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"City of New York Refusing to Halt National Grid's Illegal Construction"

Cooper Park Resident Council and Sane Energy Project, representing thousands of North Brooklyn residents, file lawsuit against NYC and National Grid to halt illegal construction at Greenpoint fracked gas facility at apex of controversial pipeline

Greenpoint, Brooklyn, July 23, 2021- Two community organizations representing thousands living near National Grid's massive fracked gas storage depot on Newtown Creek [filed a lawsuit](#) for an injunction and Temporary Restraining Order to halt construction of the Company's Liquefied Natural Gas ("LNG") Truck Load/Unload Station ("LNG Trucking Station") and other illegal LNG trucking-related construction activities.

The lawsuit follows a shocking recent revelation that the New York State Department of Public Service (DPS) has done no assessment to see if National Grid's new fracked gas projects at the Greenpoint facility and across Downstate New York comply with the Climate Leadership and Community Protection Act (CLCPA). Community members say both the City and State have failed to enforce their own climate laws and failed to protect environmental justice communities from harmful fracked gas pollution.

The lawsuit alleges that the City of New York New York (NYC) is violating the State Environmental Quality Review Act ("SEQRA") and City Environmental Quality Review ("CEQR") by failing to either halt the ongoing and illegal construction by National Grid or complete legally required SEQRA review of an LNG trucking proposal that National Grid submitted to the City in 2016. National Grid admitted to constructing the LNG Trucking Station in a Brooklyn Community Board 1 meeting that the Company was cornered to attend while also admitting that the Company is "working with City and State officials for the future of LNG trucking". LNG storage and trucking has been illegal on NYC streets since 1973 when a plant in Staten Island, similar to the Greenpoint facility, exploded and killed 40 workers. Hundreds of First Responders, including FDNY Companies 1 and 2, rushed to extract bodies from the rubble.

National Grid is targeting FDNY to bend the law by granting the Company variances to allow highly explosive LNG trucks on NYC streets, while proceeding with construction of a new LNG Trucking Station to replace a previously decommissioned station. The City of New York has failed to halt these illegal construction activities, even after Sane Energy and Cooper Park Resident Council provided notice of the illegal construction and demanded that the City carry out its legal obligations. Additionally, further expansion of the Greenpoint fracked gas facility is counter to the CLCPA and jeopardizes the health, safety, and environment of those who live in close proximity to the facility, including residents of the Cooper Park Housing complex.

"This is something that must be stopped and must be stopped immediately," **said Elisha Fye, Vice President of the Cooper Park Residents Council.** "I've been living in this community since 1953. We're already impacted in this community with the oil spill that happened. We were stricken with asthma, a pandemic of asthma flooded this community, illnesses, deformities in pregnancies, not to mention the soil is still contaminated to this day."

The lawsuit is being brought by the Cooper Park Resident Council, which represents 701 families who live in the evacuation zone of the Greenpoint facility, and Sane Energy Project, which has thousands of members who live near the facility and the controversial North Brooklyn Pipeline that would connect to the facility if completed. **They are being represented by the University Network for Human Rights and Pace Environmental Litigation Clinic.**

The site of National Grid's depot, which stores liquified fracked gas (LNG) in two large, aging tanks, has a long history of industrial contamination and is located on Newtown Creek, a federally recognized superfund site. Air quality in the area is already poor: Greenpoint-Williamsburg has one of New York City's highest levels of fine particulate matter, nitrogen dioxide, nitric oxide, and Black Carbon.

Sane Energy Project has also been challenging National Grid's proposal to raise monthly bills to pay for the Greenpoint LNG expansion and the North Brooklyn Pipeline, which would cost ratepayers almost half a billion dollars. If National Grid's rate hike proposal is approved, customers will be on the hook for the \$793,000 the company spent on the Truck Unloading Station 2020. Within the rate case, National Grid has testified that it did no greenhouse gas emission assessments for the project or any assessment of the demographics of the communities that live nearby.

"We had meetings with the former and the current Directors in the Mayor's Office of Climate and Sustainability, and Infrastructure and Energy and outlined for them exactly how the City can enforce our law to halt this," **said Kim Fraczek, Director of Sane Energy Project.** "After cordial emails thanking us for our work, they're now MIA allowing illegal construction on their watch. In a city that is seeing record floods, heat waves, and smoke filled skies from wildfires in Oregon caused by climate change, it is abominable that their response is silence while congratulating themselves on climate leadership and partnering with corporations that cause climate change."

"Why are we expanding outdated energy infrastructure in a time when we need to push new, clean and carbon-neutral energy solutions? If the pandemic wasn't enough, the heat-waves we've been experiencing this summer, along with the flooding in Europe and the intense fires in Canada and the West are all signaling that we need significant change in our ways of living," **said Christine Facella who lives adjacent to the facility.** "I don't want to pay for this and then be charged again in 30 years for some other expansion. We're asking National Grid to present us with better solutions, and for the city to live up to its goals of reducing emissions.

Mayor Bill de Blasio [came out against the North Brooklyn Pipeline](#) in December 2020 calling the project "unnecessary" but continues to remain silent on what locals have dubbed the LNG facility 'the head of the black snake', a term used by Indigenous leaders fighting controversial fossil fuel pipelines such as Keystone XL, Dakota Access, and Line 3.

"The number of trucks combined with passenger cars going through our neighborhood is dangerous to pedestrians and those who live here," **said Eric Kun, who lives adjacent to the facility.** "Levels of asthma and other respiratory illnesses are at an all time high. To add hundreds of additional trucks transporting explosive material throughout North Brooklyn will be an environmental disaster. National Grid's reluctance to conduct environmental and traffic impact studies is a red flag and until such information is available, National Grid should not be allowed to proceed with its LNG transport plan."

National Grid itself acknowledges the harmful environmental and safety impacts of its LNG Trucking Station and other LNG trucking-related construction activities, and states repeatedly in its pending LNG trucking proposal that, pursuant to an Administrative Order on Consent ("AOC") between the New York State

Department of Environmental Conservation (“DEC”) and National Grid, DEC would also need to approve LNG trucking-related activities at the Greenpoint facility prior to the start of any construction “to ensure there is no significant adverse impacts from construction.” No such approval from DEC has been obtained.

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NOTES TO THE EDITOR

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