

STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION

ENVIRONMENTAL JUSTICE RULE
PUBLIC HEARING

BEFORE: SEAN MORIARTY, HEARING OFFICER
HELD ON: MONDAY, JULY 11, 2022
TIME: 3:00 P.M.

ALSO PRESENT:

MELISSA ABATEMARCO, ESQ.

KANDYCE PERRY

ARMANDO ALFONSO

J.H. BUEHRER & ASSOCIATES
884 Breezy Oaks Drive
Toms River, New Jersey 08753
(732) 295-1975

1
2
3
4
5 TRANSCRIPT of the hearing called for
6 Oral Examination in the above-entitled matter,
7 said hearing being taken pursuant to Superior
8 Court Rules of Civil Practice and Procedure, by
9 and before MARIBEL SYPNIEWSKI, a Certified Court
10 Reporter and Notary Public of the State of New
11 Jersey, held at the Offices of NEW JERSEY
12 DEPARTMENT OF ENVIRONMENTAL PROTECTION, 401 East
13 State Street, Trenton, New Jersey, on Wednesday,
14 July 11, 2022, commencing at 3:06 in the
15 afternoon.
16
17
18
19
20
21
22
23
24
25

1 HEARING OFFICER MORIARTY: So,
2 good afternoon. My name is Sean Moriarty. I'm
3 the Deputy Commissioner at the New Jersey
4 Department of Environmental Protection. I will
5 be the hearing officer for this public hearing.
6 This hearing is being held to receive oral and
7 written comments on the proposed Environmental
8 Justice rulemaking, which implements New Jersey's
9 Environmental Justice Law.

10 In September 2020, Governor Murphy
11 signed New Jersey's landmark Environmental
12 Justice Law, the first of its kind and the
13 nation's most empowering Environmental Justice
14 legislation.

15 The Environmental Justice Law
16 recognizes that because environmental standards
17 are often formulated on the effect pollution has
18 on general populations spread over wide
19 geographic areas, existing environmental laws
20 fail to fully consider the impacts that certain
21 pollution-generating facilities may have on their
22 local communities.

23 And that this failure has created
24 pockets of high pollution across New Jersey,
25 where many pollution-generating facilities have

1 become concentrated in predominant minority and
2 low-income communities that may lack -- awesome.
3 Thank you. Thank you so much. Thanks. And it's
4 much louder. The financial and political power
5 to shape their local landscape and avoid
6 disproportionate adverse impacts upon their
7 health and environment.

8 At its most basic, the law
9 requires us to consider whether a specific
10 facility seeking a specific type of permit will
11 contribute to environmental or public health
12 stressors in an overburdened community
13 considering whether and how those stressors might
14 have a disproportionate impact when compared to
15 the OBCs neighbors, this is a comparative
16 analysis.

17 The law requires the New Jersey
18 Department of Environmental Protection to assess
19 relevant environmental and public health
20 stressors affecting New Jersey's overburdened
21 communities and to deny or condition permits for
22 certain facilities that cannot avoid causing or
23 contributing to adverse environmental or public
24 health stressors in that overburdened community.

25 The law applies where three

1 criteria are met:

2 First, the facility is located or
3 proposed to be located in an overburdened
4 community.

5 Second, the proposed or existing
6 facility is one of the eight types of facilities
7 listed in the Act, such as major source of air
8 pollution, scrap metal facilities, and other
9 solid waste.

10 Number three, the applicant seeks
11 a type of New Jersey's Department of
12 Environmental permit or approval covered by the
13 Act.

14 Where the EJ Law applies, an
15 applicant must submit an Environmental Justice
16 Impact Statement, or "EJIS", to the Department
17 evaluating how the proposed action, whether a new
18 facility, the renewal of a major source of air
19 pollution or the expansion to an existing
20 facility would contribute to environmental and
21 public health stressors in its host OBC. The
22 EJIS must also address how the applicant proposes
23 to avoid, and where avoidance is not feasible,
24 minimize such impacts, and under certain
25 circumstances provide a net environmental or

1 public health benefit to the overburdened
2 community. The EJIS will be available to the
3 public in advance to the public hearing.

4 To ensure meaningful public
5 participation of members of the overburdened
6 community, an applicant is required to hold a
7 public hearing in the overburdened community to
8 present the proposed project and the EJIS, with a
9 public comment period of at least 60 days to
10 provide opportunity for feedback from those most
11 impacted by the proposed project. Notice and
12 materials would be made available in languages
13 accessible to community members and the applicant
14 will be required to address all comments
15 received.

16 The Department will evaluate the
17 EJIS and the information presented at the public
18 hearing and through public comment to determine
19 whether the additional environmental or public
20 health stressors expected from the actions in the
21 permit application would, together with the
22 baseline of stressors already impacting the
23 community, cause or contribute to adverse
24 cumulative environmental or public health
25 stressors in that overburdened community that are

1 higher than those of non-overburdened communities
2 in the State. If that is the case, a
3 disproportionate impact would be present and the
4 Department may deny the permit and approve it
5 with conditions to avoid or minimize those
6 impacts.

7 On June 6, 2022, the Department
8 proposed rules in the New Jersey Register to
9 implement the Environmental Justice Law. The
10 public comment period on this proposal closes on
11 September 4, 2022. As indicated in the proposed
12 notice -- the public -- excuse me. Published
13 notice, written comments are to be submitted
14 electronically to www.nj.gov/dep/comments or to
15 Melissa Abatemarco. The Docket Number for that
16 is 05-22-04, and those comments need to be
17 submitted to the Office of Legal Affairs at the
18 address set forth in the proposal. All relevance
19 comments -- all relevant comments received during
20 the public comment period, including at today's
21 hearing, will be addressed in the New Jersey
22 Register should the Department adopt this rule
23 proposal.

24 This public hearing is being held
25 in accordance with the Administrative Procedures

1 Act, and, as required, the Department has
2 provided additional notice of this public hearing
3 through the Department's website, through
4 electronic mail, through written communication
5 with a number of news outlets.

6 The goal of today's hearing is to
7 receive verbal comments into the record
8 concerning the rule proposal. This hearing is
9 not intended as a question-and-answer session,
10 but rather an opportunity for interested
11 individuals to voice support -- voice their
12 concerns and suggestions regarding this
13 rulemaking. If you have not done so yet, we ask
14 that you please sign in at the front desk and
15 indicate whether you're going to be speaking
16 tonight.

