

Draft Scoping Plan Comments  
NYSERDA  
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June 7, 2022

RE: Comments on Climate Action Council Draft Scoping Plan

Dear NYSERDA,

Thank you for this opportunity to comment on the Draft Scoping Plan.

### **The Draft Scoping Plan needs a stronger stance on Nuclear Power Generation**

Right this very minute, there are 2 important proposals pending approval by the EPA: Federal Implementation Plan Addressing Regional Ozone Transport for the 2015 Ozone National Ambient Air Quality Standard and Standards of Performance for New, Reconstructed, and Modified Sources and Emissions Guidelines for Existing Sources: Oil and Natural Gas Sector Climate Review<sup>1</sup>

With regards to managing “upstream” fracked gas emissions, these proposals offer important regulations that would complement and fortify CLCPA emissions requirements. NYSDEC submitted comments for the Standards of Performance for New, Reconstructed, and Modified Sources and Emissions Guidelines for Existing Sources: Oil and Natural Gas Sector Climate Review proposal stating that:

*The New York State Department of Environmental Conservation (DEC) strongly supports the Environmental Protection Agency’s (EPA) proposed updates to the new and existing oil and natural gas requirements. Emissions from this sector continue to impact New York’s ability to attain the ozone standard and our ability to meet important greenhouse gas reduction requirements mandated by New York’s nation leading Climate Leadership and Community Protection Act (CLCPA).*<sup>2</sup>

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<sup>1</sup> <https://www.govinfo.gov/content/pkg/FR-2022-04-06/pdf/2022-04551.pdf>

20036 Federal Register / Vol. 87, No. 66 / Wednesday, April 6, 2022 / Proposed Rules

<https://www.regulations.gov/docket/EPA-HQ-OAR-2021-0317>

Federal Register / Vol. 86, No. 217 / Monday, November 15, 2021 / Proposed Rules 63113

<sup>2</sup> [https://downloads.regulations.gov/EPA-HQ-OAR-2021-0317-0744/attachment\\_1.pdf](https://downloads.regulations.gov/EPA-HQ-OAR-2021-0317-0744/attachment_1.pdf)

Comments submitted on behalf of Commissioner Basil Seggos, New York State Department of Environmental Conservation.

Indeed, NYS will need the regulatory support of the EPA concerning other states' "upstream" emissions. The Draft Scoping Plan (the Plan) lists the percentage of imported fuels by sector as the following:

Transportation, emissions from imported fuels (26%); Building, emissions from imported fuels (33%); Electricity, emissions from imported fuels (41%) Industry, emissions from imported fuels (20%).

The Transportation sector contributes approximately 28% of the state's emissions and the Building sector 32% of the state's emissions, together, 60% of the total emissions in 2019.

NYISO's Climate Change Phase II Report notes:

*The New York power system is currently heavily dependent on natural gas fired generating units to provide energy, to be available during high load hours, to provide critical reserves on the system, and to be able to ramp up and down on timescales of seconds, minutes, hours, and days to manage net load variability. At least as currently configured and fueled, these resources cannot operate in 2040.<sup>3</sup>*  
Pg. 58

Until I read NYISO's Phase II report, I had no idea of the difficulty for the grid to utilize intermittent energy that solar and wind renewables generate. I humbly state that most people advocating for renewable energy do not understand this difficulty.

The difficulty comes with having "baseload" dispatchable energy or having as yet to be built storage capabilities to balance the intermittent supply of renewable generated energy. As well, about 65% of state electricity demand is 24x7x365. That's not intermittent demand.

We have 3 remaining nuclear power plants in NY. Nuclear power has the highest capacity factor of all at 92.5%. That's about 1.5 to 2 times more as natural gas and coal units, and 2.5 to 3.5 times more reliable than wind and solar plants.<sup>4</sup>

NYISO and NYSERDA estimates both suggest we will need dispatchable backup capacity equal to all the current fossil fuel plants in the state. Only hydro and nuclear currently provide scalable dispatchable carbon-free power and NYS hydro can't be expanded to provide this power.

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<sup>3</sup> <https://www.nyiso.com/documents/20142/16884550/NYISO-Climate-Impact-Study-Phase-2-Report.pdf/e9214fd4-9c52-036d-b92b-15f282e686e6>

Phase II Report

<sup>4</sup> <https://www.energy.gov/ne/articles/nuclear-power-most-reliable-energy-source-and-its-not-even-close#:~:text=Nuclear%20Has%20The%20Highest%20Capacity%20Factor&text=This%20basically%20means%20nuclear%20power,than%20wind%20and%20solar%20plants.>

Nuclear Power is the Most Reliable Energy Source and It's Not Even Close  
Office of Nuclear Energy

The Plan mentions nuclear energy:

*Nuclear power generation is a complex technology with potential impacts on host communities as well as questions relating to the impacts of nuclear waste on health and the environment. Yet at the same time, nuclear generation provides a significant amount of baseload resources and is carbon-free, providing a complement to the increasing amount of variable generation renewables being added to the grid. Pg. 177*

Our “heavy dependency” on natural gas in the Ozone Transport Region (OTR) has caused hundreds of premature deaths each year and billions of dollars in healthcare each year.<sup>5</sup>

Couldn't those billions of dollars be spent building new, smaller and (even more) efficient, carbon emission free nuclear power plants?

We need to keep the existing nuclear power plants running and we need more of them. The sooner we have the electricity to ramp up beneficial electrification in the Transportation (electric vehicles) and Building (district geothermal heating and cooling) sectors, the sooner people stop dying prematurely from polluted air from gas fired electric generation, home heating and vehicle exhaust. The billions of dollars saved from healthcare costs could support the building of new nuclear plants.

Leave the gas in the ground.

Thank you for your consideration of my comments.

Respectfully submitted,

Jan Mulroy

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<sup>5</sup>“It was estimated that approximately 600 – 2,400 individuals would have not died prematurely each year between 2011-2019 had the OTR attained a level that met the 70 ppb Ozone NAAQS with even more individuals that would not have died if ozone levels were even lower.”

“Additionally, it was estimated that there would have been economic benefit to the OTR in the range of \$5-19 billion in all health impacts from reducing ozone to 70 ppb in more typical years.”

Analysis of the Potential Health Impacts of Reducing Ozone Levels in the Ozone Transport Region Using BenMAP – 2021 Edition

<https://otcair.org/upload/Documents/Reports/BenMap%20Rollback%20Analysis%202021ed%20-%20Data%20to%202020-2.pdf>