

CAMDEN FOR CLEAN AIR



July 11, 2022

Dear NJ DEP,

RGGI has a major toxic loophole that is harming communities of color. RGGI money needs to be used to undo the harm from this loophole and make things right.

New Jersey's four trash incinerators are exempt from RGGI, even though 55% of their energy comes from the burning of fossil fuels in the form of oil-based plastics.^{1,2}

Greenhouse gases are emitted from New Jersey's trash incinerators at a rate twice that of bituminous coal burning throughout the nation. NJ's incinerators release 4,191 lbs of CO₂ equivalent per megawatthour in 2020, according to EPA's eGRID database, compared to 2,085 lbs/MWh from bituminous coal plants.³ Since NJ's Renewable Portfolio Standard requires utilities to purchase Class II renewable energy credits, which are limited to trash burning and small hydroelectric, no argument can legitimately be made that the full emissions from trash incinerators shouldn't be counted because they offset other fossil fuels.

Incinerating trash and landfilling toxic ash is also twice as bad for the climate as landfilling waste directly. A 2021 life cycle analysis of a Covanta incinerator in Maryland found that the average of ten landfills in Pennsylvania, Ohio, and Virginia, including trucking emissions, amounted to 1,021 lbs of GHG emissions per ton of waste landfilled. Incineration, on the other hand, emits 2,024 lbs/ton.⁴ Unlike landfills, where much of the carbon from plastics, wood and other durable materials ends up sequestered long-term, all of that carbon is directly injected into the atmosphere when burned.

Other health impacts from incineration far exceed those from landfills or coal burning, as incinerators release much higher levels of nitrogen oxides, toxic metals, acid gases, particulate matter, dioxins/furans, and other chemicals that harm those downwind.^{5,6} Studies show that incinerators contribute to increased cancers and respiratory problems in nearby communities.⁷

¹ U.S. Energy Information Administration Form 923 database, 2021 data. www.eia.gov/electricity/data/eia923/

² U.S. Energy Information Administration, "Technical Notes to the Electric Power Monthly, Appendix C, Table 1," p.19. www.eia.gov/electricity/monthly/pdf/technotes.pdf

³ U.S. EPA Emissions & Generation Resource Integrated Database (eGRID) 2020 data, www.epa.gov/egrid

⁴ Zero Waste Montgomery County, "Beyond Incineration: Best Waste Management Strategies for Montgomery County, Maryland," March 2021. www.energyjustice.net/md/beyond.pdf

⁵ Energy Justice Network, "Trash Incineration More Polluting than Coal," www.energyjustice.net/incineration/worsethancoal

⁶ New York State Department of Environmental Conservation, "Matter of the Application of Covanta Energy Corporation for Inclusion of Energy from Waste Facilities as an Eligible Technology in the Main Tier of the Renewable Portfolio Standard Program. Case No. 03-E-0188," p. 27, Aug. 19, 2011.

documents.dps.ny.gov/public/Common/ViewDoc.aspx?DocRefId={DEEA097E-A9A6-4E53-898C-0BC2F4C60CC4} Data summarized in chart on page 2 here: www.energyjustice.net/ny/WheelabratorWestchester.pdf

⁷ Energy Justice Network, "Trash incineration FACT CHECK: Covanta's 'Energy-from-Waste & Health Risk' flyer," Oct. 2020. www.energyjustice.net/incineration/healthstudies.pdf

By arbitrarily exempting trash incinerators from RGGI, New Jersey is putting trash incinerators at a competitive advantage, helping them stay open for more years. Given the location of these incinerators in our state,⁸ this a violation of Title VI of Civil Rights Act of 1964, which prohibits federally-funded bodies like our state from taking actions that have discriminatory impacts on racial minorities. Three of the four trash incinerators in our state – representing 90% of NJ waste burning capacity and 92% of electric generation from NJ incinerators – are in located in low-income communities of color.⁹

NJ's RGGI program must make up for harm to these communities by putting money toward a transition away from incineration. These incinerators are in their last decade of life, anyway. New Jersey's four aging trash incinerators are now 28-32 years old. The average age of the 48 trash incinerators that have closed in the U.S. since 2000 was just 24 years. Only six in the nation have made it into their 40s.¹⁰

RGGI money, in addition to supporting conservation, efficiency, solar, wind, and energy storage, should support Zero Waste programs in communities that send trash to incinerators. Zero Waste is defined to exclude incineration. RGGI funds for Zero Waste efforts should only support communities that commit to ending their use of incineration as soon as current contracts allow. Funds could be made available for a range of projects, programs, and infrastructure that conform with the Zero Waste Hierarchy.¹¹

Both the switch away from incineration (which itself is a Zero Waste measure), and any programs that reduce or stabilize waste sent to landfills, will have significant GHG impacts and deserves financial support from RGGI.

Sincerely,

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⁸ Energy Justice Communities Map: www.energyjustice.net/map/itiny=4884; See also "Incineration and Environmental Racism," www.energyjustice.net/incineration/ej

⁹ *Id.*; Energy Recovery Council, "2018 Directory of Waste-to-Energy Facilities," p.9. www.energyrecoverycouncil.org/wp-content/uploads/2019/10/ERC-2018-directory.pdf; U.S. Energy Information Administration Form 923 database, 2021 data. www.eia.gov/electricity/data/eia923/

¹⁰ Energy Justice Network, "Trash Incinerator Closures: 2000-2020," www.energyjustice.net/incineration/closures.pdf. Note that the article covers 44 incinerator closures and that four additional incinerators closed since 2020, pushing the average age at closure from 23 to 24.

¹¹ Zero Waste International Alliance, Zero Waste Definition and Zero Waste Hierarchy, www.zwia.org/zwh; See also U.S. Environmental Protection Agency, "Managing and Transforming Waste Streams Tool," www.epa.gov/transforming-waste-tool/managing-and-transforming-waste-streams-tool and Zero Waste USA Community Planning Checklist, www.zerowasteusa.org/checklist/

Organizations signed on in support:

Brian Dilks-Brotman, Core Leadership Team member
Bend the Arc Jewish Action: South Jersey

LaTricea Adams, CEO and President
Black Millennials 4 Flint

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Campus Coalition Concerning Chester (C4)

Mike Ewall, Executive Director
Energy Justice Network

Doug O'Malley, Director
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Rachel Green, MPA, Founder and CEO
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Individuals signed on in support

Ann Gillespie
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