

U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA)
NATIONAL ENVIRONMENT JUSTICE ADVISORY COUNCIL (NEJAC)

VIRTUAL PUBLIC MEETING

JANUARY 5, 2022

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ATTENDEES LIST

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MICHAEL REGAN	ADMINISTRATOR, ENVIRONMENTAL PROTECTION AGENCY (EPA)
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**FINAL AGENDA
UNITED STATES ENVIRONMENTAL PROTECTION
AGENCY
NATIONAL ENVIRONMENTAL JUSTICE
ADVISORY COUNCIL
FULLY VIRTUAL PUBLIC MEETING**

January 5, 2022

1:00 P.M. – 5:30 P.M. EDT

Meeting Public Docket:

EPA-HQ-OA-2021-0848

NEJAC Meeting Website:

<https://www.epa.gov/environmentaljustice/national-environmental-justice-advisory-council-meetings>

WEDNESDAY January 5, 2021	
1:00 pm - 1:15 pm	WELCOME, INTRODUCTIONS, & OPENING REMARKS <ul style="list-style-type: none">○ Fred Jenkins Jr., PhD, Designated Federal Officer – U.S. EPA○ Matthew Tejada, PhD, Director, Office of Environmental Justice – U.S. EPA○ Sylvia Orduño, National Environmental Justice Advisory Council Chair – Michigan Welfare Rights Organization○ Na'Taki Osborne Jelks, PhD, National Environmental Justice Advisory Council Vice Chair – West Atlanta Watershed Alliance and Proctor Creek Stewardship Council○ Michael Tilchin, National Environmental Justice Advisory Council Vice Chair – Jacobs Engineering
1:15 pm - 2:00 pm	WELCOME, EPA UPDATES, & DIALOGUE <ul style="list-style-type: none">○ Michael Regan, Administrator – U.S. EPA

2:00 pm – 2:15 pm	<p>EPA Senior Leadership Updates</p> <ul style="list-style-type: none"> ○ Matthew Tejada, PhD, Director, Office of Environmental Justice – U.S. EPA ○ Alison Cassady, Deputy Chief of Staff U.S. EPA
2:15 pm - 3:45 pm	<p>NEJAC Formal Response and Deliberation on Draft FY 2022-2026 EPA Strategic Plan Presentation (This is a follow-up from the November 10, 2021 NEJAC public meeting.)</p> <ul style="list-style-type: none"> ○ Sylvia Orduño, National Environmental Justice
3:45 pm - 4:00 pm	<p>Break</p>
4:00 pm –5:25 pm	<p>PUBLIC COMMENT PERIOD</p> <p>Note: Members of the public will be given three (3) minutes to present comments on their issue or concern to the NEJAC.</p>
5:25 pm - 5:30 pm	<p>CLOSING REMARKS & ADJOURN</p> <ul style="list-style-type: none"> ○ Sylvia Orduño, National Environmental Justice Advisory Council Chair – Michigan Welfare Rights Organization ○ Fred Jenkins Jr., PhD, Designated Federal Officer – U.S. EPA
<p>Note: Please be advised that agenda times are approximate; when the discussion for one topic is completed, discussions for the next topic will begin. For further information, please contact the Designated Federal Officer for this meeting, Fred Jenkins Jr., PhD, at jenkins.fred@epa.gov.</p>	

NEJAC 1/5/2022 - PUBLIC MEETING AGENDA SLIDES

All EPA presentation materials for this meeting are available in the public docket of this meeting. The public docket number for this meeting is EPA-HQ-OA-2021-0848. The public docket is accessible via www.regulations.gov under its docket number, EPA-HQ-OA-2021-0848.

PREFACE

The National Environmental Justice Advisory Council (NEJAC) is a federal advisory committee that was established by charter on September 30, 1993, to provide independent advice, consultation, and recommendations to the Administrator of the U.S. Environmental Protection Agency (EPA) on matters related to environmental justice.

As a federal advisory committee, the NEJAC is governed by the Federal Advisory Committee Act (FACA) enacted on October 6, 1972. FACA provisions include the following requirements:

- Members must be selected and appointed by EPA.
- Members must attend and participate fully in meetings.
- Meetings must be open to the public, except as specified by the EPA Administrator.
- All meetings must be announced in the Federal Register.
- Public participation must be allowed at all public meetings.
- The public must be provided access to materials distributed during the meeting.
- Meeting minutes must be kept and made available to the public.
- A designated federal official (DFO) must be present at all meetings.
- The advisory committee must provide independent judgment that is not influenced by special interest groups.

EPA's Office of Environmental Justice (OEJ) maintains summary reports of all NEJAC meetings, which are available on the NEJAC website at

<https://www.epa.gov/environmentaljustice/national-environmental-justice-advisory-council-meetings>. All meeting materials are posted in the public docket for this meeting. The public docket number for this meeting is EPA-HQ-OA-2021-0848. The public docket is accessible via www.regulations.gov under its docket number, EPA-HQ-OA-2021-0848.

NATIONAL ENVIRONMENTAL JUSTICE ADVISORY COUNCIL
VIRTUAL PUBLIC MEETING
JANUARY 5, 2022

MEETING SUMMARY

The National Environmental Justice Advisory Council convened via Zoom meeting on Wednesday, January 5, 2022. This summary covers NEJAC members' deliberations during the meeting and the discussions during the public comment period.

WELCOME, INTRODUCTIONS & OPENING REMARKS

Dr. Fred Jenkins, Designated Federal Officer (DFO), U.S. Environmental Protection Agency (EPA), welcomed everyone to the meeting and introduced himself and his role in the NEJAC. He explained the administrative details of the meeting. He invited the NEJAC leadership to give their opening remarks.

Dr. Matthew Tejada, Director, U.S. EPA Office of Environmental Justice, thanked everyone for joining the meeting. He hoped everyone had an enjoyable and relaxing holiday. He explained that the EPA was very busy throughout the holidays given the unprecedented level of opportunity and commitments and demands that were before them. The same went for the members of the NEJAC both professionally and in their capacity as NEJAC members. A lot of folks spent a lot of time over December getting ready for this meeting because there is a lot of work to do. There is a lot of opportunities to help change the way the EPA and the federal government operate and govern, to be more equitable and to be more just. So that is part of the reason why there is such an early meeting, to make sure that the NEJAC can speak and give them the advice and recommendations promptly so that they can be as influential and as impactful as possible.

Ms. Sylvia Orduño, NEJAC Chair, introduced herself and explained that NEJAC has been working over the holidays, but it was good work. She said she's excited to have the portion of the meeting today where the Strategic Plan Workgroup will bring forward considerations to the full

Council. She explained that the NEJAC planned for an early meeting to be ready for a running start and make sure that the Council's feedback would be included in the strategic plan for the next few years.

She stated that the NEJAC is excited to have the administrator at the meeting. It's been several months since he's attended, but he has kept his commitment to making sure that the heads of this administration would be regularly participating at the Council meetings here.

Dr. Na'Taki Osborne Jelks, NEJAC Vice-Chair, introduced herself. She stated that she's excited about the dialogue happening and shared thoughts about the work that has been done in the Agency. She thanked the Strategic Plan Workgroup for their hard work over several weeks to dive into the strategic plan and to make a set of recommendations that will be shared.

Mr. Michael Tilchin, NEJAC Vice-Chair, introduced himself. He also thanked the public commenters and reassured them that their input is truly what drives NEJAC's business. NEJAC genuinely appreciates this opportunity to comment on EPA's strategic plan. This has been a whole-of-NEJAC effort, to review and comment on the plan. He stated that NEJAC appreciates Administrator Regan's presence. They note that he has followed up on the very important and promising words and speeches that were given related to environmental justice when he first came into office with action. That is extremely gratifying. He turned the meeting back to the Chair.

Ms. Sylvia Orduño, NEJAC Chair, invited the rest of the NEJAC to introduce themselves. Afterward, she invited Dr. Matthew Tejada to speak.

Dr. Matthew Tejada, Director, EOJ, gave some updates that can be expected from NEJAC in the coming year, including a tentative meeting schedule for the remainder of the year. He then introduced Administrator Regan.

WELCOME, EPA UPDATES & DIALOGUE

Administrator Regan, EPA: Thank you and thank you for your leadership, Matt. It's great to be here with you, and it's great to be here with everybody today. Happy new year to everybody. It was important to meet with you at the start of the year, so I appreciate the invitation to join you today. I'd also like to thank Deputy Administrator McCabe and so many of my leadership team for speaking to NEJAC on my behalf while I was traveling during the last NEJAC meeting. I'd also like to thank each and every one of you for your service. I recognize that you serve on this committee in a voluntary capacity and that you have other pressing professional and personal commitments. We are deeply grateful for your dedication, your leadership, and most importantly your honesty as you engage with the EPA. You've never let up when it comes to fighting for equity and justice. I can promise you that neither will I and neither will this EPA. As I told my team last month, we're going to keep the pedal to the metal in 2022. People have been suffering for a long time, and they're counting on all of us to get this right. So we have a responsibility to get this right, and that means we have to get moving right out of the gate. I believe we laid a strong foundation in 2021, and I'm proud of the progress that we're making, especially given how much agency rebuilding we needed to do.

Shortly after I was sworn in last year, I directed my leadership team to embed environmental justice into every aspect of our work, from our regulatory work to our permitting to our enforcement activities. I asked my team to go further and faster than we've ever gone before, which I recognize is immensely challenging in a government bureaucracy. Faster isn't typically in the federal government's vocabulary. Then again, I felt like EPA wasn't starting from scratch. We had the incredible benefit of building on nearly 30 years of EJ engagement, recommendations, and guidance from NEJAC. As Matt mentioned earlier, now we also have the political will. President Biden made it clear from day one that advancing racial justice and equity requires a whole-of-government approach. EPA in many ways is at the heart of the president's mission. You have my word that there is no higher priority for me than ensuring that all people in this country have clean air to breathe, clean water to drink, and the opportunity to live a healthy life. Our work to advance equity and justice will continue to be a central driver in every

single thing we do at EPA.

That's why this past November we launched the Journey to Justice tour because we knew that rebuilding trust is essential to this Agency making progress. Rebuilding trust requires that we actually show up, see up close the injustices that people have endured for generations, hear directly from the frontline communities, and then commit to working together with a sense of urgency to fix these historic wrongs. I had the privilege of meeting with historically marginalized communities in Jackson, Mississippi; in Mossville, New Orleans; St. James Parish and St. John the Baptist Parish, Louisiana; as well as Houston, Texas. Every single stop along this journey was driven by the community. We specifically relied on local communities to set the agenda, to invite all the participants, and determine the focus of our time together. Let me tell you, that made all the difference. Being on the ground, seeing it for myself, talking with community members, I learned a great deal from these communities. And I committed to continuing to do better, to leverage our enforcement, to work with Congress to get the toughest laws in place so that we are adequate and protected and doing so in concert with community members who've been fighting for their health and safety for decades.

There is a sense of urgency around a solution for how we move forward. So my team here at headquarters and across Regions 4 and 6 specifically, as it relates to the Journey to Justice tour, have remained in touch with the community leaders in the weeks after the tour to ensure that the challenges they raised are being addressed either through our efforts directly or those of our partners at the state and local levels. In the next few weeks, we will roll out a specific list of actions that EPA will be taking in direct response to what I saw and heard on the ground. 2021 was a critical year because it set the tone and laid the groundwork for where EPA is headed in the future. As you know, last year, thanks to the Biden Administration's leadership, we received \$100 million in ARP funding. We started putting \$50 million towards projects that support the priority needs of overburdened communities. In December, we launched a \$20 million grant program from our Air Office to fund air quality monitoring projects in communities all across the United States.

One of the consistent things I heard while on the Gulf Coast was the need for more monitoring at

all levels for all sorts of different pollutants, and that's why we've already allocated funding through the ARP Rescue Plan for this need, to make sure that more official monitors provide transparent, real-time information and actually put resources directly into the hands of communities and their partners to do the monitoring alongside the EPA. It's also important to note that in 2021 we pushed out more funding through our EJ Grants Program in one year than EPA was able to make possible over the entire previous decade, over the past 10 years. I see these grants as incubators for community-driven solutions, solutions that we must lift up and replicate as we look to vastly larger resources in the bipartisan infrastructure law and other future spending bills. Shortly before the holiday break, we made a couple of important announcements that have significant environmental justice implications. We know that more than one in four black and Hispanic Americans live within three miles of a superfund site, and thousands of these contaminated sites exist nationally.

Thanks to the infrastructure law, the EPA is investing \$1 billion to initiate cleanup and clear the backlog of 49 previously unfunded superfund sites. We're also going to accelerate cleanup at dozens of other sites all across the country. And listen to this; sixty percent of the sites receiving funding for the new cleanup projects are in historically underserved communities. I want to thank you for the years of guidance you provided to our Office of Land and Emergency Management. It allowed for Assistant Administrator Waterhouse and his program to get a jumpstart on issuing a thoughtful EJ plan, and it's helped to inform how we're approaching our larger agency-wide plan and efforts as well. Earlier today, OLEM released its draft EJ action plan, which follows through on both the ongoing work with the NEJAC and agency-wide efforts to strengthen compliance, embed environmental justice considerations throughout EPA's activities, and improve community engagement. It's my hope that the action plan will enable stronger and faster progress in addressing contaminated land all across the country. Last month, I also had the privilege of joining Vice President Harris to roll out the administration's actions on lead and drinking water. The president and the vice president have made replacing lead pipes a central part of the bipartisan infrastructure law.

At the event, EPA announced three things in particular. Number one, water utilities will be required to develop Lead Service Line Inventories because, to remove lead pipes from the

ground, we have to know exactly where they are. Two, EPA will develop a new proposed rule that will strengthen the lead and copper rule. Three, we also announced \$2.9 billion in bipartisan infrastructure law funding for states, tribes, and territories to remove lead service lines. This allocation is the first of five annual allotments that will provide \$15 billion in dedicated funding for lead service line replacements. We're going to work very closely with other federal partners, state coregulators, and communities to identify their needs and provide them with critical resources, including the creation of technical assistance hubs in regions with large concentrations of lead service lines. Another priority area is ethylene oxide. I've spoken to community members, and I've heard their concerns directly. As I reported in my response to NEJAC's 100 Day Letter in the fall, EPA has committed to a timeline for new rule makings for several critical source categories, and we're working to get those done as quickly as possible.

In that letter, I also told you about plans with ethylene oxide and the toxics release inventory. Just last month, we expanded the scope of TRI reporting requirements to include certain facilities that are not currently reporting on EtO releases. Companies that use the largest amounts of EtO in this industry sector will be required to publicly report their releases of this chemical and shed light on potential exposures from this use. This will also help EPA inform future actions and empower communities to act at the local level as well. It's an important part of our ongoing efforts to increase publicly available information on EtO releases and other waste management activities. Listen, I recognize that impacts to the communities continue to happen while organizations like ours are developing effective strategies and making the necessary organizational changes to protect our people, so we also made it clear that this EPA will not hesitate to use its authority to hold polluters accountable.

In the U.S. Virgin Islands, I ordered Limetree Bay refinery to cease its operations due to repeated incidences that polluted the air and sickened members of the community. In South Carolina, we issued an emergency order requiring the New-Indy paper mill to monitor and reduce hydrogen sulfide air pollution from its facility. Just last week, we reached a million-dollar settlement that ensures surrounding communities will be protected from the unlawful pollution from this facility through mandatory long-term improvements. In Chicago, we voiced our concerns about a proposal for a car shredding operation on the southeast side. Mayor Lightfoot promptly

suspended the city's permit until a thorough environmental justice analysis is to be completed.

On the personnel side, I'm happy to report that we now have regional administrators in eight of the ten regions. Their leadership is going to be critical to advancing our mission on environmental justice, from building collaborative relationships with communities to engaging our tribal partners in a nation-to-nation capacity to working closely with states and other levels of government. We've selected proven regional administrators that have strong EJ track records, like Earthea Nance in Region 6, Lisa Garcia in Region 2, Daniel Blackman in Region 4, among others who are very accomplished as well. I know that NEJAC is already planning its 2022 meetings, and I'm hopeful that you will have plenty of time to engage with these new regional leaders in addition to your ongoing engagement with those of us at headquarters.

What's next for 2022, you might ask. Well, we recognize that we're just getting started, and we have a long way to go, especially when it comes to carrying out the work of our Justice40 initiatives. So far, the majority of the resources EPA has received through the infrastructure law will go towards programs that were already a part of the White House-led Justice40 pilot. Our goal is not only to meet but to exceed where needed the goal of the 40 percent of benefits flowing to disadvantaged communities. As I already mentioned, our superfund program is spending 60 percent of their new infrastructure dollars in these communities because that's where the need is. It's also a great pace setter for our other programs at EPA and other federal agencies as well.

I want to be clear. Having served as a state secretary for environmental quality in North Carolina, I realized that deciding where the money goes in a state isn't always easy and is definitely not driven in isolation by the federal government. So I'm committed to working closely with our state regulatory partners and governors across the country on both sides of the aisle to ensure that our resources find their way to those communities that urgently need them. That's why, in December, I sent a letter to every governor of every state sharing detailed information about our goals for using the water infrastructure money provided through the infrastructure bill.

I also committed to issuing guidance in the coming months that will have a greater level of detail

to help ensure that these historic resources reach our most vulnerable communities. We're going to have to rely on our governors, our state regulators, and our mayors, and I plan to continue to partner with them as well. This is what I consider to be Justice40 in action. We're working in real time, pulling together all of the streams from the executive orders, the American Rescue Plan funds, and the infrastructure law to provide an example of the commitment to advancing equity and justice right now at this moment by this Agency, but we're still listening. That listening, that won't stop. We've held multiple national engagement calls to solicit more focused feedback about how to implement Justice40 across a wide range of EPA programs, and specifically about the six EPA programs that are part of the pilot Justice40 program. We'll continue to host these opportunities and more to listen in 2022.

We also have ideas on how to calculate the benefits of EPA's Justice40 program, including percent reduction of children's asthma-related hospital visits, tons of different pollutants reduced, reductions in hospital visits and missed days of work or school, a number of health assessments completed, and increased access to health providers, job trainings provided, technical assistance given to tribal drinking water systems, and tracking the numbers of deaths prevented. While we still have a lot of work to do to figure out which of these measures will work and which will be most meaningful to hold us accountable to all the communities we serve, we continue to want to get that input from you all. This is another example of where you all come in. This is another example of where NEJAC comes in to help us figure these questions out as we continue to push the implementation of Justice40. While measuring the benefits is important, I've heard loud and clear that we also need to know where the actual dollars go. This is another commitment that I will make to you. EPA will lead from the front to provide a transparent and meaningful way to see where the actual funds wind up.

Again, another area where we're counting on NEJAC's support and guidance to ensure that we get it right. Getting this right, we all know, isn't going to be easy. We know it's going to take time. For many of you in NEJAC and many of you in the EJ movement, Justice40 has been a long fight for promise and is a huge chance to change the way the government operates. I, too, share those ambitions, and I hope for Justice40's promise, and I'm committed to pushing Justice40 the way the President envisions. It's really great that leadership is coming from the

president on down. You will see that our engagement with NEJAC over the past year on broader topics, such as our draft strategic plan, has helped to inform the priorities and alignment of actions that were taken in our draft equity action plan. This includes the alignment of the plan with elements of the draft multi-year strategic plan and with the implementation of Justice40. We've got a lot of plans, a lot of strategies, and Justice40 lining up. We want to be sure that it's blending together very well. I look forward to hearing more of your feedback on the draft strategic plan and its implementation.

We're in the final stages of crafting that plan, and your feedback and deliberations have already made a difference, especially in terms of wanting to see decisive action and clear progress being made before the year 2026. I wholeheartedly agree with this idea, and we're working to make the necessary changes. I also want to emphasize just how important and unprecedented it is that we have placed equity and justice at the heart of EPA's strategic plan. The commitments we make will drive action. It will drive accountability, and it will drive resources for years to come. But I want to be clear that we're not waiting for these plans to drive our actions. I hope that some of the examples I just shared with you clearly demonstrate that I mean business and that we mean business about taking action right now and not missing the tremendous opportunity already in hand to advance equity and justice across the United States. Over the coming months, when you see the final strategic plan, when you see the equity action plan, our implementation of Justice40 and the infrastructure resources, EPA's first-ever National Program Guidance for Environmental Justice and External Civil Rights Compliance and actions on our priority issues, you will clearly see your fingerprints all across the board.

So in closing, I do want to remind you all that everything we do, everything I do, at EPA, will be rooted in the realities and the demands and the aspirations of the communities disproportionately impacted by environmental and public health threats. This engagement is a crucial part of how we approach and think about these issues. It's also a powerful form of accountability to hold EPA responsible for getting it right. I know that you all have an extensive agenda today, and I want to leave some time for questions. So I'll end there. Thank you all, again, for having me. Thank you all for your time, your energy, and your efforts. Thank you all for the advice and recommendations that you provide because they are essential, and I and my team greatly

appreciate them. Thank you all.

Ms. Sylvia Orduño, NEJAC Chair: Thank you so much, Administrator Regan. It is always a pleasure to hear from you. You're very inspirational. We need that, too, these days when there is so much difficulty in the world. We can't tell you enough how much your leadership, what you're bringing to this Council, and the genuine seeking of our advice really matters. We believe that, and we appreciate it. This meeting today was special because we wanted to make sure that we had the time to get in adequate feedback about the strategic plan. We have been doing our due diligence to make sure that we are going to provide that to you in a timely way.

One of the things that I'm sure that you probably already heard, too, when we had a more in-depth discussion about Goal 2 during the November meeting was that, even beyond the long-term planning goals and the strategies that have already been noted, we're very much interested and concerned about the implementation. So what you're speaking there, too, about making sure that we've got alignment with Justice40, is also something that we were looking to see in this plan and are providing some feedback around. I think that you can anticipate our anxiousness about really wanting to see how this will play out because it is important in the details themselves.

As we've heard extensively from Director Attorney Dorka about the External Civil Rights Compliance, we're excited about that too because, unfortunately, it does take the law to come in sometimes and make these things enforceable. We know that there are a lot of violations across our communities, unfortunately, that we want to see addressed. We're excited to see the additional resources and intentionality around addressing those issues as well.

I want to also thank you so much for the detailed feedback that you gave us in the 100 Day Letter. It's very useful for us, and our workgroups are continuing to go through them and see how it is that we can better understand not only what is going on in your administration, but how it is that we can be more reflexive even in our feedback back to the different programs and offices. Thank you very much, again, for all of what you're offering and for the tour that you led and, again, the members of your administration being willing to accept the critical feedback that we

offer to make your tour even more successful based on some of the experiences in other places and states before you get the tour underway. Thank you for that.

As you might recall, our last meeting in November we had several new members of the Council join. I was thinking that maybe what we can do is start off any kind of questions that you folks might have by beginning with our newer members of the Council and then opening it up to our veteran members. So any new members of the Council have any kind of questions or comments they want to offer to the administrator while we have him here for a couple more minutes?

Mr. Jonathan Perry, NEJAC Member: Thank you. I appreciate the time as well as the discussion and report given today by our administrator. I appreciate it. I'm speaking from northwestern New Mexico, Region 6, out of the Navajo Nation. One thing that I wanted to maybe bring up or question is in regard to the regulations about in-situ leach [ISL] mining with uranium extraction, if there are any efforts to address regulations, maybe updating regulations, or an approach to bring further stability in terms of holding companies accountable in our local communities. Again, thank you. That's my question.

Administrator Regan, U.S. EPA: Jonathan, thank you for that question. Yes, we are taking a very close look at it. I think you may have seen that I was privileged to visit Navajo Nation last year and spend some time with leadership there. We specifically focused on the abandoned uranium mines and the obligation that this administration has to put some resources to look at cleaning up there. Also, as a responsible partner with our sister agencies, as we look at mining currently and moving forward, we apply some environmental rigor to how these operations move forward and what those operations mean to our communities, many of our communities, black, brown, and tribal communities. Yes, this is a priority of ours. It's a priority of this administration. I think we have a combination of actions that we're perusing both at EPA and across the administration to address the mining issues.

Mr. Andy Kricun, NEJAC Member: Thank so much, Administrator Regan, for your leadership and to EPA for all that you're doing to protect the environment and especially to protect underserved communities and disproportionately burdened communities. So appreciative and

honored to be able to serve on the NEJAC. My comment only is that it's so wonderful to see the additional infrastructure funding that is becoming available already, and hopefully, more will come if there's some sort of reconciliation bill coming out of Congress this year. I see that, for underserved communities, as like a buried treasure, but sometimes they lack the shovels to get the funding. Sometimes because of lack of resources, underserved communities don't always have the same opportunity to get the funding that more resourced and larger cities may have, or better-funded cities may have. I'm wondering if there's a plan to try to assist EJ communities with getting at least their fair share, if not more so, of this new infrastructure so they can close the gap and ensure safe drinking water and clean water ways for themselves and their community.

Administrator Regan, U.S. EPA: Thank you, Andy, for that question. Yes, we've given that a lot of thought. We try to apply that level of thinking as we distributed the American Rescue Plan dollars, both on the grant side for communities but also when we look at air quality monitoring. When you look at the bipartisan infrastructure law and you look at the billions of dollars that will go for water infrastructure, a lot of those resources are zero-interest or low-interest loans or grants. That really is unprecedented because it gives certain communities opportunities to apply for resources without having to have matching dollars. That opens up a different pool of folks that are qualified for these resources. Then, in those resources, our Office of Water, being led by Assistant Administration Radhika Fox, has been really thoughtful about how we also carve out resources to provide technical assistance to these communities that are on the ground. We have these grants and these low-interest to no-interest loans available, which increases the pool.

We've improved our ability to provide technical assistance with some of these resources as well. Then, what I learned during the Journey to Justice tour and what I've been doing over the past year is really developing a stronger relationship with our historically black colleges and universities, our minority-serving institutions, and also with mayors on the ground. If we can leverage these relationships with mayors on the ground who, quite frankly, have not been as successful competing with these dollars, matching that with some of these NGOs that are the ground, the technical assistance that we can provide, and again these grant dollars or low-interest loans that are part of the bipartisan infrastructure law, I believe that we'll have a larger pool of

applicants who will be really, really, really competitive for these resources. I think that's a game changer, quite frankly.

Mr. Andy Kricun, NEJAC Member: Thank you so much, Administrator. That's so great to hear because providing our communities with the shovels to get the buried treasure that can turn things around will really be a game changer. Thank you so much for your thoughtful efforts.

