 year through Center City and surrounding
14 neighborhoods and 60 more in the second year
15 to expand that reach. City Council should
16 make it a priority of ensuring that this
17 expansion continues until all neighborhoods
18 have sufficient accessibility to bike share
19 station and can take advantage of this
20 opportunity.

21 In addition, City Council can also work
22 with the Mayor's Office to continue the
23 expansion of bike trails and bike lanes in
24 the city. Philadelphia is currently one of

1 the only cities in the country without a
2 protected bike lane. Council should commit
3 to creating at least one protected bike lane
4 in the coming years. Philadelphia has
5 expanded its trail network over the past
6 years to include 54 out of the planned 87
7 miles of trails, but there is still much
8 work to do.

9 Electric cars. After the
10 above-mentioned alternative transportation
11 options, the best way to reduce emissions is
12 by transitioning to a fleet of electric
13 vehicles. Electricity for EVs would
14 eventually ideally come from locally
15 produced renewable energy. The Delaware
16 Valley Regional Planning Commission
17 completed analysis on electric vehicles
18 potential for the Philadelphia region in mid
19 2013. The analysis found that electric
20 vehicle sales are expected to grow from
21 several hundred in 2013 to about 1,200 in
22 2015. And by 2020, sales are expected to
23 rise over 17,000. Will make up almost 3
24 percent of the total of vehicle sales in the

1 region.

2 The company ECotality installed 310
3 residential chargers and 125 commercial
4 chargers in Greater Philadelphia. Up to
5 2,100 charging stations will be needed to
6 support the predictions for electric
7 vehicles in 2020 which would help spur new
8 jobs and economic growth. City Council
9 could accelerate this growth by developing
10 financial incentives for purchasing electric
11 vehicles.

12 Impacts to other job sectors. Avoiding
13 a fossil fuel energy hub would ensure that
14 major job sectors in the city like
15 healthcare, the arts, hospitality and
16 education are not threatened. People decide
17 to stay or move to a city because of quality
18 of life issues. Increases in toxic air
19 pollution from polluting energy hub
20 infrastructure may cause some people to move
21 away, may cause parents to think twice about
22 sending their children to our colleges and
23 universities and may hurt the sectors that
24 currently provide a lot of jobs in revenue

1 to the city.

2 Clean Air Council urges City Council to
3 reject the plan to turn Philadelphia into a
4 fossil fuel energy hub and to embrace an
5 economy for Philadelphia that is based on a
6 public health, education and the
7 environment.

8 Thank you for your time.

9 COUNCILWOMAN REYNOLDS BROWN: Thank you
10 for your testimony. We will now go to
11 Jennifer McIntyre followed by Kevin Stewart
12 before we open it up for questions.

13 MS. MCINTYRE: Good afternoon,
14 Councilwoman, Councilman.

15 COUNCILWOMAN REYNOLDS BROWN: Good
16 afternoon.

17 MS. MCINTYRE: My name is Jennifer
18 McIntyre. I'm the Pennsylvania field
19 manager for Moms Clean Air Force, a national
20 organization with nearly 500,000 members.
21 We work to protect and advance children's
22 environmental health. I'd like to thank
23 City Council for holding this important
24 hearing and for valuing the voices of our

1 community leaders.

2 Moms Clean Air Force is grateful to
3 Councilwoman Reynolds Brown for convening
4 this forum for those of who work for
5 Philadelphia's long term sustainable growth.
6 The loss of manufacturing decades ago
7 precipitated a downward turn in
8 Philadelphia's downward economy. That
9 transition away from manufacturing allowed
10 the City to clean up its toxic air and
11 waterways after a century of using both as a
12 waste dump.

13 Following that period of intense
14 pollution, the shift away from heavy
15 industry contributed to almost a 70 percent
16 drop in toxic emissions from 1966 to 1985.
17 Although the area is cleaner than a half
18 century ago, the City is far from being a
19 healthy place for children to live.
20 22 percent of our children suffer from
21 asthma. And Philadelphia is the fifth most
22 challenging city for people with asthma
23 according to the Asthma and Allergy
24 Foundation of America. We rank 11th worst

1 nationally for the ozone that constitutes
2 smog and 16 for particle pollution or soot.

3 For 2014, the American Lung Association
4 gave Philadelphia an F for air quality in
5 part because it has 15 high ozone days a
6 year where anyone with breathing difficulty
7 should stay indoors. Philadelphia's high
8 levels of ground level ozone which literally
9 burns the lungs and increases vulnerability
10 to respiratory and circulatory disease will
11 increase if we increase fossil fuel
12 manufacturing within the city. Likewise,
13 other harmful pollutants will increase
14 turning the clock back to a bleaker time.

15 The initiatives enumerated in Resolution
16 150132 are a good start toward taking a
17 smarter path, expanding Greenworks,
18 increasing SEPTA ridership, supporting the
19 Green City, Clean Water Program and increase
20 solar power generation must all be
21 implemented without delay.

22 The question for City Council is, why go
23 back to a dirty industrial past when the
24 foundation is set for supporting a clean --

1 a comprehensive clean energy economic
2 initiative. Philadelphia should start with
3 its best opportunity for return on
4 investment, its schools.

5 The School District of Philadelphia is
6 one of the City's largest energy consumers
7 and the second largest impervious land owner
8 in Philadelphia. Crumbling infrastructure
9 presents an opportunity for green
10 renovations that teach the next generation
11 labor force by example. Retrofitted
12 sustainable green buildings could become
13 laboratories for renewable energy technology
14 turning out graduates who have advanced
15 skills to solve complex problems because
16 they spent 40 hours a week growing up in a
17 technologically advanced school building
18 that generated much of its own power through
19 geothermal, small scale wind, solar and
20 energy efficient technologies. Investing in
21 this vision would transform the City, create
22 a sustainable model for municipal
23 initiatives and give hope to the SDP
24 students.

1 The first steps towards achieving a
2 sustainable SDP that generates its own
3 power, teaches students how that works and
4 then graduates those students with high
5 level skills and science and sustainability
6 is to support and expand the Green Futures
7 Initiative.

8 The Green Futures Plan presents a unique
9 opportunity and emulates the City's
10 Greenwork Sustainability Management Plan in
11 that both have goals for energy,
12 environment, economy, equity and engagement
13 adding education as part of the District's
14 plan. The first Green Futures report will
15 be issued as a Five Year Plan on July 1,
16 2015. The plan will define specific
17 baselines and goals for sustainability. An
18 annual Green Futures Report will be issued
19 thereafter every year over five years to
20 communicate the District's progress in
21 attaining the goals set forth in the Green
22 Futures Plan.

23 The annual reports will be a
24 communication tool for engaging parents,

1 family, students, partners and stakeholders.
2 Right now the initiative plans to reduce all
3 energy consumption by 20 percent by 2020 and
4 reduce its carbon footprint or Greenhouse
5 gas emissions by 10 percent by 2020. Moms
6 Clean Air Force would like to see those
7 number increase and have SDP expand its
8 reach and goals to incorporate renewable
9 energy benchmarks, but we applaud the
10 overarching goal that each school is
11 operating as a healthy and efficient
12 facility conserving energy, diverting waste
13 from landfills, promoting healthy indoor
14 environments, reducing costs for utilities,
15 enhancing green infrastructure and reducing
16 the District's carbon footprint.

17 To top it off, all the Green Futures
18 efforts are incorporated into student lesson
19 plans so that Math, Science, Social Studies,
20 English and other courses capture
21 sustainability topics for students to learn
22 and utilize in everyday life. Moms Clean
23 Air Force urges City Council to step back
24 and consider the paths before it. We can

1 build upon the strong foundation of the
2 Greenworks Program and the innovations of
3 the Water Department and transform
4 Philadelphia into an enviable green
5 metropolis where all children have a right
6 to first class education and clean air.

7 We implore the council to consider
8 children's health first and foremost in any
9 decision and to support and strengthen one
10 of our best hopes, the Green Futures Program
11 of the School District of Philadelphia.

12 Thank you.

13 COUNCILWOMAN REYNOLDS BROWN: Did you --
14 I know you did not today have written
15 testimony to share with us.

16 MR. WALKER: Yes, I do.

17 COUNCILWOMAN REYNOLDS BROWN: You can
18 share that with us?

19 MR. WALKER: Yup.

20 COUNCILWOMAN REYNOLDS BROWN: Great.
21 And did you --

22 MS. MCINTYRE: I can send it to you.
23 I'll send it to you.

24 COUNCILWOMAN REYNOLDS BROWN: Please,

1 because there are a lot of instructions and
2 recommendations that you are offering on the
3 record, but it helps to have the hard copy.

4 MR. WALKER: Sure.

5 COUNCILWOMAN REYNOLDS BROWN: Thanks.

6 Please, sir, state your name for the record.

7 MR. STEWART: Yes. Madam Chair,
8 Councilman Oh, citizens and fellow guests,
9 good afternoon. And I thank you for the
10 opportunity to present testimony before you
11 today on a matter of serious importance for
12 the health and even the lives of
13 Philadelphians.

14 My name is Kevin Stewart. I serve the
15 American Lung Association in Pennsylvania as
16 Director of Environmental Health. And I did
17 provide to Mr. Mal my full testimony from
18 which these notes are taken.

19 ALAPA was founded 123 years ago here in
20 Philadelphia to combat tuberculosis. And it
21 is now dedicated to saving lives by
22 improving lung health and preventing lung
23 disease. As a public health agency, ALAPA
24 is here today to advocate for the lung

1 health of the one in eight Pennsylvanians
2 who are Philadelphians, friends, neighbors,
3 family members and especially the hundreds
4 of thousands who are at significantly
5 elevated risk.

6 Every year since 2000, the American Lung
7 Association has published a report
8 evaluating air pollution across the country.
9 It assigned letter grades to counties for
10 three measures of two pollutants:
11 Ozone/smog and fine particles/soot
12 pollution. While it's common practice in
13 our report to rank over 200 metro areas by
14 our findings, you just heard some ranking
15 earlier here. Today I am focusing on the
16 city and county of Philadelphia itself.

17 At the end of April, we will release our
18 State of the Air 2015 Report. And although
19 it is premature to discuss those findings, I
20 can summarize what we found in last year's
21 edition. It reported that over a three-year
22 period, 50 days were recorded on which ozone
23 levels were unhealthful for insensitive
24 groups. According to current ozone

1 standards, which American Lung Association
2 contends is inadequate to protect public
3 health, so will be no surprise to you to
4 learn that Philadelphia County earned, as it
5 has every year a report has been issued, an
6 F for ozone smog. And this grade is not
7 only critically important for the physical
8 and economic health for the one and a half
9 million people that live here but also for
10 the millions more who work here and visit.

11 Even more troubling, not only was our
12 2010 report the last time Philadelphia's
13 ozone level had been worse, but the county
14 posted its poorest rank ever, 26th worst in
15 the country out of 733 counties graded.
16 Especially notable when compared to a much
17 better 134th worst out of 595 in our 2002
18 report. Simply put, although Philadelphia's
19 ozone levels have improved in absolute terms
20 over the years, much of the country has
21 caught up to Philadelphia and passed it.

22 In addition to ozone, another pollutant
23 of grave concern is particulate matter or
24 PM. Tiny solid or liquid particles

1 suspended in the air that when inhaled reach
2 the deepest parts of the lungs. The tiniest
3 bronchiales to the air sacs called alveoli.
4 Taken together, studies performed across the
5 country and around the world as well as
6 right here in Philadelphia have demonstrated
7 that every year these fine particles cause
8 premature death in tens of thousands of
9 Americans.

10 Fortunately, Philadelphia has shown an
11 improvement over the years in levels of fine
12 particle pollution even though as a metro
13 area ranks 11th worst in the country. It
14 earned its second passing grade, that is
15 Philadelphia the county another D for daily
16 measure of this pollutant improving to 69th
17 worst in the U.S. out of 583 counties
18 compared to 14th worst only four years
19 prior.

