



## PEAK Coalition

### Statement on low NOx emissions rule for power plants during the ozone season. May 1, 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 celebrates the implementation of the first phase of the New York State Department of Environmental Conservation's rule reducing the allowable level of nitrogen oxide (NOx) emissions from peaker power plants during the higher ozone level season, which comes into effect on May 1, 2023.**

Peaker power plants often contribute to more than a third of New York State's NOx emissions when operating. These emissions lead to significantly higher levels of asthma, disruption to cognitive development, and other cardiovascular issues in the environmental justice and other disadvantaged communities where peaker power plants are disproportionately sited.

Compliance with the lower NOx emissions limits has forced some of the city's oldest and dirtiest peaker plants to consider and actively pursue deactivation, allowing existing power plant sites to be redeveloped for energy storage and offshore wind infrastructure. However, other power plants have elected to comply with the NOx ruling by only ceasing operations during the ozone season, which roughly corresponds with the summer cooling season when demands for peaking power are currently the highest. While this is an improvement, it still leaves inefficient oil and gas power plants in place and free to pollute surrounding communities for the remainder of the year. This is particularly troubling considering projections that New York will shift to a winter-peaking grid as heating electrification increases demand during cooler months.

PEAK Coalition calls for an expansion of Ozone pollution rules in light of the accelerating climate crisis and changing power demands. If peaker plant utilization can be curbed during the high-demand summer months today, PEAK Coalition members are optimistic that peaker plants all throughout New York State can be transitioned to renewable energy and energy storage throughout the year in the near future. New York State issued an ozone pollution warning as early as April 14 in 2023, showing that limiting NOx emissions from power plants only during a set timeframe is no longer sufficient to protect the environment and health of New Yorkers.

PEAK Coalition is energized by this first step in reducing harmful pollution in frontline communities. We are eager to continue collaborating with stakeholders to accelerate the full closure of fossil fuel peaker plants in New York communities.