

Region 5 Environmental Justice Action Plan FY 2009

Program Structure

Region 5's Environmental Justice (EJ) program is managed by the Deputy Director, Office of Enforcement and Compliance Assurance (OECA). Region 5's Environmental Justice Steering Committee (EJSC) consists of management representatives from the Office of Regional Counsel and the program offices, and is chaired by the EJ program manager. The EJSC provides direction and coordination. Region 5 Divisions and Offices implement priorities set by the EJSC.

The EJ program is directly accountable to Region 5's Deputy Regional Administrator, who is a member of the EPA-wide EJ Executive Steering Committee. Region 5's EJ program also works directly with EPA's Office of Environmental Justice and EJ coordinators in the other Regions and National Program Offices.

Program Objective

EPA's mission is to protect human health and the environment. Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," directs each Federal Agency to "make achieving environmental justice part of its mission."

We recognize that minority and/or low-income communities may be disproportionately exposed to environmental harms and risks. EPA works to protect these and other communities from adverse human health and environmental effects. Ensuring environmental justice means not only protecting human health and the environment for everyone, but also ensuring that all people are treated fairly and are given the opportunity to participate meaningfully in the development, implementation, and enforcement of environmental laws, regulations, and policies.

EPA has made transparent, measurable, and accountable environmental justice commitments and targets in all five goals of EPA's Strategic Plan for 2006-2011. In addition, EPA has identified eight national environmental justice priorities. These are:

- Reduce asthma attacks;
- Reduce exposure to air toxics;
- Reduce incidences of elevated blood lead levels;
- Ensure that companies meet environmental laws;
- Ensure that fish and shellfish are safe to eat;
- Ensure water is safe to drink;
- Revitalize brownfields and contaminated sites; and
- Foster collaborative problem-solving.

The objective of Region 5's environmental justice program is to support the ongoing integration of environmental justice into Region 5's work, taking into account national and regional priorities. The purpose of this EJ Action Plan is to provide a prospective planning document that sets out measurable and achievable commitments to meet this objective. It does not require duplicative tracking of program activities that already provide integrated EJ benefits. Instead, the EJ Program will report on these benefits in coordination with program-specific reporting deadlines.

Stakeholder engagement

The EJ program has points of contact at each State environmental agency within Region 5, and regularly communicates with community groups and individuals throughout the Region who raise environmental justice concerns. The EJ program also provides case-specific advice to program offices on stakeholder engagement approaches.

Region 5 invites comments from stakeholders on this EJ Action Plan.

Strategic Plan

Region 5 makes these EJ Action Plan commitments in the context of a strategic plan for the EJ program. This strategic plan focuses on three areas for FY09:

1. Defining the problem. Region 5 will implement a standard EJ screening approach to identify “potential EJ areas of concern” and promote more consistent understanding of potential EJ concerns. This approach will include indicators of potential disproportionate impact, population vulnerability, and barriers to effective public participation. As a screening approach, it will be supplemented by additional information as needed to support action. This approach was tested during FY08, and will be deployed in FY09.
2. Developing concrete responses. Region 5 will initiate at least one “demonstration” multi-media project in a geographical area. This project will identify high-priority disproportionate environmental burdens using the EJ screening approach and other relevant data; and will address these burdens using all available tools, working with co-regulators and other partners. This is Region 5’s “FY09 Robust-Results Oriented Activity” in the EJ Action Plan (see below, page 3).
 - *We invite comments, in particular, on possible demonstration projects.*
3. Improving EJ integration through program evaluation. Region 5 will track the benefits of integrated EJ work by the programs, and will report on these benefits in coordination with program reporting deadlines. Region 5 will also identify specific program areas where further actions to identify and address EJ concerns can contribute to the Agency’s mission.

In response to the EPA’s Office of Inspector General report, *EPA Needs to Conduct Environmental Justice Reviews of Its Programs, Policies, and Activities* (Sept. 18, 2006), EPA has developed protocols for conducting EJ reviews. An EJ review of a program, policy, or activity asks a series of questions, with two main objectives. The first is to identify the measures already in place to identify and address EJ concerns. The second is to identify opportunities to develop and implement more effective measures. Using these standard protocols, Region 5 will initiate and complete two EJ reviews during FY 2009. These reviews will focus on:

1. Identifying and addressing EJ concerns in air enforcement; and
2. Identifying and addressing EJ concerns in RCRA permitting.

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FY09 Robust-Results Oriented Activity

Description: Multi-media burden reduction projects

Region 5 will initiate at least one multi-media project, focused on a geographical area with EJ concerns related to multiple, disproportionate environmental and health burdens, to identify and address disproportionate environmental burdens. This project will demonstrate coordination across programs: enforcement; permitting; site remediation; and voluntary programs. It will also take a multi-media approach, addressing priority impacts on air, water and land so that risks are reduced across all exposure pathways. Finally, it will demonstrate coordination between Regions and the NPMs to make the full range of tools and expertise available, bolstered by partnership with state/local/tribal regulators, community groups, and other relevant stakeholders.

Specific workplans will be developed, and this Action Plan amended to include this additional information in the format below, as each project is selected.

Activities/ Resources/ /Partners	Output	Applicable Outcome Measure			Point of Contact
		Short-term (awareness)	Intermediate (behavior)	Long-term (condition)	
1. Identify stakeholders (partners). 2. Set priorities (using readily-available data and stakeholder input) 3. Identify targets for enforcement	1. Roster of partners; mailing list for interested parties. 2. Listing of priorities 3. Activities in workplan 4. Activities in workplan	Understanding of the environmental and human health issues; understanding of how to comprehensively approach these issues through resource coordination	Effective, replicable approaches to fostering collaboration are identified Effective, replicable program actions to address EJ concerns are	Measures of environmental improvement TBD, based on priorities and actions	Name/Org: Alan Walts, OECA Tel: (312) 353-8894 E-mail:

Activities/ Resources/ /Partners	Output	Applicable Outcome Measure			Point of Contact
		Short-term (awareness)	Intermediate (behavior)	Long-term (condition)	
<p>and compliance assurance.</p> <p>4. Identify activities for relevant voluntary programs</p> <p>5. Identify pending permits, site remediation actions, and other public participation opportunities</p>	5. Activities in workplan		identified		