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September 24, 2021

Mr. Jeffrey Meyer  
Manager  
Division of Air Enforcement  
Bureau of Air Compliance and Enforcement – Northern  
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Subject: Covanta Essex Communications & Community Engagement Plan; Newark, Essex County Program ACO EA ID#200001-07736 – Response to Additional NJDEP comments

Mr. Meyer;

On September 15, 2021, Covanta Essex Company (Covanta) received comments via phone call from Scott Michenfelder of the NJDEP Division of Air Compliance and Enforcement on the Covanta Essex Communications & Community Engagement Plan (Plan) that was initially submitted by Covanta pursuant to ACO NEA200001-07736 on January 4, 2021 and then re-submitted on July 19, 2021 in response to the initial NJDEP comments on the Plan.

Attached to this letter are the Covanta responses to the comments and questions received from NJDEP. Also attached is the updated Plan which has been revised as noted in the attached responses.


If you have any questions or need any additional information please contact Patricia Earls of my staff at 973-817-7322 or [pearls@covanta.com](mailto:pearls@covanta.com).

Sincerely,

A handwritten signature in black ink, appearing to read "David Blackmore".

David Blackmore  
Facility Manager

*"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this letter and all attached documents and, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete. I am aware that there are significant civil and criminal penalties, including the possibility of fine or imprisonment or both, for submitting false, inaccurate, or incomplete information."*

  
\_\_\_\_\_  
David Blackmore  
Facility Manager

9/23/21  
Date

# **Covanta Essex Company Response to Additional NJDEP Comments on the Essex Communications & Community Engagement Plan**

## **1.0 Introduction**

On June 18, 2021, Covanta Essex Company (Covanta Essex) received comments from the NJDEP Division of Air Compliance and Enforcement (Department) on the Covanta Essex Communications & Community Engagement Plan (Plan) that was submitted by Covanta Essex Company on January 7, 2021 pursuant to the requirements of the Administrative Consent Order (ACO) NEA200001-07736. A revised Plan was submitted in response to these comments on July 19, 2021. On September 15, 2021, Scott Michenfelder of the NJDEP Division of Air Compliance and Enforcement Northern Regional Office had a phone conversation with Patricia Earls of Covanta Essex Company to discuss additional comments that the Department had on the Plan. The comments and responses are listed below.

## **2.0 Comment #1**

### **2.1 NJDEP Comment**

The Department requested that we insert the 2020 Essex Performance Sheet into the Plan in place of the 2019 Essex Performance Sheet.

### **2.2 Covanta Response to Comment**

Section 3.0, Methods, has been updated so that the 2019 performance sheet has now been replaced with the 2020 performance sheet.

## **3.0 Comment #2**

### **3.1 NJDEP Comment**

In section 3.1 of the Plan, the Department requested that a sentence be added that describes the links that were added to the Essex website for the facility Solid Waste and Title V permits and the links for the Enforcement action databases (ECHO and DataMiner).

### **3.2 Covanta Response to Comment**

Section 3.1 of the Plan has been revised to include a sentence in the last paragraph of the section that describes the links that were added for the facility permits and the Enforcement action databases (ECHO and DataMiner).

## **4.0 Comment #3**

### **4.1 NJDEP Comment**

The Department asked me if members of the public or community groups sign up for the newsletter using the mailing list link on the website, do we automatically send them both the newsletter and notifications of exceedance events?

#### **4.2 Covanta Response to Comment**

Those who sign up for the mailing list using the link on the facility website would not immediately receive the newsletter and notifications as the timing of a user's sign up might not line up with the newsletter send or an exceedance event notification. However, they will automatically be added to the mailing lists to receive both the newsletter and notifications of exceedance events when they are next sent out. Therefore, they will automatically get both unless they reply by email that they don't want one or the other.

