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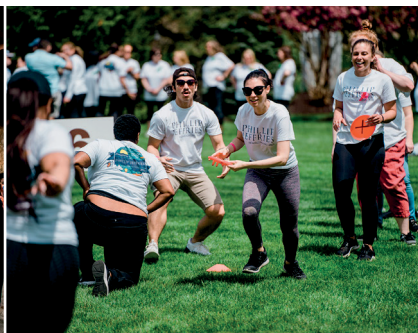


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COMMERCE MAGAZINE

PUBLISHER/CEO
ANTHONY RUSSO
arusso@cianj.org

EDITOR
DIANE C. WALSH
dwalsh@cianj.org

CONTRIBUTING EDITORS

JULIA PANGBURN
LARRY FELD

ADVERTISING SALES

RON JAVER (201) 368-2100
rjaver@cianj.org

RICH WALTMAN (646) 808-5114
rwaltman@cianj.org

TOM WORLEY (917)-733-5135
tworley@cianj.org

LAYOUT AND DESIGN

MARJORIE CAMPOLONGO
*Art Director,
Clear Tunnels
mjcampolongo@gmail.com*

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EBC Working Group Studies PFAs, Emerging Contaminants

By Anthony Russo
President, CIANJ

Lead, Mercury, dioxins, and PCBs have long dominated conversations in the environmental business community as government and industry grapple with these contaminants' effects and try to shield the public from harm.

A new focus is now emerging, however, around PFAs – per- and polyfluoroalkyl substances – which are a group of manufactured chemicals that have been used in industry and consumers products since the 1940s because of their useful properties. There are at least 7,000 chemicals in this category. The U.S. Environmental Protection Agency reports that the one common characteristic among PFAs is that they break down slowly and can build up in people, animals, and the environment over time.

CIANJ's very active Environmental Business Council has already formed a working group to delve into this emerging contaminant. The EBC is comprised of a wide array of firms focused on the environmental field, including contractors, licensed site remediation professionals,

laboratories, engineers, attorneys and others. They are eager to learn of the regulatory and legislative impact of PFAs, especially since there are now eight bills working through the New Jersey Legislature addressing the issue.

PFAs are found everywhere, such as in the water we drink from public water systems and private wells. Dairy products can contain it because livestock could have been exposed. Food packaging is another common source because PFAs are used in grease-resistant paper, fast food containers, microwave popcorn bags, pizza boxes and candy wrappers. It's in household products too, like non-stick cookware, paints, varnishes and stains and water repellants used in carpets. PFAs are in some shampoo, cosmetics, and even fire extinguishers.

There is a growing concern that these chemicals are linked to health problems and many government agencies are now studying the effects.

At one of the latest CIANJ events on Superfund sites, the experts and environmental authorities stressed there is a great need for more study. We agree wholeheartedly.

The federal EPA established a Council on PFAs to develop a strategy to protect public health and the environment from the impacts of the chemicals.

In its approach the EPA will study the full lifecycle of PFAs, their unique properties, the

ubiquity of their uses and the multiple pathways for exposure. The federal agency intends to focus on preventing the chemicals from entering the environment in the first place. This is considered a foundational step to reducing the exposure and its potential risks.

The EPA is intent on science-based decision-making. Toward that goal, it pledges to invest in scientific research to fill gaps in understanding of PFAs, to identify which PFAs may pose human health and ecological risks at which exposure levels, and to develop methods to test, measure, remove and destroy them.

In President Biden's Bipartisan Infrastructure Law there is \$2 billion available to address emerging contaminants, including PFAs, in drinking water.

CIANJ will be partnering with CPES (Continuing Professional Education Services Inc.) to hold a special event in June focusing on PFAs. Don Richardson, president of EWMA, Environmental Consulting & Remediation, who is chairing the special EBC committee on the emerging contaminants, is working with Phil Brilliant from CPES and Brilliant Environmental Services, to solicit speakers and develop the content. We are expecting manufacturers, executive from the water utilities, and environmental companies will participate and discuss the latest regulatory and legislative impacts. 📌



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At a recent CIANJ event on Superfund sites, experts and environmental authorities stressed the great need for more study of chemical contaminants.

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Advances in Site Remediation Sustainability, Stewardship

Compiled by Diane C. Walsh
Editor, COMMERCE

New Jersey earned a national reputation for its environmental activism, education, and justice. The state Department of Environmental Protection was established more than 50 years ago to safeguard the Garden State's natural resources. Much of its work is aimed at remedying and cleaning up the contamination from the old industrial era. Today, environmental concerns are foremost and, at CIANJ, a large part of its membership work in the field, using the latest innovations to create green buildings, recycle waste, build energy efficiency, reclaim brownfields, and take other steps that protect our air, water, and land. In this feature we asked businesses to share their accomplishments for our annual celebration of Earth Day. Our tribute will culminate April 21 with an Environmental Leadership Breakfast at the Highlawn in West Orange.

Brownfield

EAI, Inc.

EAI has installed millions of square feet of vapor barriers from high-profile manufacturers such as CETCO and GCP. Vapor barriers help to ensure that sites with previous uses—such as oil tanks, manufacturing plants, and sites with methane gas in the soil—become safe for redevelopment and reuse. We've installed these barriers to prevent vapor intrusion on many high-profile sites with venting/sub-slab depressurization systems for safe redevelopment of commercial, retail and residential buildings on brownfields and landfills. We hire interns every year from Stevens Institute and help them develop practical skills for the industry so they can make a difference. Two interns from 2022, Shea Bontempo and Dylan Inguardi, worked as project managers. They are also pursuing master's degrees in Environmental Engineering. Shea hopes to play his part in cleaning up the planet when he graduates. Dylan hopes his studies will help him to improve the environment and impact people's lives for the better.

Environmental Education and Community Outreach

Continuing Professional Educational Services

What happens when three people with a passion for education are in the same meeting at

a State University to decide the fate of its environmental continuing education program? They become a team! In 2017, Montclair State University transitioned their program to the team of Dr. Jorge Berkowitz, Julianne Mosolgo, and Philip I. Brilliant, who were all integral components to the success of the original MSU/CEEP program. The trio formed Continuing Professional Education Services (CPES), LLC to continue the mission of providing quality education and to further its partnerships with organizations such as CIANJ and ITRC to present stellar industry programming. In 2023, the team migrated to a non-profit organization (501c3) with a Board of Directors comprised of the highest regarded environmental and legal experts in the state. This transition allows CPES to partner with the NJDEP, enabling them to share their unparalleled environmental regula-

“...STEM programs offer experiential learning on climate change, sustainability, farming, composting, xeriscape gardening – all while integrating “hands-on” opportunities for girls and young women.”

tory experience with attendees. CPES is committed to providing the highest quality of technical and regulatory education to assure the citizens of New Jersey are being afforded protection of public health and the environment.

YWCA of Northern New Jersey

Environmental education has been embedded in the work of YWCA Northern New Jersey, even prior to COVID. Our ongoing STEM programs offer experiential learning on climate change, sustainability, farming, composting, xeriscape gardening – all while integrating “hands-on” opportunities for girls and young women. We encourage family participation and volunteerism at many of these events to help inspire a deeper generational understanding around environmental issues. We also include environmental racism in our racial justice work.



EAI student interns, Dylan Inguardi, left, and Shea Bontempo from Stevens Institute in Hoboken, are proud of their efforts.

Empowerment is key in our mission and work. Integrating environmental education in our programs empowers program participants to take responsibility for their actions, plan for the future, and maintain a healthier planet.

In addition, we have adopted sustainable organizational best practices, including supporting a hybrid workforce, using digital platforms not hard copies to connect to our community, putting company-wide documents on the cloud, incorporating paper-less billing and making office recycling easy and accessible.

CSG Law

For its 2022 annual service project, CSG Law's Environmental Group volunteered to construct an outdoor classroom at The New Weis Center for Education, Arts and Recreation in Ringwood, N.J., which is owned and operated by the Highlands Nature Friends, Inc., a 501(c)3 nonprofit organization. The project was led by CSG Law's Diana Buongiorno. The team spent several hours clearing and revitalizing an unused area of the grounds full of weeds and invasive species and incorporated benches crafted by local Boy Scout Troops to create the Agro Corner Classroom, which will serve as a learning space for many of the educational programs

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Environment

Continued From Page 8

offered by The New Weis Center. In addition to its annual project, CSG Law provides environmental pro bono support to The Friends of the NJ School of Conservation and to the New Jersey Chapter of the Nature Conservancy.

Veolia

The company recently founded the Haworth Environmental Center, where biologists, wildlife advocates, beekeepers, experts on invasive species and many others hold interactive events for all ages at our new outdoor classrooms along a trail at the Oradell reservoir. The Center has a large xeriscape garden with exhibits to teach the public how to grow beautiful flowers and plants without straining the environment with chemicals, pesticides and the constant need for water. We also reach thousands of residents each year with our Watershed Recreation Program, where members hike and fish on our properties – and learn about how they can help protect the watersheds. Meanwhile, our Reservoir Rangers Program provides fun opportunities for children to take those important first steps in becoming good caretakers of the earth.

Our team of educators visit more than 500 classrooms a year across the state, teaching more 10,000 K-12 students about ecology, the water cycle and environmentalism.

PSE&G

After wintering in South America, the endangered golden-winged warbler returns to New

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Photo: Kristin Mylecraine

Female golden-winged warbler caring for her young in her protected nest.



