

EmpowerNJ Comments to NJBPU - 2024 Energy Master Plan Update

To: Board of Public Utilities Secretary, Sherri L. Golden

Re: Docket No. QO24020126

Below are comments from EmpowerNJ (NJ's largest climate coalition of over 100 community, labor, faith, environmental and other groups) for use by the New Jersey Board of Public Utilities (BPU) in its Energy Master Plan (EMP) update. While aspects of these comments apply to all 7 of the EMP strategies, they mainly apply to these EMP strategies (and the overall EMP process and results):

1. Reducing Energy Consumption and Emissions from the Transportation Sector;
2. Accelerating Deployment of Renewable Energy and Distributed Energy Resources; and
5. Decarbonizing and Modernizing New Jersey's Energy System.

Please note that John Reichman, Esq., is submitting additional comments on the transportation sector for EmpowerNJ. We hope BPU and the Murphy Administration find these comments helpful as it works to craft a path going forward to meet its dual goals of assessing the effectiveness of the 2019 EMP and improving its processes going forward in order to meet State climate goals, as our physical health and economic well being depend on it.

Executive Summary

EmpowerNJ's recommendations for improving the EMP are listed below and detailed in the subsequent sections:

1. **Make the EMP a Real Plan** - set quantifiable goals, specify resources, set and report on annual milestones, program management structure across all departments, etc.;
2. **Place a Moratorium on New Fossil Fuel Projects** - if we want to get out of the hole, we must stop digging and burning;
3. **Address Methane Leaks** - measure its impact properly, no new gas infrastructure and new gas hookups, and accelerate the use of heat pumps and electric appliances;
4. **Ban or at Least Minimize the Use of Hydrogen** - as a very potent GHG which produces high levels of NOx when burned, only green hydrogen in fuel cells for hard to decarbonize applications should be allowed;
5. **Address the Harms from Air Pollution** - this is inextricably linked to climate and clean energy, justice and health, not just economy or even climate, must also be the focus;
6. **Redefine Clean Energy and Recognize the Dangers of False "Low Carbon" Solutions and Net-Zero Emissions** - NJ can't rename its way out of its dirty energy problem. These false solutions cost more and only delay long term solution of zero-emissions technologies;
7. **Utilize the Total Costs of Climate Harms and Costs of Mitigation in Creating Policies** - this approach ensures decisions that are easy to defend against all special interests;
8. **Require GHG Regulations Aligned with State Targets** - Direct regulation of GHG emissions will ensure reductions in line with State goals. This will prevent work-arounds that let emissions continue;

9. **Acknowledge and Address the Problems Caused by the Lack of a Real Plan** - The lack of a comprehensive plan with specific details on how to achieve State climate goals has created a void and associated chaos in legislative and regulatory actions, further inhibiting and delaying the implementation of true clean energy solutions.

The science is increasingly alarming as to the catastrophic economic and environmental consequences of the current climate crisis. Recent reports have shown:

- Worldwide annual damage from climate change will reach \$38T by 2050;
- Almost 80% of IPCC authors foresee at least 2.5C of global heating, while almost half anticipate at least 3C;
- Carbon dioxide is accumulating in the atmosphere faster than ever. CO2 levels were near 427 parts per million - 4.7 parts per million higher in March than they were a year earlier, the largest annual leap ever measured;
- The average length of the heat wave season across 50 of the most populous U.S. metros jumped from 23.75 days a year in the 1960s to 72.68 in the 2020s

The 2019 EMP was supposed to be the plan that enabled New Jersey to do its part to combat these threats. Unfortunately, as demonstrated in these comments, it was entirely aspirational with major gaps and no tools, resources or processes that could be implemented. It contained 95 goals, only six of which are quantified. Five years later the stakes for this 2024 re-write are even higher. Empower NJ implores Governor Murphy and his Administration to not just say the words “whole of government” approach, sign Executive Orders and create “strategic” climate documents but to actually make a good faith effort to implement plans that can demonstrably achieve such goals as 50% reduction in real GHG emissions by 2030 and 100% clean energy by 2035.

