

2018 Annual Environmental Business Roundtable: Projects, Trends and Governor Murphy's Agenda

BY MARTIN C. DAKS
CONTRIBUTING EDITOR

WHEN PHIL MURPHY WAS running for governor, he advanced an ambitious environmental agenda. Now that he is in Trenton as New Jersey's top executive, inquiring minds are asking how Gov. Murphy's green agenda will affect businesses. *COMMERCE* asked the following experts for their insights, thoughts and observations.



PennJersey Environmental Consulting

Rodger A. Ferguson, Jr., LSRP, President

"Gov. Murphy has said he wants to focus on issues such as greenhouse gases and global warming, and coastal resiliency, and I suspect that will be the major part of his initial environmental focus," explains Ferguson, incoming president of the Licensed Site Remediation Professionals Association (LSRPA). "It's been our experience that when a Democratic administration takes over from a Republican one, an increase in enforcement-related activities follows."

The increased enforcement emphasis is likely to result in more work for environmental consulting businesses, he adds, since companies that get a letter from the state will be seeking assistance. "For example, missing remediation timeframes could result in direct NJDEP oversight, which will be more costly and restrictive to the responsible party."

New Jersey is going full speed ahead with Gov. Murphy's green agenda, and businesses need to prepare for more rules, regulations and enforcement.

Ferguson says that one of his firm's ongoing projects involves "a prospective site buyer who called us in to double-check the property before he signed the deal. The seller's consultants gave it a clean bill of health, but we investigated extensively and found significant problems. The buyer still went ahead with the deal, but "was able to negotiate a significantly lower price because of our work."



McCarter & English, LLP
Lanny Kurzweil, Esq., Partner, Environment & Energy Practice Group

Any change in administration represents opportunities and challenges for businesses in New Jersey, according to Kurzweil, co-moderator of CIANJ's Environmental Business Council Roundtable.

"Gov. Murphy has been outspoken about his commitments to infrastructure and clean energy, and his concern about climate change," he says. "This can be a tremendous opportunity for developers who want to invest in offshore wind generation facilities, for example; and there will probably be opportunities in the solar segment. Murphy has a long list of environmental priorities that were

first articulated during his campaign and were provided with further heft in the report issued by his environment and energy transition team in January and in his choice of Catherine McCabe as NJDEP Commissioner."

McCarter & English's current clients include a developer that acquired a nearly 300-acre site in mid-Jersey, that was previously used by a chemicals company. "It's being redeveloped for light manufacturing, warehouse and e-commerce uses."



EWMA
Donald W. Richardson, CPG, President

"I expect the new governor will put a greater emphasis on environmental compliance and enforcement, given his NJDEP Commissioner appointment of Catherine McCabe, a former USEPA deputy assistant administrator in these two areas," says Richardson. "The governor has pledged to embrace renewable energy initiatives, including solar, offshore wind and clean air through a commitment to the Regional Greenhouse Gas Initiative or RGGI."

Richardson notes that EWMA's real estate developer and commercial/indus-



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trial property owner clients "continue to face the challenge of project time and budget certainty to achieve final cleanup and redevelopment goals. EWMA's SECUR-IT® Guaranteed Fixed-Price Remediation Program is unique in the marketplace and has filled this need for more than 20 years."

EWMA is currently assisting a private water company with pre-acquisition environmental due diligence on an older municipal water and waste water system. "Aging New Jersey municipally owned and operated systems are experi-



encing many fiscal and regulatory compliance challenges to meet requirements in the state's recent Water Quality Accountability Act," he adds.



Golder
Steve Finn, Principal

"Under the new administration in New Jersey, we're expecting to see more enforcement when it comes to cleaning up contaminated sites, as well as rivers and streams," says Finn. "We also anticipate a step up in Natural Resource Damages claims arising from contaminated sites."

Finn reports he's already seeing some other trends, including increased attention to perfluorinated compounds and other emerging contaminants that are becoming a concern in ground water.

