



Middlesex County Environmental Justice Community Engagement Session

Where: Alexander F. Jankowski Community Center, 1 Olive Street, Perth Amboy

When: Tuesday, June 13th @ 6:00pm-7:30pm

Approximately 70 participants in-person and 75 participants online via Zoom livestream (including DEP, EPA, and City of Perth Amboy staff)

Spanish interpretation provided.

Summary: Department of Environmental Protection (DEP) Commissioner Shawn LaTourette, Office of Environmental Justice (OEJ) Director Kandyce Perry and EPA Region 2 Administrator Lisa Garcia led a community engagement session with residents of Middlesex County to discuss environmental justice in Atlantic County. Khalid Anjum, head of the Middlesex County Department of Transportation also made opening remarks.

Introductory Remarks

Kandyce Perry, the Environmental Justice Director at New Jersey's Department of Environmental Protection (DEP), welcomed everyone to the meeting and introduced Shawn LaTourette, the State's Commissioner for Environmental Protection, and Lisa Garcia, the U.S. EPA Regional Administrator for Region Two (including New Jersey) and asks any local officials for opening remarks.

DEP acknowledges that minority and low-income communities in the region, including Middlesex County, face environmental challenges due to contaminated sites and climate-related events like flooding and sea-level rise.

It emphasizes the importance of hearing directly from impacted communities to inform government actions and incorporate their lived experiences.

This meeting is part of the environmental justice tour, which visited seven other counties last year and plans to make more stops throughout the year.

Special thanks are extended to partners, including the Jankowski Center and the city of Perth Amboy, for their support and warm welcome.

Recognition is given to the DEP's Office of Environmental Justice staff for their assistance and availability for questions following the meeting.

The **Middlesex County DOT Representative Khalid Anjum** discussed the county's comprehensive plan, "Destination 2040," which focuses on being prepared for challenges and serving the community.

The plan addresses various areas such as economics, ecology, environment, resources, education, and workforce readiness.

Environmental justice is a key element of the plan, with approximately 40 components dedicated to it.



The county has numerous projects related to resilience, electric vehicles, smart investments, and pursuing grants.

They highlight investments in resiliency, including a recent million-dollar investment in flood control and innovative solutions.

The county is aligned with state and federal initiatives, actively working towards shared goals and expressing a desire to partner.

DEP Commissioner Shawn LaTourette expressed gratitude to the city of Perth Amboy and the representatives for their hospitality and for the earlier meetings with the Mayor, Speaker Coughlin, Assembly Woman Lopez, and other city officials.

The DEP explained that the purpose of the meeting is to discuss environmental justice in Middlesex County and invites attendees to raise their comments, questions, or concerns. The Commissioner also provided a meeting disclaimer to clarify that the engagement session was to hear about all resident concerns, and it was not a public hearing on specifically or exclusively on the Competitive Power Ventures (CPV) Keasbey Energy Center as the public process for said project concluded on April 30, 2023. He continued that CPV questions would be addressed at the end of the session to allow space for a diversity of topics brought by residents of Middlesex County overburdened communities.

Engaging with communities and understanding their issues is crucial for the DEP and the entire Cabinet to make informed decisions.

The Commissioner emphasized the importance of being on the ground and hearing directly from the people they serve.

They highlighted that lessons learned from community engagement shape their daily work and that the government's role is to serve the people.

The DEP is present to listen and learn, acknowledging that they don't have all the answers.

Lisa Garcia, the EPA Regional Administrator for Region 2, expressed gratitude to Commissioner LaTourette, Perry, and the city of Perth Amboy for their partnership and hosting the meeting.

She emphasized the importance of engaging in person and hearing directly from the community to improve their work.

The EPA's focus is on partnering with states, local governments, and serving the people.

Garcia mentioned President Biden's executive order, which prioritizes tackling the climate crisis and advancing environmental justice.

She highlighted the significant investment of over \$100 billion through the bipartisan infrastructure law and the Inflation Reduction Act.

Garcia mentioned the [Justice 40 Initiative](#), which aims to invest in disadvantaged and overburdened communities.

Question & Answer Session

1. **Question:** To what degree will code enforcement be enforced in Perth Amboy?

Summary: A resident of Perth Amboy and an NYU student studying energy transition expressed concerns about the enforcement of code violations in the city. She shared a specific example of an issue with an oil tank in her home's basement that caused smoke and required involvement from the fire department. She highlighted the importance of addressing code violations promptly and ensuring the safety of residents.

