

# Environmental Justice Task Force Newsletter May 2020

[covering 3/25/2019 – 4/28/2020] <https://www.uufaithaction.org/blog/>

**UU Seventh Principle: Respect for the interdependent web of all existence of which we are a part.  
Environmental Justice (EJ): Addressing disproportionate and adverse human health or environmental effects in communities of low-income residents or persons of color.**

## *UU CONGREGATIONAL ACTIVITIES*

**Undoubtedly, many congregations had special "virtual" events to commemorate Earth Day's 50th Anniversary. Here is how one of them celebrated!**

### **UNITARIAN SOCIETY OF RIDGEWOOD (USR)**

#### **50 Years of Celebrating our Universal Home and Profound Respect for the Interdependent Web of Existence**

The Environmental Justice Committee invited everyone to join them in online activities throughout the week:

- USR's weekly eblast featured ways to celebrate Earth Day at home, plus they had a special surprise on their website that day!
- The Wednesday Poetry Room held a zoom gathering that focused on nature themes.
- The Thursday evening Adult RE held a zoom session addressing the seventh principle – "Respect for the interdependent web of all existence of which we are a part."
- A zoom gathering was held on Friday in the Zoom for Justice Room for a conversation with NJ Sierra Club President Jeff Tittel.
- The weekly "Touchstones" e-publication celebrated the earth and the interdependent web.



## ***EJTF ACTIVITIES***

On April 28, 2020, EJTF member Nancy Griffeth “attended” a virtual public meeting of the NJ Turnpike Authority (NJTA), at which she made comments regarding their proposed \$24 billion spending plan, with \$16 billion of that dedicated solely to the expansion of the Garden State Parkway and the New Jersey Turnpike. Due to the current coronavirus-related “stay at home” order in NJ, the meeting was held strictly by telephone and comments were, by necessity, brief. Nancy’s comments were:

“I’m Nancy Griffeth from UU FaithAction NJ

As an older person hunkered down at home to keep myself and our essential workers safe. I appreciate your having a telehearing today so that i can attend. I hope that you will consider the most effective way to do this in the future.

I’m addressing the highway expansion. What we need are public projects that don't increase air pollution. PM2.5 from cars and trucks makes Covid19 much worse, according to the Harvard study it can quadruple the risk of death. What we need is jobs building green infrastructure now, and most of all we need better mass transit. This is the wrong way to go for this.

On a slightly different note, this pandemic is sure to change future behavior. Commuting and all forms of travel may be significantly reduced. To spend billions of dollars without a new analysis of need after a watershed event is certainly going to be a waste of money.”

Other commenters included: John Reichman - Blue Wave, Barry Kushner, Jeff Tittel, Dave Pringle, Horowitz-Friedman, Larry Hicks, Doug O'Malley, Robert Madison – Piscataway, Karla Golden , Robert Tittel, Daniela Giosefi, Lauren Morse, Louise Rozik, Alison Molinaro, and Ken Dolsky.

In addition, in relation to NJTA’s proposed spending plan, on April 27, 2020 a group of elected officials and advocacy groups held a virtual press conference, sent a letter to Gov. Murphy, and released their own “Rail & Road to Recovery” alternative Capital Plan for “27 unfunded mass transit projects totaling over \$25.8 billion that would create 1.28 million jobs that should be funded with the \$16 billion currently slated for highway expansion.” A NJ Spotlight article describing these events, **“Advocacy Groups Urge NJ Turnpike Authority to Put the Brakes on \$24B Capital Plan,”** is here: <https://www.njspotlight.com/2020/04/advocacy-groups-urge-nj-turnpike-authority-to-put-the-brakes-on-24b-capital-plan/>

Here are additional links:

Virtual press conference (via zoom): <https://us02web.zoom.us/rec/play/vZYldeyo-jk3HtTG5gSDVPB5W43vKq6shyYfqPMFmku1U3RWO1WmN-ZBY7Axl77WX3uM3bc1ViA1tWW4?startTime=1588003583000& x zm rtaid=pY6NINXcQPCQdpcUxvyNHQ.1588007727915.e50a35014d81e7aaa68c323a023419cc& x zm rhtaid=112>

Letter to Gov. Murphy:

<https://cleanwateraction.org/sites/default/files/NJTA%20Electeds%20sign%20on%20letter.pdf>

“Rail & Road to Recovery” plan: <http://www.tstc.org/wp-content/uploads/2020/04/Rail-and-Road-To-Recovery-Final.pdf>

## **UPCOMING EVENTS (MOST ONLINE)**

### **Sustainable Jersey Virtual Sustainability Summit**

Sustainable Jersey is a network and movement of municipalities, schools and school districts working collectively to bring about a sustainable NJ. Acting with state agencies, non-profit organizations, foundations, academia and industry, Sustainable Jersey researches best practices for what communities could and should do to contribute to a sustainable future. They have cancelled the Sustainability Summit they had planned for June 12, and have developed four weeks of free virtual "Summit-like" content from April 20 - May 15, 2020. The remaining free Virtual Sustainability Summit educational sessions and talks are listed below. View full descriptions of each event here:

[https://www.sustainablejersey.com/fileadmin/media/Events\\_and\\_Trainings/Sustainability\\_Summit/2020/Virtual\\_Summit\\_Event\\_Listing.pdf](https://www.sustainablejersey.com/fileadmin/media/Events_and_Trainings/Sustainability_Summit/2020/Virtual_Summit_Event_Listing.pdf).

