



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6

1445 ROSS AVENUE, SUITE 1200

DALLAS TEXAS 75202-2733

MEMORANDUM

SUBJECT: Region 6 FY 2004-2005 Environmental Justice Action Plan

FROM: Jonathan B. Hook, Director,
Office of Environmental Justice and Tribal Affairs (6RA-DA)

TO: Barry E. Hill, Director
Office of Environmental Justice

Attached you will find the Region 6 FY 2004-2005 Environmental Justice Action Plan (EJAP). The purpose of the EJAP is to enable Regional and Headquarters offices to develop and implement strategies and activities to integrate environmental justice (EJ) into existing programs. The EJAP also reflects the Region 6 EJ goals and priorities.

The EJAP consists of three modules in accordance with the Instructions and Templates for the FY2004-2005 EJAP and FY2003 Progress Report (revised June 12, 2003)

1. EJAP Executive Summary
2. EJAP Narrative
3. EJAP Matrix

The Narrative contains, as an attachment, the draft **Region 6 EJ Implementation Strategy** which fully details Region 6's strategy for incorporation of environmental justice into the day-to-day activities of Program personnel. This document, developed by the EJ staff and the EJ Workgroup, supplements and supports the narrative.

We look forward to continuing our collaboration with your Office on issues and activities which will serve to further the goals and objectives of environmental justice in Region 6.

Feel free to call me, Dr. Jonathan B. Hook, or Olivia RBalandran at 214-665-8128 or 214-587-7415, respectively, if you have any questions regarding this document.

EXECUTIVE SUMMARY

Region 6 FY 2004-2005 Environmental Justice Action Plan

revised 2/10/04

The Region 6 Office of Environmental Justice and Tribal Affairs (OEJTA) is committed to finding solutions to environmental and health problems that may affect all Americans especially minority and/or low-income populations who may be disproportionately impacted. Region 6 seeks solutions through partnerships and strategic alliances with communities, governments, businesses, industry, and academia. By educating and partnering, the OEJTA attempts to empower all stakeholders to meaningfully participate in developing and implementing programs and projects that improve their lives. The **Guiding Principle** is that everyone, regardless of race or income, is entitled to live in a clean environment.

The Environmental Justice (EJ) Team is one of the two teams in the OEJTA. Its main function is to fully integrate and administer the EJ program in the Region. The EJ Team consists of five (5) full-time supported employees under the direct supervision of the OEJTA Director. It is supported by an Environmental Justice Workgroup representing each Division office. The training function of the EJ Program is supported by the EJ Training Team comprising six trainers who perform both internal and external training.

The EJ Team, EJ Workgroup, and EJ Training Team operate under the functional leadership of the Associate Director for Environmental Justice who also serves as the EJ Team Leader and EJ Coordinator. The EJ Coordinator is the Regional expert and advocate for environmental justice and intergovernmental relations and serves as the senior advisor to the Director of OEJTA, the Regional Administrator, Deputy Regional Administrator, and Senior Managers on EJ issues. Some OEJTA EJ initiatives are funded through various sources; however, at this time, there is no consistent funding source for special programs and projects to address EJ issues.

Two attachments to the EJ Action Plan Narrative, the Draft EJ Implementation Strategy (Attachment A) and the Annual Performance Goals and Measures and Accountability Measures (Attachment C), cover the accountability/reporting elements of the Region 6 EJ Program. Many of

these accountability/reporting elements are directly tied to GPRA goals and priorities of each media Division.

The OEJTA and Division offices encourage the States to address issues of environmental justice. Grants are provided for States, Tribes, and other entities to implement the water, hazardous waste, air, pesticide, solid waste, lead-based paint, underground storage tank and children's health programs. Region 6 will continue to encourage that Performance Partnership Agreements (PPAs), Performance Partnership Grants (PPGs), and Categorical Grants to States include grant conditions specific to environmental justice. The OEJTA is working closely with Headquarters OEJ, the AA-ships, and Environmental Council of States (ECOS) to develop PPA/PPG language appropriate to promote increased EJ involvement by the States.

The OEJTA participates in regular coordination and reporting activities with the Headquarters Office, including monthly EJ Coordinator conference calls, the development of semiannual National Environmental Justice Advisory Council (NEJAC) updates, and the generation of biennial status reports.

Region 6 maintains regular relationships with external stakeholders including environmental groups/coalitions, industrial facilities and associations, Tribes, local and State agencies and elected officials, as well as other federal agencies including Agency for Toxic Substances and Disease Registry (ATSDR), Health Resources Service Administration, Corps of Engineers, National Oceanic and Atmospheric Administration (NOAA), the United States Geological Survey (USGS), and myriad other agencies. Region 6 has developed and regularly distributes printed materials, including the EJ brochure in English and Spanish, the EJ Grant-Writing Training Guidebook, and other outreach documents. The OEJTA maintains a mailing list of potential stakeholders who receive periodic mailings and notifications. It also participates in Community Industry Panels and specialized community-based workgroups. In FY 2003, EPA sponsored its first Regional Listening Session in Houston, Texas. Stakeholders from all five of the Region 6 States participated in this forum. In FY 2004, three EJ Listening Sessions will be held. All will be statewide sessions and will be sponsored by the States of Texas, Louisiana and New Mexico.

The OEJTA works closely with the U.S.-Mexico Border Program to serve all communities along the border in meeting their EJ needs. Regional personnel facilitate the creation of a two-way communication process with the border community, serve as a liaison to increase EPA access to affected communities to create a meaningful community participation process and act as a source of information and support for these communities. Region 6 has extensive materials that are accessible to non-English-speaking language groups in Texas and New Mexico. The U.S.-Mexico border area has a large Spanish-speaking population, as do additional parts of Texas and New Mexico. Many Vietnamese-speaking communities exist on the Texas Gulf Coast.

The OEJTA provides training to various internal and external stakeholder groups as part of the Region's implementation of the EJ Training Initiative. Region 6 plays an active role in developing foundational EJ training tailored to a wide variety of audiences including EPA, State, community and industry. In addition, The OEJTA provides grant-writing training in various areas to assist prospective grant applicants in preparation of grant proposals.

In 1993, Region 6 developed the EPA Environmental Justice Index Methodology for EJ site analysis. The methodology uses Geographic Information System (GIS) maps, census demographic data and the Hazard Index (HI) method to mathematically rank individual sites. Region 6 is committed to use all tools at its disposal to effectively address EJ issues in the Region, including the Environmental Justice Mapper, Environmental Justice Toolkit. While the EJ Index identifies economically stressed and minority populations, the analysis can be expanded to identify education, employment, and cultural factors.

The EJ Implementation Strategy (see Attachment A) requires that regular reporting/ accountability information be furnished to the DRA by each Division office. These reports serve as tools to evaluate the effectiveness of the Regional EJ program through addressing applicable program goals for EJ contained in the Divisions' strategic plans. Each Division reports its EJ progress to the DRA, according to their specific program goals and activities, twice a year.

REGION 6 FY 2004-2005 ENVIRONMENTAL JUSTICE ACTION PLAN

revised 2/10/04, 10:00 am

I. MANAGEMENT ACCOUNTABILITY

A. Organizational Infrastructure and Management Support:

The Region 6 Office of Environmental Justice and Tribal Affairs (hereinafter referred to as “The OEJTA”) is committed to finding solutions to environmental and health problems that may affect all Americans, especially minority and/or low-income populations who may be disproportionately impacted. Region 6 is committed to finding solutions through partnerships and strategic alliances with communities, governments, business, industry, and academia. By educating and partnering, the OEJTA helps to empower all stakeholders to have meaningful participation in developing and implementing programs, projects and policies that affect their lives. Effective administration of the EJ Program is important to the Region because studies show that: (1) minority and low-income communities may be disproportionately affected by environmental hazards¹ and thus are in need of information and assistance; (2) a sizeable portion of the Region's population lives in areas where EJ issues potentially pose a concern; (3) the Environmental Justice Executive Order 12898 states that EPA is the lead federal agency for environmental justice. The EJ Program is structured to maximize opportunities to fully integrate and administer the EJ program in the Region. The EJ Team consists of five (5) FTEs (full-time equivalents) under the direct authority of the Director of the newly organized Office of Environmental Justice and Tribal Affairs which is located within the office of the Deputy Regional Administrator (DRA). This placement strategically positions the Office at the highest level in the organization so that cross/multimedia EJ activities are managed most efficiently.

