



News Release

For Immediate Release

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CCNJ RESPONDS TO NEW JERSEY'S NATURAL RESOURCE DAMAGE LITIGATION

TRENTON - (August 5, 2022) – *The following statement may be attributed to Dennis Hart, Executive Director:*

"The State of New Jersey does not have the regulatory authority to issue the type of Natural Resource Damage (NRD) claims lawsuits they continue to file. The state admitted as much in 2004, when industry filed a lawsuit challenging the state's authority on this matter. As part of the settlement reached with the New Jersey State Attorney General and the plaintiffs, of which the Chemistry Council of New Jersey was a party, the New Jersey Department of Environmental Protection agreed to propose regulations covering the implementation of the NRD program and to stop pursuing NRD litigation pending the new regulations. The current administration has ignored this agreement, and has restarted the program, even in the continued absence of regulatory authority.

In recognition of the lack of regulatory authority, the Senate Environment Committee chairman, Senator Robert Smith convened a taskforce of representatives from the environmental and business communities to lead an effort to make recommendations to help structure the much-needed NRD regulations. Although many discussions were held, no consensus on regulatory proposals were reached.

When it comes to these types of lawsuits, I don't think New Jerseyans are aware that the state is retaining law firms from around the country to file these extremely large claims in the hopes of forcing a settlement payment. In most cases, a percentage of that payment goes to the law firm filing the case. The NJ DEP should not be skirting their responsibility to develop regulations and allowing private law firms to negotiate on behalf of the state.

Our members are making commitments every day to improve the environment and reduce their environmental footprint in our society. Having consistent and predictable regulations that are fair and have gone through the lawful regulatory process benefits all of us."

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The Chemistry Council of New Jersey (CCNJ), founded in 1955, is the trade and advocacy organization representing the interests of more than 60 New Jersey manufacturers and 45 firms in the business of chemistry. Our membership consists of large and small companies that are part of New Jersey's chemical, pharmaceutical, consumer packaged goods, petroleum, flavor & fragrances, and precious metals industries. The CCNJ is committed to a better quality of life through science.