

Good morning, my name is Kim Gaddy, I am the Chair of the NJDEP Environmental Justice Advisory Council (EJAC), founder of Newark's South Ward Environmental Alliance, and National and New Jersey Environmental Justice Director for Clean Water Action.

I want to thank the Clean Air Council for the opportunity to share the concerns we have regarding our ability to Just Breathe Clean Air in Environmental Justice Communities in New Jersey.

“I can't breathe” doesn't just apply to racial justice, it applies to environmental justice. That's reality if you want Black Lives to Matter.

As a mother of three asthmatic children and 4th generation Newarker, I know all too well about the health impacts of air pollution in the City of Newark and the link to the high asthma rates of children and elderly residents, Unfortunately 1 in 4 children in Newark have asthma, in New Jersey 167,000 children and over 600,000 adults have asthma. The disproportionately high cost of emergency visits is paid for by families and taxpayer funds alike. If the pollution is reduced in these neighborhoods, visits to emergency rooms and other chronic costs of illness, like lost work and school days, and long-term care would decrease as well as funding from taxpayers. While the negative impacts of air pollution are well known to local residents, workers, and visitors who spend time in EJ Communities, scientifically-backed data at the hyperlocal level is needed to mobilize the funding and other resources needed to address the longstanding and unequal EJ issues that people face in overburdened communities.

The city of Newark is an environmentally overburdened community from cumulative impacts of pollution sources. Residents are highly concerned about their exposure to elevated levels of toxic air pollutants, and justifiably so according to best available data like the EPA's EJ Screen. The long history of and close proximity to industrial pollution, and a lack of information about residents' exposures is an environmental health injustice. Residents' health and quality of life are degraded by a multitude of stationary and mobile emissions sources, which include fugitive dust, carcinogenic volatile organics, NO_x, black carbon/particulate matter, unpleasant odors, and visible emissions from traffic, solid waste handling facilities, seaports, airports, and industrial corridors. Prolonged exposure is costing local residents and workers millions of dollars per year, and years of their lives. Black, Brown and low income lives matter.

Direct and indirect air pollution from activities associated with the Port of NY/NJ is massive, and for several pollutants, levels appear to be increasing (e.g., NO_x, CO, CO₂e). Moreover, Essex County, where Newark is located, is in nonattainment for ozone, and the city's residents are subjected to cumulative impact of other harmful environmental exposures in addition to substantial economic and social problems. To make matters worse, a recent Harvard study reveals that Black and Brown people get sicker and die more often from COVID-19 if living with poor air quality, and Essex County has the highest death count in the state. While the COVID-19 pandemic temporarily reduced air pollution from individual passenger cars along NJ's highways, the Port of NY/NJ continues to operate at full capacity, becoming the busiest in the nation this past year—i.e. 18,000-25,000 truck trips moving through port-adjacent

environmental justice neighborhoods on a daily basis. Based on community input, enhanced hyper-local air monitoring, health modeling assessments tied to air quality empirics, and/or other strategies and tactics should be utilized. Ultimately the goal is to reduce health risks and improve the welfare of New Jersey's port-adjacent communities like the South and East Ward of Newark, Elizabeth, Jersey City, Bayonne and Camden to name a few.

The Port of New York/New Jersey is growing at an alarming rate, and near-port communities, most often inhabited by people of color and those of low socio-economic status, are continuing to feel the brunt of air pollution and other industrial ills (e.g., noise, safety, property values) related to these operations. Ports in the United States often exemplify how international trade and goods movement, if not managed properly from an environmental standpoint, can undermine the vitality, resiliency, and economic potential of adjoining neighborhoods.

The EJAC Air Committee received several complaints of fires at the Newark and Camden Port. The fires were connected to the metal recycling facilities at the Port and the fire lasted for days at a time. Unfortunately, due to lack of communication and sharing of information between the emergency response team and NJDEP, communities were left with poor air quality and no answers as to their health concerns.

We heard from DEP that monitoring systems aren't meant for emergencies, they are meant to analyze long term trends and each sample is very expensive. This doesn't work for families fighting to Breathe Clean Air in their neighborhoods. We need the ability to get answers and solutions in real time. As my

EJAC members stated, therein lies the problem. With the Newark and Camden fire – it was burning for days and there were immediate releases of toxics. There is a problem if DEP does not have oversight when there are toxic releases.

New Jersey has many options to regulate emissions from mobile sources that are permissible under the Clean Air Act. These include:

- 1) Adopt Indirect Source Review rules to limit cumulative emissions from multiple, not just individual, smaller sources of emissions at facilities of concern, e.g. fleets of trucks at warehouses and ports;
- 2) Adopt California's new engine emission standards as soon as they are finalized;
- 3) Accelerate adoption of the proposed Heavy-Duty New Engine and Vehicle and Diesel Vehicle Inspection rule;
- 4) Strengthen and accelerate implementation of the recently adopted cargo handling and advanced clean truck rules specifically and CPR rules (I and II) more generally;
- 5) Adopt Advanced Clear Car 2 this year in time for it to apply to Model Year 2027;
- 6) Implement the just adopted EJ rule aggressively (apply it to proposed PVSC and Woodbridge dirty gas plants, current permit renewals for Newark and Camden incinerators and the Newark Energy (aka dirty gas) Center);
- 7) Divert the \$10 billion slated for the flawed Turnpike expansion in Hudson County to mass transit;
- 8) Require government entities to purchase ZE vehicles;
- 9) Adopt incentives for the purchase/use of ZE vehicles;
- 10) Regulate non-emission related aspects of vehicles like horsepower.

Lastly, engaging in community-based initiatives, such as hyper-local air monitoring and improvement projects inside and outside the Port and establishing Zero Emission Zones in the impacted communities, must be prioritized.

In closing, I want to leave you with this quote from Governor Murphy upon adoption of the EJ law's rules 2 days ago, "Today we are sending a clear message that we will no longer allow Black and Brown communities in our state to be dumping grounds, where access to clean air and clean water are overlooked. This action is a historic step to ensure that true community input and collaboration will factor into decisions that have a cumulative impact for years to come, I'm incredibly proud that New Jersey is now home to the strongest environmental justice law in the nation."

Let's remember these words and allow thousands of residents in EJ communities to Just Breathe Clean Air.

This presentation shows you what communities of color have always known -- the unfair distribution of pollution sources means we don't all breathe the same air. Having laws and rules on the books aren't enough, we must do better implementing and strengthening them NOW!