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VIA ELECTRONIC FORMAT

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Alice A. Previte, Esq.

Attn: DEP Docket Number: 05-21-03

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 Amendment and New Rules, Advanced Clean Trucks Program and Fleet Reporting Requirements, N.J.A.C. 7:27, 7:27A (DEP Docket Number 05-21-03, Proposal No. PRN 2021-036)

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) on the proposed amendment and new rules regarding the Advanced Clean Trucks Program and fleet reporting requirements published in the New Jersey Register on April 19, 2021. CCNJ member companies are committed to conducting operations in a sustainable and environmentally responsible manner while pursuing business goals which add to New Jersey's economic recovery.

CCNJ, founded in 1955, is the trade and advocacy organization representing the interests of more than 60 New Jersey manufacturers and 45 firms engaged in the business of chemistry. Our membership consists of large and small companies that are part of New Jersey's chemical, pharmaceutical, consumer packaged goods, petroleum, flavor & fragrances, and precious metals industries.

With 96 percent of all manufactured goods directly touched by chemistry, New Jersey's economy is dependent on the products created by the members of CCNJ. This was made even more evident during the COVID-19 health emergency. Nearly 44,000 individuals are directly employed by the chemistry industry in New Jersey, with another 34,000 in related jobs. With such a significant impact, our industry is mindful of its role in supporting responsible environmental, social, and corporate governance practices.

Recently, CCNJ updated its sustainability statement. While our industry's legacy of discovery is inspiring, we have learned from our past shortcomings and are more resolved than ever in being solution providers and not contribute to the impediments that can negatively impact our society.

Whether considering climate change policy or environmental justice or equity in the workplace, our member companies are committed to conducting operations in a responsible manner, which promote sustainable and environmentally sound solutions based on science.

Chemistry Council of New Jersey: Committed to a Better Quality of Life Through Science

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CCNJ and its members support the global goal of achieving meaningful greenhouse gas emission reductions in a cost-effective manner, which includes ensuring that all fuels and technologies can compete to achieve emission reductions in the most technologically, economically, and logistically efficient manner.

We believe strongly that ignoring cost and practicality can impair emission reductions while imposing significant cost to the citizens and business interests in New Jersey.

For example, many of the companies we represent continuously spend capital modernizing their fleet of vehicles (many even have electric vehicles among their fleet), and their fleet of trucks, which are already high in cost because of additional safety requirements, are quite efficient. The challenge becomes apparent when a regulation forces businesses to abandon these efficient trucks for electric versions that can add thousands of dollars more to the cost of one new truck without any meaningful contribution to the reduction of emissions as compared to the truck it is replacing.

By seeking to adopt California's rules, the NJDEP seeks to establish a technology mandate which ignores the important role that other technologies (e.g. lower emission diesel, renewable diesel and biodiesel, natural gas, and hybrid powertrains) can play in reducing emissions. Instead, CCNJ recommends that the NJDEP's policy be technology-neutral. A California study completed by Ramboll Consulting¹ demonstrated that a more inclusive technology strategy would accelerate emissions reductions while also creating more cost-effective solutions. These considerations should not be ignored in the New Jersey rulemaking.

CCNJ respectfully asks that the NJDEP conduct a complete and robust state-specific economic analysis to assess the impacts of this rule on New Jersey citizens and businesses. We feel this is necessary to ensure a transparent and well-informed rulemaking process tailored for New Jersey, not another jurisdiction (in this case, California). New Jersey has unique challenges and opportunities, and these should be evaluated in detail prior to promulgating rules impacting the state in order to avoid any unintended, negative economic consequences with far-reaching impacts.

Lastly, to reiterate comments from our October 18, 2020 letter to the NJDEP, mandates for electric vehicles could raise concerns not only with supply chain constraints but also with the availability of certain critical minerals. Massive electrification would require significantly more critical minerals; given the challenges regarding permitting of new mines in the United States, our nation would be overly reliant on foreign nations for minerals needed for mass electrification. Massive electrification would also drive the need for significant additional power generation.

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

Thank you for your consideration of our comments on this very important rulemaking effort. Together, we believe we can work collaboratively to both be protective and allow businesses to continue to operate in the state and provide benefits to the citizens of New Jersey. If I can be of further assistance, please let me know.

Sincerely,



Dennis Hart
Executive Director

¹ Ramboll US Consulting, Inc. *Multi-Technology Pathways to Achieve California's Air Quality and Greenhouse Gas Goals: Heavy-Heavy-Duty Truck Case Study*. February 1, 2021.