Answer: The DEP focuses on implementing and enforcing state-level regulations and authorities and is not involved in local fire and building codes. However, regarding oil tanks, which are still commonly used in residential homes, including some located in basements, the DEP does have some involvement, and can help connect them to the local county health and safety officials. It's important to note that transitioning from one fuel type to another is not mandatory, but there are financial assistance programs available to support such transitions, which can have benefits for public health and the environment. DEP says they will ensure the city is informed about these resources so they can be shared with residents.

2. **Question:** A resident of Perth Amboy raises concerns about the combined sewage overflow (CSO) plan and the associated cost, which is over \$300 million. They expressed the concern that the burden of the cost would fall on the renters, who make up 70% of the residents in the community. They also inquired about the availability of funds for the town to address this cost and how much of Governor Murphy's \$300 million in American Rescue Plan funds for water infrastructure would be allocated to Perth Amboy. They asked how to apply for these funds.

Answer: The DEP acknowledges the importance of the question regarding the CSO plan. They explained that CSO issues are prevalent in many environmental justice communities, including Perth Amboy, and can cost upwards of \$350 million for the city. They emphasized that there are hundreds of millions of dollars available to help address these issues, and residents should visit the DEP website (nj.gov/dep/wiip) for information on funding opportunities and how to apply. The DEP mentioned that funding includes a combination of grants and low-interest loans, and Perth Amboy is on the priority list for funding. They also discussed the possibility of utilizing stormwater utilities and encouraged residents to explore feasibility studies for funding such projects. The DEP assured that they are committed to supporting environmental justice communities and encouraged residents to engage with them for further assistance.

3. **Question:** A member of Raritan Riverkeeper said he was on a committee that helped develop a long-term control plan for Perth Amboy. Once that plan was developed, they were told to wait for the DEP to review some of the existing plans for communities with combined sewer overflows (CSOs). Currently, he believes the DEP is evaluating three plans. Is it proper for the

committee to start moving ahead with their plan when the DEP's review of other plans may have a hard impact on what they have decided to do?

Answer: Thank you for your question and the work you do through your organization. It seems there is some confusion between two different aspects of the DEP's work. The DEP is responsible for financing environmental infrastructure investments and issuing permits for facilities that discharge wastewater. The long-term control plans are part of the permitting process for CSOs. Three out of the twenty-one communities, including Perth Amboy, have been permitted so far this year, and the rest will be permitted by the end of the year or early next year. These permits determine the implementation timeline for the long-term control plans, which can take up to twenty years to fully implement. The permits also evaluate the sequencing of green and gray infrastructure projects. While permitting and financing happen simultaneously, it is possible to start moving ahead with near-term projects and secure funding while permits are being refined.

4. **Question:** A Piscataway resident expressed concern about the Raritan River getting backed up due to silting and causing severe flooding during heavy rain events. She asked if dredging the river could prevent such incidents.

Answer: The DEP acknowledged the concern and explained that while dredging the river may seem like a solution, it is not practical or effective. Instead, they outlined five strategies to address the issue:

- 1) Watershed-wide stormwater planning helps support local governments through grants for better stormwater management.
 - 2) Asset identification assists in planning and financing upgrades for stormwater infrastructure.
 - 3) Implementing a stormwater utility provides a long-term governance structure for managing water demands and investing in green and gray infrastructure.
 - 4) Climate resilience planning helps identify areas where creating more flood storage is feasible and utilizes voluntary buyouts of vulnerable properties.
 - 5) Federal funding is available for climate resiliency projects, including coastal and urban flooding, adaptation, and preparedness.
5. The DEP said that they can also provide that information to the municipality. **Question:** How do you implement watershed-wide planning in New Jersey, considering it is a home-rule state?

Answer: Implementing watershed-wide planning in New Jersey requires careful coordination and extensive cooperation from local governments that are committed to addressing flooding issues. It involves working closely with these governments to develop comprehensive plans that encompass the entire watershed and aim to mitigate flooding.

6. **Question:** Is there any legislation in New Jersey that requires the use of permeable surfaces, especially in new construction or redevelopment areas?

Answer: No, currently there is no state legislation mandating the use of more porous materials in parking lots or roadways. While there have been passionate advocates for such requirements, no legislation has been passed since Nancy Pinkin's tenure. However, the New Jersey Department of Environmental Protection offers benefits and incentives, such as additional funding and scoring points in grant projects, to encourage the use of permeable surfaces as they are recognized as a key factor in reducing flooding.

7. Participant asked three questions:

- a. **Question:** Are there any negatives associated with offshore wind energy compared to fracking and natural gas?

