

**EPA NEW ENGLAND'S
ENVIRONMENTAL JUSTICE
ACTION PLAN FOR FISCAL YEAR 2009**

**Prepared by EPA New England's
Environmental Justice Council**

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SECTION 1: NARRATIVE

A. Approach to Integrating Environmental Justice

EPA New England's (NE) commitment to environmental justice is evidenced by its multi-faceted approach to ensuring the continued integration of environmental justice into regional programs, policies, and activities. The EPA NE EJ program is a national model for EJ integration and can be replicated by others.

The approach includes:

- Implementing an EJ policy
- Engaging an active EJ Council for guidance and direction
- Ensuring EJ awareness throughout the region through mandatory training
- Offering shared learning opportunities (e.g. Lunch & Learns)
- Collaborating with our state counterparts
- Developing EJ tools and guidance
- Regular tracking and reporting of progress

EJ Policy

In October 2001, Regional Administrator Robert W. Varney reaffirmed EPA NE's commitment to EJ by issuing a revised EPA New England Regional Policy on Environmental Justice. This policy sets the parameters and framework against which the region developed this and prior EJ Action Plans, with specific implementation strategies designed to institutionalize EJ in the region's daily work. The policy can be found at: <http://www.epa.gov/region1/ej/ejpolicy.html>.

EJ Council

EPA NE's regional EJ Council is charged with the responsibility of developing EJ guidance and implementing strategies to institutionalize EJ activities throughout the regional office. The EJ Council is comprised of the regional EJ Coordinator, the Deputy Office Directors and designated staff from each of the six program and administrative offices in the region, and is chaired by the Director of the Office of Civil Rights and Urban Affairs. The EJ Council meets monthly. Strategic and operational planning around EJ is carried out through the Council, ensuring full engagement by all regional program and administrative offices. For example, a regional priority in FY08 was to integrate environmental justice into EPA's Homeland Security efforts through the Regional Homeland Security Collaborative Network.

EJ Training

EPA NE's Regional Administrator has mandated that all employees be trained in EJ, in order to acquaint or re-acquaint them with the legal and policy framework of EJ and to provide them with region-specific case studies illustrating real world issues and accomplishments. Approximately 93% of EPA-NE employees have been trained as of July 2008.

EJ Tools and Guidance

An EJ Functional Guidance Compendium has been developed to supplement the EJ training by highlighting some program-specific considerations that identify how staff can have an impact on EJ in their daily work. The manual contains ten guidance chapters covering the Brief Users'

Guide to the EPA New England EJ Desktop Mapping Tool; Public Involvement; Tribal Consultation; Contracts and Procurement; Development and Approval of State Programs; Federal Financial Assistance Agreements; Inspections, Enforcement and Compliance Assistance; Performance Partnership Agreements with States; Permitting; and Waste Site Cleanup, Emergency Response and Brownfields. Training on the guidance took place in conjunction with the compendium's release in calendar year 2004. The EJ Council is currently considering updating the guidance.

The EJ Mapping Tool is intended as a source of information for Region I personnel — management and staff — to better inform us about EJ in New England. The Tool is designed to enhance the quality of our work by providing easy access to consistent and reliable EJ data. By having EJ data readily available to help characterize communities throughout New England, regional staff and management can better ensure that the principles of EJ, such as fairness and meaningful involvement, are incorporated into our everyday work. The GIS Support Team is currently working to improve the EJ Mapping Tool by upgrading to new software and adding new data layers.

Shared Learning

Aside from providing training and guidance materials, the EJ Council has developed several mechanisms to promote shared learning about EJ among EPA New England staff, including:

- Inviting external stakeholders to speak at the region, which has consistently proven to be one of the best ways to expand the office's EJ knowledge base, share information and successes, connect staff with external partners and allow external partners to connect with EPA;
- Inviting regional employees to showcase their EJ-related work during monthly EJ Council meetings. An agenda item for many EJ Council meetings is the presentation of an EJ success story by the program staff. The responsibility for presenting is rotated among each office. These presentations often provide great material for feature articles in the regional *EJ Newsletter*; and
- Utilizing several broader communication tools as important elements of cross-office communication. These include the EJ Program internet and intranet pages, the EJ newsletter, the EJ Mapping Tool. The EJ Council ensures that this entire media is promoted, and material is regularly solicited from each office for inclusion.

