U.S. Environmental Protection Agency White House Environmental Justice Advisory Council

Public Meeting Summary

March 1, 2023

Location: Virtual meeting

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Preface

The White House Environmental Justice Advisory Council (WHEJAC) was established by Executive Order 14008, *Tackling the Climate Crisis at Home and Abroad,* issued on January 27, 2021. Hence, the WHEJAC is a non-discretionary committee that operates under the provisions of the Federal Advisory Committee Act (FACA), 5 U.S.C. App. 2.

The duties of the WHEJAC are to provide advice and recommendations to the Chair of the White House Council on Environmental Quality (CEQ) and the White House Environmental Justice Interagency Council (IAC) on a whole-of-government approach to environmental justice, including but not limited to environmental justice in the following areas:

- Climate change mitigation, resilience, and disaster management.
- Toxics, pesticides, and pollution reduction in overburdened communities.
- Equitable conservation and public lands use.
- Tribal and Indigenous issues.
- Clean energy transition.
- Sustainable infrastructure, including clean water, transportation, and the built environment.
- National Environmental Policy Act (NEPA) enforcement and civil rights.
- Increasing the Federal Government's efforts to address current and historic environmental injustice.

EPA's Office of Environmental Justice (OEJ) maintains summary reports of all WHEJAC meetings, which are available on the WHEJAC website at https://www.epa.gov/environmentaljustice/white-house-environmental-justice-advisory-council. All EPA presentation materials for this meeting are available in the public docket. The public docket is accessible at www.regulations.gov/. The public docket number for this meeting is EPA–HQ–OEJECR–2023–0099.

Meeting Summary

The WHEJAC convened via Zoom on March 1, 2023.

See appendix A for the Federal Register notice for this meeting; see appendix B for the meeting agenda.

Introductions and Opening Remarks

Karen L. Martin | Designated Federal Officer
Audrie Washington | Program Manager
Richard Moore | WHEJAC Co-Chair
Peggy Shepard | WHEJAC Co-Chair
Catherine Coleman Flowers | WHEJAC Vice Chair
Carletta Tilousi | WHEJAC Vice Chair

Karen Martin opened the meeting and welcomed attendees. She stated that attendees are in listen and view mode only and that there will be an opportunity to hear from registered public commenters at the designated point in the agenda. She noted the availability of Spanish interpretation and closed captioning services.

Chair Richard Moore welcomed WHEJAC members and the public. He reminded council members and the public that WHEJAC members have been committed to their work, and they appreciate comments from the public. He said that activists have asked to see environmental justice lifted to the highest level of the White House and noted the political significance of the WHEJAC. He thanked the interpreters and others who made the meeting possible.

Carletta Tilousi welcomed everyone to the meeting and said she looks forward to the hearing and hopes to make a step forward in protecting communities. She thanked staff and everyone who helped put the meeting together.

White House Environmental Justice Advisory Council Member Introductions

Audrie Washington led the roll call.

Peggy Shepard, present
Richard Moore, present
Catherine Coleman Flowers, present
Carlotta Tilousi, present
Angelo Logan, present
Rachel Morello-Frosch, present
Viola Waghiyi, not present
Miya Yoshitani, present
Kim Havey, present
Kyle Whyte, present
Hli Xyooj, not present
Tom Cormons, present
LaTricea Adams, present
Harold Mitchell, present
Beverly Wright, present
Susana Almanza, present
Jade Begay, present
Robert Bullard, present
Juan Parras, present
Maria Belen Power, present
Jerome Foster II, present
Nicky Sheats, present
Maria López-Núñez, present
Michele Roberts, present
Ruth Santiago, present

Audrie Washington confirmed a quorum.

Richard Moore said they will stick to the agenda because there is a business meeting after the public meeting. He introduced Dr. Jalonne White-Newsome.

The Council on Environmental Quality Updates & Remarks

Dr. Jalonne White-Newsome | Senior Director for Environmental Justice, Council on Environmental Quality

Thanks so much, Richard. Can everybody hear me okay? So good afternoon. And it's really exciting to be here for this first WHEJAC virtual public meeting of 2023. For those of you again that I have not had the pleasure of meeting whether it be virtually or in person, my name is Jalonne White-Newsome, or Dr. J., and I am so honored to serve as the Senior Director for Environmental Justice at the White House Council on Environmental Quality, better known as CEQ. So, I bring greetings and gratitude from our CEQ team to the WHEJAC members, our federal agency partners that are on the line, the EPA DFO team that is orchestrating this event, and other members of the Executive Office of the President, and especially all of you in this virtual space that have taken the time to spend with us, but also continue to advance environmental justice. So, thank you for being here.

I want to always start out by honoring and recognizing the Indigenous lands that I'm on right now today, which are in southeastern Michigan, the lands of the Potawatomi peoples. And also, since March is the start of Women's History Month, I have to also honor and acknowledge my mother, Terri Lynn, that has always modeled what true public service and justice means. And she is definitely one of the many dynamic women that I strive to model myself after in this job and really every day of my life. But that acknowledgement only starts with my mom and continues to the many mothers that we have of the environmental justice movement. These women continue to be virtuous, brave, encouraging, well prepared, strong, wise, and fearless. And I believe that behind every great movement in this world there has been a powerful woman or a group of women. So, thank you to all the women in this virtual room that have laid a strong foundation for justice and keep us moving in the right direction to achieve the change that we all want to see.

March and April will be very busy months for the environmental justice team here at CEQ. And while we hope to have more announcements over the next couple of months, I'd like to share some exciting updates that are directly related to our shared mission to advance equity and justice. So, we can move to the first slide. Thank you. So, since his first day in office, President Biden has led a charge to advance equity and racial justice through the federal government. In January 2021, he signed an executive order on advancing racial justice and support for underserved communities. Over the past two years, this order has directed all federal agencies to better serve communities that have been systemically denied a full opportunity to participate in all aspects of economic, social, and civic life, including communities that have been historically underrepresented in the federal government and underserved or subject to discrimination in federal policies and programs. On February 16, President Biden signed a new executive order, further advancing racial equity and support for underserved communities through the federal government. This new order reaffirms the administration's commitment to deliver equity and launches an ambitious annual process that requires federal agencies to evaluate where their policies and programs contribute to barriers for underserved communities and develop public equity action plans to address these challenges. And the CEQ team was very proud to work in partnership with our Domestic Policy Council colleagues. And we encourage you to check out the full language of the executive order on the White House website. As many of you know, on November 22, 2022, we launched version 1.0 of the Climate and Economic Justice Screening Tool, better known as CEJST. And again, as a reminder, the CEJST helps our federal agencies fulfill the goals of the Justice40 Initiative and other statutory programs that target benefits

of federal resources to reaching disadvantaged communities. Federal agencies are already hard at work implementing the Justice40 Initiative. Last month, the Council on Environmental Quality (CEQ), our Office of Management and Budget (OMB), and our Climate Policy Office (CPO)—all these acronyms—issued a couple of things to our agencies. The first was additional direction and guidance through what we call an M memo, M-2309, which is an addendum to the interim implementation guidance for the Justice40 Initiative, on using CEJST to advance Justice40. Another thing that we shared with agencies was a set of instructions to help them really use CEJST to identify these disadvantaged communities. So, I would imagine most of you agree that moving environmental justice forward is more than just delivering government action in the form of dollars and cents. It is also about making sure these benefits reach communities as well. And that is why we are focusing and continuing to focus on embedding environmental justice into the DNA and fabric of the federal government.

We can move to the next slide. In addition to the additional guidance for CEJST, there have been a stream of announcements coming from our federal agencies utilizing the funding from the Inflation Reduction Act, the Bipartisan Infrastructure Law, and many other sources. There's so many, but I'll name a couple. The US Environmental Protection Agency, or the EPA, has a new Environmental Justice Thriving Communities grant making program that will fund up to 11 entities to serve as grantmakers to community-based projects to reduce pollution. The Department of Interior, or DOI, is using the Bipartisan Infrastructure Law in the Reclamation Water Settlements Fund to continue fulfilling settlements of Indian Water Rights claims. The Department of Transportation just announced yesterday, from the Bipartisan Infrastructure Law again, $185 million in grant awards for 45 projects through the new Reconnecting Communities pilot program, the first of its kind initiative to reconnect communities that have been cut off from opportunity and burdened by past transportation infrastructure decisions. And there are many more programs coming from the Department of Energy that continue to advance clean energy and energy efficiency. Next slide, please.

So, I want to take a moment to talk about our environmental justice team at CEQ, which I will say continues to work hard and grind for EJ every day. And I don't think it's been shared before, but I wanted to share our vision and goals as an environmental justice team. The goal is to make sure, again, that the values of environmental justice become embedded into the fabric and foundation of the White House operations, our policies, and our decision making to serve as a model for the Executive Office of the President, which is the EOP, and our federal agency partners.

We have three goals. One is to deliver the benefits of federal investments and see on-the-ground change. The second goal is to institutionalize and advance environmental justice across the federal government. And the third, and most importantly, is to reduce burdens and harms in disadvantaged communities. Now, we want all of our work to align around these goals and our overarching vision. And to do that work, I am excited to share the new talent that has joined our team since the last WHEJAC public meeting in the fall. We have brought on Mr. Ryan Hathaway, who will be serving as our IAC, our interagency council, director. We have Miss Amanda Patel, who was our Special Assistant to our EJ team. We have Miss Allison Rogers who is serving as our Deputy Director for the Justice40 Initiative. We have Dr. Marcus Hendricks that will be our Senior Advisor, who is our Senior Advisor for Community and Climate Resilience. We have Mr. Nick Thorpe, who will be joining us shortly as our incoming policy advisor for environmental justice. And we are excited to share that Miss Cory Solo has been moved to serve as Senior Advisor to Chair Mallory. We also have two wonderful interns that are helping us over the next several months, Miss Kennedy Williams, who was

a student at Howard University, and Miss Nicole Damasteel-Jeffrey, who is a doctoral student at UIUC or University of Illinois, Urbana Champaign. So, we look forward to all the opportunities to interact with you virtually but hopefully in person at future engagements. Next slide, please.

As many of you know, the Justice40 Initiative is a shared initiative among the Office of Management and Budget, OMB, the climate policy office CPO, and CEQ. So, everything we do, from identifying agency-covered programs to tracking benefits is done together. The Justice40 Initiative in a nutshell, works to embed environmental justice into the DNA of agency programs and direct those benefits—hundreds of billions of federal dollars in clean energy, clean water, affordable housing, other areas—to disadvantaged communities. So, we not only encourage you to continue to check out that list of hundreds of federal programs that are being reimagined to achieve this goal. But also recognize that there's some other really exciting things that are showing how communities are what I like to say literally making Justice40 their own at the local and state level. It takes courage. It takes coordination, it takes collaboration, and a little creativity to align with the goal of ensuring that 40 percent of the overall benefits of programs reach disadvantaged communities. And I want to highlight a couple of those examples. So, we have community-based organizations that are organizing city tours and bringing together local, state, and federal leaders to unpack these opportunities for communities to maximize Justice40 the investments on the projects that matter the most to them. Cook County, Illinois, passed a resolution last fall for a Justice40 infrastructure fund initiative to help with climate resilience. Due to the work of community advocates, the state of Maryland has incorporated a commitment in its state budget to put a certain percentage of funds—at least 40 percent—to communities that have been identified as disadvantaged. And most recently, I had an opportunity to travel to the city of Albuquerque, New Mexico, where Mayor Keller signed an executive order on Justice40 implementation that the city will work closely with the large diverse coalition of folks to advance Justice40 in their city. These, again, are just a few examples of how communities at every level are making the Justice40 Initiative work for them. Next slide, please. So, we encourage you to sign up for our virtual newsletter called The EJ Connector*, so you can stay in-the-know about announcements and happenings. Again, please send us an email as shown on the screen, and we'll send you a link to sign up.*

So, I want to thank each of you, again, on this call that are going to take the time to offer your public comments. I look forward to hearing your voices, your concerns, your stories, and your solutions. And I will tell you that they remain a constant reminder for me as to why we do this work, but also how we should do this work. And also, I encourage you to send a quick note, give a hug, share a smile, give a phone call to a woman in your life that has made a difference during this month and even beyond this month. Because again, we have to acknowledge all the dynamic women not only in the environmental justice movement, but who are moving for social justice in so many different ways. So again, please be well, thank you for being our partner and enhancing our accountability to help our government be EJ strong. I turn it back to you, Richard.

Richard Moore opened the floor for questions.

Ruth Santiago said that about 80 percent of Puerto Rico is included in the CEJST tool and asked if communities overburdened with power plants would have priority. She noted that DOE estimates indicated there are about half a million households in Puerto Rico that are low income, and to date, funding allocated will cover only 40,000 households.

Jalonne White-Newsome thanked Ruth Santiago for sharing and said it was an unfortunate reminder of how far we have to go. She said we have to use tools and also go beyond tools.

Susana Almanza asked about the status of EO 12898. Jalonne White-Newsome said they are working on the recommendations and hope to be able to share something soon.

Michele Roberts said we are in a challenging political moment and hopes there is a sense of urgency to make sure the executive order comes out sooner rather than later. She asked about the process to ensure all the tools are working together harmoniously. Jalonne White-Newsome said that they are trying to move as fast as they can with the EO. She said agencies have developed a lot of great tools, and data and evaluations staff are looking at how different data sets can be used and that people understand how tools should be used. She said they are committed to working with agency partners.

Kyle Whyte asked if there are plans to document how communities have achieved outcomes with Justice40. He added that the White House has made a lot of progress regarding policies on Indigenous knowledge and that recently released guidance has big impact in protecting communities from harm. He asked for that policy to be kept in mind in WHEJAC work. Jalonne White-Newsome said people need to see how it is operationalized.

Maria López-Núñez said she wants to make sure the Administration is sharing intentionally with local communities and various levels of government all have a role to play in Justice40. She asked what efforts CEQ is taking to ensure that only legitimate environmental justice organizations have access to the Greenhouse Gas Reduction Fund monies. Jalonne White-Newsome said CEQ can may have a role in providing guidance; she will take that concern back to the team.

Richard Moore said they need to keep a watchful eye to make sure resources go to communities they are intended for. He said there are suddenly hundreds of new environmental justice consultants and organizations.

Juan Parras said that waste from the Ohio trainwreck were being shipped to a majority Hispanic community in Texas. He said Houston is America's dumping ground. Jalonne White-Newsome said that she'll take the question of where waste goes back to the IAC. Juan Parras said they rarely get support from representatives; pressure needs to be put on current elected officials.

The Environmental Protection Agency's Climate Pollution Reduction Grants Program

Jasmine Davenport | Senior Advisor for Climate Justice, U.S. EPA Office of Air and Radiation (OAR)
Jennifer Macedonia | Associate Deputy Assistant Administrator, OAR

Jasmine Davenport said the IRA implementation team approaches the climate crisis holistically, and a variety of approaches will be funded by the IRA. For example, bottom-up approaches include the Thriving Communities Program and the Environment and Climate Justice Program; top-down approaches include climate pollution reduction planning and implementation grants; and sector-based approaches include the Clean Heavy-Duty Vehicles and Clean Ports programs, among others.

Jasmine Davenport said EPA has $41.5 billion to support 24 new and existing programs and today they will be talking specifically about the Climate Pollution Reduction Grant (CPRG) Program. She said the

program has two stages. The first is noncompetitive planning grants totaling $250 million. The second stage is competitive grants totaling $4.6 billion.

Jennifer Macedonia said CPRG will help states, local governments, tribes, and territories to think about sources of greenhouse gas pollutants and to meaningfully engage communities to find solutions. She explained that up to $3 million is allocated per state, including DC and Puerto Rico, but if a state decides not to take funding, then funding would be available to local governments in that state. She said there is a $25 million set aside for tribes and $500,000 for territories, as well as a $67 million set-aside for largest metro areas to receive up to $1 million each.

Jennifer Macedonia explained that the planning grant asks for three deliverables (tribes and territories do only the first two): (1) develop a Priority Climate Action plan by March 2024, which includes activities recipients can do quickly; (2) develop a Comprehensive Climate Action Plan due in 2025 (or for Tribes, 2027); and (3) provide a status update against key metrics, due in 2027. She said that at least a third of the states already have a plan. States will map out potential funding sources, and where funding is not available through other mechanisms, states can apply for EPA implementation funding.

Jasmine Davenport said it takes a whole toolbox to address climate issues, and there is a role for everyone. She announced upcoming Webinars on March 2 and March 7.

Richard Moore invited questions.

Kyle Whyte said hundreds of tribes have undergone climate change planning for a long time. He asked what tribal input has been made in this program. Jennifer Macedonia said there have been ongoing conversations with tribes. Early on, information was sent to tribes to offer tribal consultation and offered informational webinar on the basics. EPA received comments back and a docket remains open for comments.

Nicky Sheats said that, from an environmental justice point of view, reducing co-pollutants is just as important to environmental justice communities as reducing greenhouse gas emissions. He urged EPA to ensure that message gets out in the grant program. He added that reductions should be prioritized in environmental justice communities, communities of color, and low-income communities. Power plants located in or near these communities should be required to reduce emissions.

Michele Roberts concurred with the issue of co-pollutants and said that legacy communities need to be at the table and that must be seen in funding proposals.

Ruth Santiago asked if there were any requirements that government entities partner with CBOs in implementing the programs. Secondly, she asked if pilot projects could be included in the programs; for example, could a local government fund a pilot project in a community that wants to do rooftop solar?

Beverly Wright asked about the definition of "large municipality." In addition, she noted that the largest greenhouse gas emitters in Cancer Ally are also the largest polluters.

Jennifer Macedonia said they recognize that many large polluters are also the largest sources of greenhouse gases. Co-pollutants will be an important part of the analysis work in phase 1.

Regarding the definition of large municipalities, Jennifer Macedonia said they refer to metropolitan statistical areas by US census and population. There is a list on their website. She said the top 67 will automatically receive a grant. Beverly Wright said she is concerned that it's not connected to need. Jennifer Macedonia said that planning grants are intended to include as much of the population as possible, and that the implementation side will be different. She said there is a requirement for robust stakeholder engagement. They will help states understand what they mean by "meaningful" engagement. Regarding the question on pilot projects, Jennifer Macedonia said yes, pilots can be included.

Richard Moore said that there are legacy communities, legacy issues, and legacy chemicals. He said states should be required to do consultation.

White House Environmental Justice Advisory Council Workgroup Discussions

New Charge on the Climate and Economic Justice Screening Tool

Nicky Sheats | Workgroup Co-Chair

Charge: Provide advice and recommendations to CEQ on informing future versions of the Climate and Economic Justice Screening Tool (CEJST) and ensure that the tool continues to accurately identify disadvantaged communities.

Nicky Sheats gave some background on the charge, explaining that in a May 2021 report, the WHEJAC suggested indicators and datasets for the CEJST. Following the release of the beta version of the tool, they submitted a letter on datasets, indicators, and methodologies. The initial version of the CEJST is now out, but the plan is to update the tool, so the workgroup wants to look at the current version and make new recommendations. He said the new charge gives them flexibility to make new suggestions with input from rest of the WHEJAC.

Nicky Sheats said the workgroup is looking for feedback specifically on the following:

- Relevant datasets that are publicly available, nationally consistent, and available at the census tract level, which could be considered for incorporation int the tool;
- Potential improvements to the methodology, including to better reflect cumulative burdens in the tool;
- Potential approaches for improving linguistic outreach;
- Potential ways to enhance the usability of the tool; and
- Any other possible strategies that would support updates and further implementation.

Ruth Santiago said she's concerned about the weighting of criteria in the CEJST; not enough weight is given for polluting sources such as power plants that overburden communities. She said the tool's point system doesn't correspond to exposure. Nicky Sheats said that issue should be raised again.

Miya Yoshitani raised the issue of weighting for past or historic emissions and pollution burden as well as new risks. She wants to ensure the screening tool will be applied so that there is an equitable distribution of resources over time.

Maria López-Núñez said she didn't like the fact that they have to look at the tool and then go somewhere else to find out where the money is going. She said it's an "economic" screening tool, as well. Transparency is a part of accountability, and these issues need to be integrated and not separate. She said funding distribution should also be mapped.

Angelo Logan said he'd like to see the tool better reflect cumulative burdens and to identify the costs associated with health impacts associated with initiatives considered "benefits" to communities.

Jerome Foster suggested thinking about how communities can use the tool and how communities can accept or reject proposed programs. He also suggested creating a way for communities to provide direct input.

Rachel Morello-Frosch said the workgroup discussed the importance of getting CEJST to talk to the Scorecard in a way that is useful to communities, as well as to be able to track where funds are flowing, impacts on those communities, and addressing environmental racism in these communities.

Miya Yoshitani asked about being able to measure displacement risk, not just from the cost of housing, but from the relationship between well-intentioned investments and displacement in neighborhoods.

Discussion: Reconsideration of the National Ambient Air Quality Standards

Tom Cormons | WHEJAC Member

Tom Cormons said he wanted to begin a conversion with the WHEJAC about National Ambient Air Quality Standards (NAAQS), especially two pollutants in particular: $PM_{2.5}$ and ozone, which are especially consequential. He shared a timeline of the review of the NAAQS and noted that particulate matter standards were last revised in 2021, and ozone in 2015. However, EPA is considering these standards now which presents an opportunity for the WHEJAC. He shared some data on the public health and environmental justice impacts of these pollutants, as well as projected lives saved by having more stringent standards.

Tom Cormons said the Steering Committee asked him to suggest a couple ways that WHEJAC voices could be heard on the subject. He said one option is to establish a workgroup, but the timeline for finalizing recommendations is not optimal. He suggested that another option might be for a few volunteers to form a less formal group and draft a letter of recommendations, similar to the approach used to draft the letter to CEQ on incinerator pollution. This approach would allow a letter to be drafted and revised prior to sharing at the June meeting.

Juan Parras said that his city has not met ozone standards and asked how they can get some help. Tom Cormons said it is a problem not only of NAAQS not being stringent, but also with NAAQS not being complied with.

Nicky Sheats said a lot of his work is around $PM_{2.5}$. He said if letter can be written after March 28 (when comments are due to EPA), then he would volunteer to work on letter.

Angelo Logan said it's a critically important topic; he liked the idea of drafting a letter in a small group. Michele Roberts and Carletta Tilousi concurred.

Angelo logan proposed forming a small group of members to draft the letter to start after March 28. Tom Cormons seconded.

Carletta Tilousi asked for a show of hands.

The vote has passed.

The following WHEJAC members agreed to help draft the letter: Tom Cormons, Nicky Sheats, LaTricea Adams, Jade Begay, Juan Parras, Jerome Foster III, Angelo Logan, and Michele Roberts.

Public Comment Period

Catalina Gonzalez | Public Commenter
Hi, everyone. My name is Catalina Gonzalez. I'm a climate justice policy analyst with the Center for Progressive Reform. And I just wanted to thank all of you for all of your hard work, staff at the EPA and CEQ, and this advisory body for all of the thoughtfulness that you put into the topics that you discuss today. There are several items that I would like to follow up with folks individually. But with this time, I just wanted to speak about the environmental justice screening tool and just to say that last year, our group submitted comments with other folks, other coalition members as well, on the development of the EJ scorecard. And the only comment I wanted to raise was in that letter, we raised the question, we raised the recommendation for staff to consider an independent third party to be part of that EJ scorecard development process. And I wanted to ask the WHEJAC to consider the possibility of—to discuss and consider strategies for having communities also be part of the development of the EJ Scorecard process so that communities and affected populations have a role in evaluating the progress that is being made and how these tools are being utilized. So again, really thankful for the hard work of this body and staff and look forward to following up on several things discussed in this meeting. Thank you.

Nalliber Ruiz | Public Commenter
Good afternoon. My name is Nalliber Ruiz. I'm a graduate student for public policy at the University of Southern California, USC. My specialization is in environmental policy, and I want to thank you for offering this time for the public. This is my first time, one of my few times here. So, I appreciate it. I think I do have a question, when they were describing the environmental screening tool [inaudible] is relevant data sets that are publicly available, nationally consistent, and available at the census tract level. I have noticed, especially for water systems in California, they're following the census tract level, but they're not including disadvantaged communities, unincorporated disadvantaged communities. And they're not part of the geographically and political map. So, when it comes to funding, and when it comes to associating water systems to these populations, it seems like they're out of the map, out of the loop. And that's my comment; how can we avoid the blind side, you know, in terms of relying on census tract levels, when they're in reality not displaying the correct information and those populations are just being, you know, taken off from any funding or even any type of request for funding. So yeah, I think that's my concern, how we tried those indicators and the reliability of them to show the reality. Thank you.

Theresa Harlan | Public Commenter
Thank you. Good evening relatives. And thank you to WHEJAC and council members for your dedication and your work towards meaningful environmental justice. My name is Teresa Harlan, and I am the founder of the Alliance for Felix Cove, a grassroots, all-Indigenous-women-led organization that works to protect, reclaim, and restore the Last Coast Miwok Tamako home, a home built by my great grandpa and the childhood home of my mother. Our Felix family was the last family to live on their ancestral homelands, now known as Point Reyes National Seashore. Environmental Justice is needed at this park. Both National Park and independent water quality data reports show our ancestral homelands and waters are contaminated by fecal excrement from the leased ranches. Indigenous knowledge and science policies and methodologies are absent. We asked WHEJAC and the Interagency Council to advise Point Reyes National Seashore to transition away from the ranching on public lands and choose a path towards restoration of the natural environment and ecosystem as it was nurtured by our Tomoko Coast Miwok ancestors. Thank you.

Megan Haberle | Public Commenter
Thank you so much for this opportunity to testify. My comments draw from written materials that were submitted in December on behalf of a number of members of the Title VI Alliance, which is a decade-old coalition of attorneys, advocates, and community members seeking to strengthen civil rights protections in federal environmental decision making. And my testimony focuses on the need for oversight and attention to compliance with civil rights laws in the implementation of the infrastructure investment and jobs act and the Inflation Reduction Act, especially focusing on Title VI of the Civil Rights Act and the Fair Housing Act. Many agencies do not have systems in place currently to facilitate funding recipients' affirmative compliance with their civil rights obligations, or to engage in robust enforcement when potential violations occur. So, we urge WHEJAC and the Administration as a whole to ensure that civil rights compliance is consistently and explicitly included all throughout forthcoming program implementation guidance across all of the agencies. So, for example, a number of our specific recommendations for agency guidance around civil rights considerations include that federal agencies should require applicants to be currently in compliance with Title VI procedural requirements, even if they have not been the subject of a Title VI administrative complaint, including an explicit consideration of Title VI compliance history as part of the application process. Also, agency selection criteria should require applicants to demonstrate best practices that are necessary to achieve compliance with Title VI, such as a detailed spending plan. And third, data collection requirements should facilitate recipients' demonstration to the agencies that their programs don't result in discriminatory effects. The document that we submitted in December also set forth a number of principles for ways that agencies can and should ensure compliance with the civil rights obligations. For example, they should clarify both for their own staff and for eligible grantees that the receipt of federal financial assistance triggers the application of Title VI, the entire department or agency, not just the program for which funding was sought. An agency should provide civil rights guidance that goes beyond procedural checklists and includes mechanisms for substantive Title VI violations. Agencies should take special care to communicate Title VI requirements to nonprofit and other private recipient who are subject to these nondiscrimination mandates. And agencies should explore mechanisms for issuing funds and conditional disbursements over an extended period of time. So, we know a lot of those [inaudible] are going to shovel-ready projects. And so, it's important to ensure compliance, we would say by issuing these funds in conditional disbursements to make sure that civil rights obligations are met. And in addition, agencies should ensure inclusion of complainants in the investigation and resolution of complaints. Agencies should clearly state the consequences of violating Title VI, which should include the authority of agencies to withdraw or defer federal funding when that's necessary to achieve compliance. An agency should also present public-facing information about Title VI compliance in a searchable database. The new EPA Office of

Environmental Justice and Civil Rights has done that. But we would really like to see that across all agencies. In addition, we would ask that agencies integrate best practices that were identified by OMB to assess equity in their federal funding, that they issue guidance making sure that funds designated to benefit disadvantaged and low-income communities for purposes of Justice40 have to directly benefit residents of those communities. So not take a trickle-down approach; make sure that investments are targeted and tailored to meet true community needs. There are a number of other recommendations in the document that we had submitted. I know I'm running short on time. So, the final thing to emphasize is the importance of compliance with the Fair Housing Act as a very important complement to Title VI. So, the Fair Housing Act, of course, requires not only non-discrimination, but also compliance with the obligation to affirmatively advance the purposes of the Fair Housing Act, federal investments, by federal grantees. So, thank you so much, again, for this opportunity to testify. And we encourage you to look at our full set of recommendations.

Rosemary Ahtuangaruak | Public Commenter
Yes, my name is Rosemary Ahtuangaruak. I'm currently the mayor of the city of Nuiqsut. But I'm not speaking as the mayor at this time; I'm speaking as an individual. All of these discussions are very important. I'm a small community member in a village of 500 people, but I am surrounded with the energy policy that created changes to our lands and waters. I spoke out tremendously about the importance of air quality. And when this year started, I had to go through the [inaudible] gas leak. Prior to that happening, there were 80 days of continuous flaring. And with help with entities such as yours, and the many people that are commenting on these very important issues, I have finally seen a reduction in the number of flares that have been watching from this process. I really appreciate the many different commenters; it's important to talk about the importance of life, health, and safety in the decision-making process that you give to also look at the process as prevention. Protection. Using precaution in the beginning stages is important. Being precautious to prevent community degradation, and human health changes, making sure that you're being precautious by identifying all the issues that could affect human health, in protecting the little ones, to our elders, and to our future generations. Making sure that you are allowing us to believe that we are going to have protections. When many others worked on air quality discussions, we watched flaring of natural gas related to the energy policy and new changes to our waters. Other states could limit flares to 10 in a year, and yet I could watch 30 in a night. These discussions are important about our future generations and the work that you've been discussing today. Working to allow us to have the liaison that can go across the agencies that are going to allow our communities to address these very important issues is very necessary. When I look at the discussions and the resources you're giving, I have to go through my municipality who wants many acres open for oil and gas development. I have to go through my state, who has been promoting oil and gas development. And I have to go through others that are in competition for these resources. Small communities need help from people like you that are working on these issues, because we can't do it all. But our families, our life, health, and safety are also important in the criteria that's before you. Help us to help ourselves. Give us the resources, break down the barriers, and continue making effects that give all of our generations the hopes that our environmental justice are not just words on papers and in agencies on documents and papers they produce. Thank you.

Theresa Coffey | Public Commenter
Yes, my name is I'm Theresa Coffey. I'm from Louisa County in Virginia. And thank you so much for having this platform so we can have a voice, our voice can be heard. My concern is there's asphalt company, [inaudible] asphalt, and they have set up a plant a thrown stone away from my mom's home. She has been living in our home for 60-plus years. And since this plant has come and established beside us, we've been plagued with multiple health issues, and I'm just really concerned about our health

overall. We've been having burning in the nose, throat, and eyes, headaches, and dizziness. And I'm just really concerned about our health, the short- and long-term effects this plant is going to have on us with the fumes, the emissions, and the dust. And we're here; this is our home, and we're affected by this on a daily basis. I've submitted multiple complaints and concerns to DEQ and also the EPA. And I just wanted to just try to get see if there's any additional help or resources that will be available to us.

Alejandria Lyons | Public Commenter
Thank you all and I want to thank all members of the WHEJAC for holding the space for us. My name is Alejandria Lyons. I'm reporting to you all from New Mexico. I am the coalition coordinator for New Mexico No False Solutions. And we are a group of frontline youth Indigenous activists working on climate and environmental justice policy and education. And I'm here to speak to you today about the dangers of carbon management and what we're seeing on the ground here in New Mexico. You know, one of the biggest and unproven technologies that we are seeing come down is carbon capture and sequestration. In New Mexico, we are very worried about this because what we are seeing is that large companies such as Chevron are hijacking basically our public funds for private gain to retool old coal facilities to have these unproven technologies. And we say that because there's quite a bit of research out there about how this is not reducing the climate crisis, and instead, hijacking these efforts such as Justice40 for this when those monies are supposed to be going to our community members. I also wanted to point out the dangers of this for places specifically like New Mexico. We are in a severe aerification. And we are concerned about our groundwater because putting liquid carbon into the soil, there is no proof that that will be contained. And, you know, the recommendation that much of our committee would be for the WHEJAC to weigh in on the Department of Energy, calling this a clean energy as well as hydrogen, and other unproven technologies and really dangerous technologies such as nuclear. You know, New Mexico has been an energy sacrifice zone for a long time. And we don't want to see this legacy continued. I think that we have an opportunity right now with these federal funds to invest in locally owned renewables to bring that prosperity back to our people and not continue another cycle of 20 years of extraction. And just propping up these technologies that will continue to damage our communities and will ultimately contribute to the climate crisis. We see this as an effort for companies to continue doing what they're doing to basically have a coupon to continue to pollute. So, we asked you guys all again, please. You know, look at the Department of Energy, the way that they are defining advanced tech, hydrogen, and CCS in particular. We don't see this as a clean energy, and we don't see this as a way forward. Thank you again.

Diana Canzoneri | Public Commenter
My name is Diana Canzoneri, and I'm the city of Seattle's demographer. The city of Seattle has been reviewing the CEJST and its potential implications for Seattle in conjunction with epidemiologists in our State Department of Health. We recently had the opportunity to meet with staff in the CEQ about the CEJST and voiced appreciation, as well as several concerns and we'd like to share those with the WHEJAC. We applaud the focus on equity in the CEJST, and we appreciate the recent additions to the screening tool of redline-related historic underinvestment, this is a really important improvement in the methodology for qualifying a neighborhood as disadvantaged. Here are three of our key concerns and recommendations. First, cumulative impacts need to be better accounted for in the CEJST. Neighborhoods that score just slightly below the qualifying threshold on multiple indicators are not identified as disadvantaged even though the combined impacts that they experience may exceed the combined impacts experienced by neighborhoods meeting suggests thresholds. For example, we're concerned that several neighborhoods in and around our Duwamish Valley are not identified as disadvantaged in the CEJST. Currently, the CEJST does not account for the cost of living in the socio-economic burden thresholds that neighborhoods must additionally need to be considered

disadvantaged in each of the CEJST categories. So, this is our second concern and area of recommendation. For example, what we're seeing is that by using a threshold tied to the federal poverty level, which does not vary by regional cost of living, CEJST gives polluted areas in high-cost regions less of a chance to be identified as disadvantaged in comparison with polluted neighborhoods in less expensive regions. So, we recommend factoring in cost of living to create a more level playing field for these communities. Third, CEJST currently leaves out quite a few neighborhoods that research and community vetted local and state tools have identified as highly impacted and overburdened. We are requesting that a waiver program be explored to allow the use of locally and state developed maps for targeting justice for defunding. Thank you.

Joe James | Public Commenter
Good evening, everybody. I'm a former 33-year economic development professional. And many of the positions that I've held have been along I-95. I'm now a climate tech entrepreneur. I'm a 2022 META environmental awardee. My technology captures lots of CO_2, provides other environmental services, and then we make bio products at the end that can displace products that are harmful to the environment, and we create new bio-economy jobs. I'm very concerned about pollution associated with highways, particularly North-South highways, like I-95. And Tom Cormons was correct to bring you information about $PM_{2.5}$, which is a tailpipe pollution. I want to make sure you understand how that particulate pollution works. Its particles are microscopic, and when you breathe them in just like oxygen, they pass through the walls of your lungs and get into your bloodstream, and therefore they're carried to your organs. I've seen research that says $PM_{2.5}$ causes stroke. I've heard of research that says pregnant women who breathe in $PM_{2.5}$ have serious problems. I'm concerned about the unborn infant whose bloodstream is connected to the mother's and what the impact is on youngsters before they're even born. So, there's a major concern about $PM_{2.5}$. The good news is that as we move to electric vehicles, that pollution will be reduced. However, the bad news is that another form of highway pollution that I call tire wear powder pollution is going to increase. We all have to replace our tires every three or four years. Where did all the former rubber go? It went into the air, soil, and water. I've seen research that shows it's killing fish on the East and West coasts. And my concern is that since it can be breathed in, it may be creating and multiplying the problems that $PM_{2.5}$ are causing. Electric vehicles are much heavier than standard vehicles. So, we have an emergency coming at us. So, I'm suggesting that there be an immediate data overlay that shows that we're testing a $PM_{2.5}$ in communities like Baltimore and Prince George's County have been done to see if there's a comparative increase in the health statistics, some of what you've heard about this evening. I think we should start warning people that live downwind from major highways. I would ask you to ask EPA for reports. I understand they recently closed plants that are making the carbon black filler powder of which tires are composed—30 percent of the tires that—ask them why are they closing those plants. I think that'll be helpful information. I hope the Screening Tool will both track and compare both the emissions with the health impacts and communities, particularly those that are downwind of interstate highways. So, I appreciate the opportunity to once again share information with you. I want to stress upon you the emergency, the fact that people are breathing in these contaminants and they're causing very serious health impacts to both adults and the unborn. Thank you very much for the opportunity.

Cara Thuringer | Public Commenter
Hello, my name is Cara Thuringer, and I'm the resource hub manager at the Chisholm Legacy Project. I first want to thank the WHEJAC for granting the opportunity for public comment and more generally for the work that WHEJAC has carried out thus far. I think I've been on almost every single public WHEJAC meeting call. And I've learned a lot from the committee and my fellow members of the public. I'm joining this call today to speak on the issue of carbon management. A multi-agency strategy to carbon

management does not protect our communities who are most impacted by polluting industries and the climate crisis [inaudible] And so therefore, solutions need to include an end to permitting of new fossil fuel infrastructure and a rapid phase out of current polluting infrastructure incentives, grant making, interagency coordination to support distributed renewable energy, energy efficiency and other climate friendly policies and practices across issue areas, and research and development, and implementation programs on recycling and reuse of materials to reduce the need for the production of steel, cement, etc. and other non-combustion heat sources for process heat for hard-to-decarbonize industries. As we have recently seen in the news, attempts by both corporations and the government to sell carbon sequestration, carbon capture, or biofuels as green or clean energy are a sham and are a clear danger to our communities who have already been harmed by decades of legacy pollution. As the *Guardian* recently uncovered, the EPA as part of a, quote, climate-friendly initiative to boost alternatives to petroleum. But according to agency records, the production of one of the fuels could emit air pollution that is so toxic that one out of four people exposed to it over a lifetime could get cancer. A multi-agency strategy must not include carbon markets, carbon capture and storage, or any other type of burning fuel, like the so-called plastic biofuel. The fact that you were explicit that the public would not be able to comment on CCUS is silencing EJ communities; you are charged to represent our perspectives and interests. CCUS poses a clear threat to our communities and the environment, dangers that are systematically overlooked in discussions on carbon capture. You are accountable to us, and you must work to stop CCUS and other false solutions. Most projects where CCUS is slated to be deployed are in black and brown, Indigenous, or poor white communities. Carbon capture projects will lock in fossil fuel pollution in impacted communities, greenwashing the reputation of toxic corporations. A study in the European Union showed that adding carbon capture to power plants increases nitrogen oxides by 44 percent, particulate matter by 33 percent, and ammonia by a whopping 30-fold increase. These projects will exacerbate environmental disparities and lead to more environmental racism. Thank you I yield the rest of my time.

Clifford Banuelos | Public Commenter
My name is Clifford Banuelos. I'm the tribal state liaison for the Intertribal Council of Nevada and a member of the 12 Tribes of Western Shoshone. Thank you for this opportunity to testify about environmental justice in relation to climate change and how that is impacting Indigenous peoples and tribal nations in Nevada. As part of your environmental justice effort, Nevada tribes need your help to build the technical and programmatic capacity of tribal nations. First, I need to point out that federally recognized tribes are not disadvantaged communities. Tribes have treaties recognized by the United Nations as well as the US government. We are not simply communities; we are nations. We need the federal government to recognize the responsibilities and trust the United States took under the 1863 Treaty of Peace and Friendship signed at Ruby Valley, Nevada. In this time of climate change, we're seeing a rush for lithium mining to support electric batteries. Right now, there are over 18,000 exploratory lithium mining claims in Nevada. Tens of millions of gallons of water will be used per day to support these new mines. I share this because at a time of lowering water levels due to climate change, use of water to support mining Nevada will go up substantially. And we're concerned about the strength of our water rights and water quality in the coming decades. Tribes in Nevada do not own casinos due to strict Nevada laws, and we have limited cash generating enterprises. We don't have the money to hire the specialists to do the environmental work that needs to get done. We need to have the flexibility to hire specialists such as scientists and lawyers using that $25 million tribal set aside. The reason agencies don't hear anything from us in Nevada is because we simply don't have anybody manning the desk to answer emails and phone calls. We're overwhelmed. You need to understand there's a lack of historical health data in Nevada specific to geographic areas. It doesn't help professionals to accurately identify risk and funding priorities, specific to areas. The data is inaccurate and dangerous because agencies may

accept the data in the interest of compliance rather than effective planning to meet the goals of EJ Screen. EPA needs to work with HHS on vetting the health data. And thank you for your time.