"Reliable, inexpensive energy sources continue to be crucial for business," he adds. "We expect to see increased emphasis on renewable energy, such

as solar, including solar farms on remediated sites; and possibly offshore wind farms."

One of the significant projects Golder is working on is Berry's Creek, a tributary of the Hackensack River in the Meadowlands. "During a century-long period of industrial use, the creek became contaminated. We're currently assisting with a major investigation of sediments, and resulting risks, and it will probably lead to dredging and other remediation. The USEPA should arrive at a cleanup decision in a few months."



**Riker Danzig Scherer
Hyland & Perretti LLP**
Steve Senior, Esq., Partner,
Environmental Group

Gov. Murphy has emphasized renewable energy and offshore wind facilities; responding to climate change; and natural resource damages, water infrastructure and environmental justice concerns, notes Senior. "Increased

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NJDEP activity could mean more work for professional services firms."

Trenton observers have whispered that Murphy may review the LSRP program, possibly tightening the reins and giving more power to the NJDEP, but "the LSRP initiative currently rests on three well-designed legs," he says. "The first is the Licensed Site Remediation Professional, the second is the affirmative duty to remediate a contaminated site, and the third is the timeframes for remediation. The NJDEP and licensing board have a strong oversight role. This framework has worked very well to promote cleanups. I hope that the balance will not be disturbed."

Remediation activity will accelerate as more people live and work in urban areas, observes Senior. "Brownfields are often the only undeveloped sites in urban locations," he adds. "We're currently representing a client that is developing mixed-use projects along the Hudson River on land that involves remediation."



GZA GeoEnvironmental, Inc.
William E. Hadge, P.E., CEO

"Business leaders and developers are seeing already that we can expect a more aggressive approach to environmental enforcement from the Murphy Administration, with a renewed emphasis on seeking fines for violators of natural resources protection laws and tougher scrutiny of environmental permit applications," says Hadge. "The administration has sent strong signals by having New Jersey rejoin the Regional Greenhouse Gas Initiative (RGGI) and embrace offshore wind power. So, we expect, as we have seen



across decades practicing in New Jersey, that elections and changes in leadership in Trenton will lead to changes in how project proponents throughout New Jersey must navigate environmental compliance and enforcement."



Dewberry
Ileana S. Ivanciu, Senior Vice President for Environmental Services

"We'll be looking for more win-win solutions that address a combination of the governor's priorities," says Ivanciu. "For example, when we take steps to restore and protect the Barnegat Bay watershed, we'll do so mindful of long-range changes in climate and sea level rise, and we'll avoid disproportionate impact on vulnerable communities."

Ivanciu also sees climate resilience "being incorporated into nearly everything we do. Specifically, we expect to see more of things like simple green

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storm water infrastructure built into transit-oriented developments; consideration of changing floodplains being designed into roads, bridges, and rail projects; and programs such as PSE&G's Energy Strong Program that protect and strengthen utility systems."

Right now, Dewberry is part of a team preparing the Environmental Impact Statement for the Hudson Tunnel Project. "The project involves constructing a new rail tunnel under the Hudson River; and after the new tunnel is in service, rehabilitating the existing tunnel, which opened in 1908 and was damaged by Superstorm Sandy. The new tunnel is critical to preserving



the rail link between New Jersey and New York, and intercity rail service on the Northeast Corridor."



Greenbaum, Rowe, Smith & Davis LLP
David B. Farer, Esq.,
Chair, Environmental
Department

"It's expected that Gov. Murphy will be focusing on clean energy and climate change as top environmental priorities, with a renewed emphasis on enforcement and further development of clean air, clean water and site remediation regulations as key agenda items," says Farer. "The governor has made a very strong choice in nominating Catherine McCabe as the NJDEP Commissioner. Ms. McCabe brings deep experience to the NJDEP from her impressive career at the USEPA, and I believe that she will be an effective steward of the governor's environmental agenda."

