



N.J. charges companies polluted poor communities and exposed residents to health hazards

By Blake Nelson and Michael Sol Warren
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State and local officials announced six lawsuits Friday targeting polluters in poor communities around New Jersey.

Speaking at a press conference in Newark, state Attorney General Gurbir Grewal said the state and the nation hadn't done enough to protect minority neighborhoods from polluters.

"These companies have put the health and safety of many vulnerable residents at risk," he said.

He was joined by Newark Mayor Ras Baraka, Essex County Executive Joseph DiVincenzo and Catherine McCabe, Commissioner of the New Jersey Department of Environmental Protection.

McCabe said these six groups had abandoned their neighbors to a host of potential harms, and that while these lawsuits would help, the state still had "a long way to go."

The lawsuits are the latest actions taken as part of the state's environmental justice initiative. The push to crack down on pollution in low-income communities began in December, when the state's Attorney General's Office and the Department of Environmental Protection announced eight lawsuits and the creation of a dedicated environmental justice section.

The newest complaints address pollution ranging from toxins leaking into groundwater to illegal dumping, which allegedly took place in Newark, Trenton, Camden, East Orange and Kearny at different times over the past few decades. Each location has a population that is heavily black or Latino, according to the U.S. Census, and each has a higher poverty rate than the state overall.

Representatives for the New Jersey Conservation Foundation, Clean Water Action and the Sierra Club praised the announcement.

"Making polluters pay for their damage is critical because it acts as a deterrent," said New Jersey Sierra Club Director Jeff Tittel in a statement.

Gov. Phil Murphy's administration has also cracked down on massive illegal dumping sites in Sussex County and Ocean County, filed complaints against chemical giants like DuPont and 3M, and joined multiple legal actions against the environmental policies of President Donald Trump's administration.

A company's ability to pay for cleanup and the poverty rate at each site influenced the choice of these sites, Grewal added.

Here are the places targeted Friday by the attorney general's office:

Newark

From the mid-1960s until 1994, the Nanes Metal Finishing Company operated at 461-491 Fourth Street.

Six years after the operation shuttered, the state found dangerous chemicals in the soil and groundwater at the site, which is across the light rail tracks from Branch Brook Park in Newark's North Ward.

Those chemicals included trichloroethylene (TCE) and perchloroethylene (PCE), which can hurt everything from your kidneys to your ability to reproduce, according to the U.S. Environmental Protection Agency. Both substances are used in metal finishing.

Officials accused Nanes of refusing to clean up their mess, and said that the state has been forced to spend \$500,000 on vapor mitigation systems to protect the current occupants from dangerous fumes.

Unionwear, a garment manufacturer, currently operates at the site.

The state is seeking a court order to compel Nanes and the current property owners to complete cleanup and to pay back the \$500,000. McCabe said Friday that groundwater pollution was particularly problematic because it could take decades to fully fix.

Numbers listed for a Nanes official were disconnected. A message left with the president of 305 Third Avenue West, LLC, which officials said owned the property at one time and is listed as a defendant in the lawsuit, was not immediately returned. A message left with the president of Unionwear, which is not named as a defendant, was also not immediately returned.

Trenton

Officials alleged that one of those same chemicals, PCE, leaked out of underground storage tanks in the state's capitol, creating vapors that now threaten five homes near 723-725 Chestnut Street.

Those tanks belonged to Sainte Marie Dry Cleaners, which officials said was operated for more than a decade by a man named Walter Zoladz.

Zoladz abandoned it to foreclosure in 2008 without conducting any environmental cleanup, officials said.

The state has spent more than \$400,000 to install systems that protect residents from the fumes since the environmental department discovered that PCE from the site had migrated to nearby properties.

The state's lawsuit demands that Zoladz and the current owners, CHM Properties, LLC, do more to clean the area, reimburse the department for money already spent and pay additional fines.

The state also sued Schofield Cleaners, which operated near the Delaware River at 1474 West State Street, for allegedly refusing to clean up its own PCE pollution. That refusal led the department to fine the cleaners more than \$100,000 in July 2017.

The state is now suing Schofield Cleaners to force cleanup and both pay the 2017 fine and new penalties for subsequent violations.

A number listed for Schofield Cleaners is no longer in service. Messages left with Zoladz and the president of Schofield were not immediately returned.

Camden

A few blocks from the Delaware River are 10,000 cubic yards of scrap metal, construction debris and other trash, officials said.

The state has accused William F. Yocco and Damon A. Yocco of running an illegal dump at 260-268 Chestnut Street since 2013, when New Jersey successfully forced the pair to remove hazardous waste from the site. But efforts to force the disposal of the junk that remains have been unsuccessful.

The Yoccos sold the lot to the current owner, Andre Webb, on July 19; the state claims that neither the Yoccos nor Webb made a plan to cleanup the remaining waste.

Now, the state is suing to force the cleanup of the site by the end of the year, and for further fines over past violations.

Messages left for William F. Yocco were not immediately returned. Numbers listed for Damon A. Yocco and Andre Webb were no longer in service.

East Orange and Kearny

Two more lawsuits concerned alleged pollution by a Gas Mart in East Orange, at 66-68 North Park Street, and Auto Scrap in Kearny, at 34-38 Stover Avenue, according to a release.

The Gas Mart is a gas station that has been a source of environmental problems for more than a decade, according to state records, for long-standing problems with the maintenance of four underground storage tanks at the site.

On multiple occasions, the environmental department placed delivery bans on the station's underground tanks. In 2016, the state ordered Gas Mart to remove its four underground tanks and pay a \$88,400 fine. That order has gone ignored. The state's new lawsuit seeks to force compliance and new fines.

The defendants in the Gas Mart case are Viathon, Inc. and Robert Comizio, the president of Viathon.

Auto Scrap, a junk yard that takes in vehicles and sells them for parts and scrap metal, has had run-ins with the environmental department since 2002. The state claims that the business has repeatedly failed to prevent pollution from oil and other fluids from entering groundwater and being carried away by stormwater.

The state issued a final order to Auto Scrap in 2012, demanding compliance with previous orders and fining the business \$55,000. The lawsuit announced Friday seeks to force Auto Scrap to finally comply.

Message left with Auto Scrap, Comizio and a company that has owned Viathon were not immediately returned.

The state Attorney General's office has also issued a new handbook for New Jersey cops detailing how to enforce environmental law.

NJ Advance Media staff writer Vinessa Erminio contributed to this report.