

Governor Phil Murphy

# Governor Murphy Signs Historic Environmental Justice Legislation

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## *Nation's Strongest Measure to Protect Overburdened Communities from Pollutants*

Fulfilling a commitment to enact sweeping protections for environmental justice communities, Governor Phil Murphy today, alongside U.S. Senator Cory Booker, Mayor Ras Baraka, Senator Troy Singleton, Assemblyman John McKeon, and environmental advocates, signed legislation (S232), which requires the New Jersey Department of Environmental Protection to evaluate the environmental and public health impacts of certain facilities on overburdened communities when reviewing certain permit applications. New Jersey is the first state in the nation to require mandatory permit denials if an environmental justice analysis determines a new facility will have a disproportionately negative impact on overburdened communities.

The bill defines an overburdened community as any community where 35 percent of the households qualify as low-income according to the U.S. Census, 40 percent of households are minority, or 40 percent of households have limited English proficiency. There are approximately 310 municipalities with populations totaling approximately 4,489,000 that have overburdened communities within their municipalities.

"Today we are sending a clear message that we will no longer allow Black and Brown communities in our state to be dumping grounds, where access to clean air and clean water are overlooked," **said Governor Murphy**. "This action is a historic step to ensure that true community input and collaboration will factor into decisions that have a cumulative impact for years to come. I'm incredibly proud that New Jersey is now home to the strongest environmental justice law in the nation."

"With this bill that Governor Murphy signed today, we will begin to lift a costly and burdensome weight off the parts of our State that have been dealing with the negative impacts of environmental pollution the most," **said Lt. Governor Sheila Oliver, who serves as Commissioner of the Department of Community Affairs**. "By being more judicious in the application of our environmental permitting laws, we can create more broadly shared prosperity in New Jersey. Because every New Jerseyan deserves a healthier, cleaner and more financially stable place to live, no matter their zip code."

The bill requires the Department of Environmental Protection to evaluate the environmental and public health impacts of the following facilities on overburdened communities when reviewing the following permit applications:

1. Major sources of air pollution (i.e., gas fired power plants and cogeneration facilities);
2. Resource recovery facilities or incinerators; sludge processing facilities;
3. Sewage treatment plants with a capacity of more than 50 million gallons per day;
4. Transfer stations or solid waste facilities;
5. Recycling facilities that receive at least 100 tons of recyclable material per day;
6. Scrap metal facilities;

  
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7. Landfills; or
8. Medical waste incinerators, except those attendant to hospitals and universities.

"Today, New Jersey is leading the way in addressing a critical gap in our nation's environmental protection laws," **said Department of Environmental Protection Commissioner Catherine R. McCabe**. "The signing of New Jersey's environmental justice bill improves protections for some of our most vulnerable New Jerseyans and empowers the DEP to evaluate a facility's specific impact on its neighboring communities. This is not just a landmark advancement for environmental protection in New Jersey, but a roadmap for environmental justice nationally."

"Together, we affirm that New Jersey's government is up to the challenge of furthering environmental justice, within and outside of government," **said Department of Environmental Protection Deputy Commissioner Olivia Glenn**, who oversees the DEP's environmental justice and equity priorities. "Just as today's new legislation requires some businesses to examine their practices when planning new facilities, the new environmental justice guidance document demands that we look at executive branch policies and practices to ensure we account for reducing environmental and public health stressors and improving environmental and public health benefits in environmental justice communities."

"It is long past time that our environmental protections actually protect all of our citizens, especially those communities who have been historically burdened by pollution and environmental injustice," **said U.S. Senator Cory Booker**. "By evaluating the cumulative environmental impacts on communities when it comes to the permitting of certain facilities, we will make better, more thoughtful and inclusive decisions. I could not be more proud that New Jersey is now leading the way on an initiative I've been working on in the Senate, and I applaud Senator Singleton, Assemblyman McKeon, Governor Murphy, and New Jersey's EJ advocates for their efforts to protect our most vulnerable communities."