Answer: Offshore wind energy is considered an alternative to fossil fuels and does not pose greater negatives than fracking and natural gas. It provides an important alternative energy source, especially for environmental justice communities.

- b. **Question:** Are there any actions that the environmental justice department can take to help low-income communities sign up for the community solar program? The commenter raises concerns that low-income communities are not signing up for the community solar program at the same rate as other communities.

Answer: While there is no specific mention of actions from the environmental justice department, it is emphasized that there will be a substantial amount of funding available for community solar projects. Efforts will be made to ensure that low-income communities have access to and take advantage of this funding.

The DEP mentions the availability of funding for community solar projects through the Department of Energy and the Environmental Protection Agency (EPA). The goal is to ensure that low-income communities have access to this funding and take advantage of community solar initiatives.

- c. **Question:** Is there legislation or any other measures in place to prevent the change of use for Green Acres?

Answer: Green Acres, a program administered by the NJDEP, permits the use of synthetic turf materials. While there is no mention of specific legislation, the DEP emphasizes the need to think differently about land use and suggests that synthetic turf fields can have a greater stormwater management burden. The DEP also mentions forward-thinking projects that combine athletics with stormwater management.

8. **Question:** A meeting participant expressed concern about the detrimental impact of fossil fuels on air quality. He highlighted the severe air pollution experienced in the region, attributing it to high levels of carbon dioxide (CO₂) and methane (CH₄) emissions from fossil fuel sources. He emphasized the urgency of addressing this problem and criticized the failure of policymakers to take effective action.

Answer: The DEP acknowledged the attendee's concerns and expressed gratitude for his input. The DEP agreed that the problem of air pollution primarily stems from anthropogenic sources, with fossil fuels being a major contributor. While the DEP recognized the collective responsibility in addressing this issue, they assured David Hughes that they are committed to not exacerbating the problem. The DEP acknowledged the need to move away from fossil fuel infrastructure and emphasized the importance of clean air for future generations. They encouraged continued collaboration and dialogue to work towards a sustainable and healthier environment.

9. **Question:** A Perth Amboy resident, who is an organizer from Make the Road NJ's Perth Amboy office, spoke via Zoom about her concerns in Spanish. Lisa Garcia summarized her main concerns for the audience. She expressed concerns about the community's limited access to information and resources, particularly for non-English speakers. They also highlighted disparities in clean streets, garbage collection, resilience against flooding and climate events, and access to solar panels between wealthier areas and lower-income areas. Additionally, the speaker emphasized the need for better communication and dissemination of information in Spanish and other languages and appreciated the provision of interpreters at this event.

Answer (DEP): DEP acknowledged the importance of addressing the concerns raised by the speaker. They expressed a commitment to improving communication and ensuring that meetings are interpreted or translated. DEP also acknowledged the need to provide information and materials in Spanish and other languages. They welcomed the speaker's willingness to help disseminate information in Spanish and expressed a desire to have ongoing discussions with the speaker's organization to better incorporate the needs of Spanish-speaking populations and other communities with language barriers.

Answer (EPA/Lisa Garcia): In response to what resources are available to support community groups with limited capacity in grant applications and funding access, Garcia acknowledged the challenge faced by community groups with limited capacity to apply for grants. She highlighted the availability of technical assistance centers called "[TCTACs](#)" ([Thriving Communities Technical Assistance Centers](#)) announced by the EPA. These centers provide resources and support for capacity building, including grant writing assistance and information on federal funding opportunities. Serving EPA Region 2, there are two TCTACs: one located in Puerto Rico and the second a partnership between New Jersey Environmental Justice Alliance, WE ACT in New York, and Rutgers University. Each TCTAC has a budget of \$10 million over the next five years. DEP offered to share more information about these resources.

10. **Question:** A meeting attendee asked why the recently enacted environmental justice law does not include the proposed CPV power plant?

Answer: The DEP acknowledged the question and mentioned that they will address it along with other questions related to the CPV power plant later in the session.

11. **An online attendee asked two questions via phone:**

- a. **Question:** What is being done to address water quality and emerging contaminants, such as 1,4-Dioxane, in Perth Amboy?

Answer: The DEP expressed a commitment to addressing water quality issues and mentioned that they are planning to establish an MCL (Maximum Contaminant Level) for 1,4-Dioxane. They also acknowledged the concern about aging infrastructure and mentioned that efforts are being made to upgrade it. The caller was encouraged to provide their information to allow for further follow-up and discussion on the specific water quality issues.