Juan Jhong-Chung | Public Commenter
Hi, my name is Juan Jhong-Chung and I'm here representing Michigan Environmental Justice Coalition. We're a coalition of organizations and individual members fighting for climate and environmental justice and uplifting those communities most impacted by pollution and the effects of climate change in the state of Michigan. I want to start by expressing deep concern in the way that the prompt to this question was written. We were asked to provide verbal comments on a multi-agency strategy and carbon management apart from CCUS. This kind of language amounts to silencing for our communities. Carbon capture, utilization, and storage is one of the biggest threats for EJ communities as we transition to a green economy. I live in Detroit, which is home to the only fossil fuel refinery in the state of Michigan, owned by Marathon Oil. Metro Detroit is surrounded by coal and gas power plants. We know that most fossil fuel projects where CCUS is going to be deployed are disproportionately located in black, brown, Indigenous, and poor communities. Several studies from the European Union show that adding carbon capture to power plants increased nitrogen oxides by 44 percent, particulate matter by 33 percent, and ammonia by a massive 30-fold increase. Deploying CCUS projects will continue the pattern of disparate health impacts that brings sickness, cancer, and death to our communities. CCUS amounts to nothing but environmental racism. CCUS means business as usual for polluters, because by design, it allows corporations to keep extracting and burning fossil fuels. It does nothing to address the devastating impacts of fossil fuel extraction and transportation. I'm here in solidarity with Indigenous communities forced to host pipelines like those in the Strait of Malacca. Now in Michigan, BP, an oil company which may record profits last year, has stated that CCUS will "enable the full use of fossil fuels across the energy transition and beyond." Will this administration leave black, Indigenous, and people of color continue to carry the burdens of this industry in the name of so-called carbon management? CCUS is not and can never be a part of a just transition; trying to add justice and equity to CCUS amounts to nothing but greenwashing and the creation of more sacrifice zones. If we want to lower carbon emissions, we need bold leaders and bold policy that are willing to challenge the fossil fuel industry. President Biden must declare a national climate emergency to build reliable, resilient, distributed renewable energy systems. Agencies must stop issuing new fossil fuel infrastructure permits and face up fossil fuel production. EPA must designate greenhouse gases as criteria pollutants under the Clean Air Act. We do not need CCUS. Thank you for listening.

Basav Sen | Public Commenter
Thank you. My name is Basav Sen, and I am the climate policy director at the Institute for Policy Studies. And we are also a member of the Climate Justice Alliance. Thank you for the opportunity to provide public comments to the White House Environmental Justice Advisory Council. The particular question I would like to address is what are the core elements of a multi-agency strategy, apart from CCUS, that can address potential use of carbon management while protecting communities. I primarily want to question the exclusion of CCUS from consideration. This could arise from one of two assumptions. One, that implementation of CCUS is inevitable and therefore needs no more discussion, or two, that CCUS and other forms of carbon removal such as direct air capture are fundamentally different and should be reviewed separately. Both assumptions are wrong. CCUS is expensive, commercially unproven, and cannot be implemented without massive governmental subsidies. Even CCUS supporters recognize this. Subsidizing CCUS to implement it and then claiming that it's inevitable is like creating a self-fulfilling prophecy. In addition, CCUS perpetuates fossil fuel extraction and use, and consequent environmental justice impacts on extraction-adjacent or combustion-adjacent communities. And both of these are disproportionately black, Indigenous, or communities of the global majority. The empirical record of

failure of CCUS also makes it profoundly risky to rely on it as an emissions mitigation technology. For all of these reasons, the implementation of CCUS cannot be treated as a given from either a practical or a justice standpoint. Further, the CO_2 captured through direct air capture will still need to be transported through carbon pipelines and sequestered in injection wells, replicating some of the same downstream ecological and environmental justice risks as CCUS. These two technologies should therefore be assessed in conjunction with each other. In conclusion, there is no multi-agency's strategy that can address potential use of carbon management while protecting communities. Because the goal of technological carbon management using CCUS or direct air capture, and the goal of protecting communities are mutually incompatible. Thank you for the opportunity to comment.

Brenda Jo McManama | Public Commenter
Yes, my name is BJ McManama, and I'm an organizer with the Indigenous Environmental Network. I am also on the front lines here in Appalachia, West Virginia, with the fracking and the pipelines and the petrochemicals. And so, our whole state is basically an EJ community. My comment is directed to number six on the list of topics that you provided us for this public meeting. And with all due respect, CCUS is a core element of this. And any multi-agency strategy is exactly that. Using CCUS, or any other type of carbon accounting or carbon management is a fraud. And that's what we're basing most of this on. We can't implement technologies to protect us from polluting industries if they're still polluting right next to us. So how do we do that, right? And by labeling coal and biomass burning as clean, when coupled with carbon capture, whether for use or storage, our communities will continue to be exposed to more dangerous risks, threats, and negative impacts as they are now. Carbon management is kind of an oxymoron whether you are discussing CCUS or carbon offsets, or credits. It's all a big carbon scam perpetrated by the industries the coal, oil, gas, and hard rock mining. To not only continue business as usual, but to exponentially increase extraction and continue to expand markets, increasing shareholder dividends and further trapping us on the past, the tipping points we will not be able to escape. The so-called public money as well is corporate money that continues closing the gap between government and corporate influence and control where there should be a clear separation of power and influence. Agencies tasked with ensuring frontline and Indigenous communities are protected from industry's long history and continued exploitation and abuses we have endured for generations. But by virtue of a few good words and empty promises based on technology that is unproven—not only unproven, but it's also been proven to not work up to today—the fraud continues under the EJ banner, and labeling any technofix or creative bookkeeping for carbon pricing or markets as a fix for the environment, and justices means we on the front lines will continue to be subjected to more polluting industries in our communities. Our responsibility is to immediately limit all pollution from extraction and manufacturing that is not clean on the front end, not on the back end, when we're using techno fixes. That's it for what I have for today. I will also be submitting comments on the website. Thank you very much for your time. And thank you, everyone, for participating today.

Katharine Morris | Public Commenter
Hi, thank you for having me. So, Katharine Morris, Seaside Sounds Club. I operate largely in Connecticut, and I want to talk about Bridgeport, Connecticut, which is a beautiful city with a vibrant culture and a lot of underrated potential. However, it's been subjected to a longstanding history of systemic oppression, disenfranchisement, corruption, and neglect, making it an underserved, disadvantaged, and environmentally overburdened environmental justice community. Specifically, I'll focus on the proposed siting of the new Bassick High School and merged with Bridgeport Military Academy in a high-risk, FEMA-designated Special Hazard Area Flood Zone along the coast of the Long Island Sound, which is also surrounded by several major sources of air pollution. These facilities include the PSEG Harbor Station and Gas Plant, Bridgeport Energy LLC gas plant, Wheelabrator Bridgeport, which is a waste-to-energy

incinerator. It would also be exposed to vehicular emissions from I-95 and Route 8, as well as the diesel-powered ships and trucks frequenting the Port of Bridgeport, all of which are within one 10-minute walk or a two-mile radius. So, emissions from such pollution sources contain nitrogen oxides particulate matter 2.5, which we heard about earlier, volatile organic compounds. All of this combined together to form ground-level ozone. Disproportionate exposure to these sources of air pollution is associated with negative health impacts like asthma, PCOD, lung cancer, low birth rate, and increased cognitive impairment risk. As we know, such communities are disproportionately facing these health inequities. Moreover, there's a flood issue. Again, this is located along the Long Island Sound, meaning that when there are combined sewer overflows, there's exposure to mold and fecal matter. After the devastation of Hurricane Sandy 10 years ago, the city failed to implement and to rebuild by designing a resilient Bridgeport climate-resilient infrastructure. Construction of the school has been a largely controversial issue. There was little to no public engagement or agreement amongst community members who are affected by the construction as well as students, families, or teachers. This is a textbook case of environmental racism, which lends us to ask the question of how federal agencies can take a more preventative approach intervening before things are too late, as opposed to responding later down the line. Specifically, HUD could reinstate its equity requirements, assuming that at least 70 percent of all funds for Climate Resilience go to low-income communities. FEMA should evaluate its floodplain standards and how things are allowed to be constructed where things are allowed to be constructed, and EPA should evaluate how the Clean Air Act can be implemented in such cases. Thank you.

Kendall Dix | Public Commenter
Hello, my name is Kendall Dix. I'm the national policy director at Taproot Earth. We are a global climate justice organization rooted in Slidell, Louisiana. I am joining this call today to speak to the issue of carbon management. We do need a multi-agency strategy for carbon management that protects our communities who are most impacted, which would include phasing out fossil fuels and other toxic infrastructure, public investment in development of justly sourced renewable energy, and then also figuring out how we can use less materials in the first place and recycling and reusing the materials that that we do deploy. So, I'm going to speak primarily about the Gulf South, where many of our supporters live and are directly monitoring projects that are coming their way. That Gulf South is a place where historically marginalized communities—mostly black, Indigenous, and people of color, including, formerly enslaved people—have long suffered the impacts of toxic pollution. One of the profits from extractive industries causing this pollution flow out of the region, and the money is kept out of the hands of poor people. Our organization has served on the Louisiana Climate Initiatives Task Force, which was tasked with creating a plan to address the emissions from the state's enormous industrial sector. And as you might imagine, the topic of carbon capture and sequestration and hydrogen fuels was a key part of the talks. So even prior to the passage of the Inflation Reduction Act, the region was seeing multibillion dollar fossil fuel projects announced and built in already overburdened communities. Many of these projects have been fossil fuel based but billed as quote unquote "clean energy," including carbon capture projects, clean coal facilities, and blue hydrogen plants. And blue hydrogen is just another name for natural gas or methane refining plus carbon capture. The developers of these projects cite the region's abundant fracking and lack of regulations as key motivators for building projects in the Gulf South. Carbon Capture projects, clean coal facilities and blue hydrogen plants are heavily subsidized by the Inflation Reduction Act and are going to spur a toxic infrastructure boom on the level of the ill-conceived repeal of the oil and gas export ban in 2015. To be clear, carbon capture and most hydrogen fuels are false solutions that will lock in fossil fuel infrastructure require a whole new pipeline build out in sensitive marshland and cost the public billions of dollars in wasted tax subsidies that could instead go to healing and remediating the land that the oil and gas industry has poisoned for decades. These projects will not only further entrench fossil fuel reliance and further overburden frontline communities.

They are also dangerous as we've seen from the spectacular failure of the Kemper coal facility to the explosion of a carbon pipeline in Satartia, Mississippi, that asphyxiated local residents and left survivors quote unquote "walking around like zombies," according to the first responders—function instead go to justly source renewable energy projects. Furthermore, we're seeing deforestation rebranded through a growing biofuels industry. Southern forests are being cut down, turned into wood pellets, and poisoning EJ communities and being sent to Europe. So, we ask that you fight for EJ communities by naming the dangers of carbon capture and telling the administration that these are false solutions, request that you take a hard line on not supporting any so-called permitting reform bills that would weaken the National Environmental Justice Policy Act and make it easier to build fossil fuel. And we incorporated by reference the comments from the National Reinvestment Coalition on behalf of the Title VI Alliance calling for enforcement with civil rights to the implementation of these bills. Thank you.

Julia Bernal | Public Commenter
Thank you. Hi, good afternoon WHEJAC members. My name is Julia Bernal. I'm the Executive Director of Pueblo Action Alliance. We are a Pueblo Indigenous woman-led organization here in New Mexico. I'm a tribal member of the Pueblo of Sandia. And, you know, we've been able to work in in various coalitions to address mainly just the historic legacy of extractivism. In New Mexico, whether that's oil and gas, uranium mining for nuclear power, copper mining, I mean, a lot of extractivism has happened here in New Mexico. And we're seeing now, that, you know, this narrative around a just trade, just transition is being co-opted by hydrogen and CCS initiatives and through our analysis, not just at Pueblo Action Alliance, but we're also a part of the New Mexico for solutions Coalition. We don't believe that New Mexico is equipped for a hydrogen economy merely because we haven't addressed the remediation and cleanup of existing infrastructure in the region, particularly from oil and gas. And the main concern that we have is that our state is really trying to use these federal dollars that I do believe, intentionally were created to allow us to make a just transition. But unfortunately, we're seeing our state really pushing a hydrogen economy that doesn't align with the grassroots perspective. We have gone through, now it will be two state legislative sessions, where we're debunking and denouncing hydrogen, blue hydrogen technologies, green hydrogen, and CCS. Because the state is really wanting to use existing infrastructure to utilize CCS and retrofit coal fired plants for hydrogen hubs. We just don't want to see the historic legacy of fossil fuels continue in our state. And I guess my question would be, how is the WHEJAC, the EPA, the environmental justice offices, how are they going to help us, the grassroots indigenous frontline communities, really be a part of that systemic change? How can our ideas and how can our analysis also be embedded in the just transition here in New Mexico? We would really like that support and help because we feel like our voices are continuously silenced. So, I'll end there. Thank you for the opportunity. And it was actually good meeting some of you in New Mexico for the J40 EO signing. So, thank you.

Kevin Barfield | Public Commenter
Thank you. Good evening. First, I definitely like to give my sincere gratitude for this committee, EPA, for hosting this meeting and informing the community. My name is Kevin Barfield, I live in an overburdened community in Camden, New Jersey. We're dealing with, as a group, dealing with an incinerator that we know to spend 30 years of polluting, and, with the state of New Jersey passing a NJA law, environmental justice law, we're still working on the regulations, but in the meantime, we have an incinerator that is trying to backdoor, you know, submitting three permits and one application and not informing the community even as far as to get their input. And that's one of the things that we've done as the organization is going through the community even trying to get them aware that there's a public hearing on a situation where they're trying to bring liquid waste to burn into an incinerator [inaudible]. And you have an old facility that hasn't even upgraded is filtration and allow these talks. And I think one of the

things that with the individual presentations you did do that I really want to talk about was this whole part of the adverse health impacts. And what does that look like moving forward, because, again, we know that there's a cumulative health impact with these particular pollutants, and these overburdened communities, especially surrounding incinerators. And I can see that individuals on this committee, and even speaking at the peer reviewed, that did, that you guys are really focused and intense on what the community has to say. And trust me, it's a lot of people that I've been hearing that's a lot more informed and a lot more articulate than I am. But you know, just to have this opportunity to speak, and now also be able to learn and be educated on what's also going around me, is definitely priceless. But, for me, I just want to know, how do we do protect and allow those grassroot organizations to be a part of that justice, that funding, so we can continue to do the work to outreach to even inform our community? I want to also know what does that look like when we talk about real community outreach and engagement. Because when some of these corporations or these polluters, when they're trying to bring in new projects, they're not really transparent and open on how they engage the community. I know that even right now, in our situation, the fact that you're trying to bring additional trucks, pollution into the communities and people's houses have fallen down because as was mentioned, $PM_{2.5}$ all these different things that are impacting our health when no one is taken to consideration, it just kind of got a pass to continue on and no one's really able to do nothing about it. So, I just also just want to get your courage this group. Even today, it's a long day, you spend three hours doing presentations, and then now you spend two hours listening to us. I'm really grateful to be on this call and spend my day with you guys, and I hope that you guys also know that the people are here speaking from the heart, and we hope that you take comments and send them to the EPA and those of different agencies and make sure that there's change and this is not a formality. Thank you.

Madhavan Pallan | Public Commenter
This is Madhavan Pallan, I work for United Nations. On the strategies, I enjoyed the whole WHEJAC session last time, and this time as sustainability member, I particularly believe there are a lot of amazing things that is going around in [inaudible]. I used to work for AI for environmental efficiency, and we had a whole lot of white papers. You know, for these topics, and mainly by the people and for the people. I think it will be particularly useful [inaudible], they're over here. And I'm happy to endorse this particular committee over there as well. So that you know, we can have a good collaboration. The other perspective, I was looking as like AI technologies for health perspective. We need to educate everyone anywhere, everywhere, actually. So, health is particularly a very big topic these days. So, I particularly want to say the meetings in the United Nations will be helping our community as well, and happy to endorse their [inaudible] community in particular. And one more topic I would like to take on is sustainability development goals. And, you know, contributing to this particular topic from our engineers committee, as well as from our general committee would be a very good outcome for the entire United States. And lastly, I would like to pitch the water conference that will be coming in the near month. And happy to invite everyone. Thank you.

Chris Woolery | Public Commenter
Hi, friends. I'm Chris Woolery. I'm an energy efficiency program coordinator. I'm also a member of the New Energy and Transition Committee of Kentuckians for the Commonwealth, which represents more than 12,000 members across the Bluegrass State. Thanks so much for this opportunity to testify. I joined the call today to speak about carbon management and to echo the comments of our fellow climate justice communities. Any multi-agency strategy for carbon management must first and foremost protect the frontline communities that are most impacted by polluting industries and the climate crisis. And that strategy must include three things. One, an anti-permitting of new fossil fuel infrastructure; two, a rapid phase out of current polluting infrastructure; and three, incentives, grants, and interagency coordination

to support distributed renewables, energy efficiency, and energy storage. That strategy must not include CCUS. CCUS just means business as usual for polluters and by design allows corporations to keep extracting and burning fossil fuels and does nothing to address their devastating impacts. We reject that and ask you to, as well. Most projects where CCUS is planned are in black, brown, Indigenous, and poor white communities, which must not continue to carry the burdens of industry in the name of decarbonization. CCUS is not part of a just transition. I've learned firsthand through my work in eastern Kentucky. We already have what we need to create a just transition to a clean energy economy that serves all of us. And Kentuckians don't have time for false or unproven solutions. We're facing climate change and extreme weather events head on right now. And our energy bills went up 17 percent last year. We need energy efficiency. We need rooftop solar, we need resiliency, and we can't wait for it any longer. The good news is that the best clean energy solutions are already cheaper than the status quo. They create the local jobs, lower bills and healthy environments that we need and deserve. Why would we invest in CCUS when we can invest in resilient, clean energy upgrades in our own homes, businesses, schools, churches, and anchor organizations. We're tired of unproven methods, untested technology and wasting valuable time and money that we no longer have. We call on the WHEJAC to represent our community and to tell the Biden administration that CCUS is not transition we need [inaudible].

Donald Farrell | Public Commenter
My name is John Farrell, and I'm from Wilmington, Delaware. I'm a lead poisoning prevention advocate, a landlord, and also a tenant rights advocate. Thank you for the opportunity to use this platform to highlight a couple of issues in our state. The pandemic has been used as an excuse and reason for the agencies in our state to justify their lack of urgency and erecting of unnecessary barriers to address, reduce, and eliminate childhood lead poisoning. Instead, our state is reluctant to apply for federal funding for lead abatement. But that's another conversation. As advocates, we have the luxury of having the situational awareness to identify gaps in service delivery and offer solutions. However, it seems as if the agencies are minimizing our concerns and not accepting our solutions or our recommendations. Or there's another for instance, the school nurses in our state are now classified as administrators instead of practitioners, therefore, they no longer have access to the lead test data. So, the state claims that this is due to HIPAA concerns. Now, this ruling by our Department of Justice is absurd, because school nurses have access to every other data and information but lead. The problem that this presents is that the nurses can then identify and recommend students with elevated blood lead levels for special services, idea A, B and C in order to mitigate the effects of exposure. I am raising this issue to use this platform just to let you know what we're going through in our state. Now, I would hope that your organization can partner with advocates to effectively petition our state agencies to reverse this absurd ruling. And in closing, if I may make a recommendation to have WHEJAC catalogue obstacles that advocates face and the strategies that they may have used to overcome these hurdles in order to help future advocates deal with future issues. Thank you very much.

Celestine Hayes | Public Commenter
Yes, my name is Celestine Hayes. I'm a council woman here in the city of Adel, Georgia. This is my first time being a participant. And I've only been on the council for one year. And I can only mirror a lot of the issues that's already been presented. We're overburdened with corporations that dispense pollution to our air, the water quality is terrible. I can't even brush my teeth with the water that comes out of my bathroom faucet. My question is what can you do when the local government does nothing? Now I'm a council person. I presented all of this to the council, which doesn't do anything. And as far as EPA, I've contacted EPA, EPD. We have this corporation, the largest woodcutting plant in the world has just decided to move here. And we were able to sit down and talk with him. I belong to an organization called Concerned Citizens of Cook County, Georgia, and the CEO of that particular corporation did sit

down with us. And he offered to buy sensors as well as air filters for the homes surrounding the area. And EPDC, they don't have to consider the demographics, when they allow a person to get a permit. So, what do you do in that situation? I mean, how do you get the local legislation to do anything when you present it to them and then you upload it? And that's what I have.

Mary Pelletier | Public Commenter
I'm Mary Rico Pelletier, and I live in Hartford, Connecticut. My husband and have lived here for 22 years. I've helped to form Park Watershed. It's a 501(c)3 nonprofit and the formation of the Park Watershed was based on the recommendations of the North Branch Park River Watershed Management Plan, which was approved by EPA and Connecticut DEP in 2010. Although the Park River is buried beneath I-84, the North Branch flows visibly through Hartford's Northwestern neighborhoods. The North Branch is surrounded by beautiful landscapes as well as derelict parking lots within the floodplain. The North Branch was originally classified as a class A stream, it's now barely meeting Class C characteristics. And I could go on about that. But since 2006, the local water utility district or the MDC has been advancing implementation of a long-term control plan, the Clean Water Project, which has been revised in 2012 and in 2018. Unfortunately, after spending several billion dollars to address combined sewage overflows, the MDC is not advancing green infrastructure at all. And that may be because there has been no funding to develop a landscape and urban design plan to minimize the excess stormwater runoff and permitted discharges from facilities and industries that are being shunted as impaired waters or sewage from upstream suburban communities into Hartford's North End neighborhoods. And the MDC is recommending instead of revising our planning strategies within the landscape, and new municipal planning processes, the MDC—because they only work on the sewer system, and they're not really responsible for the planning—the city planning issues is recommending that we dredge, that they get federal funding and city funding to dredge the North Branch of the Park River. The North Branch of the Park River would become an open sewer for stormwater runoff that would be shunted into—it is being shunted—down through Bloomfield and into the north and neighborhoods, flooding and sending basement backups. So, this is after years of working on implementation for green infrastructure, tiny little projects along the North Branch, it seems fair to ask for more money to create a landscape and urban design plan for the North Branch as a watershed. And I think that that's really missing not only from this watershed, but from other watersheds that this long-term control plan; money is not. It's not fusing the opportunity to have large landscape planning. It's important to note that Frederick Law Olmstead, who was celebrated nationally in 2022, was born and buried in Hartford. He walked along the North Branch and in 1871, he wrote a letter outlining recommendations to conserve the North Branch and highlighted how other rivers within the city had been damaged, especially in the north end by overdevelopment too close to the riparian corridor. Yet, because of the way those streets were laid out, the parts of the North Branch have in fact been conserved. We can't let this proposed dredging of the North Branch go forward. The Olmsted's emerald necklace in Boston provides an excellent landscape and urban design precedent. I please ask EPA Region One to work with the Hartford community and include participants such as Park Watershed and the North Central Conservation District who have been working for over a decade to the table as they try to work out the problems in the North End and in an EJ community that deserves far more health and beauty. So, thank you for listening to us. Thank you for staying late. Thank you for being there.

Danielle Holland | Public Commenter
Okay. Hi, my name is Danielle Holland. I'm the brand and insights director for Greenpeace USA. And more importantly, I'm an environmental justice activist and advocate. And first and foremost a mother. I want to first take a really quick moment to call out how grateful I am for the work that those of you with WHEJAC and CEQ are doing. I think it's really important to hold space for that. My comments are related

to agenda topics framed around how the federal government can develop and implement policies and programs to prevent or address the adverse impacts of climate change on communities with a framing around impacts on health, subsistence, and ultimately, the quality and longevity of life in our communities. And the disproportionate impacts to BIPOC, Indigenous and low-income communities. So, my feedback consists essentially of three parts, right? We can do this by one, recognizing and calling out the role that fossil fuel projects play in driving these adverse impacts on our communities. Things like the Willow Oil project in Alaska, the project's devastating Cancer Alley, those which contributed to the fact that six out of seven of my grandmother's children died from cancer in Wheeling, West Virginia, the Ohio River Valley, leaving my mother as the sole survivor, a stage four breast cancer survivor. I want to say that the fact that these topics I'm addressing are framed around climate change and not fossil fuel expansion is a bit alarming to me. The framing of question five, removing carbon capture utilization and sequestration from the conversation is alarming. And these are the types of red flags, which I feel like have continually caused me to question the integrity of the EPA. The second thing that we can do is by prioritizing the needs of frontline communities and organizations to understand their support needs and allowing them to help inform policy and program development. People in Houston shouldn't have to reach into their own pockets and rely on themselves to monitor particulate matter in their communities. They need the EPA support; they need more support. And three, by implementing policies and programs which are aimed at stopping the expansion of these fossil fuel projects and facilitating a just transition. Because even hippies like me love my coal mining brothers and family in West Virginia and want the best for them moving forward. These are not sacrifice stones. These are families who deserve our help. We need to develop actionable and measurable strategies, policies, and programs, which show that we're taking the issue of human casualty as a byproduct more seriously, not succumb to corporate and political influence and pressure. Thank you.

Public Business Meeting

Richard Moore | WHEJAC Co-Chair
Peggy Shepard | WHEJAC Co-Chair
Catherine Coleman Flowers | WHEJAC Vice Chair
Carletta Tilousi | WHEJAC Vice Chair
Karen Martin noted that the WHEJAC heard from 25 public commenters.

Ruth Santiago asked about the status of efforts to respond to public comments.

Jalonne White-Newsome reminded the WHEJAC that public comments are for the WHEJAC's benefit as they draft recommendations. However, she said, CEQ continues to encourage their federal agency partners to attend meetings, hear comments, and respond. She said several agency representatives were present at the meeting. She added that, acknowledging that CEQ does not have the infrastructure to respond to every comment—especially those directed to specific agencies—they had talked about having agencies respond to common themes at the following public meeting.

Karen Martin iterated the purpose of public comment is to inform the WHEJAC as they consider recommendations to CEQ and IAC.

Kyle Whyte said the WHEJAC has heard in public comments at this meeting (and in meetings past) that communities are losing at the level of policy, permitting, and perennial environmental justice problems. Moving forward, he said, the WHEJAC should emphasize the immediate aspects of how regulation,

permitting, etc. are failing to address the worst of health abuses and human rights violations. He suggested the WHEJAC find a way to address the fact that not much has changed.

Nicky Sheats said a lot of public comments on CCUS reflect WHEJAC concerns and remind him how important the carbon management workgroup will be—and how difficult the work is.

Juan Parras suggested the WHEJAC find a way to get comments from individuals who signed up to speak but did not have a chance to be heard.

Susana Almanza said she heard a common thread of people advocating for the health of their children, families, elders, and the environment. She said a lot of the testimony warned of false solutions. She appreciated the recommendation to consider cost-of-living in the CEJST.

Michele Roberts asked if CEQ could analyze the public comments over time, look for common themes, and report back to the WHEJAC on how various agencies are addressing them.

Jalonne White-Newsome replied that elevating the themes they hear is just what they want to do.

Closing Remarks &

Richard Moore thanked everyone who made the meeting possible and encouraged people to read WHEJAC's recommendations and said the WHEJAC is hearing public commenters very clearly.

Jalonne White-Newsome thanked the WHEJAC for pushing for change. She said that public comments were not falling on deaf ears or cold hearts. She said the federal government could not do it alone and asked for continued partnership as the Administration advances environmental justice.

To make environmental justice not just words on paper.

Adjourn

Karen Martin adjourned the meeting

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Appendix A. Federal Register Notice

requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: February 23, 2023.

Debbie-Anne A. Reese,

Deputy Secretary.

[FR Doc. 2023–04192 Filed 2–28–23; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket Nos. EL23–15–000, ER23–680–000]

Sunfish Solar, LLC v. PJM Interconnection, LLC; Notice of Withdrawal

On February 16, 2023, pursuant to Rule 216 of the Commission's Rules of Practice and Procedure,[1] Sunfish Solar LLC (Sunfish) filed a notice of withdrawal (Notice of Withdrawal) to withdraw its December 12, 2022 complaint in Docket No. EL23–15–000 and its December 16, 2022 petition for limited waiver, motion to consolidate proceedings, and request for expedited review in Docket No. ER23–680–000. Sunfish requests expedited treatment of its Notice of Withdrawal. On February 21, 2023, the Commission issued a notice shortening the answer period for the Notice of Withdrawal to February 22, 2023.

Sunfish states that PJM Interconnection, L.L.C. (PJM) and Sunfish have resolved all of the issues that were the subject of the complaint and are actively engaged in amending their respective Interconnection Service Agreement (ISA) and Interconnection Construction Service Agreement (ISCA) with Virginia Electric and Power Company (VEPCO) accordingly. Sunfish states that the Notice of Withdrawal is made in good faith based on the current agreement among Sunfish, PJM, and VEPCO regarding the necessary amendments to the ISA and ICSA. Sunfish notes that, to the extent required by the PJM Open Access Transmission Tariff and the Commission's regulations, such amended agreements will be filed with the Commission in the near future. Sunfish states that no party will be prejudiced by its withdrawal of its pleadings in these proceedings.

Upon consideration, notice is hereby given that Sunfish's requested Notice of Withdrawal is granted, effective as of the date of this notice.

Dated: February 23, 2023.

Debbie-Anne A. Reese,

Deputy Secretary.

[FR Doc. 2023–04195 Filed 2–28–23; 8:45 am]

BILLING CODE 6717–01–P

[1] 18 CFR 385.216 (2021).

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OEJECR–2023–0099; FRL–10687–01–OA]

White House Environmental Justice Advisory Council; Notification of Virtual Public Meeting

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notification for a public meeting.

SUMMARY: Pursuant to the Federal Advisory Committee Act (FACA), the U.S. Environmental Protection Agency (EPA) hereby provides notice that the White House Environmental Justice Advisory Council (WHEJAC) will meet on the date and times described below. Due to unforeseen administrative circumstances, EPA is announcing this meeting with less than 15 calendar days public notice. The meeting is open to the public. For additional information about registering to attend the meeting or to provide a public comment, please see "REGISTRATION" under **SUPPLEMENTARY INFORMATION.** Pre-registration is required.

DATES: The WHEJAC will convene a virtual public meeting on Wednesday, March 1, 2023, at approximately 3:00 p.m. to 7:30 p.m. Eastern Time. Meeting discussions will focus on several topics including, but not limited to, workgroup activity, proposed recommendations for the Council on Environmental Quality's (CEQ) consideration, CEQ briefings, new charges, and interaction between the White House Interagency Council on Environmental Justice (IAC) and WHEJAC. A public comment period relevant to current WHEJAC charges will be considered by the WHEJAC at the meeting (See **SUPPLEMENTARY INFORMATION**). Members of the public who wish to participate during the public comment period must register by 11:59 p.m., Eastern Time, February 27, 2023.

FOR FURTHER INFORMATION CONTACT: Karen L. Martin, WHEJAC Designated Federal Officer, U.S. EPA; email: *whejac@epa.gov;* telephone (202)564–0203. Additional information about the WHEJAC is available at *https://www.epa.gov/environmentaljustice/white-house-environmental-justice-advisory-council.*

SUPPLEMENTARY INFORMATION: The Charter of the WHEJAC states that the advisory committee will provide independent advice and recommendations to the Chair of the CEQ and to the IAC. The WHEJAC will provide advice and recommendations about broad cross-cutting issues, related but not limited to, issues of environmental justice and pollution reduction, energy, climate change mitigation and resiliency, environmental health, and racial inequity. The WHEJAC's efforts will include a broad range of strategic, scientific, technological, regulatory, community engagement, and economic issues related to environmental justice.

I. Registration

Individual registration is required for the public meeting. Information on how to register is located at *https://www.epa.gov/environmentaljustice/white-house-environmental-justice-advisory-council.* Registration for the meeting is available throughout the scheduled end time of the meeting. Registration to speak during the public comment period will close 11:59 p.m., Eastern Time, on February 27, 2023. When registering, please provide your name, organization, city and state, and email address for follow up. Please also indicate whether you would like to provide public comment during the meeting, or whether you are submitting written comments.

A. Public Comment

The WHEJAC is interested in receiving public comments relevant to the following charges, topics, and questions currently under consideration: (1) the Climate and Economic Justice Screening Tool; (2) the Environmental Justice Scorecard; (3) Indigenous Peoples and Tribal Nations; (4) Adverse health impacts from a changing climate disproportionally affects disadvantaged communities. What are the policies or programs that can address adverse health impacts before, during, and after extreme climate events?; (5) Tribal communities are disproportionately impacted by the ecosystem collapse caused by climate change that is destroying subsistence hunting, fishing, and growing traditional foods. How can Federal Government policies and programs prevent or address these impacts?; (6) What are the core elements of a multi-agency strategy apart from Carbon Capture Utilization and Sequestration (CCUS) that can address potential use of carbon management while protecting

communities? More information on WHEJAC charges is located online at: *https://www.epa.gov/environmental justice/white-house-environmental-justice-advisory-council* under WHEJAC Membership and Workgroups. Priority to speak during the meeting will be given to public commenters with comments relevant to the topics and questions listed above. Every effort will be made to hear from as many registered public commenters during the time specified on the agenda. Individuals or groups making remarks during the public comment period will be limited to three (3) minutes. Please be prepared to briefly describe your issue and your recommendation relevant to the current charges, topics, and questions under consideration by the WHEJAC. Submitting written comments for the record is strongly encouraged. You can submit your written comments in three different ways: (1) by creating comments in the Docket ID No. EPA–HQ–OEJECR–2023–0099 at *http://www.regulations.gov,* (2) by using the webform at *https://www.epa.gov/environmentaljustice/forms/white-house-environmental-justice-advisory-council-whejac-public-comment,* and (3) by sending comments via email to *whejac@epa.gov.* Written comments can be submitted through March 15, 2023.

B. Information About Services for Individuals With Disabilities or Requiring English Language Translation Assistance

For information about access or services for individuals requiring assistance, please contact Karen L. Martin via email at *whejac@epa.gov* or contact by phone at (202) 546–0203. To request special accommodations for a disability or other assistance, please submit your request at least five (5) working days prior to the meeting to give EPA sufficient time to process your request. All requests should be sent to the email listed in the **FOR FURTHER INFORMATION CONTACT** section.

Matthew Tejada,

Deputy Assistant Administrator for Environmental Justice, Office of Environmental Justice and External Civil Rights.

[FR Doc. 2023–04179 Filed 2–28–23; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPP–2020–0260; FRL–8118–02–OCSPP]

RIN 2070–ZA22

Pesticides; Final Guidance for Pesticide Registrants on the Lists of Pests of Significant Public Health Importance (Pesticide Registration Notice 2023–1)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of availability.

SUMMARY: The Environmental Protection Agency (EPA) is announcing the availability of a final Pesticide Registration Notice (PR Notice) entitled, ''Lists of Pests of Significant Public Health Importance'' and identified as PR Notice 2023–1. PR Notices are issued by the Office of Pesticide Programs (OPP) to inform pesticide registrants and other interested persons about important policies, procedures, and registration related decisions, and serve to provide guidance to pesticide registrants and OPP personnel. This PR Notice updates and replaces the PR Notice 2002–1, which identifies pests of significant public health importance. The Health and Human Services (HHS), United States Department of Agriculture (USDA), and the Environmental Protection Agency (EPA) determined that updating the lists to reflect the current public health situation were warranted because vector-borne diseases and related research has changed significantly since the original PR Notice was published almost 20 years ago. This update includes the addition or removal of pests, new impacts, renaming pests, or grouping pests of similar species.

DATES: PR Notice 2023–1 is effective March 31, 2023.

FOR FURTHER INFORMATION CONTACT: Susan Jennings, Immediate Office (7501M), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001; telephone number: (706) 355–8574; email address: *jennings.susan@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to me?

This action is directed to the public in general, however, it may be of particular interest to those persons who are or may be required to conduct testing of chemical substances under the Federal Food, Drug, and Cosmetic Act (FFDCA), or Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). Since other entities may also be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action. If you have any questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT.**

B. What is the Agency's authority for taking this action?

We are taking this action under FIFRA, 7 U.S.C. 136 *et seq.* FIFRA section 28(d) charges EPA with identifying ''pests of significant public health importance.'' FIFRA section 2(t) defines the term ''pest'' as meaning (1) any insect, rodent, nematode, fungus, weed, or (2) any other form of terrestrial or aquatic plant or animal life or virus, bacteria, or other micro-organism (except viruses, bacteria, or other micro-organism on or in living man or other living animals) which the Administrator declares to be a pest under FIFRA section 25(c)(1). EPA previously exercised FIFRA section 25(c)(1) authority to make pest declarations, by amending the regulatory definition of ''pest'' at 40 CFR 152.5. The intended changes to the lists of pests of significant public health importance are within the statutory and regulatory definitions.

C. How can I get copies of this document and other related information?

The docket for this action, identified by docket identification (ID) number EPA–HQ–OPP–2020–0260, is available through *https://www.regulations.gov.* Additional instructions on visiting the docket, along with more information about dockets generally, visit *https://www.epa.gov/dockets.*

II. What guidance does this PR Notice provide?

This final PR Notice 2023–1 updates and replaces PR Notice 2002–1, which identifies pests of significant public health importance. The lists were first published in 2002, fulfilling the requirement of FIFRA section 28(d) to identify pests of significant public health importance (see the original lists: *https://www.epa.gov/sites/production/files/2014-04/documents/pr2002-1.pdf*). EPA, HHS and USDA believe that pests, diseases, and control techniques have changed since 2002. The lists provide an interagency baseline for the federal government and the public to begin any discussions on government regulation and control of disease or vectors of

Appendix B. Agenda

AGENDA

US ENVIRONMENTAL PROTECTION AGENCY
WHITE HOUSE ENVIRONMENTAL JUSTICE ADVISORY COUNCIL
VIRTUAL PUBLIC MEETING

WEDNESDAY, MARCH 1, 2023	3:00 PM – 7:45 PM EASTERN
3:00 PM - 3:15 PM	**Welcome & Opening Remarks** ☐ **Karen L. Martin,** Designated Federal Officer – U.S. EPA Office of Environmental Justice and External Civil Rights ☐ **Audrie Washington,** Program Manager – U.S. EPA Office of Environmental Justice and External Civil Rights ☐ **Richard Moore,** WHEJAC Co-Chair – Los Jardines Institute ☐ **Carletta Tilousi,** WHEJAC Vice Chair – Havasupai Tribe
3:15 PM – 3:30 PM	**White House Environmental Justice Advisory Council Member Introductions**
3:30 PM – 4:00 PM	**The Council on Environmental Quality Updates & Remarks** ☐ **Dr. Jalonne White-Newsome,** Senior Director for Environmental Justice White House Council on Environmental Quality
4:00 PM – 4:30 PM	**The Environmental Protection Agency's Climate Pollution Reduction Grants Program** ☐ **Jasmine Davenport,** Senior Advisor for Climate Justice U.S. EPA Office of Air & Radiation ☐ **Jennifer Macedonia,** Associate Deputy Assistant Administrator U.S. EPA Office of Air & Radiation
4:30 PM – 5:15 PM **5:15 PM – 5:45 PM**	**White House Environmental Justice Advisory Council Workgroup Discussions** ☐ **New Charge on the Climate and Economic Justice Screening Tool (CEJST)** **Dr. Nicky Sheats,** WHEJAC CEJST Workgroup Co-Chair – Kean University ☐ **Discussion: Reconsideration of the National Ambient Air Quality Standards** **Tom Cormons,** WHEJAC Member – Appalachian Voices
5:45 PM – 6:00 PM	**BREAK**

WEDNESDAY, MARCH 1, 2023	3:00 PM – 7:45 PM EASTERN
6:00 PM - 7:00 PM	**Public Comment Period** Members of the public will be given three (3) minutes to present comments relevant to the following charges, topics, and questions related to the work of the WHEJAC: 1.) The Climate and Economic Justice Screening Tool 2.) The Environmental Justice Scorecard 3.) Indigenous Peoples and Tribal Nations 4.) Climate Planning, Preparedness, Response, Recovery, and Impact a. Adverse health impacts from a changing climate disproportionally affects disadvantaged communities. What are the policies or programs that can address adverse health impacts before, during, and after extreme climate events? b. Tribal communities are disproportionately impacted by the ecosystem collapse caused by climate change that is destroying subsistence hunting, fishing, and growing traditional foods. How can Federal Government policies and programs prevent or address these impacts? 5.) What are the core elements of a multi-agency strategy apart from Carbon Capture Utilization and Sequestration (CCUS) that can address potential use of carbon management while protecting communities?
7:00 PM – 7:30 PM	**Public Business Meeting** The WHEJAC will use this time to reflect on the meeting proceedings and public comment period, discuss action items, and finalize next steps. ☐ **Richard Moore,** WHEJAC Co-Chair – Los Jardines Institute ☐ **Carletta Tilousi,** WHEJAC Vice Chair – Havasupai Tribe ☐ **Catherine Coleman Flowers,** WHEJAC Vice Chair – Center for Rural Enterprise and Environmental Justice
7:30 PM – 7:45 PM	**Closing Remarks & Adjourn** ☐ **Richard Moore,** WHEJAC Co-Chair – Los Jardines Institute ☐ **Catherine Coleman Flowers,** WHEJAC Vice Chair – Center for Rural Enterprise and Environmental Justice ☐ **Carletta Tilousi,** WHEJAC Vice Chair – Havasupai Tribe ☐ **Dr. Jalonne L. White-Newsome,** Senior Director for Environmental Justice – White House Council on Environmental Quality ☐ **Karen L. Martin,** Designated Federal Officer – U.S. EPA

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 Karen L. Martin at martin.karenL@epa.gov

WHEJAC Public Comments
March 1, 2023

Commenters, in order their comments appear in document:

Ananda Tan
Antonio Testa
Dave Arndt
David Kronheim
Derrick Dent
Diana Canzoneri
Elvis Zornic
Hannah Reid
Hope OShaughnessy
Igalious Mills
Jean Publiee
Joanne Perodin
John Muller
Kayleigh Warren
Kelsey Royce
Kendall Dix
Kim Hunter
Linda Karr
Line 5 combined submissions (122 Submissions)
Manish Bapna
Marion Gee
Mary Pelletier
Mateo Paz-Soldan
Narayana Garimella
Ngozi Nwosu
Philip Kortekaas
Richard North
Robin Forman
Rosemary Ahtuangaruak
Sharon Lewis
Sima Thakkar
Simone Lightfoot
Sisira Dissanayake
Sofia Nieto
Susan Liley
Theresa Coffey

Dear Ms. Martin and Brother Richard,

Please find attached our Just Transition Alliance comments to the White House EJ Advisory Committee, regarding Multi-Agency Strategies for Carbon Management (Docket ID No. EPA-HQ-OBJECT-2023-0099)
I apologies for not having submitted these comments earlier but hope they can still be included on this docket to reflect our concerns and positions on this issue. Please do let us know, if there are any other ways, we can serve you on this matter. Sincerely, Ananda Lee Tan

Just Transition Alliance

White House Environmental Justice Advisory Council
US Environmental Protection Agency
Office of the Administrator, Mail Code 1101A
1200 Pennsylvania Avenue, NW
Washington, DC 20460

March 29, 2023

Re: Public Comment Docket ID No. EPA-HQ-OBJECT-2023-0099

Dear Members of the White House Environmental Justice Advisory Council,

The Just Transition Alliance would like to thank the Council for your work in representing the concerns of environmental justice (EJ) communities. We call on you to hold true to that purpose: to represent our communities in naming the dangers and risks associated with Carbon Capture Utilization and Storage (CCUS), and point out that CCUS and other corporate climate schemes are standing in the way of a just transition towards the clean, healthy and sustainable economic alternatives that our communities need.

