

Environmental Justice

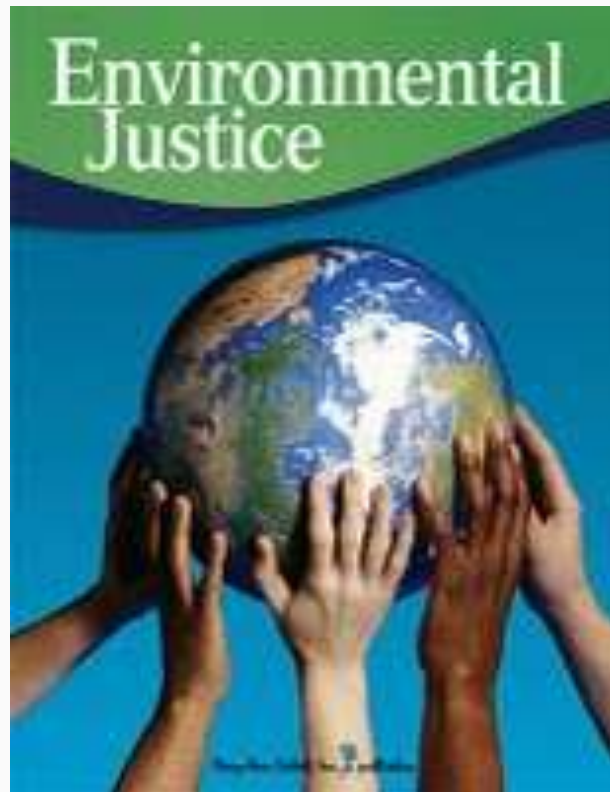
2011 Fall Region 4 Air Directors' Meeting

Gulfport, Mississippi

November 8-10, 2011



EJ – What Is It About?



- The Environment
- Jobs
- Health
- Transportation
- Education
- Quality of Life
- Housing



“Environmental Justice is 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.”





“Fair treatment” means that no group of people should bear a disproportionate share of the negative environmental consequences resulting from industrial, governmental and commercial operations or policies.



“Meaningful involvement” means that:

- People have an opportunity to participate in decisions that may affect their environment/health;
- Public’s contribution can influence the regulatory agency’s decision;
- Public’s concerns will be considered; and
- Decision makers seek out and facilitate the involvement of those potentially affected.

1982 - Warren County, NC

Residents in a poor and predominantly African American community (84%) protest the siting of a waste disposal facility for Polychlorinated Biphenyls (PCBs).



<http://www.ejrc.cau.edu/warren%20county%20rdb.htm>



1982 - United States Government Accounting Office Investigated Region 4

- African Americans comprised one-fifth of Region 4's population, at the time.
- 3 out of 4 offsite facilities were located in predominantly African American communities.
- *Race was the most significant variable.*

<http://archive.gao.gov/d48t13/121648.pdf>

U.S. Environmental Protection Agency





1983 - United Church of Christ, Commission for Racial Justice Study

- Nationwide study to statistically establish the relationship between (1) the location of commercial hazardous waste facilities, (2) race, and (3) income.
- **Results:**
 - Race was the most significant variable.
 - Communities with a higher percentage of ethnic residents had greater numbers of commercial hazardous waste facilities.

<http://www.ucc.org/about-us/archives/pdfs/toxwrace87.pdf>



- 1987 - Toxic Waste and Race, United Church of Christ Commission for Racial Justice
- 1992 - Unequal Protection: The Racial Divide in Environmental Law, National Law Journal
- 1992 – Environmental Equity: Reducing Risk for All Communities, EPA
- 2007 – Toxic Wastes and Race at Twenty, 1987- 2007 United Church of Christ Commission for Racial Justice



1994 – Executive Order 12898

“...each Federal agency shall 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.”

<http://www.archives.gov/federal-register/executive-orders/pdf/12898.pdf>



Obama Administration Advances Efforts to Protect Health of U.S. Communities Overburdened by Pollution

Federal Agencies Sign Environmental Justice Memorandum of Understanding, August 4, 2011

WASHINGTON – Building on its commitment to ensuring strong protection from environmental and health hazards for all Americans, the Obama Administration today announced Federal agencies have agreed to develop environmental justice strategies to protect the health of people living in communities overburdened by pollution and provide the public with annual progress reports on their efforts. Environmental Protection Agency Administrator Lisa P. Jackson, White House Council on Environmental Quality Chair Nancy Sutley and U.S. Attorney General Eric Holder were joined by agency heads across the Administration in signing the “Memorandum of Understanding on Environmental Justice and Executive Order 12898” (EJ MOU).

<http://www.epa.gov/compliance/environmentaljustice/interagency/iwg-compendium.html>



Plan EJ 2014

A road map that will enable EPA to better integrate environmental justice into our programs, policies and daily work.



<http://www.epa.gov/environmentaljustice/plan-ej/>



Plan EJ 2014

Plan EJ 2014 has three sections:

1. Cross-Agency Focus Areas
2. Tools Development Areas
3. Program Initiatives



Plan EJ 2014

Cross-Agency Focus Areas

- Rulemaking
- Permitting
- Compliance and Enforcement
- Community-Based Programs
- Fostering Administrative-Wide Actions





Plan EJ 2014

Tools Development

- Science
- Law
- Information
- Resources





Plan EJ 2014

- Program Initiatives
 - Clean Air Act
 - Clean Water Act
 - Resource Conservation and Recovery Act
 - Etc.