He adds that the "single most critical environmental threat to our state—to our public health and safety, our infrastructure, our business—is climate change." But Gov. Murphy quickly took the important step of having New Jersey retake its seat in the Regional Greenhouse Gas Initiative and recommit to reduction in carbon dioxide emissions pursuant to the RGGI's cap and trade program. "The coasts must be protected and fortified. Clean energy and resiliency must be center stage."



Norris McLaughlin & Marcus, P.A.
Jeff Casaletto, Esq.,
Member, Environmental
Law Group

"The new administration is already putting into motion its energy and climate change agenda with executive orders pertaining to clean energy and getting New Jersey back into RGGI," says Casaletto. "The previous administra-

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tion criticized RGGI and clean energy as an economic burden on utilities and consumers. The upside could be a resurgence in clean energy projects as the new administration moves toward relying on clean energy sources such as solar and wind."

Casaletto says that key environmental issues and trends include the fact that the LSRP program is nearing the end of its breaking-in period. "Many complex site remediation projects in progress at the time the LSRP program went into effect are coming up on their cleanup deadlines over the next few years. These sites tend to rely on the use of engineering controls (a cap) and institutional controls (a deed notice) requiring a remedial action permit from the NJDEP. At the same time, we are seeing unprecedented turnover at the NJDEP that results in the loss of much-needed institutional knowledge."

He is concerned that this could result in a backlog of cases, "depending on how much and to what degree the

NJDEP continues to involve itself in the remedial action permitting process—a process that is getting longer, not shorter, to get through despite the LSRP program."

Casaletto is currently involved in the Lower Passaic River Superfund Site. "Besides being one of the, if not the, largest Superfund Site in the country, it is a good example of how complex a cleanup site can be from any perspective—legal, technical or political."



Panther Technologies, Inc.
Peter J. Palko, P.E., CHMM,
LSRP, Executive VP, Principal
Engineer in Charge

"The new administration appears to be interested in continuing the NJDEP's previous focus on renewable energy, urban toxics emissions reduction, enhancement and further refinement of the Site Remediation Reform Act, as well as continuing to look at emerging contaminants and their regulation," according to Palko. "But it remains too early to tell which priorities will be tackled first."

As an environmental construction group, Panther Technologies primarily focuses on clients' environmentally contaminated sites, but "we also perform clean construction, including the creation of new wetlands that can serve as new estuaries for wildlife and new plant species in areas that are largely dominated by uncontrolled, invasive lower-quality species of plants."

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So far, he warns, permits to obtain approvals to move forward with many of these projects "appear to have slowed since the change in administration, which is, again, an example of state agencies likely determining what the new normal will be legislatively going forward before granting such permits to proceed."



TTI Environmental, Inc.
Craig Durand, CHMM, LSRP, President

"I think Gov. Murphy will work to strengthen the NJDEP by adding or appointing experienced environmental regulators," says Durand. "We will most likely see a tighter watch on timeframes and heightened enforcement."

He points out that in New Jersey's site remediation segment, "there is a growing trend toward creative solutions using engineering controls as means to solve site conditions and, at the same

time, provide functionality to site improvements. Another trend we are seeing is the design and build of alternative fuel systems. Our construction division is experiencing an increase in projects involving installation of alternative fuels systems with traditional fuel stations at private and public locations."

Last year, TTI was involved with "dozens of lead-in-water testing programs for K-12 schools throughout New Jersey," adds Durand. "It was challenging to organize and communicate the program with all the stakeholders,



including business administrators, teachers and parents, but it was rewarding to work for the benefit of safeguarding the children."



The ELM Group Inc.
Mark D. Fisher, LSRP, Managing Partner

It may be too early to accurately say just how the Murphy administration will impact environmental businesses, according to Fisher. "However, with the overwhelming success of the LSRP program in cleaning up contaminated sites in New Jersey over the past eight years, it is unlikely that too much will change in that area."

Meanwhile, though, he sees an increase in commercial/industrial real estate transactions, "which often involve addressing environmental issues and risks. A similar increase in transactions, like sales and divestitures, involving industrial/manufacturing companies has

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also been driving business to our sector.”