17 We will now begin inviting
18 individuals who have requested an opportunity to
19 speak. When your name is called, ask you to step
20 up to the microphone, state your name, any
21 affiliation you might have and ask you to spell
22 it for the stenographer to ensure that the record
23 is correct. We're going to ask everyone at this
24 point to limit their comments to three minutes.
25 If there's additional time after you've spoken,

1 we will provide additional time for folks who
2 would like to speak again. Also remind everyone
3 that you have an opportunity to provide written
4 comments if you're not able to speak about today.
5 Could certainly be provided in writing or one of
6 the other four public hearings we will be having
7 on this throughout the next couple of weeks.

8 So I'm going to now give the
9 microphone to Armando to read the opening
10 statement in Spanish. Armando.

11 (Opening statement translated in
12 Spanish by Armando at this time.)

13 HEARING OFFICER MORIARTY: Thank
14 you, Armando. Let's get to it. First name on
15 the list appropriately so.

16 MR. CANTOR: Thank you. My name
17 is Ray, Raymond Cantor, C-a -- R-a-y-m-o-n-d
18 C-a-n-t-o-r. I am with the New Jersey Business
19 and Industry Association. We will be submitting
20 written comments later. I will summarize one of
21 our points here today. As I mentioned before, we
22 appreciate the process that DEP employee to get
23 us to this point, but we believe that these rules
24 are missing an opportunity to actually improve
25 conditions in the communities that we are

1 concerned about. We're afraid that in 10 to 20
2 years from now, we will be looking back at this
3 moment wondering what went wrong. We have the
4 opportunity to fix these rules now.

5 The proposal uses stressors as
6 surrogates for standards or for health impacts.
7 Yet, these are not actual standards, not actual
8 health impacts. Despite these soft standards,
9 proposal in employing a very hard line. We're
10 only looking at one side of the ledger of
11 potential harm and ignoring the benefits that
12 come from a number of these facilities, the
13 economic benefits. We're missing a key point.
14 The law itself recognizes that -- and devise OBC
15 as having a 35 percent low-income level. That
16 makes you an OBC.

17 The rule itself also stresses that
18 -- or the response to stressor, unemployment. It
19 details that both the physical and emotional
20 impact of being low-income or not having a job,
21 the lack of health benefits that comes with that
22 and the other impacts. Yet, it rejects a key
23 solution to those fundamental problems by
24 focusing on the minor potential impact of
25 stressors and ignoring the real benefits of

1 having a job.

2 We are faced with a potential
3 situation where a facility could be coming into a
4 community, or proposing to, having good paying
5 jobs, having a net environmental benefit, having
6 support of the elected officials, even having
7 support of the Environmental Justice advocates in
8 the area. But because on a ledger sheet you have
9 more stressors than not, you have to turn them
10 down. The Department is not allowing for the
11 flexibility it needs to actually make a real
12 world impact in this community.

13 We're talking about facilities
14 that are now meeting all environmental standards
15 that could have a positive environmental impact,
16 a positive economic impact, which the rule
17 recognizes has real world impacts on everyone's
18 health and well-being.

19 So we ask the Department to
20 revisit this position to provide more
21 flexibility, do not tie your hands. Let's look
22 how to really improve communities and not just
23 have a prescriptive standard. Thank you very
24 much.

25 HEARING OFFICER MORIARTY: Thank

1 you, Raymond. Nathan Fishman.

2 MR. FISHMAN: My name is Nathan
3 Fishman, N-a-t-h-a-n F-i-s-h-m-a-n. I'm from
4 Stolen (Phonetic) Lenape Land, East Brunswick,
5 New Jersey, and I'm with the New Jersey Poor
6 Peoples's Campaign. The New Jersey Environmental
7 Justice Law rules need to ensure that there is
8 absolutely -- are absolutely no loopholes in the
9 compelling public interest exception, and
10 absolutely full access to participation to the
11 permit process for multilingual communities to
12 participate, and maximizing permit process
13 participation for most impacted people and the
14 wider public. And absolute commitment to
15 reducing pollution rather than just preventing
16 more.

17 You might call me an out-of-work
18 social worker, but I would argue that being
19 available and being here makes me a very much at
20 work social worker. The nine national core
21 competencies for social workers include advancing
22 Environmental Justice. I think that's because we
23 can't uphold the other functions, like being
24 ethical, like engaging in research and foreign
25 practice and like valuing the local wisdom of

1 diverse culture without doing EJ advocacy. My
2 town is not subject to the immediate impacts of
3 polluting facilities that overburdened
4 communities are already experiencing, like higher
5 rates of asthma, cancer, elevated particulate
6 blood levels and developmental problems.

7 However, if I was in the last row of a bus that
8 was going off of a cliff, I would still advocate
9 for the driver to press on the brakes.

10 In the context of our
11 environmental degradation crisis, the brakes are
12 adhering to and accountability to the public
13 demand for protecting our overburdened
14 communities. Besides my interest as an invested
15 and outraged social worker, I'm also deeply
16 emersed in my desire for a safe and healthy
17 future for the children of our planet, for racial
18 justice, equity and liberation that's required
19 for that healthy future. And for God sake for
20 appreciation and mutual enjoyment of our natural
21 spaces, scenery, air and the wonders of the
22 world.

23 What we're doing here today is
24 salvaging those things, all those things.

25 Thanks.

1 HEARING OFFICER MORIARTY: Thank
2 you, sir. Next, Dan Ortega.

3 MR. ORTEGA: Good afternoon. My
4 name is Daniel Ortega, O-r-t-e-g-a. I lead
5 Community Affairs for the Engineers
6 Labor-Employer Cooperative, the labor management
7 fund for the more than 8,000 men and women of the
8 operating engineers union and the more than 1,000
9 signatory contractors who employ them.

10 As we plan our state's future, it
11 is important that we take all factors into
12 account, not just the ones we want or what the
13 fashionable of the day.

14 We question whether do we have --
15 how do we protect our environment for generations
16 to come? How can we ensure our economy is strong
17 for the long term? What are we doing to provide
18 good jobs for our economy? What type of
19 development do we want to see in our communities?