Recent Updates on the Threats from Climate Change

In April 2024, a study published in Nature concluded by 2050 climate change will be causing economic damage worth **\$38 trillion per year as extreme weather ravages agricultural yields, harms labor productivity and destroys infrastructure. Planetary warming will result in an income reduction of 19% globally by mid-century, compared to a global economy without climate change.** By comparison, the entire world economy at the moment is about \$100 trillion a year; the federal budget is about \$6 trillion a year. The global projections of macroeconomic climate-change damages already **outweigh the mitigation costs required to limit global warming to 2 °C by sixfold** over this near-term time frame.

In May 2024, The Guardian published the results from a poll of 380 senior authors of recent reports by the Intergovernmental Panel on Climate Change. The authors were asked “How high above pre-industrial levels do you think average global temperature will rise between now and 2100?” **Keep in mind the IPCC has set 1.5 degrees C as a target limit for 2050.** Almost 80% of the respondents foresee at least 2.5C of global heating, while almost half anticipate at least 3C (5.4F). Many of the scientists envisage a “semi-dystopian” future, with famines, conflicts and mass migration, driven by

heatwaves, wildfires, floods and storms of an intensity and frequency far beyond those that have already struck.

In May 2024, Hawaii's Mauna Loa Observatory reported that **carbon dioxide is accumulating in the atmosphere faster than ever**. CO2 levels were near 427 parts per million - 4.7 parts per million higher in March than they were a year earlier, **the largest annual leap ever measured** at the NOAA laboratory. And from January through April, CO2 concentrations increased faster than they have in the first four months of any other year.

A 2024 study from ValuePenguin, a provider of research and analysis on the insurance industry, reports that **heat wave season in the major U. S. metros has more than tripled since the 1960s**. The average length of the heat wave season across 50 of the most populous metros jumped from 23.75 days a year in the 1960s to 72.68 in the 2020s. In the same period, these major metros went from an average of 2.17 heat waves a year to 6.14. Also, **heat-related deaths have increased by 857.5% between 1986 (when records began) and 2022 (the latest year of data available)**. In 2022, there were 383 heat-related deaths, up from 40 in 1986.

When considering these results and forecasts we need to keep in mind that in almost all cases such forecasts have been found to be conservative and have underestimated threats. A frequent finding from comparing actual results to those forecasted is that change is happening faster than anticipated. The IPCC is notorious for being conservative both because it requires agreement amongst participating scientists and because climate scientists want to avoid political attacks. However, the IPCC and many other climate analysis groups have called for immediate action to significantly reduce greenhouse gas emissions because added emissions lock us in to longer and longer periods of disastrous heat increases.

The Intergovernmental Panel on Climate Change (IPCC)'s 2023 Synthesis Report once again unequivocally warns that exceeding 1.5°C warming ("overshoot") has dangerous and irreversible consequences and confirms that every fraction of a degree matters to avoid climate "tipping points" and self-reinforcing feedback loops, such as permafrost thawing and the collapse of forest ecosystems.

The report makes it clear that in order to keep global warming below 1.5°C, rapid and deep emission reductions are needed across all sectors, starting with an immediate phase-out of coal, oil, and gas.

Unfortunately, New Jersey's response to this imminent threat and a call for an immediate phase-out of gas, has been minimal, at best. New Jersey has no real plan to address this challenge. **The world, and New Jersey, is on the wrong track and accelerating towards disaster.**

1. The EMP Must Become a Real Plan

The 2019 EMP was a nice aspirational document with one objective (100% clean energy by 2050) to be accomplished in 30 years but mainly consisted of suggestions and recommendations for new programs, initiatives, legislation and regulations to meet 95 goals in seven categories. **It was not, by any definition, a real executable plan.** For example, only 6 of the 95 goals (6%) have quantified targets and for those that are not amenable to quantification there is no clear description of what success would look like. **This is a fundamental failure.** It is especially disheartening to see unquantified goals that are perfect candidates for quantification and must be quantified if they are to be implemented. A few examples are:

