

The Star-Ledger

N.J. sues Trump twice, saying new rules will bring more pollution

By Blake Nelson and Michael Sol Warren

NJ Advance Media for NJ.com and The Star-Ledger

Published July 22, 2020

New Jersey expanded its fight with President Donald Trump's administration this week, joining two environmental lawsuits that accuse the federal government of shirking its responsibility to protect the water and air.

Both complaints target rules from the U.S. Environmental Protection Agency, where officials have said they're only jettisoning unnecessary regulations while still safeguarding the environment.

Last year, Trump signed an executive order saying there were too many hoops developers had to jump through to build hydropower plants, pipelines and other projects. A more "efficient" approval process would allow local economies to move and sell energy cheaper and faster, he wrote.

The EPA complied earlier this month by limiting how much power local governments have when reviewing projects that could affect water quality. The new rule sets a stricter timeframe on how long states have to review proposals, an improvement to the older "outdated" guidelines, the agency wrote.

Twenty states disagreed. The change "unlawfully" ties the hands of local regulators while "prioritizing ... projects over water quality," according to the complaint filed in U.S. District Court for the Northern District of California.

"The federal government is taking unprecedented steps to stop states from fulfilling our important duties to prevent the pollution of our waters," state Attorney General Gurbir Grewal said in a statement.

The rule is scheduled to take effect Sept. 11. An EPA spokesman declined comment on the lawsuit.

The second complaint targets a change from May, when the agency loosened oversight of pollutants that coal and oil plants pump into the air. The new rule affects New Jersey's ability to deal with mercury floating in from out of state, which can hurt your brain, lungs and immune system, and be especially damaging to babies.

The shift "will cut mercury and air toxics standards—allowing power-plants to put the health of our residents and freshwater at risk," Grewal Tweeted.

The complaint asked a court to intervene and force the EPA to uphold its previous standard. It was filed in the Washington, D.C. circuit of the U.S. Court of Appeals with more than a dozen other states.

New Jersey has sued the Trump administration, and the EPA specifically, repeatedly over the past two years, including another water pollution suit filed in May.