#### **Creating Creative Communities**

**Monday, May 4, 2020 - 2:00 pm – 3:00 pm** [Register](#)

#### **The Link between Climate Change and Health Inequities**

**Tuesday, May 5, 2020 - 10:00 am – 10:30 am** [Register](#)

#### **Spotlight: Towns Helping Towns**

**Wednesday, May 6, 2020 - 4:00 pm – 4:30 pm** [Register](#)

#### **Tracking GHG Emissions from Municipal Operations**

**Thursday, May 7, 2020 - 10:00 am – 11:30 am** [Register](#)

#### **Sustainable Organic Materials Management**

**Monday, May 11, 2020 - 1:00 pm – 2:00 pm** [Register](#)

#### **Community Energy Efficiency Outreach Made Easier with Sustainable Jersey Toolkits**

**Tuesday, May 12, 2020 - 1:00 pm – 2:30 pm** [Register](#)

#### **Advancing the Plastics Pollution Solution**

**Wednesday, May 13, 2020 - 1:00 pm – 1:30 pm** [Register](#)

#### **The Road Less Traveled**

**Thursday, May 14, 2020 - 4:00 pm – 5:00 pm** [Register](#)

#### **Fund Your Next Sustainability Initiative**

**Friday, May 15, 2020 - 1:00 pm – 2:30 pm** [Register](#)

#### **Case Studies from New Jersey's Community Solar Energy Pilot Year 1**

**Wednesday, May 20, 2020 - 1:00 pm - 2:30 pm** [Register](#)

#### **Reducing Plastic Waste**

**Tuesday, May 26, 2020 - 6:30 pm - 7:30 pm** [Register](#)

**UUFANJ Annual Meeting (formerly known as Plenary) –DATE CHANGED  
June 6, 2020**



Update your calendar! UUFANJ has changed the date for the Annual Meeting from April 25th to Saturday, June 6, 2020. It is expected that this will be a VIRTUAL meeting via conference/video call; more details will be available at <https://www.uufaction.org> soon. To help the Board Annual Meeting team plan for this event, please contact Tom Moran (UU Morristown) at [thomasmoran.inspace@gmail.com](mailto:thomasmoran.inspace@gmail.com) or at (973) 960-2346.

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**UU Ministry for Earth (UUMFE) “Spring for Change – A Season of Sacred Activism”  
Biodiversity Sunday – May 17, 2020**

**[something to do in your congregation/community]**

Sunday, May 17th sits between Endangered Species Day on May 15th (<https://www.endangered.org/campaigns/endangered-species-day/>), and the United Nations International Day for Biological Diversity on May 22nd (<https://www.cbd.int/idb/>). UUMFE suggests using Sunday, May 17th as a time to celebrate biodiversity, and to learn and act together in community to recognize the emergency of Earth’s sixth mass biological extinction (aka Holocene extinction or Anthropocene extinction). Resources (i.e., links to readings and poems, book suggestions, and links to sources of scientific information) are available here: <https://www.uumfe.org/resources/spring-for-change-2020/biodiversity-sunday-2020/>.

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**Climate Spirit Gathering  
May 31, 2020, 4:30 p.m. – 7:30 p.m.  
(check at <http://www.unitariansociety.org> to see if this event is taking place)  
The Unitarian Society, 176 Tices Lane, East Brunswick, NJ 08816**

Since September 2019, The Unitarian Society in East Brunswick has been holding regular gatherings to create and hold space for climate grief - through song, ritual, and breaking bread together. The next gathering, open to all, is Sunday, May 31, 2020, 4:30 p.m. - 7:30 p.m... They are building momentum and welcome your participation.

Purpose: “process climate grief so you can face reality and do what is yours to do”

**Format:**

- Happening every other month or so
- Ongoing and Drop-In – the more who come, the more everyone benefits
- Share a vegetarian meal (vegan option)
- Sing together
- Collective rituals
- Time to reflect and connect, to listen and witness each other



Interested? Curious? Have Questions? Reach out to Rev. Karen Johnston at The Unitarian Society at [revkarentus@gmail.com](mailto:revkarentus@gmail.com) or on Facebook at Revkaren G Johnston

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## New Jersey Clean Energy Conference: Charting the Path to 2050 - **POSTPONED**

The Conference was originally scheduled for April 6-7, 2020 in Atlantic City, NJ. Register for email updates about the rescheduling of the conference here: <https://www.nj.gov/bpu/about/contact/subscribe.html>

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### **EJTF's GOALS FOR 2020**

**1) Mandatory emissions reductions in EJ communities, along with transitioning to electric vehicles, especially buses and trucks** (This is a re-focusing of our goal to get off fossil fuels, now that the Energy Master Plan is complete - we need to focus on the most important sources of emissions in EJ communities.)

