

Environmental Justice Advisory Council
Meeting Minutes
January 3, 2007

In attendance: Kathy Abbott, Stewart Abrams, Ana Baptista, Theodore (Ted) Carrington, Colandus (Kelly) Francis, Kim Gaddy, Joann Held, Zachary Lewis, Don McCloskey, Rafael Zabala, Valorie Caffee, Chair; and Maria Franco-Spera & Dev Ganguly, DEP EJ Office

Absent: Juanita Joyner, Mujahid Majeed, Kevin Moore

Guests: Judy Shaw, Irene Kropp, Jeanne Herb

The meeting was called to order by Chairwoman Caffee at 10:05 AM.

Adoption of the Agenda

Agenda was approved as proposed.

Adoption of the Dec. 6, 2006 Minutes

Rafael Zabala moved that the minutes be adopted with one typo corrected, and Kathy Abbott seconded the motion. The motion was passed unanimously.

Monthly Meeting Schedule

Valorie proposed that the EJAC skip the July and August monthly meetings because of conflicts with vacation schedules. Zachary Lewis moved that these two meetings be deleted from the 2007 schedule, and Kathy Abbott seconded the motion. The motion was passed unanimously.

EJ Coordinator's Report (Maria Franco-Spera)

- Dev Ganguly was introduced. Dev has been working in the DEP Air Quality Program, reviewing Title V permits. He has volunteered to work in the EJ Office for 6 months. He will particularly focus on helping the Council with Cumulative Impact Issues. Dev described briefly his work in Title V and Kim Gaddy requested a copy of the list of 300+ Title V facilities in New Jersey. Dev offered to e-mail the list to Kim.
- Ringwood Update
 - EPA issued a new press release with results of the sampling that they have been doing. They have found lead in plants and rodents, and are now hunting for larger animals (such as deer) to test for lead. They have not found dioxin or PCBs in any samples thus far. For more details on the testing, go to www.epa.gov/region02/superfund/npl/ringwood
 - The NJ Dept of Labor, which implements the Mine Safety Act, is looking to update the Act to give them power to require mine owners to remediate and avoid future occurrence of sinkholes.

- Submission of petitions: No new petitions have been received.
- We should expect new nominees to the EJ Task Force soon.
- Dev is updating the EJAC Website. They will be posting minutes, member information and testimony.
- The EJ Executive Order expires in 2009. Valorie would like to see an EJ law that does not expire and which would address some weaknesses identified in the EO as we have worked with it. For example, if the EJAC was established by the Legislature, then it would have more clout (such as the Clean Air Council).

EJAC Committees

Two Committees have been formed and the following members have volunteered to serve on them.

Site Remediation: Kim (Chair), Zach, Stew, Rafael, Valorie. Kevin was also recommended for this group (in absentia)

Cumulative Health Impacts: Ana (will coordinate), Ted, Joann, Kelly, Kathy, Don
The Committees will work via conference call before the EJAC February meeting. Each Committee should produce a recommendation document for the Commissioner.

NAACP Resolution (Kelly Francis & Ted Carrington)

Copies were distributed of a resolution that was unanimously passed by the state NAACP at their quarterly meeting on December 2. It will next be sent to the National office. The resolution asks the DCA (Dept. of Community Affairs) to withdraw its approval of the Michaels Development in the Centerville neighborhood of Camden. NAACP leaders are planning to meet with DCA & the Director of HMFA in January. Note that Michaels has received the Federal Tax Credits that entitle them to funding from several federal sources. The land is probably still owned by the city at this time. Kim commended the NAACP for supporting the struggle of the citizens of Camden in this area. Kelly thanked Valorie & Ted for their help in crafting the resolution. Valorie noted that this is a statewide issue, especially for Brownfield Redevelopment projects.

Camden Chief Operating Officer

Randy Primas has been replaced by life-long Camden resident Judge Theodore Davis. Davis will be the interim Chief Operating Officer while a national search is taking place to find a permanent replacement for Primas.

DEP Site Remediation Program (Irene Kropp & Judy Shaw)

- Judy Shaw discussed some of her work in the Site Remediation Community Relations Office. Her job is to ensure open conversation between the Department and concerned citizens. She encouraged people to call her at 609-984-30841.
- There are 23 active Site Remediation sites in South Camden, and Judy has organized discussion among all the Case Managers for these sites to improve internal communication.

- The Municipal Notification Act (A1708) is a public notification law that was passed last August. It requires anyone engaged in remediation to notify municipalities & residents. The Department is now writing the regulations to implement the law. It will require some fact sheets, and if there is sufficient interest there must be enhanced public engagement. The rule proposal may be in the NJ Register as early as February.
- Irene Kropp is the Assistant Commissioner for Site Remediation and Waste Management. She said that her program is faced with three competing challenges: Worst-case scenarios (i.e. sites with adverse health impacts); Redevelopment priorities; and Transactional Priorities.
 - The program is responsible for about 17,000 sites. About 12,000 have regulatory requirements; about 4000 are voluntary reviews (mostly homeowners); and about 1000 are from developers. Case managers have 50-80 cases each.
 - Three major problems are: Case Load, Tracking, and Prioritization.
 - Legislative Reform: Expect that there will be a greater role for the DEP in remedy selection. Also expect increased enforcement authority and increased penalties.
 - A GIS-based Prioritization System is being built.
 - They are identifying new resources, such as County Agencies (under CEHA), Clean Up Star (consultants), In-house contractors, and Licensed Site Professionals (similar to the Massachusetts and Connecticut programs).

Day Care Facilities: As a result of the recent legislation, about 4500-5000 licensed day care facilities will need to get an NFA upon licensing or re-licensing. Letters have gone out to all Day Care Facilities telling them about the new requirements.

DEP is also inspecting Day Care Facilities. They have mapped all facilities against 9 criteria and flagged about 1000 facilities where they will ask RPs to do some testing.

Legislative Reform Process: In February, DEP will meet with Legislative staff to brief them on the SRP process. Stakeholder group meetings will be held in winter and early spring, and a Legislative package may be ready in late spring.

Discussion

- Kim suggested that when Mayors are notified of sites and projects in their jurisdiction, they can become champions for Site Remediation and share some responsibility.
- Stewart recommended the Massachusetts model for Licensed Site Profession Program. It is especially effective if you can make this a prestigious license.
- Maria asked Irene to keep EJAC informed as the Legislative Reform process goes along.

The meeting adjourned at approximately 12:15 PM.

The next meeting is on February 7, 2007 at 9:30am in the 7th Floor Conference Room at DEP.

Minutes respectfully submitted by Joann Held, Secretary.