

Resolution of the City of Jersey City, N.J.

File No. Res. 20-516
Agenda No. 10.75
Approved: Jul 15 2020



RESOLUTION OPPOSING CONSTRUCTION OF THE NJ TRANSIT GAS-FIRED POWER PLAN IN KEARNY

COUNCIL offered and moved adoption of the following resolution:

WHEREAS, NJ TRANSIT has proposed to build a \$546 million, 140 megawatt natural gas-fired power plant (aka NJ TRANSIT GRID Traction Power System) in Kearny, NJ, 4.2 miles from the nearest Hoboken residential property, and under 1 mile from the nearest Jersey City residential property; and

WHEREAS, this power plant would be paid for using use \$546 million of state and federal taxpayer money including a Superstorm Sandy Resilience grant of \$410 million; and

WHEREAS, the City Council of Jersey City has a principal responsibility to protect the health and safety of its residents, businesses and institutions; and

WHEREAS, the proposed NJ TRANSIT Grid power plant would be another long term source of harmful air pollution directly impacting Hudson County residents; and

WHEREAS, natural gas is becoming less attractive than renewable technologies due to the rapidly improving cost effectiveness of renewable technologies, the impact of fossil fuels on our climate crisis (and the need to immediately make deep cuts, not increases, in GHG emissions) and the increasing likelihood of fossil fuel infrastructures becoming stranded assets over their expected lifetime.; and

WHEREAS, gas infrastructure facilities can annually emit into the air hundreds of tons of pollutants including particulate matter, toxic chemicals such as sulfur dioxide, mercury, and criteria pollutants (such as nitrogen oxides which cause smog, acid rain and contribute to ozone production),[6] some of which are known carcinogens such as benzene and formaldehyde, and can also be sources of radioactive contamination[7] and are known to increase the severity of asthma and other respiratory diseases; and

WHEREAS, particulate matter, once inhaled, can affect the heart and lungs and cause serious health effects including lung cancer. Long-term exposure to ozone is linked to aggravation of asthma, emphysema, and chronic bronchitis, and it is likely to be one of many causes of asthma development. Long-term exposures to ozone may also be linked to permanent lung damage, such as abnormal lung development in children. Both ozone and particulate pollutants have been linked to premature death, cardiovascular harm and increased susceptibility to infections. Recent studies have also linked air pollution to increases in obesity, diabetes, Parkinson's disease, Alzheimer's and other forms of dementia and stroke. [8] People most at risk from breathing air containing ozone include people with asthma, children, older adults, and people who are active outdoors, especially outdoor workers; and

WHEREAS, based on the American Lung Association "State of the Air 2018" report, Hudson County, which will be most impacted by emissions from this power plant, already has significant populations (in some cases the largest in New Jersey), with pediatric and adult asthma, COPD, lung cancer, cardiovascular disease and diabetes, [13] whose conditions will only be exacerbated by additional volumes of air pollution; and

WHEREAS, developing fetuses and children are uniquely vulnerable to exposures as they receive proportionally greater doses of pollutants than adults and have immature organs and detoxification systems [14] [and 10% of Hoboken's population is under the age of 9](#); and

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WHEREAS, peer-reviewed scientific studies [3] link exposure between air pollutants emitted from natural gas infrastructure facilities and neurological, cardiovascular and respiratory disease, cancer, birth defects, and other adverse health impacts. Acute health impacts from these toxic exposures can cause burning eyes, headaches, breathing difficulty and nausea for nearby populations and can exacerbate health problems. Chronic health impacts can include certain types of cancer as well as damage to lungs, liver, kidneys, reproductive, nervous and cardiovascular systems; and

WHEREAS, the American Medical Association acknowledges the hazards of natural gas infrastructure and associated adverse health impacts; and

WHEREAS, Bergen and Hudson Counties (proposed site of the Kearny plant) already receive grades of ‘F’ from the American Lung Association for ozone air pollution [17]; and

WHEREAS, the annual health impacts of burning 1 (one) Bcf/day of gas in the NY/NJ metropolitan area are estimated to be: [21] ; and

Impact	Incidents per year	Societal Value*	Direct Medical and Other Costs
Premature Mortality	35.3	\$238,712,000	\$10,585,000
Chronic Bronchitis	22.3	\$10,554,000	\$2,700,000
Hospital+ER visits	32.8	\$432,000	\$345,000
Asthma Attacks	724.5	\$43,000	\$42,000
Respiratory Symptoms	32,720	\$1,190,000	\$1,190,000
Work Loss Days	6,374	\$1,160,000	\$1,079,000
Mercury Related	NA	\$12,277,000	\$13,277,000
Total		\$265,369,000	\$29,217,000

*Costs to consumers for which they are not reimbursed.