Dr. Jill Lindsey Harrison, NEJAC Member: Great. Thank you so much, and thank you, Administrator Regan, for being here. It's great to have this opportunity to talk with you and hear about all of the wonderful work that the administration has been doing and that the Agency has been doing. I just wanted to pass along a quick comment to you. My own research on government agencies and environmental justice reform efforts over the past ten years has shown that there has been some considerable unevenness within any given agency in terms of staff members' support for environmental justice reforms to the ways that everyday decisions are made in terms of permitting and rulemaking and enforcement. I guess a couple of things to say about that are, one, as part of this broader effort that you're committed to around environmental justice, I hope that it also includes some hard-hitting assessments of how well different offices within the Agency have done in terms of environmental justice and to really honestly reflect on how agencies have met their broader commitments in general and to EJ in particular and also to hold offices and management at all different levels accountable for their responsibilities to environmental justice.

Then, finally, in addition to rolling out these dollars for really important projects, also to fulfill the commitment that's been made, that Janet McCabe mentioned in her previous visit to us, to change the ways the decisions are made regularly in terms of permitting and rulemaking and enforcement so that the agencies work broadly. Even in times when we don't have these big influxes of funding for special projects, the Agency's decision-making can better support environmental justice daily. Again, thank you very much. I appreciate your time and your interest.

Administrator Regan, U.S. EPA: I appreciate that statement. I can say that, when I look across

the administration, especially at the other cabinet agencies, I feel so fortunate because, number one, we've got a dedicated workforce, folks like Matt who you all are so familiar with, who are so passionate about not only holding our external partners accountable but holding all of us accountable. I'm grateful to Matt, to Phil Fine, and to Vicki Arroyo, and all of those folks in OEJ and OP because they are really providing some excellent leadership. I'm also fortunate because, when I span out and look at all of our national program offices, whether it's Radhika Fox in OW or Carlton Waterhouse in OLEM, we've got some leaders there who are just relentless and who are really focused on ensuring that this is pushed down programmatically. When you add the president's overlay of these strategic plans and the building in of Justice40, I guess this is a long way of me saying that many of us want to do this work, and we know the structural changes required to get it done in an expedited way. But there are a lot of pressures that are driving all of us to do it in a structurally sound way that doesn't let anybody off the hook.

We're trying to build in all of that as we move forward. I think with the guidance and support from you all, I believe that this is a moment in time where we will be able to do this and do it in a really impactful way. We're mindful that everyone won't get it at the same time, with the same level of intensity. We're going to keep pushing, but we're also going to build a system that keeps that pressure on all of us. I hope to soon announce a senior advisor to me on environmental justice and equity. We are hopeful that, right now, our budget is held up in Congress with the Build Back Better plan. Once we get our budget, there will be the ability to begin to build a national program office dedicated to environmental justice and equity, which that advisor would be very competitive to lead that office. That would be at a Senate-confirmed level to, again, add even more accountability to all of these things that were started. I'm mindful that, yes, we want to do all these things, but there's a point in time when many of us may not be in these seats. We need to have the infrastructure in place so that this carries on long after each one of us serves.

Ms. Sofia Owen, NEJAC Member: Thank you, Administration Regan, for making time for us. Dr. Jill made several of my points, so I'll try to be brief. I want to echo the need for greater training and systems change in terms of how permitting and other decisions are made. Those have equity and EJ implication, of course, as we all know. It's wonderful the amount of money that is coming to communities, and I appreciate that that is unprecedented. I also want to make

sure that, with that money, there is going to be a focus on guidance on Title VI and how to ensure that accountability and transparency are built into those programs, as well, so that the recipients of that money are going to be able to be held accountable to the community. Then, the last thing that I'll say is that I acknowledge that the focus on equity and EJ for EPA and the strategic plan is unprecedented. But as someone who represents a black-lead, black-staffed community organization, our folks have been waiting for these changes to be made for 20, 50, 100 years. The moment is really now to make sure that we dig in and make these changes. Thank you.

Administrator Regan, U.S. EPA: Thank you. Listen, I think that it's fair to say that we share that sense of urgency on Title VI and civil rights. I think, in addition to ensuring that the funds are distributed equitably, there are numerous commitments that we laid out in Goal 2 of our strategic plan, and we've already started taking specific steps to strengthen civil rights compliance and enforcement as well. Your point is well taken. What I'd like to say, unfortunately, is we didn't get into this situation overnight, and we won't get out overnight. But what you have from the president on down are individuals that are committed to getting things right. We want to work as expeditiously as possible. We will continue to rely on all of you to hold us accountable and to provide us feedback and guidance. Again, I'm optimistic that we can right some of these wrongs sooner rather than later.

Dr. Na'Taki Osborne Jelks, NEJAC Vice-Chair: Thank you, Sylvia. Thank you so much, Administration Regan, for your time and for, really, everything that you've shared. I'm very encouraged by several things that you mentioned today in terms of the amazing work that is happening at the Agency, from the work on expanding the scope of TRI reporting requirements to the investments being made in the replacement of lead service lines to investments being made in EJ communities through the superfund spending, et cetera. A few times in what you've shared today, you talked about greater accountability. You also talked about getting eight of the ten regional administrators onboard. That seems something that's really key to some of the accountability that is needed in communities. In just a short time today, we're going to open up the public comment period. Every time we have a NEJAC meeting, there are people representing communities across this country who are coming to the NEJAC expressing concerns, in some

cases feeling like they have issues and challenges that EPA has some purview over, but that action hasn't necessarily been taken.

You mentioned, in terms of your Journey to Justice tour, that you're going to be responding, in a very prompt manner it seems, to the many communities that you visited this summer. What I'm wondering is if you could share a little bit about what in terms of, perhaps, your management approach and how you have onboarded these new regional administrators to also think about greater accountability to communities as they express their environmental justice concerns. Time after time, we're hearing the same types of comments that seem to have lasted for an extended period of time, often without clear responses, actionable responses, to those communities. I think, in terms of EPA's reputation, everything that you've mentioned today is wonderful in terms of the investments. The expansion of the EJ grants program is critical. But the trust that you build in these communities is going to be tied to that responsiveness. Again, just to shorten it, if you can talk a little bit about the strategies that you all are putting in place to make sure that, from the regional level, there's more responsiveness to communities and their concerns on the ground, I'd greatly appreciate it.

Administrator Regan, U.S. EPA: Yeah, and thank you for that question. When I spent time interviewing all of our regional administrators in partnership with the White House, environmental justice and equity were a key part of the interview conversation. Since these individuals have been onboarded, we've spent a lot of time talking about how they plan to execute our EJ initiatives in partnership with our headquarters office. They're developing plans. The good news is that, while we were waiting to bring these RAs on board, we were already building inventories of things that needed to be done or paid attention to. So that was part of their initial briefings. The Journey to Justice tour is an example of if we have had RAs on board -- which we didn't, but we had strong VRAs on board. As I did these tours and as we engaged with these communities in what I would call a historic manner, not only did we have the things that we were aware of but we learned about things that we were unaware of.

It allowed for us to begin to engage the community in a way where we think about how we prioritize solving some of these issues because, number one, we don't have an unlimited number

of resources or an unlimited amount of people. But we can begin to agree on what needs to be tackled first and what is most important. Those are the types of things that these new RAs are armed with now. When you have in an individual like Earthea Nance who has been spending a lot of time with people like Dr. Beverly Wright and Dr. Bob Bullard and thought very carefully about how to approach these issues, they are now leading regional offices, and they have staff that they can begin to push and prod and begin to tackle some of these issues. Many of these folks have only been on the job two to three weeks.

I'm confident that, once they get their sea legs under them and as they continue to push our agenda, we will see a level of partnership between our regional offices and headquarter offices that we've never seen before. Couple that with the guidance that the president has given all of us, I think it will just be a matter of how quickly we can tackle some of these complex issues and how much can we all push the envelope together. I don't believe it will be a lack of will. I can say that firmly from, again, Matt and his leadership and those here in headquarters all the way to our regional offices. The political will is finally there. Now we just have to begin to roll up our sleeves and do the work.

Ms. Felicia Beltran, NEJAC Member: Hello, Administration Regan. I'm Felicia Beltran serving out of Region 9, representing state and local government. I wanted to thank you for the recap on what the Agency has been up to and where it's headed to address equity. I want to make a statement that hearing you say, "People have been suffering for a long time," was a strong and reflective statement of really what's historically been happening to underserved communities from the actions of governments and/or industries. I really appreciated that statement being said. I also want to state that it's very exciting to hear the efforts of the external civil rights compliance efforts because there is a lot of weight around Title VI and the Civil Rights Act of 1964. I appreciate seeing this external enforcement effort as a priority from the administration. I always say that agencies don't have to take federal funds, but if they do, there's going to be some strings attached, and recipients are going to be held accountable to comply with civil rights laws. Again, thank you.

Administrator Regan, U.S. EPA: Thank you. I'll say EJ's external civil rights program really

shifted from being primarily reactive, responding only to complaints, to proactively initiating compliance activities. We're also initiating proactive pre-award and post-award civil rights compliance activities, including launching the first affirmative compliance reviews to address the impacts of potentially discriminatory activities on overburdened communities soon. This year, we will issue clear and strong civil rights policy guidance, and we'll deliver training and technical assistance to increase the recipients' compliance with civil rights laws, including those on adverse or disparate impacts. We've also committed to conducting timely and effective civil rights complaint investigations and resolutions, including investigations and informal resolution agreements that effectively address adverse, disparate, and cumulative impacts. We've already begun enhancing our communication and engagement with these overburdened communities to meaningfully inform EPA's civil rights work and to empower and increase their partnership, the communities' partnerships, and participation with critical decision-making.

We launched our first-ever public listening session on external civil rights priorities this past October. I'm excited about, again, what this team is doing. Listen, I'm delighted that I have such a strong team. All of the things that we're talking about today and the things that we've done in the past year, it really is because there are leaders at EPA, again, from myself all the way down who have really shifted resources, begun to reorganize, began to outline strategic plans, and have really put some actions in place that, quite frankly, are very impressive for a bureaucracy of this size to be done in the amount of time that we've done it in. I'm really excited about 2022. I'm excited about our partnerships. Again, I know we have a lot of work to do, but I believe that, if we stay focused, we will get a lot done over this next year, especially with your guidance and your suggestions.

Ms. Sylvia Orduño, NEJAC Chair: That is terrific. Thank you for also staying on here for a few extra minutes with us. I know that we've got a couple other members who have questions, but I'm going to ask if maybe they could just send them directly to you. We'll definitely capture it, too, in our notes. Again, in this special meeting that we're having, especially to provide the feedback from the strategic plan, one of the things I think, in case it wasn't already highlighted, was that we're very much appreciative of what has been outlined in Goal 2. But the Council didn't believe that the other areas of the report had enough emphasis on environmental justice issues, which is

why we've also made the additional effort to provide more feedback throughout the report. We're hoping that you'll take note of that when you do receive it and know that that was also part of our purpose in the review. Thank you, again, so very much, Mr. Administrator. We're delighted to have you here.

Administrator Regan, U.S. EPA: Thank you all. Again, thank you all for the hard work and for all the guidance. We greatly appreciate it.

Dr. Matthew Tejada, Director, EOJ: Thank you all so much. Thank you, Administrator Regan, so much for spending the time. I've been getting a lot of responses while you've been speaking, how blown away a lot of folks are with the commitment of this administration and your leadership. From my perspective of being here almost ten years as a career person, this is the work and the opportunity I came to EPA for. You are making that possible for us. We are absolutely waking up every morning to live up to your mandate and the possibility that you are making possible through your leadership. Thank you, Administrator.

Administrator Regan, U.S. EPA: Thank you, Matthew, for your leadership and your partnership.

EPA SENIOR LEADERSHIP UPDATES

Dr. Matthew Tejada, Director, EOJ, stated that behind the scenes, Alison Cassady has actually been doing so much of the EJ leadership work for us at EPA, and she will speak soon. He mentioned that several times in some of the previous NEJAC meetings and the administrator also mentioned trying to bring together so many of these things happening -- the strategic plan, the National Program Guidance, Justice40, the infrastructure bill, the American Rescue Plan. There's one that we have typically thrown in the mix every single time not just in NEJAC, just more broadly, not that there's none, but there's just not as much focus on as so many of these other initiatives. Maybe it's because it uses the word "equity" instead of "justice." Of the executive orders the president signed on his first day in office, they didn't include Justice40. Justice40 was signed on his seventh day in office if my counting is correct. On his first day of

office, he signed Executive Order 13985 on advancing racial equity. That is one that was implemented immediately back in February.

The leadership for that executive order is not coming from the Council on Environmental Quality, CEQ, which is running Justice40 and so many other parts of what we're doing on EJ and this administration. Executive Order 13985 on racial equity is being run out of the Domestic Policy Council under the leadership of Ambassador Susan Rice. Again, they've been grinding away on that since February. One of the things that are coming up is an Agency equity action plan. That is something that they've engaged quietly in. Some of the things that they presented and wanted to get feedback on back in the November meeting, they do so purposefully because we knew we had this other action plan that we were tying into these things. They've been quietly looking at a whole other effort going on as they're getting in more general feedback on strategic planning and other things.

He invited Ms. Alison Cassady to give a little bit more insight in terms of where they are at and where they're going to go, which will include more outright engagement with NEJAC in the coming months around what they're doing with that Agency equity action plan.

Ms. Alison Cassady, Deputy Chief of Staff for Office of Policy, U.S. EPA: I'm Alison Cassady. I'm the Deputy Chief of Staff. Thank you for letting me talk for a few minutes. I'll try to keep it short so that you guys can move on. I really want to hear more about the strategic plan and your comments on it. I thank you and reiterate the administrator's thanks for your engagement on that. Strategic plans aren't necessarily always the sexiest thing, but it is really important because we want to make Goal Two the top of the pyramid for the Agency's EJ and civil rights enforcement work. Because you guys have spent so much time commenting on it and the public has commented on it, we really want EPA's work to flow from it. That's where the equity action plan comes in. We've been working on it quietly. One of the reasons is that your feedback on the strategic plan is directly informing what we're doing on the equity action plan. We have been trying to kill two birds with one stone here, first of all, out of respect for everybody's time because we really want these two documents to be intertwined.

As Matthew mentioned, the EO 13985 directed all agencies, including EPA, to plan to ensure underserved communities benefit from EPA's programs, policies, and processes. That executive order is much broader than environmental justice. It's talking about a whole range of underserved communities from LGBTQ communities to rural communities. We focused on environmental justice as really the crux of what we're doing in this equity action plan that we have to submit because we want to use it as a starting point for actually implementing the strategic plan even before it's finalized. We want to tie our commitment to implementing the executive order to our commitment to implementing the strategic plan. We hope that this will provide multiple lines of accountability to you as well as to the Office of Management and Budget and others within the office of the president. It's a series of self-reinforcing accountability mechanisms in many ways. I heard a lot in the questions you asked the administrator about, obviously, the importance of implementation and the importance of accountability.

For the equity action plan, we're committing to several priority actions with clear metrics to actually get started on implementing Strategic Plan Goal 2 now and chipping away at some of the long-term performance goals in the strategic plan. I'll give you a couple of examples. First of all, we're committing to developing a consistent and comprehensive framework for considering cumulative impacts on populations and communities in our decision-making. That's a really important part of implementing Goal 2 well. We're also committing to build the capacity of communities to engage with EPA so that we can learn from you and manage community-led projects to reduce pollution and improve outcomes on the ground. What do I mean by that? For example, we're going to commit to provide more capacity-building grants and technical assistance, funding. We need the funding. Hopefully, with no appropriations, we're going to provide more capacity to build grants, more technical assistance to more communities. We also want to provide more tailored grants training to underserved and under-resourced communities. I can't remember if it was Andy who said, "This money is like buried treasure."

We want to provide more shovels, make sure that people have the right kind of shovels, and understand what kind of shovels to use, to really help communities apply for these grant opportunities. We're committing to ensure that all public meetings, stakeholder meetings, external-facing materials provide crucial information in a nontechnical, actionable manner and

really are more accessible for communities with disabilities, with limited English proficiency, et cetera. In addition to trying to build external capacity in communities with EJ concerns, we are committing to building EPA's internal capacity both to meaningfully engage these communities in a way that is culturally sensitive and truly meaningful, but we also want to ensure that our internal processes and way of doing business is set up in a way that we can actually take the information we learn, apply it, and build it and take action on it. This requires changing the regular course of doing business at EPA and building accountability, and it's about a systems change. I think somebody said that earlier in the Q&A with the administrator. One thing, for example, we're committing to do is requiring EPA's programs and regions to develop national program guidance and implementation plans for achieving the objective of Goal 2 in the strategic plan.

To be clear, that's not to be siloed. This is going to be across the Agency, not just an EJ program, but across all our programs. Second, we're going to commit to integrating equity, environmental justice, and civil rights benchmarks into our annual performance plans and reviews for the relevant EPA staff. Again, this is about accountability, personal accountability as well as programmatic accountability. Finally, we want to try to find a way to do ongoing assessments to learn whether our programs really are delivering for our communities in the way that we hope they are or think they are. I think Dr. Harrison raised this. These equity assessments or these EJ assessments can be expensive. They can be time consuming, but we want to find a way to do them right and do them strategically so that we know -- this is the objective we want to achieve; are we actually achieving it? In addition to the things I just mentioned, we are committing to other priority actions on Title VI enforcement, being more proactive. We need more funding for this, but there's a lot that we can do right now. We are committing to improving our procurement processes and contracting processes to make sure we are reaching businesses in underserved communities. We want to improve EPA's ability to integrate community science into our decision-making, whether it's permitting, rulemaking, our research agenda, et cetera.

Again, all of your comments on the strategic plan are directly informing this equity action plan. They really are related. We are trying to achieve our strategic plan objectives with this plan. It's going to lay out clear next steps to make achieving Goal 2 and the strategic plan or hopefully

make some progress on it as soon as possible. We look forward to continuing the conversation with NEJAC and other EJ leaders as we finalize the strategic plan. I look forward to reading the comments that I just received in my email. We really want to work with you to identify and improve any implementations steps that we need to take to make Goal 2 a reality.

One last thing I wanted to say before I stop talking is I wanted to let you guys know about a brand-new announcement, a brand-new thing that we did yesterday from the Office of Air. Just yesterday, EPA took final action to find that 12 states and local air pollution control agencies failed to submit state implementation plan revisions required by the Clean Air Act in order to address excess emissions during periods of startup, shutdown, and malfunction of their facilities. Obviously, these facilities are located in communities with EJ concerns, and these startups and shutdowns could have significant EJ impacts. EPA's action triggers certain Clean Air Act deadlines so EPA can impose sanctions when the state does not submit an adequate plan, or we can impose a federal plan. This announcement affects Rhode Island, D.C., Alabama, certain counties in North Carolina, Illinois, Ohio, Arkansas, South Dakota, San Joaquin Valley in California, and Washington state. That's something new that happened yesterday that I thought you all might be interested in, so I wanted to make sure you knew about it. With that, Matthew, I'll turn it back to you.

Dr. Matthew Tejada, Director, OEJ: Thank you so much. I don't have anything to add except, again, the first few months in this administration, I was like, whoa. All these things going on. How are we going to do all these things? How are we going to tie them all together? It is absolutely a huge credit to folks like Alison, who don't often get to spend a lot of time with you all, doing a ton of work very quietly but very aggressively within the four walls of the government, making these things actually happen and bringing them together and working in a way that I've never experienced, again, in my ten years of government, of really engaging me, engaging colleagues such as Lilian Dorka, who you see on the screen, engaging our staffs, really listening and working hand in hand with trying to do this the right way and bring these things home and bring them together so that they're meaningful; they're accountable; they're transparent; they're responsive to what we hear from the NEJAC, from what the NEJAC hears from members of the public. Huge credit to Alison and a lot of her colleagues that have come in

in this administration for really making this happen. I think we have just a couple minutes maybe, Sylvia, if anybody has any questions about this or questions for me or Alison before we hand it back over to you all to get on with the business of the meeting.

Ms. Sylvia Orduño, NEJAC Chair: Thank you very much for that, Matt and Alison. It was a pleasure to hear what you reported there. Maybe one thing that I'll offer towards this is that, yes, very much measures matter. What EJ communities really need are those outcomes. I'm sure you're regularly hearing it. Yes, we don't want to continue to be studied and researched. We want to see the deliverables. You can keep that in mind too. I think that that's also what we try to hit at in some of the strategic plan feedback. I'm glad that you'll be drawing from that document, as well, as you're developing the equity action plan.

Ms. Alison Cassady, Deputy Chief, OP: Yeah, no problem. One thing I should note is that, in terms of building accountability mechanisms, one thing we're trying to figure out is what are those outcomes that we can start to measure. Some of them don't appear overnight, obviously, like reducing blood lead levels. That's an outcome that we want to achieve that we need to figure out what is the baseline we're starting from. How do we measure our progress? How do we hold ourselves accountable for that? In addition, have we had five meetings or done these widgets? Because I understand what you're saying. There's always that challenge of figuring out, what is the right outcome to measure, and can we actually measure it in a short enough period of time to figure out if we're actually making that progress even though it might take ten years? I look forward to your comments because that definitely will inform how we can think about that better. Thank you.

Mr. Andy Kricun, NEJAC Member: Thanks, Sylvia. One quick question or thought is that, having worked in the public water sector for many years, one of the really helpful things was that the public sector is really able and wants to share our best practices and knowledge. If a McDonald's does something, they wouldn't let Burger King know necessarily, but the public sector's glad to share information. So we often, in the drinking and wastewater side, would have a compendium of best practices so that, if one utility had a good idea, others could learn from it and replicate or adapt it. I'm wondering if the same kind of approach might work with the 50

state departments of environmental protection, the 50 state EPAs, or even the 10 regional EPA offices, to try to see if there are certain things that one regional office is doing, one innovation, or one of the 50 states is doing that the other 49 could benefit or the other 9 regional offices to try to bring about and gather all these best practices and successful ways of implementing environmental justice, whether it be enforcement of odors or permitting or assistance to EJ communities and see what those best practices are that some of the regional offices and state offices have been able to come up with and then share them so that other states and other regions could benefit as well. Thank you.

Ms. Sofia Owen, NEJAC Member: I am wondering if it is possible to have the information that, Alison, you presented to us be shared in a written form, whether it's a presentation or a one pager, so that we can share that back with our community members and constituents.

Ms. Alison Cassady, Deputy Chief, OP: We can work on pulling something together. Yeah.

Ms. Sofia Owen, NEJAC member: Thank you.

Ms. Sylvia Orduño, NEJAC Chair: That'd be terrific. Thank you, because I'm sure that this is going to be on the mind of this Council for this year, at least. There's a lot that's related to equity and I think ties in with Justice40. We'll be looking for it. Thank you for that.

Ms. Alison Cassady, Deputy Chief, OP: Yeah. We're trying to make it all, actually, sing together. It's a little bit of a challenge.

Ms. Sylvia Orduño, NEJAC Chair: Loud like a beautiful choir. Thank you.

Ms. Alison Cassady, Deputy Chief, OP: Some of us are out of tune. Some of us you don't want to hear sing. But we're working on it.

Ms. Sylvia Orduño, NEJAC Chair: We look forward to it. Thanks so much. Well, if there's nothing else, Council, then we'll go into our next item. Appreciate very much that report from

Matt and Alison.

NEJAC STRATEGIC PLAN SUMMARY FEEDBACK -

All materials presented at this meeting including the NEJAC's Strategic Plan Summary feedback document are available in the public docket of this meeting. The public docket number for this meeting is EPA-HQ-OA-2021-0848. The public docket is accessible via www.regulations.gov under its docket number, EPA-HQ-OA-2021-0848.

NEJAC FORMAL RESPONSE AND DELIBERATION ON DRAFT FY 2022-2026 EPA STRATEGIC PLAN PRESENTATION (THIS IS A FOLLOW-UP FROM THE NOVEMBER 10, 2021 NEJAC PUBLIC MEETING.)

Ms. Sylvia Orduño, NEJAC Chair, stated that this is the heart of the meeting. She stated that Michael Tilchin made a document tying together the recommendations from the Strategic Plan Workgroup, who met four times over November and December, and the feedback from the public commenters. The Council will go through each goal and make suggestions for additions, deletions, and changes. This document will eventually go to the Office of Environmental Justice, not the administrator yet. (This document is currently available in the public docket for this meeting at www.regulations.gov under its docket number, EPA-HQ-OA-2021-0848). Only the Strategic Plan Group will report out at this meeting; the other workgroups will report out at another meeting. She stated that the conclusion of the final document will also conclude the work of this workgroup, which was a short-term workgroup. It can be decided later if there's a need to pick up any part of what this work was. She thanked Michael and the workgroup for their hard work.

Mr. Michael Tilchin, NEJAC Vice-Chair, thanked the group for their hard work. This is a work in progress, certainly, in terms of clarity and spelling and punctuation. He reminded the Council not to worry so much about the small mistakes; just focus on the big items. He reiterated that this strategic plan is about establishing Agency-wide priorities and setting a direction for EPA and all the national programs. It absolutely addresses long-term performance goals and the other more

immediate performance goals that are highlighted in the strategic plan. It does not get into implementation issues, which is not the purpose of the strategic plan. But the NEJAC knows that those are the next steps, the downstream products that are developed from the strategic plan, where plans get developed, and those plans and action plans are implemented. It does talk about the vision for those actions that are needed. That's intentional, and hopefully, it is taken in the spirit with which it is offered, to help the Agency do better with respect to serving overburdened and underserved communities.

Ms. Sylvia Orduño, NEJAC Chair, reminded everyone that Aya Nagano is taking notes to capture the additional feedback or edits to this document. She'll be the Council note taker on this because the official notes from this meeting won't be received in time. She invited anyone else who wants to help to contact Aya because those are the notes they'll be drawing from. She reminded the Council that there are about eight or nine minutes allocated per goal. Some goals will take longer, maybe 12 minutes. Others are shorter, maybe six minutes.

Mr. Michael Tilchin, NEJAC Vice-Chair, explained that the names written in the document were the source of the comments. He asked that those persons named essentially address what's on the page, clarify things if they're not written correctly, and potentially expand if there are any revisions.

Mr. Andy Kricun, NEJAC Member, thanked Michael for pulling all of it together. He explained that EJ communities are disproportionately burdened and vulnerable to issues of climate change. As listed in the document, the first one would be requiring better enforcement of the existing nine minimum controls for combined sewer systems, which are often in older EJ communities, and making sure that these communities aren't impacted with combined sewage flooding, which obviously is a public health issue, or combined sewer overflows, which results in contamination of waterways. EPA needs to take the lead with the states and the regions to make sure that these existing regulations are more rigorously enforced in EJ communities.