**2) Mitigating lead in the New Jersey water supply** (This affects much more than just Newark.) Report on drinking water: <https://www.jerseywaterworks.org/wp-content/uploads/2019/10/JWW-Lead-Report.pdf>

### **NEWS RELATED TO EJTF ISSUES**

#### **ELECTRIC VEHICLES**

- **Funds from Regional Clean-Energy Initiative to Electrify NJ's Transportation Sector** - In March, the Regional Greenhouse Gas Initiative (RGGI), held a quarterly multistate auction for fossil-fueled power plants to purchase CO2 emissions allowances, in which close to \$92 million was generated for member states to use for programs related to energy efficiency, renewable energy, and reducing carbon pollution. NJ's share was more than \$20 million. This was the first auction NJ had participated in since the end of 2011, when NJ dropped out of RGGI. On 4/17/2020, Gov. Murphy released the RGGI Strategic Funding Plan (see article under "Climate Change") that earmarked 75% of the funds NJ will receive each year for electrification, including NJ Transit buses and infrastructure, and medium- and heavy-duty diesel vehicles, with a focus on projects that will benefit communities that historically have borne disproportionate burdens of air pollution. Other projects will leverage funding opportunities and stimulate job creation, as well as enhance natural resources such as coastal wetlands and forests that sequester carbon emissions. <https://www.njspotlight.com/2020/04/funds-from-regional-clean-energy-initiative-to-electrify-njs-transportation-sector/>
- **State Commits \$45M to Electrify Heavy-Duty Vehicles Used in Cities** - In addition to the \$20 million in RGGI funding described in the article above, NJ has allocated close to \$45 million (its remaining funds from the national Volkswagen settlement) as follows: \$37.2 million to reduce greenhouse gas emissions in urban areas that historically have borne disproportionate burdens of air pollution, by converting heavy-duty vehicles to electric power; and \$7.6 million for electric vehicle charging infrastructure. <https://www.njspotlight.com/2020/04/state-commits-45m-to-electrify-heavy-duty-vehicles-used-in-cities/>

- **Rate Counsel Says Utilities Can't Spend a Dime of Ratepayer Money on EV Charging Infrastructure** - Public Service Electric & Gas (PSE&G) and Atlantic City Electric (ACE) had previously submitted proposals to the NJ Board of Public Utilities (BPU) to invest a total of \$406 million to build electric charging stations throughout NJ. The NJ Division of Rate Counsel has asked the BPU to dismiss the proposals on the grounds that they violate laws that prohibit taxpayer funds from being used for competitive projects. There is disagreement from some business and environmental groups about prohibiting the utilities to be involved in this way. <https://www.njspotlight.com/2020/04/rate-counsel-says-utilities-cant-spend-a-dime-of-ratepayer-money-on-ev-charging-infrastructure/>

## FOSSIL FUEL INFRASTRUCTURE

- **New Research Boosts Arguments against Need for Raritan Bay Pipeline** - On behalf of the Eastern Environmental Law Center (EELC), Synapse Energy Economics, Inc. conducted a comprehensive assessment of National Grid's 2/24/2020 Capacity Report, which details gas peak demand forecasts through the winter of 2034/35, and assesses various long-term gas solutions to fill these gaps. These solution include large-scale gas infrastructure projects such as the Northeast Supply and Enhancement (NESE) pipeline and LNG facilities, as well as a "No Infrastructure" option that solely relies on additional demand-side resources. The Synapse analysis (available here: <https://www.synapse-energy.com/sites/default/files/Synapse-final-report-for-EELC-%28April-15-Revision%29-20-023.pdf>) found various errors in National Grid's assessments of the rate of customer conversion from oil to natural gas for the load forecasts, expected levels and costs of energy efficiency and heat pumps under existing or expanded policies and programs, and gas supply resources. The analysis concludes that corrections to these errors and appropriate treatment of demand-side measures, with or without small changes in National Grid's supply planning assumptions, eliminates the need for any of the large-scale infrastructure investments examined in the Capacity Report. The NESE pipeline project has been denied permits by both NY and NJ, but has reapplied in both states. <https://www.njspotlight.com/2020/04/new-research-boosts-arguments-against-need-for-raritan-bay-pipeline/>
- **NJ, DRBC Call on FERC for New Environmental Review of PennEast** - PennEast has been trying to get approval for its Pennsylvania-New Jersey pipeline for five years without success. It recently asked the Federal Energy Regulatory Commission (FERC) for permission to build the pipeline in two phases. In three different letters dated 3/30/2020, three different agencies - the NJ Department of Environmental Protection (DEP), the Delaware River Basin Commission (DRBC), and the U.S. Environmental Protection Agency (EPA) Region III Philadelphia office - all required additional environmental review. PennEast apparently still believes it can meet its project schedule for Phase I, to be in service 11/2021, but Jeff Tittel, director of the NJ Sierra Club, predicts that it will be another two years before issues are resolved. <https://www.njspotlight.com/2020/04/nj-delaware-and-epa-call-on-ferc-for-new-environmental-review-of-penneast/>
- **NJ Enviro Coalition Calls for Halt on Hearings for Large Development Projects during COVID-19 Crisis** - Empower NJ, a coalition of environmental groups of which UU FaithAction NJ is a member, wrote to Gov. Murphy to temporarily halt all state and municipal meetings regarding permits and applications for projects including transportation infrastructure and gas pipeline construction, because of current COVID-19-related imits on in-person gatherings that preclude people being able to easily provide input. <https://enviropolitics.com/nj-enviro-coalition-calls-for-halt-on-hearings-for-large-development-projects-during-covid-19-crisis/>

