

**NEJAC Public Conference Call
November 20, 2007
2 to 4 p.m. EST**

On Tuesday, November 20, 2007, the National Environmental Justice Advisory Council (NEJAC) Executive Council (Council) held its second public conference call. The purpose of the call was to review the draft NEJAC letter to Mr. Granta Nakayama, Assistant Administrator, U.S. Environmental Protection Agency (EPA) Office of Enforcement and Compliance Assurance (OECA) regarding the Environmental Justice Strategic Enforcement Assessment Tool (EJSEAT). In addition, NEJAC was updated on the following topics:

- The process for the 2008 Environmental Justice (EJ) Achievements Awards;
- The continued efforts of the Office of Environmental Justice (OEJ) to engage state agencies; and
- The emerging issues noted at the September 2007 NEJAC meeting in Baltimore, Maryland.

Following the discussion, NEJAC heard comments from one member of the public during the public comment period. Exhibit 1 provides the names of the NEJAC members in attendance.

Because Mr. Richard Moore, Executive Director, Southwest Network for Environmental and Economic Justice, the NEJAC Chair, was unable to attend, he nominated Ms. Sue Briggum, Vice President of Federal Public Affairs, Waste Management, as his proxy, with agreement from the Council.

Review of the Draft NEJAC EJSEAT Letter

The Council began by discussing the NEJAC's comments on the draft EJSEAT letter. Key discussion points included:

- Mr. Charles Barlow, Assistant General Counsel, Entergy Corporation, requested clarification regarding the term "bias to action." Ms. Briggum noted that that term was initially introduced in NEJAC's 2004 report entitled *Ensuring Risk Reduction in Communities with Multiple Stressors: Environmental Justice and Cumulative Risks/Impacts*. She suggested that a citation to that report be included.
- Mr. Omega Wilson, Board Member, West End Revitalization Association, asked for clarification regarding the use of the word factors in the last bullet on the first page of the letter. Ms. Briggum explained that the referenced factors are part of the EJSEAT methodology relating to the interactions of particular factors. Based on the discussion, the text was changed to "The appropriateness and the methodology for including various factors in the tool, the accuracy of the data inputs to the tool and potential interaction among those factors."
- Mr. Shankar Prasad, Deputy Secretary for Science and Environmental Justice, California Environmental Protection Agency, noted that the attached appendix to the NEJAC letter is intended to be a draft list of questions that will be expanded as additional questions arise.
- The Council accepted the letter with the two changes.
- Ms. Victoria Robinson, NEJAC Program Manager, EPA Office of Environmental Justice (OEJ), noted that she would incorporate the approved changes and submit the final letter to Mr. Moore for his signature. Once it is signed, the letter will be submitted to Mr. Nakayama, with each of the NEJAC members receiving a copy. The letter will also be posted on EPA's Web site.

2008 EJ Achievement Awards Process

Mr. Charles Lee, Acting Director, EPA OEJ, provided an update on the 2008 Environmental Justice Achievement Awards. He stated that the call for nominations for the 2008 Awards was announced on

Exhibit 1

Members in Attendance

Charles Lee, DFO
Victoria Robinson
Charles Barlow
Sue Briggum
William Harper
Joyce King
Langdon Marsh
Paul Mohai
Shankar Prasad
John Ridgway
John Rosenthal
Patricia Salkin
Omega Wilson

Members not in Attendance

Richard Moore
Donele Wilkins
Elizabeth Yeampierre
Greg Melanson
Chris Holmes
Kathryn Brown

November 1, 2007. Eligible organizations include business and industry, community organizations, state and local governments, indigenous groups, academia, and non-governmental and environmental organizations. He noted that the applicant pool was expanded from last year's pool of business and industry. Mr. Lee encouraged the NEJAC Executive Council members to spread the word to partner organizations. He noted that applications are due on January 11, 2008 and the Awards would be announced in June 2008. Additionally, winners will be posted on OEJ Web site and featured in OEJ newsletter. In future year, OEJ would like to announce the awards at the annual State of EJ in America Conference.

The NEJAC Executive Council provided comments after Mr. Lee's presentation, including:

- Ms. Patricia Salkin, Associate Dean, Albany University Law School, suggested circulating the call for nominations to the list of attendees from the March 2007 State of EJ in America Conference. Mr. John Rosenthal, President, National Small Town Alliance, agreed to forward the call for nominations to that list of attendees.
- Mr. John Ridgway, Information Management and Communications Section Manager, Washington State Department of Ecology, inquired about funding assistance that accompanied the awards. Mr. Lee noted that there was no monetary assistance associated with this award. Recipients of the award will be provided with travel for an awards ceremony, and will receive a plaque.
- Mr. Ridgway requested advice on what type of nominations to solicit. Mr. Lee commented that this was a new award. He highlighted that the applicant organizations must demonstrate measurable results within last five years. Ms. Briggum added that members of the Council should mentor interested organizations by assisting with the application process.
- Mr. Rosenthal asked who will serve on the selection committee. Mr. Lee responded that the panelists have not been selected; however, they will represent all stakeholder groups. Members of the public will serve on the panel.
- Mr. Ridgway inquired about methods to coordinate with the states and tribal governments on EJSEAT. Mr. Lee noted that this issue will be discussed at the June 2008 NEJAC meeting.