#### **5.0 Comment #4**

##### **5.1 NJDEP Comment**

The Department asked what Community groups the post cards referenced in section 3.6 of the Plan were mailed to. Specifically, the Department would like to know if the groups that are listed under section 4.2, Environmental Justice, of the Plan were sent the post cards.

#### **5.2 Covanta Response to Comment**

The post cards were mailed out on August 19, 2021 to the following postal routes in the 07105 zip code – C008, C009, C013, C014. This was a total of 3,170 addresses in the 07105 zip code. It appears that the groups listed under section 4.2 of the Plan were not included in these addresses so additional post cards are being printed out and will be sent to each group listed under section 4.2 of the Plan by September 30, 2021. Additionally, on September 21, 2021, a PDF copy of the postcard was sent to all the email addresses that are normally on our Open Meeting invitation list to further expand the outreach.

#### **6.0 Comment #5**

##### **6.1 NJDEP Comment**

The Department asked if we plan on sending all the groups listed under section 4.2 of the Plan our bi-annual newsletter and notifications of exceedances regardless of whether they have requested to receive this information.

#### **6.2 Covanta Response to Comment**

When it comes to any digital communication via email (i.e., the email newsletter and email notifications) we cannot send those to anyone that did not sign up directly on our site due to anti-spam/privacy laws. If we want these groups to receive the newsletter and notifications, we would have to encourage them to subscribe. However, we do plan on sending each group a paper copy of the newsletter by postal mail to continue to encourage them to sign up for the mailing list.

## **7.0 Comment #6**

### **7.1 NJDEP Comment**

The Department requested that we also post the final Communications & Community Engagement Plan on the Essex website with versions available in English, Spanish and Portuguese.

### **7.2 Covanta Response to Comment**

Covanta will have the final version of the Plan that is being submitted with this response translated to both Spanish and Portuguese and it will then be posted on the Essex website.

## **8.0 Comment #7**

### **8.1 NJDEP Comment**

The Department asked that we include a sentence in the Plan describing the toggle button that was added to the website which translates the webpage to Spanish or Portuguese.

### **8.2 Covanta Response to Comment**

Section 3.1, Website, of the Plan has been revised to include a sentence that describes the toggle button that was added to the upper right corner of the website which allows users to view the website in English, Spanish or Portuguese by selecting their preferred language.

## **9.0 Comment #8**

### **9.1 NJDEP Comment**

The Department asked how many have signed up for the mailing list so far.

### **9.2 Covanta Response to Comment**

To date, no members of the public or community groups have signed up for the mailing list. However, we are hopeful that since the post cards have been sent out that there will be additional public interest in signing up for the mailing list.

## Essex Communications & Community Engagement Plan

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## 1.0 Background

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The Essex County Resource Recovery Facility (RRF), referred to as 'Covanta Essex' in this document, is a Waste-to-Energy (WTE) facility in Newark, NJ. Covanta Essex uses municipal, commercial and non-hazardous industrial waste as fuel to generate electricity. On an annual basis, the facility provides sustainable disposal of up to 985,500 tons of municipal solid waste and generates enough electricity to meet the needs of 46,000 homes.

Covanta Essex has drawn criticism locally, due in part to opacity incidents, including a number of recent events, referred to as 'Purple Plumes'. During these events, gas with a purple-pink hue was discharged from the stack, the result of the combustion of waste containing iodine. Iodine is used in various industrial processes and is likewise found in a number of different waste streams. Covanta, in conjunction with its environmental consultant and the New Jersey Department of Environmental Protection, is analyzing the discharged gas to address community public health and environmental concerns regarding any potential impacts from the iodine.



Covanta takes this issue extremely seriously and has rectified it by implementing a two-step process: (1) prevent iodized waste from being combusted by preventing its delivery through review of generators who use iodine in manufacturing process and, (2) communication with generators and waste haulers to ensure that they are aware of the potential issues with this type of waste if delivered to the facility.

The events and questions raised as a result remain reminders of the necessity to engage the community in new ways to ensure public awareness and understanding for the residents of the City of Newark and Essex County.