- **Gov. Murphy's EO Does Not Stop Non-Essential Fossil Fuel Projects** - The Executive Order that Gov. Murphy signed that stopped all "non-essential" construction in response to COVID-19 included an exemption for utility work that would include projects like the NJ Natural Gas (NJNG) Southern Reliability Link (SRL) pipeline. The pipeline is continuing to be constructed despite, as the NJ Sierra Club has stated in an ongoing lawsuit, it is not essential or even needed, and will destroy environmentally sensitive land and threaten communities. <https://www.sierraclub.org/new-jersey/blog/2020/04/gov-murphy-s-eo-does-not-stop-non-essential-fossil-fuel-projects>

## RENEWABLE RESOURCES

- **Federal Agency Stands by Ruling that Could Undermine NJ's Clean-Energy Goals** - In January 2020, the NJ Board of Utilities (BPU) and the NJ Division of Rate Counsel filed briefs with the Federal Energy Regulatory Commission (FERC) related to its decision last December that required PJM (the regional transmission organization that coordinates the movement of wholesale electricity in NJ and all or parts of 12 other states and the District of Columbia) basically to raise prices of wind and solar power to be in line with the cost of fossil fuels. The projected effects range from negative impacts on NJ's push for clean energy, to higher energy bills for consumers. The briefs asked that FERC clarify and reconsider its decision. FERC recently denied the requests in these briefs; it is expected that litigation will follow. <https://www.njspotlight.com/2020/04/federal-agency-stands-by-ruling-that-could-undermine-njs-clean-energy-goals/>
- **BPU to Shutter Longtime Funding System for Solar Projects** - The 2018 NJ Clean Energy Act mandates that the current funding system (Solar Renewable Energy Certificate - SREC) for solar projects be closed when 5.1% of the state's energy comes from solar; the NJ Board of Public Utilities (BPU) has determined that level will be reached on 4/30/2020, so a transition system will go into effect after that date. Under the SREC system, utility customers subsidized solar installations; some solar developers, including **EJTF member Lyle Rawlings** (founder of Advanced Solar Products and President of Mid-Atlantic Solar & Storage Industries Association), are unhappy about the new incentives, which are felt to be too small to fund new projects. A Successor Program is under development by the BPU, which expects to issue a Straw Proposal soon for stakeholder input. <https://www.njspotlight.com/2020/04/utility-customers-will-no-longer-fund-states-solar-projects-bpu-rules/>



- **BPU Green-Lights Agreement to Bring Offshore Wind Power Ashore at B.L. England** - Ørsted, the world's largest offshore wind company and owner of Ocean Wind LLC (which is the first offshore wind farm approved by NJ) has been approved by the NJ Board of Public Utilities (BPU) for a second interconnection agreement related to that wind farm. According to the company, the second

interconnection will enable it to keep its options open and also should serve to reduce transmission costs. It is seen as a good sign by Jeff Tittel, director of the NJ Sierra Club, who said, “It shows that offshore wind is viable in New Jersey, and it is only going to get larger and larger.”

<https://www.njspotlight.com/2020/03/bpu-green-lights-agreement-to-bring-offshore-wind-power-ashore-at-b-l-england/>

- **State Board to Examine How to Curb Electricity Costs for Residents, Businesses** – Last December, the Federal Energy Regulatory Commission (FERC), issued a ruling that the nation’s biggest electric grid operator, PJM, must include electricity from state-subsidized renewable sources in its “capacity market,” a move designed to bring the price of clean power into line with that generated by fossil fuels. The change was designed to address what FERC saw as a distortion of competition in the energy market as a result of state subsidies for clean fuels. However, in NJ, the rule may prevent the state from meeting its clean-energy goals, and may also affect the Regional Greenhouse Gas Initiative (RGGI). As a result, the NJ Board of Public Utilities (BPU) has started an investigation into other means of buying electricity, including leaving the PJM capacity market, establishing a statewide power authority, or establishing a state Clean Energy Standard to apply for all energy bids in the state. Recommendations are planned to be made to the Commission by the end of the year.