20 Sadly, this has not been the case
21 for our state's Environmental Justice Law from
22 the beginning and the regulations that have been
23 hastily rolled out miss the mark entirely.
24 Progress is not always a straight line as some
25 here are suggesting.

1 Under these proposed rules, almost
2 two-thirds of the state of New Jersey is
3 designated as being overburdened under the
4 proposed rules, 90% of those same areas will be
5 determined to have disproportioned impacts. In
6 plain terms, this means the type of economy we
7 are trying to attract, such as, advanced
8 manufacturing and supply chain logistics, will be
9 halted entirely.

10 Moreover, expansions at
11 universities, transportation centers, economic
12 opportunities and even healthcare centers will be
13 at risk of being blocked completely. This is not
14 progress. Rules that pick winners or losers
15 rather than allowing the local market to
16 determine what works and doesn't have never
17 worked out in our state's history.

18 We have testified from the
19 beginning that this law and now regulations were
20 going to do more harm than good and needed to be
21 overhauled significantly. Those comments were
22 ignored. So here we are again to tell you that
23 these regulations will do more harm than good and
24 have completely missed the mark of striking a
25 balance between economic opportunity and

1 community protections. It is our hope that the
2 state will listen at this time.

3 This needs to be an open and
4 working progress -- process, excuse me. Not just
5 hearings for the sake of hearings and to fast
6 track a predetermined outcome. The working
7 people of New Jersey deserve better. Thank you.

8 HEARING OFFICER MORIARTY: Thank
9 you, sir. Eric Benson. Sorry. Okay. The last
10 person I have is Paula Rogovin indicated.

11 MS. ROGOVIN: Hi. I'm Paula
12 Rogovin and I live in Teaneck, New Jersey. Since
13 retiring as a teacher, I've been involved in
14 efforts to stop the Meadowlands Power Plant in
15 North Bergen, New Jersey gas plant in Kearny,
16 PVSC plant in the Ironbound, all in Environmental
17 Justice communities.

18 In April, I participated in the
19 Ironbound Community Corporation's truck count.
20 We tabulated the number of huge and medium size
21 trucks and smaller vehicles. Nearly every minute
22 there were huge trucks from Port Newark,
23 warehouses and heavy industry. Thousands of huge
24 trucks spew diesel exhaust there everyday.
25 Nearby were three power plants and the

1 incinerator. Every few minutes, huge jets from
2 Newark Airport spewed toxic pollutants.

3 I was in tears. I live in
4 Teaneck, New Jersey. We don't have any power
5 plants, incinerators, heavy industry, or
6 warehouses. No one would even consider applying
7 for a permit to build that in Teaneck. Huge
8 trucks are forbidden on most Teaneck streets.
9 Rules for EJ Law must be used to stop this
10 injustice imposed on Environmental Justice
11 communities.

12 When PVSC held meetings about
13 their proposed power plant, they said that
14 pollution from the power plant would be, quote,
15 negligible. I say that new pollution in the
16 Ironbound is just wrong or any Environmental
17 Justice community is just wrong. Currently, the
18 impact of pollution on maternal health,
19 miscarriages, stillbirths, premature births, is
20 unacceptable. The potential health impacts of a
21 PVSC gas power plant were documented in a letter
22 sent to the DEP and Governor Murphy by 139
23 healthcare providers and scientists. They
24 documented that it is the toxic mix, the combined
25 impact of pollution from those many sources, not

1 just pollution from one project, that must be
2 essential in an environmental impact assessment.

3 Rules for the EJ Law which you,
4 the DEP, are considering must be -- can be part
5 of the remedy of this gross injustice.

6 These are specific rule --
7 suggestions. The only purpose of these rules
8 must be to protect the host community. If the
9 project or renewal for the project is wrong, just
10 say no. No compromise on people's health.

11 Number two, the potential
12 stressors in the host community for a proposal
13 must not be higher than in those in other New
14 Jersey communities like my town of Teaneck.

15 And three, new project must not
16 allow any additional pollution in the host
17 community. None. Renewals must prioritize
18 substantially reducing pollution.

19 Four, regarding the so-called
20 compelling public interest, that exception must
21 be drastically limited. This must not be about
22 economic benefits such as profits or job
23 creation. No loopholes. There must be an
24 extremely narrow interpretation of compelling
25 public interest.

1 Five, pollution travels.
2 Therefore, public hearings must involve people
3 far beyond the 200 feet near a project, to at
4 least 1,000 feet. Efforts to reach out to
5 community -- residents in community must be
6 multilingual and thorough. Every single resident
7 within 1,000 feet must be contacted.

8 Six, applicants for permits or
9 renewals must respond to each public comment.

10 And seven, applicants must
11 withdraw or make changes to their applications
12 based on concerns of the public.

13 And I am -- you know that I feel
14 very strongly about this. It's a crime what's
15 going on in New Jersey. Environmental Justice
16 communities, it's a crime. The health impacts of
17 -- that are faced by people in overburdened --
18 you know, communities overburdened by facilities,
19 polluting facilities, it's just a crime. It's
20 wrong. And there should be no loopholes, no way
21 around the rules, no way at all. This is about
22 correcting historic injustices and it must be
23 done. These rules can do it. Please, no
24 loopholes. No way of getting around the
25 Environmental Justice rules. Thank you.

1 HEARING OFFICER MORIARTY: Thank
2 you, ma'am. We have exhausted our list of
3 speakers who signed up. Is there anyone who did
4 not sign up or who signed up after we started
5 that would like to speak? Anyone who spoke would
6 like another three minutes?

7 All right. That's it? We're
8 good? Okay. Well, I would like to very
9 sincerely thank everyone for being here today.
10 Want to encourage you again, if you have any
11 further comments to please submit in writing.
12 Also, check the proposal, we have several other
13 public hearings coming up and we'd love to see
14 you there as well. So, thank you. Have a
15 wonderful day. All right. So we have -- we're
16 going to -- obviously we're keeping the record
17 open for the time period that we set. So we'll
18 be here until five, so if anyone comes in after
19 that we'll continue to take those comments.

20 And this brings us to Mr. Terrance
21 Bankston.

22 MR. BANKSTON: Good afternoon. My
23 name is Terrance Bankston. I am the
24 Environmental Justice organizer for Clean Water
25 Action. The state's -- one of the state's, I

1 should say, largest environmental federation.

