

**U.S. Environmental Protection Agency
Office of Enforcement and Compliance Assurance**

**ENVIRONMENTAL JUSTICE
ACTION PLAN**

For Fiscal Year 2009

Table of Contents

OECA EJ PROGRAM NARRATIVE	- 1 -
<i>BACKGROUND.....</i>	<i>- 1 -</i>
<i>MANAGEMENT ACCOUNTABILITY.....</i>	<i>- 1 -</i>
<i>INTERNAL ORGANIZATIONAL ENGAGEMENT.....</i>	<i>- 2 -</i>
<i>EXTERNAL STAKEHOLDER ENGAGEMENT.....</i>	<i>- 3 -</i>
<i>DATA COLLECTION, MANAGEMENT, AND EVALUATION.....</i>	<i>- 4 -</i>
<i>PROFESSIONAL AND ORGANIZATIONAL DEVELOPMENT.....</i>	<i>- 4 -</i>
<i>ENVIRONMENTAL JUSTICE ASSESSMENT.....</i>	<i>- 5 -</i>
<i>PROGRAM EVALUATION.....</i>	<i>- 5 -</i>
OECA ENVIRONMENTAL JUSTICE CONTACTS	- 6 -
EJ ACTION PLAN PERFORMANCE MEASURES MATRICES.....	- 8 -

OFFICE OF ENFORCEMENT AND COMPLIANCE ASSURANCE ENVIRONMENTAL JUSTICE PROGRAM NARRATIVE

BACKGROUND:

This document sets forth the Environmental Protection Agency's (EPA) Office of Enforcement and Compliance Assurance (OECA) Environmental Justice (EJ) Action Plan for fiscal year (FY) 2009. OECA administers the Agency's enforcement and compliance assurance programs. OECA is committed to improving environmental performance through compliance with environmental requirements, cleanup and revitalization of contaminated property, prevention of pollution, promotion of environmental stewardship, and the incorporation of environmental justice across the spectrum of our programs, policies, and activities. In January 2004, OECA issued its Environmental Justice Policy requesting the integration of environmental justice principles into OECA's programs to ensure that no community is disproportionately placed at risk from environmental and human health threats. The policy articulates OECA's commitment to integrating EJ as an operating principle throughout OECA's programs, policies, and activities.

OECA delivers environmental results through a mix of enforcement, compliance assistance, compliance monitoring and incentive programs. In addition to core program activities, OECA focuses its efforts on selected national priority areas. After consultation with different interested groups, OECA national priorities were selected for the environmental benefits they can deliver, the reduction of risk to human health they can achieve, and their ability to address broad patterns of non-compliance. Environmental justice is a required element of each OECA national priority and associated performance-based implementation strategy.

MANAGEMENT ACCOUNTABILITY:

EPA's Office of Environmental Justice (OEJ) administers the Agency's environmental justice program. OEJ is housed in EPA's Office of Enforcement and Compliance Assurance (OECA), but its reach is Agency-wide. OEJ's overarching goal is to integrate environmental justice considerations effectively into all EPA programs, including EPA's enforcement and compliance assurance programs.

OECA's Principal Deputy Assistant Administrator and Deputy Assistant Administrator lead the effort to ensure the proper implementation of OECA's EJ Policy. OECA's Deputy Assistant Administrator is also the Chairperson of the EPA EJ Executive Steering Committee, which is a cross-Agency group of Deputy Assistant Administrators and Deputy Regional Administrators that focuses on EJ issues. The EPA EJ Executive Steering Committee is a vehicle to communicate with, receive input from, and coordinate approaches with other headquarters and regional offices on EJ issues.

OECA is organized into eight offices: the Administration and Policy Office (OAP), the Office of Civil Enforcement (OCE); the Office of Compliance (OC); the Federal Facilities Enforcement Office (FFEO); the Office of Federal Activities (OFA); the Office of Site Remediation and Enforcement (OSRE); the Office of Criminal Enforcement, Forensics, and Training (OCEFT); and the Office of Environmental Justice (OEJ). OEJ's role is responsible for coordinating the integration of EJ principles Agency-wide. The integration of EJ principles in OECA programs is coordinated by OAP. All OECA offices participate in both management and staff level environmental justice coordinating groups. A list of OECA's Environmental Justice Contacts is presented after this narrative.

OECA's programs have and will continue to promote the integration of EJ by:

- integrating EJ into OECA's organization infrastructure and providing management support, operational resources, and program support;
- incorporating EJ concerns and impacts into selection of national enforcement and compliance assurance priorities, targeting strategies, and OECA's accountability processes;
- using integrated strategies to enhance the environment and public health in areas with EJ concerns;
- enhancing data gathering and analysis of EJ activities;
- evaluating and improving data systems to enhance public access to information;
- enhancing outreach to and collaboration with EJ communities and other external groups;
- considering EJ goals in grants and cooperative agreements;
- enhancing training on EJ issues within OECA and with state and tribal enforcement and compliance assurance programs; and
- effectively communicating results in the EJ arena.

INTERNAL ORGANIZATIONAL ENGAGEMENT:

In 1993, OECA established the Environmental Justice Coordinating Council (EJCC) which consists of Environmental Justice (EJ) coordinators from OECA offices. Over the years, the OECA EJ coordinators have been the primary conduits for incorporation of EJ principles into OECA's core work. In March 2003, the Principal Deputy Assistant Administrator established the Environmental Justice Action Council (EJAC), a management-level group that is responsible for developing strategic approaches and ensuring that EJ is properly integrated into OECA core programs and national priority

areas. The EJAC consists of OECA's Deputy Office Directors. The EJAC is chaired by the Deputy Director of OAP. OAP also coordinates the EJCC via a lead EJ Coordinator who chairs the EJCC and is responsible for liaison between the EJCC and the EJAC. This organizational structure promotes the integration of EJ within all OECA offices.