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¹ U.S. GENERAL ACCOUNTING OFFICE, SITING OF HAZARDOUS WASTE LANDFILLS AND THEIR CORRELATION WITH RACIAL AND ECONOMIC STATUS OF SURROUNDING COMMUNITIES 2 (1983). The GAO study reported a strong correlation between race and poverty and the location of hazardous waste facilities.

The work of the EJ Team is also supported by an Environmental Justice Workgroup which consists of seven members representing their Divisions. Each workgroup member, appointed by the respective Division or Office Director, is also supported by an alternate representative who serves in his/her absence. The workgroup serves to augment and support EJ implementation activities at the Division level and advises Divisional management and staff on EJ-related issues. This empowers Region 6 to fully integrate EJ into the program areas. The training function of the office is supported by the EJ Training Team consisting of six trainers who perform both internal and external training.

The EJ Team, in cooperation with the EJ Workgroup, has developed and updated its EJ Implementation Strategy document which sets out goals/objectives, implementation plans, and accountability/reporting measures. A copy of the document is included as Attachment A.

B. Operational Resources/Program Support:

As stated above, the EJ Team is one of the two teams within the OEJTA. The EJ Team is supported by the EJ Workgroup and the EJ Training Team operating collaterally. The efforts of personnel assigned to these teams are accounted for as partial FTEs. The Region 6 EJ organization is staffed by the following personnel:

OEJTA Executive Management

Lawrence Starfield, Deputy Regional Administrator (0.1 FTE)

Jonathan B. Hook, Director, OEJTA (0.5 FTE)

EJ Team

Olivia Balandran, Associate Director for Environmental Justice (1 FTE)

Shirley Augurson, Senior EJ Specialist (1 FTE)

Warren Arthur, EJ Project Manager (1 FTE)

Nelda Perez, EJ Specialist/Border Liaison (1 FTE)

Shirley Quinones, EJ Specialist/Grants Coordinator (1 FTE)

OEJTA Office Support Staff

James Butler, Administrative Specialist (0.5 FTE)
Carrie Clayton, Secretary (0.5 FTE)-SEE Employee

EJ Workgroup

Teresa Cooks, Compliance and Enforcement Division (0.1 FTE)
Matthew Loessel, Multimedia Planning and Permitting Division (0.1 FTE)
Dina Granado, Water Quality Division (0.1 FTE)
Margie Floyd, Management Division (0.1 FTE)
Kathleen Robinson, Superfund Division (0.1 FTE)
Patty Senna, Office of External Affairs (0.1 FTE)
Sherry Brown-Wilson, Regional Counsel (0.1 FTE)

EJ Training Team:

Shirley Augurson (Lead Trainer)
Sam Balandran (0.05 FTE)
Charles Faultry (0.05 FTE)
Amy May (0.05 FTE)
Connie Suttice (0.05 FTE)
Mary Wilson (0.05 FTE)

The total aggregate FTE for the OEJTA and its ancillary groups is 7.75 FTE.

C. Functions of The EJ Coordinator (Associate Director/EJ Team Leader)

The EJ Coordinator (Associate Director/EJ Team Leader), supported by the EJ Team, is the Regional expert and advocate for environmental justice and intergovernmental relations and serves as the advisor to the Regional Administrator (RA), Deputy Regional Administrator(DRA), OEJTA Director, and Senior Managers for environmental justice. The EJ Team Leader, with the support of the EJ Team, is responsible for the following:

- Represents the Regional office in relations with organizations and individuals concerned with EJ issues, and, as appropriate, with local governments, State Legislatures, Governors Offices and Congress.
- Recommends and develops Regional policy to foster mutual understanding and cooperation.
- Establishes constructive relationships with local officials, staff and EJ organizations to encourage support and understanding of the Region's programs.
- Acts as the Regional point person for environmental justice with knowledge and understanding of EJ operations, key players and stakeholders (legislative, economic, business and commerce, media, environmental), as well as major issues and trends that may influence EPA operations.
- Implements EJ programs assigned to the Region and coordinates actions with Headquarters and Regional as well as other Federal Agency counterparts, anticipates controversial issues, and advises the Director, RA, and DRA accordingly, recommending specific courses of action.
- Identifies key stakeholders, and develops and maintains relationships with them.
- Provides advice and assistance to senior management and staff on EJ issues and coordinates liaison between EPA and persons and organizations involved in EJ issues.
- Assists with and reviews testimonies, statements of policy, staff briefings and EJ proposals.
- Provides information to stakeholders.

- Ensures adequate and timely responses to EJ inquiries and serve as subject matter specialist on key EJ legislation as well as local/State/Federal Government budgets impacting the Region's EJ operations.
- Analyzes the political climate of areas with EJ issues; coordinates activities to obtain understanding of and support for the Agency's goals, policies and programs; arranges for courtesy visits between the RA, DRA and EJ officials and leaders; and represents EPA by coordinating and participating in briefings, courtesy visits, conference calls and meetings between the Agency and constituents.
- Works with the media and cross-media Divisions to develop an integrated (geographic) approach that proactively resolves EJ issues.
- Facilitates meetings and works on teams to address multi-media, cross-program coordination. Works to integrate issues across program lines, bringing together key Regional staff and EJ stakeholders.
- Identifies multi-media strategic opportunities, partnerships, and collaborations among agencies and EJ stakeholders and builds relationships to impact EPA issues before they become problems.
 - Manages the EJ Small Grants Program and the EJ Collaborative Grant Program.
 - Serves as Regional coordinator for HQ-OEJ when Region 6 is designated as lead region.
 - Tracks EJ legislation,
 - Analyzes and examines a range of environmental protection issues.

- Identifies options for interacting with federal/State, and local EJ officials on high priority initiatives.
- Makes recommendations to the Director, RA, DRA, and senior management to propose approaches, resolve problems, or take another course of action to accomplish program objectives.
- Evaluates Regional policy options to promote and facilitate understanding and endorsement by locally elected officials.
- Identifies opportunities to develop or amend Regional strategic priorities in the areas of community based environmental protection and alternative performance-based strategies.
- Recommends plans and policies designed to meet program objectives or assists policy makers in formulating policy in sensitive and difficult areas.

The EJ Team is responsible for supporting the EJ Coordinator in administration of the Region 6 EJ Program. Those responsibilities include, but are not limited to, administration of the EJ Small Grants program, technical evaluation and mitigation of EJ problems and issues, outreach to communities and stakeholder groups, development of responses to external, Congressional, Regional and Headquarters inquiries, development of regular reports of EJ activities including the EJ Biennial report, NEJAC updates, etc. The EJ Team also maintains the EJ web site, develops/implements internal and external training, coordinates with EJ Workgroup and EJ Training Team members in support of full integration of EJ into the day-to-day activities of the Divisions.

D. GPRA Alignment (Link to Mission and Priorities):

The attached documents, “Draft EJ Implementation Strategy” (Attachment A) and “Annual Performance Goals and Measures and Accountability Measures” (Attachment C), cover the accountability and reporting elements of the Region 6 EJ Program. Many of these accountability

and reporting elements are directly tied to GPRA goals and priorities of each media Division. The EJ Implementation Strategy was developed in cooperation with the Divisions and provides goals and objectives regarding the integration of environmental justice in areas such as authorization and delegation, outreach, grants and contracts, enforcement and compliance assistance, permitting, performance partnership, public participation, site cleanup and Brownfields.

E. Performance Partnership Agreements (PPAs) and Performance Partnership Grants (PPGs):

The OEJTA and the Divisions encourage the States to address the issues of environmental justice. Grants are provided for States, Tribes, and other entities to implement the water, hazardous waste, air, pesticide, solid waste, lead-based paint, underground storage tank and children's health programs. At this time all of the Regional States have entered into Performance Partnership Agreements (PPAs) with EPA and three Region 6 States (Oklahoma, Louisiana, and Texas) have Performance Partnership Grants (PPGs).