20 But not so fortunately, after a series
21 of passing grades for its long term average
22 PM level, Philadelphia slid back into the
23 failing category for that measure ranking
24 16th worst county nationally of 518 graded.

1 American Lung Association works hard to
2 protect sensitive groups from air pollution.
3 The temptation for some may be to regard
4 those populations as only a tiny minority.
5 Let me emphasize to you that that perception
6 is false. In fact taken together, people in
7 groups who are particularly sensitive to air
8 pollution amount to more than half of the
9 City's population. This means virtually
10 every family, every workplace, every
11 classroom has someone and often many
12 someones who are at increased risk from air
13 pollution. And therefore, the American Lung
14 Association in Pennsylvania calls on the
15 City of Philadelphia to show leadership in
16 the following ways.

17 One, we ask the City upon action by
18 Council to call on the elected officials who
19 represent its populous in the United States
20 House and Senate. First, to oppose
21 proposals that would weaken air quality
22 standards or even keep existing standards as
23 weak as they already are or that would
24 reduce EPA funding or roll back its

1 authority under the Clean Air Act. And two,
2 to support the Federal Administration's
3 Clean Power Plan Proposal. We also ask this
4 city upon action by Council to call on its
5 fellow cities in Pennsylvania and throughout
6 the United States to do the same.

7 Thank you.

8 COUNCILWOMAN REYNOLDS BROWN: You're
9 welcome. So, all of this testimony was
10 deeply informative. And it's an affirmation
11 to me about how much more there is to learn
12 about this area and in particularly my role
13 as Chair in this Committee. So, did I hear
14 you not say that Philadelphia earns an F for
15 smog?

16 MR. STEWART: That's correct, ma'am.

17 COUNCILWOMAN REYNOLDS BROWN: Based on
18 your testimony, we are clearly getting
19 worse.

20 MR. STEWART: Yes. The idea has been
21 that there are certainly some ups and downs.
22 But compared to the rest of the country, we
23 are going backwards. That is, the rest of
24 the country has been improving their air

1 quality much faster than Philadelphia. And
2 the point here I was trying to make was that
3 there is a problem here that needs to be
4 fixed. Part of the way that can be fixed is
5 to make sure that the ozone standard itself
6 is made more stringent. That way upwind
7 areas will do a better job to control the
8 air pollution that they create. And
9 therefore, Philadelphia will have cleaner
10 air to work with.

11 COUNCILWOMAN REYNOLDS BROWN: Okay.

12 Thank you. And your testimony also was
13 quite informative, but more importantly
14 instructive in terms of ideas going forward.
15 So, we would really appreciate all of you
16 leaving that and as was already said
17 earlier, this is an opportunity to put
18 ideas, recommendations on the record because
19 it then informs us about what we can do more
20 to make our City one of the greenest in
21 America.

22 Thank you so much for your testimony.
23 And we simply need to underscore and put in
24 capital letters what we need to do with

1 regards to capturing the attention of
2 children. There is so much to do.

3 Thank you all very, very much.

4 (Collective Panel "thank you.")

5 THE CLERK: The next panel will consist
6 of Dr. Marilyn Howarth, Center of Excellence
7 for the Environmental Toxicology, The
8 University of Pennsylvania; and Peter
9 DeCarlo, Assistant Professor, Drexel
10 University.

11 The following panel will be just to
12 prepare, Michelle Feldman, Logan Welde,
13 Maurice Sampson and Kelly O'Day. Thank you.

14 COUNCILWOMAN REYNOLDS BROWN: Good
15 afternoon.

16 DR. HOWARTH: Good afternoon.

17 COUNCILWOMAN REYNOLDS BROWN: Welcome
18 to -- is this your first time here?

19 DR. HOWARTH: Yes, it is.

20 COUNCILWOMAN REYNOLDS BROWN: Welcome.

21 DR. HOWARTH: Thank you.

22 COUNCILWOMAN REYNOLDS BROWN: State your
23 name and proceed with your testimony.

24 DR. HOWARTH: I'm Dr. Marilyn Howarth.

1 I'd like to thank City Council for inviting
2 me here to testify regarding the state of
3 the air in the City of Philadelphia. I'm a
4 physician specializing in occupational and
5 environmental medicine. And I am testifying
6 here today on behalf of the Center of
7 Excellence and Environmental Toxicology as
8 their Director of Community and Outreach
9 Engagement. This Center is at the
10 University of Pennsylvania Perlman School of
11 Medicine.

12 Our Center researchers work to determine
13 the environmental causes of illness and ways
14 to reduce exposure and health impacts. I
15 personally see patients, teach students and
16 work with communities in Philadelphia, in
17 the entire region actually, involving
18 environmental exposures that cause illness.
19 Our center organized a conference in
20 November of 2014 and was held at the
21 University of Pennsylvania. It focused on
22 the state of environmental health and
23 environmental justice in the Commonwealth as
24 a whole, a document highlighting

1 recommendations addressing air and water
2 quality, the cumulative impacts of exposure,
3 multiple toxicants and fuel transportation
4 safety was produced by a coalition of
5 environmental groups and academic
6 institutions.

7 I would note that many of them were here
8 today. I would like to submit that document
9 for your consideration as well. And I have
10 done so.

11 COUNCILWOMAN REYNOLDS BROWN: Please.

12 DR. HOWARTH: My comments today will
13 focus on Philadelphia specifically. The
14 outside air in Philadelphia is healthier
15 than it was in the past by most measures.
16 However, our region continues to have high
17 levels of ozone, particulates and toxic
18 chemicals such as formaldehyde, benzyne and
19 acid aldehyde some of which cause asthma and
20 heart disease.

21 Important sources of these pollutants
22 that City Council can impact are
23 transportation sources such as cars, trucks
24 and buses. Replacing or retrofitting older

1 diesel trucks and buses can reduce
2 emissions. And I have heard here today that
3 we are nearing 50 percent. But 50 percent
4 still is yet to be done in terms of
5 improving those emissions. Reducing mobile
6 emissions through regulation and source
7 reduction would improve the air quality and
8 the health of all Philadelphians.

9 Research performed in Philadelphia has
10 repeatedly shown asthma rates that are
11 increasing while air pollution rates are
12 decreasing. Asthma affects 26 percent of
13 children in some Philadelphia neighborhoods.
14 And anecdotally we have heard of some
15 neighborhoods where more than that seem to
16 be effected. The number of children
17 hospitalized due to asthma in Philadelphia
18 has doubled in the last ten years. We would
19 like to think that our homes and schools are
20 safe and healthy places. However, there is
21 no regulation of indoor air quality. And I
22 know most people have been speaking about
23 outdoor air quality, but I'd like to focus
24 on indoor air quality. And this would be

1 for both homes and schools.

2 Studies have shown that the indoor air
3 can be less healthy in some cases than the
4 outdoor air. Buildings in disrepair often
5 have leaks which can lead to excessive mold
6 growth. Studies have shown that 21 percent
7 of asthma exacerbations are due to exposure
8 to mold inside. Children can experience an
9 asthma attack when several factors combine
10 such as mold, cigarette smoke and high ozone
11 levels that we have heard about earlier.

12 And these are ozone levels outside that can
13 come inside to homes and our schools.

14 City Council unfortunately does not have
15 authority over every potential factor that
16 can contribute to poor indoor air quality,
17 however, there are some very important
18 factors that they can address. Rental
19 property in particular provides an
20 opportunity for City Council to improve the
21 health of Philadelphia's children. Just as
22 there is an expectation that a landlord
23 provide heat, so to there should be an
24 expectation that the landlord provide a

1 healthy indoor environment. Occupant
2 personal habits and items used in the home
3 can negatively affect indoor air quality.
4 However, living or going to school in a
5 building that is moldy, infested with pests
6 and has peeling lead paint make most
7 occupant-related contributions to poor
8 indoor air quality minor by comparison.

9 City Council should consider following
10 the lead of other large cities like Boston,
11 St. Louis, Washington DC, Los Angeles and
12 San Francisco which have included
13 environmental health in their housing codes
14 and provided enforcement for those codes.
15 Effective housing code would explicitly
16 define the presence of chronic dampness and
17 mold as a housing code violation and deem a
18 building substandard when it's found.

19 Effective housing code would provide for
20 proactive rental property inspection, an
21 inspection when tenants or their physicians
22 suspect problems. It also would include
23 enforcement provisions to require mold
24 remediation in addition to remediation of

1 structural deficiencies that lead to mold
2 growth. The most vulnerable tenants are
3 often afraid to complain.

4 COUNCILWOMAN REYNOLDS BROWN: That's
5 right.

6 DR. HOWARTH: They may be afraid of
7 eviction or retaliation if they voice their
8 complaints to the landlord. Language
9 barriers and poor literacy skills can
10 prevent residents from asking for simple
11 improvements that reduce health risks of
12 poor indoor air quality. They may lack the
13 skills and confidence to navigate the
14 complaint system or to obtain legal
15 assistance. They may feel that they have no
16 choice but to continue to live in
17 substandard housing and subject their
18 children to it, as well. Proactive rental
19 inspection can protect even those who are
20 afraid to take personal action.

21 In summary, environmental health
22 research has established the science linking
23 asthma and other serious health impacts to
24 exposure to mold and other things, exposures

1 in home, homes and schools. But only good
2 governance by you City Council can help our
3 most vulnerable patients by enacting
4 reasonable regulations and enforcement that
5 begin to restore our built-in environment to
6 the healthy and safe place that we all
7 expect and need.

8 Thank you.

9 COUNCILWOMAN REYNOLDS BROWN: Thank you
10 very, very much. Please, sir, good
11 afternoon.

12 MR. DeCARLO: Thank you. Thank you
13 Councilwoman. My name is Peter DeCarlo.
14 I'm a professor at Drexel University in the
15 Department of Civil Architectural and
16 Environmental Engineering and the Department
17 of Chemistry. I hold a Ph.D. in atmospheric
18 science and I study air quality in cities
19 around the world and now I'm based in
20 Philadelphia. So, I speak today, though, as
21 a citizen of Philadelphia and not as a
22 representative of Drexel University.

23 COUNCILWOMAN REYNOLDS BROWN: Sure.

24 MR. DeCARLO: The following remarks are

1 my own and do not reflect the views of
2 Drexel University.

3 There are many factors influencing the
4 air quality in the City of Philadelphia;
5 local emissions, upwind emissions,
6 meteorology and chemical process in the
7 atmosphere to name a few. Of these factors,
8 what we have the most control over are local
9 emissions. So what are the local emissions
10 that we can influence? Or stated another
11 way, where does our air pollution come from?

12 Research that my group has performed has
13 looked at the relative impact of different
14 air pollution sources on the concentrations
15 of particulate matter, these are the tiny
16 solid or liquid droplets discussed earlier,
17 in the City. We have found that a
18 significant amount of the particulate matter
19 is regional and this varies seasonally.

20 We live in Philadelphia in a highly
21 populated and industrialized portion of the
22 country. This region experiences high
23 levels of particulate matter and ozone as a
24 consequence. So on top of the regional

1 pollution that comes into our city from
2 other -- from wherever the wind is blowing
3 from, we add local emissions. In the City
4 of Philadelphia, there are so-called point
5 sources including industrial sites which is
6 refinery which accounts for a lot of the
7 point-source emissions in the City and area
8 sources such as traffic emissions. Both of
9 these types of sources contribute to the
10 pollution we breathe every day and to the
11 air that others living downwind of the City
12 breathe, as well.

13 In terms of large point sources, annual
14 emissions must be accounted for. And one
15 can find publicly available data for the
16 2012 on the Philadelphia Air Management
17 Website. And I provided a link in my
18 testimony. I'd like to interject here how
19 helpful and professional the staff at the
20 Air Management Services are and how my past
21 interactions with them have been beneficial.
22 And I look forward to continued interactions
23 with them.