The ELM Group is currently involved with several large redevelopment projects “that involve the integration of remediation and new development—mixed/multi-purpose, commercial and new industrial uses—so the ability to quickly complete cleanups under the LSRP program is crucial to the success of these projects.”



LAN Associates
Steven J. Ramiza,
Vice President

“Gov. Murphy’s commitment to climate change and clean energy (solar and wind) is likely to mean opportunities for businesses,” says Ramiza, who oversees the company’s Environmental Services and

Regulatory Compliance Departments. “His focus on the LSRP program could end up streamlining the relationship between the NJDEP and LSRPs, as well as increasing the focus on compliance and enforcement.

“Other key issues will include flood resiliency,” he adds. “The state clearly wants to limit or prevent development in flood-prone areas, which is understandable, but we also need to build, so a balance of smart planning and risk reduction methods must be established.”

Educational facilities are one of LAN’s leading market segments, and Ramiza notes that several large projects underway include K-12 school construction in a half-dozen municipalities in Northern and Central Jersey.

“All of the projects have some level of environmental challenge, whether land use and/or contamination and remediation,” Ramiza adds. “Ultimately, this means a strong understanding of the NJDEP regulations, along with a

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solid working relationship with NJDEP staff, will be needed to keep these projects moving forward."



Coughlin Duffy LLP
Heidi Minuskin, Esq.,
Partner

Gov. Murphy has made it clear he embraces renewable energy concepts such as solar and wind, "but we haven't received as many signals about his approach to brown-field redevelopment," notes Minuskin. "There's always some push-pull issues in redeveloping urban areas, with a need to balance the costs of remediation and traditional building and construction expenses with the level of cleanup needed to be protective. The challenge is for the state to promote policies that are affordable while offering reasonable protections."

That's a big issue in New Jersey, which has a shortage of developable space, "And we're seeing a lot of rede-

velopment of former manufacturing and industrial sites that are being cleaned up and put back into good use, like housing and retail," adds Minuskin.

Coughlin Duffy is currently representing some parties that have been identified as having some potential connection to the Lower Passaic River Study Area, a 17-mile tidal stretch—with a long history of industrialization—from Dundee Dam to the river mouth at



Newark Bay. She calls it "a long-running case with a number of potential liabilities and remedial alternatives that are under consideration."



Tectonic Engineering & Surveying Consultants P.C.
David Morris, LSRP,
Vice President of
Environmental
Services, N.J.

"I think the changes will be outside the site remediation and waste management program, not in the technical or science arenas," says Morris. "I perceive more enforcement could be requested from the NJDEP, but the licensed site remediation system is established and has matured; I do not think the governor will attempt to roll it back."

But one key issue is the reuse of marginal materials, and the economic impacts and aspects of fill flow around and out of the state, he adds. "Alternate fill and processed dredge and historic

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fill materials are representative of expansive anthropogenic degradation that must be addressed appropriately and safely."

The company is currently resolving a contaminated site for a not-for-profit client. "The proposed residential use increased NJDEP involvement for an alternate remedy," explains Morris. "The initial response actions were not in the LSR arena and revealed a larger problem in the neighborhood. We were

able to address the issues and changes seamlessly to bring the site into compliance and bundle the remedy using LSRP stewardship."



Concrete Washout Systems
Bill McGuire, Managing Director, McGuire Marketing, Marketing Consultant to Concrete Washout Systems

Water conservation and sustainability are two key continuing environmental issues, says McGuire. "We continue to see new and established, grassroots and community organizations such as NJ Waterworks, Hackensack Riverkeeper and the Association of New Jersey Environmental Commissions taking a lead in this area."

He notes that Concrete Washout Systems worked alongside a New Jersey construction firm on a Jersey City condominium project where 3,000 yards of concrete washout from 300 mixer trucks

was pumped out and recycled.