The OEJTA is reviewing PPG and PPAs to assist in developing grant conditions specific to environmental justice. Enhanced public participation is one of the critical EJ concerns that States could address as conditions of PPAs and PPGs. Agreements could also include funding for translation and interpretation services to improve public access to decision-making and information gathering processes.

A key component of the PPAs/PPGs is the process for joint priority setting. The OEJTA advocates that the process consider the issues of concern to EJ stakeholders and that States be encouraged during the grant negotiation process to include EJ components.

The OEJTA is prepared to work closely with HQ OEJ, the AA-ships, and ECOS in development of PPA/PPG language appropriate for encouragement of States.

II. INTERNAL ORGANIZATIONAL ENGAGEMENT:

In addition to the coordination and reporting provisions of the EJ Implementation Strategy, the OEJTA participates in regular coordination and reporting activities with the headquarters Office, including regularly participating in EJ Coordinator conference calls, EJ Small Grant conference calls, development of semiannual NEJAC updates and biannual status reports. Region 6 is also a major contributor to OEJTA initiatives including the EJ Guidance development.

The Division offices consistently collaborate with other offices and agencies to address serious health and environmental issues in EJ communities. Meaningful and continuous outreach and education to citizens and environmental groups in EJ areas is a major focus. Historically, citizen input has been utilized for enforcement targeting and enforcement action. Management and staff work together to discuss and develop new approaches to address the needs of EJ communities. An example of this collaboration is the Calcasieu Parish initiative in Louisiana. This effort sought input from citizens, State and local governments, other Division offices, and HQ OEJ to develop and implement a plan to address the immediate needs of the Calcasieu community.

Each Division office has a unique role to play in carrying out the tasks of environmental justice. The EJ Implementation Strategy (refer to Attachment A) fully describes the activities that each Division office will engage in to implement the Region 6 EJ in their respective programs. This strategic plan clearly spells out those roles and will also serve as an assessment tool to provide insight into the Region's performance on EJ issues.

III. EXTERNAL STAKEHOLDER ENGAGEMENT:

A. External Stakeholder/Interagency Collaboration

Region 6 maintains regular relationships with external stakeholders including environmental groups/coalitions, Tribes, industrial facilities and associations, local and State agencies and elected officials as well as other federal agencies including Agency for Toxic Substances and Disease Registry (ATSDR), Health Resources Service Administration (HRSA), U.S. Army Corps of Engineers (USACE), National Oceanic and Atmospheric Administration (NOAA), the United States Geological Survey (USGS) and myriad other agencies. The OEJTA participates in Community Industry Panels (CIP) including the Norco/New Sarpy CIP and the

Beaumont-Charlton Pollard CIP and works with specialized community-based workgroups (Cesar Chavez/ Southeast Houston Health and Environmental Workgroups).

In FY2003, EPA Region 6 sponsored its first Regional Listening Session in Houston, Texas. The session, held on November 14 - 16, 2002, was the first Regional Listening Session held by an EPA Region nationally. At the December 2001, National Environmental Justice Advisory Council (NEJAC) meeting, regional offices were charged to hold such listening sessions for the purpose of promoting interactive, solution-oriented dialogues with the community. A steering/planning committee made up of community leaders, industry representatives, academia, State and other federal agencies was formed. The process included brainstorming to identify the major issues of concern. Several subcommittees were formed to handle each identified issue. Under each issue, a list of concerns was identified. This list was prioritized and a few of those issues under each umbrella were identified to have a solution-oriented dialogue at the session. Stakeholders from all five Region 6 States participated. The DRA and Division Directors along with the subject matter experts participated. Several State Commissioners/Chairmen were invited. All sessions were facilitated by certified facilitators. Extensive follow-up activities and action items which came out of the session are currently being investigated. The subcommittees are continuing to communicate and follow up on action items.

In FY2004, three EJ Listening Sessions will be held. All will be statewide sessions and will be sponsored by the States of Texas, Louisiana and New Mexico with EPA logistical and financial support.

An excellent example of interagency, inter-stakeholder collaboration is Project Regeneration at the former Kelly Air Force Base (KAFB). The overall goal of Project Regeneration is to increase efforts to identify, mobilize, and make use of federal, State, and local resources to benefit the environmentally and economically distressed communities affected by the KAFB conversion activities. The project will focus on identifying ways of ensuring constructive dialogue and building effective partnerships between community-based organizations, relevant federal, State, and local agencies, and other stakeholders. The project will be implemented in two phases. During Phase I, the partners will conduct three roundtables in the areas of health, cleanup, and future economic development. Each Roundtable may consist of several meetings to clearly

define the issues, reach consensus between stakeholders, and develop recommendations. The partners will utilize these roundtables to engage in constructive dialogue and to educate each other about their respective viewpoints, concerns, goals, and limitations. In addition, the project will produce reports from each roundtable, which will contribute to developing a comprehensive understanding of the local stakeholders' concerns and aspirations. The first roundtable meeting was held on October 4-5, 2003, and was attended by several stakeholders, including ATSDR, EPA, Air Force Base Conversion Agency, San Antonio Metro Health, Just Transition Alliance, Military Toxics Project, Institute for Science and Interdisciplinary Studies (ISIS), the Office of Congressman Ciro Rodriguez, University of Texas at San Antonio, and Greater Kelly Community residents, current and ex-KAFB workers.

During Phase II, a mature partnership, made up of all the key stakeholders, will develop a collaborative vision and implementation plan for the Greater Kelly Area based upon the findings and recommendations of the Roundtables.

Another example is the Corpus Christi Regional Health Awareness Board (RHAB) Initiative, which grew out of the Region 6 Planning and Scoping process which the EJ Team had recommended to address regional health and environmental issues in the area in response to citizen concerns. The RHAB was established via an interlocal agreement and brings together representatives from two counties (Nueces and San Patricio), industry and the City of Corpus Christi. Citizen representatives and academia are also represented on the Board along with ex-officio representatives from EPA and the Texas Commission on Environmental Quality (TCEQ). The RHAB has held at least two meetings so far and will hold the first retreat in January 2004.

B. External Outreach

The OEJTA maintains an ongoing relationship with key environmental coalitions including the Southwest Network for Economic and Environmental Justice and the Louisiana Environmental Action Network. These coalitions and their member organizations provide opportunities to identify potential EJ issues and stakeholder groups who can benefit from coordination with the OEJTA. Additionally, the OEJTA regularly receives telephone calls and e-mail inquiries from

groups and individuals who require assistance. The OEJTA maintains a mailing list of potential stakeholders who receive periodic mailings and notifications.

The OEJTA staff maintains an extensive e-mail address list and regularly surveys information sources for information/opportunities which may be of benefit to EJ communities and organizations. This information is mass e-mailed to all addressees. Staff also serves as a clearing house for questions, etc., regarding information disseminated. The EJ Team also maintains a Regional web site which has a mechanism for online user input and inquiries. In addition, Region 6 has developed and regularly distributes printed materials, including the EJ brochure, the EJ Grant Writing Guidebook, and other outreach documents

The OEJTA collaborates with other federal agencies to alert them to areas of concern when EPA does not have regulatory authority.

The OEJTA, in collaboration with the Division offices, has launched an innovative process called the Region 6 Planning and Scoping Process which has as its main feature a collaborative methodology for interactively identifying, categorizing, and prioritizing health, safety, and environmental concerns. Local stakeholder participation in this hands-on direct collaborative process is an essential element. Many of the issues identified in this process have EJ applicability.

Region 6 currently encourages Supplemental Environmental Projects (SEPs) in high risk, disproportionately exposed areas. In FY 2004-2005, at least 50% of SEPs will benefit EJ communities. In order to give residents an opportunity to have meaningful input into the SEP negotiation process, Region 6 has launched an internet-based (SEP) Idea Library which was created as a tool for Region 6 to enhance community involvement. These ideas may be considered by industries and other pollution-emitting facilities during the enforcement case negotiation process.

Enforcement staff keeps the public informed of fines proposed in the pending enforcement actions, including the amount of the proposed fine and the location of the facility where the fine is assessed. The notices are available in local and regional newspapers and are posted in local

libraries. These notices are also available on the EPA Region 6 web site. The public is also notified of the location of these notices through mail-outs to stakeholder groups.

