

MEETING SUMMARY

of the

HEALTH AND RESEARCH SUBCOMMITTEE

of the

NATIONAL ENVIRONMENTAL JUSTICE ADVISORY COUNCIL

**April 15, 2004
New Orleans, Louisiana**

Meeting Summary Accepted By:

**Sam Williams
Co-Designated Federal Official**

**Pamela Kingfisher
Acting Chair**

**CHAPTER FIVE
MEETING OF THE
HEALTH AND RESEARCH SUBCOMMITTEE**

1.0 INTRODUCTION

The Health and Research Subcommittee of the National Environmental Justice Advisory Council (NEJAC) conducted a one-day meeting on Thursday, April 15, 2004, during a four-day meeting of the NEJAC in New Orleans, Louisiana. Ms. Pamela Kingfisher, Shining Waters, continues to serve as the acting chair of the subcommittee. Mr. Sam Williams, U.S. Environmental Protection Agency (EPA) Office of Research and Development (ORD), and Mr. Gary Carroll, EPA Office of Pollution Prevention and Toxics (OPPT), continue to serve as the Co-Designated Federal Officials (DFO) for the subcommittee. Exhibit 5-1 lists the members who attended the meeting and identifies those members who were unable to attend.

This chapter, which provides a summary of the deliberations of the Health and Research Subcommittee, is organized in five sections, including this *Introduction*. Section 2.0, *Remarks*, summarizes the opening remarks of the Co-DFO and the chair. Section 3.0, *Presentations and Reports*, provides an overview of each presentation provided and report discussed during the subcommittee meeting as well as a summary of major questions and comments from the subcommittee. Section 4.0, *Activities of the Subcommittee*, summarizes the activities of the subcommittee, including the discussion of the subcommittee's *Strategic Plan* and reports. Section 5.0, *Action Items*, identifies the action items adopted by the subcommittee.

2.0 REMARKS

Mr. Williams, Co-DFO of the Health and Research Subcommittee, opened the meeting by providing an overview of the guidelines of the NEJAC and the protocol to be followed during the subcommittee meeting. Mr. Williams indicated that the NEJAC was created in accordance with the requirements under Federal Advisory Committee Act (FACA) and that the subcommittee, as part of the NEJAC, must follow the same FACA requirements as the Executive Council of the NEJAC. Mr. Williams explained that although the meeting was open to the public, a public comment period was not scheduled for the subcommittee meeting. However, questions from the audience would be taken if time permitted. Mr. Williams also pointed out that the subcommittee meeting was being recorded and that a meeting summary would be prepared and made available to the public in the future. Mr. Williams announced that a revised subcommittee agenda was available and asked all members of the audience to sign in. Finally, Mr. Williams stated that Mr. Richard Garnas, EPA ORD, would be taking over as Co-DFO as the representative from ORD following the April 2004 meeting.

Ms. Kingfisher, acting chair of the Health and Research Subcommittee, welcomed the members of the subcommittee and the audience. Ms. Kingfisher indicated that since September 2003, members of the subcommittee had worked on the draft report titled, *Ensuring Risk Reduction in Communities with Multiple Stressors: Environmental Justice and Cumulative Risk/Impacts*, which was submitted in January 2004 to Mr. Charles Lee, Associate Director, EPA Office of Environmental Justice (OEJ), and DFO for the Executive Council of the NEJAC. Ms. Kingfisher encouraged the members of the subcommittee to provide comments on the draft report. Ms. Kingfisher provided a brief overview of the agenda and thanked Mr. Williams for his work as Co-DFO over the last year and for developing the meeting agenda. At the request of Ms. Kingfisher, the members of the subcommittee, presenters, and members of the audience introduced themselves.

Exhibit 5-1

HEALTH AND RESEARCH SUBCOMMITTEE
Members Who Attended the Meeting on April 15, 2004
Ms. Pamela Kingfisher, Acting Chair Mr. Sam Williams, Co-DFO
Ms. Mark Armentrout Ms. Valery Jo Bradley Ms. Jan Marie Fritz Mr. Walter Handy Ms. Lori Kaplan Ms. Laura Luster Mr. Mark Mitchell
Members Who Were Unable To Attend
Mr. Gary Carroll, Co-DFO Mr. Richard Gragg Ms. Dorothy Powell

3.0 PRESENTATIONS AND REPORTS

This section provides a summary of the presentations provided to and reports discussed with the members of the Health and Research Subcommittee. Presentations were provided by EPA personnel representing ORD and OPPT, the two EPA offices that sponsor the Health and Research Subcommittee. A panel discussion also was conducted with community members who discussed environmental and health threats in Mossville, Louisiana.

3.1 Health and Research Activities of EPA ORD

Mr. Williams provided an update on ORD's health and research activities. He began by stating that ORD is composed of approximately 1,950 employees working in 13 laboratories and various research facilities across the United States. Mr. Williams explained the primary mission and activities of ORD as follows:

- The primary mission of ORD is to provide credible, relevant, and timely research results and technical support to inform EPA policy decisions.
- ORD makes decisions that are "scientifically sound" using relevant, high-quality, and cutting-edge research in the areas of human health, ecology, pollution control and prevention, and economics.
- ORD ensures proper characterization of scientific findings and the appropriate use of science in EPA's decision-making process.
- ORD also uses computational toxicology, which is the integration of modern computing and information technology with molecular biology and chemistry. The objectives of computational toxicology are to (1) improve linkages among environmental release data, fate and transport data, exposure data, health effect data, and data regarding adverse outcomes; (2) provide predictive models that can be used for screening and testing; and (3) enhance quantitative risk assessments, particularly in terms of being able to use risk assessments as predictive tools while also meeting the specific needs of EPA program and regional offices.

