U.S. Environmental Protection Agency
Office of Solid Waste and Emergency Response

2004 Plan to Integrate Environmental Justice

OSWER Environmental Justice Action Plan
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OVERVIEW

The U. S. Environmental Protection Agency (EPA), Office of Solid Waste and Emergency Response (OSWER), is committed to ensuring that environmental justice is incorporated into all of its offices' programs, practices, and policies. As a part of that commitment, OSWER is pleased to present its Environmental Justice (EJ) Action Plan for Fiscal Years 2004 and 2005. The OSWER EJ Action Plan was developed by the headquarters EJ Coordinators from the various OSWER program offices. The action plan outlines specific goals, strategies, and activities for staff to use as a guideline when incorporating and implementing environmental justice activities in their respective programs. This action plan is written in response to goals outlined in the Administrator's August 9, 2001, Memorandum, entitled EPA's Commitment to Environmental Justice. This plan has been completed in accordance with the guidance provided by the Office of Environmental Justice.

Defining EJ

EPA defines EJ 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.* ***Fair treatment*** *means that no group of people, including racial, ethnic, or socioeconomic group, should bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations or the execution of federal, state, local, and tribal programs and policies.* ***Meaningful involvement*** *means that: (1) potentially affected community residents 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."*

Communities Benefit from EJ

Throughout its application to OSWER programs, an awareness of Environmental Justice (EJ) principles and goals has been very beneficial to our work. EJ has been incorporated in a number of OSWER projects and products. The results have been overwhelmingly positive. A prime example is in the Brownfields program where recommendations solicited from the National Environmental Justice Advisory Council (NEJAC) resulted in the addition of community involvement and EJ plans in grant proposals and project implementation. In addition, in order to ensure real community participation the information on community involvement provided in grant proposals is verified by EPA during the review and selection process. EJ communities' recommendations were among the sources of the idea to hold our highly successful Brownfields conferences. Every program in OSWER has benefitted from increase involvement from outside affected stakeholders - a cornerstone of the Environmental Justice movement.

Applying the concept of environmental justice has made OSWER a trailblazer in the eyes of the public and other EPA offices. The work on waste transfer stations, done in conjunction with the NEJAC, including the creation of a Citizen's Guide, and a Best Management Practices Manual for Facility Operators, has set the standard for many communities working with their local governments and industry to ensure that they are meaningfully involved in the decisions that will affect their quality of life.

In Superfund, the Relocation Roundtable and the resultant changes in relocation policy have reduced the adversarial relationships that EPA formerly had with some communities who felt the process was arcane and inaccessible. Documents such as "The Social Aspects of Siting A Hazardous Waste Facility" booklet and the "OSWER EJ Success Stories Report" are informing stakeholders not only of what they can do to participate better in environmental decision-making but also highlighting the things we are doing to better integrate environmental justice principles in our work.

EJ Now Part of OSWER's Priorities

OSWER Assistant Administrator Marianne Lamont Horinko has outlined her "Five Priorities" for the office and the introduction of Five Priorities emphasizes that environmental justice is part of all of OSWER's efforts and priorities. Horinko states, "I have five priorities that form the foundation of OSWER's commitment to protect human health and the environment, encourage greater environmental stewardship, and promote environmental justice in all of its programs and policies." This message has been adopted by all of the OSWER program offices and the result is an impressive set of activities which will produce positive and meaningful outcomes for communities and tribes throughout the United States. Between the historic OSWER EJ policy guidance and the more recent priorities OSWER has demonstrated and will continue to demonstrate a lasting commitment to the principles and goals of environmental justice.

OSWER is comprised of seven program offices: the Office of Superfund Remediation and Technology Innovation (OSRTI), the Office of Brownfields Cleanup and Redevelopment (OBCR), the Office of Emergency Prevention, Preparedness and Response (OEPPR), the Federal Facilities Restoration and Reuse Office (FFRRO), the Office of Solid Waste (OSW), and the Office of Underground Storage Tanks (OUST). These programs cover a broad range of activities from cleanup of toxic spills to land revitalization to permitting hazardous waste facilities. Each of OSWER's program offices is created and authorized under distinct legislative authority and in many cases funded under distinct budget areas. In this report, we have chosen to acknowledge those distinctions and provide separate references to the various EJ-related activities of the OSWER program offices.

The work of integrating environmental justice into OSWER's programs is included in the daily responsibilities of many members of the staff and management. Additionally, OSWER has utilized its Environmental Justice Implementation Steering Committee for leadership on its EJ efforts since 1994. The steering committee is comprised of representatives from the OSWER program offices, other headquarters offices and the regional waste divisions. Each OSWER headquarters program office has either an individual or a team who work at least part of the time on environmental justice issues and projects. These representatives have met monthly since 1994 and will continue to do so. Their monthly conference calls are an opportunity to learn about the headquarters and regional EJ-related activities and to find opportunities to share resources and information for more effective and efficient integration of EJ. Information on who those key contacts are can be found at: http://www.epa.gov/swerrims/ej/ejcont.htm#Anchor14.

As you read further, you will come to understand the depth and breadth of OSWER's efforts to integrate environmental justice into its programs, policies and practices. Below we describe the overall philosophy and practices within OSWER. In later portions of the EJ Action Plan, the specific planned activities of the various program offices are identified, with the program offices listed in alphabetical order. In the attached Action Plan Matrix, where the objectives, outputs

and outcomes are reported, the activities are listed by objective with the various offices' activities listed alphabetically under common objectives.

MANAGEMENT ACCOUNTABILITY

Organizational Infrastructure and Management Support

The Office of Solid Waste and Emergency Response (OSWER) considers environmental justice in the development of all of its policies, guidance, and regulations, and environmental justice issues are considered during the review and selection of grant proposals. OSWER's environmental justice strategy focuses on addressing environmental concerns in all program areas.

OSWER has been promoting the integration of environmental justice in all program areas since before 1994 (see 9/21/94 memo from Assistant Administrator Elliott Laws which is available at http://www.epa.gov/oswer/ej/html-doc/ejpolicy.htm). Offices within OSWER have issued management directives that reiterate EPA's commitment to promote environmental justice and has established environmental coordinator positions to oversee the effort. OSWER headquarters will continue to ensure that environmental justice issues are considered in all program areas by working with regional counterparts and a wide variety of stakeholder groups, such as the National Environmental Justice Advisory Council (NEJAC); the Academic Institutions, Agencies, Communities Network (ACA-Net); national stakeholders' associations, and community-based organizations. Each OSWER office has an Environmental Justice Coordinator who represents headquarters and regional offices in a variety of settings and provides structure and coordination in meeting OSWER's environmental justice plans. OSWER expects to offer the Fundamentals of Environmental Justice training course to management and staff to enhance their awareness of environmental justice issues.

Management will ensure that appropriate staff are available to manage projects aimed at preventing, addressing, and/or alleviating environmental justice issues raised by NEJAC, state and local governments, environmental justice communities, and other stakeholders. OSWER management also receives briefings on environmental justice activities and progress, primarily from the Environmental Justice Coordinators.

OSWER's Lead Environmental Justice Coordinator:

- Serves as the Designated Federal Official for the National Environmental Justice Advisory Council Waste and Facility Siting Subcommittee.

- In coordination with other programs and offices, develops and implements an Environmental Justice Program which focuses on communication to management and staff of environmental justice issues; communication with internal and external stakeholders; consultation, advocacy, and problem-solving activities; and coordinating activities with other environmental justice contacts in OSWER to provide the most effective program feasible.

- In conjunction with other offices, develops and implements strategies for achieving the Agency's environmental justice goals.

- Develops and recommends to senior management budgets and staffing plans to meet the resource needs of the Environmental Justice Program.

- Represents the headquarters and regional offices in a variety of settings to communicate Environmental Justice Program activities; participates on national environmental justice workgroups; serves as the focal point on coordination of environmental justice issues; represents the office in highly visible and controversial discussions with a diverse public; facilitates maintenance of effective relationships between the Environmental Justice Program and the diverse stakeholders who are affected by OSWER regulations and guidance.

Each of the program offices in OSWER has identified an environmental justice contact person. These contacts make up the headquarters portion of the OSWER EJ Implementation Steering Committee whose mission is to provide staffing, leadership and support on the various EJ initiatives in place throughout OSWER. The OSWER EJ Coordinator has the responsibility for chairing the OSWER EJ Implementation Steering Committee..

Operational Resources/Program Support

Currently, OSWER has 23.7 full-time equivalents (FTEs) planned to work on projects which relate to environmental justice issues, and approximately $7.8 million in resource commitments over the next two to five years[1].