B. External Outreach

The primary goal of the EJ Council's external engagement activities with other federal agencies and with state, tribal, and local governments is to educate and change behavior and actions to ensure that EJ is an integral part of the roles and responsibilities of these external partners of EPA NE. EPA NE maintains that the key to achieving this goal is to remain actively involved with these external stakeholders. EPA NE values input from external stakeholders because it enables the region's program offices to more readily identify environmental issues and target resources to address them. To build on past successes, the region will continue to use this proactive approach to ensure meaningful stakeholder involvement.

Working with External Stakeholders

As an active partner in community capacity-building, the region has maintained a presence in external EJ networks that have emerged. Successful external statewide community-based EJ networks exist in Massachusetts and Connecticut, and the Northeast EJ Network has a number of members from other states in New England. EPA NE regularly has representatives attend major functions of these statewide and regional community coalitions. EPA NE recognizes that partnerships and information-sharing with community groups and other federal, state, and local agencies are key to identifying and resolving many EJ issues.

- **State Engagement:** EPA New England's Environmental Justice Program has developed a new strategy to re-engage the state EJ counterparts at the state level to develop EJ-related commitments for Performance Partnership Agreements (PPAs) in the six New England states. As a result, our States have all identified concrete activities and additional areas of collaboration. In FY09, EPA NE will continue to work to enhance communication and dialogue with our state counterparts through a New England All States EJ Meeting (held on October 28, 2008) and to begin to have regular EJ conference calls with New England States EJ Contacts (e.g. quarterly conference calls). Other potential activities include identifying Supplement Environmental Projects (SEPs) that will benefit communities with potential EJ concerns and collaboration on a project through the State EJ Cooperative Agreement Initiative. In addition, in FY08, EPA NE conducted "Fundamentals of EJ Training" for one of our State partners. EPA worked with New Hampshire Department of Environmental Services to provide training on November 6, 2008.
- **Listening Sessions:** EPA NE believes that there is no substitute for regular, sustained contact with communities throughout the region to directly observe existing conditions and respond to situations. EPA NE will continue to hold listening sessions with community-based organizations throughout the FY09.

C. Program Evaluation

The EJ Council is responsible for tracking and reporting the progress of the items outlined in the EJ Action Plan, and determining other measures of evaluating the larger concepts of organizational culture change and institutionalizing of EJ principles throughout the region. Where possible, the EJ Action Plan includes baseline data to evaluate the extent to which the region is achieving its measures.

EJ Review

EPA New England has worked with states, municipalities, trade associations, community groups and others to provide compliance and pollution prevention assistance to auto repair and auto body shops. EPA published the final version of its new rule that established new requirements for area sources conducting automobile refinishing operations, miscellaneous surface coating operations and paint stripping operations in the January 9, 2008, Federal Register. The new rule includes emissions standards for auto body refinishing operations, spray coating equipment requirements, employee training requirements and compliance notification requirements.

As a result of the new rule, EPA-NE is planning outreach and training activities for auto body refinishing operations. An initial assessment of the location of these operations indicates that

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many are located in areas with environmental justice concerns. For example, the city of Holyoke, MA has approximately 69 facilities that repair cars and trucks.

EPA-NE wants to ensure that we are targeting compliance assistance activities in areas that are disproportionately impacted by auto body refinishing operations. We will use the EJ review to conduct a design assessment focusing on the question:

- Are the methods we are currently using and planning to use for autobody sector outreach well formulated, feasible and likely to achieve intended goals; and should these targeting methods be used (as is or improved) in other compliance assistance outreach opportunities for sectors similar to autobody sector?

This review will be completed by the end of FY09. Contacts for the review include Amy Braz, Roy Crystal and Mary Dever. See logic model in the next section for more detail.

SECTION 2: KEY PRIORITY AREAS

This section highlights, in performance measures matrices, EPA NE's robust, results-oriented activities or key priority areas for FY09.