The Administrator alluded to comment number two. Additional funding should be pushed toward combined sewer systems because there are two sides of the environmental injustice coin

associated with the combined sewer systems, one being that they result in combined sewage flooding and combined sewage overflow. Also, they're very expensive to fix.

There's a community in New Jersey, for example, the city of Perth Amboy, in which it's supposed to take 40 years to fix their system to make it affordable. Yet, their rates will still go up by a factor of four. They'll quadruple. The only thing that can break that is they either have to deal with impaired waterways and combined sewage for a longer period of time or have their rates go up even higher. The only thing that helps would be external funding and assistance. Also, good begets good is comment number three. When green infrastructure is put in place to capture stormwater and bring back a less impervious surface and more balance to a city and an urban area, then this green infrastructure has to be maintained. It's an opportunity for green jobs in EJ communities, like the Civilian Climate Corps idea that's now in the Building Back Better plan. Some of that should be supported. Like a toolbox, you don't want to have eight hammers. You need a hammer, pliers, a screwdriver, et cetera.

Comment four is that, in addition to additional funding and additional enforcement, also to give some of our EJ communities some guidance, maybe some templates, for environmental justice ordinances that would help to protect against cumulative impacts or stormwater ordinances so that our EJ communities don't have to develop these ideas in 1,000 or 10,000 different siloes. There could be templates, so they get them along the way more quickly, so it'll be easier for them to implement such ordinances that are more protective.

Similarly on comment five, another thing that is a challenge, especially in the northeast or the eastern half of the country, is flooding. I know that water scarcity is more of a problem on the western side. On the eastern side, though, and in all parts of the country where there are more storms, there are vulnerabilities to power outages. There are power outages on either side of the eastern-western continental divide. Maybe provide some more guidance and also funding on how to implement green energy initiatives so that safe drinking water and clean waterways can be preserved even if there are power outages, getting our water utilities off the grid, for example.

Similarly, in comment six, we deal with the river level rise, which is another serious problem in

areas where flooding is more of an issue. Then, lastly, on the drought side, to help address drought and low-flow conditions as well. The thing is that -- and the administrator really addressed this earlier -- often in the past, EPA and the states have been reacting to problems. But it would be great to see them also, especially in environmental justice communities, acting as a proactive champion in the environment and providing additional resources and funding and also bringing partners in, like nonprofits, community groups, that would assist the EPA and the states in bringing more resources and knowledge to the EJ communities.

Mr. Michael Tilchin, NEJAC Vice-Chair stated that the next set of comments is related to that connection that Andy just made. Many of them focused on the connection between resilience. These next comments address issues related to, specifically, a focus on energy and energy education. Several people had comments along these lines.

Ms. Leticia Colón de Mejías, NEJAC Member stated that these comments are related to feedback that was heard from communities and also witnessed. It's very difficult for people to be engaged in a conversation or directing or having any agency in decision-making or accessing opportunities if they're unaware of the issues or causes of those problems or potential resources that are available or how to apply. It's very important to understand that there's been systemic racism throughout history. Therefore, certain communities have had no access or little access to information regarding energy impacts, climate change, and the implications on their health or their economic development in their communities, nor are they prepared to make the necessary changes to become resilient based on the climate science that's available at the EPA and the DOE.

So this suggests that, for those communities to be appropriately engaged, they would need to have access to that information. That wasn't in the plan, and so it's remiss to imagine that someone would know how to address something if they didn't know the problem exists or the causes of the problem. Likewise, this then rolls into the idea that equitable electrification would also require that same shift, that overburdened communities may not be aware of the implications of the choices that are made by government agencies. Thus, it would be critical to ensure that they understand the ways. Some of those ways are more protective to underserved

and vulnerable communities. Therefore, this plan must note that intentionally and that it be a specific goal in the plan.

Ms. Sofia Owen, NEJAC Member, noted that in that first objective there's no reference to environmental justice or equity, which is a problem. Place-based emissions reductions are critical in terms of addressing the climate crisis for EJ populations and other frontline communities, especially where they're relying on market-based solutions like the regional greenhouse gas initiative in the northeast. We haven't seen place-based emissions reductions at the same rates in both the northeast and in California where we have solutions like that. She just wanted to highlight that EPA needs to ensure that those reductions are being made.

Ms. Leticia Colón de Mejías, NEJAC Member, followed up on Sofia's comment. It's often remiss in many of the discussions about climate change that the largest emitter is electric demands, generation of electricity. It's important to understand that that is both at the generation site but also at homes and buildings across America. So it's critical to understand that, to reduce that, several acts have to happen. The first one is that people need to be educated. There has to be retrofitting of all of the homes and buildings across our nation. Then there are entire communities that have no access to any type of renewable resource because they're often, again, in underrepresented communities, renters, and can't even adopt some of the opportunities that exist today. There needs to be a direct environmental justice focus and a civil rights focus on the importance of access to clean energy and demand reductions services, which have additional benefits beyond climate because they also impact air, water, food, and resilience in general, as well as career opportunities.

The other thing that is important in environmental justice concerning climate resilience is that, again, in underserved and under-represented communities, we find a very high rate of barriers to even accepting retrofitting of homes. So these are nob and tube, asbestos vermiculite, lead, mold, and heating failures which would exempt their homes, either single-family or multiple-family, from becoming resilient and energy-efficient or from connecting to resources like solar. Again, there's an issue with flood resilience because many of these communities that are low-income and communities of color are in low-lying communities, and they're not in the areas in the

FEMA maps that were originally put out for flooding. There has unfortunately been, even in just this past year, flooding that has occurred in unexpected places. Because basements are where we house our heating, cooling, and hot water equipment, it leaves them without access to heating and hot water, making it an unsafe living condition.

There's been increased mold all across the nation, again, in unexpected areas. So they're not often in the plans or looked at as places to provide support. This is going to be along the rivers, along the wetlands. Then, the other thing is that, again, it's very important to ensure that, when they're talking about water, they educate people on ways to avoid getting toxins. Water is going to rise, and so the toxins are going to be closer to those low-lying communities. Then, the last one is about information and resources, ensuring that they provide people information to take action in more than one location: at home, at work, at school, in their community. Making them heroes versus victims will help move people to the frontlines to play a role in decision-making and have agency in protecting the things that they love, like their family homes and places they live.

Mr. Michael Tilchin, NEJAC Vice-Chair, stated that next are the long-term performance goals.

Ms. Sofia Owen, NEJAC Member, stated that, unless these broader goals commit to reducing emission in EJ and frontline communities, they run the risk of overall reductions, which is a good thing, without ensuring that the most burdened folks are actually seeing the benefit of cleaner air. Concerning the reference to Executive Order 13990, there should be a priority for holding state and partner agencies accountable, tracking and measuring enforcement performance, and intervention when states are not taking action or responding to community concerns. For electric vehicles, the analysis of benefits should consider the full spectrum of electric vehicles, not only individually owned cars but public transit and fleets. If at all possible, programs directed at reducing emissions from wood-burning appliances should reach beyond the residential context, and the generation of energy from biomass should not be considered a renewable energy source or subsidized.

Mr. Michael Tilchin, NEJAC Vice-Chair, moved on to Objective 1.2, accelerate resilience and adaptation to climate change impacts. He read a comment from John Doyle, who was not able to

join the meeting. John noted that the critical role that the tribal colleges play in researching tribal lands is at the core of being able to address issues. He cited some very specific and somewhat unique things that are happening in often very rural tribal lands. Those institutions, those academic institutions, on tribal lands really play a vital role in protecting the community through the research they perform, and that is something that ought to be highlighted as a priority for the Agency in this area of technical assistance.

This is an issue that they have talked about in numerous contexts over multiple NEJAC public meetings, and that is the establishment of regional EJACs. Picking up on what the administrator said in the Journey to Justice, it's important to have access to decision-makers through NEJAC. They do serve an important conduit, but the conduit is too narrow. The establishment of regional EJACs is going to essentially create the circumstances for the kind of communications between communications and the regions that are really critical to achieving the goals of environmental justice. That's what this is about. They also addressed this issue in a previous report that came out in 2018 on youth perspectives related to climate change.

Ms. Sylvia Orduño, NEJAC Chair, explained that there was a report that was done in July of 2018 by youth from across the country that had been invited to respond to a charge about youth perspectives on climate change and how to best engage youth. There were several recommendations that they had in there, specifically around engagement and how it could be done better paying attention to generational issues and so on. She extracted from that report some things here that are relevant to strategic planning. A lot of it, again, is about when they're looking at how to implement programs and how to seek participation in them. There were some specifics there that they can all do better by way of ensuring that youth are not only informed but that there is respectful space for them to participate. This also means making sure that there are adequate resources that are also employed for that kind of participation.

Mr. Michael Tilchin, NEJAC Vice-Chair, invited the Council to make comments on Goal 1.

Dr. Sandra Whitehead, NEJAC Member, asked a specific question going back to 1.6. Is there a reason that river level rise was focused on and not intermittent flooding or sea-level rise?

Mr. Andy Kricun, NEJAC Member, stated that he meant all three were important. He didn't mean to cite just one area.

Dr. Sandra Whitehead, NEJAC Member, wanted to be clear that all three need to be included so all communities are covered.

Ms. Ayako Nagano, NEJAC Member, didn't know if this was the place to state her concerns or not. She got an email from Fred Jenkins late last year that the EPA's Office of Land and Emergency Management and the Office of Resource Conservation and Recovery recently focused on a recycling strategy for a circular economy. The goals were to increase recycling to 50 percent. Truthfully, the strategy should be to eliminate the creation of things that are not part of the circular economy. They need to stop the production of these pollutants at the source. Why focus on recycling when they need to stop production? There's no discussion about curbing the production of new disposable plastic products. It increases the use of fossil fuels and it's growing.

From source to production to its afterlife, disposable plastic is a pollutant that the United States produces in large amounts. It's an injustice of grand proportions that those who profit from the creation and sale of these unrecyclable substances market them with a greenwashed lie that it is somehow okay to pollute the earth and its inhabitants in this way continually. It's only getting worse. The production of disposable plastics is on an upward trajectory. The problem is not whether we are recycling better or not. She doesn't see the EPA pushing against the production. They really need to be focusing on the production, to stop it. We just don't need these poisons any further. Maybe objective 1.4 is to curb the production of disposable plastics somewhere in this plan because there's no end in sight right now. There's a new facility being planned. It needs to stop, and somebody needs to put their foot down.

Ms. Sylvia Orduño, NEJAC Chair, suggested that as a new recommendation and asked Aya to add it to the notes.

Mr. Michael Tilchin, NEJAC Vice-Chair, stated that it is relevant to Goal 6.

Ms. Jacqueline Shirley, NEJAC Member, had a clarification about the biomass comment. It's on number 11 where it says, "As part of that, current practices for generating energy from biomass should not be considered a renewable resource and should not be subsidized." That seems pretty broad because are you trying to talk about logging. There is a benefit as a fuel reduction because of the drought. A lot of biomass programs are going into these overgrown, dried-out forests and using those biomass products as energy and also at the same time reducing their fuel reduction program. She didn't understand that whole thing because it seems like they're saying biomass is something that shouldn't be considered a renewable energy source and shouldn't be subsidized when there are so many aspects to biomass. She said she was having trouble with this sentence.

Mr. Michael Tilchin, NEJAC Vice-Chair, stated that he's not an expert in this, but his initial reaction to this is there are clearly going to be regional, geographic, biogeographic differences. A blanket statement like this that seems to be applied to the country as a whole probably needs to be reworded to reflect those details. Because the Council doesn't have time to dive deep into biomass at that moment, it will address that issue in the coming days to make sure it's straight in what ultimately gets submitted at the end of the week.

Ms. Sylvia Orduño, NEJAC Chair, reminded the Council that the meeting needs to stay on track for time.

Mr. Michael Tilchin, NEJAC Vice-Chair, suggested that the member identified on the document comments focus on areas where the words are simply misdirected or there's a key point that hasn't been made. He acknowledged that it's challenging given the timeframe, but that's what they'll need to do to speed up the process.

Dr. Na'Taki Osborne Jelks, NEJAC Vice-Chair, wanted to underscore another comment that was made earlier about singling out rivers. They also have to consider creeks and streams that

flood communities out as well. She wanted to make that distinction in terms of looking at waterways and not just focusing on rivers. Then, to the recommendation that was focused on providing some guidance on adopting stormwater fees, that could be applied to large owners of impervious surfaces, et cetera. There must be guidance that is provided that can help municipalities who are perhaps looking to adopt a stormwater utility and making sure that there are models that they can look at in terms of equity for low- to moderate-income homeowners who might be impacted by such a policy. Just wanted to add that, that there are models out there and that that guidance should also be shared.

Dr. April Karen Baptiste, NEJAC Member stated that one of the things that she would like to see strengthened in the strategic plan is perhaps encouraging the EPA to either list or prioritize those areas that are most vulnerable to climate change. For example, on page three, there is a mention of low-lying areas or areas located around rivers. We know that everyone is going to be impacted by climate change, but some areas are going to be much more vulnerable than others. For example, our small and developing states that are part of the United States are prone to typhoons in the Pacific as well as hurricanes in the Atlantic. How is the EPA going to list and prioritize those areas that are the most vulnerable of the vulnerable? Then, not only prioritizing those but then developing a clear plan for adaptation, resilience, capacity building, and addressing those that already can address climate change?

Ms. Leticia Colón de Mejías, NEJAC Member, suggested that, on biomass, there are types of biomasses that are actually made from byproducts of other products. There's also hemp biomass. It actually absorbs carbon while growing. She understands the need to be focused on the particulates released when burning biomass, but some climates are going to need backup heat because they just don't currently, and won't for a while, have resources to do it otherwise. Additionally, some of them have benefits while growing. That's something to be investigated. For low-lying areas, it's very important to make sure that we focus on all low-lying areas, wetlands, streams, rivers, creeks, and flooding in those areas.

Later on in the document, there's talk about benefits, how to delineate environmental justice and ensure that it's equity-based when you're planning for infrastructure changes. That would be, like

April was saying, looking at which communities currently are going to be most hard hit, understanding that those communities need resources first. The other thing, which is really important and isn't in here, is ensuring that resources go to areas that already are not resourced. She reiterated what April just said because that is historically how it happens; people who have resources leverage those resources to get more resources. Thus, those without stay without. If there's any way to get that into this document, it would be very important.

Ms. Sofia Owen, NEJAC Member, hoped that, as a group, it can be narrowed appropriately to focus on the technologies and situations that may be beneficial and flag those that are not. She noted that one theme that came up repeatedly is there are a lot of references to EPA working to have programs in place to ensure that state agencies are fully compliant with their obligations under environmental law and Title VI. She knows that this is meant to be high-level, but she did question how and whether that goal is achievable given that they hear over and over again from community members that their state agencies right now are not in compliance and are not receptive to their needs. She hopes that there will be more specificity regarding how and what those plans will look like and more emphasis on enforcement.

Mr. Scott Clow, NEJAC Member, stated that his comment was regarding nuclear power and the front end and the tail end of that energy production. There are a lot of people in this world that think that nuclear is a great solution to climate change and energy production, and it's certainly a tool in the toolbox. What they've seen, like his colleague from Navajo pointed out earlier regarding ISL uranium production, is that, on the front end, a lot of rural, especially native American, communities out west have been impacted by uranium poison. We're also poised to receive the high-level nuclear waste at the tail-end of the cycle. The middle part's great, but the front and the tail end are very poisonous and hazardous and create environmental justice issues.

Mr. Michael Tilchin, NEJAC Vice-Chair, went on to Goal 2.

Ms. Sylvia Orduño, NEJAC Chair, stated that for the sake of time, they should just highlight anything new.

Ms. Jacqueline Shirley, NEJAC Member, stated that NEJAC and EPA spent considerable time back in 2014 with the charge on the EPA policy for environmental justice working with federally recognized tribes and Indigenous peoples. She suggested that they should use language that's already in place instead of having to reinvent the wheel on specific language. It should say Indigenous people because Indigenous people are very broad for our country, for state-recognized tribes, non-recognized tribes, our Hawaiian brothers and sisters, and even other migrants, other Indigenous peoples from other countries who live in EJ communities. The working group addressed those. Those Indigenous peoples even from other countries who live in, predominantly, our U.S. EJ communities are also recognized.

Ms. Sylvia Orduño, NEJAC Chair, noted a couple of other things. On page seven of this document, one of the things in that second bullet was related to investment in EJ organizations. Again, they've talked about this several times, about the need for additional resources at the regional level. They've heard repeatedly from staff that there is not enough staff and that those that are EJ coordinators are oftentimes really stretched out. She wanted there also to be real specific intentionality and resources devoted to making it so that the regions can have the resources that they need to be effective because it only frustrates the effort when they're talking about how it is that the regions engage with state and local groups.

Objective 2.2 about embedding environmental justice and civil rights, they had a considerable conversation about that and appreciate what Matt and Ms. Dorka shared last time in how to enforce civil rights in EJ communities.

Mr. Jonathan Perry, NEJAC Member, commented on that section. It would be really beneficial if we look at EPA having reference to maybe internal training on how to coordinate and work with different tribes and different Indigenous people. There's a great need for that within our area here in the Navajo Nation. The reason is that you get different regions, like Region 9 or Region 6, working with the Navajo Nation. The other approach is that the influence of jurisdiction, like different land status that we encounter, there's a need of training between the EPA staff and how they can coordinate and work with the different tribes.

Ms. Millicent Piazza, NEJAC Member, clarified that back on page five; the second and third are from the NEPA workgroup.

Dr. April Karen Baptiste, NEJAC Member, commented on the second point. I would like to see the EPA do an audit on all the cases that have been brought to them already and what has been accomplished, as that's been something that has been brought up constantly. What has been accomplished so that they can see that? That should fall under Goal 2, perhaps developing a clear protocol for how cases will be addressed when they are brought to the EPA and making that transparent. They may need to have new staff or a new office. If there is one, maybe that office needs more resources. Then, finally, there needs to be a clear sense of any outstanding or pending Title VI claims that are pending to determine what speedy action is going to be taken.

Finally, there needs to be resources provided for communities so that they can write up their complaints so that they are successful because lots of people don't have those resources. I just wanted to reflect those on the record.

Ms. Jacqueline Shirley, NEJAC Member, wanted to make sure how important it is that they do not use "Indian country" because there is no Indian country in Alaska except for Metlakatla. There are 239 federally recognized tribes, but we're not considered Indian country. Indian country is a very inappropriate term.

Ms. Sylvia Orduño, NEJAC Chair, thanked Ms. Shirley for flagging that. She reminded everyone to keep Goal 3 short. It enforces environmental laws and ensures compliance. Within that, there's an objective 3.1, holding environmental violators and responsible parties accountable.

She flagged line Item 31 about fence-line communities and wanted to make sure, as well, that there is something that is being done to protect frontline communities and that they need a truly protective risk management plan. There have been calls for the NEJAC to write a letter about this and take the information that has been shared so that they can actually see about getting this

incorporated. She hopes that what we can do is make sure that they've got that specificity in this strategic plan for that. Then, when they have our next public meeting, they can look at the potential development of a letter specifically on that to enforce it because it is something that some of our public commenters have been trying to drive home.

She moved onto Goal 4, which is to ensure clean and healthy air for all communities.

Ms. Cemelli De Aztlan, NEJAC Member, wanted to emphasize that, throughout this whole strategic plan, she had noticed there is no mention specifically of the environmental effects in border communities. She addressed the Clean Air Act's loophole, 179B, which allows for an exemption on clear air because of our international boundaries. Often, people want to blame Mexico for our poor air quality. But the United States is not only responsible for a huge percentage of that on the U.S. side of the border, but they're also responsible for a huge percentage. Almost 70 percent of maquilas in Ciudad Juarez are U.S.-owned companies. She didn't include that emphasis in regard to how do they hold U.S. companies that choose to manufacture in countries such as Mexico that have lax or less environmental laws. She didn't know if that's overlapping some of the updated NAFTA environmental requirements with the EPA. The only way to hold those new NAFTA requirements responsible is if the U.S. has some standards regarding that business exchange. Unfortunately, that has a lot of negative effects on the population here on both sides of the border.

She emphasized the Section 179B loophole of the Clean Air Act. It's on Goal 4, going into the second page, the second point. Essentially, about 70 percent of the maquilas in Juarez are U.S. owned. They go to run their factories in Juarez because of the lessened environmental and labor laws. She suggested that there needs to be some sort of threshold in that assessment, that loophole. It's too big of a loophole that keeps allowing the contamination and polluting of our community here. The international loophole, I think, should have some sort of amendment that says, if more than 40 percent of the U.S.-owned company is in Mexico, what sort of regulations we could apply to them?

Mr. Michael Tilchin, NEJAC Vice-Chair, noted that it's his understanding that they will have a

chance to edit and add to this between now and the end of the week. They can have a mechanism for getting critical issues like the one that Cemelli just raised into this document before submission.

Ms. Sylvia Orduño, NEJAC Chair, stated that they've captured the essence of it in the notes. She moved on to Number 41. It is wanting to make sure that there is incorporation in the strategic plan about the Justice40 pilot areas that are under EPA. She moved on to Goal 5 which is to ensure clean and safe water for all communities. She noted that some of the previous goals overlap with these sections. They even get back to some of the comments from the administrator as well.

Mr. Jonathan Perry, NEJAC Member, asked, for this section, would it be best to also make a clarification or distinction with the aquifers? It would be very crucial to include a language of aquifers and have that outlined specifically because, in some cases, that would be more adequate in terminology.

Ms. Sylvia Orduño, NEJAC Chair: I think that's completely appropriate. The aquifers would be important to include.

Ms. Joy Britt, NEJAC Member, wanted to touch on incinerators as many of the rural communities, most especially in Alaska, only use incineration and trash burning as means of disposing of waste. There is much research about the injustice of incineration in smaller communities.

Ms. Sylvia Orduño, NEJAC Chair, stated that she had gotten some additional feedback from Ms. Crawford with the District of Columbia Department of Energy and Environment related to objective 4.2, as well, again saying the EPA needs to move looking only at radon and that natural gas consumption in the home leads to dangerous nitrogen dioxide and carbon monoxide levels. While EPA doesn't regulate them from the indoor perspective, residential natural gas use is one of the larger sources of precursors and also must be regulated. She will make sure that they get that incorporated, as well, as something else to note.

She went on to Goal 6, which is to safeguard and revitalize communities. With no comments, she went on to Goal 7, to ensure the safety of chemicals for people and the environment. Most of these comments were from the farmworker and pesticides workgroup. It is needing to ensure that there's an emphasis on the protection of vulnerable workers, that it's not enough just to provide for training. There has to be an emphasis on human life and their experience as workers as well as children that are exposed to chemicals as well, even in the communities in which they live.

She went on to the summary on page 19, which is the section on cross-agency strategies. There are four. The first one is to ensure scientific integrity and science-based decision-making. There are comments from Dr. Harrison as well as some additional feedback in cross-agency Strategy 2, which is consider the health of children at all life stages and other vulnerable populations. There was no specific feedback that we received on Strategy 3, which is to advance EPA's organizational excellence and workforce equity, but there was some on Strategy 4, strengthen tribal, state, and local partnerships and enhance engagement.

Ms. Cemelli De Aztlan, NEJAC Member, stated that there was a recent Supreme Court case that, using science-based and percentages, essentially, looks at minority communities and says, "Well, if it's only affecting a small amount, it's okay." I love science, but when we talk about percentages and statistics, it's very much skewed.

Ms. Leticia Colón de Mejías, NEJAC Member, noted that on Item 84, on Strategy 3, no one commented. She wondered if no one commented because no one knows what the EPA's organizational excellence and workforce strategy is. She suggested that black and brown communities are underrepresented in the clean energy industry and the energy efficiency industry, making up a maximum of 12 percent of all people working across the nation in that area. There is more than 12 percent of us in the United States. They're underrepresented in many of these things. Maybe there should be something there about ensuring that whatever this excellent workforce equity strategy is has some metrics around engagement of communities of color in the workforce initiatives. I can tie a report to that that was done by the DOE. Then, on the next one down, with partnerships, what they're trying to say is, what are the metrics on

ensuring that there is maybe a small group of representatives?

Ms. Sylvia Orduño, NEJAC Chair, noted in the point about Strategy 3 is there is a pretty good description of how EPA is trying to be more mission-driven in its workplace but also in its hires. Also, she noted that a lot of communities of color oftentimes might not have the education to be able to apply to jobs in the federal government, then how to improve on that to reduce barriers and increase opportunities. That is something that they are conscious of. That would be important to learn about in this equity action report that is being developed.

Mr. Jonathan Perry, NEJAC Member, stated that, for this section on the discussion, would it be good to also maybe outline a section where EPA can coordinate with the tribal governments to maybe have the tribal governments establish programs to allow for their people to get educated or get the skills they need to take up some of these roles? It would be good to have EPA try and set up communication that way. It would help support getting these Indigenous people into these positions because a lot of times the actions are taking place on tribal lands or on reservations or other areas. A lot of the communities would feel more appropriate that their people are engaged and working in these different positions.

Ms. Sylvia Orduño, NEJAC Chair, stated that there are multiple points across this plan that the questions relate to implementation, about how do they ensure that these job force development and training opportunities are built into these programs, but also whether resources are going to drive the economic needs of those communities as well. That's very appropriate there.

Ms. Jacqueline Shirley, NEJAC Member, stated that her question was going to be out of ignorance because she saw other vulnerable populations, especially when we're talking about pesticides and other environmental negative impacts on some of our farmworkers, our migrant workers. A lot or maybe a majority or maybe a few may be undocumented citizens for this country, but how does NEJAC protect them and how does EPA work with cross-agencies, maybe, with whoever's involved making sure that they're protected. Because whether they're documented or not, they're part of our society. They're part of the economic drive in our society.

There's money exchanged. There's food exchanged. I don't know how we can protect undocumented citizens in our country from the devastation that they receive by making sure that we have food on our plates. How would EPA work with other agencies? Do they have a whistleblower program for those migrant workers, those farmworkers? How can we allow them to speak up? That whole area needs to be addressed in this country.

Ms. Sylvia Orduño, NEJAC Chair, answered that where it probably applies the best is in that cross-agency Strategy 2, about considering the health of children at all stages and other vulnerable populations. There's definitely more that could be and should be said around how to provide those not only workplace protections but human rights needs that are issues of violations that need a cross-agency response. She will try to maybe get that more in that strategy.

Ms. Cemelli De Aztlan, NEJAC Member, suggested that it should be worded like Title 1 schools and HUD require air monitoring and implementation of mediation and strategies with the community. Also, in just looking at the language here and how children and vulnerable populations are ignored, she would like to repeat or reiterate here that many of the standards are based on an adult male, which has been very frustrating when they're trying to address lead and high levels of copper in the soil. The EPA still has its standard assessing from adult males. So having children or children-specific standards should be added.