"For decades, residents living in overburdened communities have had their lives routinely and inconveniently interrupted by the toxic facilities located in their neighborhoods," **said Senator Troy Singleton**. "Their daily routines have been intertwined with the unpleasant smells of industry, unsightly smoke from pollution, and untimely visits to the emergency room for asthma and other respiratory ailments. Now, after years of having no say, these communities will finally have a voice in the siting of these industries. After years of waiting for action, this long overdue law will bring them the environmental justice that they deserve."

"The concentration of energy, water and waste management infrastructure near urban cities has been a longstanding issue; one that has left neighboring communities disproportionately impacted and exposed to pollutants to an unimaginable detriment," **said Assemblyman John McKeon**. "An overhaul of the way infrastructure gets approved and built, and systemic reform that puts people and communities directly at the heart of decision-making is what New Jersey needs. This new law is a productive step in the right direction for New Jersey."

"For decades, our poor and minority residents were more exposed to pollution in urban areas. This has caused significant, multi-generational and chronic health problems among these communities that just don't exist in wealthier, less polluted communities," **said Senate Majority Leader Loretta Weinberg**. "To address the problem of over pollution in poor, urban communities, the important first step is to figure out which communities, exactly, have been the most impacted. I've been privileged to be in this battle for environmental justice for a long time and this is a great step forward"

"For far too long certain parts of New Jersey have been congested with facilities that contribute to the environmental impact of our communities," **said Senator Teresa Ruiz**. "Incinerators, landfills and power plants have created increased noise and poor air quality in some of our most vulnerable neighborhoods. These facilities can contribute pollutants that are not only harmful to the environment but also can lead to long term health issues, such as asthma. I'm proud to have worked with my colleagues, advocates and the administration to create policy that will frame environmental justice for future generations."

"Families living in urban neighborhoods have for too long disproportionately faced the negative effects of

pollution, scores of children in these communities being diagnosed with asthma and put at greater risk of experiencing chronic health issues throughout their lifetimes,” **said Assemblywoman Valerie Vainieri Huttle**. “With this new law, we are making sure that the voices of these communities, who stand to be impacted the most, are centralized in the permitting process.”

“To better invest in our underserved communities, it is beyond critical we address the environmental injustices they have been saddled with for decades,” **said Assemblywoman Britnee Timberlake**. “We cannot allow a legacy where your health is dependent on your zip code to persist.”

“As a statewide and regional hub of industry, commerce, innovation and energy, the impact of the legacy of environmental contamination is real and present in New Jersey. This historic legislation is a model to show the rest of the Country how to ensure that communities are protected and how by utilizing both activism and leadership simultaneously, you can truly change the status quo,” **said Mayor Ras J. Baraka, City of Newark**. “I applaud the leadership of our State policymakers for making this law come to fruition, and we give our thanks to Governor Murphy for making environmental justice central to his administration.”

“S232 gives us hope. Hope that our pleas for the right to breathe will be heard next time we face off with polluters who have been targeting Black and brown neighborhoods for decades,” **said Maria Lopez-Nuñez, Deputy Director of Organizing and Advocacy at the Ironbound Community Corporation**. “We can’t end environmental racism with one bill but we’ve now taken this historical first step. Newark has a fighting chance to breathe easier thanks to this law.”

“This new law gives the state the power to ‘just say no more’ pollution in my neighborhood. My children can look forward to breathing cleaner air as they recreate in Weequahic Park. Thanks to Senator Singleton, Assemblyman McKeon and Governor Murphy, New Jersey now has the strongest environmental justice law in the nation and demonstrates that Black Lives Matter,” **said Kim Gaddy, Newark resident and Environmental Justice Organizer, Clean Water Action**. “Environmental justice communities like mine have suffered far too long. After more than 10 years of fighting for this legislation, our voices have finally been heard. Our communities will receive the right environmental protection for our complexion.”

“Environmental Justice communities are well aware of how race and income relate to environmental burdens,” **said Melissa Miles, Executive Director, NJ Environmental Justice Alliance**. “Our legislators have answered our call to action and now we must keep the voices of overburdened communities centered in the rule-making process.”

## Governor Phil Murphy

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