During his presentation, Mr. Williams explained that ORD has several ongoing, high-priority research projects involving human health, particulate matter, drinking water, clean water, global change, endocrine disruptors, ecological risk, pollution prevention, and homeland security. As part of these projects, ORD also is identifying susceptible subpopulations. Susceptible subpopulations are those populations (for example, children and older adults) within a group who are differentially affected by exposure to environmental pollutants.

Mr. Williams explained that the major goals of ORD are to identify and determine the basis for the health effects of environmental pollutants on susceptible subpopulations and to develop tools that can be used to predict how these subpopulations will respond to various environmental pollutants.

Mr. Williams went on to explain that ORD also is focusing research on EPA's Border 2012 Program. The goal of the Border 2012 Program is to reduce the highest public health risks and to preserve and restore the natural environment along the U.S.-Mexico border. Examples of work done under the Border 2012 Program include lead surveillance in several border communities, introduction of folic acid supplement programs for women to reduce the risk of birth defects, and assessment of transboundary transport of air emissions originating in Mexico. Currently, ORD is working on Border 2012 Program projects that address children's health issues, such as respiratory health, asthma cases resulting from air pollution, and multipathway and multipesticide exposures.

Mr. Williams also provided an update on ORD's multiyear plans for research projects over a five- to eight-year time frame. The multiyear plans are living documents that focus on key research questions and significant outputs, communicate the direction of ORD's research program both internally and externally, and demonstrate how ORD's research programs contribute to EPA's goals. Exhibit 5-2 provides a list of web sites on how to get additional information on ORD research and upcoming activities.

Exhibit 5-2

Following Mr. Williams' presentation, members of the subcommittee asked whether ORD's research process provides opportunities for public comment. EPA ORD staff members explained that all ORD research undergoes a review process by a review board and that public comment periods are part of that process. The Board of Scientific Counselors, an independent advisory board, provides advice to EPA on matters related to research.

3.2 Environmental Justice Priorities and Activities of EPA Office of Prevention, Pesticides, and Toxic Substances

Mr. Bryan Symmes, Associate Director, National Program Chemicals Division, EPA Office of Prevention, Pesticides, and Toxic Substances (OPPTS), provided information on OPPTS' research priorities and activities related to environmental justice issues. OPPTS is composed of three offices, which include OPPT, the Office of Pesticide Program (OPP), and the Office of Science Coordination and Policy (OSCP). OPPTS' goal related to environmental justice is "to achieve environmental justice by decreasing the burden of environmental risk to all communities by promoting pollution prevention, safer chemicals, and reduced chemical exposures." Mr. Symmes explained that to accomplish this goal, OPPTS developed an *Environmental Justice Action Plan* that includes the following key commitments:

- Further incorporate environmental justice principles in all program areas
- Provide training to all personnel in order to impart a basic knowledge of the principles of environmental justice (The goal is to train 25 percent of OPPTS employees within two years and all employees eventually.)
- Set expectations for staff and management
- Incorporate specific objectives and activities into divisional work plans
- Ensure effective public participation processes

**FOR ADDITIONAL INFORMATION ON THE U.S.
ENVIRONMENTAL PROTECTION AGENCY (EPA)
OFFICE OF RESEARCH AND DEVELOPMENT'S (ORD)
RESEARCH ACTIVITIES**

Border 2012 Program

- Environmental Health Workgroup Home Page:
<http://www.epa.gov/orsearch/index.html>
- EPA's Border 2012 and the Centers for Disease Control and Prevention's Public Health Tracking Home Page:
www.cdc.gov/tracking/

Multiyear Plans

- Synopses of ORD's multiyear plans can be obtained from the web site: www.epa.gov/osp/

Science Inventory

- Agency-wide database of 4,000 scientific and technical work products on EPA's science activities:
www.epa.gov/si/

Science of Environmental Justice Workshop

- May 25 and 26, 2004, Boston University, George Sherman Union, Boston, Massachusetts
www.namsinc.org/EJWorkshop/

EPA Science Forum 2004

- June 1 through 3, 2004, Mandarin Oriental Hotel, Washington, DC
<http://www.epa.gov/ord/scienceforum/2004/index.htm>

According to Mr. Symmes, OPPTS expects that its action plan will assist EPA in being proactive and in making every effort to identify areas where risks are disproportionate. Also, where pollution prevention is not possible, OPPTS will take appropriate steps to minimize or eliminate unreasonable environmental risks.