Ms. Sylvia Orduño, NEJAC Chair, stated that it was time for a break and that they will resume where they left off followed by the public comment period.

[BREAK]

Ms. Sylvia Orduño, NEJAC Chair, welcomed everyone back and continued where the meeting left off.

Mr. Scott Clow, NEJAC Member, commented on cross-agency Strategy 1. It's important for the scientific integrity to also connect with traditional ecological knowledge and that there's often this perception that those things are fundamentally different when I think what we really

need to accomplish is connecting the two of them. This also relates to Strategy 4 as far as public engagement and trying to learn how local people interpret the goals and how to engage the public with local knowledge as opposed to while we're communicating with you, but we're really understanding you. So, I just wanted to throw some traditional ecological knowledge [TEK] of concepts from there.

Ms. Sylvia Orduño, NEJAC Chair, stated that it reminded her of something that's come up, too, like, with the Great Lakes Advisory Board about making sure that they're using the document from Indigenous communities around the TEK, right? So maybe that's something that will be noted and put a link to where that's accessible to incorporate in the report as well.

Ms. Felicia Beltran, NEJAC Member, commented about the term "citizen." In the U.S., that term does mean something, and Title 6 is the foundation really of a lot of the civil rights laws here that are being implemented. Title 6 specifically says protections for those who are documented or undocumented. So, she noted that overall that usage of that term could be discriminatory just by the usage regardless of if it's intended or not.

Ms. Sylvia Orduño, NEJAC Chair, suggested that they use the word "resident" instead so, this way, they're not qualifying what the relationship is.

Mr. Andy Kricun, NEJAC Member, wondered if there could be another cross-agency goal to make sure that other federal agencies are implementing environmental justice practices, for example, FEMA or the Department of Transportation. Often, the highways cut across environmental justice communities, and they're very high air emissions from mobile vehicles from those highways that are going forth. So, there's sort of a way for there to be a cross-agency strategy where EPA could work with its sister and brother federal agencies to try to look for opportunities to inject or imbed environmental justice and those agencies in the same way that EPA is doing it itself.

Ms. Sylvia Orduño, NEJAC Chair, wanted to note that the strategic plan talks about citizen science. It appreciates the citizen science work that a lot of NEJAC communities do.

Oftentimes, this is the work that they've got to do because they're overlooked or ignored and try to figure out who they can partner with that will get them the more sort of formal research that needs to happen in the work that a lot of groups are doing around their EJ grants. This is going to be oftentimes citizen science.

She moved on to the Draft Learning Agenda. Within that area, there's also the piece on Learning Priority Areas: Workforce Planning. She stated her concerns about it. It echoes some of the things that some of the folks that had been talking about issues of water and infrastructure might also be concerned about. In particular, there is a proposal in there about how the Office of Water might be engaging with environmental groups to try to look at how to decide our noncompliance systems, such as a proposal to develop an algorithm that can assess how it is that a system gets into compliance or factors that put it into noncompliance.

She noted a troubling trend that there's a rush to try to figure out how to take noncompliant systems and consider them for consolidation, a regionalization without looking at those factors that will put them into noncompliance to begin with. When someone looks closely at those communities, especially in EJ communities of color that are low income, in many instances, they've been allowed to fail. This is where she gets into some serious disagreements with how EPA's relationship with the states is not working. It's not providing the resources or support or technical capacity building for these small communities. These vulnerable water utilities are now being considered for consolidation without really looking at the issues around this investment and racism and all kinds of issues that have contributed to why the system is in this state to begin with.

She wants to make sure that there is due diligence and consideration of the environmental justice factors that contributed to a system's noncompliance and not just sort of making the appearance that this is an objective analysis when there's much more subjectivity that needs to be part of the assessment.

Mr. Scott Crow, NEJAC Member, thought that this also plays out significantly in Indian country because the EPA's relationship with the Indian Health Service is very regionalized, and

so different regions have different mechanisms for infrastructure development in parts of the country. Making it consistent across the whole nation would not be necessary, but the system that they're using to evaluate failures of systems -- water and wastewater and solid waste -- continues to underserve Native American and Indigenous populations. They need to get together with the Indian Health Service to fix this.

Ms. Sylvia Orduño, NEJAC Chair, noted some feedback at the end of the document. One of them is some short-term goals that can be incorporated as opposed to not just the long-term goals, but also ways to look at more interim or incremental steps.

She relayed a comment from Brenda Torres Barreto related to Goal 1 around climate justice. She says, "As a federal agency, the EPA has a responsibility to lead the development and implementation of policies and regulations that are inclusive and relevant to all American citizens. We, therefore, respectfully request that EPA recognize and include "island communities" when listing fellow communities that are disproportionately affected by the effects of climate change that is low-income communities, children, the elderly, communities of color, tribal communities, and Indigenous people." Then she adds, "If you can mention the need to incorporate island communities as one of the categories of disproportionately affected communities during your remarks, that would be great."

Mr. Jonathan Perry, NEJAC Member, suggested that, for the tribes that have treaties acknowledged, is there a way that EPA can not only provide training to their staff but acknowledge those treaties that are in existence? That would go in with the relationship with the different tribes. Knowing that not all tribes have those treaties in place, but for those that do, it would be good to have those incorporated into the strategic plan.

Ms. Sylvia Orduño, NEJAC Chair, asked that the Council turn on their video so they can do a simple vote for consensus that the strategic plan meets their satisfaction, that they've had the opportunity to make additions, that the Council feels that this is something they can move forward on, knowing that between now and Friday, they will be working on the details to get the document cleaned up incorporating the feedback. There was a consensus. She asked if there was

any opposition.

Ms. Cemelli De Aztlan, NEJAC Member, noted the mention of ozone. She suggested that they clarify with the Montreal Protocol that addresses stratospheric ozone but also include ground-level ozone in the strategic plan.

Ms. Sylvia Orduño, NEJAC Chair, asked again if there were any objections to this project moving forward. There were none.

Ms. Sylvia Orduño, NEJAC Chair, thanked everyone who worked on the document.

ORAL PUBLIC COMMENT PERIOD

Dr. Fred Jenkins, DFO, stated the announcements regarding the public comment period.

Dr. Na'Taki Osborne Jelks, NEJAC Vice-Chair, reminded the public speakers to make sure that the Council is clear on what their ask is.

Ms. Alice Sung, Public Commenter: Great. Thank you so much. I'd like to thank you for this opportunity to make a public comment and listen in on my first NEJAC meeting. I'll try and make this succinct. I guess my first ask to be direct, Sylvia, to your request, is that we find some way to improve general public and meaningful community engagement in a two-way conversation. Quite often, in these, you get two minutes or three minutes to comment, and then they move on to the next comment. There needs to be some other meaningful period of time where we could actually have meaningful conversations and a public portal or website that maybe could be expanded on EPA's website to hold and record these conversations and make sure that every public comment is addressed.

So, we avoid feedback or commenting falling into the black holes, which is really frustrating for us on the public end. And so along that line, I'd love to also ask that you publicly share your documents before your meetings. It would've been helpful to give you more feedback, for

example, on your feedback survey and comment on your strategic plan motion. So, I'll do that in writing afterward.

Second, I'd like to urge you to pay attention to all of the earnest public comments that will follow me.

Third, when defining your budget or developing your programs for implementation, I'd like to encourage you to think differently, other than traditional means of competitive grants as a mechanism and avoid the whole notion of competition because, as I think it was mentioned, those that already have the resources and capacity and means to actually compete or even rely on market-based solutions, those often perpetuate in equities already.

Lastly, I'd like to have you consider looking hard at that -- looking at root causes and sources of pollution and toxics. It seems as though a lot of the discussion this afternoon was on solutions to solving and remediating pollution and toxins in waterways and so on, so forth. Look at root causes in tackling the climate crisis, number one, stop the subsidies to fossil fuels. Stop the new permits and let existing permits wane for extraction. Stop the pollution and toxics at the source. I thank you again for your time, and I will put these into the written comments. Thank you.

Mr. William Patterson, Public Commenter: I am William B. Patterson, and on behalf of the East Bay Municipal Utility District, I'm providing comments on the draft 2226 United States EPA Strategic Plan. As a member of the Board, I represent Ward 6 in East Bay MUD, which includes portions of Oakland, including East Oakland, and this area I have represented since 1997, and one I care about deeply. My comments today focus on Goal 2, take decisive action to advance environmental justice and civil rights. That is my background since the '50s.

East Bay MUD is a special district that provides drinking water to 1.4 million people and wastewater treatment services to 740,000 people in 20 cities and in 15 unincorporated communities in the east bay San Francisco Bay, including numerous disadvantaged communities. Over the decades, we have planned and invested in our infrastructure, developed a reliable high-quality water supply -- number one in the nation -- and led the industry in

innovating to meet the growing challenges our industry faces. This planning and these investments were done to ensure that our operations are sustainable and resilient by also ensuring we're able to support our customers who are most in need.

East Bay MUD has a long history of helping its customers, including those in need. Easy Bay MUD was among the first public utilities to establish a customer assistance program and helped low-income customers pay their water bills and wastewater bills. We invested \$500 million in the Freeport Regional Water Facility to improve our drought resiliency. We also sponsored legislation to minimize lead in household faucet and pipe flasting in California in 2010 and signed into action by, then, President Obama, in 2011.

To cut to the chase, I really want to say regional facilities such as ours, regional government entities, such as ours, should be inclusive. As you work with our state water board, we want to have input to you directly so that you understand the ground floor. Unfortunately, our state water resources control board doesn't always have the science, and I can give you more specifics on that. My time has run out, but if we just look at the management for the past hundred years of our Mokelumne River, you will see investments made up there in the millions of dollars in fish hatcheries. This river has the greatest return of salmon of all the rivers of California, and the management of flows and how we handle that for the past hundred years have really been at the expense of East Bay MUD.

Any changes that are made in that really need to have environmental input into, especially to justice issues, and our repairs shouldn't be burdened with additional costs as a result of any changes because they've already paid their dues. We don't want to push them into gentrification, and some of that will be explained in my written comments. If you have any questions, I'd be happy to answer them.

Ms. Sylvia Orduño, NEJAC Chair: So, thank you very much both of you for the comments that you offered here. I think that they're very salient to what you're saying is related to this strategic plan. Also, just to the overall process, I can tell you that as Council members, we're very much interested in trying to figure out how this Council can be more available in a way. Even with

technology, we know that it's very much so that a lot of people are still not able to participate, and we recognize that. Even in person, we know that there are limitations in terms of even travel.

I think that what we're interested, too, with the EPA is trying out how NEJAC, in particular, can better be made available, both in the way that we're accepting public comments. I think that there have been some pretty good strides in that, that the Office of Environmental Justice has really tried to make in terms of how it is that they're communicating with folks and getting people prepared for comments. And we're really looking at how to have the follow-up with regions. So, there is kind of like some pilot efforts that Council members are working on with regions with OEJ staff to try to figure out how with what you all share here. We're not only doing our best to try to incorporate through our work groups where we've got issues specific kinds of work that we're continuing to follow up on with EPA programs and offices. Then, when the issues are very local, we're figuring out how to create better opportunities for conversation and advocacy with the regions.

So, a lot of this really touches back to the communities themselves. So, your feedback is really, again, important to us and just want you to know that it is something that we are taking to heart. Thank you.

Ms. Alice Sung, Public Commenter: Thank you, Chair Sylvia. I'd love to see that we could have some follow-up mechanism, and I don't know how to do that. Do you have my email? How do we follow up on this?

Ms. Sylvia Orduño, NEJAC Chair: As a private citizen for my organization, I can follow up with you. I can get your email. Thank you.

Ms. Alice Sung, Public Commenter: Thank you.

Ms. Ayako Nagano, NEJAC Member: I just wanted to add for Mr. Patterson, thank you for your comment. I live in Berkeley. I drink your water. I use your facilities. I attend the classes

you give on water quality, and I'd like to follow up with you. So I will look for that information in the written comments. Thank you.

Mr. William Patterson, Public Commenter: Thank you.

Ms. Alice Sung, Public Commenter: I neglected to say I, too, live in East Bay MUD territory.

Mr. William Patterson, Public Commenter: Thank you.

Ms. Leticia Colón de Mejías, NEJAC Member: I wanted to thank the commenters for their comments. It's so important that these issues be raised and say that as a Council member, I personally am very interested in addressing the root causes of the pollution and the causes of environmental justice working on addressing cumulative impacts on communities and not just continuing to approve polluters in those communities that are already overburdened, but in fact, to make genuine efforts to ensure that the EPA stops those polluters at the source, even from the point of extraction of fossil fuel to production of products that don't have a closed-loop cycle.

So, please know that there are lots of us here on this Council who have those same interests and would like to address them and work diligently on your behalf to do so. And your comments are very important. They inform the work that we do. So, thank you.

Ms. Sabina Perez, Public Commenter: Well, thank you. I really appreciate this forum. This is my first time as well. I haven't had the opportunity to look at the strategic plan, but I would like to provide comments at a later time. I didn't formulate any formal comments at this time, but I would like to just maybe ask a couple questions and just to give you a little bit of background about Guam itself.

So, Guam is an unincorporated territory. So we often are left out of many of the decisions that really matter to our environment. So, I don't know how many of you know, but we're undergoing one of the largest militarization in our region, and so basically, it's a huge military buildup that's occurring right now. So, we've had a long history of militarization during both

world wars and including up until today. With that comes a lot of environmental issues from legacy issues to current problems.

One of the projects that I'm involved with is seeking safer, cleaner alternatives to open burn and open detonation. So, we do have that here on Guam, and, considering there's a huge buildup that's occurring, my concern is that it could be used for a lot of munitions that are coming into our island. So, we have no control over what's coming in, and I think this is a really huge concern of our community. The leading cause of mortality on our island has been heart attacks and cardiac disease; the second leading cause is cancer.

So, I think, for me, I would like to see EPA incorporate some of these concepts of restorative justice precautionary principle free and prior informed consent for indigenous people. So the Chamorros are the Indigenous people of the island, and we've been here for over 3,000 years. So, since President Obama adopted the Declaration of Rights of Indigenous Peoples, I think it's really important to incorporate a lot of these principles. Being that I'm here today, I didn't hear about the meeting directly. I had heard it from a third party. And so it's very difficult to be at the table for many of the meetings that really can address the environmental issues. There are so many things I want to say, but I will include them in my written comments. I hope you have any suggestions on how to incorporate these ideas. Thank you. Much appreciate this opportunity.

Ms. Sylvia Orduño, NEJAC Chair, inquired about public commenters being allowed to use their video if they choose for the next meeting.

Mr. David Publow, Public Commenter: Great. So my name is Dave Publow. I'm with an organization called Lights Out Norlite, and, just to put that organization in context, one of our key members is Judas Anke, who is the former regional EPA administrator for Region 2. I'm basically here to comment on some of the specifics not in the document that you guys have been working on today, but in what's happening in this region. Specifically, Norlite, LLC, which is a hazardous waste incinerator that is located and operates about two miles away from where I live. It uses rotary kilns to convert shale to aggregate but uses hazardous waste as a fuel.

Norlite has the rotary kilns approximately 300 feet away from a public housing complex, which has already been declared an environmental justice site. I've been working on a documentary about this for the last year and a half. I have documented many children being exposed to silicates, also from hazardous waste that is piled in massive piles in the open air because neurologists use something called the bevel exemption to do this. Also, Norlite had a contract with the DOD that was not disclosed to the public and burned more than two million pounds of AFFF containing PFAS chemicals in 2017 through 2019.

So, all of this is in play and our local administrator, the DEC, the current situation is the BEP allows them to administer things like the Title 5 permit structure and things like that. Norlite's Title 5 permit expired more than a year ago, but Norlite is allowed to continue to operate. Also, when the PFAS incineration process came to light and it was national news, the DEC deliberately did not test for PFAS in the locations on the Norlite plant, most likely to show a high concentration of PFAS contamination.

So, we do not have adequate representation. We have people who are exhibiting adverse health impacts, like, right now in real time, and none of this is being addressed. And unfortunately, New York seems to have embraced hazardous waste incineration in general. So, a lot of what I'm saying would also apply to the Lafarge Cement Plant, which is just down the river, and the Hudson River in Ravenna where they've been trying to burn tires right next to two public schools. So, we need this type of stuff to be addressed, and I would invite the EPA to send a representative to our area, and I would give them a full tour of what's happening.

Dr. Millie Piazza, NEJAC Member: Yes. I just wanted to just express my gratitude to Sabina Perez for the comment she provided today. I just really appreciate, first of all, taking the time to join us and bring into this NEJAC space concerns from Guam. We haven't had a lot of discussions as a Council about the history of environmental justice in the Pacific Islands U.S. territories, former trust territories, and in particular, the military legacy and the ongoing military activities.

So, a huge appreciation and would love the NEJAC, my co-members to be thoughtful about this,

particularly in linking what we're hearing today with our previous two meetings where the nuclear legacy and uranium mining were also brought forward as public comments. So, it's an area that I don't believe that we've dug into, and I would love to elevate that within NEJAC and just greatly support those comments. Thank you.

Dr. Na'Taki Osborne Jelks, Vice-Chair: For Mr. Publow, can you tell me again, you're in region, was that one or two?

Mr. David Publow, Public Commenter: It was Region 2.

Dr. Na'Taki Osborne Jelks, Vice-Chair: Region 2. Okay. Thank you so much.

Mr. William Patterson, Public Commenter: I just wanted to make a quick clarification. I'm a different Mr. Patterson. My dad was also named William Patterson. He spoke previously. He's with East Bay MUD. My name is also William Patterson. I represent a number of community-based organizations in Region 9 and really quickly just a couple of points.

The first one is the point that I heard mentioned before about local engagement is not only critical and key for making residents understand what's going on with environmental justice, but also it's important in building trust because what we're seeing here at the community based and faith-based level is still a lack of trust between the people who are affected at the grassroots level and the government. So, that trust factor is going to be really important as you carry out your plans for environmental justice and continue to implement your programs and resources.

The second point that I wanted to make is actually defining what a disadvantaged community is. Here, out here in Region 9, specifically in cities like Seattle, Portland, Los Angeles, San Francisco, and the Oakland Bay area, the demographic has changed quite a bit in where previously many black and brown folks have resided in the community, they are no longer parts of those communities because those communities have now been gentrified. So, what we're looking at is a new demographic. So, I just hope that EPA within your framework and engagement practices are really looking at the scope of disadvantaged communities and how far

outward they've extended. I mean, we're talking about disadvantaged communities, men, women, and children living in tents underneath the freeway.

So, it is very important that we understand the makeup of when we talk about a disadvantaged community. We see these folks all the time because, in one of the organizations, we operate a 40-station computer lab. If we didn't have those resources, these folks would have no way to be connected at all. I'm hoping that I can be able to share your strategic plan, take feedback, take questions, take their concerns directly to the EPA because, to be quite honest with you, as was mentioned previously by a couple of speakers, our local, county, and state elected officials have been very ineffective in doing that. Thank you.

Mr. John Mueller, Public Commenter: Okay. Good afternoon. I am John Mueller in Tulsa, Oklahoma. I'm a retired civil engineer having practiced mainly in water resources engineering for public water and wastewater utilities. Albeit ostensibly, I represent a very large environmental justice community. The community of citizens who depend on public tap water that has been artificially fluoridated. That is reportedly about 70 percent of the U.S. population. I have attended NEJAC public meetings last year, in addition to the WEJAC public meetings. I have also attended several environmental justice community engagement calls hosted by Matt Tejada. Thank you, Matt, for those additional opportunities.

Through all of this, I have submitted additional scientific and other materials supporting the fact that artificial water fluoridation is an egregious environmental injustice formulated more than 75 years ago under claims of science seriously lacking the integrity so desperately needing attention today. The EPA has regulatory authority over contaminants in public drinking water and fluoride is a regulated contaminate. When the harmful effects of fluoride exposure are well documented as they have been as a developmental neurotoxicant, then any proclaimed benefit of fluoridation for preventing or treating tooth decay becomes very insignificant.

Tooth decay can be repaired. Brain damage and early brain development is a lifetime mental health issue. I have also proposed that the most meaningful and speedy remedy is for this agency to concede to the petitioners, the plaintiffs, in the current TSCA, Toxic Substance Control Act,

the current lawsuit, food and water watch versus environmental protection agency now pending in the federal district court in the northern district of California in which the plaintiffs and EPA to rightfully ban the addition of fluoridation chemicals to public water supplies.

The administration's Justice40 initiative is the perfect platform for shifting the paradigm of community water fluoridation to a system of locally instituted oral health care programs, where they are needed most. The disadvantaged and underserved black and other minority communities are disproportionately harmed by fluoride exposure, and that disproportionate harm is well documented by the CDC's National Center Statistics.

My request today is for a status update from NEJAC chair, Ms. Orduño, in an email to me regarding my submitted additional materials about fluoridation. Specifically, has NEJAC acknowledged that fluoridation is an environmental injustice, and if not, then why not? What must I do differently? Thank you very much for these important opportunities to help enact change where needed most. I will be submitted more written comments. Thank you.

Dr. Jill Lindsey Harrison, NEJAC Member: Thanks so much for those comments to both of you. I just wanted to respond briefly to Will Patterson. I realize that you made comments on several different matters. Just in particular, I really appreciate your reminding us about the need to recognize the particular vulnerabilities experienced by those who are currently unhoused and also the need for NEJAC but also EPA and all of its various scientific work to recognize that particular set of vulnerabilities and to recognize how population changes in recent years have really grown that population and that it's very difficult to track.

So, we welcome your comments further about that including how it relates to EPA's draft strategic plan, but just so you know, I've added some specific language about unhoused status as a particular form of vulnerability that we are encouraging EPA to specifically recognize. So, right now in the draft strategic plan, it's got this language about different cross-agency strategies, and it talks about children and then other vulnerable populations. One of my comments has been to encourage EPA to specify some of those other forms of vulnerability, including racism, food insecurity, undocumented status as some of our Council members mentioned earlier when I

think we should also add unhoused status and others.

We can add others, too, and part of that is to also kind of train EPA staff to recognize those different forms of vulnerability. So, that's my comment to you, and then to Sylvia, I guess, my question is, is that okay just as a matter of kind of process? Is that okay that I put that as a comment in that Google doc, or is there a different place that we could add comments under what our public commenters are providing us right now?

Ms. Sylvia Orduño, NEJAC Chair: Thank you for that questions, Dr. Jill. I'm going to take the interpretation from the Council's support of the strategic plan work that we did that as long as it's within the realm of the issues that we've noted of concern that we can go ahead and incorporate things like that. I think if it's really an outlier, that's probably where it's more of a problem, but to me, this seems like it's within the areas that we've discussed. So, it'd just be a matter of, I think, as Mike was noting earlier is that we would need any additional specific feedback or recommendations to get to us by tomorrow afternoon so that we can get them in by Friday.

Dr. Jill Lindsey Harrison, NEJAC Member: Great. Thank you. I just put it in the Google doc.

Ms. Sofia Owen, NEJAC Member: Thanks. Thank you both for your comments. To Will Patterson, as someone who is representing a community-based organization that is in a community that is one of the hot spots for gentrification and displacement in our area, I hear you. As Dr. Jill noted, we have been trying to find ways to strengthen EPA's consideration of what it means to be a disadvantaged population or however you want to define the term. I'll also just say that one of the things that I think we're hoping to see in the strategic plan is more interagency cooperation. So, we can't have environmental justice without housing justice, and in terms of housing, there is an obligation under the Federal Fair Housing Act not for recipients, not further segregation and that goes hand in hand with some of the dynamics you're describing.

So, I'm hoping to see more cross-agency work with EPA, DOJ, HUD, and other agencies. In terms of the trust building, I also very much appreciate your comments on that, and we'll be continuing to push both the NEJAC and in my capacity as an attorney at my organization for that

work to be done as someone who's seeing that day in and day out. So, thank you for your thoughtful comments.

Mr. Scott Clow, NEJAC Member: Yes. Thank you both for your comments today. I would like to chime in on what Dr. Jill was saying, I think that people with mental health issues also fall into a vulnerable population and then some of the other realms so that you were describing there with homelessness and stuff. So, I think maybe I'll add that to the Google doc also if it's appropriate.

Mr. Mueller, I really want to express my appreciation for your comments. I think that this issue of fluoridation is one that it's clear, it's tangible, and it's something that we can make a concise recommendation to EPA on. So, thank you. I think we could follow through on that and am happy to work with you beyond that.

Ms. Sylvia Orduño, NEJAC Chair: Thank you, Scott. I appreciate that. Also, I just want to echo what folks have raised about our public commenters and thank you, Mr. Mueller, in particular. So, I think what helps us as a Council is when you've come back again to share your serious meaningful concerns because it helps us when we hear things from more than one commenter and more than one community. So, I think that, in part, I can say that I don't recall anyone else coming to talk necessarily about concerns with fluoridation, although I know that it is an issue, but I have heard members, residents of the City of Flint raised.

So, it just hasn't necessarily come here at that point specifically. I think that what we can do is what we've been trying to do as a council is take as many of the public comments as we can and incorporate them within the work of our work groups. And so I know that last time we discussed taking what you shared to the water infrastructure work group. I can say that I will commit to follow through on that and see what more we can learn from the Office of Water along with what Scott is noting to see what we can find out in terms of where the EPA is around that in terms of an issue. Then we'll see if there's anything more that perhaps other regions might be able to share or that the Office of OEJ to the Office of EJ may know. So, I can at least commit to follow through. Thank you.

Dr. Na'Taki Osborne Jelks, Vice-Chair: Thanks, Sylvia. I also just wanted to appreciate both of the public commenters. I can relate, Mr. Patterson, concerning the forces of gentrification displacement. It is alive and well, unfortunately, in my community in Atlanta. So, Mr. Mueller, we definitely hear you. I heard you saying how do I have to phrase this so that you all will look into this? So, as Sylvia mentioned, we'll definitely take this to the water infrastructure work group and come back with something, but first really just understanding how EPA is dealing with or addressing this, what's happening in other regions and where there perhaps some inconsistencies. On one hand, there is evidence of harm. On another hand, there is a lot out there that talks about the good.

So, how do we really get to the core of the issues and how they are impacting real people in communities today? So, you have our commitment to looking into that issue more and being responsive to it.

Mr. John Mueller, Public Commenter: Thank you.

Ms. Jacquelyn Drechsler, Public Commenter: Okay. Thank you very much. I'm really happy and delighted to have participated, at least in hearing about the strategic plan. As the very first commenter said, it would have been great to have that kind of in my hand before your meeting, but it looks like you're doing a lot of good.