2 First of all, thank you for this
3 opportunity to speak. Just a few points on the
4 rule. I think -- obviously, I'm preaching to the
5 choir in terms of the importance of this
6 particular rule. And not just that, but the
7 enforcement and the accountability that comes
8 along with it. And I think that that's what our
9 concern is. We want to ensure that there are no
10 loopholes. We want to ensure that folks who come
11 from black and brown communities, like Camden,
12 Trenton, Newark, where I'm from, that there's
13 fair access to the process in terms of answering
14 public comments. Anything else that I wanted to
15 point out. Sorry about that.

16 We just had a recent experience
17 and we're celebrating a victory. Some of you may
18 have heard about in terms of a recent correlation
19 involving warehouses. So Amazon was a prime
20 example. And so my last point is just, economics
21 and jobs just can't be an offset, right, because
22 you give us jobs, because you say you will plant
23 trees, that's not good enough to continue to
24 pollute overburdened communities. And so we just
25 want to, again, ensure that those things are

1 taken into account as we move forward in this
2 process. Thank you.

3 HEARING OFFICER MORIARTY: Thank
4 you, sir.

5 (Whereupon there was a break at
6 this time.)

7 HEARING OFFICER MORIARTY: Okay.
8 So we've reached -- sorry. We've reached 5
9 o'clock, which is the end of this portion of the
10 public hearing. We're going to close the record
11 for an hour and then we're going to restart at 6
12 o'clock. We'll do from six to seven for whoever
13 has an interest in the meeting. You are all
14 welcomed to stay, of course, and we will be back
15 to reopen and we'll read the opening statements
16 in about an hour.

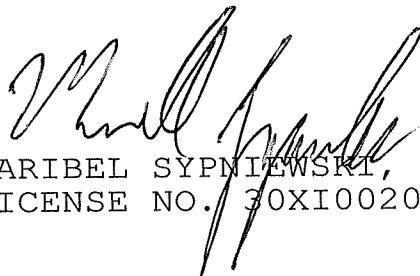
17 (Concluded at 5:03 p.m.)
18
19
20
21
22
23
24
25

C E R T I F I C A T E

I, MARIBEL SYPNIEWSKI, a
Certified Court Reporter and Notary Public of the
State of New Jersey, do hereby certify that prior
to the commencement of the examination, the
witness was duly sworn by me to testify the
truth, the whole truth and nothing but the truth.

I DO FURTHER CERTIFY that the
foregoing is a true and accurate transcript of
the testimony as taken stenographically by and
before me at the time, place and on the date
hereinbefore set forth, to the best of my
ability.

I DO FURTHER CERTIFY that I am
neither a relative nor employee nor attorney nor
counsel of any of the parties to this action, and
that I am neither a relative nor employee of such
attorney or counsel, and that I am not
financially interested in the action.



MARIBEL SYPNIEWSKI, C.C.R.
LICENSE NO. 30XI00203200

DATE

A				
Abatemarco (1) 7:15	4:20 affiliation (1) 8:21	4:18 assessment (1) 18:2	brakes (2) 13:9,11	Clean (1) 20:24
able (1) 9:4	afraid (1) 10:1	Association (1) 9:19	break (1) 22:5	cliff (1) 13:8
absolute (1) 12:14	afternoon (3) 3:2;14:3;20:22	asthma (1) 13:5	brings (1) 20:20	close (1) 22:10
absolutely (3) 12:8,8,10	again (4) 9:2;15:22;20:10; 21:25	attract (1) 15:7	brown (1) 21:11	closes (1) 7:10
access (2) 12:10;21:13	air (3) 5:7,18;13:21	available (3) 6:2,12;12:19	Brunswick (1) 12:4	combined (1) 17:24
accessible (1) 6:13	Airport (1) 17:2	avoid (4) 4:5,22;5:23;7:5	build (1) 17:7	coming (2) 11:3;20:13
accordance (1) 7:25	allow (1) 18:16	avoidance (1) 5:23	bus (1) 13:7	comment (5) 6:9,18;7:10,20;19:9
account (2) 14:12;22:1	allowing (2) 11:10;15:15	awesome (1) 4:2	Business (1) 9:18	comments (14) 3:7;6:14;7:13,16, 19,19;8:7,24;9:4,20; 15:21;20:11,19;21:14
accountability (2) 13:12;21:7	almost (1) 15:1		C	Commissioner (1) 3:3
across (1) 3:24	along (1) 21:8	B	C-a (1) 9:17	commitment (1) 12:14
Act (3) 5:7,13;8:1	always (1) 14:24	back (2) 10:2;22:14	call (1) 12:17	communication (1) 8:4
action (2) 5:17;20:25	Amazon (1) 21:19	balance (1) 15:25	called (1) 8:19	communities (17) 3:22;4:2,21;7:1; 9:25;11:22;12:11; 13:4,14;14:19;16:17; 17:11;18:14;19:16, 18;21:11,24
actions (1) 6:20	analysis (1) 4:16	Bankston (3) 20:21,22,23	Camden (1) 21:11	community (20) 4:12,24;5:4;6:2,6,7, 13,23,25;11:4,12; 14:5;16:1,19;17:17; 18:8,12,17;19:5,5
actual (2) 10:7,7	applicant (5) 5:10,15,22;6:6,13	based (1) 19:12	Campaign (1) 12:6	comparative (1) 4:15
actually (2) 9:24;11:11	applicants (2) 19:8,10	baseline (1) 6:22	can (3) 14:16;18:4;19:23	compared (1) 4:14
additional (5) 6:19;8:2,25;9:1; 18:16	application (1) 6:21	basic (1) 4:8	cancer (1) 13:5	compelling (3) 12:9;18:20,24
address (3) 5:22;6:14;7:18	applications (1) 19:11	become (1) 4:1	CANTOR (2) 9:16,17	competencies (1) 12:21
addressed (1) 7:21	applies (2) 4:25;5:14	begin (1) 8:17	C-a-n-t-o-r (1) 9:18	completely (2) 15:13,24
adhering (1) 13:12	applying (1) 17:6	beginning (2) 14:22;15:19	case (2) 7:2;14:20	compromise (1) 18:10
Administrative (1) 7:25	appreciate (1) 9:22	benefit (2) 6:1;11:5	cause (1) 6:23	concentrated (1) 4:1
adopt (1) 7:22	appreciation (1) 13:20	benefits (5) 10:11,13,21,25; 18:22	causing (1) 4:22	concern (1) 21:9
advance (1) 6:3	appropriately (1) 9:15	Benson (1) 16:9	celebrating (1) 21:17	concerned (1) 10:1
advanced (1) 15:7	approval (1) 5:12	Bergen (1) 16:15	centers (2) 15:11,12	concerning (1) 8:8
advancing (1) 12:21	approve (1) 7:4	Besides (1) 13:14	certain (3) 3:20;4:22;5:24	concerns (2) 8:12;19:12
adverse (3) 4:6,23;6:23	April (1) 16:18	better (1) 16:7	certainly (1) 9:5	Concluded (1) 22:17
advocacy (1) 13:1	area (1) 11:8	beyond (1) 19:3	chain (1) 15:8	condition (1) 4:21
advocate (1) 13:8	areas (2) 3:19;15:4	births (1) 17:19	changes (1) 19:11	conditions (2) 7:5;9:25
advocates (1) 11:7	argue (1) 12:18	black (1) 21:11	check (1) 20:12	
Affairs (2) 7:17;14:5	Armando (4) 9:9,10,12,14	blocked (1) 15:13	children (1) 13:17	
affecting (1)	around (2) 19:21,24	blood (1) 13:6	choir (1) 21:5	
	assess (1)	both (1) 10:19	circumstances (1) 5:25	