Reduction in number of asthma attacks

Activities/ Resources/ /Partners	Output	Applicable Outcome Measure			Results	Point of Contact
		Short-term (awareness)	Intermediate (behavior)	Long-term (condition)		
<p>Asthma Reduction Activities</p> <p><u>Activities:</u></p> <ul style="list-style-type: none"> - Work with selected communities based on funding with Healthy Communities Grants Program on innovative asthma reduction activities which improve: asthma management/care; infrastructure among stakeholders and provide better asthma surveillance data. - Influence health care financing for asthma and IPM. - Outreach to 	<p>Number of health professionals trained.</p> <p>Number of home and community visits.</p> <p>Number of asthmatics reached and number of environmental asthma messages incorporated into asthma management plans.</p> <p>Number of home evaluations and repairs.</p> <p>Number of asthma coalitions or expansion of existing infrastructure.</p>	<p>Increased awareness and better understanding of proper asthma management /care.</p>	<p>Timely asthma interventions based on assessment of surveillance data.</p> <p>Increased advocacy among target audiences as well as more effective collaborations between target audiences and stakeholders.</p> <p>Number of people taking steps to improve their indoor environments and reduce asthma triggers.</p> <p>Number of health plans adopting environmental</p>	<p>Reductions over a period of several years in the incidence of asthma related absences (or increase in days present), unscheduled visits to the school nurses or emergency room.</p> <p>Reduction of incidence of child asthma due to environmental triggers in schools using reports of visits to school nurses.</p> <p>* Depends heavily on availability of data from sources outside of EPA.</p>	<p>1402 individuals trained - Region works with state asthma managers, funded partners, community groups and other organizations to promote EPA and other applicable guidance (i.e. NHBLI) guidance on asthma management, assist with asthma awareness and intervention programs, and facilitate state and local coordination.</p> <p>115 Schools - Region works with state Tools for Schools contacts, funded partners, and other school</p>	<p>Eugene Benoit Marybeth Smuts Rhona Julien</p>

Activities/ Resources/ /Partners	Output	Applicable Outcome Measure			Results	Point of Contact
		Short-term (awareness)	Intermediate (behavior)	Long-term (condition)		
<p>regional partners and other stakeholders</p> <ul style="list-style-type: none"> - Train school teams to implement EPA's Indoor Air Quality Tools for Schools Program through grantee and state training opportunities to prevent and solve indoor air quality problems in school buildings. <p><u>Resources:</u></p> <ul style="list-style-type: none"> - Asthma projects under the Healthy Communities Grant Program - State asthma partners <p><u>Partnerships:</u></p> <ul style="list-style-type: none"> - Support Asthma Regional Coordinating Council 	<p>Number of schools implementing EPA's Tools for Schools Program.</p> <p>Number of Tools for Schools trainings/ conferences</p>		measures.		<p>organizations to develop statewide implementation programs following a best-practices campaign.</p> <p>Approx. 450 school administrators, school nurses, teachers and parents have been trained on how to implement TfS and asthma triggers in the classroom.</p>	

Reduce childhood lead poisoning

Activities/ Resources/ /Partners	Output	Applicable Outcome Measure			Results	Point of Contact
		Short-term (awareness)	Intermediate (behavior)	Long-term (condition)		
<p>Virtually End Childhood Lead Poisoning in Boston, MA</p> <p><u>Activities</u></p> <ul style="list-style-type: none"> -Data gathering and track results for public health and other lead standards (e.g. air) -Work with partners to target education and outreach to neighborhoods with highest remaining lead poisoning rates -Target inspections, compliance assistance and enforcement actions in Dorchester, Roxbury, Hyde Park and Mattapan -Prioritize SEPs for lead abatement projects in Boston, MA <p><u>Resources:</u></p> <ul style="list-style-type: none"> - Work with partners below through the Lead Action Collaborative to identify annual project- 	<ul style="list-style-type: none"> - Amount of financial and technical assistance from EPA programs -Number of tips & complaints -Number of Targeted inspections, compliance assistance and enforcement actions in Dorchester, Roxbury, Hyde Park, and Mattapan - Increased membership and participation in the Lead Action Collaborative - Validated Community Assessment Tool (CAT) 	<ul style="list-style-type: none"> -Increase awareness of all stakeholders -Partners/ stakeholders and local residents are more aware of areas with elevated blood lead levels and are targeting activities and resources to service areas with the greatest remaining need - Targeted mailings related to Renovation, Repair and Painting Program 	<ul style="list-style-type: none"> -Targeted, annual compliance assistance - Targeted, annual inspections - Targeted, annual enforcement actions - Stakeholders implement lead-safe practices in high risk neighborhoods - Lead abatement workers and renovators are properly licensed and certified. - Increase effectiveness of outreach and education to meet diverse needs of target neighborhood populations in Dorchester, Roxbury, Hyde Park and Mattapan 	<ul style="list-style-type: none"> - Virtually eliminate the number of lead poisoned children in Boston by 2010. (Measured by annual number of lead poisoned children and maintaining low levels over time.) 	<p>2001 Baseline: 1,123 children with elevated blood lead levels in Boston (10 ug/dl or higher).</p> <p>2004: 774 children with elevated blood lead levels in Boston</p> <p>2005: 497 children in Boston had elevated blood lead levels.</p> <p>2006: 460 children in Boston had elevated blood lead levels.</p> <p>2007: 362 children in Boston had elevated blood lead levels.</p>	<p>Kristi Rea</p> <p>Nancy Barmakian</p>