Superfund staff works to assure EJ community involvement at all Superfund sites which impact EJ communities. EJ public participation efforts at National Priority Sites (NPL, removal sites and Brownfields communities) include educational efforts, direct local stakeholder/EPA interactions, meetings, one-on-one contacts, information distribution via direct distribution and over the internet, etc. Staff ensures that the EJ community interaction is customized to the specific community's needs. All related removal and remedial site information is typically placed into site repositories located in the communities where the program actions take place. The Region 6's policy for community involvement is "early and often" community involvement and interactions.

At each Superfund site, particularly those in EJ communities, EPA staff encourage the use of Community Advisory Groups (CAGs) by offering CAG organization training and related tools. EPA staff participates in CAG meetings whenever possible.

In many EJ communities there is a lack of effective community infrastructure services. Extensive emergency exercises are conducted in EJ communities in efforts to provide the communities with real tools that can be utilized in an emergency. Planning for and implementation of the emergency exercises always includes EJ community leaders participation so that staff has a real awareness and understanding of the community's needs. The community is provided technical advice, information on emergency evacuation and shelter-in-place procedures, as well as a general information on emergency response system infrastructure, practices and activities.

In all communities, especially EJ communities, Regional staff works closely with the 540 Local Emergency Planning Committees (LEPCs). The LEPCs are volunteer groups consisting of local community members (police, industry, city officials, medical personnel, press/news media, emergency management departments of cities, and neighborhood community members) living in the impacted neighborhoods. EPA works closely with LEPCs to provide expert information and training opportunities. Region 6 is one of the few Regions that provides an annual LEPC

Conference for the volunteers. The LEPC concept is the most successful non-funded volunteer community in the United States.

Superfund Site Status Summaries, site fact sheets and five-year reviews are posted on the Region 6 Superfund web site. Many documents are also provided in the Spanish language. Hard copies of these documents are made available to those without computer access through direct mail and through local repositories.

On-Scene Coordinators, Remedial Project Managers and Community Involvement Coordinators work closely with their contractors and encourage them to hire workers from the impacted EJ communities.

Staff also provides opportunities to EJ communities not eligible for Technical Assistance Grants to access the services of the Technical Outreach Services for Communities (TOSC). TOSC can assist communities in 1) obtaining training to help them work more efficiently with government agencies; 2) providing training in better managing local stakeholder group's environmental efforts; 3) taking environmental samples at contaminated sites; 4) facilitating meetings and numerous other services.

Region 6 has an extensive Tribal outreach program. Over the next year, training will be provided to Tribal nations to enhance their knowledge of Tribal wetlands issues and surface water quality monitoring and/or standards issues. Additionally, Regional personnel will provide information to the Tribes on new grant opportunities and award at least one new cooperative agreement to a Tribe or consortia.

C. Special Initiatives for Persons with Limited English Proficiency.

The OEJTA works closely with the regional U.S.-Mexico Border Program to serve all communities along the border. Region 6's is committed to meet the EJ needs of the border communities and stakeholders. Regional personnel facilitate the creation of a two-way communication with the border community, serve as a liaison to increase EPA access to affected communities, and try to fill the gaps of the Border Program regarding environmental justice.

Some of the activities that the Border Program and EJ staff conduct are extensive outreach activities to inform and educate the border communities about environmental justice and to identify their specific EJ needs. The Border Program also is committed to strengthening the capacity of the border communities to become organized and articulate their issues and concerns. This will create a meaningful community participation process so that they will be encouraged to take an active role in protecting their environment.

The Border and EJ Programs have worked collaboratively on projects and activities of benefit to the Spanish-speaking community in the border. In 2001, a Border Environmental Justice Roundtable for border stakeholders and representatives of grassroots EJ organizations on both sides of the border was held in El Paso, Texas. Hosted by the Regional Administrator and the Executive Director of Southwest Network of Economic and Environmental Justice, the meeting enabled these local stakeholder representatives to discuss their concerns with representatives from the EPA, TCEQ, the Border Environment Cooperation Commission, and the International Boundary and Water Commission, which are binational agencies. These officials were able to provide solutions to many of the concerns, and mechanisms were established to try to address the other issues. The EJ and Border Team staff provided facilitation and translation for the meeting, and the stakeholders were pleased with the progress made and the relationships that were established. A follow-up Border EJ Roundtable was held in El Paso in September 2003 to continue the process in this important EJ community. Plans are being made to hold a joint Region 6 and region 9 Border EJ Roundtable in the near future. Because Border 2012 is a bi-regional, binational program, Regions 6 and 9 and Mexico have many issues of common concern which must be addressed.

Region 6 has established a Border Compliance Assistance Center which is a “One-Stop-Shop” for small to medium-size businesses to help them understand their regulatory obligation related to import/export and transportation of hazardous waste between the US and Mexico. Information is presented both in English and Spanish.

The EJ staff develops needed materials in Spanish for outreach to the Hispanic community, such as fact sheets on the EJ Small Grants Program, question-and-answer fact sheets on environmental justice and EJ topics, etc. Certain existing materials are also translated as

needed, such as the EJ brochure to ensure that stakeholders of limited English ability may also have access to important information. Materials in Spanish targeted for persons with limited English-speaking ability and of limited education, such as many *colonia* (substandard unincorporated settlements featuring little or no infrastructure) residents, are especially tailored for this audience to ensure that they are easy to read and to comprehend.

The Superfund Program personnel are required to examine the ethnic makeup of each community that has a site requiring a removal or remedial action. If the EJ community has specific language concerns, the program ensures that all site-related materials provided to the community are translated into the appropriate neighborhood language. At all meetings in EJ communities with additional language needs, EPA provides interpreters. Care is taken to use the best vehicle to most effectively optimize local stakeholder outreach and communication feedback opportunities.

In addition, a Memorandum of Understanding is in place which serve the border EJ communities. The University of Texas at Brownsville is a member of the Hispanic Association of Colleges and Universities (HACU) Association and is located at Brownsville, Texas. EPA has a workgroup currently working on the development of a plan of action specifically tailored for environment education, environmental projects, and EJ issues in the lower Rio Grande Valley. The goal of this program is to provide guidance and assistance in the development of the universities' plan for addressing environmental projects, education, and as needed environmental justice in the Lower Rio Grand Valley.

Border XXI Environmental Information Resources Workgroup has developed “The Wire”, a project which, in conjunction with the U.S. Mexico Chamber of Commerce equipped four border communities with computers to access environmental information via the Internet for the foreseeable future. Region 6 has also launched its Border 2012 Web Site to provide new information on the updated U.S. Mexico Border Program. This is a one stop web site for communities and others searching for environmental information to the U.S. Mexico Border, and other environmental information as requested.

Region 6 has extensive materials that are accessible to non-English speaking language groups in Texas and New Mexico. These areas have large Spanish-speaking constituencies particularly along the U.S. Mexico Border and Vietnamese speaking communities on the Texas Gulf Coast.

D. Specific Grant Programs for Which Environmental Justice Will Be Listed as a Funding Priority

In addition to the EJ Small Grants Program and PPGs, EPA awards to State capitalization grants which are authorized by the Clean Water Act and Safe Drinking Water Act for the purposes of providing low-interest loans for both water and wastewater infrastructure projects in low-income communities. Through the Clean Water and Drinking Water State Revolving Loan Fund programs, States can provide subsidies to disadvantaged communities to reduce the economic impact of the communities' infrastructure projects. Since 1991, Congress has appropriated approximately \$335.8 million in financial assistance through the Texas and New Mexico Colonia Programs directed toward disadvantaged and minority communities along the U.S.-Mexico Border area. These funds are to address the human health and environmental protection needs of the border communities. Many of these communities are unincorporated (i.e., colonias) with low median incomes.

The Brownfields Program has forty-nine grant awardees working on site assessment, cleanup and redevelopment of Brownfields properties. These awardees, which include cities, counties, planning organizations, Tribes and States, are predominately concentrating on brownfields that are located in minority and disadvantaged neighborhoods. Over the last seven years of existence of the EPA's Brownfields Program, Region 6's grantees have leveraged over \$1.5 billion in redevelopment projects. Nearly all of this influx of new money has gone to benefit EJ communities through the creation of new jobs, green space addition, and increased revenues and city services brought about by the enlargement of their respective tax base. The overall health of many of these communities has improved also due to the removal or elimination of exposure to hazardous materials. The Superfund Program requires that grantees provide EJ communities the opportunities to be included in grant-related community activities.