Community with an EJ Concern

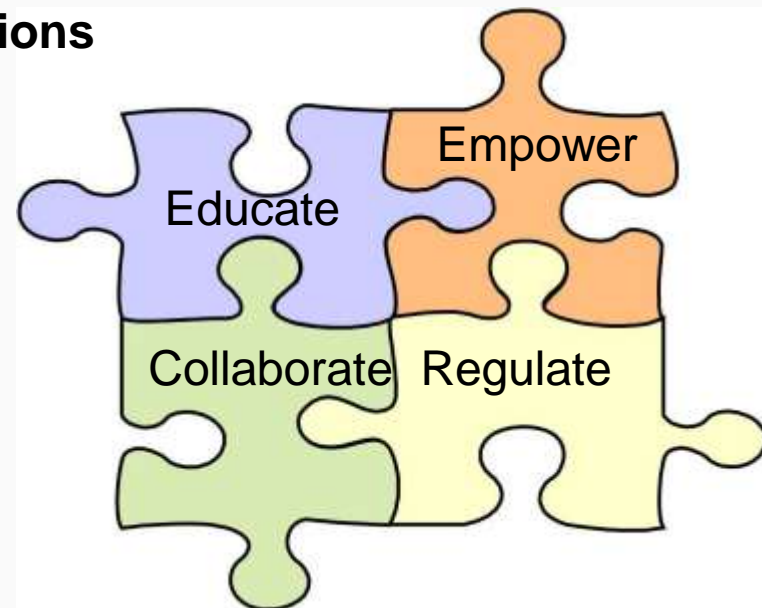
Significant MINORITY and/or LOW-INCOME population (based on State comparison) with a DISPROPORTIONATE EFFECT (impact) of adverse environmental hazards.





What is Region 4 Doing to Address Environmental Justice?

- **Region 4 EJ Council**
- **Following the rule of law and using science as the backbone of regulatory decisions**
- **Collaborating with our state partners**
- **Actively engaging EJ communities**
- **Expanding the conversation on environmentalism**





What is Region 4 Doing to Address Environmental Justice?

Interagency Working Group for Environmental Justice





What is Region 4 Doing to Address Environmental Justice?

- Grants to Communities
- Training (internal and external)
- Address Complaints and Inquiries
- Community Engagement
- Listening Sessions/Conferences
- Technical Assistance



Collaboration

Assessing and Addressing Environmental Justice and Children's Health Living near Industry in North Birmingham, AL

OEJ funded a joint APTMD-RCRA project:

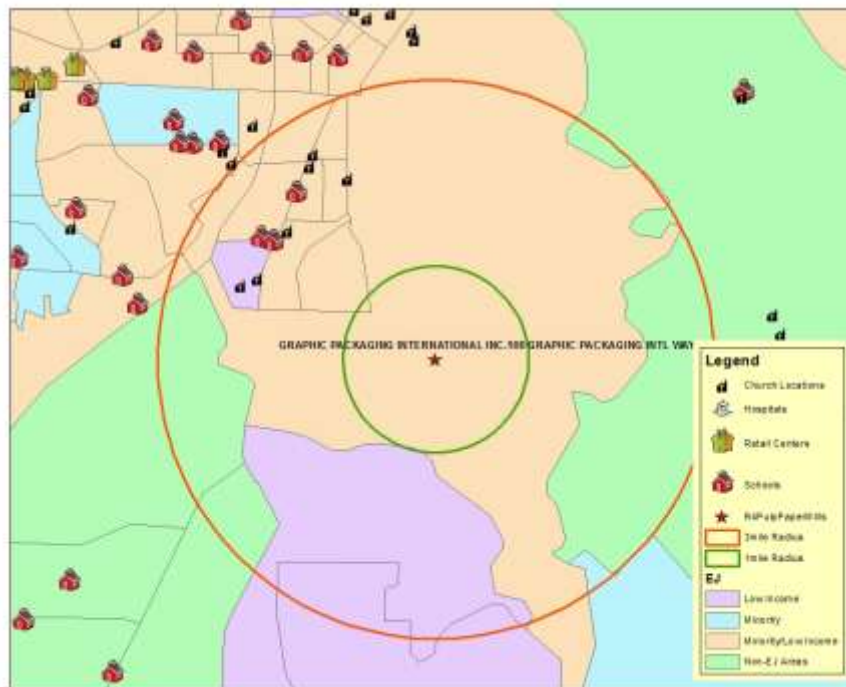
- Bring partners together to identify issues,
- Initiate prioritization, collaborative problem-solving brainstorming and leveraging, and
- Soundly manage EJ and CH interventions





Collaboration

Pulp and Paper MACT Rule – Identification and Outreach to Region 4 Communities with EJ Concerns





Collaboration

Smartway Port Drayage Truck Initiative, Charleston, SC

- Reducing emissions from trucks that deliver freight in and around the port,
- Supporting the local economy and protect air quality, and
- Collaborating with the SC DHEC, Charleston, seven EJ communities and EPA.





What Can Industry Do To Address Environmental Justice?

- Be a Good Neighbor
- Actively Talk With Residents in the Host Community
- Realize That Success Will Not Be Quick or Easy
- Choose Collaborative Problem Solving vs. Litigation
- **Know that environmental protection and economic development are not mutually exclusive.**





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