N.J.'s goal: Even-handed pollution rules for businesses in minority or low-income areas.

By Will Van Sant

TRENTON, N.J. - Since the early 1970s, regulators and environmental activists have struggled with whether exposing environmental activists to severe pollution amounted to discrimination.

New Jersey has become the first state to propose environmental equity rules for businesses looking to locate in minority or low-income communities. The rules released this week by the Department of Environmental Protection and open for public comment are designed to protect such communities from unfair pollution burdens. Industry and environmental groups are examining the rules closely.

"If you want the private sector to invest in cities, you need to set up a structure that makes it easier," said Michael Egerton, assistant vice president of the New Jersey Chamber of Commerce. "But if you have an issue like environmental justice, that's another hurdle." Under the regulations, a business seeking an operating permit would have to have its plan run through a computer model confirming pollution data in the area.

"I think they make it look like not going far enough," Egerton said. "The DEP is taking care of the problem of environmental injustice when they are not."