OSWER's Environmental Justice Coordinators bring environmental justice to the forefront of all OSWER program activities by raising the awareness within OSWER and outside OSWER to possible injustices in communities that historically have had "no voice" and by coordinating activities to prevent injustices and to identify and resolve them when they occur. Although the daily functions of the staff working on environmental justice issues are broad, they include, for example, monthly conference calls, research, development of recommendations involving NEJAC subcommittee members, reporting, and presentations to external stakeholders and OSWER staff and management.

The OSWER Environmental Justice Implementation Steering Committee has been in operation since 1994. This committee meets monthly via conference calls and includes representatives from all ten EPA regional offices, OSWER program offices, and other EPA offices. The calls serve as a mechanism for information exchange, policy development, and internal outreach. The regional waste programs and OSWER program contacts provide periodic accomplishment reports on their environmental justice-related activities.

Although numerous projects and activities include EJ-related functions and outcomes, there are currently no programs/initiatives for which environmental justice will be listed as a funding priority.

GPRA Alignment (Link to Mission and Priorities)

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[1]While all projects identified in this Action Plan will be underway in FY 2004 and/or 2005, some will not be concluded until as late as 2008. Therefore, a portion of the resource commitments extend beyond the two fiscal years (FY 2004/2005) referenced in this EJ Action Plan.

Environmental justice relates to the community goal in GPRA. OSWER's efforts on environmental justice and community outreach and involvement will be tracked and documented in the Environmental Justice Success Stories Report, and in the annual GPRA outcomes report. Details of this effort are contained in the program summaries below.

At the present time, OSWER has no EJ focus in the area of Performance Partnership Agreements or Performance Partnership Grants. But we continue to look for opportunities to work with states on activities that are EJ-related such as providing environmental justice training to state agencies which work with EPA.

Internal Organizational Engagement

OSWER will continue to use the OSWER Environmental Justice Implementation Steering Committee's monthly conference calls and e-mail distributions to promote information exchange and cross-education. The tribal workgroups also meet to exchange information and resolve issues. The Environmental Justice Coordinators serve as focal points for distributing information and receiving input from OSWER staff. OSWER will continue to request annual summaries of accomplishments and success stories related to environmental justice from the program offices and the regional waste programs. Training, briefings, roundtables, and conferences, such as the annual community involvement conference that the Office of Superfund Remediation and Technology Innovation (OSRTI) holds and the EJ 101: Fundamentals of Environmental Justice course which the OSWER EJ Coordinators provide, round out the opportunities EPA staff have for learning about and engaging in environmental justice activities.

Because OSWER has had an environmental justice directive in place since 1994 and because Assistant Administrator Horinko's Five Priorities call for OSWER to "promote environmental justice in all of its programs and policies", there is currently no need for additional guidance in OSWER for the integration of Environmental Justice. The long standing commitment to the integration of environmental justice and the depth and breadth of the program within OSWER obviate the need for further guidance. However, this decision will be reviewed periodically to assure continued advancement in our efforts.

External Stakeholder Engagement

OSWER has ongoing dialogues with a variety of stakeholder associations and organizations, such as NEJAC, Environmental Council of States (ECOS), and the Association of States and Territorial Solid Waste Management Officials (ASTSWMO), to solicit input and provide oversight when developing information and guidance materials. OSWER will continue to use these groups as information resources when developing environmental justice policies and programs. The feedback developed is routinely shared with OSWER senior management and appropriate staff to ensure comprehensive consideration of environmental justice concerns.

OSWER is refining its master distribution list, which contains the names of individuals, community groups, industries, government agencies, and organizations that are interested in and/or have been involved with environmental justice issues related to OSWER facilities, and other program areas. OSWER offers relevant information and links to environmental justice groups on its websites. The program offices will continue to prepare outreach documents and use distribution lists and websites to disseminate information to external stakeholders.

OSWER will identify new stakeholders through environmental justice contacts in the regions and at headquarters, NEJAC requests, phone calls from the public, and the EPA Call Center. OSWER will retain lists of concerned citizens who contact OSWER directly, to keep them informed and engaged in environmental justice activities.

OSWER will continue to strengthen relationships with regional environmental justice contacts, NEJAC, and the environmental justice-related community to promote collaborative problem-solving among stakeholders by conducting outreach and training sessions at its various conferences, and by articulating and promoting the successful strategies it has employed.

OSWER will produce more of its materials in Spanish and other languages, focusing on specific target audiences and topics, and will explore the availability of translation services at some public meetings. OSWER will continue to follow the plain English guidelines in document development and publication.

The need to translate publications intended for the public is evaluated as documents are developed. The languages selected for translation are a direct result of analyses of the core stakeholder communities which are most in need of the information presented in the respective documents. The outreach and marketing of those documents will also be developed in conjunction with the needs of the key communities of concern. Documents that have been recently translated or are being translated include *RCRA in Focus: Dry Cleaning* in Korean and the following documents in Spanish:

1. *Social Aspects of Siting RCRA Hazardous Waste Facilities*
2. *RCRA In Focus: Motor Freight & Railroad Transportation*
3. *Managing Hazardous Waste in Your Community*
4. *Service Learning – Education Beyond the Classroom*
5. *It's Easy Being Green: A Guide to Planning and Conducting Environmentally Aware Meetings and Events*
6. *RCRA, Superfund, EPCRA Call Center*
7. *Recycling is Working in the United States*
8. *Exemption of Oil and Gas Exploration and Production Wastes from Federal Hazardous Waste Regulations*
9. *Your life, Your World, Your Choices*
10. *The Brownfields Program: Setting Change in Motion*
11. *The New Brownfields Law*.

Although not listed as a funding priority, the Brownfields program requires consideration of environmental justice issues via an environmental justice plan in cooperative agreement proposals. OSWER will also investigate the development of an environmental justice grant program and may make that a funding priority in future budgets.

Data Collection, Management, and Evaluation

OSWER's Environmental Justice Coordinators work with headquarters and regional staff to assess environmental justice activities throughout the year and to report results. In some instances, key databases, such as RCRAInfo and CERCLIS 3, are used with state demographic and income level information from the Census Bureau to identify potential environmental justice areas. OSRTI maintains some community information in the Technical Assistance Grant

database. Although the Office of Brownfields Cleanup and Redevelopment does not store demographic and income level information in its grant database (Brownfields Management System) it obtains this information from brownfields grant applications and grant recipients. Other information is gathered by OSWER offices through surveys and focus groups or is submitted voluntarily by outside parties. While OSWER generally does not gather specific environmental justice at all sites because of resource constraints, a few program offices encourage the regions to gather the information and may provide limited resources to the regions to collect such data. Information, such as demographics and exposure factors, that is relevant to environmental justice is used in research reports and in decisions.

OSWER will continue the practice of developing best practices with participation from the appropriate stakeholders via mechanisms, such as federal advisory committees, focus groups, and public comments. The Office of Underground Storage Tanks (OUST) is developing case studies to promote successful approaches to dealing with underground storage tanks in environmental justice communities.

Professional and Organizational Development

OSWER has begun offering the "EJ 101:Fundamentals of Environmental Justice" training course throughout OSWER. OSWER's goal is to provide training to at least 100 employees per year. That figure represents nearly one-sixth of the total FTEs.

OSWER will continue to produce publications that discuss and list best practices and lessons learn when addressing environmental justice concerns. These publications are made available and disseminated to Agency staff as well as to communities. Materials and practices will also be promoted through outside workshops, lectures, and conferences.

Environmental Justice Assessment

OSWER does not plan to develop a method to conduct specifically environmental justice assessments. Rather, it will rely on the Environmental Justice Toolkit developed by the Office of Environmental Justice, and the activities of regional staff to conduct specific assessments.

OSWER will use existing tools, such as the EnviroJustice Mapper, Envirofacts, Census Data, and Environmental Justice Toolkit, as well as resources used by the specific EPA regions to conduct environmental justice assessments when necessary. OSWER will likely adopt the new tool that EPA's Office of Environmental Justice is developing when it becomes available.

Program Evaluation

OSWER has established a wide range of performance measures toits environmental justice projects. Please refer to the matrix for specific performance measures as the range of them is too broad to articulate effectively here.

Some portions of the OSWER programs will be conducting needs assessments to determine proper resource allocations to reach under-served communities.

Accomplishments and results regarding environmental justice are usually highlighted in the OSWER Environmental Justice Success Stories Report, which is approximately bi-annually. These reports are posted on OSWER's website and are distributed to the public in hard copy as well. Additionally, we will produce a Progress Report which directly correlates to the performance measures in the Action Plan.

