

Environmental Justice Advisory Council
Meeting Minutes
June 3, 2009

In attendance: Kathy Abbott, Ana Baptista, Theodore (Ted) Carrington, Colandus (Kelly) Francis, Joann Held, Zachary Lewis, Don McCloskey, Kevin Moore, Valorie Caffee, Chair; Jerry Fagliano & Sharon Kubiak (DHSS), Justin Lambert (Governor's Office), and Maria Franco-Spera (DEP EJ Office)

Absent: Stewart Abrams, Kim Gaddy, Juanita Joyner, Mujahid Majeed, Rafael Zabala

Guests: Jay Watson, Jeanne Herb, Steve Anderson, Peter Montague, Kerry Butch (ANJEC), Bennett Yalartai, Kevin Yoarte, Brian Brotman (WEC)

Chairwoman Caffee called the meeting to order at 10:10.

Adoption of the Agenda

Valorie Caffee asked that we move the Public Health Tracking presentation up to precede Old Business; and Peter Montague requested time to speak about the proposed Coal-Burning Power Plant in Linden at the end of the meeting. These changes were accepted.

Adoption of the May 6, 2009 Minutes

Zachary Lewis moved that the minutes be adopted, and Kathy Abbott seconded the motion. The motion was passed unanimously.

New Jersey's Environmental Public Health Tracking Portal (Jerry Fagliano)

DHSS and DEP have been working for a number of years on collecting and organizing NJ environmental and health data that has resulted in two systems now available on electronically. They are:

Environmental Public Health Tracking (EPHT) at: www.nj.gov/health/epht
and the State Health Assessment Data (SHAD) System at: www.nj.gov/health/shad

This is still a work in progress, but the current system allows for custom data queries of 77 Public Health Indicators (including 35 *Environmental* public health tracking indicators).

Some features include:

- Data Queries of births and deaths from 2000 to 2005 at the county and municipal level
- Indicator Pages at the State and County Level

Planned enhancements in 2009-2010 include:

- Integrating the Mapping capability into the Query and Indicator Displays
- Additional EPHT indicator categories (e.g. birth defects, cancer incidence, cumulative impact)
- Additional datasets for the query system (e.g. childhood lead exposure, cancer incidence)

When the National CDC tracking site goes public, then the NJ site will be publicized more widely.

Cumulative Impacts Subcommittee Update (Ana Baptista, Valorie Caffee)

Follow-up activities related to the Cumulative Impacts report were discussed.

Cumulative Environmental Impact Tool Development

A small Technical Workgroup (Ana Baptista, Joann Held, Nicky Sheats, Peter Montague), met with DEP and DHSS twice to review the draft tool. In general they feel comfortable with what they have seen, but there are still questions to be resolved. For example,

- What is the best way to aggregate across multiple parameters?
- How will the maps be shared?
- How will the mapping results be used?

Jeanne Herb plans to continue discussions about the tool over the summer.

Exploring model EJ Legislation

A subcommittee was also created to follow up on mini-NEPA and/or broader EJ Legislation ideas. Four EJAC members volunteered to be on the subcommittee: Kathy Abbott, Ana Baptista, Joann Held & Kevin Moore. They will include Peter Montague & Nicky Sheats in the workgroup, as well as others that may be able to advance the discussion. Valorie is planning to arrange a conference call. It is recommended that they review “Designing a Model State Environmental Quality Act for 2007” which Peter distributed at the meeting.

Press Release Options

It was suggested that we explore the possibility of issuing a press release or writing an Op Ed piece to advertise the availability of the Cumulative Impact Report. Kathy and Valorie offered to work on a first draft of an Op Ed. The Star Ledger was recommended as a good newspaper to start with. We should also consider the Bergen Record, Trenton Times, and Courier Post. In addition, the NJDEP should post the report on the EJAC Webpage.

NJDEP Coordinator’s Report (Maria Franco-Spera)

- This is the last meeting of the current EJAC. It will be reconstituted in the Fall in accordance with Executive Order #131. Anyone interested in serving an additional term on EJAC should send their resumes to Maria by June 15. There will be some vacancies so suggestions for candidates are also welcome. The DEP is grateful to the current council for their work and dedication.
- On May 27, Commissioner Mauriello met with EJ representatives from Long Branch. They discussed concerns about Natural Resource Damages and the need to clean up the local creek. They asked about plans to replace the EJ Petition Process. And they expressed concerns about odors from the Sewage Treatment plant.
- The Camden CARE Advisory Committee was delighted to have Asst. Commissioner Nancy Wittenberg attend their May meeting. This group continues to work on their junkyard inventory. Through Clean Air Communities, they have identified grant opportunities for diesel retrofits.

Coal-burning Power Plant (Peter Montague)

A new 500 MW Coal-Burning Power Plant has been proposed for Linden. It would use an Integrated Gasification Combined Cycle (IGCC) process. There are 3 other plants using this design in the United States (two of them are 10 years old) and a few others are under construction. EJAC members expressed an interest in learning more about the proposal and also about the review process that it will need to go through, including the timeline that will be

followed. Maria stated that Brad Campbell has offered to make a presentation to the Council on this project.

New Air Regulations and General Permits (Bennett Yalartai)

- A new RACT rule will require that cleaning emissions from storage tanks be controlled during Ozone Season.
- Is there a way for EJ analysis to be incorporated into the writing of new regulations, similar to the impact on small businesses that is routinely done?

This prompted a discussion among EJAC members about the best way to keep up with all of the regulatory and permitting actions that are taking place at the DEP. A motion was made by Ana, and seconded by Ted, to request monthly updates for EJAC on Major Permits that have been received or issued by the DEP. After additional discussion, the motion was tabled and Maria was asked to report back on various options for obtaining this information.

Announcements

Housing Development in Camden: Kelly Francis shared photographs showing how close the John Parker Sr. Citizens Apartment Complex is to I-676. Although there is a small barrier alongside the road, it does not offer much protection from tall diesel trucks.

NJ HELP (Harbor Estuary Lands Program): Kevin Moore described this program. It is seeking equity in the funding formula for the Garden State Preservation Trust that is found in S1858 and A3901. Kevin distributed a Fact Sheet and Sample letter with additional information. The organization is trying to get something on the Fall ballot to address the situation.

NJEJA 2nd People's Assembly: Valorie announced that this will be held on June 13 at TESC (Thomas Edison State College) in Trenton. It will run from 8:30 am to 4pm. Admission is free.

Ironbound CARE Grant: Ana Baptista announced that the Ironbound Community has been awarded a CARE Level 1 Grant from USEPA. She will be looking for participation from NJDEP and NJDHSS.

WEC Annual Conference & Awards Reception: Valorie announced that the annual conference will be held on November 14. The topic will be "Beyond Toxics: Protecting Our Jobs and Communities. The Awards Reception will be on November 20. Both events will be held at the Rutgers Labor Education Center in New Brunswick. Michelle DePass, former DEP EJ Coordinator and currently Deputy Administration at the USEPA, will be the honoree at the Awards Reception on Nov. 20.

The meeting adjourned at 12:35pm.

Minutes respectfully submitted by Joann Held, Secretary