consider (3) 3:20;4:9;17:6	degradation (1) 13:11	East (1) 12:4	Environmental (35) 3:4,7,9,11,13,15,16, 19;4:11,18,19,23; 5:12,15,20,25;6:19, 24;7:9;11:5,7,14,15; 12:6,22;13:11;14:21; 16:16;17:10,16;18:2; 19:15,25;20:24;21:1	11:3
considering (2) 4:13;18:4	demand (1) 13:13	economic (5) 10:13;11:16;15:11, 25;18:22	equity (1) 13:18	factors (1) 14:11
context (1) 13:10	deny (2) 4:21;7:4	economics (1) 21:20	Eric (1) 16:9	fail (1) 3:20
continue (2) 20:19;21:23	DEP (3) 9:22;17:22;18:4	economy (3) 14:16,18;15:6	essential (1) 18:2	failure (1) 3:23
contracted (1) 19:7	Department (11) 3:4;4:18;5:11,16; 6:16;7:4,7,22;8:1; 11:10,19	effect (1) 3:17	evaluating (1) 5:17	fair (1) 21:13
contractors (1) 14:9	Department's (1) 8:3	efforts (2) 16:14;19:4	even (3) 11:6;15:12;17:6	far (1) 19:3
contribute (3) 4:11;5:20;6:23	Deputy (1) 3:3	eight (1) 5:6	everyday (1) 16:24	fashionable (1) 14:13
contributing (1) 4:23	deserve (1) 16:7	EJ (4) 5:14;13:1;17:9; 18:3	everyone (3) 8:23;9:2;20:9	fast (1) 16:5
Cooperative (1) 14:6	designated (1) 15:3	EJIS (5) 5:16,22;6:2,8,17	everyone's (1) 11:17	feasible (1) 5:23
core (1) 12:20	desire (1) 13:16	elected (1) 11:6	example (1) 21:20	federation (1) 21:1
Corporation's (1) 16:19	desk (1) 8:14	electronic (1) 8:4	exception (2) 12:9;18:20	feedback (1) 6:10
correcting (1) 19:22	Despite (1) 10:8	electronically (1) 7:14	excuse (2) 7:12;16:4	feel (1) 19:13
correlation (1) 21:18	details (1) 10:19	elevated (1) 13:5	exhaust (1) 16:24	feet (3) 19:3,4,7
count (1) 16:19	determine (2) 6:18;15:16	else (1) 21:14	exhausted (1) 20:2	few (2) 17:1;21:3
couple (1) 9:7	determined (1) 15:5	emerged (1) 13:16	existing (3) 3:19;5:5,19	financial (1) 4:4
course (1) 22:14	development (1) 14:19	emotional (1) 10:19	expansion (1) 5:19	first (4) 3:12;5:2;9:14;21:2
covered (1) 5:12	developmental (1) 13:6	employ (1) 14:9	expansions (1) 15:10	Fishman (3) 12:1,2,3
created (1) 3:23	devise (1) 10:14	employee (1) 9:22	expected (1) 6:20	F-i-s-h-m-a-n (1) 12:3
creation (1) 18:23	diesel (1) 16:24	employing (1) 10:9	experience (1) 21:16	Five (2) 19:1;20:18
crime (3) 19:14,16,19	disproportionate (3) 4:6,14;7:3	empowering (1) 3:13	experiencing (1) 13:4	fix (1) 10:4
crisis (1) 13:11	disproportioned (1) 15:5	encourage (1) 20:10	extremely (1) 18:24	flexibility (2) 11:11,21
criteria (1) 5:1	diverse (1) 13:1	end (1) 22:9		focusing (1) 10:24
culture (1) 13:1	Docket (1) 7:15	enforcement (1) 21:7		folks (2) 9:1;21:10
cumulative (1) 6:24	documented (2) 17:21,24	engaging (1) 12:24		forbidden (1) 17:8
Currently (1) 17:17	done (2) 8:13;19:23	Engineers (2) 14:5,8		foreign (1) 12:24
	down (1) 11:10	enjoyment (1) 13:20		formulated (1) 3:17
	drastically (1) 18:21	enough (1) 21:23		forth (1) 7:18
	driver (1) 13:9	ensure (7) 6:4;8:22;12:7; 14:16;21:9,10,25		forward (1) 22:1
	during (1) 7:19	entirely (2) 14:23;15:9		four (2) 9:6;18:19
		environment (2) 4:7;14:15		front (1) 8:14
				full (1) 12:10
				fully (1) 3:20