State Engagement

Mr. Lee provided an overview of OEJ's efforts to engage NEJAC in a more meaningful way, including expanding the role of NEJAC. In the past, NEJAC's involvement has been focused on the development of recommendations and reports. OEJ would like to expand NEJAC's role to include quick turn-around tasks. One example of this type of task is OEJ would like the Council to investigate how EPA can better engage the state agencies.

The following highlights the discussion among the Council members:

- Several members of the Council supported the suggestion.
- Mr. Wilson commented on if environmental justice activities at the state level were being measured or tracked. Additionally, he inquired who within the state agencies OEJ would engage. Mr. Lee responded that the recent 50 state survey conducted by the American Bar Association and Hastings Law School identified state-level activities relating to environmental justice. He added that Regions 1, 2, 3, 4 have started to engage states in a discussion on environmental justice. Mr. Lee added that engagement needs to occur at various levels. He noted that OEJ is also looking to engage staff from state housing and transportation agencies. In addition, he commented that OEJ should track interagency activities occurring at the state level.
- Mr. William Harper, Vice President of Strategic Sourcing and Operations Support, Pacific Gas and Electric (PG&E), asked if a model existed that the NEJAC can utilize to engage the states.
- Mr. Ridgway clarified NEJAC's role in this quick-turnaround task. He noted that NEJAC would be advising EPA on how to engage states more effectively.
- Ms. Joyce King, Director, Haudensaunee Environmental Task Force, asked how to ensure that the states are communicating with the appropriate stakeholders, including tribal entities. Mr. Prasad added that states may be held accountable through evaluations based on EJSEAT.

Emerging Issues from the September 2007 NEJAC Meeting

Mr. Lee briefly summarized the emerging issues identified by the Council at the end of the September 2007 NEJAC meeting. He then focused his discussion on the idea of green practices and environmental justice. Green practices are the implementation of environmentally-friendly processes and policy at a business or company. He commented that Bank of America has set aside \$20 billion in investments for green development. Additionally, he noted that many organizations and agencies are beginning to focus in environmental justice and corporate sustainability. The rising interest in this issue presents a great opportunity to engage in a dialogue with business and industry. He indicated that the Council may be asked in the future to provide recommendations on this topic. He also noted that this issue will be discussed in further detail at the June 2008 NEJAC meeting.

The following highlights the discussion among the Council members:

- Mr. Prasad noted that this is an emerging topic and would be a great area for EPA to research and become proactively involved in.
- Ms. Briggum commented that several members of the Council have begun to discuss this topic. She explained that there is a natural link between environmental justice and sustainability concerns.
- Ms. King suggested that there needs to be more conversation and education about issue and its impact on a company's bottom line.
- Mr. Harper added that his company, PG&E, as well as Waste Management have been very proactive on this issue and that the activities they have undertaken may serve as good models for other and as a possible starting point for further discussions.
- Mr. Marsh cautioned that it is important to clearly link this issue to broader environmental issues.

Administration Announcements

- Ms. Robinson stated that the call for nominations will be distributed next week via the EJ-listserv. The Council members and workgroup members will also receive a copy. The call for nominations will also be posted on the OEJ Web site.
- She added that the Council will fill upcoming vacancies by July 2008. Nominations are due by March 2008 to Ms. Victoria Robinson.
- The next NEJAC meeting is tentatively scheduled for June 10 through 12, 2008 in Washington, DC. Ms. Robinson requested that members to look at schedules for conflicting events.
- The next NEJAC administrative call is tentatively scheduled on January 24th from 2 to 4 p.m. The purpose of the call will be to discuss the by-laws and start planning the agenda for the next public call.
- Ms. King requested that the next NEJAC meeting be held at a hotel with recycling capabilities. Ms. Robinson noted that EPA has green guidelines and OEJ will be more vigilant on this issue.
- Ms. Robinson noted that EPA is moving to new travel system. In January, an EPA staff member will contact members to establish travel profiles.

Public Comments

At 3:30 p.m., the NEJAC heard comments from one member of the public.

- Ms. Sheila Nolan, Administrative Specialist Coordinator, CenSARA, noted that her organization is comprised of nine central state air quality regulatory agencies. Their mission is to improve public health through reductions in air emissions. She commented that CenSARA supports NEJAC's comments outlined in draft letter. She stressed the need to clearly describe the intended use of EJSEAT as a tool to be used in conjunction with other tools. Additionally, she noted that tribal issues need to be adequately addressed within the tool's methodology. She suggested that the tool be accompanied by a technical support report. This report would outline the comments and revisions made to EJSEAT during the development phase. She suggested that population density be added as an indicator within the tool. She noted that there is a body of research that supports the addition of this indicator.