- 1.1.2 Deploy electric vehicle charging infrastructure throughout the state
- 1.1.5 Roll over the state's light-duty fleet to electric vehicles
- 1.3/1.3.1 Reduce port and airport emissions/Support electrification of diesel-powered transportation and equipment at the ports and airports

We strongly urge the NJBPU to, at a bare minimum, **improve its goals by quantifying all that are amenable to quantification, provide a clear definition of success for those that are not quantifiable, and include specific timeframes for all goals.** Also, the NJBPU **must link the results from its 95 goals to the overall GHG reduction goals being modeled by E3.** Without such linkage the E3 results are just pretty curves on a screen with no real substance. Since the EMP was written, the State has moved up the target date for 100% clean energy to 2035 – 11 years from now, making the lack of any real plan even more risky and more glaringly obvious.

Even where we have quantifiable goals, the update provided no information on progress toward those goals. For example, the key to addressing climate is GHG reductions. Five years after our first EMP, programs like NJPACT and impressive sounding EO's promising to cut GHGs by 50% - 6 years from now, NJ appears to have achieved **very very little GHG reductions** based on EMP policies. We know of no claims by NJBPU or NJDEP that they have achieved any specific reduction in GHGs or made any quantitative progress toward reaching 100% clean energy. Is this because it can't be measured or is it so miniscule as to be embarrassing? We ask the BPU and DEP to address this in relation to the State target for 2030. How far along are we relative to this target after five years of all-of-government efforts?

We also need to note that the current DEP process for reporting on GHG inventory requires about three years - the 2021 report was published in 2024. This means that NJ will not know if it has met its 2030 goal of a 50% decrease until 2033. In addition, if New Jersey sets interim annual milestones to measure results of its efforts to reduce GHGs it cannot take timely action if it finds itself off course. This is a completely untenable situation and any serious Program Management effort would have to declare this to be a major obstacle to success. Fortunately, Satellite Sensing technology is now available that can address this obstacle and we encourage the NJDEP and NJBPU to adopt it.

The recent public sessions each included a ‘dog and pony show’ presenting various efforts to claim success for each strategy. These were good accomplishments but in no way did they demonstrate that the EMP was on track to meet any of its 95 goals. For example, the drive green New Jersey program in Trenton sounds very good, but the presentation fails to indicate how applicable this is for the rest of New Jersey or how much it will contribute to the goal of reducing GHGs in the transportation sector. These accomplishments were probably the best that could be said about each strategy given there are no clear definitions of success for most strategies/goals. At worst they were simply distractions to give the appearance of progress without any indication that much more needs to be done in a very short timeframe.

A basic tenet of management science is, “If you can’t measure it, you can’t manage it.” **Another fundamental failure of the EMP is the lack of measurements and associated processes and plans to achieve its goals.** Therefore, the most minimal elements required to make the EMP a real plan must include:

1. Quantified or clear descriptive targets at a point in time for each of the 95 goals.
2. Detailed descriptions of all programs, legislation, regulations and other actions **needed to meet its 95 goals across each segment** of the economy and **whose total effect meets the EMP’s objectives.**
3. Specification of resources needed for development, implementation and ongoing execution of all programs (people, skills, man-hours, systems, budget money) and sources of resources.
4. Ongoing assessment of technologies available to meet objectives and milestone dates. (Can current/expected technologies and costs meet the objective?)
5. Assessment of obstacles to success (lack of resources, political opposition, lack of cooperation from entities outside the state’s control, etc.) and plans to overcome obstacles.
6. Specification of clean energy, GHG and co-pollution targets for each economic segment.
7. Annual milestones for development of every program and associated activities for each of the 95 goals by segment (as appropriate).
8. Annual milestones for achieving clean energy and phase out of all existing sources of GHG pollution and reductions of co-pollutants by segment.
9. A Program Management structure that has control of resources across all departments and organizations needed to achieve the EMP’s 95 goals.
10. Periodic revisions of all plans and assumptions in terms of technologies, resources, obstacles and timeframes, in recognition that no complex long term plan can be successful without a formal and continual review process.
11. A clear process to evaluate new and ongoing fossil fuel based projects to avoid conflicts with EMP goals.
12. Annual reports to the public on progress **achieving each of the 95 goals and the overall goals of clean energy, GHG and co-pollution targets vs. objectives.**

Apparently, none of the above planning elements are in place, let alone operational.