functions (1) 12:23	9:6;16:5,5;19:2; 20:13	include (1) 12:21	5:15;7:9;11:7;12:7; 22;13:18;14:21; 16:17;17:10,17; 19:15,25;20:24	liberation (1) 13:18
fund (1) 14:7	heavy (2) 16:23;17:5	including (1) 7:20		limit (1) 8:24
fundamental (1) 10:23	held (3) 3:6;7:24;17:12	indicate (1) 8:15	K	limited (1) 18:21
further (1) 20:11	Hi (1) 16:11	indicated (2) 7:11;16:10	Kearny (1) 16:15	line (2) 10:9;14:24
future (3) 13:17,19;14:10	high (1) 3:24	individuals (2) 8:11,18	keeping (1) 20:16	list (2) 9:15;20:2
G	higher (3) 7:1;13:4;18:13	Industry (3) 9:19;16:23;17:5	key (2) 10:13,22	listed (1) 5:7
gas (2) 16:15;17:21	historic (1) 19:22	information (1) 6:17	kind (1) 3:12	listen (1) 16:2
general (1) 3:18	history (1) 15:17	injustice (2) 17:10;18:5	L	live (2) 16:12;17:3
generations (1) 14:15	hold (1) 6:6	injustices (1) 19:22	labor (1) 14:6	local (4) 3:22;4:5;12:25; 15:15
geographic (1) 3:19	hope (1) 16:1	intended (1) 8:9	Labor-Employer (1) 14:6	located (2) 5:2,3
goal (1) 8:6	host (4) 5:21;18:8,12,16	interest (5) 12:9;13:14;18:20, 25;22:13	lack (2) 4:2;10:21	logistics (1) 15:8
God (1) 13:19	hour (2) 22:11,16	interested (1) 8:10	Land (1) 12:4	long (1) 14:17
good (9) 3:2;11:4;14:3,18; 15:20,23;20:8,22; 21:23	huge (5) 16:20,22,23;17:1,7	interpretation (1) 18:24	landmark (1) 3:11	look (1) 11:21
Governor (2) 3:10;17:22	I	into (4) 8:7;11:3;14:11; 22:1	landscape (1) 4:5	looking (2) 10:2,10
gross (1) 18:5	ignored (1) 15:22	invested (1) 13:14	languages (1) 6:12	loopholes (5) 12:8;18:23;19:20, 24;21:10
H	ignoring (2) 10:11,25	inviting (1) 8:17	largest (1) 21:1	losers (1) 15:14
halted (1) 15:9	immediate (1) 13:2	involve (1) 19:2	last (3) 13:7;16:9;21:20	louder (1) 4:4
hands (1) 11:21	impact (11) 4:14;5:16;7:3; 10:20,24;11:12,15,16; 17:18,25;18:2	involved (1) 16:13	later (1) 9:20	love (1) 20:13
hard (1) 10:9	impacted (2) 6:11;12:13	involving (1) 21:19	Law (14) 3:9,12,15;4:8,17, 25;5:14;7:9;10:14; 12:7;14:21;15:19; 17:9;18:3	low-income (3) 4:2;10:15,20
harm (3) 10:11;15:20,23	impacting (1) 6:22	Ironbound (3) 16:16,19;17:16	laws (1) 3:19	M
hastily (1) 14:23	impacts (12) 3:20;4:6;5:24;7:6; 10:6,8,22;11:17;13:2; 15:5;17:20;19:16	J	lead (1) 14:4	ma'am (1) 20:2
health (16) 4:7,11,19,24;5:21; 6:1,20,24;10:6,8,21; 11:18;17:18,20; 18:10;19:16	implement (1) 7:9	Jersey (16) 3:3,24;4:17;7:8,21; 9:18;12:5,5,6;15:2; 16:7,12,15;17:4; 18:14;19:15	least (2) 6:9;19:4	mail (1) 8:4
healthcare (2) 15:12;17:23	implements (1) 3:8	Jersey's (4) 3:8,11;4:20;5:11	ledger (2) 10:10;11:8	major (2) 5:7,18
healthy (2) 13:16,19	importance (1) 21:5	jets (1) 17:1	Legal (1) 7:17	makes (2) 10:16;12:19
heard (1) 21:18	important (1) 14:11	job (3) 10:20;11:1;18:22	legislation (1) 3:14	management (1) 14:6
HEARING (20) 3:1,5,5,6;6:3,7,18; 7:21,24;8:2,6,8,9,13; 11:25;14:1;16:8;20:1; 22:3,7,10	imposed (1) 17:10	jobs (4) 11:5;14:18;21:21, 22	Lenape (1) 12:4	manufacturing (1) 15:8
hearings (5)	improve (2) 9:24;11:22	June (1) 7:7	letter (1) 17:21	many (2) 3:25;17:25
	incinerator (1) 17:1	Justice (18) 3:8,9,12,13,15;	level (1) 10:15	mark (2) 14:23;15:24
	incinerators (1) 17:5		levels (1) 13:6	market (1) 15:15
				materials (1) 6:12

