



**PEOPLE HAVE POWER**





# WE ACT FOR ENVIRONMENTAL JUSTICE

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# ENVIRONMENTAL JUSTICE LEADERSHIP FORUM ON CLIMATE CHANGE

# PRESENTATION OUTLINE

**What is Public Participation/Comment?**

**Why is it important to Participate?**

**How Do NAAQS Affect Me and My Community?**

**How Do You Participate in Public Comment?**

# What is Public Participation/Comment?



Generally, public participation means to identify and ensure the involvement of those potentially affected by or interested in a decision.

Speaking for YOURSELF

Those who are affected by a decision have a right to be involved in the decision-making process. The right to equal and full participation.

## PRINCIPLES OF ENVIRONMENTAL JUSTICE

5) "... affirms the fundamental right to political, economic, cultural and environmental self-determination of all peoples."

7) "... demands the right to participate as equal partners at every level of decision-making, including needs assessment, planning, implementation, enforcement and evaluation."

# Environmental Justice





# JEMEZ PRINCIPLES FOR DEMOCRATIC ORGANIZING

1. Be Inclusive
2. Emphasis on Bottom- Up Organizing
3. **Let People Speak for Themselves**
4. Work Together in Solidarity and Mutuality
5. Build Just Relationships Among Ourselves
6. Commitment to Self-Transformation



## Why is it important to participate in Public Comment?





# THE IMPORTANCE OF PUBLIC COMMENT THE CLEAN POWER PLAN



# WHAT IS THE CLEAN POWER PLAN?

In conjunction with President Obama's Climate Action Plan, the Environmental Protection Agency (EPA) released the final Clean Power Plan Rule (CPP) in August 2015.

The CPP is a federal regulation enacted to reduce carbon dioxide emissions (CO<sub>2</sub>) and combat climate change.

The CPP sets carbon emissions standards for existing power plants, or electricity generating units, and is the first federal regulation to address climate change.

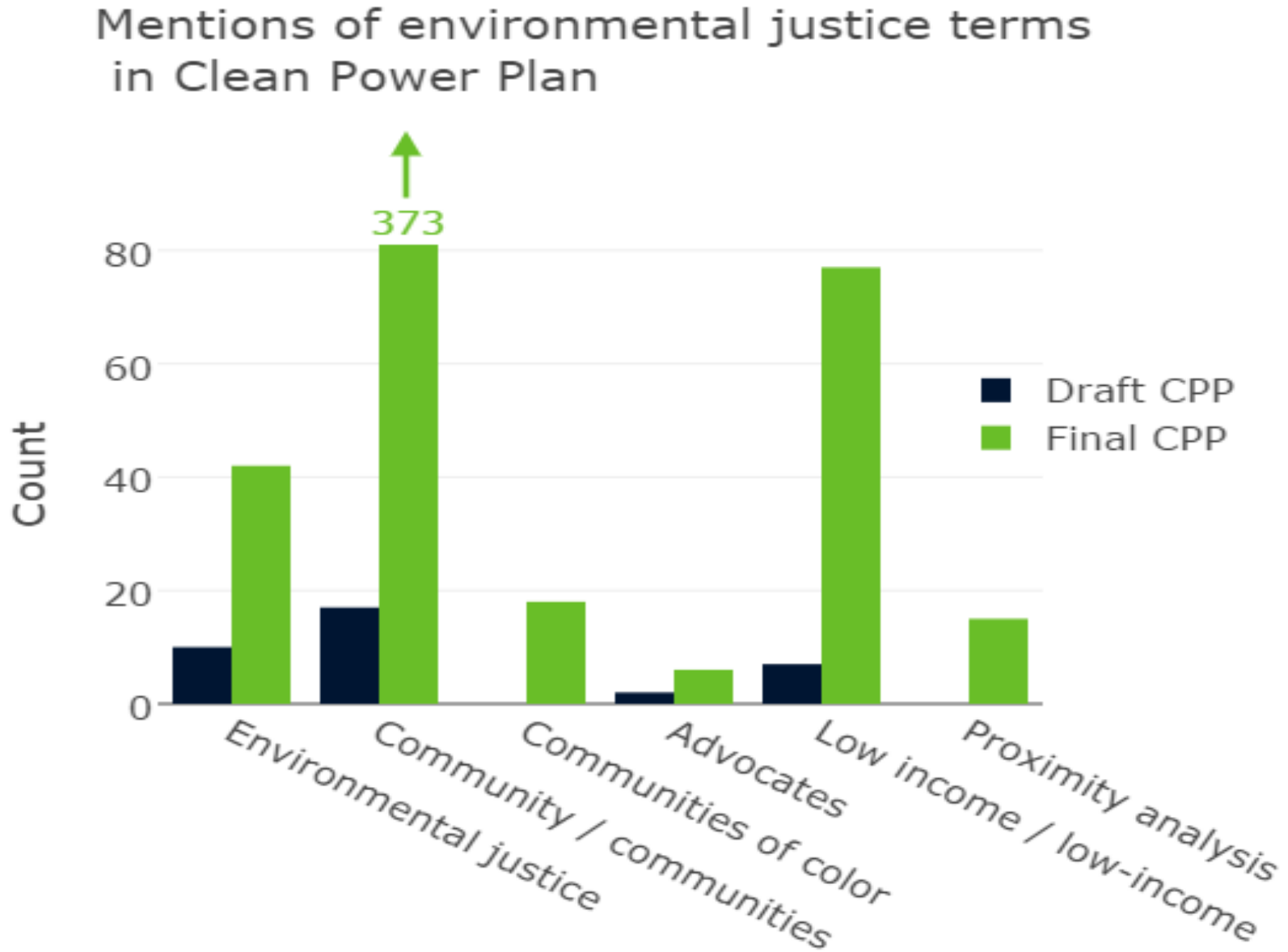
The CPP aims to reduce carbon emissions by 32% below 2005 levels by 2030.