FEDERAL FACILITIES RESTORATION AND REUSE OFFICE

PROGRAM SUMMARY

From nuclear weapons plants and military bases to landfills and fuel distribution stations, the Federal Government operates thousands of facilities across the country that promote the security and welfare of American citizens. Constant improvements in technology and national security now permit many of these facilities to be transformed for other beneficial uses.

After years of vital service and operation, some of these facilities, however, contain environmental contamination, such as hazardous wastes, unexploded ordnance, radioactive wastes, or other toxic substances.

To reduce the cost of cleanup and to foster reuse of such sites, the Federal Facilities Restoration and Reuse Office (FFRRO) coordinates creative solutions that protect both human health and the environment. Such solutions restore facilities so they can once again serve an important role in the economy and welfare of local communities and the country.

To overcome the difficulties posed by contamination at federal facilities, FFRRO works with the U.S. Department of Defense (DoD), Department of Energy (DOE), and other federal entities to develop creative, cost-effective solutions to their environmental problems. FFRRO's overall mission is to facilitate faster, more effective, and less costly cleanup and reuse of federal facilities. By focusing on partnering and public involvement, FFRRO, and its counterpart offices in EPA regions, have made great strides in improving federal facilities cleanup.

MANAGEMENT ACCOUNTABILITY

Organizational Infrastructure and Management Support

FFRRO ensures that the concerns of minority and disadvantaged communities located near federal facilities are addressed. FFRRO created a Federal Facilities Working Group within the National Environmental Justice Advisory Council (NEJAC); partners with other agencies to create community technology centers in these communities; and works closely with the People of Color and Disenfranchised Communities, a community-based organization, whose members address adverse health effects believed to be caused by activities at federal facilities. FFRRO works closely with other EPA headquarter and regional offices, including the Office of Environmental Justice, to ensure that effective, meaningful dialogue exists within the Agency.

Operational Resources and Program Support

One aggregate, full-time equivalent specifically focuses on environmental justice issues. This FFRRO Environmental Justice Coordinator serves as a point of contact for the EPA regional offices for federal facility-related issues. The Environmental Justice Coordinator provides input to EPA regions that is useful, timely, and reflects programmatic understanding and helps resolve issues before disputes arise. This individual also communicates with other FFRRO staff and upper management to assure national consistency within the federal facilities program.

The FFRRO Environmental Justice Coordinator serves as the Designated Federal Officer for the NEJAC Federal Facilities Working Group, which is a major part of FFRRO's ongoing mechanism for focusing on environmental justice issues. In May 2000, following public forums and feedback, the NEJAC Federal Facilities Working Group was chartered and tasked with identifying and prioritizing key issues of concern to environmental justice communities regarding activities and operations at and around federal facilities, and formulating a set of national policy recommendations to address those concerns. The eleven members of the Working Group represent state, tribal, and local governments; community groups; non-governmental organizations; and private businesses. The Working Group is structured to also include substantial involvement by DoD, DOE, and the Department of Interior (DOI), who with EPA are co-signatories to a memorandum of understanding to support the Working Group's efforts. The Office of Solid Waste and Emergency Response (OSWER), in conjunction with the Office of Environmental Justice, is coordinating this effort.

Internal Organizational Engagement

The FFRRO Environmental Justice Coordinator will represent the headquarters and regional offices in a variety of settings to communicate environmental justice program activities; participate on national environmental justice workgroups; serve as the focal point on coordination of environmental justice issues; represent the office in highly visible and controversial discussions with a diverse public; and facilitate the maintenance of effective relationships between the environmental justice program, its employees, and the diverse stakeholders impacted by the implementation of EPA statutes and regulations.

External Stakeholder Engagement

The FFRRO Environmental Justice Coordinator works with other offices to identify the needs of external Agency customers and develops and implements strategies to meet those needs. FFRRO's external customers often include other federal agencies (primarily DoD and DOE), state and local governments, tribal governments, communities, environmental groups, and academia. FFRRO also works with the Technical Outreach Services for Communities (TOSC) and the Association of State and Territorial Solid Waste Management Officials (ASTSWMO) to keep abreast of issues in environmental justice communities.

TOSC is a university-based program that provides independent scientific and technical assistance to communities that do not qualify for a Technical Assistance Grant (TAG) or other federal assistance. TOSC provides information and education to give communities dealing with hazardous substance contamination questions an understanding of technical issues, thus empowering them to more effectively participate in environmental decisions.

FFRRO's website serves as an ongoing mechanism to share information to external groups regarding environmental justice issues. The website, which is updated regularly, includes environmental justice policy documents, updates on the NEJAC Federal Facilities Working Group, and information on other environmental justice efforts underway. Various stakeholder groups, such as federal agencies and state, local, and tribal governments, benefit from these outreach mechanisms.

Program Evaluation

FFRRO will assess its environmental justice activities, primarily every three months but also throughout the year, to ensure that its Environmental Justice Action Plan objectives are being met. The FFRRO Environmental Justice Coordinator will work closely with the office Director and Associate Director in determining improvements to the environmental justice program. The Environmental Justice Coordinator will work closely with the Outreach and Communication Coordinators in FFRRO to create “success stories” that will highlight the accomplishments and results from FFRRO’s Environmental Justice Action Plan.

OFFICE OF BROWNFIELDS CLEANUP AND REDEVELOPMENT

PROGRAM SUMMARY

The Brownfields Program is designed to empower states, communities, and other stakeholders in economic redevelopment to work together in a timely manner to prevent, assess, safely cleanup, and sustainably reuse brownfields. A brownfield is a property, the redevelopment of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant.

OSWER's Office of Brownfields Cleanup and Redevelopment (OBCR) provides financial and technical assistance for brownfields revitalization, including grants for environmental assessment, capitalization of cleanup revolving loan funds, direct cleanup, job training, research, training, and technical assistance. It is estimated that there are hundreds of thousands of abandoned or underused brownfields that need to be assessed, cleaned up where appropriate, and put back into productive use. Many of these brownfields are located in environmental justice areas with low-income and minority populations.

The Brownfields Program addresses potential environmental justice issues in economically distressed and minority communities by funding projects that assist in the reduction of contaminant exposures from brownfields sites, as well as raising the quality of life by adding jobs and other desirable community facilities. Reducing the uncertainty about environmental contamination that has kept brownfields idle for years may remove obstacles to redevelop brownfields, sustain brownfields reuse, and strengthen the marketplace, thus enabling disadvantaged neighborhoods to succeed. The Brownfields Program strives to keep the economic benefits, derived from brownfields redevelopment activities, in the communities suffering from the adverse effects of these sites.

OBCR's efforts to ensure community involvement and address community needs result in successful revitalization projects that empower communities to take advantage of existing infrastructure, create a robust tax base, attract new businesses and jobs, and reduce the pressure to develop open spaces. Addressing community concerns and including the public early and continuously in decision-making processes helps to prevent and alleviate many issues environmental justice communities have experienced in the past. In addition, OBCR collaborates with other EPA headquarters and regional offices, as well as with environmental justice communities and groups, to ensure that the concerns and needs of these communities are addressed.

The Brownfields Program also provides funding to states and tribes to develop and enhance their voluntary response programs. Given the distinct disparity currently in program capability between states and tribes, OBCR encourages tribal requests for these funds to first develop a program and then to enhance it. The recipients of these funds need to consider environmental justice issues when building and enhancing their response programs.

MANAGEMENT ACCOUNTABILITY

Organizational Infrastructure and Management Support

The Brownfields Program is built on four pillars:

- Protecting the environment;
- Promoting partnerships;
- Strengthening the marketplace; and
- Sustaining reuse.

OBCR provides the funds and tools to help all communities reach these goals. Environmental justice is considered in the development of all OBCR's guidance, policies, and regulations. In addition, environmental justice issues are taken into consideration during the review and selection of grant proposals. Specifically, the Brownfields law requires that the grant ranking criteria include an evaluation of "the extent to which the grant would address or facilitate the identification and reduction of threats to the health or welfare of minority or low-income communities, or other sensitive populations."

OBCR considers environmental justice to be an integral part of its Brownfields Program, which addresses environmental justice from many perspectives. These include contracts, grants, outreach, interagency agreements, regulations, partnerships, and tribal and Native Alaskan issues. The program's outreach activities, products, studies, and evaluations include measures of environmental justice issues and achievements. While the overall strategy is to enhance environmental quality for all, OBCR's environmental justice focus is to better address the disparities in communities that have suffered disproportionately from the existence of brownfields in their neighborhoods.