maternal (1) 17:18	14:1;16:8;20:1;22:3,7	8:5	14:2,3,4	15:14
maximizing (1) 12:12	most (5) 3:13;4:8;6:10; 12:13;17:8	next (2) 9:7;14:2	O-r-t-e-g-a (1) 14:4	plain (1) 15:6
may (4) 3:21;4:2;7:4;21:17	move (1) 22:1	nine (1) 12:20	out (4) 14:23;15:17;19:4; 21:15	plan (1) 14:10
Meadowlands (1) 16:14	much (4) 4:3,4;11:24;12:19	None (1) 18:17	outcome (1) 16:6	planet (1) 13:17
meaningful (1) 6:4	multilingual (2) 12:11;19:6	non-overburdened (1) 7:1	outlets (1) 8:5	Plant (7) 16:14,15,16;17:13, 14,21;21:22
means (1) 15:6	Murphy (2) 3:10;17:22	North (1) 16:15	out-of-work (1) 12:17	plants (2) 16:25;17:5
medium (1) 16:20	must (18) 5:15,22;17:9;18:1, 4,8,13,15,17,20,21,23; 19:2,5,7,9,10,22	Notice (4) 6:11;7:12,13;8:2	outraged (1) 13:15	please (3) 8:14;19:23;20:11
meeting (2) 11:14;22:13	mutual (1) 13:20	Number (6) 5:10;7:15;8:5; 10:12;16:20;18:11	over (1) 3:18	pm (1) 22:17
meetings (1) 17:12		O	overburdened (14) 4:12,20,24;5:3;6:1, 5,7,25;13:3,13;15:3; 19:17,18;21:24	pockets (1) 3:24
Melissa (1) 7:15	N	OBC (3) 5:21;10:14,16	overhauled (1) 15:21	point (5) 8:24;9:23;10:13; 21:15,20
members (2) 6:5,13	name (8) 3:2;8:19,20;9:14, 16;12:2;14:4;20:23	OBCs (1) 4:15	P	points (2) 9:21;21:3
men (1) 14:7	narrow (1) 18:24	obviously (2) 20:16;21:4	part (1) 18:4	political (1) 4:4
mentioned (1) 9:21	Nathan (2) 12:1,2	o'clock (2) 22:9,12	participate (1) 12:12	pollutants (1) 17:2
met (1) 5:1	N-a-t-h-a-n (1) 12:3	off (1) 13:8	participated (1) 16:18	pollute (1) 21:24
metal (1) 5:8	national (1) 12:20	Office (1) 7:17	participation (3) 6:5;12:10,13	polluting (2) 13:3;19:19
microphone (2) 8:20;9:9	nation's (1) 3:13	OFFICER (9) 3:1,5;9:13;11:25; 14:1;16:8;20:1;22:3,7	particular (1) 21:6	pollution (13) 3:17,24;5:8,19; 12:15;17:14,15,18,25; 18:1,16,18;19:1
might (3) 4:13;8:21;12:17	natural (1) 13:20	officials (1) 11:6	particulate (1) 13:5	pollution-generating (2) 3:21,25
minimize (2) 5:24;7:5	near (1) 19:3	offset (1) 21:21	Paula (2) 16:10,11	Poor (1) 12:5
minor (1) 10:24	Nearby (1) 16:25	often (1) 3:17	paying (1) 11:4	populations (1) 3:18
minority (1) 4:1	Nearly (1) 16:21	one (7) 5:6;9:5,20;10:10; 17:6;18:1;20:25	people (4) 12:13;16:7;19:2,17	Port (1) 16:22
minute (1) 16:21	need (2) 7:16;12:7	ones (1) 14:12	people's (1) 18:10	portion (1) 22:9
minutes (3) 8:24;17:1;20:6	needed (1) 15:20	only (2) 10:10;18:7	Peoples's (1) 12:6	position (1) 11:20
miscarriages (1) 17:19	needs (2) 11:11;16:3	open (2) 16:3;20:17	percent (1) 10:15	positive (2) 11:15,16
miss (1) 14:23	negligible (1) 17:15	opening (3) 9:9,11;22:15	period (4) 6:9;7:10,20;20:17	potential (5) 10:11,24;11:2; 17:20;18:11
missed (1) 15:24	neighbors (1) 4:15	operating (1) 14:8	permit (7) 4:10;5:12;6:21;7:4; 12:11,12;17:7	power (7) 4:4;16:14,25;17:4, 13,14,21
missing (2) 9:24;10:13	net (2) 5:25;11:5	opportunities (1) 15:12	permits (2) 4:21;19:8	practice (1) 12:25
mix (1) 17:24	New (23) 3:3,8,11,24;4:17, 20;5:11,17;7:8,21; 9:18;12:5,5,6;15:2; 16:7,12,15;17:4,15; 18:13,15;19:15	opportunity (8) 6:10;8:10,18;9:3, 24;10:4;15:25;21:3	person (1) 16:10	preaching (1) 21:4
moment (1) 10:3	Newark (3) 16:22;17:2;21:12	oral (1) 3:6	Phonetic (1) 12:4	predetermined (1) 16:6
more (7) 11:9,20;12:16;14:7, 8;15:20,23	news (1)	organizer (1) 20:24	physical (1) 10:19	predominant (1) 4:1
Moreover (1) 15:10		Ortega (3)	pick (1)	
MORIARTY (9) 3:1,2;9:13;11:25;				

premature (1) 17:19	Published (1) 7:12	18:5	scenery (1) 13:21	16:9;21:15;22:8
prescriptive (1) 11:23	purpose (1) 18:7	remind (1) 9:2	scientists (1) 17:23	source (2) 5:7,18
present (2) 6:8;7:3	PVSC (3) 16:16;17:12,21	renewal (2) 5:18;18:9	scrap (1) 5:8	sources (1) 17:25
presented (1) 6:17	Q	Renewals (2) 18:17;19:9	Sean (1) 3:2	spaces (1) 13:21
press (1) 13:9		reopen (1) 22:15	Second (1) 5:5	Spanish (2) 9:10,12
preventing (1) 12:15	question-and-answer (1) 8:9	requested (1) 8:18	seeking (1) 4:10	speak (5) 8:19;9:2,4;20:5; 21:3
prime (1) 21:19	quote (1) 17:14	required (4) 6:6,14;8:1;13:18	seeks (1) 5:10	speakers (1) 20:3
prioritize (1) 18:17	R	requires (2) 4:9,17	sent (1) 17:22	speaking (1) 8:15
problems (2) 10:23;13:6		research (1) 12:24	September (2) 3:10;7:11	specific (3) 4:9,10;18:6
Procedures (1) 7:25	racial (1) 13:17	resident (1) 19:6	session (1) 8:9	spell (1) 8:21
process (6) 9:22;12:11,12;16:4; 21:13;22:2	rates (1) 13:5	residents (1) 19:5	set (2) 7:18;20:17	spew (1) 16:24
profits (1) 18:22	rather (3) 8:10;12:15;15:15	respond (1) 19:9	seven (2) 19:10;22:12	spewed (1) 17:2
Progress (3) 14:24;15:14;16:4	Ray (1) 9:17	response (1) 10:18	several (1) 20:12	spoke (1) 20:5
project (7) 6:8,11;18:1,9,9,15; 19:3	Raymond (2) 9:17;12:1	restart (1) 22:11	shape (1) 4:5	spoken (1) 8:25
proposal (8) 7:10,18,23;8:8; 10:5,9;18:12;20:12	R-a-y-m-o-n-d (1) 9:17	retiring (1) 16:13	sheet (1) 11:8	spread (1) 3:18
proposed (11) 3:7;5:3,5,17;6:8,11; 7:8,11;15:1,4;17:13	reach (1) 19:4	revisit (1) 11:20	side (1) 10:10	standard (1) 11:23
proposes (1) 5:22	reached (2) 22:8,8	right (3) 20:7,15;21:21	sign (2) 8:14;20:4	standards (5) 3:16;10:6,7,8;11:14
proposing (1) 11:4	read (2) 9:9;22:15	risk (1) 15:13	signatory (1) 14:9	started (1) 20:4
protect (2) 14:15;18:8	real (3) 10:25;11:11,17	Rogovin (3) 16:10,11,12	signed (3) 3:11;20:3,4	State (4) 7:2;8:20;15:2;16:2
protecting (1) 13:13	really (1) 11:22	rolled (1) 14:23	significantly (1) 15:21	Statement (3) 5:16;9:10,11
Protection (2) 3:4;4:18	receive (2) 3:6;8:7	row (1) 13:7	sincerely (1) 20:9	statements (1) 22:15
protections (1) 16:1	received (2) 6:15;7:19	rule (7) 7:22;8:8;10:17; 11:16;18:6;21:4,6	sing (1) 19:6	state's (5) 14:10,21;15:17; 20:25,25
provide (6) 5:25;6:10;9:1,3; 11:20;14:17	recent (2) 21:16,18	rulemaking (2) 3:8;8:13	situation (1) 11:3	stay (1) 22:14
provided (2) 8:2;9:5	recognizes (3) 3:16;10:14;11:17	rules (13) 7:8;9:23;10:4;12:7; 15:1,4,14;17:9;18:3, 7;19:21,23,25	Six (2) 19:8;22:12	stenographer (1) 8:22
providers (1) 17:23	record (4) 8:7,22;20:16;22:10	S	size (1) 16:20	step (1) 8:19
public (32) 3:5;4:11,19,23; 5:21;6:1,3,3,4,7,9,17, 18,19,24;7:10,12,20, 24;8:2;9:6;12:9,14; 13:12;18:20,25;19:2, 9,12;20:13;21:14; 22:10	reducing (2) 12:15;18:18		smaller (1) 16:21	still (1) 13:8
	regarding (2) 8:12;18:19	Sadly (1) 14:20	so-called (1) 18:19	stillbirths (1) 17:19
	Register (2) 7:8,22	safe (1) 13:16	social (4) 12:18,20,21;13:15	Stolen (1) 12:4
	regulations (3) 14:22;15:19,23	sake (2) 13:19;16:5	soft (1) 10:8	stop (2) 16:14;17:9
	rejects (1) 10:22	salvaging (1) 13:24	solid (1) 5:9	straight (1) 14:24
	relevance (1) 7:18	same (1) 15:4	solution (1) 10:23	streets (1) 17:8
	relevant (2) 4:19;7:19		Sorry (3)	
	remedy (1)			