Mr. Symmes pointed out that EPA will “hold management accountable” for carrying out the objectives and activities specified in the action plan. Managers and environmental justice coordinators and teams have been designated, and they are accountable for ensuring that employee training is conducted and that principles of environmental justice are incorporated into program initiatives. Mr. Symmes stated that OPPTS is facing challenges in trying to actively involve stakeholders and in making its operations “transparent.” To facilitate stakeholder input at OPPTS, the following groups have been created (in addition to the Health and Research Subcommittee of the NEJAC) and efforts have been made:

- Environmental Justice Coordinating Council
- Environmental Justice Team
- National Pollution Prevention and Toxics Advisory Committee
- Forum on State and Tribal Toxics Action
- National Pollution Prevention Roundtable

Mr. Symmes also provided an overview of other components of the OPPTS *Environmental Justice Action Plan*, including review of registration and re-registration processes for pesticides; worker protection standard improvements; the Hispanic Radio Network, which will provide information in Spanish for the Hispanic community; environmental justice brown bags for OPPTS staff; small environmental justice grants for communities; and improvement of integrated pest management (IPM) practices in both rural and urban schools. In addition to IPM, OPPTS is looking at issues related to lead and asbestos in schools. Mr. Symmes indicated that asbestos is a re-emerging priority for the Agency.

The Health and Research Subcommittee discussed integration of environmental justice principles into OPPTS programs. The discussion focused on the lack of or diminished attention to principles of environmental justice in the day-to-day program activities of OPPTS. During the discussion, OPPTS personnel expressed interest in obtaining suggestions from the subcommittee on ways to integrate principles of environmental justice into their programs, especially programs related to research. OPPTS personnel also asked for ideas and suggestions about ways that EPA can better engage communities, states, and tribes.

Mr. Mark Mitchell, President, Connecticut Coalition for Environmental Justice and member of the Health and Research Subcommittee, asked about testing and reporting of high-production-volume (HPV) chemicals. Mr. Symmes explained that all HPV chemicals are regulated by the Toxic Substances Control Act (TSCA). Mr. Symmes indicated that OPPTS is working on basic screening levels for such chemicals and has determined through the Voluntary Children’s Program that a small number (about 20 to 30) of these chemicals cause developmental effects in children. Mr. Symmes stated that industry is providing data on the toxicity of HPV chemicals and that EPA is working on providing the data to the public. Mr. Symmes agreed to provide a list of the chemicals to Mr. Mitchell.

Exhibit 5-3 contains information about the HPV chemical testing program.

Exhibit 5-3

Mr. Mitchell also asked Mr. Symmes how to obtain funding for lead programs on the local level, pointing out that there are Federal funding programs but no local ones. Mr. Mitchell went on to say that information is needed to educate local communities about lead poisoning. Mr. Symmes replied that OPPTS has relevant outreach programs but that data needs to be gathered on the effectiveness of those programs. Mr. Symmes indicated that OPPTS needs input on outlining a “new direction” for the lead program.

Ms. Artensie Flowers, Environmental Justice Coordinator, EPA OPP, provided an update on some of the activities of OPP. Ms. Flowers indicated that as part of OPPTS’ action plan OPP is conducting IPM in schools in rural areas and in New York City. OPP successfully completed IPM in all the schools in Auburn, Alabama, and is planning IPM initiatives in Texas. OPP also is in the process of preparing the scope of work (SOW) for the OPP Environmental Justice Small Grants Program. OPP plans to award a grant to one community group in each EPA region in the amount of \$15,000. The objective for the environmental justice small grants is to provide education on safe use of pesticides in residential areas, safety information for people working with pesticides, and information on illegal uses of pesticides. Ms. Flowers expressed an interest in having the members of the Health and Research Subcommittee provide assistance to OPP in writing the SOW for the Environmental Justice Small Grants Program request for proposals. Mr. Mitchell indicated that some community groups are locked out of small grants programs if the groups are affiliated with larger organizations. Mr. Mitchell went on to say that in Connecticut, community groups are associated with state programs so that the groups can receive funding from the state.

Ms. Jan Marie Fritz, Associate Professor of Planning and Health Policy, University of Cincinnati and member of the Health and Research Subcommittee, commented that OPP should consider reducing the grant award amounts to \$5,000 in order to reach more community groups. She added that community groups often can “make a little go a long way.” Mr. Marty Halper, Senior Science Advisor, EPA OEJ, indicated that OEJ often uses discretionary funds to supplement small grants that already have been awarded to community groups. Ms. Flowers indicated that the OEJ Small Grants Program is being used as the model for OPP’s Environmental Justice Small Grants Program.

Shifting focus to another area of concern, Ms. Bradley asked which office of EPA was addressing air sampling issues in lower Manhattan, New York, as a result of the terrorist attack of September 11, 2001. Ms. Bradley indicated that odors were present there up to two weeks after the tragedy. She also pointed out that air sampling immediately following the tragedy was focused on the lower Manhattan area; although surrounding communities were affected, attention was not given to those areas. Mr. Symmes replied that OPPTS was not involved in air sampling issues in lower Manhattan; however, he indicated that he would find out who Ms. Bradley should contact about her concerns.

Mr. Symmes also indicated that the OPPTS Exposure Assessment Branch is working to develop Internet access tools, and a “how-to screening manual” is scheduled to be published soon. These tools are designed to assist communities in understanding and prioritizing health risks. Mr. Henry Topper, OPPT,

HIGH-PRODUCTION-VOLUME (HPV) CHEMICAL TESTING PROGRAM

HPV chemicals are those chemicals that are produced in or imported into the United States in quantities that exceed 1 million pounds per year. The HPV chemical testing program was developed by the U.S. Environmental Protection Agency (EPA) in consultation with the Environmental Defense Fund and the Chemical Manufacturers Association. The objective of the HPV chemical testing program is for the chemical industry to generate a complete set of baseline health and environmental effect data on chemicals for which no data is available and to make currently available data accessible to the public.

