United States
Environmental Protection
Agency

Plan EJ 2014

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Plan EJ 2014 is EPA's roadmap for integrating environmental justice into its programs and policies.

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Plan EJ 2014

September 2011

Office of Environmental Justice
U.S. Environmental Protection Agency
Washington, D.C. 20460

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A message from…

EPA Administrator Lisa P. Jackson

Lisa P. Jackson
Administrator
U.S. Environmental Protection Agency

Dear Colleagues:

Expanding the conversation on environmentalism and working for environmental justice are among my top priorities for our work at the U.S. Environmental Protection Agency. All too often, low-income, minority and tribal Americans live in the shadows of the worst pollution, facing disproportionate health impacts and greater obstacles to economic growth in communities that cannot attract businesses and new jobs.

In 1994, President Bill Clinton issued an executive order directing all federal agencies to participate in a governmentwide effort to address environmental justice issues. To strengthen our efforts in anticipation of the 20th anniversary of that directive and to ensure that the EPA is setting a standard for all other agencies, I am pleased to share our comprehensive environmental justice strategy *Plan EJ 2014*.

Plan EJ 2014 builds on the solid foundation we have established at the EPA to expand the conversation on environmentalism. Since my first days as Administrator, I have traveled the country to meet with diverse communities and listen to their concerns. And I am committed to making environmental justice an essential part of our decision making.

Plan EJ 2014 offers a road map that will enable us to better integrate environmental justice and civil rights into our programs, policies and daily work. The plan focuses on agencywide areas critical to advancing environmental justice, including rulemaking, permitting, compliance and enforcement, community-based programs and our work with other federal agencies. It also establishes specific milestones to help us meet the needs of overburdened neighborhoods through our decision making, scientific analysis and rulemaking.

Every American deserves clean air, water and land in the places where they live, work, play and learn. Through our implementation of *Plan EJ 2014*, the EPA will be leading by example in expanding the conversation on environmentalism and working for environmental justice – now and into the future.

I am proud to be a part of this effort and ask you to join me as we strengthen our mission to protect the health of all Americans.

Sincerely,
Lisa P. Jackson

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EXECUTIVE SUMMARY

In January 2010, Administrator Lisa P. Jackson made Expanding the Conversation on Environmentalism and Working for Environmental Justice an Agency priority. This priority was incorporated into the U.S. Environmental Protection Agency's (EPA) Strategic Plan for 2011-2015. To implement this priority, EPA developed Plan EJ 2014 as the Agency's roadmap for integrating environmental justice into its programs, policies, and activities. This priority recognizes that Title VI of the Civil Rights Act and EPA's civil rights program is a critical component in advancing environmental justice.

Plan EJ 2014, which is meant to mark the 20th anniversary of the signing of Executive Order 12898 on environmental justice, is EPA's overarching strategy for advancing environmental justice. It seeks to:

- Protect the environment and health in overburdened communities.
- Empower communities to take action to improve their health and environment.
- Establish partnerships with local, state, tribal, and federal governments and organizations to achieve healthy and sustainable communities.

In July 2010, EPA introduced Plan EJ 2014 as a concept for public comment and initiated the development of implementation plans. This product is the culmination of nearly a year's effort by EPA programs and regions, as well as engagement with stakeholders, to develop nine implementation plans with the goals, strategies, deliverables, and milestones outlined herein. Plan EJ 2014 has three major sections: Cross-Agency Focus Areas, Tools Development Areas, and Program Initiatives. The following summaries outline the implementation plans for Plan EJ 2014's five cross-Agency Focus Areas and four Tools Development Areas.

Cross-Agency Focus Areas

Incorporating Environmental Justice into Rulemaking

Goal

To more effectively protect human health and the environment for overburdened populations by developing and implementing guidance on incorporating environmental justice into EPA's rulemaking process.

Strategies

1. Finalize the *Interim Guidance on Considering Environmental Justice During the Development of an Action*.
2. Facilitate and monitor implementation of guidance on incorporating environmental justice into rulemaking.
3. Develop technical guidance on how to conduct environmental justice assessments of rulemaking activities.

Considering Environmental Justice in Permitting

Goal

To enable overburdened communities to have full and meaningful access to the permitting process and to develop permits that address environmental justice issues to the greatest extent practicable under existing environmental laws.

Strategies

1. Develop tools that will enhance the ability of overburdened communities to participate fully and meaningfully in the permitting process.
2. Concurrent with Strategy 1, develop tools to assist permitting authorities to meaningfully address environmental justice in permitting decisions.
3. Implement these tools at EPA and work with others to do the same.

Advancing Environmental Justice through Compliance and Enforcement

Goal

To fully integrate consideration of environmental justice concerns into the planning and implementation of the Office of Enforcement and Compliance Assurance's (OECA) program strategies, case targeting strategies, and development of remedies in enforcement actions to benefit overburdened communities.

Strategies

1. Advance environmental justice goals through selection and implementation of National Enforcement Initiatives.
2. Advance environmental justice goals through targeting and development of compliance and enforcement actions.
3. Enhance use of enforcement and compliance tools to advance environmental justice goals in regional geographic initiatives to address the needs of overburdened communities.
4. Seek appropriate remedies in enforcement actions to benefit overburdened communities and address environmental justice concerns.
5. Enhance communication with affected communities and the public regarding environmental justice concerns and the distribution and benefits of enforcement actions, as appropriate.

Supporting Community-Based Action Programs

Goal

To strengthen community-based programs to engage overburdened communities and build partnerships that promote healthy, sustainable, and green communities.

Strategies

1. Advance environmental justice principles by building strong state and tribal partnerships through the National Environmental Performance

Partnership System (NEPPS) and the National Program Manager (NPM) guidance.
2. Identify scalable and replicable elements of successful Agency community-based programs and align multiple EPA programs to more fully address the needs of overburdened communities.
3. Promote an integrated One EPA presence to better engage communities in the Agency's work to protect human health and the environment.
4. Foster community-based programs modeled on the Community Action for a Renewed Environment (CARE) principles.
5. Explore how EPA funding, policies, and programs can inform or help decision makers to maximize benefits and minimize adverse impacts from land use decision making, planning, siting, and permitting.
6. Promote equitable development opportunities for all communities.

Fostering Administration-Wide Action on Environmental Justice

Goal

To facilitate the active involvement of all federal agencies in implementing Executive Order 12898 by minimizing and mitigating disproportionate, negative impacts while fostering environmental, public health, and economic benefits for overburdened communities.

Strategies

1. Assist other federal agencies in integrating environmental justice in their programs, policies, and activities.
2. Work with other federal agencies to strengthen use of interagency legal tools, i.e., National Environmental Policy Act and Title VI of the Civil Rights Act of 1964.
3. Foster healthy and sustainable communities, with an emphasis on equitable development and place-based initiatives.
4. Strengthen community access to federal agencies.

Tools Development Areas

Science

Goal

To substantially support and conduct research that employs participatory principles and integrates social and physical sciences aimed at understanding and illuminating solutions to environmental and health inequalities among overburdened populations and communities in the United States. All Agency decisions will make use of the information, data, and analytic tools produced.

Strategies

1. Apply integrated transdisciplinary and community-based participatory research approaches with a focus on addressing multi-media, cumulative impacts and equity in environmental health and environmental conditions.
2. Incorporate perspectives from community-based organizations and community leaders into EPA research agendas and engage in collaborative partnerships with them on science and research to address environmental justice.
3. Leverage partnerships with other federal agencies on issues of research, policy, and action to address health disparities.
4. Build and strengthen the technical capacity of Agency scientists on conducting research and related science activities in partnership with impacted communities and translating research results to inform change.
5. Build and strengthen technical capacity of community-based organizations and community environmental justice and health leaders to address environmental health disparities and environmental sustainability issues.

Law

Goal

To provide legal assistance to EPA policy makers and other Agency decision makers to advance their environmental justice objectives.

Strategy

Provide legal support to each Plan EJ 2014 cross-Agency Focus Area workgroup.

Information

Goal

To develop a more integrated, comprehensive, efficient, and nationally consistent approach for collecting, maintaining, and using geospatial information relevant to potentially overburdened communities.

Strategies

1. Develop EPA's GeoPlatform.
2. Develop a nationally consistent environmental justice screening tool.
3. Incorporate appropriate elements of the environmental justice screening tool into the GeoPlatform.

Resources

Grants and Technical Assistance Goal

To develop an efficient and effective system for delivering financial and technical assistance to communities to empower them to improve their health and environment.

Strategies

1. Increase transparency and efficiency in providing community-based grant opportunities.
2. Improve delivery of technical assistance to communities.
3. Strengthen grants training for communities.
4. Improve community awareness of grant competition process.
5. Revise grant policies that are unduly restrictive.
6. Encourage legal and program offices to dialog on community-based grant opportunities.
7. Improve timeliness of Brownfields Grant Awards.

Workforce Diversity Goal

To achieve an inclusive work environment by developing an efficient system for the outreach and recruitment of potential employees.

Strategies

1. Increase the diverse pool of qualified applicants.
2. Operate under an integrated One EPA approach for recruitment and outreach.

Program Initiatives

Program Initiatives will focus on specific EPA programs. Many existing EPA programs actively pursue environmental justice goals or produce benefits for overburdened communities. Examples of such initiatives include: Community Engagement Initiative (Office of Solid Waste and Emergency Response), Urban Waters (Office of Water), National Enforcement Initiatives (Office of Enforcement and Compliance Assurance), Air Toxics Rules (Office of Air and Radiation), and the U.S. Mexico Border Program (Office of International and Tribal Affairs). Over the next year, EPA will designate at least one initiative per appropriate program for inclusion in Plan EJ 2014. In this way, many existing EPA initiatives can be tailored to better integrate environmental justice and produce greater benefits for overburdened communities.

Civil Rights

One effort already under way is implementing Administrator Jackson's priority to improve EPA's civil rights program. Complying with EPA's statutory civil rights obligations is a critical part of our efforts to advance environmental justice. Administrator Jackson has made improving EPA's civil rights program a priority. As part of this effort, EPA is pursuing long overdue, vigorous, robust, and effective implementation of Title VI of the Civil Rights Act of 1964 and other nondiscrimination statutes. EPA is committed to protecting people from discrimination based on race, color, or national origin in programs or activities that receive EPA's financial assistance.

Conclusion

Through Plan EJ 2014, EPA intends to develop a suite of tools to integrate environmental justice and civil rights into its programs, policies, and activities. It seeks to build stronger relationships with communities overburdened by environmental and health hazards and build partnerships that improve conditions in such communities. In 2014, EPA will make an assessment of its progress in achieving the goals of Plan EJ 2014. Based on this assessment, EPA will produce a report on the accomplishments, lessons learned, challenges, and next steps for continuing the Agency's efforts to make environmental justice an integral part of every decision.

1.0 INTRODUCTION

For far too long, many minority, low-income, tribal, and indigenous people in the United States have experienced higher levels of environmental pollution and other social and economic burdens. These overburdened communities[1] have generally viewed environmentalism and environmental protection as a distant calling. These burdens have led to poorer health outcomes, as well as fewer financial or advocacy opportunities to pursue many productive activities, including "greening" their communities.

In January 2010, U.S. Environmental Protection Agency (EPA) Administrator Lisa P. Jackson made Expanding the Conversation on Environmentalism and Working for Environmental Justice one of EPA's priorities. The Administrator has directed the Agency to address the needs of overburdened communities by decreasing environmental burdens, increasing environmental benefits, and working alongside them to build healthy, sustainable, and green communities. This priority recognizes that Title VI of the Civil Rights Act and EPA's civil rights program is a critical component in advancing environmental justice. The Administrator's priority heralds "a new era of outreach and protection for communities historically underrepresented in EPA decision making" and calls for "include[ing] environmental justice principles in all of our decisions."[2]

February 2014 will mark the 20th anniversary of the Clinton Administration's Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (EO 12898). EO 12898 calls on each federal agency to "make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities…"[3] In recognition of this anniversary, EPA has developed Plan EJ 2014, a comprehensive strategy to guide the Agency in developing stronger relationships with communities and increasing efforts to improve the environmental conditions and public health in overburdened communities. In July 2010, EPA introduced Plan EJ 2014 as a concept for public comment and initiated the development of implementation plans. This product is the culmination of nearly a year's effort by EPA programs and regions, as well as engagement with stakeholders, to develop nine implementation plans with the goals, strategies, deliverables, and milestones outlined herein.

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[1] In Plan EJ 2014, EPA uses the term "overburdened" to describe the minority, low-income, tribal, and indigenous populations or communities in the United States that potentially experience disproportionate environmental harms and risks as a result of greater vulnerability to environmental hazards. This increased vulnerability may be attributable to an accumulation of both negative and lack of positive environmental, health, economic, or social conditions within these populations or communities.

[2] Jackson, Lisa P., "Seven Priorities for EPA's Future." January 12, 2010. Available at: http://blog.epa.gov/administrator/2010/01/12/seven-priorities-for-epas-future/.

[3] Clinton, William J., Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," February 11, 1994, *Federal Register* 59, No. 32: 7629.

1.1 Achieving Environmental Justice Priorities

Achieving environmental justice is an integral part of EPA's mission to protect human health and the environment. EPA works to ensure that all Americans are protected from significant risks to human health and the environment where they live, learn, and work, by enforcing federal laws protecting human health and the environment fairly and effectively and using the best available science. EPA also works to ensure that all parts of society have access to accurate information sufficient to effectively participate in managing human health and environmental risks. Lastly, EPA works to ensure that environmental protection contributes to making our communities and ecosystems diverse, sustainable, and economically productive. EPA has identified three overarching goals for its work on environmental justice:

- Protect the environment and health in overburdened communities.
- Empower communities to take action to improve their health and environment.
- Establish partnerships with local, state, tribal, and federal governments and organizations to achieve healthy and sustainable communities.

The Administrator's priority on environmental justice encourages EPA to identify better ways to address the issues facing many minority, low-income, tribal, and indigenous people regarding environmental and health concerns. To ensure environmental justice is incorporated into all activities, EPA has included specific language in its Fiscal Year (FY) 2011-2015 Strategic Plan Cross-Cutting Fundamental Strategy: Working for Environmental Justice and Children's Health: "Environmental justice and children's health protection will be achieved when all Americans, regardless of age, race, economic status, or ethnicity, have access to clean water, clean air, and healthy communities."[4] In addition, EPA recognizes that complying with its statutory obligations under Title VI of the Civil Rights Act of 1964 and other nondiscrimination laws is a critical part of integrating environmental justice in all Agency programs, policies, and activities.

The Agency will use a variety of approaches to meet this commitment, including regulation, enforcement, research, outreach, community-based programs, and partnerships to protect children and disproportionately impacted, overburdened populations from environmental and human health hazards. EPA anticipates that leadership in advancing environmental justice and children's health protection will inspire and engage a broad spectrum of partners in the public and private sector to do the same. The activities outlined in Plan EJ 2014 support EPA's environmental justice commitments in this Cross-Cutting Fundamental Strategy.

[4] U.S. Environmental Protection Agency, *FY 2011-2015 EPA Strategic Plan: Achieving Our Vision*, September 30, 2010. Available at: http://www.epa.gov/planandbudget/strategicplan.html.

1.2 Definition of Environmental Justice

EPA defines "environmental justice" as the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.[5]

Fair Treatment means that no group of people should bear a disproportionate burden of environmental harms and risks, including those resulting from the negative environmental consequences of industrial, governmental, and commercial operations or programs and policies. Meaningful Involvement means that: (1) potentially affected community members have an appropriate opportunity to participate in decisions about a proposed activity that will affect their environment and/or health; (2) the public's contribution can influence the regulatory agency's decision; (3) the concerns of all participants involved will be considered in the decision-making process; and (4) the decision makers seek out and facilitate the involvement of those potentially affected. In the Agency's implementation of environmental justice, EPA has expanded the concept of fair treatment to include not only the consideration of how burdens are distributed across all populations, but also how benefits are distributed. For example, the Agency's *Interim Guidance on Considering Environmental Justice During the Development of an Action* encourages the evaluation of the distribution of burdens by paying special attention to populations that have historically borne a disproportionate share of environmental harms and risk. At the same time, it encourages Agency staff to look at the distribution of the positive environmental and health consequences from our activities.

EPA also recognizes that it has statutory obligations to comply with Title VI of the Civil Rights Act of 1964 and other nondiscrimination laws. Title VI prohibits discrimination on the basis of race, color, or national origin in all programs or activities receiving federal financial assistance. The Supreme Court has ruled that Title VI authorizes federal agencies, including EPA, to adopt implementing regulations that prohibit discriminatory effects as well as intentional discrimination. EPA has established such regulations. Title VI allows persons to file administrative complaints with federal departments and agencies alleging discrimination by financial assistance recipients. The Office of Civil Rights (OCR) has the responsibility within EPA to process and review Title VI administrative complaints.[6] In the Presidential Memorandum accompanying EO 12898, President Clinton pointed to civil rights statutes as an important tool for achieving the goals of the environmental justice executive order.[7]

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[5] U.S. Environmental Protection Agency, *Interim Guidance on Considering Environmental Justice During the Development of an Action*. Available at: http://www.epa.gov/compliance/ej/resources/policy/considering-ej-in-rulemaking-guide-07-2010.pdf.

[6] For a description of EPA's Program to Implement Title VI of the Civil Rights Act of 1964, see: http://www.epa.gov/civilrights/t6home.htm.

[7] Clinton, William J., Presidential Memorandum Accompanying Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations." Available at: http://www.epa.gov/environmentaljustice/resources/policy/clinton_memo_12898.pdf.

2.0 PLAN EJ 2014

Plan EJ 2014 is a roadmap to help EPA integrate environmental justice into its programs, policies, and activities. The Plan is organized into three sections: Cross-Agency Focus Areas, Tools Development Areas, and Program Initiatives.

Cross-Agency Focus Areas address cross-cutting issues or functions that require work by all programs or agencies and serve to advance environmental justice across EPA and the federal government. They require a unified Agency approach toward policy and guidance development. Many issues also require coordination among multiple federal agencies. Community engagement and empowerment, with continuous input from communities and all stakeholders, will help shape the planning and implementation of Plan EJ 2014 initiatives.

1. Cross-Agency Focus Areas

EPA has identified five cross-Agency Focus Areas:

- Incorporating Environmental Justice into Rulemaking.
- Considering Environmental Justice in Permitting.
- Advancing Environmental Justice through Compliance and Enforcement.
- Supporting Community-Based Action Programs.
- Fostering Administration-Wide Action on Environmental Justice.

2. Tools Development Areas

Tools Development will focus on developing the methods, mechanisms, and systems that support environmental justice analysis, technical assistance, and community work. Plan EJ 2014 has identified four areas for tools development:

- Science.
- Law.
- Information.
- Resources.

3. Program Initiatives

Program Initiatives will focus on specific EPA programs. EPA's programs are designed primarily to carry out the nation's environmental protection statutes, such as the Clean Air Act, Clean Water Act, and Resource Conservation and Recovery Act. Certain EPA programs are organized by media, such as air, water, and soil. Others are organized to address cross-Agency functions, such as enforcement, research, and information. Under Plan EJ 2014, each EPA National Program Manager (NPM) will identify programs that benefit communities with environmental justice concerns.

2.1 Plan EJ 2014's Organizational Structure

EPA's programs and regions have assumed principal responsibility for leading at least one cross-Agency Focus or Tools Development Area in Plan EJ 2014. They have dedicated senior management and established a staff level workgroup to carry out this responsibility. This approach ensures that all program offices and regions bring their programmatic resources and expertise to advancing environmental justice goals. It also develops expertise in environmental justice throughout all Agency programs and regions. The table below delineates each element and its respective lead offices and regions.

PLAN EJ 2014 ELEMENT	LEAD PROGRAM OFFICES AND REGIONS
Incorporating Environmental Justice in Rulemaking	Office of Chemical Safety and Pollution Prevention; Office of Policy; Office of Research and Development; Office of Environmental Justice; Region 9
Considering Environmental Justice in Permitting	Office of Air and Radiation; Office of General Counsel; Region 1
Advancing Environmental Justice through Compliance and Enforcement	Office of Enforcement and Compliance Assurance; Region 5
Supporting Community-Based Programs	Office of Solid Waste and Emergency Response; Regions 2, 3, 4
Fostering Administration-Wide Action on Environmental Justice	Office of Water; Region 6
Science Tools Development	Office of Research and Development; Region 7
Legal Tools Development	Office of General Counsel; Region 5
Information Tools Development	Office of Policy; Office of Environmental Information; Regions 3, 8, 9, 10
Resources Tools Development	Office of Administration and Resource Management

This organizational structure constitutes an important step for achieving the Agency's environmental justice program vision that all Program Offices and Regions will integrate and address issues of environmental justice in EPA's programs and policies as part of their day-to-day business. The Office of Environmental Justice (OEJ) serves as the focal point for facilitating that integration through building capacity, promoting accountability, incorporating the community's voice, and promoting Agency action on critical environmental justice issues.

2.2 Implementation Plans

Each cross-Agency Focus or Tools Development Area in Plan EJ 2014 has an implementation plan, which is built around the following elements: goals, strategies, activities, deliverables, and milestones. The implementation plans will be used to track results and perform ongoing monitoring and reporting of accomplishments. These elements are defined as follows:

- **Goals**: The projected state of affairs or condition that the implementation plan intends to achieve.
- **Strategies:** Systematic action designed to achieve the stated goal.
- **Activities:** Specific actions to implement the strategies identified.
- **Deliverables:** Results of the activities identified, which could include processes, products, outputs, or changes in conditions (including environmental outcomes).
- **Milestones:** Target dates for completion of the deliverables identified.

In addition to supporting EPA's current strategic plan, Plan EJ 2014 will align with two other important EPA and federal government initiatives:

1. EPA's Community-Based Coordination Project is designed to improve the effectiveness of EPA's place-based community programs by improving management of information about EPA's programs, community access to EPA resources, targeting EPA's resources to communities most in need, and establishing a basis for coordinating this work with other federal agencies.
2. The Federal Interagency Working Group on Environmental Justice (EJ IWG) was established by EO 12898 in 1994 and reconvened in September 2010. The EJ IWG serves as a clearing house for guidance to and lessons learned by federal agencies on integrating environmental justice into their programs. The EJ IWG will also coordinate the development and implementation of interagency collaborative efforts.

2.3 Community Engagement and Stakeholder Outreach

Plan EJ 2014 also seeks to advance the Administrator's commitment to expanding the conversation on environmentalism to groups historically underrepresented in the environmental decision-making process. Our goals for stakeholder engagement are as follows:

- To work with champions to foster greater understanding of Plan EJ 2014's vision, priorities, and desired outcomes among all stakeholders, inside and outside the Agency.
- To obtain a broad range of stakeholder views in the development and implementation of Plan EJ 2014.
- To communicate Plan EJ 2014's vision, activities, results, and subsequent revisions to stakeholders, partners, and other audiences in a consistent and dynamic way.

- To facilitate the development of partnerships with and among EPA's stakeholders to achieve Plan EJ 2014's goals and translate them into lasting results.

Public input played a significant role in developing the elements of Plan EJ 2014. EPA convened multiple community forums and listening sessions in the process of developing Plan EJ 2014. It requested that the National Environmental Justice Advisory Council (NEJAC) provide recommendations on Plan EJ 2014. EPA, along with its federal partners, plans to continue conducting community listening sessions and stakeholder dialogues throughout the country. Each implementation plan workgroup is responsible for developing and carrying out a community engagement and stakeholder outreach plan. In addition, OCR plans to issue a Limited English Proficiency (LEP) Order by November 2011 to ensure that all EPA programs and activities meet federal LEP requirements.

2.4 Reporting

EPA has made a commitment to provide progress reports and update the implementation plans. To coincide with its Strategic Plan, EPA will issue annual reports on Plan EJ 2014 at the end of the fiscal year. Every October, OEJ will coordinate posting of reports on Plan EJ 2014. These documents will be available on EPA's website: www.epa.gov/environmentaljustice/plan-ej/index.html.

For information on Plan EJ 2014 and how to get involved, please contact Charles Lee, Deputy Associate Assistant Administrator for Environmental Justice, 202-564-2440, Lee.Charles@epa.gov.

3.0 CROSS-AGENCY FOCUS AREAS

This section provides summaries of Plan EJ 2014's five cross-Agency Focus Areas and their implementation plans. These areas involve issues related to rulemaking, permitting, enforcement, community-based action, and Administration-wide action.

3.1 Incorporating Environmental Justice into Rulemaking

Plan EJ 2014 calls upon EPA to develop and implement guidance to incorporate environmental justice into the fabric of its rulemaking process. EPA's authority to create and enforce regulations that put our nation's environmental laws into effect is one of the Agency's most important and powerful tools for protecting our environment and the health of our people. EPA's regulations cover a range of environmental and public health issues, from setting standards for clean water to controlling air pollution from industry and other sources. EPA's regulatory authority combined with the mandates of EO 12898 charge EPA with responsibility to ensure that, as we develop Agency actions, we consider environmental justice issues during the Agency's rulemaking process.

EPA achieved a significant milestone in incorporating environmental justice into its rulemaking process by issuing the *Interim Guidance on Incorporating Environmental Justice During the Development of an Action* (Environmental Justice in Rulemaking Guidance) in July 2010. This guidance calls upon Agency rule writers and decision makers to consider environmental justice throughout all phases of a rule's development – known as the Action Development Process (ADP) – from the point of its inception through all the stages leading to promulgation and implementation. EPA is also developing technical guidance to assist rule writers and decision makers in determining how to analyze and incorporate environmental justice in the Agency's rulemaking processes.

Implementation Plan Summary

Goal

To more effectively protect human health and the environment for overburdened populations by developing and implementing guidance to incorporate environmental justice into EPA's rulemaking process.

Strategies & Activities

Developing Environmental Justice Analysis for the Definition of Solid Waste Rule

After EPA finalized the 2008 Definition of Solid Waste (DSW) rule, the Agency committed to perform an expanded environmental justice analysis in response to concerns raised by citizens and other stakeholders about the rule's potential impact on communities. The EPA developed an innovative methodology that incorporated sound science and community engagement.

EPA began by soliciting input from the public through roundtables, conference calls, and webinars to get their thoughts on how to best conduct the analysis. The Agency identified potential hazards that may pose risks to communities from the recycling of hazardous secondary materials and the facilities that may take advantage of the 2008 DSW rule. The facility locations were then mapped against demographics of the surrounding communities. EPA synthesized the information and determined that certain population groups would be disproportionately impacted by the increased risk of adverse impacts under the 2008 DSW rule.

EPA incorporated these considerations in the revised proposed rule, signed June 30, 2011, to mitigate these potential adverse impacts, as allowed under applicable authorities. In addition, EPA has taken steps in implementing the DSW rule that also help mitigate these impacts. These steps include closely monitoring the facilities notifying under the rule, working with the states and EPA Regions to ensure they have the information they need to ensure compliance with the provisions of the rule, and making available to the public information about the facilities that have notified.

Strategy 1: *Finalize the Interim Guidance on Considering Environmental Justice During the Development of an Action.*

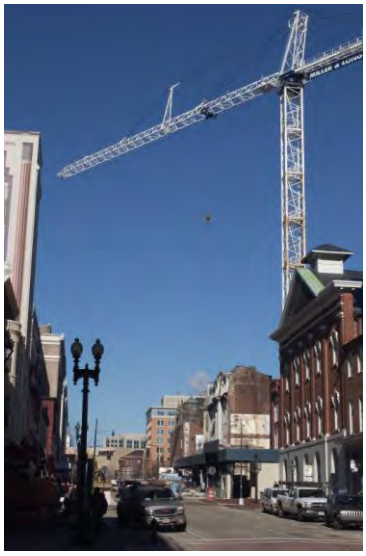
- Activity 1.1: Announce April closure of public comment period via Environmental Justice Listserv.
- Activity 1.2: Review internal and external comments provided during the Interim Final Guidance's implementation period.
- Activity 1.3: Review documents produced by and interview members of EPA rule writing workgroups.
- Activity 1.4: Revise and release Environmental Justice in Rulemaking Guidance document.

Strategy 2: *Facilitate and monitor implementation of guidance on incorporating environmental justice into rulemaking.*

- Activity 2.1: Distribute model training presentations to Agency and NPM and Region-specific regulation development and ADP trainers.
- Activity 2.2: Initiate a continuous learning effort to identify effective practices and lessons learned from the Agency's ongoing rulemaking efforts.
- Activity 2.3: Develop and commence implementing a monitoring scheme to assess the extent to which the guidance is being applied, the resources being devoted to its application, and the effect it is having on rulemaking decisions.

Strategy 3: *Develop technical guidance on how to conduct environmental justice assessments of rulemaking activities.*

- Activity 3.1: Establish a cross-Agency Environmental Justice Technical Guidance Workgroup.
- Activity 3.2: Tier the Environmental Justice Technical Guidance as a Tier 1 Action in the Action Development Process.
- Activity 3.3: Develop draft technical guidance on incorporating environmental justice in rulemaking.
- Activity 3.4: Conduct internal and external review of draft technical guidance on incorporating environmental justice in rulemaking.
- Activity 3.5: Develop and release final technical guidance on incorporating environmental justice in rulemaking.



3.2 Considering Environmental Justice in Permitting

Many federal environmental statutes rely heavily on permits to deliver the environmental protection results that are the goal of our federal environmental laws. These permits play a key role in providing effective protection of public health and the environment in communities. Building upon the Agency's efforts to incorporate environmental justice concerns in rules, Plan EJ 2014 calls upon EPA to consider environmental justice concerns during the permitting process. EPA will develop and implement tools to: (1) enhance the ability of overburdened communities to participate fully and meaningfully in the permitting process, and (2) assist permitting authorities to meaningfully address environmental justice issues in permitting decisions to the greatest extent practicable.

To achieve our goals, the Environmental Justice Permitting Initiative will "identify and develop tools to support the consideration of environmental justice during implementation of permitting programs" to reduce "exposures for those at the greatest risk," as stated in the FY 2011-2015 EPA Strategic Plan, Cross-Cutting Fundamental Strategy: Working for Environmental Justice and Children's Health.[8] Initially, the Agency will focus on EPA-issued permits that provide the best current opportunities for taking environmental justice concerns into consideration. In this way, EPA can make short-term progress and gain valuable lessons for subsequent efforts. In the long term, EPA will focus on permits issued pursuant to federal environmental laws (i.e., federal, state, or tribal) that enable the Agency to address the complex issue of cumulative impacts from exposure to multiple sources and existing conditions.

[8] U.S. Environmental Protection Agency, *FY 2011-2015 EPA Strategic Plan: Achieving Our Vision*, September 30, 2010. Available at: http://www.epa.gov/planandbudget/strategicplan.html.

Implementation Plan Summary

Goal

To enable overburdened communities to have full and meaningful access to the permitting process and to develop permits that address environmental justice issues to the greatest extent practicable under existing environmental laws.

Strategies

Strategy 1: *Develop tools that will enhance the ability of overburdened communities to participate fully and meaningfully in the permitting process.*

Strategy 2: *Concurrent with Strategy 1, develop tools and to assist permitting authorities to meaningfully address environmental justice in permitting decisions.*

Strategy 3: *Implement these tools at EPA and work with others to do the same.*

Activities

For each strategy, EPA will undertake the following activities:

Activity 1: Conduct initial internal research to begin to create a preliminary list of potential tools and finalize the implementation plan (March-June 2011, Completed).

- Activity 1.1: Conduct an initial literature review – including a review of previous NEJAC papers, publications and other recommendations – to identify an initial list of existing and needed tools.
- Activity 1.2: Convene a cross-Agency workgroup.
- Activity 1.3: Review and evaluate the permitting process for a minimum of three federal permits with environmental justice considerations to use as case studies to identify existing and needed tools. The workgroup reviewed the permitting process for three federal permits and will continue to review other permits to solicit lessons learned and guide our next steps.
- Activity 1.4: Coordinate overlapping strategies with other Plan EJ 2014 elements and consider integrating and leveraging activities between them.
- Activity 1.5: Issue the final implementation plan.

Conducting Public Participation to Develop Permitting Tools

The Environmental Justice and Permitting Initiative Workgroup (Workgroup) is exploring ways to enable overburdened communities to have full and meaningful access to the permitting process and to ensure that the Agency develops permits that address environmental justice issues to the greatest extent practicable. As part of this effort, the Workgroup is conducting extensive public outreach to identify best practices and needed tools, such as guidance, checklists, reports, case studies, mapping tools, and trainings. In June 2011, the Workgroup conducted listening sessions for a host of stakeholder groups, including state and local governments, business and industry, environmental groups, tribes, and community groups. One listening session was conducted entirely in Spanish.

The Workgroup repeatedly heard about the need for early and meaningful public engagement. Its members were impressed and inspired by the information they received about Connecticut, Illinois, and Pennsylvania's Enhanced/Environmental Justice Public Participation Policies. The Workgroup is drafting guidance to enhance the public participation process for EPA-issued permits and strongly encourages facilities to host pre-application meetings with local communities. The Workgroup's hope is that this guidance will be used across the EPA, as well as by other federal agencies and states in their respective permit processes.

Activity 2: Solicit initial existing and recommended tools from internal and external stakeholders.

Activity 3: Create an initial list of priority tools and corresponding deliverables for Year 1.

Activity 4: Develop, test, and finalize priority tools for EPA-issued permits.

- Activity 4.1: Develop priority tools that need to be developed, amend existing tools, and identify those ready for potential immediate use at EPA.
- Activity 4.2: Identify opportunities to test the draft tools through on-going permit activities.
- Activity 4.3: Solicit comments both internally and externally on the draft tools.
- Activity 4.4: Incorporate comments and finalize tools.

Activity 5: Determine the best format(s) or vehicle(s) to convey and implement the final tools (guidance, policy, rulemaking, etc.).

Activity 6: Create a more detailed timeline for FY 2012-2014 deliverables for the workgroup.

3.3 Advancing Environmental Justice through Compliance and Enforcement

EPA is committed to taking action to further ensure that our most overburdened communities are given particular consideration as we implement the Agency's enforcement and compliance program. Through Plan EJ 2014, the Office of Enforcement and Compliance Assurance (OECA) intends to focus and accelerate our efforts to identify, assess, and address environmental justice concerns in these communities when developing and implementing OECA's program strategies, civil and criminal enforcement activities, and compliance activities. Our goal for the next three years is to fully integrate consideration of environmental justice concerns into the planning and implementation of OECA's program strategies, case targeting strategies, and development of remedies in enforcement actions to benefit these communities. We also plan to accelerate our ongoing efforts to communicate more effectively with these communities about our enforcement actions and program activities. Through these efforts, we hope to further advance the Agency's environmental justice goals of fair treatment and meaningful involvement of communities.