ENVIRONMENTAL JUSTICE RULE
PUBLIC HEARING

3:00 pm
July 11, 2022

stresses (1) 10:17	19:6	15:11	wonderful (1) 20:15	10:15
stressor (1) 10:18	Thousands (1) 16:23	up (5) 8:20;20:3,4,4,13	wondering (1) 10:3	4
stressors (12) 4:12,13,20,24;5:21; 6:20,22,25;10:5,25; 11:9;18:12	three (6) 4:25;5:10;8:24; 16:25;18:15;20:6	uphold (1) 12:23	wonders (1) 13:21	4 (1) 7:11
striking (1) 15:24	throughout (1) 9:7	upon (1) 4:6	work (1) 12:20	5
strong (1) 14:16	tie (1) 11:21	used (1) 17:9	worked (1) 15:17	5 (1) 22:8
strongly (1) 19:14	today (4) 9:4,21;13:23;20:9	uses (1) 10:5	worker (3) 12:18,20;13:15	5:03 (1) 22:17
subject (1) 13:2	today's (2) 7:20;8:6	V	workers (1) 12:21	6
submit (2) 5:15;20:11	together (1) 6:21	valuing (1) 12:25	working (2) 16:4,6	6 (2) 7:7;22:11
submitted (2) 7:13,17	tonight (1) 8:16	vehicles (1) 16:21	works (1) 15:16	60 (1) 6:9
submitting (1) 9:19	town (2) 13:2;18:14	verbal (1) 8:7	world (3) 11:12,17;13:22	8
substantially (1) 18:18	toxic (2) 17:2,24	victory (1) 21:17	writing (2) 9:5;20:11	8,000 (1) 14:7
suggesting (1) 14:25	track (1) 16:6	voice (2) 8:11,11	written (5) 3:7;7:13;8:4;9:3,20	9
suggestions (2) 8:12;18:7	translated (1) 9:11	W	wrong (5) 10:3;17:16,17;18:9; 19:20	90% (1) 15:4
summarize (1) 9:20	transportation (1) 15:11	warehouses (3) 16:23;17:6;21:19	wwwnjgov/dep/comments (1) 7:14	
supply (1) 15:8	travels (1) 19:1	waste (1) 5:9	Y	
support (3) 8:11;11:6,7	trees (1) 21:23	Water (1) 20:24	years (1) 10:2	
surrogates (1) 10:6	Trenton (1) 21:12	way (3) 19:20,21,24	0	
T	truck (1) 16:19	website (1) 8:3	05-22-04 (1) 7:16	
	trucks (4) 16:21,22,24;17:8	weeks (1) 9:7	1	
	trying (1) 15:7	welcomed (1) 22:14	1,000 (3) 14:8;19:4,7	
tabulated (1) 16:20	turn (1) 11:9	well-being (1) 11:18	10 (1) 10:1	
talking (1) 11:13	two (1) 18:11	what's (1) 19:14	139 (1) 17:22	
teacher (1) 16:13	two-thirds (1) 15:2	Whereupon (1) 22:5	2	
Teaneck (5) 16:12;17:4,7,8; 18:14	type (4) 4:10;5:11;14:18;	wide (1) 3:18	20 (1) 10:1	
tears (1) 17:3	types (1) 5:6	wider (1) 12:14	200 (1) 19:3	
term (1) 14:17	U	winners (1) 15:14	2020 (1) 3:10	
terms (4) 15:6;21:5,13,18	unacceptable (1) 17:20	wisdom (1) 12:25	2022 (2) 7:7,11	
Terrance (2) 20:20,23	under (3) 5:24;15:1,3	withdraw (1) 19:11	3	
testified (1) 15:18	unemployment (1) 10:18	within (1) 19:7	35 (1)	
Thanks (2) 4:3;13:25	union (1) 14:8	without (1) 13:1		
Therefore (1) 19:2	universities (1)	women (1) 14:7		
thorough (1)				