WHEREAS, In 2015, the Jersey City Council passed [Resolution 15-485 to Fight Climate Change](#). In 2017, [Mayor Steven M. Fulop joined the “Mayors for Climate” Coalition following President Trump’s Withdrawal from the Paris Climate Agreement](#). In 2017, the Jersey City Council passed [Resolution 17-517 Reaffirming the Paris Climate Agreement](#). In 2018, Mayor Fulop signed a letter of commitment officially joining the City of Jersey City to the Global Covenant of Mayors for Climate & Energy; [and](#)

WHEREAS, the NJ TRANSITGRID power plant would become the 13th largest emitter of greenhouse gases in New Jersey emitting dumping 5771,000 tons of Carbon Dioxide equivalent greenhouse gases into the atmosphere annually [2]; and

WHEREAS, methane is the primary ingredient of natural gas and leaks at every system stage of production, including extraction, processing, transmission, distribution, and final consumption; and

WHEREAS, methane is an extremely potent greenhouse gas with a global warming potential that is 34 times that of carbon dioxide over a 100-year timeframe and 86 times that of carbon dioxide over a 20-year timeframe; and

WHEREAS, methane emissions from gas power plants may be considerably higher than previously thought. A 2017 study[15] [16] found that gas-fired power plants released more than 20 times more methane than the facilities had estimated; and

WHEREAS, NJ Transit’s failure to seriously evaluate clean energy alternatives is in direct contradiction with several New Jersey laws and policies, including the Clean Air Act, the 2018 Clean Energy Act, and the recently finalized Energy Master Plan to achieve 100% clean energy economy wide in New Jersey by 2050; and

WHEREAS, the air pollution from the power plant would disproportionately harm communities of color and low income communities in Kearny, Newark and Jersey City, in direct contradiction with Governor Murphy’s Executive Order 23 to promote environmental justice for all; and

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WHEREAS, the proposed site of the plant would be built on top of a Superfund Site and the former Koppers Seaboard Coke and By-Products plant as well as in an active flood plain that is at [risk for at least one flood over 6 ft taking place between 2020 and 2050](#); and

WHEREAS, geological changes along the East Coast are causing land to sink along the seaboard. This is exacerbating the flood-inducing effects of sea level rise, which has been occurring faster in the western Atlantic Ocean than elsewhere in recent years. A 2016 article in Scientific American[24] reported that Sandy Hook is sinking at the rate of over one inch per decade while regional sea level is rising at over three inches per decade; and

WHEREAS, the proposed gas-fired plant will increase the volume of fracked-gas used in New Jersey which will also increase the drilling and associated environmentally destructive activities associated with its production and transport[27] in the region; and

WHEREAS, this proposed power plant would utilize Hurricane Sandy Relief funding for a power plant that would increase GHG emissions, thus increasing the likelihood of more Sandy-like storms, when New Jersey and its governor should be taking every action possible to safeguard our climate future; and

WHEREAS, A-3723 – New Jersey's Clean Energy Law – establishes one of the most ambitious renewable energy standards in the country by requiring that 21 percent of the energy sold in the state be from Class I renewable energy sources by 2020; 35 percent by 2025 and 50 percent by 2030. It also codifies the Governor's goal of achieving 600 MW of energy storage by 2021 and 2,000 MW by 2030; and

WHEREAS, Governor Murphy should direct federal grants and relief funds towards energy solutions that will help achieve NJ renewable energy and battery storage goals; and

WHEREAS, two countries, Belgium, and Austria, already use solar technology to directly provide power to train systems (although not in 24x7 mode) and other countries are using solar to power train lights, signaling, stations and other elements of railroad systems with the intent of using solar to fully power their trains in the future; and

WHEREAS, NJ Transit has the opportunity to become a nationwide leader in both renewable energy and environmentally beneficial transit solutions. As such, it is incumbent upon the agency to make every effort to adopt solar/storage for its electrified rail system; and

NOW, THEREFORE, BE IT RESOLVED, be it resolved that the City Council of Jersey City in the interest of protecting its residents, businesses and institutions, strongly opposes the utilization of gas-fired turbines to construct the NJ TRANSITGRID Traction Power System microgrid; and

NOW, THEREFORE, BE IT FURTHER RESOLVEDthat the City of Jersey City supports a renewable energy based (solar, tidal, wind) and storage systems in the place of a gas fired power plant; and