Plan EJ 2014 calls upon EPA to accelerate its ongoing efforts to give full consideration to environmental justice issues when developing and implementing its enforcement program strategies. For example, OECA selected National Enforcement Initiatives for FY 2011-2013 that include taking action against sewer overflows, Concentrated Animal Feeding Operations (CAFO) that discharge manure to surface or ground waters, and facilities that emit excessive amounts of air toxics. These types of facilities

and pollution problems often have a disproportionate impact on minority, low-income, tribal, or indigenous communities. OECA and the regions, working with the U.S. Department of Justice (DOJ), are also pressing for remedies in enforcement cases that benefit communities overburdened by illegal pollution. OECA will also make additional efforts to provide information to overburdened communities about enforcement actions that affect those communities, and to provide meaningful opportunities for community input on the remedies sought in those enforcement actions.

Implementation Plan Summary

Enforcing the Clean Water Act

An EPA enforcement settlement in December 2010 requires that the Cleveland-area Northeast Ohio Regional Sewer District take steps to stop the flow of untreated sewage into local waterways and Lake Erie. Among other requirements, the District is required to take several specific steps to address concerns in overburdened communities. For example, the District must reduce pollutant discharges much more quickly in these areas.

In addition, several vacant lands will be transformed into green space and recreational areas to help capture storm water discharges, perhaps leading to increased property values and employment opportunities. Also, the District will operate a household hazardous waste collection center each month as a supplemental environmental project, providing local citizens with a place to properly dispose of used motor oil, paints, batteries, and other items that could otherwise end up in storm water discharges.

Goal

To fully integrate consideration of environmental justice concerns into the planning and implementation of OECA's program strategies, case targeting strategies, and development of remedies in enforcement actions to benefit overburdened communities over the next three years.

Strategies & Activities

Strategy 1: *Advance environmental justice goals through selection and implementation of National Enforcement Initiatives.*

- Activity 1.1: Selection of National Enforcement Initiatives for FY 2011-13.
- Activity 1.2: Implementation of National Enforcement Initiatives for FY 2011-13.
- Activity 1.3: Selection of National Enforcement Initiatives for FY 2014-16.

Strategy 2: *Advance environmental justice goals through targeting and development of compliance and enforcement actions.*

- Activity 2.1: Issue internal guidance requiring analysis and consideration of environmental justice in EPA's compliance and enforcement program.
- Activity 2.2: Review OECA's Enforcement Response Policies to determine whether any revisions are needed to ensure that environmental justice concerns are addressed in case development and resolution.
- Activity 2.3: Reevaluate use of the Environmental Justice Strategic Enforcement Assessment Tool (EJSEAT), as appropriate, in response to recommendations of the NEJAC and conclusions of the EPA Environmental Justice Screening Committee.
- Activity 2.4: Seek opportunities to advance environmental justice goals in implementing the Clean Water Act Action Plan.
- Activity 2.5: Seek opportunities to advance environmental justice goals in conducting the National Enforcement Strategy for Resource Recovery and Conservation Act (RCRA) Corrective Action.

- Activity 2.6: Improve compliance at federal facilities where violations may impact overburdened communities.
- Activity 2.7: Develop tools to track facilities with environmental justice concerns and report on enforcement actions that address environmental justice concerns.

Strategy 3: *Enhance use of enforcement and compliance tools to advance environmental justice goals in regional geographic initiatives to address the needs of overburdened communities.*

- Activity 3.1: Regions will include use of enforcement tools as part of integrated problem-solving strategies that are focused on particular geographic areas.
- Activity 3.2: Regions will include use of compliance assistance tools as part of integrated problem-solving strategies focused on particular geographic areas.

Strategy 4: *Seek appropriate remedies in enforcement actions to benefit overburdened communities and address environmental justice concerns.*

- Activity 4.1: Increase efforts to address environmental justice concerns through use of injunctive relief, including mitigation, and Supplemental Environmental Projects in civil enforcement actions, as appropriate.
- Activity 4.2: Increase efforts to benefit affected communities through use of community service and the Crime Victims' Rights Act in criminal actions.
- Activity 4.3: Look for opportunities to work with other federal agencies, state and local governments, and the business community to complement and leverage community benefits resulting from enforcement activities.

Strategy 5: *Enhance communication with affected communities and the public regarding environmental justice concerns and the distribution and benefits of enforcement actions, as appropriate.*

- Activity 5.1: Provide affected communities with information about enforcement actions and meaningful opportunities for input on potential environmental justice concerns and remedies to be implemented.
- Activity 5.2: Improve website information and other public information materials to explain EPA's site cleanup enforcement processes.
- Activity 5.3: Enhance communication of the environmental justice benefits of EPA's enforcement actions.

3.4 Supporting Community-Based Action Programs

The Agency has learned that communities must be the driver for local solutions. However, far too many communities lack the capacity to truly affect environmental conditions. As a result, many low-income, minority, tribal, and indigenous communities continue to live in the shadows of the worst pollution and face some of the harshest impacts. Consequently, EPA has implemented numerous programs to support community empowerment and provide benefits that range from basic educational and

leadership development to comprehensive approaches. These include financial assistance programs such as Environmental Justice, Community Action for a Renewed Environment (CARE), Brownfields Area-Wide Planning, Lead, and Tribal grants, as well as community-based programs such as EPA's Local Climate and Energy, Childhood Asthma, Sustainable Communities and Smart Growth, Urban Waters, Superfund, and Brownfields programs.

EPA's ten regions play a leading role in implementing these programs. Plan EJ 2014 builds upon an Agency effort to improve the effectiveness of EPA's community-based programs through better information access, coordination, and leveraging. EPA will build upon and leverage Agency efforts to promote greater coordination in the use of programs and tools that support community empowerment. Through these efforts, EPA will make the Agency's resources more accessible to underserved communities, while achieving greater internal efficiency through feedback and better understanding of how to implement community-based programs. This approach will result in environmental, health, and economic improvements in such communities.

Implementation Plan Summary

Goal

To strengthen community-based programs to engage overburdened communities and build partnerships that promote healthy, sustainable, and green communities.

Strategies & Activities

Promoting Area-Wide Strategies for Brownfields Redevelopment and Community Revitalization

EPA is piloting an area-wide planning approach to brownfields in 23 communities nationwide, recognizing that revitalization of the area surrounding a brownfield is just as critical to the successful reuse of the property as site assessment, cleanup, and redevelopment. Each community will receive up to $175K in grants and technical assistance. The pilot program will help further community-based partnership efforts within underserved or economically disadvantaged neighborhoods by confronting local environmental and public health challenges related to brownfields, while creating a planning framework to advance economic development and job creation.

As one example, the Ironbound Community Corporation in Newark, New Jersey, is building upon existing revitalization and redevelopment efforts to develop an area-wide plan to create sustainable recreational and mixed-use development in an area with 100 brownfields. This community is home to over 50,000 residents and contains the remnants of a once vibrant economy, anchored by a large brewery that closed in the 1970s, leaving behind contaminated sites and deteriorating infrastructure. The area is economically distressed with the poverty rate as high as 55 percent.

Strategy 1: *Advance environmental justice principles by building strong state and tribal partnerships through the National Environmental Performance Partnership System (NEPPS) and National Program Manager (NPM) guidance.*

- Activity 1: Create a workgroup to provide recommendations that mutually support community involvement, resource/data sharing, monitoring/tracking, and training within programs implemented through performance partnership agreements, tribal agreements, and work plans guided by NEPPS and NPM documents.
- Activity 2: Develop language for environmental justice principles including Title VI guidance (as appropriate with all Agency grants) for inclusion in the FY 2013 NEPPS and FY 2012 NPM guidance through collaboration and discussions with Office of Congressional and Intergovernmental Affairs (OCIR), Office of Civil Rights (OCR), Regional Offices and States.

Strategy 2: *Identify scalable and replicable elements of successful Agency community-based programs and align multiple EPA programs to more fully address the needs of overburdened communities.*

- Activity 3: Review Agency and key outside community-based programs, and existing evaluations of select Agency programs, to identify scalable and replicable program elements which encourage place-based solutions to environmental justice issues, strengthen and promote partnerships, and support healthy and sustainable communities.
- Activity 4: Make recommendations on how EPA can align its community-based work, particularly in EPA's regions to more fully address the needs of overburdened communities.

Strategy 3: *Promote an integrated One EPA presence to better engage communities in the Agency's work to protect human health and the environment.*

- Activity 5: Target three approaches to promote an integrated One EPA presence where EPA will find the best solution by working in a consistent and unified way.

Strategy 4: *Foster community-based programs modeled on the Community Action for a Renewed Environment (CARE) principles.*

- Activity 6: Develop a community-based partners (CBP) program to create opportunities in undeserved and overburdened neighborhoods for collaborating with private industry, foundations, and other institutions to implement the CARE model.
- Activity 7: Develop a CBP program that caters to grassroots or emerging community groups with little to no organizational and/or technical capacity.
- Activity 8: Identify technical assistance resources, program staff, and regional staff available to aid overburdened communities with issues related to their areas of expertise.

Strategy 5: *Explore how EPA funding, policies and programs can inform or help decision makers to maximize benefits and minimize adverse impacts from land use decision making, planning, siting, and permitting.*

- Activity 9: Establish a workgroup and seek stakeholder feedback to explore ways the Agency's work intersects with land use decision making, planning, siting, and permitting.

Strategy 6: *Promote equitable development opportunities for all communities.*

- Activity 10: Promote equitable development opportunities.

3.5 Fostering Administration-Wide Action on Environmental Justice

Everyone in America deserves to live, learn, and work in a healthy and sustainable community. EPA seeks to facilitate the active involvement of all federal agencies in ensuring healthy, sustainable and green communities, as well as equitable development, for all people. To better achieve this goal, EPA is leading the Administration's effort to fully implement EO 12898. As each agency reinvigorates its effort to make environmental justice part of its mission, EPA will focus on helping each agency participate in a coordinated approach that acknowledges the disproportionately high and adverse human health and environmental impacts on overburdened communities, while providing access to the environmental, public health, and economic benefits that Agency programs provide. A coordinated and holistic approach is essential to ensuring that we address the full scope of adverse human health and environmental effects in overburdened communities, legacy pollution problems rooted in historical discrimination, and cumulative impacts; and ensure that all communities participate in, and benefit from, the transition to a clean energy economy.

EO 12898 also called for the establishment of an Interagency Working Group on Environmental Justice (EJ IWG), which is chaired by the EPA Administrator. EPA worked the White House Council on Environmental Quality (CEQ) to reconvene the IWG in September 2010. In addition, EPA has a number of federal partnerships established and initiatives underway that support a holistic approach to addressing the environmental, social, and economic burdens that impact communities. For example, EPA, the U.S. Department of Housing and Urban Development, and the U.S. Department of Transportation joined together to form the Partnership for Sustainable Communities, an unprecedented agreement to coordinate federal housing, transportation, and environmental investments; protect public health and the environment; promote equitable development; and help address the challenges of climate change. All federal agencies are responsible for considering environmental justice issues in National Environmental Policy Act (NEPA) environmental impact assessments and enforcing Title VI of the Civil Rights Act.

Implementation Plan Summary

Goal

To facilitate the active involvement of all federal agencies in implementing EO 12898 by minimizing and mitigating disproportionate negative impacts while fostering environmental, public health, and economic benefits for overburdened communities.

Strategies & Activities

Strategy 1: *Assist other federal agencies to integrate environmental justice in their missions, programs, policies, and activities.*

- Activity 1.1: Chair and convene EJ IWG Principal, Deputy, and Senior Staff meetings.
- Activity 1.2: Chair, assist, and oversee each agency's effort to update or develop its environmental justice strategy.
- Activity 1.3: Lead the effort to organize regional events.
- Activity 1.4: Develop and provide tools that help environmental justice and other stakeholders identify federal information and resources.
- Activity 1.5: Convene a group of senior attorneys from across the federal government to promote the integration of environmental justice into their agencies' actions.

HUD-DOT-EPA Interagency Partnership for Sustainable Communities

The Partnership for Sustainable Communities is supporting an Environmental Justice Showcase Communities project in Jacksonville, Florida. This EPA program convenes federal agencies, state and local government entities, non-governmental organizations, and other stakeholders to help underserved communities shape their neighborhoods' futures with comprehensive, locally appropriate solutions.

The agencies and stakeholders will support the local partners as they establish a community health center on a cleaned-up brownfield site close to parks, community gardens, and other amenities. The area has several Superfund and brownfield sites and high rates of heart disease, cancer, diabetes, asthma, and infant mortality. The health center will work in partnership with historically black colleges and universities to provide training for health care jobs and offer educational programs on healthy living. The lessons learned through this and other Environmental Justice Showcase Communities pilots will help the Partnership better use its resources to help underserved communities build more sustainable neighborhoods with better access to opportunities; improved services and amenities; and healthier places to live, work, and play.

Strategy 2: *Work with other federal agencies to strengthen use of interagency legal tools, i.e., National Environmental Policy Act (NEPA) and Title VI of the Civil Rights Act of 1964.*

National Environmental Policy Act

- Activity 2.1: Articulate a consistent message about the need to incorporate environmental justice into NEPA implementation.
- Activity 2.2: Enable federal NEPA practitioners to enhance consideration and execution of environmental justice requirements in NEPA implementation.

Title VI of the Civil Rights Act of 1964

- Activity 2.3: Consult with DOJ to strengthen the use of Title VI of the Civil Rights Act of 1964 by reevaluating the approach for analyzing Title VI complaints.
- Activity 2.4: Collaborate with DOJ and within EPA, to develop compliance strategies and actions to address non-compliance.

Strategy 3: *Foster healthy and sustainable communities, with an emphasis on equitable development and place-based initiatives.*

- Activity 3.1: Recommend ways to enhance federal interagency coordination in support of healthy and sustainable communities as well as equitable development, in areas such as:
  - Green Jobs and Clean Energy.
  - Healthy and Sustainable Communities.
  - Climate Change and Adaptation.
  - Goods Movement.

Strategy 4: *Strengthen community access to federal agencies.*

- Activity 4.1: Conduct community needs inventory pilot.
- Activity 4.2: Identify targeted training for communities.
- Activity 4.3: Review results of Federal Partners Meeting.
- Activity 4.4: Coordinate with Agency community-based coordination efforts.

4.0 TOOLS DEVELOPMENT AREAS

This section provides summaries of Plan EJ 2014's Tools Development Areas and their implementation plans. These areas involve issues related to science, law, information, and resources.

4.1 Science

Building Scientific Capacity Among Tribal Environmental Professionals

EPA has a long history of supporting capacity building among tribal environmental professionals, primarily through its partnership with the Institute for Tribal Environmental Professionals (ITEP) at Northern Arizona University. The Office of Air and Radiation (OAR) has supported this project for over 15 years. Consistent with our trust responsibility to tribes, OAR works with Tribes to increase their capability to address their environmental concerns. OAR supports the training and educational efforts of ITEP in the areas of air quality and climate change impacts and adaptation planning, as well as the work of the Tribal Air Monitoring Support (TAMS) Center, which builds and strengthens the technical capacity of tribal staff. The TAMS Center cross-trains tribal air professionals on air monitoring, indoor air quality, radon and asthma. EPA is building on this model to develop an Environmental Justice Community Learning Center.

Under Plan EJ 2014, EPA has committed to building a strong scientific foundation for supporting environmental justice and conducting disproportionate impact analysis, particularly methods to appropriately characterize and assess cumulative impacts. These efforts will help to ensure that EPA brings the best science to decision making around environmental justice issues. The science and research activities described in Plan EJ 2014 build upon discussions and recommendations from EPA's Science of Disproportionate Impacts Analysis Symposium (March 17-19, 2010) and an Environmental Justice Regulatory Analysis Technical Workshop (June 9-10, 2010). The March 2010 Symposium was the principal event for the Agency to identify science needs for environmental justice and stimulate innovative research to meet those needs.

Implementation Plan Summary

Goal

To substantially support and conduct research that employs participatory principles and integrates social and physical sciences aimed at understanding and illuminating solutions to environmental and health inequalities among overburdened populations and communities in the United States.

Strategies & Activities

Strategy 1: *Apply integrated transdisciplinary and community-based participatory research approaches with a focus on addressing multi-media, cumulative impacts, and equity in environmental health and environmental conditions.*

- Activity 1.1: Establish an Integrated Transdisciplinary Office of Research and Development (ORD) Research Program on Environment and Community Health, including the Sustainable and Healthy Communities Research Program.
- Activity 1.2: Develop technical guidance, analytic methods, tools and data to advance the integration of environmental justice in EPA decision making.

Strategy 2: *Incorporate perspectives from community-based organizations and community leaders into EPA research agendas and engage in collaborative partnerships on science and research to address environmental justice.*

- Activity 2.1: Establish a Community Engagement Initiative.
- Activity 2.2: Re-engage with the NEJAC.
- Activity 2.3: Support Community-Based Participatory Research (CBPR).

Strategy 3: *Leverage partnerships with other federal agencies on issues of research, policy and action to address environmental and health disparities.*

- Activity 3.1: Join the Federal Collaboration on Health Disparities.
- Activity 3.2: Engage with President's Task Force on Environmental Health Risks and Safety Risks to Children.

Strategy 4: *Build and strengthen the technical capacity of Agency scientists on conducting research and related science activities in partnership with impacted communities and translating research results to inform change.*

- Activity 4.1: Provide training to EPA scientists on CBPR.
- Activity 4.2: Build social science capacity within ORD.
- Activity 4.3: Develop Environmental Justice Risk Management Training for the Office of Pesticide Programs (OPP).

Strategy 5: *Build and strengthen technical capacity of community-based organizations and community environmental justice and health leaders to address environmental health disparities and environmental sustainability issues.*

- Activity 5.1: Build community capacity to address asthma disparities.
- Activity 5.2: Build tribal community capacity to monitor air quality.
- Activity 5.3: Increase citizen participation in science and decisions.
- Activity 5.4: Establish Centers of Excellence on Environment and Health Disparities.
- Activity 5.5: Build diverse environmental workforce and enhance the capacities of Minority Academic Institutions (MAI) to engage in scientific research and workforce training.

4.2 Law

The Office of General Counsel (OGC) is working with the programs and regions to identify opportunities to utilize EPA's statutory authorities to advance environmental justice. Our vision is that the Agency will use law as a tool to advance environmental justice. OGC's advice will help EPA to implement forward-leaning environmental justice policies with acceptable legal risk and to identify new opportunities to promote their environmental justice policy objectives.

Implementation Plan Summary

Using the National Environmental Policy Act to Address Environmental Justice

The National Environmental Policy Act (NEPA) is an important tool that can be used to advance the goals of environmental justice. A 1994 Executive Order requires that all federal agencies identify and address disproportionately high and adverse human health or environmental impacts on minority, low-income and tribal populations. In April 2011, the Assistant Administrator of the EPA's Office of Enforcement and Compliance Assurance reemphasized those requirements in a memo urging EPA offices across the country to enhance efforts to consider environmental justice in fulfilling their NEPA responsibilities.

EPA is required to review all Environmental Impact Statements (EIS) drafted by federal agencies and to make those reviews public, as mandated under Section 309 of the Clean Air Act. This review responsibility puts the EPA in a unique position to monitor how well Federal agencies comply with the Executive Order. Furthermore, the Presidential memo that transmitted the Executive Order states that the EPA, "shall ensure that the involved agency has fully analyzed environmental effects on minority communities and low-income communities, including human health, social, and economic effects."

Goal

To provide legal assistance to EPA policy makers and other Agency decision makers to advance their environmental justice objectives and achieve the Agency's vision of using the law as a tool to advance environmental justice.

Strategy

OGC will accomplish its goal of providing legal assistance to EPA policy makers and other Agency decision makers to advance their environmental justice objectives by providing legal support to each cross-Agency Focus Area workgroup. OGC's activities will promote a sound legal framework for the tools and programs developed by the five focus area workgroups. OGC will conduct this activity contemporaneously with the work of the five cross-Agency Focus Areas.

Activities

- Activity 1: Counseling attorneys will serve as workgroup members for each cross-Agency Focus Area; these attorneys are drawn from OGC and the Offices of Regional Counsel (ORC).
- Activity 2: Regional Counsels and OGC Associate General Counsels will convene regularly to identify legal issues and develop advice in support of the five focus areas.
- Activity 3: The EPA's General Counsel will provide active oversight, direction, and decision making on all aspects of this initiative, in consultation with EPA's Senior Leadership.
- Activity 4: OGC will convene a group of senior attorneys from across the federal government to promote the integration of environmental justice into their agencies' actions.

4.3 Information

EPA's programs and regions have developed a variety of internal screening tools and other Geographic Information System (GIS) applications to enhance environmental justice analysis and decision making to better meet our responsibilities to protect public health under EO 12898. These applications have played an important role as the Agency worked to integrate environmental justice into its programs, policies and activities.

Under Plan EJ 2014, EPA is focused in an Agency-wide effort to develop a nationally consistent environmental justice screening tool. In addition, EPA is developing a suite of tools, data and services known as EPA's GeoPlatform that will help coordinate and consolidate mapping activities, applications, and data across the Agency. The GeoPlatform will support a wide variety of uses across the Agency, including components of the nationally consistent environmental justice screening tool, and other data and applications that may be of interest to environmental justice stakeholders.

Tools to Identify Overburdened Populations During the BP Oil Spill Response

The dynamic nature of the BP oil spill has been a challenge for a range of communities along the Gulf – from hotel operators to fishermen to local community leaders. During cleanup activities, EPA and other agencies used a variety of Geographic Information Systems (GIS) tools to collect information, including EJView and GeoPlatform.gov/gulfresponse. EPA developed EJView, a public mapping tool, to get a snapshot of environmental, health, and other social factors that were affecting local communities. GeoPlatform.gov/gulfresponse, an online tool developed by the National Oceanic and Atmospheric Administration, EPA, the U.S. Coast Guard, and the U.S. Department of Interior, was used to gather close to real time information about the response effort. These tools were used to identify locations of overburdened communities in comparison to areas of waste disposal, pinpoint locations where oil had reached the shore, and identify locations of community centers where people could get assistance.

Implementation Plan Summary

Goal

To develop a more integrated, comprehensive, efficient, and nationally consistent approach for collecting, maintaining, and using geospatial information relevant to overburdened communities. EPA will accomplish this by: (1) developing a common Agency-wide mapping platform – the GeoPlatform, (2) creating a nationally consistent environmental justice screening tool, and (3) incorporating appropriate elements of the screening tool into the GeoPlatform.

Strategies & Activities

Strategy 1: *Develop EPA's GeoPlatform.*

- Activity 1: Develop prototype of the EPA Environmental Analyst for review.
- Activity 2: Develop production release of the EPA Environmental Analyst.
- Activity 3: Develop production release of the EPA GeoPlatform (including initial data services) for use by Environmental Analyst and other GeoPlatform components.

Strategy 2: *Develop a nationally consistent environmental justice screening tool.*

- Activity 1: Hold regular staff workgroup and project steering committee meetings.
- Activity 2: Develop a set of options to present to Senior Agency Officials.
- Activity 3: Create a working prototype of screening tool.
- Activity 4: Update the NEJAC on progress.
- Activity 5: Obtain peer review and public comment on a prototype tool.
- Activity 6: Revise the tool based on comments.

Strategy 3: *Incorporate appropriate elements of the screening tool into the GeoPlatform.*

- Activity 1: Review screening tool data, methods, and requirements to determine which portions may be appropriate to include in the GeoPlatform.
- Activity 2: Incorporate appropriate elements of the prototype screening tool into the GeoPlatform.
- Activity 3: Revise GeoPlatform elements of the tool to be consistent with changes made to the prototype tool in response to peer review and public comments on screening tool.

4.4 Resources

Under Plan EJ 2014, the Office of Administration and Resource Management (OARM) focuses on two components: (1) grants and technical assistance to support community-based programs, and (2) workforce diversity. With respect to grants and technical assistance, OARM seeks to develop an efficient and effective system for delivering financial and technical assistance to communities to empower them to improve their health and environment. OARM's efforts advance the Administrator's priority of Expanding the Conversation on Environmentalism and Working for Environmental Justice by establishing a new paradigm for the delivery of EPA assistance to minority, low-income, tribal, and indigenous peoples to promote equitable development and create healthy and sustainable neighborhoods. It also responds to the cross-Agency Focus Area under Plan EJ 2014 of Supporting Community-Based Action Programs. With respect to workforce diversity, OARM seeks to achieve an inclusive work environment by developing an efficient system for the outreach and recruitment of potential employees. When EPA recruits and retains an inclusive workforce — one that looks like the America it serves — and individual differences are respected, appreciated, and valued, diversity becomes an organizational strength that contributes to achieving results.

Implementation Plan Summary

Grants and Technical Assistance Goal

To develop an efficient and effective system for delivering financial and technical assistance to communities to empower them to improve their health and environment.

Strategies & Activities

Strategy 1: *Increase transparency and efficiency in providing community-based grant opportunities.*

- Activity 1.1: Draft recommendations for improving community group access to EPA grant programs to be presented to Executive Management Committee (EMC).
- Activity 1.2: Solicit informal feedback from communities (e.g., CARE Program workshops).
- Activity 1.3: Conduct outreach to Regions and NPMs via conference calls and sharing of drafts.

Community Action for a Renewed Environment Grant Program

The Community Action for a Renewed Environment (CARE) program is a competitive grant program that provides on-the-ground support and funding to help revitalize and improve the health of communities in sustainable ways. Through CARE, various local organizations, including non-profits, businesses, schools and governments, create partnerships that create and implement consensus-based local solutions to reduce releases of pollutants and minimize people's exposure to them. Through CARE, community leaders develop expertise in sustaining partnerships and addressing environmental issues, providing a strong basis for continued future action as other environmental threats emerge in the community. Since 2005, CARE has provided over $14.5 million in financial assistance to 80 communities in 39 states and territories. CARE offers two levels of financial assistance, up to $100,000 for Level I and up to $300,000 for Level II grants.

Strategy 2: *Improve delivery of technical assistance to communities.*

- Activity 2.1: Develop Technical Assistance Center approach.
- Activity 2.2: Draft preliminary options to be presented to the EMC.
- Activity 2.3: Obtain senior management guidance on initial concepts before obtaining informal feedback from communities.
- Activity 2.4: Conduct outreach to Regions and NPMs via conference calls and sharing of drafts.

Strategy 3: *Strengthen grants training for communities.*

- Activity 3.1: Create umbrella, basic on-line grants training for communities, environmental justice-specific on-line training, and program-specific training (e.g., CARE, Urban Waters).
- Activity 3.2: Develop training modules.
- Activity 3.3: Obtain informal community feedback as modules developed.
- Activity 3.4: Conduct outreach to the EPA grants management community by providing opportunities for review of draft training scripts.

Strategy 4: *Improve community awareness of grant competition process.*

- Activity 4.1: Develop and implement appropriate grant competition tools (e.g., listservs, webinars).
- Activity 4.2: Obtain informal community input through Regional/Headquarter websites.
- Activity 4.3: Work with region and NPMs to develop and implement tools.

Strategy 5: *Revise grant policies that are unduly restrictive.*

- Activity 5.1: Revise Delegation 1-86 and indirect cost rate policies for environmental justice grants.
- Activity 5.2: Establish simplified Indirect Cost Rate (ICR) policy.
- Activity 5.3: Obtain informal community feedback once draft ICR policy developed.
- Activity 5.4: Conduct outreach to regions and NPMs by providing opportunity to comment on draft policy issuance.
- Activity 5.5: Explore simplification of other policies.

Strategy 6: *Encourage Office of General Counsel/Office of Regional Counsel/Program Office dialogue on community-based grant opportunities.*

- Activity 6.1: Conduct periodic OGC/ORC/Office of Environmental Justice (OEJ) meetings and OGC guidance on scope of community-based grant authorities.
- Activity 6.2: Obtain OGC legal guidance on scope of grant authorities.
- Activity 6.3: Coordinate discussions with larger OGC effort on existing legal authorities.

Strategy 7: *Improve timeliness of Brownfields Grant Awards.*

- Activity 7.1: Draft recommendations for consistent Brownfields award times.

Workforce Diversity Goal

To achieve an inclusive work environment by developing an efficient system for the outreach and recruitment of potential employees.

Strategies

Strategy 1: *Increase the diverse pool of qualified applicants.*

Strategy 2: *Operate under a One EPA approach for recruitment and outreach.*

Activities

- Activity 1: Design an efficient Agency-wide outreach strategy.
- Activity 2: Develop effective marketing materials and strategy.
- Activity 3: Develop a National Conference Toolkit.
- Activity 4: Develop a National Outreach Calendar.

5.0 PROGRAM INITIATIVES

As indicated earlier, there are many programs at EPA that actively pursue environmental justice goals or produce benefits for overburdened communities. Examples of such initiatives include: Community Engagement Initiative (Office of Solid Waste and Emergency Response), Urban Waters (Office of Water), National Enforcement Initiatives (OECA), Air Toxics Rules (OAR), and the U.S. Mexico Border Program (Office of International and Tribal Affairs). Over the next year, EPA will designate at least one initiative per appropriate program for inclusion in Plan EJ 2014. In this way, many existing EPA initiatives can be tailored to better integrate environmental justice into their programs and produce greater benefits for overburdened communities. The identified initiatives may include those developed to implement the Administrator's other priorities.

6.0 CIVIL RIGHTS

One effort already under way is implementing Administrator Jackson's priority to improve EPA's civil rights program. Complying with EPA's statutory civil rights obligations is a critical part of our efforts to advance environmental justice. Administrator Jackson has made improving EPA's civil rights program a priority. As part of this effort, EPA is pursuing long overdue, vigorous, robust, and effective implementation of Title VI of the Civil Rights Act of 1964 and other nondiscrimination statutes. EPA is committed to protecting people from discrimination based on race, color, or national origin in programs or activities that receive EPA's financial assistance. In June 2011, the Administrator convened a workgroup of senior management to assess OCR and EPA's overarching civil right program. The workgroup is charged with making recommendations to advance civil rights. The workgroup will look at revamping the civil rights office, pursuing effective and timely responses to complaints, and developing proactive compliance guidance and strategies. As the recommendations are adopted, the agency will develop implementation plans, take public comment and finalize the plans as part of EPA's annual work plans under Plan EJ 2014.

7.0 CONCLUSION

Plan EJ 2014 is EPA's roadmap for integrating environmental justice and civil rights into its programs, policies, and activities. Through Plan EJ 2014, EPA intends to develop a suite of tools to advance such integration. It seeks to build stronger relationships with communities overburdened by environmental and health hazards and build partnerships that improve conditions in such communities. In 2014, EPA will make an assessment of its progress in achieving the goals of Plan EJ 2014. Based on this assessment, EPA will produce a report on the accomplishments, lessons learned, challenges, and next steps for continuing the Agency's efforts to make environmental justice an integral part of every decision.

APPENDIX
Plan EJ 2014 Implementation Plans

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1. Incorporating Environmental Justice into Rulemaking

September 2011

Led by
Office of Chemical Safety and Pollution Prevention,
Office of Policy, Office of Research and Development,
Office of Environmental Justice, and Region 9

U.S. Environmental Protection Agency
Washington, D.C. 20460

Goals At-A-Glance

To more effectively protect human health and the environment for overburdened populations by developing and implementing guidance on incorporating environmental justice into EPA's rulemaking process.

1.0 INTRODUCTION

Dirty air, polluted water, and contaminated land have significant effects on the health and economic possibilities of the people who live in overburdened communities. Administrator Jackson has called on the U.S. Environmental Protection Agency (EPA) to develop policies that have a measurable effect on the health and environment of overburdened populations and communities. The *Interim Guidance on Considering Environmental Justice During the Development of an Action* (Environmental Justice in Rulemaking Guidance) and the associated development of technical guidance for rulemaking activities, (Environmental Justice Technical Guidance), are important tools for answering that call.

1.1 Goals

The goal of this implementation plan is to more effectively protect human health and the environment for overburdened populations by developing and implementing guidance for incorporating environmental justice into EPA's rulemaking process. Specifically, this implementation plan will:

- Elevate the interim *Environmental Justice in Rulemaking* on the procedural aspects of environmental justice in rulemaking to final status.
- Establish and commence mechanisms to facilitate and monitor implementation by National Program Managers (NPMs) and regional offices of the Environmental Justice in Rulemaking Guidance to maximize its effectiveness. NPMs lead the major EPA offices that are responsible for developing regulations protecting air, water, land, and ensuring chemical safety. EPA's regional offices also develop some lower tier regulations and, therefore, also need to implement the guidance.
- Develop technical guidance on how to conduct environmental justice assessments of rulemaking activities within analytical and decision-making frameworks used by EPA to support regulatory development (e.g., exposure assessment, benefit-cost analysis).

Successful implementation of this plan will significantly advance the Agency's commitment to the goals of environmental justice in EPA's rulemaking work to protect human health and the environment. Issuing the Environmental Justice in Rulemaking Guidance as an interim final document in July 2010 represented a historic accomplishment, conveying EPA's commitment to consider environmental justice concerns in the rulemaking process for the first time in EPA's history. It represents one of the Agency's most important and publically visible endeavors. The Environmental Justice in Rulemaking Guidance provides specific, detailed instructions for steps that should be taken procedurally to fulfill this commitment through EPA's rule writing process, formally known as the Action Development Process (ADP). It provides information to rule writers on when during the ADP to consider environmental justice, as well as the

types of questions to ask. It outlines multiple steps that every EPA program office can take to incorporate the needs of overburdened populations and communities into its decision making, scientific analysis, and rule development. Complementary to the Environmental Justice in Rulemaking Guidance is the Environmental Justice Technical Guidance. This guidance will provide technical direction to EPA analysts to aid them in incorporating environmental justice into the development of risk assessment, economic analysis, and other scientific input and policy choices during the development of a rule.

1.2 Organizational Structure

Distinct organizational structures are being employed under each goal of this implementation plan:

- **Leadership** for finalizing the Environmental Justice in Rulemaking Guidance is being provided by the Office of Chemical Safety and Pollution Prevention (OCSPP), which has reconvened the Agency-wide Environmental Justice in Rulemaking Workgroup and its Process Guidance Subgroup. The final guidance documents developed by the workgroup, and associated issues requiring senior management attention, are raised first with the Principals for this effort – the Deputy Assistant Administrators (DAAs) or Deputy Regional Administrators (DRAs) for OCSPP, Office of Policy (OP), Office of Enforcement and Compliance Assurance (OECA), Region 9; and the Associate Assistant Administrator for Environmental Justice – and then elevated to the Environmental Justice Committee (EJC) and the Executive Management Council (EMC) prior to being presented to the Administrator for final approval.
- **An Executive Steering Committee (ESC)** comprised of senior executives from OCSPP, OP, OECA, the Office of Environmental Justice (OEJ), the Office of Research and Development (ORD), the Office of Air and Radiation (OAR), the Office of Water (OW), the Office of Solid Waste and Emergency Response (OSWER), and Region 9; along with the Associate Assistant Administrator for Environmental Justice, will oversee the implementation, facilitation, and monitoring efforts. Those efforts are expected to continue after the guidance documents are finalized to promote continuous learning and improvement and to ensure effective implementation.
- **The Environmental Justice Technical Guidance** is being developed as a Tier 1 action under the ADP by an Agency-wide workgroup chaired by OP, OEJ, and ORD. As a Tier 1 action, the Administrator or her designee is the decision maker at each stage of the ADP.[9] This workgroup is a subcommittee of the Environmental Justice in Rulemaking Workgroup.

