



PEAK Coalition
Response to NYISO Reliability Report Findings
November 20, 2023

The PEAK coalition—UPROSE, THE POINT CDC, New York City Environmental Justice Alliance (NYC-EJA), New York Lawyers for the Public Interest (NYLPI), and Clean Energy Group (CEG)— aims to end the long-standing pollution burden from power plants on the city’s most climate-vulnerable people. This coalition is the first comprehensive effort in the US to reduce the negative and racially disproportionate health impacts of a city’s peaker plants by replacing them with renewable energy and storage solutions.

PEAK Coalition is extremely concerned about the reliability-must-run resolution for peaker plants in Sunset Park from the New York Independent System Operator (NYISO) to address a modest, anticipated 446 MW energy reliability gap in 2025. PEAK Coalition urges all government stakeholders, including the New York State Energy Research and Development Agency (NYSERDA) and the New York Power Authority (NYPA), to immediately develop or solicit solutions to address this reliability margin before 2025.

New York State’s nitrogen oxide (NOx) emissions rule (“Peaker Rule”), intended to protect the health of New York residents living near major pollution sources, came into effect in May of this year and has deactivated or limited the operation of over 1,000 MW of fossil fuel peaker capacity in New York City. The Rule mandates a stricter NOx emission requirement in May of 2025, placing restrictions on an additional 590 MW of fossil fuel generation, but provides an exception when a reliability gap is identified that cannot be met by any other viable energy solutions. Ensuring proper and complete implementation of the Peaker Rule is essential to protect public health and combat climate change, especially for environmental justice communities where these peakers are concentrated.

PEAK Coalition is disappointed and concerned that neither ConEd nor the private sector submitted solutions that could be installed by and sufficiently address the reliability deficiency in 2025. NYISO, the state, and utility companies have had ample time to proactively identify and support renewable energy, energy storage, and demand response solutions to address this anticipated deficiency since the Peaker Rule was announced in 2019. We are alarmed that fossil fuel generators at the Gowanus and Narrows peaker plants have been identified as last-resort solutions for the projected deficiency. Keeping these 50+ years old power plants active must be avoided at all costs. PEAK Coalition is optimistic that these peakers can be retired within a two-year-long period identified by NYISO. Proven, cost-effective, common-sense energy solutions have been successfully developed as peaker plant alternatives in other parts of the country.

Sunset Park already faces considerably higher concentrations of air pollution and rates of respiratory disease incidents due to toxic emissions like NOx and particulate matter (PM2.5) produced by burning fracked gas at the Gowanus and Narrows peaker plants. Preventing these facilities from fully deactivating represents a continued danger to Sunset Park residents by impairing their public health, exacerbating local climate change impacts, and making their electricity bills unaffordable as utilities continue to make payments to the owners of inefficient and expensive peaker plants. Further delays or termination of renewable energy solutions, like

the Champlain Hudson Power Express transmission line set to come online in Spring 2026, would exacerbate these negative impacts on Sunset Park as buildings and transportation systems electrify and require continued or expanded dependence on peaker plants.

PEAK Coalition has long demonstrated and advocated for alternative solutions that can address reliability concerns. New York State must mandate programs such as opt-out demand response, rooftop solar, battery storage, and local transmission upgrades that reduce or stabilize local demand within a short timeline. New York State and City must work with NYISO to develop and solicit renewable energy generation, battery storage, and transmission solutions in an accelerated manner to reduce or eliminate the need for Gowanus and Narrows to operate beyond 2025. This should be done similarly to NYSERDA's current accelerated offshore wind solicitations for 2024. The State must also remove permitting restrictions that prohibitively complicate developing utility-scale and customer battery storage projects. This includes unifying and updating fire codes and permitting across New York State so that municipalities and storage developers clearly understand what is necessary to provide clean, safe, reliable energy without unnecessarily burdening necessary technologies like battery storage.

"UPROSE, alongside the PEAK Coalition, is deeply concerned by the NYISO Reliability Report. Emergency rooms get full and the work and school day is interrupted because of the health impacts our communities have suffered from peaker plant pollution for too long. The 2025 energy reliability gap highlights the urgent need for a swift transition to clean, equitable energy solutions like renewable generation and storage. We urge the state to act decisively in accelerating this transition and ensuring environmental justice for the most vulnerable," says Elizabeth Yeampierre, Executive Director of UPROSE.

PEAK Coalition's work has shown that alternatives to fossil fuels can prevent blackouts and brownouts. With less than two years before the next phase of New York's Peaker Rule, New York must act today before communities and ratepayers are further burdened by these costly and polluting peaker plants.