NOW, THEREFORE, BE IT FURTHER RESOLVEDthat the City of Jersey City demands that Governor Murphy direct NJ Transit to immediately undertake a comprehensive engineering and economic analysis of the use of various renewable energy and storage technologies to power its Traction Power System microgrid and report back to the Governor and the public on the results of this analysis before it proceeds with bids to construct the system; and

NOW, THEREFORE, BE IT FURTHER RESOLVEDthat the City Clerk shall forward this Resolution to:

- New Jersey Governor Phil Murphy
- Commissioner of the NJ Department of Environmental Protection
- State Senator Brian P. Stack
- State Assemblypersons Annette Chaparro and Raj Mukherji
- Food and Water Watch, 100 Bayard Street, Suite 310, New Brunswick, NJ 08901
- The Sierra Club – New Jersey Chapter, 145 W. Hanover Street, Trenton NJ 08618

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- Hackensack Riverkeeper
- Hudson, Bergen, and Essex County Freeholders and Administration and all Hudson, Bergen, and Essex County Municipal Councils, Boards of Health and Environmental Commissions
- League of New Jersey Municipalities
- NJ Advance Media
- East Coast Greenway Alliance

[1] <https://www.northjersey.com/story/news/environment/2018/04/10/new-power-plant-meadowlands-electricity-nyc/503255002/>
<http://newyork.cbslocal.com/2018/04/25/meadowlands-natural-gas-plant-proposal/>

[2] <https://www.cleanwateraction.org/events/strike-us-north-jersey-climate-strike-dec-6th>

[3] PSE for Healthy Energy Repository for Oil and Gas Energy Research: <https://www.psehealthyenergy.org/our-work/shale-gas-research-library/>

[4] <https://www.osha.gov/news/newsreleases/national/08052010>

[5] https://violationtracker.goodjobsfirst.org/prog.php?major_industry_sum=utilities+and+power+generation

[6] Criteria air Pollutants (CAP), or criteria pollutants, are a set of [air pollutants](#) that cause [smog](#), [acid rain](#), and other health hazards. CAPs are typically emitted from many sources in [industry](#), [mining](#), [transportation](#), [electricity generation](#) and [agriculture](#). In many cases they are the products of the [combustion](#) of [fossil fuels](#) or industrial processes.

[7] Environmental Health Project Report, October 2017: Health Effects Associated with Stack Chemical Emissions from NYS Compressor Stations: 2008-2014: <http://www.environmentalhealthproject-ny.org/>

[8] <https://www.sciencenews.org/article/list-diseases-linked-air-pollution-growing>

[9] Food & Water Watch

[10] Letter from NJDEP dated 10/17/18 to William Sheehan, Hackensack Riverkeeper

[11] For reference, total NJ greenhouse gas emissions in 2015 were equivalent to 101M metric tons of CO2 and electricity production in New Jersey currently generates 18M metric tons of CO2. 3.5M tons is equivalent to a 19.4% increase in CO2 from electric generation. <https://www.state.nj.us/dep/aqes/climate/data.html>

[12] This is an estimate provided by the applicant in their DEP permit application and was provided in the NJDEP letter above. However, studies of similar power plants produced an estimate of 1,000 tons per year. Recent studies of methane emissions from power plants have shown under-reporting by factors ranging from 21 to 120 by the power plant operators. <http://blogs.edf.org/energyexchange/2017/03/16/study-emissions-from-power-plants-refineries-may-be-far-higher-than-reported/>

[13] Numbers of residents in 2017 in each county with the diseases shown:

County	Pediatric Asthma	Adult Asthma	COPD	Lung Cancer	Cardiovascular Disease	Diabetes	Poverty Estimate
Bergen	16,376*	61,021*	47,586*	525*	62,375*	70,715*	63,789
Hudson	11,286	44,533	29,582	379	36,091	40,122	104,660

*Highest volume in New Jersey

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[14] Reducing the staggering costs of environmental disease in children, estimated at \$76.6 billion in 2008, Trasande, L, et al, Health Affairs, May 2011: <https://www.ncbi.nlm.nih.gov/pubmed/21543421>

[15] Food & Water Watch

[16]<https://www.desmogblog.com/2017/03/20/natural-gas-power-plants-fracking-methane>

[17] American Lung Association 2018 State of the Air report

<http://www.lung.org/our-initiatives/healthy-air/sota/city-rankings/states/new-jersey/>

Shows Hudson and Bergen Counties with grade of F for high ozone days and 22 orange days each

