

## **DEP Waiver Rule is A Threat**

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By Debra Coyle McFadden

Most New Jersey residents take it for granted that “someone” is protecting our health from toxic chemicals in our drinking water or the air we breathe. Or from unsafe pesticides or radiation. Or from preventable disasters like the BP Gulf Coast oil spill or the recent nuclear meltdown in Japan.

Unless New Jersey communities speak up, however, that “someone” will no longer be providing those vital safeguards.

The Department of Environmental Protection (DEP) has been ordered by Gov. Chris Christie to issue a new policy to allow virtually any of its rules to be waived for a company that does not want to follow them.

In other words, laws the Legislature has passed to protect our health will apply unless the Christie administration decides that they don't.

Who's likely to get a free pass to put our health in danger? Here's a guess — companies that raise money for Christie's re-election campaign or perhaps a run for the U.S. presidency. I'm guessing that oil companies, chemical companies and other major polluters might think it's worth “investing” a few hundred thousand dollars in extra campaign contributions in return for not having to invest in environmental protection.

Which are some of the laws wealthy corporations could get around by asking for a “waiver”?

The New Jersey Toxic Catastrophe Prevention Act and the Spill Compensation and Control Act require industrial operations to protect surrounding communities by preventing accidental chemical releases. Under Christie's Executive Order No. 2, the DEP would be able to waive the law's requirements for any politically connected, wealthy special interest.

The Christie administration would even be able to waive the requirements of the New Jersey Worker and Community Chemical Right to Know Act. That law provides that all of us — health care professionals, firefighters, police and other workers and community residents — have a right to know about toxic chemicals that could harm us.

Stopping this attack on our safeguards enforced by DEP is particularly important because Christie has ordered all other state agencies to adopt a similar waiver policy.

The governor's outrageous policy not only is a threat to New Jersey families and communities but it's illegal. It assumes powers for the Christie administration that it does not have. It would allow the DEP to grant waivers in the dark of night with no public hearings or opportunity for affected communities to comment.

A group of 26 labor unions, environmental organizations and other community groups, along with the New Jersey Work Environment Council, has filed a lawsuit to stop implementation of the new DEP policy. In addition, we need to tell our legislators and other elected officials that we do not accept Christie opening the door to sell our safeguards to the highest bidder.

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