<https://www.njspotlight.com/2020/03/state-board-to-examine-how-to-curb-electricity-costs-for-residents-businesses/>

## ENERGY EFFICIENCY

- **BPU Proposal Discourages Utilities from Investing in Energy Efficiency, Critics Claim** - The NJ Clean Energy Act of 2018 required utilities to reduce customers’ electric use by 2% a year in 5 years, and reduce gas use by 0.75% a year. To address this requirement, the NJ Board of Public Utilities (BPU) issued a “Straw Proposal for New Jersey’s Energy Efficiency and Peak Demand Reduction Program.” It proposed to give a significant portion of the administration of energy efficiency programs to the utilities. Utilities have had issues with energy efficiency because of its negative effect on their revenue, and this proposal addressed this by proposing “limited decoupling” of utility profits from energy sales. In lieu of a public stakeholder meeting, BPU had a webinar; at that webinar, utilities criticized the proposal because it would reduce their ROE (return on equity) on investments in energy efficiency, with the result that such investments would have a lesser return than investments in infrastructure.

<https://www.njspotlight.com/2020/04/bpu-proposal-discourages-utilities-from-investing-in-energy-efficiency-critics-claim/>

- **COVID-19, New Factor in Energy-Efficiency Programs** - Stakeholders providing comments on the NJ Board of Public Utilities (BPU) proposal on energy efficiency programs (see article above) included possible effects of the COVID-19 pandemic as a new factor to consider. Some stated that the program should be slowed down so that resources can be directed at the pandemic, arguing that demand and emissions are down; some stated that NJ should proceed in order to be in a position to start the program when the economy is recovering. The utilities continue to argue for a full decoupling of utility profits from energy sales, which would allow them to recover all losses from decreased sales revenue regardless of cost - the Director of the NJ Division of Rate Counsel pointed out that under that scenario, with things as they are right now, shareholders would be held whole and ratepayers would have to pay.

<https://www.njspotlight.com/2020/04/covid-19-new-factor-in-energy-efficiency-programs/>



- **COVID-19 Layoffs Slam Clean-Energy Sector in New Jersey, Nationally** - Because of the state's directives to limit face-to-face contact, the portion of the clean energy sector with the greatest negative impact consists of the firms working on energy efficiency projects, with stop-work orders issued on projects that require contact with customers. <https://www.njspotlight.com/2020/04/covid-19-layoffs-slam-clean-energy-sector-in-new-jersey-nationally/>
- **Energy-Efficiency Companies Falter as COVID-19 Keeps Them out of Customers' Homes** - There are reports of some energy efficiency companies furloughing or cutting salary for 80% of their staff, with a few laying off half of their staff and some smaller companies laying off all of their staff. <https://www.njspotlight.com/2020/04/energy-efficiency-companies-falter-as-covid-19-keeps-them-out-of-customers-homes/>
- **Op-Ed: Energy Efficiencies Should Benefit All New Jerseyans, Not Just the More Affluent** (by Vivian Cox Fraser, president and CEO of the Urban League of Essex County and member of NJ Energy Efficiency Advisory Group, and Mary Barber, director, Regulatory & Legislative Affairs at Environmental Defense Fund and member of NJ Energy Efficiency Advisory Group) - A Columbia University study on "energy insecurity" (<https://www.sciencedirect.com/science/article/pii/S0277953616304658>) found that low-income households spend as much as 10% of their income on energy, compared to affluent families who spend about 3% of their income on energy. Further, the op-ed notes that "People who can least afford the benefits of our energy system pay a disproportionate share of its costs — both financially and in terms of their higher exposure to pollution from power generation and higher rates of pollution-related illnesses, such as asthma." The piece pushes for greater energy efficiency programs, and for the jobs associated with them to be geared toward workers in vulnerable communities. <https://www.njspotlight.com/2020/03/op-ed-energy-efficiencies-should-benefit-all-new-jerseyans-not-just-the-more-affluent/>

## CLIMATE CHANGE

- **Murphy Administration Releases RGGI Strategic Funding Plan; Announces New Investments in Climate Change Reduction, Environmental Justice and Clean Energy** - On 4/17/2020, Gov. Murphy released the Regional Greenhouse Gas Initiative (RGGI) Strategic Funding Plan, covering 2020 through 2022. The NJ Department of Environmental Protection (DEP), the NJ Economic Development Authority (EDA), and the NJ Board of Public Utilities (BPU), have been designated by law to distribute RGGI proceeds, and the Plan delineates their roles and also coordinates the initiatives across agencies to ensure their overall effectiveness in meeting NJ's greenhouse gas reduction, clean energy, and equity goals. This first three-year RGGI funding period will focus on the following four initiatives: 1) Catalyzing Clean, Equitable Transportation; 2) Promoting Blue Carbon in Coastal Habitats; 3) Enhancing Forests and Urban Forests; and, 4) Creating a New Jersey Green Bank. The news release announcing the Plan's issuance is here: [https://nj.gov/dep/newsrel/2020/20\\_0016.htm](https://nj.gov/dep/newsrel/2020/20_0016.htm) and the entire Plan is here: <https://nj.gov/rggi/docs/rggi-strategic-funding-plan.pdf>
- **Will New EPA Fuel-Economy Standard Stall NJ's Drive for Cleaner Air?** - On 3/30/2020, the U.S. Environmental Protection Agency (EPA) issued the "Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule," which cuts back the fuel economy standards set by the Obama administration. Rather than the 5% decrease in annual greenhouse gas emissions that would have been achieved by those standards, the new standards will result in a 1.5% annual reduction. This may well hinder NJ's efforts to cut greenhouse gas