The Just Transition Alliance is a twenty six year old coalition of EJ communities and local unions, collaborating on systemic change strategies at the intersection of pollution, poverty and climate change. Over the last two decades, we have supported EJ communities to tackle a variety of polluting industries, on the path to healthy, sustainable and just economies led by communities and workers. In this capacity we have experienced numerous ways in which these industries have scaled up efforts to greenwash their toxic technologies in order to continue receiving public subsidies. We see "Carbon Management" strategies (including CCUS) as being such a greenwashing scheme that not only serves to prolong the tenure of fossil fuel and other dirty energy industries, but also depletes public funding that is required to advance clean and healthy alternatives to the status quo.

The best strategy to reduce CO2 and toxic pollution starts with ending all new permitting of fossil fuel infrastructure; then phasing out the most polluting industries that presently exist. All public funding for climate action and EJ investment should be strictly provided for pollution-free industries and practices that are directly beneficial for communities and workers, such as distributed and community-based renewable energy; zero waste infrastructure; localized electric rail systems; ecosystem restoration initiatives; community-based permaculture practices; and, community-based housing that meets rigorous green building standards. A multiagency strategy MUST NOT include carbon markets, CCUS, or any type of burning fuel. Most projects where CCUS is slated to be deployed are in Black, Brown, Indigenous or poor white communities - communities already impacted by decades of environmental injustice. Carbon Capture projects will maintain fossil fuel infrastructure and pollution in impacted

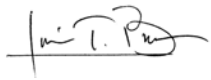
communities while greenwashing the reputation of toxic corporations that continue to harm people and the planet. CCUS projects will not solve the climate crisis, but will lead to increased pollution, and deepen environmental disparities and racism.

Additionally, transporting and storing carbon dioxide involves building a massive network of perilous pipelines connected to underground injection sites, each with their own set of dangers. Pipelines can leak or rupture; compressed CO2 is highly hazardous upon release and can result in the asphyxiation of humans and animals. Underground storage poses additional risks, such as potential leakage, contamination of drinking water, and stimulation of seismic activity. These hazards apply to all the current and proposed variants utilizing CCS technologies, including carbon capture utilization and storage (CCUS), fossil hydrogen with CCS ("blue" or decarbonized hydrogen), bioenergy with CCS (BECCS), coal-bioenergy systems with CCS (CBECCS), waste-to-energy with CCS (WtE-CCS), and direct air capture (DAC), which depends on CCS or CCUS to manage the captured carbon.

Simply put, supporting CCUS in any shape or form would constitute a perverse subsidy for frontline community harm, and such practices could never be compatible with the principles and practices of a Just Transition.

We implore you to stay true to the positions and priorities articulated by our environmental justice communities, and reject all such false corporate schemes and toxic technologies. The Just Transition Alliance will continue to support your leadership on such a principled stance.

Sincerely,



Jose Bravo
Executive Director
Just Transition Alliance

para el PRSIDENTE BIDEN-UE

Elon Musk NO LO TIENE-Elon Musk DOES NOT HAVE IT--propiedad intelectual es privada aca abrazo

for the children and all: END OF THAW"descubrimiento del siglo" sinking cities/UNESCO

/WE ARE NOT LOOKING FOR MONEY-WE ARE NOT LOOKING FOR MONEY

END OF THAW"descubrimiento del siglo"

OUR DISCOVERY

surpasses what was done by the roman empire and the silk road

sinking now it is urgent to speak Spanish now the territories are sinking

a fight for who we are-FOR THOSE WHO GAVE US LIFE-our children and all children THAT IS THE FUTURE

our discovery ENERGY stops the recession for the 23 NO RECESSION

ENERGY GAS CLIMATE CHANGE-UNESCO- MULTINATIONAL- POLITICIANS- CELAC – UE-NATO-G20

periodis-government-foundation. - company- /COP 27, Sharm el Sheikh (Egypt) QTAN-APEC-proyecto NEOM-ONU-etc.

Antonio testa--Facebook/WhatsApp--1165002333/ /1160276446---
colectividadeuropea@hotmail.com.ar/colectividadeseuropeas@gmail.com-

"descubrimiento del siglo" "Discovery of the century"

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: our discovery ENERGY stops the recession for the 23 NO RECESSION

"descubrimiento del siglo "para todos los hogares -comercios empresas etc. Del mundo

Unión Europea, TENDRÁ SU PROPIO GAS-ENERGIA-NO DE RUSIA

después de lo realizado por el Imperio Romano+ SUPERA LA RUTA DE LA SEDA nuestro descubrimiento cambia la historia de generar energía

todo lo hecho es prehistoria lo nuestro es un antes y un después- cuidando el planeta en un ciento por ciento

no NUCLEAR

sin agua ni Represas

Sin viento sin sol

no SOLAR -----

NO CON AGUA, NO SOL, NO CON VIENTO, NO CON ABONO DE CEREALES DE NINGÚN TIPO, NO CON DERIVADOS DE PETROLEO, NO CARBÓN, NO NUCLEAR-SIN REPRESAS-NO hidrógeno

Sin Planeta no hay maravillas en el mundo MENOS VIDA-- fin de los gasoductos/Millones de empleos en el mundo para cambiar el sistema cuidando el planeta//UNA FORMA SIN PRECEDENTES DE GENERAR ENERGÍA -- Un antes y un después cambia la historia- // COP26-DAVOS. /G20-COP 27 no tiene la solución, la tenemos LOS herederos de Europa ///- Albert Einstein “Es una locura hacer lo mismo una y otra vez con la esperanza de obtener resultados diferentes.-- EN 1800 RAILWAY-1970 MOBILE COMPUTER-1980 - // 2004 FACEBOOK -2014- WhatsApp --2022 la madre de todas las energías -NO CON SOL- NO CON AGUA, NO, NO CON VIENTO, NO CON FERTILIZANTE DE CEREALES DE NINGÚN TIPO, NO CON DERIVADOS DEL PETRÓLEO, NO NO CARBON - NO NUCLEAR-NO SIN REPRESAS- sin represas Es como empezar de nuevo. Puedes imaginar una nueva forma de vida. LA TENDRAN pueblos, ciudades, provincias, distritos etc.. El tsunami NO PUEDE estropear nuestra producción de energía es una materia prima que no se está utilizando en el mundo esta materia prima se dejó de lado porque el problema hace 80 años se resolvió es imposible que los países más desarrollados trabajen en esto, es 100% seguro No influye en el efecto invernadero Fuimos premiados como Innovadores en 2010 por otro tema = LA UNICA VERDAD LA REALIDAD-La vida depende de dejar bajo tierra el 80% de los combustibles fósiles-La física puede imponer una claridad vigorizante en el mundo, normalmente turbio, Puede hacer las cosas más simples. No fáciles, sino simples. -Aquí están los números: Tenemos que mantener bajo tierra el 80% de las reservas conocidas de combustibles fósiles. Si no lo hacemos—sí extraemos el carbón, el petróleo y el gas y los quemamos—sobrecargaremos los sistemas físicos del planeta, calentándola Tierra mucho más allá de la línea roja trazada por los científicos y los gobiernos. No se trata de "deberíamos hacerlo”, o “sería sensato hacerlo”. Es más fácil: "tenemos que hacerlo.NO hidrógeno etc.

Antonio testa--Facebook/WhatsApp--1165002333/ /1160276446---colectividadeuropea@hotmail.com.ar/colectividadeseuropeas@gmail.com/facebook--perro callejero 2017

OUR DISCOVERYsurpasses what was done by the roman empire and the silk road

desarrolladores creativos INNOVADORES independientes SOMOS PERSEGUIDOS

-WE -HAVE IT WITHOUT GAS PIPELINE, -WE -HAVE IT

"Discovery of the century"scoperta-WE HAVE IT

Asunto: LEGAL HELP

UNITED NATIONS UN DOES NOT ANSWER

Steve Hanke, the prestigious economist at Johns Hopkins University projects a "great recession" in 2023

LIE 2 DECADES OF WORK IN THE WORLD CHANGING THE WAY OF GENERATING ENERGY FROM TODAY

WE HAVE IT--Antonio testa--Facebook/WhatsApp-1165002333/1160276446/

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surpasses what was done by the roman empire and the silk road

-Energía Cambio Climático--FOR POLITICIANS WHO CARE ABOUT THE PLANET

ARGENTINA-intellectual property is private//THEY WATCH YOU IF YOU HAVE IDEAS-independent ideas bother here

-//THE WEST IS NOT LISTENING

WE SUBSTITUTE RUSSIAN GAS -our discovery SURPASSES THE SILK ROAD

WITHOUT GAS PIPELINE---WE -HAVE IT

WE ARE-children grandchildren European Union

NEITHER WITH WATER, NOR SUN, NOR WIND, NOR WITH CEREAL FERTILIZERS OF ANY KIND, NOR WITH OIL DERIVATIVES, NOR COAL, NOR NUCLEAR-NOR DAM-NOR-uranium--no dams--hydrogen

I COMMAND AWARDS AND CONGRATULATIONS FOR OTHER DEVELOPMENTS desde el 2012 que el estado no responde/

since 2012 that the state does not respond

ESTÚPIDOS NO ES LA ECONOMÍA

ES "CAMBIO CLIMÁTICO ENERGÍA" -ESTÚPIDOS

MERCOSUR-30 AÑOS MERCOSUR ESTÁ DESDE EL AÑO 1991

NADA de SOLUCIONES-Now it is urgent to speak Spanish now the territories are sinking now it is urgent to speak Spanish now the territories are sinking

Corte Interamericana de Derechos Humanos no escucha

Full Name (First and Last): Dave Arndt
Name of Organization or Community: Climate, Environmental and Social Justice Advocate
City and State: Baltimore
Comment: Hello. My name is Dave Arndt, a Baltimore Maryland resident and a Climate, Environmental and Social Justice advocate. Thank you for your work and this opportunity. I really appreciate the US justice department suing the two petrochemical giants behind a facility in Louisiana's "Cancer Alley" on behalf of the EPA, also the work the EPA has done on the train derailment in Ohio. The problem is that there are 100s of sacrifice zones in the US where there is no action. Plus, there are over 1000 train accidents every year. Let' take a look at the Brooklyn, Cherry Hill, Curtis Bay neighborhoods of Baltimore. Which was listed on the DOE Disadvantaged Communities site. They have two incinerators within 5 miles, one burns trash, the other is the largest medical waste incinerator in the US. Now add a few more layers, 3 RMP facilities, a chemical factory which is a large emitter of carcinogens. That is just the start. There is a working port which drives heavy duty truck traffic through the neighborhoods. Plus, several very large distribution centers which amplifies the truck traffic. These neighborhoods are in a low-lying area that is on the Baltimore harbor, known for nuisance flooding and title surges cause by hurricanes and nor-easters. I have just seen, that there have been 3 once in a 1,000 years rain events in a week in the US, if one of these hits Baltimore, we are in real trouble. Unfortunately, this area and Baltimore in general is struggling with basic services, so there no disaster preparedness let alone relief and community resilience planning. Basically, today if a disaster happens, residents are on their own, they don't even get warnings or notifications of what they should do, such as stay in place or evacuate. This all takes time, money and expertise which is not available for this neighborhood. You have to remember that these neighborhoods are designed as sacrifice zones. For decades companies have profited while the health and well-being of the residents was of no concern. The first step that the federal government can do is not only allocate funds, but drive a pilot program to show how to implement a community driven plan to reimagine neighborhoods to be model communities of environmental and climate justice. We must never forget, being poor is hard work, most people in Curtis Bay don't have time to monitor or implement, they are just struggling to keep food on the table and having a roof overhead. The second thing is to do it now, not three years from now. Thank you.

Full Name (First and Last): David Kronheim
Name of Organization or Community: Chester Residents Concerned for Quality Living (CRCQL)
City and State: Chester, PA
Comment: For Docket ID No. EPA-HQ-OEJECR-2023-099 - I am a resident in the city of Chester, PA, which is 10 miles from Philadelphia, on the Delaware River, 3 miles from Delaware, in South East PA. I volunteer with Chester Residents Concerned for Quality Living (CRCQL). Chester is an environmentally disadvantaged community. The City of Chester has been designated a "disadvantaged community" as a part of a Biden Administration initiative called Justice40, established by presidential order. This initiative promises "to deliver at least 40 percent of the overall benefits from Federal investments in climate and clean energy to disadvantaged communities." The Biden administration's Justice40 initiative has confirmed that the City of Chester already has high legacy pollution and health burdens. I-95 runs through Chester. All the sources of pollution, from other commenters on I-95 particulate matter, apply here as well. Other comments on existing or proposed LNG facilities apply to Chester City as well, see below. There is a proposed LNG manufacture and export terminal plant in Chester City PA. Air pollution from big polluters kills more people prematurely in Pennsylvania than any state in the nation per capita. Stop new sources of methane, a major greenhouse gas, reduce air pollution to Chester City, PA, an environmental justice community, and prevent the potential of an LNG explosion or fire, on or near the Delaware river, from a proposed plant or tanker to be filled at that plant, which could result in the death of thousands. The thermal exclusion zone specifies a circle around the plant within which there would be skin injury, like an intense sunburn, in the event of a fire or explosion. The thermal exclusion zone would include part of Interstate 95, a mile away. The Chester site is only 250 yards away from a city neighborhood where the population density is 7,000 people per square mile. A huge number of residences would be within the thermal exclusion zone. The law requires that the owner of the LNG plant have "legal control" over the the thermal exclusion zone, which could require taking the residences away from thousands of people. Demand the U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration, enforce the above law, and prevent an LNG plant and export terminal from being built in Chester City, PA or in or near any other urban area. Other comments on incinerator harm apply to Chester City as well, see below. The Covanta incinerator, in Chester City, PA, is the largest incinerator in the country with the fewest pollution control devices. Due to its age, of 30 years, the Covanta incinerator does not even use catalytic converters, which have been in autos and trucks for decades. Set rules making incinerators, use modern technology. This would also prevent Delcora, in Chester City, PA, from burning sewage, by buying enough anerobic disgesters. Work to speed up Delaware County, to use its landfills to handle its own solid waste, instead of sending waste to Covanta to burn. Work to get Delaware county to quickly stop Covanta from using Delaware County Landfills to dump toxic ash.

Dear Honorable Advisory Council,

By way of introduction, my name is Derrick Dent, and I am a Senior Account Executive at Energy Intelligence. I hope you do not mind receiving this email. I thought you might be interested in reviewing our Energy Transition Service. Navigate the major risks linked to the rapidly shifting energy landscape with our integrated package of news, analysis, research and data on the energy transition. The Energy Transition Service helps energy firms, investors and governments understand how the low-carbon energy transition is unfolding, with a focus on key technologies, costs, market developments and policy drivers. We combine actionable intelligence, predictive analysis and direct access to our experts to deliver a comprehensive view of the energy transition and serve as an extension of your analytical team.

Our project databases and proprietary models help companies sharpen their strategic outlook and compare their evolving responses against their peers. Key elements include: tracking low-carbon investments, analysis of levelized electricity costs and assessment of clean hydrogen costs.

- Stay on top of the transition's fast-evolving trajectory, identifying key shifts and emerging trends ahead of competitors
- Separate opportunities from threats with our cost models, project databases, and extensive industry and market coverage, which tracks emerging technologies in transportation, renewable power generation, electricity storage and decarbonization
- Strengthen and stress-test your corporate strategy against the strains of the emerging low-carbon energy system with Energy Intelligence's Low-Carbon Investment Tracker and Technology Monitor reports
- Make profitable business decisions by managing shifts in industrial and transport fuel consumption with our analysis of demand risks and interfuel competition
- Identify and mitigate investment risk by monitoring industry developments with our daily newsfeed on market-moving energy transition trends

Features:

- Daily news and analysis on the global energy transition, decarbonization efforts and the move toward clean energy alternatives in oil and gas, broader industry, transport and power generation, including reporting on the nuclear industry
- Macro Outlook Report – twice-yearly global outlook on the trajectory of the energy transition and key policy, technology and market dynamics and drivers
- Low-Carbon Investment Tracker – quarterly assessment of major companies' investment and M&A activity in low-carbon solutions, and how these moves fit in their low-carbon strategies
- Technology Monitor – quarterly assessment of key industry technologies, projects, costs and policy drivers, backed by ongoing weekly coverage
- Energy Cost Report – twice-yearly, forward-looking comparison of renewable and conventional power generation on a levelized cost of energy (LCOE) basis
- Data sets – LCOE trends; break-even prices and fuel-switching thresholds; electric vehicle trends in China, Europe and the US; carbon, coal, renewable generation and biofuel prices; hydrogen production cost assessments

- Direct access to our experts with regular private briefings and one-to-one Q&A by phone and email; enhanced access includes bespoke structured workshops

I would be glad to set a trial and demo of the service at your earliest convenience.

Kind regards,

Derrick Dent

Energy Intelligence

ENERGY TRANSITION SERVICE

Guiding the energy industry through the low-carbon transition

Energy Intelligence

Introducing the Energy Transition Service

The Energy Transition Service helps clients understand how the low-carbon energy transition is unfolding, and which companies and countries are best placed to survive and thrive.

It combines actionable intelligence, predictive analysis and direct access to our experts to deliver a comprehensive view of the energy transition, serving as an extension of our clients' analytical teams.

Energy Intelligence

Thematic Areas of the Energy Transition Service

The Energy Transition Service focuses on six critical areas to provide essential intelligence and guidance as the oil and gas industry transitions to a low-carbon future.

Energy Transition Macro Analysis

- Scenarios outlining the potential pace and shape of the transition, with emphasis on key dynamics and inflection points that should be on the oil and gas industry's radar

Corporate Positioning & Strategy

- Benchmarking on companies' positioning for the energy transition, their responses to investor demands for climate risk disclosure, and their low-carbon investments

Market Dynamics

- Outlook for oil and gas demand and interfuel competition between gas, solar, wind, coal and nuclear

Emerging Technologies

- Key technological drivers of the energy transition in transportation, renewable power, storage, and decarbonization of the oil and gas sector

Policy Trends

- Policy developments and trends ranging from global and national carbon-pricing schemes down to regional and city-level restrictions on car sales and use

Producing Country & NOC Analysis

- Evolving state priorities and NOCs' strategies for the energy transition

Energy Intelligence

Energy Transition Service Features

Navigate the major risks tied to the rapidly shifting energy landscape through our comprehensive package of:

- News & Analysis
- Research
- Data
- Access to Experts

Energy Intelligence

Energy Transition Research

Understand how the world's biggest energy companies are responding to the energy transition with our proprietary benchmarks, in-depth market reports and strategic macro assessments.

Energy Transition Macro Outlook

- Macro outlook report on transition scenarios
- Special reports on emerging technologies and other scenario drivers

Energy Transition Market Dynamics

- Reports on oil and gas demand risks and interfuel competition

Corporate Comparative Analysis

- ESG Climate Risk Benchmark
- Vulnerability Index
- Low-Carbon Investment Tracker

Producing Country and NOC Analysis

- Reports on how producing countries and NOCs are affected by and adapting to the energy transition

Energy Intelligence

Corporate Comparative Analysis

Our innovative corporate benchmarking provides an integrated assessment of companies' positioning as they seek to develop sustainable and profitable strategies.

ESG Climate Risk Benchmark

Ranks companies against investor requirements under climate-risk dimensions of ESG

- Covers company engagement (governance, strategy and emissions goals) and carbon emissions performance

Vulnerability Index

Assesses which companies are best positioned for the energy transition

- Proprietary methodology scores firms on portfolio resilience, and adaptation and transformation strategies

Low-Carbon Investment Tracker

Valuable data and insight into how firms are investing in low-carbon technologies

- Covers low-carbon generation, electricity solutions, e-mobility, low-carbon liquid/gas supply, and negative emissions

Energy Intelligence

Energy Transition News & Analysis

Monitor and make sense of the energy transition with our extensive coverage of ESG policies, transportation, industry solutions, power and emerging technologies.

Finance

- Corporate strategy and competitive intelligence, financial/ESG scrutiny and solutions, investment trends

Policy

- Shifting climate accords, legislation, regulation and incentives

Technology

- Big-picture trends, developments and costs

Industry Solutions

- Technologies and techniques to turn challenges into opportunities

Flagship Energy Cost Report

- A twice-yearly comparison of cost competitiveness of conventional power generation forms, versus renewable energy forms

Energy Intelligence

Energy Transition Data

Make actionable comparisons across technologies and regions to effectively inform your strategy with our market-oriented data, which can be exported and incorporated directly into your proprietary financial models.

- **Comparative power generation costs** for eight forms of renewable energy, four forms of fossil fuel energy, and nuclear power
- **Power generation by source** across a range of OECD and non-OECD countries
- **Weekly data on natural gas, electricity, biofuels and carbon prices** across major markets
- **Electric vehicle (EV) indicators** tracking EV uptake in key markets China, Europe and the US
- **Track market performance** of clean energy versus other equity classes
- **Data is backdated to at least 2010,** and in some cases as far as 2000

Energy Intelligence

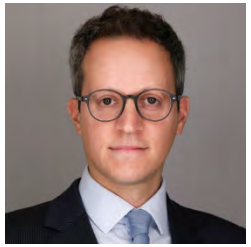
Energy Transition Client Engagement

Our energy transition experts can serve as an extension of your analytical team by providing quarterly client briefings, as well as by answering your questions via email or brief, informal discussions.

- **Client Briefings** – On a quarterly basis, our Research team presents its latest research and views, and addresses questions specific to each client's priorities and needs.
- **Access to Our Energy Transition Experts** – At a time of rapid change in the industry, clients have direct access to our analysts, who help answer questions and discuss critical developments.
- **Structured Workshops** – Through enhanced engagement options, we offer structured workshops to help clients understand the energy transition and implications for their business.

Energy Intelligence

TJ Conway



Alex Martinos

Philippe Roos

Lauren Craft

Ronan Kavanagh

Stephanie Cooke

Jason Eden

Kim Feng Wong

Click here to learn more about our experts >>

Our Energy Transition Experts

The Energy Transition Service gives you direct access to our experts, with in-person briefings and live Q&A sessions on a topic or data point of your choice, helping you to address your unique business challenges.

Energy Intelligence

Benefits of the Energy Transition Service

At a time of accelerating change, we help oil and gas companies take concrete steps to position themselves for the energy transition through an integrated set of news and analysis, data, research and client engagement.

- **Attract investment from an ESG-conscious financial community**, by leveraging Energy Intelligence's proprietary ESG Climate Risk benchmark
- **Strengthen and stress-test your corporate strategy and positioning** for the shift to a low-carbon energy system, with Energy Intelligence's proprietary Vulnerability Index
- **Make profitable business decisions** by managing fluctuations in industrial and transport fuel demand, with our analysis of demand risks and interfuel competition
- **Identify and mitigate investment risk** by monitoring industry developments, with our weekly news and analysis on market-moving energy transition trends
- **Stay up to date on technology opportunities and threats**, with our coverage and in-depth research on a range of emerging areas including transport, renewable power generation, low-carbon liquids and gas, and negative emissions solutions

Energy Intelligence

Why Choose the Energy Transition Service?

Our holistic coverage of the energy transition gives you the actionable insights you need to formulate and implement your low-carbon strategy.

- **Our actionable intelligence is based on a wide range of primary sources**, and helps clients closely monitor key developments in the energy transition and make informed business decisions
- **Our proprietary corporate benchmarks** are uniquely positioned to help companies understand the risks they face, and compare their strategic responses with their peers'
- **Our trusted guidance helps clients fortify their strategic planning** at a time of disruptive change through a series of regular briefings and frequent communication with our experts
- **Our ability to identify emerging trends** – such as the rise of electric vehicles, mounting ESG pressures and gas' uncertain role – typically before they become mainstream, helps clients anticipate changing customer demands

Energy Intelligence

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Energy Intelligence

NAVIGATE YOUR ENERGY WORLD

Energy Intelligence

Energy Intelligence 2023 Outlook

January 2023

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Energy Intelligence

A Year of Risk

Welcome to the Energy Intelligence 2023 Outlook. We expect this to be another year of geopolitical turmoil for the energy industry, as the Ukraine war reshapes oil and gas markets, and security and climate compete as priorities for governments, companies and society.

Russia's invasion of Ukraine, and the West's tough response, turned the energy world upside down. Energy security and affordability were thrust back to the fore, oil and gas supplies politicized and trade flows reconfigured. Producer-consumer relations, strained by the energy transition, were tested further, and geopolitical relationships – between Russia and China, and Saudi Arabia and the US, for example – impacted. The industry must now keep a close eye not just on the conflict itself, but on multiple geopolitical arenas – from the Caucasus to the Mideast Gulf and Venezuela.

Markets will remain volatile. Europe, Asia and others must navigate the shake-up of international gas pipeline and LNG trade. Oil markets will see the overhaul and possible disruption of Russian exports, and deep uncertainty over demand in China and the world, as recession looms.

Climate will also shape the agenda. While the low-carbon transition was eclipsed in 2022, it still has momentum from technology advances, supportive policies, and alignment between security and renewables in consumer regions. Ultimately, we expect the Ukraine crisis to underscore the transition's untidy trajectory, with an uneven pace and regional differences, rather than derail it.

At times of such turmoil, reliable information and intelligent analysis are vital. Energy Intelligence prides itself on providing this essential service through our integrated team of journalists, research analysts and data specialists, covering everything from market news and data, to research on risk scenarios, hydrogen costs and corporate benchmarking.

Our long-standing strength in energy geopolitics has proved invaluable over the past year, complementing our other core strengths in oil markets, gas and LNG, the energy transition and competitive intelligence. This Outlook provides a broad outline of our thinking on these areas for the year ahead.

David Pike
Editor-in-Chief

Energy Intelligence

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- Energy Intelligence 2023 Survey Results
- Appendix: About Energy Intelligence

Energy Intelligence

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Energy Intelligence 2023 Outlook

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- Energy Transition
- Oil Markets
- Gas and LNG Markets
- Competitive Intelligence
- Risk

Energy Intelligence 2023 Survey Results

Energy Intelligence

Ukraine Conflict Will Underpin Another Year of Risk

The war in Ukraine will remain the dominant risk driver in Europe and globally

We see the Ukraine war likely to remain a costly, drawn-out conflict this year. The odds of either a battlefield breakthrough or a cease-fire — leading to a tense, frozen conflict — are lower.

We see the most likely path for the war in 2023 as a war of attrition or frozen conflict (see graphic).

Neither side seems positioned for military breakthrough or inclined toward diplomatic resolution. In this stalemate, escalation is possible.

Sanctions pressures will grow as new G7 shipping restrictions and European embargoes take hold. Europe will face tighter Russian gas supplies, setting up a more difficult winter. Russia's economy was surprisingly resilient in 2022 but will face more pressures this year.

What to Watch:

- Will Western aid continue to flow as economic and political costs weigh on Europe, the US Congress splits and public interest wanes?
- How far will Russia go to ramp up pressure on Ukraine and its allies? Will Russia launch a new offensive from east or north, or dig in and wear down Ukraine?
- Can Ukraine continue to make territorial gains as Russian defenses, tactics improve?
- Could the conflict spread beyond Ukraine's borders with "hybrid" physical or cyberattacks on infrastructure? How will oil and gas be used as leverage by both sides?

Energy Intelligence Scenarios, 2023 Probability

War of Attrition	High	• Territorial gains for either side come at great cost of personnel and materiel. Drones, rockets and artillery wear down respective military forces. • The economic costs of the war – including sanctions on Russia and attacks on Ukrainian infrastructure – steadily mount. • Russia uses newly conscripted forces to dig in, focusing on defending existing gains. • The threat of escalation and spillover looms large over the conflict and the world.
Military Breakthrough	Low	• Russia regroups over the winter and launches a major, successful offensive from the east or north, bolstered by its newly mobilized troops. • Alternatively, Ukraine replicates the successes of fall 2022, recapturing momentum and territory. It extends into areas seized in 2014 or drives to the coast, severing Russian lines. • Ukraine's Western allies provide increasingly sophisticated weaponry and training.
Frozen Conflict	Medium	• A cease-fire is reached as military and economic costs for Russia and Ukraine mount, domestic pressures rise and support for Kyiv wavers. • Neither side is willing to make major compromises, lowering the odds of a comprehensive diplomatic agreement. • A shaky peace takes hold, akin to Cyprus, Korea or Ukraine post-2014. Tensions remain high.

Source: Energy Intelligence

Energy Intelligence

Ukraine Conflict: Energy Impacts in 2023

Far-reaching changes to oil and gas markets will consolidate this year

Russian oil exports will be more challenged in 2023 due to the G7 price cap, EU embargoes and tanker constraints.

The global rerouting of Russian oil flows from Europe to new markets will consolidate. India has increased Russian imports to 1.4 million barrels per day and could take 1.5 million b/d. China will be more cautious but could also step up. Small oil traders will play a major role. Most trade will take place outside the price cap using a "shadow fleet."

Russian products will be harder to place and could face shipping constraints.

We see **Russian liquids output falling** by 1.35 million b/d in 2023, but less if markets adjust well.

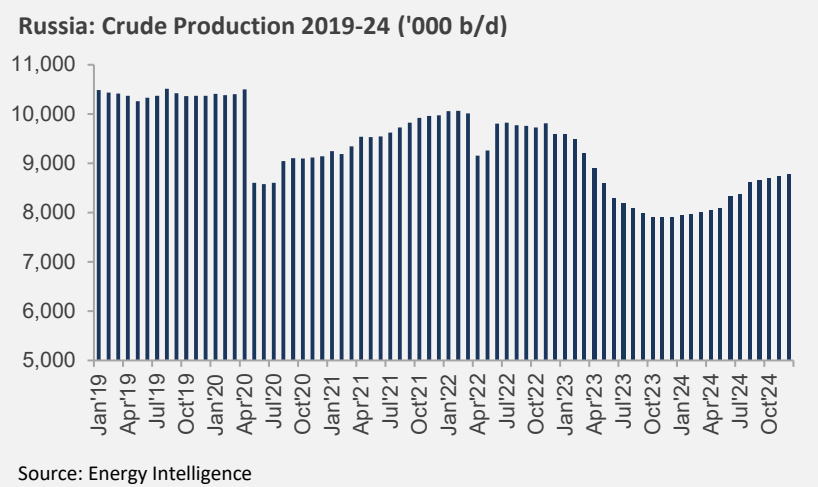
Rerouting Russian gas flows will be harder and time consuming, requiring new infrastructure and Asian (especially Chinese) appetite.

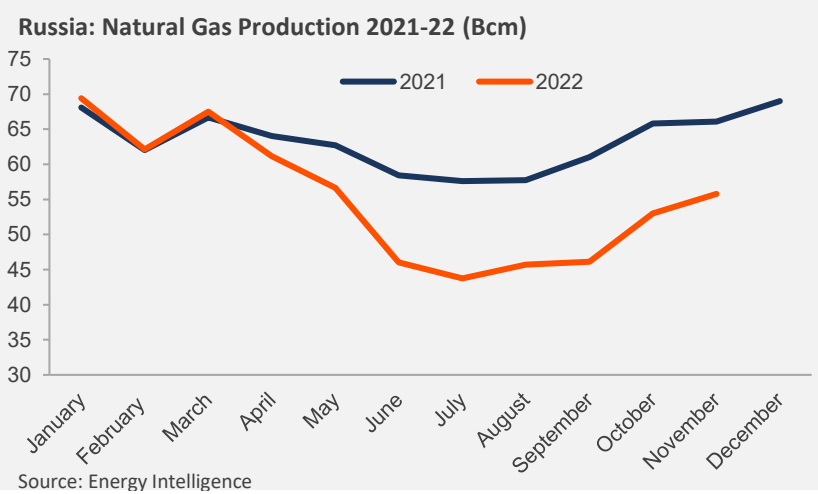
Global LNG prices will remain volatile. European demand will keep markets tight, especially if Asia rebounds.

In **energy geopolitics,** Moscow will be wary of rocking the Opec-plus boat. But some oil market disruption is possible, especially if sanctions hit Moscow hard.

More intense conflict, a major disruption and/or higher prices could inflame producer-consumer relations again.

The crisis will deepen geopolitical realignments (China-Russia, Brics, Quad) and multipolar shifts (India, Saudi Arabia).





Energy Intelligence

Energy Transition Retains Momentum

Our analysis highlights ongoing momentum behind transition – as in our core Accelerate case – despite headwinds

The Ukraine conflict and energy crisis threatened to derail energy transition efforts – but evidence points to critical ongoing momentum in 2023.

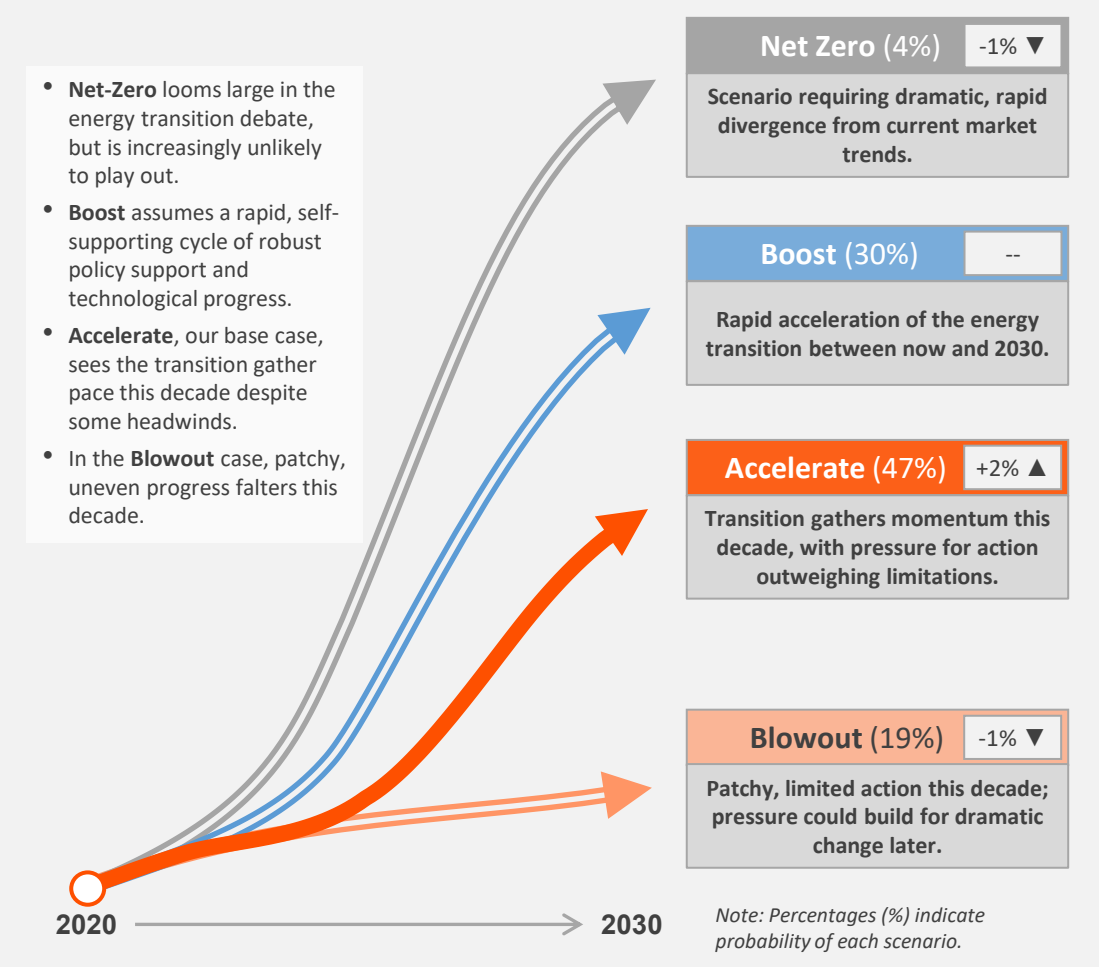
We expect the transition to enjoy **continued impetus** from (1) clean technology advances, (2) long-term decarbonization pressures on corporates and financial institutions, (3) supportive policies, and (4) consumer alignment between energy security and renewables.

However, **strong headwinds will persist**, from critical minerals supply and costs, and from wider geopolitical divergence amid deepening producer-consumer differences.

Energy Intelligence has revised and updated our transition scenarios analysis.

- Our core **Accelerate** scenario reflects growing momentum led by faster clean technology rollout.
- A slower **Blowout** scenario, highlighted amid recent energy strains, remains possible.
- An even faster transition, such as **Boost**, is more likely than a slower one. But the already-slim odds on a **Net-Zero** scenario playing out have dipped further.

Yet even in the more moderate Accelerate scenario, **the transition is set to remain uneven and untidy.**



Source: Energy Intelligence

Energy Intelligence

Energy Transition Drivers: Climate and Transition Policy

Beyond UN process, focus increasingly shifting to multilateral, regional and national efforts

Policy direction in 2023 will offer important signals for the transition's trajectory, with pressure for faster action amid the rise of geopolitical strains and energy security concerns.

We see policy continuing to play a critical role by facilitating technology deployment, penalizing emissions-intensive activities and steering investment.

Through the UNFCCC process, **global policy will remain a core focus** in the run-up to COP28 in Dubai in November.

- Countries may face pressures to dial up climate actions, especially with conclusion of the first "global stocktake" on Paris goals.
- COP28 host, the United Arab Emirates, will face challenges balancing climate concerns with energy producer interests.

But with limits to progress at the UN level, we see growing significance in **more agile multilateral cooperation**. We are watching for more alliances with developing nations, similar to those with South Africa and Indonesia.

Advances in **national and regional level policy** are critical for hitting targets. Areas to watch in 2023 include:

- Implementation of the US IRA* amid political divides.
- Progress of Europe's carbon border tax and REPowerEU.
- National restrictions on sales of conventional cars.
- China's long-term response to the energy crisis.
- Changes in approaches to gas, including methane emissions.

Global/UN Climate Process

- Global climate policy through the UNFCCC process has set overall direction and long-term goals, but may now be less effective at delivering near-term action.
- COP27 saw progress and momentum on a range of issues, but not on mitigation to cut GHG emissions, which could be in focus again at COP28 in 2023.

Multilateral Policy Cooperation

- Other multilateral cooperation looks set to play a much greater role as pledges and partnerships can be agreed more quickly and target tangible progress.
- Major recent examples include the Global Methane Pledge, Just Energy Transition Partnerships, and initiatives backing carbon offsets, hydrogen and CCS.

National/Regional Policymaking

- Much greater focus will fall on policies of countries, states and regions, as they seek to translate high-level goals into more immediate action.
- Key examples include the US IRA* legislation, the EU's efforts to speed its shift away from fossil fuels, and evolving Chinese and Indian policy preferences.

Source: Energy Intelligence. Note: *Inflation Reduction Act.

Energy Intelligence

Energy Transition Drivers: Clean Energy Technologies

Rapid rollout of renewables and EVs now propelling green energy transition

Adoption of low-carbon technology will remain a core driver of the energy transition in 2023. More mature technologies will continue rapid rollout, while emerging options should be closely watched for progress.

2022 saw record installation of new renewable power capacity, and fast-accelerating electric vehicle (EV) sales, both led by rapid adoption in China.

Multiple factors will support continued rollout in 2023, led by investor and consumer preferences, with policy a further enabler. Renewed cost reductions may offer an additional boost.

Potential drags on pace this year include: critical material costs and supply concerns, permitting obstacles, limitations to key infrastructure and slow growth of demand markets.