Region 6 will target several border communities for new Brownfields grants. In order to facilitate this goal, at least one workshop will be conducted in a border community and at least one new cooperative agreement for site assessment and cleanup to a border community will be awarded.

If a group wishes to apply for a Superfund Reuse/Redevelopment grant, the input and involvement of the impacted EJ community is a ranking factor for awarding of the grants. The Reuse grants provide EJ communities the opportunities to have a voice in the redevelopment or reuse of National Priorities List (NPL) sites in their communities. The local stakeholder input into the remedial decisions can change the level of the cleanup, depending on the site reuse plans.

In addition to the Reuse and Brownfields grant opportunities, EJ communities are offered the opportunity to apply for the Technical Assistance Grant (TAG) in EJ sites located in neighborhoods with an NPL site in the community. The TAGs provide the EJ communities with funds to hire independent technical or health experts who can review and interpret technical or health-related materials developed as part of the NPL remedial process.

IV. PROFESSIONAL AND ORGANIZATIONAL DEVELOPMENT:

Region 6 is currently providing training to various internal and external stakeholder groups as part of the Region's implementation of the EJ Training Initiative. Region 6 has played an active role in developing foundational EJ training tailored to a wide variety of audiences. The Region will endeavor to present this training to internal audiences, State, Tribes, community and industry audiences to increase the understanding and implementation of the principles of environmental justice. The training encompasses an examination of the issues and elements of environmental justice, legal authorities, case studies and EJ tools. The EJ Training Initiative is comprised of representatives from community, federal and State government, and industry. As scheduling permits, EJ Fundamental Training will be completed by all Region 6 employees in accordance with the Regional EJ Training Plan. These sessions will include modules on best practices and lessons learned.

In addition, The OEJTA provides grant-writing training in various areas to assist prospective grant applicants in preparation of grant proposals.

V. ENVIRONMENTAL JUSTICE ASSESSMENT:

Region 6 developed the EPA Environmental Justice (EJ) Index Methodology for site analysis. It is a modification of the Region's Human Health Risk Index (H.I.) formula. The EJ methodology defines demographic criteria, applies basic principles of science, and requires environmental managers to use program specific data to identify communities of most concern. In 1993, Region 6 adopted the EJ Index protocol (see Attachment B) The methodology uses Geographic Information Systems (GIS) maps, census demographic data and the Hazard Index (HI) method to mathematically rank individual sites. The method is automated in GIS and currently analyzes 50 square miles and one square mile geographic area (communities). The method has an automated mapping facility. The EJ Formula is derived from the Human Health Risk Index (HRI) and is consistent with the approach used in all Region 6 risk-based algorithms: Exposure multiplied by Hazard equals Risk.

$$***Human Health Risk Index (HRI) = Exposure X Hazard***$$

These EJ methodology criteria (population, percent minority, and percent economically stressed households in the study area) become the "analytical definition" for environmental justice. Each of these parameters is ranked to facilitate the mathematical prioritization process. In identifying an EJ site, it is also appropriate to consider the health risks associated with the site. An integrated resource system, combining information from federal and State databases such as RCRA and CERCLIS, aids in the analysis of pollution potential and hazard potential in a given area. As technologies advance the capability to evaluate cumulative impact of risks, the Region will adopt these technologies to enhance its analysis.

Region 6 is committed to use all tools at its disposal to effectively address EJ issues in the region including the Environmental Justice Mapper, Environmental Justice Toolkit. While the EJ Index identifies economically stressed and minority populations, the analysis can be expanded to identify education, employment, and cultural factors.

The Office of Planning and Coordination (6EN-XP) in Enforcement Division provides training, maintenance, and future development of the Geographical Information System demographic system to assist other Division offices in implementation and utilization of basic EJ demographic analyses. The National Environmental Policy Act, Federal Facilities, and Comparative Risk programs use the Region's Geographical Information System EJ index methodology to accomplish the Agency's goal of EJ awareness and incorporation of environmental justice into program activities.

Compliance Assurance and Enforcement Division (6EN) uses the EJ Index methodology and Geographical Information System technology, whenever possible, as a factor in the development of enforcement actions and targeting facilities for investigations and/or single/multimedia inspections, which will ensure the consideration of EJ issues that may occur. EJ criteria are also used to set priorities. For example, the use of EJ indicators can trigger the focus of an Agency sector initiative, or a Regional priority area.

The EJ indexes are considered during the case development stages of the enforcement actions in order to identify violators located in an EJ communities. Where possible, cases in EJ areas will be issued and settled in less than one year. Settlement negotiations include SEPs that benefit the community, such as negotiating with the facility to pay for the mandatory three-year reinspection and management plan development for a school in its community, pay for cost to abate asbestos or lead at a school, educate the community about the hazards of lead, and testing low-income and minority children' blood level. Community organizations, citizens group, interested parties will be notified of the outcome of EJ cases through the mail and other communication media.

Unless the EJ methodology proves otherwise, the Superfund Division staff approach all communities that experience removal or remedial actions as EJ communities. All efforts are made to ensure that local stakeholder communications take into consideration the specific EJ concerns that might be evidenced by the analysis. Staff uses the methodology on a consistent basis when they review site decisions and communications delivery.

To the extent possible, Regional staff has begun using the EJ Toolkit as a valuable resource in performance of EJ analyses and other EJ evaluations. Of particular importance are the EJ Indicators which are proving to be a valuable resource in evaluating EJ issues. We anticipate using this document as a resource in updating the regional EJ Indexing Methodology over the next two years.

VI. PROGRAM EVALUATION:

The EJ Implementation Strategy requires regular reporting/accountability information be furnished to the Deputy Regional Administrator (DRA) by each Division office. These reports serve as a tool to evaluate the effectiveness of the Regional EJ program. The reports address applicable program goals for environmental justice contained in the Division offices' strategic plans. The Divisions report their EJ progress to the DRA, according to the following specific program goals and activities twice a year, as applicable:

- A. Funding for EJ communities (including the following elements: grants, grant conditions, cooperative agreements, and commitments; contracts, Interagency Agreements, Discretionary Funds);
- B. Permits and permitting issues resolved in EJ communities;
- C. EJ Analyses performed;
- D. Number of EJ communities identified through analysis;
- E. Resulting Actions in EJ communities;
- F. Public Meetings/Hearings held in EJ communities;
- G. Increased Outreach Efforts in EJ communities;
- H. Enforcement in EJ communities;
- I. Environmental cleanups in EJ communities;
- J. Corrective actions in EJ communities;
- K. Encouragement to the States to work in EJ communities.

In addition, each Division office specifically reports on these elements of public participation:

- A. Local stakeholder inquiries from EJ communities;
- B. Educational sessions in EJ communities;
- C. Response to requests from EJ communities;
- D. Addressing language barriers in EJ communities;
- E. Public meetings/hearings in EJ communities;
- F. Encouragement to the States to work in EJ communities.

In addition, each appropriate Division office is required to report compliance with GPR A goals and measures relevant to environmental justice. See ATTACHMENT C for “**Annual Performance Goals and Measures and Accountability Measures**” for each program.

The **EJ Accomplishments Report** mandated by HQ OEJ will also serve as a valuable performance measurement vehicle.

Attachment A

Environmental Protection Agency - Region 6 Regional Environmental Justice Strategy

Environmental Protection Agency - Region 6 Regional Environmental Justice Strategy

The U.S. Environmental Protection Agency Region 6 Environmental Justice program is headed by the Office of Environmental Justice and Tribal Affairs (OEJTA). Environmental justice objectives are integrated within each of the Region 6 Division offices. In 1999, the former OEJ developed an EJ Mission & Vision statement and Strategic Plan (see Appendix). This document spells out specific commitments that will be utilized to measure EJ implementation progress. This strategy compiles the goals and practices of that program and demonstrates the degree to which environmental justice is integrated into each program area and within Region 6.

