

## For Budget Buses, Chinatown's Clogged Streets Are Wide Open

by Benjamin Spencer

Wednesday, May 12, 2010 12:00 AM

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Photo (cc) 2010 [Adam E. Moreira](#) Passengers going to Philadelphia board a budget bus in Chinatown.

Around the clock, in the shadow of the Manhattan Bridge, crowds fill the narrow Chinatown sidewalks waiting to board buses run by companies such as [Double Happiness](#), [Fung Wah](#) and [Lucky Star](#). [For as little as \\$15, these buses take budget-conscious riders to Philadelphia, Boston or Washington, D.C.](#)

Critics of the buses say while they might benefit riders' pocketbooks, they put a burden on residents and businesses near the stops, polluting the air and crowding the streets and sidewalks.

"The cheap service is only possible by the very fact the bus companies that profit off of this don't have to pay for the problems caused," said [Community Board 3](#) member Thomas Yu. Yu, co-chair of the [Chinatown](#)

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### [n Working Group](#)

and chair of the board's Parks, Recreation, Cultural Affairs and Waterfront Committee, blames the buses for clogging traffic, blocking truck and pedestrian business and worsening already high air pollution levels.

"The residents pay for that cost while the bus company keeps the profits," he said.

As residents and merchants complain, the city has few tools to regulate the buses and keep them from clogging the already congested area.

### **A New Phenomenon**

Down through lower Canal and Allen Streets, passengers assemble on sidewalks on nearly every block. It was not always this way. The phenomenon of Chinatown buses goes back only to 2001, when according to its website, Fung Wah began a van shuttle service for restaurant and other low-wage Chinatown workers in Manhattan and Queens. Over the years, the company added service to Providence and Boston, employing large coach-style diesel buses to meet the growing demand.

As budget travelers from all over the East Coast caught on to the low cost and convenience afforded by the buses, other companies sprang up. Bus routes now range as far south as Atlanta and as far north as Portland, Maine. The main hub continues to be Manhattan's Chinatown. But many say the business has expanded faster than Chinatown's capacity to handle.

### **Congestion and Air Pollution**

A recent visit to the corner of Allen and Hester streets found 60-passenger interstate buses taking up four metered parking spots while loading and unloading for periods of 15 minutes and more. Others pulled into Metropolitan Transportation Authority bus stops or stopped to unload in an active traffic lane, creating congestion on the narrow, crowded roads.

Every time a bus idles or circles the block it burns diesel fuel that releases dust, smoke and fine particles into the air. The federal [Environmental Protection Agency](#) classifies these particles -- [known as PM2.5](#)

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-- as harmful pollutants because they are small enough to inhale directly into the human lungs, causing respiratory problems and long-term side effects.

The federal agency found that particulate pollution has long been the leading factor in air pollution in New York City, with smog, or ground-level ozone, a distant second. In 2008, fine particulate matter was the main pollutant in Manhattan on 251 of the 336 days when air quality was tracked, according to the EPA [Air Quality Index](#) .

In Chinatown, the site of heavy truck and bus traffic moving over three bridges, some of those particles likely come from diesel emissions. According to the New York City Department of Health and Mental Hygiene, Chinatown has one of the [highest rates of fine particulate matter concentration](#) in the five boroughs.

### Continuing Health Problems

Asthma, often linked to particulate pollution, is a major health problem in Chinatown. According to the 2007 [Community Health Survey](#) conducted by the city, 6.4 percent of respondents in lower Manhattan [reported](#) having asthma attack or episode during the year, the second highest rate in Manhattan (after Central Harlem).

These numbers don't surprise Mae Lee, the executive director of the [Chinatown Progressive Association](#) , a non-profit agency providing free services and promoting health justice for immigrants. Residents are so concerned, she said, that the association is now gearing up to conduct its second community-wide asthma survey. The first survey, made in 2002, found that one in five households reported a family member with asthma symptoms.

Jennifer Long, a volunteer spearheading the new survey, hopes it will help draw attention to traffic congestion on Chinatown streets. "There will be a section on idling buses" she said, "and in this survey, there will be a link to diesel pollution."

The effects of diesel exhaust on human health are multi-faceted, said Stephen Markowitz, an epidemiologist and professor of occupational medicine at Queens College's Department of Earth and Environmental Science. "Diesel exhaust â€| does cause cancer, and in the shorter term it is associated with asthma and other respiratory diseases," he said. Moving buses, he

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continued, pose less of a threat to human health than idling buses, because idling buses "produce higher concentrations" of fine diesel particulates. "It's preposterous that buses should be sitting there idling," he said.

### A Regulatory Maze

Requiring [ultra low sulfur diesel fuel](#) and particle filters on engines -- [restrictions already in place](#) in New York City for some vehicles -- might help alleviate the worst effects of diesel pollution.

A 2005 [report](#) by the non-profit law and science group [Clean Air Task Force](#) found that these technologies can reduce toxic diesel particles released into the atmosphere "by up to 90 percent." But the group said existing federal clean diesel regulations only extend to engines manufactured after 2007. This leaves out diesel vehicles already on the road, which includes interstate Chinatown buses.

All interstate buses larger than 10,000 pounds and carrying more than nine passengers are required to obtain operating permits from the federal government. But national Clean Air guidelines are enforced by individual states.

Joe Ionnati of the New York Department of Environmental Conservation said that the city and state have passed laws regulating diesel engines, but that the laws do not apply to the private interstate buses.