emissions and to improve air quality. <https://www.njspotlight.com/2020/04/will-new-epa-fuel-economy-standard-stall-njs-drive-for-cleaner-air/>

## POLLUTION

- **VIDEO: "PLASTIC WARS"** - In this excellent and very historically accurate video, FRONTLINE and NPR investigate the fight over the future of plastics. With the plastic industry expanding like never before and the crisis of ocean pollution growing, "Plastic Wars" reveals how plastic makers for decades have publicly promoted recycling, despite from almost the beginning privately expressing doubts that widespread plastic recycling would ever be economically viable. <https://www.pbs.org/wgbh/frontline/film/plastic-wars/>
- **New York Bans Expanded Polystyrene Foam Products Statewide** - New York's FY 2021 budget included a ban on expanded polystyrene (EPA) foodware containers and loose fill packaging. Food trucks, restaurants, delis, caterers and both grocery and retail stores are included. There are exemptions for uncooked eggs, meat, and fish, as well as pre-packaged food sealed prior to delivery. The ban goes into effect 1/1/2022; fines for violations will start at \$250, and rise in increments to \$2,000 for a fourth violation. New York had previously enacted a ban on plastic carryout bags, which went into effect on 3/1/2020 and was to be enforced starting 4/1/2020; however, due to the coronavirus, enforcement is now scheduled to begin 5/15/2020. Other states are also delaying or halting plastics bans due to the coronavirus (see articles below). <https://www.wastedive.com/news/new-york-governor-cuomo-polystyrene-foam-ban/569573/>



- **Single-use Plastic Bag Supporters Cite Coronavirus Risks in Reviving Sanitation Concerns over Reusables** - For reasons ranging from logistical to health-related concerns, various states have delayed or suspended their previously-enacted plastic bag bans. No studies have come to light related to whether reusable bags or single-use bags have the potential to harbor more pathogens, and no major public health organizations have issued warnings related to reusable bags (other than that people could be keeping them cleaner). Judith Enck, a former U.S. Environmental Protection Agency (EPA) regional administrator and founder of Beyond Plastics, said that if the pathogen lingers on plastic, disposable bags are as susceptible to hosting the virus as reusable plastic versions. Plus, Enck said, “the bags have traveled the world and have been sitting in the store where a lot of people are,” and aren’t immune to being sneezed on or coughed over. <https://enviropolitics.com/single-use-plastic-bag-supporters-cite-coronavirus-risks-in-reviving-sanitation-concerns-over-reusables/>

- Plastics Industry Goes After Bag Bans during Pandemic** - In mid-March, the Plastics Industry Association sent a letter to the U.S. Department of Health and Human Services (HHS) (<https://www.politico.com/states/f/?id=00000171-0d87-d270-a773-6fdfcc4d0000>), requesting that HHS issue a statement endorsing the idea that single-use plastics are the safest choice during the pandemic. The letter cites three studies (from 2011 and 2018, both of which dealt with bacteria on recyclable bags that weren't washed, and from 2012, which dealt with norovirus - which can last for weeks on surfaces - on one recyclable bag). The letter also asks that HHS "speak out against bans on these products [single-use plastics] as a public safety risk and help stop the rush to ban these products by environmentalists and elected officials that puts consumers and workers at risk." The NJ Food Council sent a letter (<https://www.politico.com/states/f/?id=00000171-0d82-d911-aff1-afc36e5b0000>) to 32 municipalities that have plastic bag ordinances, asking for their suspension due to concerns with providing plastic or recyclable bags and due to health concerns related to recyclable bags. <https://www.politico.com/states/new-york/city-hall/story/2020/03/24/plastics-industry-goes-after-bag-bans-during-pandemic-1268843>
- Air Quality Report Shows an Overall Drop in Ozone Pollution in New Jersey** - In the American Lung Association's 2020 "State of the Air" report (using data from 2016, 2017, and 2018), air quality in NJ generally improved, but nine counties earned "F's" for ozone pollution, which is an issue for children, the elderly, and those with lung diseases. Particulate pollution, however, had decreased in the state. <https://www.njspotlight.com/2020/04/air-quality-report-shows-an-overall-drop-in-ozone-pollution-in-new-jersey/>
- After 40 Years, Superfund Program in NJ is Still Work in Progress** - The U.S. Environmental Protection Agency's (EPA) "Superfund" law for cleaning up toxic waste sites has suffered over the years from a loss of funding, uneven implementation by some administrations, and years-long litigation cases to recoup payment from presumed polluters. According to the article, "fewer than a quarter of New Jersey's Superfund sites — 35 out of about 150 that have been on the EPA's list at various times since the law was passed in 1980 — have been cleaned up, and some of those have been capped to contain polluted material rather than fully remediated at a greater cost, advocates say." <https://www.njspotlight.com/2020/04/after-40-years-superfund-program-in-nj-is-still-work-in-progress/>