A prominent member of OBCR's organizational structure is the Environmental Justice and Tribal Coordinator who promotes the integration of environmental justice in all programmatic areas. The Environmental Justice and Tribal Coordinator participates on three OBCR teams that include the Budget and Management, Grants and Grants Policy, and Legislative and Policy Teams. This allows for cross-fertilization and integration of the environmental issues into all office activities.

The senior managers in OBCR assert that meaningful and timely community involvement and public participation form the cornerstones of an effective environmental justice strategy. Requiring community involvement and participation to build the community's capability to make decisions in their brownfields projects is a significant requirement in OBCR's grants selection process. By continuing to incorporate environmental justice into all areas, OBCR will:

- Adhere to the Agency's mission and Executive Order 12898 to protect the health of all people and the environment;
- Continue to identify environmental issues and recommend remedies that consider the desires of the affected communities; and
- Build trust in the federal government.

Operational Resources and Program Support

Approximately 1.5 aggregate full-time equivalent employees in OBCR work on environmental justice activities. One full-time equivalent focuses specifically on environmental justice and tribal issues. The others (approximately 0.5 full-time equivalent) dedicate a percentage of their time addressing environmental justice as a collateral duty, either during their regular tasks or overseeing grants and contracts that have an environmental justice component.

The OBCR Environmental Justice and Tribal Coordinator provides primarily policy and analytical support to OBCR staff and upper management and assures national consistency within the Brownfields Program. In addition, this individual participates in environmental justice-related projects and activities in OSWER and other offices and work groups, including the OSWER Environmental Justice Implementation Steering Committee and the Federal Interagency Working Group on Environmental Justice in the Office of Environmental Justice. The Environmental Justice and Tribal Coordinator also works with OSWER headquarters and regional waste programs staffs to promote environmental justice in their Brownfields programs. As the Brownfields Program contact for the EPA headquarters and regional offices on environmental justice issues, the OBCR Environmental Justice and Tribal Coordinator can provide timely collaboration with other EPA offices and federal agencies to help resolve issues and avoid disputes.

In addition to awarding grants for assessment, cleanup, revolving loan funds, and job training that directly impact environmental justice communities, the Brownfields Program offers research, training, and technical assistance grants to eligible entities and non-profit organizations. Approximately one third of these grants are dedicated to fund projects that address environmental justice concerns. This represents more than $666,000 of the funds assigned for these types of grants.

Management support and operational resources, including funds for travel and outreach materials, are available to conduct these activities. However, at this time, there is no separate grant program or initiative in OBCR for which environmental justice is listed as a funding priority. Instead, consideration of environmental justice concerns, from the perspective of community involvement and the reduction of exposure to contaminants of minority, low-income communities, or other sensitive populations, is integrated as an element into all Brownfields grants. In addition, during the grant proposal evaluation and selection process, special consideration is given to projects in rural communities, areas with an Enterprise Community/ Enterprise Zone designation, and tribal lands. These areas have traditionally been impacted disproportionally by the presence of brownfields.

Government Performance Results Act (GPRA) Alignment (Link to Mission and Priorities)

The Brownfields Program is part of EPA's GPRA Goal 4: Healthy Communities. OBCR has developed objectives that address community needs from the perspective of promoting the cleanup and reuse of brownfields. Working in collaboration with state, local, and tribal partners, OBCR also will leverage jobs and redevelopment funding for the impacted communities.

OBCR's performance measures relate primarily to the number of properties assessed and cleaned up, number of brownfields job training participants trained and placed, number of jobs generated and amount of cleanup and redevelopment dollars leveraged by brownfields activities, and number of tribes supported by brownfields cooperative agreements. These performance measures relate directly to environmental justice accomplishments because all of the environmental justice considerations and strategies used during grant selection and program activities have as their goal, positive outcomes in the environmental justice communities.

Internal Organizational Engagement

As a representative of the Brownfields Program, the Environmental Justice and Tribal Coordinator communicates OBCR's environmental justice strategies in several settings within EPA. The coordinator also participates on national environmental justice workgroups, serves as the primary contact to coordinate OBCR's environmental justice activities, represents OBCR in discussions with different stakeholder groups, and facilitates effective relationships with the Office of Environmental Justice and its diverse activities and stakeholder groups involving brownfields-related issues.

As a member of the OSWER Environmental Justice Implementation Steering Committee and the OSWER Tribal Workgroup, the OBCR Environmental Justice and Tribal Coordinator participates in monthly conference calls and regular meetings with representatives from the other OSWER programs and regional offices. These calls and meetings represent excellent communication mechanisms to exchange information and engage other program offices.

In addition, monthly conference calls take place between the OBCR Environmental Justice and Tribal Coordinator and the Regional Brownfields Tribal Coordinators to facilitate communication among the regions and coordinate tribal activities within the Brownfields offices. The workgroup addresses tribal issues and concerns in relation to the Brownfields Program and supports and advocates tribal involvement.

The rest of OBCR staff is also consistently engaged in incorporating environmental justice into their projects and daily activities. The Environmental Justice and Tribal Coordinator provides the mechanism by which a consistent approach is applied to all areas. This approach not only applies to disadvantaged communities, but specifically to the fair and consistent treatment of tribes.

External Stakeholders Engagement

The OBCR Environmental Justice and Tribal Coordinator works with other offices to identify the needs of external Agency customers and develops and implements strategies to meet those needs. The external customers for OBCR often include other federal agencies, primarily those identified in the Brownfields Federal Partnership Action Agenda, state and local governments, tribal governments, communities, environmental groups, and academia.

OBCR has developed several printed outreach documents to help different stakeholder groups better understand the new Brownfields law and the Brownfields Program, and to collaborate with OBCR, other federal partners, and external stakeholders to promote environmental justice and sustainable development. Several of these documents have been translated into Spanish in an effort to expand outreach activities and build community partnerships with the Hispanic community.

OBCR's website serves as an ongoing method of sharing programmatic information with internal and external groups. The website, which is updated regularly, includes environmental justice policy documents. Various stakeholder groups, such as federal agencies, state, local, and tribal governments and grassroots community groups, benefit from these outreach mechanisms.

Several venues are accessed by OBCR to receive input on and respond to environmental justice concerns. NEJAC, the Association of States and Territorial Solid Waste Management Officials (ASTSWMO), and the Tribal Association of Solid Waste and Emergency Response (TASWER)

keep abreast of what is happening in their constituent communities. OBCR supports the mission of the NEJAC's Waste and Facility Siting Subcommittee and is currently engaged with the subcommittee in learning about unintended impacts resulting from brownfields redevelopments and other issues related to the Brownfields Program.

OBCR solicits input from external stakeholder workgroups that provide oversight when developing informational or guidance materials and advice during the negotiated rule-making process. OBCR is currently working with a Federal Advisory Committee that includes representatives from community and environmental justice groups to develop regulatory standards on all appropriate inquiry.

OBCR also obtains advice on environmental justice issues from non-profit associations and other organizations. Some groups receive grants to conduct research, training, and technical assistance that target environmental justice constituencies. For example, the Development Training Institute, including its Partnership for Sustainable Brownfields Redevelopment, advocates for and conducts research on providing multi-stakeholder collaboration in brownfields redevelopment. Another example is the International City/County Management Association (ICMA), which evaluates the need for appropriate communication among health officials and community members regarding potential risk posed by brownfields. The National Conference of Black Mayors (NCBM) provides research on the capability of small towns to compete successfully with bigger cities for brownfields funding and seeks ways to raise them to a competitive level.

In collaboration with the U.S. Army Corps of Engineers (USACE), OBCR helps fund the Hazardous Substance Research Centers that bring together investigators from a variety of disciplines to collaborate in integrated research projects on brownfields in environmental justice areas. The Hazardous Substance Research Centers provide free technical assistance to communities with contamination problems through the Technical Assistance to Brownfields Communities program. The main audiences for the Technical Assistance to Brownfields Communities program are community groups that want to address brownfields as part of an effort to improve their neighborhood and enhance their overall quality of life.

Data Collection, Management, and Evaluation

OBCR collects, tracks, and maintains information on brownfields grants and projects in a main database, called the Brownfields Management System. The Brownfields Management System provides information regarding projects conducted in environmental justice areas. Although specific community involvement and environmental justice data are not regularly maintained in the Brownfields Management System, brownfields grant applicants and recipients report demographic and income level information to EPA.