Key technologies to watch in 2023:

- **EV Sales:** Critical to watch is (1) whether strong sales trends continue in China, and across Europe and the US, and (2) if battery costs resume their long-term decline pathway.
- **Renewables:** Amid rapid deployment, we are watching for lasting impact from materials and cost pressures, faster rollout of large-scale storage, and competitiveness versus fossil fuels.
- **Hydrogen and carbon capture and storage (CCS):** These technologies need action to scale up this year, with major project final investment decisions (FIDs) and action on business model, infrastructure and end-use issues

Critical Clean Energy Technologies: Overview

	Maturity	Supportive Factors	Potential Obstacles
Renewables (Wind, Solar, etc.)	Very High	• Long-term falling costs • Rising policy ambition	• Lack of large-scale storage • Ongoing supply chain issues • Permitting delays
Electric Vehicles (EVs)	High	• Renewed cost declines • Policy backing (including penalties for ICE vehicles)	• Shortages in critical battery materials • Lack of charging/grid capacity
Clean Hydrogen	Mid	• Widespread interest • Growing policy support • Potential for cost declines	• Limited current development of value chain and end-use demand • High production and transportation costs
CCS & DAC (Direct Air Capture)	Low	• Higher carbon pricing and policy backing • Potential falling infrastructure costs • Growing operational experience	• Efficacy and social acceptance concerns • High costs • Lack of natural business models, absent strong policy backing

Source: Energy Intelligence.

Energy Intelligence

Oil Price Forecast: $80-$90+ Is New Range, Balancing Russia, Recession

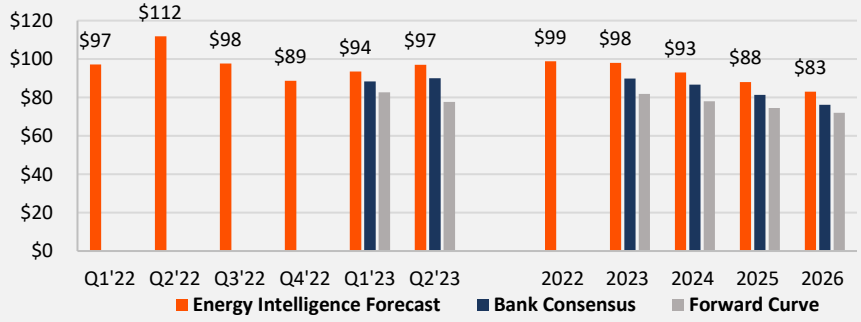
Our 2023 outlook highlights volatility, higher price range, demand impact

We see an above-consensus path for prices over the next few years, with $80-$90 the normalized range (versus pre-pandemic $60-$70). There is room for upside in 2023 if China demand picks up and the rest of the global economy manages relatively well. We see Brent averaging close to $95 this year, with potential spikes into the $100s. A weaker-than-expected global macro environment and China's Covid-19 struggles provide the main downside risks.

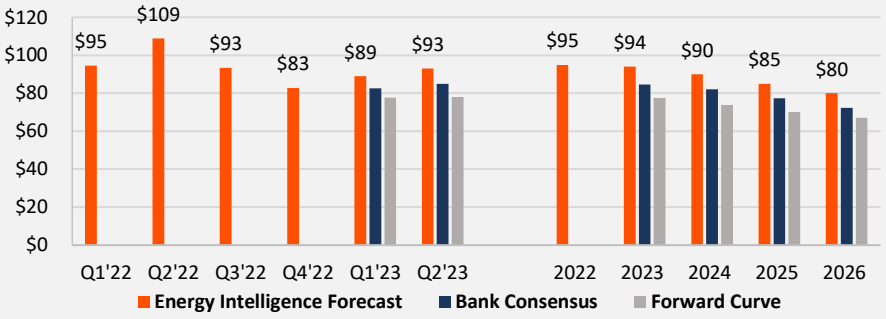
Five key market themes shape our 2023 outlook:

- Market balance pulled between demand softness and supply limitations — expect volatility.
- Important supply issues to sort through, generally creating a higher price floor — including Opec-plus/Russia. Russian product exports will be hit harder than crude, given market, transport challenges.
- Inventories provide structural support, including distillate market — US Strategic Petroleum Reserve releases no longer a lever like in 2022.
- Capex rises but lags prior levels, with supply constraints continuing to bite whenever demand picks up — although spare capacity picture is less tight than last year, led by Opec-plus.
- Oil demand will continue to grow despite transition, recovering fully from pandemic hit.

Brent — Our Forecast vs. Consensus vs. Forward Curve ($/bbl)



WTI — Our Forecast vs. Consensus vs. Forward Curve ($/bbl)



Source: Energy Intelligence

Energy Intelligence

Demand Will Hit New Peak, Completing Covid Recovery

Underappreciated risk of supply limitations, price volatility will grate on demand over time

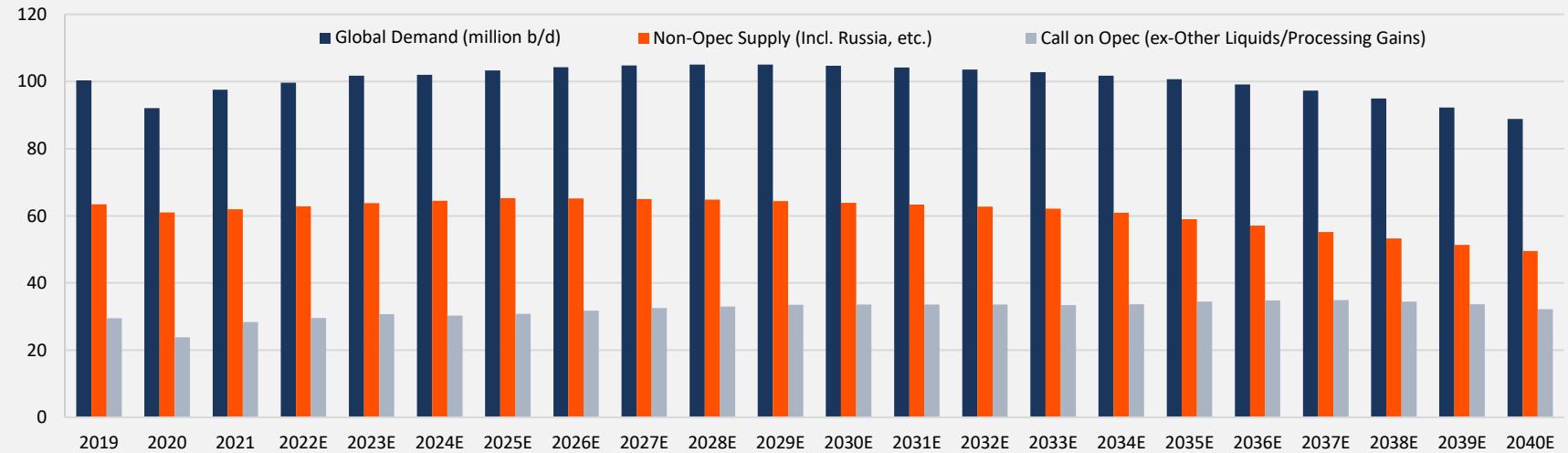
We see demand continuing to grow to 101.2 million b/d in 2023, and 105 million-106 million b/d by the end of the decade. This year's average will top former high of 100.6 million in 2019.

Despite a growing focus on the energy transition, we see fundamentals continuing to drive growth — albeit skewed more toward petrochemicals than transportation fuels.

We see China moving past its "zero-Covid" policy and the health of the global economy as critical demand drivers. Our forecast sees 2023 growth of around 650,000 b/d in China and 1.5 million b/d globally.

We continue to see a peak demand level that is below other forecasts, but with demand still growing this decade and defying trajectories aligned with net zero. Our Base Case demand scenario is more of a plateau and gradual decline.

Energy Intelligence Outlook: Global Oil Supply and Demand (million b/d)



Source: Energy Intelligence

Energy Intelligence

Opec-Plus to Target Calmer Market

Producer group will proceed cautiously amid market uncertainties, tense geopolitics

Opec-plus will target a more stable market as it navigates deep uncertainties over Russian supply, Chinese demand and potential recession.

Opec-plus is likely to target a price range around $80-$90 Brent, viewing last year's swings above $100 as too volatile.

Tweaks to the headline 2 million b/d production cut are possible, but the group will tread cautiously:

- Any output increase would require a clear demand pickup or supply disruption (e.g. Russia), and is unlikely to be agreed pre-emptively.
- A bigger cut is possible if deep recession hits demand hard.
- Strong growth by other producers (US, Norway, Brazil etc.) will leave limited space for extra Opec-plus supply.
- Opec-plus' dwindling spare capacity will make Riyadh wary of raising output too quickly.

The Ukraine war will create a delicate geopolitical context:

- Renewed US-Saudi tensions are possible, but would likely require higher prices, lack of Opec-plus response, Russia/Ukraine angle and/or more US stock releases.
- Moscow, needing friends, seems unlikely to rock the Opec-plus boat – but surprises are always possible.

What to Watch:

- Despite fewer meetings, the group will continue to monitor key market variables closely.
- Will Russian production fall as hard as forecast this year?
  - How will Opec-plus navigate the internal and external politics of any major decline?
  - Could Moscow respond to Western sanctions with oil market disruptions?
- Will the US-Saudi truce last or flare again with higher prices?
- Will the UAE renew its push for a higher quota, given accelerated capacity growth?
- Will Opec-plus finally address unrealistic quota baselines, or continue to avoid this sensitive topic?
- How will broader producer-consumer tensions play out, especially around the COP28 climate conference in the UAE?

Energy Intelligence

European Gas Storage Key to Global Pricing Dynamics

New German terminals will support supply growth, but a Chinese LNG demand rebound is key risk

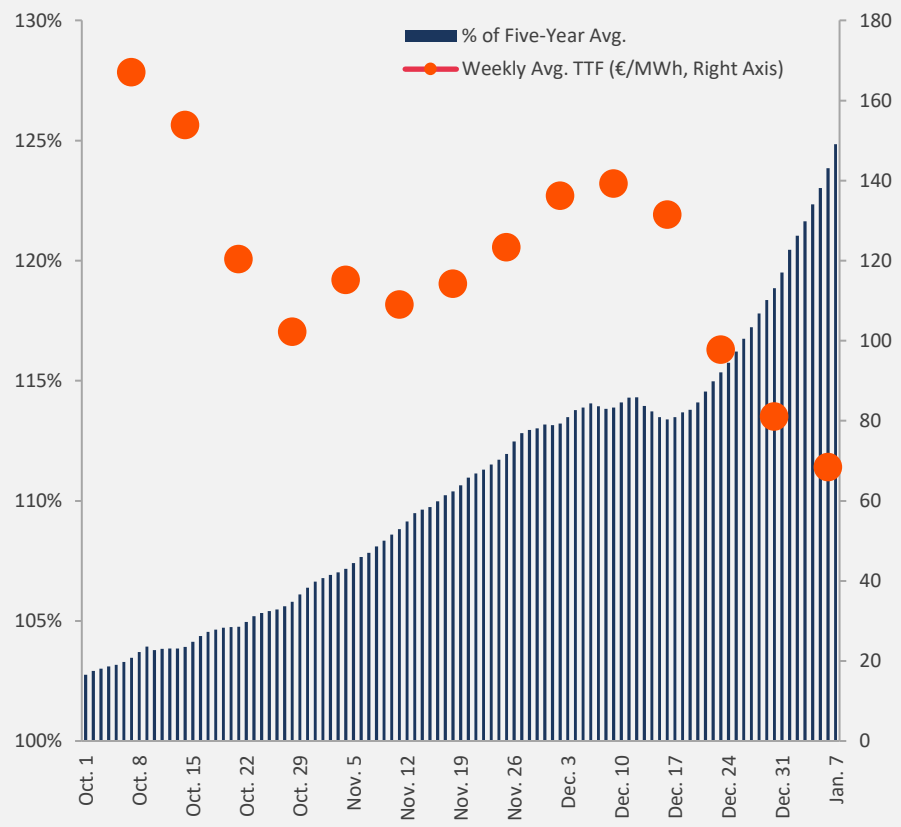
European gas market fundamentals will remain the key global gas price driver in 2023. Gas storage levels ahead of winter 2023/24 are central, but potential for a Chinese demand rebound clouds the outlook.

Europe has coped well so far this winter (see graph). But European gas storage will need to persist above five-year average levels to prevent TTF prices — and LNG spot prices more broadly — from spiking and remaining above $35/MMBtu. Demand will need to remain subdued. Strong LNG imports in Q1'23 would support storage growth.

New German terminals will be a key gateway for European gas supply. Three terminals will start up by the end of Q1'23. While insufficient to replace Nord Stream, they still offer critical gas supply access for inventory support early in the year in the absence of typical Russian gas flows.

A Chinese LNG import rebound remains a key risk. Several demand headwinds will persist in 2023, including higher LNG prices, domestic gas production, pipeline supply and coal use. Still, with EU imports up by 33 million tons and Chinese imports down by 16 million tons in 2022, it will not take much to upend the delicate balance. Furthermore, any persistent European market bearishness will stimulate broader Asian demand.

Europe Gas Storage: Share of Five-Year Avg. vs. TTF



Source: GIE AGSI, CME, Energy Intelligence Gas and LNG Research

Energy Intelligence

Brightening Outlook for LNG Supply

But short-term market tightness will take years to resolve

We see several LNG ventures totaling around 70 million tons per year reaching FID in 2023. This is promising for long-term energy security and lower volatility but will not relieve any near-term market tightness.

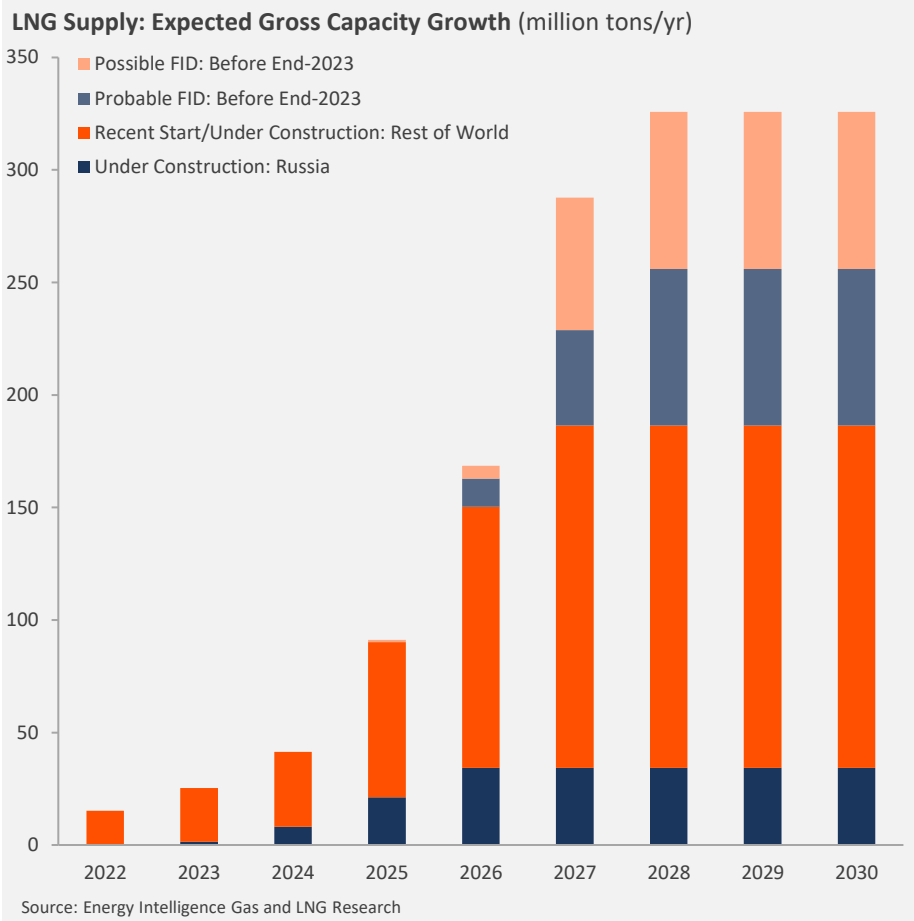
This FID outlook is considerably more optimistic than last year's forecast, partly reflecting long-term foundation supply agreements concluded in 2022. Several other projects advancing commercially could add to this tally.

Current supply tightness will require several years to balance. Roughly 150 million tons/yr already under construction will support a new supply wave around 2025-26.

Flexible LNG will remain essential over the next two years, keeping regional arbitrage risk elevated. Still, this year's FIDs will support a robust late-2020s supply outlook.

Cost inflation headwinds could delay project FIDs. Supply agreement announcements have slowed since peaking in Q2'22 as cost pressures mount. Projects to watch include the US' Port Arthur, which has revised its EPC contract, and Rio Grande, which requires additional supply agreements for an expanded Phase 1.

Still, we do not expect FID delays to meaningfully alter our late-2020s supply outlook. But any growing oversupply expectations could slow sanctioning of less-advanced ventures.



Robust Long-Term LNG Demand Outlook Remains Intact

Near-term demand headwinds should yield to underlying drivers, difficulties with alternatives and lower prices

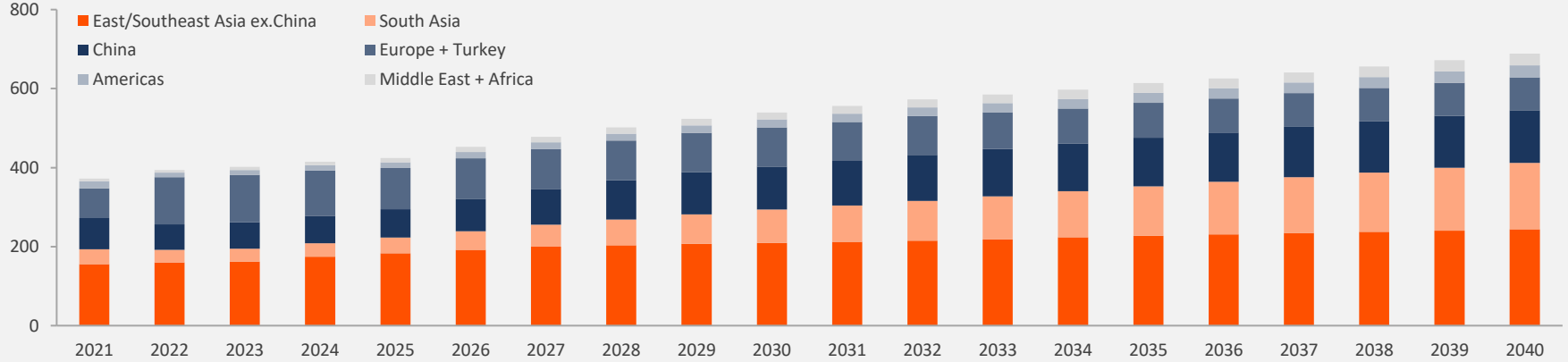
Europe will remain the world's premium LNG market for now. The stronger price environment continues to undermine the case for LNG, but underlying Asian drivers and the longer-term price outlook still support demand growth.

Europe will continue to attract higher LNG supply while prices remain at historically high levels. But the global price environment undermines Asian demand. Eroding imports and higher use of dirtier fuels in the energy crisis have elevated concerns about long-term LNG viability in markets such as China, India and Pakistan.

Still, underlying drivers remain intact. Asian demand will resume its upward long-term trajectory. LNG will be required to offset declining domestic production essential for growing electricity generation and strategic industries. Power sector alternatives will be difficult to implement as coal aversion grows, nuclear newbuild timelines remain long and effective renewables scale-up will be challenging.

The next LNG supply wave mid-decade should bring prices back to more palatable levels, alleviating a key demand headwind. Over the much longer term, softening oil prices could support lower oil-indexed LNG prices as well.

LNG Imports: 2021-40 by Region (million tons)



Source: Energy Intelligence Gas and LNG Research

Energy Intelligence

Capex Outlook: Capturing Market Opportunities, But Discipline Holds

Companies will target mix of fossil-fuel and low-carbon energies in incremental spending

Majors, integrateds, independents and national companies will use improved balance sheets in 2023 to plot ways to meet competing calls for energy security and the energy transition, while preserving capital discipline and strategic objectives.

Decarbonization spending is needed now to meet medium-term (2025-30) goals. Upstream increases are mostly within capex guidance, with emphasis on this-decade volumes.

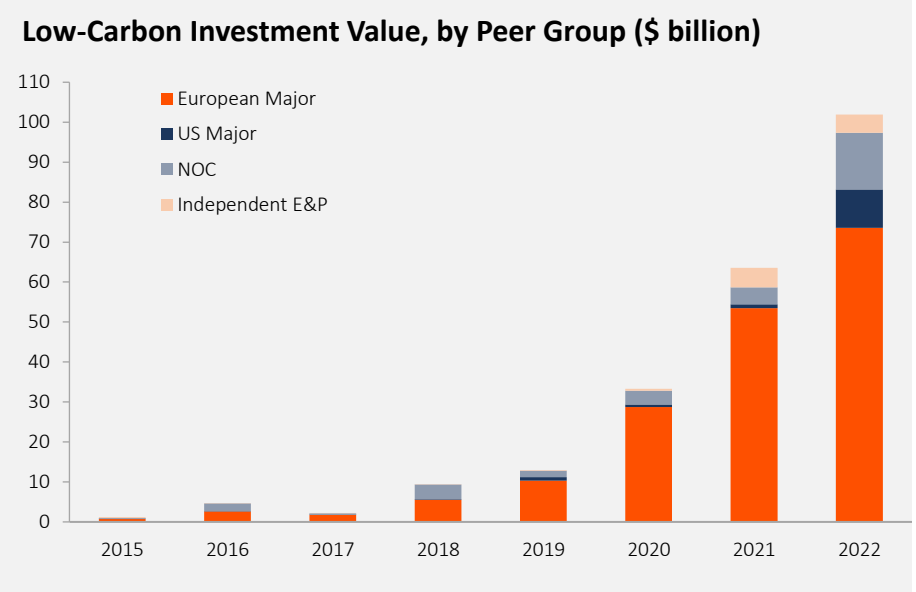
For the European majors — BP, Shell and TotalEnergies — continued shareholder pressures on transition priorities will **limit their flexibility on oil and gas capex**. The companies will keep aggressive transition strategies intact, even if original calls for a retreat from upstream have tempered for now. Continued spending in low-carbon investment areas, such as renewable power generation, is expected.

US majors Chevron and Exxon Mobil have found wider **acceptance of their "fossil fuel and clean energy" strategies**, but must keep a laser-like focus on transition progress. Shareholders accept their medium-term upstream growth plans, but will want to see early-stage low-carbon solutions materialize into viable decarbonization businesses.

Regional integrateds will **prioritize extracting more value from spun-off entities**. Eni, OMV and Repsol are key bellwethers to watch — how successful will stand-alone entities with separate business models be? And how will proceeds from spinoffs/sales be channeled — more transition spending or shareholder returns?

National oil companies are broadly **targeting higher upstream output**, but decarbonization remains a critical addendum to preserve long-term market share.

Independents, still under strict investor scrutiny, could use US policy perks to **advance decarbonization investments**.



Source: Energy Intelligence, Low-Carbon Investment Tracker; Note: * Provisional data only for 2022.

Upstream Growth Targets This-Decade Volumes

Output growth to be muted despite upstream spending boost

Operators are beginning to rebuild production capacity in 2023, given greater certainty over near-term demand and capital flexibility.

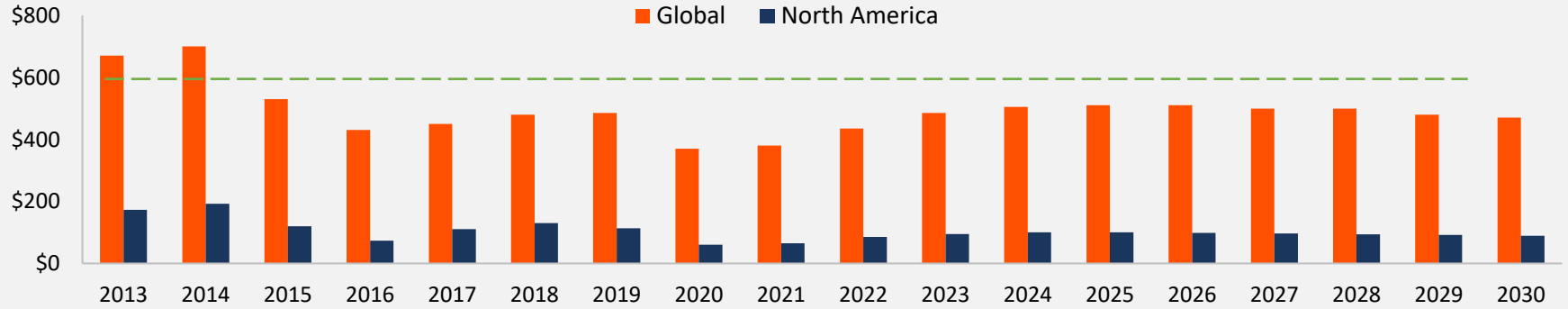
Energy Intelligence forecasts upstream capex will rise by 12% in 2023, to $485 billion. This represents a near-30% recovery from the 2020 trough, but absolute spending remains below pre-downturn levels. The days of $700 billion-plus annual capex, as seen before the 2014-15 price crash, have likely passed for good. Inflation will limit impact of higher spending in 2023, resulting in muted output growth in the US, for example.

Instead, companies are targeting this-decade volumes, with a continued focus on the most "advantaged barrels" — **lower-cost, lower-carbon projects with expedited timelines.**

Strategic investments by Opec heavyweights Saudi Aramco, Adnoc and QatarEnergy will **drive Mideast capacity expansions**, with natural gas becoming an increasingly important part of overall growth.

Large independents, NOCs and Western majors are all **returning to advantaged offshore plays** following years of favoring short-cycle onshore opportunities. Brazil, the Guyana Basin, US Gulf of Mexico, North Sea and select West Africa projects will drive non-Opec growth.

Energy Intelligence, Upstream Spending and Outlook ($ billion)



Source: Company reports, Energy Intelligence forecasts

Energy Intelligence

ESG Momentum Shifts, But Not Sidelined

Financial institutions must reconcile long-term goals with near-term realities

Energy security has broadly displaced environmental, social and governance (ESG) from headlines and tempered demands for more aggressive climate action. But many financial institutions are quietly implementing strategies and energy companies' transition plans remain steady.

The ESG trajectory shifted in the past year. Trans-Atlantic pressures to halt oil and gas financing, along with requirements for aggressive Scope 3 emissions targets, have not advanced as quickly as expected.

- High-profile pullback by US firms such as Vanguard in net-zero coalitions suggests a slowing in ESG momentum.
- Activist shareholder campaigns on companies have eased, allowing some firms to fund medium-term oil and gas growth.

But European financial institutions are maturing long-term net-zero objectives. New commitments by Credit Agricole and HSBC to roll back sector financing underscore this broader trend. We expect more financial firms to roll out similar initiatives in 2023.

In the US, discordant state-level policies will continue to challenge the codification and coordination of climate risk policies. Political initiatives targeting ESG-forward firms are intended to break momentum toward net-zero actions from financial institutions, as with Texas' anti-boycott laws.

Energy companies remain committed to the transition, but face less pressure to step up strategies. Recent corporate strategy updates by majors, for example, have cemented decarbonization commitments. But strategies that combine traditional energy growth this decade with decarbonization of operational emissions appear to have wider acceptance.

What to Watch:

- **More industry coalition exits** — will more financial institutions leave net-zero initiatives, especially in the US?
- **Upcoming shareholder meetings** — will investors show renewed appetite for more aggressive transition strategies or accept the status quo?
- **New US SEC disclosure rules** — will the regulatory agency finalize and successfully implement a new rule requiring oil and natural gas companies to detail Scope 1, 2 and 3 GHG emissions before 2024?
- **Financial institutions' strategies** — as more banks and funds advance climate plans, how far and quickly will they go on oil and gas restrictions?

Energy Intelligence

Mideast Risks Raised by Iran Nuclear Impasse

The Middle East could provide more volatility in crowded global agenda

Tensions are rising throughout the region as Iran nuclear talks stall, domestic challenges emerge in Iran, Iraq and elsewhere, and Israel moves toward a more hawkish stance.

The stalling of nuclear talks with Iran threatens a new cycle of regional escalation (see box).

New threats to regional political stability have also emerged. In Iran, protests in late 2022 increased tensions in ethnic minority areas and, if sustained, could drive a more assertive foreign policy stance.

In Iraq, Tehran and resurgent Islamic State could undermine political and security progress. Perennial hotspots Libya and Yemen remain areas to watch.

Israel is likely to seek greater cooperation with Arab states, but the hard-line slant of its new government has potential to upset regional balance.

What to Watch:

- How far will Israel and other regional players go to limit progress in Iran's nuclear program?
- Will Iran or proxies in Iraq, Yemen and elsewhere respond with attacks on energy infrastructure and shipping?
- Can Iraq's new government end gridlock in the energy sector and keep competing political factions in check?
- Will Libya's rival factions make progress toward reconciliation? Will more oil blockades occur along the way?
- Will US-Saudi relations stay stable, or flare again over energy prices, regional security threats?

Prospects for Gulf Escalation

- The Mideast Gulf region is moving into a post-JCPOA environment as extended talks on a revival appear dead for now. Iran's crackdown on domestic protests and military support of Russia reduce prospects of any breakthrough.
- Israel will not stand by as Iran's nuclear program advances, with clandestine action most likely. Tehran's response to any such incidents represents a key flash point.
- Iranian nuclear progress would add further strains to relations between the US and regional states, which are being increasingly questioned.
- Any renewed strikes by Iran or proxies on Israel, Gulf states or regional shipping would intensify these strains. The possibility of attacks on infrastructure is a major risk for Saudi Arabia and the UAE.
- Yet we see limits to US willingness to engage, beyond defensive aid like Patriots. Washington does not want open conflict in the region. Sanctions cannot be increased much more, given expansive measures already in place.

Energy Intelligence

Asia Tensions Mount Over Taiwan

Ukraine crisis is forcing fundamental shifts in the regional security dynamic

We see heightened risks in Asia centered on China's macroeconomic health and approach to Taiwan, and other regional players' increased military spending and deeper alliances.

The Ukraine war will make China more cautious near term, reinforcing the need to be prepared economically and militarily before moving against Taiwan. Trade disruptions, such as sanctions and the cutoff of European gas, affirm the need to secure access to energy and other key goods.

But Beijing may be less cautious and consensus-driven over the longer term given Xi Jinping's concentration of power. Taking a harder line against Taiwan and the US would appeal to nationalists and distract critics if discontent over the economy and Covid-19 mounts.

For others in Asia, the Ukraine war underscores that threats of a conflict with China are real. We see a new regional arms race looming as Japan makes a major shift in military posture and it and others ramp up spending to counter China's long military buildup. We expect increased cooperation in alliances such as Aukus and Quad and arms deals.

What to Watch:

- Will the US and China tone down rhetoric and work together on the few areas where progress is possible like climate change?
- Will Russia and China be pushed closer together on energy, economic, strategic cooperation?
- How will China respond to the military buildup and security ties of regional rivals?

Other Risks to Watch

- We are keeping an eye on a host of geopolitical risks beyond Russia, China and the Middle East.
- Russia's influence abroad could slip as the war in Ukraine drags on and its diplomatic isolation grows.
- Moscow may no longer be the main interlocutor and peacekeeper in the Nagorno-Karabakh conflict, dramatically raising the risks of renewed fighting between Armenia and Azerbaijan.
- In Central Asia, we see the likes of Kazakhstan and Turkmenistan distancing themselves from Moscow, although there are limits to how far they can go.
- In Latin America, further Venezuelan sanctions relief will be tied to progress in political talks. Regional instability will be elevated as the global macroeconomic outlook stalls.
- Security will be the main risk concern in Africa — from oil theft in Nigeria to Islamist insurgencies in Mozambique and the Sahel.

Energy Intelligence

02

- Energy Intelligence 2023 Outlook
- Energy Intelligence 2023 Survey Results

Energy Intelligence

Results From 2023 Outlook Survey

Geopolitics will remain the big force in energy markets

Energy Intelligence conducted its annual survey of energy industry sentiment in December 2022, using the Energy Intelligence website and social media to gather insights from our clients and market participants.

Key findings include:

- **Geopolitics around the Ukraine war and broader macroeconomic concerns will continue to drive volatile oil and gas markets this year. But the climate issue will also shape the political agenda.** Governments and companies will need to reconcile short-term oil and gas supply needs with long-term low-carbon objectives.
- **Energy security is the top-of-mind issue for survey respondents this year.** This ranks ahead of energy affordability and energy decarbonization.
- **Oil prices will end the year around $80-$90 per barrel.** This view reflects the ongoing mismatch between supply and demand drivers, with price volatility a key concern.
- **A lack of upstream investment continues to drive the medium-term outlook,** alongside an expected ongoing industry focus on capital discipline.
- **Hydrogen, followed closely by CCS, is considered the top technology to watch,** aligning with our tracking of industry investments.
- **Survey respondents see a range of geopolitically driven "black swans,"** but may be underappreciating the risks posed by transition-related events and pressures.

Survey results were compiled anonymously through SurveyMonkey and will be used to shape the agenda of the 2023 Energy Intelligence Forum, to be hosted by Energy Intelligence in London.

2023 Outlook Survey: Critical Questions Posed

Which energy priority will take precedence in 2023?

How will the Ukraine crisis most affect the future of energy?

What will the oil price be on Dec. 31, 2023 (Brent $/bbl)?

Which factors will most influence oil prices in 2023?

What are the biggest risks for medium-term oil markets?

What will oil and gas companies prioritize in 2023?

Which technologies are the ones to watch in 2023?

Which trends should energy companies be watching the most in 2023?

Which factors will be most critical to managing global gas and LNG markets in 2023?

What will be the biggest geopolitical issue in 2023?

Which "black swan" event should be on the industry's radar for 2023?

Energy Intelligence

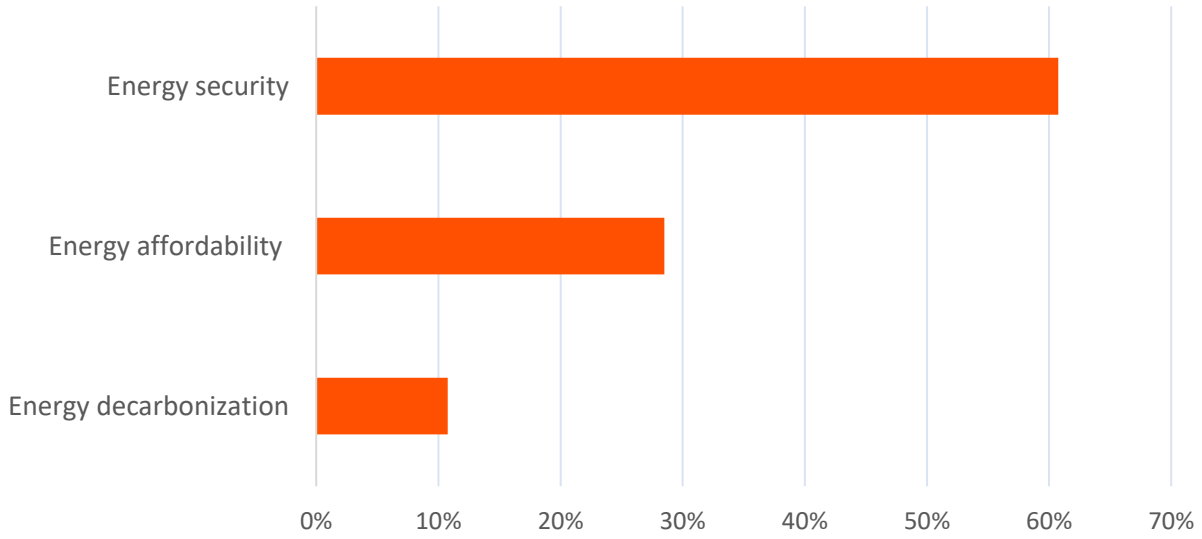
Energy Security Is Top-of-Mind Industry Concern

Security of supply trumps climate as an industry priority

2023 Outlook Survey

01
Which energy priority will take precedence in 2023?

(respondents select one)



Energy Intelligence View

- Survey participants believe energy security will be the clear industry priority in 2023, outpacing energy decarbonization and even affordability issues.
- Europe's energy system will face the greatest shocks, as it continues to slash its dependence on Russian energy and reorder its energy mix. This will have global repercussions for energy supplies and prices. The crisis is also shaking up other hotspots that could impact flows.
- Energy Intelligence does not believe the crisis will derail decarbonization. Rather, energy security challenges will underscore the transition's untidy trajectory (uneven pace, regional differences).

Energy Intelligence

Ukraine Crisis Will Radically Change Energy Systems

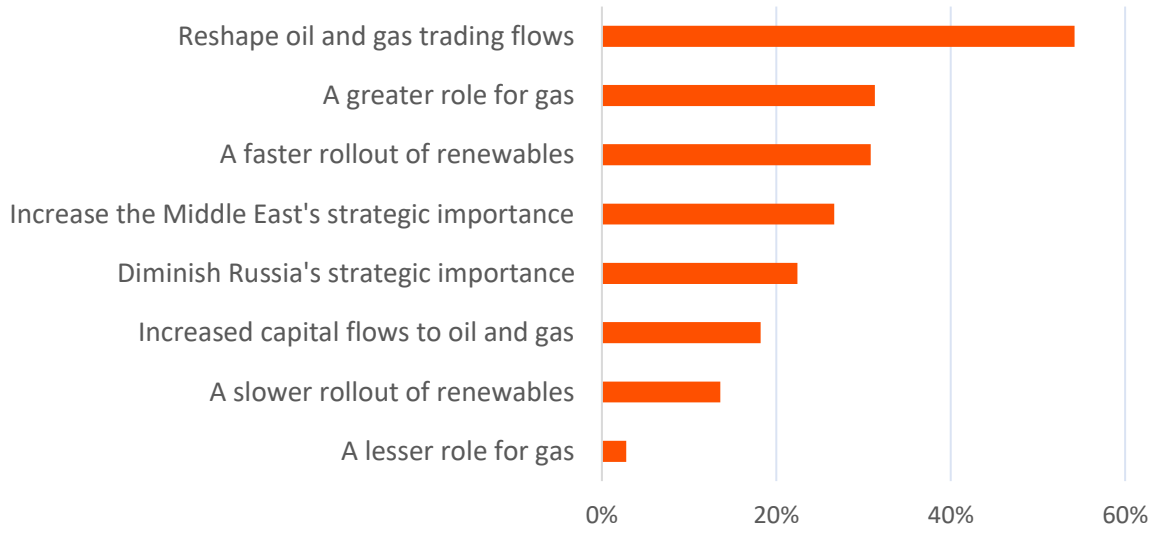
Respondents see new trade flows, greater role for renewables and natural gas

2023 Outlook Survey

02

How will the Ukraine crisis most affect the future of energy?

(respondents select top two)



Energy Intelligence View

- Respondents see major shifts in oil and gas trade flows as the Ukraine crisis extends into its second year. Secondary implications are a greater role for natural gas and renewables as Europe manages immediate energy security and longer-term energy mix requirements. Respondents see the crisis raising the Middle East's strategic importance.
- Energy Intelligence sees a fundamental reconfiguration of global oil flows consolidating in 2023 as EU embargoes take effect. Europe, meanwhile, has made good progress on Russian gas substitution and will now push its renewables build-out.

Energy Intelligence

Industry Anticipates $80-$90/bbl Oil Price

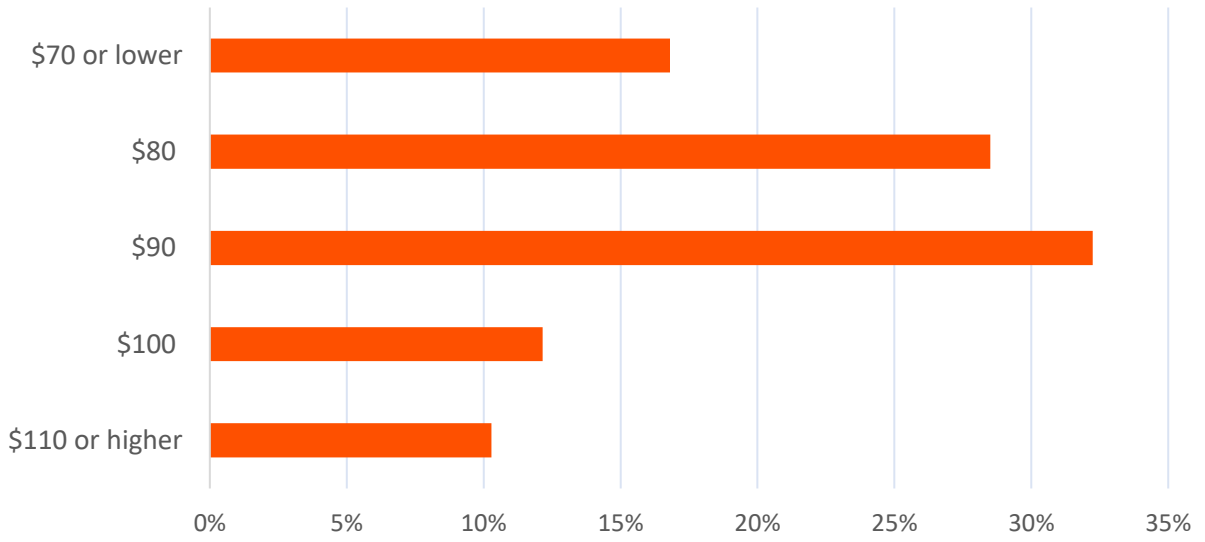
Survey respondents are generally bullish about 2023 prices

2023 Outlook Survey

03

What will be the price of oil on Dec. 31, 2023 (Brent $/bbl)?