Addressing the concerns of environmental justice within Region 6 is critical to the mission of the agency—to protect human health and the environment. Region 6 will maintain its leadership in the area of environmental justice by implementing the strategies and commitments contained in this plan. With its unique geographic location, and the concentration of petroleum and chemical manufacturing, hazardous waste generation, treatment and disposal facilities within the Region, the Region faces a dramatic challenge in addressing the health, pollution, and regulatory issues that accompany these conditions.

Each Division office's plan details the background, structure, historical accomplishments, and a general statement of the division's EJ goals and objectives. The plan further details program goals for addressing EJ issues in the areas of funding, permitting, enforcement, environmental clean up, corrective actions and encouragement to States to implement EJ programs. This portion of the plan calls for setting program priorities and targets, as well as a strategy for accomplishing the goals. Public participation is a second crucial component addressed in terms of each division's approach to answering community inquiries, addressing language barriers, and accommodating public meetings. Finally, the Region 6 Environmental Justice Strategic Plan incorporates a reporting mechanism for tracking progress on all the components of the Strategic Plan.

Region 6 faces many challenges in addressing the issues of environmental justice. An effective, strategic approach to meeting and solving these problems provides the organization with a consistent direction and can serve as a resource for the increasingly effective response to EJ issues.

Each division has a unique role to play in carrying out the tasks of environmental justice. This strategic plan clearly spells out those roles and will also serve as an assessment tool to provide insight into the Region's performance on environmental justice issues. Also, included in this plan is the process flowchart illustrating the Region's administrative method for handling EJ issues and complaints.

Overarching Regional Issues & Regional Ethic of Environmental Justice

To achieve environmental protection for all constituents, key areas of EPA responsibility must be impacted.

Site Identification

Environmental Justice Index Methodology: Region 6 employs the Environmental Justice site analysis methodology developed in Region 6. There is evidence that minority and low-income communities are exposed to more environmental pollutants than the general population. The Region 6 EPA Environmental Justice Index Methodology is a modification of the Region's Human Health Risk Index (HRI)² formula. The environmental justice methodology defines demographic criteria, applies basic principles of science, and requires environmental managers to use program specific data to identify communities of most concern.

In 1993, Region 6 adopted the EJ Index protocol. (see Appendix ___) The methodology uses Geographic Information System (GIS) maps, census demographic data and the HRI method to mathematically rank individual sites. The method is automated in GIS and currently analyzes 50 square mile and one square mile geographic areas (communities). The method has an automated mapping facility.

The Environmental Justice Formula is derived from the Human Health Risk Index (HRI) and is consistent with the approach used in all Region 6 risk-based algorithms: Exposure multiplied by Hazard equals Risk.

$$\text{Human Health Risk Index (HRI)} = \text{Exposure} \times \text{Hazard}$$

These EJ methodology criteria (population, percent minority, and percent economically stressed households in the study area) become the "analytical definition" for environmental justice. Each of these parameters is ranked to facilitate the mathematical prioritization process.

Source Analysis, Cumulative Risk: In identifying an environmental justice site, it is also appropriate to consider the health risks associated with the site. An integrated resource system, combining information from federal and State databases such as RCRA and CERCLIS, aids in the analysis of pollution potential and hazard potential in a given area. As technologies advance the capability to evaluate cumulative impact of risks, the Region will adopt these technologies to enhance its analysis.

Strategies for Outreach to High Risk Communities: Once EJ communities are identified, heightened or expanded outreach measures may be appropriate to use in communicating with the community. Access to information is a lynchpin component of an effective Environmental justice program. As a matter of course, outreach strategies will include innovative and non-traditional lines of communication. Minority publications and media should be sought as communications vehicles, and meeting the community on their schedule and within their culture should become routine. For example, Juneteenth and Cinco de Mayo celebrations, Powwow, All-Indian sporting events, and other cultural gatherings can provide natural venues for pro active outreach to

environmental justice community members. The influence of the faith community is critical. Therefore, connections and networking should be sought with faith-based communities.

Permitting

Issues of Access and Public Participation: Issues of access to information regarding permitting decisions are of special interest in environmental justice communities. Traditional “public notice” means should be expanded to include non-traditional means of communication such as through community bulletin boards, minority and special interest media, and faith-based communities. In addition, permitting authorities should be encouraged to extend public comment periods to enhance outreach and comment, and schedule public meetings at times convenient to the general community (after the dinner hour, for example). Electronic means, such as internet and email, should also be employed to increase public access and participation in the permitting process.

In addition, public comment periods should be extended beyond the regulatory or statutory minimum requirements. This, combined with increased outreach efforts, affords EJ communities the opportunity to have more meaningful participation in the permitting process.

Funding

Internally: The Region 6 Environmental Justice Strategy calls for Division offices to allocate necessary resources to successfully implement Environmental Justice.

EJ Grant Conditions, Performance Partnership Agreements (PPAs) and Performance Partnership Grants (PPGs): In a memorandum dated August 9, 2001 EPA Administrator, Christine Todd Whitman, states that:

“Integration of environmental justice into the programs, policies, and activities via Headquarters/Regional Office Memoranda of Agreements and Regional Office/State Performance partnership Agreements is an Agency priority.”

To encourage States to address the issues of environmental justice, future PPA/PPG agreements should include grant conditions specific environmental justice. National Environmental Justice Advisory Council (NEJAC) Public Participation Guidance (Appendix __) should be used as a template for these conditions, as public participation is one of the critical elements of addressing EJ concerns. PPG agreements should include funding for translation and interpretation services to improve public access to decision making and information gathering processes.

Meaningful Public Participation

Meaningful public participation is the cornerstone of successful EJ program implementation. The National Environmental Justice Advisory Council (NEJAC) has developed a set of

recommendations for use by EPA to institutionalize public participation in its environmental programs. The NEJAC guidance “The Model Plan for Public Participation”, is included in the Appendix of this document.

EPA has developed extensive guidance for incorporating public participation into its programs. A listing of the various EPA Public Participation guidance documents is included in the Appendix as well. These documents are available on EPA’s web site www.epa.gov

Environmental Justice Training

National Training Initiative: Region 6 has played an active role in developing foundational environmental justice training tailored to a wide variety of audiences. The Region will endeavor to present this training to internal audiences, State, community and industry audiences to increase the understanding and implementation of the principles of environmental justice. The training encompasses an examination of the issues and elements of environmental justice, legal authorities, case studies and EJ tools. The initiative is comprised of representatives from community, Federal & State government and industry representatives. As scheduling permits, EJ Fundamental Training will be completed by all Region 6 employees in accordance with the Regional EJ Training Plan.

Reporting on this Plan

The report should address applicable program goals for EJ contained in the Division’s strategic plan. Each division will report their EJ progress to the Deputy Regional Administrator, according to their specific program goals and activities twice a year. These reports will coincide with the twice annual National Environmental Justice Advisory Council meetings. Additional reporting elements may be added to address specific NEJAC issues. Each division will report on these general elements, as applicable:

- Funding (including the following elements: grants, grant conditions, cooperative agreements, and commitments; contracts, FTE, Interagency Agreements, Discretionary Funds)

- Permitting; EJ Analysis Performed (including the following elements: Number of EJ communities identified thru analysis; Resulting Actions; Public Meetings/Hearings; Increased Outreach Efforts)

- Enforcement

- Environmental clean-up

- Corrective actions

- Encouragement to the States

In addition, each division will specifically report on these elements of public participation:

- Community inquiries

- Educational sessions

- Response to requests

- Addressing language barriers

- Public meetings/hearings

Encouragement to the States.

