

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 Las Marias facility is composed of a largely low income minority community whose demographic indicators surpass those of the territorial average. The EJSCREEN report indicates that the area within one mile of the PRASA facility exceeds the 80th percentile for Lead paint indicator, NATA Air Toxics Cancer Risk, NATA Respiratory Hazard Index and RMP Proximity.

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 New Permit (PR0026930)

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.

Use the Snipping Tool  to capture Map Images, Copy and Paste in space below, table cell will expand to fit map



Pictured above: Expanded aerial view of PRASA Las Marias facility. The facility is located just south of a waterbody that divides San Sebastian and Las Marias. Very few homes can be seen in close proximity to the facility.

Selected Variables	State Percentile	EPA Region Percentile	USA Percentile
EJ Indexes			
EJ Index for PM2.5	N/A	N/A	N/A
EJ Index for Ozone	N/A	N/A	N/A
EJ Index for NATA* Diesel PM	71	N/A	N/A
EJ Index for NATA* Air Toxics Cancer Risk	86	N/A	N/A
EJ Index for NATA* Respiratory Hazard Index	81	N/A	N/A
EJ Index for Traffic Proximity and Volume	52	N/A	N/A
EJ Index for Lead Paint Indicator	84	N/A	N/A
EJ Index for Superfund Proximity	72	N/A	N/A
EJ Index for RMP Proximity	94	N/A	N/A
EJ Index for Hazardous Waste Proximity*	72	N/A	N/A
EJ Index for Water Discharger Proximity	79	N/A	N/A

Pictured above: EJ indexes using a 1mile buffer. Lead paint indicator, NATA Air Toxics Cancer Risk, NATA Respiratory Hazard Index and RMP Proximity exceed the 80th percentile.

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 demographic indicators for the area surrounding Las Marias facility indicate that the community is made up of a 100% minority population whose indicators for low income population, linguistic isolation, education level and population under 5 years of age surpass those of the territory as a whole. Additional indicators can be seen in the outlined section of the table below.

Selected Variables	Value	State Avg.	%ile in State	EPA Region Avg.	%ile in EPA Region	USA Avg.	%ile 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 ($\mu\text{g}/\text{m}^3$)	0.169	0.761	14	N/A	N/A	N/A	N/A
NATA* Cancer Risk (lifetime risk per million)	27	34	12	N/A	N/A	N/A	N/A
NATA* Respiratory Hazard Index	0.64	1.1	17	N/A	N/A	N/A	N/A
Traffic Proximity and Volume (daily traffic count/distance to road)	1	140	9	N/A	N/A	N/A	N/A
Lead Paint Indicator (% Pre-1960 Housing)	0.14	0.15	66	N/A	N/A	N/A	N/A
Superfund Proximity (site count/km distance)	0.044	0.15	20	N/A	N/A	N/A	N/A
RMP Proximity (facility count/km distance)	0.6	0.51	76	N/A	N/A	N/A	N/A
Hazardous Waste Proximity* (facility count/km distance)	0.024	0.06	12	N/A	N/A	N/A	N/A
Water Discharger Proximity (facility count/km distance)	0.15	0.41	26	N/A	N/A	N/A	N/A
Demographic Indicators							
Demographic Index	96%	86%	88	N/A	N/A	N/A	N/A
Minority Population	100%	99%	35	N/A	N/A	N/A	N/A
Low Income Population	92%	73%	87	N/A	N/A	N/A	N/A
Linguistically Isolated Population	80%	70%	69	N/A	N/A	N/A	N/A
Population With Less Than High School Education	50%	28%	94	N/A	N/A	N/A	N/A
Population Under 5 years of age	8%	6%	77	N/A	N/A	N/A	N/A
Population over 64 years of age	16%	16%	52	N/A	N/A	N/A	N/A

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.

Provide a narrative description of the land use of the area, discussing the topics in Section 4.B. of the instructions. Use NEPAAssist [Address such areas as industrial uses, waterbodies, protected natural environments, and community usage. Use the snipping tool to include relevant tables and maps from other sources, cite all sources.



Links to Mapping Tools:

<http://ejsscreen.epa.gov/mapper/index.html>;

<http://nepassisttool.epa.gov/nepassist/entry.aspx>



While there are a number of impaired streams that feed into the waterbody directly north of the facility, the waterbody itself is not classified as impaired. There is one school in the photograph above that lies approximately 2.5 Miles (~4.2 Kilometers) from the facility. This distance exceeds the general area of interest which is 1 Mile.