Thus far, the HPV chemical testing program includes

- 2,167 chemicals
- 333 manufacturers of chemicals
- 97 consortia of companies
- As of October 2003, data on 1,081 chemicals submitted to EPA by the chemical manufacturers and consortia
- Of the 1,081 chemicals for which data has been submitted, there are 928 chemicals in 96 different categories and 153 individual chemicals

explained that the Risk Screening Environmental Indicators Tool provides toxic release inventory information for large facilities, and the National Air Toxics Assessment can provide risk information based on the census tracts of the U.S. Bureau of the Census. Mr. Topper said that he would provide Mr. Williams with the Internet web site addresses for these screening tools.

Lastly, the members of the Health and Research Subcommittee and OPPT personnel discussed the need to decide how the subcommittee could provide assistance to EPA in integrating principles of environmental justice and issues of susceptibility and vulnerability into OPPT activities and in targeting risk reduction efforts. In particular, Mr. Topper indicated that OPPT needs assistance in incorporating vulnerability elements into the Community Action for Renewed Environmental (CARE) Grants Program.

Mr. Symmes added that for some programs, such as those addressing exposure to mercury and lead, EPA is coordinating with other Federal agencies, such as the Centers for Disease Control and Prevention (CDC). Finally, Mr. Symmes discussed areas in which OPPTS would like further feedback and comments from the NEJAC. Those areas include tribal strategy development, greater stakeholder involvement, and mercury and lead research and programs.

3.3 Research to Empower Communities to Participate More Effectively in Environmental Cleanups

Dr. Kevin Garrahan, Ph.D., EPA ORD, provided information on EPA's research efforts to empower communities to participate more effectively in environmental cleanups. This initiative originated in 2001 during the review process for the National Research Council report titled *Risk Management Strategy for PCB-Contaminated Sediments*. In its review comments, EPA recommended that risk communication research be included in the risk management strategy for contaminated sediments.

EPA's ultimate objective is to develop improved methods, models, and research approaches that include meaningful participation by community members. To achieve this objective, ORD solicited research proposals in June 2002 and received 27 responses. ORD awarded two research grants based on the proposals received: (1) a grant of \$175,000 was awarded to Michigan State University (MSU) and (2) a \$375,000 grant was awarded to the Social and Environmental Research Institute (SERI).

The MSU study is designed to evaluate the effectiveness of public issue forums as a means of enhancing the involvement of "ordinary" citizens in decision-making. The study is expected to last two years and will examine how resident participation changes pre-existing attitudes, knowledge, and choices; it also will identify the strengths and weaknesses of public forums. The MSU study is being conducted in two phases. During Phase I of the study, a guide will be developed for a site to describe conditions and several cleanup options. During Phase II of the study, the guide will be used in focus groups made up of unaligned citizens to determine the usefulness of the guide to the citizens in making informed choices. Dr. Garrahan indicated that the public issue forums will be conducted throughout the study to determine whether the choices of the community members have changed. Dr. Garrahan explained that the status of the MSU study as of April 2004 was as follows:

- MSU has evaluated several candidate sites and selected the Tittabawasee River in Michigan; the site selected has contaminated sediments, unaligned citizens and environmental justice concerns and is in the early stages of the cleanup process.
- MSU has developed an interview guide.
- MSU has interviewed state officials; interviews with EPA and Dow Chemical personnel are pending.

The SERI study is titled *A Comparative Analysis of Three Tools to Evaluate Community Involvement*, and its goal is to evaluate the usefulness of three tools that measure community preferences and the effectiveness of community involvement: questionnaires, focus groups, and "Q" methodology. The "Q" methodology is a process in which statements are assigned values and are subsequently ranked and

sorted based on the values assigned. The objectives of the SERI study are to (1) develop and apply three real-time methods to measure community preferences for cleanup methods and satisfaction with the community involvement process and (2) identify strengths, weaknesses, and the best context for each tool. The SERI research study has three phases. Phase I involves selecting a case study site, gathering background information by interviewing stakeholders, developing criteria for success, selecting an advisory panel, developing and applying the three methods of measuring community preferences and satisfaction, and evaluating the results. During Phase II of the study, SERI will select a second case study site and repeat the Phase I tasks for that site. Phase III will entail comparing the results of the two case studies and identifying the strengths and weaknesses of each tool. Dr. Garrahan indicated that the status of the SERI study as of April 2004 was as follows:

- SERI has evaluated several candidate sites and selected the Ciba-Geigy site in Toms River, New Jersey; the site selected has contaminated sediments, has environmental justice concerns, and is in the early stages of the cleanup process.
- SERI is preparing to interview stakeholders.

