



WEC@WORK

News from the NJ Work Environment Council

March/April 2010

Safe, Secure Jobs
and a Healthy,
Sustainable
Environment

WHAT YOU CAN DO:

A2486 next
goes to an
Assembly Floor
vote.

Call Assembly
Speaker Sheila
Oliver (D-34)

(973) 395-1166

Urge her not to
post this bill for
a vote.

New Jersey's Race to the Bottom?

Should *specific* safety and health standards be set by state legislators, who are not scientific or regulatory experts?

Should State Senators and Assemblypersons determine if the water we drink, the air we breathe, and our communities and workplaces meet protective standards?

Should these officials, not government scientists and trained agency staff, make critical decisions about the right measures to remediate mold in our schools, clean-up hazardous waste sites, prevent lead poisoning at police firing ranges, and on a wide range of other issues?

New Jersey legislators are now trying to rush passage of a bill, with little public notice or debate, to block state agencies from adopting regulations that are more protective than weaker federal standards unless "specifically authorized" in a law.

On March 18, the New Jersey Assembly Regulatory Oversight Committee, chaired by Democrat John Burzichelli of Gloucester and Salem Counties, unanimously released Assembly Bill 2486. While Committee amendments suggest that it may not cover the many important rules already in force that are more protective than federal standards, it would stop state agencies from taking future steps to protect the public.

New Jersey has some of the most protective environmental and workplace health and safety regulations in the nation. One example is the *Toxic Catastrophe Prevention Act* (TCPA) rules. The 1988 state law was enacted after the



Assemblyman John Burzichelli and Governor Christie. Photos courtesy of AssemblyDems.com and NJ.com

Bhopal, India disaster killed thousands. Because New Jersey is the most densely populated state with toxic facilities in the midst of many communities, the legislature gave the Department of Environmental Protection (DEP) broad authority to prevent such disasters. One TCPA rule requires facilities with high hazard substances to review if they can switch to safer processing methods or chemicals. Millions of New Jerseyans are safer because of this rule, which remain the nation's strongest. Only now, more than 20 years after TCPA was enacted – and nearly ten years after 9/11 – is Congress debating strong national chemical safety and security standards, using New Jersey as a model.

The Christie Administration is also trying to roll back worker and environmental protection. Christie's Executive Order #1 has blocked all proposed rules and regulations, including 12 from DEP. In addition, his Executive Order #3 created a "Red Tape Review Group" led by Lt. Governor Kim Gaudagno, which further targets environmental protections. They plan to issue a report in April.

The Transition Report for the state Health Department suggests cutting, if it cannot be eliminated, funding for the Public Employees Occupational Safety and Health Program. Without this program, public employees would not have the same legal rights to a safe job as private sector employees – meaning none, because the federal OSHA law does not cover public workers. (Read more at www.njwec.org).

New Jersey's worker and environmental regulations are sensible safeguards. *They should be stronger, not weaker.* Governor Christie, Assemblyman Burzichelli, and corporate executives offer no evidence that slashing our protections will create jobs or jump start economic growth. Moreover, firing the public employees who administer and enforce these laws will lead only to higher unemployment, reduced incomes, less consumer demand, and a weaker economy.

WEC will soon launch a campaign to save our public safety and health safeguards. Please join us.

To read Assembly Bill 2486, go to <http://www.njleg.state.nj.us>

EPA, Port Authority Launch Clean Truck Program

The U.S. Environmental Protection Agency (EPA) and the Port Authority of New York & New Jersey (PANYNJ) have unveiled an agreement that will reduce harmful pollution from the east coast's busiest port. The states launched a \$28 million truck replacement program, partially funded by \$7 million from the *American Recovery and Reinvestment Act*, which will replace some older trucks with vehicles that meet stricter pollution standards. The agreement details the specific steps the partners will employ to reduce harmful diesel pollution from the Port of New York and New Jersey.

"Efforts like the Port Authority's new truck replacement program and the much broader sustainability agreement signed today will go a long way toward cutting this pollution and improving air quality and public health. Reducing dirty diesel emissions will protect the health of truck drivers and other workers at the port, along with the nearby community," said Judith Enck, EPA Regional Administrator.

