



August 20, 2021

**VIA ELECTRONIC MAIL**

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Alice A. Previte, Esq.

Attn: DEP Docket Number: 06-21-05

New Jersey Department of Environmental Protection, Office of Legal Affairs

401 East State Street, 7th Floor

Mail Code 401-04L, PO Box 402

Trenton, New Jersey 08625-0402

**RE:** Comments on NJDEP Proposed New Rules and Amendments, Greenhouse Gas Monitoring and Reporting, N.J.A.C. 7:27E, 7:27-21, 7:27A-3 (DEP Docket No. 06-21-05, Proposal No. PRN 2021-058)

Dear Ms. Previte:

On behalf of our members, the Chemistry Council of New Jersey (CCNJ) appreciates the opportunity to provide comments to the New Jersey Department of Environmental Protection (NJDEP, the Department) on the proposed new rules and amendments regarding Greenhouse Gas (GHG) Monitoring and Reporting requirements published in the New Jersey Register on June 21, 2021.

As stated in our comments submitted on March 6, 2020, under the current United States Environmental Protection Agency (USEPA) regulations (40 CFR Part 98; subsections C, P, Y and MM), general stationary fuel combustion sources, hydrogen production sources, petroleum refineries, and suppliers of petroleum products are required to report GHG emissions from their operations and fuel manufacturing. Following years of negotiations, the USEPA more than adequately addresses GHG monitoring via thorough reporting. As such, CCNJ sees no issue with submitting GHG inventory data from the fossil fuel industry since this information is currently being calculated and submitted on an annual basis to the USEPA; however, we would not be supportive of additional, duplicative, and/or more frequent reporting requirements. **Therefore, CCNJ strongly urges the NJDEP to include a provision that exempts facilities that currently comply with the USEPA GHG reporting rules from having to also comply with the Department GHG reporting rules.**

Regarding the proposed requirements to register and report information about refrigeration system equipment and refrigerants used, CCNJ opposes this action and believes that the NJDEP will be creating a significant amount of work via data collection and reporting that will provide little to no benefit to public health or the environment. Instead of meaningfully contributing to a cure for climate change or even improved mitigation efforts, the only thing that these reporting requirements will result in is proof that the thousands of refrigerant systems and tight natural gas utilities in New Jersey are not emitting a

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material amount of GHGs; it is for this exact reason why the USEPA and other states currently do not require this type of reporting. **Therefore, CCNJ strongly urges the NJDEP to include a sunset provision that directs the Department to require reporting of this data for two years and then, when the reporting shows that the emissions are extremely low (e.g. < 2% of the total NJ-wide GHG emissions), the rule shall be withdrawn.** New Jersey's total GHG emissions are on the order of 100,000,000 metric tons of CO<sub>2</sub>e per year ([NJDEP-Air Quality, Energy & Sustainability](#)); if these refrigerant and gas utility emissions are less than 2% of the total, it does not make sense to require that facilities be put through this burdensome, extensive effort to track these numbers long-term. In addition, this effort would be redundant to the [USEPA's existing program for industrial refrigeration](#). It should also be noted that CCNJ was very supportive of and advocated for the recent legislation requiring all new refrigeration systems to utilize the newly available low environmental impact refrigerants; this legislation is a key milestone in protecting against climate threats and will have a direct benefit that should be recognized as opposed to the collection of data with questionable benefit.

In summary, CCNJ sees no reason for the NJDEP to require additional GHG reporting beyond what is already required to be submitted to the USEPA in accordance with 40 CFR Part 98 as we do not believe there is any significant benefit in providing this information separately to the NJDEP and/or on a more frequent basis. We also do not see any clear benefit in the NJDEP requiring the registration and reporting of refrigerant systems, which include chillers; this will ultimately result in a time-intensive paperwork exercise that introduces compliance risk and is burdensome to both industry and the NJDEP with no added protection to public health or the environment.

CCNJ and its members remain committed to being solution providers that help the state achieve its goal and address the negative impacts of climate change, while protecting the investments made by business of chemistry companies employing more than 40,000 people in New Jersey.

We would like the record to reflect our support of any comments submitted by members of CCNJ.

Thank you for your consideration of our comments on this very important rulemaking effort. We look forward to continuing to work with the NJDEP on this and other matters of critical importance to CCNJ members. If I can be of further assistance, please let me know.

Sincerely,



Dennis Hart  
Executive Director