- b. **Question:** What measures will be taken to address air quality issues in Perth Amboy, especially concerning strong odors and particles?

Answer: The DEP acknowledged the concern about air quality and emphasized that localized air quality impacts can be more concentrated and specific to certain areas. They requested the caller to provide more information about their location so that they can investigate the issue further. The caller was encouraged to email the DEP's environmental justice coordinator to continue the conversation and receive updates on air quality monitoring efforts.

12. **Question:** A member of NY-NJ Baykeeper, asked about the status of the Harbor and Tributary Study (HATS) by the US Army Corps of Engineers and how will the concerns of Perth Amboy and Middlesex County be addressed in the plan.

Answer: The DEP acknowledges the question regarding the HATS project and explained that it is a complex storm surge risk reduction project focused on addressing storm surge risks, specifically related to events like Hurricane Sandy. The project does not directly address inland flooding. The DEP mentioned that the project is still in the early stages and public comments have recently closed. They assured that there is still ample time for communities to voice their concerns and provide input. The DEP emphasized that this is a lengthy process and that the study is not yet a finalized project.

13. **Question:** A meeting attendee expresses concerns about the proposed power plant and highlighted the severe air pollution witnessed in the area. She emphasized that the power plant is intended to sell power to other states, rather than meeting New Jersey's energy needs, which she believes is causing harm to the community and neighboring areas. She urged the DEP and Governor Murphy to reject the additional power plant and implement a moratorium on pollution permits. She emphasized the need for the power plant to focus on green energy initiatives to align with Governor Murphy's promises.

Answer: The DEP acknowledged the question and mentioned that they would address it along with other questions related to the CPV power plant later in the session.

14. **Question:** A meeting attendee raised a question about the progress of Middlesex Water Company in dealing with PFAS regulations. He mentioned that there was an update a year ago stating that a new system would be in place by mid-2023. He asked for an update on the progress and what citizens should do. Additionally, he expressed opposition to the CPV plant due to concerns about air quality.

Answer: The DEP acknowledged the question about Middlesex Water Company's progress on addressing PFAS and stated that significant progress has been made. They have been closely monitoring and supporting Middlesex Water in their efforts. The DEP mentioned that there was a need to stop using a particular well, which caused the water table to rise and led to flooding in South Plainfield. They acknowledged not having the latest timeline but offered to follow up with the information. Daniel was encouraged to send an email to EJ Director Kandyce Perry with his request.

15. **Question:** A meeting attendee expresses concerns about flooding and the need to address the root causes of the problem. They highlight the importance of avoiding development in floodplains, restoring wetlands, and creating natural conditions to absorb water from storm surges. They express frustration with permits being issued in floodplains and emphasize the need for tough choices and proactive decision-making. The concern is also raised regarding the CPV plant and the desire for the DEP and Governor Murphy to take a stand against it.

Answer: In response to the flooding concern, the DEP acknowledges the issue and highlights the progress they have made in flood reduction and flood control. They mention adopting new rules to protect communities from flooding by using climate-informed data. They discuss the need to manage stormwater, build resiliency in flood zones, and avoid building in floodways. The DEP emphasized their efforts to push the envelope of environmental governance, such as implementing carbon regulations and environmental justice laws. They acknowledge the frustration but explain the limitations of administrative agencies in rewriting laws and express their commitment to doing their best. They also mention the New Jersey Blue Acres Program as a voluntary option for addressing flooding by acquiring properties in flood-prone areas.

16. **Question:** A meeting participant expresses concerns about the need to prioritize green infrastructure and tap into available funds, such as the Inflation Reduction Act, to support the transition away from fossil fuels. They express opposition to approving a second plant like the CPV plant, as it would require additional infrastructure and contribute to an ongoing reliance on fossil fuels. They urge Governor Murphy to show leadership in this matter.

Answer: The DEP acknowledges the concern and agrees on the importance of prioritizing green infrastructure. They mention the availability of funds through initiatives like the Inflation Reduction Act to support public and private partnerships in transitioning away from fossil fuels. The DEP understands the potential implications of approving a new plant, including the need for additional infrastructure and fuel transportation. They emphasize the need for leadership in

making decisions that align with a transition to cleaner energy sources. The individual's concerns align with the DEP's goals of promoting sustainability and reducing reliance on fossil fuels.

17. **Question:** Attendees express opposition to the approval of the CPV plant and other fossil fuel projects. They express frustration with the current process and request a solution to stop these projects. They suggest standing up to Governor Murphy and urging him to halt the seven outstanding projects, even if it means resigning from their positions.