<b>WHAT THE EJ FORUM RECOMMENDED</b>	<b>WHAT THE FINAL CLEAN POWER PLAN DELIVERS</b>
<p>Make equity and environmental justice a priority</p>	<p>The plan includes more recognition and discussion in several sections about the impacts on “vulnerable” or “overburdened” communities.</p>
<p>Require states to conduct an environmental justice analysis</p>	<p>While states won't be required to conduct EJ analyses, the EPA made it easier for them to do so: The agency conducted a proximity analysis around affected power plants using its new EJSCREEN tool, a better analysis than was provided in the proposed CPP last year.</p>
<p>Require states to engage with low-income communities and communities of color</p>	<p>The final CPP requires that each state’s initial implementation plan include a description of how they engaged with vulnerable communities as they developed their plan, and intentions for engagement in the final plan.</p>
<p>Require states to prioritize energy efficiency and renewables in our communities</p>	<p>The final CPP does not require that states prioritize efficiency and renewables over other means of cutting emissions, but it does include a new Clean Energy Incentive Program to encourage it.</p>

# CHANGES TO THE CPP AFTER EJ FORUM PUBLIC COMMENTS





LITTLE VILLAGE  
ENVIRONMENTAL JUSTICE  
ORGANIZATION (LVEJO),  
CHICAGO, ILLINOIS



## How Do NAAQS Affect Me and My Community?



- Ozone
- Particulate Matter
- Carbon Monoxide
- Nitrogen Oxides
- Sulfur Dioxide
- Lead