Photo: Kristin Mylecraine

Male golden-winged warbler, an endangered species, thriving in the successional habitat in PSE&G transmission rights of way.

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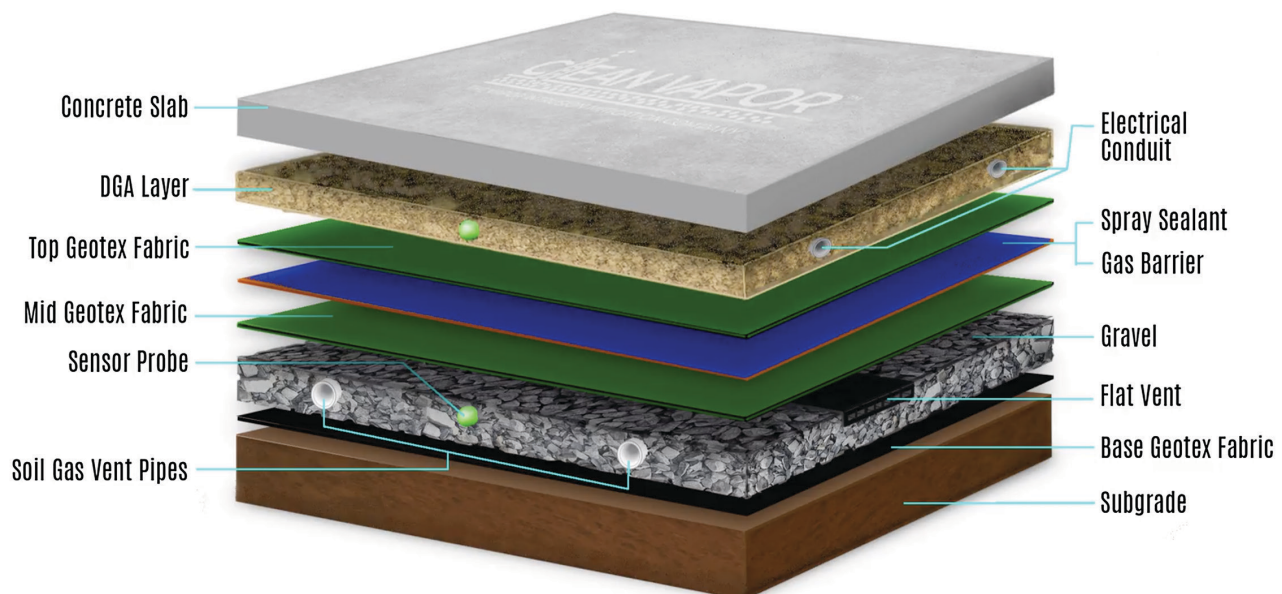
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If **peace of mind** is what you seek for your clients, we challenge you to challenge us. In the ever-increasingly complicated regulatory landscape, we can tell you that knowing local codes and standards is our job (and not just in NJ). Our methodology leaves no assumptions intact in evaluating an existing site, or preparing the groundwork for new construction. Our design principles maximize sub-slab air flow, which in turn uses fewer risers and blowers, yet protects the health of building occupants, and the responsible party's future liability.

If **simplicity** matters, Clean Vapor is now a certified spray-applied gas barrier installer. This adds to our turn-key ability to offer long-term protection—both physically AND fiscally.

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Continued From Page 10



Photo: PSE&G

To combat the spread of the invasive mugwort, PSE&G employees maintain plots that were planted with over 1,500 native pollinator friendly plugs.

Jersey for their breeding season. Due to habitat loss and hybridization, golden-wing populations are in decline. Just 24 breeding pairs return to the state in recent years. Half of these pairs nest in successional habitat in PSE&G transmission rights of way.

To protect their critical habitat while maintaining the safety and reliability of our transmission system, PSE&G worked with the NJ Endangered and Non-Game Species Program and NJ Audubon to develop a tailored management strategy.

Key elements include conducting vegetation maintenance when golden-wings are not present and performing work in cycles to leave at least 1/3 of the habitat for their return each summer.

The program started in 2015 and yearly monitoring shows that the golden-wings continue to return and successfully breed in managed areas of the ROW areas despite a steady decline in overall Golden-wing numbers.

PSE&G

Beginning in 2019, PSE&G partnered with Rutgers University, Garden Club of NJ, New Jersey Tree Foundation, and Davey Resource Group to research the best method to combat the spread of invasive Mugwort on our rights-of-way. Seven test plots were set up with different control methods, both chemical and biological, as well as a control plot. After treatment, the plots were planted with over 1,500 native pollinator friendly plugs. Plots have been surveyed by qualified botanists in subsequent years and it was determined that the selective chemical treatments were most successful in eliminating the targeted invasive species while supporting both

the native seed bank and planted plugs. We have continued to utilize this research in other areas with good results and have been able to create more pollinator friendly areas throughout our transmission rights-of-way.

PSE&G

At the height of the COVID-19 pandemic, PSE&G employee Natale Cortellessa saw a long line of people on the sidewalk as she drove through Camden. She pulled over to see if she could be of help. "It was actually the 'Camden County Pop-up Library,' which collects books for people who live in Camden and the surrounding areas," Cortellessa said.

To help the library, Cortellessa solicited book donations from her local community, friends and family, collecting some 3,000 books over the ensuing two years. Her teammate, Mike Cullen, heard about her efforts. "I received permission to re-purpose scrap wood from PSE&G job sites that would have otherwise gone to landfills, and used the wood to build 20 'book arks' to house all the donated books Natale had collected. Other PSE&G employees' families volunteered to paint the book arks, which are now deployed across Camden.

Green Building

Atlantic Health System

Atlantic Health System is leading environmental sustainability in healthcare with an energy-saving heat and power plant at Morristown Medical Center.

The co-generation, or "co-gen" plant uses natural gas to power a turbine generating

electricity. The by-product heat is converted to steam, used by the hospital's boilers.

In the winter, the plant can support electricity needs of the hospital, across 1.4 million square feet spanning 30 acres. In summer, the boilers can create hot water for sterilization of hospital equipment.

The gas-powered plant also offers added protection against unexpected electrical outages.

Similar to the plant at its sister hospital, Overlook Medical Center, Morristown's co-gen plant is expected to reduce annual energy costs by \$2.3 million and yearly carbon emissions by about 4,222 tons equivalent to removing about 2,640 vehicles from the road.

The Morristown plant's construction started in 2020 and the system went live on Jan. 4, 2022.

Stewardship

Bergen Community College

Bergen Community College's emergence from the pandemic provided officials with an opportunity to reimagine the institution's approach to its physical and built environment. Throughout 2022, Bergen took steps to become a model for sustainability, inclusivity, and belongingness – ideas articulated within President Eric M. Friedman's initial presidential goals.

Led by Vice President Nat Saviet, a former Port Authority of New York and New Jersey executive with a background in environmental policy, the College renewed its efforts in creating a sustainable campus by:

- Converting more than 300 lighting fixtures to LED;

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Photo: PSE&G

Natale Cortellessa collected over 3,000 books for Camden County's "Pop Up Library".



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Continued From Page 8

- Partnering with PSE&G to conduct an energy audit that will influence future building improvements;
- Reconvening a collegewide sustainability committee;
- Treating roads with brine instead of salt to protect groundwater during winter;
- Replacing 36 traditional water fountains with “bottle fill” stations;
- Doubling the number of on-campus electric vehicle charging stations; and
- Becoming a Center for Workforce Innovation renewable energy training site.

Atlantic Health System

Atlantic Health System was celebrated by the U.S. Department of Health and Human Services at the 2022 United Nations Climate Change Conference (COP27) on November 10, 2022 for pledging to decarbonize the healthcare sector and make healthcare facilities more resilient to the effects of climate change. Atlantic Health System has formally committed to pursuing the Biden administration’s climate goal of reducing emissions by 50 percent by 2030 and achieving net zero emissions by 2050.

The pledge was developed to help focus industry response to climate challenges, reducing carbon footprints, and to produce plans to prepare facilities for catastrophic climate impacts. Atlantic Health System recognizes that climate change is the number one threat to global public health and that the healthcare sector accounts for approximately 8.5 percent of U.S. domestic emissions.

Atlantic Health System signed the pledge alongside other healthcare organizations representing approximately 15 percent of U.S. hospitals.

Recycling

AnythingIT LLC

Electronics (e-waste) is now the largest form of municipal waste in existence and considered one of the greatest threats to our environment due to the existing amounts globally. E-waste can be toxic, is not biodegradable and accumulates in the environment, in the soil, air, water and living things. AnythingIT is celebrating its 30th year as an e-steward certified electronics recycler and secure data destruction vendor for enterprise and government IT organizations. AnythingIT mission is focused on compliance and environmental sustainability. Since 2020 we have ensured that over 419,415 IT devices = 2,482,840 pounds of e-waste has avoided landfills or illegal export to third world countries and been properly de-manufactured/recycled. This has resulted in a total of 38,253,179 total pounds of CO2 levels being reduced. Our efforts continue to be concentrated on maintaining environmental compliance in line with all federal, state, and local regulations to support our clients.

PSE&G

At PSE&G we are committed to the environment and believe that all actions, big and small, can have big impacts, and that big changes always start with small actions. So we tasked our crews to brainstorm innovative and creative

solutions to increase our recycling efforts. They noticed that while we have recycling bins at all of our locations, our trucks were only outfitted with garbage bins, and sorting this trash bin once they returned from a long field day was a seldom occurrence. In an effort to aid in the separation of recyclables at the point of generation, we piloted a program and added over 100 blue recycling bins to our vehicles. Reviews were positive from all involved, they loved the ease of the program and the feeling of making a positive impact. Small efforts like this add up, and contributed to PSE&G recycling over 600,000 tons in 2022.

