

New Jersey Department of Environmental Protection
Science Advisory Board Minutes
September 8, 2010

Meeting was called to order at approximately 1:00 pm by Judith Weis, Chairperson

SAB Members in attendance:

Judith Weis (Issue 1, 3)	Clinton Andrews (3, 4)
John Dyksen (3)	Raymond Ferrara (1)
John Gannon (2,3)	Jonathan Husch (3)
Robert Laumbach (3, 4)	Peter Lederman (2, 4)
Paul Liroy (3, 4)	Robert Lippencott (2, 4)
Nancy Rothman (2, 3)	Anthony Broccoli (3)
Mark Robson (3, 4)	David Vaccari (1)

DEP Staff in attendance:

Bob Martin, Commissioner	Irene Kropp, Deputy Commissioner
Marilyn Lennon, Assistant Commissioner	Nancy Wittenberg, Assistant Commissioner
Ray Cantor, Chief Advisor	Cathy Tormey, Deputy Advisor
Larry Ragonese, Director	David Chanda, Director
Jill Lipoti, Director	Leslie McGeorge, Administrator
Barry Frasco, Manager	Gary Buchanan, Manager
Judy Louis, Bureau Chief	Alan Stern, Bureau Chief
Bob Mueller, Research Scientist	

Commissioner Martin opened the meeting welcoming the SAB and thanking them for volunteering for this new NJDEP effort. He emphasized that the SAB was non-political; pointing out that he selected the SAB from a list created by the previous administration. The Commissioner pointed out that the department had both short term and long term issues for the board to address. The issues were wide ranging. In every instance, he wanted the SAB to base decisions on facts and data. Commissioner Martin told the SAB that he had an open door policy and would welcome anyone to meet with him. He challenged the SAB to participate in the upcoming change and evolution of the NJDEP.

Gary Buchanan then presented the list of issues that were prepared for the SAB. He described the process and went through the list. When appropriate, DEP staff added information to the issue. A question arose as to whether or not the SAB could bring other issues to the DEP. Gary pointed out that the mission of the SAB was to work on DEP issues as per the Administrative Order.

Cathy Tormey, Deputy Assistant to the Commission and the DEP's Ethics Officer spoke about recusal and conflict of interest. She also spoke about the State's Open Public Records Act (OPRA). A discussion followed about documents and drafts. It was clear that the SAB needed the ability to work with drafts and that these should remain private until reports or decisions were finalized. Paul Liroy made a valid point that these drafts may contain mistakes

and need to be reviewed before release. Cathy agreed with everyone and pledged to work within the OPRA program to insure a process was developed to both comply with OPRA and allow the SAB to function properly.

Press Inquires: Several members asked about how to respond to the press. Larry Ragonese, the DEP Press Director asked that he be contacted whenever an SAB or Standing Committee member was contacted by the press. Jill Lipoti was asked how the EPA SAB handled the media. Jill pointed out that EPA SAB members were not allowed to talk to the press. The group seemed to agree that this was a good idea, and it was decided that whenever they were contacted, they would inform their Chairperson (SAB or Standing Committee) and Larry Ragonese to coordinate responses.

Gary Buchanan talked briefly about the administrative orders that created the SAB including the ability of the SAB to form ad hoc committees.

A discussion followed about how the SAB should approach the list. Several of the issues had time frames included. The Board then focused on the list of four issues assigned to the SAB. Members, as noted in the attendance list (see numbers in parentheses), volunteered to work on issues within their expertise and interest. There was subsequent discussion that the SAB should pick one issue and work through it to 'get their feet wet'. Issue # 2, *Peer Review of the Site-Specific Impact to Ground Water Soil Remediation Standards Framework* was selected. To start, background documents will be provided to the group reviewing this issue. Judy Weis asked for members to review the standards framework as part of their 'homework'. Barry Frasco agreed to make a presentation on the framework.

Bob Mueller next spoke about some of the logistics that were being worked on to support the SAB. Conference Call mechanisms will be worked out soon for each committee and the full SAB. Each member will be asked to register on the NJDEP website and web pages will be developed for each entity to store documents, minutes and other information (links, background information, etc) to assist and track the work. Over the next few weeks this infrastructure will be developed and members will be trained.

Gary Buchanan then passed out a short description of collaboration and consensus process that the SAB and committees are encouraged to use. This is similar to the way the EPA's SAB works.

Alternate locations for meetings suggested included the Rutgers EcoComplex (Bordentown), the Bloustein School in New Brunswick, and the Environmental & Occupational Health Sciences Institute in Piscataway. The meeting concluded with a discussion about meeting frequency. October 14, 2010 was suggested as a date for the full SAB and Subcommittees to meet. Judy Weis and one or two other members had a conflict with that date. Judy asked Mark Robson to chair the meeting if that date went forward, and Mark agreed. DEP staff will poll members as to available dates and a decision about the next meeting will be made soon. It was suggested that dates be set up far into the future (e.g., 2012) to allow members to put dates on their calendars and make it easier to plan. It was also suggested that initial meetings

be scheduled more frequently to allow the members to come up to speed on the issues. Again, DEP staff will work on all dates and make a proposal to the members.

It was also suggested that all background information be forwarded to the SAB and Committees well before the meeting dates to allow sufficient time for review.

The meeting was adjourned at approximately 3:10 pm.