

Empower New Jersey Talking Points on the Proposed NJDEP Control and Prohibition of Carbon Dioxide Emissions Rule

- The rule itself only achieves 3% of the reductions needed to reach the 80% by 2050 (80x50) goal.
- It only achieves 4% of Governor Murphy's EO 274 goal of reducing GHGs 50% by 2030 (50x30). In fact only 22% of the GHG reductions take place before 2030. The bulk of them take place in 2035 and afterwards.
- It sets a standard that allows new gas-fired power plants to continue to be built, which could potentially increase our greenhouse gases instead of reducing them.
- The standards set by the rule would allow the majority of our existing gas-fired plants to continue to operate. This would make it even harder to reduce emissions and would undermine renewable energy.
- It exempts projects that don't sell their power to the grid, which includes backup plants like the proposed Passaic Valley Sewerage Commission (PVSC) plant or NJT Power Plant.
- The rule undermines renewable energy as it **promotes** falsely claimed low carbon fuels such as Renewable Natural Gas because it applies only to Electric Generating Units using 50% or more natural gas and redefines natural gas to exclude gases like landfill gas and digester gas.
- The rule only applies to Electric Generating Units with a capacity of 25 MWe or higher. This allows many plants and microgrids to continue to emit GHGs and allows for the construction of new power plants and the expansion of the existing ones.
- It exempts facilities like incinerators and co-gen plants (like the Linden Generating Station) because they don't burn a majority of fossil fuels.
- This rule does not consider fugitive emissions, oftentimes the biggest emission problem in a big facility.
- It fails to include a fee structure for CO₂ so there is no penalty for the amount of CO₂ emitted over the limits.
- 10 States have stronger goals for greenhouse gases and regulations. NY State, based on their Climate Law, just turned down two Gas Power Plants after determining they would be inconsistent with the State's greenhouse gas emissions targets. In NJ, our rules would have allowed these plants to be built.
- There is no Environmental Justice component in this rule proposal. It doesn't evaluate the cumulative impacts to surrounding communities or include any language to protect communities that are already overburdened with pollution.
- For more information on how this rule falls short, please view these [Empower NJ presentation slides](#).