

Environmental Justice Advisory Council
Meeting Minutes
September 9, 2009

In attendance: Kathy Abbott, Stewart Abrams, Cynthia Mellon (for Ana Baptista), Theodore (Ted) Carrington, Colandus (Kelly) Francis, Joann Held, Kevin Moore, Valorie Caffee, Chair; Sharon Kubiak (DHSS), and Maria Franco-Spera (DEP EJ Office)

Absent: Kim Gaddy, Juanita Joyner, Zachary Lewis, Mujahid Majeed, Don McCloskey, Rafael Zabala

Guests: Jeanne Herb/NJDEP, Nicky Sheats/NJ EJ Alliance, Alan Stern/NJDEP, and representatives from Eyes on Trenton and the NJ Environmental Justice Alliance

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

Adoption of June 3, 2009 Minutes

It was requested that we add to the WEC Conference and Awards announcement that Michelle DePass will be the honoree at the Awards Reception on Nov. 20. Kevin Moore moved that the minutes be adopted as amended, and Ted Carrington seconded the motion. The motion was passed unanimously.

Old Business (Valorie Caffee)

This is the last meeting of this Council. It will be reconstituted in October, with vacancies filled and those who continue with the Council will begin a new term. At the October meeting, or soon thereafter, we will elect Officers. The Council has five officers: President, Vice President, Recording Secretary, Corresponding Secretary, and Parliamentarian. Let Maria Franco-Spera know if you are interested in serving as an officer.

Commissioner's Response to Cumulative Impacts Report

Jeanne Herb summarized Commissioner Mauriello's July 2009 Response to the EJAC's March 2009 Cumulative Impacts Report. The response is in the form of a Memo and an Action Plan that lays out Department priorities for the next six months. The Council should help the Department identify actions for the longer term. Jeanne noted that Maria Franco-Spera reached out to many programs within the Department to include them in this list of commitments. She observed that making these commitments is causing staff to think differently in some cases. She offered to bring staff from the programs to update the Council on actions of interest. Some of the highlights include giving Environmental Justice Communities of Concern (EJCOCs) extra points in grant applications and other prioritization. Steve Anderson continues to hone the tool developed by DEP and DHSS to identify EJCOCs.

Maria reported on some of the progress that has been made on the Action Plan thus far.

Compliance & Enforcement: Met with the Camden CARE Advisory Committee for a walking tour of 5 sites of concern in Waterfront South. They are now planning a tour with the Long Branch community.

Constituent Services: A Commission has been charged with developing a plan to include Environmental Justice in educational curriculum. Zach Lewis has been invited to be a member of the Commission.

Air Quality: The program has committed to conducting two special air modeling evaluations per year. A recent example was modeling emissions from a rail yard near a residential area.

Additional Council Comments:

The Commissioner's EJ Work Plan looks manageable.

An important next step would be to institutionalize some of these actions so that they become routine.

The Council is still interested in continuing the discussion of adopting a mini-NEPA and developing a toolkit for Municipalities.

Would it be possible to write up and publish the tool that Steve Anderson has developed?

An outstanding issue is providing the Department with the ability to say "No" to certain applications. It was suggested that some examples be reviewed by the Attorney General to explore the limit of existing authority.

According to Cynthia Mellon, the Ironbound Community Corporation has drafted a 2-page response to the Mauriello letter and will be sharing it with the Council.

Waterfront South Dust Study (Dr. Alan Stern)

At the request of residents who were concerned about dust in their homes, the Department initiated a study using Supplemental Environmental Project (SEP) funds. The report, entitled "The Contribution of Dust Particles from St. Lawrence Cement to Outdoor Dust in the Surrounding Waterfront-South Community in Camden, New Jersey (August 2009), is available on the Division of Science website. The work was carried out by researchers at EOHSI.

In 2007, wipe samples and deposition samples were taken in the neighborhood and at a background site. The components of the dust in these samples were compared to the chemical composition of samples of material taken from St. Lawrence Cement (now known as Holcim). The study concludes that 2-20% of the dust deposited in the neighborhood is attributable to activities at the Holcim site. The Peer Review of the study led to some additional analysis that narrowed the range to 2-13%.

Council Discussion: It would be interesting to know what the total dust fall amounts were, what ambient concentrations of particulate are in the neighborhood, and how these compare to other communities and to health benchmarks. In the mind of the Council, 10% is a significant contribution from Holcim.

Central Jersey Class A Recycling Facility:

Representatives from Eyes on Trenton and the NJ Environmental Justice Alliance presented their concerns about refueling operations at a Central Jersey Waste and Recycling site on Breunig Avenue in Trenton and their plans to build a recycling center at the site. (An Aug. 29 story in the Trenton Times containing more details was distributed.) Complaints include noise, odors and truck traffic. This is also a neighborhood with several other polluting sources (e.g. a metal works with stacks of cars, burning tires, and many truck operations). This is a situation where it is difficult to identify anyone with authority to evaluate the Cumulative Impact of the plan. The

DEP is responsible only for reviewing the County Solid Waste Plan Amendment. However, Deputy Commissioner Jay Watson is trying to bring all parties to the table.

It was recommended that EJAC write a letter to Commissioner Mauriello and Governor Corzine expressing concerns about overburdening the Klagg Ave. community and other problems associated with the project. Copies of the letter should be sent to the County and the City. Kevin Moore moved that the letter be written, and Ted Carrington seconded the motion. The Council approved the motion and Valorie offered to draft the letter.

EJ Coordinator's Report:

Maria Franco-Spera reported on several activities.

- Ringwood: It was reported in the press that the attorneys for the Community have settled with Ford for \$10 million, which will result in a small amount of compensation for each resident. Ford did not admit any liability in the settlement.
- General Permits: The DEP has proposed two new General Permits for Stormwater Management at Scrap Operations. One is for Scrap Metal Facilities and the other is for Vehicle Recycling. The comment period ends in mid-October. (Fact Sheets were distributed.)
- American Recovery and Reinvestment Act (ARRA): The state received \$1.8 million in ARRA funds for Brownfields projects. Some of this funding will go to Community Outreach Activities in Plainfield, Camden, Jersey City and Newark. The state also received funding for Underground Storage Tank clean-ups, Superfund clean-ups, diesel retrofits, and Stormwater and Infrastructure improvements.
- Governor's Environmental Excellence Awards: Nominees are being sought. The deadline for nominations is September 18.

Centerville Housing Update (Kelly Francis)

On August 3, NAACP representatives met with the Governor, his policy council and his deputy chief of staff. They discussed several issues including the Centerville Housing project and showed them pictures taken from the site. On Sept. 8, while the Governor was in Camden for the opening of a new school in Morgan Village, he saw the site (which is adjacent to Morgan Village) in person. Kelly expects to hear from the Governor's Policy Council and his Environmental lead soon.

Announcements

The NAACP State Convention will be held on September 18-20 in Somerset at the Doubletree Hotel.

The meeting adjourned at approximately 12:55pm.

The next meeting is on October 7, 2009 in the 7th Floor Conference Room at DEP.

Minutes respectfully submitted by Joann Held, Secretary.