The overarching goal of Covanta's renewed communications and outreach efforts is to ensure transparency by creating and maintaining channels for effective communication regarding any changes in daily operations.



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## 2.0 Objectives

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1. To provide outlets for community members to obtain timely information and updates pertaining to the facility's day-to-day operations, including regarding potential issues of concern.
2. To further support Newark's existing and growing environmental justice platform in a holistic fashion and to educate residents on Covanta's commitments and investments in this area.

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## 3.0 Methods

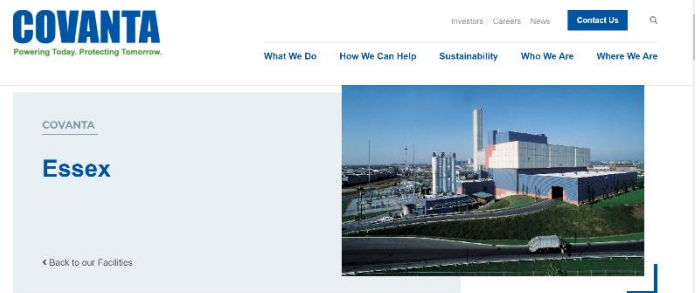
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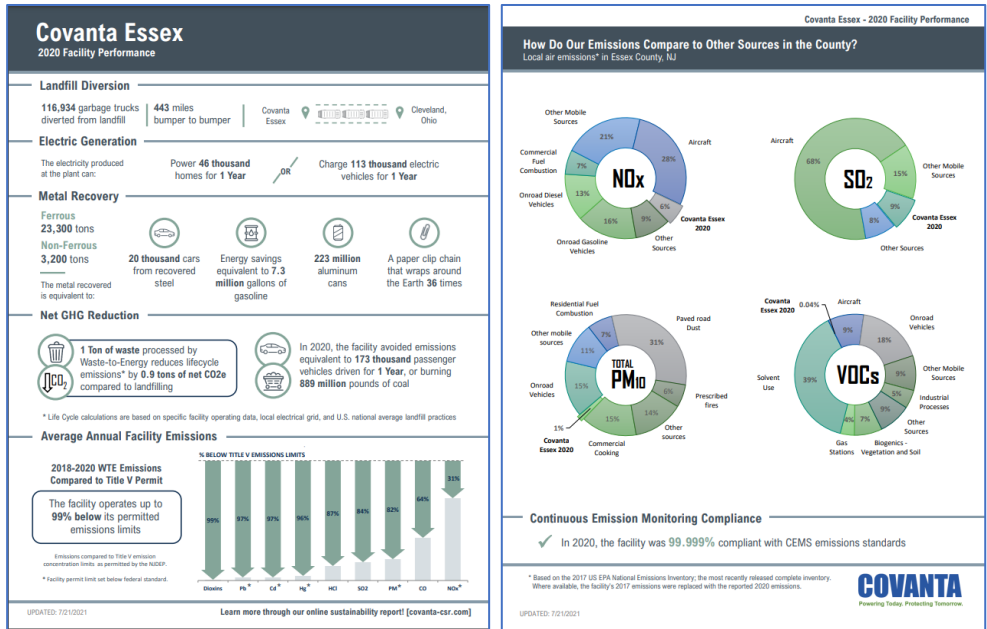
### 3.1 Website

The Covanta Essex webpage ([www.covanta.com/essex](http://www.covanta.com/essex)) – will provide timely, helpful and easy-to-understand information. Included are operations and community engagement updates, career opportunities, environmental/emissions performance and other corporate information. In addition, video and other

interactive elements will continue to be incorporated for a clear and concise overview of the WTE process, its benefits and many contributions to the Newark community and beyond. The webpage includes a toggle feature that allows users to view the page in English, Spanish (Español), and Portuguese (Português). Users can access this feature by scrolling over a small globe icon visible in the top right corner of the webpage and selecting their preferred language.