So, my ask is maybe bigger than some other people's asks, and I will start with this. I don't see a time thing on my phone, but on January 4th in 1979, President Jimmy Carter issued Executive Order 12114, "Which was issued solely for the purpose of establishing internal procedures for federal agencies to consider the significant effects of their actions on the environment outside of the United States, its territories and possess..." So President Biden's order expands upon the former Presidents Carter and Clinton updating the Executive Order 12898 of 1994 prioritizing and adjusting historical injustices and encouraging a whole of government approach. It formalizes a commitment to make environmental justice a part of every agency of the developing programs and policies to address disproportionate environmental, socioeconomic,

and climate impacts on disadvantaged communities.

So, when we talk about policies to protect all people, that is only for all people in the United States. There's nothing in the policies to actually protect all people. For instance, the people where dirty energy is actually produced -- for instance, in Canada where Hydro-Quebec floods Indigenous lands -- people suffer the consequences of our energy needs. Many of the people living in substandard housing do not have running water or electricity themselves. This is an injustice. They suffer breathing dirty air for construction projects for hydroelectricity and the consequences of having their land taken, abused, poisoned, and unfit for the life systems they rely on for food and water.

There's the loss of the carbon capture Boreal forests, greenhouse gas emissions, poison toxin, methylmercury, which is created. So, President Biden has said that he wants us, the United States and himself, to be considered an international leader in the fight against global warming and climate change. And the only way to do this is to go further than what we have at the local, state, and national levels. It is to create an international policy that states that no one can be hurt by environmental injustice that all people deserve clean air, water, and clean energy, not just us.

So, my ask is that we go beyond. We shouldn't be hypocritical here, and I know that we have so much work to do to protect our own people here, but we cannot be hypocritical and allow indignities and injustice to be happening somewhere else for our needs and ignore that. I do believe that we need to have an international policy that is just as strong as what you are creating for the United States. It needs to be international. It needs to go over borders. I live in Rockland County, by the way, and I've been very involved in the fight against the Indian Point nuclear power facility, which has finally been shut down.

A horrible company named WholeTech has the decommissioning and part of their plan is to take the radioactive waste to New Mexico. Now, I've been listening to Jonathan, and I've known for a long time about the horrible situation there with uranium mining and the poisoning of their land and waters. We've just got to get our federal agencies all on the same page to be saying no to these things, to these injustices. All federal agencies have to work together, please, to stop these

horrible injustices from continuing. Thank you very much.

Ms. Daisha Williams, Public Commenter: My name is Daisha William. I'm from Region 4. I am an environmental justice manager for an organization called Clean AIRE NC here in the state of North Carolina. There are so many issues that I could bring up not only across my state, but the nation. Today, specifically, I wanted to bring up the issue of CAFOs, or concentrated feeding animal operations, because it poses perhaps the greatest civil rights violation in our state. Not only does Administrator Regan have roots in the eastern part of our state plagued by these facilities, but it also has been on the EPA's radar recently.

So, in 2017, the EPA's external Civil Rights Compliance Office wrote to our Department of Environmental Quality expressing its deep concern on the possibilities that communities of color have been subjected to discrimination related to our state's oversight of hog farms. And EPA also recognized that industrial hog farms have a negative impact on residents' quality of life and health. Looking at the year, it's now 2022, and the situation has remained unchanged, if not worse, especially with the new prospect of biogas projects, which will contribute to cumulative impacts due to the industry operating with substandard systems and practices still to this day. Technically, these CAFOs fall under federal regulations overseen by the EPA, as well as our state laws, but our state has a long-standing failure to provide relief for residents suffering from CAFO pollution.

In fact, recently, the North Carolina Court of Appeals ruled that our government has the power to limit nuisance lawsuits against hog farms, which is obviously just going to further silence our communities. So, it's just for this reason that I hope NEJAC will guide the EPA in setting a precedent within the strategic plan towards better practices and regulations and enforcements of the CAFO industry in North Carolina as well as across our nation because I know that this is not just an issue impacting our state.

So, just some recommendations I had starting off would be to address the cumulative health and environmental impacts of the 2000-plus CAFOs in our state. They're literally right on top of each other. I don't even know how this was allowed to happen. People breathe this air. They

drink this water. It literally has feces in it. It's just really troubling to work and to hear the stories of what these communities are going through. But I also recommend that you hold agencies accountable within the strategic plan and ensure that environmental justice outcomes in communities like this are pushed programmatically and effectively.

Then lastly, I just wanted to recommend that you increase reliable ways to measure emissions so that the EPA can better enforce federal environmental laws and also use citizen science data, which can really help to bridge meaningful participation between citizens on the front line and with government agencies, such as yourself. Thank you for your time today.

Dr. Na'Taki Osborne Jelks, Vice-Chair: Thank you both Ms. Drechsler and Ms. Williams. I can just really appreciate what you've both mentioned, Ms. Drechsler in terms of the impact of our actions on the territories outside of the sort of the standard kind of 50 states. Ms. Williams, really bringing this long-standing challenge of CAFOs and health-related issues in North Carolina and other places in the south. Thank you both for bringing that. I do want to just kind of emphasize that I'm really hoping and will be pushing to see how EPA is looking at its use of citizen and community science data whether it's around CAFOs or other issues and challenges, especially in the air quality in air monitoring space

Mr. Michael Tilchin, NEJAC Chair: Thank you, Dr. Na'Taki. And I want to thank both public commenters for their excellent comments. I do want to respond specifically to Ms. Drechsler, who I think raised some outstanding points about the fact that pollution knows no boundaries, and we live in a very globalized world. I have some ideas about how the Council can address a related issue, but international environmental treaties come from the U.N. environmental program. There are not very many of them.

I think what maybe one of the most recent ones was the Minamata treaty, which the U.S. is a signatory, too, so there are international mechanisms, but what I was thinking about during your comments was this is also a global supply chain issue, and as you noted for major sources of pollution, it's not just what happens at the literal point of views. It's the extraction. It's the synthesis. It's the transport. Many of those things are happening as you noted, outside of U.S.

boundaries, and I'm thinking as something for our Council to consider is a deeper dive into the impact of really dirty supply chains, whether that supply chain is happening within the boundaries of the U.S. or outside of it. I don't have a solution, but I think it's a really important issue that we may want to tackle in the future. Thank you.

Ms. Maya Nye, Public Commenter: Good evening. My name is Maya Nye. I'm the federal policy director for Coming Clean, which is a network of over 150 organizations working to reform the chemical industry so that it's no longer a source of harm. I'm also a former fence-line resident who grew up and went to school about a mile away from a high-risk chemical manufacturing site that's located in Institution, West Virginia and institutes of the predominantly black community with a historically black land grant university, and they both existed before the facility was there.

On top of the cumulative threat of daily emissions from the plant, we lived under the constant threat and occurrences of chemical disasters because of inadequate prevention measures like those that need to be provided under EPA's risk management program or RMP. For decades, members of my community have been asking for additional protections, many of which EPA is considering including in a new RMP rule, and now the community faces additional cumulative threats because a facility converts natural gas into methanol, which is highly explosive is also located on the same site, but it's not covered under the RMP.

So, EPA really needs to address this as well as several other threats like increased climate risk. Back in July, the NEJAC wrote the first 100 Days Letter to the EPA administrator where you included the need for a fully implemented and enforced risk management program, and I thank you for this as I mentioned in my public and written comments for the last two NEJAC meetings. This information that was included in your letter, unfortunately, is outdated, and it doesn't go far enough to protect communities that are at disproportionate risk of chemical disasters, many of which are also located in areas of increased climate risk.

I requested, as did other commenters, that the NEJAC send the new letter calling on Administrator Regan and the CPA to prioritize a preventative and protective new RMP rule on

the fastest timeline possible. So, I'm here with that same request today as the EPA must be guided in the right direction as they develop this new rule so that it's not another couple of decades that fenceline communities, like mine, go without the protections that they need. It sounded like in the last two meetings that you would be revisiting this or moving forward on drafting a new letter, and I was hoping to hear if there was any movement.

I think it was mentioned earlier. I'm sorry I missed a bit of the business meeting, but otherwise, I hope that we can count on you to send this new letter, and I'll resubmit my previous comments outlining some specific requests for that letter. So, thanks for your attention to this, and thanks to all of you for your volunteer commitment. I know that you all have a number of obligations to your communities outside of this. So, I thank you for any attention you can provide. Thanks.

Ms. Kelly Crawford, Public Commenter: Good evening, everyone. My name is Kelly Crawford. I'm the associate director of the Air Quality Division and chair of the Equity Committee at the D.C. Department of Energy and Environment. I hail today from the District of Columbia, which occupies the unseeded ancestral lands of Nacotchtank and the sacred site of Anacostan and Anacostan people, and the unseeded ancestral land of the Piscataway people. EOOE appreciates the opportunity to comment on EPA's efforts to address environmental justice in its work as part of NEJAC's process, specifically, on EPA strapped FY22 to 26, EPA's strategic plan.

Thank you, Chair Orduño and members of the Council for already incorporating our comments into your recommendations. I'm so appreciative of the care and consideration that you have all went in this process, and I'm eager to see the outcomes from this strategic plan as well as the Agency's rational equity action plan, which we heard about earlier today. I'm especially encouraged by most of the conversation that I've heard here today, including the explicit consideration of addressing the inequitable exposure to ground-level ozone pollution. While the work over the last 50 years of air quality regulation has contributed to tremendous reductions and air pollution overall in the United States, the same communities that fought this harm decades ago continue to face the greatest public health threats associated with long-term exposure to air pollution today.

Although persistent, these health inequities are neither natural nor habitable. I'll refer you to my previous testimony to EPA regarding the ozone standard, but in brief, the ozone standard must be revisited to account for the protection of our most vulnerable populations. But that one size fits all approach does not bring justice. The evaluation of ozone in regard to health-based standards must do more to take into account the disparate impacts on vulnerable populations, and in particular communities of color. DOE's Equity Committee together with the mayor's Office of Racial Equity has been working to develop new training tools and strategies while we're finding existing ones to work towards a more sustainable and equitable D.C. We are happy to share our experiences and initiatives with EPA in developing their own tools.

We are painfully aware of how critically important the pre-work is to ensure agencies are adequately prepared to move from conception to true operation through thorough and timely training, which is needed urgently to ensure EPA staff are prepared for the work ahead. I won't take any more of your time today. Again, I just want to thank you for the opportunity to speak and for the careful consideration of our written comments that you spoke of today earlier. Thank you.

Dr. Na'Taki Osborne Jelks, Vice-Chair: Thank you so much to both our commenters, Ms. Nye and Ms. Crawford. Thank you, Ms. Nye, for elevating the comments that you've made previously and for pointing out the important information about some outdated information, perhaps being used in some of what NEJAC has produced in the recent past. That's definitely something that we will look into, and we appreciate you giving us specific recommendations that you wish to be shared specifically as the agency is looking at the RMP rule.

Thank you, Ms. Crawford, for your comments as well. I'm glad that we hit a sweet spot in terms of incorporating some of that feedback already into the feedback that we will be sharing with respect to the strategic plan.

Ms. Sylvia Orduño, NEJAC Chair: I appreciate the comments that you added to what we heard there. So, thank you, Ms. Nye, too. I think that you're right. We've been hearing also from

members of the EJ Health Alliance that this Council is overdue for really trying to lean in heavier to this administration about what we see as a need for providing more help essentially, for frontline communities that have been suffering for a long time and with the need for a new RMP rule.

So, I could also commit that by the next public meeting, this will be something that we will bring forward in our agenda, and that we will work with the Council to not only better update our own information, but that we're incorporating which you all are sharing as well. I think we can make sure that we get some urgency around that over to the administrator.

Then similarly, Ms. Crawford, thank you so much, too, for the written comments that you suggested. They're really helpful, both for the strategic plan and then also what you're sharing here around ground-level ozone pollution as well and the need for better standards based on health. So, admittedly, this is less in my wheelhouse of knowledge, but I know we've got Council members that understand this better. So, we will work on making sure that we're getting this better incorporated as well. So, thank you both for your feedback.

Ms. Stephanie Herron, Public Commenter: My name's Stephanie Herron. I'm the national organizer with the Environmental Justice Health Alliance for chemical policy reform or EJHA. First, I would like to express my deep gratitude and sincere appreciation to each member of the NEJAC. I know this is a big job put on some already very busy people and an unpaid one at that. We really do appreciate all your service and dedication to EJ communities.

A recurring theme that I think we've heard today in the public comment is about accessibility. I would direct NEJAC members and particularly newer Council members are folks who missed the last meeting, to a comment submitted on behalf of the EJHA by my colleague Katie Super. We have several procedural and accessibility recommendations, some of which I think would be pretty easy to implement, which haven't been necessarily implemented in today's meeting. For example, calling on public commenters in the order of the list that was sent out in advance or displaying that list on the screen. And some others, perhaps a work group or a meeting focused specifically on these and other ideas to make NEJAC more accessible would be helpful. I know

it's hard over Zoom, and we're all kind of over being online all the time.

To get quickly to my substantive ask, as you may be able to predict, I'm asking for the NEJAC to write a letter to Administrator Regan and to EPA Office of Land and Emergency Planning, calling on them to issue a strong risk management plan rule to protect frontline communities on the fastest timeline possible. I really appreciate the commitment and the previous comments of Chair Orduño during the strategic plan conversation and just now. I do appreciate that earlier reference, and I really do also appreciate and am sensitive to the need for NEJAC to balance your finite capacity with the Council's very large and very important charge. I just wanted to reiterate that now is a really crucial time on this RMP rule.

The EPA has publicly stated that they plan to issue a proposed draft rule later this year in September, and I'm afraid that if the NEJAC doesn't send their letter in the next couple of months, we might, unfortunately, miss the window to substantively impact the EPA's rule. I would direct the Council to my previous comments that I've submitted at the last couple of meetings. In the November meeting docket, I submitted my last couple of meeting comments, as well as some supporting materials. I'd be glad to address either right now or offline any questions, concerns, or requests for more information that any Council members have.

Just for the benefit of new Council members, a few examples of what a strong role would include to us are addressing the cumulative hazard to communities located near multiple RMP facilities or facilities close to other polluting and dangerous land uses requiring facilities to assess and go with safer alternatives or less dangerous chemicals when they're available. I have a longer list, but I'll submit that in writing in the interest of time. I just want to also emphasize that, as I've mentioned previously, the NEJAC does have a long history of engaging in chemical disaster prevention, and has sent letters about this in the past, which we really appreciate and look forward to continuing to engage with you all on. Thank you.

Ms. Cozetta LaMore, Public Commenter: I am with Choices Interlinking. We are a nonprofit organization based out of East Texas, Kilgore, Texas. We own property. It's in a community that's been impacted by an ejection fracking operation, and specifically, it's been severely

polluted. We submitted some documents on this, I think, at one of the last previous sessions. We've been involved in a problem-solving committee, which had been suggested by this Council.

Despite three years of involvement, nothing has happened. Properties have been severely damaged and poisoned. And today, I wanted to just kind of talk about the connection between environmental justice or injustice and social injustice. Social injustice is composed of structural disasters such as mass incarceration and homelessness, and they are linked to incompetent systems that target especially black folks. Environmental injustice is such as exposure to poison. Also, they are positioned so that they're targeting black and brown communities who are being disproportionately harmed. These disasters create greater and greater barriers that exclude and ostracize Afro-Americans from equitable opportunities that are offered to others.

So, what we are seeking today is a shift and decision-making processes and power as one measure for undoing these blatant acts of institutional racism. As you know, institutional racism equals racial inequity. We know policies, practices, and procedures currently work better for white people than for people of color and especially for black people. We are also seeking a reckoning what the reality of structural racism. It involves institutional racism across all institutions. It's complicity that combines to create and strengthen barriers and come and cumulative disadvantages for especially black people.

So, we want to be equitably included in evaluating and determining standards for health and safety. This has not happened in the problem-solving committee we have been a part of. It is our people who are dying. It is our intergenerational health and safety that is being jeopardized due to unchecked environmental harm. These life-threatening decisions should not be left solely to those who are far removed from harm who monopolize institutionalized power and control. I think the term citizens science has been referred to today. And so maybe that's what we're asking for. We need to be heard so, despite involvement in committees, nobody seems to be listening because everything's the same.

We want to be included with equitable decision-making power and systemic support in

determining restitution, reparations, and access to opportunities for resiliency and safe, healthy environments. Current systems and structures rely almost exclusively on structures and authorities that do not equitably value the loss and suffering of those most harmed. The people who are being harmed need to be heard and responded to equitably. Thank you.

Dr. Na'Taki Osborne Jelks, Vice-Chair: Thank you so much both Ms. Herron and Ms. LaMore. Ms. Herron, I definitely hear you. I think we hear you. Thank you again for elevating your comments and for also giving us a warning in terms of the time frame and possibly missing a window of opportunity to, I guess, reform the risk management plan rule. So, thank you for that. We definitely hear you, and we'll take that under advisement with the appropriate workgroup.

Also, Ms. LaMore, definitely we hear what you're saying. I'm not as up to date on this problem-solving committee and what NEJAC may have suggested being done in the past concerning that, but we definitely hear you concerning the need to have those who are most impacted be a part of decision making. So, I'd love to better understand how we can help at this point. Thank you for your comments.

Ms. Leticia Colón de Mejías, NEJAC Member: Thank you so much. Just wanted to respond to Ms. LaMore in her fracking example of injustice and just really address her comments overall. First of all, thank you so much for making such cognizant representations of the issues that you're experiencing in your communities. It is very real that social injustices have been long-standing, and that we really need to apply an equity lens relationship to having multiple facilities in one place, or the idea that we should clean it up versus not make the mess in the first place. I also agree with you that institutional racism is often unaddressed and results in far-reaching disparities in resources, supports, opportunities, and information that would allow our communities to engage with agency and have a true voice in changing to create decent living conditions in the communities where we reside.

Decision-makers are often detached from those who are suffering in frontline communities. Just want you to know, I 100 percent hear you, and I feel your pain. I believe that the work that we're

doing to submit comments to the EPA's plans and strategic plans specifically have areas and comments that will focus on some of those concerns that the idea of measuring something is not the same as addressing the problem or concern directly. Just wanted to thank you for taking the time to submit your comments and encourage you to continue doing so, so that we can elevate your voice. Thank you.

Mr. Scott Clow, NEJAC Member: Thank you for both of your comments. I especially wanted to home in on Ms. LaMore in the fracking issue. This is one that the EPA has sort of had stops and starts on over the years. When I was first asked to represent tribes and their relationship with the EPA on the National Tribal Caucus, there was a fracking workgroup when fracking was the big new thing in the Bush administration. Pavilion, Wyoming was being polluted on the Wind River Reservation, and we had this really awkward meeting at EPA headquarters where they invited some representatives from tribes to participate in a meeting with their fracking workgroup, and then we were quickly ushered out of the group and it was odd, to say the least.

I think it's about time that EPA revisits the fracking workgroup and really gets a handle on this instead of dodging it. So, I really appreciate you bringing this to the forefront again. It hasn't gone away. Obviously, the industry had a downturn, and so that sort of took eyes and ears off from it. It certainly is booming in the Permian Basin in West Texas, so thank you for that. I think we need to follow up.

Mr. Jerome Shabazz, NEJAC Member: I want to thank both the testimony of Herron and LaMore. The latter presentation really, really touched me in the sense that immediately what came to mind was the old quote that injustice anywhere is a threat to justice everywhere. I really appreciated how she was able to make the connection between environmental injustice and social injustice and that this is very interesting work. Oftentimes, we realize that there is an environmental injustice because of how it's impacting people's lives.

I live in a state where there's a great deal of fracking taking place, and I hear the horror stories. We just wanted to elevate your message and your point around your testimony and to let you know that whatever we can do to look at this fracking issue and to bring greater support to these

areas, I think it will be a well-advised initiative. So, thank you very much for your comment and we do hear you.

Mr. Tom Neltner, Public Commenter: Thanks for the opportunity to provide public comments to the Council today. I'm the senior director for safer chemicals at the Environmental Defense Fund, and I've been working on lead poisoning prevention at the local, state, and federal levels for more than 25 years. I focus my comments on lead service lines. Those are the lead pipes connecting drinking water mains under the streets to homes that made Flint unfortunately so prominent, such national attention. The environmental justice implications of those lead service lines for the all-too-common-practice by utilities of expecting customers to pay to replace the portion of the lead pipe on their property.

My primary concern is that when these utilities are replacing the water main attached to the lead service lines, they force low-wealth customers to choose between finding the money to pay for the full replacement or risk significantly more exposure to lead and the harm that it brings because the utility will end up only replacing only part of the lead service line. Renters in particular are often at greater risk because the landlord may choose not to pay without even seeking their input. Zero-interest loans to customers offered by some utilities may soften the financial impact, but the reality is far too many families lack the funds to take on another monthly payment for three or ten years. Three states -- Michigan, Illinois, and New Jersey -- in some communities have prohibited partial lead service line replacements. These states have an estimated 25 percent of the nine million lead service lines in the country. They can show it's possible.

However, the vast majority of the 11,000-plus water utilities with lead service lines engage in this practice. In communities that have a history of racial segregation, lead lining, and underinvestment in neighborhoods predominantly comprised of people of color, the practice of requiring customers to pay to replace lead pipes can raise significant civil rights concerns. We want to alert the Council to two recent events that address the issue and reinforce the excellent efforts that we have seen from both the Biden administration and EPA under Administrator Regan.

First, last week, Dr. Karen Baylor and her team at American University published a peer review case study finding that Washington D.C. residents in low-income neighborhoods between 2009 and 2018 were significantly less likely than those in wealthier neighborhoods to pay for full lead service line replacement, and therefore, had an increased risk of harm from lead exposure due to the partial lead service line. It seems obvious, but by documenting it in a statistically representative manner, it should be useful to decision-makers like you and EPA.

Second, earlier this afternoon, five groups, the Childhood Lead Action Project, the South Providence Neighborhood Association, Direct Action for Rights and Equality, the National Center for Healthy Housing, and EDF submitted a civil rights complaint to EPA alleging the Providence Water Supply Board's LSL replacement practices violate Title 6 of the Civil Rights Act. It disproportionately increases the risk of lead exposure to black, Latinx, and Native American residents because it expects residents to pay.

We ask that the Council monitor these developments and these complaints closely, but also to encourage EPA to send guidance to state revolving loan fund program administrators that are funding this work and make it clear to them to describe their obligations to proactively ensure compliance with the Civil Rights Act of 1964 regarding lead service lines. Then, most importantly, EPA needs to audit compliance at the state and local level for projects that disturb drinking water mains. Thank you.

Mr. Michael Tilchin, NEJAC Vice-Chair: Thank you.

Ms. Ngozi Nwosu, Public Commenter: My name Ngozi Nwosu. Thanks everyone for the opportunity to be part of this wonderful program. My comment is, for those of us that advocate or run programs for communities that could be affected by environmental justice programs, is there a database that is being created that could be used for future reference in terms of how things should be handled or evaluated to best represent their interest?

Mr. Andy Kricun, NEJAC Member: I did want to reply to Mr. Neltner, the first commenter

about the lead service lines. I agree with what he says completely. I think, even in a sense, the risk is somewhat understated, but not only is there a disproportionate economic burden to people of color who have less of a chance to be able to replace their lead service lines, but there's also a chemical perspective. When you do a partial replacement and replace the part of the service lines when it's on the public side and not replace the part that goes on the private side that goes from the, say, the curb into the house, it actually accelerates the leaching of the lead into the water. So, it actually makes it worse than leaving it alone, and so it is really critical that this be uplifted to come by the EPA.

I'm from New Jersey, and I serve on the New Jersey Environmental Justice Advisory Council. I had been advocating, and we're very grateful that the governor put a ten-year deadline for the elimination of all lead service lines on both the public and private sides. I hope that can be replicated across the nation. I think it's critical to increase SRF funding. It's critical to provide that, but another thing we need to do is some utilities in some states are actually prohibited from going on private property.

So, even if a utility is right thinking and wants to do the right thing, it may be prohibited by law. So we have to come up with not only information for EJ communities but also templates for communities to address these laws and how these laws change and maybe make drinking water funding contingent upon that. It could be an issue, or it could be an opportunity. But the problem with that is, when we do that, we might be actually adding another layer of injustice to environmental justice because then they may not be able to get other kinds of water infrastructure funding that they need. So, we do need to address this, but I feel that we have to have a holistic approach on how to address the problem without harming the EJ community even further. Thank you.

Dr. Benjamin J. Pauli, NEJAC Member: Andy essentially said what I was going to say. So, in the interest of time, I withdraw my comment. Thank you.

Mr. Michael Tilchin, NEJAC Vice-Chair: Okay. Thank you. I just want to also note how much we appreciate both Mr. Neltner's and Ms. Nwosu's comments. I think Ms. Nwosu raised a very

interesting concept for us that there be essentially some formation of a database that can demonstrate where disadvantaged communities have tackled similar environmental problems that are prevalent in other communities and be able to kind of use that as a network to identify best practices. So, very constructive and we thank both of you.

Mr. John Beard, Public Commenter: Good afternoon to the Council. My name is John Beard, and I am the chairman and founder and CEO of the Port Arthur Community Action Network in Port Arthur, Texas. I've listened to what you all have said and that some very good things have come out of it. I'm going to do a little bit more exploratory work in the summary that you gave concerning your EJ plan, and there are some very good elements in it. However, I want to bring to you as quickly as possible an American horror story right here in Port Arthur, Texas, when we talk about environmental justice and social justice and those issues and pollution.

My city, a city of about 53,000 was declared an environmental showcase community by the EPA in 2010, whatever that meant because we are unduly burdened by industrial pollution. We are at the nexus of what I call climate change. Hurricane Harvey hit in this area, dumping 60 inches of rain. Can you imagine that? Over 5 feet of rain in this city where that morning after the storm, when it did abate, people's homes were so flooded, the boats going down the street were stepping off the boat onto the rooftops of homes. That is a direct result of climate change. Because we're so close to the gulf, storm surges from these hurricanes affect us mightily.

We've had in the last 15 years five major hurricanes and at least that many smaller hurricanes, two of which occurred last year almost back-to-back in August, which was Laura and Delta in October. So, we are directly affected by the very things you're talking about in terms of climate change, but we're also overburdened by pollution. Oxbow Calcining, a company of the Koch brothers puts out 11,000 tons of SO₂, SO₃ particulate matter a year. If you go out on our environmental justice website, you'll see that on a clear, beautiful blue day, going across the sky. That's the air we breathe, as well as Valero with over 600 air quality violations in five years. We are disproportionately affected by those floods because we have an almost 30 percent poverty rate, and two-thirds of our citizens are economically disadvantaged.

