

1. Introduction and summary

- A. Briefly describe EO 12898, “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations,” etc.

The U.S. Environmental Protection Agency (EPA), Region 2, has performed an Environmental Justice (EJ) analysis in accordance with the President’s Executive Order 12898 “Federal Actions to Address Environmental Justice in Minority Population and Low-Income Populations” following the Regional Policy. Environmental Justice is the right to a safe, healthy, productive and sustainable environment for all, where “environment” is considered in its totality to include the ecological, physical, social, political, aesthetic and economic environments.

Executive Order 12898 (the “Order”) was signed by President Clinton on February 11, 1994, to focus federal attention on the environmental and human health conditions of minority and low-income populations with the goal of achieving environmental protection for all communities. The Order directed federal agencies to develop environmental justice strategies to help federal agencies identify and address disproportionately high and adverse human health or environmental effects of their programs, policies and activities on minority and low-income populations. The Order is also intended to promote nondiscrimination in federal programs substantially affecting human health and the environment, and to provide minority and low-income communities’ access to public information in matters relating to human health. The Order underscores certain provisions of existing law that can help ensure that all communities and persons across the nation live in a safe and healthful environment.

It is important to note that the major tenet of environmental justice is the fair treatment and meaningful involvement of the affected community in carrying out the Agency’s and the Region’s programs, policies and activities. Fair treatment and meaningful involvement should not be understood to mean preferential treatment for certain communities. Rather, these principles should be understood to mean the Agency and Region will continue to provide equal protection and access to information to all served communities. Fair treatment and meaningful involvement may include, but not be limited to ensuring to the extent possible and practicable, the following:

- that notices about public meetings are disseminated in local media used by the community, and that such notices are translated into appropriate languages other than English, if a community is largely non-English speaking;
- that environmental laws are enforced equally in all communities;
- that Regional managers and their staff understand and are aware of cultural differences and unique dependence some communities, such as tribal nations and indigenous peoples, have upon their land for subsistence fishing and hunting; and
- that communities have access to accurate, timely and reliable information.

B. Summarize the factual conclusions of the EJ analysis and any linkages to proposed permit terms or other permit outcomes

The area surrounding the San German facility is composed of a largely low income minority community. The EJSCREEN report indicates that the area within one mile of the PRASA facility exceeds the 80th percentile for both water discharge proximity and superfund proximity. The facility is near a number of schools and churches and lies near an impaired stream.

Considering the demographic composition as well as the EJ indexes, this area would be classified as community of potential EJ concern.

2. Proposed permitted activity and regulatory framework (Worksheet section)

A. Describe the requested permit action (e.g., new permit or renewal), the facility and the applicable regulatory framework (e.g., CAA/PSD, CWA/NPDES, SDWA/UIC, RCRA, TSCA)

CWA / NPDES PRASA Permit Renewal (PR0020818)

B. Note other types of permits required by EPA statutes (e.g., PSD, NNSR, NPDES, UIC, RCRA, TSCA) that are in place or are being sought for the same facility, and the agency responsible for issuing that permit or identified by the permit applicant (e.g., EPA, state or local agency), as indicated by EPA's ECHO database [<https://echo.epa.gov>, select "Single Facility Search"]