Professional and Organizational Development

In conjunction with the Innovation, Partnerships, and Communication Office (IPCO) in OSWER, OBCR makes available environmental justice training to interested staff. The training is coordinated by IPCO and includes modules on the environmental justice definition, statutes, regulations, and public participation.

Environmental Justice Assessment

Environmental justice identifiers, such as minority populations, poverty levels, small communities, rural communities, Enterprise Community/Enterprise Zone designation, and tribal areas, are considered during the review and selection of grant proposals. In addition, environmental justice representatives participate in the evaluation of grant proposals to provide perspective and support for the special consideration of environmental justice in the scoring process.

In the future, OBCR may use the new tool, *EJ Geographic Assessment Tool*, being developed by EPA's Office of Environmental Justice. This tool performs environmental justice assessments on funded or new projects and can be used to evaluate the impact of the Brownfields Program on environmental justice communities. If adopted, the tool will replace *EJ EnviroJustice Mapper*, traditionally used by the regional offices to conduct environmental justice assessments when necessary.

Program Evaluation

OBCR assesses its environmental justice activities throughout the year to ensure that it is following its Environmental Justice Action Plan. The OBCR Environmental Justice and Tribal Coordinator works closely with the OBCR Office Director and Deputy Director to determine improvements to the environmental justice strategy and program. The OBCR Environmental Justice and Tribal Coordinator works closely with IPCO in OSWER to record "success stories" that highlight the accomplishments and results from OBCR's efforts. An environmental justice "success stories" report is completed every other year by IPCO for all OSWER programs.

The Brownfields Program will continue to evaluate the impact of the new law on environmental justice communities. On a continuing basis, OBCR evaluates citizen satisfaction with opportunities for input into the brownfields process, EPA's response to that input, and the short- and long-term results of each project. It also creates new approaches as needed based on the lessons learned.

OFFICE OF EMERGENCY PREVENTION, PREPAREDNESS AND RESPONSE

PROGRAM SUMMARY

About 15,000 facilities with extremely hazardous substances in one or more process have submitted Risk Management Plans (RMPs) to EPA under section 112(r) of the Clean Air Act. These RMPs include information about accidental releases at each facility during the five years preceding submission of the report. The Wharton School at the University of Pennsylvania has conducted research into the economic and ethnic patterns of the geographical area in which accidental releases occurred, as reported in RMPs. Initial indications are that this research might have environmental justice implications. The research has not yet been released to the public, but we anticipate that the Wharton School will release the research in coming months. The Office of Emergency Prevention, Preparedness and Response (formerly CEPPO) will develop and implement a communication strategy (both internal to EPA as well as external) to explain the research findings in the context of environmental justice.

In addition to implementation of CAA section 112(r), OEPPR is the central Federal office coordinating implementation of sections 301-312 of the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA). EPCRA requires facilities to submit information about chemical hazards and accidental releases to local emergency planning committees (LEPCs), local fire departments, and State Emergency Response Commissions (SERCs). In turn, LEPCs and SERCs use the information to understand chemical hazards in the community, develop and implement community emergency response plans, identify opportunities for chemical accident prevention, and share the information with the public upon request. There are about 3400 LEPCs nationally and more than 500,000 chemicals are subject to reporting. OEPPR at HQ provides guidance and technical assistance for use by LEPCs, fire departments, and SERCs. EPA Regional offices work directly with SERCs to deliver the HQ products. Specifically, OEPPR helped to develop and continues to maintain CAMEO, a software program that States/locals can use to manage data, understand hazards, and develop emergency plans. CAMEO works with MARPLOT to use census data so that LEPCs can identify connections between chemical hazards and the characteristics of community neighborhoods. For example, the software can be used to identify the social and economic characteristics of people living near chemical facilities. CAMEO also can be used to manage information about accidental releases; working with MARPLOT, LEPCs can track patterns in accident history and identify any correlations with neighborhood socioeconomic characteristics.

Membership of LEPCs is fluid, changing frequently as different citizens volunteer to serve. Accordingly, it is necessary regularly to remind LEPCs (along with SERCs and fire departments) of the responsibilities and related opportunities inherent in EPCRA. OEPPR periodically reminds our State and local stakeholders about environmental justice and how it relates to EPCRA implementation.

ENVIRONMENTAL JUSTICE STRATEGIES

GOAL #1: Communities near facilities that have reported accidental releases under the RMP program, the environmental justice community, and EPA managers and staff will understand the research methodology and results of the Wharton School study as it applies to environmental justice.

GOAL #2: Local emergency planning committees, fire departments, and State Emergency Response Commissions will understand the principles of environmental justice and will use information available under EPCRA and software provided by OEPPR to analyze the local situation and take any appropriate actions to decrease chemical hazards in minority neighborhoods.

OFFICE OF SOLID WASTE

PROGRAM SUMMARY

The Office of Solid Waste (OSW) considers environmental justice to be an integral part of its program. OSW assumes a leadership role in its environmental justice initiatives and has structured its programs to recognize and address environmental justice issues wherever possible. The program addresses environmental justice from many perspectives, including permitting, corrective action, training, contracts and grants, outreach, interagency agreements, regulations, partnerships, cumulative risk assessment, and tribal and Native Alaskan issues. Environmental justice issues are addressed in an overall strategy that includes a range of products and outreach activities, as well as many studies and evaluations. While the strategy emphasizes enhancing environmental quality for all, the focus is to better address those disparities found in communities that have disproportionately suffered from siting decisions involving municipal landfills, waste transfer stations, and hazardous waste disposal facilities. OSW believes that addressing community concerns and including the public early and often in decision-making processes helps to prevent and alleviate many issues environmental justice communities have experienced in the past. OSW continues to make concerted efforts to collaborate with other program offices and the regions, as well as with environmental justice communities, to ensure that the concerns and needs of these communities are addressed.

MANAGEMENT ACCOUNTABILITY

Organizational Infrastructure and Management Support

OSW considers environmental justice in the development of all of its policies, guidances, and regulations. OSW's environmental justice strategy focuses on addressing environmental concerns in the following areas:

- Siting/permit renewals/corrective action;
- Data collection, analysis and stakeholder access to information;
- Addressing unresolved solid waste management issues closely linked with environmental justice communities;
- Native American, indigenous, and tribal programs;
- Partnerships, outreach, and communication with stakeholders; and
- Risk assessment and analyses.

OSW has been promoting the integration of environmental justice in all of its program areas since before 1994. The office will continue to ensure that environmental justice issues are considered in its programs by working with its regional counterparts and groups, such as NEJAC, the Academic Institutions, Agencies, Communities Network (ACA-Net), and community organizations. In addition, OSW plans to offer the Fundamentals of Environmental Justice training course to its staff to enhance awareness of environmental justice issues.

Management will ensure that appropriate staff are available to manage projects aimed at preventing, addressing, and/or alleviating environmental justice issues raised by NEJAC and environmental justice communities. In the *FY 04 Mutual Performance Agreement (MPA) Guidance* to

the regions, OSW has specifically asked the regions to address environmental justice and public participation issues. OSW will evaluate the progress in this area on a quarterly basis.

Operational Resources and Program Support

OSW currently has approximately 9.75 FTEs available to work on environmental justice issues. The daily functions of these staff members involve integrating environmental justice into the projects of the RCRA permitting, corrective action, and solid waste management programs to ensure that environmental justices issues are addressed.

OSW's Permits Branch has a Public Participation/Environmental Justice Coordinator who also serves as the office-wide coordinator on environmental justice issues and policies. The coordinator addresses environmental justice issues raised by the regions and NEJAC that relate to RCRA permitting and also works with the "EJ Permitting Network" (a group of regional representatives whose work involves addressing environmental justice issues in RCRA permitting) on an as-needed basis. This network serves as a central point of contact between the Permits Branch and regions to discuss and work towards addressing environmental justice issues related to RCRA permitted facilities.

OSW's Tribal Team focuses exclusively on developing solid waste infrastructures on tribal lands. This team manages a multi-agency funding consortium to streamline the dispersement of grant support for tribes. The team also develops outreach materials and technical assistance tools to help tribes achieve self-sufficiency in solid waste management.

There currently are no programs or initiatives for which environmental justice will be listed as a funding priority.

GPRA Alignment (Link to Mission and Priorities)

OSW has begun a project to determine whether regional progress on GPRA permitting and corrective action priorities in potential environmental justice areas is occurring at the same rate or better than progress in non-environmental justice areas. Once this is determined, office staff will address the results accordingly with each region.