[9] EPA's regulatory development process utilizes a system of "tiering" to prioritize actions in terms of their potential for large and multimedia effects and ensures early involvement of key Agency personnel. Each regulatory action is assigned one of three tiers. Tier 1 denotes the Administrator's Priority Actions, which are the few top actions that demand ongoing involvement of the Administrator and extensive involvement of Assistant Administrators and Regional Administrators across the Agency.

2.0 IMPLEMENTATION

2.1 Strategies

Strategies to achieve the goals of this plan are specific to each goal:

Strategy 1: *Finalize the Interim Guidance on Considering Environmental Justice During the Development of an Action.*

- Assess internal and external comments provided on the interim Environmental Justice in Rulemaking Guidance through Agency websites.
- Evaluate documents produced by rule-writing workgroups since the Interim Guidance was released to assess the extent to which the guidance is being addressed and its effect on EPA's rulemaking decisions.
- Interview members of rule-writing workgroups, their supervisors, and their senior managers to assess the clarity and usefulness of the guidance and the burdens associated with its implementation; and obtain suggestions for improvement.
- Revise the Environmental Justice in Rulemaking Guidance for presentation to and approval by the EMC, its EJC, and the Administrator.

Strategy 2: *Facilitate and monitor implementation of guidance on incorporating environmental justice in rulemaking.*

- Work with the National Program Managers (NPM) and regions, which are primarily responsible for incorporating environmental justice in their own rulemaking efforts.
- Provide training to rule-writing teams, their managers, and decision makers.
- Initiate a continuous learning effort to identify effective practices and lessons learned from the NPMs' ongoing rulemaking efforts.
- Develop and commence implementing a monitoring scheme to assess the extent to which the guidance is being applied, the resources being devoted to its application, and the effect it is having on rulemaking decisions.

Strategy 3: *Develop technical guidance on how to conduct environmental justice assessments of rulemaking activities.*

- Develop draft technical guidance through an Agency-wide ADP workgroup.
- Establish and conduct a peer consultation on the Draft Environmental Justice Technical Guidance with a special panel of EPA's Science Advisory Board (SAB).

- Execute an outreach strategy to obtain internal and external comments on the Draft Environmental Justice Technical Guidance.
- Incorporate SAB, EPA, and external comments in developing the Final Environmental Justice Technical Guidance for approval by the Administrator.

2.2 Activities

The following activities are intended to carry out the strategies identified for this implementation plan.

Strategy 1: *Finalize the Interim Guidance on Considering Environmental Justice During the Development of an Action.*

- Activity 1.1: Announce April closure of public comment period via the Environmental Justice listserv.
  - Time Frame: Completed in April 2011.
- Activity 1.2: Review internal and external comments provided during the implementation period when the guidance is in interim status.
  - Time Frame: July 2011.
- Activity 1.3: Review documents produced by and interview members of the EPA rule-writing workgroups.
  - Time Frame: October 2011.
- Activity 1.4: Revise and release Final Environmental Justice Rulemaking Guidance document.
  - Time Frame:
    - ✓ Draft to OCSPP, OP, and OAR Principals by end of October 2011.
    - ✓ Draft to EJC by mid-November 2011.
    - ✓ Draft to ESC by end of November 2011.
    - ✓ Draft to Administrator by mid-December 2011.
    - ✓ Release by end of December 2011.

Strategy 2: *Facilitate and monitor implementation of guidance on incorporating environmental justice into rulemaking.*

- Activity 2.1: Distribute model training presentations to Agency, NPM, and region-specific regulation development and ADP trainers.
  - Time Frame: June 2011.
- Activity 2.2: Initiate a continuous learning effort to identify effective practices and lessons learned from the Agency's ongoing rulemaking efforts.
  - Time Frame: September 2011.
- Activity 2.3: Develop and commence implementing a monitoring scheme to assess the extent to which the guidance is being applied, the resources being devoted to its application, and the effect it is having on rulemaking decisions.
  - Time Frame: December 2011.

Strategy 3: *Develop technical guidance on how to conduct environmental justice assessments of rulemaking activities.*

- Activity 3.1: Establish a cross-Agency Environmental Justice Technical Guidance Workgroup.
  - Time Frame: Completed in February 2010.
- Activity 3.2: Tier the Environmental Justice Technical Guidance as a Tier 1 Action in the ADP.
  - Time Frame: Completed in November 2010.
- Activity 3.3: Develop draft technical guidance on incorporating environmental justice in rulemaking.
  - Time Frame: FY 2012.
- Activity 3.4: Conduct internal and external review of draft technical guidance on incorporating environmental justice in rulemaking.
  - Time Frame: FY 2012/2013.
- Activity 3.5: Develop and release final technical guidance on incorporating environmental justice in rulemaking.
  - Time Frame: FY 2013.

2.3 Community Engagement and Stakeholder Outreach

The following items constitute key community engagement and stakeholder outreach activities for this implementation plan.

- Consultations at regularly scheduled National Environmental Justice Advisory Council meetings and conference calls.
- Solicitation of internal and external comments on draft guidance documents via established websites.
- Engagement of state, tribal, and local governments through consortia and direct contact, to the extent possible.
- Coordination with outreach activities of other Plan EJ 2014 initiatives.
- Technical briefings and consultation with a special panel of the EPA Science Advisory Board.
- Consultations at regularly scheduled Children's Health Protection Advisory Committee (CHPAC) meetings.
- Consultations at regularly scheduled technical conferences and meetings.

2.4 Adjustments

Interim final and draft guidance documents will be revised as part of a process of elevating them to final status and may be subsequently revised based on experience and lessons learned during implementation.

3.0 DELIVERABLES

ACTIVITIES	DELIVERABLES	MILESTONES
Develop Final Environmental Justice in Rulemaking Guidance.	▪ Report on *Summarizing Internal and External Comments, Rule-Writing Documentation Assessment, and Experiences of EPA Rule-Writers in Implementing Interim Final Guidance.*	▪ October 2011
	▪ Draft Final *Guidance on Considering Environmental Justice During the Development of an Action*.	▪ November 2011
	▪ Final *Guidance on Considering Environmental Justice During the Development of an Action*.	▪ December 2011
Facilitate and monitor implementation of the Environmental Justice in Rulemaking Guidance.	▪ Distribute model training presentations to Agency, NPM, and regional regulation development and ADP trainers.	▪ June 2011
	▪ Initiate a continuous learning effort to identify effective practices and lessons learned from the Agency's ongoing rulemaking efforts.	▪ October 2011
	▪ Develop and commence implementing a monitoring scheme to assess the extent to which the guidance is being applied, the resources being devoted to its application, and the effect it is having on rulemaking decisions.	▪ December 2011
Develop Draft and Final Environmental Justice Technical Guidance.	▪ Draft Final *Technical Guidance on Considering Environmental Justice During the Development of an Action*.	▪ FY 2013

4.0 MEASURES

The milestones established in Section 3.0 above are the performance measures which will be used to track progress in implementing this plan. These milestones may be augmented by more detailed interim milestones as they are established. Implementation of the guidance documents to be developed under this plan may support development of future outcome and activity measures.

5.0 REPORTING

Reporting on progress in implementing this plan will take place on an ongoing basis when its scheduled deliverables are completed. Annual progress reports will be provided and updates to this implementation plan will be made at that time. For information, please contact Mike Burns, 202-564-8273, Burns.Mike@epa.gov; or Kelly Maguire, 202-566-2273, Maguire.Kelly@epa.gov.

2. Considering Environmental Justice in Permitting

September 2011

Led by
Office of Air and Radiation, Office of General Counsel, and Region 1

U.S. Environmental Protection Agency
Washington, D.C. 20460

Goals At-A-Glance

To enable overburdened communities to have full and meaningful access to the permitting process and to develop permits that address environmental justice issues to the greatest extent practicable under existing environmental laws.

1.0 INTRODUCTION

The intent of Plan EJ 2014: Considering Environmental Justice in Permitting (Environmental Justice Permitting Initiative) is to ensure that environmental justice concerns are given as full consideration as possible in the decision to issue a permit and the terms of the permits issued under existing federal environmental laws. It contemplates a focus on both U.S. Environmental Protection Agency (EPA)-issued permits, as well as permits issued pursuant to existing federal environmental laws (i.e., federal, state, local, or tribal). The Environmental Justice Permitting Initiative seeks to identify the best current opportunities for taking environmental justice concerns into consideration and to enable EPA to address the complex issue of cumulative impacts from exposure to multiple sources and existing conditions that are critical to the effective consideration of environmental justice in permitting.

The proposed activities outlined in this implementation plan rely heavily on the advice and recommendations presented by the National Environmental Justice Advisory Council (NEJAC) from both their most recent response to EPA's permitting charge and numerous relevant prior NEJAC reports. EPA recognizes that there has been a considerable amount of work – particularly on the NEJAC's part – advocating for earlier and more effective public participation in the permitting process, but that these practices have not been widely adopted. We also recognize that although environmental justice can be incorporated into the permitting process in a variety of ways, there are significant challenges – particularly related to cumulative/multi-media impacts. We therefore seek to truly create a culture within EPA – and among other federal, state, local, and tribal permitting agencies – in which engaging on issues of environmental justice more readily translates into greater protections for overburdened communities.

EPA's implementation plan merely describes our process for the Environmental Justice Permitting Initiative, with a focus on activities for 2011 and early 2012. Our proposed deliverables for this time period are a cohesive suite of tools for EPA-issued permits (for example, EPA guidance on enhanced early public participation) along with a public database of many other tools to serve as a resource for EPA, other federal agencies, states, local government, tribal governments, facilities, non-profit organizations, and communities. This larger database of tools will also serve as a starting point for our 2012-2014 activities. We are defining "tools" broadly to include not only guidance, but also best practices, templates, reports, checklists, case studies, mapping and screening tools, protocols, trainings, sample language, and other resources.

Appendix A of this document contains our initial draft list of potential tools, but the list is neither prescriptive nor exhaustive. Over the next few years, we may decide not to develop some of these potential tools; similarly, we may decide to add new potential tools to the list as we continue to gather

ideas and suggestions. Throughout the process, however, we will be listening to the ideas and experiences of all interested stakeholders, in order to leverage the successes and seize on the good work that is already occurring on this topic.

1.1 Goals

The overarching goals of this Plan are to enable overburdened communities to have full and meaningful access to the permitting process and to develop permits that address environmental justice issues to the greatest extent practicable.

To achieve our goals, the Environmental Justice Permitting Initiative will "[i]dentify and develop tools to support the consideration of environmental justice during implementation of permitting programs" to reduce "exposures for those at the greatest risk," as stated in the Fiscal Year (FY) 2011-2015 EPA Strategic Plan, Cross-Cutting Fundamental Strategy: Working for Environmental Justice and Children's Health (Strategic Plan).[10]

Our goals help to fulfill:

- Executive Order 12898, "Federal Actions to Address Environmental Justice In Minority Populations and Low-Income Populations," which tasks each federal agency with "achieving environmental justice as part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income population."[11]
- The Administrator's priority of Expanding the Conversation on Environmentalism and Working for Environmental Justice, which heralds "a new era of outreach and protection for communities historically underrepresented in EPA decision making" and calls for "includ[ing] environmental justice principles in all of our decisions."[12]
- EPA's mission to protect human health and the environment.

1.2 Organizational Structure

The success of this Environmental Justice Permitting Initiative will depend on participation from many offices within EPA, both at Headquarters and the regions, as well as numerous external stakeholders (see Section 2.3, Community Engagement and Stakeholder Outreach).

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[10] U.S. Environmental Protection Agency, *FY 2011-2015 EPA Strategic Plan: Achieving Our Vision*, September 30, 2010. Available at: http://www.epa.gov/planandbudget/strategicplan.html.

[11] Clinton, William J., Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," February 11, 1994, *Federal Register* 59, No. 32: 7629.

[12] Jackson, Lisa P., "Seven Priorities for EPA's Future." January 12, 2010. Available at: http://blog.epa.gov/administrator/2010/01/12/seven-priorities-for-epas-future/.

The Office of Air and Radiation has been designated the Headquarters lead. The Office of General Counsel has agreed to act as co-lead. Region 1 is the Lead Region. Staff and managers from these three offices, with guidance from the Office of Enforcement and Compliance Assurance/Office of Environmental Justice, have formed a Steering Committee to manage the Environmental Justice Permitting Initiative.

The Steering Committee is chaired by the Principal Deputy Assistant Administrator, Office of Air and Radiation; the Associate General Counsel, Cross-Cutting Issues Law Office, Office of General Counsel; and the Deputy Regional Administrator, Region 1.

The Environmental Justice Permitting Initiative has a small group composed of key senior EPA Headquarters and regional leaders (Senior Leaders) to provide high level recommendations as well as a cross-Agency workgroup of EPA Headquarters and regional staff to do the work. The workgroup contains staff from every EPA region, as well as staff from the Office of Air and Radiation, the Office of Enforcement and Compliance Assurance, the Office of Environmental Information, the Office of General Counsel, the Office of International and Tribal Affairs, the Office of Research and Development, the Office of Solid Waste and Emergency Response, and the Office of Water.

Staff support for the Environmental Justice Permitting Initiative is provided the Office of Policy Analysis and Review, Office of Air and Radiation.

2.0 IMPLEMENTATION

The strategies and activities outlined below describe the charge to the Environmental Justice Permitting Workgroup over the next several years. In the meantime, we strongly encourage offices and individuals at EPA and external to the Agency to continue their ongoing practice of furthering integration of environmental justice into the permitting process (e.g., regional review of state permits). Indeed, we encourage offices and individuals to share new issues, potential tools, and recommendations with the workgroup and communicate lessons learned.

2.1 Strategies

Strategies to achieve the goals of this implementation plan are specific to each goal:

Strategy 1: *Develop tools that will enhance the ability of overburdened communities to participate fully and meaningfully in the permitting process.*

These tools will focus on ensuring that overburdened communities are fully informed about the potential impacts of permitted activities and understand the information they receive. In addition, we will explore ways of promoting regular dialogue between overburdened communities and the regulated facilities at all stages of the permitting process, including early involvement, and after a permit has been issued.

Strategy 2: *Concurrently with Strategy 1, develop tools to assist permitting authorities to meaningfully address environmental justice in permitting decisions.*

These tools will focus on how environmental justice can be incorporated into the permitting process, including the range of potential permitting measures that can be used to avoid or reduce potential environmental justice effects.

Strategy 3: *Implement these tools at EPA and work with others to do the same.*

We will first focus on implementing tools related to EPA-issued permits. Thereafter, we will engage in supporting and encouraging other federal agencies, as well as state, local, and tribal permitting authorities, to develop environmental justice strategies for their environmental permitting decisions.

2.2 Activities

All of the activities below support our goal to develop and implement tools to better enable overburdened communities to have full and meaningful access to the permitting process and for permits to address environmental justice issues to the greatest extent practicable. These tools include guidance, best practices, templates, reports, checklists, case studies, mapping and screening tools, protocols, trainings, and sample language.

Activity 1: *Conduct initial internal research to begin to create a preliminary list of potential tools and finalize the implementation plan (March-June 2011, Completed).*

- Activity 1.1: Conduct an initial literature review – including a review of previous NEJAC papers, publications, and other recommendations – to identify an initial list of existing and needed tools (Completed, see Appendix A).
- Activity 1.2: Convene a cross-Agency workgroup. The workgroup met for the first time on March 7, 2011, and will carry out the proposed activities in this implementation plan (Completed).
- Activity 1.3: Review and evaluate the permitting process for a minimum of three federal permits with environmental justice considerations, for use as case studies to identify existing and needed tools[13] (Completed). The workgroup reviewed the permitting process for three federal permits and will continue to review other permits to solicit lessons learned and guide our next steps.
- Activity 1.4: Coordinate overlapping strategies with other Plan EJ 2014 elements and consider integrating and leveraging activities between them (Ongoing).
- Activity 1.5: Issue the final implementation plan (Completed).

Activity 2: *Solicit initial existing and recommended tools from internal and external stakeholders (March-June 2011).*

Individual EPA programs and regions, as well as other federal agencies, states, local agencies, and tribal governments, have already developed and implemented numerous tools that consider environmental justice issues during the permitting process. These entities as well as community and advocacy groups, industry and trade organizations, and experts have first-hand experience and knowledge about the relevant issues and ideas for what tools are needed. Outreach to these experts provides the workgroup an important opportunity to gather the tools and begin to identify the most effective and replicable ones.

In addition to reviewing all of the comments submitted during the formal public comment period (which ended Friday, April 29, 2011), the workgroup solicited additional comments via an external e-mail and an

[13] The Strategic Plan charges the Environmental Justice and Permitting Initiative to "Convene a cross-Agency workgroup on the consideration of environmental justice in federal EPA permits and review, at a minimum, three federal permits with environmental justice considerations (by September 2011)."

internal EPA memo focused on collecting ideas for tools and informative case studies. From these responses, we followed up with individuals and organizations to get more detailed information and comments. We also conducted targeted outreach to national umbrella groups via meetings, conference calls, and direct emails; and hosted a series of public listening sessions in June 2011. Finally, we set up a NEJAC Permitting Workgroup that has already met three times to provide guidance throughout our process; and we will continue to gather information from all stakeholders and involve them in our work.

Activity 3: *Create an initial list of priority tools and corresponding deliverables for Year 1 (June 2011).*

Activity 4: *Develop, test, and finalize priority tools for EPA-issued permits (June 2011-April 2012).*

- Activity 4.1: Develop priority tools, amend existing tools, and identify those ready for potential immediate use at EPA (June-October 2011).
- Activity 4.2: Identify opportunities to test the draft tools through ongoing permit activities (June-October 2011).
- Activity 4.3: Solicit comments both internally and externally on the draft tools (October 2011-February 2012).
- Activity 4.4: Incorporate comments and finalize tools (April 2012).

Activity 5: *Determine the best format(s) or vehicle(s) to convey and implement the final tools (guidance, policy, rulemaking, etc.) (December 2011/early 2012).*

Activity 6: *Create a more detailed timeline for 2012-2014 deliverables for the workgroup (early 2012).*

Per Activity 5, we intend to finalize the first suite of tools by early 2012. We will then focus on implementing these tools for EPA-issued permits via trainings and other efforts to test, revise, and institutionalize their use at EPA (while also looking for additional opportunities to develop more tools). In 2012-2014, our anticipated activities may include:

- Implement first suite of tools via trainings at EPA.
- Implement “train-the-trainers” seminars to help train community organizations and other interested entities on newly developed tools.
- Continually review the effectiveness of the tools and trainings, update and revise existing tools, develop additional tools, and update and revise trainings.
- Engage in supporting and encouraging other federal agencies as well as state, local, and tribal permitting authorities to achieve environmental justice goals for their permit decisions.

2.3 Community Engagement and Stakeholder Outreach

The workgroup, with assistance from the Small Business Ombudsman and the Office of Environmental Justice, has developed a plan for early and continued stakeholder involvement. Our efforts will include public comment periods, requests for information, meetings, conference calls, and direct and targeted outreach to internal and external experts and stakeholders to seek their early and continued input. Activity 2, above, describes the workgroup's efforts to date, including public listening sessions conducted in June 2011 and the formation of a NEJAC Permitting Workgroup to provide guidance throughout our process.

Because of the states' unique and important role in permitting, EPA has emphasized, and will continue to emphasize, early and ongoing outreach to state environmental departments to collect their success stories and lessons learned. EPA will work with them to identify potential opportunities to test draft tools (see Activity 4.2) and specifically seek out their comments and suggestions (see Activity 4.3).

EPA also welcomes comments and participation from all stakeholders and has already reached out to these stakeholder groups as well as others:

- Association of State and Territorial Solid Waste Management Officials (ASTSWMO).
- Association of State & Interstate Water Pollution Control Administrators (ASIWPCA).
- Business organizations and trade associations.
- Clean Air Act Advisory Committee (CAAAC).
- Community advocacy groups.
- Environmental Council of the States (ECOS).
- Ground Water Protection Council (GWPC).
- Interagency Working Group on Environmental Justice.
- National Association of Clean Air Agencies (NACAA).
- National Association for Clean Water Agencies (NACWA).
- National Tribal Operations Committee (NTOC).
- North American Hazardous Materials Management Association (NAHMMA).
- Northeast Waste Management Officials' Association (NEWMOA).
- Other federal agencies and state, local, and tribal permitting agencies.

We will also reach out to these key stakeholder groups in the near future:

- Asian American Native American Pacific Islanders Servicing Institutions (AANAPISIs).
- Hispanic Servicing Institutions (HSIs).
- Historical Black Colleges and Universities (HBCUs).
- Tribal Colleges and Universities (TCUs).

3.0 DELIVERABLES

ACTIVITIES	DELIVERABLES	MILESTONES
Activity 1.1: Conduct an initial literature review – including a review of previous NEJAC papers, publications, and other recommendations – to identify an initial list of existing and needed tools.	▪ See Appendix A.	▪ Completed
Activity 1.2: Convene a cross-Agency workgroup.	▪ The workgroup met for the first time on March 7, 2011, and will continue to meet throughout the duration of this project.	▪ Completed
Activity 1.3: Review and evaluate the permitting process for a minimum, of three federal permits with environmental justice considerations, for use as case studies to identify existing and needed tools.	▪ Identification of a minimum of three federal permits with environmental justice considerations. ▪ List of existing and needed tools from the case studies.	▪ Completed ▪ Completed
Activity 1.4: Coordinate overlapping strategies with other Plan EJ 2014 cross-Agency elements and consider integrating and leveraging activities between them.	▪ Regular meetings with other cross-Agency workgroups.	▪ Ongoing
Activity 1.5: Issue the final implementation plan.	▪ Final implementation plan.	▪ Completed
Activity 2: Solicit existing and recommended tools from internal and external stakeholders.	▪ List of existing and needed tools from internal and external stakeholders.	▪ June 2011
Activity 3: Create an initial list of priority needed tools and corresponding deliverables for Year 1.	▪ Initial list of tools and corresponding deliverables for Year 1.	▪ June 2011
Activity 4.1: Develop priority tools, amend existing resources, and identify those ready for potential immediate use at EPA.	▪ Initial suite of draft tools.	▪ October 2011
Activity 4.2: Identify opportunities to test the draft tools through ongoing permit activities, and solicit comments and recommendations.	▪ Comments and recommendations based on our initial testing of the draft tools.	▪ October 2011

ACTIVITIES	DELIVERABLES	MILESTONES
Activity 4.3: Solicit additional comments both internally and externally.	▪ Additional comments.	▪ February 2012
Activity 4.4: Incorporate comments and finalize tools.	▪ Revised tools.	▪ April 2012
Activity 5: Determine the best format(s) or vehicle(s) to convey and implement the recommendations and tools (finalization, policy, rulemaking, etc.).	▪ Decision on how best to convey and implement the tools.	▪ Early 2012
Activity 6: Create a more detailed timeline for 2012-2014 deliverables for the workgroup.	More detailed timeline that may include: ▪ Implement first suite of tools via trainings at EPA. ▪ Implement "train-the-trainers" seminars to help train community organizations and other interested entities on newly developed tools. ▪ Continually review the effectiveness of the tools and trainings, update and revised existing tools, develop additional tools, and update and revise trainings. ▪ Engage in supporting and encouraging other federal agencies as well as state, local and tribal permitting authorities to achieve environmental justice goals for their permit decisions.	▪ 2012

4.0 REPORTING

We will report annually on progress in implementing the strategies outlined in this implementation plan and will update, as necessary, the activities and deliverables outlined here. For information, please contact Michelle Roos, 202-573-2549, Roos.Michelle@epa.gov

Potential Tools

This implementation plan outlines a process by which the workgroup will research, solicit ideas for, prioritize, and then develop a suite of tools to better enable overburdened communities to have full and meaningful access to the permitting process and for permits to address environmental justice issues to the greatest extent practicable. For the first year, our activities will focus on developing a cohesive suite of tools most applicable to EPA-issued permits, and also collecting a larger set of tools for a public database.

Our initial research, request for comments, meetings, conference calls, and one-on-one conversations have revealed this list of potential tools for EPA-issued permits, but the list is neither prescriptive nor exhaustive. Over the next few years of the Environmental Justice and Permitting Initiative, we may decide not to develop some of these potential tools; similarly, we may decide to add new potential tools to the list as we continue to gather ideas and suggestions. Below is merely a draft list in the early stages of our multi-year process. Please note that some of the proposed tools might be applicable only to specific permit types (e.g., Prevention of Significant Deterioration [PSD], National Pollutant Discharge Elimination System [NPDES], Resource Recovery and Conservation Act [RCRA], etc.):

Public Involvement/Communication

- Environmental Justice and Permitting Enhanced Public Participation Guidance (potentially with a strong recommendation for pre-application public meetings).
- Environmental Justice and Permitting Public Participation Fact Sheet and Website in support of the above-mentioned guidance.
- Environmental Justice and Permitting Public Participation Outreach Template and Checklist in support of the above-mentioned guidance.
- Updated and condensed guidance, best practices, and checklists for effective means of conducting public outreach and notification, potentially including:
    - Public notifications outside of newspapers (multi-media press releases and advertisements, use of internet and SMS, but not exclusive reliance on such technologies).
    - Documents written in plain language.
    - Translations of documents in appropriate languages.
    - Direct and targeted outreach to community organizations and institutions.
    - Making documents physically accessible and free to communities.
    - Proving per diem or other financial resources for community members to attend meetings.
    - Scheduling meetings during non-working hours.
    - Providing third party attorneys and scientists as resources for communities.

- Periodic engagement and notification throughout the permitting process, including when there are changes to the scope of the permit application or when environmental studies are taking place.
- Model processes to improve information flow between the facility, community, and permitting authority.

- Web-based, searchable, updated contact lists, by EPA region, of community organizations and tribal government and indigenous organizations to facilitate outreach.
- Guidance on developing long-term communication protocols with specific overburdened communities that reflect the communities' preferences for how to receive information and provide feedback into permitting decisions.
- Decision tools to assist all parties in understanding the nature of disproportionate impacts and mitigating effects of permitting measures.
- The development of an Environmental Justice Permit Social Network site (a one-stop shop/central point of communication run by a permit writer to gather all relevant background materials and better communicate with stakeholders – via postings and Really Simple Syndication [RSS] feeds).
- Permit process descriptions of when, where, and how the public can get involved.
- Guidance on translation issues.
- Guidance for facilities on creating a real dialogue with communities early on in the process (potentially including identifying ways to talk outside of permit actions, avoiding an adversarial relationship, and suggestions for community benefit projects).
- Guidance on how to communicate cumulative impacts and/or risk assessments to the community.
- Guidance for EPA on providing quarterly or other regular updates to communities and organizations on environmental justice issues, responses and actions taken, and trends.

Permit Process

- Permit Checklist (possibly in different languages and in plain language).
- Permit Process Flowchart (possibly including staff contact information per region and media office).
- Guidance including case studies on if/when, where and how to conduct an environmental justice analysis or assessment and how to integrate these into permit conditions, mitigation actions, and/or clean-up activities outside of permitting.
- Guidance on how environmental justice analyses/assessments can be integrated into other existing assessment requirements for permitting.
- Guidance on using existing and proposed EPA screening tools (including EJScreen, EJView, Community-Focused Exposure and Risk Screening Tool [C-FERST], Census Tract Ranking Tool for Environmental Justice

[CenRANK], Environmental Justice Strategic Enforcement Tool [EJSEAT], etc.) in the permitting process.

- Guidance, methodology and/or tools to conduct cumulative impacts analysis.
- Guidance/protocols on integrated permitting approaches, including the coordination of permitting actions, public comments periods, public notices, meetings, and hearings per facility and/or community between numerous permitting actions and/or across media.
- Guidance/tools to conduct exposure-based (health effects) modeling and assessments, and how to integrate those results into permits.
- Best practices, guidance, and trainings on using a variety of existing tools in new ways to better address environmental justice concerns (best available control technology [BACT]; offsets; monitoring, recordkeeping, and reporting; startups, shutdowns, and malfunctions [SSMs]; lower potential to emit; AP-42 emissions factors,[14] and Clean Air Act Title V operating permit approvals).
- Guidance based on lessons learned from watershed analysis processes (total burden analysis, cross-media effects, etc.).

Permit Conditions – How to Integrate Environmental Justice into Actual Permit Conditions

- Best practices, guidance, and trainings on developing permits to include issues important to local communities
- Resources to facilitate and/or fund the placement of more fenceline and community-based monitors in overburdened communities.
- Best practices, guidance, trainings, and protocols on developing permit conditions to better address and protect indigenous peoples' cultural and subsistence resources.
- Guidance on how to conduct traditional knowledge information gathering and how to integrate that into permit conditions.
- Protocols for factoring environmental justice into permit conditions, regardless of the level of public participation.
- Best practices, guidance, and trainings on minimizing issuance of emergency permits.

Interagency and Government-to-Government Guidance and Protocols

- Guidance, protocols, and trainings for utilizing the role of the Interagency Working Group for Environmental Justice to work across federal agencies on permits on tribal lands.
- Guidance on how to integrate government-to-government consultation and environmental justice executive orders and expectations into permitting processes.

[14] An emissions factor is the formula EPA uses to calculate the emissions from key source categories. AP-42 is the document EPA compiles the factors into. It is used by industry and states to develop emissions inventories and project emissions from sources, usually in the permitting process to set emissions limits.

- Guidance on developing partnerships with states that support more direct collaboration with communities in the permitting process.
- Guidance on assisting other federal agencies to integrate environmental justice into their environmental permitting decisions.
- Guidance on how to conduct joint processing agreements across permitting authorities (including joint comment periods and hearings to be held, and final permits to be issued on a cooperative basis).

Education/Training

- Expansion of EPA environmental justice trainings, including:
    - Environmental Justice Fundamentals.
    - Environmental justice and permitting (for all media).
    - Online trainings.
- Community-based trainings, resources, and websites, including:
    - Permitting processes (for all media).
    - Preparing public comments.
    - Environmental justice assessment or screening tools.
    - Leadership development.
    - Job skills relevant to local industry and facility needs.
    - Advanced legal training on major statues.
- A network of EPA experts accessible to the public, hotline of experts, and/or on-line question-and-answer (Q&A) portal on issues of importance to environmental justice and permitting.
- Technical assistance resources.
- A collective learning forum and regular national conference call(s) for EPA staff and managers responding to specific permit challenges.

"Outside" of Traditional Permitting

- Guidance and trainings on using resources and programs outside of permitting including:
    - Helping communities develop and adopt community-specific, comprehensive environmental justice plans.
    - Community Action for a Renewed Environment (CARE).
    - Encouraging the creation of Supplemental Environmental Project (SEP)-like mitigation projects (diesel retrofits, off-site street sweeping, tree planting, landscaping, public playgrounds and green spaces, etc.).
    - Good Neighbor/Environmental Benefit Agreements.
    - Performance Partnership Agreements.
    - Memoranda of Agreement/Understanding involving EPA, communities, facilities; and state, local, or tribal governments.
    - Increasing and maintaining active listening, engagement, and follow-up with communities outside of permitting actions.
    - Creating plain language summaries of proposed or existing permit-related regulations that have a greater impact on overburdened communities, and/or a plain language guide for

rulemaking with the purpose of educating citizens on how to influence the rulemaking process in a meaningful way.

Cross-Cutting/Other

- Environmental justice and permitting e-Library (i.e., an online/searchable database of tools organized by key features to serve as a resource to permit writers and the public looking for tools and ideas that have been used successfully and could be replicated).
- Guidance, trainings, and other resources on making better use of other EPA roles, such as oversight, in which EPA affects how other permitting authorities implement federal permitting requirements.
- General and comprehensive guidance on how to incorporate environmental justice into all aspects of permitting.

3. Advancing Environmental Justice through Compliance and Enforcement

September 2011

Led by
Office of Enforcement and Compliance Assurance
and Region 5

U.S. Environmental Protection Agency
Washington, D.C. 20460

Goals At-A-Glance

To fully integrate consideration of environmental justice concerns into the planning and implementation of OECA's program strategies, case targeting strategies, and development of remedies in enforcement actions to benefit overburdened communities.

1.0 INTRODUCTION

This implementation plan sets forth goals, strategies, and activities to advance environmental justice through compliance and enforcement, under the U.S. Environmental Protection Agency (EPA)'s Plan EJ 2014. It was developed by the Office of Enforcement and Compliance Assurance (OECA) and EPA Region 5, as Lead Region for OECA for Fiscal Year (FY) 2011-13, in consultation with all EPA regions, the Office of Environmental Justice, and the Office of General Counsel.

1.1 Goals

OECA and the EPA regions, in collaboration with other EPA offices and the U.S. Department of Justice (DOJ), are committed to taking action to further ensure that our most overburdened communities are given particular consideration as we implement the Agency's enforcement and compliance program. Through this implementation plan, we intend to focus and accelerate our efforts to identify, assess, and address environmental justice concerns in these communities when developing and implementing OECA's program strategies, civil and criminal enforcement activities, and compliance activities.

Our goal for the next three years is to fully integrate consideration of environmental justice concerns into the planning and implementation of OECA's program strategies, case targeting strategies, and development of remedies in enforcement actions to benefit these communities. We also plan to accelerate our ongoing efforts to communicate more effectively with these communities about our enforcement actions and program activities. Through these efforts, we hope to further advance the Agency's environmental justice goals of fair treatment and meaningful involvement, and to help address environmental justice concerns in overburdened communities.

1.2 Organizational Structure

OECA and Region 5 (as OECA Lead Region) share responsibility for developing this implementation plan. This work is co-chaired by OECA's Principal Deputy Assistant Administrator and Region 5's Deputy Regional Administrator. The co-chairs called upon OECA's standing Environmental Justice Council, consisting of the Directors and/or Deputy Directors of all OECA offices, the Lead Region Enforcement and Environmental Justice Manager, and supporting staff to develop this plan. The Associate General Counsel, Cross-Cutting Issues Law Office, Office of General Counsel, participates regularly in the OECA Environmental Justice Council meetings and has been of invaluable assistance in developing this plan.

OECA and regional managers conducted an open discussion of this plan at the January 26, 2011, Senior Enforcement Managers meeting in New Orleans, Louisiana. Following that discussion, the draft plan was revised to incorporate agreed-upon modifications and additions. OECA and all EPA regions will use this implementation plan as a dynamic document, making improvements as we learn through experience in implementation.