(respondents select one)



Energy Intelligence View

- The majority of participants expect oil prices to be around $80-$90/bbl at year's end. The $70 or lower range was also popular as recession fears loom. Few expect extremes above $100.
- Energy Intelligence is generally aligned with the survey consensus, and sees Brent averaging close to $95 this year, with potential spikes into the $100s. We see Opec-plus as comfortable with $80-$90, viewing last year's swings as too volatile.

Energy Intelligence

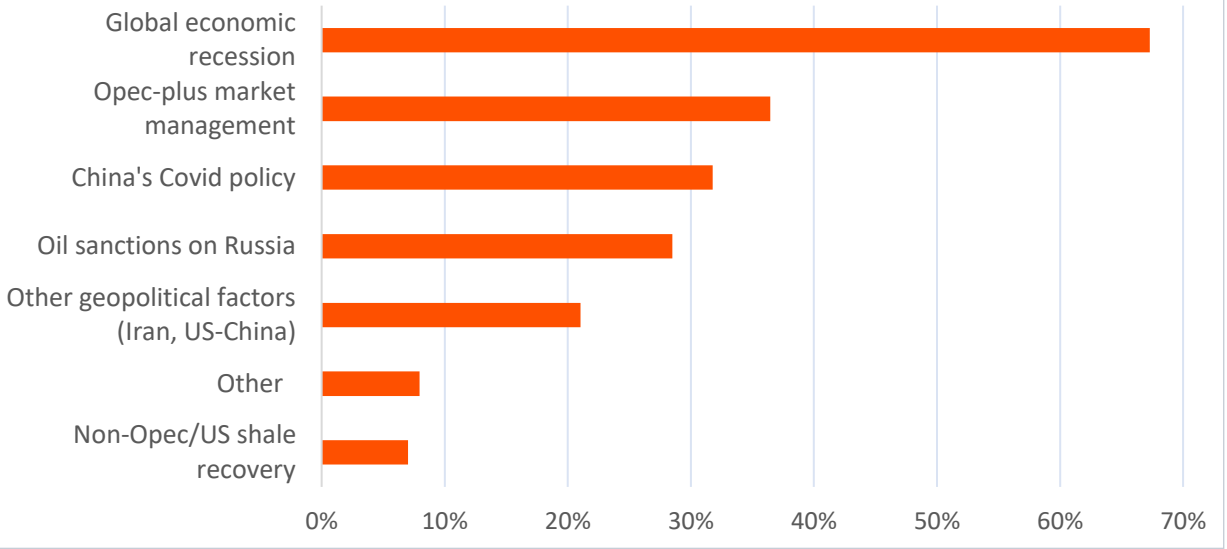
Global Economic Recession Leads Price Formation

Despite bullish price expectations, survey respondents see critical demand downsides

2023 Outlook Survey

04
Which factors will most influence oil prices in 2023?

(respondents select top two)



Energy Intelligence View

- Survey participants overwhelmingly believe a global economic recession will have the greatest impact on near-term prices. Secondary drivers show a mix between bullish and bearish factors, underscoring the market uncertainty and volatility expected in 2023.
- Energy Intelligence sees oil demand hitting a new peak this year, despite global economic softness. China's Covid-19 policy is a critical variable.

Energy Intelligence

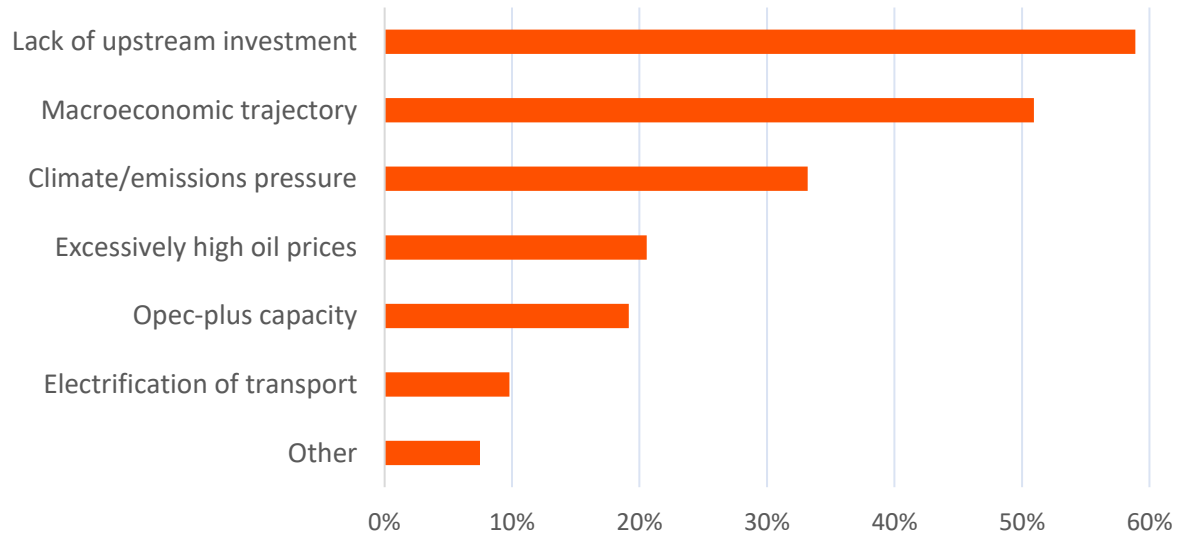
Upstream Investment Will Drive Medium-Term Oil Outlook

We see longer-term market constrained by lack of investment and undersupply

2023 Outlook Survey

05
What are the biggest risks for medium-term oil markets?

(respondents select top two)



Energy Intelligence View

- Last year, upstream investment and climate pressures were broadly matched as medium-term oil market drivers. In 2023, the upstream has a clear lead, with the economy moving into second place. There were also several write-in votes for "geopolitics."
- Our global upstream capex model suggests a 12% rise in spending this year, to $485 billion. This marks a near-30% recovery from the 2020 trough, but absolute spending remains below pre-downturn levels. The recovery is weighted toward natural gas, and primarily led by Opec producers.

Energy Intelligence

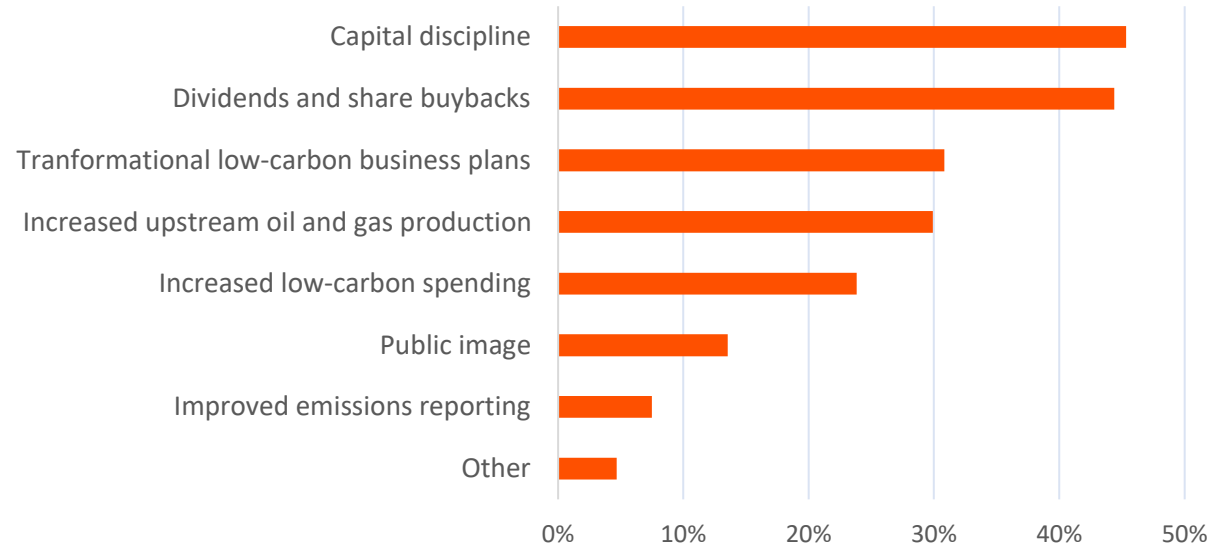
Capital Discipline Remains the Industry Mandate

Shareholder demands for discipline and dividends are key corporate priorities for 2023

2023 Outlook Survey

06
What will oil and gas companies prioritize in 2023?

(respondents select top two)



Energy Intelligence View

- Despite improved balance sheets from higher energy prices, the industry remains firmly in capital discipline mode. The majority of survey respondents expect cautious industry spending this year, along with greater attention to shareholder payouts.
- The allocation of capital between traditional and low-carbon energies remains in play. We see incremental upstream spending largely focused on this-decade volumes. Low-carbon capex will increase to meet medium-term decarbonization goals.

Energy Intelligence

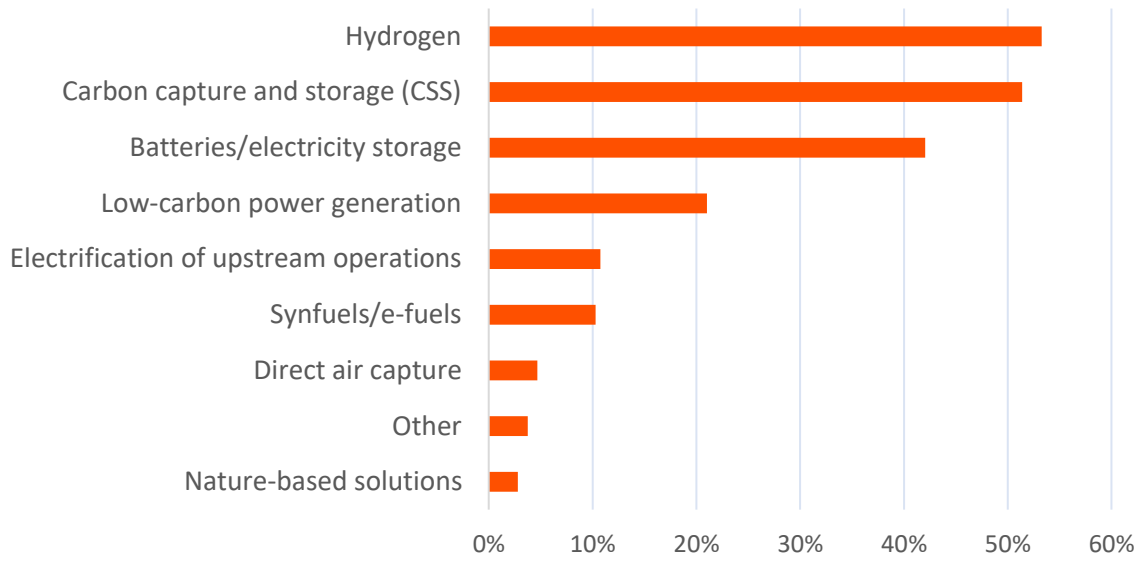
Industry Favors Hydrogen and CCS, Once Again

We expect ongoing industry interest, but policy and costs will be key determinants

2023 Outlook Survey

07
Which technologies are the ones to watch in 2023?

(respondents select top two)



Energy Intelligence View

- For the third year in a row, hydrogen and CCS topped our survey results for the key technologies to watch. Batteries/electric storage rose in interest this year, while direct air capture remained a niche interest.
- Energy Intelligence has tracked higher levels of industry investment in CCS and hydrogen in the past year, as both align strongly with core oil and gas capabilities. Our modeling indicates that hydrogen production costs could fall sharply by 2030, but questions persist on infrastructure and demand. CCS potential remains unfulfilled, with costs still a significant factor.

Energy Intelligence

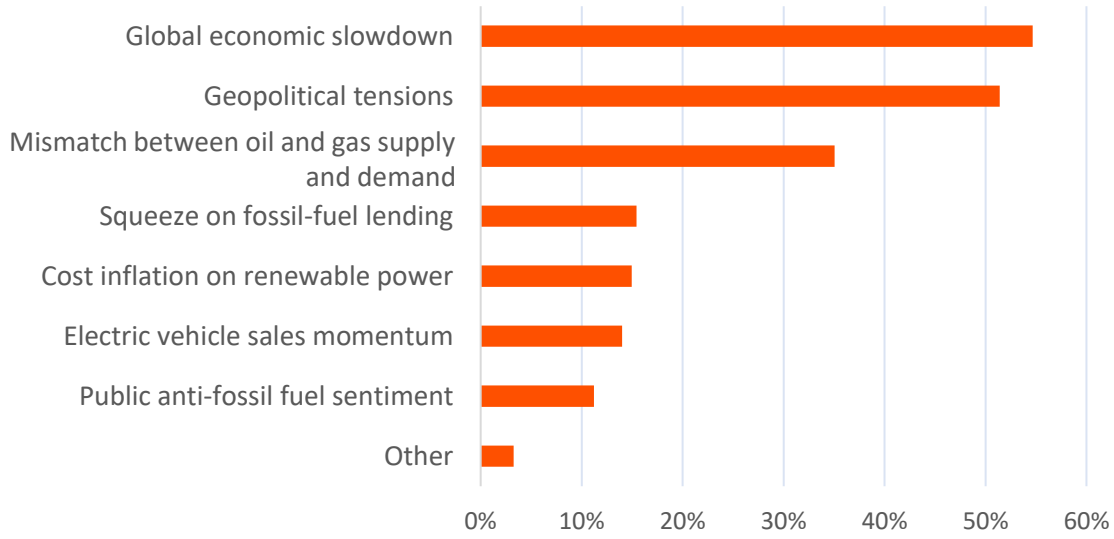
Economy, Geopolitics Keep Industry Up at Night

Respondents see less impact from transition-related issues in 2023

2023 Outlook Survey

08
Which trends should energy companies be watching most in 2023?

(respondents select top two)



Energy Intelligence View

- In a consistent trend across the survey, respondents see the macroeconomic environment and geopolitical tensions as the most worrying elements for energy markets in 2023, followed by a mismatch between supply and demand.
- Energy Intelligence sees geopolitics remaining the big force in markets this year, with major impacts on oil and gas trade and international relationships. The economy is a major downside risk. We see the energy transition maintaining its momentum through strong technology and policy drivers.

Energy Intelligence

Europe's Grab Most Critical Driver for Global Gas Markets

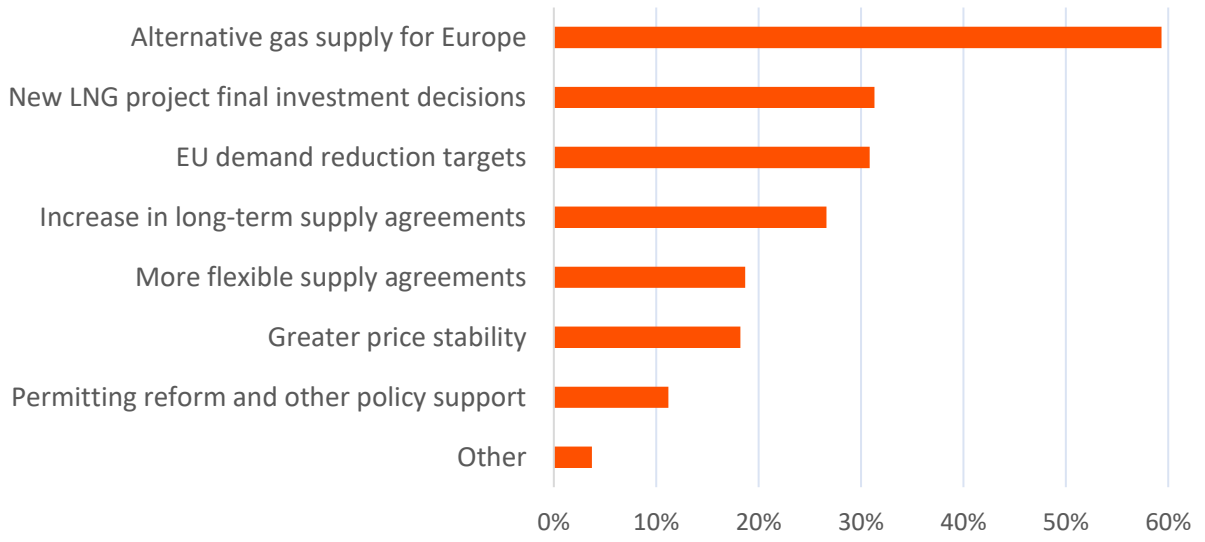
Despite near-term market volatility, we see long-term demand growth for LNG

2023 Outlook Survey

09

Which factors will be most critical to managing global gas and LNG markets in 2023?

(respondents select top two)



Energy Intelligence View

- Respondents see the near-term task of sourcing alternative supply for Europe as the critical driver of gas and LNG markets in 2023. High prices could see further direct government intervention. All eyes are on European storage cushions for near-term price direction.
- Energy Intelligence sees long-term LNG demand surviving the near-term disruptions. Our 2040 LNG supply-demand forecast sees LNG demand growing by 4.2% per year this decade and 2.4% in 2031-40, for an average of 3.3% annually.

Energy Intelligence

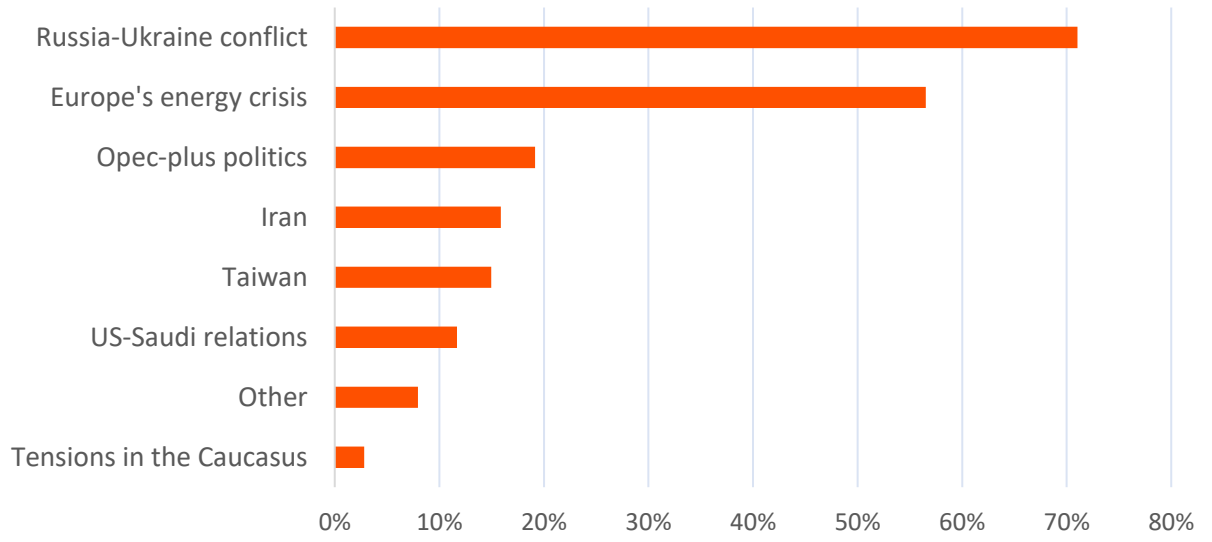
Ukraine, Europe Seen as Top Geopolitical Risks

Ongoing conflict will impact energy on many fronts

2023 Outlook Survey

10
What will be the biggest geopolitical issues in 2023?

(respondents select top two)



Energy Intelligence View

- A more assertive Russia was on our survey radar last year, but US-China relations comfortably topped the poll. Unsurprisingly, the Ukraine conflict takes the top risk spot this year. Respondents also see Europe's related energy crisis as a key issue.
- We expect Russia and the West to continue using energy as a weapon in the Ukraine conflict. Also on our radar are threats of "hybrid" warfare affecting Europe's energy infrastructure; the conflict's impact on other hotspots like Iran, Taiwan and the Caucasus; and shifts in broader alignments involving Russia, China, India and the Mideast Gulf.

Energy Intelligence

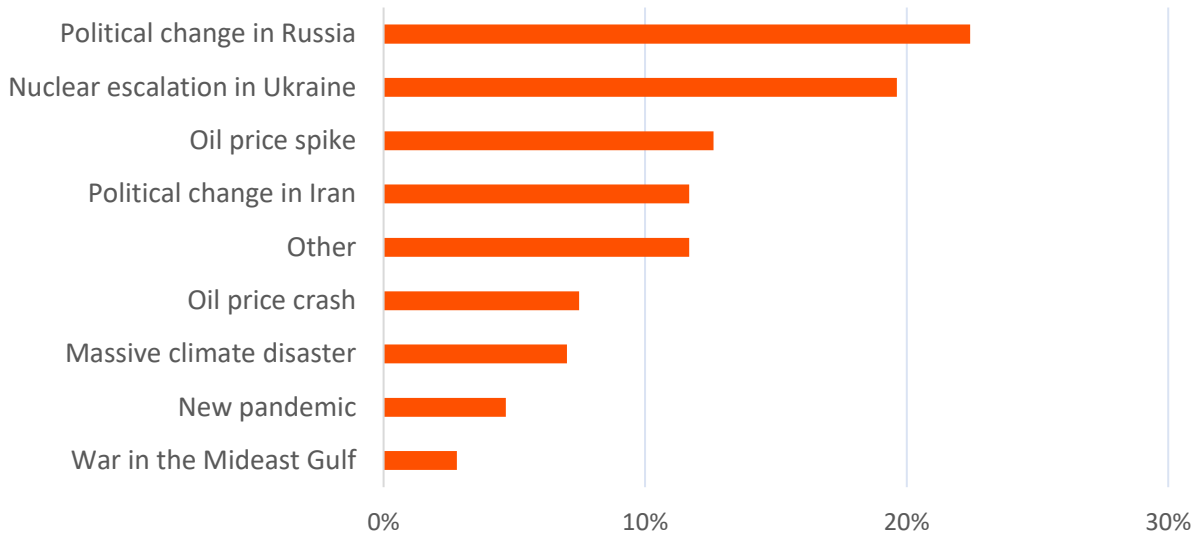
The Industry Is Watching for More 'Black Swan' Events

Energy transition-related events are an underappreciated risk, in our view

2023 Outlook Survey

11
Which "black swan" event should be on the industry's radar for 2023?

(respondents select one)



Energy Intelligence View

- In a new question in this year's survey, respondents chose a range of "black swan" events to watch in 2023. Votes were broadly spread, with a change in Russian leadership and nuclear escalation in Ukraine at the top of the list. "Other" write-in options included a conflict between China-Taiwan and the return of former US President Donald Trump.
- Security is back firmly at the center of the radar. But with so many geopolitical events to monitor, other risks could be underappreciated. As climate impacts materialize earlier than anticipated, those pressures could intensify in coming years.

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Appendix

- About Energy Intelligence

Energy Intelligence

About Energy Intelligence

Your essential guide to navigate the changing world of energy

Energy Intelligence is the leading energy information company, helping clients to navigate the changing world of energy with expert news, analysis, research, data and advisory services.

We are a critical partner for the biggest players in the energy industry because of our core expertise in oil markets, LNG, geopolitics, competitive intelligence and the energy transition. At our annual **Energy Intelligence Forum**, we bring together the world's energy leaders to debate and shape sustainable solutions to the energy challenges of the 21st century.

The Energy Intelligence Difference:

- **NEAR-TERM MARKET INSIGHTS**
  We focus on the issues driving markets today, with actionable insights in the zero to five-year window. If it moves the needle, it's covered by Energy Intelligence.
- **ACCESS TO PRIMARY SOURCES**
  Energy Intelligence talks to decision-makers: ministers, CEOs, owners and operators. We are the best in the business at providing the inside track to the global energy business.
- **ENERGY EXPERTS WITH EXPERIENCE**
  Information "by experts, for experts." Our award-winning journalists, editors and analysts break the most important energy stories and correctly predict trends that others miss.
- **INDEPENDENT, OBJECTIVE AND TRUSTED**
  Our standards are recognized at the highest levels and used widely.

With a history dating back to 1951 and our team of award-winning experts, we help our clients navigate today's obstacles and take advantage of tomorrow's opportunities.

Learn more about the Energy Intelligence difference at energyintel.com and energyintelligenceforum.com

Energy Intelligence

What We Do

Access more of Energy Intelligence's insights and expertise through our core services

Understand the pace and trajectory of the low-carbon energy transition, and how it is impacting the oil and gas industry's investment decisions.

At a time of accelerating change, our holistic coverage of the energy transition delivers the actionable insights you need to formulate and implement your low-carbon strategy.

Keep track of the factors that are forming today's oil price, and the drivers of supply and demand, with our inside view on global oil markets.

Our near-term market-oriented focus allows our analysis to respond nimbly to market changes, so we can deliver fundamentals data and insights that are more closely aligned with market realities.

Understand how the gas and LNG landscape will evolve in a changing energy market, using our robust market outlooks, independent assessments and access to our experts.

Our holistic view of gas and LNG market movements places developments within the broader energy industry context, providing the perspective you need to understand increased market liquidity.

Monitor the intersection between geopolitics and energy, to help you make better decisions and diversify your portfolio.

Our integrated assessments of the country, geopolitical and energy transition risks for the energy industry give you the actionable insights you need to formulate and execute your investment strategies.

Benchmark your position against peers, competitors and partners and manage shareholder expectations.

Our systematic coverage of corporate strategies places developments within the broader industry context, giving you an unbiased perspective and the clarity to make confident investment decisions.

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Beirut, Lebanon
Tel: +961 3 301 278

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NAVIGATE YOUR ENERGY WORLD

Full Name (First and Last): Diana Canzoneri
Name of Organization or Community: City of Seattle
City and State: Seattle
Comment: With this form, I am submitting in writing the comments I provided on behalf of the City of Seattle at the White House Environmental Justice Advisory Council Public Meeting on March 1, 2023. The email I received from Karen L. Martin of EPA's Office of Environmental Justice and External Civil Rights, upon registering to provide public comment at the March 1 WHEJAC meeting indicated that associated "written comments can be submitted through March 29, 2023." Thank you. The City of Seattle has been reviewing the CEJST and its potential implications for Seattle in conjunction with epidemiologists in our state Department of Health. We recently had the opportunity to meet with staff in the CEQ about the CEJST and voiced appreciation as well as several concerns. We'd like to share those with the WHEJAC. We applaud the focus on equity in the CEJST and we appreciate the recent addition to the CEJST of redlining-related historic underinvestment. This is an important improvement in the methodology for qualifying a neighborhood as disadvantaged. Here are three of our key concerns and recommendations. 1) Cumulative impacts need to be better accounted for in the CEJST. Neighborhoods that score just slightly below the qualifying thresholds on multiple indicators are not identified as disadvantaged even though the combined impacts they experience may exceed the combined impacts experienced by neighborhoods meeting CEJST thresholds. For example, we are concerned that several neighborhoods in and around our Duwamish River Valley are not identified as disadvantaged in the CEJST. 2) Currently, the CEJST does not account for cost of living in the socio-economic burden thresholds that neighborhoods must additionally meet to be considered disadvantaged in each of the CEJST categories. For example, by using a threshold tied to the federal poverty level, which does not vary by regional cost of living, CEJST gives polluted areas in high-cost regions less of a chance to be identified as disadvantaged in comparison with polluted neighborhoods in less expensive regions. We recommend factoring in cost of living to create a more level playing field for these communities. 3) CEJST currently leaves out quite a few neighborhoods that research- and community-vetted local and state tools have identified as highly impacted and overburdened. We are requesting that a waiver program be explored to allow the use of locally- and state- developed maps for targeting Justice 40 funding.

Full Name (First and Last): Elvis Zornic
Name of Organization or Community: White House Public Laison Person Ministry Justice US
City and State: New York

Comment: Project of public works due to climate changes and occurrence of hurricanes, typhoons, earthquakes, floods, fires, snowstorms, etc. it is necessary to carry out public renovation works, this implies the removal of old buildings that can cause crisis situations and the introduction of higher standards in civil engineering, also in the sector of energy and renewable energy sources, and the method of open investments in infrastructural mega projects of energy, renewable sources.

This includes business privileges and tax exemption for 5 years for mega energy projects of energy production, gas and oil network projects, tax exemption for 3 years for mega projects, mega projects for the improvement of riverbanks, lakes, riverbanks and moorings for ships and ports for the transport of goods exempt tax for 2 years.

These government reliefs should encourage small and medium-sized businesses that participate in these projects as subcontractors of projects indirectly and through existing programs of infrastructure reorganization of public facilities and private facilities for safe housing and safety from possible disasters.

Therefore, the Government should give a Check Card worth $200 Dollars for the purpose of repairs in the entire territory of the United States, every household as well as a public object a check card worth $400 Dollars to start small infrastructure works by independent craftsmen and family businesses.
Thank Very Mach

Full Name (First and Last): Hannah Reid
Name of Organization or Community: Evergreen Action
City and State: Washington, DC
Comment: Hello, thank you so much for the opportunity to offer comments at today's meeting. My name is Hannah Reid and I am the outreach coordinator for Evergreen Action. We are a small non-profit dedicated to tackling the climate crisis. As everyone here knows, climate change disproportionately affects disadvantaged communities. And this administration has made it clear that addressing that harm is a top priority. As such, I am here today to share a few simple things the Biden administration can do to address that harm. The first is to reject the willow permit. The Arctic is warming 4x faster than the rest of the world, and the proposed willow project would make this so much worse. The current plan is the biggest oil project currently proposed on federal land and involves industrial chillers to refreeze the melting permafrost, hundreds of miles of pipelines, 5 drilling sites, a gravel mine, 250 oil wells, and an airstrip in the already incredibly fragile western alaskan ecosystem. If this plan goes forward, it could pump 287 million metric tons of climate pollution into the atmosphere. Hundreds of thousands of people have already called for president Biden to reject this permit, and in doing so, he can show that he is serious about his commitment to tackle climate change and its disproportionate affect of disadvantaged communities. Second, the Biden Administration and EPA must use their Clean Air Act authority to set strong pollution standards. Last week I provided public comments at the national ambient air quality standards hearing, but I want to reiterate here that the EPA must propose a soot standard of no more than 8 micrograms per cubic meter, the level in line with the best available science. EPA's independent scientific advisory panel found clear and consistent evidence that PM is harmful down to at least 8 micrograms per cubic meter, so anything less than that would be unacceptable. Finally, the Biden administration and EPA must issue strong standards for not only existing coal plants, but new and existing natural gas plants as well. If it does not, they will leave more than half the potential pollution reductions on the table. And they must do this by this spring, as they are saying they will, or risk having the rules rescinded under the congressional review act. Cleaning up U.S. electricity is foundational to fighting climate change. Not only is the power sector directly responsible for 25 percent of U.S. greenhouse gas emissions, but achieving clean power is key to decarbonizing the other most polluting sectors of our economy. I am delivering these comments from a place of privilege. I have been fortunate enough to grow up in a community far from power plants. I don't have a medical condition that makes me more vulnerable to the effects of pollution. I have the resources to recover if I were to be a victim of a climate disaster. I am very very lucky. But I shouldn't be relying on luck to keep me safe. I shouldn't be safe just because I was born in the right place to parents who ensured I always had access to good healthcare, clean air, and safe drinking water. I should be safe because we should all be safe. I should be safe because the leaders in my country are doing everything they can to protect me and others. I am no more deserving of safety than the people currently dying in this country because of climate change. In one of the richest, most technologically advanced countries in the world, no one should be dying of climate change. And they don't have to. We can and should protect them.
Thank you for listening and I look forward to seeing how you all go about protecting these people who are so deserving of your protection and care.

Full Name (First and Last): Hope OShaughnessy
Name of Organization or Community: Northeast CT
City and State: Hadley, MA
Written Comment Related to: Adverse health impacts from a changing climate disproportionally affects disadvantaged communities. What are the policies or programs that can address adverse health impacts before, during, and after extreme climate events?

Dear WHEJAC:

I appreciate the opportunity to offer comments. I was recently involved in a years long process during which a local landfill company was proposing to a town in northeast CT to double the size of the landfill from 60 to 120 acres. In the process, they will be destroying 5 acres of wetlands as well as a half mile of linear stream. There was an activist movement to fight against the expansion, but ultimately it was approved. The town is only several thousand people and considered an EJ community. The concerned residents who didn't want to see the expansion go through had a formidable opponent in the landfill company that had much legal and financial resources at their disposal, which including a mailed marketing campaign. I believe the federal government must provide on the ground technical assistance to towns such as this one in the early stages of the landfill application process. I remember one of my most successful wins for the activists was when the Inland/Wetland Commission rejected one of the initial landfill company's application due to water concerns. I think they were grappling (as volunteers to the commission) with the onerous responsibility they had before them. They would have benefitted from technical assistance from experts from the federal government that would have guided them. I think this was a great loss to have the USACE approve this expansion of the landfill and our processes for handling these applications are not up to date with the ongoing climate change events we are facing.
Sincerely, Hope O'Shaughnessy

Dear Mr. Williams and Texas Transportation Commission:

Re: FM 2864 and County Road 120 Project and Presentation to TxDOT Commissioners

This is our official response letter to your letter dated October 19, 2022 regarding a personal presentation to TxDOT Commissioners regarding the FM 2864 and County Road 120 in Nacogdoches County. Yes, Lance Simmons, TxDOT Chief Engineer has visited and walked the sight with us. I am sure Lance has reported back to you from our last meeting in December, 2022 regarding his team findings report and our (J&R) agreed next steps should be taken. As Black landowners, we continue to have this negative and costly impact daily as a direct result of actions taken by TxDOT. Funding from the Federal and the State of Texas (Proposition 2 voted on by the citizens of Texas) should be more than enough to design this project as a model project in rural Texas that can be a model across Rural America. Look forward to hearing from you and Lance in the very near future. Again, as stated previously, "To do nothing is not an option with taxpayers dollars". sincerely, Igalious Mills

Rural America will receive billions in funding for all types of infrastructure projects in 2023

Dec 30th 2022 | Posted in Mary Scott Nabers' Insights, Opportunities by Mary Scott Nabers

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Photo courtesy of the city of Plaquemine, Louisiana.

America's rural regions have never been as high a funding priority as the country's urban areas. That's understandable considering the population delta. However, that scenario is changing somewhat. Recent federal funding programs are reversing decades of neglect in America's rural regions… especially when it comes to infrastructure repair.

The Infrastructure Investment and Jobs Act (IIJA), Inflation Reduction Act (IRA) and the American Rescue Plan Act (ARPA) allocated billions in funding for rural America. The programs all have different qualifications but funding for non-urbanized areas is designated for much needed improvements to water infrastructure, high-speed internet, transportation, and other public infrastructure assets.

At the federal level, the US Department of Agriculture (USDA) and the Department of Transportation (USDOT) are overseeing some of the largest rural funding programs. Over the last year, alone, these agencies have earmarked billions of dollars for rural projects of varying scope.

USDA funding is available for utilities, internet access and other aspects of life in rural areas. Federal money distributed through USDOT is earmarked for mobility projects. In 2023, there

will be an abundance of mobility contracting opportunities in parts of the country that fall into the non-urbanized category.

On Dec. 16, the USDA's Rural Development office announced an investment of $102 million for 263 water infrastructure projects benefiting rural communities in 47 states. While the individual projects may be considered small, many are expected to be consolidated.

Another $300 million in funding will be available for rural utilities through the Rural Energy for America Program in 2023. Projects related to clean and reliable drinking water systems, sanitary sewage disposal, solid waste disposal plants and storm water drainage are all eligible for funding.

A $19 million project in Montpelier, Vt. is scheduled for a 2023 launch. The objective will be to upgrade and expand sewer and stormwater infrastructure. The city is in the planning/design stage for a project that will be finalized soon. The project may include a waste-drying system that uses biogas to convert waste into a recycled product. The city also plans to use some of the funding for an investment to improve its water resource recovery facility.

While the national spotlight related to broadband funding has been recently focused on the Broadband Equity, Access, and Development Program, the USDA has another funding program scoped exclusively for rural communities. It is called the ReConnect Program and it also provides loans and grants to rural communities to resolve inadequacies in access to broadband internet. Recently, the USDA awarded $759 million for high-speed internet projects and in 2023 the program is expected to have another $1 billion that can be allocated to similar projects.

Technical assistance required for these types of programs has encouraged rural municipalities and county governments to partner on individual or consolidated projects. Numerous broadband projects will be developed through multi-jurisdictional partnerships.

The Department of Transportation has funding for initiatives designed to modernize transportation infrastructure in rural areas. In fact, the agency has $8 billion to allocate for smaller projects in rural areas. There is also funding for the development of rural ferry programs. Approximately $4.6 billion is available to deliver new public transportation services, including ferry services, in rural areas. A $10.8 billion allocation for bus and bus facilities is available as well.

Recently, $300 million in funding was made available to state and regional transportation planning organizations and local governments. Projects must have a goal of improving and expanding rural surface transportation infrastructure. Projects must meet the national priorities of building connectivity, improving safety, spurring economic growth, and enhancing overall quality of life for citizens living in rural areas.

A $68 million project in the city of Kalispell, Mont. is being readied for launch. A $25 million funding award from the USDOT will support the project to widen lanes, reconstruct a bridge, improve drainage, and develop multi-use trails in the city. Components of the project will address roads in critical disrepair, improve citizen safety goals and spur economic mobility in a rural area which is a gateway to Glacier National Park.

A design/build project in Virginia's New Kent County with an expected price tag of more than $300 million will launch in 2023. A $25 million federal award to the Virginia Department of Transportation will be used to widen Interstate 64 so that an estimated $300 million in future project costs will be eligible for federal funding. The scope of work outlines the creation of additional eastbound and westbound lanes. The end goal is to widen I-64 from four to six lanes.

The Cameron and Plaquemines parishes in Louisiana will see lots of activity soon. A ferry project will have a combined federal funding allocation of approximately $50 million. The plan includes design and construction of new ferry vessels and the expansion of rural communities' access to both the Calcasieu Ship Channel and the Mississippi River. The new vessels will increase reliability of ferry services in the rural region and another $19.1 million federal loan has already been received by Cameron Parish to develop its own ferry service.

A water project in North Dakota that will benefit 5 counties will be launched in 2023. An award of $400,000 will be used to ensure that the total initiative is eligible for additional funding, which will be needed, from the USDA. The project will fall into oversight of the Western Area Water Supply and the improvements will eventually connect underserved rural communities to a new, robust water supply.

Public officials in rural America have opportunities for funding unlike anything they have experienced in the past. On Dec. 20, the USDOT issued a notice of funding opportunity for $1.5 billion that will be disbursed a grant program in fiscal year 2023. Half of that funding is designated expressly for rural communities. Collaborative partnerships will be in high demand. And, as funding begins to flow, private sector companies will find that many smaller projects will be consolidated as jurisdictions work together to launch projects that will benefit entire regions of a state. Rural America will be a much more attractive marketplace – one that might never have been imagined in the past.

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As President and CEO of Strategic Partnerships, Inc., Mary Scott Nabers has decades of experience working in the public-private sector. A well-recognized expert in the P3 and government contracting fields, she is often asked to share her industry insights with top publications and through professional speaking engagements.

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Texas Department of Transportation

125 EAST 11TH STREET, AUSTIN, TEXAS 78701-2483 | 512.463.8588 | WWW.TXDOT.GOV

October 19, 2022

Igalious "Ike" Mills
P.O. Box 2762
Port Arthur, Texas 77643

Dear Mr. Mills,

I have reviewed your letter dated August 1, 2022, requesting a presentation at a Texas Transportation Commission (Commission) meeting.

I am aware that Lance Simmons, Texas Department of Transportation (TxDOT) Chief Engineer, recently visited with you at your property and reviewed your areas of concern. Mr. Simmons has remained in touch with you to provide you with updates and he has asked that our hydraulic specialists further analyze these concerns to better understand the issues you raised and what steps TxDOT could consider to potentially alleviate them. To the extent that TxDOT is able to address your concerns, Mr. Simmons and his team are the best and most appropriate means of resolution.

These types of issues are not typically agenda items for consideration by the Commission. Members of the public are welcome to speak to the Commission on topics that are not agenda items during the open comment period of a Commission meeting. At Commission meetings, the Commission allows an open comment period, not to exceed one hour, to receive public comment on any non-agenda matter that is under the jurisdiction of the department. The Commission does not take action on non-agenda open comments. Each speaker will be allowed a maximum of three minutes. Speakers must be signed up prior to the beginning of the open comment period. Meeting dates and times are posted on the TxDOT website at https://www.txdot.gov/about/leadership/texas-transportation-commission/meeting-dates-agendas.html.

If you have any questions, you may contact my office at (512) 305-9505.

Sincerely,

Marc D. Williams, P.E.
Executive Director

cc: Texas Transportation Commission
Brian Barth, P.E., Deputy Executive Director for Project Delivery
Brandye Hendrickson, Deputy Executive Director for Planning and Administration
Lance Simmons, P.E., Chief Engineer

SUBCHAPTER C. UNLAWFUL USE, DIVERSION, WASTE, ETC.

Sec. 11.081. UNLAWFUL USE OF STATE WATER. No person may wilfully take, divert, or appropriate any state water for any purpose without first complying with all applicable requirements of this chapter.

Amended by Acts 1977, 65th Leg., p. 2207, ch. 870, Sec. 1, eff. Sept. 1, 1977; Acts 1997, 75th Leg., ch. 1072, Sec. 3, eff. Sept. 1, 1997.

Sec. 11.082. UNLAWFUL USE: CIVIL PENALTY. (a) A person who wilfully takes, diverts, or appropriates state water without complying with the applicable requirements of this chapter is also liable to a civil penalty of not more than $5,000 for each day he continues the taking, diversion, or appropriation.