OSW has already begun integrating environmental justice into its program areas and functions. For example, OSW has been providing grants for free technical assistance, through the Technical Outreach Services for Communities (TOSC) program, to environmental justice and other communities near RCRA permitted and corrective action facilities. These grants help communities better understand and participate in decision-making processes regarding hazardous waste management and clean ups in their communities. OSW plans to continue supporting the TOSC program as funding allows. OSW does not use Performance Partnership Agreements or Performance Partnership Grants to specifically address environmental justice issues.

OSW developed a draft "community page" on its e-permitting website. This page was developed specifically to help environmental justice and other community groups better understand e-permitting and how it can benefit them.

OSW is in the process of incorporating environmental justice into the risk assessment analysis of waste disposal, including dyes and pigments, from manufacturing facilities. In addition OSW

will continue to develop and publish (in English and Spanish) outreach materials targeted to environmental justice and other communities for the various program areas within OSW.

Internal Organizational Engagement

The Permits Branch is in constant communication with the regions through the Permitting Network, regional MPA's, and participation in the monthly conference calls of OSWER's Environmental Justice Steering Committee.

The Tribal Team holds monthly conference calls with the Regional Tribal Coordinators. Team members are also in communication constantly with other OSWER office Tribal Coordinators, the AIEO, and OECA.

The Permits Branch is working with the Office of Environmental Justice to develop the RCRA Environmental Justice Permitting Module to serve as a supplement for the Environmental Justice Fundamentals course. This module will discuss ways to consider and address environmental justice issues in the RCRA permitting process.

External Stakeholder Engagement

Currently the Permits Branch uses the Environmental Justice Network to keep in contact with the regions on environmental justice issues regarding RCRA permits. In addition, OSW continually participates with NEJAC to address environmental justice concerns on facility permitting and waste related issues. OSW also employs external stakeholder workgroups to solicit input and provide oversight when developing informational or guidance materials. In addition, OSW works with TASWER and other tribal organizations on issues related to tribal lands.

The Permits Branch currently has several printed outreach documents to help stakeholders better address environmental justice issues in communities near RCRA facilities. The branch has a master distribution list containing the names of people, community groups, industries, and other organizations who are interested in and/or have been involved with environmental justice issues related to RCRA facilities.

The Permits Branch's website (www.epa.gov/OSW/ej/index.htm) includes information and Web links to other environmental justice programs within the Agency. Outreach materials related to municipal solid waste include the Tribal Waste Journal Backyard Burning outreach materials for state and local officials and the general public, Urban African-American Waste Management outreach materials geared toward individual citizens and children in grades K-6, and other general consumer products. Websites related to municipal solid waste management issues include the tribal website (www.epa.gov/tribalmsw) and the backyard burning website (http://www.epa.gov, which is scheduled for posting in the fall 2003).

OSW will identify stakeholders who could benefit from increased awareness of environmental justice through its environmental justice contacts in the regions, the Office of Superfund Remediation and Technology Innovation, NEJAC requests, phone calls received from the public, and the its. OSW will continue to promote collaborative problem-solving among stakeholders by advancing its relationships with the regions, NEJAC, and the environmental justice community.

Through the Agency's Hispanic Outreach Strategy, which is part of the Resource Conservation Challenge, OSW works with other program offices to expand outreach activities and build community partnerships with the Hispanic community. OSW has many non-English publications related to waste management in both hard copy and on its website (http://www.epa.gov/epaoswer/general.espanol.htm).

OSW also posts monthly consumer tips in Spanish on its website at http://www.epa.gov/oswer/osw/specials/funfacts/index.htm and maintains a general index page that lists a variety of consumer tips and monthly tips. The Used Oil Initiative also is in Spanish and can be found at (http://www.epa.gov/epaoswer/hazwaste/usedoil/index.htm).

By continuing to build on the success of the Used Oil Initiative, OSW soon will begin developing materials targeted to the Hispanic community on managing household hazardous waste. Initially, OSW will hold focus groups in the Hispanic community to determine the level of understanding of the issues and how best to meet outreach needs. OSW will then develop and test materials, using extranet expert panels. A "launch event" of the materials will take place at the 2004 LuLac Conference. Materials will also be distributed through OSW's extensive Hispanic mailing list and at appropriate conferences and other events. All materials will be produced in Spanish as well as English.

OSW has begun translating documents into other languages as well, focusing on specific target audiences and topics. *RCRA In Focus: Dry Cleaning* was recently translated into Korean, acknowledging this ethnic group's ownership and employment in this industry.

OSW is currently translating the following documents into Spanish for non-English speaking communities:

- *Social Aspects of Siting Hazardous Waste Facilities*. This publication was developed for industries and government agencies that interact with communities when hazardous waste facilities are sited. It offers examples of quality of life concerns raised by environmental justice communities when facilities are sited; provides examples of experiences and creative mechanisms that have been developed in order to work effectively with communities; and encourages businesses and government agencies to address community concerns early, collaboratively, and compassionately.

- *RCRA In Focus: Motor Freight & Railroad Transportation*. This publication provides an overview of the federal regulations members of the motor freight and railroad transportation industry are required to follow, and a list of the motor freight and railroad transportation industry wastes that are likely to be hazardous. It answers frequently asked questions about RCRA, presents the life cycle of a typical motor freight and railroad transportation waste, addresses federal recycling and pollution prevention options for the motor freight and railroad transportation industry, and discusses other environmental laws affecting the motor freight and railroad transportation industry. It includes a table of federal RCRA regulatory requirements for motor freight and railroad transporters and a list of contacts and other sources of information.

- *Managing Household Hazardous Waste in Your Community*. This kit folder includes a series of fact sheets that provide a brief history and summary of RCRA, an overview of EPA's hazardous waste regulations, and sources for additional information.

- *Service Learning - Education Beyond the Classroom*. This booklet defines service-learning as an educational experience that combines academic knowledge with service and personal reflection. It encourages environmental service in solid and hazardous waste areas; links these experiences to positive behavioral changes, such as recycling and waste prevention; and demonstrates how the skills that students acquire can be a stepping stone to an environmental career. It contains profiles of service-learning projects (including contacts for each project) organized by grade level into two categories: school-based and community programs and lists national organizations that are involved in coordinating or funding service-learning projects.

- *It's Easy Being Green: A Guide to Planning and Conducting Environmentally Aware Meetings and Events*. This document provides an outline to assist professionals in planning environmentally aware events. It includes profiles of successful events that have been held, as well as step-by-step procedures for coordinating events using a planning checklist.

- *RCRA, Superfund, and EPCRA Call Center*. This brochure describes the services of the RCRA Call Center, which responds to inquiries from the public and the regulated community about regulations developed under SWDA, as amended by HSWA, CERCLA, and EPCRA.

- *Recycling is Working in the United States*. This publication summarizes the U.S. Recycling Economic Information (REI) Study, which demonstrates the importance of recycling and reuse to the U.S. economy. It includes charts and tables and lists organizations sponsoring the study and additional sources of information.

- *Exemption of Oil and Gas Exploration and Production Wastes from Federal Hazardous Waste Regulations*. This publication addresses the exemption of certain oil and gas exploration and production (E&P) wastes from regulation as hazardous wastes under Subtitle C of RCRA. It discusses basic rules for determining the exempt or nonexempt status of wastes, provides examples of exempt and nonexempt wastes, examines E&P waste mixtures, clarifies several misunderstandings about the exemption, answers frequently asked questions and makes recommendations for sensible waste management. It also includes sources of additional information.

- *Your Life, Your World, Your Choices*. As part of the "Make a Difference" campaign, this resource kit is aimed at educating and engaging young people in resource conservation and environmental protection. Kit materials encourage teens to make informed decisions in their day-to-day lives to help protect the environment and reduce, reuse, and recycle to "make a difference" at home, at school, and in their communities. The kit contains: *A Collection of Solid Waste Resources* on CD-ROM - 2002 Edition, *Reuse + Recycling = Waste Reduction: A Guide for Schools and Groups, Service Learning: Education Beyond the Classroom, The Life Cycle of a CD or DVD, Volunteer for Change: A Guide to Environmental Community Service*, and *You Can Make a Difference: Learn About Careers in Waste Management*.

Although not listed as a funding priority, during previous years, OSW has funded TOSC grants to provide technical assistance to communities near RCRA facilities. Among the criteria listed for communities to receive this assistance is that they be an environmental justice community.

Data Collection, Management, and Evaluation

RCRA Info and Envirofacts are the main data sets used in OSW to collect and maintain information. RCRA facility information from RCRA Info and Envirofacts along with state demographic and income level information from the Census Bureau are used to provide factual information regarding potential environmental justice areas in each state.