N/A

3. Geographic area(s) identified by screening step per Regional Implementation Plan

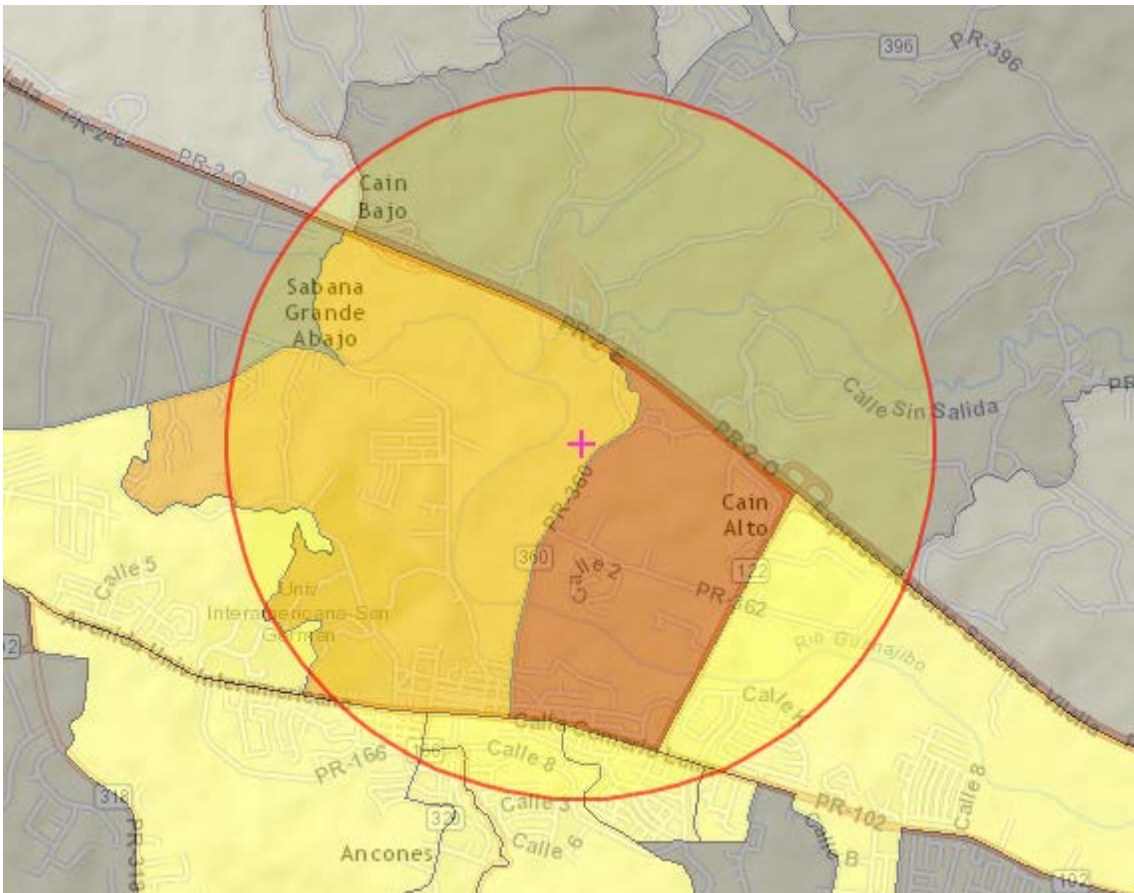
A. Identify area(s) (with maps, if practicable) near the facility that the EJ in Permitting screening process has prioritized for EJ analysis.