Habitat for Humanity of Bergen County

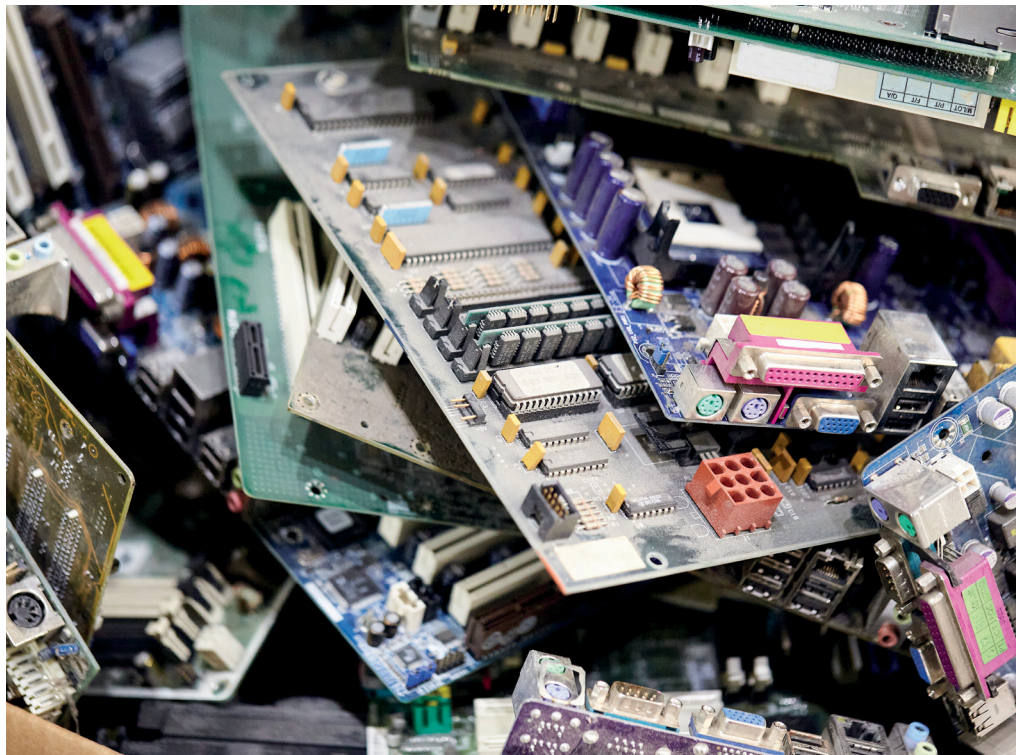
Habitat for Humanity of Bergen County is greatly contributing to changing the way Bergen County handles recycling. Habitat Bergen’s affiliate offices handle the building of affordable homes, and the Bergen ReStore, which is a resale shop carrying gently used furniture, home goods and building supplies. The ReStore is creating positive impacts on our climate and natural environment by participating in the recycling process. The ReStore partners with corporations and individuals who donate furniture, office supplies, home goods and building supplies. These items in turn are sold to the public for a fraction of the cost. This recycling process diverts items from the landfills and contributes to waste minimization within Bergen County. The Bergen ReStore currently sells a line of paints that is made from recycled products. The Restore as a business is cleaning up Bergen County’s communities and reducing the carbon footprint. Habitat for Humanity also uses green building practices in Hillsdale, and it focuses on green consciousness and sustainability. Habitat is committed to building energy efficient homes and making them fully affordable.

Mikula Contracting, Inc.

Mikula Contracting, Inc., a New Jersey-based Land Improvement Contractor, recognizes that all businesses can have a positive impact on the environment. With our Sustainability Policy, we are committed to continuously finding ways in which we can positively impact the environment with our demolition and drainage solution services.

Mikula recognizes the value of and focuses on increased recycling on each of our demolition projects. Our deconstruction process prevents usable materials from going directly to landfills. When we recycle materials, we know that used building materials can be brought back to life within the community. For example, wood, metals, concrete, asphalt, brick, and block are highly recoverable on many demolition projects. Once the material is sorted, it is loaded onto our trucks and taken to one of the many recycling facilities in New Jersey. Some non-hazardous materials, such as recycled crushed concrete, can even be reused on the same site.

Continued On Page 18



Electronics (e-waste) is now the largest form of municipal waste in existence and considered one of the greatest threats to our environment.

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Are You a Potentially Responsible Party?

Curiosity Rises on Superfund Exposure

By Larry Feld

Contributing editor, COMMERCE

In the environmental industry, being a potentially responsible party is much different from say, being a responsible dog owner or a stand-up dad. To be honest, being a potentially responsible party is a label no one really wants to own. Potentially Responsible Parties (PRPs) are defined by the Environmental Protection Agency under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) created in 1980, commonly referred to as Superfund. CERCLA has two core missions; to remove hazardous materials from contaminated properties and waterways, and find responsible parties to pay for all or part of the costs of remediation. Of course, states like New Jersey have their own rules and regulations, but they all look to CERCLA for guidance.

As a business or property owner in the state, you may never have considered that you may become a responsible party under CERCLA, but it could happen. As new Superfund sites get added to the National Priorities List and new chemicals are added to the EPA's list of 800 hazardous materials, properties that may have previously been considered "clean" might now (or in the future) be classified as in need of remediation.

Two examples of potential threats have earned media attention in recent months. First and foremost, the recent designation of the lower portion of the Hackensack River as a Superfund project is raising eyebrows among businesses, property owners, and leaseholders, as well as developers and real estate brokers who are sincerely concerned about the economic impact and uncertainty regarding clean-up efforts.

Another matter posing a serious economic threat to businesses and municipalities is the EPA's August 2022 announcement that perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS) are being added to the CERCLA list of hazardous substances. Once widely used in everything from packaging microwave popcorn to non-stick cookware, these chemicals have no safe levels for consumption. They are difficult to measure and are nearly impossible to safely process. According to the EPA, exposure to PFOS and PFOA may lead to cancer, reproductive, developmental, cardiovascular, liver, and immunological effects. By adding PFOS/PFOA to the hazardous chemical list, properties that have these chemicals (even formerly remediated properties) may be required to endure a costly remediation process. The early news on PFOS/PFOA relates to the urgent need to reduce/eliminate these chemicals from drinking water sources. More is unknown than known at this time as to how this will impact general industry.

If a site makes it onto the Superfund list, the cost burden for remediation is shared by the EPA and whomever they identify as a responsible party.

How Do You Know You Are a Responsible Party?

Businesses and landowners along the Hackensack should be cautiously curious about

their potential liability as the EPA advances its clean-up process. The government defines potentially responsible parties (PRPs) in three categories:

- The current Owner/Operator of a facility where there is a release or threat of release of a hazardous substance
- A past owner/operator of a facility at the time of disposal of hazardous substances



Superfund site located on the site of the former Universal Oil Products in East Rutherford, NJ

Party?

- The transporter who selected the disposal site
- The party who arranged for the disposal of the hazardous substances; referred to as the Arranger or the Generator.

When the EPA does its research to determine PRPs, it digs into available research about the property; performing site inspections and

taking samples, conducting interviews, and reviewing title history. They also study corporate history to learn if any occupants in the modern history of the property dealt with the hazardous chemicals discovered onsite. The search can reach back hundreds of years. If your company or ownership relates to one of the aforementioned categories, you will likely receive a notice.

Be aware that the EPA uses several different types of official notices during its process, each having specific purposes. Early on, you may receive one or more “information request” letters. These notices are seeking specific information as part of the EPA’s detailed research, however, they do not necessarily implicate you as a potential PRP.

When it comes to notifying a PRP, the EPA will issue either a “Notice of Liability Letter” or a “General Notice Letter”. If you receive a Notice of Liability Letter, the document will identify you as a PRP, outline your potential liability, and provide information about the site as well as identify other PRPs. It may also provide some limited information regarding negotiations for the cleanup of the site.

A “General Notice Letter” is similar to the above, identifying the company as a PRP that may be liable for cleanup. It may also explain how to negotiate with the EPA, and contain other information about the site, as well as request additional information.


There is also a document called a “Special Notice Letter” that explains why the government thinks the PRP is responsible for cleanup. It is usually sent when the EPA is ready to negotiate with PRPs.

Next Steps

If you receive any notice from the EPA, assume that the clock is ticking. Ignoring letters will only cause you pain and expense down the road. Unfortunately, the burden of divisibility (in liability) falls on the defendant, not the plaintiff in these matters. That may translate into a complex discussion regarding the volume of substances released, the type of substances, and the chronology of events. It’s going to be a potentially protracted negotiation.

For this reason, securing qualified legal counsel, even before any notice is received, is a prudent measure to protect your interests, particularly when you suspect that you, or a predecessor related to your business, may have been responsible.

The determination of responsible parties is a long, potentially messy process. You may discover that working as a group with surrounding PRPs provides an advantageous outcome for all, and is less arduous than “going it alone”.

The EPA has published several information guides and videos to help businesses understand this process as well as their rights and responsibilities. Remember that the agency is first and foremost interested in cleanup. Your positive actions on-site (to facilitate site cleanup) may help in the negotiating process. Don’t forget to watch for ongoing CIANJ educational programs regarding this topic. 