During the discussion following Dr. Garrahan's presentation, he indicated that one of the challenges encountered in the studies was the selection of case study sites with similar issues. Mr. Kyle Bryant, Special Consultant, Community-Tribal Subcommittee (CTS), Agency for Toxic Substances and Disease Registry (ATSDR), asked whether different learning styles, such as the Meyers-Briggs and True Colors styles of learning, were factored into the methods for measuring community involvement, as opinions obtained can be based on learning styles. Dr. Garrahan replied that different learning styles form one of the issues that the studies are designed to evaluate; therefore, different learning styles are factored into the measures to obtain community involvement. Exhibit 5-4 contains contact information for the MSU and SERI research studies.

3.4 Overview of EPA's Draft Report on the Environment, Human Health Chapter

Ms. Rebecca Calderon, Acting Division Director, Human Studies Division, EPA ORD, informed the members of the subcommittee about the process and approach that ORD used to develop the *Draft Report on the Environment Technical Document, Human Health Chapter*, as well as the feedback that ORD obtained on the document during a review process by the Agency's Science Advisory Board. Ms. Calderon indicated that ORD was tasked to prepare the report by former EPA Administrator, Governor Christine Todd Whitman. The draft report contains information on four topics: air, land, human health, and the environment. The draft report discusses national environmental conditions and trends and, where possible, their effects on human health and the environment. It also discusses environmental measures and indicators and the challenges that the United States faces with respect to improving those measures and indicators. Ms. Calderon pointed out that EPA is not a health agency; therefore, it faces the challenge of having to rely on health data reported by others. EPA's ultimate goal is to have health data available on a web site where individuals can quickly access information that is relevant to their health issues.

Exhibit 5-4

**U.S. ENVIRONMENTAL PROTECTION (EPA)
OFFICE OF RESEARCH AND DEVELOPMENT (ORD)
RESEARCH GRANTS**

EPA ORD awarded two research grants in 2002 to develop methods, models, and research approaches that include meaningful participation by community members related to risk management strategies for PCB-contaminated sediments. Included below are the points of contact for each grant.

Public Issues Forums as a Mechanism for Empowering Communities in Environmental Cleanups by Michigan State University

Principal Investigator: Dr. JoAnn Beckwith
Phone Number: (517) 432-7733

A Comparative Analysis of Three Tools to Evaluate Community Involvement by Social and Environmental Research Institute

Principal Investigator: Dr. Seth Tuler
Phone Number: (413) 387-9320

Ms. Calderon's presentation focused on the human health chapter of the draft report. The goals for the human health chapter were to determine how human health is measured, the causes of death, susceptible populations, and emerging issues facing human health. To achieve the goals set forth for the chapter, ORD evaluated three case studies in which indicators were used to determine the links between health effects and the environment.

The human health chapter concludes that the health of the U.S. population is generally good and is improving, life expectancy has increased, and infant mortality has decreased but is still among the highest for developed countries. Also, the death rates for cancer, heart disease, and strokes are declining. Ms. Calderon noted that the increase in life expectancy may be affected in the future by high obesity rates in the United States. The chapter also concludes that susceptibility varies from person to person and that issues other than the indicator exposures may have an effect on health. Some of these other issues or factors include genetics, age, lifestyle, and general health.

Ms. Calderon urged the members of the subcommittee to keep in mind that many studies have demonstrated an association between environmental exposures and diseases or health problems; however, she said, "association" is not the same as "cause and effect." Ms. Calderon went on to say that factors such as race and ethnicity were not included in the study. Also, environmental justice issues were not included in the study because there was no consensus among the ORD staff members working on the project on how to integrate principles of environmental justice in the report.

The Science Advisory Board reviewed the human health chapter of the draft report and provided recommendations, including the following:

- Criteria for environmental data and disease have a specific bias for acute effects; therefore, focus more on chronic effects
- Include more discussion of the relationship between disease and air, land, and water, particularly with respect to causality
- Expand the discussion of susceptibility with respect to the elderly, gender, and genetics
- Include diet as part of exposure
- Look further at linkages between health and ecosystems
- Include an examination of environmental justice issues

Ms. Calderon indicated that although the draft report on the environment will not be finalized, another report on the environment will be prepared and is expected to be completed in January 2006. The next report will attempt to address some of the challenges faced in developing the current draft report. Some challenges for the next report involve the need to be "all things to all people;" clarification of the primary intent and audience of the report; mortality versus morbidity; and the relationships among national, regional, and state communities.

ORD anticipates that the human health chapter of the next report on the environment will include better explanations of linkages, innovative methodologies, accountability, and sensitive subpopulations; more case studies; better integration of issues related to air, land, and water; and the results of partnering with other agencies and institutions, such as CDC's Environmental Public Health Tracking Network and the National Children's Study.

At the end of the presentation, Ms. Calderon answered questions from members of the Health and Research Subcommittee. Several members were concerned that the report is a draft and is not expected to be finalized. Members also asked whether there was a press release notifying the public

of the availability of the draft report and whether there was a public comment period to obtain feedback on the draft report. Members also asked about the usefulness of a draft report and why the report was not going to be finalized. Ms. Calderon explained that a press release was issued to notify the public of the availability of the draft report, and EPA obtained feedback from the public primarily through the Science Advisory Board and academia. She also explained that a report that provides information on health issues is valuable regardless of whether the report is “draft” or “final.” Ms. Calderon indicated that although the report is a draft, it does not contain the disclaimer “do not cite or quote.”