# CROSSETT, ARKANSAS



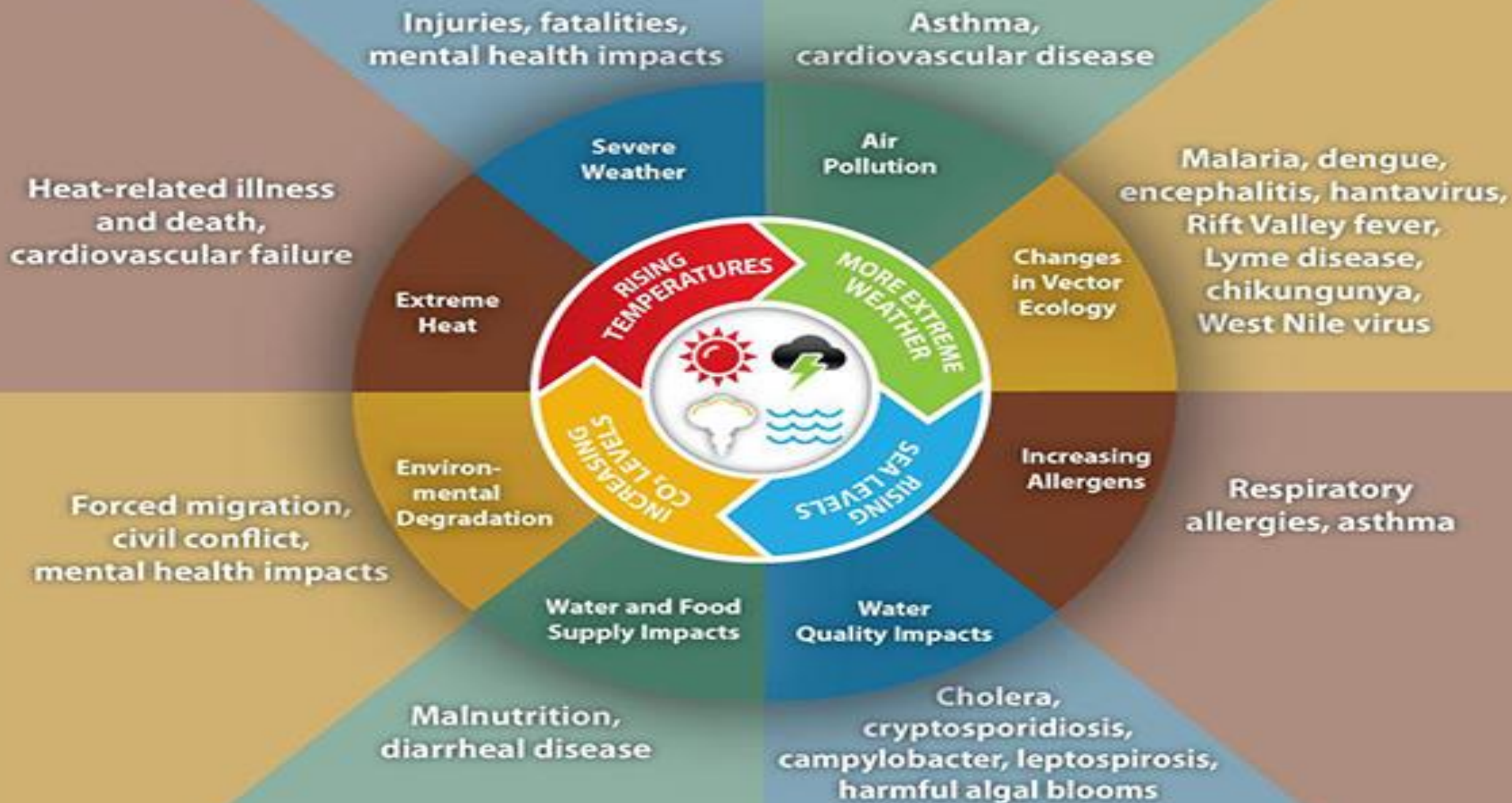
# CANCER ALLEY LOUISIANA



Image: [Global Justice Game](#)



# Impact of Climate Change on Human Health





**How Can You Participate in  
Public Comment?**



# SIPS AND PUBLIC INPUT

*The EPA rules provide that a public hearing must be offered by the air agency but is only required if a request is made*

All SIPs require a public hearing prior to approval

When air quality standards are violated, the state must:

- Notify public of violations
- State possible public health impacts
- Educate public on ways to reduce air pollution and to participate in state efforts to improve air quality

When the SIP elements are not enforced, Citizen Suits are an option

*“THE EPA ENVISIONS MEANINGFUL ENGAGEMENT TO INCLUDE OUTREACH TO VULNERABLE COMMUNITIES, SHARING INFORMATION AND SOLICITING INPUT ON STATE PLAN DEVELOPMENT AND ON ANY ACCOMPANYING ASSESSMENTS”*

Process Stage	Requirements- <i>States must:</i>
Phase 1: Preparation of Initial Plan	Conduct outreach with vulnerable communities & provide opportunity for input on initial plan
Phase 2: Submission of Initial Plan	Describe methodology used to identify vulnerable communities, community engagement to date, & future plans for engagement
Phase 3: Preparation of Final Plan	Conduct at least one public hearing and solicit and respond to public comments on the initial state plan
Phase 4: Submission of Final Plan	Provide demonstration of meaningful public engagement, including certification that the plan was available with reasonable notice and opportunity for public comment, and that the public hearing on the state plan was accessible



# CLEANER AIR, CLEANER COMMUNITIES

Environmental Justice in  
Clean Air Act State  
Implementation Plans

ENVIRONMENTAL JUSTICE  
LEADERSHIP FORUM ON CLIMATE  
CHANGE



# ENVIRONMENTAL JUSTICE ANALYSIS AND STATE IMPLEMENTATION PLANS

Step 1: Assess environmental disparities

Step 2: Structure meaningful community engagement

Step 3: Identify community needs

Step 4: Evaluate community impacts and benefits

Step 5: Develop community-responsive SIP

Step 6: Engage community in implementation





# LITTLE VILLAGE ENVIRONMENTAL JUSTICE ORGANIZATION (LVEJO), CHICAGO ILLINOIS

Drafted and introduced via the IL Environmental Council, a bill amending the IL Environmental Justice Act.

- Accomplished 3 key goals:
  - Created and delineated mandatory representation of “affected communities” – frontline EJ communities – on the Commission
  - Created two new seats on the Commission for representatives from labor unions
  - Created a new governmental seat for a state agency representative dealing with housing
- Statewide CPP SIP Engagement with Environmental Justice Organizations through the IL Commission on Environmental Justice (EJ Commission)



# ENVIRONMENTAL JUSTICE IN THE PM<sub>2.5</sub> RULE

Map relationship of EJ communities to sources

Identify and address hotspots and unmonitored areas in overburdened communities

Embed EJ in alternatives analysis

Evaluate control technologies for benefits or impacts

Conduct meaningful community engagement



**PUBLIC COMMENT AND OZONE  
NAAQS IMPLEMENTATION** |

# PUBLIC COMMENTS ON NAAQS

EPA must require states to increase opportunities for meaningful involvement of community groups in attainment plan development, annual monitoring network plan reviews, and permitting processes for at-risk and minority populations by taking the following steps:

- Developing advisory boards and/or enhanced notice-and-comment requirements for low income and minority communities to assure meaningful involvement relative to projects that impact their communities
- Providing special notice of important actions affecting target areas in appropriate languages and with attention to cultural barriers



# PUBLIC COMMENTS ON NAAQS

- Providing advance notification for low income and minority communities of upcoming opportunities for public comment on SIPs, ambient air monitoring plans, and other relevant actions such as permit actions
- Maintaining multi-lingual Web sites and offering translators for public meetings and hearings
- Coordinating with the state's EJ coordinator, if applicable, to assist with outreach efforts.

# CITIZEN SUITS AND OTHER ACTIONS

## Ozone NAAQS

- Implementation
- Delay – on its review of the 2015 standards. EPA extended by a full year its deadline for promulgating initial area air quality designations for the 2015 standards
- A number of organizations, with millions of members and supporters nationwide wrote a letter in opposition to the Ozone Regulatory Delay proposed bill S. 263 and S.452..