The EJAC works with the EJCC to ensure that every office within OECA determines how to integrate EJ concepts and considerations into its daily work, and that the sum total of all the contributions of OECA offices add up to the desired outcomes for the enforcement and compliance assurance program. In addition, the EJAC and the EJCC manage cross-cutting EJ issues (such as training for management and staff), produce OECA's EJ Action Plan, and periodically evaluate progress on the implementation of the EJ Action Plan.

In addition to the EJAC and the EJCC, OECA relies on its Planning Council to promote EJ activities. The Planning Council consists of headquarters and regional compliance assurance senior managers. OECA's Planning Council coordinates the selection of national priority areas, establishes performance-based strategies for priorities which include goals, milestones and measures, and develops targets for OECA's commitments under EPA's Strategic Plan. The Strategy Implementation Teams for the National Program Priorities ensure that EJ principles are incorporated in their plans.

EXTERNAL STAKEHOLDER ENGAGEMENT:

Various outreach strategies work to facilitate communication between OECA and its external stakeholders to help ensure their input into OECA activities. For intra-Agency engagement, the OECA EJ Coordinator is part of a network of EPA EJ Coordinators who represent all the headquarters and regional offices. This network of national EJ Coordinators enables constant communication and Agency-wide discussions concerning various approaches for EJ integration. Approaches taken by other headquarters and regional offices can then be brought back to OECA and shared with the EJCC and EJAC for consideration and possible coordination of future activities.

The Federal Interagency Working Group on Environmental Justice (IWG) works to facilitate communication among federal agencies. OECA is represented by the OAP EJ Coordinator in the IWG.

With respect to engaging the external stakeholders and the general public, OECA's EJ Coordinator and others throughout the organization regularly attend conferences, meetings and other forums aimed at promoting dialogue on and discussion of EJ issues and enforcement. OECA also utilizes OEJ's list server to publicize EJ newsworthy issues, program activities, and events.

Furthermore, OECA launched an enhanced effort to enlist the public in identifying potential civil and criminal violations. OECA's National Report A Violation Web site allows the public to report possible environmental violations or crimes by completing a user-friendly report form online. More than a million people a month who visit the

Agency's home page (www.epa.gov) have the opportunity to help OECA protect human health and the environment by reporting environmental problems they see in their communities. To reach a broader audience, EPA publicizes the availability of the Web site in both English and Spanish.

DATA COLLECTION, MANAGEMENT, AND EVALUATION:

OECA provides pertinent, accurate, up-to-date, user-friendly enforcement and compliance data that are easily accessible via the Internet.

OECA uses the Integrated Compliance Information System (ICIS) as its core information management system. ICIS is used for tracking federal enforcement and compliance activities performed by the EPA headquarters and regional offices. The information in ICIS is made available to the public through the Enforcement Compliance History Online (ECHO) system. Input is entered by EPA regional personnel from paper legal documents, the Case Conclusion Data Sheets (CCDS), and inspection reports. These documents capture relevant information on results and environmental benefits of concluded enforcement cases, including pollutant reduction benefits and cases addressing potential EJ concerns.

ECHO is a Web-based tool that allows the public to ascertain the inspection, violation, and enforcement histories of all facilities regulated under federal environmental laws within their community. It empowers the public with the ability to utilize information about compliance with environmental laws and provides EJ search options and data. Users may formulate queries based upon minority population percent and detailed demographic statistics.

In addition, some OECA activities are enhanced by databases and Web sites from other offices, such as OSWER's Institutional Controls Tracking System (ICTS), a database that provides information on institutional controls at construction complete Superfund sites, and "Cleanups In My Community," a Web site that provides information on sites that have been cleaned up by EPA programs.

PROFESSIONAL AND ORGANIZATIONAL DEVELOPMENT:

OECA is committed to ensuring that all OECA personnel have the information and expertise to identify and address environmental justice issues in their daily work. The National Enforcement Training Institute (NETI) housed in OECA's Office of Compliance offers online fundamental EJ training that exposes participants to various components of EJ and instruction in specific methods to integrate EJ into OECA's programs. OECA also conducts training activities designed for our state and tribal partners and provided EJ training as appropriate. New employees are encouraged to take online the newly developed Web-based training "*Introduction to Environmental Justice.*" In addition, some offices conduct regular "brown bag" sessions on current EJ topics.

Since 2006, OECA has offered its “*Environmental Justice Achievement Award.*” This award was created with the strong support of the Assistant Administrator and the EJAC as a mechanism to recognize groups and individuals who take proactive measures to achieve OECA’s environmental justice goals and support and effectively implement OECA’s EJ Policy. The award is part of OECA’s Honor Awards annual ceremony and is awarded to an OECA employee or team of employees who has demonstrated a commitment to environmental justice principles through a project or activity that (a) promotes sound environmental justice principles, (b) effectively assesses and addresses a community’s environmental justice concerns; and (c) contributes to the implementation of OECA’s EJ Policy.

ENVIRONMENTAL JUSTICE ASSESSMENT:

OECA utilizes EJ analyses in various aspects of its work through the use of several available tools which provide sophisticated analytic query options. The Online Targeting Information System (OTIS) allows users to search for facilities based on enforcement and compliance status, in conjunction with demographic information such as percent minority, population density, and low income status. For EJ assessments, OECA also has available the “*Toolkit for Assessing Potential Allegations of Environmental Injustice*” (EJ Toolkit). This tool serves as a reference guide to assist Agency personnel in assessing potential allegations of environmental injustice and to provide a framework for understanding national EJ policy.

For the last three years, OECA has been working to create an assessment tool known as the Environmental Justice Strategic Enforcement Assessment Tool (EJSEAT) to help identify areas with potential environmental justice concerns. EJSEAT can help OECA programs to identify areas and facilities with potential environmental justice concerns in a nationally consistent way based on a combination of federal health, environmental, compliance, and social demographics criteria, and to incorporate EJ into targeting OECA activities. In addition, OECA believes the new tool can help more fully integrate environmental justice into its national priorities, programs, policies, and activities.