ADVANCES IN SITE REMEDIATION, SUSTAINABILITY, STEWARDSHIP

Continued From Page 14

At Mikula, we also specialize in providing site drainage solutions to prevent water accumulation on properties that may negatively affect the surrounding environment.

Princeton NuEnergy Inc.

Princeton NuEnergy Inc. (PNE) is a U.S.-based innovative clean-tech company spun out from Princeton University. PNE focuses on the direct recycling of lithium-ion batteries from manufacturing scrap, electric vehicles, consumer electronics, and energy storage batteries. PNE reclaims and repairs cathode material from LIBs and manufacturing scrap at half the cost with zero waste compared with existing traditional recycling processes. It is cost-efficient, environmentally friendly, and will be a fundamental building block in the U.S. goal of retaining control over critical materials – a strategic problem as foreign entities control more and more of our technology supply chain. By encouraging domestic materials production and handling, PNE will help contribute to American technical superiority in lithium-ion battery direct recycling and critical materials recovery that delivers strong ESG values.

Reducing Carbon Footprint

Bergen New Bridge Medical Center

Bergen New Bridge Medical Center first opened its doors in 1916 on a stretch of farmland. Today, the Medical Center has grown to a million-square feet making it the largest hospital in the state now sitting on more than 62 acres. As you can imagine, with a facility that opened its doors to patients 107 years ago, upgrading our infrastructure and going green are top priorities.



As Bergen New Bridge upgrades its infrastructure, reducing its carbon footprint and going green are priorities.

The Medical Center partnered with PSEG on their carbon abatement program to make improvements to the air handling system in Building 11. This building houses acute care, long term care and our ICU & CCU. Our facilities team, in partnership with PSEG, installed four energy efficient motors to reduce carbon emissions and improve air quality. The prior system had only one supply fan and one return fan with limited controls. This improvement addressing both air quality and carbon emissions is only one of the many initiatives at Bergen New Bridge with a focus on improving the environment.

Reducing Energy Usage

Consolidated Energy Design, Inc.

Studies done by the U.S. Energy Information Administration show that saving kilowatt hours significantly reduces the carbon footprint in almost a straight line manner. Traditional energy savings does not make a dent in the carbon footprint.

Rey Montalvo, President & CEO of Consolidated Energy Design (CED) has been awarded three patents for his disruptive Smart Grid technology which utilizes Artificial Intelligence, Predictive and Human Centric Technology to achieve energy performance results 4X to 7X above the traditional approaches while keeping building occupants comfortable and helping the power grid remain stable, reliable, and resilient. CED's most advanced technology can take energy savings to new heights by reducing total energy usage to near zero or zero. The benefits include cost savings, significant power grid arbitrage incentives, a reduction in carbon emissions, and reducing the need for foreign oil, as well as protecting the environment and enabling the creation of more green jobs in the United States.

William Paterson University

William Paterson University's long record of commitment to environmental leadership and sustainability continues to yield significant and expanding results, with campus initiatives focused on conservation, efficiency, and education. Our 3.3 MW solar panel installation, among the largest at a four-year U.S. institution, supplies 12 percent of energy needs. Over the past two decades, while increasing the size of the campus by 47 percent, the University has lowered consumption of electricity by 30 percent, natural gas by 50 percent, and carbon emissions by 1350 tons. Strategies include food waste composting, energy-efficient lighting and HVAC systems, recycling initiatives, resource conservation, electric charging stations, and more. Building projects have earned a U.S. Green Building Council LEED Gold Award, three Green Building Design Awards, EPA recognition for carbon reduction, and the 2020 Approaching

Zero Sustainability Award. WP is a signatory of the national Climate Leadership Network-Carbon Commitment and a member of the Second Nature higher education climate initiative. Efforts are guided by a Sustainability Committee, endorsed by President Richard Helldobler and comprised of faculty, staff, administrators, and students.

Site Remediation

Envision Environmental, Inc.

Envision Environmental, Inc. used conventional environmental assessment techniques (soil and groundwater sampling), along with Compound Specific Isotope Analysis (CSIA) and data management/visualization software (Earth Volumetric 3-D Software) to fully characterize a complicated CVOC plume in Florida.

Due to its success, the FDEP Waste Cleanup Section invited ENVISION to present the assessment approach during the August 2022 FDEP District and Business Support Program Meeting. According to the FDEP, these meetings provide an opportunity to highlight an "exceptional project" and a means for FDEP personnel to learn about new technologies and software capabilities.

A key finding of the project is the identification of specific benefits and limitations of CSIA and 3-D visualization software. Used in combination with conventional soil and groundwater data, these tools provide a superior approach to determining plume evolution and providing site characterization.

This assessment approach enabled Envision's client to limit ongoing investigations and reduce the overall remediation effort, resulting in significant cost and time savings. Reviewing this approach in an open forum enabled the regulators to become more familiar and comfortable with the technologies used, which accelerates the acceptance of this approach by regulators in future projects.

Haley & Aldrich, Inc.

Haley & Aldrich, Inc. led the project at Rutgers University to successfully complete remediation at the Busch campus, combining thermal remediation and in-situ chemical reduction technologies to achieve source area remediation in the vicinity of a maintenance garage. The thermal technology involved application of high voltage electricity in the New Brunswick Shale in an area checkered with utilities and high-voltage equipment, in addition to being in the middle of an active campus. The remedial design, construction, and implementation included collaboration by numerous Rutgers' departments including REHS, Facilities, Police, Emergency Services, Utilities, Information Technology, and University Planning, Development and Design; and external agencies including NJDEP,

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Atlantic Health System

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Middlesex County Utilities Authority and PSEG. Rutgers University is an early adopter of thermal remediation which helped address environmental cleanup requirements in the complex bedrock setting in a timely and thorough manner. The project was completed within budget, on time, and without a safety incident. Completion of source area remediation has positioned this prime campus space to be part of Rutgers Master Plan for future development.

PSE&G

PSE&G utilized an innovative excavation technology while remediating soil at the former Hoboken Gas Works. The technology utilized a freeze wall system. A freeze wall system is a technique whereby the soil and ground water surrounding an excavation are frozen in-situ to a thickness of several feet over a period of 4 to 6 weeks. This frozen zone provides the structural support in lieu of internal sheet piles and bracing and mitigates the lateral flow of groundwater into the excavation.

The use of this technology provided significant benefits, including eliminating the internal bracing used in a traditional cofferdam. This reduced the schedule, truck traffic, and volume of groundwater dewatered from the excavation. The reduced schedule and traffic lessened the impact to the community, adjacent elementary school, senior citizen housing and high-density condominium units.

Whitestone Associates Inc.

Whitestone Associates, Inc. conducted an augmented bioremediation injection program employing a consortium of naturally-occurring microbes (which are less impactful to the subsurface environment) to address residual tetrachloroethene (PCE) contamination in soil and groundwater at an existing retail facility in Fair Lawn.

The remediation occurred beneath an existing building that was undergoing renovation to allow for beneficial reuse of the property. Whitestone's remedial action (RA) goals included reducing PCE concentrations in soil to eliminate an on-going groundwater contaminant source and treating dissolved-phase PCE in groundwater.

Whitestone's augmented bioremediation proposal reduced or eliminated certain environmental impacts associated with the RA, not the least of which included removing vehicle traffic that otherwise would have been necessary for exporting contaminated soil and importing clean fill under a conventional "hog and haul" approach. This innovative remedial technology substantially decreased the project's carbon footprint and preserved landfill space.

Clean Vapor LLC

Clean Vapor designs and implements innovative vapor intrusion mitigation solutions to provide a healthier indoor environment for building

occupants, and documented regulatory compliance for our clients, for ultimate peace of mind.

We do this by taking a holistic approach to assessing the building site and leaving no assumptions intact. Layered slabs, multiple soil substrates and underground tunnels are just a few of the hidden obstacles that we've encountered that keep the process interesting. Sub-slab radon and contaminant soil-gas can enter your building from soil and water, and it is our job to find those points of access and mitigate them. Teterboro Landing is just one success story we've contributed to locally, but whether existing building remediation, or new construction system design, Clean Vapor is a single-source provider that educates our clients in best engineering and stewardship practices, for the purpose of protection.

Leadership

North Jersey District Water Supply Commission Executive Director Tim Eustace

Alan Ashkinaze, who has served on the North Jersey District Water Supply Commissioner since 2011, nominated its executive director, Tim Eustace, for his environmental accomplishments,

In 2019, Eustace announced that the Commission set a goal of reaching 100 percent renewable energy use for the Commission's Wanaque facility by 2024.

In keeping with that goal, the Commission is utilizing its solar rooftop panels, developing a

hydropower project at their Dundee Dam location and is in the process of building the largest floating array of solar panels in the Country, all to achieve the goal of using 100 percent renewable energy to power the Commission's treatment plant operations.

Under Eustace's leadership, NJDWSC will be the first state agency to provide its own green power supply.

Theodore A. Schwartz, Esq.