Appendices:

Region 6 EJ Mission/Vision Statement
Region 6 Practical Objectives for EJ Implementation
Draft National Environmental Justice Guidance
Region 6 Environmental Justice Index Methodology
Region 6 EJ Conceptual Model Protocol
Region 6 EJ Identification Process/Framework
Enforcement Targeting methodology
NEJAC Guide to Public Participation Guidance
Executive Order
EJ Border Plan

DRAFT

Compliance Assurance & Enforcement Division

Environmental Justice Plan

I. Background

The Compliance Assurance and Enforcement Division (6EN) Environmental Justice Program is centrally located in the Division Directors office. A representative from each branch in the Compliance Assurance and Enforcement Division is responsible for Environmental justice correspondence, initiatives and goals set forth by the coordinating representative located in the Division Director's office. Contact information is as followings:

Establish Goals & Initiatives for the Division	Gerald Fontenot	(214)665-2210
Division EJ Coordinator	Teresa Cooks	(214)665-8337
Air Toxic & Inspection Branch (6EN-A)	William Honker	(214)665-7290
Hazardous Waste Enforcement Branch (6EN-H)	Mark Potts	(214)665-2243
Water Enforcement Branch (6EN-W)	Bob Murphy	(214)665-8177
Office of Planning & Coordination (6EN-XP)	Rob Lawrence	(214)665-6523

Historical Background of EJ Accomplishments

The Compliance Assurance and Enforcement Division (6EN) consistently collaborates with other divisions and agencies media to address serious environmental and health issues in EJ communities. Meaningful and continuous outreach and education to citizens and environmental groups in EJ areas is a major focus of the division. Historically, citizen input has been utilized for targeting and enforcement actions.

The Branch representatives, Division representative and the Division Director work together to discuss and develop new approaches to address the needs of our EJ communities. An example of this collaboration is our Calcasieu Parish initiative in Louisiana. This effort sought input from citizens, State and local governments, other divisions, and the EJ Team to develop and implement a plan to address the immediate needs of the Calcasieu community.

Division EJ Goals and Objectives

The Division focuses on four broad areas: Investigation and Inspection; Enforcement Actions and Supplemental Environmental Projects (SEPs); State Oversight Authority; and Effective Communication with Citizens. Enforcement Division's goal is to utilize current demographic data, geographic information, and the EJ index in its implementation scheme.

II. EJ Population Identification/Analysis

The Office of Planning and Coordination (6EN-XP) will provide training, maintenance, and future development of the Geographical Information System demographic system to assist other Divisions in

implementation and utilization of basic EJ demographic analyses. The National Environmental Policy Act, Federal Facilities, and Comparative Risk programs will use the Region's Geographical Information System EJ index methodology to accomplish the Agency's goal of EJ awareness and incorporation of environmental justice into program activities. The EJ Index identifies economically stressed and minority populations. The analysis can be expanded to identify education, employment, and cultural factors. The XP programs will communicate EJ demographic findings to the program clients, and will use EJ data as a significant factor in targeting for inspections, permitting, and compliance issues.

III. Program Goals Addressing EJ

The main areas which will be considered and applied are categorized and delineated by objectives.

Goal 1: Investigation/Inspection

1. Memorandum of Agreement
2. Program strategy
3. Program initiative
4. History of noncompliance
5. Priority/significant sectors
6. File and record review

Goal 2: Enforcement Actions and Supplemental Environmental Projects

1. Prepare and issue cases according to program, Enforcement Response Policy (ERP), Head Quarters (HQ), Memorandum of Understanding (MOU), & Environmental Management System (EMS);
2. Classification of inspection reports;
3. Issue and settle cases in EJ areas within one year;
4. Public awareness and citizens' involvement, i.e., minority media, mailing list, Citizen SEP Idea Library and Website, etc.;
5. Determine appropriate action;
6. Negotiate settlements to benefit community; and
7. When appropriate, solicit input from community.

Goal 3: Oversight of State Enforcement Actions

1. Encourage EJ participation
2. Provide guidance, direction, and training on a continued basis

Goal 4: Effective Communication with Citizens

Additionally, Enforcement Division will continue to alert other agencies to areas of concerns when EPA does not have the regulatory authority to enforce. With environmental justice in mind, the Enforcement Division will incorporate additional steps in the process of alerting other agencies. The Enforcement Division has made the commitment to provide information to the particular agency, follow-up on action(s) taken, and when appropriate provide the citizen and/or community with the other agency's contact and information on how the concerns were resolved. Further, the Enforcement Division will work with other agencies when appropriate to develop proposed SEPs which will directly benefit the community.

IV. Branch Goals for Addressing Environmental Justice

WATER ENFORCEMENT BRANCH

1) Use demographic and population statistics (provided by the Office of Planning and Coordination), whenever possible, as a factor in the development of enforcement actions, targeting facilities for investigations and/or inspections, which will ensure the consideration of EJ issues that may occur. Our Administrative Order Routing Sheet will include a check off block that will indicate whether environmental justice has been considered or not. This will be a follow-up to the prescreening of all enforcement actions with the EJ demographic map.

2) The public notice process (Administrative Penalty Order notice) considers environmental justice as it keeps the public informed of fines proposed in the EPA administrative process including the amount of the proposed fine and the location of the facility where the fine is assessed. The information which is available in the local and regional newspapers will also be found in all communities' libraries. Computers in each library will have access to the EPA Region 6 web site. The public will be notified of the location of these notices through mail-outs to minority and community groups prepared from a list provided by the Regional EJ coordinator.

3) Timely and appropriate enforcement actions by EPA and the National Pollutant Discharge Elimination System (NPDES) delegated States will support the goals of environmental justice by encouraging fair and equitable treatment across the board of all violators. This is accomplished through application of the Region 6 Enforcement Management System. Since the initial prioritization of the action will consider environmental justice, the enforcement action will already be on a "fast track." The issuance process will remain the same; the enforcement action (document) will have a higher priority.

4) In EPA's role as the oversight authority, all delegated States will be encouraged to consider EJ issues and will be given guidance as it is developed and direction on how to apply new guidance in its enforcement process.

AIR, TOXICS AND INSPECTION BRANCH

1) Incorporate EJ principles in setting targets for investigations, inspections, and EPA enforcement actions. The Branch will continue to use the EJ Index and Geographical Information System technology to develop its annual inspection target for the single and multimedia inspections. The Lead Program will continue to use the geographic information system and information provided by the Center for Disease Control to identify low-income communities with the highest risk of exposure to lead for its inspection target list.

2) EJ indexes will be considered during the case development stages of the enforcement actions by identifying violators located in an EJ community. Where possible, cases in EJ areas will be issued and settled in less than one year. Settlement negotiations will include SEPs that benefit the community, such as negotiating with the facility to pay for the mandatory 3-year reinspection and management plan development for a school in its community, pay for cost to abate asbestos or lead at a school, educate the community about the hazards of lead, testing low-income and minority children' blood level. Community organizations, citizens group, interested parties will be notified of the outcome of EJ cases, through the mail and other communication medium.

3) States with enforcement programs will be provided with EJ information and assistance in consolidating EJ considerations in its enforcement programs. State delegated programs will be monitored for considerations of environmental justice in its enforcement actions in EJ communities as well as none EJ communities. Further, the Air Branch will ensure that there is appropriate oversight of State enforcement programs.

RESOURCE CONSERVATION & RECOVERY ACT (RCRA) HAZARDOUS WASTE ENFORCEMENT BRANCH

- 1) Ensure that EJ criteria are used to set priorities. For example, the use of EJ indicators can trigger the focus of an Agency sector initiative, or a Regional priority area.
- 2) Use EJ indicators to target specific areas of the Region for compliance assistance, compliance monitoring and traditional enforcement activities. For example, economic and/or ethnic indicators may be used to target specific areas where enforcement activities will be conducted. As in the past, areas such as the Calcasieu estuary have been targeted based on EJ indicators as well as community requests.
- 3) Strive to conduct community outreach activities whenever feasible in EJ designated areas, to keep the local citizens informed of inspections and other actions in their community.
- 4) In the area of enforcement actions and SEPs, the Branch will negotiate with facilities to design SEPs that will benefit the community. An option for these facilities will be to perform projects that will provide a direct environmental benefit, and/or by providing the community with the tools and means to become more informed. For example, a SEP may consist of setting one or several computers in the local library with access to on-line information, such as grass roots organization web pages, Federal, State and Local information systems that will keep the community informed of chemicals in their community, spills and incidents at facilities in their immediate area, as well as other general information.