OECA has completed internal and external peer review of the EJSEAT, and is currently engaged in testing it against Regional EJ tools and measures. A test version of the EJSEAT has been made available in OTIS, but its use is currently restricted to EPA staff until testing and policy development is completed.

PROGRAM EVALUATION:

OECA is committed to regularly assessing the effectiveness of our programs. Regular program evaluation is the best way to assure continuous program improvement and desired program performance.

In response to the EPA’s Office of Inspector General 2006 report entitled *EPA Needs to Conduct Environmental Justice Reviews of Its programs, Policies, and Activities*, EPA recently developed protocols for conducting EJ reviews. The protocols present a more

systematic, broader-scale approach to identifying and addressing disproportionate impacts to human health and the environment. During FY 2009, OECA will perform EJ reviews in the following activities, policies, and programs following the proposed timeline.

OECA is proposing to conduct an EJ Review during FY 2009 of the “Lead-based Paint (LBP) Enforcement Program” which focuses on prevention of lead poisoning through enforcement of the LBP requirements. The activity, also described in the Section 2 matrix of this plan, follows under EPA Goal 4: “Healthy Communities and Ecosystems,” and under the National EJ Priority of “Reduction in elevated blood-lead levels.” The effort includes development, supplementation and/or updating tools necessary to support the national Lead-Based Paint (LBP) enforcement program, in cooperation with the U.S. Department of Housing and Urban Development, and is managed in the OECA Office of Civil Enforcement (OCE). The EJ Review will provide an assessment of the effectiveness of integrating EJ concerns in this enforcement program. The EJ Review will be coordinated, as appropriate, with regional review activities of the LBP Program.

OECA ENVIRONMENTAL JUSTICE CONTACTS
(2008)

Office of Administration & Policy

- Mark Badalamente, EJAC *
- Loan Nguyen, EJCC** (OECA EJ Coordinator)

Federal Facilities Enforcement Office

- Sandra Connors, EJAC
- Joyce Olin, EJCC

Office of Compliance

- David Hindin, EJAC
- Alice Mims, EJCC

Office of Criminal Enforcement, Forensics and Training

- Ellen Stough, EJAC
- Kenda Layne, EJCC

Office of Environmental Justice

- Heather Case, EJAC
- Danny Gogal, EJCC

Office of Federal Activities

- Kimberly DePaul, EJAC
- Arthur Totten, EJCC

Office of Civil Enforcement

- Randy Hill, EJAC
- Melissa Marshall, EJCC

Office of Site Remediation & Enforcement

- Elliott Gilberg, EJAC
- Carlos Evans, EJCC

* EJAC - Environmental Justice Action Council (OECA Office Deputy Directors)

** EJCC- Environmental Justice Coordinating Council (OECA Office EJ Coordinators)

OECA ENVIRONMENTAL JUSTICE ACTION PLAN PERFORMANCE MEASURES MATRICES¹

The matrices include activities from the following OECA offices:

Federal Facilities Enforcement Office (FFEO)

Office of Administration and Policy (OAP)

Office of Civil Enforcement (OCE)

Office of Compliance (OC)

Office of Criminal Enforcement, Forensics, and Training (OCEFT)

Office of Federal Activities (OFA)

Office of Site Remediation and Enforcement (OSRE)

¹ The Action Plan Performance Measures Section is divided in two matrices:

- **Performance Measures Matrix Highlights:** This highlights OECA's main comprehensive, robust, results-oriented EJ activities by including a narrative description of the activity, the pertinent outputs and outcomes, and the environmental and public health measure.
- **Performance Measures Matrix:** This identifies the appropriate EJ activities and work of OECA's offices, and the subsequent outputs and outcomes that address the specific goals and objectives of the eight national EPA's EJ Priorities.

Office of Enforcement and Compliance Assurance
Environmental Justice Action Plan Performance Measures Matrix Highlights
FY 2009

Description: Indian Country Enforcement and Compliance Assurance National Priority

OECA has identified Indian Country as one of its national priorities for FY 2008-2010. The priority focuses in working with federally-recognized Indian tribes to address significant human health and environmental problems associated with drinking water , solid waste, and environmental risks in tribal schools (e.g., lead-paint) through capacity building and compliance monitoring. The Indian Country priority goals are to significantly improve human health and environmental protection in Indian country by focusing national attention on three key compliance assurance and enforcement issues: **(1)** drinking water systems; **(2)** illegal dumping and solid waste management; and **(3)** schools.

Goal 5: Compliance & Environmental Stewardship

Objective 1: Ensure Compliance

Also applicable:

EPA Strategic Goals 2, 3, 4: Clean & Safe Water; Land Preservation & Restoration; Healthy Communities & Ecosystems

EPA National EJ Priorities: Clean & Safe Drinking Water, Revitalization of Contaminated Sites; Reduction in Elevated Blood-Lead Levels

OECA National Priority: Indian Country

Activities / Resources / Partners	Output	Applicable Outcome Measure			Point of Contact
		Short-term (awareness)	Intermediate (behavior)	Long-term (condition)	
<p>Drinking Water Systems</p> <p><u>Activities:</u> provide compliance assistance to: public water systems; major monitoring and reporting violations/prevent and address significant non compliance; and in partnership with tribal environmental programs and utilities</p>	<p># of compliance assistance activities provided. <u>Activities include:</u> Conduct on-site visits, conduct sanitary surveys, mail materials, respond to inquiries, and provide trainings/workshops.</p> <p># of Sanitary Surveys conducted</p> <p># of compliance or civil/criminal enforcement actions taken</p> <p># of violations and SNCs addressed</p> <p># of new major monitoring and reporting violations</p>	<p>Tribes with improved understanding of SDWA monitoring and reporting requirements.</p>	<p># of current PWS SNCs in Indian country addressed.</p> <p>-Decrease by 10% the number of CWS in Indian country with new significant violations of monitoring and reporting requirements.</p>	<p>% of the population in Indian country served by community water systems will receive drinking water that meets all applicable health-based drinking water standards.</p>	<p>Jonathan Binder OECA/OC/CASPD 202-564-2516 binder.jonathan@epa.gov</p>