The law firm of Scarinci Hollenback nominated Theodore A. Schwartz, Esq. for the leadership award. Schwartz is a pioneer in the environmental law field. His career spans nearly 60 years and he has played a significant role in transforming the environmental law landscape in New Jersey. Early in his career, Schwartz headed the Attorney General's Pollution Task Force from 1966-1970 and spearheaded the creation of the New Jersey Department of Environmental Protection, authoring numerous environmental laws and regulations, including the New Jersey Air Pollution Control Act which became a national model for environmental regulation. He was also a legal advisor to many state and federal agencies on environmental regulatory matters. President Carter appointed him as a Commissioner to the National Alcohol Fuels Commission, where he analyzed the development of alternative fuel sources. In 2016, the New Jersey Law Journal honored Schwartz with the Lifetime Achievement award. There is no doubt that Ted is a steward of the environment. 🌱



Photo: Rutgers University

Haley & Aldrich, Inc. led a project at Rutgers University to complete remediation at the Busch campus, combining thermal remediation and in-situ chemical reduction technologies



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NJ Attorney General Fields Questions at Business Forum

By Diane C. Walsh
Editor, COMMERCE

New Jersey Attorney General Matthew J. Platkin made himself available to answer questions from the business community recently during a special virtual meeting moderated by CIANJ President Anthony Russo.

Platkin became the state's highest ranking law enforcement officer early last year. He had previously served as chief counsel to Gov. Phil Murphy. A Stanford Law School graduate, Platkin had also been a partner at Lowenstein Sandler, working in the firm's white-collar crime and business litigation practice groups, before accepting the governor's appointment.

As attorney general, Platkin, who grew up in Morris County and now lives in Montclair with his family, heads the state Department of Law and Public Safety. It employs 8,000 people and encompasses 18 divisions, including the State Police and Consumers Affairs, which oversees the licensing requirements of 51 professions. There are more than 500 lawyers employed by the department. Platkin explained to the meeting participants that in what's unique to New Jersey, his attorneys provide counsel to all state agencies, effectively making it the state's largest law firm.

The New Jersey Warehouse and Movers Association, the New Jersey Landscape Contractors Association, as well as the NJCPA, the association of accountants, who are all affiliated with CIANJ, took the opportunity with Platkin to press him on their members' hot topics.

Tracy Denora, executive director of the movers' association, asked Platkin's assistance for better enforcement of a new law that targets rogue movers who scam the public. The association helped draft the law and Murphy signed it in 2019. The Public Movers Act gives local police the right to check movers' credentials and issue summonses, if warranted. Any fines imposed are also shared with the local authorities.

The state Division of Consumers Affairs conducted "only four stings" on illicit movers since 2012, netting \$283,000 in fines, according to Denora, who said it is "heartbreaking" that fraudsters are victimizing the public and tarnishing the reputations of legitimate movers.

Jason Washburn, a general manager at Two Men & A Truck, told the attorney general that rogue movers have been operating under his company's name and on several occasions extorted money from customers by refusing to unload their property unless they paid more than they agreed previously. "It's a huge negative impact on our business and our reputation," he said.

Platkin promised to follow-up with the local prosecutor's office on the incidents Washburn presented. The attorney general also said the new laws are being enforced and the latest reports show consumer affairs collected \$75,000 in penalties. "If we can do more," Platkin said he was willing to discuss the situation further with the movers' association after the virtual session.

Another new law being drafted by the state Department of Environmental Protection instigated the landscapers' association and others working in the environmental industry to

question the attorney general. At issue is the license for handling contaminated soil. Under the procedure, all principles in a firm would have to undergo extensive criminal background checks.

Tom Uzzo, the president of Whitestone Associates, Inc., which does extensive site remediation work, explained his firm is employee-owned and under the new regulations all 100 of them would have to submit to the background investigation. The landscapers' association also complained the new regulations were overreaching. Tracy Straka, an executive at Creamer Environmental, wanted to know what the consequences are. "Do we lose our license? Do we fire the employee?" she asked.

While Platkin said he could not discuss specific applications, he urged the participants to be as candid and detailed as possible when making their applications. "Our goal is not to jam people up in the licensing process," he said.

He noted the regulation has not been finalized and there is still opportunity to bring comments to the DEP.

Jeff Kaszerman of the NJCPA urged Platkin to use funds collected by the licensing boards for a more efficient consumer affairs division. Platkin acknowledged there was a "significant backlog" in licensing and disciplinary actions due to the pandemic and staffing issues. But he said additional hires have been made and Gov. Murphy budgeted more funds for the division. "I think we're moving in the direction you will like," he said.

To listen to the entire conversation, go to Virtual Events - CIANJ. 📺



Photo: Getty Images/Stockphoto/MarioGut



Photo: Getty Images/Stockphoto/SimplyCreativePhotography

Catching rogue movers and questions over new licensing requirements for moving contaminated soil were among the topics the business community brought to Attorney General Matthew J. Platkin.

OneonOne with Steve Adubato



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College Campus-Life Reimagined by Pandemic Lessons

In the three years since the COVID-19 pandemic struck and forced us to retreat behind doors, all of us adapted the ways in which we live, work and go to school. Slowly as health protocols, vaccines, boosters and medical therapies were developed, we emerged from the seclusion of our homes to resume our “normal” existence.

No part of society was untouched by the pandemic. *COMMERCE* Magazine chronicled many of the lessons learned, especially on the workforce and its lasting effects. This month *COMMERCE* spoke with leaders of the state’s higher education institutions to discuss how the pandemic altered on-campus life.

The college and university presidents shared the strategies they used during the pandemic and its afterlife to ensure their student receive excellent educations.



Bergen Community College
Dr. Eric M. Friedman
President

At Bergen Community College, our work is all about creating a culture of belongingness. Students – regardless of their race, gender, ethnicity, sexual orientation, physical and intellectual ability, or economic status – need to feel that they truly belong at the College. Feelings of well-being, of connectedness, of knowing that they fit in – this is what matters and makes the difference between completing a program or drifting off and becoming a statistic.

Bergen’s Student Affairs division plays a major role in on-campus belongingness and by providing programs and services that support students’ overall well-being. This includes on-ground advising, counseling, health services, career development, athletics, student life and development, and more. These all help to create a positive and supportive campus environment which leads to increased engagement among students, and ultimately, higher rates of goal achievement. Additionally, the division works closely with academic departments to provide much-needed academic support and resources, such as tutoring and supplemental instruction. Each of these can be done with excellence online as well.

Coming soon will be the “Bergen Student Engagement App.” The app will improve communication, support academic engagement, and centralize the student experience with the goal of driving student success. Technology, however, is only as effective as the support offered behind it. The Bergen Community College Personal Counseling staff provide live and

online guidance and emotional support to students. Programs such as the Bergen Childcare Center, the Bergen Cares Food Pantry, the Office of Health Services and Threads (a clothing closet to support students who wish to dress for success), all holistically support students as they journey through their college experience. Understanding students’ needs and addressing them through the lens of equity is paramount.



Berkeley College
Dr. Diane Recinos
President

While it has been encouraging to see so many students returning to campus, it is also important to acknowledge that student needs have changed since the onset of the COVID-19 pandemic.

Many Berkeley College students – the majority of whom are nontraditional and may be

“COVID was tough, there’s no denying that... but we came up with a strategic plan... and had some positive years of enrollment growth.”

working full-time or taking care of their families – continue to choose the flexibility of online learning and virtual campus activities. Berkeley College offers vibrant programming such as guest speakers, alumni panels, volunteerism, and professional development opportunities like resume building and interview preparation, both online and on-site.

“Remote” programming no longer isolates its participants. Strengthened by 25 years of online teaching and learning excellence, Berkeley College’s virtual space is an inclusive and effective option that allows all students to have meaningful interactions with their classmates and professors and fully participate in the college experience.

It is vital that we listen to our students and have a greater understanding of what they need to be successful. By offering the flexibility of both on-site and online programming that fits their schedules, Berkeley College students can have the best of both worlds without sacrificing the quality of a well-rounded education.



Centenary University
Dr. Bruce Murphy
President

Centenary University in Hackettstown, NJ, has emerged from the Covid-19 pandemic in a position of strength. The school of 1,200 students has seen attendance tick higher, and has added new degree programs as it looks to attract more nontraditional enrollees. The Centenary Choice initiative enabled students to customize their education and extracurricular activities with in-person and virtual options to transition back to on-campus instruction.

“COVID was tough, there’s no denying that,” Dr. Bruce Murphy, outgoing president of Centenary, said. “But we came up with a strategic plan... and had some positive years of enrollment growth.” The retired U.S. Army lieutenant colonel assumed the presidency just weeks before the pandemic halted in-person instruction and provided steady leadership throughout the global health crisis.

New academic degrees and concentrations include certified financial planning, data analytics and computer science. Healthcare offerings have been prioritized, with new programs in medical laboratory science, health science, public health, exercise science, and a bachelor of science in nursing degree. The school also added a novel master’s degree in happiness studies. “We’re the first and only school in the world with that and we have 97 students actively engaged,” Murphy said.



County College of Morris
Dr. Anthony Iacono
President

County College of Morris (CCM) strategies reflect the needs of today’s students. This means schedules that complement their busy lives and new programs that reflect their interests and career goals. Under construction is a healthcare simulation center, designed to provide contextual learning and an integrated approach reflective of today’s hospitals. Strengthening existing partnerships, such as with the Morris County Vocational School District (MCVSD), a new building will be added to the campus designed to serve an additional 500 to 600 high school students through CCM’s dual enrollment program with MCVSD focusing on career readiness. Another unique

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Strategic Planning



By Steve Aduabato,
PhD
Freelance Contributor

Some leaders confuse a strategic planning document with the process itself. Others are obsessed with the process and never put any of it into action. The reality is that thinking and acting strategically is something every leader or organization must do. Consider the following when it comes to strategic planning.