Members of the Health and Research Subcommittee and Ms. Calderon then discussed ways that the subcommittee could become involved in the review process for EPA’s *Draft Report on the Environment* Technical Document that is scheduled to be released in January 2006 as well as additional components that could be added to the January 2006 report. These components include principles of environmental justice indicators such as ethnicity and socioeconomic factors along with mechanisms to engage states, tribes, and communities in the preparation of the report. Mr. Walter Handy, Assistant Commissioner, Cincinnati Department of Health and member of the Health and Research Subcommittee, asked whether a discussion of cumulative risks will be included in the January 2006 report. Ms. Calderon indicated that the discussion of exposures will likely be expanded and that a discussion of cumulative risk as it relates to regulatory programs will be added. Mr. Handy expressed concern about cumulative risk having an impact on regulatory decision-making. For example, he said, Mossville is exposed to permitted releases that are affecting the community.

The members of the subcommittee expressed interest in obtaining regular updates on the progress of the draft report. Ms. Calderon agreed to discuss the subcommittee’s request to be included in the review process for the draft report with ORD, and she will notify the subcommittee of ORD’s response through Mr. Williams.

3.5 Mossville: What Worked, What Did Not Work, and What the Community Learned

Ms. Eranica Jackson, Representative, Mossville Environmental Action Now (MEAN); Ms. Monique Harden, Co-Director and Attorney, Advocate for Environmental Human Rights; and Ms. Wilma Subra, Representative, Louisiana Environmental Action Network (LEAN), provided an overview of issues facing the community of Mossville, Louisiana. The presentation focused on the historical challenges that community members have faced in their attempts for Federal agencies to address health issues as well as the successes that the community has achieved in creating awareness of the issues despite the continued permitted and nonpermitted air emissions that still affect the Mossville community.

Ms. Jackson said that in 1998, at the urging of MEAN, local residents, and environmental organizations, ATSDR collected blood samples from 28 Mossville residents for dioxin analysis. In April 1999, analytical results for the blood samples indicated that the dioxin concentrations in the blood of Mossville residents were two to three times higher than the national average for the general public. In May 2000, MEAN first reported to the NEJAC about the issues facing residents of Mossville, particularly the lack of response that Mossville received from EPA, ATSDR, and the Louisiana Department of Environmental Quality (DEQ) about the high levels of dioxins in residents’ blood. The high levels of dioxins are attributed to local sources of exposure. Ms. Jackson also noted that because of the large number of industrial facilities in the area, dioxins probably are not the only contaminants to which Mossville residents are exposed.

Ms. Jackson indicated that MEAN urged the appropriate government agencies to work with Mossville residents to accomplish:

- Reduce industrial pollution
- Clean up contaminated areas in the Mossville community
- Assist residents in obtaining health services to address the contaminants to which they are exposed

- Assist consenting residents with relocation

Despite the community's urging, its recommendations and requests were rejected by both state and Federal agencies. Subsequently, MEAN gained support from the NEJAC as well as numerous environmental justice organizations and health advocates. These parties assisted MEAN in demanding that agencies take action to address the environmental and health protection needs of Mossville residents. As a result, ATSDR took the lead in addressing the dioxin crisis in Mossville; however, Mossville residents believe that ATSDR has not acted in accordance with the Executive order on environmental justice. In particular, Mossville residents believe that they have not been afforded meaningful participation in activities of ATSDR related to the Mossville situation. Ms. Jackson went on to say that ATSDR has shown a pattern of delays and of cancelling meetings with Mossville residents. Most troubling to the residents, however, was ATSDR's attempts to mislead them by proclaiming that based on a new study, local blood levels of dioxins had decreased below the national average.

Ms. Jackson further explained that ATSDR had conducted two studies. One was a follow-up to the 1998 study in Mossville, and the other was a new study in Calcasieu Parish that included few or possibly none of Mossville's residents. (Mossville is located in Calcasieu Parish.) The new study in Calcasieu Parish indicated that blood levels of dioxins were below the national average. Ms. Jackson went on to say that ATSDR sided with industry representatives in saying that dioxins are not a problem in Calcasieu Parish; however, no information was provided to indicate that dioxins remained a problem in Mossville. As a result, MEAN took on the responsibility of educating the public about the misconception and the misleading information about dioxin exposure. Ms. Jackson explained that in fall 2003, ATSDR was to release a report summarizing the results of the two studies; however, as of April 2004, the report had not yet been released.

Therefore, MEAN recommended that the Health and Research Subcommittee of the NEJAC contact ATSDR and ask it to provide information that Dr. Henry Faulk, Deputy Administrator of ATSDR, promised to Mossville residents. This information includes a PowerPoint presentation on the Mossville follow-up study preliminary test results and information regarding contaminant levels required to justify resident relocation. MEAN also requested that the subcommittee help Mossville residents to obtain meaningful participation in ATSDR investigations of the community. According to Ms. Jackson, ATSDR currently is conducting a study of a vinyl plant owned by Georgia Gulf. MEAN has requested that ATSDR include the Mossville community in the research efforts; however, the community has not been allowed to participate in a meaningful way to date. In her closing statements, Ms. Jackson acknowledged and thanked Dr. Reuben Warren, Urban Affairs Office, ATSDR, for the support that he has provided to the local health clinic in Mossville.