(a-1) Notwithstanding Section 18.002, this section does not apply to a violation of:

(1) Section 18.003 or a permit issued under that section; or

(2) Section 18.004 or an authorization granted under that section.

(b) The state may recover the penalties prescribed in Subsection (a) by suit brought for that purpose in a court of competent jurisdiction. The state may seek those penalties regardless of whether a watermaster has been appointed for the water division, river basin, or segment of a river basin where the unlawful use is alleged to have occurred.

(c) An action to collect the penalty provided in this section must be brought within two years from the date of the alleged violation.

Amended by Acts 1977, 65th Leg., p. 2207, ch. 870, Sec. 1, eff. Sept. 1, 1977; Acts 1981, 67th Leg., p. 3150, ch. 828, Sec. 1, eff. June 17, 1981; Acts 1997, 75th Leg., ch. 1010, Sec. 3.01, eff. Sept. 1, 1997.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 1351 (H.B. 3), Sec. 1.08, eff. September 1, 2007.

Acts 2007, 80th Leg., R.S., Ch. 1430 (S.B. 3), Sec. 1.08, eff. September 1, 2007.

Acts 2015, 84th Leg., R.S., Ch. 756 (H.B. 2031), Sec. 6, eff. June 17, 2015.

Sec. 11.086. OVERFLOW CAUSED BY DIVERSION OF WATER. (a) No person may divert or impound the natural flow of surface waters in this state, or permit a diversion or impounding by him to continue, in a manner that damages the property of another by the overflow of the water diverted or impounded.

(b) A person whose property is injured by an overflow of water caused by an unlawful diversion or impounding has remedies at law and in equity and may recover damages occasioned by the overflow.

(c) The prohibition of Subsection (a) of this section does not in any way affect the construction and maintenance of levees and other improvements to control floods, overflows, and freshets in rivers, creeks, and streams or the construction of canals for conveying water for irrigation or other purposes authorized by this code. However, this subsection does not authorize any person to construct a canal, lateral canal, or ditch that obstructs a river, creek, bayou, gully, slough, ditch, or other well-defined natural drainage.

(d) Where gullies or sloughs have cut away or intersected the banks of a river or creek to allow floodwaters from the river or creek to overflow the land nearby, the owner of the flooded land may fill the mouth of the gullies or sloughs up to

the height of the adjoining banks of the river or creek without liability to other property owners.

Amended by Acts 1977, 65th Leg., p. 2207, ch. 870, Sec. 1, eff. Sept. 1, 1977.

J&R MILLS

COPY

August 1, 2022

J. Bruce Bugg, Jr. Chairman,
Alvin New – Commissioner
Laura Ryan – Commissioner
Robert C. Vaughn - Commissioner
Texas Department of Transportation (TxDOT) Commission
125 East 11th Street
Austin, Texas 78701

Re: **Request for Presentation to TxDOT Commission**
(FM 2864 & County Road 120 Project, Nacogdoches County Texas)

Dear Chairman Bugg, Jr. and Commissioners,

I am requesting a presentation before the State Texas Department of Transportation regarding the above-mentioned project (FM 2864 & County Road 120 Project located in Nacogdoches Texas).

Attached documents will reflect that there have been many efforts since 2005 to coordinate meeting between all stakeholders including TxDOT and Nacogdoches County Commissioners to address the negative impact to our land as Black landowners. This issue involves the decision made by TxDOT to dam up the natural flow of water on FM 2864 and re-route the water onto Black landowners that also included our property pass CR 120. This action by TxDOT has and continue to cause **recent** floodings, loss of trees, loss of topsoil and vegetation, not to mention environmental concerns from odor and vapors due to flooding because of watershed from the business facility onto Black landowners' property.

Due to funding shortage the Nacogdoches County has requested financial assistance with this project to the State Senator representing this area (see attached letter). In my response letter I identified two sources of funding that is available: (1). State of Texas Proposition 2 that passed by the voters (2). Federal Funding appropriated to the State of Texas as a part of the Federal "Build Back Better" Plan. I am sure these two sources of funding would allow the County and State an opportunity to address the historical disparities in Black rural communities such as ours in Nacogdoches County. **It is a major concern that we have a bridge that is unsafe and only one car can pass at a time, we have donated land to widen County Road 120 and with flooding, there only one way in and one way out at this location, not to mention there are citizens with health issues living in this rural area. that will definitely affect EMS vehicle's ability to respond to emergency calls in this area.**

2542 FM Rd. 2864 • Nacogdoches, Texas 75965

Because of the issues we as Black landowners and farmers have been historically subjected to and the fact the State and County receive Federal funds, there is a concern that historical violations of Title VI of the Civil Rights Act of 1964 could and should be considered.

Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq. ("Title VI") Title VI prohibits discrimination on the basis of race, color, or national origin in any program or activity that receives Federal funds or other Federal financial assistance.

Again, I am requesting to make a presentation to State TxDOT Commissioners regarding this project, **to do nothing is not an option!** Based on the **"PATCH WORK"** that has been done to this bridge and area over the years as opposed to other rural county roads in other areas, a disparity exists. We would like to see a comprehensive watershed plan for this area and not a patch job. As taxpayers we expect our public tax dollars to work for **"ALL"** citizens. We have tried to address these long-standing historical issues from a Local and County level, now we are requesting the State TxDOT resolve these issues. Please let us know if you think the State cannot resolve these issues. This of course puts us in a situation where we must consider other options on the Federal level if the State and County cannot or will not resolve these issues.

Also, we would like to know when the State TxDOT will have their public budget and/or Legislative hearing along with the process to be a speaker on the agenda and present documents.

Looking forward to hearing from you,

Sincerely,

Igalious Mills
Partner
J&R MILLS FAMILY, LLP
2542 FM Road 2864
Nacogdoches, Texas 75965

CC: Marc Williams, Executive Director, TxDOT
Lance Simmons, Engineer, TxDOT
Amanda Landry, Director of Financial Management Division, TxDOT
Irene Marion, Director, Department Office of Civil Rights, USDOT
Monica Rainge, Deputy Assistant Secretary for Civil Rights, USDA
U. S. Congresswoman Sheila Jackson-Lee
Gary Bledsoe, State Director and National Board Member, NAACP
Gary Collings, NAACP State Environmental Justice Director
Neil Carmon, Sierra Club, Lone Star Chapter
J&R Mills Family, LLP

J&R MILLS

February 6, 2023

Marc D. Williams, P.E.
Executive Director
Texas Department of Transportation
125 East 11th Street
Austin, Texas 78701

Re: FM 2864 & County Road 120 Project, Nacogdoches County Texas

Dear Mr. Williams,

Thank you for your response letter dated October 19, 2022 regarding my request letter dated August 1, 2022 to make a personal presentation to the Texas Transportation Commission (Commission) meeting. (See letters attached).

We do appreciate the fact that Lance Simmons, TxDOT Chief Engineer has taken time out to personally walk the site first-hand. In sure Lance has provided an update to you regarding the report that has been developed and presented to us. Unfortunately, this report is flawed because the original water flow was dammed up and re-directed by TxDOT with the approval of the engineer at that time onto Black landowners property without any consent nor landowners approval **(See Section 11.082 & 11.086 of the Texas Water Code).**

As stated in my letter dated August 1, 2022, this direct action by TxDOT (willfully diverting surface water) has and continue to cause recent floodings, loss of trees, loss of topsoil, vegetation and environmental watershed concerns. I also stated that a major concern is an unsafe bridge where only one car can pass through at a time, one way in and one way out. With elderly families living down this street, the ability to have EMS vehicle's respond to emergency calls could mean the difference between life and death. As citizens and taxpayers, we deserve the same equality of life and respect as others.

Nacogdoches County Judge previously requested financial assistance from the State of Texas in a letter sent to State Senator Nicholas. However, Texas voters passed State Proposition 2 and the Federal Government appropriated funding as well. **According to an article in Texas Government Insider publication on December 30, 2022 titled: Rural America will receive billions in funding for all types of infrastructure projects in 2023. This article written by Mary Scott Nabers, CEO of Strategic Partnership Inc., states, "The Infrastructure Investment and Jobs Act (IIJA), Inflation Reduction Act (IRA) and the American Rescue Plan Act (ARPA) allocated billions in funding for rural America. The programs all have different qualifications but funding for non-urbanized areas is designated for much needed improvements to water infrastructure, high-speed internet, transportation, and other public infrastructure assets.**

The Department of Transportation has funding for initiatives designed to modernize transportation infrastructure in rural areas. In fact, the agency has $8 billion to allocate for smaller projects in rural areas. There is also funding for the development of rural ferry programs. Approximately $4.6 billion is available to deliver new public transportation services, including ferry services, in rural areas. A $10.8 billion allocation for bus and bus facilities is available as well.

Recently, $300 million in funding was made available to state and regional transportation planning organizations and local governments. Projects must have a goal of improving and expanding rural surface transportation infrastructure. Projects must meet the national priorities of building connectivity, improving safety, spurring economic growth, and enhancing overall quality of life for citizens living in rural areas".

It is our hope that TxDOT will alleviate these issues along with Nacogdoches County with the assistance of local, state, and federal agencies along with other stakeholders identified relating to this project. I do agree, Mr. Simmons and his team can resolve this issue, but I'm concerned about politics becoming a factor and becomes a negative factor in this process. Therefore, we are holding you accountable for making sure this does not happen. Again, to do nothing is not an option with taxpayers' money. We await Lance Simmons next steps agreed upon in December, 2022.

If you have any questions, you may contact me directly at (409) 543-1411.

Regards,

Igalious Mills
Partner
J&R Mills Family, LLP
Partner Direct Mailing Address: P.O. Box 2762 / Port Arthur, TX 77643
Main Property Location: 2542 FM 2864
Nacogdoches, Texas

VIA - EMAIL

CC: Texas Transportation Commission
Brian Barth, P.E., Deputy Executive Director for Project Delivery
Brandye Hendrickson, Deputy Executive Director for Planning and Administration
Lance Simmons, P.E., Chief Engineer

The citizens of the USA do not consider this an essential agency and it should be defunded and shut down. It is out of control spending and deleterious actions do not favor the people of the USA. telling us roads are discriminatory when they have been in operation for 76 years is outrageous. spending our money to tear them down now makes no sense since those complaining about them did not have to buy houses there. and they had opportunities to get out and be bought out. The stupidity of what is going on is outrageous. I see no reason for taxpayers to be taxed to pay for this scheme. It is not helping Americans. this comment is for the public record please receipt.

Jean Publiee

[Federal Register Volume 88, Number 50 (Wednesday, March 15, 2023)]
[Notices]
[Page 16006]
From the Federal Register Online via the Government Publishing Office
[www.gpo.gov]
[FR Doc No: 2023-05318]

ENVIRONMENTAL PROTECTION AGENCY
[FRL-10789-01-OA; EPA-HQ-OEJECR-2023-0099]
White House Environmental Justice Advisory Council; Notice of Charter Renewal
AGENCY: Environmental Protection Agency (EPA).
ACTION: Notice of charter renewal.

SUMMARY: Notice is hereby given that the Environmental Protection Agency (EPA) has determined that, in accordance with the provisions of the Federal Advisory Committee Act (FACA), the White House Environmental Justice Advisory Council (WHEJAC) is necessary and in the public interest in connection with the performance of duties imposed on the agency by law. Accordingly, WHEJAC will be renewed for an additional two-year period. The purpose of the WHEJAC is to provide independent advice and recommendations to the Chair of the Council on Environmental Quality (CEQ) and to the White House Environmental Justice Interagency Council (IAC) on how to increase the Federal Government's efforts to address current and historic environmental injustice. The WHEJAC will provide advice and recommendations about broad cross-cutting issues related, but not limited, to issues of environmental justice and pollution reduction, energy, climate change mitigation and resiliency, environmental health, and racial inequity. The WHEJAC's efforts will include a broad range of strategic, scientific, technological, regulatory, community engagement, and economic issues related to environmental justice.

FOR FURTHER INFORMATION CONTACT: Inquiries may be directed to Karen L. Martin, WHEJAC Designated Federal Officer, U.S. EPA, 1200 Pennsylvania Avenue NW, Washington, DC 20460; by telephone at 202-564-0203; via email at whejac@epa.gov.

Matthew Tejada,
Deputy Assistant Administrator for Environmental Justice, Office of Environmental Justice and External Civil Rights.

[FR Doc. 2023-05318 Filed 3-14-23; 8:45 am]
BILLING CODE 6560-50-P

Full Name (First and Last): Joanne Perodin
Name of Organization or Community: The CLEO Institute
City and State: Miami, FL
Comment: 1) Adverse health impacts are exacerbated by disasters that result in a lack of electricity, access to air conditioning (AC), refrigeration for medication, etc. Consider strategic off-grid, solar-powered/battery centers or nodes like (emergency centers, hospitals, schools that serve as emergency shelters, etc.) to serve vulnerable residents. 2) Between disasters, heat and health vulnerability remain high. The absence of AC or the ability to afford to run AC means heat stress, mold, asthma, frustration, and aggression. Mandates are needed for AC in all Construction, with subsidies for those who need it. 3) Understanding that emergency management phases – preparedness, response, recovery, mitigation – do not function in a linear fashion. Instead, it should be seen as a dynamic framework that recognizes all communities do not fall into one phase at any given time. 4) Individuals perceive the four phases of emergency management differently; therefore, they all move at a different pace across those phases. 5) Phases, such as preparedness and mitigation, may be a luxury for some – marginalized communities – and not exist in the minds of those groups. 6) In addition to focusing on assisting areas badly hit by disasters, formal policies should bring attention to losses in communities unable to prepare ahead of a disaster event. 7) The agenda-setting for new policies must provide culturally sensitive pathways for community engagement to identify inclusive alternatives. 8) A quicker transition to a carbon-free energy future will result in greater justice for our most vulnerable, greater energy security, less carbon pollution, better health outcomes, decreased costs, etc.

Committee members:

I am on the call and am impressed with the committee's collective credentials and initiative programs being advanced, taking advantage of the Biden Administration's initiatives to include the improvement of maternal and early life public health conditions nationwide where desperately needed. I have learned much about that desperate need since advancing my own advocacy to end fluoridation, which has led me to read local, state, and federal oral health reports, all reinforcing my advocacy and your need to make necessary recommendations to put CWF to bed and leave it behind in the history books. Big question: How does exposure to arsenic, lead, and other recognized developmental neurotoxicants affect "*the health status of infants and women before, during, and after pregnancy*"?

Please note the compelling and disturbing information on the attached pdf file. This should be very alarming now that you know what the EPA allows to be added to public water as promoted by your CDC for the Community Water Fluoridation (CWF) program. Your committee must be committed to ending this travesty, most effectively by retooling the Division of Oral Health to redirect grant funding to programs like what the ADA's Executive Director Dr. Raymond Cohlmia, D.D.S., has inspired with a new dental clinic in Tulsa, Oklahoma. That new facility now in operation was designed specifically for reaching more vulnerable communities with limited access to professional oral health care. Can you ensure grant funding under Biden's initiatives is made available to support more programs to expand oral health care capacities where needed most?

Thank you for your interest in CWF's egregious risk to prenatal, infant, and maternal health.

Federal officials and advisory council members:

Matt Tejada informed me that a NEJAC Steering Committee is soon to have a meeting, assuring me that the EJ issue of fluoridation would be on the agenda. If they have not met already; I don't know. In any case, I want to share with you a brief video (02:48) which describes in general terms the current status of the TSCA lawsuit seeking EPA's rulemaking to ban the addition of fluoridation chemicals to public water supplies.

If the NEJAC Steering Committee has not yet met,

Oops! The incomplete message below was sent by mistake (fat thumbs). Please accept my apologies. Onward . .

. . If the NEJAC Steering Committee has not yet met, I ask that you please make this TSCA lawsuit update video, posted just today, available to those committee members: https://youtu.be/XX7WbP7v5MM

I also request all interested NEJAC and WHEJAC members and federal officials to consider that the plaintiffs in the lawsuit keep making gains which support their petition with the growing body of peer reviewed, high quality science from world class researchers. The video is a brief year-end update from Michael Connett, the lead attorney for the plaintiffs.

It appears the issue is getting front burner attention with the CDC, understandably so, as a court's ruling in favor of public health and scientific integrity – the plaintiffs - will necessitate the disassembling of CDC's Community Water Fluoridation (CWF) program. The obvious and best solution to that daunting, unprecedented conundrum is for CDC to reorganize its Division of Oral Health and focus entirely on promoting more technologically advanced opportunities and alternative programs to help prevent childhood tooth decay, since CWF has failed miserably in that regard, with its costs far exceeding its benefits.

Here also is a website recently created by some of the plaintiffs in the lawsuit: https://www.fluoridelawsuit.com/home

The Activities section from the upper left drop-down tab selections, includes communications with CDC officials.

In summary, I think it is shameful, especially considering President Biden's EO 13990, that EPA's defense counsel in the TSCA lawsuit is placing public health on a back burner for the mere sake of winning a case. My request to you all is to urge Administrator Regan to invoke the relevant provisions of EO 13990 and his moral responsibilities, and resolve to concede in the TSCA lawsuit and let the necessary rulemaking process begin. Thank you for your dutiful attention to this important opportunity.Sincerely,

John Mueller

It is especially encouraging to see your new position as Director, Partnerships and Collaboration Division in the OEJECR. Congratulations!

Partnering and collaborating with other federal stakeholder offices and external special interests will be crucial to resolving the CDC's current dilemma at this juncture with its Community Water Fluoridation (CWF) program and the current science brought to light by the NTP and other expertise in the current TSCA lawsuit to ban the practice. Such resolve is especially relevant in light of President Biden's recent Executive Order 14091 to further advance EJ initiatives and other solutions to equity issues.

Clearly the solution for the CDC is to place emphasis on not just acknowledging CWF as having historically helped prevent childhood tooth decay, but now more so by emphasizing the prospects of utilizing newer technologies and advancements in dentistry that will replace CWF with more cost-effective approaches to improving oral health in the underserved communities where needed most. We can regard CWF as having served as a springboard to understanding how to better address the epidemics of tooth decay in not just the inner cities but also rural areas and Tribal lands.

The TSCA fluoridation lawsuit, by virtue of it bringing light to the current and still emerging science, is showing us that the toxicity of fluoride exposure is comparable to that of lead, in terms of harmful

neurodevelopmental effects on intellectual and cognitive outcomes in early childhood, and while seeing that billions of dollars are being spent to reduce and eliminate exposure to lead in public drinking water; the big difference being that fluoride is deliberately added, along with incidental contaminants like arsenic. (See attached annotated Certificate of Analysis and Mosaic's own tabulations.)

Finally listening to the current science of fluoride toxicity in a whole-of-government approach, respecting EO 13985 and EO 14091, has created a rare opportunity for dentistry to reach new heights by completely retooling and transforming the CDC's Division of Oral Health into an office with increased capacity for serving the populations in greatest need of professional dental services. In contrast, treating entire communities with a one-size-fits-all dosing of our tap water, with no control over actual dosing of the individual consuming that water, or follow-up for efficacy or safety, can and must be replaced with targeted programs to address the oral health issues with far greater effectiveness while also eliminating an occupational safety hazard for water utility workers who have been handling the extremely hazardous fluoridation chemicals. The EJ community, respecting fluoride and other fluorine chemical compound exposures, extends to individuals with chemical sensitivities and pregnant moms and moms reconstituting infant formula with fluoridated tap water because they just don't know, or they can't afford anything better. I wish you every success in your new position and thank you for your dedicated service. I look forward to my tenth virtual WHEJAC meeting next week.

Best regards,

John F Mueller

Public comment, NEJAC virtual meeting March 29, 2023

“Good afternoon. I am John Mueller, private citizen, and retired public works engineer, licensed for civil and control systems engineering, mainly in water resources. You know me, as I have submitted comments and spoken at most of the seven previous NEJAC public meetings. Respecting your request for comments specific to an item for discussion at this meeting, and I quote, “water infrastructure technical assistance efforts to communities with environmental justice concerns,” my experience with public water infrastructure and its technology goes back to my earlier employment with the Santa Clara Valley Water District in San Jose, California, and more recently with the Water and Sewer Department with the City of Tulsa, Oklahoma, from where I retired in 2016.

Ending water fluoridation will allow new funding to go much further for water infrastructure improvements, by eliminating all the operation and maintenance or O&M expenses caused by fluoridation. Fluorosilicic acid, the chemical of choice for municipal, fluoridating water utilities, is highly corrosive, with a pH of 1.2. Leaking from corroded equipment it dissolves concrete, making it look like Swiss Cheese. Fluoridated water, after leaving the treatment plant, and flowing through the distribution systems can chemically react to cause lead to be leached from not just lead service lines but also from any lead-containing fixtures in the home or business.

As for O&M expenses, Tulsa in particular had to spend more than a half-million dollars in the last decade alone for repairs and replacement of fluoridation equipment and hazardous waste containment structures at its two treatment plants to simply maintain the fluoridation infrastructure to minimum safety standards. Fluorosilicic acid, despite attempted controls, vaporizes and etches and frosts the glass in windows anywhere near the bulk storage and pumping facilities. Complete replacement of the fluorosilicic acid storage and pumping infrastructure at one Tulsa plant was over $400,00. There is the cost of special training required of treatment plant operators and support staff for hazardous waste operations. Frosted glass windows reduce the designed illumination from natural daylight and require periodic replacement. I know a plant operator who suffered burning nostrils when entering the fluorosilicic acid bulk storage area at one plant, so her job duties were changed.

Concerning tribal and indigenous communities, the smaller communities apply a powdered form of fluoridating chemicals, now mainly from suppliers in China, chemicals with very questionable quality control and safeness for human consumption.

Fluoridation is well documented as an environmental injustice. Please act to help fix it. My recommendation to you, NEJAC members, is to insist that the EPA concede in the current TSCA lawsuit now pending in federal district court in San Francisco, and grant the plaintiff’s petition to ban the addition of fluoridating chemicals to public water supplies.

Thank you.

Mosaic

8813 Hwy 41 South
Riverview, FL
Telephone: (813) 677-9111 - TELX52666
Fax: (813) 671-6283 ACCOUNTING

Certificate of Analysis (CofA) delivered with tanker truckload of FSA on 03/08/2013 to City of Tulsa drinking water treatment plant.

A CofA is required with each tanker truck delivery of FSA. FSA is then added to treated drinking water for human consumption for dental treatment, needed or not, with no follow-up for efficacy, and no informed consent. Fluoride is not an essential nutrient.
This is compelling evidence that fluoridation has been an egregious violation of the spirit and intent of the Safe Drinking Water Act and must end with proper EPA regulation and SDWA enforcement.

This product was produced at the Production Plant - Riverview facility

CAR NO: GATX011210

Deliveries: 5001084843

Material: Our / Your reference
200011 FLUOROSILICIC ACID /

Quality Certificate
Date
03/20/2013
Purchase order item/date

Delivery item/date
5001084843 000010 / 03/08/2013
Order item/date

Customer number
2445

Inspection lot 110000002967 from 03/20/2013

Chemical Analysis		
Net H2SiF6	24.20	%
P2O5	0.04	%
Free Acid	0.35	%
Lead	0.00	ppm
Arsenic	52.00	ppm MCLG = 0
Physical Analysis		
Density	1.2230	g/cm3
APHA	30	CU

"By recovering by-product fluosilicic acid from fertilizer manufacturing, water and air pollution are minimized, and water authorities have a low-cost source of fluoride available to them." Rebecca Hanmer, EPA Office of Water, 1983

This policy remains endorsed by EPA to this day almost 40 years later.

Annotations by John Mueller
Guthrie, OK Rev 2/5/2023

"We certify that product shipped with this Certificate of Analysis meets AWWA B703-11"

NSF
Certified to ANSI/NSF 60 | Max. Use: 3 mg/L

Kwasi Sakyi-Amfo
QC Lab Supervisor - Riverview

LEAGUE of UNITED LATIN AMERICAN CITIZENS

Civil Rights Violation Regarding Forced Medication

WHEREAS, the League of United Latin American Citizens is this nation's oldest and largest Latino organization, founded in Corpus Christi, Texas on February 17, 1929; and

WHEREAS, LULAC throughout its history has committed itself to the principles that Latinos have equal access to opportunities in employment, education, housing and healthcare; and

WHEREAS, LULAC advocates for the well-being of, but not exclusively of, Hispanics throughout our country; and

WHEREAS, safe drinking water is a necessity for life; and

WHEREAS, the purpose of a public water supply is to supply water to the entire community which is composed of people with varying health conditions, in varying stages of life, and of varying economic status; not to forcibly mass medicate the population which is a civil rights violation; and

WHEREAS, fluoridation is mass medication of the public through the public water supply; and

WHEREAS, current science shows that fluoridation chemicals pose increased risk to sensitive subpopulations, including infants, the elderly, diabetics, kidney patients, and people with poor nutritional status; and

WHEREAS, minority communities are more highly impacted by fluorides as they historically experience more diabetes and kidney disease; and

WHEREAS, minorities are disproportionately harmed by fluorides as documented by increased rates of dental fluorosis (disfiguration and discoloration of the teeth); and

WHEREAS, the National Research Council in 2006 established that there are large gaps in the research on fluoride's effects on the whole body; a fact that contradicts previous assurances made by public health officials and by elected officials, that fluorides and fluoridation have been exhaustively researched; and

WHEREAS, a growing number of cities and health professionals have rejected fluoridation based on current science and the recognition of a person's right to choose what goes into his/her body; and

WHEREAS, the CDC now recommends that non-fluoridated water be used for infant formula (if parents want to avoid dental fluorosis – a permanent mottling and staining of teeth), which creates an economic hardship for large numbers of families, minority and otherwise; and

WHEREAS, the League of United Latin American Citizens (LULAC), founded in 1929, has historically been a champion of the disenfranchised and a leader in the fight for social and environmental justice; and

WHEREAS, City Council Districts I-6 of San Antonio (predominantly minority districts) voted overwhelmingly that the public water supply should not be contaminated with fluoridation chemicals; and

WHEREAS, the election to fluoridate the water, essentially disenfranchised the right of these minority Districts to safe drinking water for all; and

WHEREAS, the U.S. Health and Human Services and the EPA (January 2011) have recently affirmed the NRC Study results that citizens may be ingesting too much fluoride and that the exposure is primarily from drinking water; and

WHEREAS, the proponents of fluoridation promised a safe and effective dental health additive, but the San Antonio Water System's (SAWS) contract for fluoridation chemicals proves a "bait and switch"; as SAWS is adding the toxic waste by-product of the phosphate fertilizer industry, that has no warranty for its safety and effectiveness for any purpose from the supplier (PENCCO, Inc.) or the source (Mosaic Chemical); and

THEREFORE, BE IT RESOLVED, that LULAC commends efforts by organizations that oppose forced mass medication of the public drinking supplies using fluorides that are industrial grade, toxic waste by-products which contain contaminants (arsenic, lead, mercury) which further endanger life; and

BE IT FURTHER RESOLVED, that LULAC supports efforts by all citizens working to stop forced medication through the public water system because it violates civil rights; and

BE IT FURTHER RESOLVED, that LULAC opposes the public policy of fluoridation because it fails to meet legislative intent; and

BE IT FURTHER RESOLVED, that LULAC demands to know why government agencies entrusted with protecting the public health are more protective of the policy of fluoridation than they are of public health.

Approved this 1st day of July 2011.

Margaret Moran
LULAC National President

Division
Location **Riverview**
Product **FSA**

Element	Cd	Hg	Se	Co	Mo	V	Ba	W	Cu	Pb	As	Ni	Sb	B	Zn	Bi	Mn	Cr	U	Be	Ag	Tl	Fe	Al	Na	SO_4
Units	ppm	ppm	ppm	ppm	ppm	ppm	ppm	ppm	ppm	ppm	ppm	ppm	ppm	ppm	ppm	ppm	ppm	ppm	ppm	ppm	ppm	ppm	ppm	ppm	ppm	ppm
Sample Period																										
01/11 06/11	<0.20	<0.07	<0.50	<0.35	<1.00	0.37	<0.10	<1.00	0.14	<0.27	47.5	<0.45	<0.12	<3.24	<0.92	<0.01	<0.24	<0.54	<0.30	<0.03	<0.01	<0.01				
07/11 12/11	<0.20	<0.07	<0.50	<0.35	<1.00	<0.36	<0.10	<1.00	<0.37	<0.27	43.8	<0.45	<0.12	<3.24	<0.92	<0.01	0.72	<0.54	<0.30	<0.03	<0.01	<0.01				
01/12 06/12	0.01	<0.09	<0.27	<0.04	<0.22	0.24	0.05	<1.11	<0.10	0.02	44.9	<0.15	<0.22	<1.70	<0.29	<0.02	0.55	0.17	0.23	<0.03	<0.01	<0.01	13.7	13.5	59.3	457
07/12 12/12	0.01	<0.09	<0.27	<0.04	<0.22	0.28	0.07	<1.11	<0.10	0.01	47.8	<0.15	<0.22	<1.70	<0.29	<0.02	0.73	0.22	0.28	<0.03	<0.01	<0.01	17.3	18.4	85.6	680
01/13 06/13	0.01	<0.04	<0.04	0.01	0.09	0.28	0.06	<0.07	0.05	0.01	60.1	0.12	0.03	0.24	0.27	0.001	0.89	0.27	0.25	0.002	<0.001	0.0004	20.3	19.4	105	713

< - Less than Method Detection Limit

Good morning,

Please see attached a comment for the WHEJAC I am submitting on the behalf of Tewa Women United, a tribal community non-profit organization based in northern New Mexico. Please feel free to contact me directly with any questions.

Kayleigh Warren

March 1, 2023

Dear White House Environmental Justice Advisory Council,

Tewa Women United is a multicultural and multiracial organization founded and led by Indigenous women, belonging primarily to the Tewa Pueblos and land-based communities in the Espanola Valley of northern New Mexico. Our organization exists to fulfill the mission of protecting and advocating for the "most vulnerable" - Indigenous women, children, and our Earth Mother. For decades, Tewa Women United has advocated against the disparities in radiation and toxin exposure standards reflecting the reality of the lives lived by frontline communities like ours. We appreciate this opportunity to voice a comment on the subject of Indigenous peoples and tribal nations.

The footprint of nuclear power and nuclear weapons in Indigenous communities is vast, and we'd like to bring your attention to one important figure - an isotope called tritium. Tritium is a radioactive isotope of the element hydrogen - it is both an activation and fission product, emitted in large amounts from all nuclear reactors, and utilized in weapons manufacturing to boost destructive yield. Characteristics that make tritium an unusually hazardous radionuclide include its extreme mobility in the biosphere, its multiple pathways to the body, its ability to instantaneously swap with hydrogen atoms in all other materials, its binding with cell constituents to form organically-bound tritium (OBT), and the heterogeneous distribution of OBT in humans. As an isotope of hydrogen, it easily bonds with oxygen to form tritiated water that all living organisms, including oocytes and developing fetuses, uptake. We respectfully pose this question to the council: what is the generational biological impact to tribal communities impacted by the country's lack of strategy and transparency around the management of legacy waste?

It is crucial to understand the dangers of tritium, with releases of it in multiple forms into air and water proposed around the country and globally, including from civilian plants in the southwest as well as the infamous Fukushima Daiichi Nuclear Power Plant. In the Espanola Valley of northern New Mexico, the Department of Energy/National Nuclear Security Administration at the Los Alamos National Laboratory (LANL) are proposing to vent over 100,000 curies of tritium into the ambient air from 4 storage containers of tritium-contaminated solid waste. In comparison, the Palo Verde Nuclear Power Plant, the largest nuclear power plant in the United States with the highest emissions of tritium in the country, located near Phoenix, Arizona and the Gila River and Colorado River reservations, reported in 2019 releasing 1,704 curies of tritium from its three reactors. LANL estimates the dose at the site boundary from an uncontrolled release to be a potential 20.2 millirem - more than twice the Environmental Protection Agency standard of 10 millirems per year for DOE facilities allowed under the Clean Air Act, 40 CFR 61, Subpart H. LANL admits that its methods of mitigating emissions and then claiming a reduced dose that would comply with the 10 millirem limit is not permitted by the regulation. Open water surfaces and biota, including wild and cultivated food and cultural resources in the nearby towns and Pueblos, not to mention humans themselves, would all be affected by this airborne radioactive

contamination. Spring and summer are active times when land-based communities adjacent to LANL are outdoors for longer periods of time preparing their fields and gardens for planting. What does the cumulative biological exposure of this project look like when our people will consume traditional crops and plant medicines affected by tritium?

The facts about tritium are objectively horrifying, and pose devastating risks not only to all life in the present day, but to all of our communities' future generations. On the subject of our tribal nations, we must ask: what are the intergenerational consequences of exposure to ionizing radiation? When will those considerations come into the conversation about our communities' futures? Comprehensive discussions on the federal level, including within this council, must be organized regarding Indigenous peoples and our disproportionate exposure to radiation throughout the nuclear fuel cycle, especially now as the country mobilizes to identify permanent waste storage sites and update its weapons stockpile.

We ask for the WHEJAC's support and advocacy on issues of tritium and radioactive exposure in tribal communities. We ask the WHEJAC to support our objections to tritium venting to the Environmental Protection Agency, the Department of Energy/National Nuclear Safety Administration, and Los Alamos National Labs. We ask the WHEJAC to advocate for funding allocation to frontline communities to support third-party air, soil, seed and water quality testing, community health assessments, and radiation detection and monitoring equipment, including training on how communities can utilize these tools. Finally, we request that the guidelines around Justice40 be re-examined so as to eliminate industries and workplaces that enact environmental injustice and violence, like Los Alamos National Labs, from receiving important funding that should instead be allocated equitably amongst those in need.
Ku'da wohaa, thank you.

Respectfully,

Tewa Women United

PO Box 397
Santa Cruz, NM 87567

Dr. Corrine Sanchez, Executive Director

Kathy Sanchez, Saya'in Program Coordinator

Talavi Cook, Environmental Health & Justice Program Manager

Kayleigh Warren, Environmental Health & Justice Program Coordinator

Full Name (First and Last): Kelsey Royce

Name of Organization or Community: Community Member

City and State: Tulsa, OK

Comment: As a resident of Tulsa, I ask that you please engage with Greenwood Chamber of Commerce Leadership. There are several issues here related to environmental justice. Since time is short and I'm trying to get this comment in before the deadline, please follow up. Thank you.

Dear WHEJAC,

First I want to thank you for allowing me to speak at your March call. Taproot Earth is grateful for the work of the committee and knows its members are tireless advocates for environmental justice. I am the national policy director at Taproot Earth. We are a global climate justice organization rooted in Slidell, LA. I joined the March call to speak on carbon management. A multi-agency strategy to carbon management that does protect our communities who are most impacted by polluting industries and the climate crisis will include: -An end to permitting of new fossil fuel infrastructure and rapid phase out of current polluting infrastructure -Incentives, grantmaking, and interagency coordination to support distributed renewable energy, energy efficiency, and other climate-friendly policies and practices across issues areas -Research, development, and implementation programs to extend producer responsibility and ensure the reduction, recycling and reuse of materials to reduce the need for production of steel, cement, plastic etc., and on non-combustion heat sources for process heat for hard to decarbonize industries. I spoke primarily about the Gulf South, where many of our supporters live and are monitoring projects. The Gulf South is a place where historically marginalized communities–mostly Black, Indigenous and People of Color, including formerly enslaved people–have long suffered the impacts of toxic pollution while the profits from extractive industries have flowed out of the region and kept out of the hands of poor people. We also served on the Louisiana Climate Initiatives Task Force which was tasked with creating a plan to address the emissions of the state's enormous industrial sector. As you might imagine, the topic of carbon capture and sequestration (or CCS) and hydrogen fuels was a key part of the negotiations. Even prior to the passage of the Inflation Reduction Act, the region was seeing multi-billion fossil fuel projects announced in already overburdened communities. Many of these projects have been fossil fuel-based but billed as "clean energy," including carbon capture projects, clean coal facilities, and blue hydrogen plants, which is just another name for natural gas refining plus carbon capture. The developers of these projects cite our abundant fracking and our regulations as key motivators for building projects in the Gulf South. Carbon capture projects, clean coal facilities, and blue hydrogen plants projects are heavily subsidized by the Inflation Reduction Act and will spur a toxic infrastructure boom on the level of the ill-conceived repeal of the oil and export ban in 2015. To be clear, carbon capture and most hydrogen fuels are false solutions that will lock in toxic fossil fuel infrastructure, require a whole new pipeline buildout in sensitive marshland, and cost the public billions of dollars in wasted tax subsidies that could instead go to healing and remediating the land that the oil and gas industry has poisoned for decades. These projects will not only further entrench fossil fuel reliance and further overburden frontline communities. They are also dangerous from the spectacular failure of the Kemper Clean Goal facility to the explosion of a carbon pipeline in Satartia, Mississippi, that asphyxiated local residents and left survivors "walking around like zombies" according to first responders. Funds should instead go to justly sourced renewable energy projects. We are also seeing deforestation rebranded as "renewable energy" through a growing biofuels industry. Southern forests are being cut down and refined in toxic facilities in Louisiana and Mississippi before being exported to the United Kingdom and other countries in Europe to be burned for electricity. This is unsustainable and another assault on environmental justice communities. A multi agency strategy MUST NOT include carbon markets, CCUS, or biofuels. We ask that WHEJAC fight for environmental justice communities by naming the dangers of carbon capture and telling the Biden Administration that carbon capture and other false solutions are delaying transition towards proven and sustainable solutions and putting our communities' lives on the line once again. We request WHEJAC take a hard line on not supporting any so-called permitting reform bills that would weaken the National Environmental Policy Act and make it easier to build fossil fuel, carbon capture, and/or blue hydrogen projects. We urge WHEJAC to lead a push to clearly define "green hydrogen" and make it clear that green hydrogen is not "green" if it is powered by a dirty electrical grid or if renewable energy projects used to power green hydrogen

facilities are reliant on dirty supply chains or exploitation of vulnerable communities in the Global South. Finally, we incorporate by reference the comments from the National Reinvestment Coalition on behalf of the Title VI Alliance, calling for robust enforcement of and compliance with civil rights laws in the implementation of the IRA and the Infrastructure Investment and Jobs Act (IIJA). Many agencies still do not have the systems in place to ensure that funding recipients comply with their civil rights obligations, or to engage in robust enforcement when violations occur. And yet, funding from the IIJA and IRA could flow to support industrial, waste, energy, or transportation facilities or related infrastructure–including emerging and untested technologies–that have the potential to result in substantive civil rights violations, including through permits and/or projects that create or perpetuate discrimination or disparities. We urge WHEJAC to demand of all relevant agencies that civil rights compliance and enforcement are consistently and explicitly included in forthcoming program implementation and guidance across all agencies, taking affirmative measures to prevent further entrenchment of environmental racism and its harms to Black, Indigenous, and People of Color communities. I would also suggest the following on subjects not related to cabon markets: 1) The Climate and Economic Justice Screening Tool CEQ should follow and model the CEJST around State Climate Justice Initiatives such as NY's Climate Leadership and Community Protection Act (CLCPA) and the work in other states (CA, VA, CO, WA). CEQ can expand the number of several key metrics to identify politically and socially marginalized, and financially underserved communities. Such as more health indicators to identify pollution prone communities, and add racial demographic data. Application of Interim Implementation Guidance for the Justice40 Initiative and WHEJAC Final Recommendations. Many recommendations around race and demographics, as well as potential hazards and exposure burdens were excluded from the Beta version of the tool. Use the scientific evidence and data that links race to pollution. To ignore race as an indicator of environmental pollution would be to ignore decades of scientific evidence and in direct opposition to the Administration's Executive Order from 2021. Race must be included as a determining factor in the screening tool as it is the most accurate method for assessing disproportionate environmental burden. Utilizing historical metrics such as redline maps may be worth consideration as a method to approximate capturing the detrimental effects of racist policy making within CEJST. Specific Considerations for Special Populations Native Americans and all Tribal lands should be categorized separately as "historically disadvantaged communities", providing them with automatic eligibility for Justice40 funding and/or benefits. Alaska is particularly vulnerable to the impacts of climate change, due to densely populated centers, warming rates, permafrost melt, flooding, impacts on land and natural resources for food sovereignty, building loss rate, and housing cost rates. All this requires distinct consideration with regard to identifying historically marginalized populations. Natives to the Hawaiian Islands and Pacific Islands including the US territories of American Samoa, Guam and the Northern Mariana Islands must also be considered distinctly from other populations given their particular vulnerabilities to climate change and cultural connection to the land. This is due to sea level rise, warming oceans, droughts, flooding, coastal erosion, difficulty accessing emergency resources, water scarcity, loss of cultural sites, mosquito and waterborne diseases, US military bombing, and nuclear testing sites. Focus on accuracy of indicators and the range of scope. CEQ must use indicators that get at the root of environmental inequality, and focus on cumulative impacts, to determine which populations and regions are most impacted by pollution. 2) The Environmental Justice Scorecard On the Vision - Should set a baseline to assess agencies' performance of EJ Principles and ways to hold them accountable. Should name the People's Orientation to a Regenerative Economy as having a useful framework to support a scorecard. On the Framework - Needs to focus on actions that document and repair historical harms in EJ communities. Needs to reconsider benefits as defined by communities and in the form of direct financial investments, as well as potential for climate resiliency projects. Needs to rethink co-governance, transparency, and accessibility when designing projects and implementing them.