Activities / Resources / Partners	Output	Applicable Outcome Measure			Point of Contact
		Short-term (awareness)	Intermediate (behavior)	Long-term (condition)	
<p>Reduce threats posed by illegal dumping in Indian Country</p> <p><u>Activities:</u></p> <ul style="list-style-type: none"> - Conduct investigations of open dumps - Take enforcement actions vs. responsible parties - Provide compliance assistance (e.g., conduct on-site, mail materials, respond to inquiries, and provide trainings/workshops) <p>Partner with tribal environmental departments to identify illegal dumps and conduct investigations</p>	<p># of civil/criminal investigations conducted</p> <p># of civil/criminal enforcement actions and criminal prosecutions taken</p> <p># of compliance assistance activities, including civil and criminal enforcement trainings, provided</p>	<p>Improved understanding of applicable environmental requirements</p>	<p>Improved solid waste management practices</p> <p>Improved compliance in Indian Country: in FY 2009 we expect to provide 114 tribes with solid and/or hazardous waste compliance/technical assistance.</p> <p># of actions being taken (post-investigation) by responsible parties to clean up or close open dumps in Indian Country: in FY08-09, we expect 20 of these actions.</p>	<p>Reduce environmental and public health threats posed by illegal dumping in Indian Country</p>	<p>Jonathan Binder OECA/OC/CASPD 202-564-2516 binder.jonathan@epa.gov</p>

Activities / Resources / Partners	Output	Applicable Outcome Measure			Point of Contact
		Short-term (awareness)	Intermediate (behavior)	Long-term (condition)	
<p><u>Compliance at Schools in Indian Country</u> - provide compliance assistance, conduct inspections of BIA/BIE schools, and respond to violations.</p>	<p># of compliance assistance activities provided</p> <p># of violations addressed</p> <p># of enforcement actions taken</p>	<p>Improved understanding of environmental requirements for schools</p>	<p># of schools where violations are addressed or have no further action needed.</p> <p># of schools that create effective environmental management plans.</p>	<p># of lbs of pollutants reduced, treated, or eliminated.</p>	<p>Jonathan Binder OECA/OC/CASPD 202-564-2516 binder.jonathan@epa.gov</p>

Description: RCRA Corrective Action Enforcement Program

By the year 2020, EPA and the authorized states plan to have largely completed the work of implementing final remedies at all facilities requiring Corrective Action. At the end of 2008, EPA will expand the RCRA Cleanup Baseline to include all 3,746 facilities expected to need corrective action. In total, the 2020 Universe contains a wide variety of sites. Some properties are heavily contaminated. Others were contaminated but have since been cleaned up. Still others have not been fully investigated yet, and may require little or no remediation.

EPA's RCRA Corrective Action enforcement program is designed to use enforcement as one tool to ensure that facilities included in the 2020 Universe meet applicable corrective action requirements.

Goal 3: Land Preservation and Restoration

Objective 1: Revitalization of brown fields and contaminated sites²

² Strategic Targets for the assessment and clean up of brownfields are included under Goal 4 of EPA's Strategic Plan. However, because the EJ priority is brownfields and contaminated sites, for the purposes of the EJ Action Plans it is more relevant under Goal 3.

Activities / Resources / Partners	Output	Applicable Outcome Measure			Point of Contact
		Short-term (awareness)	Intermediate (behavior)	Long-term (condition)	
<p>Ensure regions and states use EJ as a criterion in enforcing RCRA corrective action requirements to meet RCRA 2020 goals.</p> <p>Develop enforcement strategy, in consultation with OSWER and ASTSWMO, to meet 2020 goals.</p>	<p>TBD, but could include:</p> <ul style="list-style-type: none"> - Explore piloting the use of the EJ SEAT tool or other screening tool - Complete RCRA corrective action enforcement strategy - Identify facilities within RCRA 2020 universe in EJ areas of concern 	<ul style="list-style-type: none"> - Improved understanding of RCRA corrective action requirements in potential EJ areas of concern 	<ul style="list-style-type: none"> - Increase in facilities taking action to comply with RCRA CA. - Increase in # of facilities in potential EJ areas of concern that meet applicable RCRA CA reqs. 	<ul style="list-style-type: none"> - # of facilities in potential EJ areas which are Ready for Anticipated Use 	<p>Carlos Evans OSRE 202-564-6331 evans.carlos@epa.gov</p>

Office of Enforcement and Compliance Assurance
Environmental Justice Action Plan Performance Measures Matrix³
FY 2009

Goal 1: Clean Air and Global Climate Change

Objective 1: Reduction in number of asthma attacks (e.g., reduce asthma triggers such as particulate matter)

Activities	Output	Applicable Outcome Measure ⁴			Point of Contact
		Short-term (awareness)	Intermediate (behavior)	Long-term (condition)	
Monitor, implement and support Supplemental Environmental Projects (SEPs) and woodstove change-out projects that reduce particulate matter (PM) emissions from wood heating appliances in low-income households and communities	<p>Negotiate Supplemental Environmental Projects to replace old wood stoves with new EPA certified wood stoves in low-income households</p> <p>Provide literature to facilitate wood stove change-out projects conducted by non-profit organizations, state governments, and local agencies</p>	Encourage replacement of old wood stoves in low-income households by distributing wood stove emissions and efficiency literature to: 1. Low-Income Heating and Energy Assistance Program (LIHEAP) providers and; 2. state and local parties interested in conducting wood stove change-out projects	Implement alternative thermal efficiency test method for wood-heating appliances to encourage state energy assistance providers to replace old wood stoves as part of the energy assistance services they provide to low income households	<p>Permanently reduce PM emissions (tons) in low-income households & communities</p> <p># of old wood stoves replaced with new EPA certified wood stoves in low-income households</p>	<p>Mamie Miller, Chief OC/CAMPD/ACB 202-564-7011 miller.mamie@epa.gov</p> <p>John DuPree OC/CAMPD/ACB 202-564-5950 dupree.john@epa.gov</p>

³ In the matrix, “Goals” refer to the goals in EPA’s Strategic Plan and “Objectives” refer to the eight national EPA’s EJ Priorities identified in EPA’s Administrator memorandum of November 4, 2005.