Some environmentalists and labor leaders say the plan will not go far enough.. "While we look forward to next year's official retirement of dirty trucks built before 1994, it will account for less than 10 percent of the total port trucking fleet – leaving thousands of toxic spewing diesel trucks on the road. Clearly, the only thing aggressive about this environmental measure is that it places a severe economic burden on port truck drivers who average \$10-11 an hour and lack a safety net, rather than the giant shipping companies and trucking outfits that profit from goods movement," said Amy Goldsmith, Chair of the Coalition for Healthy Ports, Executive Director of the NJ Environmental Federation and WEC Board Member.

Under the program, the PANYNJ will cover 25% of trucker's costs for newer trucks. But, for a truck driver making around \$2,000 per month, a \$100,000 new truck, even with low-interest loans or grants from PANYNJ, is still too much of a burden. In addition, the truck replacement program leaves taxpayers on the hook rather than requiring the industries that make millions from doing business in the ports, and pollute the air, to pay their share.

There are more than 3 million truck trips through the Port of NY and NJ each year, resulting in nearly 2,000 tons of smog-causing nitrogen oxide and 55 tons of fine particle pollution.

Special Thanks to Valorie Caffee

WEC Director of Organizing Valorie Caffee has left the WEC staff after thirteen years of work with the organization. Valorie served as our Director of Organizing and Environmental Justice Coordinator and was the second staffer hired by WEC. She continues to serve on the Environmental Justice Advisory Council to the NJ Department of Environmental Protection. Among her most notable WEC accomplishments was getting former Governor Jim McGreevey to sign the state's first Environmental Justice Executive Order, which established a process for state agencies to address the concerns of communities disproportionately harmed by pollution and which created the Advisory Council. She also is a founder of the statewide Environmental Justice Alliance. She served as Co-Chair of Governor-Elect Jon Corzine's Environmental Policy Transition Committee. We wish Valorie well in her new pursuits and look forward to working on some joint projects together.

DEP Report: Safer Chemical Facilities

On January 15, DEP issued a report on the effectiveness of its rules for Inherently Safer Technology (IST).

About 50 of the 85 reporting facilities – all using high hazard chemicals regulated under the *NJ Toxic Catastrophe Prevention Act* – had implemented or were scheduled to implement IST measures. The report concludes that most facilities could become less attractive terrorist targets by converting to alternative chemicals or processes identified by periodic IST reviews. NJ workers and residents are clearly safer and more secure because of WEC's successful campaign for these safeguards. Download the *IST Implementation Summary* at

<http://www.nj.gov/dep/rpp/brp/tcpa/tcpadown.htm>.

We continue to press for US Senate action on chemical safety and security with a national coalition of labor and environmental groups. And we are training workers and employers on chemical process safety and health and safety in high hazard facilities.

National Good Jobs, Green Jobs Conference

WEC is a convener of the Blue Green Alliance's 2010 Good Jobs, Green Jobs National Conference, May 4-6 in Washington, DC. The conference, which will be attended by thousands, is the leading forum for transforming ideas into action on building a new, green economy that creates good jobs, reduces global warming and works for environmental and economic security. The conference will feature more than 100 workshops.

You can register at www.greenjobsconference.org. WEC is a state affiliate of the Alliance.

Calendar

Thursday, March 25 in Paulsboro – A *Health & Safety Training Workshop on Preventing Chemical Accidents*, 9 am – 1 pm. Pre-registration required/\$25 per person fee. For details and to register, go to www.njwec.org/PSM_Workshop.cfm or call Denise Patel at (609) 695-7100.

Saturday, April 17 - 2010: A New Decade of Commitment & Vision for the Environment, NJ Environmental Federation's 24th Annual Conference, 8 am – 5 pm, Rutgers University Law School, Newark. Guest speakers: Governor Christie and new EPA Region 2 Administrator Judith Enck. Workshops will focus on climate change, chemicals policy reform, green jobs, and other topics. For information, go to www.cleanwateraction.org/njef.

With your support, WEC can continue to advocate for safe, secure jobs and a healthy sustainable environment. Please consider making a tax-deductible contribution at <http://www.njwec.org>.

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Back issues of *WEC@WORK* are available at www.njwec.org. Rick Engler & Denise Patel, Editors. WEC is an alliance of 70 labor, environmental and community organizations working together for safe, secure jobs and a healthy, sustainable environment. WEC Staff: Rick Engler, Director; Debra Coyle McFadden, Assistant Director; Cecelia Leto, Project Coordinator; Denise Patel, Campaign Organizer. Staff are members of USW or CWA.

CWA Local 38010/USW 4-149