We are also home to the largest refinery in the country and several other smaller ones and a port and many other industrial facilities. So, we're at the heart of all of this that's going on. What we definitely need to come here is a sense of environmental justice to be restored in its effects on our community. We have some of the highest unemployment in the state even with all of this growth and development. That's only exceeded by those down in the valley, who have only tourism, but we have heavy industry. Yet, our unemployment is twice the state national average. From a health standpoint, we're affected because we have twice the state and national average for cancer, heart, lung, and kidney disease. So, definitely, we are a horror story, and we've been unduly impacted.

What I'm glad to hear you all talk about is also having local oversight over the initiatives that you're proposing and one of those that you're going to have to have very great oversight over is the justice for the initiative. If we're going to rebuild communities such as mine to improve the flooding which I think in large part is caused by some forms of environmental injustice and also social injustice because the whiter community surrounding Port Arthur remained high and dry while we were underwater, over 80 percent of the city. So, we have got to find ways to use that Justice40 initiative to not help companies that are Oreo or black on the outside but white on the inside, but actually go help and grow and develop companies that are minority-owned and operated that are going to put minorities that live here to work with whether that's chronic high unemployment to help rebuild communities that get rid of the disparity, but also we depend on the EPA to help clean up the air by stricter enforcement of those rules and laws.

If you go on our website, you will also see that we have information where we've used Title 6 of the Civil Rights Act to help our communities, and the EPA has taken up that fight for us. We expect good things to come from that because we have been unduly and overly impacted. It's been said that Port Arthur has sacrificed so America could have oil and gas, but we should not have to be sacrificed because everyone has a right to clean air and clean water and to live in a clean, safe environment. So, I ask and beset this Committee, this Council to look into those issues and one other thing as I close.

Director Regan took his so-called environmental justice tour of the South recently, but he

skipped Port Arthur. He went right there less than 60 miles away from us in Moss Bluff and went to Houston, which we're just 90 miles away from. But he didn't come through here where a large portion of America's refining capacity is. What he said at the nexus of climate change I find to be very puzzling. If it's about justice, then those who need and seek justice most need to be addressed and need to be helped. So, once again, I thank you for your work.

I thank you for your input, and I want to also say that if there's anything that you will want or need or require, come and visit Port Arthur, and I'll take you on the toxic tour and let you see these things for yourself, and you can see what I'm talking about how it affects communities like mine up and down the Gulf Coast and other parts of Texas and across America, but Port Arthur is definitely and should be a focal point. So, I am my organization PACAN, Port Arthur Community Action Network, stand ready to work with you to help make justice possible and make justice reap. Thank you.

Ms. Nayyirah Shariff, Public Commenter: I'm Nayyirah Shariff. I'm the director of an organization called Flint Rising, which is in Region 5, EPA Region 5, Flint, Michigan or the traditional Anishinaabe lands, and this has been a very fruitful conversation. I enjoy listening to the public comments. One of the things that I will say, we in Michigan have been struggling with our state environmental regulatory agency, the Michigan Department of Environment. Great Lakes Energy is a hot mess. We really need action for it not to be a hot mess, and it is, I will say across agencies. Organizationally, we've been assisting with the recovery, the Flint water crisis, and other crises around the date, and we're also part of this local coalition.

One of my many, many jobs is I used to be a trainer through all of the different fads. I think when I started, it was diversity, then it became racial equity, now it's diversity, equity inclusion, and we have to make sure that policies are in place, instead of just fads because you can't just be in the heat of the moment, and it just feels good. It has to be matched with policy to ensure that they're a success. With the Justice40 and --

Mr. Kurd Ali, NEJAC Support: She's completely dropped off.

Dr. Fred Jenkins, DFO: If we can't get her back on or if she can hear me, can you please send your comment in writing if you can on our website?

Mr. Anthony Paciorek, Public Commenter: I just wanted to say thank you, the NEJAC Council, and thank you for taking the time to hear every one of our comments. My name is Anthony Paciorek. I am an environmental justice organizer with Michigan United in Flint, Michigan, Region 5 and also a coalition member with the same coalition that Nayyirah was mentioning regarding a Stop Ajax Asphalt Plant currently in Flint, Michigan. It is being put up near a predominantly minority community, and it is quite troublesome. I was really glad to hear that you guys are increasing your work on your civil rights department and upholding those sorts of actions as our community has been predisposed to numerous environmental injustices. We had an incinerator that took years to get rid of. We have the ongoing lead crisis that we're dealing with.

We have the discrepancies of our health system that are blatantly against minority communities, and then we have a clean air crisis that will be certainly developing because, as Nayyirah mentioned, our state agencies are trashed. They do not hold up the protective measures for people. They haven't seen a permit that they don't like. So, we don't have faith in Michigan because a lot of these processes are seven years ongoing, and we still haven't seen results I'm afraid. So, unfortunately, it seems that a lot of these issues are going to be revolving around civil rights violations as they are mainly for predominantly minority and poor communities.

So I'm glad that you're sticking to your guns and increasing that. I wanted to say thank you for that. I also wanted to say thank you for having EPA Region 5 director Regina Clark and Deborah Short show up on December 19th to have a conversation with residents of Flint. While it was reassuring to have these conversations, I saw unfamiliar faces in that room. So, that made me think that there were the right voices in the room. However, that meant there was a problem with those voices being heard. I was thanked for my activism, but I had to ask Deborah Short if she would be willing to be brave and to have conviction because the tools the agencies need to ensure long-term health and access to the recovery we need, it needs to be a long-term commitment, and it just can't rely necessarily on the goodwill of one ministry or another.

You, as an Agency, must and should advocate for your own power to push these issues further as you're seeing more and more, the state agencies are not doing what they need to, to protect the citizens that they should. So, I want to say thank you for that. We're looking forward to having continual communications with Ms. Short in a month or so as she agreed to have a follow-up conversation. Ideally, I want to end this real quick here. I heard so many smart and wonderful comments on all of you citizen scientists. I want to air quote that. I know you guys are doing amazing work and just to say that you're a citizen scientist is underselling the work that we all do. I didn't want to say that -- I'm just about done. Sorry.

I do want to encourage you to be brave and to have that same conviction to find a way to commit to these communities in the long term. As I stated, I am from Flint, Michigan. We are still in a lead crisis. We still have to deal with this, even though state agencies have said that it's good and it isn't. These communities that face these problems often need the commitment of such an agency to get these processes done to take seven-plus, eight-plus years before we see justice. So, I am very pleased with a lot of the work and efforts I've heard today and heard from the plan for 2022 to 2024 or 2026, and I can't wait to be part of more of these meetings. Again, I can't help but stress that you guys push for as much advocacy and agency, your own agency as well. I just wanted to make certain that we remember our current administration. He said nothing will fundamentally change. We need to push back against that hard.

NEJAC WRITTEN PUBLIC COMMENTS SUBMITTED FOR 1.5.2022 MEETING

Region 1: Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont

Full Name (First and Last): Karen Spencer

Name of Organization or Community: None

City and State: Gloucester, MA (population size 30,162)

“New evidence questions existing policies about the safety of fluoride for babies' developing brains. Given that safe alternatives are available and that there is no benefit of fluoride to babies' teeth before they erupt or appear, it is time to protect those who are most vulnerable.” - Bruce Lanphear MD, PhD; Christine Till PhD; & Linda S. Birnbaum PhD in *“It is time to protect kids' developing brains from fluoride.” Environmental Health News (October 7, 2020)*

“I would advise them (pregnant women) to drink bottled water or filtered water...” - Dimitri Christakis, MD, MPH, editor in chief of *JAMA Pediatrics* on *“Association Between Maternal Fluoride Exposure During Pregnancy and IQ Scores in Offspring in Canada” (August 19, 2019)*

“(Fluoridation) is a civil rights issue.....I am calling for Fluoridegate hearings....” -

Ambassador Andrew Young, civil rights activist (Compilation of Civil Rights Opposition 2016)

NEJAC - I understand that many of you are still unaware that fluoridation policy damages the health of millions of Americans with heightened susceptibility to harm in environmental justice communities - scientific and medical facts which are supported by countless studies, many NIH funded and published in recent years. This is not unexpected, as: 1) EPA scientists documented that fluoride (a regulated water pollutant) is a ‘gold standard’ developmental toxicant with substantial evidence of harm to humans (Mundy et al. 2009 & 2015). 2) LULAC identified fluoridation as a civil rights violation in 2011, and 3) The 2006 National Research Council recommended then that the MCLG be lowered as it was not supportive of health. Moreover, the NRC chided the EPA that there was no evidence of safety to any population, let alone susceptible subpopulations that included pregnant women & their fetuses, bottle-fed babies and young children, the elderly and any with chronic conditions such as low-thyroid, kidney disease or diabetes. Sixteen years later, and the EPA has failed to do address these gaps. Frankly, I am appalled that the EPA continues to avoid admitting that evidence, ethics, environmental factors and economics all are against fluoridation policy. I am attaching an annotated bibliography with **dozens of peer-reviewed published studies published since 2015 that support this statement.** I am also attaching a one-page handout that I prepared some years ago specific to environmental injustice. For more on me, see my signature. I ask that you do whatever is in your power to rectify this injustice, including, if possible, taking actions regarding the EPA position in the ongoing TSCA lawsuit brought against it by the Food & Water Watch, et al. in U.S. District Court, California Northern District (Food & Water Watch, Inc. et al v. Environmental Protection Agency et al, Docket No. 3:17-cv-02162) **BOTTOMLINE:** If an individual doesn’t believe topical use of fluoride in dental products is sufficient for their needs, it is cheap to buy a gallon of fluoridated drinking water. However, for low-income populations, many with circumstances putting them at heightened risk of toxicity which include diabetes and CKD that disproportionately affect EJ populations, it is very costly to have to purchase bottled water for all consumption and in some cases topical use to prevent even more costly harm to bodies, bones

and brains.

Full Name (First and Last): Jack Crowther
Name of Organization or Community: None
City and State: Rutland, VT (population size 15,398)

Dear National Environmental Justice Advisory Council: Our experience as a society beset with problems points to a truism: When systemic problems develop, when numbers of people suffer injury, the less advantaged suffer disproportionately. This is injustice. My specific concern is fluoridation of public water supplies, a practice that science, ethics, and common sense increasingly discredits. Fluoridation is known to have negative health impacts across a wide spectrum that includes brain damage to infants, tooth mottling, bone fractures, harm to thyroid and kidney function, gastric distress, and chemical sensitivity. Others will have provided the peer-reviewed science to support these claims. What we all know by now is that economic privilege can reduce the harm of health stresses. We know that the profiles of the certain minority populations, notably Black, may include generally lower income, health vulnerabilities, and toxic exposures driven by lack of housing choices. Ending fluoridation of public water supplies will greatly reduce exposure to a protoplasmic poison, a developmental neurotoxin, and an endocrine disruptor — all potentially harmful to people in general and particularly to those whose environment, broadly speaking, makes them particularly vulnerable.

Full Name (First and Last): Paul Connett
Name of Organization or Community: Fluoride Action Network
City and State: Exeter, NH (population size 14,306)

In 2015 I co-authored a 135-page paper entitled Water Fluoridation and Environmental Justice. This paper was written in response to a request for public comment from the newly formed US government Environmental Justice Interagency Working Group. Despite the many hours of work I and other members of the Fluoride Action Network (FAN) put into this paper we received neither acknowledgement nor a thank you from those who solicited public comment.

Nevertheless, some 6 years later much of what we wrote stands up well today and I encourage Council members to give it a read. In particular, section 9 points out the lack of U.S. studies up to that time (2015) which had seriously investigated fluoride's potential to cause harmful health effects. There have been some very important developments since 2015. Two FAN initiatives in 2016 In 2016, FAN did two things which focused on fluoride's neurotoxicity, an issue FAN has followed closely since its formation in 2000.

1) FAN requested the National Toxicology Program (NTP) to undertake a systematic review of all the studies (animal, human and cellular) pertaining to fluoride's potential to damage the brain, and

2) FAN petitioned the EPA under provisions in the TSCA law to ban the deliberate addition of fluoridation chemicals to the drinking water supply because it poses an unreasonable risk to the developing brains of children. A game-changing development in 2017 Both these initiatives have yielded very important results as I will discuss below. Both were enhanced by a dramatic game-changing development. Even though many fluoride-IQ studies have been published in China, India, Mexico and Iran since the late 1980s, in 2017 the first of four US government-funded

studies (Bashash, 2017, 2018; Green, 2019 and Till, 2020) were published in major journals including Environmental Health Perspectives and JAMA Pediatrics. The earlier studies (particularly from China), while yielding very consistent results, were of an ecological design (exposures were based on community water levels not individual measurements) and a number were at a higher concentration (2 to 11 ppm, see the 2012 Harvard meta-analysis of 27 studies, Choi et al., 2012) than used in water fluoridation programs in the USA (0.7 to 1.2 ppm). The very rigorous high-quality US government funded studies were based on individual measurements of both exposure and outcome, controlled for a large number of confounding variables and were conducted either in fluoridated communities at 0.7 ppm (Green, 2019 and Till, 2020) or in communities with exposures (from other sources) in the same range as fluoridated communities (Bashash, 2017 and 2018). Moreover, these US government funded studies for the first time examined in utero exposure. Fetal exposure was measured via examining the pregnant women's urine fluoride levels. Such measurements indicate total exposure to fluoride from all sources, which allows comparisons between communities and countries regardless of water fluoridation status. From the results obtained in both the Bashash and Green studies it is clear that the most sensitive period as far as fluoride impacting brain development is concerned (at least for boys) is during the fetal stage. However, Till's research in 2020 also showed that early infancy is another very vulnerable period. Till found a large significant lowering of IQ for children who were bottle-fed in fluoridated communities in Canada (F level = 0.7 ppm) compared to those who were bottle-fed in non-fluoridated communities.

So while the water fluoridation debate has framed the issue of whether or not we should add fluoride to the drinking water, maybe a better frame would be should we add fluoride to the amniotic fluid of the fetus from its first day of existence! Based on the findings in the Bashash and Green Studies the shocking conclusion is that today water fluoridation is causing a greater overall loss of IQ points to America's children than any other factor including lead exposure and preterm birth. This has been the most thorough review of fluoride's neurotoxicity ever undertaken. Their final report is due in March 2022. Draft versions have indicated that of 29 High Quality (i.e. low risk of bias), 27 found a lowering of IQ. Of these 13 were conducted at 0.7 ppm or lower; another 5 conducted between 0.7 and 1.5 ppm and 5 at 1.5 ppm or higher. In other words, the claim by fluoridation promoters that the lowering of IQ only occurs at much higher concentrations than used in artificial fluoridation programs is false.

Please Note: finding a lowering of IQ at 1.5 ppm offers no adequate margin of safety when you are exposing a large population of children to 0.7 ppm of fluoride in their drinking water. There are two reasons for this a) children drink different amounts of water and b) there is a wide range of sensitivity to any toxic substance among a large population. Typically, regulatory agencies like the EPA would like a margin of safety of 10, in this case 1.5 ppm only offers a margin of safety of 2. The TSCA lawsuit against the US EPA. In 2017, the EPA rejected our TSCA petition on scientific grounds which allowed us to take the matter to Federal court (Region 9, San Francisco). Our case was held in June 2020 (via Zoom – with 500 observers). FAN was able to obtain expert testimony from Howard Hu (director of the ELEMENT cohort in Mexico City which was used in the Bashash, 2017 and 2018 studies; Bruce Lanphear, a world-renowned expert on lead's neurotoxicity and co-author of the Green, 2019 and Till, 2021 studies and Philippe Grandjean, a world-renowned expert on mercury's neurotoxicity and author of a risk assessment (BMD analysis) on fluoride's neurotoxicity (LINK). One couldn't imagine a more qualified team to have available for establishing that the addition of fluoride to public drinking water poses an unreasonable risk for the brain development of America's children. To almost

everyone's surprise (including our own) for its experts the EPA lawyers chose not to use scientists from the agency, but instead used experts from the firm Exponent, Inc. This firm is notorious for being highly industry-friendly defending the safety of such chemical villains as dioxins, PCBs, PFOS and Monsanto's glyphosate.

The judge in this case (Judge Chen) is following the science very closely and this trial offers the world a rare opportunity to examine the science of this matter on a level playing field. In this situation the EPA cannot expect any deference based on its regulatory authority. The Judge will rule on the scientific merits of our case. One important concession made by Exponent's experts is that the four US government-funded studies (Bashash, 2017, 2018; Green, 2019 and Till, 2020) included as evidence in our case, are the highest quality human studies on fluoride conducted to date. The Judge has delayed his ruling on this case until he has been able to read the final report of the NTP's review of fluoride's neurotoxicity) expected in March 2022, Grandjean's BMD analysis, a study from Spain and possibly other studies which have been published since June 2020 (of which there are several). Unless the EPA concedes the case, it is anticipated there will be another round of expert testimony probably sometime in the fall of 2022. The glaring irony in this case, however, is that the science being presented as evidence for the plaintiffs comprises the essential science EPA needs to revise its regulatory limits for fluoride in drinking water (currently the Maximum Contaminant Level Goal (MCLG) and the Maximum Contaminant level (MCL) are both currently set at 4 ppm, based on crippling skeletal fluorosis as the most sensitive end point!) The need for such revision was the overarching conclusion in the NRC's 2006 landmark report on fluoride in drinking water, a need EPA has not been able to properly address since that report was published at their own (EPA's) request. A victory in our lawsuit would most likely necessitate setting the MCLG at zero (like lead and arsenic) and the MCL (an enforceable standard) no higher than 0.1 ppm, based on protecting children's brains. Such an MCL would doubtless trigger opposition from states with high natural levels of fluoride who would probably fight spending money to remove the natural fluoride from their water supply. The beauty of FAN's TSCA lawsuit is that it begs that debate by simply calling for a ban on the deliberate addition of fluoride to drinking water. So what has all this cutting edge science have to do with the Environmental Justice community? In our 2015 paper we drew attention to the many ways that communities of color are disproportionately impacted by fluoride. This is especially true of fluoride's impact on the brain because inner city children are known to have been historically exposed to higher levels of other neurotoxic substances in their air, water and in local soils. Knowingly, adding to this burden is unconscionable. Fluoridation has been promoted as closing the gap in dental care between rich and poor, which is certainly a noble intention but whether that has been achieved or not is debatable (see the Cochrane Review of 2015 which found "insufficient evidence to determine whether water fluoridation results in changes in disparities in caries levels across socio-economic status") it is time a safer way be found to bring better dental care to low income families. Childhood tooth decay notoriously remains at epidemic levels in the inner cities and other disadvantaged areas. The quickest and simplest way of achieving better dental care as well as improving the overall health of communities of color. In our 2015 paper we provided some very positive suggestions on how better dental care could be delivered to low income families and communities of color, which would not only improve dental care but also improve overall health and community well-being. I urge you to review section 22, on page 64 of our 2015 paper. Finally, on behalf of all the disadvantaged and disproportionately harmed environmental justice communities who have no choice but to drink fluoridated tap water, FAN hereby requests that WHEJAC recommend, in strongest terms

possible, that EPA leadership resolve to concede in the referenced TSCA lawsuit. Thank you for this opportunity to contribute to your valuable mission during these challenging times.

Full Name (First and Last): Rick North

Name of Organization or Community: None

City and State: Wellesley, MA (population size 28,747)

My name is Rick North. I'm the former executive vice president (CEO) of the Oregon American Cancer Society and former project director for the Oregon Physicians for Social Responsibility. Now retired, I have over 30 years' experience in nonprofit health and environmental management. Most of my life I believed the CDC's and American Dental Association's assertions that water fluoridation was "safe and effective." When I actually examined the science, I was taken aback. Fluoridation's effectiveness was minimal, at best, and there were numerous associated health risks, as identified by the National Academy of Science's (NAS) authoritative 2006 review, Fluoride in Drinking Water (<https://www.nap.edu/catalog/11571/fluoride-in-drinking-water-a-scientific-review-of-epas-standards>). Since its publication, hundreds of other peer-reviewed, published studies have added even more evidence of these risks. My main purpose in writing is to document the evidence that fluoridation *harms, not helps*, low-income families. First, please consider fluoridation's lack of effectiveness and clear evidence that fluoride's preventive actions are mainly topical, *not* ingested. The Cochrane Collaboration is considered the gold standard for evaluating effectiveness of medical interventions. Its 2015 report on fluoridation (<https://www.cochranelibrary.com/cdsr/doi/10.1002/14651858.CD010856.pub2/full>) found 4,677 published studies in its exhaustive literature search. Of those, only 277 studies qualified for the first round of review, with 155 meeting Cochrane's highest quality criteria for inclusion in the study.

The report concluded "**There is insufficient evidence to determine whether water fluoridation results in a change in disparities in caries levels across socio-economic status.**" (<https://fluoridealert.org/articles/fan-brochure-fluoridation-efficacy-one-pager/>) CDC itself has said ". . . **fluoride prevents dental caries predominately after eruption of the tooth into the mouth, and its actions primarily are topical for both adults and children.**"

(<https://www.cdc.gov/mmwr/preview/mmwrhtml/mm4841a1.htm>) Even CDC's belief that fluoridation results in a 25% reduction of caries, which in itself is highly questionable, only equates to half a cavity per child. Finally, World Health Organization data clearly show that cavity rates in children have dropped as much in nations that don't fluoridate as in nations that do. (<https://fluoridealert.org/issues/caries/who-data/>) Then consider ingested fluoride's health risks, which, as cited in NAS's Fluoride in Drinking Water, include brain damage, hypothyroidism, kidney damage, diabetes and fluorosis. To take just one example, neurotoxicity, please note the National Toxicology Program's 2020 systematic review (<https://fluoridealert.org/wp-content/uploads/ntp.revised-monograph.9-16-2020.pdf>), which found compelling data linking fluoride to IQ loss in children. Several of the most recent studies were on pregnant women consuming fluoride or babies being fed formula mixed with fluoridated water: – **25 of 27** of the studies determined to be the highest quality linked higher fluoride levels to substantially lower IQs – **11 of 11** studies detected this IQ loss at levels found in fluoridated water. Low-income families also use more infant formula. A 2019 high-level Canadian study funded by the U.S. National Institutes of Health determined that babies fed formula mixed with fluoridated water averaged 4 IQ points less than those mixed with non-fluoridated water, 9 points

lower in non-verbal IQ.

(<https://www.sciencedirect.com/science/article/pii/S0160412019326145?via%3Dihub>)

The chances for academic achievement for low-income children and future success as adults are already diminished by poor nutrition and other environmental pollutants, such as lead in pipes, as shown in Flint, MI and other cities. It is not right to expose them to another toxic substance further reducing their capabilities. Cheap water filters don't eliminate fluoride. Low-income families can't afford expensive filters (typically at least \$300/\$400) or bottled water to avoid the health risks of fluoridated water. *They have no choice.* And since Black and Hispanic families are more likely to be below the poverty level, they are disproportionately harmed. Such notable Black civil rights leaders as former U.N. ambassador Andrew Young, Rev. Gerald Durley and Rev. Bernice King, daughter of Martin Luther King, Jr., have publicly opposed fluoridation. And LULAC, the nation's oldest and largest Hispanic advocacy organization, is also formally opposed. (<http://fluoridealert.org/wp-content/uploads/FAN-Environmental-Justice-Brochure-Final.pdf>) If people want fluoride, they can get it very inexpensively in toothpaste or mouthwash and apply it topically, where it's most effective. But no one should have the right to force anyone else to ingest a drug that they don't want in their drinking water. This is clearly a social and environmental justice issue. Fluoridation is unethical for low-income families and should be ended immediately. Thank you for your consideration.

Region 2: New Jersey, New York, Puerto Rico, US Virgin Islands

Full Name (First and Last): Raveendran Narayanan

Name of Organization or Community: Air Conditioning the Mother Earth

City and State: Jamaica Queens, NY (population size 109,495)

Brief description about the concern: FAR CASE- 2021-016/ AIR CONDITIONING THE MOTHER EARTH (Climate Change Third Group by Raveendran Narayanan USA) EARTH SCIENCE CONFERENCE COMMITTEE Zurich Switzerland awarded certificate during September 2018 "Air Conditioning the Mother Earth ".

What do you want the NEJAC to advise EPA to do? : NOT CO2 & GHG, CO2 is FOOD AIR CONDITIONING THE MOTHER EARTH (Climate Third Group by Raveendran Narayanan USA)

"Why Raveendran Narayanan USA is different from 31, 847 CLIMATE AND GLOBAL WARMING SCIENTISTS?"

Region 3: Pennsylvania, District of Columbia, Maryland, West Virginia, Virginia, Delaware,

Full Name (First and Last): Judith Robinson

Name of Organization or Community: Susquehanna Clean Up/Pick Up, Inc.

City and State: PHILADELPHIA (population size 1,603,797)

Brief description about the concern: Issues of Environmental Justice are a close as one nose and lungs but are often overlooked in an urban setting. Climate Change, sustainable, concerns only become real when we discuss " Green Jobs." Air Quality - Post Demolition in a gentrifying community make these issues relative. The way we reach the discussion of the benefits of tree canopy is really different in an urban community wronged in the past. Funding is important...as much of this work is done on a shoestring budget.

What do you want the NEJAC to advise EPA to do? : Please consider funding in urban settings. Air quality, Land Use, Flooring, Heat Islands, Tree Maintenance

Full Name (First and Last): Carolyn White

Name of Organization or Community: Pughsville Civic League and Community

City and State: Chesapeake and Suffolk Virginia (Pughsville - population size 30,626)

Brief description about the concern: The two cities we are comprised of have funding for our drainage from VDOT (began in 2006 with the Devolution Road Takeover for Suffolk Va.) Chesapeake gets funding no contract but all Hampton Roads cities were given funding then to make our streets the VDOT Urban System with drainage, gutters and sidewalks. Both cities continue to receive yearly funding from VDOT, now the American Rescue Plan and Biden's Infrastructure funds. Chesapeake now says \$886,000 in the account for Pughsville. Suffolk has more than \$5 million supposedly for Pughsville. The work has not begun. Now Suffolk says \$7 million is needed. They plan to put pipes down one street and develop a retention pond. The CASA Investment developer said he has already piped the street and built two houses on the main drainage in which Suffolk permitted him to do. Now, since they are planning this "big lie" to pipe the same street, they have recently "Stopped Order for CASA Investments company and stated a possible violation. They have him doing the work the city should have done in 2006 and now it makes them look bad to the residents, so they stopped him from completing the work. Suffolk and Chesapeake need to be audited and looked into. We have paid storm drainage fees on our taxes since 2006. We have a letter from Council of the City of Suffolk stating they have never put any storm water management work in the Nansemond taxing district. The CASA Investment Developer (Scott Dovenspike) stated Suffolk should return the communities' funds as there is no storm water management in the area. We have stated this to the cities and to the DEQ of Norfolk, VA (David Taylor). We are not asking EJA for more money; we need help getting the two cities to let go of our funding in order to get drainage, sidewalk for Townpoint Road and Wise St (two major thoroughfares) and guttering to carry the water out of the area. They have built new developments all around and in Pughsville and yet refuse the African Americans Communities any relief. We need help. We have documents, pictures, emails, letters, everything to show what is happening here. The lawyers need money and Pughsville has no funds to pay lawyers such magnitudes of dollars to have them side with the big bucks the cities will give them to keep quiet. As the song goes "Come see about Me" (Us)! The bogus plan is going to Suffolk Council on Jan. 12 at 6:00p.m. in which their plan is to tear up the same John Street CASA Investments has completed Suffolk's work. They also plan to buy out two older homes (families live in) to place the retention pond. This is not for Pughsville drainage, but the other developers have looked at those properties to build. They have an auction to get the other properties across from the two homes. We see the PLAN!!!!