OSW uses information from these two data sets for some GPRA analyses. Also, much of the information from these data sets will be used for the initial demographics analyses OSWER expects to complete this fiscal year.

Documents published by OSW usually include best practices and suggestions based on lessons learned from past experiences on ways to address environmental justice issues in the waste program.

Professional and Organizational Development

Staff in OSWER are currently developing a schedule to begin offering the "EJ 101: Fundamentals of Environmental Justice" training course. In addition, OSW will continue to produce publications that discuss and list best practices and lessons learned when addressing environmental justice concerns. These publications are made available to Agency staff as well as to communities.

Environmental Justice Assessment

OSW does not plan to develop a method for conducting environmental justice assessments. OSW will use existing tools (Environmental Justice Mapper, Envirofacts, Census Data, Environmental Justice Toolkit) as well as methods used in the regions to conduct environmental justice assessments when necessary.

Program Evaluation

Environmental justice accomplishments and results are usually highlighted in OSW's OSWER Accomplishment report, which is completed every other year. Please refer to the matrix for detailed descriptions and expected outcomes on OSW's environmental justice projects.

The Permit Branch's demographic study will be used to evaluate GPRA progress in environmental justice vs. non-environmental justice areas for RCRA permits as well as corrective action facilities. Information obtained from the demographic study can be used to determine other needs for evaluating additional environmental justice concerns, such as determining environmental justice trends in permitting and corrective action. The tribal program will be evaluating data from RCRAInfo and other sources to ensure that facilities located off tribal lands are not adversely impacting tribal lands.

OSW provides opportunities through the Mutual Performance Agreement process for the regions to suggest ways in which OSW could better address the needs in various program areas, including environmental justice.

OFFICE OF SUPERFUND REMEDIATION AND TECHNOLOGY INNOVATION

PROGRAM SUMMARY

The Office of Superfund Remediation and Technology Innovation (OSRTI) embraces environmental justice and recognizes the importance of incorporating it into OSRTI's program areas. The Community Involvement and Outreach Center (CIOC) is the lead in OSRTI for promoting environmental justice. This is because CIOC is responsible for advocating and strengthening early and meaningful community involvement during Superfund cleanups, which is the foundation of environmental justice.

The CIOC strives to provide opportunities through which EPA and communities can collaborate toward a positive outcome to hazardous waste issues confronting the environmental justice communities. The foundation of Superfund's community involvement program is the belief that members of communities affected by a Superfund site have a right to know what the Agency is doing in their community and to have a say in the decision-making process. OSRTI realizes the importance of open and honest communication, understanding that remedies with community concerns and interests factored in are less controversial and are more likely to be accepted.

This FY 2004-2005 action plan includes capacity building tools to assist EPA's regional offices with their community involvement functions, such as the National Community Involvement and Training Conference (NCIC) and the Community Involvement University (CIU).

This action plan and attached matrix address successful programs as well as present and future challenges. These programs provide capacity-building tools that encourage communities to participate in the decisions that directly affect them, as well as organizational and technical assistance and training in the hazardous waste cleanup field. They include:

- Community Advisory Group (CAG) Toolkit and Guidance;
- Technical Outreach Services for Communities (TOSC);
- Technical Assistance Grants (TAGs);
- Superfund Job Training Initiative (SuperJTI);
- Neutral facilitation;
- Alternative dispute resolution (ADR);
- Translation services; and
- OSRTI Tribal Workgroup.

A few examples of OSRTI's commitment to partner with other federal agencies in carrying out EPA's responsibility of being the lead agency for the Interagency Working Group on Environmental Justice will be highlighted.

Community involvement and public participation are the cornerstones for effectively addressing environmental justice issues. By incorporating environmental justice into all program areas, OSRTI will (1) adhere to the Agency's mission and Executive Order 12898 to protect the health of all people and the environment; (2) continue to identify environmental issues and recommend

remedies that take into consideration the desires of affected communities; and (3) build trust in the government.

MANAGEMENT ACCOUNTABILITY

Organizational Infrastructure and Management Support

Several management directives reiterate EPA's commitment to promote environmental justice within all OSRTI program areas. These include the draft *Public Involvement Policy* (65 Fed. Reg. 82335, December 28, 2000); memorandums from EPA's Administrator Whitman; *EPA's Regulatory Decision Process*, April 10, 2001; and OSRTI's Acting Office Director's *Early and Meaningful Community Involvement* document, October 12, 2001, which endorse "vigorous public outreach" in working toward environmental goals.

Operational Resources and Program Support

OSRTI assigned part of CIOC's full-time equivalent workforce to perform environmental justice duties. An Environmental Justice Coordinator was selected to help develop the Environmental Justice Action Plan. The day-to-day function of the Environmental Justice Coordinator is to bring environmental justice to the forefront of all Superfund program activities. This is accomplished by soliciting OSRTI staff participation in environmental justice training, and by using every opportunity to raise awareness to possible environmental injustices in communities that historically have had "no voice." OSRTI will also encourage employees to participate in brown bags to discuss environmental concerns, public health, and societal issues. The Executive Team will be briefed quarterly on upcoming events and issues that need management's attention.

OSRTI has also funded the Societal, Cultural and Economics Impacts Workshop, the TAG Recipient Workshop, the TOSC Program, the Ritualistic Uses of Mercury Project, the Design Workshops for Redevelopment, and restorative landscaping training as a part of the Anacostia Waterfront Initiative. See attached Environmental Justice Action Plan and Activities Matrix for the resources being applied to each activity.

GPRA Alignment (Link to Mission and Priorities)

Community involvement activities are an integral part of the work to support OSRTI's five GPRA goals, which are Removal Starts, Site Assessments Decisions, Constructions Completions, Human Exposures Under Control, and Groundwater Migration Under Control. As part of these community involvement activities, environmental justice issues are identified and dealt with appropriately.

Internal Organizational Engagement

The NCIC, CIU, and Tribal Workgroup are communication mechanisms used to exchange information and engage other program offices. The NCIC, held annually, is attended by community involvement practitioners, managers, and policy makers at EPA and other federal, state, tribal, and local agencies and communities. It gives participants an opportunity to share their knowledge and expertise about public participation and outreach. Members of community groups are co-presenters with regional office or headquarter's staff.

The CIOC provides training through the CIU to develop the community involvement skills of regional response staff, as well as develop a continuing education program for Community Involvement Coordinators (CICs) at all levels of experience. The CIU builds capacity in all Agency staff by offering classes not only to CICs, but also to regional site managers, regional attorneys, and other federal partners.

The OSRTI Tribal Workgroup coordinates tribal activities within OSRTI. The workgroup supports the OSWER Tribal Coordinator by raising and fostering an understanding of cultural awareness, addressing site-specific issues, developing Superfund training for tribes, and advocating tribal involvement. The workgroup is presently working on the Tribal Inventory Report, Tribal GPRA data, cultural values and HRS, tribal outreach, tracking of the tribal enhanced-role pilots, and budget issues. The workgroup is also looking at tools for addressing sites other than NPL sites as noted in the Albuquerque Commitments signed at the National Tribal Meeting in Albuquerque, New Mexico in FY 1998.

External Stakeholders Engagement

OSRTI has several ways of receiving input on and responding to environmental concerns. The following paragraphs highlight a few of OSRTI's partners, including NEJAC's Waste and Facility Siting Subcommittee, the National Institute of Environmental Health Sciences (NIEHS), Technical Outreach Services for Communities (TOSC), the Association of State and Territorial Solid Waste Management Officials (ASTSWMO), Cultural Uses of Mercury Task Force, and the Hispanic Initiative. These partners help OSRTI keep abreast of what's happening in and for communities. CIOC and other OSRTI staff work with this input while implementing the Superfund program.

OSRTI supports the mission of NEJAC's Waste and Facility Siting Subcommittee, which OSRTI has engaged on topics, such as SuperJTI, the Superfund Permanent Relocation Interim Policy, and related implementation activities.

SuperJTI provides environmental health and safety training through a partnership with NIEHS. This training is available to qualified community residents who are affected by Superfund sites. To date, more than 250 residents have been trained, with many working in the environmental or construction fields. To encourage the hiring of SuperJTI graduates during cleanup activities, all regional Superfund remedial action contracts (RACs) include incentive language that rewards the cleanup contractors for interviewing or hiring SuperJTI graduates. Many graduates are working in the environmental protection field.

