

ENVIRONMENTAL PROTECTION

OFFICE OF LEGAL AFFAIRS

Notice of Receipt of Petition for Rulemaking

Air Pollution Control, N.J.A.C. 7:27

Petition to Adopt Rules Setting 2030 Greenhouse Gas Emission Reduction Targets and Restricting New or Expanded Fossil Fuel Infrastructure Projects

Petitioners: EmpowerNJ, BlueWaveNJ, Clean Water Action NJ, Delaware Riverkeeper Network, Don't Gas the Meadowlands Coalition, Environment New Jersey, Food & Water Watch, and New Jersey Sierra Club

Take notice that on July 21, 2021, the Department of Environmental Protection (Department) received a petition for rulemaking from John H. Reichman on behalf of EmpowerNJ, BlueWaveNJ, Clean Water Action NJ, Delaware Riverkeeper Network, Don't Gas the Meadowlands Coalition, Environment New Jersey, Food & Water Watch, and New Jersey Sierra Club (petitioners). Petitioners state that the petition is supported by 58 other organizations, identified in an Appendix to the petition. Petitioners request that the Department promulgate rules that set a 50 percent greenhouse gas reduction target by 2030 from 2005 levels, implement how that reduction is to be achieved, and restrict the issuance of operating permits for new fossil fuel infrastructure projects. The rules should include, but not be limited to, restricting the issuance of operating permits for new fossil fuel infrastructure projects, and stopping public forest logging

programs, which directly increase greenhouse gas emissions and decrease future carbon sequestration capacity.

The petitioners state that New Jersey, as a member of the United States Climate Alliance, committed itself to implement policies that advance the goals of the Paris Agreement to keep temperature increases below 1.5 degrees Celsius, by committing to reduce collective net greenhouse gas emissions at least 50 to 52 percent below 2005 levels by 2030. However, New Jersey is not taking the actions needed to meet the 2030 commitment and to comply with the goals of the Global Warming Response Act, N.J.S.A. 26:2C-37 et seq., to reduce greenhouse gases by 80 percent by 2050.

Petitioners request that the Department promulgate rules denying permits for any new fossil fuel project unless it certifies that the 2030 GHG reduction target, interim benchmarks and the 2050 clean energy standards can be met if the facility is constructed and operates; there are no renewable energy alternatives to provide the energy the project would produce; and New Jersey's energy requirements cannot be met by any other means, including through energy efficiency measures.

In support of the petition, the petitioners highlight an accelerating global climate change crisis; the impact of climate change on New Jersey in particular; the health and environmental costs associated with fossil fuel emissions; the need for and availability of renewable energy sources

to replace natural gas; jobs that renewable energy projects will create; and actions by the United States, other nations, and other state and local governments to reduce greenhouse gases.

This notice and the full text of the petition filed in this matter are available on the Department's website at <http://www.nj.gov/dep/rules/petition.html>.

In accordance with N.J.A.C. 1:30-4.2, the Department will subsequently mail to the petitioners and file with the Office of Administrative Law a notice of action on the petition.