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NJDEP Proposed CO2 Rule Falls Short in Dealing With Climate Emergency

Today Empower NJ coalition along with advocates and more are testifying at NJDEP's public hearing on its [Control and Prohibition of Carbon Dioxide Emissions Rule](#), which is part of the NJ Protecting Against Climate Threats (PACT) rulemaking process. This is supposed to be one of the biggest and most important rules for New Jersey to reach its climate change goals, but the coalition argues that the rule doesn't go nearly far enough.

The rule is not meant to meet the 80% greenhouse gas (GHG) reduction by 2050 that is set forth in the Global Warming Response Act. Additionally, the rule does not mention, consider or come anywhere close to meeting Governor Murphy's EO 274 goal of reducing 50% of GHGs by 2030. The standards set by the rule would allow the majority of New Jersey's existing gas fired power plants to continue to operate and new ones to be built, making it even harder to reduce emissions. The rule also exempts facilities like incinerators, co-gen plants, and projects that don't sell power to the grid, nor burn 50% or more of fossil fuels. There is no Environmental Justice component to the rule, it does not evaluate the cumulative impacts to surrounding communities nor include language to protect these communities suffering from a disproportionate amount of pollution. [Click Here for more information on the shortcomings of the rule.](#)

"New Jersey is in urgent need of CO₂ regulation. In theory, this rule is the best opportunity for the NJDEP to achieve the easiest and cheapest greenhouse gas emissions reduction possible, but it is too weak. If this rule is not significantly strengthened, NJ will miss its opportunity to impactfully reduce greenhouse gas emissions and its State climate goals," **said Anjuli Ramos-Busot, New Jersey Director for Sierra Club.** "If our best way at regulating the electric generating sector is to allow the construction of new gas-fired power plants, then we really don't have a chance at mitigating climate change. We are experiencing a climate emergency, and storms and sea-level rise will not wait for us to transition our way through unnecessary natural gas. NJDEP has to step up their game for the sake of our people and the environment."

"The DEP proposed power plant CO₂ rule is just more hot air. The rule allows for new gas power plants and grandfathers almost all of our existing fossil fuel plants. The rule is a sham DEP says it only reduces pollution by 2.5 million tons in 2035 and zero for 2030 which means we will never come close to meeting our climate goals," **Jeff Tittel, retired former NJ Sierra Club Director.** "This Rule has more holes in it than Swiss Cheese. It exempts incinerators, biogas, backup plants, and doesn't look at Environmental Justice. The proposed PVSC and NJ

TransitGrid plants under this rule can be built as well as a new gas plant in Woodbridge. It is called the CPR rule because we will need CPR from all the additional pollution."

"DEP has squandered what will likely be the last opportunity we have to meaningfully reduce greenhouse gas emissions to avoid climate catastrophe. The rules could have been written by the fossil fuel lobby. They shamelessly fly in the face of climate science and even the Governor's purported 50 x 30 policy of reducing GHGs by 50% by 2030, which the rules completely ignore. The rule provides for only minimal reductions in GHG's; excludes many plants and facilities; continues to allow dirty plants to operate indefinitely; fails to restrict the construction of new fossil fuel facilities; and continues to treat fracked gas as a bridge fuel when the science is clear that when the life cycle of gas is considered, it is as dirty as coal. These rules must be scrapped or completely rewritten," **said John Reichman, Blue Wave NJ.**

"The transition away from fossil fuel power plants to power the state with clean, renewable energy was the implicit promise of the NJPACT rules. These proposed NJDEP climate rules don't deliver and will allow for the construction of more fossil fuel power plants over the next decade," said **Doug O'Malley, director of Environment New Jersey.** "NJDEP can't just tout resiliency solutions to climate change — we need to reduce climate pollutants by 50% this decade to meet Gov. Murphy's Executive Order. This rule needs to be overhauled to get anywhere near that goal."

"Governor Murphy and the NJ Department of Environmental Protection (NJDEP) staff have known since at least November 2018 that the make or break deadline for securing a livable climate future is 2030. Unfortunately, these proposed CO2 rules are a big swing and a miss at making New Jersey a national leader in combating climate change," **said Eric Benson, NJ Campaigns Director, Clean Water Action.** "Fair or not, science is moving the goalpost, and in the interest of life, property, and justice, it is imperative that the NJDEP urgently adopt policies that prohibit new fossil fuel sources from coming online, while also more aggressively phasing out current climate polluters."

"The new air emission rules are the one shot New Jersey has to reduce by regulation the powerful greenhouse gas emissions that are driving climate change in New Jersey but they fail to achieve what is needed. The climate crisis is a global catastrophe but it is determined by each and every greenhouse gas source and that includes gas-fired power plants here in New Jersey and other sources of emissions that these proposed rules will allow to occur. These rules must be overhauled so they will achieve real emission reductions," **said Tracy Carluccio, Deputy Director, Delaware Riverkeeper Network.**

"None of the administration's existing or proposed climate rules will prevent the continued proliferation of dirty pipelines, power plants and other new sources of climate destroying pollution in New Jersey," **said Matt Smith, the NJ Director for Food & Water Watch.** "The proposed rule on power plants doesn't even require polluters to use the best available technology, let alone do anything to stop new fossil fuel power plants currently proposed in Newark and Woodbridge."

"The Protect Against Climate Threats process was initiated two years ago on January 27, 2020. After two years of effort DEP & BPU have produced rules that fail to protect us against climate threats and whose only purpose appears to be to protect the energy industry from any financial burdens. The use of emission limits is fatally flawed, as it does not take into account the net

impact on total atmospheric GHGs from all sources AND ALLOWS AN UNLIMITED NUMBER OF NEW SOURCES. This is the same deeply flawed approach DEP has used in the past to regulate point sources, which never considers the total impact of all sources on GHGs or hazardous air pollution producing intolerable air quality results in EJ communities,” **stated Ken Dolsky of the Don’t Gas the Meadowlands Coalition.**

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Empower NJ is a coalition of 120+ environmental, civic, faith, and progressive organizations calling on Governor Murphy to enact a prohibition on all new fossil fuel projects in New Jersey, and urgently implement policies that reduce greenhouse gas emissions (GHGs) by at least 45% from 2010 levels by 2030. www.empowernewjersey.com