On the Engagement - Hold Free, Prior, and Informed Consent (FPIC) principles. Engage with communities to define the quantitative and qualitative assessments of historical harms, benefits, health and socio-environmental indicators, as well as accounts of performance of engagement with community based organizations, transparency, and plans for current and future consultation. Also a call for more interagency and holistic engagement with communities. The Online Platform - Should have a good balance between information that the general public can understand, resources for communities, as well as data availability for research purposes. 4) Adverse health impacts from a changing climate disproportionately affects disadvantaged communities. What are the policies or programs that can address adverse health impacts before, during, and after extreme climate events? Protect Right to Return: Protect the rights of climate migrants and climate refugees who settle in new communities, while providing a right to return to lands that remain livable and/or providing full and fair compensation for losses. For example, Alaska Native villages are facing a myriad of legal, political, cultural, and economic factors, thus complicating government funding for finding new lands for relocation from melting permafrost and ice. Support Community Governance of Restoration Practices: Support restoration of land, soil, and water through community governance and care, prioritizing Indigenous and rural communities impacted by climate disasters. Invest in Community Hubs: Move resources to build out local infrastructure and community hubs, powered by renewable energy to meet the needs of disaster-impacted communities for broadband services, and to provide shelter, heat/cooling, electricity, food, water, medicine, and communication in times of crisis and need. Invest in Urban Public Transit: Invest in mass transit that is free or low-cost, renewable, sustainable, and regional, with zero displacement. Invest funds in Mutual Aid Collectives: Community initiatives are often more effective and impactful in disbursing funds, supplies, and counseling support compared to national nonprofits. Funding should be made available to staff local mutual aid networks, and these centers should be prioritized for disaster and federal funding support in order to move resources in local and accountable ways. Ensure Just and Equitable Recovery Funding: Increase funding and resources to support community-driven recovery and mid- to long-term rebuilding and implementation projects with improvements that further equitable mechanisms for adaptation, recovery, and rebuilding. Local control should be fostered for administering disaster insurance programs, such as the National Flood Insurance Program, rather than allowing private companies to control these resources, services, and processes. Thanks, Kendall Dix

Full Name (First and Last): Kim Hunter
Name of Organization or Community: Engage Michigan
City and State: Detroit
Type of Comment: I urge WHEJAC to take a real and total picture of inundated, frontline communities by using cumulative impacts to lessen the exposures to toxins. Many agencies that are supposed to protect us from polluters only look at individual polluters when they assess harm rather than look at all the poisons, we are exposed to in order to assess harm. We must use cumulative impacts to truly protect human health and life.

Linda Karr
Madison, WI 53716-1709
March 1, 2023 Resolutions to Wisconsin Conservation Congress

Resolution 1

Wisconsin government should provide citizen-scientist residents 2.5 micrometer Particulate Matter PM2.5 air quality monitors to end residential wood burning, which emits excessive hyper-localized PM 2.5 health harm to near neighbors. (requires legislation)

Would you support legislative action to provide citizen-scientist residents 2.5 micrometer Particulate Matter (PM2.5) Purpleair monitors to end residential wood burning, which emits excessive hyper-localized PM 2.5 harm to health of near neighbors? (requires legislation)

PurpleAir PM2.5 monitors cost less than $300, with data put on United States (US) Airnow Smoke and Fire maps. In 2020, US Scientists wrote a letter to the US Congress warning against declaring wood burning Carbon Neutral. PM2.5 is Particulate Matter of 2.5 micrometer size. Wood Smoke is 90 percent PM2.5. Since hyper-localized PM2.5 PurpleAir website data is available to the general public and government officials 24/ 7, weekend and overnight readings from yards of near neighbors can be downloaded by government officials during normal working hours, with no need to enter residences to shut down residential wood burning. Residential wood burning in U S certified wood stoves emit 450 times PM 2.5 as natural gas furnaces.

Resolution 2

Wisconsin government should use citizen-scientist online data of PM2.5 residential wood burning emissions from hyper-localized Purpleair monitors to enforce ordinance or law to shut down residential wood burning for neighbor health. (requires legislation)

Would you support legislative action to use citizen-scientist PM2.5 residential wood burning emissions online data using hyper-localized Purpleair monitors to enforce ordinances or laws to shut down residential wood burning for health of neighbors?

PurpleAir PM2.5 monitors cost less than $300, with data put on United States (US) Airnow Smoke and Fire maps. In 2020, US Scientists wrote a letter to the US Congress warning against declaring wood burning Carbon Neutral. PM2.5 is Particulate Matter of 2.5 micrometer size. Wood Smoke is 90 percent PM2.5. Since hyper-localized PM2.5 PurpleAir website data is available to the general public and government officials 24/ 7, weekend and overnight readings from yards of near neighbors can be downloaded by government officials during normal working hours, with no need to enter residences to shut down residential wood burning. Residential wood burning in U S certified wood stoves emit 450 times PM 2.5 as natural gas furnaces.

Background for both Resolutions In 2020, United States (US) Scientists wrote a letter to the U S Congress warning against declaring wood burning Carbon Neutral. Wood burning emits more PM2.5 than coal burning. PM2.5 is Particulate Matter of 2.5 micrometer size. Wood smoke is 90% PM2.5. PM2.5 is the perfect size to infiltrate the human lung, producing a cascade of human health problems and early deaths. Residential heat from solar, wind, and heat pumps that can work at low temperatures in Wisconsin during the winter, produces negligible particulate matter. Residential wood burning in even United Kingdom (UK) Ecodesign certified wood stoves, which are comparable to or less polluting than U S certified wood stoves, produces 450 times the polluting PM 2.5 as residential natural gas furnaces. This is shown by resident-owned PM 2.5 monitors of near neighbors of residential wood burners. U S

Environmental Protection Agency (E P A) certification of wood stoves has been a failure in containing PM2.5 pollution. Hyper-localized Purpleair PM2.5 data, also shared on U S Airnow Smoke and Fire maps, is seen by the general public and government officials 24/ 7, allowing weekend and overnight data downloads from near neighbors' yards in normal working hours, with no need to enter residences to shut down residential wood burning. If U S E P A PM2.5 limits change to 8 micrograms per meter cubed annually and 25 micrograms per meter cubed daily, as expected, in 2023 PM2.5 polluting limits of residential wood stove use will be redefined. The European Union (E U) in 2022 stopped most subsidies for wood burning. In the U K 8% of residents burn wood but produce more PM2.5 in London and other U K areas than traffic. In 2023 the U K London mayor approved regulations of new and refurbished homes in London that effectively regulate wood stoves out of residential use, a movement to regulate PM2.5 from residential wood burning across the UK. Research papers show harmful effects of wood smoke PM2.5 on lungs, heart, and brain.

Resolution 1 TITLE

Wisconsin government should provide citizen-scientist residents 2.5 micrometer Particulate Matter (PM2.5) air quality monitors to end residential wood burning for heat, which emits excessive hyper-localized PM 2.5 harm to health of near neighbors.

Resolution 1 PROPOSED RESOLUTION

Would you support the Conservation Congress working with the state legislature to provide citizen-scientist residents 2.5 micrometer Particulate Matter (PM2.5) air quality Purpleair monitors to end residential wood burning for heat, which emits excessive hyper-localized PM 2.5 harm to health of near neighbors? Since the PM2.5 data is available online on the PurpleAir website to the general public and government officials 24 7, weekend and overnight readings from yards of near neighbors can be downloaded by the government during normal working hours, with no need to enter residences in order to shut down residential wood burning. Residential wood burning in even Ecodesign (United Kingdom (U K) certified, comparable or less polluting than United States (U S) certified wood stoves) wood stoves produce at least 450 times the polluting Particulate Matter of 2.5 micrometer size (PM 2.5) compared to residential natural gas furnaces, as shown by resident-owned (PM 2.5) monitors of near neighbors of residential wood burners. If U S Environmental Protection Agency (E P A) limits of PM2.5 to 8 micrograms per meter cubed annually and 25 micrograms per meter cubed daily change in 2023 the PM2.5 polluting limits of residential wood stove use will be redefined. The European Union (E U) in 2022 stopped most subsidies for wood burning. In the U K 8% of residents burning wood produce more PM2.5 in London and other U K areas than traffic. In 2023 the U K prime minister approved regulations of new and refurbished homes in London that effectively regulate wood stoves out of residential use, beginning a movement to regulate PM2.5 from residential wood burning across the U K in 2023. 2022 wildfires dramatically demonstrated to the world the harmful effects to human health of wood smoke, and numerous research papers for many years and up to the present demonstrate harmful effects of wood smoke PM2.5 on lungs, heart, and brain, producing early death in many cases.

Resolution 1 OPTIONAL SUPPORTING DATA

Residents Against Wood Smoke Emission Particulates (RAWSEPresidents) website & Facebook. Type RAWSEPresidents.wordpress.com into a search box to find website with weekly lists of URLs of research and news. RAWSEPresidents has 10 minute Youtube and Tiktok videos and 30 minute Spotify and Podbean podcasts, news health effects of wood smoke and on progress in shutting down world

residential wood burning, since April 2022. URL https://news.mongabay.com/2020/05/scientists-warn-congress-against-declaring-biomass-burning-carbon-neutral/ Scientists warn U.S. Congress against declaring biomass burning carbon neutral May 13, 2020 in Mongabay URL https://www.express.co.uk/news/science/1732748/wood-burner-london-sadiq-khan-air-pollution-ban-planning-guidance Wood burners given the chop in new London homes as Sadiq Khan cracks down on pollution Wood burners are directly linked to air particle pollution, with is associated with around 29,000 attributable deaths annually in Britain. February 9, 2023.

Resolution 2 TITLE

Wisconsin government should use citizen-scientist online data of PM2.5 residential wood burning emissions using hyper-localized Purpleair monitors to enforce local ordinances or laws to shut down residential wood burning for health of neighbors.

Resolution 2 PROPOSED RESOLUION

Would you support the Conservation Congress working with the state legislature to use citizen-scientist online data of PM2.5 residential wood burning emissions using hyper-localized Purpleair monitors to enforce local ordinances or laws to shut down residential wood burning for health of neighbors? Wood smoke is 90% PM2.5. PM2.5 is the perfect size to infiltrate the human lung, producing a cascade of human health problems and early deaths. US scientists say wood burning is not carbon neutral, emitting more particulates than coal burning. Residential heat from solar, wind, and heat pumps, that can work at low temperatures in Wisconsin during the winter, produces negligible particulate matter. Residential wood burning in even Ecodesign wood stoves (United Kingdom (UK) certified, comparable or less polluting than US certified wood stoves) emit 450 times the Particulate Matter of 2.5 micrometer size (PM2.5) compared to residential natural gas furnaces, shown by resident-owned (PM2.5) monitors of near neighbors of residential wood burners. Purpleair PM2.5 data is seen by the general public and government officials 24 7, allowing weekend and overnight data downloads from near neighbors' yards in normal working hours, with no need to enter residences to shut down residential wood burning. If US Environmental Protection Agency (EPA) limits of PM2.5 to 8 micrograms per meter cubed annually and 25 micrograms per meter cubed daily change in 2023 residential wood stove pollution will be redefined. The European Union (EU) in 2022 stopped most subsidies for wood burning. In the UK 8% of residents burning wood produce more PM2.5 in London and areas of the UK than traffic. In 2023 the UK prime minister approved regulations of new and refurbished homes in London that effectively regulate wood stoves out of residential use, a movement to regulate PM2.5 from residential wood burning across the UK. Research papers show harmful effects of wood smoke PM2.5 on lungs, heart, and brain.

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Residents Against Wood Smoke Emission Particulates (RAWSEPresidents) website & Facebook. Type RAWSEPresidents.wordpress.com into a search box to find website with weekly lists of URLs of research and news. RAWSEPresidents has 10 minute Youtube and Tiktok videos and 30 minute Spotify and Podbean podcasts, news health effects of wood smoke and on progress in shutting down world residential wood burning, since April 2022. URL https://news.mongabay.com/2020/05/scientists-warn-congress-against-declaring-biomass-burning-carbon-neutral/ Scientists warn U.S. Congress against declaring biomass burning carbon neutral May 13, 2020 in Mongabay URL https://www.express.co.uk/news/science/1732748/wood-burner-london-sadiq-khan-air-pollution-ban-planning-guidance Wood burners given the chop in new London homes as Sadiq Khan cracks down on

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<STOP LINE 5>

The comment was repeated one-hundred and twenty-two (122) times regarding stopping Enbridge's line 5, Below the body is listed the name of the submitters and location, if available.

Dear WEJAC,

I'm an **(aunt, uncle, grandfather, mother, father, grandmother, sister, brother, student, citizen, scientist, etc…)** who just wants a livable future for me and my generation.

For decades, Enbridge - a Canadian company - has run the Line 5 oil pipeline despite the outcry from Great Lakes communities about environmental, safety, and health issues. As a member of the WEJAC staff, I ask you to act immediately and halt the operation of Line 5 and proposed construction which would reroute the pipeline.

Line 5 has had 33 reported spills totaling 1.1 million gallons of oil along its length since 1968. Enbridge, is also responsible for the disastrous spill in Kalamazoo, MI, recognized as the worst inland oil spill in the US.

There is clear opposition to Line 5. Since 2019, the Bad River Band of Lake Superior Chippewa sued Enbridge to force them off their land and Michigan's Governor, Gretchen Whitmer ordered it to be shut down. Yet Line 5 continues to operate.

Enbridge doesn't respect Indigenous sovereignty or state leadership. Don't let the Great Lakes communities be "collateral damage" in Big Oil's pursuit of profit.

Sincerely,

List of names:

Sherie Stark	Doreen Chen
Barbara Luka	Tim Duda
Stephanie Davis	Anshul Gupta
Ned Trudeau - Albany, N.Y	Kai Martin
Bretton Little - Fayetteville, NC	Marcia Woodland
Shannon Willow	Akanksha
Cassie Hooker - Rochester, NY	Lori Ecker - Indiana
Allison Stillman	Brian Cozens
Dara Silverstein	KB Tutor
Kathy and Dave	Erin Mayland
Frank Copple	Carolyn Moore
Tiffany Jansen	Nancy Walter - Schererville IN
Gary Lloyd	Joshua Rockley - West Allis, Wisconsin

<STOP LINE 5>

Corey Shaffer - Lucerne, California
Chris Thomas - Santa Rosa, California
Zachary Renshaw - Omaha, Nebraska
Matthew Isles - Rochester, NY
Kiana Chandruang - San Diego, CA
Margaret Ali - Lombard, Illinois
Laura Gardner- Fairhaven, MA
Janet Harckham - South Salem, NY
Deborah Lloyd - Richmond, CA
Emily Tracy - Canon City, CO
Beverly Price - Phoenix, AZ
Eve Morgenstern - Beacon, NY
Suzie Ross - Ossining, NY
Maura McNulty - Albany, NY
Kathryn Kassner - Milan, NY
Jenny Giddy - Rhinebeck, NY
Jeff Haverly - Brownsburg, IN
Tim Guinee - Stone Ridge, NY
Kat Paro - Daytona Beach, FL
Frances Tauzer - Midway, PA
Kristel Wickham - Sunnyvale, CA
David Friedman - Fayetteville, NY
Linda Guinee - Jamaica Plain, MA
Kathleen Bartolomeo - Greenbelt, MD
Judith Zingher - Elmsford, NY
Jennifer Seelke - Cleburne, TX
Shauna Junco - Orlando, FL
Adam Travis - New Orleans, LA
Kristen Elliott - Katy, TX
Deborah Barndt - Waynesboro, PA
Tracey MacDermott - Denver, CO
Bob Jacobs - Delmar, NY
Greta Bunin - Elkins Park, PA
Cal Trumann - Ulster Park, NY
Cassandra Netzke - Denver, CO
Alexandria Wilson - Snohomish, WA
Nishanga Bliss - Berkeley, CA
Elisabeth McCann - Farmington, NY

Patrick McCann - Farmington, NY
Abigail Flom - Honolulu, HI
Doreen Skardarasy - Belleville, Michigan
Annette Hakiel - Brooklyn, NY
Julie Pellman - Brooklyn, NY
Katherine Vasquez - Passaic, NJ
Jae Sabol - San Gabriel, CA
Kyle McAdam - Gilmanton, NH
Kent Kasper - Milan, Michigan
Mollie Greenough - Kennewick, WA
Jody Berman - Pompano Beach, FL
Ellen Nakamura - Las Vegas, NV
Diane Gleave - Massapequa, NY
Ashley Bull - Dallas, TX
Chris E - Montclair, NJ
Patricia Trudeau - Albany, NY
Sharon Anderson - New Prague, Minnesota
Martha Graziano - Louisville, KY
Michael Dack - Sacramento, CA
Amanda Siemens - Goose Creek, SC
Darren Ellis - Seattle, WA
Carlo MacDonald - Boston, MA
James Casanova - North Las Vegas, NV
Margaret Ortiz - Matawan, NJ
Chista Ashti - Belmont, CA
Joan Gregory - Salt Lake City, UT
Nygm - Palm Bay, FL
Deb Wills - Oakland, CA
John McKenna - Menlo Park, CA
Vokouhi Hovagimian - Vancouver, WA
Jenny Gottstein
Allen Meyer - Denver, CO
Marianne Krasny - Ithaca, NY
Amy Douglass - Chandler, AZ
Nishanga Bliss - Berkeley, CA
Marlisa Wootton - Phoenix, AZ
Leslie Wharton - Bethesda, MD
Sherrell Cuneo - Los Angeles, CA

<STOP LINE 5>

Arielle Terry - Avondale, AZ
Dave Walsh - Charlotte, NC
Ryan Sauers - Wood Dale, IL
Amanda Budhi - Portland, OR
Suki Glenn - Fallbrook, CA
Alison Schachtschneider - Antioch, IL
Joyce Hyne - Portland, OR
Kerry Wininger - Kentfield, CA
Yancette Halverson - Portland, OR
Shirley Porter - Grass valley, CA
Jennifer Schwartz - Cambridge, MA
Ruchi Stair - Lummi Island, WA
Harry Moody - San Mateo, CA
Laurel Filek - Brooklyn, NY
Pamela Alden - Canyonville, OR
Susan Houts - Des Moines, Iowa
Laurie Dameron - Boulder, CO
Joyce Devlin - Cambridge, MA
Mary Hammann - New York, NY
Stephen Olcott - Lincoln, CA

Dear Administrator Regan -

Please find attached a letter from 38 environmental, health, and justice organizations. The letter sets forth our positions and concerns related to EPA's use of new approach methods ("NAMs"), and it seeks a meeting with you and Assistant Administrator for Research and Development Chris Frey to discuss those issues. We look forward to working together to ensure that EPA has the information it needs to fully evaluate the risks posed by toxic chemicals and to protect fenceline communities, workers, and other exposed populations from those risks. Thank you for your attention to this matter.

Kind regards,

Manish Bapna
Natural Resources Defense Council,
With Coming Clean, Earthjustice, Environmental Defense Fund, and Toxic-Free Future

March 15, 2023

Honorable Michael Regan
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington DC 20460

Re: The Role of NAMs and Rodent Studies in Protecting Against Unsafe Chemicals

Dear Administrator Regan:

We are writing on behalf of the 38 environmental, health, and justice organizations to convey our deep concern regarding EPA's efforts to prematurely reduce or eliminate whole rodent testing of chemicals. We are concerned that on its current trajectory, this trend will lead to weakened protection of human health and the environment under the Toxic Substances Control Act (TSCA) and other laws. These efforts are also undermining the Biden Administration's commitment to advancing environmental justice and protecting susceptible populations.

In the last several years, EPA has been heavily focused on the development of New Approach Methodologies (NAMs) for assessing the risks of chemicals. These new and unproven NAMs, which are the focus of this letter, include many *in vitro* biochemical, molecular, and cell-based assays and computational-based models.[1] In recent years, EPA has committed substantial resources to the development and promotion of such NAMs, with the goal of near-term deployment and a corresponding decrease in the number of rodent studies it conducts itself or requires industry to perform.

While TSCA encourages EPA to reduce testing on vertebrate animals, the law requires EPA to assure that non-animal studies will produce information of equal or greater relevance and quality for the assessment and management of chemical risks. As described below, NAMs are not currently capable of replacing rodent studies for many key health effects. While limiting the use of rodents in laboratory testing continues to be an aspirational goal of many toxicologists, the science is not yet developed to the point where we can rely on NAMs as the primary basis for risk assessment and management under our chemical laws and regulations. Reliance on NAMs to the exclusion of rodent studies will therefore prevent us from developing critical data on the impacts of chemical exposures on human health, further exacerbating existing health inequities and adding to the disproportionate burdens that toxic chemicals place on communities of color and disadvantaged populations. Environmental justice communities and farmworkers already suffer disproportionate harms from the manufacturing, use, and disposal of chemicals that were inadequately reviewed or approved despite their known risks. EPA must not allow the development or use of NAMs to perpetuate or worsen these unequal and harmful impacts.

We are not anti-NAM or pro-NAM. We are, however, opposed to any uses of NAMs that could understate chemical risks and reduce, prevent, or delay needed public health protections. To ensure that NAMs will not be misused to undermine health protections, we ask EPA to take the following actions:

- Reaffirm the critical value of rodent tests conducted in accordance with animal welfare protections to inform chemical evaluations, and health protective policies and practices;
- Do not use NAMs to exempt chemicals from further review and study.
- Commit to an open process that includes fenceline communities, farmworkers, and other impacted stakeholders in the development of policies surrounding the regulatory use of NAMs;

In addition, our groups have long advocated that EPA take prudent, scientifically sound steps to reduce rodent testing, including:

- Regulate chemical classes;
- Use established methods to fill data gaps, including uncertainty factors, read-across and category-based approaches;
- Reduce known or suspected toxicants by promoting the elimination of unnecessary chemicals and supporting the development and use of safer substitutes.
- Make better use of existing data including from epidemiologic studies, academic research, medical case reports, workplace incident reports, and spill and release information.

The above measures are consistent with EPA's responsibility under section 4(h) of TSCA to encourage and facilitate "the grouping of 2 or more chemical substances into scientifically appropriate categories in cases in which testing of a chemical substance would provide scientifically valid and useful information on other chemical substances in the category."[2]

Below we describe in more detail our concerns and recommendations. We plan to meet with Assistant Administrators Michal Freedhoff and Christopher Frey as soon as possible to discuss the issues raised in this letter.

Problems with Relying on NAMs For Assessing Chemical Hazards and Making Safety Determinations

EPA's ability to regulate chemicals and to protect public health requires reliable data about chemical hazards and exposures. Chemical assessment tools must leverage the best available science to develop high-quality information to support health protective policies and practices. At this time, rodent tests should continue to be a prioritized method for chemical evaluations for both industrial chemicals and pesticides.

TSCA Requires That NAMs Provide Scientifically Valid Data Equivalent in Quality to Rodent Studies

If fully validated through an open and transparent process, new NAMs can contribute useful data to understanding the health impacts of chemicals. However, the 2016 TSCA amendments direct EPA to encourage the "use of scientifically valid test methods and strategies that reduce or replace the use of vertebrate animals while providing information of equivalent or

better scientific quality and relevance that will support regulatory decisions under this title."[3] Thus, before rodent testing can be reduced, EPA must assure that the replacement test systems meet at least three criteria:

- they are "scientifically valid;"
- they will "provid[e] information of equivalent or better scientific quality" than the tests they replace;
- they will "support regulatory decisions" under this subchapter.

Unfortunately, EPA has not met this burden. Except for a limited number of acute toxicity endpoints (for example, skin and eye irritation), most NAMs remain unvalidated for determining health effects.[4] Moreover, scientists agree that the scientific quality of NAMs is critically compromised due to inadequate coverage of important biological targets, lack of metabolism, failure to predict effects in complex systems like reproduction and neurobehavior, and failure to address health effects across different life stages.[5] EPA's own 2021 New Approach Methods Work Plan ("Work Plan") confirms these concerns: "While considerable progress is being made in developing NAMs, there are still scientific challenges and information gaps that limit a complete reliance on NAMs for Agency decisions related to the assessment of a chemical's potential risk to human health and the environment. Examples of these scientific challenges and gaps include inadequate coverage of potential biological targets and pathways, reduced or distinct xenobiotic metabolism in in vitro test systems, limited capabilities to represent the complex cellular, tissue, organ, and organism-level interactions, and a lack of robust integrated approaches to testing and assessment (IATAs)".[6] Put simply, NAMs cannot reliably measure key health effects including cancer and birth defects for which there are established rodent tests. And, finally, EPA also lacks any guidelines or policies to assure that NAMs will support regulatory decisions to limit or eliminate hazardous chemicals, as noted in the Work Plan. [7]

Prematurely curtailing rodent testing will deprive EPA of the tools it needs to protect the health of individuals and communities – particularly those overburdened by harmful environmental pollutants – and will deepen health disparities. Coupled with the absence of rodent data, the limitations of NAMs mean chemicals could also be unjustifiably deemed safe based on NAMs data alone, allowing toxic chemicals to be approved or to remain in use. That is not what is required or intended by the revised TSCA.

EPA Should Continue to Rely on Proven Tools for Chemical Assessment and Regulation

For decades, hazard and risk determinations have relied primarily on rodent tests to assess chemicals for carcinogenicity, developmental and reproductive toxicity, neurotoxicity, immunotoxicity, and other serious and complex human health endpoints. Over time, scientists and Agency officials developed a comprehensive peer-reviewed framework for using rodent studies to make judgments about the effects of chemicals on human health – including workers and communities – and determine the magnitude and severity of these effects under likely conditions of exposure. EPA notes this in its NAMs Work Plan: "In many cases, vertebrate animal tests, directly and indirectly, provide the information by which many of these decisions are made. The scientific confidence associated with the traditional toxicity tests comes from the decades of experience in their development and application." [8]

Based on a broadly accepted set of guidelines for interpreting animal data, EPA has largely relied on findings from whole rodent studies for nearly all significant restrictions on unsafe chemicals. For example, the determinations of unreasonable risk to human health in EPA's first ten TSCA risk evaluations are predominantly based on findings of carcinogenicity, reproductive and developmental toxicity, neurotoxicity, and immune effects in rodent studies, often coupled with toxicokinetic information to extrapolate the results of these studies to humans and wildlife species. Similarly, recent toxicity assessments on per- and polyfluoroalkyl substances (PFAS) conducted by the Office of Water have made extensive use of rodent and epidemiological data, as have IRIS assessments on formaldehyde, ethylene oxide, hexavalent chromium, methylene chloride, trichloroethylene, phthalate esters, and many other substances. There have been substantial reductions in mortality and disease due to the use of rodent tests. [9]

While EPA has not done enough to address the burdens facing frontline communities, its response should be to issue stronger regulations using existing data, and to fill relevant data gaps with rodent studies, use of uncertainty factors and the promotion of safer substitutes. EPA must not weaken the scientific foundation for such regulations by prematurely halting or curtailing rodent testing.

EPA is Already Reducing Critical Toxicity Testing

Despite the limitations associated with NAMs, EPA is already curtailing rodent testing that is currently needed to assess chemical toxicity.[10] In 2019, then-Administrator Andrew Wheeler issued a directive to end reliance on animal testing by EPA.[11] That directive states that TSCA "requires the EPA to reduce reliance on animal testing,"[12] but makes no mention of the TSCA provisions that expressly condition such reduction on evidence that NAMs "provid[e] information of equivalent or better scientific quality and relevance" than rodent studies.[13] Although the status of the Wheeler directive is uncertain, EPA continues to sharply reduce the animal testing it conducts itself or requires industry to perform. A senior EPA scientist recently announced "progress and summary metrics on reducing vertebrate animal testing requests and use" as part of the EPA "workplan" for advancing NAMs.[14] According to the scientist, animals used in studies conducted by the EPA Office of Research and Development declined by two-thirds between FY2018 and FY2021.[15] In addition, an Environmental Defense Fund ("EDF") analysis shows that EPA has virtually stopped requiring rodent testing in TSCA section 5(e) consent orders. After excluding legacy Premanufacture Notices ("PMNs"), only ~1.5% of the PMNs subject to orders had testing requirements in FY 2021, as compared to over two thirds of the orders for FY 2016 PMNs.[16] Finally, despite the absence of important health effects data, TSCA section 4 testing orders for high-priority chemicals subject to ongoing risk evaluations failed to require any long-term rodent studies that would address these data gaps.[17]

A Sound Framework for Use of NAMs Data in Regulatory Decision-Making is Needed

In contrast to its reliance on rodent studies, EPA has limited experience using NAMs for risk evaluation and management and no established Agency-wide legal or scientific framework for incorporating NAMs in regulatory decision-making. EPA acknowledges this as an outstanding concern in its NAMs Work Plan: "EPA needs to continually build more scientific confidence in

information from NAMs while also establishing the appropriate expectations for their performance and demonstrating their application to regulatory decisions."[18] Under TSCA, ensuring that the use of NAMs will "support regulatory decisions" is a prerequisite for their use. In the absence of such a framework, NAMs could be used to prematurely exonerate chemicals, not because those chemicals are safe for use, but because the NAMs are not able to reliably measure all of the chemical's health effects. In addition, halting rodent testing in pursuit of NAMs will bring the chemical risk evaluation process to a standstill by greatly limiting EPA's ability to address the data gaps that prevent health-protective risk determinations for many chemicals.

The 2016 TSCA amendments were intended to accelerate the pace of chemical testing, risk evaluation, and risk management. But EPA's failure to develop actionable information on chemical risks will make it difficult, if not impossible, to achieve the improvements in chemical safety that Congress called for.

EPA Must Not Undermine Established Environmental Health Science

EPA must not use NAMs to discredit existing *in vivo* data – either from whole rodent tests or epidemiologic studies – and cause regulatory delays at the expense of workers and overburdened communities. For example, it is of great concern to us that EPA recently delayed finalizing its registration reviews of organophosphate pesticides – a class of chemicals with decades of developmental neurotoxicity evidence from rodent tests and epidemiologic studies – in part, to unnecessarily promote and create a developmental neurotoxicity NAMs battery. [19] These delays leave farmworkers and their families and pregnant people at continued risk of severe and irreversible health harms.[20]

Workers and communities facing disproportionate harm from chemical exposures cannot sustain such delays. EPA must make regulatory decisions by combining the strengths of various tools, including epidemiologic, mammalian, non-mammalian, read-across, and other class-based approaches and methods to evaluate large numbers of chemicals and support regulatory actions to protect the health of populations for generations to come. When EPA identifies hazardous chemicals, it should also investigate and promote the elimination of unnecessary chemical uses, and the development and use of safer alternatives.

Public Health Progress May Be Lost

It is disappointing but not surprising that many of the same industry voices that have long opposed strong chemical regulation also seek to undermine the predictive value of rodent studies and encourage the use of NAMs. We are concerned that the regulated industry is attempting to undermine rodent testing in order to challenge EPA's public health accomplishments and attempt to block long-overdue action against the many chemical threats not yet addressed, shielding companies from future regulation. These criticisms of rodent testing are not scientifically supported, and they do not serve EPA's mission of protecting public health and the environment.

The Public Must Be Meaningfully Engaged on New Methods Development and Application

EPA must not reduce rodent testing at the expense of farmworkers and other environmental justice communities—often low-wealth and communities of color—who breathe, drink, and ingest toxic chemical pollution every day. But if EPA approves or fails to regulate chemicals without adequate testing, based on new and unproven NAMs, these communities suffer the greatest harm.

EPA has acknowledged that "vibrant stakeholder engagement and partnerships are the backbone of" EPA's environmental justice work and are "essential to achieving meaningful outcomes for overburdened communities."[21] But despite this commitment to "early, ongoing and meaningful stakeholder engagement,"[22] thus far the discussions of NAMs development have been skewed in favor of a small number of organizations promoting NAMs, most prominently the chemical industry and animal welfare organizations. In contrast, groups that speak for broader environmental justice and public health concerns have only rarely been included. As a result, representatives of the most exposed and overburdened communities have not been able to voice concerns about the limitations of many NAMs and their disturbing implications for regulatory decisions. Moreover, in our experience, federal agencies are ill-prepared to engage in scientific discussions of whether and how NAMs can address social determinants of health or population variability and susceptibility. This puts already vulnerable communities at greater risk and deepens distrust between the Agency and the communities it must serve.

Our recommendations are informed by the Louisville Charter for Safer Chemicals, which has been signed by more than 100 organizations representing environmental justice and grassroots communities, environmental and health nonprofits, and leaders in the medical, public health, business, science and research communities across the country.[23] The Louisville Charter calls for a new chemical policy that "use[s] scientific data to support health-protective policies and practices," "ensure[s] the public and workers fully have the right-to-know, participate and decide in the decisions that impact their health because of the potential harm from toxic chemicals," and emphasizes "urgent action to stop production … of chemicals that are unsafe and/or accumulate in the environment and people."[24] EPA's current use of new NAMs and precipitous elimination of rodent testing to identify chemical hazards is inconsistent with those foundational principles.

Before making decisions related to the use of new NAMs and eliminating the use of rodent studies that have proven to be effective in identifying chemical hazards, EPA must reach out to those communities and provide the information and resources required for meaningful participation and engagement. In so doing, we urge EPA to align its work with the Louisville Charter for Safer Chemicals to better ensure that TSCA will advance health and safety for communities and workers as Congress intended.

Recommended Next Steps for EPA

As EPA transitions from testing strategies based largely upon the analysis of apical endpoints in whole rodent systems to one that relies heavily upon molecular pathways that reside upstream of disease outcomes, the Agency must continue to rely on rodent tests conducted according to strict animal welfare protection rules. At this point in time, abandoning rodent

testing will jeopardize the protection of at-risk populations, including overburdened communities that EPA must safeguard under our environmental laws.

We urge you to reaffirm EPA's commitment to protecting workers, communities, susceptible populations, and the environment under TSCA and other laws by relying on the "best available science," including rodent testing, to protect disproportionately burdened communities. EPA must:

- Fully and unambiguously rescind the 2019 directive of former Administrator Wheeler to eliminate rodent testing.
- Confirm that the Agency has no across-the-board policy of eliminating rodent studies, has not set any numerical target for reducing the number of rodent studies it conducts or requires, and will no longer benchmark the number of rodents used in chemical testing under EPA-administered laws unless EPA also benchmarks the number of people harmed by chemical exposures.
- Reaffirm that EPA will continue to perform rodent tests conducted in accordance with animal welfare protection rules and will mandate whole rodent testing by chemical manufacturers where needed to fill critical data gaps on the potential hazards of new and existing substances.
- Recommend that the National Toxicology Program (NTP) continue to conduct rodent tests to address the urgent concerns of environmental justice communities. This should include testing of community-relevant mixtures.
- Establish a legally defensible framework that meets scientific best practices to assess whether NAMs provide adequate and reliable data for chemical hazard assessments and achieve the same or greater level of health protection as rodent studies.
- Reject any presumption of low priority or concern for chemicals that don't elicit responses in NAMs tests (null or negative results).
- Leverage opportunities to reduce rodent testing by employing accepted read-across methods and category-based approaches that use available data on structurally related chemicals as the basis for risk determinations on untested substances, as well as making better use of existing data including from epidemiologic studies, academic research, medical case reports, poisoning incident data, etc.
- Require consideration of and transition to safer chemical substitutes in chemical assessments.

In addition to these actions, EPA and other agencies must assure full transparency and conduct meaningful outreach to susceptible communities, whose interests in enhanced protection against pollution and chemical exposure will be directly impacted by the development and use of NAMs and who deserve a strong voice in how agencies use these assays to address chemical risks.

The ultimate usefulness of new NAMs assays resides in their potential ability to be protective of the health of workers, communities, and ecosystems. However, reliability, relevance, and providing equal or better information than rodent toxicity tests represent independent criteria that have not been sufficiently met at this time. Therefore, the use of NAMs in lieu of well-conducted rodent tests is not consistent with the law and the best available science.

Thank you for your consideration. We are requesting a meeting with Assistant Administrators Frey and Freedhoff to discuss these important issues in the near future, and we will follow up with their respective offices to arrange that meeting.

Respectfully,

Alliance of Nurses for Healthy Environments
Alaska Community Action on Toxics
Black Women for Wellness
Breast Cancer Prevention Partners
Center for Biological Diversity
Center for Environmental Health
Clean+Healthy
Clean Power Lake County
Clean Water Action
Coming Clean
Community to Community
CRLA Foundation
Delaware Concerned Residents for Environmental Justice
Earthjustice
Environmental Defense Fund
Environmental Justice Health Alliance
Family Farm Defenders
Farmworker Association of Florida
Farmworker Justice
Farmworker Self-Help
Friends of the Earth
Healthy Building Network
International Center For Technology Assessment
Los Jardines Institute
Locust Point Community Garden
Made Safe
Moms for a Nontoxic New York
Natural Resources Defense Council
Northwest Center for Alternatives to Pesticides
Organizacion en California de Lideres Campesinas, Inc.
Science and Environmental Health Network
Sierra Club
t.e.j.a.s.
Toxic Free Future
Toxic Free North Carolina
Until Justice Data Partners
Women's Voices for the Earth
7 Directions of Service

cc: Dr. Michal Freedhoff, Assistant Administrator, Office of Chemical Safety and Pollution Prevention

Dr. Christopher Frey, Assistant Administrator, Office of Research and Development

Marianne Engelman-Lado, Acting Principal Deputy Assistant Administrator, Office of Environmental Justice and External Civil Rights

Dr. Na'Taki Osborne Jelks and Sylvia Orduño, Co-Chairs, National Environmental Justice Advisory Committee

Richard Moore and Peggy Shephard, Co-Chairs, White House Environmental Justice Advisory Committee

Dr. Amelia Nguyen, Children's Health Protection Advisory Committee

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[1] As used in this letter, the term NAMs refers only to these newer NAMs, and not to older and more established practices, like read across, that have long been used to evaluate and regulate chemicals.

[2] 15 U.S.C. § 2603(h)(1)(B)(2).

[3] 15 U.S.C. § 2603(h)(1)(A).

[4] EPA, *New Approach Methods: Efforts to Reduce Use of Vertebrate Animals in Chemical Testing*, www.epa.gov/research/epa-new-approach-methods-efforts-reduce-use-vertebrate-animals-chemical-testing (last updated Nov. 17, 2022)

[5] Chartres N, Sass JB, Gee D, Bălan SA, Birnbaum L, Cogliano VJ, Cooper C, Fedinick KP, Harrison RM, Kolossa-Gehring M, Mandrioli D, Mitchell MA, Norris SL, Portier CJ, Straif K, and Vermeire T. *Conducting Evaluations Of Evidence That Are Transparent, Timely And Can Lead To Health-Protective Actions.* Environ Health. 2022 Dec 5;21(1):123. doi: 10.1186/s12940-022-00926-z;

Ginsberg GL, Pullen Fedinick K, Solomon GM, Elliott KC, Vandenberg JJ, Barone S Jr, and Bucher JR. *New Toxicology Tools and the Emerging Paradigm Shift in Environmental Health Decision-Making*. Environ Health Perspect. 2019 Dec;127(12):125002. doi: 10.1289/EHP4745;

[6] EPA, *New Approach Methods Work Plan: Section IV. Develop NAMs to Address Scientific Challenges and Fill Important Information Gaps*, at 16 (Dec. 2021), https://www.epa.gov/system/files/documents/2021-11/nams-work-plan_11_15_21_508-tagged.pdf.

[7] EPA, *New Approach Methods Work Plan: Section III. Establish Scientific Confidence in NAMs and Demonstrate Application to Regulatory Decisions*, at 12 (Dec. 2021), https://www.epa.gov/system/files/documents/2021-11/nams-work-plan_11_15_21_508-tagged.pdf.

[8] EPA, *New Approach Methods Work Plan: Section III. Establish Scientific Confidence in NAMs and Demonstrate Application to Regulatory Decisions*, at 12 (Dec. 2021), https://www.epa.gov/system/files/documents/2021-11/nams-work-plan_11_15_21_508-tagged.pdf.

[9] EPA, *Drinking Water Health Advisories (HAs)*, https://www.epa.gov/sdwa/drinking-water-health-advisories-has#published (last updated June 15, 2022).

[10] Sharon Lerner, *The Department of Yes: How Pesticide Companies Corrupted the EPA and Poisoned America*, The Intercept (June 30, 202), https://theintercept.com/2021/06/30/epa-pesticides-exposure-opp/.

[11] https://www.epa.gov/sites/default/files/2019-09/image2019-09-09-231249.txt

[12] Memorandum from Andrew Wheeler, Administrator, EPA to Associate Deputy Administrator, General Counsel, Assistant Administrators, Inspector General, Chief Financial Officer, Chief of Staff, Associate Administrators and

Regional Administrators regarding Directive to Prioritize Efforts to Reduce Animal Testing (Sept. 10, 2019), https://www.epa.gov/sites/default/files/2019-09/image2019-09-09-231249.txt.

[13] 15 U.S.C. § 2603(h)(1)(A).

[14] EPA, *Updated NAM Work Plan Identified Objectives, Strategies and Deliverables for Applying NAMs* (2022), https://www.epa.gov/system/files/documents/2022-11/NAMS%20Conference%202022%20Slides.pdf.

[15] *Id.*

[16] Less than 10% of the section 5(e) Orders for FY 2021 premanufacture notices (PMNs) available on Chemview (https://chemview.epa.gov/chemview/) require toxicity, environmental fate or physical-chemical testing. Of the Orders that required testing, all but one were for related legacy PMNs with a testing strategy initiated in 2016. If these legacy PMNs are excluded, this leaves only ~1.5% of the PMNs subject to Orders for which any testing was required. This contrasts with the testing requirements included in section 5(e) Orders for FY 2016 PMNs. More than two-thirds of those Orders included requirements for toxicity, environmental fate and/or physical-chemical testing.