⁴ All three outcomes may not apply for every activity.

**Office of Enforcement and Compliance Assurance
Environmental Justice Action Plan Performance Measures Matrix
FY 2009**

Goal 2: Clean and Safe Water
Objective 2: Clean and safe drinking water

Activities	Output	Applicable Outcome Measure			Point of Contact
		Short-term (awareness)	Intermediate (behavior)	Long-term (condition)	
Implement the compliance monitoring strategy for the National Pollutant Discharge Elimination System (NPDES) program to focus inspections on facilities, both majors and non-majors dischargers that are or have the potential to affect attainment of water quality standards on areas where pollution is worst	Currently evaluating options for using EJSEAT to target and assess results of NPDES inspection activities in areas where water quality impairment has been identified		# of inspections conducted and enforcement actions initiated in EJ areas.	Pounds of pollutants reduced from enforcement actions initiated.	Rick Duffy OC/CAMPD 202-564-5014 duffy.rick@epa.gov

**Office of Enforcement and Compliance Assurance
Environmental Justice Action Plan Performance Measures Matrix
FY 2009**

Goal 3: Land Preservation and Restoration

Objective 1: Revitalization of brown fields and contaminated sites⁵

Activities	Output	Applicable Outcome Measure			Point of Contact
		Short-term (awareness)	Intermediate (behavior)	Long-term (condition)	
Support completion of negotiation of Federal Facility Agreements (FFAs) for federal facility sites listed on the National Priority List (NPL) to assure cleanup and ultimate reuse of contaminated federal facility sites that may be impacting areas with EJ concerns	By the end of FY 2009, all the remaining 17 NPL sites on federal facilities will have completed FFAs	N/A	# of completed agreements signed by facility, state, and EPA at NPL sites that contain provisions for community involvement	N/A	Sally Dalzell OC/FFEO 202-564-2583 dalzell.sally@epa.gov
Use EJSEAT (or a similar tool) to ensure regions and states use EJ as a criterion in implementing the Corrective Action Smart Enforcement Strategy (CASES) and any other enforcement strategy used to meet RCRA's 2020 goals	Pilot the use of EJSEAT in meeting RCRA corrective action goals for FY 2009 (e.g., human exposures controlled and construction completion) by targeting or monitoring facilities under CASES	Increase OSRE's working knowledge of the tool to begin analyzing how it could be used to implement CASES	Increase use of the tool through a methodology that confirms appropriate OSRE targeting and monitoring of RCRA corrective action facilities.	Increase in number of RCRA corrective action facilities in identified potential environmental justice areas of concern that meet applicable RCRA corrective action requirements	Carlos Evans OSRE 202-564-6331; evans.carlos@epa.gov

⁵ Strategic Targets for the assessment and clean up of brownfields are included under Goal 4 of EPA's Strategic Plan. However, because the EJ priority is brownfields and contaminated sites, for the purposes of the EJ Action Plans it is more relevant under Goal 3.

Activities	Output	Applicable Outcome Measure			Point of Contact
		Short-term (awareness)	Intermediate (behavior)	Long-term (condition)	
<p>Require IC Implementation and Assurance Plans (ICIAP) at Superfund remedial sites in EJ areas that, among others things, provide for effective community involvement/public participation in the implementation, monitoring and maintenance of ICs.</p> <p><i>(Note: Model RD/RA Consent Decree is currently being revised to include the ICIAP requirement and OSRTI is finalizing the development of detailed ICIAP guidance. Both are expected to be complete by end of FY 2008.)</i></p>	<p>All negotiated settlements for remedial actions that require ICs will use the OSRE model provisions regarding preparation of an ICIAP that include effective public participation</p>	<p>Increase the awareness and importance of EJ through effective public participation in the implementation and monitoring of ICs at enforcement-lead sites. Increase the effective implementation and monitoring of ICs, and increase the protectiveness of remedies at sites in EJ areas</p>	<p>N/A</p>	<p>Increase the number of sites in EJ areas with ICIAPs that include community involvement and public participation in the implementation, monitoring, and maintenance of ICs</p>	<p>Greg Sullivan OSRE 202-564-1298; sullivan.greg@epa.gov</p>

**Office of Enforcement and Compliance Assurance
Environmental Justice Action Plan Performance Measures Matrix
FY 2009**

Goal 4: Healthy Communities and Ecosystems
Objective 1: Reduction in elevated blood-lead levels