- Intentionally set goals and have those goals based on reality. Without such goals, how can any organization measure its effectiveness or stay on course? Any strategic plan starts with identifying key goals and continually reevaluating those goals to ensure specific benchmarks are being met.
- Be aware of the organization's resources. The best leaders are fully aware of their organization's resources, both financial and human, and dedicates those resources in a rational fashion that moves in a direction of accomplishing the above-mentioned goals.
- Decide what's important and what's not. With limited resources and time, it is all about prioritizing. An organization that says "everything is important" is bound to fail and burn out its people. Create a list of the top goals or outcomes for your team or your organization and then prioritize them.
- Put the difficult questions and issues on the table. Don't duck them. It's about taking a sobering look at the external environment and knowing that you have no control over it. Then, once you have identified the key issues and obstacles that are getting in the way of the goals outlined within your strategic plan, confront them head on. The longer you wait, often that situation only gets worse.
- Be flexible. Just because you have a strategic planning document doesn't mean your hands are tied behind your back. Rather, the strategic planning document

should serve as a blueprint for making important decisions and then the best leaders remain open-minded to new information and pivot accordingly. 



Steve Aduabato, PhD, is the author of five books including, "Lessons in Leadership." His sixth book, "Lessons in Leadership 2.0: The Tough Stuff," will be released in summer 2023. He is an Emmy® Award-winning anchor with programs airing on Thirteen/WNET (PBS) and NJ PBS. He has also appeared on CNN, NPR and NBC's Today Show. Steve Aduabato's "Lessons in Leadership" video podcast with co-host Mary Gamba airs Sundays at 10:00 a.m. on News 12+. For more information visit www.Stand-Deliver.com

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LAST ISSUE!

Higher Education

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partnership for CCM is with the Morris County Chamber of Commerce which has led to a future groundbreaking on an Entrepreneurship and Culinary Science Center, resulting in an expansion of new programs while supporting business and industry. CCM also recently learned it will be receiving \$2.3 million in federal funding to expand its cybersecurity curriculum and IT facilities. Additionally, veterans will directly benefit from a partnership with the New Jersey Manufacturing Extension Program through a \$1.8 million grant that will create pathways to rewarding careers..



Montclair State University
Dr. Jonathan Koppell
President

Montclair has focused on supporting and engaging students as they return to campus life. We created a new Office of Student Belonging that provides a variety of cohort-based experiences to build a strong connection to the University. The office focuses on students who are in their first year, transfers, international, first-generation and military-affiliated.

We have also expanded opportunities for experiential learning, allowing students to gain hands-on experience through public service. Our Next Generation Service Corps – modeled after a program I created at Arizona State University – creates public service opportunities for all students, giving them the chance to make a difference in the world while still in school, and to gain skills while helping solve some of society's most pressing challenges.

We know that in-person learning experiences are important for student success, and we also know that we must meet students where they are. That is why we are expanding our hybrid and remote learning opportunities.



New Jersey Institute of Technology
Dr. Teik C. Lim
President

Throughout all but the first few months of the pandemic, NJIT managed to provide students with the personal interactions that are essential to learning by maintaining a commitment to in-person classes, with the proper precautions in place, and using technology to engage students in new ways, including through co-curricular activities. We also provided technological, financial, and other resources to students who needed them.

Since Fall of 2020, our campus has been filled with engaged students interacting with faculty and one another in classrooms, labs, and other venues. And we have applied the lessons we learned during the pandemic to enhance stu-

dent services and learning across all modalities while attracting our largest and most diverse enrollment in university history. We have been so successful in attracting students to campus that we just opened a brand new residence hall this Fall, which provides students with apartment-style living options and some incredible amenities that facilitate a vibrant living and learning experience.

The NJIT campus is thriving and active, because we have made a commitment to providing students with places to engage in collaborative learning, opportunities for socialization, resources for physical and mental wellbeing, as well as high quality educational experiences, access to incredible technology, and career preparation that has proven to result in incredible success for our graduates.



Union College of Union County
Dr. Margaret M. McMnamin
President

At Union College of Union County, we pride ourselves on being a welcoming destination for students to explore the benefits of in-person learning and all Union has to offer. Some key spaces include our newly renovated Roy W. Smith Theater, Bloomberg Experiential Learning Center, Innovation Center, Writers' Room, Media Center, and radio space for students to record campus podcasts. These destinations offer a variety of opportunities for students to learn in a hands-on setting instead of through a screen.

We offer free peer to peer tutoring through our Academic Learning Center with locations on the Cranford, Elizabeth, and Plainfield Campuses. Tutoring provides students with the ability to receive academic assistance but also to connect with their fellow students. Outside of academics, the College offers a variety of ways to

engage students including NJCAA athletics and an assortment of clubs and activities.

Overall, Union is pleased to offer a robust array of opportunities for students to enjoy the full college experience. As we continue to move beyond the pandemic, the College will expand our destination areas to attract students to the academic, experiential, and extracurricular offerings at Union College of Union County.



William Paterson University
Dr. Richard J. Helldobler
President

At William Paterson, students have been back on campus since fall 2020. We returned to in-person learning as soon as it was safe to do so because we understand how important the in-person, on-campus experience is for the population we serve, especially first-year students. From that point on, we focused our strategies on continuously rebalancing the blend of online, in-person, and hybrid courses, services, and events as circumstances warranted to accommodate our campus community and best deliver on our educational mission.

Now, with the pandemic behind us, we have been back to in-person learning and extracurricular activities for several semesters. We continue to complement in-person events with virtual ones when they can increase access and engagement. WP Online, our suite of fully online degree and certificate programs, which launched in fall 2021, has proven extremely successful in offering graduate students and adult learners a quality William Paterson education in a flexible, online format. For traditional undergraduate students, though, our message is and has been for some time that your educational experience and all the people and resources you need to succeed are here on campus for you. I am pleased to say that they have responded positively in heeding this call. 📖



Students are acclimating to the return to in-person learning.

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A CPA Firm Finds its Future by Merging Upstream

By Larry Feld

Contributing editor, COMMERCE

At every strategic retreat over the last 26 years, managing partner Alan Sobel reviewed his CPA firm's strategic plan and posed the same question to his fellow partners: Should they stay independent or merge into a larger organization? Every year the response was always the same: Stay independent. Until 10 months ago, that is. That's when the firm's partners decided it was time to investigate merging their team of 200 professionals into something larger.

As a result, in February 2023, Livingston-based accounting firm SobelCo merged into CLA (CliftonLarsonAllen LLP) the eighth-largest accounting firm in the United States.

"The primary issues became clear when we reviewed our strategic plan," said Alan Sobel, who is now Office Managing Partner for CLA's New Jersey practice, "Our SWOT analysis revealed how external threats were changing our business."

Threats like the talent war – exacerbated by the shrinking number of people entering the profession – as well as the ever-mounting cost of technology and ongoing professional development needs, were beginning to impact the competitive growth capabilities of the firm.

What Sobel was facing is common for mid-sized professional services. As business becomes ever more complex, the need for experienced professionals – specifically those with niche skills – is transforming accounting, legal, engineering, and architecture. To innovate and grow, firms need talent and capital, two things in short supply.

"Partnerships don't typically have a stockpile of capital," noted Milton Kahn, Chief Operating Officer with The DAK Group, a North Jersey business advisory and investment banking firm for middle market businesses. "Most professionals want to distribute profits at the end of the year," Kahn continued. "With no capital reserve, firms must rely on a line of credit to invest in technology, acquire talent, and expand."

Kahn is no stranger to CPA firm mergers. Prior to joining The DAK Group, he was a practicing CPA for over 40 years. Most recently, as a Partner in the Private Business Services Group of EisnerAmper, a large regional CPA firm. Before that, Kahn was the former managing partner for a prominent Bergen County accounting firm, merging it into the former Amper organization in the early 2000s.

"Professional firms typically want to merge or sell when partners want to retire and they have

not properly planned for transition," Kahn said. "However, it is just as common for healthy firms with younger owners who want to expand, and that requires capital they may not have."

As for SobelCo, their situation involved a mix of both scenarios. The decision to merge sent Alan Sobel on a mission, to take the temperature of the marketplace and immerse himself into what the firm needed to know for a successful transition. To help him find a suitable suitor, Sobel reached out to CPA firm mega-dealmaker Alan Koltin – initially not to hire as a business broker, but simply to have him as his merger sherpa.

"Alan Koltin is in front of so much of what is going on in the marketplace, he helped us understand the process. He understood what we were going through and helped us find the right match," Sobel related.

SobelCo declined offers from private equity firms that would have invested in the firm in exchange for a percentage of ownership.

"Expansion requires dollars," noted The DAK

"The primary issues became clear when we reviewed our strategic plan,... Our SWOT analysis revealed how external threats were changing our business."

Group's Kahn. "This is the reason why private equity has a growing interest in professional firms. Many larger firms are expanding their niche services, including non-accounting services such as technology and human resources. Competing in these nontraditional spaces requires capital for training, marketing, and acquisitions," Kahn explained.

Of course, there are both downsides and upsides to any private equity investment, warned Kahn. "Part of the private equity investment involves the partners partially cashing out. The firm partners or owners stay on and continue to participate in the business. Typically, the time range is five to ten years, and then the equity firm will want to cash out. The firm has to be ready for that day," Kahn said.

Instead of private equity, SobelCo agreed that a successful merger must meet certain criteria.

"We framed four pillars that are most important to us. First, we wanted to continue to



Alan Sobel, President and CEO of SobelCo.

be a foundational firm; a market leader in New Jersey," explained Sobel. "The SobelCo partners have established a reputation. We wanted to expand on that reputation, not just disappear. Our people would not become invisible," Sobel said.