To increase overall transparency, interested stakeholders are now able to gain access to continuous emissions monitoring data from Covanta Essex on the facility webpage referenced above. Additionally, the most up-to-date facility fact sheet will be distributed and linked regularly in external communication to provide interested community stakeholders with fact-based information. The 2020 sheet can be viewed [here](#) and is below for reference:





The Covanta Essex webpage also includes the Solid Waste and Title V operating permits. Interested stakeholders are able to view the parameters in which Covanta is obligated to operate the Essex WTE facility, in terms of both emissions and the amount and types of waste able to be processed. Further, links have been added to the page for users to access New Jersey Department of Environmental Protection’s *DataMiner*, which is a database that maintains a detailed compliance history in a catalogued format. Instructions are included for users to quickly find the Essex facility in DataMiner. A link has also been added to the EPA’s *Enforcement and Compliance History Online* (ECHO) database, which allows users to access similar compliance related information from the US EPA. Those links and all documents submitted to the NJDEP as part of the Administrative Consent Order are found [here](#).

### 3.2 Community Newsletters and Alerts

A newsletter, Covanta Essex News, will be created and circulated by postal mail and email no less than twice a year to provide community stakeholders, residents and local businesses with relevant, timely information pertaining to Covanta Essex. Content, which will be available in both Spanish and Portuguese in addition to English, will include updates relating to facility operations, job opportunities, community activities and answers to frequently asked questions.

Community members will be encouraged to sign up for the newsletter by adding themselves to the Covanta Essex mailing list at [www.covanta.com/essex](http://www.covanta.com/essex). Upon choosing to do so, they will be sent notifications by email of any incidents, in addition to updates related to ongoing facility activities and community news. There is also a separate link available to sign up for a facility tour, which can be accessed [here](#). Based

on Covanta's evaluation of the viability and community interest in mobile phone text-based alerts, this option will not be available for the general public.

In addition, a Hotline is available 24 hours a day for the public to obtain the latest information on facility incidents or announcements. The Hotline has the capability to speak to residents in English, Spanish, and Portuguese. The telephone number for the Hotline is listed on the facility website.

### **3.3 Media Relations and Facility Tours**

Covanta will regularly engage with the media to encourage community awareness and deliver updates on operations and performance at Covanta Essex. The media will serve as an effective intermediary between Covanta Essex and all interested stakeholders.

In-person tours remain important for educating reporters, local officials, school groups, and all other interested community stakeholders on the facility and WTE technology – and will be reinstated after pandemic restrictions are lifted. Likewise, virtual presentations will also remain available to interested groups. Press releases will be circulated to local and regional media on a periodic basis to inform residents of regular activities happening at the facility.

### **3.4 Social Media**

Covanta Essex will establish a Twitter profile (@CovantaEssex) to provide updates on facility incidents, community events, tours and any other relevant news about the facility. Twitter provides another opportunity to engage with members of the community that may or may not receive information from the other vehicles previously outlined.

### **3.5 Incident Communication Protocols**

The following protocol will be enacted to ensure information regarding facility incidents, events and operations is promptly and transparently communicated to stakeholders. The methods outlined above will be used to disseminate the information.

1. Facility Operations staff alert Facility Management personnel about a given situation
2. Facility Management, Asset Management and/or Environmental staff to gather facts and work with Corporate Communications to disseminate information to stakeholders via any/all methods described above
3. Asset Manager will also reach out directly with phone calls and/or text messages and emails to the Ironbound Community Corporation (ICC) and other established community groups that have requested notifications and an email notification will be sent to community members that have signed up to receive notifications of facility incidents

4. Additionally, a Hotline is available for anyone from the community who does not have access to email to call for the latest information on an incident.
5. Steps 1-3 are repeated on a continuous basis as appropriate

### 3.6 Advertising

Several local advertising tools will be used to accompany the aforementioned methods with the expressed purpose to:

- a. Bolster the community mailing list
- b. Promote Open Meetings (described below in Section 5), and
- c. Generally increase reach of above described methods for disseminating important information regarding facility operations

In August 2021, we sent out a one-time mailing to residents in 07105 postal routes around the facility. The mailing was trilingual (English, Spanish, and Portuguese) and informed the public about the release of our CEMS data on the facility webpage as well as introduced residents to our new hotline number. The mail piece also encouraged residents to sign up for latest news updates via our website.