In June 2002, EPA formed an federal advisory panel to make recommendations on the superfund program. This advisory panel was formed as a subcommittee to the National Advisory Council on Environmental Policy and Technology (NACEPT). The Superfund Subcommittee considered the scope of the national Superfund program against a backdrop of other federal and state waste programs. This dialogue considered how the nation's waste programs can work together in a more effective and unified way so that citizens can be assured that federal, state, and local governments are working optimally to make sites safe for their intended uses. The Subcommittee was asked to have a public dialogue and reach consensus-based recommendations on three major issues: (1) the role of the National Priorities List; (2) the role of Superfund at so called "mega sites;" and (3) measurement of program performance.

TOSC is a university-based program that provides independent scientific and technical assistance to communities that do not qualify for a TAG or other federal assistance. As an alternative to TAGs, TOSC provides information and education to give communities dealing with hazardous substance contamination questions an understanding of technical issues, thus empowering them to more effectively participate in environmental decisions.

CAGs are a way to seek out representatives of diverse community interests and facilitate their involvement in the Superfund process. The CAG toolkit and the CAG guidance are used by regional staff and citizens to implement the CAG program at Superfund sites.

CIOC supports the mission of ACA-Net by participating in information gathering roundtables and by emphasizing environmental, risk assessment, and risk communications. ACA-Net is a concept intended to bridge the gap between environmental public policy decision making by federal and state agencies and affected people of color communities, academic institutions, and community resources. Communities can call ACA-Net directly to receive technical assistance and education.

As a part of the Anacostia River Watershed Initiative, the Chesapeake Bay Program along with Region 3's Hazardous Waste Program and the Alice Hamilton Occupational Health Center (AHOHC) developed a Restorative Landscaping training program. This training will teach at-risk youth to design, build, operate, and maintain rain gardens, bioretention cells, and roof gardens to help with the cleanup of the Anacostia River. This training will not only create environmental stewards but also educate a broader population of residents on the importance of the Anacostia River and the communities that borders it.

With other federal agencies, state and local health departments, and national Hispanic organizations, OSRTI co-chaired a task force on Ritualistic Uses of Mercury. The task force released its report in FY 2003. The report gave recommendations for outreach and education to the Hispanic community on the health effects of mercury used by some members of the community for cultural purposes. In FY 2004, OSRTI will work with the National Association of City/County Health Officials to provide local health departments with outreach and education strategies for informing people about the hazards of mercury, and encourage the safe use of alternatives. In FY 2004, the Environmental Response Team (ERT) will complete a report on air monitoring results from simulations where mercury is used for cultural purposes.

OSRTI coordinates with the DoD, DOE, USACE, and the Agency for Toxic Substances and Disease Registry (ATSDR), who are committed to improving stakeholder and community involvement in environmental cleanups. Representatives from the various agencies are:

- Community involvement advocates in their own agencies;
- Share information resources and lessons learned;
- Promote increased coordination among the agencies;
- Work together on new and difficult issues that arise; and
- Offer each other feedback and support.

Neutral facilitation and alternative dispute resolution services can be accessed through a headquarters' contract to resolve conflict among stakeholders.

CIOC offers regional EPA offices translation services as a method of providing Superfund public outreach materials in languages other than English. This service is provided through an inter-agency agreement with the U.S. Department of State's Office of Translation Services.

The CIOC website contains information on community involvement and CIOC's projects. The website is: http://www.epa.gov/superfund/action/community/index.htm.

OSRTI will continue to make the Superfund product brochure available. It contains 40 outreach products: fact sheets; pamphlets; video cassettes; and a manual detailing site cleanup methods, community involvement, and environmental education. The product brochure can be obtained by visiting the Superfund "Publications" website (http://www.epa.gov/superfund/pubs.htm). The public can order paper copies of the documents contained in the brochure at no fee from EPA's National Service Center for Environmental Publication (NSCEP) by calling 800-490-9198 or by placing an e-mail request at http://www.epa.gov/ncepihom/. EPA employees can obtain copies of the products by calling the Superfund Docket at 202-566-1742, or by writing the docket at the EPA West Building, MC-6102T. Many of the products are written for the public, while others provide guidelines for EPA staff that work with communities.

OSRTI does not provide any grant funding specifically for environmental justice activities.

Data Collection, Management, and Evaluation

CERCLIS 3 is OSRTI's main system for collecting and maintaining Superfund information. Site information in CERCLIS 3 includes community issues. However, more specific community involvement information is contained in several databases maintained by CIOC, such as the TAG database of program information.

Professional and Organizational Development

OSRTI will offer all employees environmental justice training in different formats, such as coffee break dialogues, brown bag lunches, and half-day and two-day training, to obtain maximum participation. The training will include modules on the definition of environmental justice, relevant statutes and regulations, and public participation.

Environmental Justice Assessment

Regional offices conduct environmental justice assessments at the site level. Although OSRTI does not have a formal process for conducting environmental justice assessments, it offers site-specific guidance to regions on community involvement and environmental justice matters.

Program Evaluation

The Superfund community involvement program has tested several different methods of gathering performance information. Through written surveys and focus groups, the Superfund community involvement program has gathered information to assess the:

- Level of citizen satisfaction with information that EPA provides about the site;
- Level of citizen understanding of environmental and human health risks associated with the site;
- Level of satisfaction with the opportunities provided by EPA for citizen input; and
- Level of citizen satisfaction with EPA's response to citizen input.

Because of resource constraints, CIOC does not gather this information at all sites, or even at all environmental justice sites, to provide a national evaluation of the community involvement program. Rather, on a site-by-site basis, CIOC makes available the resources to gather this outcome-oriented information. While CIOC regularly informs the regions about the availability of this resource, the regions choose whether or not to gather the information at individual sites to better understand and evaluate their community involvement performance.

OFFICE OF UNDERGROUND STORAGE TANKS

The Office of Underground Storage Tanks (OUST) recognizes that because of the large size and great diversity of the regulated community (about 700,000 active underground storage tank sites in 2003), state and local governments are in the best position to oversee underground storage tank sites. Therefore, the Underground Storage Tank/Leaking Underground Storage Tank program was established from the beginning as a highly delegated program. OUST's role is to provide guidance to state and local agencies on considering environmental justice as a qualitative factor in priority ranking state-lead cleanups and enforcement activities.

OUST does, however, have direct oversight authority in Indian Country. In this role, OUST conducts cleanups on high priority sites in Indian Country and has provided $1.5 million for these activities in FY 2004 and FY 2005 and 2.2 full-time equivalents to oversee the work. OUST provides compliance assistance to 1,800 owners and operators and tribal staff in Indian Country. OUST has contracted with an 8(a) company to conduct site assessments in Indian Country and has two full-time equivalent employees overseeing this work. OUST will issue a new contract to provide compliance assistance to tribal staff and owners and operators in Indian Country.

OUST has 2.75 full-time equivalents dedicated to promote the integration of environmental justice within the program. The function of the OUST Environmental Justice Coordinator is to participate in the OSWER environmental justice steering committee and share ideas from the committee with other OUST staff, and their regional and state counterparts. The Environmental Justice Coordinator's role is to:

- Raise the sensitivity of EPA and state staff to environmental justice considerations in their daily decisions;
- Identify areas where environmental justice considerations may be a concern;
- Help facilitate an equitable solution to the environmental justice issues that are raised;
- Identify areas of successful implementation of environmental justice considerations; and
- Promote these findings to other regions and states.

OUST is developing four case studies to promote environmental justice issues at sites with underground storage tank/leaking underground storage tank sites. The case studies will examine leaking underground storage tank site cleanups in tribal and socio-economically disadvantaged and/or minority communities. Their purpose is to expand awareness of the successful approaches to cleaning up and reusing abandoned gas stations.

OUST has provided funding to the Northeast Midwest Institute to update the *Recycling American's Gas Stations* report, which will include a section on socio-economically disadvantaged and/or minority communities.

OUST will work with the regional offices to conduct at total of four petroleum brownfields roundtables. The roundtables are expected to enhance stakeholder awareness of the value of cleaning up and reusing former gas stations and other petroleum contaminated properties.

OUST will tailor existing environmental justice educational materials to train OUST staff on how to better integrate environmental justice considerations into their daily responsibilities.

Regional staff will be encouraged to take the training in their regions and to share the information with their state counterparts. A training session will also be conducted at the Underground Storage Tank/Leaking Underground Storage Tank National Conference in March 2004, which is expected to draw attendees from 50 states and 15 tribes. Finally, OUST will work with the regions and states to determine the percentage of leaking underground storage tank sites that are located in environmental justice communities.