2.0 IMPLEMENTATION

2.1 Strategies

OECA has five major strategies for *Advancing Environmental Justice through Compliance and Enforcement*:

- Advance environmental justice goals through selection and implementation of National Enforcement Initiatives.
- Advance environmental justice goals through targeting and development of compliance and enforcement actions.
- Enhance use of enforcement and compliance tools to advance environmental justice goals in regional geographic initiatives to address the needs of overburdened communities.
- Seek appropriate remedies in enforcement actions to benefit overburdened communities and address environmental justice concerns.
- Enhance communication with affected communities and the public regarding environmental justice concerns and the distribution and benefits of enforcement actions, as appropriate.

2.2 Activities

Strategy 1: *Advance environmental justice goals through selection and implementation of National Enforcement Initiatives.*

Background. Every three years, OECA selects a limited number of high priority national environmental and compliance problems to address through concentrated, nationwide enforcement efforts. In selecting these areas of focus, OECA looks for important environmental and public health problems that are caused, at least in part, by widespread failure of regulated sectors to comply with federal environmental laws, where it believes that a concentrated federal enforcement effort can make a difference in correcting violations and reducing pollution. OECA and the regions solicited input from state agencies to identify potential areas of focus, and sought public comment on the final list of proposed candidates. The selected areas of focus are called "National Enforcement Initiatives."

OECA has been, and continues to be, committed to taking environmental justice factors into consideration when it selects and implements these National Enforcement Initiatives. One of OECA's primary program goals is to aggressively go after pollution problems that make a difference to communities, and we place a high priority on benefits to overburdened communities in selecting our National Enforcement Initiatives.

- Activity 1.1: Selection of National Enforcement Initiatives for FY 2011-13. In 2010, OECA selected the following six National Enforcement Initiatives for implementation in FY 2011-2013 after input from the public, states, and tribes:
    - Keeping raw sewage and contaminated stormwater out of our nation's waters.
    - Preventing animal waste from Concentrated Animal Feeding Operations (CAFO) from contaminating surface and ground waters.
    - Cutting toxic air pollution that affects communities' health.
    - Reducing widespread air pollution from the largest sources, especially the coal-fired utility, cement, glass, and acid sectors.
    - Reducing pollution from mineral processing operations.
    - Assuring energy extraction sector compliance with environmental laws.

In selecting these areas of focus, OECA gave significant weight to problems that affect overburdened communities. For example, raw sewage discharges from municipal sewer systems often affect poor and minority communities by contaminating urban waters or causing sewage backups into their homes. CAFOs are often located near poor rural communities, and animal waste that gets into ground water can contaminate nearby residents' drinking water supplies. Toxic air pollution can affect the health of poor and minority communities that often are located closest to industrial facilities with toxic air emissions. Widespread air pollution from coal-fired power plants and other industries can travel long distances and contributes to respiratory illnesses, such as asthma, that afflict poor and minority populations and children. Large mineral processing facilities, which can cause significant contamination of ground and surface waters with hazardous waste, are often located near poor and minority communities. Energy extraction activities, which often occur on or near tribal lands in the west, can cause air or water pollution problems that affect tribal communities.

- Activity 1.2: Implementation of National Enforcement Initiatives for FY 2011-13. OECA will look for opportunities to address environmental justice concerns as it implements the Agency's National Enforcement Initiatives for FY 2011-13. A "Strategy Implementation Team," consisting of OECA Headquarters and regional representatives, is responsible for developing implementation strategies and performance measures for each of the National Enforcement Initiatives. Each initiative's strategy will consider how environmental justice concerns can be addressed in carrying out its activities, e.g., by giving priority in case selection to overburdened communities affected by the pollution problems we seek to address in each of the initiatives. In developing remedies in our enforcement cases for the initiatives, we will seek judicial and administrative remedies that will reduce or eliminate pollution that may have a disproportionate effect on minority, low-income, tribal and indigenous populations (see further discussion

under Strategy 4 below). As of the date of the publication of this plan, OECA has finalized the National Enforcement Initiative strategies and measures.

- Activity 1.3: Selection of National Enforcement Initiatives for FY 2014-16. In 2013, OECA will call for nominations for the FY 2014-2016 National Enforcement Initiatives, with emphasis on those with potential opportunities for addressing environmental justice concerns, and will then select the new initiatives. As we have done previously, OECA will solicit state input and public comment on the proposed FY 2014-2016 initiatives before they are selected.

Strategy 2: *Advance environmental justice goals through targeting and development of compliance and enforcement actions.*

EPA will continue to place a high priority on addressing environmental justice concerns as it develops the specific targeting and case selection strategies for both National Enforcement Initiative cases and the many other enforcement cases that EPA brings in FY 2011-13. As discussed above, the Strategic Implementation Teams (SITs) for each National Enforcement Initiative will identify opportunities to protect and benefit overburdened communities when selecting and developing specific cases. For example, when selecting specific CAFO facilities for enforcement action, priority may be given to facilities that are affecting or threatening the drinking water supplies of poor rural communities.

EPA will also give specific consideration and priority to environmental justice concerns and overburdened communities when selecting enforcement actions to address other important compliance problems, regardless of whether they are part of a National Enforcement Initiative. For example, in selecting enforcement actions to address violations of drinking water standards, we will give high priority to addressing violations at water supply systems that serve poor and tribal communities, as well as children, one of the most vulnerable populations.

- Activity 2.1: Issue internal guidance requiring analysis and consideration of environmental justice in EPA's compliance and enforcement program. EPA's enforcement program is already giving significant consideration to environmental justice concerns in selecting enforcement areas of focus and targets. For example, as described above, environmental justice considerations played a significant role in our selection of national compliance problems to address through National Enforcement Initiatives. To ensure that EPA enforcement staff and managers consistently and effectively consider environmental justice concerns in all their work under EPA's national compliance and enforcement program, OECA will issue national guidance in 2011 to reinforce, guide, and accelerate these efforts.

  The Agency's national guidance will direct EPA's compliance and enforcement staff and managers to consider and give significant weight

to environmental justice concerns when they select compliance problems to focus on, select specific civil or criminal enforcement case targets, and develop and conduct civil litigation or criminal prosecution. Given limited resources, EPA managers must make many strategic choices as they decide which problems to focus on and how to address them. Protection of the public health is OECA's highest priority, and protection of the health of overburdened communities is especially important. While OECA cannot address every problem with our limited resources, we can ensure that we consider and give significant weight to the protection of overburdened communities as we make strategic choices.

For example, in carrying out our National Enforcement Initiative to address pollution of underground or surface water caused by CAFOs, EPA must make strategic choices about which watershed areas to focus on and which particular CAFOs to inspect. A number of factors are considered in that decision-making process, *e.g.,* the relative severity of the environmental and public health problems, the degree to which facilities are known or suspected to have violations that are contributing to the problem, and the degree to which enforcement action is likely to be an effective and appropriate tool to correct that problem. Environmental justice concerns should be considered and given significant weight in making this decision. For example, if there is a poor or minority overburdened community whose drinking water supply is contaminated or at risk of contamination from a nearby CAFO, that factor weighs in favor of selecting that CAFO as one of our enforcement case targets.

To ensure that all EPA enforcement personnel consider and address environmental justice concerns early in the enforcement process, the Agency, in consultation with DOJ, is revising its internal Model Litigation Report guidance to call for increased analysis and discussion of environmental justice considerations in civil case referrals that EPA sends to DOJ. In addition, EPA will issue guidance calling for analysis and discussion of environmental justice considerations in the requests for prosecutorial assistance that the Agency provides to DOJ. These guidances will be issued in 2011.

In order to implement the direction to consider environmental justice concerns in selecting and conducting enforcement cases, case teams will need guidance on how to identify areas of potential environmental justice concern. EPA has developed a number of screening tools to assist in identifying areas of potential environmental justice concern. These include the online mapping tool "EJ View" (formerly known as the Environmental Justice Geographic Assessment Tool, or EJGAT), which uses demographic, environmental, health, and facility-level information to assist in identifying areas with potential environmental justice concerns. OECA has also developed a screening tool called the Environmental Justice Strategic Enforcement Assessment Tool

(EJSEAT), which uses these same categories of data to assist in identifying areas of potential environmental justice concern that may be appropriate for enforcement action to address the effects of noncompliance on overburdened communities. A number of EPA's regions have also developed their own analytic tools and methods for this purpose.

With all of these screening tools, it is important to remember that they can only provide a starting point for analysis and decision making as to whether a community has environmental justice concerns or whether any enforcement action is appropriate. "Ground truthing" is needed before drawing any conclusions regarding any particular community or environmental compliance problem, and, as described above, a number of other important factors must be taken into consideration when deciding whether and where to take enforcement actions.

In addition to OECA's efforts to develop screening tools for use in the enforcement and compliance program, the Agency's Information Tools Development Workgroup is undertaking a larger effort to develop guidance on identifying areas of potential environmental justice concern as a separate effort under EPA's Plan EJ 2014. It will be important to ensure that OECA's guidance to enforcement case teams is consistent with the approach(es) developed by the Agency-wide Environmental Justice Screening Committee. Therefore, upon completion of the Screening Committee's work, OECA will review its guidance to ensure that it is consistent with the final Agency decisions based on the Environmental Justice Screening Committee's work.

- Activity 2.2: Review OECA's Enforcement Response Policies to determine whether any revisions are needed to ensure that environmental justice concerns are addressed in case development and resolution. OECA will review its Enforcement Response Policies for the various statutory and regulatory programs to assess whether any revisions are needed to ensure environmental justice concerns are addressed. A plan for the review will be developed by June 30, 2011.
- Activity 2.3: Reevaluate use of EJSEAT, as appropriate, in response to recommendations of the NEJAC and conclusions of the EPA Environmental Justice Screening Committee. EPA's National Environmental Justice Advisory Council (NEJAC) thoroughly reviewed OECA's screening tool, EJSEAT, and provided technical and policy recommendations to improve this tool in May 2010. OECA responded to and discussed the NEJAC's recommendations at the NEJAC meeting in July 2010, and is implementing some of its technical recommendations. Many of the NEJAC's recommendations raised policy issues that have broad application and implications for all of the Agency's environmental justice work. To ensure Agency-wide consistency, OECA will await the outcome of the Environmental Justice Screening Committee's work before making final decisions on the

NEJAC's policy recommendations. However, as OECA and the regions continue to use EJSEAT pending the outcome of the Environmental Justice Screening Committee's work, the OECA Environmental Justice Council will assess whether additional changes to EJSEAT recommended by the NEJAC's review of the tool should be made on an interim basis.

- Activity 2.4: Seek opportunities to advance environmental justice goals in implementing the Clean Water Act Action Plan. OECA and the Office of Water (OW) have developed a Clean Water Act Action Plan to revamp the Agency's permitting, compliance and enforcement programs so that we more effectively focus our limited resources on addressing the most important environmental and public health problems facing the nation. Many of these problems disproportionately affect poor and minority communities. For example, urban waters pollution is most likely to affect the health and welfare of poor communities located along urban waterways. As OECA, OW, and the regions develop and implement new strategies and plans under the Clean Water Act Action Plan, we will identify specific opportunities to address environmental justice concerns.

Many of the opportunities to address environmental justice concerns in implementation of the Clean Water Act Action Plan will come through the development of targeting strategies and specific case selection. The Clean Water Act Action Plan also offers other opportunities to address environmental justice concerns, such as our increased attention with state agencies, to the relationship between effective permitting and enforcement in assuring compliance with the Clean Water Act. Often, the concerns that are raised to EPA by overburdened communities relate to the effectiveness of the permit regulating a particular facility, which is an essential underpinning for effective compliance and enforcement.

- Activity 2.5: Seek opportunities to advance environmental justice goals in conducting the National Enforcement Strategy for RCRA Corrective Action. OECA's Corrective Action program has set an aspirational goal of achieving remedy construction at 95 percent of 3,747 RCRA facilities by the year 2020. The National Enforcement Strategy for Corrective Action (NESCA) provides direction to the regions, and guidance to states, for assessing, targeting, and prioritizing the EPA-lead Corrective Action facilities to help meet the 2020 Corrective Action goal. EPA regions are encouraged to focus attention on identifying and addressing disproportionate effects that RCRA facilities needing corrective action may have on adjacent or nearby overburdened populations.

NESCA identifies a variety of mapping tools that regions, states, and communities can use to view and identify environmental justice concerns. Each EPA regional office is developing a RCRA Corrective Action 2020 strategy. As part of these strategies, the regions should identify what tools they plan to use to address environmental justice concerns in their prioritization. To assist regions with addressing environmental justice

concerns, OECA provided each region with a list of all potential facilities. OECA used EJSEAT to screen and prioritize each facility on these lists of facilities. The regions will assess their 2020 Corrective Action Universe to ensure consideration of environmental justice and provide updated RCRA Corrective Action 2020 strategies in the Spring of 2011.

- Activity 2.6: Improve compliance at federal facilities where violations may affect overburdened communities. Where federal facilities are located adjacent to or nearby overburdened communities, illegal pollution or hazardous waste contamination can have a disproportionate effect on those communities. As part of Plan EJ 2014, OECA, together with Federal Facility Program Managers in each EPA region, will accelerate efforts to identify communities with these types of problems and take enforcement action to ensure that federal facilities comply with the law and address pollution problems that affect the communities. In FY 2011 OECA will use EJSEAT and other tools and information to identify overburdened communities located near federal facilities that have significant violations of federal environmental laws. These facilities will be given priority in regional targeting efforts for compliance and enforcement.
- Activity 2.7: Develop tools to identify and track facilities located in areas with potential environmental justice concerns, and report on enforcement actions that address environmental justice concerns. To ensure the success of Activities 2.1-2.6, it will be important to ensure that environmental justice screening information is available to case teams, and to track the enforcement and compliance activities that we implement under this Plan. Therefore, in 2011, OECA will develop and implement technical programming for the Integrated Compliance Information System (ICIS) database, an internal tracking system, to allow for automated reporting on OECA regional and Headquarters review of EPA civil enforcement cases for potential environmental justice concern. OECA is in the process of developing this capacity and will determine in 2011 whether the reporting mechanism in ICIS is adequate for its needs.

To support OECA's program efforts to improve tracking and reporting of environmental justice aspects of EPA criminal enforcement case work, OECA will in 2011 analyze its current docket of investigations for potential environmental justice concerns, and will revise its internal Criminal Case Reporting System (CCRS) to capture information concerning potential environmental justice concerns in criminal enforcement investigations and prosecutions. OECA will consider environmental justice data, along with other criminal case tiering information.

Strategy 3: *Enhance use of enforcement and compliance tools to advance environmental justice goals in regional geographic initiatives to address the needs of overburdened communities.*

EPA regions have developed and continue to develop integrated strategies to focus on particular geographic areas in their regions with overburdened communities that are disproportionately affected by environmental problems. Beginning in 2008, for example, each region identified a "Showcase Community" to focus efforts to address environmental justice concerns. The regions used integrated strategies for this purpose that considered the full range of EPA's tools, and a number of these projects include use of enforcement and compliance assurance tools. Under this strategy, the regions will ensure that they use their enforcement and compliance assistance tools effectively to identify and address environmental and public health problems in areas of environmental justice concern that are caused or made worse by violations of federal environmental laws. For example, EPA Regions 3, 4, and 5 are leading a geographic enforcement initiative focused on Huntington Port, which was selected in part because screening analysis results indicated a high potential for environmental justice concerns. This initiative incorporates enforcement and compliance assistance to reduce pollution and increase compliance. It also includes workshops to build the community's capacity to help ensure long-term protection of the environment and public health.

- Activity 3.1: Regions will include use of enforcement tools as part of integrated problem-solving strategies that are focused on particular geographic areas. OECA and the regions, together with state and other agencies as appropriate, will evaluate facility compliance in overburdened communities selected for strategic focus. These evaluations should be targeted using the best available data and methods in light of the overall objectives of EPA's enforcement and compliance assurance work. In this way, community-focused initiatives can complement the national enforcement initiatives and other sector-based and program-specific enforcement activities, meeting OECA's goal of strategically using limited enforcement resources to address the most significant issues first.

OECA and the regions will tailor compliance evaluation and enforcement actions as part of integrated strategies to maximize EPA's ability to gain environmental and public health benefits in overburdened communities. For example, this could include use of multi-media inspections or process inspections to comprehensively address potential impacts from violations at a given facility.

- Activity 3.2: Regions will include use of compliance assistance tools as part of integrated problem-solving strategies focused on particular geographic areas. OECA and the regions will consider and use compliance assistance activities to effectively reach large numbers of small sources with environmental violations that have significant local impacts on overburdened communities. Compliance assistance tools, such as counseling, online resource centers, fact sheets, guides,

training, and monitoring, are particularly appropriate, at least as initial compliance efforts, when widespread violations are found among small businesses, which often have limited resources and less ability than major industrial facilities to understand and comply with the requirements of federal environmental regulations. The EPA and states have often been successful in improving small businesses' compliance with environmental regulations through focused outreach and education efforts.

Strategy 4: *Seek appropriate remedies in enforcement actions to benefit overburdened communities and address environmental justice concerns.*

- Activity 4.1: Increase efforts to address environmental justice concerns through use of injunctive relief, including mitigation, and Supplemental Environmental Projects in civil enforcement actions, as appropriate. OECA, the EPA regions, and DOJ are jointly heightening their focus in civil enforcement cases on potential options to obtain meaningful environmental and public health benefits to specific overburdened communities affected by violations of federal environmental laws. These efforts go beyond traditional injunctive relief to stop illegal pollution, to mitigate the environmental and public health harm caused by illegal pollution and, where appropriate and agreed to by defendants, to include Supplemental Environmental Projects (SEPs) that provide benefits to communities. For example, in a case involving illegal discharges of pollutants from a facility that damaged a tribal fishing area, the relief ordered (in addition to stopping the illegal discharges) included restocking the fishing ground. EPA has also been successful in obtaining SEPs from defendants to retrofit diesel school buses, to reduce the air pollution that children are exposed to. We will continue and accelerate these types of efforts to reduce pollution burdens that have a disproportionate impact on minority, low-income, tribal and indigenous populations.
- Activity 4.2: Increase efforts to benefit affected communities through use of community service and the Crime Victims' Rights Act in criminal actions. OECA will work with DOJ to (1) explore innovative uses of criminal sentencing options, e.g., community service or environmental compliance plans, and (2) take into account information obtained pursuant to the Crime Victims Rights Act when developing environmental crimes case resolutions (e.g., restitution).
- Activity 4.3: Look for opportunities to work with other federal agencies, state and local governments, and the business community to complement and leverage community benefits resulting from enforcement activities. In addition to the benefits that can be obtained for overburdened communities through judicial and administrative enforcement actions, there may be other, parallel opportunities to obtain additional benefits for the community through cooperation with other federal agencies, state or local governments, or the business community. For example, the U.S. Department of Housing and Urban

Development (HUD) may be able to provide housing assistance or other community benefits in a "brownfields" area where EPA has taken enforcement action to clean up environmental contamination.

State or local governments may have projects or grant funding that can be used to improve the community's infrastructure or environment in an area that is also the focus of EPA compliance or enforcement action. In situations where air emissions from individual or multiple industrial facilities continue to adversely affect community health despite their compliance with emission limitations, some businesses may be willing to take voluntary action to further reduce the emissions that adversely affect the community. Examples of such voluntary actions include: a health clinic established and operated together with local, state, and community members; a household hazardous waste collection drive; a local company voluntarily agreeing to post compliance monitoring information directly on a public website, to allow community members to check on compliance; and "good neighbor agreements" between local companies and communities to address facility effects not regulated by a permit or other law.

EPA will identify specific opportunities, in cases or regional geographic initiatives, to work with other federal agencies, state and local governments, and the business community to complement and leverage benefits resulting from enforcement activities. EPA will document and share recommendations and best practices for taking action on these opportunities.

Strategy 5: *Enhance communication with affected communities and the public regarding environmental justice concerns and the distribution and benefits of enforcement actions, as appropriate.*

OECA and the EPA regions with DOJ will increase their efforts to communicate with affected communities and the public about enforcement strategies and actions that may affect overburdened communities. EPA recognizes that communities have a legitimate need to be informed and to understand the federal government's enforcement activities to protect their environment and public health, and to have their voices heard when solutions are being considered to redress environmental and health problems caused by violations of federal environmental laws that affect their community. As OECA implements these strategies for Plan EJ 2014, we commit to increase outreach to communities and to provide more information about environmental and public health problems caused by failure to comply with federal environmental laws, efforts to address those problems, and available judicial and administrative solutions to those problems that can address the communities' concerns and needs.

At the same time, it is important for communities to understand the legitimate and essential need to protect the confidentiality of enforcement

activity when a case is under development and in settlement negotiations. This is essential to assure that effective enforcement, and its ultimate benefits for the community, will not be undermined and adversely affected by premature disclosure of confidential enforcement information. While this consideration will necessarily limit the amount and kind of information that EPA is able to share with the community at various stages of enforcement activity, we are committed to sharing as much information as possible, to enable communities to be informed and to have their voices heard in the determination of appropriate resolutions for violations of federal environmental laws that affect them.

While increased communication efforts are important, it is no less important to receive input from communities on potential violations. OECA will continue to invite tips and complaints, including through such means as EPA's on-line reporting badge and the EPA fugitives web page.

- Activity 5.1: Provide affected communities with information about enforcement actions and meaningful opportunities for input on potential environmental justice concerns and remedies to be implemented. As OECA and the regions develop and implement our enforcement actions, we will seek to identify communities with environmental justice concerns that could benefit from enhanced communication and consultation regarding enforcement activities, and provide the communities with additional information (consistent with the confidentiality requirements needed to protect the integrity of enforcement actions). As appropriate, OECA and the regions will also provide opportunities for communities to provide input on environmental justice concerns and remedies to be sought in enforcement actions that affect their communities. This information will be provided through EPA's website, local information repositories, and other appropriate means.
- Activity 5.2: Improve website information and other public information materials to explain EPA's site cleanup enforcement processes. OECA and the regions recognize that the Agency's enforcement processes concerning hazardous waste site cleanup that affect communities with potential environmental justice concerns, are often complicated and can be difficult for the public to understand and to follow. To increase communities' ability to understand our enforcement processes, we will coordinate across EPA offices to maximize website information on cleanup enforcement at specific sites, develop and make available fact sheets to better explain EPA's cleanup enforcement process, and prepare for internal EPA use a compendium of "best practices" that will encourage and facilitate EPA employees' efforts to make cleanup enforcement information more available to the public.
- Activity 5.3: Enhance communication of the environmental justice benefits of EPA's enforcement actions. EPA's enforcement actions frequently provide significant benefits to overburdened communities, including reduction of air or water pollution, cleanup of toxic and hazardous waste, and additional community benefits such as diesel bus

retrofits and other benefits made available through SEPs. However, the community is best able to appreciate these benefits when they have good information about these actions. Therefore, OECA and the regions will accelerate efforts to communicate, through press releases, EPA's website, and other means, the benefits of our enforcement actions for overburdened communities. To ensure nationwide consistency in this effort, we will issue internal guidance for this purpose in 2011.

3.0 DELIVERABLES

Strategy 1: Advance environmental justice goals through selection and implementation of National Enforcement Initiatives.

ACTIVITIES	DELIVERABLES	MILESTONES
Activity 1.1: Consider environmental justice in selecting National Enforcement Initiatives (NEIs) for FY 2011-13.	▪ Selection of National Enforcement Initiatives for FY 2011-13.	▪ Completed
Activity 1.2: Advance environmental justice goals through implementation of NEIs.	▪ Strategic Implementation Team (SIT) strategies to include opportunities to advance environmental justice goals.	▪ April 30, 2011
Activity 1.3: Consider environmental justice in nominating and selecting National Enforcement Initiatives for FY 2014-16.	▪ Call for nominations for FY 2014-16 NEIs to include request to identify opportunities to advance environmental justice goals.	▪ In 2013

Strategy 2: Advance environmental justice goals through targeting and development of compliance and enforcement actions.

ACTIVITY	DELIVERABLES	MILESTONES
Activity 2.1: Issue internal guidance calling for analysis and consideration of environmental justice in EPA's compliance and enforcement program, including using available tools and approaches to identify areas of potential environmental justice concern.	▪ Issue guidance to EPA managers and staff that calls for consideration of environmental justice in EPA's compliance and enforcement program.	▪ April 30, 2011
	▪ Revise Model Litigation Report Guidance to call for increased analysis and discussion of environmental justice in judicial referrals.	▪ Draft by June 30, 2011; Final by Sept. 30, 2011
	▪ Consider environmental justice data, along with criminal case tiering information.	▪ Ongoing
	▪ Issue guidance calling for discussion of environmental justice issues in requests for prosecutorial assistance.	▪ August 31, 2011

ACTIVITY	DELIVERABLES	MILESTONES
Activity 2.2: Review OECA's Enforcement Response Policies to determine whether any revisions are needed to ensure that environmental justice concerns are addressed in case development and resolution.	▪ Develop a plan and timetable for review of Enforcement Response Policies.	▪ June 30, 2011
Activity 2.3: Re-evaluate use of EJSEAT, as appropriate, in response to recommendations of the NEJAC and conclusions of the EPA Environmental Justice Screening Committee.	▪ Finalize implementation of the NEJAC technical recommendations for EJSEAT already accepted. ▪ Reconsider and finalize response to the NEJAC recommendations on EJSEAT following issuance of final work product by Environmental Justice Screening Committee (to ensure consistency).	▪ June 30, 2011 ▪ Within 180 days following issuance of final work product of Environmental Justice Screening Committee
Activity 2.4: Seek opportunities to advance environmental justice goals in implementing the Clean Water Action Plan.	▪ As EPA develops and implements new strategies and plans under the Clean Water Act Action Plan, we will identify specific opportunities to address environmental justice concerns.	▪ Ongoing
Activity 2.5: Seek opportunities to advance environmental justice goals in conducting the National Enforcement Strategy for RCRA Corrective Action.	▪ Screen all facilities in the 2020 Corrective universe that are subject to the National Enforcement Strategy for RCRA Corrective Action for potential environmental justice concerns. ▪ Identify as priorities for enforcement, Corrective Action sites using the potential for environmental justice concerns as a factor.	▪ Completed ▪ Ongoing

ACTIVITY	DELIVERABLES	MILESTONES
Activity 2.6: Improve compliance at federal facilities where violations may affect overburdened communities.	▪ Use EJSEAT to identify overburdened communities located near federal facilities. Identify those that have significant environmental violations for priority consideration by regional federal facility program targeting efforts, for compliance assistance and potential enforcement.	▪ Ongoing
Activity 2.7: Develop tracking and reporting tools on potential environmental justice concerns and results in enforcement actions.	▪ Develop and implement technical/programming requirements for the ICIS database. ▪ Develop reporting guidance. ▪ Revise the Criminal Case Reporting System (CCRS) to capture information concerning potential environmental justice concerns in criminal enforcement investigations and prosecutions.	▪ Ongoing; Draft guidance by March 30, 2012 ▪ Ongoing ▪ Ongoing

Strategy 3: Enhance use of enforcement and compliance tools to advance environmental justice goals in regional geographic initiatives to address the needs of overburdened communities.

ACTIVITY	DELIVERABLES	MILESTONES
Activity 3.1: Regions will include use of enforcement tools as part of integrated problem-solving strategies that are focused on particular geographic areas.	▪ Regions will be asked to include enforcement efforts (e.g., through targeting and inspections) when applying integrated problem-solving strategies in selected geographic areas with environmental justice concerns. For example, some regions incorporated such an approach into their Environmental Justice Showcase Community projects. ▪ Document accomplishments and future plans for including enforcement in these geographic initiatives.	▪ Ongoing ▪ December 31, 2011

ACTIVITY	DELIVERABLES	MILESTONES
Activity 3.2: Regions will include use of compliance assistance tools as part of integrated problem-solving strategies (e.g., as applied in the Showcase Communities), that are focused on particular geographic areas.	▪ Regions will be asked to evaluate appropriate compliance assistance tools when applying integrated problem-solving strategies in selected geographic areas with environmental justice concerns. For example, some regions incorporated such an approach into their Environmental Justice Showcase Community projects.	▪ Ongoing
	▪ Document accomplishments and future plans for including compliance assistance in these geographic initiatives.	▪ December 31, 2011

Strategy 4: Seek appropriate remedies in enforcement actions to benefit overburdened communities and address environmental justice concerns.

ACTIVITY	DELIVERABLES	MILESTONES
Activity 4.1: Increase efforts to address environmental justice concerns through use of injunctive relief, including mitigation, and SEPs in civil enforcement actions.	▪ On case-specific basis, coordinate with DOJ on potential options in judicial cases for injunctive relief, including mitigation, and SEPs that will deliver substantial and meaningful environmental benefits to specific environmental justice communities.	▪ Ongoing
	▪ Assess opportunities for increasing environmental justice benefits in remedies in administrative actions.	▪ Ongoing
Activity 4.2: Increase efforts to benefit overburdened communities through use of community service and the Crime Victims' Rights Act (CVRA) in criminal actions.	▪ Work with DOJ to (1) explore innovative uses of criminal sentencing options, e.g., community service and/or environmental compliance plans, and (2) take into account information obtained pursuant to the CVRA when developing environmental crimes case resolutions (e.g., restitution).	▪ Ongoing
	▪ Provide comments on the DOJ/Attorney General's CVRA Guidelines.	▪ Completed

ACTIVITY	DELIVERABLES	MILESTONES
	▪ Coordinate with DOJ in their implementation of CVRA guidelines for federal environmental prosecutions. ▪ Evaluate use of restitution, community service, and CVRA in federal environmental prosecutions, and issue guidance to investigators.	▪ Ongoing ▪ Ongoing
Activity 4.3: Look for opportunities to work with other federal agencies, state and local governments, and the business community to complement and leverage community benefits resulting from enforcement activities.	▪ Identify specific opportunities, in cases or regional geographic initiatives, to work with other federal agencies, state and local governments, and the business community to complement and leverage benefits resulting from enforcement activities. ▪ Document and share recommendations and best practices for taking action on these opportunities.	▪ Ongoing ▪ December 31, 2011

Strategy 5: Enhance communications with affected communities and the public regarding environmental justice concerns and the distribution and benefits of enforcement actions, as appropriate.

ACTIVITY	DELIVERABLES	MILESTONES
Activity 5.1: Provide affected communities with information about enforcement actions and meaningful opportunities for input on potential environmental justice concerns and remedies to be sought, as appropriate.	▪ Identify communities where enhanced communication and consultation regarding enforcement matters is appropriate. ▪ Provide communities with information about enforcement actions and meaningful opportunities for input on potential environmental justice concerns and remedies to be sought, as appropriate	▪ Ongoing ▪ Ongoing
Activity 5.2: Improve website information on cleanup enforcement, develop fact sheets to better explain the cleanup enforcement process, and prepare a compendium of best practices.	▪ Coordinate across EPA offices to maximize website information on cleanup enforcement at specific sites.	▪ Ongoing
	▪ Participate in the development of fact sheets that explain the cleanup enforcement process.	▪ Ongoing

ACTIVITY	DELIVERABLES	MILESTONES
	▪ Prepare compendium of best practices.	▪ December 31, 2011
Activity 5.3: Enhance communication of environmental justice benefits of EPA's enforcement actions.	▪ Develop policy on communicating in press releases and similar statements the environmental justice benefits of EPA's enforcement actions.	▪ August 31, 2011

4.0 REPORTING

OECA will report annually on progress in implementing the strategies outlined in this implementation plan, and will update as necessary, the activities and deliverables outlined here. For information, please contact Loan Nguyen, 202-564-4041, Nguyen.Loan@epa.gov; or Eileen Deamer, 312-886-1728, Deamer.Eileen@epa.gov.

4. Supporting Community-Based Action Programs

September 2011

Led by
Office of Solid Waste and Emergency Response,
and Regions 2, 3, and 4

U.S. Environmental Protection Agency
Washington, D.C. 20460

Goals At-A-Glance

To strengthen community-based programs to engage overburdened communities and build partnerships that promote healthy, sustainable, and green communities.

1.0 INTRODUCTION

For over forty years, the U.S. Environmental Protection Agency (EPA)'s top priority has been protecting human health and the environment. The Agency has learned that communities must be the driver for local solutions. Consequently, EPA has implemented numerous programs that support community empowerment and provide community benefits at all levels, from basic educational and leadership development to comprehensive approaches to achieving healthy, sustainable, and green communities. These efforts include financial assistance programs such as Environmental Justice, Community Action for a Renewed Environment (CARE), Brownfields Area-Wide Planning, and Tribal grants. They also include other place-based programs such as EPA's Local Climate and Energy, Childhood Asthma, Sustainable Communities and Smart Growth, Urban Waters, Superfund, and Brownfields programs. EPA undertakes these programs in collaboration with other federal agencies, state, tribal, and local governments, and multiple stakeholders. Significantly, EPA's ten regions play a leading role in implementing these programs.

While communities continue to impress EPA with their dedication, their innovative ideas, and most importantly their ability to bring real change to their communities, we realize that far too many communities still lack the capacity to affect environmental conditions. Many minority low-income, tribal, and indigenous communities continue to live in the shadows of the worst pollution and face some of the harshest effects.

The Plan EJ 2014 Supporting Community-Based Action Programs implementation plan builds upon an Agency effort to improve the effectiveness of EPA's place-based community programs through better information access, coordination, and leveraging. Through this process, EPA hopes to make "community" an organizing principle for our work. To implement this principle, EPA is currently doing the difficult foundational work of internally aligning and coordinating its programs. The resulting foundation will enable EPA, particularly its regions, to more effectively expand partnerships, build local capacity, and foster health and economic benefits in overburdened communities, as well as aligning EPA programs and investments with those of other federal agencies, state, local, and tribal governments, and other stakeholders.

1.1 Goals

EPA will strengthen community-based programs to engage overburdened communities and build partnerships that promote healthy, sustainable, and green communities.

To accomplish this goal, EPA will build upon and leverage Agency efforts to promote greater coordination in the use of programs and tools that support community empowerment. EPA will pursue this goal at all levels,

from basic educational and leadership development to comprehensive approaches to achieving healthy, sustainable, and green communities. Through these efforts, EPA will make the Agency's resources more accessible to underserved communities, while achieving greater internal efficiency through feedback and better understanding of implementing community-based programs. This approach will result in environmental, health, and economic improvements in such communities.

1.2 Organizational Structure

The Office of Solid Waste and Emergency Response (OSWER) and regions 2, 3, and 4 are responsible for designing and implementing the Plan EJ 2014 Supporting Community-Based Action Programs focus area. They will be supported by the Office of Water (OW), the Office of Air and Radiation (OAR), the Office of Policy (OP), the Office of Enforcement and Compliance Assurance (OECA), the Office of Environmental Justice (OEJ), the Office of the Chief Financial Officer (OCFO), and Regions 1, 6, and 10.

The EPA recognizes that Supporting Community-Based Action Programs is cross-cutting in nature and requires the participation of all EPA programs and regions. This integrated One EPA approach enables the Agency to better engage and empower communities and other stakeholders, particularly those who have been historically under-represented, in order to support and advance environmental protection and foster environmental, health, and economic benefits for all communities.