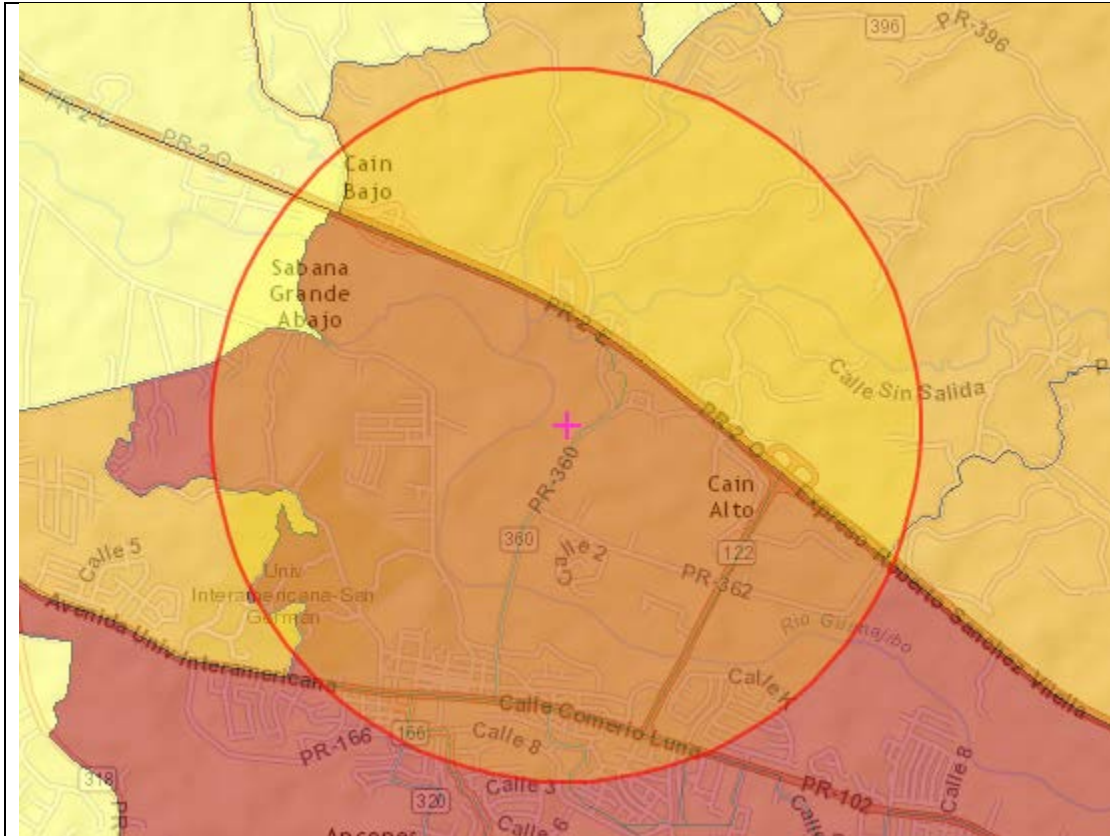
Pictured above: Expanded aerial view of PRASA German facility. While the facility is mostly secluded, you can see a neighborhood just east of the plant.

Selected Variables	Percentile in State	Percentile in EPA Region	Percentile in USA
EJ Indexes			
EJ Index for Particulate Matter (PM 2.5)	N/A	N/A	N/A
EJ Index for Ozone	N/A	N/A	N/A
EJ Index for NATA* Diesel PM	49	N/A	N/A
EJ Index for NATA* Air Toxics Cancer Risk	56	N/A	N/A
EJ Index for NATA* Respiratory Hazard Index	53	N/A	N/A
EJ Index for Traffic Proximity and Volume	64	N/A	N/A
EJ Index for Lead Paint Indicator	72	N/A	N/A
EJ Index for Superfund Proximity	96	N/A	N/A
EJ Index for RMP Proximity	60	N/A	N/A
EJ Index for Hazardous Waste Proximity*	55	N/A	N/A
EJ Index for Water Discharger Proximity	93	N/A	N/A

Pictured above: EJ indexes using a 1mile buffer. Water Discharger Proximity and Superfund Proximity exceed the 80th percentile.



EJSCREEN Map displaying EJ Index for Water Discharger Proximity. This index is well over the 80th percentile for the 1 mile buffer around the facility.



EJSCREEN Map displaying EJ Index for Superfund Proximity. This index is well over the 80th percentile for the 1 mile buffer around the facility.

B. Explain how the area(s) were identified (e.g., use of EJSCREEN; information contained in the permit application or developed by the permitting program indicating areas of pollution impacts/plumes)

The aerial photo of the facility and the surrounding area was pulled from ECHO. Using the EJSCREEN report for the area within 1 mile of the facility, it was possible to determine the EJ indexes that exceeded the general rule of the 80th percentile.

4. Description of communities identified by screening step (Worksheet section 4)

A. Social Demographics. This information, in conjunction with the health information below, may help identify a community’s potential vulnerabilities.

The community surrounding the facility is largely made up of a minority population (99%), and the low income population indicator exceed the state average in this area. Additional indicators can be seen in the outlined section of the table below.