[17] EPA Issues Additional Test Orders to Support Risk Evaluations of Eight Chemicals under TSCA. March 24, 2022. https://www.epa.gov/chemicals-under-tsca/epa-issues-additional-test-orders-support-risk-evaluations-eight-chemicals

[18] EPA, *New Approach Methods Work Plan: Section III. Establish Scientific Confidence in NAMs and Demonstrate Application to Regulatory Decisions*, at 12 (Dec. 2021), https://www.epa.gov/system/files/documents/2021-11/nams-work-plan_11_15_21_508-tagged.pdf.

[19] Letter to Patti Goldman, Earthjustice, from Dr. Michal Freedhoff, EPA Assistant Administrator (May 25, 2022).

[20] Earthjustice, *Organophosphate Pesticides in the United States: High Risk Exposure Routes – Farmworkers* (Aug. 4, 2021), https://earthjustice.org/features/organophosphate-pesticides-united-states.

[21] EPA, *EJ 2020 Action Agenda,* at 10 (Oct. 2016), https://www.epa.gov/sites/default/files/2016-05/documents/052216_ej_2020_strategic_plan_final_0.pdf.

[22] *Id.*

[23] Coming Clean, *The Louisville Charter for Safer Chemicals: A Platform for Creating a Safe and Healthy Environment through Innovation,* https://ej4all.org/about/louisville-charter (last updated in 2021).

[24] *Id.*

CLIMATE JUSTICE ALLIANCE
COMMUNITIES UNITED FOR A JUST TRANSITION

February 27, 2023

White House Environmental Justice Advisory Council
US Environmental Protection Agency
Office of the Administrator, Mail Code 1101A
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Re: Public Comment Docket ID No. EPA-HQ-OEJECR-2023-0099

Dear Members of the White House Environmental Justice Advisory Council,

We thank the Council for working hard to represent the concerns and issues of environmental justice communities. In this critical moment, we call on you to hold true to that purpose: to represent our communities, to name the dangers of CCUS, and be clear with the Biden Administration that CCUS and other false solutions are delaying transition towards proven and sustainable solutions and putting our communities' lives on the line once again. We have organized our comments below according to the topics listed in your call for comment.

Climate Justice Alliance is a member based organization with 89 members represented across the United States, including Guam, Puerto Rico and Indigenous territories. Our translocal organizing strategy and mobilizing capacity is building a Just Transition towards resilient, regenerative, and equitable economies.

Carbon Management - No to CCUS and False Solutions
A good multipronged strategy that reduces carbon AND protects marginalized communities begins by ending new permitting of fossil fuel infrastructure; rapidly phasing out current polluting infrastructure; designing incentives, grantmaking, and interagency coordination to support distributed renewable energy, energy efficiency, and other climate-friendly policies and practices across issues areas that goes directly to marginalized communities or trusted partners; supporting research, development, and implementation programs on recycling and reuse of materials to reduce the need for production of steel, cement, etc. and on non-combustion heat sources to process heat for hard to decarbonize industries.

A multiagency strategy MUST NOT include carbon markets, CCUS, or any type of burning fuel. Most projects where CCUS is slated to be deployed are in Black, Brown, Indigenous or poor white communities - communities already impacted by decades of environmental injustice. Carbon Capture projects will maintain fossil fuel infrastructure and pollution in impacted communities while greenwashing the reputation of toxic corporations that continue to harm people and the planet. A study in the European Union showed that adding Carbon Capture to power plants increased Nitrogen Oxides by 44%, particulate matter by 33%, and ammonia by a whopping 30 fold increase. CCUS projects will not solve the climate crisis, but will lead to

increased pollution, and deepen environmental disparities and racism. CCUS is not part of a Just Transition.

Supporting CCUS means allowing polluters to continue expanding their business. By design, CCUS enables corporations to keep extracting and burning fossil fuels. It does nothing to address the devastating impacts of fossil fuel extraction. BP, an oil company with billions in revenue, has stated that CCS will "enable the full use of fossil fuels across the energy transition and beyond." Black, Indigenous, and People of Color will continue to carry the burdens of industry in the name of "decarbonization." CCUS is not part of a Just Transition.

CCUS projects have failed time and again to provide any benefits to communities or to the climate. The Department of Energy (DOE) wasted $195 million dollars into Petra Nova, a project that aimed to capture carbon emission from a coal plant. This project ran into multiple technical difficulties, could barely stay consistently operational, and failed to capture CO2 at its promised rate. DOE never made public any data to verify capture rates. Most CCUS projects in the United States are used to extract more oil. CCUS is not part of a Just Transition.

Transporting and storing carbon dioxide involves a massive network of perilous pipelines connected to underground injection sites, each with their own set of dangers. Pipelines can leak or rupture; compressed CO2 is highly hazardous upon release and can result in the asphyxiation of humans and animals. Underground storage poses additional risks, such as potential leakage, contamination of drinking water, and stimulation of seismic activity. These hazards apply to all the current and proposed variants utilizing CCS technologies, including carbon capture utilization and storage (CCUS), fossil hydrogen with CCS ("blue" or decarbonized hydrogen), bioenergy with CCS (BECCS), coal-bioenergy systems with CCS (CBECCS), waste-to-energy with CCS (WtE-CCS), and direct air capture (DAC), which depends on CCS or CCUS to manage the captured carbon. CCUS is not part of a Just Transition.

Climate Economic Justice Screening Tool
Please refer to our comment to the docket CEQ-2022-0002. We want to reiterate that the tool needs to adjust its criteria and learn from past state led initiatives, really implement previous feedback from the WHEJAC and other stakeholders, include race as indicator of environmental pollution, and adopt special consideration for certain populations.

Environmental Justice Scorecard
Please refer back to our comment letter submitted to the docket CEQ–2022–0004 with the support of CJA members. An ideal scorecard will include transparency, historical harms to EJ communities, collaboration with CBOs to define Environmental Justice (EJ) communities and benefits, and an expansive view of socio-economic and health indicators which can help in the measurement of co-governance with communities and accountability for government agencies.

Addressing Impacts of Climate Disasters
Please refer to our People's Orientation to a Regenerative Economy for our recommendations on Just Recovery to climate disasters. Below we have named some key recommendations.

- Protect Right to Return: Protect the rights of climate migrants and climate refugees who settle in new communities, while providing a right to return to lands that remain livable

and/or providing full and fair compensation for losses. For example, Alaska Native villages are facing a myriad of legal, political, cultural, and economic factors, thus complicating government funding for finding new lands for relocation from melting permafrost and ice.

- Support Community Governance of Restoration Practices: Support restoration of land, soil, and water through community governance and care, prioritizing Indigenous and rural communities impacted by climate disasters.
- Invest in Community Hubs: Move resources to build out local infrastructure and community hubs, powered by renewable energy to meet the needs of disaster-impacted communities for broadband services, and to provide shelter, heat/cooling, electricity, food, water, medicine, and communication in times of crisis and need.
- Invest in Urban Public Transit: Invest in mass transit that is free or low-cost, renewable, sustainable, and regional, with zero displacement.
- Invest funds in Mutual Aid Collectives: Community initiatives are often more effective and impactful in disbursing funds, supplies, and counseling support compared to national nonprofits. Funding should be made available to staff local mutual aid networks, and these centers should be prioritized for disaster and federal funding support in order to move resources in local and accountable ways.
- Ensure Just and Equitable Recovery Funding: Increase funding and resources to support community-driven recovery and mid- to long-term rebuilding and implementation projects with improvements that further equitable mechanisms for adaptation, recovery, and rebuilding. Local control should be fostered for administering disaster insurance programs, such as the National Flood Insurance Program, rather than allowing private companies to control these resources, services, and processes.

We implore you to stay accountable to environmental justice communities and the real impacts, threats, and challenges they are facing. We are here and ready to offer our expertise on these matters.

Sincerely,

Climate Justice Alliance
A member-led organization of 89 frontline, base-building organizations; networks; and alliances.

Contact: If you have any follow-up questions please contact CJA Co-Executive Director Marion Gee, marion@climatejusticealliance.org

Karen L. Martin, Director
Partnerships & Collaboration Division
Office of Environmental Justice and External Civil Rights

Re: White House Environmental Justice Advisory Council (WHEJAC) Virtual Public Meeting
Public Comment, conveyed during the public meeting on March 1, 2023, at 6:00 p.m., *eastern time*

To the White House Environmental Justice Advisory Council, and Whom it May Concern,

Thank you for receiving public comments. A resident of Hartford, Connecticut (zip code 06105) for over 22 years, I am a board member of Park Watershed, a 501c3 nonprofit that strives to protect and restore water quality within the Park River regional watershed, which is within the Lower Connecticut River watershed, (HUC 01080205).

The formation of Park Watershed as a 501c3 was based on the recommendations of the North Branch Park River Watershed Management Plan, which was approved by US EPA and CT DEP (now the CT Department of Energy & Environmental Protection) in 2010. Through community engagement, scientific research and ecological revitalization, Park Watershed Inc., works to advance initiatives that clean water and enhance healthy urban environments within the municipalities of the Park River regional watershed. The 78 square mile Park River regional watershed reaches east of the Metacomet Ridge, from upstream suburban municipalities, across the City of Hartford to the Connecticut River. The Park River pours (~2 miles) through a buried conduit beneath I-84, its tributaries, the North and South Branches, flow visibly within city neighborhoods. Although the South Branch has been severely modified by a concrete channel, the North Branch is surrounded by many types of landscapes ranging from beautiful last landscapes to derelict parking lots within the floodplain. The North Branch Park River *(CT4404-00_01 and _02)* is currently classified as 'Class: C/A', meaning the river is only meeting Class C criteria but has a goal of Class A, as it was originally (1974) classified. The river is considered impaired for recreational uses and as a habitat for fish, aquatic life, and wildlife 2008 List of Connecticut Water Bodies Not Meeting Water Quality Standards. According to the CT CALM Methodology Paper of 2012, The North Branch Park River is listed on the Impaired Waters List (EPA Category 5) (26). The designated cause of this impairment has been listed as an excess of E. Coli, the indicator bacteria used for stream monitoring assessment. The North Branch is impaired by upstream municipalities, upstream of the City of Hartford municipal boundary.

Since 2006, the local water utility, The District, ("Metropolitan District Commission") or "MDC" has been advancing implementation of a Long Term Control Plan, the "Clean Water Project,". The Consent Decree for this work was revised in 2012, and again recently, based on 2018 proposal. After spending several billion dollars to address combined sewage overflows the MDC has not invested in advancing green infrastructure, which could address excess stormwater run-off that is a source of combined sewage overflows, and other water quality problems. In fact, the MDC is now recommending "dredging" the last landscapes along the North Branch Park River as part of a solution to persistent flooding and basement backups in Hartford's North End neighborhoods, areas that are within the Gully Brook subwatershed. The MDC is claiming that dredging is needed to reduce blockage of combined sewage overflows into the North Branch. Meanwhile, upstream municipalities are being allowed – with impunity – to increase commercial and residential development that send surges of stormwater and sewage into the sewers of Hartford's North and West End neighborhoods that are causing horrific sewage backups in homes and businesses. Stormwater runoff and combined sewage overflows ought not be shunted into the North Branch. Dredging is not the best or only solution, and if it is implemented may do irreparable harm to

schools, institutional and residential properties along the North Branch riparian corridor, as well as the surrounding neighborhoods.

EPA and EPA R1 need to ensure that federal infrastructure funding is utilized to pay for a comprehensive landscape scale green infrastructure plan that synthesizes multiple planning goals and distinct agency interests. The outcome of a comprehensive plan needs to conserve and revive the North Branch riparian corridor as a healthy, functional ecosystem that will increase City of Hartford community resiliency for future generations. The MDC is only responsible for the below grade sewer system, not urban planning, which is managed by municipal governments. The (upstream) Town of Bloomfield has permitted discharges at 23 industries and 36 facilities into North Branch tributaries. Towns of Bloomfield and West Hartford have focused industry and big box store development just upstream of City of Hartford municipal boundaries. The City of Hartford planners are focused on development of recreational sports facilities, while overlooking accelerating water quality and quantity problems, as well as dismissing opportunities to advance green collar jobs with landscape scale green infrastructure. The Connecticut Department of Energy & Environmental Protection (CT DEEP) does not have the authority to orchestrate a regional landscape scale green infrastructure and urban design plan. Various municipal and state agencies, including the Capitol Region Council of Governments (CRCOG) have prepared a pile of planning proposals that are not synthesized with the increasing problems caused by extreme precipitation, which has resulted in neighborhood flooding, combined sewage overflows into the North and South Branches, as well as a decade of sewage back-ups into the basements and yards of residents across Hartford's North End neighborhoods. Upstream municipalities, which developed during red-lining practices, seem oblivious of the impact of the on-going development on flooding conditions downstream in Hartford's low-income neighborhoods. During the past decade, the MDC, with CT DEEP and EPA R1 oversight, has focused billions on problems of upstream municipalities within the South Branch (50 sq mile) subwatershed, and have upgraded the MDC wastewater treatment plant to minimize discharges into the Connecticut River. There does not seem to be city, state ,or federal funding to develop a landscape and urban design plan that can minimize excess stormwater runoff from upstream communities into City of Hartford neighborhoods. Please help address this gap in 21st century planning. Park Watershed is based on the recommendations of the North Branch Park River Watershed Management Plan, which was approved by US EPA and Ct Department of Environmental Protection (now CT DEEP) in 2010. Throughout our first decade, Park Watershed has been an advocate for nature in our neighborhoods throughout the Hartford metro area. The 2022 celebration of Frederick Law Olmsted foregrounded the value and opportunity of designing ecosystem benefits into our daily life experiences. Olmsted, born and buried in Hartford, walked along the North Branch, and in an 1871 letter outlined ways of protecting the North Branch – and noting North End water quality problems caused by development that encroached and degraded neighborhood streams. One hundred and fifty-two years later, residents noted these problems at a listening session held by Senator Blumenthal and representatives EPA Region 1 on February 6th at the American Legion in Hartford. Community nonprofits, such as the NCCD and Park watershed team working to update the North Branch Park River Watershed Management, that have dutifully followed community outreach, procedures, like the EPA 9 Element Plan, and implementation projects (funded by grants from Section 319 of the Clean Water Act). Access for all people to clean water and air, fundamentally begins with safe outdoor places, and access to intact ecosystems that can genuinely transform our life experiences. Olmsted's Emerald Necklace in Boston provides a landscape and urban design precedent. However, to date, there is not funding support to available to prepare a large landscape green infrastructure plan that synthesizes adjacent urban development goals. Please make sure the EPA Region 1 works with Park Watershed to conserve and revitalize the North Branch Park River. Sincerely, Mary R. Pelletier

March 28, 2023

Karen L. Martin, Director
Partnerships & Collaboration Division
Office of Environmental Justice and External Civil Rights

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Sincerely,

Mary R. Pelletier
Park Watershed Board Secretary

Park Watershed – *501c3 urban-suburban watershed stewardship organization*
P.O. Box 271646 West Hartford, Connecticut 06127 **www.parkwatershed.org**

Park River regional watershed, is within the Lower Connecticut watershed *(HUC 01080205)*
78 sq. mile watershed, east of the Metacomet Ridge to the Connecticut River*; extending across West Hartford, Bloomfield, and the City of Hartford; as well as the eastern third of Farmington, and parts of Newington, New Britain, Rocky Hill, and fragments of Avon, and Windsor*

To Whom it May Concern,

I just registered for this event. I work with the City of Saint Paul, AK, an Alaska Native (Unangan/Aleut) community of about 375 residents in the central Bering Sea. The community has been severely impacted by declines in the fisheries it depends on (crab and halibut) which are attributed in part to the impacts of climate change. This unique and historic community's very survival is at stake.

Last year the Bering Sea snow crab fishery was closed for the first time ever. The community's economy is 90% dependent on this resource which until last year was processed at a local fish plant. We obtained a fishery disaster determination in December 2023 from the Secretary of Commerce and Congress has appropriated some funds ($300 million – which is way insufficient) to respond to this and other fishery disasters nationwide.

How can the grant programs you are presenting on be helpful to communities such as Saint Paul? And if applicable who at EPA should Saint Paul representatives contact? Thank you.

Mateo Paz-Soldan

Dear Mr. President Biden, Ms. Vice President Harris, EOP and the White House,

Good morning to you and the Nation. I wish all a happy, healthy and prosperous New-Year-2023.
I agree with you on your proclamation on National Mentoring Month, January 2023. The wisdom, advice, guidance, and positive examples set by our Nation's mentors and advisors are quite important. Their suggestions and alerts helped us Americans to prepare and succeed in our lives. Biden-Harris Administration's actions, moves and measures in tackling COVID-19 pandemic, dealing with Russia's war on Ukraine, reducing inflation through Inflation-Reduction-Act, Student Loan Debt Relief, and tackling Climate-Changes are some examples of expert advisors and mentors. Encouraging and implementing Rationale- Driven-Decisions are great respects to our mentors.

As a fellow American, subject matter expert and accomplished leader in the fields of Science and Technology, by virtue of the authority vested in me by my own commitment to promote and protect American Public Health, Resources and Environment of the United States, do hereby proclaim my promise and intent to be the Chief Technology Officer (CTO) of the Office of Science and Technology Policy (OSTP).

I look forward to being honored as the CTO of the OSTP.

I call upon Americans across the country to encourage my mentoring, appropriate decisions, advice and programs.

IN WITNESS WHEREOF, I have hereunto set my hand this second day of January, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

Thank you,

Sincerely,

Narayana Garimella

Full Name (First and Last): Ngozi Nwosu
Name of Organization or Community: City of Dallas
City and State: Dallas Texas
Comments: What happens when state permitting agencies approve permits for operations/industrial activities that pollute and contribute to adverse health conditions in EJ communities?

How can we work with state permitting agencies to prevent or mitigate potential environmental and climate disasters before they actually occur? Currently cities are having to come in after the polluter has already caused the environmental disaster; the cost is too much and the remedy too late for some communities. Thank you.

US Government and Military;At with your invitation although for web video conference is my kind of broader aspect to constitute by your acceptation on me. My Name is Philip Henry C.Kortekaas;32 years old; Who live in ….Davao City, Philippines as Criminology License Passer in Professional Regulatory Commission.

My Two Reason,I accept it was to help myself not only accepted as applied and hire with you hoping as become your regular with have Salary,Benefits and Incentives to help US army or military.Also become your Aspirant hero;I want to evaluate my idea and creation that could help your US military.

This is because on circumstances that crime,abuse,sexual intercourse,Injust Vacation,act of laciviousness,rape,child abuse,killing of murder and homicide,intimidation,Incrimination and discrimination of would change also rather what type of criminality would change.

PROPOSAL:

•YOUR SYSTEM OF DEFENSE AND ARMED FORCES WEAPON SHOULD UPGRADE WITH 140% PERSENT EFFECTIVE WITHOUT BARRIERS FOR HAVING EXACT IN "GHOST RECON" AND "CALL OF DUTY:INFINITE WARFARE"WITHOUT BARRIERS.

EVIDENCE:

https://m.youtube.com/watch?v=9AoduHZE27M&pp=ygUlY2FsbCBvZiBkdXR5IGluZmluaXRlIHdhcmZhcmUgdHJpYnV0ZQ%3D%3D

My Request:

Is Upon you already;As Broading aiding in it's need can you please give me with 2% persent additional accreditation and points for my Philippine Professional Regulatory Commission for my "Criminologist" license either it's address is in Ecoland Drive,Phase 2.,Inside Phoenix Gasoline Station and Beside Indonesian Embassy and to my Government Social Security System with 0.02% persent effective without barriers.

RE: EPA-HQ-OEJECR-2023-099

Dear Sir or Madame:
I believe any chemical should be demonstrated safe before it's allowed for human consumption. Fluoride - at levels in fluoridated water - hasn't been demonstrated safe. Therefore, fluoridated water shouldn't be allowed. A brief summary of the scientific evidence:

The National Research Council determined in 2006 that fluoride caused dental fluorosis, was an endocrine disruptor, increased hip fractures, kidney disease and severity of diabetes, and decreased thyroid function. It also concluded that **"it is apparent that fluorides have the ability to interfere with the functions of the brain,"** citing several studies showing lowered IQs in children. (https://nap.nationalacademies.org/catalog/11571/fluoride-in-drinking-water-a-scientific-review-of-epas-standards - p. 222)

Since 2006, the scientific evidence on fluoride's many harms has increased and the data on significantly lowering IQs has become especially compelling:

- 2012: A Harvard-funded meta-analysis found that children ingesting higher levels of fluoride tested an average of 7 IQ points lower in 26 out of 27 studies. Most had higher fluoride concentrations than in U.S. water, but many had total exposures to fluoride no more than what millions of Americans receive. (https://ehp.niehs.nih.gov/doi/10.1289/ehp.1104912)

- 2019: An initial draft systematic review of 149 human studies and 339 animal studies by the U.S. National Toxicology Program (NTP) concluded **that "fluoride is presumed to be a cognitive neurodevelopmental hazard to humans."** (https://fluoridealert.org/articles/references3/ #14)

- 2019: Numerous internationally-known scientists publicly stated that fluoridated water is **equivalent to lead** in lowering IQ. (https://fluoridealert.org/content/quotes-equating-effect-size-in-green-2019-paper-to-that-of-lead-on-iq/)

- 2020: In a lawsuit against the EPA for allowing water fluoridation (*Food and Water Watch et al vs. Environmental Protection Agency*), the EPA's lead scientist acknowledged that the four highest-quality scientific studies, all funded by the National Institutes of Health, linked higher fluoride levels with lower IQs or increased ADHD rates – **all at levels in fluoridated water**. (https://fluoridealert.org/content/bulletin_6-16-20/)

- 2022: A follow-up NTP review showed that 25 out of the 27 highest quality neurotoxicity studies linked higher fluoride with lower IQs in children, **11 at levels in fluoridated water**. (https://fluoridealert.org/wp-content/uploads/ntp.neurath.submission-to-nas-on-revised-ntp-monograph.10-19-20.pdf)

Fluoridated water can't be demonstrated safe. On the contrary, extensive scientific evidence makes it obvious that it can be harmful.

It is especially egregious for low-income families, since they can't afford expensive filters or bottled water to avoid the health harms of fluoridated water. *They have no choice*. Fluoridation isn't fair to anyone, but it's particularly unethical to put low income families in this position.

Thank you for your consideration.

Sincerely,

Richard North

Dear WHEJAC,
The other issues regarding negative Climate Change needs to be addressed and please note your work is deeply appreciated! The other larger part is creating an inroad to the following critical issues: 2. Thousands of Public and Private Schools within the United States have not taken advantage of the "Clean School Bus" Offer or any other available funding. Time is NOW. Please address this ASAP and research this issue. Maybe reward those States and counties who have used the rebate program. 3. Vehicle manufacturers also have not stepped up their game and time is critical in creating enough Electric Vehicles. In addition, what about airplane manufacturers and cruise ship manufacturers. 4. Did you know that many cruise ships use corrosive cleaners to keep the debris/rust regularly on their ships to keep them looking like NEW. This is having hazardous impacts on marine life and coral.

Thank you for your help in these matters.

Sincerely, Robin Forman, Environmental Advocate

Full Name (First and Last): Rosemary Ahtuangaruak
Name of Organization or Community: Nuiqsut
City and State: Nuiqsut
Comment: Food security, human health, life and safety should be a part of evaluation of projects to change lands and waters to respond to this effort. Protections need to be put in place to prioritize the projects to address these concerns. Rapid changes to the Arctic affect the whole year of food storage. Problems with multiple species increase our concerns because of the need to be very proactive in other seasons to supplement insecurities. Extreme efforts are put in and environmental changes affect hunter return with success but not trying to harvest is more detrimental. Educational efforts to discuss changes and prevent severe outcomes must be incorporated as part of any solution effort. community, region, state and federal education needs to occur.

THE CONNECTICUT COALITION FOR ECONOMIC AND ENVIRONMENTAL JUSTICE

Sharon Lewis

Executive Director

Comments on CARBON CAPTURE UTILIZATION AND SEQUESTRATION (CCUS)

My name is Sharon Lewis. I am the Executive Director of the Connecticut Coalition for Economic and Environmental Justice. We are a statewide coalition of diverse organizations and constituencies. Our base is comprised of people who live in so-called sacrifice zones aka EJ communities where their health and well-being are consistently compromised due to relentless exposures to deadly toxins

I am joining this call today to speak to the issue of carbon management. Specifically, Carbon Capture Utilization and Storage or CCUS. The fact that you were **explicit** that the public would not be able to comment on CCUS demands an explanation and is extremely troubling as it silences the very EJ communities that all of you support. You were charged to represent the interests of EJ communities were you not? Carbon Capture Utilization and Storage poses a clear threat to our communities and the environment. There are inherent dangers that are systematically overlooked in discussions on carbon capture. Most projects where Carbon Capture Utilization and Storage is slated to be deployed are in BIPOC and low wealth communities and will lock in fossil fuel pollution in these communities.

CCUS means business as usual for polluters because by design, they allow corporations to keep extracting and burning fossil fuels while doing nothing to address the devastating impacts of fossil fuel extraction on the environment.

A recent study in the European Union showed that adding Carbon Capture to power plants increased Nitrogen Oxides by 44%, and particulate matter by 33%, This means these projects will exacerbate environmental health disparities and Black, Indigenous, and People of Color will continue to burden the adverse effects of industry in the name of decarbonization.

CCUS projects have failed time and again to provide any benefits to communities. We all know that. A basic tenet of environmental justice involves having our say, having our voices heard, being a part of the process, sitting at the decision-making tables meaningfully. That is why I am so perplexed by the muzzling effect.

You must work to stop CCUS and other false solutions. The multi-agency strategy must NOT contemplate carbon markets, CCUS or ANY type of burning fuel such as the so-called bio-fuel.

Thank you

Sharon Lewis

Full Name (First and Last): Sima Thakkar
Name of Organization or Community: Raza Development Fund
City and State: Phoenix, AZ
Comment: Raza Development Fund is a Support Corporation to UnidosUS (UUS), the country's largest Latino civil rights organization. Created to address the investment needs of economically underserved communities, especially the 300 organizations that are members of the UUS network, RDF is the largest Latino-serving CDFI in the U.S. RDF has provided creative financing solutions and technical assistance in education, affordable housing and community healthcare.

In partnership with UUS, RDF surveyed Community-Based Organizations (CBO)s in the UUS network specifically on their current involvement and interest in environmental health and climate issues. The results show that CBOs, like UUS affiliates, are already providing culturally responsive programs and services to address environmental health issues in their communities such as: air quality monitoring, health screenings at Federally Qualified Health Centers (FQHCs), workshops on safe and healthy homes, and various environmental justice efforts.

Programs that support CBOs like UUS Affiliates are critical mitigation efforts to the adverse health impacts from a changing climate. Additionally, we believe programs to support Community Health Workers from CBOs and FQHCs that were deployed during the COVID-19 pandemic response for Vaccine Equity Programs funded by the CDC, should be funded to ensure access to critical information on the prevention, causes, and treatments for adverse health impacts is provided by culturally responsive and trusted community leaders.

Finally, we believe investing and expanding environmental health programs at FQHCs is critical to addressing adverse health impacts before, during, and after extreme climate events as these organizations have become resiliency hubs for medically underserved and disadvantaged communities during public health crises and natural disasters.

My name is Simone Lightfoot and I'd like to ensure that we are sharing our work with you from on the ground in EJ communities.

We will keep you updated on what we are hearing and where help is needed. Here is the latest account of our work at Light Green Energy, LLC. The body of work continues to grow, so we've moved to a bimonthly publication vs. a quarterly report. Renewable energy, climate change, and environmental justice are top of radar for our nation, so let's stay engaged.

Link to Jan-Feb 2023 work:
https://www.canva.com/design/DAFeO3rBIvw/Qnb54uJo9nh7CH2WCdaOKg/view?utm_content=DAFeO3rBIvw&utm_campaign=designshare&utm_medium=link&utm_source=publishsharelink

Link to 2022 work:
https://www.canva.com/design/DAFb-sfxAJg/HqOB4YD5Hw1GpSFIWyrFUg/view?utm_content=DAFb-sfxAJg&utm_campaign=designshare&utm_medium=link&utm_source=publishsharelink

Sincerely,
Simone Lightfoot

Sisira Dissanayake -

Avoiding unnecessary delay in the disposition of cases and the execution of orders decrease granting awards to victims.

Thanks you sir

Sisira

Hello members of the council, thank you for hearing us.

My name is Sofia Jenkins-Nieto and I represent Earth Care New Mexico, a grassroots community development-based organization with thousands of members and supporters.

We are based on the south side of Santa Fe, New Mexico. Our program areas cover youth and family empowerment, economic and environmental justice, all using a mutual aid or mutualismo philosophy.

We want to talk to the council about two different areas. Cumulative impact work has been done across the country including here in our neighboring city of Albuquerque. Our Santa Fe community faces similar impacts, but when state and federal agencies pander to industry we are not seen or heard. Many of our community members were not listened to in the past when they gave comments on environmental justice issues, were straight out told that EJ issues would not be considered by our state Environmental Improvement Board, and comments in Spanish also were not taken. As a result of this racism, our community now faces the potential threat of an expanded asphalt plant running nearly 24/7. More information on that fight can be found on our website, under the 'Environmental Justice' tab.

We are asking you to advocate for bilingual, multigenerational, and accessible public participation. We are asking you not only to advocate for cumulative impacts policy but also to have state and federal agencies consider and prioritize environmental justice concerns from the public. Many residents in New Mexico are from impacted communities, which means they face higher rates of poverty, health issues, exposure to COVID, less access to education, and a history of nuclear colonialism in our state means many places are radioactive. These issues affect the daily lives of New Mexicans and residents of the south side of Santa Fe which we serve, but our government is not even considering those impacts. Thank you for your work and thank you for listening to communities like ours that face the deep-rooted environmental racism in our country.

I get these messages all the time. I have spent almost 3 hours on Zooms today. They break my heart and I thought I would share. I put my heart into this. I have a meeting at the library tonight. We need buy outs.

Susan Liley

Hi Sue. Hope all is well with you and Bob.

I have a very good friend that bought a house across from Walthers park. She has developed and incurable lung disease. She can't get out much because her breathing us so bad.

She said she has you and I think talked to at a meeting.

The lung doctor says she needs to get out of that house. She would like for Fema to buy her out so she can get another place. Her husband Jack passed away 4 or 5 years ago so she is a widow. This is critical for her to get something going and she doesn’t know what to do.

One of her sons lives with her; he is very handicapped too with a crippling disease.

Let me know if you have any connection with anyone that get her some help.

Black mold has been found in her house.

Hello,

My name is Theresa Coffey, my mom is Alberta Coffey and has lived in Louisa, VA 23093 for more than 60 years.

I have been in this battle for over 2 years now. We are having multiple issues with this company and my main concern is the emissions, fumes, and dust. Also being told by Boxley staff Director it is harmless and my mom and I are having health concerns as this plant operates and those chemicals; can they honestly say everything is being contained to the plant. Also, the pictures and videos, we have been told by Boxley staff that was steam coming from the machine in the pictures and videos, then another time we were told it is dust. Do they honestly know what it is those fumes, emissions and dust cannot be good health wise (people and animals) or the environment. There is no chemical that is harmless and if something takes your breath and cause burning in the nose and throat, headaches, dizziness and cause you to feel physically ill is not harmless.

I am sorry; it is frustrating, my mom has worked hard to buy land and build her home and cannot enjoy her home. I appreciate any help you can provide it will be greatly appreciated. Thank you,

Theresa Coffey

Good Morning,

I just wanted to get a story out. Things are going to go back like it was probably worst this time if they get a permit. The director at Boxley told my mom they can do what they want on their property and supervisor told me they will be running the plant day and night, to call the cops, this was told to us before it was shutdown. The odor is overwhelming and it feels like it will take your breath, it hazardous even when you don't smell it. The trucks barrelling through hitting their air brakes and slamming air brakes, it jarres the house. There is a rumbling and vibration. They are purposely doing this to thinking my mom will up and move. I stand by my mom 100% , these company try and bully people out of their homes they have worked hard to obtain and this makes it ok. It is like David and Goliath and we know how that story ending. If this is so safe and know no one would want this around their homes including Boxley, Community Development

and Faulconer.Can they honestly say everything is being contained to plant? Anything you can do to help us will be appreciated.

Is Boxley know this stuff they are producing is hazardous and endangering the health and safety of people and the environment. How can anything that takes your breath and cause issues with burning in your nose throat, headaches and dizziness be harmless? The director would not do an on camera interview what do you have to hid. Sarah with Mercury Boxley and the County would not return her messages, even a staff member of DEQ in Sarah interview working with DEQ 25 years she have never seen a facility built on top of a home like this. My mom worked hard to buy land and build her home, she has lived here over 60 years. So endangering the health and safety of a 83 year old lady uprooting her from the second home she known. I am sorry to ramble but it sicken me that this allowed to happen, please help to shred light on the situation. I have emails and more pictures and videos.

https://photos.app.goo.gl/a6PQJZRUAXK4xRwE8

Sarah Volesong did a news story
https://twitter.com/Theresa86202616/status/1525685960129880064?t=GqMcGrnmpJiDVSg5hFCqYA&s=19

We have had channel 8 Kerrie O'Brien and Central Virginian local news paper shares our story.

https://twitter.com/Theresa86202616/status/1471085022207791120?t=-WNY6O1yJDYrO8fkoShnmQ&s=19

Thank you for your time,

Theresa Coffey

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Order	First Name	Last Name	Organization
1	Catalina	Gonzalez	Center for Progressive Reform
2	John	Byrd	Miller/Wenhold Capitol Strategies
3	Nalliber	Ruiz	USC
4	Theresa	Harlan	Alliance for Felix Cove
5	Guy	Reiter	Menikanaehkem
6	Veronica	Aguirre	CCEJN
7	Chris	Whitehead	Enviro-Sciences
8	Jackie Qatalina	Schaeffer	Alaska Native Tribal Health Consortium
9	Coz	LaMore	Choices Interlinking Inc
10	Matthew	Lagomarsino	Ripple Project LLC
11	Cynthia	Peurifoy	Retired
12	Eric	Harris	Center for Sustainable Communities
13	Deanee	Rios	Atlantic Climate Justice Alliance
14	Maria	Reyes	Cassell
15	Colette	Pichon Battle	Taproot Eaerth
16	Natasha	Shell	Shell US Inc
17	Crystal	Cavalier	7 Directions of Service
18	Sara	Wolfe	Biomedical Research Foundation of Northwest Louisiana (BRF)
19	Megan	Haberle	NCRC/Title VI Alliance
20	Teresa	Topete	Barnard College
21	Osprey Orielle	Lake	Women's Earth and Climate Action Network (WECAN)
22	Cherie	Cruz	Representative
23	Sebrena	Rhodes	Empower DC
24	Kai	Thompson	People's Action
25	Rosemary	Ahtuangaruak	City of Nuiqsut
26	Janice	Bowden	US EPA Civil Rights Justice
27	Theresa	Coffey	Private Citizen
28	Ericka	Ellise-Stewart	Atrium Health
29	Savi	Horne	Land Loss Prevention Project
30	Alejandria	Lyons	NM No False Solutions
31	Matt	Fuller	Washington State Department of Ecology
32	Diana	Canzoneri	City of Seattle OPCD
33	Joe	James	Agri-Tech Producers, LLC
34	Rachel	Herring	Middlebury Institute
35	Lovinia	Reynolds	UPROSE
36	Ona	Porter	Prosperity Works

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37	Clifford	Banuelos	Inter-Tribal Council of Nevada
38	Cara	Thuringer	The Chisholm Legacy Project
39	Alexandra	Rios	Southeast Missouri Regional Planning Commission
40	Danelle	Brown	By Mnemosyne
41	Juan	Jhong-Chung	Michigan EJ Coalition
42	Basav	Sen	Institute for Policy Studies
43	Jillian	Semaan	Ketchum
44	Jordan	Harmon	Indigenous Environmental Network
45	Urvishkumar	Mehta	Grape inc
46	Tran	Vu	UPROSE
47	John Paul	Jones	Grow Greater Englewood
48	H.E Wilberforce	Andrews	United Nations Association, Ghana
49	Brenda Jo	McManama	Indigenous Environmental Network
50	Alejandro	Lara	Contractor
51	Ashlee	Thomas	GTGT
52	Christa	Stoneham	Houston Land Bank
53	Abre	Conner	NAACP
54	Colin	Miller	Environmental / Justice Solutions
55	Elvis	Zornic	Ministry Justice United State
56	Ron	Leonard	EWSCorp
57	Chris	Larry	Exp
58	Maurice	Muia	Muia Materials
59	Nubert	Boubeka	Ambivium
60	Q	Johnson	Plug Zen
61	Katharine	Morris	Seaside Sounds Club
62	José	Bravo	Just Transition Alliance
63	Liz	Robinson	Philadelphia Solar Energy Association
64	Sabrina	Naumovski	KieranTimberlake
65	Kendall	Dix	Taproot Earth
66	Kadiatou	Diarra	USDOT
67	Kristi	Tally	KD7 Enterprises Inc
68	Kathy	Wagner	Holden Environmental Watch Group
69	Mary	Aguilera	Ohio Valley Allies
70	Leo	Lopez	Southwest workers union
71	Kim	Hunter	Engage Michigan
72	Sisira	Dissanayake	Dubai Intercity hotel
73	Krystal	Curley	Indigenous Lifeways

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74	Jim	Walsh	Food & Water Watch
75	Lauro	Silva	SV Partners for Environmental Justice
76	Angela	Williams	Housing Resource Network
77	Jonathan	Alonzo	YUCCA
78	Julia	Bernal	Pueblo Action Alliance
79	Madhavan	Pallan	GHS UNHQ
80	Kevin	Barfield	Camden for Clean Air
81	Chris	Woolery	Kentuckians For the Commonwealth
82	Manuel	Espinosa	The Phoenix Group
83	Paresh	Patel	e^2=equitable energy / InnoGrid.org
84	Ricardo	Magallon	Cook County, IL Department of Environment and Sustainability
85	Andrew	Lewis	UCLA
86	Pamela	Pettyjohn	Coney Island Beautification Project, Inc.
87	Lynn	Godfrey	Sierra Club
88	Georganna	Deas	Coney Island Beautification Project
89	Marilyn	Elie	Indian Point Safe Energy Coalition
90	Joel	Iboa	Oregon Just Transition Alliance
91	Jeannie	Economos	Farmworker Association of Florida
92	CELESTINE	HAYES	City Councilwoman
93	Donald	Farrell	Ask the Landlord
94	Mary	Pelletier	Park Watershed, Inc
95	Danielle	Holland	Greenpeace USA
96	Hope	OShaughnessy	volunteer
97	Wayne	Garritano	Concerned citizen
98	Terrance	Bankston	Friends of the Earth (FOE)
99	Jan	Boudart	NEIS
100	John	Andrade	Minority Action Committee
101	Carolina	Pena-Alarcon	Moms Clean Air Force
102	Catherine	Flowers	Houston Advanced Research Center
103	Ian	Zabarte	Native Community Action Council
104	Rachel	Davis	Waterspirit, Ministry of the Sisters of St. Joseph of Peace
105	Crystal	Rogers	USACE
106	Ro ina	Suwol	California Safe Schools
107	Thomas	DellaRocco	Confederated Tribes of the Colville Reservation
108	Lisa	Gover	GRIC DEQ
109	Yvette	Arellano	Fenceline Watch
110	Walter	Smith II	Sierra Club

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111	Samuel	Pittman	Sunteque LLC
112	Veronica	Jackson	DOE
113	Luke	Argleben	Hispanic Access Foundation
114	Tasheena	Powers	US EPA
115	Rachel	Welch	Cassell community
116	JL	Andrepont	350.org
117	Sofía	Quinones	East Los Angeles Boyle Heights Coalition
118	Philip	Kortekaas	Professional Graduate
119	Shonna	Stallworth	Stallworth Inc
120	Karen	Jones	WHOM IT CONCERNS INC
121	Aleta	Toure	Parable of the Sower IC Cooperative
122	Dustyn	Thompson	Sierra Club Delaware Chapter
123	Marven	Norman	Center for Community Action and Environmental Justice
124	Dave	Arndt	Climate, Environmental and Social Justice Advocate
125	Carolyn	Marsh	Save Whiting and Neighbors
126	Richard	Mabion	Economic Opportunity Foundation (EOF) Kansas City, Kansas (CAP) Agency)
127	Barry	Boyd	Sacramento Environmental Justice Coalition
128	Kayleigh	Warren	Tewa Women United
129	Caroline	Lewis	The CLEO Institute
130	Ananda Lee	Tan	Just Transition Alliance
131	Mario	Atencio	Diné Citizens Against Ruining our Environment (CARE)
132	Kevin	Barfield	Camden for Clean Air
133	Brandi	Crawford Johnson	EJ Activist
134	John	Mueller	Private citizen
135	Xavier	Barraza	Los Jardines Institute
136	Wig	Zamore	Somerville Transportation Equity Partnership
137	Robin	Forman	Independent Environment Advocate Mile
138	Stephen	Buckley	Private Citizen

I, Richard Moore, Co-Chair of the White House Environmental Justice Advisory Council, certify that this is the final meeting summary for the public meeting held on March 1, 2023, and it accurately reflects the discussions and decisions of the meeting.

Richard Moore

I, Peggy Shepard, Co-Chair of the White House Environmental Justice Advisory Council, certify that this is the final meeting summary for the public meeting held on March 1, 2023, and it accurately reflects the discussions and decisions of the meeting.

Peggy Shepard