"Concrete Washout Systems was able to help the contractor reduce operation costs by eliminating the waste water and washout material from the jobsite and reducing the contractor exposure to very costly USEPA penalties and associated civil fines," he explains. "The bonus to New Jersey citizens is a significant reduction of urban runoff pollution, very common on construction sites, that would otherwise go directly into the storm drain and have a direct impact on local waterways and habitat living in that environment."



Connell Foley LLP
Agnes Antonian, Esq., Chair, Environmental Law Practice Group

Gov. Murphy's appointment of seasoned environmental officials such as Catherine McCabe and Debbie Mans to the state NJDEP demonstrates his commitment to—and tougher

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stance on—the environment, says Antonian.

“More state involvement in areas such as renewable energy, i.e. wind power, could be good for companies in the sustainability segment,” she explains. “Given some recent federal government actions that are detrimental to the renewable energy industry, it could become more difficult and more expensive for developers to take advantage of such sustainable measures.”

Connell Foley recently implemented a “novel approach to clean up an urban area with an extensive industrial history and low levels of contamination found beyond the property boundaries,” says Antonian. “Citing the ubiquitous and regional nature of the contamination, we implemented institutional controls to document the potential contamination in the public streets and rights of way. This approach could prove to be an efficient and effective way of dealing with ubiquitous low-level contamination where there is no present human health

risk and it is unclear whether a clean edge could be found.”



Whitestone Associates, Inc.
Thomas K. Uzzo, LSRP,
PEA, President

Gov. Murphy’s renewed focus on promoting offshore wind energy facilities should positively impact that industry, while his commitment to prohibiting offshore oil exploration should help alleviate the potential environmental risks associated with open water drilling, according to Uzzo.

As an LSRP, he’s focused on any potential changes to the LSRP program and any revisions to the Site Remediation Reform Act (SRRA) that could impact how contaminated sites are remediated, and ultimately redeveloped and repurposed in the state.

“As a business owner based in New Jersey, I’m concerned that companies continue to move out of the state due to the cost of doing business, and it’s



important to recognize that the environmental industry is a major employer here,” he adds. “Any impact to the ability to address blighted, contaminated sites for redevelopment in a timely and thorough fashion will have ripple effects on the real estate, development, construction, retail, housing and so many other industries in New Jersey.”

An ongoing Whitestone project is a Union County site that was a heavy industrial equipment manufacturing and service center, and prior to that a foundry, that is under concurrent remediation and redevelopment by a supermarket chain.

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Hampton-Clarke, Inc.
Rose DiMeo, CEO

"Gov. Murphy's extensive global business experience will positively impact New Jersey businesses," explains DiMeo. "He will create better opportunities for businesses to remain in the state, while incorporating environmental policies which are agreeable to business growth via investing in abandoned manufacturing/warehouse properties and remediating, redeveloping and retrofitting these sites."

A key environmental issue is clean water, so any plan for future development "needs to begin with improving water quality and managing the current volume, which is in excess of the water treatment plants' capacity," she adds.

Hampton-Clarke has been involved with the transportation industry for 25 years, servicing the environmental needs of airports, tunnels, bridges, and the New Jersey and New York ports by sup-

porting the retrofitting and rebuilding of bridges "which enhances the shipping industry, increasing commerce and employment," DiMeo says. "We worked with FEMA for the Sandy Cleanup by removing accumulated water from manholes and other flooded areas. HC provides environmental services to the transportation agencies, as well as engineering and construction companies."



GEI Consultants
Sue Boyle, Senior
Consultant

"Gov. Murphy has expressed his support for environmental activities," notes Boyle. "His commitment to clean energy and infrastructure improvements could mean big opportunities for firms in the environmental services segment."

Boyle works with several nonprofit associations that specialize in site remediation and brownfields redevelopment in New Jersey, New York City and the entire

northeast region of the United States, and says she's seen an increase in the volume and speed of cleanups. "In addition to being better for the environment, these cleanups create more developable property, which benefits job creation, and local communities, because it puts more properties back on the tax rolls."