2.0 IMPLEMENTATION

2.1 Strategies

EPA will employ six strategies in the Supporting Community-Based Action Programs Implementation Plan that are tied to the larger Plan EJ 2014 goals and Agency priorities.

1. Advance environmental justice principles by building strong state and tribal partnerships through the National Environmental Performance Partnership System (NEPPS) and National Program Manager (NPM) guidance.
2. Identify scalable and replicable elements of successful Agency community-based programs and align multiple EPA programs to more fully address the needs of overburdened communities.
3. Promote an integrated One EPA presence to better engage communities in the Agency's work to protect human health and the environment.
4. Foster community-based programs modeled on the Community Action for a Renewed Environment (CARE) principles.
5. Explore how EPA funding, policies, and programs can inform or help decision makers to maximize benefits and minimize adverse impacts from land use decision making, planning, siting, and permitting.
6. Promote equitable development opportunities for all communities.

2.2 Activities

This section describes the ten major activities EPA will undertake to implement these strategies to support community-based programs.

Strategy 1: *Advance environmental justice principles by building strong state and tribal partnerships through the National Environmental Performance Partnership System (NEPPS) and National Program Manager (NPM) guidance*

This effort will advance the Administrator's priorities on environmental justice and children's health through state, tribal, and grant work plans. EPA regions will work with states and tribes to advance environmental justice by improving environmental conditions and public health in overburdened communities.

EPA has established a workgroup and schedule a series of meetings to hold discussions. The workgroup will make recommendations and develop appropriate language to incorporate environmental justice principles and Title VI to better protect overburdened communities. This effort will demonstrate how the Agency can positively affect overburdened communities through its partnerships, agreements, work plans and grants that are governed by NEPPS and NPM guidance principles.

The workgroup will promote state and tribal engagement with affected communities in their discussions and decision-making processes. The workgroup has identified two key activities to address as part of its effort to advance environmental justice through NEPPS and NPM guidance:

- Activity 1: Provide recommendations that mutually support community involvement; resource and data sharing; and monitoring, tracking, and training within programs implemented through performance partnership agreements, tribal agreements, and work plans guided by NEPPS and NPM documents.
    - Address specific issues and identify barriers within current practices to incorporating environmental justice principles into NEPPS and NPM process.
    - Develop recommendations on how to best integrate environmental justice principles into state and tribal grant work plans.
    - Promote state and tribal involvement in environmental justice discussions, reviews, and decision making to incorporate environmental justice principles into the NEPPS and NPM processes.
    - Coordinate with NEPPS and NPM efforts, exploring current regional practices and lessons learned to develop language for environmental justice guidance on community-based programs for inclusion in the annual NPM and NEPPS guidance.
    - Identify Agency programs to pilot the inclusion of environmental justice principles into negotiated work plans and tribal agreements.
    - Incorporate lessons learned from pilot demonstrations of environmental justice in negotiated work plans and tribal agreements into NPM and NEPPS annual guidance.

- Activity 2: Develop language for environmental justice principles including Title VI guidance (as appropriate with all Agency grants) for inclusion in the FY 2013 NEPPS and FY 2012 NPM guidance through collaboration and discussions with Office of Congressional and Intergovernmental Relations (OCIR), Office of Civil Rights (OCR), regional offices, and states.
    - Consult Agency legal resources for guidance in integrating environmental justice considerations and Title VI guidance through NEPPS and NPM guidance documents.
    - Review language from Performance Partnership Agreements (PPAs), Performance Partnership Grants (PPGs), and grants of Agency and state programs being implemented under NEPPS and NPM guidance.

Strategy 2: *Identify scalable and replicable elements of successful Agency community-based programs and align multiple EPA programs to more fully address the needs of overburdened communities.*

EPA has achieved great success with community-based programs that help build capacity to address critical issues affecting overburdened populations. In order to help Agency community-based programs learn from experience, this workgroup will engage both headquarters and regional offices regarding their successes and lessons learned with community-based programs. The workgroup will also review Office of Policy's (OP) list of 26 existing Agency community-based programs and existing evaluations of select Agency EJ programs to identify effective programmatic elements of successful place-based programs that help to support healthy and sustainable communities.

This is part of EPA's efforts to improve the effectiveness of its community-based programs through better information access, coordination, and leveraging. This effort focuses on making "community" an organizing principle of our work, increasing community access to our programs, and improving environmental protection and the quality of life at the community level. The workgroup has identified two key activities to improve EPA's community-based efforts to produce tangible results in overburdened communities.

- Activity 3: Review Agency and key outside community-based programs, and existing evaluations of select Agency programs, to identify scalable and replicable program elements which encourage place-based solutions to environmental justice issues, strengthen and promote partnerships, and support healthy and sustainable communities.
- Activity 4: Make recommendations on how EPA can align its community-based programs, particularly in EPA's regions to more fully address the needs of overburdened communities.

Strategy 3: *Promote an integrated One EPA presence to better engage communities in the Agency's work to protect human health and the environment.*

The organizational structure of EPA presents a challenge for many communities that are addressing multiple environmental issues. The reality is that most Americans see EPA as a single entity. More and more communities are seeking comprehensive environmental solutions that cut across individual media programs. We will find the best solutions when we work consistently in a unified way. What we can achieve as One EPA to assure a clean and healthy environment for all is far greater than the results of multiple uncoordinated efforts. One EPA is a mindset that values alignment – investing our time and energy to define together the outcomes we want and how to get there. It entails our persistent search for more integrated ways of reaching solutions that better protect the environment. This involves headquarters and regions working together to target areas of concerns.

The workgroup has identified the following key activity to address as part of its effort to promote a One EPA presence.

- Activity 5: Target three approaches to promote an integrated One EPA presence where EPA will find the best solution by working in a consistent and unified way.

  EPA will identify opportunities to present an integrated One EPA presence through:
  1. Conferences and listening sessions.
  2. Communication and outreach to better engage communities.
  3. Capacity building through workforce development and job training.

Strategy 4: *Foster community-based programs modeled on Community Action for a Renewed Environment (CARE) principles.*

The CARE program was developed from lessons learned from EPA community-based programs (e.g., Brownfields, Environmental Justice, Community-Based Environmental Protection, etc.) and advice from the 2004 NEJAC to "initiate community-based, collaborative, multi-media, risk reduction pilot projects."[15] The CARE principles will be applied to a One EPA approach toward testing regional approaches for joint planning and non-EPA funding of community partnerships. These partnerships will engage private industry, businesses, foundations, universities and community colleges, and other groups.

The workgroup has identified the following three key activities to address as part of its effort to foster community-based programs modeled on CARE principles:

- Activity 6: Develop a community-based partners (CBP) initiative for opportunities in underserved and environmentally overburdened neighborhoods to collaborate with federal agencies, private industry, foundations, and other institutions to implement the CARE principles.
  - In developing the CBP program, EPA will assess and implement ways by which the Agency can better act as a conduit to bring together underserved communities with federal agencies, private industry, businesses, foundations, universities, and other institutions.
- Activity 7: Develop a CBP program that caters to grassroots or emerging community groups with little to no organizational or technical capacity.
  - This second type of CBP program will address Agency concerns in reaching out to those community groups who have been unsuccessful in competing for government grants.

[15] National Environmental Justice Advisory Council, *Ensuring Risk Reduction in Communities with Multiple Stressors: Environmental Justice and Cumulative Risks/Impacts*, December 2004. Available at: http://www.epa.gov/compliance/ej/resources/publications/nejac/nejac-cum-risk-rpt-122104.pdf.

- Activity 8: Identify technical assistance resources, program staff, and regional staff available to aid overburdened communities with issues related to their areas of expertise.

Strategy 5: *Explore how EPA funding, policies, and programs can inform or help decision makers to maximize benefits and minimize adverse impacts from land use decision making, planning, siting, and permitting.*

EPA is aware of communities concerns about land use planning. To respond to these concerns, EPA will explore how our programs affect land use planning, siting, permitting, and decision making in overburdened communities. While land use planning is usually a local government responsibility, EPA can provide interested jurisdictions with information on best practices regarding policies and approaches that can benefit all community stakeholders and minimize adverse impacts.

Building upon its work with the interagency Partnership for Sustainable Communities, EPA can support a broad discussion forum to explore how interested jurisdictions might better address the issues of overburdened communities when making local land use decisions. Due to the cross-cutting nature of land use planning and its effect on communities, EPA will work collaboratively with state agencies that, subsequently, will work with communities and other stakeholders to identify issues and opportunities.

EPA has identified the following activity to implement its effort to examine land use decision making, planning, siting, and permitting in underserved and overburdened communities:

- Activity 9: Establish a workgroup and seek stakeholder feedback to explore ways the Agency's work intersects with land use decision making, planning, siting, and permitting.
    - This workgroup will produce information discussing environmental concerns that may affect land use planning, siting, and permitting decisions. This workgroup will be comprised of select EPA offices, and state, local, and tribal governments. The workgroup will also develop a complementary training course for stakeholders with the goal of increasing awareness of land-use decision making, and its effect on communities.

Strategy 6: *Promote equitable development opportunities for all communities.*

EPA has a range of financing and technical assistance vehicles in place that communities might be able to tap if they had basic, understandable information about how to do so. However, ensuring equitable access to them can be a formidable challenge for communities and organizations unfamiliar with EPA's processes for both distributing and leveraging these resources. Therefore, EPA needs to foster a climate in which more equitable development opportunities can be realized, by providing tailored information on financing and related tools and strategies, including outreach to agencies whose complementary tools could be given a greater community focus.

- Activity 10: Promote equitable development opportunities.
    - This workgroup will conduct research on existing financing vehicles; prepare an analysis (that will integrate existing Office of the Chief Financial Officer (OCFO)/Environmental Financial Advisory Board (EFAB) tools, as appropriate); produce an "EPA Agency-wide Financing and Technical Assistance Vehicle: Strategies to Apply Them to Support Equitable Community Development" and post on the web; and prepare an outreach memorandum to other key agencies, to encourage application of their tools in ways that promote equitable development.

2.3 Community Engagement and Stakeholder Outreach

Community engagement and stakeholder partnership activities are integrated into the different strategies and activities of this implementation plan. Many strategies and activities of this plan resulted from community dialogues and the NEJAC advice and recommendations. In addition, we will coordinate our community outreach and stakeholder involvement efforts with OEJ.

3.0 DELIVERABLES

The table below provides a list of activities to be completed with deliverables and associated milestones.

ACTIVITIES	DELIVERABLES	MILESTONES
Activity 1: Recommendations on advancing environmental justice principles in work plans and agreements.	▪ Necessary expertise identified for developing recommendations. ▪ Recommendations on how to best integrate NEPPS principles into state, tribal, and grant work plans. ▪ Agency programs to pilot the inclusion of environmental justice into negotiated work plans and tribal agreements identified.	▪ June 30, 2011 ▪ September 30, 2011 ▪ September 30, 2012
Activity 2: Development of appropriate language for incorporating environmental justice principles in work plans and agreements.	▪ The Office of General Counsel (OGC) guidance on environmental justice and Title VI language. ▪ Proposed language on environmental justice including Title VI guidance for community-based (CB) programs for FY 2013 NEPPS guidance and FY 2012 NPM guidance developed.	▪ June 30, 2011 ▪ September 30, 2012
Activity 3: List of scalable and replicable elements of CB programs.	▪ Workgroup established to coordinate with OP and look at Agency and outside CB programs. ▪ List of scalable and replicable CB program elements developed.	▪ March 31, 2011 ▪ October 28, 2011
Activity 4: Recommendations on aligning Agency CB programs.	▪ Recommendations on aligning Agency CB programs.	▪ December 31, 2011
Activity 5: Target three approaches to promote an integrated One EPA presence.	▪ Conferences and listening sessions ▪ Communication and outreach to better engage communities. ▪ Capacity building through workforce development and job training.	▪ July 1, 2011 ▪ July 29, 2011 ▪ December 31, 2011

Activity 6: Develop and implement CBP program based on the CARE model.	▪ Communities with the established framework in place to implement this program identified by EPA regional offices. ▪ Select communities and engage partnership opportunities. ▪ Preliminary program initiated. ▪ Lessons learned from selected communities developed.	▪ August 2011 ▪ September 2011 ▪ June 2012
Activity 7: Develop and implement CBP program for grassroots or emerging community groups.	▪ Develop a process to select communities. ▪ Preliminary program initiated. ▪ Lessons learned from selected communities developed.	▪ December 2011 ▪ January 2012 ▪ January 2013
Activity 8: Identify resources available to underserved communities.	▪ Identify areas of need. ▪ Reach out to offices and regions to identify resources and staff. ▪ Develop a list and a system for updating the list.	▪ September 2011 ▪ October 2011 ▪ May 2012
Activity 9: Explore how EPA funding, policies, and programs can inform and help decision makers to maximize benefits and minimize adverse effects from land use decision making, planning, siting, and permitting.	▪ Establish a workgroup. ▪ Set up a series of meetings to begin looking at intersection of Agency work and land use planning. ▪ Develop an outreach strategy to get stakeholder feedback. ▪ Develop training course for stakeholders. ▪ Develop a tool to showcase findings	▪ May 2011 ▪ March 2011 ▪ June 2011 ▪ December 2011 ▪ December 2011
Activity 10: Promote equitable development opportunities.	▪ Conduct research on financing vehicles. ▪ Prepare the Analysis (which will integrate existing OCFO and EFAB tools as appropriate). ▪ Produce an "EPA Agency-wide Financing and Technical Assistance Vehicle: Strategies to Apply Them to Support Equitable Community Development" and post on the web. ▪ Prepare an outreach memorandum to other key agencies, to encourage application of their tools in ways that promote equitable development.	▪ August 1, 2011 ▪ September 30, 2011 ▪ December 31, 2011 ▪ December 31, 2011

4.0 REPORTING

Progress reports on this implementation plan will be generated annually. The planned deliverables and milestones for each of the activities are described in Section 3.0. Each of the offices responsible will further refine and develop the activities during the process of implementation. For information, please contact Pat Carey, 202-566-0199, Carey.Pat@epa.gov.

Community-Based Programs, Projects, and Investments (2009-10)

1. Community Action for a Renewed Environment (Leads: OW and OAR)

OAR
2. Community-Based Childhood Asthma Program
3. Local Climate and Energy Program (Climate Showcase Communities)
4. EPA School Monitoring Initiative

OSWER
5. Brownfields – Training, Technical Assistance Grants, including Technical Assistance to Brownfields Communities (TAB) grants
6. Targeted Brownfields Assessment
7. Superfund Job Training Initiative
8. Superfund Redevelopment Initiative
9. Superfund Community Technical Assistance Grants
10. Brownfields Sustainability Pilots
11. Brownfields Assessment, Cleanup, and RLF Grants, including Brownfields Area-Wide Planning Pilots
12. Superfund Technical Assistance Services for Communities (TASC) Program
13. Environmental Workforce Development and Job Training Grants
14. Partnership for Sustainable Communities Brownfields Pilots (2010)
15. RE-Powering Feasibility Studies
16. Brownfields and Land Revitalization Technical Support Centers

OW
17. Five Star Restoration Grants Program
18. Lead in Schools Program
29. Urban Waters Initiative
20. Stormwater/Sanitary Sewer Overflow (SSO)/Combined Sewer Overflow (CSO) permits

Office of Chemical Safety and Pollution Prevention (OCSPP)
21. Community-Based Lead Grant Program
22. Tribal Lead Grant Program

OP
23. Smart Growth Program

Office Indian Affairs (OIA)
24. Indian Environmental General Assistance Program

OECA
25. Environmental Justice Showcase Communities
26. Environmental Justice Small Grants Program

5. Fostering Administration-Wide Action on Environmental Justice

September 2011

Led by
Office of Water and Region 6

U.S. Environmental Protection Agency
Washington, D.C. 20460

Goals At-A-Glance

To facilitate the active involvement of all federal agencies in implementing EO 12898 by minimizing and mitigating disproportionate, negative impacts while fostering environmental, public health, and economic benefits for overburdened communities.

1.0 INTRODUCTION

Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations" (EO 12898), signed in 1994, calls on all federal agencies to focus attention on, and work with other stakeholders to, eliminate or remediate the unduly high and adverse human health or environmental effects that exist in these communities. In other words, it called for federal agencies to achieve environmental justice. EO 12898 directs each federal agency to "make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations," including tribal populations.[16]

1.1 Goals

Everyone in America deserves to live, work, and play in a healthy and sustainable community. The goal of this implementation plan is to facilitate the active involvement of all federal agencies in ensuring a healthy, sustainable, and green community, as well as equitable development, for all people. To better achieve this goal, the U.S. Environmental Protection Agency (EPA) is leading the Administration's effort to fully implement EO 12898. As each federal agency reinvigorates its effort to make environmental justice part of its mission, EPA will focus on helping each federal agency participate in a coordinated approach that acknowledges the disproportionately high and adverse human health and environmental impacts on overburdened communities, while providing access to the environmental, public health, and economic benefits of EPA's programs.

A coordinated and holistic approach is essential to ensure that we address the full scope of adverse human health and environmental effects in overburdened communities, legacy pollution problems rooted in historical discrimination, and cumulative impacts; and to ensure that all communities participate in, and benefit from, the transition to a clean energy economy.

1.2 Organizational Structure

The Office of Water (OW) and Region 6 will serve as co-leads for the Fostering Administration-Wide Action on Environmental Justice cross-Agency focus area. OW will be supported by the Office of Environmental Justice (OEJ), the Office of Solid Waste and Emergency Response (OSWER), the Office of Federal Activities (OFA), the Office of Civil Rights (OCR), and the Office of Congressional and Intergovernmental Relations (OCIR).

[16] Clinton, William J., Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," February 11, 1994, *Federal Register* 59, No. 32: 7629.

EPA recognizes that Fostering Administration-Wide Action requires coordination with the White House Council on Environmental Quality (CEQ), other federal agencies, and EPA's ongoing interagency activities. In addition, the OFA will address the issues related to the National Environmental Policy Act (NEPA), and the OCR will address issues related to Title VI of the Civil Rights Act of 1964. Interagency coordination will also involve the Federal Interagency Working Group on Environmental Justice (EJ IWG), which was established under EO 12898 and was reconvened in September 2010.

2.0 IMPLEMENTATION

2.1 Strategies

EPA, in conjunction with the White House CEQ and the EJ IWG, has identified four major strategies for *Fostering Administration-Wide Action on Environmental Justice:*

- Assist other federal agencies to integrate environmental justice in their programs, policies, and activities.
- Work with other federal agencies to strengthen use of interagency legal tools, such as NEPA and Title VI of the Civil Rights Act of 1964.
- Foster healthy and sustainable communities, with an emphasis on equitable development and place-based initiatives.
- Strengthen community access to federal agencies.

2.2 Activities

The following activities are intended to carry out the strategies identified for this implementation plan.

Strategy 1: *Assist other federal agencies to integrate environmental justice in their missions, programs, policies, and activities.*

EPA will lead the Administration's effort to better integrate environmental justice into federal agency programs, policies, and activities by chairing the EJ IWG. The Administration is dedicated to ensuring that everyone has the opportunity to live in a healthy and sustainable community, particularly those living in overburdened communities. As part of this Administration-wide effort, EPA has taken the lead in reinvigorating the EJ IWG. Under EO 12898, the EJ IWG is chaired by the EPA Administrator and comprised of principals from other agencies. The purpose of the EJ IWG is to guide, support, and enhance federal environmental justice and community-based activities.

The following five activities will be conducted to implement this strategy:

- Activity 1.1: Chair and convene EJ IWG Principal, Deputy, and Senior Staff meetings. EPA and the other federal agencies place a high priority on facilitating the integration of environmental justice into federal agency programs, policies, and activities. For example, in 2010, EPA and CEQ reconvened the EJ IWG for the first time in over a decade. The White House, EJ IWG members, and other federal agency representatives expressed their commitment to meet their responsibilities under EO 12898. EPA and CEQ also hosted the first White House Forum on Environmental Justice. At the Forum, EJ IWG members and other federal agency representatives reengaged with environmental justice advocates about issues that are important to overburdened communities. Moving forward, EPA will continue to lead EJ IWG meetings and events.

- Activity 1.2: Chair, assist, and oversee each federal agency's effort to update or develop its environmental justice strategy. This Administration is committed to identifying, evaluating, and reducing environmental and human health burdens while increasing environmental and human health benefits in overburdened communities. Accordingly, each federal agency will update, or in some cases develop, an environmental justice strategy that will be responsive to the environmental and human health needs of overburdened communities.
- Activity 1.3: Lead the effort to organize regional events. EPA and other federal agencies recognize that, to successfully address the needs of overburdened communities, federal agencies must engage environmental justice stakeholders in and around their communities. To further this effort, EPA will lead the development of regional events where EJ IWG members and other federal agency representatives will meet with environmental justice stakeholders to discuss and help resolve issues that are important to communities in each region.
- Activity 1.4: Develop and provide tools that help environmental justice and other stakeholders identify federal information and resources. This Administration recognizes the need to provide federal resources, contact information, lessons learned, and other information to environmental justice stakeholders. As a result, EPA will develop information and resource tools to promote collaboration between federal agencies and environmental justice stakeholders and improve opportunities for environmental justice stakeholders to utilize federal resources.
- Activity 1.5: Convene a group of senior attorneys from across the federal government to promote the integration of environmental justice into their agencies' actions. In partnership with the U.S. Department of Justice (DOJ), EPA's Office of General Counsel (OGC), the Office of Enforcement and Compliance Assurance (OECA), and the Office of Regional Counsel (ORC) will bring together attorneys from agencies across the federal government that have an interest in environmental justice. We will convene monthly meetings at the staff level to share information about legal issues the agencies have encountered and think through the role of agency attorneys in promoting their agencies' environmental justice policies. We also hope to develop other forms of information-sharing tools. Our goal is to help EJ IWG members and other agencies with environmental justice interest to understand the legal tools available to them to promote environmental justice.

Strategy 2: *Work with other federal agencies to strengthen use of interagency legal tools, such as the National Environmental Policy Act and Title VI of the Civil Rights Act of 1964.*

National Environmental Policy Act (NEPA)

NEPA is an important tool that can be used to help advance the goals of environmental justice. NEPA emphasizes transparency and public involvement and promotes better, more responsible decision making by the federal government. Namely, NEPA requires federal agencies to assess and disclose environmental impacts, which include environmental justice considerations, when proposing actions. Further, under the Clean Air Act (CAA) Section 309, EPA is mandated to review Environmental Impact Statements (EIS), comment in writing, and make those comments available to the public. These reviews include an assessment of whether the requirements of EO 12898 and the accompanying Presidential Memorandum on environmental justice are considered and integrated within the NEPA process. We have identified a number of activities that EPA, in concert with other federal agencies, can take to strengthen all agencies' abilities to incorporate environmental justice into major federal activities.

- Activity 2.1: Articulate a consistent message about the need to incorporate environmental justice into NEPA implementation efforts. We will articulate a clear, consistent message about need to incorporate environmental justice considerations into NEPA implementation efforts. We will reinforce the utility of NEPA as a tool to effect good environmental decision making and take environmental justice into account through CAA Section 309 reviews. In addition to improving internal collaboration on environmental justice, a clear message will enable the Agency to send consistent messages to external stakeholders.

- Activity 2.2: Enable federal NEPA practitioners to enhance consideration and execution of environmental justice requirements in NEPA implementation efforts. We will develop tools to help federal NEPA practitioners in EPA and other agencies enhance environmental justice considerations in NEPA implementation efforts by identifying and disseminating best practices in general and in specific sectors. These tools can assist agencies in analyzing environmental impacts and community concerns and will emphasize the benefits of having robust, agency-specific formal NEPA-specific environmental justice guidance.

Title VI of Civil Rights Act of 1964

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, and national origin, including matters related to language access for limited English proficient persons, by recipients of federal financial assistance. Under EPA's Title VI regulations, recipients of EPA financial assistance are prohibited from, among other things, using "criteria or methods of administering its program which have the effect of

subjecting individuals to discrimination based on their race, color, or national origin." For example, facially-neutral policies or practices that result in discriminatory effects violate EPA's Title VI regulations, unless it is shown that they are justified and that there is no less discriminatory alternative. In addition, EPA's regulations and Title VI prohibit intentional discrimination by recipients. Other similar laws prohibit discrimination on the basis of age, sex, and disability by recipients of federal financial assistance.

OCR has identified two activities that EPA, in concert with DOJ, can take to strengthen the use of Title VI:

- **Activity 2.3:** Consult with DOJ to strengthen the use of Title VI of the Civil Rights Act of 1964 by re-evaluating the approach for analyzing Title VI complaints.

- **Activity 2.4:** Collaborate with DOJ and within EPA, to develop compliance strategies and actions to address non-compliance.

Strategy 3: *Foster healthy and sustainable communities, with an emphasis on equitable development and place-based initiatives.*

Increasingly, environmentally and economically burdened communities are seeking comprehensive solutions that address adverse human health and environmental effects, as well as health disparities, while enabling these communities to make a transition to sustainable community development. Communities are calling upon federal agencies to work in a coordinated manner. Resulting efforts will improve community access to the environmental, public health, and economic benefits that define a healthy and sustainable community.

By mobilizing the resources of all federal agencies, the EJ IWG can foster efforts to ensure that we address adverse human health and environmental effects in overburdened communities, including legacy pollution problems rooted in historical discrimination and cumulative impacts, and ensure that all communities participate in, and benefit from, the transition to a clean energy economy.

As a result of community input and the White House Forum on Environmental Justice, the EJ IWG identified four areas of significant concern to overburdened communities:

- Green Jobs and Clean Energy.
- Healthy and Sustainable Communities.
- Climate Change and Adaptation.
- Goods Movement.

The following activity will be conducted to implement Strategy 3.

- Activity 3.1: Recommend ways to enhance federal interagency coordination in support of healthy and sustainable communities as well as equitable development. EPA, in conjunction with other federal

agencies, will develop a proposal to the EJ IWG for how federal agencies can coordinate action in each of the four areas identified above to improve the health and sustainability of overburdened communities in the implementation of existing executive orders and administration priorities. Federal agencies will make community engagement an important part of our efforts to identify environmental justice issues and opportunities for interagency collaboration. Actions should be based on the following principles:

- Designate an EJ IWG agency to serve as lead.
- Build on and leverages existing Administration initiatives.
- Enhance existing policies or programs to address environmental justice issues.
- Identify data needs and success measures.
- Identifies place-based project for coordinated action, if appropriate.
- Address issues of community access to resources and technical assistance.
- Promote state, regional, local, and tribal partnerships.
- Utilize regional forums and other community outreach to inform federal actions.

Strategy 4: *Strengthen Community Access to Federal Agencies.*

In the priorities outlined by Administrator Lisa Jackson last year, she highlighted the importance of expanding the conversation on environmentalism and working for environmental justice. With that priority in mind, the Administrator acknowledged the importance of reaching out to and engaging with communities. As part of this interagency focus on environmental justice, one of EPA's goals is to strengthen the ability of communities to access the federal programs and the expertise that they need to realize their goals for a healthy and sustainable way of life. In support of that goal, EPA will implement actions that eliminate barriers, make connections, fill gaps, and reduce duplication so that communities are better able to access the federal resources they need.

- Activity 4.1: Community Needs Inventory Pilot. In order to determine the areas of interagency cooperation that need improvement, the EPA regions will select three communities of concern about which they have extensive knowledge. Each EPA region will develop an inventory of the communities' already-identified needs and then identify the federal agency(ies) that could address each need. Once that has been accomplished for all regions, a data set of thirty communities will be available so that the EJ IWG can identify trends – for example, those three or four federal agencies whose assistance is needed in the broadest number of communities. The product of this internal EPA analysis will be a request to the Administrator to approach those agencies through the EJ IWG for a commitment and the development of strategies.

- Activity 4.2: Targeted Training for Communities. EPA will identify appropriate delivery mechanisms to convey information to communities on existing federal programs and expertise relevant to them. This information will be based on the work already underway in the EJ IWG and EPA's Office of Policy (OP) to catalog existing federal programs and expertise. Potential delivery mechanisms include trainings, conferences, and webinars.
- Activity 4.3: Review Federal Partners Meeting. EPA will review action items from the April 2010 Federal Partners Meeting, determine which recommendations support strengthening community access to federal agencies, and determine how to incorporate them into this implementation plan. This will result in a more robust implementation plan in the future and will help advance the outcomes of the Federal Partners Meeting. This is being done in coordination with Plan EJ 2014 community-based action efforts.
- Activity 4.4: Coordination with Agency Community-Based Coordination Efforts. A member of this Fostering Administration-Wide Action on Environmental Justice Workgroup will participate on the parallel workgroup under the OP's Community-Based Coordination Efforts (CBCE) Initiative's cross-Agency External Coordination Workgroup. This person will ensure that environmental justice communities' needs are adequately addressed in each of the activities recommended and ultimately undertaken. The CBCE cross-Agency External Coordination Workgroup is recommending a number of activities, including:
    - Cataloguing existing community-based efforts with interagency coordination.
    - Mining existing community-based efforts with interagency coordination for best practices.

Improving community access to federal agency resources, including a website portal that will serve as a one-stop shop for communities to access all federal agencies according to searchable needs and key words.

2.3 Community Engagement and Stakeholder Plan

Community engagement and stakeholder partnership activities are integrated into the different strategies and activities of this implementation plan. Many of the strategies and activities in this plan resulted from community dialogues and the National Environmental Justice Advisory Council's (NEJAC) advice and recommendations. In addition, we will coordinate our community outreach and stakeholder involvement efforts with OEJ.

3.0 DELIVERABLES

Strategy 1: Assist other federal agencies to better integrate environmental justice into agency programs, policies, and activities.

ACTIVITY	DELIVERABLES	MILESTONES
Activity 1.1: Chair and convene EJ IWG Principal, Deputy, and Senior Staff meetings.	▪ Chair annual Principals/Deputies meetings. ▪ Chair Senior Staff meetings/calls.	▪ By the end of 2011 ▪ Monthly
Activity 1.2: Chair, assist, and oversee each federal agency's effort to update or develop its environmental justice strategy.	▪ Oversee the finalization of each Agency's environmental justice strategy.	▪ By the end of 2011
Activity 1.3: Lead the effort to organize regional events.	▪ Hold at least one event in each EPA region, or in appropriate equivalent.	▪ By the end of 2011
Activity 1.4: Develop and provide tools that help environmental justice and other stakeholders identify federal information and resources.	▪ Publish a draft Federal Environmental Justice Directory and draft Federal Resource Guide. ▪ Review EPA's EJ IWG website. ▪ Update EPA's EJ IWG website.	▪ By the end of 2011 ▪ Annually ▪ As appropriate
Activity 1.5: Convene a group of senior attorneys from across the Administration in order to promote the integration of environmental justice into their agencies' actions.	▪ Conduct meetings on regular basis.	▪ As appropriate

Strategy 2: Work with other federal agencies to strengthen use of interagency legal tools, i.e., National Environmental Policy Act and Title VI of Civil Rights Act of 1964.

ACTIVITY	DELIVERABLES	MILESTONES
Activity 2.1: Articulate a consistent message about the need to incorporate environmental justice into NEPA implementation.	Issue a directive to NEPA reviewers emphasizing environmental justice, reinforcing the utility of NEPA through CAA Section 309 reviews as a tool to effect good decisions and take into account environmental justice considerations. ▪ Stakeholder outreach: Work with regional managers. Post on web.	March 31, 2011
Activity 2.2: Enable federal NEPA practitioners to enhance consideration and execution of environmental justice requirements in NEPA implementation.	Engage with federal agencies to identify unique or "best practices." Develop information on "best practices" for implementing environmental justice requirements in the NEPA process and post on the internet. ▪ Stakeholder outreach: Work with EPA environmental justice experts and regional NEPA practitioners. Share with the NEJAC.	September 30, 2011
	Work with the EJ IWG, White House CEQ, federal agencies, and the NEJAC to urge that all federal agencies with NEPA responsibilities have robust agency-specific guidance in place setting forth a process to meaningfully consider environmental justice in the NEPA EIS process. EPA will identify and disseminate examples/components of strong guidance. ▪ Stakeholder outreach: EJ IWG, White House CEQ, NEJAC.	June 30, 2011
	Develop a best practices tool for regulators to analyze specific environmental impacts and identify typical community concerns for a particular sector.	September 31, 2011

ACTIVITY	DELIVERABLES	MILESTONES
	▪ Stakeholder outreach: Work with affected regions, communities, and federal and state regulators.	
Activity 2.3: Develop a plan of action, in consultation with DOJ, which will outline how EPA will re-evaluate the approach for analyzing Title VI complaints.	Convene stakeholder dialogue to discuss the re-evaluation of the approach for analyzing Title VI complaints. ▪ Stakeholder Outreach: Work with EPA; DOJ; state agencies; businesses; and civil rights, environmental justice, community, and other experts.	June 30, 2011
Activity 2.4: Collaborate with DOJ and EPA to develop compliance strategies and actions to address non-compliance.	Develop a comprehensive plan of action that will outline how EPA will implement this approach. ▪ Stakeholder Outreach: Work with EPA and DOJ. Convene EPA, DOJ, and other federal agencies to hold stakeholder dialogues to discuss the development of compliance strategies and actions to address non-compliance. ▪ Stakeholder Outreach: Work with EPA, DOJ, and other federal agencies.	September 30, 2011 November 30, 2011

Strategy 3: Foster Healthy and Sustainable Communities, with emphasis on equitable development and place-based initiatives.

ACTIVITY	DELIVERABLES	MILESTONES
Activity 3.1: Recommend ways by which the EJ IWG can enhance interagency coordination in support of healthy and sustainable communities.	Develop proposal to EJ IWG for how federal agencies can coordinate action to improve the health and sustainability of overburdened communities in the implementation of existing executive orders and administration priorities, in the at least two of the following four areas: ▪ Clean Jobs and Clean Energy. ▪ Healthy and Sustainable Communities. ▪ Climate Change and Adaptation. ▪ Goods Movement.	September 30, 2012

Strategy 4: Strengthen Community Access to Federal Agencies.

ACTIVITY	DELIVERABLES	MILESTONES
Activity 4.1: Community Needs Inventory Pilot.	Inventory of three Region 6 environmental justice communities' needs and corresponding federal agencies. Inventory of 27 remaining regional environmental justice communities' needs and corresponding federal agencies. Analysis of commonalities and trends. Recommendations made to Administrator to take to the EJ IWG.	April 30, 2011 By June 15, 2011 By December 31, 2011 By May 31, 2012
Activity 4.2: Targeted Training for Communities.	▪ Assessment of program cataloging results in the EJ IWG and OP efforts. ▪ Identification of best delivery mechanisms to reach communities.	By September 30, 2011

ACTIVITY	DELIVERABLES	MILESTONES
Activity 4.3: Review Federal Partners Meeting Recommendations.	Identification of recommendations from the April 2010 Federal Partners Meeting to determine which to incorporate.	By June, 2011
Activity 4.4: Coordination with Agency CBCE Initiative.	Draft options paper for Executive Management Council (EMC) review. Form workgroups to implement selected actions.	By February 15, 2011 To be determined

4.0 REPORTING

Progress reports on this implementation plan will be made annually. The planned deliverables and milestones for each of the activities are described above. Each of the offices responsible will further refine and develop the activities during the process of implementation. For information, please contact Sherri White, 202-564-2462, White.Sherri@epa.gov; or Alice Walker, 202-529-7534, Walker.Alice@epa.gov.