Answer: The DEP acknowledges the opposition and assures the attendees that they hear their concerns. They explain that their role is to ensure that any pollution-generating equipment meets strict standards to protect public health and the environment. The DEP emphasizes that personal opinions and desires do not influence their decision-making process. They mention the limitations imposed by the laws and regulations governing their authority. While they cannot address pipeline capacity or fracking in other states, they commit to thoroughly evaluating the emissions and pollutants associated with projects under their jurisdiction. The DEP empathizes with the frustration but cannot provide an immediate answer as the projects are currently under review. They appreciate the feedback and reiterate their commitment to protecting public health and the environment.

18. **Question:** One meeting attendee raises concerns about the lack of community involvement and representation in the decision-making process regarding the CPV plant. She questions the responsibility of the government to hear from the community, especially those who are not allowed to vote. She urges Governor Murphy and the DEP to reject the project, emphasizing the negative impact on schools and the community's well-being.

Answer: The DEP acknowledges Reverend Stewart's concerns and expresses gratitude for the feedback and passionate dialogue. They recognize the importance of community engagement and the need for more hearings in local communities. Regarding the evaluation of pollution and air permits, the DEP explains that they now consider the context in which projects are situated, taking into account factors such as surrounding roads and traffic. They agree that the current legal framework may need to be reevaluated and mention that there are pending bills in the legislature addressing these issues. The DEP appreciates the passion and energy of the crowd and the respectful dialogue taking place.

19. **Question:** One participant raises concerns about the negative impact of the power plant on the community and asks if anything is being done to prevent the project in an already overburdened community.

Answer: The DEP explains that they are one of many government entities involved in the decision-making process for such projects. The local government and county have some authority over land use, but the DEP's jurisdiction is mainly related to potential air pollution. The power plant's air permit is currently pending at the DEP, and an environmental justice review is

underway. The DEP emphasizes that there is still plenty of time for public input and encourages the community to continue raising their voices.

20. **Question:** A participant asks about the availability of an environmental justice impact statement and where the public can access it.

Answer: The Commissioner informs the participant that the information requested will be made available online; however, these notes provide a correction: since the facility's application was deemed "complete for review" before the Environmental Justice Regulations went into effect on April 17, 2023, the facility is not subject to the regulations and an Environmental Justice Impact Statement is not a requirement of the permit process. Instead, the facility's application is subject to [Administrative Order 2021-25](#). DEP also mentions that the Office of Environmental Justice sends out a [bi-weekly newsletter](#) with updates on public hearings, responses to comments, and final permit decisions. Interested individuals are encouraged to sign up for the newsletter or email notifications to stay informed.

21. **Question:** A participant expresses frustration with the limitations of the current process and asks where they can raise their voices effectively, suggesting the Legislature as a possible avenue.

Answer: DEP acknowledges the frustration and emphasizes that there are different stages and opportunities for public engagement within the administrative process. They encourage individuals to stay informed about the application's progress and provide feedback during the public comment periods. Additionally, they suggest reaching out to lawmakers who are open to hearing concerns from the communities they serve. The DEP also mentions their website and newsletter as sources of information to stay updated on projects and opportunities for public input.

Closing Remarks

DEP expresses gratitude for the community's engagement and assures them that their voices are heard, even if there are limitations to the process. They emphasize the ongoing nature of the review and the commitment to address environmental justice concerns in New Jersey.

Follow-up Items for NJDEP and EPA Region 2:

- Follow up with resident NYU student concerned about Oil Tanks and enforcement to connect them with their local county health and safety officials.
- Share link to CPV-related public documents with engagement session participants.
- Provide information about flood management strategies including watershed-wide stormwater planning to Piscataway Township to address the flooding concerns raised by the Piscataway resident.
- Share EPA Greenhouse Gas Fund information with engagement session participants.
- Share community solar information with engagement session participants.



- Follow-up with Make the Road NJ about concerns raised and disseminating information in Spanish and other languages.
- Follow-up with online resident about multiple issues including air particles, 1,4-Dioxane, and emerging water contaminants. Connect her with staff from EPA and the NJ Division of Law to assist with her concerns.
- Regarding two sites from the pre-engagement session site tour that will be decommissioned, get information about potential funds to Perth Amboy officials.
- Check with Perth Amboy Community and Economic Development Director about any other specific follow-up conversations including brownfield development funds and opportunities.

To follow-up with NJDEP on any of the aforementioned items, please email environmentaljustice@dep.nj.gov