



August 8, 2023

VIA ELECTRONIC DELIVERY

EPA Docket Center
Environmental Protection Agency
Mail Code: 28221T
1200 Pennsylvania Ave, NW
Washington, DC 20460

Re: Greenhouse Gas Standards and Guidelines for Fossil Fuel-Fired Power Plants, Docket No. EPA-HQ-OAR-2023-0072

The PEAK Coalition hereby submits these comments regarding the May 23, 2023 Filing by the Environmental Protection Agency (“EPA”), which proposes new carbon pollution standards for coal and gas-fired power plants that will “protect public health, reduce harmful pollutants and deliver up to \$85 million in climate and public health benefits” over the next two decades. PEAK is comprised of UPROSE, The POINT CDC, New York City Environmental Justice Alliance, Clean Energy Group, and New York Lawyers for the Public Interest in order to end the long-standing pollution burden from power plants on the most climate-vulnerable people. The Coalition is the first comprehensive effort in the United States to reduce the negative and racially disproportionate health impacts of peaker plants by replacing them with renewable energy and energy storage solutions.

PEAK Coalition is gravely concerned about the environmental justice implications of the EPA’s proposed power plant rules. EPA’s approach to establishing pollution standards based on technologies such as carbon capture and sequestration/storage (“CCS”), low-greenhouse gas hydrogen co-firing, and natural gas co-firing is counterproductive to reducing emissions and protecting the environment. Achieving an emissions-free power sector must not be done in a matter that continues the disproportionate burden fossil fuel generation facilities have on environmental justice communities.

Harmful technologies like hydrogen combustion or carbon capture are detrimental to the environmental justice goals set out by the Biden administration and divert necessary funding away from renewable energy and battery storage development that will truly lower emissions. These false solutions have limited efficacy and dangerous consequences, especially as these technologies cannot prevent and could increase co-pollutant emissions and fine particulates. The New York Power Authority’s pilot project for hydrogen combustion blending at the Brentwood Generating Station on Long Island, New York, found that even low levels of hydrogen blending induced increased nitrogen oxide (“NOx”) emissions. Solutions like hydrogen blending will also require significant retrofits to existing generating units, especially when blended at higher levels, to achieve the same levels of safety as combusting oil or natural gas due to the more volatile nature of hydrogen fuels. These methods clearly do not fit the idea of Best Systems of Emissions Reduction. Such significant retrofits would also redefine existing gas units as new units. EPA

should rely on proven solutions such as battery co-siting or other non-combustion alternatives to reduce power plant emissions before a full, just transition to renewable energy and energy storage, with the additional benefit of providing clarity on categorizing electricity generating units whilst retaining the site-specific emission reduction restrictions.

EPA's failure to propose new and more stringent standards for inefficient power plants that run at times of peak demand will be disastrous for environmental justice communities. Peaker power plants are costlier and emit higher rates of emissions than most baseload and intermediate power-generating facilities. The public health ramifications of giving peaker plants more leeway to pollute are unacceptable for low-income and people of color communities where these plants are typically sited. Simply requiring that units with a less than 20% capacity factor switch to "lower-emitting fuels" will allow high levels of greenhouse gas and public-health-harming emissions to perpetuate in environmental justice communities surrounded by peaker plants.

It is further concerning that EPA's proposed emissions reduction timeline does not kick in until 2032 and beyond. The Intergovernmental Panel on Climate Change has noted that global greenhouse gas emissions must peak by 2025 in order to have a realistic possibility of limiting global warming to 1.5°C and limit the possibility of overshooting warming beyond 2°C in its Sixth Assessment Report. The White House has also committed to halving U.S. emissions by 2030, with many states, such as New York, passing stronger mandates for emissions reduction. It is unacceptable that on top of giving polluters options to comply with emissions rules with false solutions, they are allowed to operate with business-as-usual practices for another decade without making substantial changes to their operations.

PEAK Coalition urges the EPA to revise the proposed power plant rules so that it aligns with the administration's commitment to environmental justice. The opportunity is now to conduct a just transition by properly regulating emissions from the power sector while investing in renewable and storage solutions that align with the needs and prioritize the health of our climate and communities.