Activities	Output	Applicable Outcome Measure			Point of Contact
		Short-term (awareness)	Intermediate (behavior)	Long-term (condition)	
Earth Conservation Corps (ECC)/EPA Lead-Based Paint Project	<p>Complete lead worker training for ECC students</p> <p>Outreach materials about lead paint hazards distributed to the Anacostia-area residents.</p> <p>Track ECC students who use this project experience as career path in lead paint renovation, abatement work</p>	Increased awareness of lead paint hazards and (elevated blood-lead levels) EBL's in children.	<p>Inspections performed by ECC students to identify lead-based hazards in local communities</p> <p>Community concerns prompt actions directed at reducing lead paint hazards</p>	Reduced # of dwelling units and common areas (such as playgrounds) with lead paint hazards	<p>John Mason OC/CASPD 202-564-7047 mason.john@epa.gov</p> <p>Glen O'Gilvie ECC</p>
Development, supplementation and/or updating tools necessary to support the national Lead-Based Paint (LBP) enforcement program, in cooperation with the U.S. Department of Housing and Urban Development	<p>Number of lead-based paint inspections conducted.</p> <p>Number of enforcement actions taken (Consent Agreements and Final Orders; Consent Decrees; Administrative Orders; Notices of Violation)</p>	TBD	TBD	Number of living units impacted.	<p>Don Lott, Assoc. Div. Director OCE/WCED 202-564-2652 lott.don@epa.gov</p>

Activities	Output	Applicable Outcome Measure			Point of Contact
		Short-term (awareness)	Intermediate (behavior)	Long-term (condition)	
Conduct EJ Review of OCE's Lead-based Paint enforcement program.	Completed assessment of the effectiveness of integrating EJ concerns in this enforcement program.	N/A	Identification of opportunities to further enhance integration of EJ into the Lead-based paint enforcement program.	N/A	<p>Don Lott Assoc. Div. Director OCE/WCED 202-564-2652 lott.don@epa.gov</p> <p>Melissa Marshall Senior Counsel OCE/IO 564-7971 marshall.melissa@epa.gov</p>

**Office of Enforcement and Compliance Assurance
Environmental Justice Action Plan Performance Measures Matrix
FY 2009**

Goal 5: Compliance and Environmental Stewardship

Objective 1: Ensure Compliance

Activities	Output	Applicable Outcome Measure			Point of Contact
		Short-term (awareness)	Intermediate (behavior)	Long-term (condition)	
Increase the number of EPA Inspectors trained to be aware of environmental justice policy goals; be familiar with and responsive to community characteristics including population vulnerability; to recognize and act on significant health and safety issues; and to be sensitive to the need to cumulative risk	Hold EJ sessions on these topics at the 2009 National EPA Inspector Workshop. Post materials on the Inspector Web site	Increase EPA inspectors awareness of EJ activities	N/A	Regional managers and inspectors incorporate EJ considerations into where and how they inspect based on their increased understanding from these sessions	Phyllis Flaherty, Chief OC/NCMPB/CAMPD 202-564-4131 flaherty.phyllis@epa.gov Iliana Tamacas, OC/NCMPB/CAMPD 281-983-2113 tamacas.iliana@epa.gov

Activities	Output	Applicable Outcome Measure			Point of Contact
		Short-term (awareness)	Intermediate (behavior)	Long-term (condition)	
Issue credentials to tribal inspectors in accordance with the "Process for Requesting EPA Credentials for State/Tribal inspectors Conducting Inspections on EPA's Behalf" that was finalized on 05/05/08	Credentialed inspectors on tribal lands	# Inspector credentials issued to tribal inspectors representing # of tribal organizations under # EPA statutes		Increase the field presence of trained, credentialed inspectors on tribal lands	Phyllis Flaherty OC/CAMPD/NCMPB 202-564-4131 flaherty.phyllis@epa.gov Julie Tankersley OC/CAMPD/NCMPB 202-564-7002 tankersley.julie@epa.gov
Improve drinking water at public water systems (PWSs) in Indian country by: - Conducting compliance assistance (CA) visits; - Conducting sanitary surveys; - Mailing of CA materials; - Taking compliance and enforcement actions to address violations and SNCs (significant non-compliance)	# of CA Visits completed # of CA mailings to PWSs in IC # of Sanitary Surveys conducted # of compliance or enf. actions taken # of violations and SNCs addressed	Tribes improved understanding of SDWA monitoring and reporting (M&R) requirements	Improved environmental management practices Deficiencies corrected as a result of CA and sanitary surveys Decrease in # of SNCs at PWSs in Indian Country Decrease in the # of PWSs in Indian Country with M&R violations	Improved compliance at PWSs in Indian Country Increase populations having access to safe drinking water in Indian Country	Jonathan Binder OC/CASPD 202-564-2516 binder.Jonathan@epa.gov <i>[OECA will measure these activities by asking the individuals and groups who receive compliance assistance to respond at the time to questions and surveys and through subsequent (post-activity) follow-up questions.]</i>

Activities	Output	Applicable Outcome Measure			Point of Contact
		Short-term (awareness)	Intermediate (behavior)	Long-term (condition)	
<p>Reduce threats posed by illegal dumping in Indian country by:</p> <ul style="list-style-type: none"> - Conducting investigations of open dumps; - Taking enforcement actions vs. responsible parties; - Providing compliance assistance and technical assistance; - Conducting CA visits; - Assisting tribes in development of solid waste management plans 	<p># of investigations conducted</p> <p># of enforcement actions taken</p> <p># of CA Visits</p> <p># of CA mailings to tribes w/open dumps</p> <p># of solid waste management plans developed</p>	<p>Improved understanding of RCRA requirements</p>	<p>Improved solid waste management practices</p> <p>Decrease in the # of illegal dumps in Indian Country</p>	<p># of open dumps cleaned or closed in Indian Country</p> <p>Improved RCRA Subtitle D compliance in Indian Country</p>	<p>Jonathan Binder OC/CASPD 202-564-2516 binder.Jonathan@epa.gov</p> <p><i>[OECA will measure these activities by asking the individuals and groups who receive compliance assistance to respond at the time to questions and surveys and through subsequent (post-activity) follow-up questions.]</i></p>
<p>Improve environmental compliance at schools in Indian country by:</p> <ul style="list-style-type: none"> - Providing compliance assistance to 100% of schools; - Conducting inspections in Bureau of Indian Affairs (BIA) schools and high priority non-BIA schools; - Responding to violations where non-compliance is identified 	<p># of CA Visits completed</p> <p># of CA mailings to schools and tribal education departments in IC</p> <p># of violations addressed</p> <p># of enforcement actions taken</p>	<p>Improved understanding of environmental requirements for schools</p>	<p>Improved environmental management practices</p> <p>Decrease in the number of BIA schools with violations</p>	<p># of schools where violations have been addressed or no further action needed</p> <p>Improved compliance at schools in IC</p>	<p>Jonathan Binder OC/CASPD 202-564-2516 binder.Jonathan@epa.gov</p> <p><i>[OECA will measure these activities by asking the individuals and groups who receive compliance assistance to respond at the time to questions and surveys and through subsequent (post-activity) follow-up questions.]</i></p>