Selected Variables	Value	State Average	Percentile in State	EPA Region Average	Percentile in EPA Region	USA Average	Percentile in USA																																																																							
Environmental Indicators																																																																														
Particulate Matter (PM 2.5 in $\mu\text{g}/\text{m}^3$)	N/A	N/A	N/A	N/A	N/A	N/A	N/A																																																																							
Ozone (ppb)	N/A	N/A	N/A	N/A	N/A	N/A	N/A																																																																							
NATA* Diesel PM ($\mu\text{g}/\text{m}^3$)	0.123	0.761	9	N/A	N/A	N/A	N/A																																																																							
NATA* Air Toxics Cancer Risk (risk per MM)	27	34	12	N/A	N/A	N/A	N/A																																																																							
NATA* Respiratory Hazard Index	0.59	1.1	9	N/A	N/A	N/A	N/A																																																																							
Traffic Proximity and Volume (daily traffic count/distance to road)	120	140	73	N/A	N/A	N/A	N/A																																																																							
Lead Paint Indicator (% pre-1960s housing)	0.21	0.15	80	N/A	N/A	N/A	N/A																																																																							
Superfund Proximity (site count/km distance)	1.3	0.15	99	N/A	N/A	N/A	N/A																																																																							
RMP Proximity (facility count/km distance)	0.2	0.51	43	N/A	N/A	N/A	N/A																																																																							
Hazardous Waste Proximity (facility count/km distance)*	0.03	0.06	36	N/A	N/A	N/A </tr <tr> <td>Water Discharger Proximity (count/km)</td> <td>1.1</td> <td>0.41</td> <td>92</td> <td>N/A</td> <td>N/A</td> <td>N/A</td> <td>N/A</td> </tr> <tr> <td colspan="8">Demographic Indicators</td> </tr> <tr> <td>Demographic Index</td> <td>89%</td> <td>86%</td> <td>55</td> <td>N/A</td> <td>N/A</td> <td>N/A</td> <td>N/A</td> </tr> <tr> <td>Minority Population</td> <td>99%</td> <td>99%</td> <td>19</td> <td>N/A</td> <td>N/A</td> <td>N/A</td> <td>N/A</td> </tr> <tr> <td>Low Income Population</td> <td>79%</td> <td>73%</td> <td>55</td> <td>N/A</td> <td>N/A</td> <td>N/A</td> <td>N/A</td> </tr> <tr> <td>Linguistically Isolated Population</td> <td>68%</td> <td>70%</td> <td>37</td> <td>N/A</td> <td>N/A</td> <td>N/A</td> <td>N/A</td> </tr> <tr> <td>Population with Less Than High School Education</td> <td>27%</td> <td>28%</td> <td>47</td> <td>N/A</td> <td>N/A</td> <td>N/A</td> <td>N/A</td> </tr> <tr> <td>Population under Age 5</td> <td>5%</td> <td>6%</td> <td>41</td> <td>N/A</td> <td>N/A</td> <td>N/A</td> <td>N/A</td> </tr> <tr> <td>Population over Age 64</td> <td>21%</td> <td>16%</td> <td>77</td> <td>N/A</td> <td>N/A</td> <td>N/A</td> <td>N/A</td> </tr>	Water Discharger Proximity (count/km)	1.1	0.41	92	N/A	N/A	N/A	N/A	Demographic Indicators								Demographic Index	89%	86%	55	N/A	N/A	N/A	N/A	Minority Population	99%	99%	19	N/A	N/A	N/A	N/A	Low Income Population	79%	73%	55	N/A	N/A	N/A	N/A	Linguistically Isolated Population	68%	70%	37	N/A	N/A	N/A	N/A	Population with Less Than High School Education	27%	28%	47	N/A	N/A	N/A	N/A	Population under Age 5	5%	6%	41	N/A	N/A	N/A	N/A	Population over Age 64	21%	16%	77	N/A	N/A	N/A	N/A
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B. Environment/Land Use Information. This information can help determine whether a community may be considered overburdened from other sources of pollution not directly related to the action being permitted and also identify potential pathways for exposure.



Using NEPAassist, we can see that there are a number of schools and churches in close proximity to the facility. The facility lies near an impaired stream (red line), and a FEMA regulatory floodway (red and blue stripes).