6. Science Tools Development

September 2011

Led by
Office of Research and Development
And Region 7

U.S. Environmental Protection Agency
Washington, D.C. 20460

Goals At-A-Glance

To substantially support and conduct research that employs participatory principles and integrates social and physical sciences aimed at understanding and illuminating solutions to environmental and health inequalities among overburdened populations and communities in the United States.

1.0 INTRODUCTION

Under Plan EJ 2014, the U.S. Environmental Protection Agency (EPA) has committed to building a strong scientific foundation for supporting environmental justice and conducting disproportionate impact analysis, particularly methods to appropriately characterize and assess cumulative impacts. These efforts will help to ensure that EPA brings the best science to decision making around environmental justice issues.

This Science Tools Development Implementation Plan discusses overarching goals, strategies, and activities, including a science and research agenda for the Agency. The science and research activities described in this plan build upon discussions and recommendations from "Strengthening Environmental Justice and Decision Making: A Symposium on the Science of Disproportionate Environmental Health Impacts" (March 17-19, 2010) and the workshop on "Analytical Methods for Assessing the Environmental Justice Implications of Environmental Regulations" (June 9-10, 2010). The March 2010 Symposium was the principal event for the Agency to identify science needs for environmental justice and stimulate ideas for innovative research to meet those needs.

1.1 Goals

Our goal is that, within five years, EPA will substantially support and conduct research that employs participatory principles and integrates social and physical sciences aimed at understanding and illuminating solutions to environmental and health inequalities among overburdened populations and communities in the United States. This goal supports our vision that all Agency decisions will make use of the information, data, and analytic tools produced. Our goal has two specific elements:

1. Improve the scientific basis for environmental regulatory and policy decisions in order to ensure that everyone enjoys the same degree of protection from environmental and health hazards and equal access to the decision-making process to have a healthy environment in which to live, learn, and work.
2. In order to increase the relevance of science to policy making, transform how EPA formulates, designs, prioritizes, conducts, and fosters more citizen participatory, inclusive, co-production of knowledge, and collaborative processes within the scientific research enterprise.

1.2 Strategies

We have five major strategies to achieve our goals.

1. Apply integrated transdisciplinary and community-based participatory research approaches with a focus on addressing multi-media, cumulative impacts and equity in environmental health and environmental conditions.
2. Create mechanisms to incorporate perspectives from community-based organizations and community leaders into EPA's research agendas and engage in collaborative partnerships with them on science and research to address environmental justice.
3. Leverage partnerships with other federal agencies on issues of research, policy, and action to address health disparities.
4. Build and strengthen the technical capacity of Agency scientists on conducting research in partnership with impacted communities and translating research results to inform change.
5. Build and strengthen technical capacity of community-based organizations and community environmental justice and health leaders to address environmental health disparities and environmental sustainability issues.

1.3 Discussion

Multiple aspects of the physical environment in which we live, learn, work, and play can put certain groups of people "at higher risk." Also, individuals and groups may experience disadvantages related to their gender, lifestage, socioeconomic status, race, ethnicity, disability, education, geographic location, or other characteristics historically linked to discrimination or exclusion. This complex interaction between the physical environment and other conditions of social disadvantage contributes to known social disparities in environmental health outcomes.

Since 1994, as stated in the Executive Order 12898 (EO 12898), it has been incumbent upon all federal agencies including EPA to identify and address disproportionately high and adverse human health or environmental effects on minority and low-income populations that may result from their programs, policies, and activities. The concept of disproportionate environmental health impacts and burdens refers to the finding that some populations systematically experience higher levels of risks and impacts than the general population. (Brulle and Pellow 2006) This perspective recognizes that multiple factors, including social, psychosocial, economic, physical, chemical, and biological determinants may contribute to disproportionately high and adverse human health or environmental impacts.

The importance of science in environmental decision making at EPA emphasizes the need for data and information that is sound and defensible, reproducible, and informative. For environmental justice stakeholders, it is even more important that the science underlying EPA's decisions appropriately accounts for the multiple exposures to chemical stressors and cumulative impacts from multiple exposures that they experience in their communities. Further, the social and real world context in which exposures to environmental contaminants occur also needs to be explicitly considered and reflected in EPA's scientific research and analysis as emerging evidence demonstrates that social context may enhance the toxic effects of both single and multiple environmental contaminant exposures. Such considerations require new models for assessing the toxicity of environmental hazards, advanced methods for analyzing complex interactions between multiple stressors, and enhanced access to community-level wisdom and resources.

These emerging needs indicate that new ways of conducting scientific inquiry to inform environmental decision are needed at EPA. Such expansion and advancement of EPA's scientific agenda, methods, models, research inquiry approaches, and information resources is necessary for the Agency to adequately address environmental justice stakeholder's concerns about environment, sustainability, and health inequalities. These advancements take on additional importance when viewed in the context of the Agency's mandate to achieve environmental justice as required by EO 12898, and its ability to effectively contribute towards *Healthy People 2020*'s overarching goals to achieve health equity, eliminate health disparities, improve the health of all groups, and create social and physical environments that promote good health for all.[17]

Conversely, health and environment status can influence, for example, the social and institutional arrangements, which can lead to both negative and positive outcomes cumulatively impacting the health of a community. The cumulative impact has greater and farther-reaching consequences than any one factor or event alone; this is particularly evident among vulnerable low-income and underserved populations. In order to determine the positive and negative health and environmental impacts during some of the social processes described above, the scientific research requires both quantitative and qualitative approaches.

The goals, strategies, and activities for this implementation plan build upon the science recommendations articulated at the March 2010 symposium, *Strengthening Environmental Justice Research and Decision- Making: A Symposium on the Science of Disproportionate Environmental Health Impacts,* and the subsequent "100-Day Challenge" Report developed by the Agency in response to recommendations generated from the symposium.

[17] *Healthy People* is a set of goals and objectives with 10-year targets designed to guide national health promotion and disease prevention efforts to improve the health of all people in the United States.

A consistent theme throughout the March 2010 symposium was the linkages between science and policy. These discussions were framed within the context of identifying research and scientific needs that are necessary to ensure that environmental justice concerns and social disparities in environmental health are incorporated in EPA's decisions for the purpose of advancing EPA policy on environmental justice. Several conceptual frameworks have been published in the last few years that relate environmental justice and health disparities to upstream, structural determinants of health (CSDH 2008; Gee and Payne-Sturges 2004; Krieger 2001; Habermann and Gouveia 2008; Morello-Frosch 2002; Morello-Frosch and Shenassa 2006; Schulz et al 2002; Wakefield and Baxter 2010).

Symposium participants suggested several actions that EPA and other federal agencies take in order to reduce data gaps in the area of environmental justice, overcome limitations in the theories and methods for conducting research on environmental health disparities and particularly research supported by the federal government, and overcome limitations in practice of risk assessment at EPA. The science recommendations from environmental justice advocates and other stakeholders are captured in Appendix C.

1.4 Organizational Structure

The specific science and research actions described in Section 2.0 were developed through a cross-Agency workgroup for the Agency's 100-Day Report follow-up to the March 2010 Symposium. Representation on the workgroup included the Office of Air and Radiation (OAR), the Office of Chemical Safety and Pollution Prevention (OCSPP), the Office of Policy (OP), the Office of Solid Waste and Emergency Response (OSWER), the Office of Water (OW), the Office of Research and Development (ORD), and Regions 6, 7, 8, and 10. Region 7 serves as ORD's Lead Region.

Going forward, ORD, as lead for the Science Tools Development Implementation Plan, proposes to establish a more permanent structure within ORD, which we are planning to name the Environment Health and Society Workgroup. This workgroup will serve as ORD science experts and points of contact on environmental justice, environmental disparities, and disproportionate impacts science issues. ORD's National Center for Environmental Research (NCER) and the Office of Science Policy (OSP) will jointly sponsor and co-chair this new workgroup. The co-chairs will also lead the Plan EJ 2014 Science Tools Development Workgroup and monitor the Science Implementation Plan for Plan EJ 2014. ORD is considering re-constituting the intra-agency group on science for the 100-Day Report to serve as the Plan EJ 20114 Science Group. ORD will coordinate with all the Plan EJ 2014 implementation workgroups to ascertain how current activities can be better tailored or leveraged to address Plan EJ 2014 workgroups' science needs under the five strategies (listed in Section 1.2) and to identify future science activities.

2.0 IMPLEMENTATION

Below we describe several major science and research activities under the five strategies. These activities will be carried out with existing resources, provided these resources remain available.

2.1 Activities

Strategy 1: *Apply integrated transdisciplinary and community-based participatory research approaches with a focus on addressing multi-media, cumulative impacts and equity in environmental health and environmental conditions.*

Activity 1.1: Establish an Integrated Transdisciplinary ORD Research Program on Environment and Community Health – *Sustainable and Healthy Communities Research Program.*

The new Administration at EPA and in particular in ORD recognizes that fragmented research programs cannot solve 21st century environmental challenges including disparities in environmental health. ORD is leading the way by integrating 12 research programs that were mostly media-specific into four transdisciplinary programs aligned with EPA's new Strategic Plan. As part of this re-structuring, ORD is fully establishing and supporting a new integrated transdisciplinary research program on environment and community health known as "Sustainable and Healthy Communities." This program seeks to adopt a more holistic view of environment and health as its conceptual framework, take on research projects that address many of the topics raised at the Symposium, and conduct research in a manner consistent with principles of community-based participatory research. Both ORD intramural and extramural resources from existing human health, land, sustainability, and ecosystems research programs would be directed to support this new program. For this new research program to be successful, implementation of many of the recommended actions on capacity building within ORD and incorporating community perspectives is critical.

As part of the new Sustainable and Healthy Communities Research Program (SHCRP), EPA's new Science to Achieve Research (STAR) grant solicitations are being considered to support tribal community environmental health research and to establish Centers of Excellence on Environment and Health Disparities to examine the joint impacts of social and physical environmental conditions, processes and systems on health in collaboration with the National Institutes of Health's (NIH) National Center on Minority Health and Health Disparities (NCMHD).

Benefits to EPA Stakeholder Communities

- ORD's new research program is responsive to suggestions from stakeholders to create and institute a new scientific research approach that develops a more holistic understanding of the environmental and health. This approach will also integrate perspectives from community residents and leaders, community-based non-governmental organizations (NGOs), and community health and environmental quality advocates in the development of EPA's scientific research agendas, as well as in data collection, conduct of risk and exposure assessments, and risk management decisions.
- The hallmark of the integrated proposed transdisciplinary approach is "systems thinking," which seeks to understand the complex interactions between social, natural, and built environmental systems, conditions and policies that impact human health and well-being. To explicitly address environmental justice concerns, this program will need to direct its attention to how these complex interactions result in unequal environmental health conditions or disproportionate impacts among (diverse) disadvantaged population groups, communities, neighborhoods and individuals.
- Anticipated outcomes of this program include new information and tools to support more holistic environmental decision making at national, regional, state, tribal, and local levels. It is anticipated that this program will also inform strategies for alleviating systemic drivers of racial and socio-economic disparities in environmental health outcomes and access to healthy environments.

Impacts on EPA Programs and Activities

- The Assistant Administrator for ORD announced the re-structuring of ORD's 12 media-specific research programs into four integrated programs in Fall 2010. The Sustainable and Healthy Communities Research Program is an important part of this effort. This new program is currently in the early stages of organizing and development. Input from EPA program offices will be sought in early 2011. Then in late spring, input from outside stakeholders will be solicited. Bringing together diversity of disciplines to plan and implement integrated research programs will make EPA more effective at developing sustainable solutions to complex, 21st century environmental problems. It will create a culture where different disciplines are encouraged to find innovative solutions and will make EPA's research more timely, relevant and responsive to the short-, medium- and longer-term needs of our partners and stakeholders. Several external advisory committees continue to recommend this approach.

Timeframe

- Establish and fully support a Sustainable and Healthy Communities Research Program (Fiscal Year [FY] 2011).
- Incorporate ideas and concerns from stakeholders and representatives from disproportionately impacted communities and populations (FY 2011).
- Issue joint Request for Applications (RFA) or other funding mechanisms to collaborate with NIH National Institute on Minority Health and Health Disparities to establish Centers of Excellence on Environment and Health Disparities (FY 2012).

Activity 1.2: Develop technical guidance, analytic methods, tools and data to advance the integration of environmental justice in EPA's decision making.

EPA's regulatory decision making is informed by scientific data and analysis. To facilitate the process of using scientific data, EPA scientists and decision makers, as well as communities, community advocates and other stakeholders, require consistent and systematic guidance on how to conduct these analyses. They also depend on scientifically valid tools and methods, as well as information communicated by environmental data. While the guidance, methods, tools, and data for advancing environmental health protection has been an area of significant investment by EPA, these tools of the trade have not been fully adapted or developed to specifically address environmental justice issues.

EPA's commitment to integrating environmental justice in all of its decisions, policies, and programs has resulted in investments to develop technical guidance, analytic methods, tools, and data. For example, EPA is in the process of developing guidance entitled "Technical Guidance for Incorporating Environmental Justice into Rulemaking Activities" through Plan EJ 2014's Incorporating Environmental Justice into Rulemaking Implementation Plan. This document is expected to aid EPA staff and managers in incorporating environmental justice into EPA's analytical frameworks such as risk assessment, and economic analysis, and other scientific and policy assessments.

EPA's OAR is piloting several kinds of analyses that are useful in informing managers about the potential environmental justice implications of air rulemakings. OAR is evaluating and testing several analytical approaches including: (1) proximity-based socio-demographic analyses, which highlight the characteristics of those living closest to sources of air pollution; (2) exposure and health risk modeling that breaks out data based on socio-demographic characteristics (e.g., race, income); and (3) benefits mapping that shows the distribution of benefits of a regulation to various socio-demographic groups. OAR expects to learn from their experiences in using these approaches. OAR will revise its methods accordingly, as it seeks to do a better of job of identifying rules that may present environmental justice concerns and to understand more fully the implications of air rules

on overburdened populations. OAR's experiences will help to inform the overall Agency effort to develop the technical guidance.

ORD plans to evaluate existing tools developed by ORD scientists with respect to appropriateness and ease of use for lay experts in communities. To improve access to Agency tools, ORD plans to work with stakeholders to develop a series of free regionally-based trainings on EPA's information and assessment tools. ORD also plans to partner with EPA regional offices, other federal agencies, and consortia of environmental justice and community health non-profits and community-based organizations to host community-based tools workshops and Regional Tools Summits. There will be a specific focus on tools to evaluate environmental justice and health disparities policies and programs.

ORD proposes to continue to develop cumulative risk/impact assessment techniques and analytics, tools, and mapping methods that can be applied at multiple geographic scales. For example, ORD has committed $8 million in research investment through STAR grants on cumulative risk assessment methods that incorporate community social contexts (non-chemical stressors) and indicators of population vulnerability (see http://www.epa.gov/ncer/cumulativerisk). The Agency will ensure research results from these new STAR grants on cumulative risks, and chemical and non-chemical stressors are well disseminated and used by EPA program offices.

ORD's Office of the Science Advisor (OSA) and the National Exposure Research Laboratory (NERL) have launched an initiative to develop a web-based cumulative risk assessment tool, the Community Cumulative Assessment Tool (CAAT). This tool will enable a more complete and thorough evaluation and understanding of physiological and socioeconomic stressors that result in cumulative impacts in U.S. communities and populations. This broader framework for decision making leads to inherently more sustainable outcomes as a result of a more complete understanding of the factors constituting and contributing to risk in identified populations.

The CCAT is designed to implement a multi-media approach to cumulative risks in communities facing environmental justice issues; and will leverage datasets, research, and certain Geographic Information System (GIS) capabilities that were developed for C-FERST in the Communities and Cumulative Risk Research Program in ORD. The CCAT will also reflect the cumulative impact considerations outlined in the "Technical Guidance for Incorporating Environmental Justice into Rulemaking Activities" and provide insight on environmental justice to the Risk Assessment Forum (RAF) Technical Panel developing the EPA Cumulative Risk Assessment (CRA) Guidelines. The project is directly responsive to the recognition that vulnerability and health disparities are interrelated and must be studied within the risk assessment paradigm. The developers of the CCAT will engage with environmental justice and community-based stakeholders to

inform the development of the CCAT and related agency cumulative risk assessment guidelines. This approach purposely builds skills among EPA scientists to design research and risk assessment protocols informed by collaboration with affected communities.

At the March 2010 Symposium, participants requested EPA to develop easy-to-use GIS tools. ORD's National Atlas of Ecosystem Services is developing an Urban Atlas, which will include high-resolution mapping for 100-250 populated areas selected along several gradients of concern (e.g., size, location, demographics, and environmental and health condition). It will feature selected small towns and rural communities, including rural Tribal lands. By mapping the current availability of "green" infrastructure and applying existing models for pollutant removal, water storage, and other functions, ORD's National Atlas will estimate the extent to which ecosystem services contribute to the basic needs of populated places.

> Additionally, the Atlas will reveal under-served areas where management to enhance specific ecosystem services would benefit community health and well-being. This local component of the Atlas will include demographic mapping to identify overburdened sub-populations that may benefit disproportionately from "green" infrastructure and/or are disproportionately underserved. The Atlas will permit stratification of urban and other populated areas to develop separate estimates of ecosystem services for communities identified as socially vulnerable. Additionally, it will incorporate accessible health data to map aspects of population susceptibility to diminished or degraded services. EPA is conducting this project in collaboration with multiple federal agencies, including the U.S. Forest Service, the U.S. Geological Survey, and the Centers for Disease Control and Prevention, as well as academic and other educational organizations. EPA regions and ORD's Human Health Research Program are interacting with communities to identify priority issues and build capacity for working with mapping tools to inform risk evaluation and management decisions.

EPA's ORD is also developing an Environmental Quality Index tool for measuring county level environmental quality, which will increase understanding about how multiple stressors simultaneously contribute to health disparities in minority, low-income, tribal, and indigenous populations.

Benefits to EPA Stakeholder Communities

- The development of guidance, methods, tools, and data to advance the integration of environmental justice into EPA's decision-making processes is responsive to several comments provided by stakeholders. For example, these activities address suggestions that EPA consider the areas of policy, capacity building, and promoting healthy and sustainable communities. These stakeholder comments recommend EPA to: (1) develop analytic and assessment tools and data collection approaches that can be used by community health advocates and environmental justice groups; (2) adopt multi-media cross-program approaches to addressing cumulative environmental exposures in stakeholder communities, as well as restructuring risk assessment to better account for multiple stressors; (3) increase community capacity to assess their environment; (4) develop a more holistic understanding of environment and health; and (5) integrate environmental justice in all its decisions. Better integration of environmental justice into EPA's decisions directly benefits communities impacted by EPA's regulatory activities. The overarching goal of developing these tools of the trade is to aid EPA staff to develop regulatory options that fully protect the health and environment of all people, as well as help communities to better understand their environmental problems.
- Community-based "stakeholders" will benefit from CCAT through access to improved information that integrates their own understanding of local conditions with data drawn from EPA's databases. Depending upon application, benefits may include improved capacity to collaborate with Agency experts, identify priorities, and pursue risk reduction strategies to improve public health and the environment.
- Key outcomes of the Urban Atlas will be to inform community members and decision makers as to how natural resources are critical community assets, and how their absence or degradation may be contributing to cumulative burdens on human health and well-being. Furthermore, the integrated, multi-media approach of the Urban Atlas will provide information on the co-benefits accrued to the community when applying ecosystem services to mitigate specific environmental contaminants or other priority health risks.

Impacts on EPA programs and activities

- These actions are also responsive to several core focus areas of EPA's Plan EJ 2014 and the principles on environmental justice articulated in EPA's Strategic Plan for 2011-2015. It is also responsive to the mandate in EO 12898 which requires that EPA identify and address disproportionately high and adverse human health or environmental effects of its policies, programs and activities on minority, low income, and tribal populations.
- Results produced by the new research grants on cumulative risks and impacts will demonstrate successful approaches to incorporating community knowledge into the development of such tools and the

application of qualitative approaches and social science methods into cumulative impact assessments. EPA's programs will benefit from the development of the CCAT through engaging with stakeholders to address the community-based assessment of cumulative risks with environmental justice concerns.

- Intensive engagement with environmental justice stakeholders will improve the incorporation of these issues in the design of the CRA Guidelines. The CCAT will improve the capacity of EPA regional risk assessors to assist communities in understanding the complexity of risk, and provide the means by which to identify priorities. Also the CRA-EJ software will assist programs in implementing the planned "Technical Guidance for Incorporating Environmental Justice into Rulemaking Activities" by facilitating a step-by-step approach to evaluating cumulative risks and impacts. More broadly the CRA Guidelines will affect risk-based decision making across the full range of EPA's programs, nationally, regionally, and more locally. The CCAT is a project under the RAF CRA Technical Panel, and will directly incorporate environmental justice into CRA and thus introduce environmental justice risk-based considerations throughout EPA's policies and decision making.
- The process for developing these tools, data, methods, and guidance will lead to innovative approaches and tools for incorporating environmental justice concerns in EPA's regulatory and policy decision making. Other innovations include identifying research needs and data gaps on topics such as environmental public health indicators to assess disparities, equity impact assessment methods, metrics to assess inequities in risk assessments to support rule making, and policy and program evaluation. ORD plans to bridge these data gaps through both intramural and extramural research programs.
- Initial community interaction for the development of the Urban Atlas will proceed through EPA's existing initiatives such as the CARE and Environmental Justice Showcase Communities programs and the EPA/U.S. Department of Housing and Urban Development (HUD)/U.S. Department of Transportation (DOT) Partnership for Sustainable Communities, and their EPA liaisons. Information about ecosystem services will expand options for improving community health and well-being, and clarify economic and other trade-offs involved in alternate environmental mitigation and remediation decisions. The selection of focal areas along several gradients is designed to facilitate the application of observed linkages between community welfare and ecosystem services to additional populated places of concern to EPA.

Timeframe

- Develop final draft of technical guidance by FY 2013.
- Develop and refine screening tools that identify air rules that raise potential environmental justice concerns (FY 2011).
- Determine the analytical tools are most appropriate for particular types of air rulemaking (FY 2011-12).
- Identify any additional analytical tools that may be needed to better understand the environmental justice implications of air rulemakings (FY 2011-12).
- Host community-based tools workshop(s) and Regional Tools Summits with focus on environmental justice and health disparities, to solicit recommendations and inform EPA's actions on tools under Plan EJ 2014 (FY 2012-13).
- Develop final Environmental Quality Index (Long term).
- Beta test a prototype of the CCAT in early 2012.
- Complete first phase of the Urban Atlas will be completed in FY 2013; incorporate additional populated areas will begin in FY 2012 and FY 2013, contingent upon funding.

Strategy 2: *Incorporate perspectives from community-based organizations and community leaders into EPA research agendas and engage in collaborative partnerships on science and research to address environmental justice.*

A few initiatives are highlighted here to better engage with communities in EPA science activities and implementation of regulatory programs.

Activity 2.1: Establish Community Engagement Initiative.

OSWER has launched the Community Engagement Initiative (CEI), www.epa.gov/oswer/engagementinitiative/, which is designed to enhance OSWER and regional offices' engagement with local communities and stakeholders (e.g., state and local governments, tribes, academia, private industry, other federal agencies, non-profit organizations) to help them meaningfully participate in government decisions on land cleanup, emergency preparedness and response, and the management of hazardous substances and waste.

Activity 2.2: Re-engage with National Environmental Justice Advisory Committee.

ORD intends to establish a health and research workgroup or subcommittee within National Environmental Justice Advisory Committee (NEJAC) to advise the EPA Administrator and ORD in the area of scientific research, health impacts, and environmental risks and exposures that directly relate to environmental justice. An initial task of the workgroup will be to advise ORD on the development of the Sustainable and Health Communities Research Program.

Activity 2.3: Support Community-based Participatory Research.

Participatory research methods will be integrated into the new ORD research program on Sustainable and Healthy Communities and new extramural research solicitations to support CBPR are under consideration. A significant feature of the Sustainable and Health Communities Research program will be community and regional based projects. Applying participatory research methods will be the hallmark of this new program within ORD. Community-based participatory research (CBPR) fosters more complete understandings of the existing interactions between environmental conditions, human health and ecosystems. Researchers, practitioners, community members, and funding institutions have increasingly recognized the importance of comprehensive, holistic, and participatory approaches to environmental research and later stages of intervention. For EPA, applying CBPR in its scientific research and program planning promises to lead to more appropriate solutions for the persistent and uneven social disparities in health as well as access to clean and safe environments.

Benefits to EPA Stakeholder Communities

- These actions are in agreement with suggestions from environmental justice stakeholders to integrate perspectives from community residents and community leaders in the development of the EPA's scientific research agendas as well as in data collection.
- OSWER's CEI will include direct outreach to state and local governments, tribes, academia, private industry, other federal agencies, and non-profit organizations. The CEI is designed to help stakeholders have meaning participation in EPA's decisions on land cleanup, emergency preparedness and response, and the management of hazardous substances and waste. It will also improve OSWER efforts to protect human health and the environment through site cleanups and other risk reduction activities.
- Re-establishing a NEJAC health and research workgroup or subcommittee would provide a critically needed formal mechanism for environmental justice stakeholders, community-based organizations to provide input and feedback into the EPA/ORD research initiatives. Presently, ORD lacks any mechanism for public input into its research agenda. If concerns about environmental and health inequalities are not "on the table" they will be not be addressed by the EPA research enterprise. However it must be recognized that a NEJAC subcommittee cannot be the only approach for soliciting the contribution of environmental justice stakeholders. ORD will need to identify additional approaches for soliciting input and collaborating with environmental justice stakeholders (e.g., through regional outreach, the Regionally Applied Research Effort (RARE) program, and partnering with EPA program offices and other federal agencies). Creating formal mechanisms for receiving stakeholder input assures that community wisdom, perspectives and values are duly considered and accommodated in the development of ORD's new program. Moreover,

such mechanisms assure that the results of this program, which subsequently influence decision making at EPA, also consider robust community input.

Impacts on EPA programs and activities

- Nearly all of OSWER programs and activities will be impacted by the various CEI actions. The CEI is designed to enhance OSWER and regional offices' engagement with local communities and stakeholders, and to help them meaningfully participate in government decisions on land cleanup, emergency preparedness and response, and the management of hazardous substances and waste.
- The first task for this NEJAC workgroup could be to advise ORD on developing the Sustainable and Healthy Communities Research Program initiative, which is currently being discussed. Since this research program is in its early stages of development, engaging a NEJAC workgroup now could be extremely beneficial to ORD to help set the course, identify critical research questions that should be addressed and how best to solicit input and potential partnerships with community-based organization and environmental justice leaders such as hosting public forums on the *Sustainable Community Environments and Public Health* research program.

Timeframe

- Each of the CEI actions has defined deliverables and timeline for their completion. Nearly all of the actions have significant deliverables due in FY 2011.
- Incorporate ideas and concerns from stakeholders and representatives from disproportionately impacted communities and populations (FY 2011).
- Establish a NEJAC workgroup on research by FY 2012.
- Issue joint RFA or other funding mechanism to collaborate with NIH National Institute Minority Health and Health Disparities to establish national research Centers of Excellence on Environment and Health Disparities (FY 2012).

Strategy 3: *Leverage partnerships with other federal agencies on issues of research, policy, and action to address environmental and health disparities.*

Environmental justice and related concerns for health inequalities are complex and multi-dimensional. Solutions to these societal problems require intersectoral and intergovernmental actions. Environmental justice is not solely EPA's responsibility, just as health disparities cannot be seen solely as a U.S. Department of Health and Human Services problem. At present, governmental approaches to promoting and managing health and it determinants, namely the environment, are fragmented. Symposium participants recognized in order to achieve environmental justice, a multi-stakeholder, multi-system approach is required. Within federal agencies, we need to strengthen federal interagency collaboration to improve

research that can impact environmental and health practice, programs, and policy and formulate solutions for communities.

Activity 3.1: Join the Federal Collaboration on Health Disparities.

EPA's ORD will actively participate on the interagency Federal Collaboration on Health Disparities Research (FCHDR) and represent EPA on the Executive Steering Committee (http://minorityhealth.hhs.gov/fchdr/). The Executive Committee of the FCHDR was created to bring together selected agency representatives to seek practical solutions to advance health disparities research, and foster greater federal coordination, collaboration, and communication around the elimination of health disparities.

Federal departments represented on the Executive committee include:

- U.S. Department of Education
- National Institute on Disability and Rehabilitation Research
- U.S. Department of Housing and Urban Development
- U.S. Department of Justice
- U.S. Department of Veterans Affairs
- U.S. Environmental Protection Agency
- National Science Foundation
- U.S. Department of Health and Human Services (HHS), Centers for Disease Control and Prevention
- HHS, Health Resources and Services Administration
- HHS, National Institute for Minority Health and Health Disparities
- HHS, Office of Minority Health

The FCHDR's goal is to ensure that health disparities research is conducted as an integrated and inclusive field of study, rather than as an aggregate of independent research activities occurring in separate research domains. FCHDR members will work together to explore needs and opportunities for pooling scientific expertise and resources to conduct, translate, and disseminate research most needed to accelerate the elimination of health disparities.

FCHDR goals and strategies are to:

1. Identify health disparities challenges including the scientific and practical evidence most relevant to underpinning future policy and action.
2. Increase and maintain awareness about federal government efforts and opportunities to address health disparities.
3. Determine how evidence can be translated into practice to address health disparities and promote innovation.
4. Advise on possible objectives and measures for future research, building on the successes and experiences of health disparities experts.
5. Publish reports that will contribute to the development of the FCHDR strategic vision and plan.

Activity 3.2: Engage with President's Task Force on Environmental Health Risks and Safety Risks to Children.

EPA's OAR, the Office of Children's Health Protection (OCHP), ORD, and others are collaborating and participating with other federal agencies on the newly re-established President's Task Force on Environmental Health Risks and Safety Risks to Children. One focal area of their work is on asthma disparities among minority and disadvantaged children. In early December 2010, a Federal Workshop on Asthma Disparities was held in Washington, D.C., to foster interagency coordination on development and implementation of a detailed Federal Action Plan to address asthma disparities.

Benefits to EPA Stakeholder Communities

- More coordinated federal approach to research, policy, and action to address environmental justice health disparities.

Impact on EPA programs and activities

- EPA's participation in these three federal initiatives will identify and create opportunities to combine resources to tackle issues of disparities in health and access to clean environments; and will increase access and exposure of all EPA offices, including ORD, to non-traditional EPA disciplines such as social science and concepts such as social determinants of health.

Timeframe

- ORD's participation with the federal collaboration is ongoing.
- Participation with other federal agencies on the President's Task Force on Environmental Health Risks and Safety Risks to Children to work on asthma disparities among minority and disadvantaged children that can be addressed through interagency coordination on development and implementation of a detailed Federal Action Plan (FY 2011- 2015).

Strategy 4: *Build and strengthen the technical capacity of EPA scientists on conducting research and related science activities in partnership with impacted communities and translating research results to inform change.*

Along with efforts to increase technical capacity in communities, EPA needs to build up its capacity to work with communities in order for real progress to be made. Several recommendations from the Symposium address this issue and call for EPA to:

- Train EPA staff on effective outreach and dialog with communities;
- Develop capacity within the Agency.
- Provide training for EPA risk assessors and managers on community engagement.
- Consider using qualitative approaches in risk assessment.
- Establish multi-disciplinary teams to work on issues.
- Encourage multidisciplinary teams in environmental health research.
- Explore approaches for interacting with communities that can build collective efficacy and social capital.

- Support participation of communities as equal partners in research; include them as equal partners in the co-production of knowledge.
- Include community representatives and perspectives in the design of studies/research.

Social science disciplines like social epidemiology indicate that EPA needs to look more at upstream factors – social processes that ultimately process the disparities in risks and health outcomes.

Activity 4.1: Provide training to EPA scientists on CBPR.

Both ORD and OSWER intend to provide training to scientists on principles of community-based participatory research, health disparities, and environmental justice. Both offices will look for opportunities to collaborate on providing training for staff. For example, OSWER's Community Involvement and Program Initiatives Branch (CIPIB) sponsors a Community Involvement University (CIU) to provide training courses for Superfund Program Community Involvement Coordinators (CIC) and other EPA and EPA-affiliated staff. Participants are provided with the necessary skills, techniques, and practices to engage the community in the Superfund process. CIU offers a variety of courses each year at regional offices and at national conferences or training events. These courses could be offered to ORD scientists and modified to address community-engagement in more of the research context.

In order to design appropriate capacity training program, ORD will first evaluate current understanding and research capacity of ORD sciences regarding principles of community-based participatory research, health disparities, and environmental justice. ORD will then design and implement training for its staff.

Activity 4.2: Build Social Science Capacity within ORD.

The National Center for Environmental Research (NCER) is developing an ORD research agenda for behavioral and social sciences as they impact and affect environmental protection as well as the evolution of environmental policy. Environmental justice consideration will be critical to this research agenda. ORD will conduct Individual and focus group interviews of behavioral and social science experts to solicit their thoughts and identify the most relevant current research as well as known gaps in four areas: behavioral economics, decision theory, management science, and risk perception. Following the expert interview, NCER will host a workshop with the scientific leaders identified through the interview phase (30-50 people).

NCER plans to establish a cooperative agreement with a professional society concerned with applying the social science research to contemporary environmental health issues. This effort is intended to help ORD devise approaches and methods for truly incorporating the social

sciences into its research and assessment activities. Activities under the cooperative agreement could include:

- Providing training to ORD staff on incorporating qualitative approaches and social science methods into cumulative impact assessments.
- Developing approaches to incorporate community knowledge in such tools for cumulative impact assessments.
- Offering webinars and training to cultivate analytical skills among ORD staff to examine the social and economic systems that create cumulative adverse environmental impacts in communities.

Activity 4.3: Develop Environmental Justice Risk Management Training for OPP.

The Office of Pesticide Programs (OPP) has created a new training module as a part of its regular staff training program to ensure that environmental justice and sensitive population considerations are fully incorporated and more clearly characterized in the pesticide risk assessment process. The training module consists of two components: (1) addressing general background on environmental justice, and (2) integrating environmental justice considerations through OPP risk management to address environmental justice issues identified by the risk assessments.