Activities	Output	Applicable Outcome Measure			Point of Contact
		Short-term (awareness)	Intermediate (behavior)	Long-term (condition)	
Conduct a Pesticide Inspector Residential Training (PIRT) session for Tribal Inspectors	# of tribal participants in the training session	# of Tribal inspectors with increased understanding of the worker protection standards			Amar Singh OC/ 202-564-4161 singh.amar@epa.gov
Make available and distribute compliance materials for small, minority and non-English speaking farmers and farm workers	# of hits to the Web page # of fact sheets and # of foreign-language materials distributed	Increased understanding of requirements by small, minority and non-English speaking farmers and farm workers			Carol Galloway OC/ 915-551-5092 galloway.carol@epa.gov
Implement the National Enforcement Training Institute (NETI) tribal training strategy to increase training provided to tribes: - Distribute course catalog to tribal organizations - Deliver monthly training schedule (“training Times”) to Regional Indian Program Managers - Deliver training to tribal participants	# of training catalogs distributed by 3/1/09 Monthly distribution of “Training Times” to ten Regional Indian Program Managers. By September 30, 2009, deliver 1 course to tribal participants # of tribal participants attending training	# of tribal environmental organizations who received information about training courses available and availed themselves to the training. % (#) of attendees who completed an evaluation form and rated the training as useful.	# of tribal attendees who attended NETI training after receiving course information. % of tribal attendees who reported will perform a better job as a result of the training		Jeff Lightner OC/NETI-West 303-236-6791 lightner.jeff@epa.gov

Activities	Output	Applicable Outcome Measure			Point of Contact
		Short-term (awareness)	Intermediate (behavior)	Long-term (condition)	
Maintain the EJSEAT data set and query and reporting capability in the Online Targeting Information System (OTIS)	<p>Operation and maintenance of querying and reporting tool</p> <p>Technical assistance to programs with use of EJSEAT</p>	Increase in understanding of EJSEAT and its use as a tool in the compliance and enforcement program		Ability to identify environmental results of work performed in EJ areas of concern	<p>Andrew Schulman OC/ETDD 202-564-5244 schulman.andrew@epa.gov</p>

Activities	Output	Applicable Outcome Measure			Point of Contact
		Short-term (awareness)	Intermediate (behavior)	Long-term (condition)	
<p>Utilize the Environmental Justice Strategic Enforcement Assessment Tool (EJSEAT) or a similar, nationally consistent screening tool, to map areas with potential environmental justice concerns pertaining to OECA’s National Priorities where appropriate</p> <p><i>Wet Weather Priority: Combined Sewer Overflow (CSOs) Strategy</i></p> <p><i>Wet Weather Priority: Stormwater Strategy</i></p> <p><i>Wet Weather Priority: Concentrated Animal Feeding Operations (CAFOs) Strategy</i></p> <p><i>Wet Weather Priority: Sanitary Sewer Overflows (SSOs) Strategy</i></p> <p><i>Air Toxics Strategy</i></p> <p><i>New Source Review – Prevention of Significant Deterioration (NSR-PSD)</i></p> <p><i>Mineral Processing Priority/Strategy</i></p> <p><i>Tribal Strategy</i> <i>Financial Assurance Strategy</i></p>	<p># of pilot projects initiated to target activities in geographic areas of potential environmental justice concern</p> <p># of pilot projects initiated to identify, retrospectively, benefits achieved in geographic areas of potential environmental justice concern</p>	<p># of SIT initiatives incorporating EJSEAT tool to target national priority activities in areas with EJ concerns</p>	<p>N/A</p>	<p>Amount of contaminants reduced or eliminated as a result of actions taken to address EJ concerns (lbs/gallons/ volume of medium)</p>	<p>Christopher Knopes OC/NPMA 202-564-2337 knopes.christopher@epa.gov</p> <p>Andrew Schulman OC/ETDD 202-564-5244 schulman.andrew@epa.gov</p>

Activities	Output	Applicable Outcome Measure			Point of Contact
		Short-term (awareness)	Intermediate (behavior)	Long-term (condition)	
<p>NATIONAL ENFORCEMENT AND COMPLIANCE ASSURANCE PRIORITY:</p> <p>Financial Assurance Strategy</p> <p><i>NOTE: This national enforcement priority has EJ as a component in the development of its performance-based strategy. In FY 2008, when EJSEAT is available, the Strategy Implementation Team (SIT) will assess how to incorporate the use of the tool into its strategy.</i></p>	<p>Written section on Strategy Implementation Plan that describes the way the EJSEAT will be incorporated</p> <p># of priority activities in potential environmental justice areas of concern as measured using EJSEAT or other appropriate technology</p>	N/A	N/A	<p>Increased financial assurance in potential environmental justice areas of concern as measured by the number of RCRA Corrective Action and CERCLA sites that are in compliance or on path to compliance.</p>	<p>Carlos Evans OSRE 202-564-6331 evans.carlos@epa.gov</p>