We understand that the efforts and resources needed to develop the planning details we have laid out are enormous and we are under no illusions that you will be able to accomplish this in the next EMP release. However, we are also 100% certain, and we have to believe you agree, that at some point **all of these elements will be needed because it is literally impossible to achieve the EMP's goals without them. The challenges to achieving these goals are enormous and may require a WWII-like mobilization. Does NJDEP leadership think we have a real chance of achieving 100% clean energy in 11 years or cutting GHGs 50% in 6 years on our current path? If so, we would appreciate hearing your evidence for such a statement. This is extremely difficult to assess because there is no real plan against which to measure anything.**

So the question is, when will this be done? If the answer is not now, then at least acknowledge that in the document and put in place a process to achieve it within a year at most, or give up on the EMP ever being anything other than nice window dressing and continue our existing business as usual approach as we head toward economic and physical disaster.

2. The EMP Must Call for a Moratorium on New Fossil Fuel Projects

The EMP must include a moratorium on all new fossil fuel projects and other projects such as hydrogen hubs that will emit potent GHGs, until GHGs are effectively regulated. The State's goal of reducing GHGs 50% by 2030 cannot be met if New Jersey continues to permit the development of new fossil fuel projects and permits the NJBPU to continue signing off on NJ utilities (GDC's) purchases of more gas supply from new interstate pipeline projects. The BPU 2021 London Economics study showed that NJ has an adequate supply of gas and does not need new projects. Fracked natural gas will continue to stymie renewable energy projects. New fossil fuel projects make no economic sense, as they will need to be abandoned before the end of their useful life if we are to achieve 100% clean energy economy wide by 2050. When pressed on the need for a moratorium on these projects, prior to the first EMP, Governor Murphy responded that he was waiting for recommendations in the EMP, yet the 2019 EMP does not even mention the word moratorium and is totally silent on these fossil fuel expansion projects.

3. The EMP Must Address the Climate Threat from Methane Gas Leaks

Methane is responsible for about 30% of climate warming in the U.S. The language used by the IPCC in its 2018 IPCC special report – Global Warming of 1.5 degrees C, regarding its 2050 target is: "Limiting warming to 1.5°C implies reaching net zero CO2 emissions globally around 2050 and ***concurrent deep reductions in emissions of non-CO2 forcers, particularly methane (high confidence).***" This is because methane captures 86 times more heat than CO2 over a 20-year period. Despite this warning, an IEA report in March 2024 stated: "Production and use of fossil fuels put more than 120 million metric tons of methane into the atmosphere in 2023, a slight rise over 2022."

The NJDEP has started to use the 20-year global warming value in its calculations of NJ GHG emissions but this must be translated into specific targets for GHG reductions in NJ. The 2019 EMP (a plan for policies over the next 30 years) only considers the impact of methane over a 100-year horizon. This drastically obscures its real effect on climate change in the near term by a factor of at least two-thirds and dramatically understates the amount of methane emissions occurring today and the volume of reductions required by 2030 and 2050.

In addition, the EMP must include specific policies and programs for reducing methane emissions that go beyond utility efforts to fix leaks – a costly effort that will take years and will still not fully address the problem. The EMP must include policies and plans to prevent use of new “alternative” fuels such as biogas (which is basically methane), stop building new gas infrastructure, end new gas hookups and rapidly accelerate the use of cold weather heat pumps and other electric appliances in new and existing buildings.

4. The EMP Must Ban or at Least Minimize the Production and Use of Hydrogen

A major benefit claimed for hydrogen is that it decarbonizes the atmosphere. Recognizing that there are GHGs that are not carbon based, the term decarbonize is generally taken to mean “reducing greenhouse gases.” Therefore, the claim of decarbonization from the use of hydrogen means it reduces greenhouse gases. Let’s explore why **this is totally false**.