24 COUNCILWOMAN REYNOLDS BROWN: What

1 agency was that? What office?

2 MR. DeCARLO: Philadelphia Air
3 Management Services. I believe they're in
4 the Health Department.

5 COUNCILWOMAN REYNOLDS BROWN: Okay.
6 Very good.

7 MR. DeCARLO: Great group of folks.

8 In terms of 2012 data, the South
9 Philadelphia Refinery as one would expect is
10 the largest single point source for the air
11 emissions in the City. There is 106 total
12 facilities on that list and it accounts for
13 greater than 50 percent of virtually all of
14 the pollutants on the list. It must also be
15 noted here that there are other large
16 industrial sources outside of the City
17 limits that also need to be accounted for
18 and have a significant influence on the air
19 we breathe.

20 That document only talks about the
21 sources within the City limits. So, things
22 outside of Philadelphia City limits and just
23 outside will also have a significant impact
24 on what we breathe.

1 Switching to traffic emissions, these
2 are also large contributors to local air
3 pollution emissions. These emissions vary
4 by time of day with higher concentration
5 emissions during rush hour for both -- for
6 the reason that more people are driving, but
7 also due to atmospheric structure and the
8 way the atmosphere works and the nearer you
9 are to a roadway.

10 Currently, near-road emissions are a
11 concern for air pollution exposure. And
12 this is one of the motivating factors for
13 anti-idling laws that we currently have in
14 Philadelphia. In addition to on-road
15 traffic, there are also heavy duty freight
16 trains which run through the City. And
17 these have been discussed at length during
18 the safety portion. These trains often idle
19 in vicinity of children's playgrounds and
20 neighborhoods.

21 For example, I was pushing my son on a
22 swing on this past weekend at Mark Ward
23 Playground. And there was a diesel train,
24 just the engine no train attached to it was

1 idling right next to the children's
2 playground.

3 COUNCILWOMAN REYNOLDS BROWN: Where was
4 that?

5 MR. DeCARLO: At Mark Ward Playground.

6 COUNCILWOMAN REYNOLDS BROWN: Help me
7 out. Where is that?

8 MR. DeCARLO: It is --

9 COUNCILWOMAN REYNOLDS BROWN: What
10 neighborhood? What part of the City?

11 MR. DeCARLO: It is Fidler Square area,
12 right next to Schuylkill in between South
13 Street and Spruce Street.

14 COUNCILWOMAN REYNOLDS BROWN: Sure.

15 MR. DeCARLO: Right where the Schuylkill
16 River Trail sits.

17 COUNCILWOMAN REYNOLDS BROWN: Know
18 exactly where you're speaking of.

19 MR. DeCARLO: Where we have a very good
20 baseball team that plays sometimes.

21 COUNCILWOMAN REYNOLDS BROWN: Are you on
22 the team?

23 MR. DeCARLO: And a large population of
24 children play. So, this is a health hazard

1 for a young population. And these are ones
2 who are most at risk for potential air
3 pollution problems. So, there is potential
4 solutions that exist here too.

5 Electrifying the freight train lines
6 will reduce the diesel emissions. It won't
7 get round the safety issues with the -- that
8 was talked about earlier in terms of
9 exploding cars from the Bakken crude. Or,
10 number two, as a potential solution is
11 reroute the trains through less populated
12 areas. The latter solution, this also fixes
13 the potential safety issues with those
14 tanker cars and train derailments and what
15 can potentially happen with that.

16 So in closing, I'd like to encourage
17 City Council also to find ways to increase
18 awareness about air quality. Daily forecast
19 of air quality and -- for ozone and
20 particulates exist and are publicly
21 available with Air Now as an example. And
22 there's a hyperlink to Air Now.gov. If the
23 City improves dissemination of this forecast
24 perhaps in conjunction with weather forecast

1 which people pay attention to on a daily
2 basis or, for example, display them
3 prominently on the PECO building on Market,
4 this increased awareness about air quality
5 issues will help the City of Philadelphia
6 citizens come to better solutions moving
7 forward. So, I would like to thank you for
8 your time.

9 COUNCILWOMAN REYNOLDS BROWN: Yes.

10 Thank you for your testimony. That's a
11 novel way to share information at the top of
12 PECO. So, do you know if other cities
13 follow those type of practices or practices
14 of education and awareness similar to the
15 one you just mentioned?

16 MR. DeCARLO: In some places I lived in
17 Europe, they actually discussed air quality
18 with weather forecast in the morning.

19 COUNCILWOMAN REYNOLDS BROWN: Do they?

20 MR. DeCARLO: Just as an end. Some of
21 the same federal agencies which do weather
22 forecasting also contribute to the air
23 quality forecast because it's intimately
24 linked to weather. And so, that daily

1 forecast would just be a way for people to
2 kind of, oh, you know, maybe I shouldn't go
3 running this afternoon because it's a bad
4 air quality day or I shouldn't let my kids
5 play outside too long because it would
6 harmful to their health. So, increasing
7 awareness is one way we can come together as
8 a community and figure out solutions.

9 COUNCILWOMAN REYNOLDS BROWN: Sure. I
10 will certainly have my staff have a
11 conversation with the Law Department to see
12 if we can do that "legally" here in
13 Philadelphia. Typically, the regulations
14 vary from municipality to municipality. But
15 if you know that it's a best practice
16 someplace else, then it typically gives you
17 leverage and an argument to try to replicate
18 that here.

19 Are both of you leaving testimony with
20 us?

21 MR. DeCARLO: I have left testimony,
22 yes.

23 DR. HOWARTH: Yes.

24 COUNCILWOMAN REYNOLDS BROWN: Okay then.

1 Thank you very much for coming down and
2 offering up your profession perspective on
3 this matter. Thank you very much.

4 THE CLERK: That concludes our Air
5 Panel. The following panel is the Littering
6 and Debris Panel. Can Michelle Feldman,
7 Director of Keep Philadelphia Beautiful;
8 Logan Welde, Staff Attorney, Clean Air
9 Council; and Saleem Chapman, Environmental
10 Justice Manager from Clean Air Council;
11 Maurice Sampson and Kelly O'Day please come
12 up to the stand.

13 COUNCILWOMAN REYNOLDS BROWN: And while
14 I know that many others may have to leave,
15 know that my staff and I completely thank
16 you for stepping away from your desk and
17 your lives to come and offer us testimony
18 because we will continue to work very, very
19 closely hand-in-toe with Katherine Gajewski
20 and her team to take a number of these
21 recommendations and try to actualize them
22 into new legislation.

23 Thank you very much. Proceed Michelle
24 Feldman.

1 MS. FELDMAN: Thank you. Good
2 afternoon, Councilwoman Reynolds Brown. My
3 name is Michelle Feldman. I'm the Executive
4 Director of Keep Philadelphia Beautiful.

5 First, thank you to City Council for
6 inviting me to testify this afternoon and
7 thank you to Councilwoman Reynolds Brown for
8 your leadership in organizing today's
9 hearing on such an important issue for the
10 future of our city. I had the privilege of
11 testifying in front of this Committee last
12 November on the subject of organic waste
13 recycling. And it's an honor to be in front
14 of the Committee again.

15 Keep Philadelphia Beautiful was founded
16 30 years ago as PhilaPride and it's
17 dedicated to litter abatement, recycling
18 education promotion and waste reduction
19 throughout the City. We partner with the
20 Streets Department and other City agencies
21 as well as neighborhood organizations and
22 individual residents on environmental
23 education and community beautification
24 efforts. We are grateful for our

1 partnership with the Streets Department and
2 for the opportunity to work with them to
3 create a cleaner and greener city.

4 Specifically, Keep Philadelphia
5 Beautiful provides no cost in-classroom
6 workshops on environmental, social and
7 economic impacts of litter, works with core
8 groups of high school students to help them
9 design, implement and assess community
10 beautification process and works to be a
11 resource to community-based organizations
12 tackling litter in specific neighborhoods
13 through workshops, resource guides and seed
14 funding.

15 In 2013 and 2014 alone, we reached over
16 2000 students and adults with our message of
17 environmental stewardship, engaged 800
18 volunteers in community service events,
19 moved hundreds of bags of debris from our
20 streets and raised and disbursed \$40,000 for
21 neighborhoods beautification efforts. Keep
22 Philadelphia Beautiful is a proud affiliate
23 of Keep America Beautiful which with over
24 600 affiliates throughout the country is the

1 nation's leading nonprofit organization
2 working to combat litter.

3 Keep America Beautiful provides a series
4 of resources through their affiliate network
5 including but not limited to educational
6 curriculum and grant opportunities. In
7 addition, Keep America Beautiful and its
8 affiliate network are thought leaders in the
9 litter abatement field. I'd like to talk
10 with you today about two academic studies
11 focused on litter. One conducted by Keep
12 America Beautiful and one conducted by Keep
13 Pennsylvania Beautiful.

14 In 2009, Keep America Beautiful
15 spearheaded a national research project on
16 both litter itself, its composition,
17 location and costs and littering behavior,
18 how often people litter, the contextual and
19 individual variables that contribute to
20 littering and the effectiveness of various
21 approaches to reducing littering rates.

22 Keep America Beautiful found that
23 nationwide we spent \$11.5 billion on litter
24 prevention and clean up and property values

1 decreased 7 percent in communities plagued
2 by litter. The highest incidence of
3 non-roadway litter were found at transition
4 points where individuals were required to
5 consume a product before entering a
6 building. Examples include movie theaters
7 and public transportation waiting areas.

8 COUNCILWOMAN REYNOLDS BROWN: I want you
9 to slow down just a little bit because I
10 just had a conversation with my staff
11 yesterday about the study.

12 MS. FELDMAN: Great.

13 COUNCILWOMAN REYNOLDS BROWN: Someone
14 told me it existed and we've been trying to
15 get a handle on it.

16 MS. FELDMAN: I'll make sure to send the
17 link.

18 COUNCILWOMAN REYNOLDS BROWN: Please do
19 that.

20 MS. FELDMAN: Yes. As important, Keep
21 America Beautiful found that littering
22 behavior is shaped by both contextual and
23 individual factors. That said, the 2009
24 study shows that littering is primarily a

1 personal intentional act based on individual
2 attitudes and more likely to be committed by
3 those under the age of 30. Contextual
4 factors that lead to an increase in
5 littering include access to trash
6 receptacles and whether the areas are
7 already littered.

8 Recommendations for decreasing littering
9 behavior among both youths and adults
10 include incentives making it as easy as
11 possible to properly dispose of waste,
12 education of specifically of youth and
13 public information efforts such as the
14 Streets Department's UnLitter Us Campaign.
15 I repeat and remind individuals of the
16 importance of litter-free neighborhoods and
17 encourage widespread participation.

18 I would also like to speak to Keep
19 Pennsylvania Beautiful's ten-year study on
20 illegal dumping in Pennsylvania released in
21 June of 2014. Keep Pennsylvania Beautiful
22 found 6,500 illegal dump sites throughout
23 the state. 296 were found in Philadelphia
24 alone in 2012. The issue affects every

1 county. The estimated average cost to clean
2 up an illegal dump site is \$800 per ton
3 which amounts to roughly \$3,000 per site.

4 Keep Pennsylvania Beautiful identified
5 several route caused for illegal dumping
6 including lack of awareness of proper
7 disposal methods and the wide range of
8 consequences of illegal dumping, inability
9 to pay for proper waste disposal and
10 financial gain from avoiding the costs
11 associated with proper waste disposal and
12 lack of access to waste dropoff locations.

13 As with Keep America Beautiful's 2009
14 study, Keep Pennsylvania Beautiful found
15 that areas already affected by illegal
16 dumping are more likely to attract further
17 illegal dumping. Recommendations stemming
18 from Keep Pennsylvania Beautiful study
19 include both public and professional
20 education campaigns as well as increased
21 access to and affordability of means of
22 proper waste disposal.