As its Executive Director, she's currently assisting the Licensed Site Remediation Professionals Association (LSRPA) with a review of the 2009 Site Remediation Reform Act (SRRA), "and how to potentially make it even better. State Senator Bob Smith, one of the authors of the SRRA, asked us to develop recommendations. It's a big, positive policy push."



Brilliant Environmental Services, LLC
Philip I. Brilliant, CHMM,
LSRP, Owner, Principal
Environmental Scientist

"We're still only a short time into the new administration so the jury is still out

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when it comes to Gov. Murphy," according to Brilliant. "State Senator Bob Smith said he will revisit the 2009 Site Remediation Reform Act, which established the LSRP program, though it's been working very well so far. I don't anticipate any major changes."

Brilliant's company focuses on site remediation activity, and he says that under Murphy, the state could see "tighter enforcement on persons responsible for remediation and new restrictions on the use of professional judgement for cleanups. It could be a more prescriptive approach which could slow down remediation."

One of the significant projects he's working on involves a client that's considering a purchase of a 25-plus acre site in Middletown. "The client wants to remediate it and develop it with retail. We're heavily engaged in due diligence because the buyer will primarily be responsible for any cleanup, so we have to investigate and identify any areas of concern before a deal is finalized."



Rutter & Roy, LLP
Christine A. Roy, Esq.,
Partner

There is some uncertainty about how the new administration will implement current regulations, and whether it will seek to amend them, according to Roy. "During the Christie administration, several of the permitting schemes were revamped to be consistent with one another, including the Coastal Zone Management Rules, Flood Hazard Area Control Act Rules, and, most recently, the Freshwater Wetlands Protection Act Rules."

Roy represents several interstate natural gas pipeline companies in New Jersey, so she's watching how the NJDEP will deal with the PennEast Project, given the recent denial of that company's application for permits. "Increasing public participation in the permitting process results in delays in the processing of applications for such projects," she says.

She's also working on Transco's Northeast Supply Enhancement Project, which includes components in Pennsylvania, New Jersey and New York. "The project matters because, among other things, it will provide additional natural gas supplies during periods of increased peak demand from increased residential and commercial usage and the phase-out of fuel oil in New York City. Our office is assisting with the environmental permitting and easement acquisition for the New Jersey components of the project."



Sadat Associates, Inc. (SAI)
Lahbib Chibani, Ph.D., P.E.,
President

Gov. Murphy's advocacy of clean energy should result in an increase in the number of wind and solar projects throughout the state, creating more business for environmental companies, according to Chibani. "SAI has been involved with a number of solar array projects at former

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landfills. These projects serve a twofold purpose: they not only make viable use of brownfields, but they also generate a much-needed resource."

Like every state, New Jersey is facing critical infrastructure problems, he adds. "Aging wastewater treatment plants are a threat to our safe drinking water and natural resources, constituting a significant environmental issue that has to be addressed."

SAI designed and/or oversaw the construction of the engineering controls for the proper closure of seven landfills in

the 750-acre Meadowlands area, notes Chibani. "This is a huge project, and given not only the vast acreage involved but also because each landfill had its own set of unique environmental issues that had to be resolved. The measures taken to properly close these landfills are enormously protective of public health and the environment, and they have been designed such that various uses of what was once basically discarded and unusable land are now possible."



**Bayshore Family
of Companies**

Valerie Montecalvo, CEO

Montecalvo "firmly believes" Gov. Murphy's administration will strongly support sustainable food management.

"The United Nations estimates that one-third of all food produced for consumption is wasted each year," she says. "Closer to home, about 40 percent of food grown in the United States is not

eaten, and in July 2017, the New Jersey Legislature passed S-3027, the Food Waste Reduction Act, which aims to reduce food waste 50 percent by 2030."

Montecalvo says the NJDEP is in the process of launching a stakeholder process to develop a plan by this summer to achieve this goal. "Bayshore Recycling was invited to participate in this important work. A companion bill, S-771 is also moving in our legislature to ban the disposal of food from large generators where composting facilities are available."