## **DRINKING WATER-RELATED ISSUES (other than lead)**

- NJ Adopts Strict Standards on Two Toxic Chemicals in Drinking Water** - The NJ Department of Environmental Protection (DEP) has approved some of the country's strongest limits on PFOA (perfluorooctanoic acid) and PFOS (perfluorooctanesulfonic acid) toxic chemicals. These are termed "forever chemicals" because they do not biodegrade; they are the chemicals that figure in the movie "Dark Waters." The proposed rule requires publication in the New Jersey Register in order to be finalized. The standards are much stronger than the U.S. Environmental Protection Agency's (EPA) advisory guideline; EPA has yet to set enforceable standards for these chemicals. <https://www.njspotlight.com/2020/04/nj-adopts-strict-standards-on-two-toxic-chemicals-in-drinking-water/>

## OTHER

- **BPU Takes Appeal over Multistate \$1.2B Transmission Upgrade to Federal Court** - The NJ Board of Public Utilities (BPU) filed a lawsuit in the U.S. District Court of Appeals in Washington, D.C., asking for a review after the Federal Energy Regulatory Commission (FERC) refused to revisit its decision related to cost allocations regarding upgrades to the Bergen-Linden transmission line. Despite the fact that the project provided a portion of power to the NY grid, all costs are to be paid by NJ customers. <https://www.njspotlight.com/2020/03/bpu-takes-appeal-over-multistate-1-2b-transmission-upgrade-to-federal-court/>



- **DEP Acts to Protect Water Quality of 600 Miles of Rivers and Streams** - The NJ Department of Environmental Protection (DEP) designated 600 miles of rivers and streams for Category One ("Exceptional Resource Waters") designation, which is the second tier of antidegradation designation. This designation protects these waters from measurable changes in water quality because of their Exceptional Ecological Significance, Exceptional Water Supply, Exceptional Recreation, and/or Exceptional Fisheries, in order to protect and maintain their water quality, aesthetic value, and ecological integrity. The designation provides 300-foot development buffers along the waterways, and requires that any wastewater or other regulated discharges would have to meet more stringent water-quality standards. <https://www.njspotlight.com/2020/04/dep-acts-to-protect-water-quality-of-600-miles-of-rivers-and-streams/>
- **Supreme Court Gives Environmentalists Narrow Win in Water Pollution Case** - In a compromise ruling that is noteworthy for slightly favoring environmentalists over business interests, the U.S. Supreme Court found that pollution that begins in groundwater flowing to lakes, rivers and oceans can be regulated, and therefore require a permit, if it is the "functional equivalent of a direct discharge." The case concerned whether a sewage treatment plant in Maui, Hawaii needs a federal permit when it sends wastewater deep underground, instead of discharging the treated flow directly into the Pacific Ocean. Studies have found the wastewater soon reaches the ocean and has damaged a coral reef near a Maui beach. Sewage plants and other polluters must get a permit under the Clean Water Act when pollutants go through a pipe from their source to a body of water. The question in this case was whether a permit is needed when the pollutant first passes through the soil or groundwater. The nonprofit environmental law organization Earthjustice, which argued on behalf of the Hawaii Wildlife Fund, had called it "the clean water case of the century" because of the impact it could have on water pollution

nationwide. "This decision is a huge victory for clean water," said David Henkin, who argued the case for Earthjustice. "The Supreme Court has rejected the Trump administration's effort to blow a big hole in the Clean Water Act's protections for rivers, lakes, and oceans." Ultimately, the court's compromise ruling will result in lower courts needing to determine whether pollution that starts above or below ground before reaching navigable waterways is indirect or the "functional equivalent" of direct pollution.