23 I would be happy to provide further
24 details on either study or upcoming work

1 being undertaken by Keep America Beautiful,
2 Keep Pennsylvania Beautiful or Keep
3 Philadelphia Beautiful.

4 Again, thank you very much for your time
5 this afternoon and for the opportunity to
6 testify about this very important issue.

7 Keep Philadelphia Beautiful is eager to
8 continue to be a partner to City Council and
9 the Administration on litter abatement and
10 community beautification efforts. I'd be
11 happy to answer any questions.

12 COUNCILWOMAN REYNOLDS BROWN: We will
13 entertain questions after we complete all
14 the testimony.

15 Good afternoon.

16 MR. O'DAY: Good afternoon, Councilwoman
17 Brown. I'm Kelly O'Day.

18 COUNCILWOMAN REYNOLDS BROWN: Please
19 speak into the mic loud so we can hear you.

20 MR. O'DAY: I'm Kelly O'Day. I live in
21 Mt. Airy. I'm a civil environmental
22 engineer. And now I'm happily retired and I
23 can spend a lot of time on litter and trash.

24 COUNCILWOMAN REYNOLDS BROWN: Okay.

1 MR. O'DAY: And I want to tell you a
2 little bit of what I found as I'm not
3 associated with any organization. I do work
4 with different groups, but I'm here strictly
5 as a Philadelphia resident.

6 Our current litter and trash control
7 system is not working for every neighborhood
8 in the City. If you look at the photo I
9 gave you that shows cleaning in Center City,
10 we can be very, very proud of our Center
11 City district which does a wonderful job
12 keeping it clean. But if we just go about a
13 mile away, I have a photo there of 9th and
14 Noble which is really an example of the kind
15 of illegal dumping problems we can see in
16 the City.

17 So, what I want to talk to you about is
18 what a series of actions that City Council
19 could take to fix our current problem. And
20 these include -- the problems that I want to
21 speak to include illegal dumping of
22 construction and demolition debris, which is
23 a major, major issue. From a tonnage
24 standpoint, it's the single largest

1 quantity. Illegal dumping of residential
2 trash is the second biggest problem from a
3 quantity standpoint. Of course, in the City
4 where we have available trash pick up, it is
5 really a mystery as to why people will are
6 actually take their household trash put it
7 in a black or one of these white trash bags
8 and then leave it on the corner. And I
9 think you've started to tackle that with
10 your initiative with the rental properties
11 and with landlords. I think that's a very
12 important aspect.

13 COUNCILWOMAN REYNOLDS BROWN: First
14 step.

15 MR. O'DAY: Definitely very good first
16 step.

17 Overflowing litter dumpsters is another
18 area. I think L&I is out there trying to
19 handle it, but I find many cases where there
20 are -- the dumpsters are simply too small
21 for the quantity of trash that is being
22 produced by either the apartment complex or
23 a business. Shortage of trash receptacles
24 and, to me, the big mystery is here why has

1 the City reduced trash receptacles?

2 COUNCILWOMAN REYNOLDS BROWN: Why has or
3 has not?

4 MR. O'DAY: Why have they reduced the
5 quantity. What I found is it's a fear of
6 residential trash dumping. What has
7 actually happened is both businesses and the
8 City have actually reduced wire baskets.
9 The big bellies are fine. There are simply
10 not enough big bellies out there to make up
11 for the actual loss of the number of wire
12 baskets. And that's something that has to
13 be tackled. And your action with the --
14 trying to go after some of the residential
15 trash problem will help.

16 So, I think this is an example where if
17 we just put a whole bunch of wire baskets
18 out there, people will dump into those wire
19 baskets. One part of me says at least we
20 have it in a controlled environment, and
21 that's an improvement. But if you're the
22 Streets Commissioner, you have to pick those
23 up. It becomes a real logistical problem
24 not knowing what to expect when the truck

1 comes up. I think this is a case where we
2 have to be thinking this, we have to do it
3 in several steps and we have to have a
4 concerted effort and all the pieces have to
5 fit together. That is what L&I is doing,
6 what the Streets Department is doing, what
7 the Water Department is doing all has to
8 sort of fit together.

9 COUNCILWOMAN REYNOLDS BROWN: Okay.

10 MR. O'DAY: Now the other important
11 thing is trash and litter build up around
12 vacant and abandoned houses. We obviously
13 know we have a major abandoned housing
14 problem, but that is also what I see is a
15 magnet for trash dumping. Because if you're
16 somebody that wants to get rid of some
17 trash, whether you are a small contractor or
18 whatever, you're going to see a vacant
19 property. You're going to more likely to go
20 after it. And to me, the solution there is
21 to require property owners, even if they
22 have abandoned it, to actually protect it
23 against dumping.

24 Fences and Jersey guard rails can be

1 very, very good deterrents for preventing
2 dumping in that area.

3 COUNCILWOMAN REYNOLDS BROWN: You called
4 them what? Jersey guard rails?

5 MR. O'DAY: You know, the concrete
6 barriers. Those concrete barriers?

7 COUNCILWOMAN REYNOLDS BROWN: Yes. Yes.

8 MR. O'DAY: That one name is called a
9 Jersey barrier.

10 COUNCILWOMAN REYNOLDS BROWN: Okay.

11 MR. O'DAY: Finally, we have litter on
12 street corners. I must say that I believe
13 litter is a misnomer because we often think
14 of the potato chip, the bottle and so forth.
15 That is clearly a nuisance. But I am
16 talking to you about the large quantities,
17 whether it's tires or construction debris
18 has got to be very, very high on our list.

19 Of course, the Pope is coming next
20 September.

21 COUNCILWOMAN REYNOLDS BROWN: September
22 17 or something like that.

23 MR. O'DAY: And we are going to have the
24 Democratic National Committee here in July,

1 I guess, it is.

2 COUNCILWOMAN REYNOLDS BROWN: 2016.

3 MR. O'DAY: 2016. We don't want them
4 going out -- if they leave Center City
5 District, there is no telling what they're
6 going to see. And it's part of our efforts
7 should be let's clean up some of these areas.
8 But as we clean them up, what I ask you to
9 think about is what are we going to be
10 prevent in future.

11 COUNCILWOMAN REYNOLDS BROWN: Long term.

12 MR. O'DAY: Absolutely. When we clean
13 them up, I've seen lots of places where it
14 gets, you know, dumped on it very quickly.
15 I have included for you examples of some of
16 the ways that the City is currently
17 measuring the litter trash problem just so
18 that you're aware of them.

19 The first is it the Litter Index. This
20 actually comes from the Keep America
21 Beautiful effort to sort of standardized
22 across the country. Hopefully, you have a
23 color copy because mine is black and white
24 and doesn't quite show. This helps to tell

1 you where the problem areas are. And those
2 areas that are very high and those areas
3 that are not as high in litter. Now when
4 you look at the green areas, you will see
5 that essentially there's practically no
6 litter. Hopefully, will get that for you in
7 a second.

8 COUNCILWOMAN REYNOLDS BROWN: Thank you.

9 MR. O'DAY: I think it's probably the
10 third page.

11 COUNCILWOMAN REYNOLDS BROWN: Yes, it
12 does.

13 MR. O'DAY: Now the Streets Department
14 has been doing that for a number of years.
15 And they've recently improved the
16 methodology. And I personally am
17 comfortable with their current methodology.
18 We can't really go back and look at it from
19 a trend standpoint because the previous
20 methods had some practices that may not be
21 reproducible.

22 The next page shows you, and I believe
23 I'm on page 4 now, how do we use the Litter
24 Code violation to help us focus in on where

1 the problems are. L&I issues the Litter
2 code -- or issues code violation notices.
3 When I requested the data, I got 400,000
4 records. Which, for my little computer, was
5 a little bit of work.

6 But I was able to find that 33,000 of
7 them were litter-related violations in 2013.
8 That's the last year that the City had
9 available data that they could release. You
10 see two codes, sidewalk not litter free,
11 there were 16,000 of those; and premises not
12 litter free, 14,900. So, it's clear that
13 L&I is out there working to cite these
14 properties. I just think that we got to
15 think about what's causing this and we've
16 got to add more attention to it. And when
17 you look at the districts, you will see that
18 there's quite a variation district to
19 district.

20 What I really believe is that City
21 Council needs to be thinking about district
22 level trash control plans because the
23 Northeast has different problems than West
24 Philadelphia. And that what this is, to me,

1 it's the Councilpeople often are thought of
2 as the mini mayors. What I'd like to see
3 them begin to act in that capacity to help
4 to facilitate understanding and focusing
5 attention district by district because they
6 are different -- issues are different.

7 COUNCILWOMAN REYNOLDS BROWN: No one
8 size fits all.

9 MR. O'DAY: That's correct.

10 COUNCILWOMAN REYNOLDS BROWN: No one
11 approach is driven by the level of --

12 MR. O'DAY: Of the conditions.

13 COUNCILWOMAN REYNOLDS BROWN: Got you.

14 MR. O'DAY: And different motivations
15 that people have. And the highway system
16 has an effect on it and so forth.

17 If you look at the next page, what this
18 shows is litter code violation data for just
19 one district, my home district of District
20 8. And when you see it, you begin to
21 realize that there are clusters and
22 patterns. In this district there were 3,100
23 violations in 2013. About 10 percent of the
24 citywide total. Now, this kind of a tool in

1 the hands of the staff of City Councilperson
2 would be able to really focus on where the
3 problems are and what could be done.

4 The next page, and I have made it clear
5 in the beginning, I'm a civil engineer,
6 environmental engineer, not a sociologist or
7 an economist. I am trying to figure what is
8 going on here. And what I have come up with
9 is that housing density is a very important
10 aspect. Housing density of course means
11 more people in a smaller area. Rental
12 housing is also a factor and then finally
13 household income.

14 When I look at District 8, what I see is
15 if you go to Chestnut Hill, it's nice and
16 green. There's hardly any litter code
17 violations. As you move towards Broad
18 Street, you see an uptick but you also see a
19 decrease in income.

20 COUNCILWOMAN REYNOLDS BROWN: Yes, you
21 do.

22 MR. O'DAY: And what I really would
23 argue for in this case is that the places
24 that have the problem need the services.

1 And what I believe has happened is we have
2 taken the services away from those most
3 critical areas that need them. And so, I
4 would argue that we need to spend more in
5 the areas -- the low income areas to help
6 those people handle their trash problem or
7 at least find out why they have it and what
8 we need to do.

9 The last of these examples I wanted to
10 show you is this happens to be District 5.
11 And what I was able to do here is find out
12 how many code violations in each city block
13 in across the City, but I happen to pick on
14 Council District 5 because it had some
15 outliers.

16 There is one city block, the 1700 block
17 of Diamond Street. There were 118 litter
18 code violations in one year. And yet, we
19 have many other blocks that have no
20 violations at all. That really says that
21 there are things going on that we need to
22 understand. I do not tell you that I
23 understand them, but we have the tools and
24 we have the ability of the City's collecting

1 the data. And I believe this is an example
2 from a sustainability that we have to
3 understand much more than we do now what
4 these --

5 COUNCILWOMAN REYNOLDS BROWN: Habits.

6 MR. O'DAY: -- is occurring and what we
7 can then do about it. Now, I'm a water
8 engineer at heart. What my whole career
9 was. This next page shows you the five
10 watersheds in Philadelphia, the small
11 watersheds. And of course we have the
12 Schuylkill and the Delaware. And what I was
13 able to do here is count the litter code
14 violations by watershed.

15 Now, I happen to live in the Tacony
16 Frankford watershed. I like to call it
17 Tacony. And you can see there were 5,780
18 violations in that watershed. I am very
19 close to the Wissahickon and yet the
20 Wissahickon only had 70 violations. I would
21 ask you when you -- when I go out and I look
22 at the Wissahickon Creek trash and the I
23 look at the Tacony Creek trash, these
24 numbers as far as code violations are

1 actually the same ratio as what I see when I
2 look at the trash. What's happening is
3 stormwater is carrying it off. And the
4 stormwater in the Wissahickon is fairly
5 clean compared to the Tacony. And the Cobb
6 is the other really serious problem.