Ms. Subra then gave a presentation on the community-based air toxics initiatives in Mossville, Louisiana. The presentation focused on five issues: fugitive emissions, ambient air concentrations exceeding regulatory criteria, ambient air monitoring programs that fail to analyze for released chemicals, frequent accidental releases and upset conditions, and excessive flaring. Ms. Subra was part of the NEJAC Work Group on Cumulative Risk and has worked with the Mossville community and Calcasieu Parish since 1997.

In her presentation, Ms. Subra indicated that although data from local industry indicates that pollutant release rates are declining, they actually are increasing. Contaminants of concern in the Calcasieu Parish include volatile organic compounds (VOC) such as vinyl chloride; trichloroethylene; 1,2-dichloroethane; and chloroform. Two of the major problems are fugitive emissions and accidental releases. Fugitive emissions are leaks from valves and other nonregulated or unmonitored areas rather than releases from stacks. Often fugitive emissions are closer to communities and have greater effects on them. Accidental releases are not illegal, Ms. Subra stated, as long as they are reported. Ms. Subra stated that the concentrations of 1,2-dichloroethane in Calcasieu Parish were higher than anywhere else in the nation. As a result, in 1996 and 1998, the community conducted its own studies; it was able to

document that the VOC concentrations in ambient air in the community were above the national average. EPA subsequently took the data to local industry and made the facilities take steps to reduce air emissions. Because of community involvement, air monitoring stations were placed in Calcasieu Parish, and monitoring is conducted every six days for a 24-hour period. This monitoring has indicated that concentration of VOCs in ambient air have decreased in Calcasieu Parish, but Ms. Subra explained that the data is misleading. She pointed out that local industry knows the monitoring cycle and ensures that releases do not occur on the day when monitoring occurs. However, on the days when monitoring does not occur, there are accidental releases. Because accidental releases are reported but not regulated, the contaminants released into ambient air continue to magnify exposure in the community and represent a cumulative risk issue. Ms. Subra also indicated that work needs to be done to determine whether exposure occurs during sampling as well as to identify the best days for sampling. She also said that more emphasis be given to selecting proper background sampling locations.

Finally, Ms. Harden discussed the concerns of Mossville residents regarding meaningful community participation, particularly participation in ATSDR-led activities. Ms. Harden expressed concern about ATSDR's continued lack of responsiveness to the Mossville community. Ms. Harden requested that the Health and Research Subcommittee assist the local community in becoming involved in meaningful ways in ATSDR's ongoing investigations of Mossville. Ms. Harden indicated that MEAN also is interested in information regarding ATSDR's relocation policy in general and particularly with respect to contaminant concentrations and conditions that would trigger relocation efforts. Ms. Harden indicated that under the leadership of Mr. Jerry Clifford, former Deputy Regional Administrator of EPA Region 6, quarterly meetings were held to inform Mossville residents and discuss their concerns. Ms. Harden went on to say that it was under Mr. Clifford's leadership that air monitoring began in the Mossville community; however, there have been staff changes at EPA, and the Mossville community is not receiving the type of Agency support or involvement that it formerly did.

Following the presentation, Ms. Kingfisher indicated that the NEJAC is not tired of hearing from Mossville but rather is tired of the lack of action and change. Ms. Kingfisher further stated that the Health and Research Subcommittee is committed to helping Mossville residents. Ms. Valery Jo Bradley, Executive Director, Mount Morris Park Community Improvement Association and member of Health and Research Subcommittee, asked what the subcommittee could do to get EPA to support Mossville. Mr. Mike Callahan, Scientist, EPA Region 6, indicated that he would talk with Mr. Larry Starfield, Deputy Regional Administrator, EPA Region 6, about the issues facing the Mossville community. Ms. Harden indicated that there were several things that EPA could do in the short term to help the community, including:

- Resuming the quarterly meetings to discuss monitoring and enforcement
- Preparing newsletters to keep the community informed
- Conducting public or small group meetings
- Encouraging ATSDR to discuss its dioxin testing with the community

Ms. Harden indicated that simply stated, the community needs to be at the table providing advice on issues affecting it.

After a brief break, Ms. Kingfisher announced that Mr. James Tullos, National Center for Environmental Health, ATSDR, was present and that he had contacted his agency and communicated the issues brought up during the Mossville discussion. She said that Mr. Tullos indicated that the information will be transferred to the persons within ATSDR who are directly responsible for addressing the issues. It was agreed that the Health and Research Subcommittee will contact MEAN to provide an update. Ms. Kingfisher indicated that the subcommittee will "take Mossville under its wings;" however, the subcommittee cannot be a "go between" for Mossville and ATSDR. Mr. Tullos indicated that he will stay in contact with the subcommittee regarding issues facing the Mossville community.

4.0 ACTIVITIES OF THE SUBCOMMITTEE

This section discusses the activities of the Health and Research Subcommittee, the draft document *Ensuring Risk Reduction in Communities with Multiple Stressors: Environmental Justice and Cumulative Risk/Impacts*; and the subcommittee's *Strategic Plan* for 2005 and 2006.