[18]https://www.ucsusa.org/sites/default/files/legacy/assets/documents/global_warming/climate-change-and-ozone-pollution.pdf

[19]
https://violationtracker.goodjobsfirst.org/prog.php?parent=&major_industry_sum=utilities+and+power+generation&primary_offense_sum=environmental+violation&agency_sum=&hq_id_sum=&company_op=starts&company=&major_industry%5B%5D=&all_offense%5B%5D=&penalty_op=%3E&penalty=&agency_code%5B%5D=&pen_year%5B%5D=&pres_term=&free_text=&case_type=&ownership%5B%5D=&hq_id=&naics%5B%5D=&state=&city=

[20] North Bergen Liberty Generating, LLC, Economic and Fiscal Analysis

https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&cad=rja&uact=8&ved=2ahUKEwjg7o2U8ezaAhXPwVkJKHbRSAJAQFjAAegQIABAq&url=http%3A%2F%2Fdocument.s.dps.ny.gov%2Fpublic%2FCommon%2FViewDoc.aspx%3FDocRefId%3D%257BCF578449-B169-4EAF-9661-BE1A91A35A3B%257D&usg=AOvVaw2pa9f00UCw90mDPB_Zv620

Shows assumptions and model for financial benefits from the plant.

[21] <https://www.sierraclub.org/sites/www.sierraclub.org/files/sce-authors/u1997/HCWH%20pipeline%20health%20impacts.pdf>

[22]<http://www.njspotlight.com/stories/18/04/30/op-ed-workers-and-environmentalists-stand-in-solidarity-on-climate/>

[23]<http://library.rpa.org/pdf/RPA-4RP-Places.pdf>

[24]<https://www.scientificamerican.com/article/sinking-atlantic-coastline-meets-rapidly-rising-seas/>

[25] <https://www.utilitydive.com/news/mitsubishi-subsiary-seeks-permits-for-15b-gas-plant-to-send-power-to-ny/521146/>

[26] <https://www.riverkeeper.org/wp-content/uploads/2017/03/Clean-Energy-for-New-York-16-121-02-23-2017.pdf>

Important caveat: New York will require an aggressive energy efficiency policy framework in order to secure the improvements needed to obtain the energy efficiency levels modeled in this analysis. Critically, such a policy framework is not currently in place in New York for attaining the levels of energy efficiency contemplated.

[27] PSR/CHPNY Compendium 5th Edition (March 2018): http://concernedhealthny.org/wp-content/uploads/2018/03/Fracking_Science_Compendium_5FINAL.pdf

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APPROVED AS TO LEGAL FORM

Business Administrator

Corporation Counsel

Certification Required

RECORD OF COUNCIL VOTE – Jul 15														9-0
	AYE	NAY	N.V.	Absent		AYE	NAY	N.V.	Absent		AYE	NAY	N.V.	Absent
RIDLEY	✓				SALEH	✓				LAVARRO	✓			
PRINZ-AREY	✓				SOLOMON	✓				RIVERA	✓			
BOGGIANO	✓				ROBINSON	✓				WATTERMAN, PRES	✓			

N.V. –
(Abstain)

Adopted at a meeting of the Municipal Council of the City of Jersey.

Joyce E. Watterman, President of Council

Sean Gallagher, City Clerk

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RESOLUTION FACT SHEET -

This summary sheet is to be attached to the front of any resolution that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Project Manager

Mira Prinz-Arey, Councilperson	201-547-5101	MPrinz-Arey@jcnj.org
Division	Municipal Council	

Note: Project Manager must be available by phone during agenda meeting (Wednesday prior to council meeting @ 1:00 p.m.)

Purpose

The purpose of this Resolution is to oppose construction of the NJ Transit Gas-Fired Power Plan in Kearny

Cost (Identify all sources and amounts)

n/a

Contract term (include all)

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If “Other Exception”, enter type:

This resolution is co-sponsored by Councilperson Ridley

Approved by
 John Mercer, Assistant Business Administrator
 Melissa Kozakiewicz, Assistant Business Administrator
 Gregory Corrado, Asst. Business Administrator
 John McKinney, Attorney
 Peter Baker, Corporation Counsel
 Amy Forman, Attorney
 Nick Strasser, Attorney
 Norma Garcia, Attorney
 Ray Reddington, Attorney
 Jeremy Jacobsen, Attorney
 Sapana Shah, Attorney
 Brian Platt, Business Administrator

Status:
 Approved - Jul 09 2020
 None
 None
 None
 None
 None
 None
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 None
 None
 None
 None
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