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Activities/ Resources/ /Partners	Output	Applicable Outcome Measure			Results	Point of Contact
		Short-term (awareness)	Intermediate (behavior)	Long-term (condition)		
<p>specific resource needs (financial and technical assistance).</p> <p><u>Partners:</u> Lead Action Collaborative (LAC), The Medical Foundation, Sovereign Bank, The Barr Foundation, HUD, CDC, Lasell College, Boston Public Health Commission, Dorchester BOLD Teens, Massachusetts Affordable Housing Alliance (MAHA), Black Ministerial Alliance, other stakeholders in Boston, MA.</p>						

Reduce pollution in urban environments

Activities	Output	Applicable Outcome Measures			Baseline/Results	Contact
		Short-term (awareness)	Intermediate (behavior)	Long-term (condition)		
<p>Continue implementing urban river actions on the Mystic River Watershed and its tributaries. Communities along the Lower Mystic have environmental justice concerns and are negatively impacted by poor water quality.</p> <p><u>Activities</u></p> <p>EPA will continue to work collaboratively to improve water quality based on data and findings of ongoing sampling and investigations.</p> <p><u>Resources</u></p> <p>In 2009, EPA will contribute significant staff time and \$2K for analytical support for MyRWA's baseline sampling program.</p> <p><u>Building Partnerships</u></p> <p>Collaborative effort with EPA, the Massachusetts Dept. of Environmental Protection (Mass DEP), the</p>	<ul style="list-style-type: none"> - EPA will host the first steering committee meeting for watershed stakeholders - EPA will continue to assist MyRWA with baseline monitoring and will provide other monitoring/sanitary surveys as resources allow - EPA will co-host a science meeting with Mystic River Watershed and Tufts University - EPA will continue its enforcement and permitting efforts in watershed communities - EPA will issue its annual report card that will take into account new baseline monitoring sites in the lower Mystic 	<ul style="list-style-type: none"> - Increase collaboration among watershed stakeholders - Bring political attention to the challenges in the lower Mystic River watershed 	<ul style="list-style-type: none"> - Increase effectiveness of outreach and education - Increase compliance and enforcement 	<ul style="list-style-type: none"> - Make the Mystic River and its tributary streams meet the goals of the Clean Water Act - Restore the watershed to both fishable and swimmable conditions based on measurable water quality standards - Increase public access to the waterway. 	<p>2007: Mystic River Report Card Grade = D</p>	<p>Caitlyn Hunt (617) 918-1748</p>

		Applicable Outcome Measures				
U.S. Coast Guard, the Mystic River Watershed Association ("MyRWA"), the Chelsea Creek Restoration Partnership and other communities along the Mystic River						

Clean and safe drinking water

Activities	Output	Applicable Outcome Measures			Baseline/Results	Contact
		Short-term (awareness)	Intermediate (behavior)	Long-term (condition)		
<p>Strategy to address future workforce shortages for water operators</p> <p>Note: The identified activities, outputs, and outcomes will be implemented over the next several years.</p> <p>In FY09, EPA NE will be exploring the implementation of these proposed activities and identifying ways to expand efforts for wastewater operators.</p> <p><u>Activities</u></p> <p>To the greatest extent possible, target the following activities to historically underserved or burdened populations:</p> <ul style="list-style-type: none"> Expand MA vocational technical schools project or develop new program in another state to embed drinking water treatment and 	<p># of drinking water treatment and operations courses offered in technical high schools and community colleges.</p> <p># of new certified drinking operators trained.</p> <p># of career fairs.</p> <p># of outreach materials developed.</p>	<p>Raise awareness about operators' workforce opportunities</p>	<p>Increase in students enrolled in wastewater and drinking water treatment and operations courses</p> <p>Increase in certified water operators</p>	<p>Maintain safe water by having knowledgeable certified operators</p>	<p>FY09 – determine the feasibility of implementing this strategy.</p>	<p>Jane Downing Katie Connors Jackie LeClair</p>