<https://www.usatoday.com/story/news/politics/2020/04/23/clean-water-supreme-court-allows-regulation-some-indirect-pollution/5071457002/>

## **CORONAVIRUS AND NJ ENVIRONMENTAL ISSUES**

- **Are COVID-19 Stay-at-Home Regulations Responsible for NJ's Cleaner Air?** - Although it is deemed too soon to make a correlation with the pandemic, the NJ Department of Environmental Protection (DEP) has determined that emissions of nitrogen oxides and fine particulate matter are between 20% and 30% lower than the same period last year. These two pollutants cause a preponderance of the health problems associated with unhealthy air quality. But according to Doug O'Malley, director of Environment New Jersey, "It does give us a glimpse of what our future will look like if we didn't have as much pollution from cars and trucks," <https://www.njspotlight.com/2020/03/are-covid-19-stay-at-home-regulations-responsible-for-njs-cleaner-air/>
- **Op-Ed: Urban Communities Shouldn't Have to Survive a Pandemic to Get Cleaner Air** (by Rev. Dr. Randall M. Lassiter, pastor of Calvary Baptist Church in Paterson, and Rev. James Bailey, pastor of Vineyard Baptist Church in Newark, both members of GreenFaith, an interfaith environmental organization. **The EJTF was instrumental in getting this piece written and placed.**) - In urban neighborhoods hit hardest by impacts from the fossil fuel industry, the pastors ask for the recovery plan from the pandemic to bring cleaner air and more jobs to these neighborhoods, and describe a number of ways that NJ can better achieve this result. They also call on the federal government to launch a massive green recovery that puts people back to work as the virus subsides, in jobs that accelerate our collective response to the climate emergency.: <https://www.nj.com/opinion/2020/04/urban-communities-shouldnt-have-to-survive-a-pandemic-to-get-cleaner-air-opinion.html>
- **Coronavirus Exact's Greater Toll on Communities of Color** - Coronavirus is found to have a disproportionate impact on African Americans in NJ, as well as in other areas around the nation where race is included in the statistics. As of 4/26/2020 there were 5,938 COVID-19-related deaths in NJ, of which 22.0% were identified as African American/Black, although black residents make up 14% of the state's population. Besides having higher rates of chronic diseases, such as asthma, diabetes, and heart disease, which have been found to put people at higher risk for more serious cases of COVID-19, there are other factors in cities such as Newark that amplify the risk. According to Dr. Shereef Elnahal, president and CEO of Newark's University Hospital, these include communal living, institutional racism, and even activities such as having active houses of worship and large cultural group celebrations. <https://www.njspotlight.com/2020/04/coronavirus-exacts-greater-toll-on-communities-of-color/>
- **Air Pollution Linked with Higher COVID-19 Death Rates** - A Harvard nationwide study (<https://projects.iq.harvard.edu/covid-pm>) found that people with COVID-19 who live in U.S. regions with high levels of air pollution (i.e., fine particulate matter) are more likely to die from the disease than people who live in less polluted areas. The study looked at 3,000 U.S. counties, representing 98% of the population, and found that a small increase in fine particulate matter (i.e., 1 µg/m<sup>3</sup> in PM<sub>2.5</sub>) leads to a

large increase in the COVID-19 death rate (i.e., an 8% increase). See article below about EPA retention of the existing air quality standard for soot. <https://www.hsph.harvard.edu/news/hsph-in-the-news/air-pollution-linked-with-higher-covid-19-death-rates/>

- **EPA Retains Soot Standard, Pollutant Playing Part in 50,000 Premature Deaths Annually** - The U.S. Environmental Protection Agency (EPA) issued a proposed decision on the national air quality ambient standards for particulate matter that retains the existing standard. This is despite public health officials and the agency's own research indicating that tens of thousands of people are dying prematurely due to exposure to fine particles of soot. [Note: A New York Times article described how EPA staff scientists are embedding data in draft technical documents that may be useful in future litigation (subscription may be required to view the article): <https://www.nytimes.com/2020/03/27/climate/trumps-environmental-rollbacks-staff-scientists.html>] Long-term exposure to fine particulates has been found to increase the likelihood of mortality from COVID-19 (see article above). The text of the EPA proposed decision, giving the rationale for the decision, is here: [https://www.epa.gov/sites/production/files/2020-04/documents/pm\\_naaqs\\_nprm.pdf](https://www.epa.gov/sites/production/files/2020-04/documents/pm_naaqs_nprm.pdf). When the proposed decision is published in the Federal Register, a public comment period of 60 days will be opened, and one or more virtual public hearings will be held. <https://www.njspotlight.com/2020/04/epa-retains-soot-standard-pollutant-playing-part-in-50000-premature-deaths-annually/>
- **As Coronavirus Spreads, Poison Hotlines See Rise in Accidents with Cleaning Products** - The Centers for Disease Control and Protection (CDC) issued a study showing that calls to poison hotlines involving cleaners and disinfectants rose significantly this year, and spiked in March. One of the authors of the study, the NJ Poison Information and Education System medical director Dr. Diane P. Calello, regularly works shifts at the NJ poison hotline and noticed a big increase in exposures to these disinfectants. Dr. Calello said cleanliness is vital in fighting the disease, but some people have been “overzealous” about disinfecting. “Educating people about what is safe is the key,” she said. <https://www.nytimes.com/2020/04/21/health/coronavirus-poison-hotlines-rise-in-accidents-disinfectants.html>

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UU FaithAction NJ - Environmental Justice Task Force - <https://uufaithaction.org/environment/>  
Co-Chairs – Peggy Middaugh and Ray Nichols

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