7 The Cobb in West Philadelphia actually
8 had the highest rate when you do it by
9 square mile. The Pennypack and the
10 Poquessing on the other end, which are
11 Northeast Philadelphia, had relatively low
12 levels. Now, what I have done is I've
13 walked the Tacony from end to end to
14 understand the water quality aspects of this
15 trash. And you'd just be horrified.

16 I personally as a water engineer am
17 horrified. We made such much progress in
18 water pollution control, but we actually are
19 farther behind today than when I started in
20 1967 in Philadelphia as far as trash. The
21 Tacony is in terrible shape and the reason
22 is plastic. Plastic doesn't decompose
23 whether it's plastic bottles, plastic bags,
24 potato chip, you know, all that plastic.

1 When I first got out of college, most of
2 that stuff was in paper, either paper or
3 glass. Well, plastic behaves in water quite
4 differently than paper and plastic. We
5 really do have a plastic challenge in front
6 of us and we got to really think what we can
7 do about that.

8 Now, my next page gets to the bottom
9 line for me which is trash and litter. It's
10 a quality of life and environmental justice
11 and water pollution issue. It's
12 environmental justice because when I go out
13 and do my surveys, I often will see people
14 even in a litter stream block. Somebody is
15 trying to keep their property up. They are
16 surrounded by debris. There was a wonderful
17 woman one day I was out photographing in
18 District 8. And she said thank you. And I
19 say for what. She said, well, she had been
20 watching me as I go around. And other
21 people go and look for the roses. I am
22 afraid I do look for the trash because I try
23 to understand, you know, where it is. She
24 said to me that they call the City, the City

1 comes out and they clean it up and within a
2 week, it's dumped on again. And that has
3 got to be, to me, very, very hard for people
4 to live with.

5 And so, ultimately, what we need is a
6 mix of strategies to go after it to help
7 that woman and the other women. Because I
8 think some people may be blaming the victims
9 of the trash saying that, you know, that's
10 their fault. We don't blame victims of
11 crime. And I do not believe it's
12 appropriate to be blaming victims of trash
13 and litter just like we don't blame them for
14 crime.

15 I do have some information on the costs
16 of --

17 COUNCILWOMAN REYNOLDS BROWN: What part
18 of the City was that you just referenced?

19 MR. O'DAY: It was in District 8. I do
20 a lot of my work in District 8 because
21 that's where I live.

22 COUNCILWOMAN REYNOLDS BROWN: Got you.

23 MR. O'DAY: Now, what I would like you
24 to think about is, and I talked about the

1 multiple tools, we need to have a prevention
2 and enforcement and removal and clean up
3 strategy. That's my last page, I believe,
4 on page 10. What I want you to -- as people
5 come up with individual solutions, this is
6 one of those cases where we solve one part
7 of the problem, we may create another part
8 of the problem. We have to be thinking of
9 this holistically.

10 Under prevention, I believe we need to
11 require demolition and construction
12 contractors, particularly the small ones,
13 you know, somebody that's redoing a bathroom
14 or something like that, they have to
15 demonstrate proper disposal of their waste,
16 their waste materials. That has something
17 that could be done. I realize people will
18 say it's more paperwork and so forth. But
19 it's a case where if we don't have controls,
20 that contractor, that small contractor may
21 be motivated to dump it on a corner
22 somewhere or to pay a City fee or pay a
23 commercial or landfill fee.

24 Require nuisance properties to protect

1 against illegal dumping. Now nuisance
2 properties is something that the City
3 Council had considered in 2012. And there
4 was a bill, I don't know if you remember it
5 called 120297 which dealt with the idea of
6 nuisance properties in the City. And that
7 if a property had had several violations
8 within a three-year period, it would be
9 designated as a nuisance property. And then
10 the City had much -- agencies would have
11 much more --

12 COUNCILWOMAN REYNOLDS-BROWN: Teeth.

13 MR. O'DAY: -- ability to do something
14 about it, more teeth. And I really think we
15 have to think of that as one of our litter
16 control or trash control strategies, as
17 well. We have a -- we know we have these
18 litter code violations. I can't tell you
19 but I suspect it may well be the same
20 properties over and over and over again.

21 What will happen then is, if it's a
22 nuisance property, after a couple years and
23 it gets designated, then the City can come
24 in and put barriers or do things to begin to

1 protect against it.

2 COUNCILWOMAN REYNOLDS BROWN: Sure.

3 MR. O'DAY: I won't go through all these
4 in detail. But you -- I hit the item about
5 businesses and landlords must be responsible
6 for their potential trash generation. These
7 businesses are selling styrofoam containers.

8 COUNCILWOMAN REYNOLDS BROWN: Plastic
9 bags, et cetera.

10 MR. O'DAY: They are selling the product
11 that is being misused, so they have a role
12 to play in that. And of course, then the
13 fees and so forth which I certainly support.

14 Under enforcement, I believe the City
15 has to think seriously about the fine
16 structure. I don't believe the fine
17 structure is working. I think there has to
18 be a provision for escalating the cost. At
19 some time in the past, \$300 dollars might be
20 a big deal for littering. Today, I think
21 there is plenty evidence that people are not
22 worried about a \$300 fine. And then, if
23 somebody gets fined a second or a third
24 time, it should become -- it should be

1 escalated for that individual to make it a
2 much more serious problem.

3 I think cameras are needed in these
4 known problem areas. And I believe the
5 CLIP, the Community Leadership Improvement
6 Program, is doing that. But I suspect they
7 could use more resources. The Police
8 Neighborhood Services Unit is a very
9 effective unit, but it's a very small unit.

10 There was a very interesting article in
11 Philadelphia.com about two policemen,
12 undercover policemen that are out there
13 looking for these trash dumpers. What they
14 said was that there were 20 of them. Just
15 18 more, then they could clean up the City.
16 I would like you to -- I did send to your
17 assistant the copy of the article. I'd like
18 you to read it and actually ask Commissioner
19 Ramsey if that is something that is
20 practical. I think what we need is these
21 violators, we need the police to go after
22 them with their skills and, you know, just
23 undercover surveillance and all those kind
24 of things and make it clear that we are not

1 going to tolerate that kind of thing.
2 Because there are people actually getting
3 paid to take the stuff in the dump truck and
4 look in the back of pickup and then look for
5 a spot and they dump it. Only charge a
6 small fraction of what the landfill cost,
7 and then the City has to come along and pick
8 it up later. It really is costing the City
9 in the end.

10 Removal and clean up is my last part.
11 And so, the only reason I have that list
12 there is you see it's a series of
13 activities. At some future hearing, I would
14 ask you to have Streets, L&I, Water all
15 there talking about this collectively with
16 CLIP and other -- and also the Police
17 Department as to how the City as a whole can
18 be tackling this thing and taking it so the
19 Pope will be able to go -- we can let the
20 Pope go anywhere in the City and see, you
21 know, what he can see.

22 Thank you very much.

23 COUNCILWOMAN REYNOLDS BROWN: That is
24 citywide effort.

1 MR. O'DAY: Appreciate the opportunity.

2 COUNCILWOMAN REYNOLDS BROWN: You are
3 welcome. We are going to hear from our
4 final witness, and then I do have some
5 comments. Please.

6 MR. SAMPSON: Yes. Well, good
7 afternoon, Chair Councilwoman Brown. My
8 name is Maurice Sampson. I am the President
9 of Niche Waste Reduction and Recycling
10 Systems and an appointee to the Waste and
11 Recycling Advisory Committee. I am speaking
12 today as a citizen.

13 Thank you, again, for the opportunity to
14 speak to your committee. And I want to
15 thank you for your leadership and pulling
16 all of this together. You have to be
17 overwhelmed. I mean, it is so wonderful to
18 see all of the experts from the
19 environmental community. I've been speaking
20 here for 20 years on just recycling.

21 COUNCILWOMAN REYNOLDS BROWN: Is that
22 right?

23 MR. SAMPSON: Oh sure. But the idea of
24 havings environmental come out from all the

1 different issues in one session, it feels
2 very comfortable here. I like of the
3 community that it needs to be. There is so
4 much talent in the City that's been working
5 on these issues for such a long time, to
6 have the opportunity to have them all come
7 out and speak together to let you know
8 what's happening in the city and the
9 magnitude of what's been happening in the
10 City, I mean, I don't know that this is -- I
11 haven't heard of this happening before. We
12 just need to do this more often.

13 I think there are benefits all around.
14 My expertise in solid wastes includes
15 litter, but I deliberately spoke third here
16 because, quite frankly, I'm dwarfed by the
17 experience of two people that just spoke.
18 Michelle and the organization that she
19 represents, Keep Philadelphia Beautiful and
20 the Associated Pennsylvania and national
21 group, I mean, they've been doing this for
22 years. And they conduct primary source
23 research on litter. And as you said early
24 on, you're looking for information. Well,

1 they've been collecting that kind of data
2 for a long time.

3 And Kelly's insight on litter as a
4 quality of life and environmental justice
5 issue is spot on. I think that this litter
6 feels like a perennial issue that comes up
7 and goes away, comes up and goes away. And
8 if you do a search on Google and the news,
9 you will see that we sort of address this
10 perennially, especially around election
11 time, as something that we look to deal
12 with. And sometimes I think it's not that
13 we don't take it seriously, but if we look
14 at what actions we take, I sort of pride
15 myself in looking at the history of dealing
16 with this subject.

17 I have a report from 1919, and if you
18 didn't have the dates in the report, you
19 wouldn't know that it's any different than
20 now. They talk about litter issues, they
21 talk about the need for cleaning, they even
22 talk about the inability to contract out and
23 get the kind of authority to handle it in
24 very much the same way that we do -- we do

1 now. Even the problems of enforcement and
2 getting people, you know, even though we
3 have collection by residents that were
4 problems all through the '20s with getting
5 people to use those systems and trying to
6 balance enforcement with collection. This
7 is a problem that we have had ad infinitum.

8 I think that Kelly's approach and what
9 he's talking about here about a deliberate
10 comprehensive approach that encompasses
11 actions around prevention, enforcement and
12 removal and doing that systematically and
13 looking at a menu of actions. It's not
14 either or. It's not -- we don't need to be
15 doing that. It really is that we need to be
16 looking at doing them all, whether it's
17 taking legislative action on plastic bags,
18 of styrofoam containers or managing litter
19 and trash to street sweeping. The full
20 range of issues that Kelly touched on and I
21 am sure you are going to hear again.

22 I want to offer a different sort of
23 broad suggestion. We need -- beyond the
24 legislative and regulatory action, we need

1 leadership from you and your peers to look
2 at challenging us in a way that suggests
3 that we need to be good citizens and to take
4 pride in our City. And there have been
5 several incidences of this that I can just
6 pull out as examples -- you are going to
7 know more as soon as I talk about them -- of
8 a campaign-ish kind of approach that we can
9 do all of this under.

10 In 1938, a Swedish immigrant community
11 activist named Singred Craig began a
12 one-woman crusade to clean up Philadelphia
13 one block at a time. Tired of hearing the
14 word Philadelphia applied to her adopted
15 home, Ms. Craig approached local government
16 officials about initiating programs to clean
17 up the community. Initially, her
18 unstructured open call for cleanness was met
19 with disdain. However, Ms. Craig was able
20 to organize small group of concerned
21 citizens to champion her cause and to urge
22 local government officials to organize a
23 workable solution.