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## 4.0 Community Engagement

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Covanta is committed to being an active and supportive community member. We have a responsibility to give back by investing in Newark, providing jobs for residents and supporting educational, environmental, social and economic developmental opportunities as appropriate. Nearly a quarter of Covanta Essex employees live within five miles of the facility – more than half live within ten miles (see chart below).

**Covanta Essex Workforce Proximity to Facility**



## 4.1 Local Engagement

We currently engage directly with the community through several initiatives. One example is our Prescription for Safety (Rx4Safety) program which facilitates the take-back of unused, unwanted or otherwise disposable medications. By utilizing the waste-to-energy facility for disposal of this material, we are protecting the environment from medications being flushed, washed down the drain, or landfilled, as well as providing an important preventative step in combating the drug abuse.

Another example is our involvement in city-wide cleanup events organized by Slam Dunk the Junk, an organization dedicated to fighting littering and the environmental and health concerns caused by littering. In addition to these two examples, we are active or plan to support the following local organizations.

- Boys and Girls Club of Newark
- Ironbound Ambulance Squad donations
- Salvation Army
- Goodwill
- New York Red Bulls
- New Jersey Clean Communities Council
- Ironbound Business Improvement District
- City of Newark
- Dept. of Public Works (DPW)
- Turtleback Zoo
- NJIT Women in Engineering and & Technology Initiatives (FEMME) Program
- Greater Newark Conservancy
- Montclair State Sustainability Seminar Series
- St. Benedict's Prep
- Free E-waste collections located within the city of Newark
- NJ Audubon
- Sustainable Jersey
- Sustainable Jersey for Schools

## 4.2 Environmental Justice

Covanta has long-been committed to environmental justice and reducing environmental impacts from the company's operations, turning this conviction into action with the creation and implementation of our [Community Outreach and Environmental Justice Policy](#) in 2011.

Our commitment to environmental justice is manifest foremost in superior environmental performance for the Newark community. The recent addition of a baghouse to existing emissions controls, an investment of more than \$90 million, has reduced emissions by up to 90 percent.

Beyond the facility's operational performance, a more proactive approach will be taken in developing ongoing and communicative relationships with local stakeholders within this same arena, potentially including organizations such as:



- Ironbound Community Corp. (ICC)
- Ironbound Business District
- NJ Environmental Justice Alliance (NJEJA)
- Greater Newark Conservancy
- Newark Sustainability Director
- NAACP Newark Chapter
- Montclair Chapter, National Council of Negro Women (NCNW)
- Newark Community Collaborative Board (NCCB)
- Hawthorne Avenue Farm

This list is not considered exhaustive. All stakeholders with similar characteristics to the above-mentioned groups may also be included toward fostering an inclusive and productive style of engagement. Shared characteristics include being considered local entities with interests in improving the Newark and/or Ironbound community. Identifying these emerging stakeholders will be an iterative process.

Covanta will continue to proactively promote local employment opportunities and target local suppliers of materials, goods and services. Currently, the workforce at Covanta Essex is made up of more than 50 percent local residents who live within ten miles of the facility. Covanta remains committed to maintaining, developing and seeking to draw its workforce from the local community whenever possible.

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## **5.0 Public Forums**

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Sponsorships and general community involvement are an important component of our approach to community outreach in Newark. For example, increasing contributions to local youth sports organizations including Roberto Clemente Little League, and Ironbound Soccer Club, is another route being explored for potential direct engagement.