"The second pillar was finding a firm that was built to last. We knew a merger was going to be disruptive to our people and our clients. We needed to find a firm large enough to ensure they would not merge themselves into yet another firm in a couple of years."

The third pillar involved approach. The firm that SobelCo selected would have to be progressive in the way they service clients and treat their employees.

"CLA has a client-oriented reputation and works with small to mid-sized businesses, just like us. They use technology to help drive the services they deliver," Sobel continued. "As for

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Accounting

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Milton Kahn, COO, DAK

our people, CLA genuinely looks at careers through the lens of employees. They want them to have an inspired career.”

Sobel and his team interviewed several interested firms before meeting with the CLA leadership. The minute they began to talk, Sobel knew they had found a match.

“We are a peer-reviewed firm, and we put tremendous effort into our quality. CLA is no

different, but they have taken wellness and combined it with quality. They take steps to ensure their people are taking care of themselves to be prepared to take care of their clients. People work hard, but they are also motivated to know they can take the time they need to handle life issues. I appreciate that CLA talks about their people as family members,” Sobel noted.

CLA was also a match for SobelCo’s fourth pillar, culture. “Their culture is very much aligned with ours. Their clients are family-owned, non-public companies. They are 8,000 professionals in 122 offices; however,

most offices are about our size and situated in a local market,” Sobel explained.

Alan Sobel confided that today’s acquiring firms are not interested in buying clients; they are instead interested in buying talent. He also offered advice to professional firms thinking about selling or merging.

“You may not be selling your business today, but your company should always be prepared for sale. Do not let your company become an heirloom. It is an asset. The moment you treat a company like an heirloom – that it is so precious you cannot do anything with it – you stop making good business decisions,” he concluded. 📌



Photo: Getty Images/Stockphoto/metamworks

The merger of Sobel and CLA brings two companies with similar ideals together.

STEVE ADUBATO'S LESSONS IN LEADERSHIP

with co-host Mary Gamba

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Hot Topics in Environmental, Energy, and Climate Policy for 2023

By Agnes Antonian

Chair of Environmental Law Group and

Christina Sartorio Ku,

Partner at the firm

Connell Foley

From highly-anticipated topics such as so-called “forever chemicals” and Environmental Justice to Supreme Court decisions regarding Clean Water Act impacts and an ongoing debate concerning the scope of independent judgment of Licensed Site Remediation Professionals, 2023 will bring significant changes to environmental laws and regulations in New Jersey and beyond.

New Jersey Issues

Forever Chemicals –

Emerging Contaminants

Since 2018, the New Jersey Department of Environmental Protection (NJDEP) has adopted a number of regulations to address per- and polyfluoroalkyl substances (PFAS) impacts:

- **Drinking Water Standards:** NJDEP has adopted Maximum Contaminant Level (MCL) standards for three PFAS chemicals in drinking water throughout the state: 13 ppt for PFNA and PFOS and 14 ppt for PFOA. These standards may be amended in 2023, depending on the United States Environmental Protection Agency’s (USEPA) adoption of the National Primary Drinking Water Regulation (described below). These regulations already affect many municipal and state water providers and may have more stringent and far-reaching implications.

- **New Hazardous Substances:** Last year, the NJDEP added PFNA, PFOA, and PFOS to the list of hazardous substances at N.J.A.C. 7:1E.

- **Groundwater Quality Standards:** Last year, the NJDEP also set groundwater quality standards for PFOA, PFOS, and PFNA, mirroring the MCL standards described above.

- **Soil Standards:** Last fall, the NJDEP also announced interim soil remediation standards for PFOA, PFOS, PFNA, and GenX. These standards apply to (i) the ingestion-dermal exposure pathway (for residential and nonresidential, respectively as PFNA 47 ppb and 670 ppb; PFOA 130 ppb and 1,800 ppb; PFOS 110 ppb and 1,600 ppb; and GenX 230

ppb and 3,900 ppb), (ii) the soil leachate remediation standard for migration to groundwater exposure pathway (PFNA 0.26 ppb; PFOA 0.28 ppb; and PFOS 0.26 ppb) and (iii) the migration to ground water exposure pathway (calculated for each site). The NJDEP is expected to announce final soil remediation standards, which may be issued this year. The NJDEP is also expected to issue surface water quality standards for these chemicals.

Environmental Justice

The final environmental justice regulations have been signed by the DEP. The proposed rules were issued in June 2022 and are considered very expansive. These rules will require an environmental justice-specific analysis for specific types of facilities, specifically, major sources of air pollution, incinerators, sludge processing facilities, large sewage treatment plants, transfer stations and other recycling facilities, scrap metal facilities, landfills and medical waste incinerators excluding hospitals and universities.

The environmental justice regulation requirements are triggered by an application for or renewal of a major source permit. Once triggered, a six-step environmental justice evaluation will require screening, preparation of an environmental justice statement, and public participation. The applicant must demonstrate that the facility will not disproportionately impact the community. If there is an impact, the NJDEP will deny the permit unless a compelling public interest can be demonstrated. Business groups have opposed the expansive nature of the proposed regulations, fearing that the rules will create significant delays and potentially drive out existing facilities that are subject to the environmental justice rules.

Dirty Dirt – A-901 Permits

The “Dirty Dirt” law was enacted on January 21, 2020, and intended to regulate more closely and track the disposal of construction dirt and debris. The law was intended to protect against illegal disposal of regulated soil. It is intended to exclude businesses that generate less than 15 cy and have a storage yard with less than 100 cy of fill or soil. Alternatively, a business can certify that the materials that are being handled do not contain debris or contaminants above NJDEP cleanup standards; however, DEP has not yet specified how one can demonstrate compliance.

While the proposed regulations are expected to be issued by June 2023 (at the earliest) this

law has created a lot of confusion and concern. Many businesses chose to submit a two-page soil and recycling registration form before the July 14, 2022, deadline rather than applying for the A-901 license pending the enactment of the regulations.

This law may impact any business that reuses soil and construction debris. Thus, depending on how the regulations are drafted, they may affect even those with tenuous connections to those actually moving the dirt. If a business is subject to this law, they will be subject to extensive disclosure of personal and business information that will be reviewed by the Office of the Attorney General, State Police, FBI, and other NJ agencies. It is unclear how detailed or extensive this disclosure will be and how many employees will be subject to same.

While it is currently unclear who is impacted, the NJDEP appears to be taking an expansive view that would potentially impact many businesses and parties that the legislators likely did not envision when drafting the law, including general contractors, LSRPs and landscapers.

Climate Change Policies –

Flood Control, Electrification Measures

In January 2020, Governor Murphy signed Executive Order 100, the Protecting Against Climate Threats (“NJ PACT”) Initiative. A goal of NJ PACT was to achieve 100 percent clean energy and an 80 percent reduction in greenhouse gas emissions, from 2006 levels, by 2050. NJ PACT requires the proposal of regulations incorporating climate considerations, including sea level rise and chronic flooding. In furtherance of NJ PACT, its requirements, and goals, in the fall of last year, the NJDEP proposed rules regulating new and renovated construction in flood-prone inland areas, updating flood zones, and amending rainfall data for projects along rivers and streams.

Additionally, in February of this year, Gov. Murphy outlined the next steps for his climate plan, which would accelerate the transition to 100 percent clean energy by 2035. This plan includes a ban on the sale of gasoline-fueled vehicles by 2035 and using federal funding to install zero-emission heating and cooling systems in 400,000 residential homes and 20,000 commercial spaces by 2030. The goal is to phase out gas and nuclear sources of energy.

Industry leaders are skeptical about these goals, given the unavailability of future technologies under this accelerated timeframe as well as practical concerns, such as the known issues

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■ Member Notes

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faced by the energy grids due to heightened clean-energy mandates.

Federal Policies and Regulations

Emerging Contaminants

The EPA recently announced the proposed National Primary Drinking Water Regulation for six PFAS chemicals. The proposed regulation sets the proposed MCL at 4 ppt for PFOA and PFOS. The proposed MCL for PFNA, PFHxS, PFBS, and GenX is 1.0 (unitless). The proposed regulation does not require any action by industries or water utilities until it is finalized. The EPA anticipates finalizing the regulation by the end of 2023, and requests public comment once the proposed rule is published in the Federal Register.

In August of 2022, the EPA proposed to designate two of the most widely used PFAS, namely PFOA and PFOS, as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). Should this rule be adopted, parties can be required to investigate, remediate, and/or fund the clean-up of these PFAS chemicals on current or future CERCLA sites. The EPA has said it will soon consider similar designations for other PFAS chemicals. This has the potential to re-open sites and significantly impact and expand the CERCLA footprint in New Jersey.

Climate Initiatives

In addition to implementing the Inflation Reduction Act in August of 2022, which provided \$369 billion in federal funding for climate spending, the EPA has recently proposed potentially controversial ozone control measures to combat climate concerns. The proposed rule would create a federal implementation plan that sets nitrogen oxide, or NOx, emissions budgets for fossil fuel power plants in 25 upwind states that require them to participate in an emissions-trading program under the EPA's Cross-State Air Pollution Rule starting in 2023. The proposed rule would also set NOx limits for a slew of other industrial sources in 23 states, including New Jersey, as early as 2026.

Moreover, given the billions of dollars in grants, loans and tax credits allocated to hydrogen development by the Inflation Reduction Act and Infrastructure Investment and Jobs Act last year, federal rules for producing, transporting, and using hydrogen are highly anticipated and expected.