## New Source Review (NSR) Permitting

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# Participate in the Permitting Process

**There are three ways you can participate in the New Source Review permitting process.**

1. [You can comment on NSR permits.](#)
2. [You can comment on proposed EPA NSR regulations and EPA actions to approve state and local agency's NSR regulations.](#)
3. [You can bring enforcement actions against sources that are not complying with their permits.](#)

<https://www.epa.gov/nsr/participate-permitting-process>[8/28/2017 12:05:04 AM]

### How Can I Comment on NSR Permits?

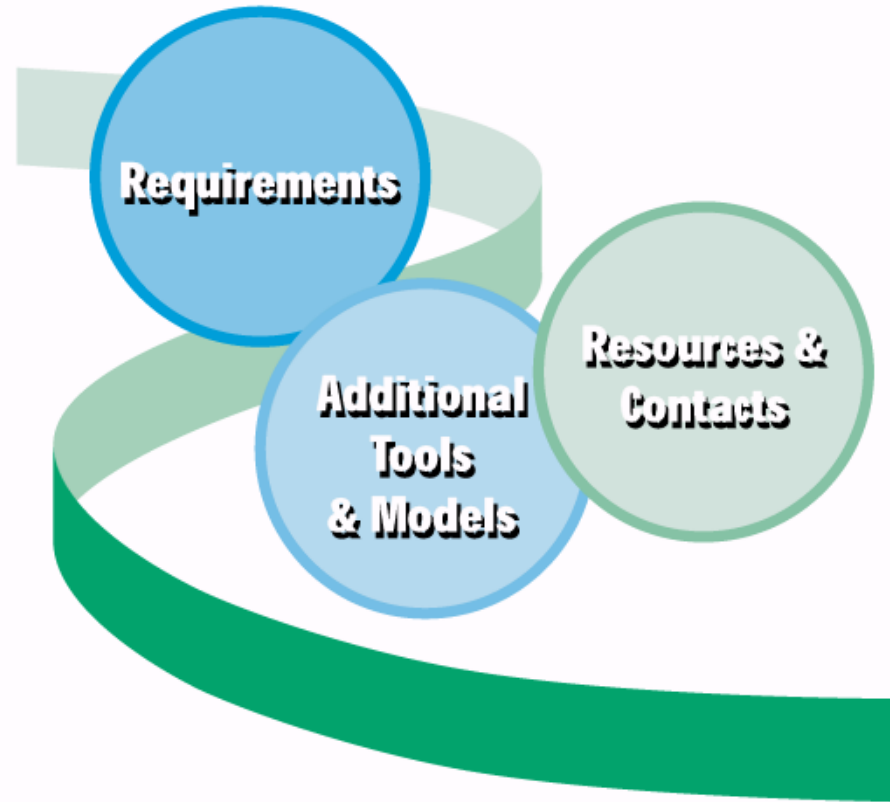
The NSR program provides opportunities for the public to ensure that sources are complying with the requirements that apply to them. NSR gives you the opportunity to:

1. Comment on and request a public hearing on permits before they are issued.
2. Appeal permits issued. The appeal procedures will depend on the state the source is located in. For state-specific information, get in touch with the appropriate contact listed on your state's [Permit Contact](#) page.





# Public Involvement in Environmental Permits



***A REFERENCE GUIDE***



Your Voice in Federal Decision-Making

Search

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Make a difference. Submit your comments and let your voice be heard.

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### What's Trending

Renewable Fuel Standard Program: Standards for 2018 and Biomass-Based Diesel Volume for 2019

Closing on Aug 31, 2017

Definition of Waters of United States - Recodification of Pre-Existing Rules

### Comments Due Soon

- Today (48)
- Next 3 Days (65)
- Next 7 Days (225)
- Next 15 Days (413)
- Next 30 Days (787)
- Next 90 Days (1,361)



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Matt Konigs shared a link: "Jewish activists target removal of..."  
(6 other new notifications)

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# weact.org

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