



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

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OFFICE OF  
ENFORCEMENT AND  
COMPLIANCE ASSURANCE

**MEMORANDUM**

**Agency Statement on the Inspector General's Report on EPA's Environmental Justice Implementation**

The Environmental Protection Agency welcomes the Office of the Inspector General's attention to the vitally important issue of environmental justice.

The Agency takes special note of the Inspector General's finding that Office of Environmental Justice has changed from an office with "an emphasis on community outreach to an emphasis on integration of environmental justice concepts in the Agency's activities." The Agency agrees that the integration of environmental justice into the EPA's programs, policies, and activities has been and must continue to be a priority.

The Agency agrees with the Inspector General on the intent of Executive Order 12898 which is to address environmental justice concerns in minority and/or low-income populations. However, since the Executive Order has no force of law, these concerns must be addressed in the context of the existing environmental laws that EPA is required to enforce equally across the nation.

Moreover, the Agency does not accept the Inspector General's central and baseline assumption that environmental justice only applies to minority and/or low-income individuals. The EPA firmly believes that environmental justice belongs to all people, including those living in minority and/or low-income populations. All Americans, including minority and/or low-income residents, have a right to clean air, clean land, and clean water, and to have a meaningful say in the environmental decisions that affect them. These are basic rights that belong to all people, regardless of race or income.

The Agency believes the Inspector General's report reflects a mistaken interpretation of Executive Order 12898 by placing an emphasis on identifying communities based on race and/or income. Rather, the Executive Order instructs the Agency to identify and address the "disproportionately high and adverse human health and environmental effects of its programs, policies, and activities... [on minority and/or low income populations]." Therefore, EPA emphasizes the need to assess these human health and environmental impacts that may occur in any given geographic area of concern, and the use of the Agency's statutory authority to take actions to address environmental justice issues. In fact, the use of the law is emphasized in Section 1-101 of Executive Order 12898, which states, "To the greatest extent practicable and permitted by law, ..., each Federal agency shall make achieving environmental justice part of their mission..." (emphasis added) Also, the Presidential Memorandum accompanying the

Executive Order further underscored “certain provision(s) of existing law that can help ensure that all communities and persons across this Nation live in a safe and healthful environment.”

As a federal regulatory agency, the EPA takes its authority from existing environmental statutes and enforces these. Existing environmental laws direct the EPA to protect all people from significant environmental hazards and risks. Environmental justice, therefore, is an inherent part of the Agency's mission, and EPA continues to focus on identifying and addressing environmental and public health impacts using its statutory authority. Under existing [environmental laws](#), the Agency protects the environment and the health of all communities on the basis of their environmental conditions and needs, not on the demographic information (race or income) of a community. The Agency is keenly aware that minority and/or low-income populations are frequently confronted with disproportionate exposure to environmental harms and risks. As reflected in the environmental justice action plans of each EPA regional and program office, the Agency is addressing the environmental and/or public health issues in communities across the country, including low-income and minority communities.

While the Agency takes strong exception to certain findings and recommendations of the [Inspector General's report](#), other conclusions will enhance this already strong program. Specifically, the Agency has committed to:

- Increase the accountability of each office and region for the integration of environmental justice into its core programs, under the statutes and regulations that the Agency implements;
- Develop and apply environmental justice performance measures to each core activity, which will enhance the ability of offices to be accountable; and
- Conduct a comprehensive management study of program and regional offices' funding and staffing for environmental justice to ensure that adequate resources are available to fully implement the Agency's environmental justice action plans.

The EPA's environmental justice program will benefit from many of the Inspector General's suggestions regarding accountability, adequate resources, and results-based monitoring. These suggestions will aid the Agency in measuring progress and becoming more efficient as it continues to use its legal authority to integrate environmental justice into its day-to-day work.

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