Matrix New World Engineering

Jayne Warne, P.E., President

"We anticipate an increased focus on environmental compliance and enforcement, as well as a return to policies supportive of renewable energy," reports Warne. "These policies, combined with the governor's focus on economic development, will put environmental and engineering consultants in a

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position to serve key roles in the state's environmentally sustainable economic revitalization. Ultimately, these are quality-of-life issues that are critical to New Jersey's future."

Matrix Engineering is performing design, build and regulatory services for a property owner in northern New Jersey that involves site remediation and preparation for redevelopment. "Prior to our involvement, the property had been mired in years of regulatory uncertainty and was a financial liability for the owner and an unproductive tax asset for the municipality," explains Warne. "Matrix quickly secured complex regulatory approvals and embarked on a remediation program that prepared the site for redevelopment."

The design-build helped lead to a successful auction of the property, which will be developed with "a new and productive use over the next two years and will return the decaying industrial property to a modern and tax-ratable use."



Dale Group
Dan Borgna, Vice President,
Environmental Division

"You have heard the phrase 'limitation of liability' in the past but may not be familiar with how it fits into contracts with your customers," notes Borgna. "As an insurance broker, we work with our insureds in fine-tuning the standard contract used with their customers. Almost always, we suggest using a limitation of liability clause whenever possible because it sets a specific dollar amount your firm can be held liable for in the event of a loss or claim. This is particularly important for small jobs such as Phase I's or Property Condition Assessments. These are minimal profit work orders, so you shouldn't expose your firm's total professional liability insurance limits to qualify. With a limitation of liability clause, the most you can be held liable for is the cost of the work or some smaller amount. Do not ignore

this as I have seen small jobs turn into big defense and indemnity claims."



NJ's Infrastructure Bank: A Conversation with Executive Director David Zimmer

In 1986, when New Jersey instituted one of the nation's first independent state financing authorities for the construction of water quality projects, not many people realized how effective it would be. During the past 30 plus years, the New Jersey Environmental Infrastructure Trust (NJEIT), working in partnership with the NJDEP, has provided more than \$7.2 billion in low-cost funding to municipalities and counties for projects that protect ground and surface water resources, and ensure safe drinking water. New Jersey taxpayers got cleaner water, the economic benefit of 130,000 direct construction jobs, and saved \$2.46 billion in interest costs.

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Since 1986, the New Jersey Infrastructure Bank (I-Bank) (f/k/a NJEIT) has been the trusted premier state authority for financing water infrastructure projects at below market rates to municipalities, utility authorities, and private water purveyors in New Jersey. With over 30 years of experience, see how the I-Bank can help finance your next water infrastructure project.

To learn more, visit us at www.njib.gov.



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So how do you improve upon one of the state's biggest environmental infrastructure success stories? "Double it," says David Zimmer, executive director of the agency. "With just 18 employees and the help of the NJDEP, we will issue more than \$1 billion over the next two years."

As head of the reorganized and newly branded agency—now called the New Jersey Infrastructure Bank, or "I-Bank"—Zimmer draws on decades of experience working on Wall Street and in public service, with an MBA and a Civil Engineering degree for good measure. That diversity of experience helps him understand the projects that come across his desk and navigate getting them funded at the lowest possible cost.

Here are his thoughts on the ambitious path ahead for I-Bank, and how everyone in New Jersey stands to benefit.

Defining the New Jersey Infrastructure Bank. "The New Jersey Infrastruc-

ture Bank has two separate programs that are statutorily set up to fund and administer loans for water and transportation projects respectively. The I-Bank will continue to make low-cost loans for wastewater, storm water and drinking water projects. We will soon roll out a similar program for local transportation projects, such as bridges and roads."

Expanding the Mission. "The I-Bank oversees and administers two distinct financing programs—the familiar NJEIT and another through the new, New Jersey Transportation Infrastructure Bank (NJTIB). When the legislature passed a law adding transportation projects, the I-Bank had a responsibility to develop the NJTIB. We have two separate programs, but federal and state laws dictate that their funds be kept separate."