Benefits to EPA Stakeholder Communities

- Impacted communities and environmental justice leaders should see improved interactions with Agency scientists.
- The goal of OPP's training is to provide the tools to better identify potential environmental justice issues. Enhanced risk assessment methodologies will result from a closer and more focused look at the toxicity and exposure patterns specific to each pesticide and pesticide use that could present a disproportionate risk. Areas now considered in pesticide risk assessment (hazard assessment, dietary exposure, occupational and resident exposure, incident data) will be considered through an environmental justice lens.

Impact on EPA programs and activities

- We anticipate that the capacity of Agency scientists to conduct research in partnership with impacted communities, to understand and employ social science methods in environmental research, and translate research results to inform change will be greatly improved. This will help ORD's Sustainable and Healthy Communities Research Program meet its objectives.
- The OPP training program will improve how environmental justice is incorporated by risk managers. This training is expected to influence pesticide registration and re-registration decisions to more robustly incorporate environmental justice considerations. To date, 10 training sessions on the first component and a total of 160 OPP staff completed the training.

Timeframe

- Host scientist to scientist workshop on behavioral and social sciences (late FY 2011).
- Design a research capacity training program for ORD scientists, which could include self-paced training on community-based and participatory research CBPR offered by Michigan Public Health Training Center and joint courses through OSWER's Community Involvement University (FY 2012–2013).
- Complete the new OPP module on risk management training by early FY 2012. The goal will be to have 100 percent of risk assessors and managers trained by the end of FY 2012.

Strategy 5: *Build and strengthen technical capacity of community-based organizations and community environmental justice and health leaders to address environmental health disparities and environmental sustainability issues.*

Community capacity has been defined as "a set of dynamic community traits, resources, and associational patterns that can be brought to bear for community-building and community health improvement" (Norton et al 2002). "Community capacity building activities" are those designed to increase community capacity and emphasize (1) assets and empowerment (versus disease and deficiency); (2) the role of bottom-up, community-determined processes and agendas (versus top-down/externally determined ones); and (3) the processes for developing community competence.

The commissioned paper on community-capacity presented at the March 2010 Symposium identified important domains of action to strengthen community capacity, including leadership, participation, skills, resources, social and organizational networks, sense of community and understanding of community history, community power, community values, community cohesion, language capacity, and community information.
(See http://www.epa.gov/ncer/events/calendar/2010/mar17/papers.html)

In addressing all of these domains, strategies for enhancing community capacity may include training and technology transfer, technical assistance, community-based participatory research, empowerment approaches, community organizing, and social action. Commissioned paper authors noted that capacity-building strategies that give more control to communities (e.g., CBPR, empowerment, and community organizing) may more fully address the fundamental causes of environmental disparities than more agency controlled processes (e.g., training and technical assistance).
(See
http://www.epa.gov/ncer/events/calendar/2010/mar17/presentations/freudenberg.pdf)

These community-driven strategies are more labor and resource intensive and require a higher level of commitment from communities, researchers, and agencies, as well as a new set of capabilities on the part of Agency personnel with regard to the skills needed to, for example, facilitate meetings, communicate clearly, and create an atmosphere of inquiry and trust.

In order to more effectively reduce disparate environmental exposure and engage the public in making environmental policy decisions, the EPA must engage relevant constituencies in participation processes early, provide these constituencies with the resources and information that can contribute to effective participation, and ensure that the outcomes reflect participation. Specifically, helping communities develop the capacities to create, access, use, and interpret scientific information and changing Agency practices to better incorporate community voices in scientific activities and decisions will be a key and proper task for EPA. EPA, therefore, proposes the following actions to establish programs and provide federal government support to increase technical and scientific capacity in communities.

Activity 5.1: Build Awareness and Community Capacity to Address Asthma Disparities.

In response to the growing asthma problem where minority, low-income, tribal, and indigenous populations are disproportionately affected, EPA's OAR established the Asthma Program to promote scientific understanding of environmental asthma triggers and ways to manage them. The program collaborates with partners to support research and educate the public about asthma and ways to manage environmental triggers. Partners include government agencies, universities and research centers, the health care community, nonprofit organizations, and community programs. Major program activities center around the Communities in Action for Asthma Friendly Environments initiative, and include support for real time peer-to-peer learning, technology transfer and resources for community-based asthma programs through an online network (www.AsthmaCommunityNetwork.org), "pacing" events (National Asthma Forum, regional events and webinars), and support to non-profit organizations focused on health care provider training, improving school environments and raising public awareness about asthma (see also Supporting Community-Based Action Programs, Strategy 2, Activity 3).

Activity 5.2: Build Tribal Community Capacity to Monitor Air Quality.

OAR has a long history of supporting capacity building among tribal environmental professionals, primarily through its partnership with the Institute for Tribal Environmental Professionals (ITEP) at Northern Arizona University, which OAR has supported for over 15 years. Consistent with our trust responsibility to tribes, OAR works with tribes to increase their capability to address their environmental concerns. OAR supports the training and educational efforts of ITEP in the areas of air quality and

climate change impacts and adaptation planning, as well as the work of the Tribal Air Monitoring Support (TAMS) Center, which builds and strengthens the technical capacity of tribal staff. The TAMS Center cross-trains tribal air professionals on air monitoring, indoor air quality, radon, and asthma (see also Supporting Community-Based Action Programs, Strategy 2).

Activity 5.3: Increase Citizen Participation in Science and Decisions.

ORD proposes to create a program, in partnership with other governmental agencies, private non-profits, professional societies, and private foundations, to develop the capacity of community leaders to understand the role of science in decision making and influence the decision-making process and on the use of data and other information to document disparities and concerns in their communities.

Activity 5.4: Establish Centers of Excellence on Environment and Health Disparities.

Several new extramural research solicitations are under consideration to fund research that address specific research needs and topics raised at the March 2010 Symposium and that fully employ CBPR approaches such as establishing Centers of Excellence on Environment and Health Disparities. The aim for these Centers will be to examine the joint impacts of social and physical environmental conditions and processes on health, link with community health clinics to increase their capacity to address occupational and environmental health concerns of their constituents, and design policy solutions to ameliorate and prevent disparities.

Activity 5.5: Build diverse environmental workforce and enhancing the capacities of Minority Academic Institutions (MAI) to engage in scientific research and workforce training

The National Center for Environmental Research's (NCER) Fellowship Program is implementing several initiatives to strengthen EPA's efforts to encourage and support environmental justice research among the next generation of environmental scientists and engineers. For example, Environmental justice research topics are highlighted in the STAR Fellowships RFA and environmental justice considerations have been included as review criteria under "Broader Societal Impacts" for all fellowship applications.

As part of the Greater Research Opportunities (GRO) fellowship, NCER has a goal of enhancing capacity at academic institutions that are not well funded for environmental research capacity, including HBCUs. ORD considers ineligible those institutions identified as receiving more than $35 million in annual federal research. NCER has increased resources allotted to the GRO program to increase GRO funded students, which can enhance our efforts in this area.

OSWER will support research through the Faculty and Student Teams (FaST) Program, a cooperative effort between the U.S. Department of

Energy (DOE) Office of Science and the National Science Foundation (NSF). Faculty from colleges and universities with limited research facilities and those institutions serving populations, women and minorities underrepresented in the fields of science, engineering, and technology are encouraged to apply for the FaST program. The FaST program will support a team comprised of one faculty member and two to three undergraduate students. The program provides hands-on research opportunities in the DOE or EPA national laboratories during the summer. The faculty member identifies a mutually beneficial research area amenable to collaboration by the faculty member and the laboratory scientist.

The EPA Region 6 University-Community Partnerships initiative will facilitate and nurture a partnership between universities and community groups to increase overburdened communities' capacity to address their environmental challenges through technical assistance. Memorandums of Understanding (MOU) are in place between EPA Region 6 and the University of Texas El Paso (UTEP) and EPA Region 6, EPA's Office of Water and Texas A&M Kingsville.

Within the federal government, EPA has been a leader in the use of collaborative approaches to accomplish strategic goals and objectives. Learning from this rich experience can help the Agency realize the full potential of collaborative processes and accelerate environmental progress. The ability to collaborate effectively with MAIs will become more important as the growing complexity of environmental problems will require diverse approaches to developing innovative solutions. Failure to tap into MAIs represents a missed opportunity for advancing environmental protection and stewardship. For example, MAIs in the Southeast and the Southwest could be leveraged for strategic projects targeting climate change impacts and adaptation, and engaging populations that are vulnerable to climate change.

Benefits to EPA Stakeholder Communities

- These capacity-building actions can help the public to address environmental health issues and to allow them to effectively participate in environmental health decision making and will increased confidence that concerns about the power dynamics between academic, government researchers, and communities will be taken seriously.
- Actions undertaken by the Asthma Program will equip stakeholder communities and organizations to assess, organize and sustainably deploy community resources to reduce or eliminate exposure to asthma triggers, and improve health outcomes and the quality of life for people with asthma. The actions help support and strengthen the capacity of health care and environmental professionals, schools, and community-based organizations to develop comprehensive asthma care strategies in partnership with impacted communities and to spread their results to accelerate improvements across the national asthma care landscape.

- Through the partnership with ITEP, tribes are better able to fashion their own responses to environmental issues including climate change, and have a better understanding of how they can effectively participate in the environmental decision making of federal, state and local regulatory agencies.
- Research through the proposed Centers of Excellence will be specially aimed at benefiting disadvantaged, undeserved, and environmentally overburdened communities or groups.
- Requiring NCER fellowship applicants to consider and explain the environmental justice implications of their research will help develop a new generation of environmental scientists, engineers, and policy makers who are cognizant of environmental justice -related issues that can arise in research and thus adjust approaches accordingly to promote broad environmental protection.
- Increasing the reach of the GRO program will promote research and training at Minority Serving Institutions (MSIs), which may have special expertise on environmental justice matters.
- Through the Region 6 partnerships with University of Texas and Texas A&M Kingsville, EPA will increase knowledge about best approaches for community–university partnerships.

Impact on EPA programs and activities

- The Communities in Action initiative and the online Network, Asthma Community Network will surface important, field-tested community strategies that the Asthma Program will use to bolster the Agency's national asthma education and outreach efforts.
- When tribal perspectives are effectively communicated, EPA is more cognizant of Tribal issues and is able to make more informed and responsive decisions concerning its rules, programs and policies. As tribes take more responsibility for implementing air programs, EPA may be able to reduce some of its implementation efforts.
- The proposed research-oriented activities will help institute program development and strategic institutional change within EPA. The goal is to increase democratization in the conduct of and community access to EPA/ORD research. The proposed activities will produce: (1) consistent and validated principles of community engagement in research for ORD and EPA programs; (2) improved science and research results that are more relevant to environmental problems faced by the public and more effectively translated to inform policy change and intervention; and (3) inclusion of environmental justice considerations as review criteria that serve as a model for other competition-based EPA programs. These results will promote a culture that considers environmental justice implications in all agencies funding actions and activities.
- The process of increasing the reach of the GRO program will translate into stronger outreach to MSIs and highlight the critical role MSIs play in the nation's research and development enterprise to solve pressing environmental protection challenges.

- The intent of Region 6's existing MOU's are to: (1) improve the quality of environmental science and technical education; (2) increase the relevance of UTEP research projects to EPA's environmental and public health mission; and (3) increase number of culturally diverse students electing to pursue graduate study and research careers in areas including science, engineering, and mathematics. It is expected that UTEP's capacity to develop environmental specialists for potential EPA employment will be significantly enhanced while important contributions will be made to EPA's overall research and developmental programs.

Timeframe

- Support and grow an online community network of stakeholders that serves as a real time resource for mentoring and collaboration to support community asthma management programs (FY 2011 and ongoing).
- Develop web-based tools that facilitate collaboration, problem solving, and learning among leaders of asthma programs (FY 2011 and ongoing).
- Facilitate knowledge transfer among stakeholders through EPA sponsorship of "pacing" events, including the National Asthma Forum, regional events and webinars for community-based asthma programs (FY 2011 and ongoing).
- Train health care professionals to improve their ability to integrate the assessment of environmental factors into a comprehensive, culturally appropriate asthma care plan, based on national standards of care (FY 2011 and ongoing).
- Continue funding for ITEP and the TAMS Center (ongoing).
- Continue OAR involvement in developing ITEP's curriculum and training, and oversight of the TAMS Center (ongoing).
- Institute a pilot program on "meet the decision makers" on environmental health and environmental justice that would accommodate up to 15 community leaders (FY 2013).
- Issue joint RFA or other funding mechanism to collaborate with NIH National Institute Minority Health and Health Disparities to establish national research Centers of Excellence on Environment and Health Disparities (FY 2012).
- Highlight Environmental Justice Research topics in the STAR Fellowships RFA (ongoing).

2.2 Community Engagement and Stakeholder Partnership Plan

Community outreach and engagement plans are integrated into the individual science actions described above. The most significant science actions that will include community outreach and partnerships are ORD's Sustainable and Health Communities Research Program, OSWER's Community Engagement Initiative and the extramural research funding under consideration.

3.0 DELIVERABLES

Strategy 1: Apply integrated transdisciplinary and community-based participatory research approaches with a focus on addressing multi-media, cumulative impacts, and equity in environmental health and environmental conditions.

ACTIVITIES	DELIVERABLES	MILESTONES
Activity 1.1: Establish an Integrated Transdisciplinary ORD Research Program on Environment and Community Health – *Sustainable and Healthy Communities Research Program.*	▪ Research program framework developed (ORD - SHCRP Team).	▪ February 2011
	▪ Regional listening sessions to gather input from communities. Incorporate ideas and concerns from stakeholders and representatives from disproportionately impacted communities and populations (ORD - SHCRP Team).	▪ Spring 2011
	▪ RFA to support Extramural research on Tribal Community Health (ORD – NCER).	▪ FY 2012
	▪ RFA to support Extramural research to support Centers of Excellence on Environment and Health Disparities (ORD – NCER).	▪ FY 2012
Activity 1.2: Develop technical guidance, analytic methods, tools and data to advance the integration of environmental justice in EPA decision making.	▪ Environmental Justice Technical Guide (ORD, OEJ, OP).	▪ FY 2013
	▪ Community Cumulative Assessment Tool (CCAT) (ORD - NERL and OSA).	▪ Early FY2012
	▪ Environmental Quality Index Tool (ORD – NHEERL).	▪ Long-term
	▪ Regional Tools Summits (ORD - OSP and SHCRP Team).	▪ FY 2012 – 2013
	▪ Environmental justice screening tools for air rules (OAR).	▪ FY 2011 – 2012
	▪ Urban Atlas (ORD – NHEERL).	▪ First phase complete FY13

Strategy 2: Incorporate perspectives from community-based organizations and community leaders into the EPA's research agendas and engaging in collaborative partnerships on science and research to address environmental justice.

ACTIVITIES	DELIVERABLES	MILESTONES
Activity 2.1: Establish Community Engagement Initiative (OSWER).	▪ Conduct training of OSWER staff on CBPR (OSWER).	▪ Ongoing
Activity 2.2: Re-engage National Environmental Justice Advisory Committee.	▪ Establish a research workgroup under NEJAC to advise ORD on the development of the Sustainable and Health Communities Research Program (ORD - NCER and OSP; OEJ).	▪ FY 2012
Activity 2.3: Support Community-Based Participatory Research.	▪ RFA to support extramural research on Tribal Community (ORD-NCER). ▪ RFA to fund Extramural research to support Centers of Excellence on Environment and Health Disparities (ORD – NCER). ▪ Regional listening sessions to gather input from communities. Incorporate ideas and concerns from stakeholders and representatives from disproportionately impacted communities and populations (ORD - Rick Linthurst and SHCRP Team).	▪ FY 2012 ▪ FY 2012 ▪ Spring 2011

Strategy 3: Leverage partnerships with other federal agencies on issues of research, policy and action to address environmental and health disparities.

ACTIVITIES	DELIVERABLES	MILESTONES
Activity 3.1: Join the Federal Collaboration on Health Disparities.	▪ Potential collaboration on research funding with sister federal agencies; better coordination of research needs on health disparities across federal government (ORD).	▪ Ongoing
Activity 3.2: Engage with President's Task Force on Environmental Health Risks and Safety Risks to Children.	▪ Federal Action Plan to address asthma disparities (OCHP, ORD, OAR).	▪ FY 2011-2015

Strategy 4: Build and strengthen the technical capacity of EPA scientists on conducting research and related science activities in partnership with impacted communities and translating research results to inform change.

ACTIVITIES	DELIVERABLES	MILESTONES
Activity 4.1: Provide training to EPA scientists on CBPR.	▪ Survey ORD scientists' needs and awareness about CBPR(ORD - OSP and NCER).	▪ FY 2012 – 2013
	▪ Develop a training plan for ORD scientists (ORD - OSP and NCER).	▪ FY 2012 – 2013
	▪ Collaborate with OSWER to modify and offer courses under the Community Involvement University (ORD and OSWER).	▪ FY 2012 – 2013
Activity 4.2: Build Social Science Capacity within ORD.	▪ Host scientist to science workshop on behavioral and social sciences (ORD-NCER).	▪ FY 2011 – 2012
	▪ An ORD research agenda for behavioral and social sciences (ORD-NCER).	▪ FY 2012 – 2013
	▪ Cooperative Agreement with a Social Science professional society (ORD- NCER).	▪ FY 2012 – 2013

ACTIVITIES	DELIVERABLES	MILESTONES
Activity 4.3: Develop Environmental Justice Risk Management Training for OPP.	▪ Training module to ensure environmental justice and sensitive population considerations are fully incorporated and more clearly integrated throughout OPP risk management processes (OPP).	▪ By early FY2012
	▪ 100% of OPP risk assessors and managers properly trained on environmental justice in risk management (OPP).	▪ End of FY2012

Strategy 5: Build and strengthen technical capacity of community-based organizations and community environmental justice and health leaders to address environmental health disparities and environmental sustainability issues.

ACTIVITIES	DELIVERABLES	MILESTONES
Activity 5.1: Build Community Capacity to Address Asthma Disparities.	▪ Establish an online community network available to stakeholders as a year-round resource for mentoring and collaboration and designed to support community asthma management programs (OAR).	▪ FY 2011 and ongoing
	▪ Develop web-based tools that facilitate collaboration, problem solving, and learning among leaders of asthma programs (OAR).	▪ FY 2011 and ongoing
	▪ Hosting the National Asthma Forum and Awards Program and regional pacing events for community-based programs (OAR).	▪ FY 2011 and ongoing
	▪ Train health care professionals, to improve their ability to integrate the assessment of environmental factors into a comprehensive, culturally appropriate asthma care plan, based on national standards of care (OAR).	▪ FY 2011 and ongoing

ACTIVITIES	DELIVERABLES	MILESTONES
Activity 5.2: Build Tribal Community Capacity to Monitor Air Quality.	▪ Continue funding for ITEP and the TAMS Center (OAR).	▪ Ongoing
Activity 5.3: Increase Citizen Participation in Science and Decisions.	▪ Cooperative agreement to support a citizen scientist fellowship program – a meet the decision makers" on environmental health and environmental justice (ORD-NCER).	▪ FY 2013
Activity 5.4: Establish Centers of Excellence on Environment and Health Disparities.	▪ RFA to support Extramural research to support Centers of Excellence on Environment and Health Disparities (ORD – NCER)	▪ FY 2012
Activity 5.5: Build diverse environmental workforce and enhancing the capacities of MAI to engage in scientific research and workforce training.	▪ Highlight environmental justice research topics in the STAR Fellowships RFA. Include environmental justice considerations as review criteria under "Broader Societal Impacts" for all fellowship applications (ORD-NCR)	▪ Completed and ongoing
	▪ Support research through the FaST Program and provide university faculty and students to have hands-on research opportunities in DOE or EPA national laboratories (OSWER)	▪ Ongoing
	▪ Establish a University-Community Partnerships initiative to provide technical assistance to local community groups and increase number of culturally diverse students electing to pursue graduate study and research careers (Region 6).	▪ To be determined (TBD)

4.0 REPORTING

There is no overall reporting plan for the science activities at this time. However, program reporting may occur by the individual program offices responsible for each activity. For information, please contact Devon Payne-Sturges, 703-347-8055, Payne-Sturges.Devon@epa.gov; or Chris Saint, 202-564-9839, Saint.Chris@epa.gov.

APPENDIX

Appendix A: References

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Appendix B: Recommendations from the Science of Disproportionate Impacts Analysis Symposium (Washington, DC, March 17-19, 2010)

Symposium participants recommended several actions to reduce research or data gaps, overcome limitations in the theories and methods for conducting environmental research, particularly research supported by federal government, and limitations in practice of risk assessment. The science recommendations are described below. The first sentence is a summary statement meant to capture the main points of the individual recommendations from the Symposium that follow, including recommendations from the Environmental Justice-Caucus letter that was sent to Lisa Garcia, Senior Advisor to EPA Administrator for Environmental Justice.

1. Create and institute a new scientific research approach to develop more holistic understanding of environment and health. One of the potential outcomes of this new framework is to inform environmental policies related to environmental justice and address environmental health disparities. Several recommendations from the symposium point to EPA to adopt a more holistic view of the environment and the impacts on population health: "[the] EPA/ORD's research agenda needs to be reframed, inequality and inequity needs to be a part of the discussion [and research]; there needs to be a shift to not only look at risks and exposures, but to consider root and fundamental causes, need to start where it (inequality) begins; [the] EPA likes to start the analysis and research at a level that does not address the history and root causes of health endpoints, risks and exposures; analyze the environment in a broader context, evaluate the interaction between the social and the physical environments; a better framework is needed for combining physical and psychosocial science in research and practice; use social determinants of health and health disparities research framework to conduct research on cumulative impacts/risks; encourage multidisciplinary teams in environmental health research; develop the science of interactive effects; social science disciplines like social epidemiology indicate that [the] EPA needs to look more at upstream factors – social processes that ultimately process the disparities in risks and health outcomes; develop measures for the social environment; test the validity of available vulnerability indices and tools; encourage multidisciplinary approach to research and analysis; address the role of institutionalized racism in poor community environmental health; encourage the consideration of environmental justice in land use planning; and conduct research with direct policy implications - not research for the sake of research."

Further, the Environmental Justice-Caucus participants recommend that "[the] EPA should develop a plan to ensure incorporation of the concept of vulnerability, particularly its social and cultural aspects in the Agency's

research agendas" and "… in consultation with environmental justice constituencies, incorporate community principles in its funding guidelines for research in environmental health and planned and existing actions that adversely impact public health and quality of life."

2. Integrate perspectives from decision makers such as community residents, community leaders, community-based NGOs and community health and environmental quality advocates in the development of EPA's scientific research agendas as well as in data collection, conduct of exposure/risk assessments and risk management decisions.
A common recommendation articulated in both the Environmental Justice-Caucus letter and through discussions the Symposium is the need to incorporate community perspectives in the development of EPA's science/research agendas and in the conduct of exposure/risk assessments. Signatories to the Environmental Justice-Caucus letter recommend that "[the] EPA and other publicly funded research require the expertise of environmental justice communities in the research design, implementation, recommendations and programmatic design that may result from the research" and "[the] EPA should develop a plan to ensure incorporation of the concept of vulnerability, particularly its social and cultural aspects in the Agency's research agendas." Related recommendations from the Symposium state "include community representatives and perspectives in the design of studies/research; communities would like to be involved as [the] EPA sets its research priorities and agenda as well as the regulatory agenda and priorities; and there needs to be a research workgroup formed within the NEJAC." Although the following recommendations from the Symposium stem from discussions on regulatory actions and capacity building, they also suggest that EPA/ORD needs to approach its research planning and its contributions to the development of Agency risk assessment guidance differently: "create effective mechanisms to listen to community concerns; develop culturally competent outreach processes. Hire local community folks with cultural expertise and community knowledge; and improve incorporation of exposure information for smaller communities and population groups in national risk assessments."

3. Create EPA funding mechanisms for community-based participatory research (CBPR) and transdisciplinary research, with a specific focus on studies that will benefit disadvantaged, undeserved, and environmentally overburdened communities or groups. The Environmental Justice-Caucus letter states that "affected communities need to be involved in the conduct of research to insure that that results are disseminated in an effective and understandable manner and that research recommendations are reviewed by the community." Similar recommendations were made at the Symposium including "support/fund community originated and owned research; increase support/funding for community based participatory research; support participation of communities as equal partners in research; include them as equal partners in the co-production of

knowledge; include community representatives and perspectives in the design of studies/research."

Further, Environmental Justice-Caucus letter recommends that EPA should also "develop a set of guidelines for federal environmental health research that would require community participation with binding ethical and Title VI guidelines for federally funded researchers in [environmental justice] communities and tribal nations." This is consistent with comments raised at the symposium encouraging "federal funders of University researchers to address the unequal power dynamic that often arises between Universities and impacted communities that are subject of environmental and public health research."

4. Collaborate with other federal government agencies on research, policy-making and other kinds of actions to address environmental health disparities. Many comments were made about the need to strengthen interagency efforts: "to address [environmental justice], need interagency collaboration; government approach to promoting and managing health is fragmented; agencies need to work together to formulate solutions for communities; other agencies should integrate [environmental justice] in all their activities."

5. Enhance the capacities of Minority Academic Institutions (MAI) to engage in scientific research and workforce training. For instance, help MAI institutions to provide training opportunities for minority students in relevant scientific disciplines. Several statements were made at the Symposium that there was a lack of diversity in the academic institutions represented at the meeting and as presenters. HBCUs need to be involved in this new and expanded area of research on environmental health disparities.

6. Develop and implement a multi-media approach to cumulative contamination exposures in environmental justice communities. **Restructure risks assessment practice to better account for multi-stressors that cumulatively impact community and population health and recognize that the concepts that vulnerability and health disparities are interrelated.** These recommendations from the Environmental Justice-Caucus letter echo many of the concerns and other recommendations raised at the Symposium on the topic of cumulative impacts. Comments from the Symposium include "communities see their environment as a whole not pieces; [the] EPA needs to address the issue of non-concordance between risk assessment results and community experience; vulnerability should be an integral part of cumulative risk assessment even it must be analyzed using qualitative measures; incorporate social vulnerabilities and cultural risks in risk assessments and cumulative risks/impact assessments; incorporate background risk in risk assessment; consider using qualitative approaches in risk assessment; adopt a quality of life approach; risk assessment should move away from individual lifestyles to one that considers the social context; focus on health and well-being as opposed to

risk, illness and death; [the] EPA should recognize that stressors in communities that are unaccounted for are not considered in risk assessments; adopt a systems approach to risk assessment and decision making; and [the] EPA should use information on cumulative impacts in all its decisions."

7. Establish programs and provide federal government support to increase technical and scientific capacity in communities. This capacity building can help the public to address environmental health issues and to allow them to effectively participate in environmental health decision making. The Environmental Justice- – Caucus letter recommends that "grant/funding programs be expanded to provide support directly to [environmental justice] communities, [environmental justice] organizations and networks, Tribes and Native organizations to assess and act on [environmental justice] issues." Additionally Symposium participants advocated that "[the] EPA include community-based organizations, leaders and residents in the co-production of knowledge and the scientific bases for environmental decision making; make resources available to develop technical skills of community leaders on science and decisions; develop technical expertise within the communities; and commit resources to develop networks and centers/consortia with universities to support community groups with technical matters and participation in decision making."

8. Develop analytic and assessment tools, and data collection approaches that could be used by community health advocates and environmental justice groups. Availability of appropriate tools and training on use of such tools would also help increase technical capacity of communities. For example recommendations include "work with local governments to provide access to data sources; influence their [local governments] data collection approaches; develop mapping tools that communities can use; encourage community engagement in the collection of data by government; explore the approach of using communities to collect data to overcome limitations of government data such as privacy issues and poor geospatial resolution; and develop zoning maps that are accessible to communities; regional councils of government can provide accurate city level data for community research."

9. Build capacities and skills among EPA/ORD staff and scientists to conduct research and other science related activities in equal partnership with impacted communities. This step must include diversifying EPA's technical and scientific expertise in the social sciences. Concomitant with efforts to increase technical capacity in communities, EPA/ORD needs to build up its capacity to work with communities in order for real progress to be made. Several recommendations from the Symposium address this issue: "train EPA staff on effective outreach and dialog with communities; develop capacity within the agency; provide training for EPA risk assessors and managers on community engagement; consider using qualitative approaches in risk assessment; multi-disciplinary teams are needed to work

on issues; encourage multidisciplinary teams in environmental health research; social science disciplines like social epidemiology indicate that EPA needs to look more at upstream factors – social processes that ultimately process the disparities in risks and health outcomes; explore approaches for interacting with communities that can build collective efficacy and social capital; support participation of communities as equal partners in research; include them as equal partners in the co-production of knowledge; and include community representatives and perspectives in the design of studies/research."

10. EPA and other agencies should integrate environmental justice in all EPA activities, including policy making, regulatory actions, research and public outreach. An important place for intervention for environmental justice is regulation and rule-making. Example recommendations from the Symposium on the use of science and information to address environmental justice concerns in decision making include "develop measures of environmental health disparities to monitor temporal and spatial trends in disparities, and also whether environmental regulation is effective; stratify research data by race and income to better analyze disparate impacts; account for differences in the effect of lead on hypertension which is more pronounced in chronically stressed individuals in regulatory assessments and policies; develop tools for equity assessment; test the validity of available vulnerability indices and tools; base decisions on good science that passes the tests of reliability, repeatability and peer review; good data are legally defensible; and present policy choices and equity impacts to Administrator as a standard consideration in decision making."

7. Legal Tools Development

September 2011

Led by
Office of General Counsel

U.S. Environmental Protection Agency
Washington, D.C. 20460

1.0 INTRODUCTION

Plan EJ 2014 established a road map to help the U.S. Environmental Protection Agency (EPA) integrate environmental justice into its programs. The Plan outlined five cross-Agency focus areas. The five focus areas are:

1. Incorporating Environmental Justice into Rulemaking.
2. Considering Environmental Justice Concerns in EPA's Permitting Process.
3. Accelerating Compliance and Enforcement Initiatives.
4. Supporting Community-Based Action Programs.
5. Fostering Administrative-Wide Action on Environmental Justice.

In addition, Plan EJ 2014 identifies four tools to support the cross-Agency efforts. One of the tools relates to identifying opportunities to use existing legal authorities to advance environmental justice. The Office of General Counsel (OGC) has been assigned primary responsibility for this tool. This implementation plan discusses the goal, strategy, and activities associated with the development and dissemination of information about EPA's environmental justice-related legal authorities.

1.1 Goals

Goals At-A-Glance

To provide legal assistance to EPA policy makers and other Agency decision makers to advance their environmental justice objectives.

The goal of this Initiative is to provide legal assistance to EPA policy makers and other Agency decision makers to advance their environmental justice objectives. Our vision is that the Agency will use law as a tool to advance environmental justice. By providing advice on EPA's discretionary legal authorities to advance environmental justice, OGC will support the five cross-Agency focus areas. In particular, OGC's advice will help EPA officials to (1) implement forward-leaning environmental justice policies with acceptable legal risk; and (2) identify new opportunities to promote their environmental justice policy objectives. This initiative will advance Administrator Lisa Jackson's environmental justice priority, her commitment to the rule of law, and EPA's overarching mission to protect human health and the environment.

1.2 Organizational Structure

OGC will give leadership to Plan EJ 2014's focus areas by helping EPA to integrate environmental justice into its day-to-day business. As the chief legal adviser to the EPA, OGC provides ongoing legal support for Agency rules and policies, case-by-case decisions (such as permits and response actions), and legislation, which includes all of Plan EJ 2014's elements. OGC's practice areas include all of the Agency's programs (i.e., land, air, water, etc.), as well as cross-cutting law areas that including environmental justice, tribal law, and civil rights. OGC regularly interfaces with all the EPA program offices and regions, as well as EPA's ten Offices of Regional Counsel.

2.0 IMPLEMENTATION

2.1 Strategies

OGC will accomplish its goal of providing legal assistance to EPA policy makers and other Agency decision makers to advance their environmental justice objectives by providing legal support to each cross-Agency focus area workgroup.

OGC's activities will promote a sound legal framework for the tools and programs developed by the five focus area workgroups. We will use the resources of OGC and the Offices of Regional Counsel, both at the staff and senior leadership levels, to develop our advice to Plan EJ 2014's workgroups. The persons primarily responsible for coordinating the development and communication of this advice will be the counseling attorneys assigned to each workgroup, in collaboration with senior Agency attorneys and the General Counsel. OGC will conduct this activity contemporaneously with the work of the five cross-Agency focus areas. OGC will participate in the stakeholder outreach implemented by each focus area that we serve.

2.2 Activities

OGC will provide legal support to each cross-Agency focus area workgroup through the following activities:

- Activity 1: Counseling attorneys will serve as workgroup members for each cross-Agency focus area. These attorneys are drawn from OGC and its regional offices.
- Activity 2: Regional Counsels and OGC Associate General Counsels will convene regularly to identify legal issues and develop advice in support of the five focus areas.
- Activity 3: The General Counsel will provide active oversight, direction, and decision making on all aspects of Plan EJ 2014, in consultation with the EPA's Senior Leadership.
- Activity 4: OGC will convene a group of senior attorneys from across the federal government to promote the integration of environmental justice into their agencies' actions.

2.3 Community Engagement and Stakeholder Outreach

OGC will participate in the stakeholder outreach implemented by each focus area that we serve.

2.4 Adjustments

The Office of General Counsel might adjust this implementation plan after a period of implementation.

3.0 DELIVERABLES

This portion of the implementation plan incorporates by reference the deliverables, schedules, measures, and reports identified in the implementation plans for the five cross-Agency focus areas. For information, please contact David Coursen, 202-564-0781, Coursen.David@epa.gov.

8. Information Tools Development

September 2011

Led by
Office of Policy and Office of Environmental Information

U.S. Environmental Protection Agency
Washington, D.C. 20460

Goal At-A-Glance

To develop a more integrated, comprehensive, efficient, and nationally consistent approach for collecting, maintaining, and using geospatial information relevant to overburdened communities.

1.0 INTRODUCTION

In 1994, Executive Order 12898 (EO 12898) mandated that each federal agency make achieving environmental justice part of its mission by identifying and addressing disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority, low-income, tribal, and indigenous populations. In implementing EO 12898, EPA programs and regions have developed a variety of internal environmental justice screening tools and other Geographic Information Systems (GIS) applications. These applications, such as the Environmental Justice Strategic Enforcement Assessment Tool (EJSEAT), EJView, and others, have played an important role as the Agency worked to integrate environmental justice into its programs, policies, and activities. Senior EPA leadership has been asked to focus on developing a nationally consistent environmental justice screening tool in order to better meet the Agency's responsibilities of protecting public health under EO 12898 and our goals under Plan EJ 2014.

In addition, EPA is developing a suite of tools, data, and services known as EPA's GeoPlatform that will help coordinate and consolidate mapping activities, applications, and data across the Agency. The GeoPlatform will support a wide variety of uses across the Agency, including components of the nationally consistent environmental justice screening tool, and other data and applications that may be of interest to environmental justice stakeholders.

