

Environmental Justice Advisory Council
Meeting Minutes
June 6, 2007

In attendance: Kathy Abbott, Ana Baptista, Colandus (Kelly) Francis, Joann Held, Zachary Lewis, Mujahid Majeed, Kevin Moore, Valorie Caffee, Chair; and Maria Franco-Spera & Dev Ganguly, DEP EJ Office

Absent: Stewart Abrams, Theodore (Ted) Carrington, Kim Gaddy, Juanita Joyner, Don McCloskey, Rafael Zabala

Guests: Jim Brownlee, Jerry Fagliano, Sharon Kubiak, Jerome Feder, Ken Koschek, Marty McHugh

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

Introductions: We had 3 representatives from NJDHSS at our meeting (Brownlee, Fagliano and Kubiak). Jim Brownlee reported that Commissioner Jacobs is anxious to have DHSS staff participate in EJAC meetings and other activities as the need arises. Valorie Caffee replied that we are very happy to have them present, especially since we have identified a lot of health issues that we would like to address.

Adoption of the Agenda

The Agenda was accepted as proposed.

Adoption of the May 2, 2007 Minutes

No changes were suggested for the minutes. However, no vote was taken to approve the minutes since a quorum was not present.

FAA Aerospace Redesign Project – EJ Implications (Jerome Feder)

Dr. Feder is the Chairman of the Air Traffic and Noise Advisory Board of the New Jersey Coalition against Aircraft Noise (NJCAAN). He gave a slide presentation about plans to reroute take-off patterns at Newark Airport. The FAA is recommending that planes turn west more quickly after take-off, which will put them over residences before they have gained sufficient elevation to avoid noise impacts. The Draft EIS found EJ impacts near Newark and LaGuardia Airports. Dr. Jerome will send information to Maria Franco-Spera regarding how to respond to the DEIS that has been prepared by the FAA. (Note that the comment period ended on May 11.) The NJCAAN is urging Governor Corzine to oppose this plan. The Port Authority also has veto power. The DEP Noise Control Council has also adopted a resolution opposing the plan.

Cumulative Impacts Committee Report (Ana Baptista)

During the past month, the committee has had a series of conference calls with experts on this topic, including Rachel Morello-Frosch, Jason Corburn, and Jerry Fagliano & Steve Anderson. Ana summarized these calls and noted that we will be speaking to

Dale Shimp (California Air Resources Board) next week. We also plan to have a public forum in the Fall to seek wider input.

Rachel Morello-Frosch: A professor at Brown University, she has been doing work in the California Bay Area. She is a co-author of the report “Still Toxic After All These Years.” In her work she has been reviewing data that can be used as indicators of burden and vulnerability; and she is currently creating a model tool to link Environmental & Health Indicators with vulnerability indicators.

Jason Corburn: A professor at Columbia University, he participated in the NYSDEC workgroup on disproportionate impacts. The workgroup didn’t come to a consensus over whether you need a comparative population to assess disproportionate impact

Jerry Fagliano & Steve Anderson: The NJ Pilot of the Public Health Tracking Program (funded by CDC) is focusing on air and drinking water and relating them to a series of health outcomes. The work should be completed by the fall. They are still looking for Community-level indicators.

DISCUSSION

- There may be useful data in the Comparative Risk Project report prepared by NJDEP a few years ago. (Jim)
- A new State Environmental Health Directors organization is forming under ASTHO. (Jim is a member.) They are putting together an Environmental Indicators workgroup. He offered to share information from this group as it is developed.
- On June 20 & 21, the State of Maryland is hosting a workshop in Baltimore on Community Vulnerability Indicators. (Jerry Fagliano)
- There is an ad hoc state Environmental Health Indicators Collaborative. Jerry is a participant and can report on their activities.
- On May 31, Jeanne Herb met with Peter Montague and Nicky Sheats to discuss Hotspots, Health Data, and Mining datasets. Steve Anderson will be working on this with Peter and some students.
- Kathy Abbott noted that the birth outcome data seem like a promising endpoint for analysis because birth outcomes reflect a short exposure time.
- Valorie asked how the DEP White Paper on Cumulative Impacts is coming along.
- Kevin Moore suggested that we look at the WEACTION (West Harlem) and other studies and extrapolate the results to NJ communities. From this extrapolation, we may be able to identify similar communities with similar stressors, and then make a case for policy recommendations.
- Kevin also asked how we could share the information that we find with our New Jersey EJ communities. It was suggested that as information becomes available, we should report back to our individual constituencies.

American Rendering Corp, Newark (Marty McHugh)

Marty described state actions being taken against American Rendering Corp, Berkowitz Fat Company, Harry Berkowitz Industries, Inc. and plant owner Seymour Berkowitz. The plant, which processes more than a million pounds of meat waste per week, is located on Bay Avenue in the Ironbound section of Newark. The state Attorney General has charged the plant with being a persistent polluter, and has ordered the company to cease operations. This has been a multi-media, multi-agency operation. Since

February of 2005, the DEP has been citing the facility for violations, and the penalties assessed exceed \$2 million.

- Marty asked that we remind communities that they must call 877-WARN-DEP in order for the DEP to follow up on odor complaints. Ana countered that they would be more likely to call if they felt there would be action taken as a result of their complaints.
- Ana recommended that there be a community meeting in Newark as a follow-up when the enforcement actions are completed.
- Valorie noted that local health departments and other city authorities should be more accountable in public health related situations such as this one.
- Kevin suggested that drawing more media attention to the issue might be helpful.

Site Remediation Committee Update (Zach and Maria)

Local government responsibility is one of the issues that is currently being discussed by the committee.

EJ Coordinator's Report (Maria Franco-Spera)

- Ringwood: DEP issued an Enforcement Directive against Ford & the Borough of Ringwood, requiring that the seismic work be done. Six families who are temporarily displaced have been moved by DCA for 1 year.
- Camden Waterfront South: On June 26 there will be a public hearing on the proposed St. Lawrence Cement permit.
- Natural Resources: The NJ Natural Capital Project (funded by a special grant) studied the value of Natural Resources in NJ. For example, it valued the beach at Sandy Hook at about \$50,000 per acre. It excludes people from the definition of ecosystems, and it valued cities at \$0.

EJ Task Force (Valorie Caffee)

Representatives of the EJAC attended the EJTF meeting. One result is the future participation of the DHSS in EJAC meetings and activities. The Task Force is interested in greening urban areas to counteract global warming, so the BPU will be invited to future EJTF meetings. The Public Advocate is participating in Task Force meetings as an observer, not as a member.

Announcements

- On June 15 there will be an Environmental Constituency meeting with Lisa Jackson. The main topic will be the Energy Master Plan. (Maria)
- The next Site Remediation Round Table will be held on June 21. (Valorie)
- The Waterfront South Redevelopment Plan was thrown out by a judge. (Valorie)
- The Kramer Hill Eminent Domain case was also thrown out, so houses in that neighborhood will not be seized. (Valorie)
- Cherokee Development is being taken to court over its potential impact on eagles on Petty's Island. (Valorie)
- EJAC should be on record opposing the expansion of St. Lawrence Cement in Camden. This expansion represents a burden to the community. Joann Held is

reviewing the permit. Valorie will seek a meeting with Lisa Jackson to give EJAC an opportunity to recommend that NJDEP deny this permit. (Valorie)

The meeting adjourned at approximately 12:50pm.

The next meeting is on September 5, 2007 in the 7th Floor Conference Room at DEP. We will gather at 9:30am and the meeting will begin at 10am.

Minutes respectfully submitted by Joann Held, Secretary.