4.1 Discussion of *Ensuring Risk Reduction in Communities with Multiple Stressors: Environmental Justice and Cumulative Risk/Impacts*

The members of the subcommittee discussed the draft report titled *Ensuring Risk Reduction in Communities with Multiple Stressors: Environmental Justice and Cumulative Risk/Impacts* (cumulative risk report), which was prepared by the Cumulative Risk/Impact Work Group of the NEJAC. In particular, the members discussed the need to clarify terminology used in the report (such as "research" and "community-based research") to make sure that it is understood by those reading the report. Ms. Fritz indicated that definitions for and differentiation between "participatory" and "collaborative" research and "qualitative" and "quantitative" research are needed in the cumulative risk report. The members of the subcommittee discussed drafting a letter to the Work Group, that would outline specific concerns and recommendations regarding the draft report.

In addition, the members of the subcommittee invited representatives of ATSDR and the Community-Tribal Subcommittee of ATSDR to participate in future subcommittee meetings and conference calls in order to provide input on ongoing environmental justice research. The discussion focused on how to effectively collaborate on health issues and how to make this collaboration an ongoing activity of the Health and Research Subcommittee and the ATSDR's advisory committee. The Health and Research Subcommittee members were invited to join monthly conference calls held by the Community-Tribal Subcommittee of ATSDR. The members of the Health and Research Subcommittee encouraged members of the Community-Tribal Subcommittee to provide comments on the draft cumulative risk report during the 30-day comment period. Ms. Kingfisher thanked ATSDR, especially Mr. Jamie Purvis, for providing support to the Health and Research Subcommittee during summer and fall 2003.

4.2 The Health and Research Subcommittee *Strategic Plan* for 2005 and 2006

Members of the subcommittee discussed the subcommittee's *Strategic Plan* for 2005 and 2006. The members of the subcommittee indicated that several activities in the current plan have been accomplished and that this should be reflected in the new plan. Items that will be included in the *Strategic Plan* for 2005 and 2006 include reviewing documents and providing technical support for ORD and OPPTS.

Ms. Kingfisher recognized Ms. Brenda Washington, EPA ORD, for her work in helping to coordinate the activities of the Health and Research Subcommittee. Ms. Kingfisher went on to explain that the terms for many of the subcommittee members expire at the end of December 2004. Ms. Kingfisher took a poll of the current subcommittee members to find out which of the members are interested in serving another term. Subcommittee members who are interested in serving another term include Mr. Mitchell, Mr. Handy, Ms. Laura Luster, Mr. Fritz, and Ms. Lori Kaplan. Ms. Laura Luster, Program Manager, Training and Community Development, Luster National, Inc. and members of the Health and Research Subcommittee, suggested that youth be a factor in selecting new members for the subcommittee. Ms. Luster went on to say that younger people will bring energy to the subcommittee. Ms. Fritz indicated that an Alaskan Native also should be considered. Ms. Lori Kaplan, Commissioner, Indiana Department of Environmental Management and members of the Health and Research Subcommittee, added that someone with a background in children's issues also should be considered. Mr. Williams indicated that the current members of the subcommittee should provide nominations for new members because the subcommittee needs a balance of persons with different skills and organizational backgrounds. Mr. Williams added that he and Mr. Garnas will meet with Ms. Victoria Robinson, NEJAC National Program

Manager, EPA OEJ, to discuss selection of new subcommittee members in accordance with FACA guidelines.

Ms. Kingfisher also indicated that for the Health and Research Subcommittee to be successful, support is needed from its EPA sponsor agencies, ORD and OPPTS. She mentioned that administrative support is needed for such activities as preparing meeting minutes, tracking action items and assignments, and coordinating communication with EPA program offices. She also commented that an extra telephone call with the Co-DFOs is needed before subcommittee meetings. Ms. Kingfisher thanked Mr. Williams for his efforts in putting the current meeting together and for his support to the Health and Research Subcommittee. She also thanked the audience and presenters for attending the meeting.

5.0 ACTION ITEMS

This section summarizes the action items adopted by the subcommittee.

- T Prepare a “white paper” on efforts being undertaken by state and Federal agencies to incorporate environmental justice indicators into their research. The paper will be shared with ORD. The Health and Research Subcommittee also will recommend that the Executive Council review the white paper and discuss ways that the NEJAC can influence the inclusion of environmental justice indicators in future research conducted by EPA.
- T Develop guidelines for conducting research, especially community-based participatory research, that researchers and communities can use. Existing similar documents of this nature developed by Federal agencies, such as the National Center for Environmental Health, will be consulted as resources in developing the guidelines.
- T Assist ORD in making environmental justice principles a focused element of its multiyear plan. The multiyear plan discusses environmental justice issues in a broad sense; however, specific issues related to environmental justice principles are not identified. The subcommittee also will focus on identifying vulnerability elements in the multiyear plan.
- T Review ORD research grants and explore ways that research grants, specifically small grants, can be used to effectively engage communities, states, and tribes.
- T Provide advice to the OPP Environmental Justice Small Grants Program regarding how the program can be used to engage communities, states, and tribes. The subcommittee also agreed to review the program SOW and request for proposals and to be included in future document reviews as needed.
- T Help OPPTS determine a new direction for the lead program.
- T Assist OPPTS by reviewing the CARE Grants Program to provide information for the targeting of risk reduction efforts in CARE communities. The subcommittee also will assist in identifying ways to incorporate vulnerability elements into OPPTS activities.
- T Follow up with MEAN and the Mossville community regarding efforts to re-establish a dialogue between ATSDR and the community.