First, hydrogen itself is an indirect GHG and will cause warming when emitted into the atmosphere in the following ways:

- Hydrogen slows down the decomposition of methane in the atmosphere. As we know, methane is a powerful GHG responsible for 30% of the rise in global temperature. Because of this process **hydrogen has 100 times the warming effect of CO2 over a ten-year period**.
- Hydrogen also triggers chemical reactions in the atmosphere that increase the amounts of stratospheric water vapor and tropospheric ozone, which make it more difficult for the earth to cool.

Second, hydrogen’s indirect warming impact is a major concern because hydrogen is the smallest molecule and known to easily leak into the atmosphere. **A hydrogen leak rate of 10%** across the value chain—which many scientists agree is plausible -- makes production and distribution of hydrogen **three times worse in terms of climate impacts than methane**. Methane’s 10-year global warming power is about 104 (close to hydrogen’s) but its life cycle leak rate is only 3%. Hydrogen has the added problems of much smaller size and causing embrittlement, increasing the rate at which its infrastructure leaks. A new pipeline may not leak 10% of its hydrogen but we all know pipelines don’t get better with age.

Third, combusting any type of hydrogen in a power plant leads to formation of nitrogen oxide (NOx) emissions up to **six times** that of methane. NOx is a powerful GHG with a lifetime of about 10 years that **captures almost 30 times the amount of heat as CO2**. And NOx is an ozone precursor. Even if

NOx emissions from hydrogen were able to be contained, we know that communities living near power plants currently emitting NOx within permitted limits already experience heightened rates of heart disease, asthma, birth defects, **premature death** and more. **Including hydrogen combustion in this definition would resign these communities to more decades of disproportionate health impacts.**

The only uses of hydrogen that should be permitted are for applications that are otherwise impractical to decarbonize and must only involve green hydrogen in fuel cells to produce electricity. No burning of hydrogen should be allowed.

5. The EMP Must Address the Harms from Air Pollution and Set Appropriate Goals

While controlling or minimizing the emissions of harmful air pollutants is not the subject of the EMP, it is unconscionable for it to ignore this issue, which is so closely tied to the production and consumption of energy. Yet the words “pollution” and “pollutant” are nowhere to be found in the 2019 EMP. This must be rectified as **no energy solution that continues to harm us, especially overburdened and environmental justice communities, is acceptable.** In fact, scientists are still discovering more harmful effects of air pollution as described in a recent article in Nature Communications linking air pollution to dementia: “Diabetes, the amount of nitrogen dioxide in the air and alcohol consumption were found to be the **three most detrimental risk factors to regions of the brain.**”

We quote directly from the NJ Environmental Justice Alliance’s November 2023 policy report on Mandatory Emissions Reductions: “Across the United States, fossil fuel infrastructure emits toxic air pollution and planet-warming greenhouse gases that drive climate change. Environmental justice (EJ) communities bear the brunt of both, living on the front lines of impacts from climate change while also suffering the localized environmental health harms caused by fossil fuel facilities in their vicinity. Despite these disproportionate impacts, climate mitigation policies remain focused on reducing carbon dioxide (CO2) emissions without attention to the health-harming co-pollutants from the power sector. A just and equitable climate mitigation policy, however, makes the elimination of the sector’s outsized and inequitable impact on low-income communities and communities of color an explicit goal. From an environmental justice perspective, climate change mitigation measures, whether they use a technology-based standard, a greenhouse gas (GHG) target, or a market-based or other mechanism, should explicitly incorporate mandatory emissions reductions (MER) of health-harming co-pollutants in EJ communities.”¹

Therefore, **we call on the NJBPU to include goals for reducing harmful co-pollutants, especially in EJ communities, commensurate with the goals of reducing GHGs in the next version of the EMP.**

¹ <https://njeja.org/mandatory-emissions-reductions-mer-for-climate-mitigation-in-the-power-sector/>