1.1 Goal

The goal of this implementation plan is to develop a more integrated, comprehensive, efficient, and nationally consistent approach for collecting, maintaining, and using geospatial information relevant to overburdened communities. EPA will accomplish this goal by: (1) developing a common Agency-wide mapping platform – the GeoPlatform, (2) creating a nationally consistent environmental justice screening tool, and (3) incorporating appropriate elements of the screening tool into the GeoPlatform.

1.2 Organizational Structure

The Office of Environmental Information (OEI) has the lead on the GeoPlatform, and the Office of Policy (OP) has the lead on the nationally consistent screening tool.

The development of EPA's GeoPlatform is being led by OEI, with oversight from the Agency's GIS Workgroup Steering Committee (comprised of representation from six regions), the Office of Research and Development (ORD), the Office of Chemical Safety and Pollution Prevention (OCSPP), the Office of Water (OW), and the EPA Quality and Information Council (QIC). The QIC is the Agency's decision making body for addressing enterprise-wide technology issues and developing policies to guide EPA decision

makers in the area of information technology and information management within the framework of OEI. The QIC is comprised of Senior Executive Service-level managers from Agency program and regional offices, and is chaired by the Agency's Chief Information Officer (CIO).

Development of the nationally consistent environmental justice screening tool is led by OP and is overseen by a steering committee comprised of Assistant Administrators or their designees from OP, the Office of Environmental Justice (OEJ), ORD, OEI, and Regions 7, 8, and 9. In addition, a staff level workgroup meets regularly and has participation from nearly every program office and region across EPA.

2.0 IMPLEMENTATION

2.1 Strategies

The following three major strategies have been identified as critical components of the Information Tools Development Implementation Plan:

- Develop EPA's GeoPlatform.
- Develop a nationally consistent environmental justice screening tool.
- Incorporate appropriate elements of the screening tool into the GeoPlatform

2.2 Activities

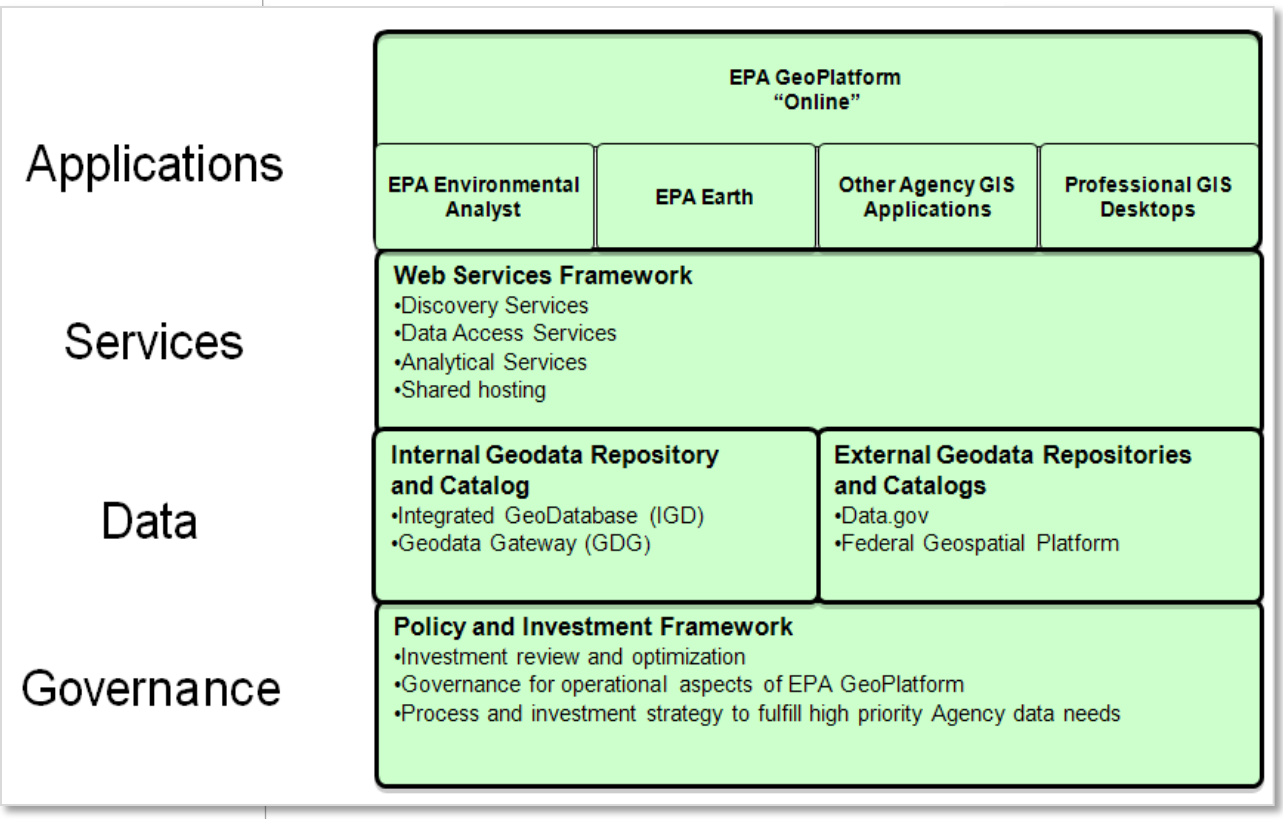
Strategy 1: *Develop EPA's GeoPlatform*

EPA's GeoPlatform consists of a suite of tools, data and services that will support a wide variety of uses across the Agency. The GeoPlatform is an Agency initiative that will serve environmental justice, but also other important areas such as enforcement and community-based work. The GeoPlatform will eventually be applied for additional uses, and will provide access to a wide range of EPA and stakeholder data pertaining to environmental exposure and risk, ecological condition, public health, demographic data, and boundary/administrative information, as needed by EPA programs.

The next several paragraphs describe the GeoPlatform. An understanding of the structure and philosophy behind the platform is important to seeing how it will serve environmental justice practitioners. EPA's GeoPlatform project strives to coordinate activities, applications, and data across the Agency. We seek to ensure that the opportunity for re-use is maintained and that data and information is documented and available across the Agency, to states and tribes, and to our other stakeholder communities. Our vision is that ultimately everyone has the ability to conduct relevant geospatial analysis in their area of interest using common data, tools, and techniques.

The GeoPlatform concept consists of three primary tiers – Applications, Services, and Data – plus a governance tier (see Figure 1 for the EPA GeoPlatform conceptual architecture). Details on each tier are provided below:

Figure 1: Conceptual Architecture for the EPA GeoPlatform



Data Tier: The Data components of the EPA GeoPlatform include a wide range of geospatial data needed for EPA programmatic purposes. Some of this data is originated and maintained by the Agency, but most of the data needed is sourced from other public or private sector organizations. Data components already identified as core sources to be integrated into the GeoPlatform are the Integrated Geospatial Database (IGD), currently managed by the OEI/the Office of Information Analysis and Access (OIAA); the Facility Registry System (FRS), currently managed by OEI/OIC; program specific databases such as the Toxics Release Inventory (TRI) and Brownfields, currently managed by the individual program offices; and externally held geospatial data services, such as for transportation networks, land use, land cover, and Census data, which come from a variety of public and private sources. The key to organizing data assets spread across these different offerings lies in metadata management. The Agency's "Geospatial Data Gateway" (GDG, http://geogateway.epa.gov) application will continue to be used for metadata management.

Services Tier: Standardizing our geospatial data management at the Agency is of critical importance, however, we must also consider the mechanisms through which we provide Agency staff and other stakeholders access to different datasets housed in this enterprise. From a technical perspective, the most effective and re-usable way to broker this access is through open standards compliant web services. One of the most important components of the EPA GeoPlatform, then, will be a comprehensive web services tier that will help ensure that all relevant geospatial data and analytical components are as widely accessible as possible throughout the enterprise. Geospatial data access and some geoanalytical services (e.g., buffer and proximity searches) are being developed to leverage our internal data stores. Additionally, through catalog services and our application tier (Environmental Analyst, EPA Portal, etc.), we will be able to leverage services offered by external public and private providers.

Applications Tier: As part of the EPA GeoPlatform "Release 1" offering, three central applications will be developed and made available for Agency-wide use: Environmental Analyst, the EPA Geospatial Portal, and EPA Earth. Environmental Analyst will be the primary tool initially intended for environmental justice practitioners. Environmental Analyst is an EPA custom version of the forthcoming ESRI commercial web application Community Analyst (http://communityanalyst.esri.com). Environmental Analyst will feature an interface designed for EPA staff to easily access and leverage a wide range of geospatial data to carry out their specific tasks. This represents a major opportunity to consolidate a number of different internal Program and regional geospatial web applications into a single one, and a significant portion of the GeoPlatform effort will be dedicated to outreach and development of opportunities for organizations to have their data, analytical and reporting requirements integrated into this central application.

- Activity 1.1: Prototype of EPA Environmental Analyst for review.
- Activity 1.2: Production release of the EPA Environmental Analyst.
- Activity 1.3: Production release of the EPA GeoPlatform (including initial data services) for use by Environmental Analyst and other GeoPlatform components.

Strategy 2: *Develop the nationally consistent environmental justice screening tool.*

EPA is now taking the next step in creating a nationally consistent environmental justice screening tool to help identify communities living with the greatest potential for negative environmental and health effects. The purpose of the screening tool will be to provide, for locations across the United States, a comprehensive and nationally consistent tool for presenting available environmental and demographic data.

The tool will aid decision makers in assessing policy and actions to be taken by EPA, in accordance with, and pursuant to, applicable law. The tool will serve as a national baseline screening tool, which can then be

supplemented with additional information and on-the-ground experience to help identify overburdened communities that may warrant additional investigation by EPA to help reduce risk and improve public health. OP is leading a cross-Agency team to identify relevant data and develop appropriate methods that would serve as the basis of the nationally consistent screening tool. As a result of this effort, increased consistency of data and methods will be brought to environmental justice screening work across EPA.

- Activity 2.1: Hold regular staff workgroup and project steering committee meetings.
- Activity 2.2: Develop a set of options to present to Senior Agency Officials.
- Activity 2.3: Create a working prototype of screening tool.
- Activity 2.4: Update the National Environmental Justice Advisory Council on progress.
- Activity 2.5: Obtain peer review and public comment on a prototype tool.
- Activity 2.6: Revise the tool based on comments.

Strategy 3: *Incorporate appropriate elements of the screening tool into the GeoPlatform.*

The development of the GeoPlatform and the concurrent creation of a nationally consistent environmental justice screening tool provide an opportunity for the two efforts to reinforce and enhance each other. As both projects continue to evolve, EPA will be watching for opportunities for them to work together. Making consistent data and screening methods available to users of the GeoPlatform would go a long way towards furthering the Agency's work in environmental justice.

- Activity 3.1: Review screening tool data, methods, and requirements to determine which portions may be appropriate to include in the GeoPlatform.
- Activity 3.2: Incorporate appropriate elements of the prototype screening tool into the GeoPlatform.
- Activity 3.3: Revise GeoPlatform elements of the tool to be consistent with changes made to the prototype tool in response to peer review and public comments on screening tool.

2.3 Adjustments

Adjustments to the environmental justice screening approach may be made after public comment, after peer review, and in response to feedback from early users. Any required adjustments to the EPA GeoPlatform datasets or the Environmental Analyst application will also be made to support changes made to the environmental justice screening approach.

3.0 DELIVERABLES

ACTIVITIES	DELIVERABLES	MILESTONE
Strategy 1: Develop the EPA's GeoPlatform.		
Activity 1.1	Prototype of EPA Environmental Analyst for review.	Fiscal Year (FY) 2011 Q4
Activity 1.2	Production release of EPA Environmental Analyst.	FY 2012 Q1
Activity 1.3	Production release of EPA GeoPlatform (including initial data services) for use by Environmental Analyst and other GeoPlatform components.	FY 2012 Q1
Strategy 2: Develop the nationally consistent environmental justice screening tool.		
Activity 2.1	Hold regular staff workgroup and project steering committee meetings.	Ongoing
Activity 2.2	Develop a set of options to present to Senior Agency Officials.	FY 2011 Q3
Activity 2.3	Create a working prototype of screening tool.	FY 2012 Q2
Activity 2.4	Update the National Environmental Justice Advisory Council on progress.	TBD
Activity 2.5	Obtain peer review and public comment on a prototype tool.	TBD
Activity 2.6	Revise the tool based on comments.	TBD
Strategy 3: Incorporate appropriate elements of the screening tool into the GeoPlatform.		
Activity 3.1	Review screening tool data, methods, and requirements to determine which portions may be appropriate to include in the GeoPlatform.	Begin FY 2011 Q4 & continue on a monthly basis
Activity 3.2	Incorporate appropriate elements of the prototype screening tool into the GeoPlatform.	TBD
Activity 3.3	Revise GeoPlatform elements of the tool to be consistent with changes made to the prototype tool in response to peer review and public comments on screening tool.	TBD

4.0 REPORTING

Progress reports on this implementation plan will be made annually. For information, please contact: Glynis Hill, 202-564-1139, hill.glynis@epa.gov, Jerry Johnston, 202-564-3175, johnston.jerry@epa.gov, or Kim Balassiano, 202-566-0709, balassiano.kim@epa.gov .

9. Resources Tools Development

September 2011

Led by
Office of Administration and Resources Management

U.S. Environmental Protection Agency
Washington, D.C. 20460

1.0 INTRODUCTION

1.1 Goals

Goals At-A-Glance

To develop an efficient and effective system for delivering financial and technical assistance to communities to empower them to improve their health and environment.

The U.S. Environmental Protection Agency (U.S. EPA)'s Office of Administration and Resource Management (OARM)'s implementation plan has two major components. The first component addresses the Agency's mechanisms for providing grants and technical assistance to support community-based action programs. The second component addresses workforce diversity. The goals of each are discussed below.

Grants and Technical Assistance: OARM's goal is to have an efficient and effective system for delivering financial and technical assistance to communities to empower them to improve their health and environment.

This goal includes establishing a transparent, integrated One EPA approach to organizing and implementing the Agency's community-based grants programs, streamlining grants processes consistent with the EPA's fiduciary responsibilities, and providing grants management training to communities. It also includes providing technical assistance to communities that find it difficult to manage grants, in order to build their capacity and strengthen their ability to analyze and use technical environmental information.

OARM's goal furthers the Administrator's priority of Expanding the Conversation on Environmentalism and Working for Environmental Justice by establishing a new paradigm for the delivery of EPA assistance to minority, low-income, tribal, and indigenous peoples to create healthy and sustainable neighborhoods. It also responds to the cross-Agency focus area under Plan EJ 2014 of Supporting Community-Based Action Programs by building on the success of ongoing EPA grants and technical assistance activities, such as the Community Action for a Renewed Environment (CARE) Program. By aligning EPA's grants and technical assistance programs with the needs of all communities to achieve healthy, sustainable, green, and equitable development, OARM's vision advances the Agency's mission of protecting human health and the environment.

The purpose of this implementation plan is to realize OARM's vision over the next three years by charting a course of action for grants and technical assistance that will be accomplished collaboratively with communities and EPA's grants management workforce.

Workforce Diversity: OARM's goal is to achieve an inclusive work environment by developing an efficient system for the outreach and recruitment of potential employees. Development of a diversity portal, using social media tools, will be part of the system to attract qualified, diverse applicants. OARM will also provide Agency-wide diversity training for hiring officials.

This goal includes establishing an integrated One EPA approach to consistently recruit and select, both internally and externally, from diverse pools, the best-qualified candidates for all positions. The changing demographics of America mean that the public served by EPA is also changing. When EPA recruits and retains an inclusive workforce — one that looks like the America it serves and where individual differences are respected, appreciated, and valued, diversity becomes an organizational strength that contributes to achieving results.

OARM's Office of Diversity, Outreach, and Collaboration (ODOC), in conjunction with in collaboration with the Office of Human Resources (OHR) and the Office of Civil Rights (OCR), will work with the EPA national program offices and regions to broaden the standard outreach and recruitment efforts to attract qualified applicants from identified groups with low inclusion rates in EPA's workforce, in compliance with Equal Employment Opportunity (EEO) laws. OARM's workforce diversity goal furthers the Administrator's priority of Expanding the Conversation on Environmentalism and Working for Environmental Justice by establishing a new paradigm for selecting and hiring potential employees**.**

1.2 Organizational Structure

Grants and Technical Assistance: As communicated by the Deputy Assistant Administrator, Office of Enforcement and Compliance Assurance the Deputy Regional Administrator, Region 5, to the Deputy Assistant Administrators and Deputy Regional Administrators on November 5, 2010, the Agency will implement the Resources Tools Development elements for grants and technical assistance through the existing Grants Workgroup formed under the Deputy Administrator's Community-Based Coordination Project.

The Grants Workgroup is co-chaired by the Director, the Office of Grants and Debarment (OGD), OARM; and the Director, Financial Policy and Planning Staff, the Office of Financial Management (OFM), the Office of the Chief Financial Officer (OCFO). It includes the following seven Subgroups:

- Healthy Communities Coordinated Grants Subgroup: Office of Air and Radiation (OAR) and Region 9 (Co-Chairs).
- Technical Assistance Subgroup: Office of Environmental Justice (OEJ) (Chair).
- Training Subgroup: OCFO (Chair).
- Competition Subgroup: OGD (Chair).
- Internal Policies Subgroup: OGD (Chair).
- Legal Issues Subgroup: OEJ and Office of General Counsel (OGC) (Co-Chairs).
- Timely Award Subgroup: OGD and Office of Solid Waste and Emergency Response (OSWER) (Co-Chairs).

The Grants Workgroup has broad representation from EPA headquarters and regional offices.

Workforce Diversity: OARM's ODOC will be establishing a cross-Agency task force, the Outreach and Recruitment Task Force, with representatives from national program offices and regional offices to develop a national strategy to attract a diverse pool of qualified applicants.

2.0 IMPLEMENTATION

2.1 Strategies

Grants and Technical Assistance: Under the framework of the Community-Based Coordination Project, the Grants Workgroup has the following charges:

- Improve community access to information about available grants and application processes.
- Design streamlined grants processes, grants bundling, and other approaches that ensure quality awards while reducing transaction costs to communities seeking assistance.
- Design efficient and effective approaches to provide technical assistance to communities that find it difficult to manage grants.
- Coordinate with related ongoing grants streamlining efforts.

To accomplish these charges, the workgroup has established seven strategies:

- **Strategy 1:** Increase Transparency and Efficiency in Providing Community-Based Grant Opportunities.
- **Strategy 2:** Improve Delivery of Technical Assistance to Communities.
- **Strategy 3:** Strengthen Grants Training for Communities.
- **Strategy 4:** Improve Community Awareness of Grant Competition Process.
- **Strategy 5:** Revise Grant Policies that are Unduly Restrictive.
- **Strategy 6:** Encourage OGC/Office of Regional Counsel (ORC)/Program Office Dialogue on Community-Based Grant Opportunities.
- **Strategy 7:** Improve timeliness of Brownfields Grant Awards.

Workforce Diversity: The Outreach and Recruitment Task Force will have the following charge:

- Increase the diverse pool of qualified applicants.
- Operate under an integrated One EPA approach for recruitment and outreach.

2.2 Activities

Grants and Technical Assistance: To implement these seven strategies, the Grants Workgroup has identified a set of priority activities. OGD is responsible for overseeing the workgroup's progress in completing these tasks.

Strategy 1: *Increase Transparency and Efficiency in Providing Community-Based Grant Opportunities.*

- Activity 1.1: Draft recommendations for improving community group access to EPA grant programs to be presented to Executive Management Committee (EMC) in March 2011.
- Activity 1.2: Solicit informal feedback from communities (e.g., CARE Program workshops).
- Activity 1.3: Conduct outreach to regions and National Program Managers (NPMs) via conference calls and sharing of drafts.

Strategy 2: *Improve Delivery of Technical Assistance to Communities.*

- Activity 2.1: Develop Technical Assistance Center approach.
- Activity 2.2: Preliminary draft options to be presented to the EMC in March 2011.
- Activity 2.3: Obtain senior management guidance on initial concepts before obtaining informal feedback from communities.
- Activity 2.4: Conduct outreach to regions and NPMs via conference calls and sharing of drafts.

Strategy 3: *Strengthen Grants Training for Communities.*

- Activity 3.1: Create umbrella, basic on-line grants training for communities, environmental justice-specific on-line training, and program-specific training (e.g., CARE, Urban Waters).
- Activity 3.2: Develop training modules by December 2011.
- Activity 3.3: Obtain informal community feedback as modules developed.
- Activity 3.4: Conduct outreach to EPA grants management community by providing opportunities for review of draft training scripts.

Strategy 4: *Improve Community Awareness of Grant Competition Process.*

- Activity 4.1: Develop and implement appropriate grant competition tools (e.g., listservs, webinars). Tools will be in place by October 2011.
- Activity 4.2: Obtain informal community input through Regional/Headquarters websites.
- Activity 4.3: Work with regions and NPMs to develop and implement tools.

Strategy 5: *Revise Grant Policies that are Unduly Restrictive.*

- Activity 5.1: Revise Delegation 1-86 and indirect cost rate policies for environmental justice grants by the end of 2011. Temporarily revised delegation policies were issued in November 2010.

- Activity 5.2: Establish simplified Indirect Cost Rate (ICR) policy by October 2011.
- Activity 5.3: Obtain informal community feedback once draft ICR policy developed.
- Activity 5.4: Conduct outreach to regions and NPMs by providing opportunity to comment on draft policy issuance.
- Activity 5.5: Explore simplification of other policies.

Strategy 6: *Encourage Office of General Counsel/Office of Regional Counsel/Program Office Dialogue on Community-Based Grant Opportunities.*

- Activity 6.1: Conduct periodic OGC/ORC/OEJ meetings and OGC guidance on scope of community-based grant authorities. OGC/ORC/OEJ calls were conducted on January 5, 2011, and February 2, 2011.
- Activity 6.2: Obtain OGC legal guidance on scope of grant authorities.
- Activity 6.3: Coordinate discussions with larger OGC effort on existing legal authorities.

Strategy 7: *Improve timeliness of Brownfields Grant Awards.*

- Activity 7.1: Develop recommendations for consistent Brownfields award times by August 2011. Draft recommendations will be shared with the EPA's Grants Management Officers (GMOs) and OSWER. This is primarily an internal Agency process issue.

The workgroup anticipates that it will complete all of these priority activities by the end of 2011. It recommends that the Agency codify workgroup accomplishments in a consolidated Grants Policy approved by senior Agency management. No additional Full Time Employee (FTE) will be required to complete agreed-upon tasks. As described above, each Subgroup under the Grants Workgroup will conduct appropriate community and stakeholder outreach.

Workforce Diversity: *To meet its goals, the Outreach and Recruitment Task Force has identified four priority activities. OARM's ODOC is responsible for overseeing the workgroup's progress in completing these tasks.*

- Activity 1: Design an efficient Agency-wide outreach strategy by January 2012.
- Activity 2: Develop effective marketing materials and strategy by January 2012.
- Activity 3: Develop a National Conference Toolkit by January 2012.
- Activity 4: Develop a National Outreach Calendar by January 2012.

OARM will also provide Agency-wide diversity training for hiring officials.

2.3 Community Engagement and Stakeholder Outreach

Grants and Technical Assistance: As noted in Section 2.2, the Grants Workgroup is seeking informal feedback from communities in developing revisions to policies, procedures, and organizational structures. More formal community feedback (for example, feedback from the National Environmental Justice Advisory Council [NEJAC]) may be required for certain activities, including the development and selection of options under Strategies 1 and 2. As workgroup activities proceed, OARM will consult with OEJ to determine the need for formal community feedback.

2.4 Adjustments

Grants and Technical Assistance: OGD will carefully monitor and evaluate the effect of revised policy and procedures in Fiscal Year (FY) 2012. If the Agency and communities are not realizing the desired outcomes, OGD and the workgroup will make necessary adjustments in FY 2013 to reach the desired outcomes.

3.0 DELIVERABLES

3.1 Schedule of Deliverables

Grants and Technical Assistance: Appendix B contains a draft schedule of deliverables along with associated performance measures.

Workforce Diversity: OARM's ODOC is in the process of soliciting proposals from contractors for diversity training. It is anticipated that the Outreach and Recruitment Task Force will initiate all of these priority activities by the end of 2011.

3.2 Measures

Grants and Technical Assistance: See Appendix B.

Workforce Diversity: Measures will be developed in a collaborative manner once the Task Force is convened.

4.0 REPORTING

Grants and Technical Assistance: The Grants Workgroup will provide quarterly progress updates as part of the Community-Based Coordination Project. OARM will submit an annual progress report at the end of each FY as required by Plan EJ 2014. For information, please contact Howard Corcoran, 202-564-1903, Corcoran.Howard@epa.gov.

Workforce Diversity: Reporting will be developed in a collaborative manner once the Outreach and Recruitment Task Force is convened. For information, please contact Antoinette Powell-Dickson, 202-566-0738, Powell-Dickson.Antoinette@epa.gov.

Appendix B: Table of Deliverables and Measures

Strategy Number	Q2 FY 2011	Q3 FY 2011	Q4 FY 2011	Q1 FY 2012	Q2 FY 2012	Q3 FY 2012	Q4 FY 2012	Q1 FY2013 - FY 2014	Measures
Strategy 1: Increase Transparency & Efficiency in Providing Community-Based Grant Opportunities.	Brief EMC on draft options for improving grant delivery system.	Refine reform options based on EMC and community feedback.	Finalize reform options.	Begin implementation	Continue implementation	Continue implementation	Continue implement ation.	Conduct evaluation and make necessary adjustments.	Reduction in regional workload; Increase in community grant applications.
Strategy 2: Improve Delivery of Technical Assistance to Communities.	Brief EMC on preliminary draft options.	Refine reform options based on EMC and community feedback.	Finalize reform options.	Begin drafting of grant or contract RFP(s).	Issue RFP(s).	RFP period closes.	Evaluate application s an make selections for service provider(s)	Monitor service provider(s), conduct evaluation, and make necessary adjustments.	Compliance with performance measures in grant/contract workplan(s); Degree of utilization by regions and Communities; Geographic distribution of outreach activities.
Strategy 3: Strengthen Grants Training for Communities.	Complete development of draft umbrella and environmental justice on-line training.	Obtain community & EPA feedback; initiate program-specific trainings.	Evaluate feedback; continue to develop program-specific training.	Complete all training.	Roll-out training to communities.	Provide training.	Provide training.	Conduct evaluation of training and make necessary adjustments.	Community satisfaction as measured by customer feedback.
Strategy 4: Improve Community Awareness of Grant Competition Process.	Seek input from EPA grants community via regional/HQ websites.	Evaluate community feedback; Obtain EPA feedback.	Evaluate feedback; finalize competitio n tools.	Roll-out competition tools to communities.	Promote use of tools.	Promote use of tools.	Evaluation of effectiven ess of tools.	Tools adjusted based on results of evaluation.	Number of, and participation in, webinars; Increase in applications from new organizations (OEJ).

Strategy Number	Q2 FY 2011	Q3 FY 2011	Q4 FY 2011	Q1 FY 2012	Q2 FY 2012	Q3 FY 2012	Q4 FY 2012	Q1 FY2013 - FY 2014	Measures
Strategy 5: Revise grant policies that are unduly restrictive.	Inform programs of temporary revised version of Delegation 1-86.			Issue final revised version of Delegation 1-86.				Assess need for additional changes to delegation and make adjustments as necessary.	Increase in number of single-statute awards.
Strategy 5: Revise grant policies that are unduly restrictive.	Draft policy to simplify indirect cost rules; solicit feedback on changes to other policies.	Issue draft revision to indirect cost policies and other identified policies.	Issue final revised indirect cost rate policy/other revised policies.	Implement.	Continue to implement.	Continue to implement.	Continue to implement.	Conduct evaluation and make necessary adjustments.	Number of communities that take advantage of simplified indirect cost rates.
Strategy 6: Encourage OEJ-OGC/ORC-Program Office Dialogue on Community-Based Grant Issues.	Hold kick-off meeting to clarify roles and responsibilities for eligibility reviews.	Second quarterly meeting.	Quarterly meeting.	Quarterly meeting.	Quarterly meeting.	Quarterly meeting.	Quarterly meeting.	Conduct evaluation and make necessary adjustments.	Increase in timeliness of Program Office/ OGC/ORC eligibility reviews.
Strategy 6: Encourage OEJ-OGC/ORC –Program Office Dialogue on Community-Based Grant Issues.	Schedule for issuance of OGC guidance on the scope of existing grant authorities to be determined.								Reduction in number of legally ineligible grant applications.
Strategy 7: Improve Timeliness of Brownfields Grant Awards.	Develop draft approach.	Consult with HQ/ Regional Program & Grants Offices.	Finalize strategy and begin to implement.	Implement.	Continue to implement.	Continue to implement.	Continue to implement.	Conduct evaluation and make necessary adjustments.	Reduction in award times across grants offices.

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ACRONYMS

AANAPISIs	Asian American Native American Pacific Islanders Servicing Institutions
ADP	Action Development Process
Agency	U.S. Environmental Protection Agency
ASIWPCA	Association of State and Interstate Water Pollution Control Administrators
ASTSWMO	Association of State and Territorial Solid Waste Management Officials
BACT	Best Available Control Technology
C-FERST	Community-Focused Exposure and Risk Screening Tool
CAA	Clean Air Act
CAAAC	Clean Air Act Advisory Committee
CAFO	Concentrated Animal Feeding Operation
CARE	Community Action for a Renewed Environment
CB	Community-based
CBCE	Community-based coordination efforts (initiative)
CBP	Community-based partners (program)
CBPR	Community-Based Participatory Research
CCRS	Criminal Case Reporting System
CEI	Community Engagement Initiative
CenRANK	Census Tract Ranking Tool for Environmental Justice
CEQ	White House Council on Environmental Quality
CHPAC	Children's Health Protection Advisory Committee
CIC	Community Involvement Coordinator
CIO	Chief Information Officer
CIPIB	Community Involvement and Program Initiatives Branch
CIU	Community Involvement University
CRA	Cumulative Risk Assessment
CSO	Combined Sewer Overflow
CVRA	Crime Victims' Rights Act
DAA	Deputy Assistant Administrator
DOE	U.S. Department of Energy
DOJ	U.S. Department of Justice

DOT	U.S. Department of Transportation
DRA	Deputy Regional Administrator
DSW	Definition of Solid Waste (rule)
ECOS	Environmental Council of the States
EEO	Equal Employment Opportunity
EFAB	Environmental Financial Advisory Board
EIS	Environmental Impact Statement
EJ IWG	Federal Interagency Working Group on Environmental Justice
EJC	Environmental Justice Committee
EJGAT	Environmental Justice Geographic Assessment Tool
EJSEAT	Environmental Justice Strategic Enforcement Assessment Tool
EMC	Executive Management Council
EO 12898	Executive Order 12898 (on environmental justice)
EPA	U.S. Environmental Protection Agency
ESC	Executive Steering Committee
FaST	Faculty and Student Teams (Program)
FCHDR	Federal Collaboration on Health Disparities Research
FRS	Facility Registry System
FY	Fiscal Year
GDG	Geospatial Data Gateway
GIS	Geospatial Information System
GMO	Grants Management Officers
GRO	Greater Research Opportunities (fellowship)
GWPC	Ground Water Protection Council
HBCUs	Historical Black Colleges and Universities
HHS	U.S. Department of Health and Human Services
HSIs	Hispanic Servicing Institutions
HUD	U.S. Department of Housing and Urban Development
ICIS	Integrated Compliance Information System
ICR	Indirect Cost Rate
IGD	Integrated Geospatial Database
ITEP	Tribal Environmental Professionals

LEP	Limited English Proficiency
MAI	Minority Academic Institutions
MOU	Memorandum of Understanding
MSI	Minority Serving Institution
NACAA	National Association of Clean Air Agencies, comprised of the State and Territorial Air Pollution Program Administrators and the Association of Local Air Pollution Control Officials
NACWA	National Association for Clean Water Agencies
NAHMMA	North American Hazardous Materials Management Association
NCER	National Center for Environmental Research
NCMHD	National Center on Minority Health and Health Disparities
NEI	National Enforcement Initiative
NEJAC	National Environmental Justice Advisory Council
NEPA	National Environmental Policy Act
NEPPS	National Environmental Performance Partnership System
NERL	National Exposure Research Laboratory
NESCA	National Enforcement Strategy for Corrective Action
NEWMOA	Northeast Waste Management Officials' Association
NGO	Non-governmental organization
NHEERL	National Health and Environmental Effects Research Laboratory
NIH	National Institutes of Health
NPM	National Program Manager
NSF	National Science Foundation
NTOC	National Tribal Operations Committee
OAR	Office of Air and Radiation
OARM	Office of Administration and Resource Management
OCFO	Office of the Chief Financial Officer
OCHP	Office of Children’s Health Protection
OCIR	Office of Congressional and Intergovernmental Affairs
OCR	Office of Civil Rights
OCSPP	Office of Chemical Safety and Pollution Prevention
ODOC	Office of Diversity, Outreach and Collaboration

OECA	Office of Enforcement and Compliance Assurance
OEI	Office of Environmental Information
OEJ	Office of Environmental Justice
OFA	Office of Federal Activities
OFM	Office of Financial Management
OGC	Office of General Counsel
OGD	Office of Grants and Debarment
OHR	Office of Human Resources
OIA	Office Indian Affairs
OIAA	Office of Information Analysis and Access
OP	Office of Policy
OPP	Office of Pesticide Programs
ORC	Office of Regional Counsel
ORD	Office of Research and Development
OSA	Office of the Science Advisor
OSP	Office of Science Policy
OSWER	Office of Solid Waste and Emergency Response
OW	Office of Water
PPA	Performance Partnership Agreement
PPG	Performance Partnership Grants
Q&A	Question-and-Answer
QIC	Quality and Information Council
RAF	Risk Assessment Forum
RARE	Regional Applied Research Effort Program
RCRA	Resource Conservation and Recovery Act
RFA	Request for Applications
RFP	Request for proposal
RSS	Really Simple Syndication
SAB	Science Advisory Board
SEP	Supplemental Environmental Project
SHCRP	Sustainable and Healthy Communities Research Program
SIT	Strategic Implementation Team
SSMs	Startups, Shutdowns, and Malfunctions
SSO	Sanitary Sewer Overflow

STAR	Science to Achieve Research (grant)
TAB	Technical Assistance to Brownfields Communities (grant)
TAMS	Tribal Air Monitoring Support (Center)
TASC	Technical Assistance Services for Communities (program)
TBD	To be determined
TCUs	Tribal Colleges and Universities
TRI	Toxics Release Inventory
UTEP	University of Texas El Paso

For more information on Plan EJ 2014, visit the U.S. Environmental Protection Agency's Office of Environmental Justice website at: http://www.epa.gov/environmentaljustice/plan-ej/