As to other greenhouse gases, the EPA has said it would propose a new rule to reduce greenhouse gas emissions from existing power plants in 2023. It is unclear how the agency will respond to the Supreme Court's June ruling in *West Virginia v. EPA* that the Obama-era Clean Power Plan giving states the option to promulgate regulations that would encourage "generation shifting" to clean energy isn't allowed by the Clean Air Act.

The EPA is additionally set to finalize a proposed update to methane emissions regulations for existing oil and gas infrastructure. The proposal, which was released in November of last year, envisions a more comprehensive scheme to reduce methane and volatile organic compounds pollution, including adding new sources that would be subject to regulation, increasing monitoring to identify "super-emitters" for prompt mitigation, and strengthening requirements for flares to ensure they are properly operated to reduce emissions. The EPA has also expanded the options for technology that can be used for monitoring methane emissions.

ESG – Greenwashing Regulations

The U.S. Securities and Exchange Commission has also taken aim at "greenwashing" and other types of environmental marketing deception with two new proposed rules. In March of last year, the SEC proposed bolstering and standardizing climate risk-related disclosures from public companies. The SEC also floated two proposals that would increase the disclosure requirements for funds and advisers who make environmental, social, and governance-related investments, an effort to crack down on "greenwashing" or other types of deception. The final versions of these proposed rules are expected in 2023.

Environmental Justice

The Biden administration is also expected to continue moving forward in broadening its considerations of environmental justice in its decision-making. In September of 2022, the EPA consolidated its Office of Environmental Justice, External Civil Rights Compliance Office, and Conflict Prevention and Resolution Center into one new branch that is aimed at helping communities overburdened by pollution: The Office of Environmental Justice and External Civil Rights. The DOJ has also created its own Office of Environmental Justice.

Energy Initiatives

There are a number of updates and changes expected from the Federal Energy Regulatory Commission (FERC) later this year. First, in February of 2022, FERC voted to approve a highly anticipated revision of its 1999 pipeline certificate policy statement, which would impact climate change reviews of gas infrastructure projects. However, the implementation of the revision was later suspended, with no further developments since last Spring. FERC is also expected to finalize revisions of its transmission planning policies, including requiring utilities and regional grid operators to take a longer-term approach to transmission project planning and giving more authority to the states regarding how costs for new projects are charged to consumers. FERC is also proposing changes to the process for connecting new power projects to the grid, and is

considering changing financial incentives for transmission companies.

Energy attorneys are hoping that legislation accelerating the federal permitting process for transmission lines, pipelines and other energy infrastructure can advance in a divided Congress this year, despite the floundering of multiple attempts to pass legislation in a Democratic-controlled Congress in 2021.

Key Judicial Opinions

Climate Impacts

There are a number of pending judicial actions addressing significant climate issues, regulations, and standards, including greenhouse gas emissions and fuel efficiency issues. Republican-leaning states and several industry organizations have asked the D.C. Circuit to strike down the EPA's regulations strengthening greenhouse gas standards for auto emissions, arguing that the agency overstepped its authority. The Biden administration's fuel economy standards have also been challenged by environmentalists who told the D.C. Circuit they need to be strengthened; the standards are separately being challenged by a fuel industry group and red states that allege they are too strict. The D.C. Circuit is additionally being asked to repeal an EPA waiver allowing California to set emission standards for vehicles and mandate zero-emission vehicles, fuel, trucking and business groups argued, saying the agency does not have authority to make such a broad decision. Finally, the Third Circuit heard oral arguments on January 10 of this year over a commissioner stalemate that allowed the nation's largest grid operator to no longer require state-backed renewable energy sources to meet a price floor in electricity capacity auctions.

Clean Water Act

The U.S. Supreme Court heard oral arguments in October of last year in *Michael Sackett et al. v. U.S. Environmental Protection Agency et al.*, a case concerning whether the Ninth Circuit used the right test to determine whether wetlands are subject to federal jurisdiction under the Clean Water Act. Specifically, the question raised to the Court is whether wetlands fall within federal jurisdiction when they are connected to the waters of the U.S. through only subsurface connections. This ruling is expected to significantly impact the ability to develop properties, even those that are not directly connected to U.S. regulated waters.

In sum, 2023 will see a lot of environmental legislation, regulations, and new judicial precedent. Overly restrictive regulations will likely face new judicial challenges while consumers and industry leaders attempt to navigate new environmental rules and policies. Nevertheless, what is clear is the above anticipated regulations and policies as well as pending judicial challenges, are posed to significantly impact almost every industry in New Jersey and throughout the United States. 📌

Tracking 'Busyness' or Results?



By Joseph P.
Truncale, Ph.D.
Contributing Editor

Often times, I'll ask organizational leaders a simple question: "How's business?" The most common answer? "We're busy". It seems like a positive response and why

not? It's good to be busy, right?

Much has been written and discussed about the need for organizations to monitor, measure and manage business activities. The enduring challenge of measuring what matters most often results in senior leaders tracking what amounts to busyness. While there is much to be said for working hard, activity alone may not be the most effective measure of success.

While no one is advocating for employees standing around with nothing to do, leaders would do well to rethink work-flow, processes, systems and people; how they are structured, organized and deployed in the direction of organizational success. The issue is systemic and impacts even the best performing organizations.

I recently met with the leadership team of one organization trying to understand why they struggled to get invoices out sooner. While interviewing members of the accounting department, one particular process (among several) was identified as redundant, time consuming, and unnecessary. When asked why these steps were being followed, the response of the manager was telling: "It fills my day". So that's the objective now, to fill someone's day?

The classic article "Staple Yourself to an Order", (Shapiro, Rangan, and Sviokla; Harvard Business Review, June, 1992) is as relevant today as it was when written more than thirty years ago. The authors highlight the many insights to be gained by simply tracking customer activity from order entry through delivery and invoicing. Try it and be prepared to be surprised, and not in a good way. You may find, poor sequencing, needless steps, bottlenecks, delays and simply too many hands in too many departments with a piece of the process.

This challenge of "busyness" is not confined to one area of business activity. Consider the IT department. Ask the person in charge how things are going and you will probably be told of a backlog of pending work, strained resources and people. Senior leaders are equally frustrated.

Working with the leadership team of a fast-growing company, we decided to take a



Adding technological upgrades to a clearly defined workflow will add productivity and have a monetary impact.

fresh look at this enduring challenge. We created a grid as a way of prioritizing IT "tickets", work requests from internal colleagues for technology projects. We identified a list of criteria, then prioritized these items with a focus on how they would impact the business. Three surfaced to the top of the list: Investment cost, time required to complete the task, and the estimated dollar impact it would have on the business in real, measurable cost savings and/or additional revenue.

Attempting to estimate the monetary impact on the business is not an exact science. Nevertheless, it's a useful exercise that gets the team to focus and can carry-over into decision making processes throughout the enterprise.

Organizational structure is another area that is often overlooked in assessing the efficiency of the enterprise. In their seminal work, *Strategic Organization Design*, authors Nadler and Tushman identified solid reasons why so many businesses are structured to fit an operating environment which no longer exists. Examples include IT services and the human resource function which often reside in the finance/accounting department. Why? For many companies early in their growth path, the first software investment was probably accounting-based. Payroll processing and benefits administration, two HR functions were likely handled by the accounting staff. But as IT needs grew to become more strategic and company-wide, different organizational structure and reporting lines were required. Same for the HR function, which has increased in strategic importance as businesses large and small place a greater premium on attracting, hiring, and retaining top talent.

For more information including tools you can use to identify and track meaningful metrics for better business results, contact me at joe@ajstrategy.com. 📧

Joseph P. Truncale, Ph.D., CAE, is the Founder & Principal of Alexander Joseph Associates, a privately held consultancy specializing in executive business advisory services.

He is the former CEO of the Public Relations Society of America (PRSA), the world's largest public relations organization. Prior to joining PRSA, Joe was President & CEO of NAPL, a business management association representing leading companies in the printing, graphic communications, mailing, fulfillment and marketing services industry.

Joe specializes in strategy, customer analysis and organizational effectiveness.

He is a graduate of Monmouth University and he holds a Masters' Degree from Rutgers University. In 2011, he earned his Ph.D. in Media, Culture and Communications at New York University and was the recipient of the Prism Award for Academic Achievement. His dissertation was a ground-breaking study of the leadership styles of highly successful entrepreneurial business executives in the graphic communications industry.

Joe served as Co-Chair of the New York University Board of Advisors and is an adjunct faculty member at NYU teaching graduate courses in Executive Leadership, Financial Management and Analysis, Finance for Marketing Decisions, and Leadership: The C Suite Perspective. He resides in Colts Neck, NJ.

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info@cianj.org
201-368-2100





View from 140 East Ridgewood Avenue.

Three Things to Know About The Valley Hospital in Paramus

More Than Just a Hospital

The new hospital will be the heart of a 40-acre health and wellness campus – a one-stop destination for inpatient care, outpatient procedures, and appointments with many Valley doctors.

All-Private Rooms

Everyone admitted to The Valley Hospital in Paramus will receive their own room, enhancing patient privacy and providing a superior environment for your loved ones to spend time with you.

Sustainable, Beautiful

More than 30 percent of Valley's Paramus campus will feature green space. At the new hospital, gardens, lawns, and walking paths will provide a beautiful, park-like setting. Best practices for energy efficiency, space utilization, water consumption, and use of natural light will be incorporated.



**Care Like No Other[®]
is Coming to Paramus!**
ValleyHealth.com/NewHospital