24 In 1945, her change received attention

1 and local government officials worked to
2 develop an approach that would combat
3 deterioration at the smallest organized
4 level, a city block. It was that effort
5 that eventually led to what we now know is
6 the Philadelphia More Beautiful Committee.
7 It was marked and recognized as the national
8 cleanest town. It brought that notoriety to
9 Philadelphia for twelve consecutive years
10 from 1947 to 1959.

11 And in 1965, in conjunction with the
12 National Beautification Movement, a espoused
13 by the Johnson Administration, Mayor James
14 Tate formalized public private partnership
15 and renamed it the Philadelphia More
16 Beautiful Committee and inducted Mrs. Craig
17 into the Chair of a 75 member group and they
18 set up a five-person paid staff which is
19 still here in the Sanitation Department.
20 And today they have 2600 block captains.
21 And we have that convention every year.

22 That was a citizen's effort that
23 started. Kelly mentioned this. That
24 article in the Daily News, undercover cops

1 fight illegal dumping epidemic. This is
2 something I didn't even know was happening.
3 They do regular arrests on short dumping.
4 According to the Streets Department, they
5 are responsible for 14,000 to 17,000 tons a
6 year of being cleaned up. You know, and I
7 wrote down this number because Michelle used
8 it.

9 When they clean up those tons, said it
10 was \$3,000 a ton.

11 MS. FELDMAN: It was 800 a ton and 3,000
12 per site.

13 MR. SAMPSON: That's very expensive when
14 it gets dumped out there. What cost me most
15 was Officer Robert McCoy statement in that
16 article. He said, that if there were 20
17 more of me, we'd clean up the whole City of
18 Philadelphia.

19 The last story I want to tell is about
20 Admiral Wilson Boulevard. Now if you have
21 been in this area for any length of time,
22 you know how seedy Admiral Wilson Boulevard
23 is. That's after you cross Ben Franklin
24 Bridge and go on through Cherry Hill. Used

1 to be full of strips and gas stations and it
2 was just filthy. Led at that point by -- it
3 would have been Governor Christie, they
4 spent \$45,000 -- \$45 million, excuse me.
5 And really it was spurred because the
6 Philadelphia National Convention, they took
7 down the gas stations. They took down the
8 strip joints. They put in landscaping. And
9 that was almost 14 years ago and it still
10 looks that.

11 To go beyond that, that strip actually
12 spurred on a lot of the things that happened
13 in Camden because that cleanliness connected
14 with other roads. They kept cleaning up
15 until it got to that waterfront.

16 I think that when we look at that, I
17 think that there is a message there, you
18 know. We need to look at not just the
19 commitment to clean up the litter, but
20 something that gives us a goal around which
21 we can build a campaign, around which we can
22 put together all of these items, something
23 that we can look at to make a lasting mark
24 for the efforts that we put out.

1 You know, Kelly said it, company is
2 coming. Pope Francis and the World Meeting
3 of Families is going to be here in
4 September. Seems to me like we need to make
5 a lot of noise about that and the need to
6 put together a concerted effort, not just to
7 clean up here and there, but what would
8 happen if we could at least make a
9 nine-month commitment with 20 officers to go
10 out and truly clean up the City with the
11 idea that company is coming.

12 I mean, I can remember, you know, one
13 strategy of cleaning up the house when I had
14 roommates, cleaning up the house after I got
15 married was let's have company. Because the
16 reason for having company was to clean up
17 the house or you're having company so you
18 better clean up the house. We have company
19 coming. We need to clean up the City. And
20 2016, the Democratic National Convention is
21 coming. It seems to me that we can set some
22 goals around which we can then organize all
23 these other things that we're talking about
24 needing to get done so that it's about that

1 sense of pride in where we live. You know
2 there's a statement that people make in the
3 City that said, what you gonna do, you know.
4 Hey, this is Philly. What you gonna do?

5 We really need to be thinking about look
6 at what we can do. We need to change that.
7 And we can do that if we make a commitment
8 to do that and look at putting ourselves
9 with a focus. And there is more than enough
10 energy to do that. We've got lots of people
11 like Officer McCoy. We've got lots of
12 citizens like Singred Craig and we have 2600
13 block captains that are out there that clean
14 up all the time.

15 We need to put them all together and put
16 it to an effort with the leadership that
17 you're already showing. Just need to get
18 your peers out and the current Mayor and
19 whoever the next one will be. Thank you.

20 COUNCILWOMAN REYNOLDS BROWN: Before the
21 three of you leave -- are you going to
22 testify, sir?

23 (Yes.)

24 COUNCILWOMAN REYNOLDS BROWN: Okay.

1 Wait right there. So, let me first say
2 thank you. And know that you will be
3 invited back when we have hearings on those
4 two litter bills. And if you have
5 recommendations or suggestion son we can or
6 should tweak those litter bills, now is the
7 time. You've actually given us some
8 additional homework.

9 I am curious now to know how Streets,
10 L&I, Water and those two police officers
11 work when it comes to dealing with litter.
12 That's really a broader discussion, broader
13 but narrow discussion we need to have on
14 litter and I do see it as an opportunity on
15 budget time really is a chance for
16 Councilmembers to zone in on that with the
17 umbrella statement that "company is coming."

18 So, I hear the charge and I know you'll
19 be invited back to our hearings on those
20 subsequent bills. Thank you for the visual
21 information here which really instructs us
22 on what we can do. My gut also says, and I
23 will do this only in consultation with
24 members of the Administration is to actually

1 pull Streets, L&I, Water around the table
2 with the Department of -- I mean, with the
3 Environment of Sustainability to
4 strategically collectively look at this
5 issue of traffic because I wonder, A, if it
6 has ever been done? I don't know.

7 Has that ever been done? Philadelphia
8 More Beautiful, do you know if those
9 department heads have been brought together
10 to strategically intentionally look at trash
11 and litter in a real long term way?

12 MS. FELDMAN: That would be a better
13 question for the Streets Department itself
14 in terms of history rather than -- we're an
15 independent 501(c)(3).

16 COUNCILWOMAN REYNOLDS BROWN: Okay. All
17 right.

18 MR. SAMPSON: I can tell you they did
19 this in 1995 after the tire fire because I
20 got hired as a consultant to work with them.
21 They actually came up with no need for new
22 regulations. They figured they could deal
23 with everything. But at the time, and I
24 never understood why, they couldn't get L&I

1 to come to the meetings. Fire was there,
2 Police were there. All the people who were
3 involved in that fire which really upset a
4 lot of people. And the Recycling Office and
5 the Streets Department really lead and ran
6 those sessions.

7 But in the end, after they put the
8 people in jail, and I never saw a judge more
9 angry at anybody. She must have been caught
10 in a traffic jam, but after that went to
11 jail there was so much energy died down.

12 COUNCILWOMAN REYNOLDS BROWN: I see.

13 MR. SAMPSON: That there was no longer
14 the political impetus. I actually still
15 have all the reports on my shelf figuring at
16 some point we will either have another fire
17 or the energy to deal with those. But they
18 actually felt that they could move with what
19 they had. They just needed the political
20 impetus.

21 COUNCILWOMAN REYNOLDS BROWN: The
22 political will.

23 MR. SAMPSON: That was the only time,
24 you know -- I mean, it was -- I had never

1 seen so much gold and silver leaf in the
2 room as there was at that those sessions.

3 COUNCILWOMAN REYNOLDS BROWN: A
4 consolidated interest around. Okay. Well,
5 I have some ideas that I will share with
6 staff. And we will proceed with them as we
7 look more carefully at these two bills. I
8 am going to ask that you send that link of
9 the article of the undercover cops to Hadji
10 Maloumian so that we can make a better part
11 of our hearings once they are scheduled.

12 Thank you all for your testimony. And
13 you are leaving written testimony, correct?
14 Because that helps us. You are going to
15 make sure my staff get the links to those
16 two reports?

17 MS. FELDMAN: Yes.

18 COUNCILWOMAN REYNOLDS BROWN: All right
19 then. Thank you very much.

20 Anyone else to testify, please come
21 forward. State your name for the record.
22 We're happy to have you.

23 (Panel approaches table.)

24 COUNCILWOMAN REYNOLDS BROWN: Good

1 afternoon, everyone. Want you to pull the
2 mic close to you. State your name for the
3 record and proceed with your testimony.

4 MR. CHAPMAN: Sure. My name is Saleem
5 Chapman. Good afternoon, distinguished
6 members for the Committee for the
7 Environment and thank you for hosting this
8 hearing. My name is Saleem Chapman. I am
9 here to speak on behalf of Clean Air
10 Council.

11 Clean Air Council has been an
12 environmental health advocate and a Delaware
13 Valley region since 1967 and it's active on
14 a number of environmental issues including
15 achieving environmental justice in
16 overburdened communities. For this reason,
17 Clean Air Council is appreciative for the
18 opportunity to speak on the critical issue
19 of litter.

20 Today I envision myself appearing before
21 this governing body to offer a convincing
22 argument well grounded in facts and
23 statistics which convey the true cost of
24 litter. However, I walked last evening

1 through my West Philadelphia neighborhood.
2 Revealed the true cost of litter cannot be
3 accurately quantified. As I came to this
4 conclusion, I remembered the 2004
5 Philadelphia Daily News article that offered
6 the following characterization of conditions
7 in Kensington. It said, "They drove through
8 Kensington where Silver Street between
9 Corral and Amber Avenue was lined so much
10 with dumped sofas, resting on ground
11 carpeted with construction debris that the
12 block looked like the hell's family room."

13 Aside from distinct environmental health
14 risk and depressive economic effects, litter
15 a small but omnipresent sign of urban blight
16 carries the significant social cost.

17 Certainly, we have learned that a broken
18 window stereotype which states that
19 additional antisocial behavior follows the
20 signaling effects of urban decay. But
21 therein provides little comfort to a youth
22 who struggles to reconcile while he's
23 relegated to play in trash-strewn streets.

24 My own youth growing up at 61st and

1 Chestnut in an economically and racially
2 segregated West Philadelphia, I often
3 wondered why my neighborhood did not
4 resemble those of others. I similarly
5 wondered why despite my sense of community
6 pride, my neighborhood was perceived as a
7 forgotten place, the land of undesirables.
8 The place that you rode through but never
9 stopped. Many perceived I lived in this
10 condition because I had a desire for it. I
11 merely elect a high preference for
12 environmental amenities and my failure to
13 see change was a product of apathy.

14 To those who ascribe this perspective, I
15 employ you to seek a deeper understanding of
16 the effects of living in concentrated
17 poverty. Many who find themselves in this
18 condition are far from apathetic, but
19 persevere despite enumerable challenges.
20 Severely deprived of social, economic and
21 physical capital stock, the resultant stress
22 inhibits substantial interaction beyond the
23 familiar level. And as a result, the
24 requisite social capital to undertake

1 collective community action is often absent.

2 Within the context of community affairs,
3 diffusing the responsibility is prevalent
4 and participation is kindly perceived as
5 someone's else's business. For most,
6 personal insecurity preoccupies cognitive
7 capacity insofar that confronting adverse
8 conditions because critical immediate needs
9 becomes seemingly insurmountable.

10 The implication of these effects on
11 one's psychology cannot be conveyed in
12 theories and figures. The social logical
13 characteristics of the community in which an
14 individual resides, particularly for youth
15 has a profound effect. How families
16 function or how parents parent differs
17 remarkably depending on the neighborhood in
18 which you live. Young members with children
19 reside in the most poorest of neighborhoods
20 adapt by isolating their families from
21 neighborhood socialization.

22 In my own experience, the circumstances
23 of my youth emboldened me to believe that
24 the good work that we do here and now

1 ensures that this disparity won't continue
2 in perpetuity. For many of my peers, their
3 youthful experience did not yield similar
4 results. This is not a referendum on their
5 abilities nor my own, but a realization that
6 I had to mourn the lost promise of their
7 futures in large part because of
8 circumstances well beyond their control.
9 This is certainly an issue of environmental
10 injustice.