Still, these methods have yet to adequately provide a platform for concerned members of the Newark community to speak directly with facility employees and management. Methods described further below in this section will be used to generate more direct routes of communication with stakeholders and community members. Target groups for engagement through public forums may include:

- Earthjustice
- Ironbound Community Corp. (ICC)
- NJ Environmental Justice Association (NJEJA)
- Ironbound Business District
- The Baraka Administration
- Assemblywoman Speight
- Senator Booker
- Senator Ruiz
- Assemblywoman Pintor-Marin
- Newark City Council
- County Executive DiVincenzo
- Newark Sustainability Dept.
- Newark Public Schools
- Newark Downtown District
- NAACP (Newark Branch)
- DEP Commissioner

- DEP Deputy Commissioner for Environ. Justice & Equity
- All potentially relevant and/or interested classes/departments at local educational institutions
- Dept. of Sanitation (NY); Bureau of Recycling & Sustainability
- NAN Newark Tech World

## 5.1 Open Meetings

Covanta is committed to maintaining effective communication with stakeholders and providing opportunities for people to ask questions, share concerns or learn more about what we do. In the past, the facility held Open House events that were well advertised but sparsely attended. In 2019, we opted to hold an Open Meeting at a local restaurant in the Ironbound with the hopes of encouraging more community participation. The 2019 Open Meeting was well attended and in light of that success, this format will be maintained with the meetings taking place on a bi-annual basis.

Notably, the 2020 Open Meeting was held virtually via Zoom on December 16, 2020 in consideration of restrictions and safety measures in place to mitigate the spread of COVID-19. The meeting included a presentation and a virtual tour of the facility, with opportunities for stakeholders to ask questions and engage with facility and company representatives. Continued use of virtual tours and other virtual events will be evaluated into the future and quite possibly, will remain a prominent vehicle for engagement going forward. Although the event was virtual, we supported the same local restaurant by offering gifts cards to those who participated in the online event.

## 5.2 Collaborative Community Organization

In Camden, where Covanta operates another Waste-to-Energy facility, the company participates in the Camden Collaborative Initiative (CCI). The CCI is an organization dedicated to fostering cooperation among stakeholders in achieving meaningful gains for Camden's community. In Newark, we are considering inviting key local stakeholders to establish/join a similar panel for the Newark community, or perhaps seeking membership in the Newark Anchor Collaborative (NAC), an initiative of the Newark Alliance.

The primary objectives of establishing or joining an existing collaborative community organization would be to:

1. Break down/markedly reduce existing barriers between the community and industry.
2. Respond to issues of concerns raised regarding our activities at Covanta Essex and therefore provide a space to develop trust.
3. Identify opportunities where industry can support important community projects and maximize the economic benefits and supply chain opportunities within and for Newark.



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## **6.0 Potential Planned Opportunities and Events**

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The following are potential opportunities for positive engagement with local stakeholders and community members separate from established communications protocols for operational notifications (e.g., opacity incidents). Ideas will be captured and screened for feasibility and community relevance. These may include:

- Establishment of a collaborative community organization
- Facility beautification project(s)
- Media tour(s)
- Facility safety and environmental milestone(s)

These and other activities to be identified would serve as means for distributing factual information about the facility, which is less to do with day-to-day operations and any incident that may occur. Efforts in this area would be toward fostering a more inclusive environment at the facility as well as more holistic means for providing knowledge regarding the benefits of waste-to-energy for Newark.

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## **7.0 Summary**

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This plan will be implemented to directly improve communicative abilities of Covanta Essex with the community and will be reviewed and updated as needed. Specifically, details regarding all matters related to day-to-day operations and operational upsets that could potentially result in a permit excursion, will be communicated using methods described in detail in the above sections. At all times, emphasis will be placed on providing members of the Newark community with timely and factual updates related to the facility. Furthermore, enhanced communication toward fostering an improved relationship with the Newark community will be hereby made a point of attention for Covanta and may include efforts not already made by way of existing partnerships and/or contributions to local groups.