		Applicable Outcome Measures				
<p>operations courses into technical high schools and community colleges (certification programs will be targeted to academic programs and institutions that serve communities with environmental justice concerns.</p> <ul style="list-style-type: none"> • Work with partners to offer career Fairs that bring together drinking water professionals and regulators with students and guidance counselors. • Develop outreach and marketing materials to raise awareness about drinking water professional opportunities. <p><u>Building Partnerships</u></p> <ul style="list-style-type: none"> • OGWDW and EPA NE Brownfield Job Training Program • States' Drinking Water programs • National, regional, and state water works associations (e.g. AWWA, NEWWA) 						

		Applicable Outcome Measures				
<ul style="list-style-type: none"> Work with national associations such as Water Systems Council and National Ground Water Association to reach out to professional well drillers to raise awareness of operators workforce opportunities and promote cross-training 						

Ensuring Compliance

Activities	Output	Applicable Outcome Measures			Results (2006-2008)	Contact
		Short-term (awareness)	Intermediate (behavior)	Long-term (condition)		
<p>Diesel Idling Enforcement and Compliance Assistance</p> <p>NOTE: This work is part of a larger OES/OEP strategy to reduce diesel emissions. OES outreach under the National Clean Diesel Campaign's SmartWay Transport and Clean Ports USA programs is not represented here because they are not oriented toward compliance.</p> <p>OES will focus compliance assistance and enforcement of state anti-idling regulations where EPA has authority (MA, CT and RI) on urban areas & areas of potential EJ concern (e.g., CARE cities).</p> <p>ENFORCEMENT:</p> <p>--Inspect fleets and facilities where chronic, widespread, excessive idling of diesel vehicles is reported or suspected.</p> <p>--Take informal and formal</p>	<p>ENFORCEMENT</p> <p>--Inspections</p> <p>--Enforcement actions</p> <p>--SEPs</p> <p>COMPLIANCE ASSISTANCE</p> <p>--Phone calls, emails, letters, visits</p> <p>--Meetings, presentations, events, handouts</p> <p>BOTH</p> <p>--Enforcement press releases</p> <p>--Info on EPA NE Diesel website</p>	<p># OF REGULATED ENTITIES</p> <p>--inspected</p> <p>--enforced against</p> <p>--proposing SEPs</p> <p>--receiving individual attention</p> <p>--in audiences receiving info</p> <p># OF NON-REGULATED ENTITIES</p> <p>--receiving individual help</p> <p>--in audiences receiving info</p>	<p># OF REGULATED ENTITIES</p> <p>--asking for information</p> <p>--passing on information</p> <p>--reporting increase in compliant behavior</p> <p>--implementing SEPs</p> <p># OF NON-REGULATED ENTITIES</p> <p>--leveraging state and EPA authority</p> <p>--doing their own compliance outreach</p>	<p>Air pollution from idling diesel-powered vehicles is reduced, particularly near urban populations particularly vulnerable to asthma and other illnesses to which diesel exhaust contributes.</p>	<p>ENFORCEMENT:--</p> <p>228 Inspections</p> <p>--15 Informal enforcement actions</p> <p>--6 administrative and judicial settlements</p> <p>--4 Referrals to DOJ</p> <p>--\$331,601 SEP \$</p> <p>--\$427,332 Penalty \$</p> <p>--37,832 tons of pollutants avoided</p> <p>COMPLIANCE ASSISTANCE:</p> <p>--20 tools developed</p> <p>--70 individual situations addressed</p> <p>--50 audiences reached</p> <p>BOTH:</p> <p>--6 Press releases</p>	<p>Joel Blumstein</p>

		Applicable Outcome Measures				
<p>enforcement actions against violators.</p> <p>--Encourage opportunities for respondents to conduct SEPs.</p> <p>COMPLIANCE ASSISTANCE:</p> <p>--Respond to individual complaints & inquiries by working with offender and authorities to obtain compliance.</p> <p>--Fold compliance info into all outreach to fleets and facilities under the SmartWay Transport and Clean Ports USA voluntary programs.</p> <p>--Help write and broadcast press on enforcement actions to appropriate regulated audiences and partners.</p> <p><u>Resources:</u></p> <p>A&P2: .25 FTE</p> <p>Enforcement: .50 FTE</p> <p><u>Building Partnerships:</u></p> <p>-- Within EPA NE: Part of larger cross-office diesel strategy.</p> <p>-- Within EPA: Leverages</p>						

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		Applicable Outcome Measures				
partnership programs. -- Within Region: Collaboration with states, municipalities, business/industry, institutions and nonprofits to address cause of violations, identify alternatives, and obtain compliance.						

EJ Review of Auto Body Assistance Program