What do you want the NEJAC to advise EPA to do? : We ask that an investigation, audit, or look at our documents to Seek how we can get the government and VDOT to provide mandates to get our drainage taken care of. Suffolk says it will be 2023 before they do anything. They do not clean the ditches to have the water to flow. Help is urgently needed. The walk thru the area like you mentioned at the last meeting to see the complaints listed here. If I need to speak at the meeting I will. Your list of speakers is extensive and three minutes is not enough time to discuss the matter at hand. Thanks for your consideration in this matter.

Full Name (First and Last): Dave Arndt

Name of Organization or Community: Self

City and State: Maryland, Baltimore (population size - 583,923)

Brief description about the concern: Hello. My name is Dave Arndt, a Baltimore Maryland resident and a Climate, Environmental and Social Justice advocate. These three areas have a lot of overlap and I am going to focus on topics at the intersection of these areas. Unfortunately, by plan, all of this injustice is burdened on Black, Brown and low-income areas. Today I am going to focus on a neighborhood in Baltimore called Curtis Bay. About a week ago, there was a thunderous explosion at the CSX Coal Terminal there. Surrounded by mountains of black coal, the tall metal silo routinely emits acrid odors and leaves a coating of particulates on windows, cars and lawn furniture. For years community leaders have been trying, without success, to get federal, state and local officials to do something about the facility and others in their industrial waterfront community. Maybe now, with this catastrophic event, someone will pay attention, but probably not. Afterall, CSX's air quality permits are all in compliance with state and federal environmental regulations. In addition to the coal terminal, this area is home to a medical waste incinerator, a trash incinerator, a major interstate highway, a rendering plant, various chemical factories, a sewage treatment plant and the city's Landfill site. All in compliance. Something is wrong here; The Baltimore region ranks among the worst in the U.S. for air pollution. Baltimore City has asthma at twice the rate of the rest of the country, and the hospitalization rate for pediatric asthma is one of the highest in the nation. Residents are dying and everything is in compliance. There are three major reasons for this: 1) Individual regulations are not strict enough, they put profit and jobs over the health of residents, 2) Regulations are done individually, there are no cumulative effects. When people breath, they can't choose which pollution source they are breathing in, they get it all, 3) Environmental injustice. This was all done by design. If this was a wealthy white neighborhood, this would not be happening. I have heard hundreds of stories like this all across this nation.

What do you want the NEJAC to advise EPA to do? : It is time for the EPA to act like an agency for all the people and a healthy environment.

Region 4: Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee,

None

Region 5: Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin,

Full Name (First and Last): Dr. Jim Van Keuren

Name of Organization or Community: College of Education, Ashland University, Ashland, Ohio

City and State: Brook Park, Ohio (population size 18,617)

Brief description about the concern: Add a Performance Goal: by September 30, 2024, Create a Study Group to Review the Presumptive List of Conditions for those Individuals who were exposed to Toxins at Superfund and other like sites.

What do you want the NEJAC to advise EPA to do? : This performance goal would be added to: Cross Agency Strategy 2: Consider the Health of Children at All Life Stages and Other Vulnerable Populations.

EPA Superfund detailed data on populations between 1 and 3 miles of Superfund sites make up approximately 22% of the population of the United States. It appears that this data fits with the Cross Agency Strategy 2 which centers on children and vulnerable populations.

I couldn't stay for the public comment period. I would like a copy of the document before today's comments are incorporated. And I assume I will automatically receive the document that includes today's edits. In Goal 7, the wording should include ... Chemicals and **radioactive isotopes**.... Radioactive waste remains on site after a nuclear power plant is dismantled. What to do with this waste has flummoxed scientists, politicians and military minds for about 75 years, and it's still at the sites where it was created — nuclear power plants. The history of ideas and frustrations in this regard is a story of scientific/engineering failures in the attempt to find a “use” for it, or — barring that it can be made “useful” — a place to put it. But the only “use” leaders have been able to figure out is a more-waste-producing process for separating the extremely dangerous bomb-generating isotope ²³⁵Pu (Plutonium 235) and the also deadly Uraniums ²³⁵U, also “useful” for bombs (Hiroshima) and ²³⁸U, called Depleted Uranium; but, it's just uranium, not depleted at all. ²³⁸U has a very high mass and thus is used to harden bullets and tank bodies. So nuclear waste is “useful” — for war. But war only uses a small portion of the waste so the rest of it is stranded. “Where to put it” is truly a saga in the political sense because it's a decades-old story of grassroots resistance supported by Nevada politicians (and now New Mexico and Texas politicians). Few of us (I mean the people, mostly white, who took over this land) are able to psychologically access the wisdom of those who lived here for thousands of years, who understand this terrible situation, and who see what must be done. “We” think there will be a way to dump it and forget it, like we do our garbage, our plastic gee gaws, our out-of-fashion clothing, the products of combustion (CO₂), and our sewage. Maybe you've noticed a salient fact: all that stuff is still here. FORGOTTEN BUT NOT GONE. We won't be able to dispose of and forget about spent fuel from nuclear power plants. We'll have to develop a system for dealing with it for as many generations as it remains dangerous. Unfortunately, it is very dangerous, it lasts a long time and it's all ours. The Anishinabek/Iroquois along with a Canadian, Dr. Gordon Edwards, have a plan for doing this. It won't be easy and certainly not cheap. The alternative is unthinkable if we care about communicating with and protecting future generations.

Region 6: Arkansas, Louisiana, New Mexico, Oklahoma, Texas,

Full Name (First and Last): Coz Lamore

Name of Organization or Community: Choices Interlinking Inc-Alliance

City and State: Kilgore, Tx (population size 14,962)

Brief description about the concern: Environmental disasters such as chemical spills & industry-caused poisoned air & water are manmade pollutions that intentionally target Black and brown people.

Structural disasters such as mass incarceration and homelessness are linked to incompetent systems that target especially Black people. Environmental, climate and social injustice all create

greater & greater barriers that exclude and ostracize Afro-Americans from equitable opportunities that are offered to others.

What do you want the NEJAC to advise EPA to do? : We seek: A shift in decision-making processes and power as one measure for undoing institutional racism. EJ. communities want to be equitably included in evaluating and determining standards for health and safety. It is our people who are dying, and it is our inter-generational health and safety that is being sacrificed due to unchecked environmental harm. These life-endangering decisions should not be left solely to those far removed from harm, who monopolize institutionalized power and control. We further want: To be included with equitable decision-making power and systemic support in determining restitution, reparations, and access to opportunities for resiliency in safe and healthy environments. Current systems & structures rely almost exclusively on structures and authorities that do equitably value the loss and suffering of Black and brown people who have been most harmed. The people who are being harmed need to be heard and responded to.

Full Name (First and Last): Cemelli de Aztlan

Name of Organization or Community: Centro Fronterizo del Obrero (dba) La Mujer Obrera

City and State: El Paso, TX (population size 963,000)

Brief description about the concern: EPA finally designated El Paso County as an ozone nonattainment area in Nov. 2021. This is a major victory for air quality and environmental justice in our community, to hold polluting industries accountable. The EPA, Texas Commission on Environmental Quality (TCEQ), and others will be making decisions over the next year that will determine whether this victory is transformative in terms of reducing pollution in our community, or not. TCEQ has already stated, on record, that it disagrees with the EPA's designation, and they are seeking to reverse this victory and return to the status-quo. El Paso-Las Cruces is currently classified as a "marginal" nonattainment area. That means it is subject to the lowest level of regulation. In marginal areas, new industrial sources are required to install additional emission controls and purchase offsets, and infrastructure projects that receive federal funding must undergo additional environmental review, but there are no requirements for existing industrial sources. TCEQ is not required to develop a plan to reduce emissions from existing industrial sources unless El Paso-Las Cruces is reclassified as a "moderate" nonattainment area. Under the Clean Air Act, an area is ordinarily reclassified as moderate if it fails to attain the ozone standard within 3 years. Though, the complication is that Section 179B of the Clean Air Act provides that an area is not reclassified from marginal to moderate if a state can show that it would attain the standard "but for emissions emanating from outside of the United States." Section 179B was actually written specifically with El Paso in mind, which is the largest binational community in the world and has the largest concentration of maquiladoras along the border, a majority of them (63%) are US based Fortune 500 companies producing pollution and highly toxic waste. Recent data modeling showed Mexico contributing about 7 parts per billion to ozone levels in our community, which is reporting an ozone value of 78 parts per billion. If you subtract the 7 parts per billion attributable to Mexico, you still have an ozone value of 71 ppb, which is above the standard. We ask the EPA to reclassify the El Paso/Las Cruces area from "marginal" to "moderate," which would result in regulation of existing sources.

What do you want the NEJAC to advise EPA to do? : We ask that the EPA reject the 179b exemption, which is based on a dangerous and exploitive loophole. The reality is: US industries

have been and are currently violating the ozone standard even if emissions from Mexico are excluded.

Full Name (First and Last): John Mueller

Name of Organization or Community: None

City and State: Tulsa, OK (population size 402,324)

Dear NEJAC Leadership and Members, please know how much I appreciate, as the sixth public speaker in last Wednesday's public meeting, that my brief presentation this time clearly got some very real and important traction for the road ahead. My thanks especially go to NEJAC Chair Orduño and Vice Chair Jelks for confirming the assignment of the fluoridation issue to the Water Infrastructure Workgroup. Cutting to the chase, I suggest again that the road ahead leads to finally ending the allowed addition of a treatment chemical, fluoride, to the public drinking water, whose sole purpose is not to treat the water for safe consumption, but to indiscriminately treat the consumers of that water for a medical condition, whether the consumer has the treatable condition or not. The most commonly added fluoridation chemical is a persistent environmental pollutant, fluorosilicic acid (FSA), as confirmed in the attached letter from the EPA's Office of Water, hanmer1983.pdf. Please share this with the current Office of Water when contacted in the future as mentioned in Wednesday's meeting in partial response to my presentation. You may wish to also consider and mention during that contact the more recent (2015) nearly \$2 billion settlement with Mosaic Fertilizer LLC for future remediation of its unlawful discharge of hazardous wastes produced in its phosphate mining and fertilizer manufacturing operations in Florida and Louisiana, <https://www.justice.gov/opa/pr/major-fertilizer-producer-mosaic-fertilizer-llc-ensure-proper-handling-storage-and-disposal>. The identified hazardous wastes include FSA, as seen listed with other specified hazardous wastes, for example, in the consent decree with the Florida DEP, https://www.justice.gov/sites/default/files/enrd/pages/attachments/2015/10/02/mosaic_consent_decree_appendices_florida.pdf

Also attached is the current TSCA lawsuit, originally filed April 18, 2017, which I have mentioned previously in earlier public comment submittals. EPA can initiate the paradigm shift away from promoting the CDC's Community Water Fluoridation (CWF) program toward a new paradigm with proven alternatives, developed under Justice40 directives, entirely apropos for building the capacity of localized and targeted oral health care programs where needed most - the disadvantaged communities where fluoridated tap water has been their only affordable option, but without their informed consent or other public approval. By conceding to the plaintiffs via an express directive from Administrator Regan, EPA is conveniently afforded the simplest and most plausible and expeditious means to initiate the needed paradigm shift. Most of the rest of that shift, of necessity, will be on the shoulders of the CDC in response to EPA's eventual regulatory rulemaking, absent a more desirable executive order to impose an immediate moratorium on any further CWF promotional activity. I fully realize and acknowledge the existence of obstacles and challenges that multiple powerbrokers and decision-makers will run up their respective flagpoles, metaphorically speaking, with far reaching, vested interests in continuing the promotion of the CWF program. Not only does the CDC's Division of Oral Health appear to rely on CWF as its life-blood business activity, but numerous groups who have long supported and promoted CWF will have vast and daunting public relations challenges to

work through with a paradigm shift to alternative programs for promoting oral health. Certain segments of the mining and manufacturing industry, for example the Mosaic Company, will have to start incurring costs to properly dispose of their hazardous fluorosilicic acid (FSA) instead of selling it to fluoridating drinking water utilities. I am well aware of all of this. But I also know what we all know, that protecting the developing brain is far more important than protecting teeth. Obviously, the benefits of fluoridation cannot possibly not outweigh the risks. Thank you again for your attention to this important matter and the opportunity to make it available to you. I plan to share much of it at the next WHEJAC public meeting later this month.

Region 7: Iowa, Kansas, Missouri, Nebraska,

None

Region 8: Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming,

None

Region 9: Arizona, California, Hawaii, Nevada, the Pacific Islands,

Full Name (First and Last): Piper Perreault

Name of Organization or Community: Freebirds

City and State: Novato, CA (population size 55,642)

Brief description about the concern: Fluoridation of water

What do you want the NEJAC to advise EPA to do? : We need to remove fluoride from our public water supplies. It is a known neurotoxin. The only studies that cite the good of fluoridation is outdated, and not rigorous studies. People who think fluoride is good are simply uninformed. And poorer communities do not have access to information about the harms of fluoride and are often unable to afford filters that filter fluoride out, such as reverse osmosis systems (which are expensive and create a lot of wastewater). This is an actionable clear issue that EPA can solve...clean water now. It is hypocritical to not have taken toxic fluoride out of water systems already as it has been a known neurotoxin for decades.

Full Name (First and Last): Jose Flores

Name of Organization or Community: Comite Civico del Valle

City and State: Imperial County, Ca. (population size 181,215)

Good afternoon, I am Jose Flores and currently work with Comite Civico del Valle in Brawley, Imperial County, Ca. I was happy to hear the uplifting messages from Administrator Regan and EJ Director Tejada. Having had the pleasure to meet the Deputy Administrator a few years back when she visited Comite Civico and also meeting Administrator McCarthy as well at a visit to the White House in 2016, it is good to hear how the new administration has been taking action. My public comment is in regard to the critical mineral [lithium] that has been found by geothermal companies in our region. We hope if lithium extraction really takes off it is truly done with minimal carbon footprint. The possibility of this great venture is something our county is keeping an eye on, since Imperial County in SE California by the Arizona/Mexico border is the most economically/environmentally impacted out of California's 58 counties. Since the lithium is literally adjacent to the Salton Sea we envision how possibly the environmental issues in this largest lake in California may also be mitigated. We understand time is of the essence and EPA Administrator made reference to speed dealing

with initiatives, but we want to ensure community stakeholders being included in conversations dealing with equity. This in reference to that old saying " if you want to go fast go alone but if you want to go far go together". The inclusion of people of color that are grassroots and traditionally don't engage in such discussions is our priority; it should not be only with the "status quo' stakeholders that already have platforms to voice their opinions. Also I want to highlight the discussion in your meeting in regard to safeguarding agricultural workers whether documented or not. In our county we have hundreds of young men brought from Mexico with visas that stay in our local hotels for months. On the surface it looks like a win/win for both parties, but the reality is these workers cannot really voice concerns (like pesticides) if they arise.

Region 10: Alaska, Idaho, Oregon, Washington,

None

NEJAC ADDITIONAL WRITTEN PUBLIC COMMENTS CONT.

Additional written public comment materials are available in the public docket of this meeting. The public docket number for this meeting is EPA-HQ-OA-2021-0848. The public docket is accessible via www.regulations.gov under its docket number, EPA-HQ-OA-2021-0848.

CLOSING REMARKS & ADJOURN

Dr. Fred Jenkins, DFO, thanked everyone for their hard work. He reminded everyone that the final meeting minutes and the meeting summary will be made publicly available within 90 days after the close of the meeting. He adjourned the meeting.

[WHEREUPON THE MEETING WAS ADJOURNED]

**National Environmental Justice Advisory Council
Contact List - November 2021**

U.S. Environmental Protection Agency

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National Environmental Justice Advisory Council

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EPA Region 5 Sylvia Orduño (Chair) Detroit, Michigan	Organizer <i>Michigan Welfare Rights Organization</i>
EPA Region 4 Na'Taki Osborne Jelks, PhD (Vice-Chair) Atlanta, Georgia	Board Chairperson/Co-Chair <i>West Atlanta Watershed Alliance/Proctor Creek</i>
EPA Region 3 Michael Tilchin (Vice-Chair) Bethesda, Maryland	Senior Consultant <i>Jacobs Engineering</i>

National Environmental Justice Advisory Council Members

Academia (5)

EPA Region 2 April Karen Baptiste, PhD Hamilton, New York	Professor <i>Environmental Studies and Africana and Latin American Studies</i> <i>Colgate University</i>
EPA Region 4 & 5 Jan Marie Fritz, PhD, C.C.S Palm City, Florida	Professor <i>School of Planning</i> <i>University of Cincinnati</i>
EPA Region 8 Jill Lindsey Harrison, PhD Boulder, Colorado	Associate Professor <i>University of Colorado Boulder</i>
EPA Region 5 Benjamin J. Pauli, PhD Flint, Michigan	Assistant Professor <i>Department of Liberal Studies</i> <i>Kettering University</i>
EPA Region 3 Sandra Whitehead, PhD, MPA Washington, DC 20002	Assistant Professor & Program Director <i>Sustainable Urban Planning</i> <i>George Washington University</i>

Business / Industry (4)	
EPA Region 4 Jabari O. Edwards Columbus, Mississippi	Chief Executive Officer <i>J5 GBL, LLC</i>
EPA Region 3 Venu Ghanta Washington, DC	Vice President <i>Federal Regulatory Affairs and Environmental Policy</i> <i>Duke Energy</i>
EPA Region 6 Virginia King Friendswood, TX	Director <i>Sustainability and Stakeholder Engagement</i> <i>Marathon Petroleum LP</i>
EPA Region 3 Michael Tilchin (see Vice -Chair)	

Community-Based Organizations (8)	
EPA Region 9 Rev. Dr. Ambrose Carroll, Sr. Oakland, California	Senior Pastor <i>Green The Church</i>
EPA Region 1 Leticia Colon de Mejias Windsor, Connecticut	President and Founder <i>Green ECO Warriors</i>
EPA Region 6 Cemelli De Aztlan El Paso, Texas	Community Organizer <i>La Mujer Obrera</i>
EPA Region 4 Mildred McClain, PhD Savannah, Georgia	Executive Director <i>Citizens for Environmental Justice and Harambee House, Inc.</i>
EPA Region 1 Sofia Owen, JD Roxbury, Massachusetts	Staff Attorney & Director <i>Environmental Justice Legal Services (EJLS)/Alternatives for Community & Environment (ACE)</i>
EPA Region 3 Jerome Shabazz Philadelphia, Pennsylvania	Executive Director <i>JASTECH Development Services Inc. and Overbrook Environmental Education Center</i>
EPA Region 7 Pamela Talley St. Louis, Missouri	Executive Director <i>Lewis Place Historical Preservation, Inc.</i>
EPA Region 4 Na'Taki Osborne Jelks, PhD (see Vice-Chair)	

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EPA Region 2 Brenda Torres Barreto San Juan, Puerto Rico	Executive Director <i>San Juan Bay Estuary Program</i>
EPA Region 2 Andy Kricun Erial, New Jersey	Senior Fellow <i>US Water Alliance</i>
EPA Region 9	Board Member

November 2021

Ayako Nagano, JD Berkeley, California	<i>Common Vision</i>
EPA Region 5 Jeremy F. Orr, JD Chicago, Illinois	Safe Water Initiative <i>Natural Resources Defense Council</i>
EPA Region 6 Jacqueline D. Shirley, MPH Albuquerque, New Mexico	Rural Development Specialist <i>Rural Community Assistance Corporation</i>
EPA Region 5 Sylvia Orduño (see Chair)	

State and Local Government (4)

EPA Region 9 Felicia Beltran Phoenix, Arizona	Civil Rights Compliance Manager <i>Arizona Department of Transportation</i>
EPA Region 7 Charles Bryson St. Louis, Missouri	Director, Civil Rights Enforcement Agency <i>City of St. Louis Civil Rights Enforcement Agency</i>
EPA Region 10 Millie Piazza, PhD. Olympia, Washington	Environmental Justice Manager <i>Washington State Department of Ecology</i>
EPA Region 4 Karen Sprayberry Columbia, South Carolina	Advisor to the Director of Environmental Affairs <i>South Carolina Department of Health and Environmental Control</i>

Tribal/ Indigenous Government and Organizations (4)

EPA Region 10 Joy Britt Anchorage, Alaska	<i>Alaska Native Tribal Health Consortium</i>
EPA Region 8 Scott Clow (EPA NTC Member) Towaoc, Colorado	Environmental Programs Director <i>Ute Mountain Ute Tribe</i>
EPA Region 8 John Doyle Crow Agency, Montana	Water Quality Director <i>Little Big Horn College</i>
EPA Region 6 Jonathan Perry Crownpoint, New Mexico	President <i>Becenti Chapter</i>

NEJAC Public Meeting Attendee List

First Name	Last Name	Organization
Bridget	Coyle	US EPA Region 9
Jennifer	McDonnell	New York City Department of Sanitation
Carolyn	Dick Mayes	U.S. EPA
Nettie	McMiler	U.S. EPA
Erin	Broussard	AEPCO
Jenna	Brinkworth	Tobacco Free RoswellPark
Jane	Kloeckner	Kansas University
Emily	Benayoun	U.S. EPA- Region 6
Cynthia	Peurifoy	None
J.	Herkimer	Housatonic Environmental Action League, Inc. (HEAL)
Renee	Kuruc	HBK Engineering
Emily	Ryan	U.S. EPA
Marnese	Jackson	Midwest Building Decarbonization Coalition
Ronald	Ross	Northwood Estates Community Org
Adesuwa	Erhunse	U.S. EPA
Janice	Horn	Tennessee Valley Authority
Ashley	Oleksiak	Alaska Dept. of Environmental Conservation
Natasha	DeJarnett	University of Louisville
Patrick	Beckley	EPA
Ugbaad	Ali	EDF
John	Tocornal	Amazing Science Parties (A Family Company)
Taaka	Bailey	MDEQ
Adrienne	Gossman	LDEQ
Suzanne	Yohannan	Inside EPA's Superfund Report
Michele S	Paul	City of New Bedford, MA
Sofia	Benito Alston	ACCD
Hannah	Humphrey	MO DNR
Jenn	Clarke	City of Richmond
Matthew	Greene	U.S. Fish and Wildlife Service
Stacey	Dwyer	U.S. EPA
Kathleen	Deener	U.S. EPA
Patrick	Bigsby	Iowa Department of Natural Resources
Natalie	Shepp	Pima County Department of Environmental Quality
Alyse	Rooks	Environmental Defense Fund (EDF)
Rusty	Hazelton	U.S. EPA
Sims	Brad	Exxon Mobil Corporation
Reginald	Harris	U.S. EPA Region 3
Osmond	Lindo	Environmental Protection Agency

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Denisse	Diaz	U.S. EPA
Cynthia	Sanchez	IEPA
Elder Jacqueline V	Norris	WomEnviro Climate Social Justice Marginalized Communities Collaboration
Haley	Ilg	Marathon Petroleum
Judith	Kendall	U.S. EPA
Brian	Holtzclaw	U.S. EPA
Jackie	Toth	Good Energy Collective
Courtney	Cooper	UCSF Program on Reproductive Health & the Environment
Tina	Davis	U.S. EPA
Kiana	Courtney	Environmental Law & Policy Center
David	Publow	Lights Out Norlite
Mary Claire	Kelly	GASP
Kearni	Warren	Energy Justice Network
Genevieve	Gadsden	US EPA/LCRD/RCB/Chemical Safety Section
Chrislyn	Means	EPA R7
Pamela	Brandy	Pughsville Chesapeake/Suffolk Civic League
Yolanda	Allen	U.S. Environmental Protection Agency
Bonita	Johnson	U.S. EPA
Sharron	Porter	United States Environmental Protection Agency
Keilly	O'Reilly	Plains All American
Keisha	Long	DHEC
Lin	Nelson	Evergreen State College
Benita	Best-Wong	U.S. EPA
Loaela	Hammons	GSA PBS
Tim	Kirchgraber	NYS Empire State Development
Lindsay	McCormick	Environmental Defense Fund
Jennifer	Valenstein	Brightwater Strategies
Richard	Stoker	POWER Engineers, Inc.
Alan	Walts	U.S. EPA Region 5
Kim	Tucker- Billingslea	GM
Jacquelyn	Drechsler	None
Ashley	Greene	U.S. EPA
Olga	Naidenko	ENVIRONMENTAL WORKING GROUP
Karol	Archer	FAA
John	Mueller	Independent activist to ban fluoridation
Stephanie	Flaharty	U.S. Environmental Protection Agency
Valincia	Darby	DOI
Leo Matteo	Bachinger	NYSDEC
Eliza	Alford	City of Philadelphia
Kandyce	Perry	NJ Department of Environmental Protection