11 Because it's without question, that
12 strained social networks are exacerbated by
13 the abundance of desolate landscapes and
14 inadequate access to environmental
15 amenities. Clean streets and covered
16 socialization contribute to the formation of
17 social networks. The importance of strong
18 social networks cannot be overemphasized in
19 terms of creating greater place attachment
20 which support complimentary efforts to
21 significantly improve the physical
22 conditions and safety of individual homes.

23 Although, my words here today or not
24 intended to portray the conditions of merely

1 pure victimization, much of the
2 responsibility certainly falls upon myself
3 as well as my fellow neighbors. But the
4 complexity of this issue requires
5 intervention of dynamic action. The type of
6 action that can only be offered by visionary
7 City officials we have entrusted to lead us
8 most on issues where no reasonable solution
9 is easily apparent. Despite the bleak
10 conditions I paint here today, I remain
11 hopeful that all the intelligent minds in
12 the room, we can arrive upon innovative
13 concrete solutions to advance this cause.
14 Several which were introduced by
15 Councilwoman Reynolds Brown during last
16 session and many of which will be offered by
17 my colleagues.

18 Thank you for the opportunity to appear
19 before this Committee. And I look forward
20 to answering any questions.

21 COUNCILWOMAN REYNOLDS BROWN: I know
22 that you read your testimony from an iPad,
23 but you are going to make sure that we get a
24 copy of that, right?

1 MR. CHAPMAN: Yes, ma'am.

2 COUNCILWOMAN REYNOLDS BROWN: Okay.

3 That would be important. What my staff and
4 I do as a practice is collect all the
5 testimony. And we actually review it and
6 that sort of frames what our next steps are.
7 You will make sure that Hadji gets that.

8 MR. CHAPMAN: Yes, ma'am.

9 COUNCILWOMAN REYNOLDS BROWN: Thank you.
10 Pull forward. Give us your full name and
11 proceed with your testimony.

12 MS. RAVEL: Good afternoon. I'll be
13 quick. My name is Meenal Ravel. Today I
14 speak as a member of the Mt. Airy Greening
15 Nat or Magnate.

16 COUNCILWOMAN REYNOLDS BROWN: Mt. Airy
17 Greeting --

18 MS. RAVEL: Greening. Greening Network.

19 COUNCILWOMAN REYNOLDS BROWN: Greening.
20 Forgive me.

21 MS. RAVEL: When the Nutter
22 Administration introduced the Greenworks
23 Plan, we rejoiced and waited to watch
24 Philadelphia transform come into the

1 promised greenest city in the nation. Now
2 as Mayor Nutter's work winds down and we
3 review the Greenworks progress report that
4 was published last year, we see that we
5 haven't met quite all the targets we set out
6 to.

7 Notably, the first target, that of
8 lowering city government energy consumption
9 by 30 percent between 2008 and 2015.

10 Instead, we see an increase of almost
11 2 percent. As I understand, city-owned
12 buildings use a large portion of this
13 energy, about 60 percent. And meeting this
14 target would have reduced our need for
15 dirty, polluting fuels, fuels such as
16 natural gas obtained by fracking which
17 everybody else talked about.

18 A starting point could be this room.
19 Last week on Friday's hearing Mr. Rinaldi
20 was here and he noticed the burnt out light
21 bulbs here. That's not what I noticed. To
22 me they looked like incandescent bulbs which
23 are getting this room uncomfortably warm.
24 So, yes, it's about changing the light bulbs

1 and then the HVAC controls and then the
2 windows and then you can see a two-thirds
3 reduction in your energy needs with a four
4 to five-year payback, which translates to a
5 savings, just for City buildings, about
6 \$36 million a year.

7 This is better than looking for change
8 under the couch cushions. We are concerned
9 to see this Council even considering the
10 energy hub proposal because this means
11 discussions and negotiations with the
12 largest greenhouse gas emitters in our
13 region who is planning to emit even more
14 toxic greenhouse gasses, pollutants
15 responsible for cancer and asthma in our
16 neighborhoods that can least afford it and
17 you heard in full detail on that.

18 In this day when the global seen, there
19 are movements to divest a fossil fuel
20 investments of keeping known fossil fuel
21 reserves in the ground when other states
22 like New York are banning fracking, this
23 energy hub to us is incomprehensible. So,
24 how can we as citizen work with Council. A

1 Jenn of Moms Clean Air Workforce had a good
2 example. How can we work with Council to
3 develop Energy Solutions for the people,
4 solutions that are healthy, job creating.
5 We want you to talk with us.

6 I saw lot of creativity here this
7 afternoon. In this city of neighborhoods
8 known for people that spend entire lives
9 schooling, living, working and retiring in
10 the same city, almost the same neighborhood,
11 we are here to say. So, unlike newly formed
12 corporations like Mr. Rinaldi brings, that
13 form and quickly dissolve. So, we are here.
14 Work with us.

15 Thank you.

16 COUNCILWOMAN REYNOLDS BROWN: You're
17 welcome. Thank you very much. And you are
18 absolutely right. I agree 2000 percent.
19 Plentiful ideas and recommendations for us
20 on this side of the table to consider and
21 act upon. I agree completely. Don't go
22 anywhere yet.

23 Offer testimony.

24 MR. WELDE: Good evening.

1 COUNCILWOMAN REYNOLDS BROWN: Good
2 evening.

3 MR. WELDE: Thank you --

4 COUNCILWOMAN REYNOLDS BROWN: You are
5 wrapping it all up.

6 MR. WELDE: Thank you for allowing all
7 of us the opportunity to testify on this
8 important topic today. My name is Logan
9 Welde, and I'm a staff attorney with the
10 Clean Air Council. You've heard a number of
11 us testify today. And I am also a board
12 member of my neighborhood association and a
13 block captain, so that is a good program.

14 And before I forget, one thing that you
15 had just mentioned when the last group was
16 up, you need to get the other -- you need to
17 get Streets and L&I. This is their problem
18 as much as yours if not more. So, they need
19 to be in on the discussion. They should all
20 be around this room today, also.

21 So, I'm here to testify about litter.
22 Litter goes well beyond the simple empty bag
23 of chips (uses visuals) floating over the
24 pavement. I am going to keep your

1 entertained.

2 Litter, or as the Clean Air Council
3 refers to it, as street level pollution.
4 And street level pollution is trash like
5 this, but it's also noise from motorcycles.
6 It's also idling vehicles which a lot of
7 people referred to today. So, litter is
8 much more than just trash. Street level
9 pollution is an epidemic and one that
10 degrades quality of life. You've heard a
11 lot about that today.

12 It diminishes property values. We heard
13 7 percent. I imagine that in some areas,
14 it's even worse than 7 percent because
15 there's obviously levels of pollution. It
16 cost taxpayers tens of millions of dollars
17 per year. So, my job today is to try and
18 convince you to look at litter in a
19 different way. I will be discussing trash
20 in two different ways. One is the litter
21 that lands on the sidewalks. And the other
22 is overpackaging and all the products that
23 we purchase are actually coming in so much
24 packaging. If we can look at that in terms

1 of what are we bringing into our communities
2 and what are we bringing into our homes.
3 Because all of that's going out eventually.
4 Everything we bring in is going to go out.

5 So, look at it as I do. Every single
6 piece of trash that I see on the street, I
7 look at it as money that's coming out of the
8 City's budget. This money go could to fix a
9 playground, could build low-income housing
10 projects, create afterschool programs or,
11 and I know you are greatly concerned about
12 this as every Philadelphia resident, help
13 fix the school system of this City.

14 Let me reiterate, litter and street
15 level pollution, they are if not more -- I
16 think it's more, but it's an economic issue.
17 It's not just a quality of life issue. When
18 neighborhoods are filled with litter, it
19 permeates into every aspect of that
20 community and the surrounding communities.
21 Neighborhoods with high amounts of litter
22 have high crime rates, low property values
23 as we heard repeatedly today, less economic
24 vitality. Businesses are hesitant to move

1 into neighborhoods completely trashed with
2 litter. They have got higher, let's say,
3 higher rates of obesity and poor health.

4 The thing about litter that is so
5 strange is that everyone knows it's wrong.
6 People know it's not right to drop their
7 stuff on the street, but yet they still do
8 it. Litter has a negative part of our
9 society but it can be changed. Philadelphia
10 is one of the dirtiest large cities in the
11 country.

12 Every single time a friend of mine
13 visits -- I'm very proud of Philadelphia. I
14 grew up in the city. My family grew up in
15 the City. The lasting impression of all my
16 friends is that, wow, that is a dirty city.
17 That's disrespectful to me and to all of the
18 Councilmembers, I think. And I'm sure that
19 no one in this City wants the lasting
20 impression to be that we are a dirty city.
21 It should be all the other great things that
22 Philadelphia has to offer.

23 My father, as I just mentioned, grew up
24 at 54th and Osage. When I was a child --

1 when I was a child, we would often drive
2 around that neighborhood. And I remember
3 him being so upset about how trashed his
4 once sparkling and clean neighborhood had
5 become. He loved that neighborhood but he
6 was ashamed at how dirty and disrespected it
7 is now.

8 Another childhood memory is my
9 grandmother commenting on how much trash
10 people would produce. That when she was
11 growing up, her whole family of seven people
12 would produce in one month or even longer
13 what it took one day of most one person to
14 create in this City. We have become a
15 society that is so addicted to buying
16 things.

17 For example, and I will just walk
18 through this quickly. I walk out of my
19 house in the morning, this morning, and I
20 have a circular free sticker which I'm going
21 to show you in a little bit. A newspaper
22 thrown at my doorstep which blew into the
23 street. And I know you are familiar with
24 these. These are the number one ticketed

1 things through L&I.

2 COUNCILWOMAN REYNOLDS BROWN: Is that
3 right?

4 MR. WELDE: That's right. Then I go and
5 I get my coffee cup. This is typical
6 Philadelphian. I go and get my coffee cup,
7 then I go and I get my food. There's a cup
8 in here and other trash. And then for
9 lunch, I get my salad. You know what I'm
10 going to do. I'm going to pull out all this
11 trash. Then for dinner -- this whole bag is
12 filled with trash. I measured it, I weighed
13 it before I came here. It's 2.4 pounds,
14 little over 2 pounds.

15 The typical, according to the EPA, the
16 typical American generates 4.38 pounds of
17 waste per day. Just one day, a person
18 creates more waste than most people created
19 in months or possibly a year only two
20 generations ago. This is an epidemic. We
21 are trashing our communities our city and
22 our planet.

23 Philadelphia and the City Council must
24 start to take control of this litter

1 problem. But as I mentioned earlier, it's
2 not just a street litter problem. It's
3 bringing the things into our community. We
4 must control what comes into the City and
5 what comes into people's homes. The
6 packaging alone, as I said, weighs more
7 sometimes than the products that come in the
8 packaging. When a patron eats out at a
9 restaurant, they are no longer serving metal
10 utensils and ceramic plates. But they get
11 plastic. Everything they get is then thrown
12 into the trash.

13 And I understand restaurants and places
14 pay for that trash removal. But think about
15 what is the City being harmed by the tens of
16 thousands of trucks that roll over the city
17 streets. I know you know the potholes in
18 this city better than I do. And also, the
19 air quality is greatly diminished by all
20 those trucks.

21 So, the Clean Air Council has a lot of
22 ideas. And actually, you know, one of them
23 just came to me. I think in front of you
24 your paper is one sided. Is it a law in

1 Philadelphia that all city agencies have to
2 copy on double-sided?

3 COUNCILWOMAN REYNOLDS BROWN: I don't
4 know the answer to that question. It's an
5 excellent one. We will have to find out.

6 MR. WELDE: I think Hadji left.

7 COUNCILWOMAN REYNOLDS BROWN: He went
8 upstairs.

9 MR. WELDE: Let's make that our first
10 priority. Mandate that every agency in
11 Philadelphia must produce all documents on
12 double-sided paper. I'm going to go through
13 a couple of the other ideas. I will do that
14 relatively quickly.