6. The EMP Must Redefine Clean Energy and Recognize the Dangers of False “Low Carbon”

Solutions and the Target of Net-Zero Emissions

The original goal of the 2019 EMP was 100% carbon neutral (net-zero) energy by 2050. Since then the State has set a goal of 100% clean energy by 2035, which is certainly a positive step. However, the definition of “clean” includes dirty technologies such as burning carbon-based fuels like biogas (which, in addition to producing CO₂ and co-pollutants when burned, also increases the likelihood of methane leakage), ineffective market-based schemes such as carbon offsets, pollution credits and other pay to pollute schemes. “Clean” also includes garbage incineration, aging and new nuclear power plants, and more fossil fuel power projects with carbon capture and storage, an expensive technology that has never shown any commercial or practical viability. These dirty and dangerous energy sources and pollution trading schemes disproportionately impact low-income communities and communities of color and block progress towards achieving the 100% renewable energy economy we urgently need. The EMP must clarify the definition of clean energy to exclude these dirty solutions and only allow the use of truly clean renewable energy technologies such as solar, wind, geothermal, heat pump and tidal, along with storage.

The EMP must also recognize and address the danger of net-zero emissions technologies. The core issue of climate change is GHG emissions and their build-up in the atmosphere. In order to mitigate climate harms, we must both **stop** emissions and **reduce** GHG levels in the atmosphere. Yet, NJ legislators are currently proposing bills that are based on the use of technologies that would purportedly achieve only net-zero emissions or even worse would use carbon-based fuels that only have lower GHG emissions than current fuels - not zero emissions. These are not valid climate solutions as described below and the EMP must address this problem.

Net-zero emissions (emitting as much GHG as is removed) is **not a climate solution**. It is only a **mathematical milestone** on the way to zero-emissions and it is **very dangerous to talk about it as if it solves our climate problem**. The language used by the IPCC in its **2018 IPCC special report – Global Warming of 1.5 degrees C**, regarding its 2050 target is: **“Limiting warming to 1.5°C implies reaching net zero CO₂ emissions globally around 2050 and concurrent deep reductions in emissions of non-CO₂ forcers, particularly methane (high confidence).”** This is because methane captures 86 times more heat than CO₂ over a 20-year period. One immediate problem is that the fossil fuel industry (mainly the gas industry) is ignoring the second part of this requirement and is only focusing on achieving the first part - net-zero carbon emissions.

Yes, at some point the world has to achieve net-zero CO₂ emissions but **alone, it is completely insufficient to address the climate change problem for four reasons:**

- First, it does not address the methane problem. Since about 2010, the global rate of methane emissions has been accelerating every year with no signs of slowing down. Using the 20-year global warming power value for methane, **methane is responsible for over 30% of US climate warming emissions.**
- Second, even if we stopped adding CO₂ to the atmosphere today, the world will continue to warm for centuries and the impacts from climate change will continue to become more

severe, since CO₂ stays in the atmosphere for hundreds of years or more and **will continue to increase the earth's temperature**. It will take some four decades to stop the annual growth in CO₂ concentrations, even if all emissions begin declining now. And it would take more than two centuries even if emissions **dropped close to zero by the end of this century** for CO₂ concentrations to fall back below 400 parts per million.

- Third, many of the processes and technologies proposed to reach net-zero are far too slow to address the need to reduce the actual level of GHGs in the atmosphere. In fact, most of these processes will perpetuate the use of fossil fuels because they rely on the same infrastructure to deliver energy. The only good net-zero processes are simply replacement of fossil fuels with true renewable energy technologies.
- Fourth, the effort to reach net-zero will use resources needed to reach zero emissions and will only prolong the burning of carbon (and other GHG) emitting fuels.

Therefore, **we must reach net-zero by only using zero-emissions technologies**, such as wind, solar, hydroelectric, heat pumps, tidal and storage, while protecting natural carbon sinks, mainly wetlands and **forests**. These technologies immediately reduce total atmospheric carbon. And we must not use technologies such as RNG to achieve net-zero as they only make it **more costly and take longer to convert to zero-emissions technologies**. We don't have time for a two step prolonged approach. We need to move very quickly to true renewables.