Activities	Output	Applicable Outcome Measure			Point of Contact
		Short-term (awareness)	Intermediate (behavior)	Long-term (condition)	
Review and comment on federal Environmental Impact Statements (EISs) and make these publicly available. EPA comments underscore environmental impacts including EJ concerns associated with proposed actions of Federal agencies.	Incorporate EJ principles in Section 309 Reviews to help fed agencies address EJ issues in EISs and associated mitigation plans	Section 309 reviewers are better able to identify, assess, and address, EJ issues in the NEPA review process	% of EISs with potential EJ issues that documented efforts to involve communities with EJ concerns in the development of EISs and the decision-making process. [Evidenced in Final EIS. GPRA used to measure progress]	% of EISs that EPA raised concerns about involvement of communities with EJ concerns in the EIS development process where the lead agency modified the public participation process (outreach / document translation) that promoted increased involvement of communities with EJ concerns in the EIS development process. [Reflected in Final EIS. GPRA used to measure progress.]	Arthur Totten OFA 202-564-7164 totten.arthur@epa.gov

Activities	Output	Applicable Outcome Measure			Point of Contact
		Short-term (awareness)	Intermediate (behavior)	Long-term (condition)	
Utilize NEPAassist, the EJ Geographic Assessment Tool and the Environmental Justice Smart Enforcement Assessment Tool (EJSEAT), as appropriate, for consistent methodology in EJ analyses to identify areas with potential EJ concerns in NEPA compliance reviews of EPA actions.	Incorporate EJ principles in EPA's preparation of NEPA documents	90% of new EPA draft EISs have adequately identified communities with EJ concerns with which to engage so that these communities have an opportunity to participate in the NEPA process. [Reflected in draft EISs].	100% of new EPA draft EISs have adequately identified communities with EJ concerns with which to engage so that these communities have an opportunity to participate in the NEPA process. [Reflected in draft EISs]	EPA is able to consistently identify and engage communities with EJ concerns. [Reflected in final EISs]	Arthur Totten, OFA 202-564-7164 totten.arthur@epa.gov
Review practice of identifying and commenting on federal agency compliance with E.O. 12898 in Section 309 Reviews.	Develop Baseline Report on EIS/EJ compliance. * By end of FY09 evaluate: (1) the status of federal agency compliance with E.O. 12898; (2) the status of Section 309 Review comments on agency compliance with E.O. 12898	Awareness of need to provide consistency and accountability in EJ analyses.	Improved identification, analysis and mitigation of EJ-related environmental impacts in communities with EJ concerns. [Reflected in Final EIS. GPRA used to measure progress.]	% of EISs with potential EJ-related environmental impacts that were addressed as a result of concerns that were identified during the EIS review process. [Reflected in Final EIS. GPRA used to measure progress]	Arthur Totten OFA 202-564-7164 totten.arthur@epa.gov

**Office of Enforcement and Compliance Assurance
Environmental Justice Action Plan Performance Measures Matrix
FY 2009**

Cross-Cutting Strategies:

Objective: Collaborative problem-solving to address environmental justice issues

Activities	Output	Applicable Outcome Measure			Point of Contact
		Short-term (awareness)	Intermediate (behavior)	Long-term (condition)	
Enhance collaborative efforts with the external law enforcement agencies and professional organizations servicing the law enforcement community	Deliver training on EJ principles for members of local, state and federal law enforcement agencies and professional organizations servicing the law enforcement community	Increase the number of external law enforcement officers who are aware of the EPA commitment to environmental justice and are trained to integrate EJ principles for use in their daily decisions and responsibilities by the end of FY 09	Increase the number of law enforcement personnel who have a greater understanding of environmental crime in communities with EJ indicators, and include principles of EJ in their agency's investigative and enforcement strategies	Achieve a yearly reduction of environmental crime in communities with EJ indicators	Barbara Foreman OCEFT 202-564-6005 foreman.barbara@epa.gov
Continue active participation and interaction in the EPA Environmental Justice Coordinating Council (EJCC)	Participate in EJCC meetings, workshops, and discussions. Provide pertinent office insight and perspective on policies relative to EJ integration	Ensure the CID agents are aware of the case opening criteria that requires screening for EJ factors in all cases	Monitor case conclusion data sheets to track EJ screening criteria is occurring per OCEFT management directive	Achieve a yearly reduction of environmental crime in communities with EJ indicators	Barbara Foreman OCEFT 202-564-6005 foreman.barbara@epa.gov

Activities	Output	Applicable Outcome Measure			Point of Contact
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Continue OSRE EJ Coordinator review of new policy and guidance documents	For new policy and guidance documents, EJ Coordinator should be among the first reviewers of the document. "EJ Coordination" box on concurrence memo should be checked off by OSRE staff before sending document to management	% of OSRE policy and guidance documents sent to the OSRE EJ Coordinator for review	Increased consideration of EJ issues when developing new policy and guidance documents	% of OSRE policy and guidance documents that considered and possibly incorporated EJ issues	Carlos Evans OSRE 202-564-6331 evans.carlos@epa.gov
Develop a method of assessing and communicating potential EJ benefits associated with enforcement	Completion of the development of a method of assessing and communicating potential EJ benefits associated with enforcement	N/A	N/A	N/A	Melissa Marshall Senior Counsel OCE/IO 564-7971 marshall.melissa@epa.gov
Provide consultation on EJSEAT development and EJ reviews to the OECA Planning Council, the Strategy Implementation Teams (SITs) for the National Program Priorities, and OECA offices (as requested)	Ongoing participation in OECA Planning Council meetings to stay up to date on progress reports from the National Priorities Strategy Teams and provide requested assistance	Ensure that potential EJ concerns are identified and addressed and integrated into OECA policies and implementation of National Program Priorities and OECA core program activities	Assist the SITs to develop an EJ component into the implementation strategies for the National Priorities Assist the OECA offices to develop and conduct EJ reviews for the selected activities, policies, or programs	N/A	Rey Rivera OAP/PLCD 202-564-1491 rivera.reiniero@epa.gov