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Rosemarie	Nelson	U.S. EPA
I-Jung	Chiang	U.S. EPA
Alex	Rodriguez	DCG Public Affairs
Rebecca	Shell	AECOM
Alexandra	Olson	US EPA R6
Heather	Navarro	St. Louis Board of Aldermen
Katherine	Egland	EEECHO and NAACP
John	Oluwaleye	Gender-Based violence as a public Health Issue
Chanese	Forte	UCSF
Lorne	Norton	RUPCO, Inc.
Elaine	Tanner	Friends For Environmental Justice
Shane	Palmer	Peter Damon Group
Susannah	Tuttle	NC Council of Churches / NC Interfaith Power & Light
Sabina	Perez	Guam Legislature
Kira	Kaufmann	USFS
Lorraine	Reddick	U.S. EPA
Angus	Welch	U.S. EPA
Kurt	Temple	U.S. EPA
Shelly	Lam	U.S. EPA
Jennifer	Ortega	Environmental Defense Fund
Nayyirah	Shariff	Flint Rising
Carla	Walker	World Resources Institute
Rich	Evans	GES, Inc.
Ellen	Manges	U.S. EPA
John	Kinsman	Edison Electric Institute
Cecelia	Donovan	EcoLogix
Lawrence	Martin	U.S. EPA
Lynn	Fowler	Housatonic River Commission
Alayna	Martin	U.S. EPA R4
Tatiana	Eaves	NWF
Lakota	Ironboy	Leech Lake Division of Resource Management
Troy	Hill	U.S. EPA Region 6
Rebecca	Huff	U.S. EPA
Nicolette	Fertakis	U.S. EPA
Dave	Arndt	None
Michael	Troyer	U.S. EPA
Marilynn	Marsh-Robinson	EDF
Russ	Casenhiser	Creation Care Collective
Kathy	Triantafillou	U.S. EPA
Eileen	Mayer	U.S. EPA
Carrie	Brown	HCPA

First Name	Last Name	Organization
Kay	Nelson	Northwest Indiana Forum
Gabriel	Bellott	House Committee on Science, Space, and Technology
Bruce	Lin	U.S. EPA
Christina	Lovingood	U.S. EPA - OIG
Darryl	Malek-Wiley	Sierra Club
Richard	Moore	Los Jardines Institute
Susan	Olavarria	Stericycle
Amanda	Strawderman	Clean Water for NC
Jeremy	Bratt	Dogwood Alliance
Corbin	Darling	U.S. EPA Region 8
Stephanie	Rambo	Tejon Indian Tribe
Navis	Bermudez	US Environmental Protection Agency
Bob	Varney	Normandeau
Daniel	Gogal	U.S. EPA/Office of Environmental Justice
Monica	Espinosa	U.S. EPA Region 7
Matt	Klasen	U.S. EPA
Victoria	Flowers	Oneida Nation
Tanisha	Edwards	Foley Hoag, LLP
Siobhan	Whitlock	EPA Region 4 Superfund & Emergency Management
Sheldon	Snipe	U.S. EPA
Raina	Rippel	Halt the Harm Network
Vanessa	Simms	U.S. EPA
Alex	Guillen	POLITICO
Carolyn	White	Pughsville Chesapeake & Suffolk Civic League
Lori	Simmons	PROC
Elyse	Salinas	U.S. EPA
Jennelle	Crane	TCEQ
Diedre	Lloyd	U.S. EPA
Chandra	Taylor	Southern Environmental Law Center
Michael	Bloom	R. G. Miller Engineers, Inc.
Joanna	Stancil	USDA-FS
Mario	Sengco	U.S. EPA
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Joe	Foote	Florida Department of Environmental Protection
Martha	Kelly	Connecticut Coalition for Environmental Justice, GPUS EcoAction Committee
Annamarie	Romero	U.S. EPA R7
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Tyler	Jenkins	Senate EPW
Leonardo	Wassilie	Salmonberry Tribal Associates
Shannon	McNeeley	Pacific Institute

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Earthea	Nance	U.S. EPA
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Tynechia	Marshall	ADEM
Belinda	Joyner	Concern Citizen of Northampton County
Steve	Zuiss	Koch
Paul	Lee	Los Angeles Mayor's Office
Kim	Balassiano	U.S. EPA
Brittany	Whited	DOEE
Alane	Herr	IEPA
Emily	Kroloff	U.S. EPA
Alice	Sung	Greenbank Associates
Betsy	Lawton	Network for Public Health Law
Michael	Snyder	Dow
Eve	Granatosky	Lewis-Burke Associates LLC
Dora	Johnson	U.S. EPA
Angela	Chalk	Healthy Community Services
Leslie	Vishwanath	National Grid
Olivia	Rodriguez Balandran	U.S EPA Region 6
Christina	Chiappetta	GSA
Brandi	Hall	ADOT
Edith	Pestana	CTDEEP
Stephanie	Hammonds	WVDEP-DAQ
Ashley	Bullock	Public Health - Seattle & King County
Angela	Zhong	None
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Charles	Mason	Pacific Gas and Electric
Chris	Pressnall	Illinois EPA
David	Ailor	American Coke and Coal Chemicals Institute -
ORA	GILES	Transcription, Etc., LLC
Alessandro	Molina	U.S. EPA
Leel	Dias	EJN
Michael	Gange	City of Denton
Lori	Dowil	Corteva
Eric	Dessen	Con Edison
Alexis	Rourk Reyes	U.S. EPA
Gracie	Kennedy	Florida Department of Environmental Protection
David	Casales	SRMT Transfer Station
Elizabeth	Ross	Gunster
Kaitlin	Toyama	US DOJ, Civil Rights Division

First Name	Last Name	Organization
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Anththu	Hoang	U.S. EPA
Sandra	Meier	Environmental Energy Alliance of New York
Krystina	Parker	Plains All American
Elizabeth	Evans	US EPA
Charles	Lee	US Environmental Protection Agency
John	Tsun	Groundwater & Environmental Services, Inc.
Danielle	Mercurio	VNF
Robert	Houston	U.S. EPA
Timothy	Gray	Housatonic River Initiative
Cecil	Rodrigues	U.S. EPA
Katie	Hoeberling	Open Environmental Data Project
Jeremy	Hancher	EMAP - Widener University SBDC
Victoria	Oliver	U.S. EPA/OCSPP/OPP/HED
Tami	Thomas-Burton	U.S. EPA
Carolyn	Yee	California Environmental Protection Agency, Department of Toxic Substances Control
Adriane	Busby	Friends of the Earth
Whitney	Skeans	National Grid
Melissa	Vatterott	Missouri Coalition for the Environment
Maya	Nye	Coming Clean
Dawn	Reeves	Inside EPA
Michael	Blair	Innovate Inc
Camille	Moore	Peter Damon Group
Piper	T	Non-profit
Sheryl	Good	U.S. EPA Region 4
Sabrina	Johnson	U.S. EPA
Sarah	Knapp	GA EPD
Tom	Neltner	Environmental Defense Fund
Jordan	Gougler	NYSDEC
Anthony	Paciorek	Michigan United
Yassen	Roussev	Judicial Council of California
Michael	Malcom	The People's Justice Council
Jamie	Gobreski	U.S. EPA
Robin	Jacobs	U.S. EPA
Amanda	Hauff	U.S. EPA
Marva	King	None
Samantha	DiMeglio	NJDEP
Rev. Carlene	Thorbs	Community Board 12/QSWAB
Kelly	Crawford	DC Department of Energy and Environment
Arsenio	Mataka	Department of Health and Human Services
Lea Anne	Burke	Puget Sound Partnership
Ayodele	Jibowu	H-GAC

First Name	Last Name	Organization
Elena	Hawkins	Michigan Poor People's Campaign
Adler	Miserendino	Lewis Burke Associates
Michael	Hansen	GASP
Jenelle	Hill	U.S. EPA-OWM
Kathryn	Clay	International Liquid Terminals Association
Kurt	Conner	Southern Environmental Law Center
Ginger	Wireman	WA Dept. of Ecology, Nuclear Waste Program
Amy	Miller	U.S. EPA
Heather	Collins	U.S. Environmental Protection Agency
Riddhi	Patel	Center on Race, Poverty, & the Environment
Kristin	Aldred Cheek	Stericycle
Andrew	Geller	U.S. EPA
Tamara	Freeman	U.S. EPA R7
Megan	Kohler	ADEC
Cynthia	Ferguson	US Dept. of Justice, Environment and Natural Resources
Gregory	Lovato	Nevada Division of Environmental Protection
Adriene	Weaver	NC Dept. Environmental Quality Division of Water Resources
Kelsey	Brugger	E&E News
Hannah	Ashenafi	DOEE
Karen	Menetrey	New Mexico Environment Department
Bruno	Pigott	U.S. EPA
Carly	Sincavitch	A&P
Katy	Hansen	EPIC
Scott	Sherman	U.S. Army
Mike	Ewall	Energy Justice Network
Carolyn	Slaughter	APPA
Haley	Lewis	GASP
Michelle	Madeley	U.S. EPA
Stephanie	Bilenko	none
LINDA	GILES	Transcription, Etc.
Susan	Gordon	Multicultural Alliance for a Safe Environment
Victor	Zertuche	U.S. EPA
Beth	Graves	ECOS
Veda	Reed	EPA
Lakendra	Barajas	Earthjustice
Mike	Ripley	Chippewa Ottawa Resource Authority (CORA)
Doris	Betancourt	U.S. EPA
Jay	Hoskins	MSD
Latasha	Lyte	USDA - Forest Service
Xavier	Barraza	Valle de Oro National Wildlife Refuge
Rebecca	Chu	U.S. EPA

First Name	Last Name	Organization
Cara	Simaga	Stericycle
Cristina	Villa	Department of the Interior
Abu	Moulta Ali	US Environmental Protection Agency
Jennifer	Reynolds	CO Dept of Public Health & Environment
Erica	Brown	Assoc. of Metropolitan Water Agencies
Jan	Boudart	Nuclear Energy Information Service
Stephany	Mgbadigha	Air Alliance Houston
Chad	Whiteman	U.S. Chamber of Commerce
Michael	Smith	Interstate Natural Gas Association of America
Lilian S.	Dorka	U.S. EPA
Telly	Lovelace	ACC
Dr. Jim	Van Keuren	Ashland University, Ashland, Ohio/Author
Randa	Boykin	NCDEQ
Travis	Voyles	Senate EPW
Chad	Larsen	Environmental Protection Agency
Mathilde	Saada	Baker Institute
Daniel	Blackman	US Environmental Protection Agency
Anthony	Nevicosi	VHA
David	Magdangal	U.S. EPA
Morgan	Capilla	U.S. EPA
Griselda	Gonzales	https://grisengineering.com
John	Beard	PACAN
Sabrina	Bailey	Illinois Environmental Protection Agency
Daniel	Morales	Northern Arizona University - ENG 530 Student
Macara	Lousberg	U.S. EPA
Coz	LaMore	Choices Interlinking Inc
Lela	Shepherd	HCFCFCD
Sarah	Miller	LSU
Alison	Ruttenberg	Healthy Gulf
Linsey	Walsh	U.S. EPA
Deborrah	Miller	Arizona Department of Transportation
Kacy	Manahan	Delaware Riverkeeper Network
Heidi	LeSane	Environmental Protection Agency
Nalleli	Hidalgo	Texas Environmental Justice Advocacy Services
Emily	Gulick	Jacobs Engineering
Brenda	Watson	Operation Fuel
Annie	Wilson	NYELJP
Bryan	Davidson	Tennessee Department of Environment and Conservation
Caitlin	McHale	National Mining Association
Cassandra	Johnson	MDEQ
Luis	Lopez	Comite Civico del Valle
Kathy	Koon	OK DOT

First Name	Last Name	Organization
John	Blevins	U.S. EPA
Louis	Baer	Portland Cement Association
Will	Patterson	Scotlan Youth and Family Center
Olivia	Glenn	NJDEP
Patrick	Rogers	None
Sandra	Morse	Aegis Environmental
Doris	Johnson	DEEP
Emily	Bitalac	U.S. EPA
Ntale	Kajumba	U.S. EPA Region 4
Melissa	Watkinson-Schutten	Puget Sound Partnership
Monique	Hudson	U.S. EPA/ORC/R4
Catherine	Villa	Environmental Protection Agency
Charles	Maguire	U.S. EPA Region 6
Nia	Rock	BlueSuite Solutions, Inc.
Josh	Tapp	U.S. EPA R7
Debra	Tellez	U.S. EPA
Ericka	Farrell	U.S. EPA
Dylan	Meagher	NYC Department of Environmental Protection (NYC DEP)
Feleena	Sutton	Aera Energy
Richard	Pinkham	Booz Allen Hamilton
Alyssa	Millikin	Dept. of Natural Resources- Environmental Protection Division
Amanda	Aspatore	National Association of Clean Water Agencies
Anna	van der Zalm	PETA Science Consortium International
Gina	Shirey	Alaska Department of Environmental Conservation
Larry	Smith	Memphis
Roberta	Ezike	U.S. EPA
Jane	Mantey	Ceres
David	Thomas	Nearby Nature Milwaukee
Carlos	Claussell	Institute for Sustainable Communities
Molly	Blessing	Household & Commercial Products Association
Rafael	DeLeon	Environmental Protection Agency
Carol	Bergquist	Hannahville Indian Community
Colin	Wright-Pruski	FTI Consulting
Mary	Ross	U.S. EPA
Sheela	Lal	Blue Conduit
James	Courtney	Arnold & Porter, LLP
Samantha	Beers	U.S. EPA
Kelly	Poole	Environmental Council of the States
Geri	Freedman	Organized Uplifting Resources & Strategies
Jasmin	Contreras	U.S. EPA

First Name	Last Name	Organization
Madeline	Middlebrooks	Great Rivers Environmental Law Center
Forest	Repogle	Mid-Region Council of Governments
Sherrell	Byrd	SOWEGA Rising
Rochelle	Gandour-Rood	Tacoma Water
Lorrie	Davis	USDA
Roberta	Benefiel	Grand Riverkeeper Labrador
María	Gabriela Huertas Díaz	San Juan Bay Estuary Program - ESTUARIO
Leslie	Ritts	NEDA/CAP
Saachi	Kuwayama	Environmental Defense Fund
Nizanna	Bathersfield	U.S. EPA
Leanne	Nurse	The Nature Conservancy
Elizabeth	Foster	Minnesota GreenCorps
Aimee	Boucher	U.S. EPA
Trayce	Thomas	MDEQ - Office of Restoration
Maricela	Perryman	San Juan Bay Estuary Program
Rosty	Caryk	Davey Resource Group, Inc.
Kathryn	Super	EJHA
Debbie	Michel	East Bay Municipal Utility District (EBMUD)
Alan	Bacock	U.S. EPA Region 9
Theodore	Hilton	U.S. EPA GMD
Alexis	Williams	Louisiana Department of Health Office of Public Health
Katie	Lambeth	EGLE
Daisha	Williams	Clean AIRE NC
Alice	Wright-Bailey	CEP
Gloria	Vaughn	U.S. EPA
Amelia	Cheek	IL Environmental Regulatory Group
Debra	Coffel	Environmental Protection Agency
Tommy	Landers	Harvard Law School
Michael	Seavey	CGI Federal
Dean	Scott	Bloomberg
Toshia	King	OLEM/ORCR
Deborah	Williams	CWLP
Gerardo	Acosta	Office of Communities, Tribes and Environmental Assess.
James-Lewis	Free	NOAA
Chitra	Kumar	U.S. EPA
Caroline	Emmerson	U.S. EPA
Andrea	Thi	DOJ
Stephanie	Herron	EJHA
Cathy	Waxman	National Grid
Ngozi	Nwosu	City of Dallas

First Name	Last Name	Organization
Taylor	Parks	Florida Department of Environmental Protection
Monika	King	New York State Dept. of Health
Tamela	Trussell	TLC Foundation/Move Past Plastic
Kimberlie	Cole	Strata-G LLC / UCOR LLC
Trey	Hess	PPM Consultants, Inc.
Virginia	Vassalotti	U.S. EPA Region 3
Sarah	Doran	Corning Inc.
Christopher	Mishima	U.S. EPA Region 9
Kyle	Boone	Pokagon Band of Potawatomi
Carl	Sivels	U.S. EPA
Jose	Flores	Comite Civico
Scott	Schlief	U.S. EPA Region 10
Jake	Rosenberg	POWER Engineers
William	Nichols	U.S. EPA
Lorna	Withrow	NCDHHS, DPH, OSWP
Lena	Epps-Price	U.S. EPA
Kamilah	Carter	Environmental Protection Agency
Morris	Azose	Stericycle
Michael	Bryant	Texas Department of Transportation
Tomeka	Nelson	U.S. EPA
Candace	Lewis	U.S. EPA
Melissa	Horton	Southern Company
Grace	Tuttle	Protect Our Water Heritage Rights (POWHR)
Rebecca	Brenner	Cornell University
Mark	Fite	U.S. EPA - Region 4
John	Shoaff	U.S. EPA
Gulan	Sun	Motiva
Brandi	Jenkins	U.S. EPA
Andrew	Daffern	City of Albuquerque
Lael	Goodman	North Brooklyn Neighbors
Tracy	Brown	Riverkeeper, Inc.
Stephen	Donnelly	U.S. EPA
Horace	Strand	CEP
Chelsea	Spier	CA Department of Water Resources
Cheryl	Watson	Blacks In Green
Hollis	Maye-Key	Environmental Protection Agency
Parisa	Norouzi	Empower DC
John	Byrd	Miller/Wenhold Capitol Strategies
Travis	Voyles	Senate EPW
Dione	Price	Keweenaw Bay Indian Community
David	Brewster	PARS Environmental
Steve	Whelan	Citizens Climate Lobby
Milford	Muskett	Southwestern Indian Polytechnic Institute

First Name	Last Name	Organization
Phylcia	Allen	Brownfields at TCEQ
Tamira	Cousett	U.S. EPA
William	Patterson	EBMUD (East Bay Municipal Utility District)
Joanne	Burton	None
Pam	Eaton	Green West Strategies
Allison	Smart	Little River Band of Ottawa Indians
Catalina	Gonzalez	Center for Progressive Reform
Kent	Benjamin	U.S. EPA
Megan	Smith	shift7
Brielle	Meade	Eastern Research Group, Inc.
Karin Ursula	Edmondson	Karin Ursula Landscapes
Bo	Park	U.S. EPA
D.	Wu	NYS OAG - EPB
Karla	Raimundi	VT Agency of Natural Resources
Jean	Mendoza	Friends of Toppenish Creek
Alex	Rodriguez	Save the Sound
Maria	Rahim	Chevron
Jamie	Flood	USDA National Agricultural Library
Mike	Schuster	Hannahville Indian Community
Leslie	Orloff	ASDL
Annie	Chen	OEHHA
Bridget	Weir	U.S. EPA
Julie	Simpson	Nez Perce Tribe - Air Quality Program
Brian	Chalfant	Pennsylvania Department of Environmental Protection
Mindy	Comangane	None
Dana	McClure	NYS DEC
Kathryn	Walker	Center for Sustainable Materials Manag. at SUNY ESF
Stacia	Bax	Missouri Department of Natural Resources
Evelyn	Mayo	Paul Quinn College
Bridget	Walsh	Superfund News
Meghan	Wahlstrom- Ramler	U.S. EPA
Roya	Pardis	POWER Engineers Inc
Stan	Buzzelle	U.S. EPA
John	Parker	GNOICC/zen peacemakers
Angela	Seligman	ND Department of Environmental Quality
Colleen	Makar	Buffalo Sewer Authority
Roddy	Hughes	Sierra Club
Sara	Guiher	Toledo Metropolitan Area Council of Governments
Timonie	Hood	U.S. EPA Region 9

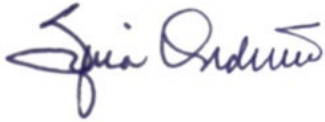
First Name	Last Name	Organization
Stephanie	Lai	CA Dept of Justice
Emily	Gerhardt	Southern Company Services, Inc.
Shannon	Broome	Hunton Andrews Kurth
Megan	McBride	Choctaw Nation of Oklahoma
Michael	Fitzgerald	Finger Lakes Times
Scott	Hebner	bureau of reclamation
Alexandra	Campbell-Ferrari	The Center for Water Security and Cooperation
Eleftheria	Kontou	University of Illinois at Urbana-Champaign
Michael	Egnor	WV DEP
Daniel	Bagby	Dallas Water Utilities
Evan	Baylor	Babst Calland
David	Dunlap	Harsco Corp.
Lee	Ilan	NYC Mayor's Office of Environmental Remediation
Jeffrey	Norcross	U.S. EPA Region 1
Serene	Gauthier	Tribal
Jesse	Deer In Water	Citizens Resistance at Fermi Two (CRAFT)
Earthjustice	Brown	Earthjustice
Shanika	Amarakoon	ERG
Brian	Holtzclaw	U.S. EPA
Elise	Rasmussen	Washington State Department of Health
Lindy	Lowe	ERG
Jenna	Dodson	WVU
Khadija	Kamara	NYU
Leatra	Harper	FreshWater Accountability Project Ohio
Amy	Minor	Southwest Research Institute
Judy	Abbott	NYSDOH
Sharon	Pope-Marshall	CIVITAS
Kathy	Andrews	Blue Ridge Environmental Defense League
Erica	Bates	WA Department of Ecology
Paloma	Pavel	Earth house center
Maureen	Mulcahy	Eagle County
Vanessa	Zahora	GSA
Laura	Berloth	National Fuel
Sally	Kniffen	SCIT
Heather	Croshaw	St. Croix Environmental Association (St. Croix, USVI)
Sarah	Lobe	Nixon Peabody
Ruben	Camacho	U.S. EPA
Collin	Yarbrough	Southern Methodist University
Renee	Panetta	City of Troy - Troy, NY
AK	Will	McCarthy Building Companies
Haley	Lewis	GASP

First Name	Last Name	Organization
Julie	King	Baylor University
Michael	Perrin	U.S. EPA
Keisha	Sedlacek	Chesapeake Bay Foundation
Dallas	Conyers	SCEN
Tracy	Corley	Conservation Law Foundation
Sonja	Stark	Clean Air Coalition of Greater Ravenna/Coeymans
James	Brady	State of Vermont
Linda	Giles	Transcription, Etc. LLC
Mari	da Silva	NAACP NYS CONFERENCE
Ashley	Fisseha	U.S. EPA R5 SEMD
Susan	Alzner	shift7
Aurora	Aparicio Collazo	The Packard Foundation
Vincent	Martin	V Martin Environmental Justice LLC
Valerie	Blank	U.S. EPA ORD
Tyler	Lites	U.S. EPA
Kay	Anderson	SSDRA
Emily	Joynt	North Dakota Department of Environmental Quality
Evan	Mulholland	MCEA
Bill	Burns	Environmental Awareness Foundation Inc
Renee	Kramer	North Carolina Department of Environmental Quality
John G.	Andrade	Old Bedford Village Development, Inc.
Shaun	Auckland	SPEER
Catherine	Lutz	Brown University
Samantha	Harden	U.S. EPA
Lauren	Godshall	Tulane University
Valerie	Rangel	nmelc.org
Enrique	Valdivia	Texas Rio Grande legal aid, Inc
Raymond	Wayne	Heritage
William	Hannemann	Aqualete Industries
Timothy	Fields	MDB, Inc.
Shayne	del Cohen	SDC consulting
Chikara	Mbah	U.S. EPA
James	Tillman	CGI Federal
Danilo	Morales	CSNDC
Erin	Stanforth	Mecklenburg County
Roxanne	Groff	BEN
Eric	Ruder	IEc
Diana	Umpierre	None
Holly	Young	U.S. EPA
Susan	Stilson	U.S. EPA
Patricia	Donohue	Dept of Defense

First Name	Last Name	Organization
Adrienne	Yang	None
Naomi	Yoder	Healthy Gulf
Christian	Holmes	Boston Consulting Group
Christine	Primomo	Clean Air Coalition of Greater Ravenna Coeymans
Katie	Darr	Lake Champlain Basin Program
Kristina	Torres	U.S. EPA
Carl	Anthony	Earth House Center
Prakash	Kashwan	UConn
Melanie	Meade	VCAN
Eduardo	Martínez	City of Richmond, California
Alexis	Stabulas	U.S. EPA
Desi	Santerre	DOLA
Matt	Small	U.S. EPA
James	Brunswick	Dept. of Natural resources and Environmental Control
Astrika	Adams	SBA OA
Jane	Curtis	Community advocate
Janene	Yazzie	Sixth World Solutions
David	Lonnberg	shift7
Tana-Isabela	Anulacion	U.S. EPA
Conrad	Geiger	Student @ University of Colorado
Diana	Abadie	Clean Air Coalition of Coeymans and Greater Ravenna
Simone	Sagovac	Southwest Detroit Community Benefits Coalition
Nichelle	Taylor	GNOHA
Latoya	Miller	U.S. EPA Region 4
Patricia	Taylor	Environment and Human Health, Inc. (EHHI)
LesLee	Jackson	Northside Green Zone
Liat	Meitzenheimer	Fresh Air Vallejo
Gail	Lobin	FTI Consulting
R	Hill	St Albans Chamber
Colleen	Baublitz	U.S. EPA
Vanessa	Gordon	USDA
Krista	McIntyre	Law Firm
Kate	Shackford	Independent Consultant
Emily	Larson	Appalachian Power Company
Alicia	Daniels-Lewis	U.S. EPA
Helen	Serassio	U.S. EPA
Mohsen	Fatemi	University of Kansas
Chanté	Davis	Sunrise Movement Houston
David	Lonnberg	shift7
Lauren	Lurkins	IL Farm Bureau

First Name	Last Name	Organization
Monique	Tate	Coosa Nation-State of North America (USA)
Adam	Cole	RCO
Matt	McGarry	ToC
Kyle	Crider	The People's Justice Council
Pamela	Harris	MDE
Catharine	Bartone	VTDEC
Jackie	Spryshak	FTI Consulting
Gregory	Norris	A.C.E.S. 4 Youth
Gilbert	Sabaterf	Becket, Inc
Damon	Watson	None
Melissa	McCoy	U.S. EPA
Debbie	Madden	Gunster
Danielle	O'Neil	U.S. EPA
Kerry	Hicks	U.S. EPA - Region 8
LaKeshia	Robertson	U.S. EPA
Mary	McCarron	Ohio EPA
Jennifer	McCord	Alabama Dept of Environmental Management
Kim	Gaddy	South Ward Environmental Alliance
Sarah	Abdelghani	Louisiana Department of Health
John	Valinch	Groundwork USA
Chris	Lewicki	U.S. EPA OW
Lisa	Perry	City of Rock Island
Shannon	Ansley	Portneuf Resource Council
Isabel	Segarra Trevino	Harris County (Texas)
Christine	Noonan	Reed Smith
William	Patterson	East Bay Municipal Utility District
Matt	Ellis-Ramirez	University of Miami
Earl	James	EKI Environment & Water, Inc.
Allison	van Pelt	Des Moines Area MPO
Jessica	Terlikowski	City of Portland
Amy	Beatie	Colorado Attorney General's Office
Amruta	Sakalker	UT Arlington

I, Sylvia Orduño, Chair of the National Environmental Justice Advisory Council, certify that this is the final meeting summary for the public meeting held on January 5, 2022, and it accurately reflects the discussions and decisions of the meeting.

A handwritten signature in blue ink, reading "Sylvia Orduño". The signature is written in a cursive style with a large initial "S" and a long horizontal stroke at the end.

Date: April 4, 2022