Ionnati said the ambiguous status of interstate buses also creates problems for state emissions enforcement. All heavy-duty diesel trucks and buses registered in New York must submit to yearly emissions and safety tests. But many Chinatown buses, subcontracted from various carriers, are not registered in New York.

Ionnati said the best enforcement tool city environmental officers have is the power to do out on-the-spot roadside emissions inspections that carry a fine of \$700 or more per offense. "If it's 8,500 pounds in weight and it's diesel, it can be pulled over." Ionnati said. "If you had a truck or a bus coming from Canada and it's smoking, it can be pulled over." He was not sure, though, how widely these inspections have been used in New York City.

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The city and state environmental conservation department used roadside inspections to target heavy trucks and buses in East Harlem during a crackdown on visible exhaust in 2007.

But both Long and Lee of the Chinatown Progressive Association said these tactics would encounter obstacles in crowded Chinatown. "You have to make the public want it," said Lee, "especially since these buses are extremely popular." More enforcement would have to go hand in hand with what she termed "a solution that's culturally acceptable to the community."

To limit pollution, the city does [bar engines](#) from idling for more than three minutes. Leo Lee, a manager at [Apex/Universe Bus](#), said his buses are [routinely targeted by police for illegal idling while unloading passengers at the company's 13 Allen Street terminal, even though the company provides an indoor waiting room for riders. "If any police go by they give us a ticket," Lee said. "If the driver doesn't speak English, you get an extra ticket."](#)

### The Problem of Space

Rising demand and tough competition force operators to load customers where they can. On a recent day, Fung Wah's front curb on Canal Street was lined with steel police barriers as a result of police department efforts to keep Manhattan Bridge traffic routes clear. Undaunted, the Fung Wah buses simply pulled around the corner to the Bowery and loaded customers at the first available space past the barriers.

Some businesses around the stops complain about buses and crowds of riders that block their storefronts.

"Business is very slow and people cannot park sometimes because of the buses," said an attendant at a wall and floor-covering store who asked to remain unnamed.

Many residents and businesses would like to see the city regulate more closely where buses can load and unload. But with so many buses using the same small area of Chinatown -- up to 291 arrivals and departures a day, according to [2009 study](#) conducted by the Department of City Planning -- there simply is not enough curb space to meet the demand.

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At the same time, there is a maze of conflicting regulations. City law dictates that operators who use spaces not specifically designated for bus loading are breaking the law and can be ticketed. A signed and designated bus layover stop did exist until recently at 88 East Broadway, but the police department put up barricades and closed it down.

In 2007, the mayor's Community Affairs Unit attempted to find new spaces to relocate the buses, the study said, but "none of the recommended sites have proven to be feasible." Private bus companies may use city bus stops to quickly unload passengers, but it is "illegal to wait, layover or park in a bus stop," and many Chinatown bus operators have abused their privilege, the study notes.

The planning department concluded that unless a permanent solution can be found, bus operators will be forced to continue negotiating on a daily basis with the local police to find temporary curbside space to load and unload.

Lee said that his company has repeatedly applied to the city Department of Transportation for a permanent loading space and received no response. "We're trying to make it convenient for the people of Chinatown to get places. I just don't understand why we don't get a space to load customers," he said.

Managers for Fung Wah and Lucky Star, two of the most established bus companies in Chinatown, told the same story: repeated requests for loading space and no answer from the city.

Transportation department spokeswoman Suchi Sanagavarapu said the department "can allocate a permit right now" on an individual company basis. But there is no overall system in place to determine who gets permits, and with so many companies applying, no way to make everyone happy.

That is why, said Colleen Chattergoon, another transportation department spokeswoman. the department "has been deferring to the community boards and referring all requests to them."

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Similar problems tie the community board's hands, said Community Board 3 transportation and safety chair David Crane. Without criteria for determining which companies deserve a piece of Chinatown's limited curb space, he said, the board's now simply denies all requests.

Lucky Star desk agent Ken Huang said he doubts the city will ever be able to find a solution. "There are a lot of bus companies in Chinatown and I don't think they can give everyone a space," he said. Further he does not see signs that the city is trying. "I don't think they really approve of us," Huang said.

### **Solutions to the Gridlock**

The city, though, does seem to be getting more involved. In response to rising resident complaints, several city agencies, including the city transportation department, are conducting studies to find solutions to the problems created by congestion and unregulated curbside loading.

In its study, the Department of City Planning recommended the transportation department auction off curb space. At a Community Board 3's transportation and safety committee meeting in March, Crane called such a plan "doable" and told the board that it would "solve a lot of problems." Now, Crane said, some bus companies change their corporate names in order to avoid burdensome federal safety. This, Crane said, wouldn't happen if companies were tied to a city-enforced permit.

A new permitting scheme would need to clear several hurdles, though, including approval the state legislature in Albany.

Meanwhile, some bus companies continue to petition for their own spaces. At the March community board meeting, Double Happiness Travel appealed for two passenger pick-up and drop-off locations on Pike Street. The board rejected the request unanimously.

"There's no way for us to do this fairly," Crane told the company's Teddy Gonzales. "You're the fourth company in a year to petition for these spaces." When Gonzales expressed frustration, District Manager Susan Stetzer urged him to keep lobbying city and state officials to take action

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on the planning department's recommendations.

State Sen. Daniel Squadron, whose district includes part of Chinatown, has started to looking into drafting a law, said community liaison Rosemary Diaz, but with plenty of other issues taking up Albany's time right now, the process may go forward slowly. Diaz said more bus regulation is needed. "They're contributing to an area with one of the highest asthma rates in the city," she said.

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