7. The EMP Must Utilize the True and Total Costs of Climate Change Harms, Adaptation and the Costs of Mitigation in Creating Policies and Prescribing Actions

The total life cycle economic, social and health costs of burning fossil fuels, as well as methane and hydrogen leakage (both however produced), including the costs from co-pollutant emissions, must be disclosed and utilized by the EMP in setting policies. This includes direct and indirect costs from the harms caused by these emissions as well as the cost to adapt to these emissions. The costs of harms and adaptation must be compared to the costs to mitigate/prevent these harms in order to fully understand the financial tradeoffs and make the best long term decisions for the State. Two major reasons for making decisions in this manner are:

- It demonstrates a sound reasonable approach which is easy to support and hard to challenge;
- It provides ammunition to policy makers who are always challenged by business and consumer interests that their policies are too costly and untimely (using "artificial deadlines"). Having this financial information will enable decision makers to demonstrate the yearly increase in costs from not mitigating.

It is true that mitigation will require substantial capital but the costs of not mitigating are much higher. As reported in the April edition of Nature, the **costs from climate change damages outweigh mitigation costs by a factor of six**.

8. The EMP Must Require GHG Regulations Aligned with State Targets

EmpowerNJ commented on the failure of the 2019 EMP to call for regulation of all GHGs in order to achieve NJ's GHG reduction targets. The 2019 EMP only tepidly proposed to "study" this issue. Five years later, despite creation of the NJ Protect Against Climate Threats (NJPACT) program, which implemented limited regulations of GHGs only from power plants, NJ does not have a set of regulations for each industry sector that can clearly demonstrate they will meet State GHG targets. One example of this lack of effective regulation is the NJDEP plan to enable dirty peaker plants to continue to operate past the dates when their fossil fuel emissions will not meet regulations, by allowing them to add a small amount of solar or wind power to reduce the average emissions per unit of energy produced. This does nothing to reduce GHGs from these plants and perpetuates some of the worst air pollution in the State. In contrast, New York has plans to replace all its dirty peakers with storage and wind power. NJDEP and NJBPU must work together to address peaker pollution and quickly regulate GHGs from all sources including transportation, residential, commercial, industrial, waste management, natural gas and other non-energy sources and demonstrate that such regulations will meet NJ's targets for GHG reductions (50% by 2030) and clean energy (100% by 2035).

9. The EMP Must Acknowledge and Address the Problems Caused by the Lack of a Real Plan

The lack of a real, specific and totally comprehensive Energy Master Plan has created a void, which promoted the following types of chaos:

- Legislators promoting their own version of a clean energy plan with little to no connection to the EMPs and GWRAs objectives or strategies.
- Legislators bowing to the pressure from fossil fuel companies to pass legislation such as the Low Carbon Fuel Standard, the Emissions Reduction Innovation Act and the Renewable Natural Gas Act mandating false solution type fuels (RNG, biogas, biomass-based diesel, fuels from carbon capture hydrogen, ethanol, etc.) for buildings and transportation that will increase the cost of heating and transportation fuels, prolong the use of fossil fuels and fossil fuel infrastructure, increase deadly air pollution, create fraud prone carbon credit schemes, take the pressure off of moving to true zero emissions technologies (and slows that effort) and increase GHG emissions regardless of the EMP targets.
- DEP passing (and NJDEP tacitly approving) regulations that will prolong the use of dirty peaker plants.
- A governor who promotes the transition to EVs in an executive order and then throws sand in the gears by pushing for annual taxes on EVs and removing the sales tax exemption on EVs.
- NJDEP approving new FF projects (e.g., TGP Expansion) based on its own criteria and without any analysis of the impact on climate change.
- DOT proposing major long-term highway expansion projects with no consideration of the impact on climate change.

A real plan is defined as measurable benchmarks with deadlines consistent with scientific consensus, and laws and executive orders the Governor has signed and/or is legally obligated to

comply with yet has not. The longer it takes to develop a real plan as defined in these comments, the more this chaos will increase. With each passing day, it becomes increasingly difficult to achieve the Administration's stated goals and implement true clean energy solutions. The time to build a real plan was yesterday but even now is better than never.

Thank you for your consideration of these comments.

The EmpowerNJ Steering Committee

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