Managing the I-Bank. "We need to run the I-Bank as if it were a commercial bank—without the profit motive—cut bureaucracy and get these funds into

the hands of the people who need it for infra-structure."

Qualifying for I-Bank Funds. "Our borrowers are qualified by federal and state law; an eligible entity is a public water system such as a county, municipality or municipal utilities authority (MUA), or a private drinking water supplier. There has never been a project certified for eligibil-



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ity that has not received funding. We've made more than \$100 million in loans."

Prioritizing Projects. "Water infrastructure is called critical infrastructure for a reason. With drinking water in urban areas, lead can be a problem, especially for at-risk populations. Reservoirs need to be covered to inhibit pathogens, such as cryptosporidium. Storm water projects, such as combined sewer overflows (CSOs) cause big problems in North Jersey. There are more than 100 CSOs along New York Harbor. People, animals, and the environment are impacted whenever there is a CSO discharge."

Applying for Funding. "We have made the loan and project review process as simple as possible for municipalities and MUAs. We also have a Web site (njib.gov) with an application called H2LOans. It is very easy to use. Unlike the paper application of just eight years ago, today you apply online. Your lawyer, engineer, and other collaborators log in and work alongside you. It's made our loan program much more

efficient and accurate. H2LOans allows borrowers and staff to leverage technology to do more with less."

Upgrading Water Infrastructure. "We should insist that water systems analyze and compare the savings available with normal course repairs versus the costs with non-action. Emergency repairs cost three to 10 times more."

—Interview by Rosemary Dreger Carey

New Jersey American Water Invests in New Jersey's Water Infrastructure

New Jersey American Water, the largest water service provider in the state, is committed to providing high-quality, reliable water and wastewater service and fire protection to its nearly 2.7 million customers around the clock. Each year, the company invests approximately \$350 million—close to \$1 million a day—to upgrade and maintain 8,900 miles of pipeline, dozens of water treatment facilities and hundreds of storage

tanks and booster pumping stations located throughout the state that serve as the backbone of its system.

Since 2015, New Jersey American Water has spent more than \$868 million in water and wastewater pipe renewal or replacement projects and other critical infrastructure upgrades. Recent system improvements include upgrades to the Jumping Brook, Swimming River, Delaware River, Canoe Brook and Raritan-Millstone Water Treatment Plants, as well as the expansion of the Oak Glen Water Treatment Facility.



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The company also completed the construction of an iron removal facility in Toms River for improved water quality and a flood protection project at the Raritan-Millstone Water Treatment Facility to ensure continued sustainability of this critical water supply for seven counties across Central New Jersey.

Additionally, New Jersey American Water has installed, replaced and rehabilitated more than 200 miles of aging water mains, as well as thousands of service lines, valves and hydrants—achieving the level of investment specified by New Jersey’s recently approved Water Quality and Accountability Act. ■

“We started by looking at infrastructure and one of the things we recommended was authorizing \$400 million in bonds for upgrades,” said Senator Greenstein, vice chair of the Senate Environmental Committee. “We need to authorize municipalities to create storm water utilities to manage their waste water, and we need to help smaller and economically challenged areas through grants.”

Former New Jersey Board of Public Utilities President Jeanne Fox, now a commissioner with the agency, said the new administration would be addressing this issue. “We need a public-private partnership to get this done because we don’t have the money, and ratepayers can’t be burdened with the enormous costs required to update and repair our infrastructure,” she said.

Amy Greene, president and owner of Amy S. Greene Environmental Associates, agreed and added that New Jersey needs to update its water supply master plan. ■



New Jersey Drinking Water: A Key Environmental Issue

BY DEBRA ROMANO
CIANJ EXECUTIVE VICE PRESIDENT

At a CIANJ Environmental Forum hosted with its partner, CPES at Montclair State University, State Senator Linda Greenstein acknowledged water supply and the quality of drinking water as a key environmental issue, and the creation of a final report on the topic.



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