15 Enforcement. A few people have talked
16 about enforcement. Every single day I see
17 multiple incidences of citizens littering.
18 I have never seen anyone, police officer or
19 anyone, give a ticket for someone littering
20 in this city. The police must be pressured
21 by City Council to enforce the littering
22 laws. Education, like the anti-litter
23 campaign the city is implemented is not
24 necessarily that effective. People don't

1 care about catchy slogans on billboards.

2 They care about keeping money in their
3 pocket.

4 Single-use bag fee. That has come up I
5 think five or six times today. I know you
6 are familiar with many cities and states and
7 countries who have implemented a single-use
8 bag fee. That is a plastic bag like this.

9 Why should the City have to pay for the
10 convenience of someone to go into a store,
11 get a pack of gum and walk out with a
12 plastic bag that they literally take the gum
13 out of and drop the bag on the ground.

14 Why should we as taxpayers have to pay
15 for that? It should be pushed back on the
16 consumers. If you want the convenience of a
17 plastic bag or a paper bag, pay 5 cents for
18 it. Pay 10 cents for it. It creates the
19 conversation at the point of purchase that
20 is missing. If you have that conversation,
21 many people would just say, hey, listen, you
22 know, it's a pack of gum. I don't need a
23 bag. It's 10 cents, I don't need it.

24 Circular-free program. I'm not sure if

1 you're aware of this program.

2 COUNCILWOMAN REYNOLDS BROWN: No.

3 MR. WELDE: This program, if you put
4 this sticker on your door, it's \$150 fine if
5 anyone leaves anything on your door.

6 COUNCILWOMAN REYNOLDS BROWN: Really.

7 MR. WELDE: For example, they leave this
8 at my door in the morning and I do have this
9 sticker on my door. I report this to L&I.
10 It's a \$150 fine. What we suggest, there is
11 one person at L&I right now that is working
12 on this program. And it is her part-time
13 job. She's got a full-time job. She's
14 overburdened as is.

15 Let's get a full-time person to get a
16 program going. Let's increase the fine.
17 Let's change it instead of an opt out to an
18 opt in. Every person in Philadelphia should
19 receive a sticker that they put on their
20 door and say, hey, listen I enjoy the
21 coupons. I enjoy the newspaper. I enjoy
22 your menus. Please leave them at my door.
23 Otherwise, don't leave anything at my door
24 because essentially that's just littering,

1 isn't it?

2 So, another part of the program which we
3 would suggest be changed, did you walk
4 outside today?

5 COUNCILWOMAN REYNOLDS BROWN: I did.

6 MR. WELDE: It's very windy. In the
7 morning as I pointed out earlier, when I
8 walked out of my house this morning, on my
9 street almost all of these were in the
10 middle of the street. Let's have a no
11 distribution day in Philadelphia if the wind
12 exceeds a certain velocity. The litter is
13 literally blown -- the circulars that people
14 leave in people's doors is blown from their
15 doors immediately when it's window outside.

16 Phone books. Do you still use a phone
17 book?

18 COUNCILWOMAN REYNOLDS BROWN: Actually,
19 I don't.

20 MR. WELDE: Yeah. I don't either. I
21 don't actually no anyone that still --

22 COUNCILWOMAN REYNOLDS BROWN: They still
23 drop them off.

24 MR. WELDE: They still drop them off.

1 Let me ask you, Councilwoman. Do you know
2 how much the City pays to remove those phone
3 books?

4 COUNCILWOMAN REYNOLDS BROWN: I do not.

5 MR. WELDE: I don't either. But let's
6 ask Streets because I guarantee that it's in
7 the millions of dollars. There are over
8 12 million pounds of phone books that come
9 into the City. Guess how many get put
10 immediately into the trash? I don't know,
11 but it's extremely high.

12 I'm a block captain, as I said. I
13 walk -- every time those phone books come, I
14 walk -- every one of my neighbors puts it
15 immediately into the trash.

16 COUNCILWOMAN REYNOLDS BROWN: Wow.

17 MR. WELDE: Styrofoam, let's ban it.
18 Why do we need styrofoam anymore?

19 COUNCILWOMAN REYNOLDS BROWN: Forgive me
20 for cutting you off, now you really are
21 hitting me at a cord that makes me sick.
22 Can you ban styrofoam?

23 MR. WELDE: You can ban styrofoam. So,
24 New York City just instituted about six

1 months ago a law that says styrofoam
2 manufacturers have the opportunity to
3 provide all information on recycling. After
4 one year, if they cannot show that they can
5 recycle the product -- because it can't be
6 recycled.

7 COUNCILWOMAN REYNOLDS BROWN: I know
8 that.

9 MR. WELDE: If the manufacturers can't
10 provide any information that it can be
11 properly recycled cost effectively within
12 one year, it's banned in New York City.
13 Lets' do that in Philadelphia. There are so
14 many better alternatives to styrofoam.
15 Styrofoam is an old product. It breaks up.
16 And I know you probably talked to Streets
17 about this. It's one of the worst items
18 that is put into the trash.

19 Short dumping. I think a few people
20 have actually mentioned short dumping. Are
21 you familiar with actually what short
22 dumping is?

23 COUNCILWOMAN REYNOLDS BROWN: Yes.

24 MR. WELDE: So, the fine is \$300. I

1 just got a dumpster to my house. I took 2
2 tons of material out of my house and I
3 dumped that -- I had someone come pick it
4 up. It cost me \$315. There is an abandoned
5 lot right next to my house. Why didn't I
6 take all of that, throw it in the lot and
7 let the city pay for it? What are the odds
8 of me getting a ticket? Minimal, right?

9 COUNCILWOMAN REYNOLDS BROWN: Yes.

10 MR. WELDE: \$300 versus 315. You do the
11 math. It doesn't make economic sense.
12 Let's raise that to a thousand dollars. And
13 as Mr. O'Day pointed out, let's increase it
14 if you dump large amounts. If you dump more
15 pollutive items such as motor oil and things
16 like that, ratchet the fine up. If it's
17 your third offense, ratchet the fine up. It
18 should start at a thousand dollars and only
19 go up from there.

20 The next one is a really interesting
21 proposal. Cities have proposed it before.
22 It would be cutting edge legislation
23 cigarette butt deposit. Cigarette butts are
24 one if not the most littered piece of trash

1 of items in all municipalities around the
2 world. Cops throw cigarette butts on the
3 ground. I am sure City Councilmembers who
4 smoke throw them on the ground.

5 COUNCILWOMAN REYNOLDS BROWN: There are
6 no City Councilmembers that smoke, I think.

7 MR. WELDE: Well, that's good. This is
8 our proposal. You add a 20 cent deposit on
9 every pack of cigarettes. When the person
10 brings back 20 butts, you get 10 cents back.
11 The City keeps 10 cents and that can go to
12 the school system. It can go to cleaning up
13 the city. Why not? Let's do it. Let's be
14 creative. There is a local company called
15 TerraCycle. Are you familiar with them?

16 COUNCILWOMAN REYNOLDS BROWN: No.

17 MR. WELDE: They take cigarette butts,
18 and they can't get enough of them, and they
19 turn them into products that they sell.

20 Bottle deposit. Do you remember when
21 you were younger, the aluminum cans that
22 used to have the deposit on them? Why don't
23 we have bottle deposits on things.

24 COUNCILWOMAN REYNOLDS BROWN: You mean

1 for plastic bottles?

2 MR. WELDE: So, this -- this is
3 everywhere (holds up trash). Everywhere. I
4 am sure you seen -- how many bottle have you
5 seen of this in the City? Millions.
6 Millions. Let's put a 10 cent deposit on
7 this or a 5 cent deposit encourage people to
8 bring this back to a distribution center
9 where it can be taken out of the city
10 properly. These are items that taxpayers
11 are paying for.

12 So, my last two items are more
13 behavioral. Let's reward -- and I heard a
14 few people talk about this. Let's reward
15 good behavior. Let's enhance the program to
16 have clean block competitions and then zero
17 waste.

18 Currently, Philadelphia is not committed
19 to be a zero waste city. Other cities have.
20 Let's by 2020 commit to being a zero waste
21 community, a zero waste city. Let's get
22 people together. A lot of them testified
23 today. Let's see how we can do that. We
24 should be a proud city, a clean city, a

1 green city, a sustainable city. Zero waste
2 is the part of it.

3 I'm telling you, stop bringing things
4 into the city. Our roads are getting beat
5 up. Our air quality is being diminished and
6 our streets are being trashed. Let's push
7 it back on the consumers. Put a fee on
8 things. This pizza box, it cost the pizza
9 place \$2,500 a month to buy these boxes.
10 And people go, they get the box and they
11 throw it out right away. Why do we need to
12 have -- let's put a 10 cent deposit on
13 things like this. Let's create an
14 atmosphere where behavior is changed. And
15 behavior is changed by money. People are
16 driven by saving money.

17 I have friends that will get a plastic
18 bag because it's free. They have told me
19 repeatedly I will not get a bag if I am
20 charged 5 cents.

21 COUNCILWOMAN REYNOLDS BROWN: They will
22 hold onto that recycling bag, canvas bag.

23 MR. WELDE: They will hold onto it.
24 That pretty much concludes my testimony. I

1 went longer than I thought. I'm sorry about
2 that.

3 COUNCILWOMAN REYNOLDS BROWN: Quite all
4 right.

5 MR. WELDE: Do you have any questions
6 for us?

7 COUNCILWOMAN REYNOLDS BROWN: For me
8 it's very exciting. This hearing has been
9 an affirmation of work -- that this is the
10 right thing to do. But further, you have
11 given us a lot of homework that I know we
12 can act upon. And so, you will be invited
13 back as well when we do our recycling bills.
14 Not recycling, but our litter bills.

15 You should know that Councilman Squilla
16 has actually been working on a plastic bag
17 bill.

18 MR. WELDE: When is that going to be
19 introduced?

20 COUNCILWOMAN REYNOLDS BROWN: Forgive
21 me?

22 MR. WELDE: Do you know when that is
23 going to be introduced?

24 COUNCILWOMAN REYNOLDS BROWN: I have no

1 idea. He is the sponsor and he's working on
2 it in his own way. I don't know that status
3 of it. I only know that is a legislative
4 item that's been on his radar screen. I
5 will be looking to see where that ends, as
6 well.

7 Are we going to get a copy of your
8 testimony?

9 MR. WELDE: You have a copy.

10 COUNCILWOMAN REYNOLDS BROWN: Okay. All
11 right then. Well, this has been great for
12 me. It's given my staff and I a lot of fuel
13 and a lot of homework and actionable items
14 that we can put in play. I hear the
15 recommendation to bring Streets and L&I and
16 those two police officers around the table.
17 At the appropriate time, we will do that as
18 well because I think there is great value in
19 task force that really walk away with
20 actionable item. Not to meet for meet sake,
21 but to meet with actionable items that come
22 out of that conversation around folks who
23 represent various discipline. And in this
24 case, under the environment and

1 sustainability.

2 I thank you all for very, very, very,
3 very much. This is act one, we will call
4 it, of a play that we expect to carry
5 through to the fall. And so, stay tuned. I
6 suspect that act two will be a hearing on
7 our actual litter bills where we will get an
8 opportunity to tweak them and then move to
9 the next set of instructions after that.

10 So thank you all for showing up. And
11 thank you all for staying and offering us
12 ideas on how we can make our city better and
13 cleaner for families and visitors to work
14 and play.

15 Thank you very much.

16 (Committee on Environment adjourned at
17 5:40 p.m.)

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C E R T I F I C A T I O N

I, hereby certify that the proceedings and evidence noted are contained fully and accurately in the stenographic notes taken by me in the foregoing matter, and that this is a correct transcript of the same.

ANGELA M. KING, RPR
Court Reporter - Notary Public

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