OFFICE OF PLANNING AND COORDINATION

The Office of Planning and Coordination (6EN-XP) will provide training, maintenance, and future development of the Geographical Information System demographic system to assist other Divisions in implementation and utilization of basic EJ demographic analyses. The National Environmental Policy Act, Federal Facilities, and Comparative Risk programs will use the Region's Geographical Information System EJ index methodology to accomplish the Agency's goal of environmental justice awareness and incorporation of environmental justice into program activities. The Office of Planning and Coordination programs will communicate EJ demographic findings to the program clients, and will use EJ data as a significant factor in targeting for inspections, permitting, and compliance issues.

SUMMARY

Through improved targeting of enforcement and compliance resources, the Enforcement Division will ensure that at least 50% of all civil and criminal enforcement actions and other compliance monitoring activities are conducted at high risk, disproportionately exposed and other high priority areas of noncompliance. Additionally, the Enforcement Division strives to make citizens more aware and involved in decisions which directly affect their communities.

IV. Reporting

The Enforcement Division will annually report EJ Accomplishments by the following measures:

Goal 1: Investigation/Inspection

- Percentage of Investigations/Inspections in high risk, disproportionately exposed areas;

Goal 2: Enforcement Actions and Supplemental Environmental Projects

- Percentage of enforcement actions and compliance monitoring in high risk, disproportionately exposed areas;

- Number of compliance assistance activities in high risk, disproportionately exposed areas;

- Percentage of SEPs in high risk, disproportionately exposed areas;

Goal 3: Oversight of State Enforcement Actions

- Written agreements and collaboration with States that encourage EJ Initiatives;

Goal 4: Effective Communication with Citizens

- Number of outreach activities for communities, such as training session, workshops, presentations, and meetings.

Environmental Justice Implementation Strategy Multimedia Planning and Permitting Division, 6PD

Background

Structure of Division Environmental Justice (EJ) Program

The Multimedia Planning and Permitting (Multimedia Division) Division is made up of a team of managers, Division Director, Deputy, and three Associate Directors- listed below), 13 Sections, two Divisional Offices: “Border” and “Children Health.” Each Associate Director serves as the Division focal point for EJ activities. In this role, the associates are in the optimum position to expeditiously enlist the appropriate Section and staff responses to EJ initiatives and/or to EJ issues. In summary, the Division has the following structure in place to support EJ activities:

TITLE	EMPLOYEE	RESPONSIBILITY	PHONE
Division Director	Carl E. Edlund	Overall management of Division EJ Program activities	214-665-7101
Deputy Division Director	Bill Luthans	Overall management of Division Border Office	214-665-6522
Division EJ Coordinator	Matt Loessel	Serves as the point of contact for the Division in matters related to environmental justice	
Associate Director Resource Conservation and Recovery Act Programs	Stephen Gilrein	Management of the hazardous waste program specific EJ initiatives	214-665-7170
Associate Director Air Programs	Rebecca Weber	Management of the air program specific EJ initiatives	214-665-7135
Associate Director, Pesticides, Toxics/ UST/PTU Programs	Steve Vargo	Management of the toxic, underground storage tank, pesticide, and children health program specific EJ initiatives	214-665-6579

In addition to Regional representation, the Multimedia Division also serves as sub-lead for Environmental Justice and Permitting for the national air program. The Multimedia Division sub-lead EJ representative is Wendy Jacques and can be contacted at (214) 665-7395. The sub-lead EJ representative leads a national workgroup that plans to present the above model to Air Division Directors in order to encourage all States to use it during the permitting process.

General Statement of Divisional:

The Region 6 Multimedia Planning and Permitting Division is committed to environmental justice, and its integration into all programs, policies, and activities, consistent with existing environmental laws and their implementing regulations. The Multimedia Planning and Permitting Division (6PD) carries out its programs consistent with Executive Order (E.O.) 12898 and the Region 6 Environmental justice program within the authority provided by applicable federal law.

Divisional Goals/Objectives

To ensure that delegated and non-delegated Federal environmental programs are implemented in a consistent and appropriate manner regardless of race, culture, education level and/or income.

To ensure fair treatment of people of all races, cultures, and incomes with respect to the development, implementation, and enforcement of environmental laws and policies, and their meaningful involvement in the decision making processes of the government.

Integrate EJ “activities” into all existing Divisional programs and emphasize community/State/industry outreach and education (all divisional programs)

EJ Population Identification/Analysis

EJ Index Screening

The Multimedia Division approach is based on the Region 6 EJ Index Methodology for the identification of EJ communities/areas. (These identified communities/areas are then considered when setting program priorities to protect human health and the environment and during program oversight.). To conduct an impact assessment, the Division uses a four-mile radius about the facility; the Region 6 methodology for determining EJ status takes into consideration the density of facilities in the subject area and other factors established by the Region.

In addition to the Region 6 methodology for the identification of EJ communities/areas, the databases that the Multimedia Planning and Permitting Division uses to determine sources of pollution in EJ and potential EJ areas are the Resource Conservation and Recovery Information System

(RCRAInfo) including 11 databases, the Hazardous Waste Biennial Report (BR), Aerometric Information Retrieval System (AIRS), Toxic Release Inventory (TRI), National Asbestos Registry System (NARS), and Federal Insecticide Fungicide Rodenticide Act (FIFRA) TSCA Tracking System (FTTS).

RCRAInfo is a national program management and inventory system of RCRA hazardous waste Handlers which contains permitting, enforcement, inspection, corrective action, and facility information. RCRAInfo is the primary mechanism used by the RCRA program in planning, forecasting, tracking, and reporting on goals, both at the State and federal level. The BR database contains detailed information, collected biennially from RCRA large quantity generators (LQG) and treatment storage or disposal facilities (TSD) under the Resource Conservation and Recovery Act (RCRA), on hazardous waste generation, management, and final disposal.

The AIRS is a computer-based repository of information about airborne pollution in the United States. AIRS is comprised of four (4) major databases- Air Quality (AQS), Facility (AFS), Area/Mobile Source (AMS), Geo-Common (GCS) subsystem- and a mapping utility for all air data called Air Graphics (AG). The AIRS Facility Subsystem (AFS) contains Aerometric emissions and regulatory compliance data on air pollution point sources tracked by the U.S. EPA and States and local air regulatory agencies. Point source data are used by States in the preparation of States Implementation Plans (SIPs), other delegated regulatory programs and by Emission Factor Inventory Group (EFIG) for the estimation of total national yearly emissions.

The NARS database was established by EPA in 1989 to store and track national compliance information on owners and operators of asbestos demolition and renovation activities (as defined in 40 CFR part 61 subpart M) related to the Asbestos National Emission Standards for Hazardous Air Pollutants (NESHAP). The database contains a listing of all asbestos demolition and renovation contractors; compliance history; number of times each contractor notified the agency about NESHAP asbestos activities; number and times each contractor was inspected by States, local or Regional agencies; and agencies to contact for more information about a contractor. The data is updated quarterly for AFS. States are required to report contract notifications, resulting oversight and enforcement.

Section 313 of the Emergency Planning and Community Right-to-Know (EPCRA) established the TRI Program, a National database that identifies facilities, chemical manufactures and used at the identified facilities, and the annual amounts of these chemicals released (in route operations and in accidents and other one-time events) and otherwise managed on-and off-site in waste. Each year, facilities that meet certain thresholds must report their releases and other waste management activities for listed toxic chemical to EPA and to the State or Tribal entity in whose jurisdiction the facility is located. Beginning in 1991, covered facilities were required to report quantities of TRI chemical recycled, combusted for energy recovery, and treated on-and off-site.

The FTTS is a national database for the tracking of FIFRA and TSCA enforcement cases and inspection.

Grant Funding:

In the Multimedia Division grant funding for States, Tribes, and other entities is provided through the hazardous waste, air, pesticide, solid waste, lead-base paint, underground storage tank and children health programs. In addition, the Division participates in the National Environmental Performance Partnership Systems (NEPPS), with States having the opportunity to enter into Performance Partnership Agreements (PPAs) and/or Grants (/PPGs). A key component of the PPAs/PPGs is the process for joint priority setting and for public participation, which includes EJ stakeholders. States are encouraged during grant negotiation process to include EJ components. Each Program Grant Chief ensures that EJ requirements have been incorporated into their program grants and the special projects.

Each Program Grant Chief administers the grants in coordination with their Associate Director and media specific program technical staff which provide technical expertise in the development of work plans and State/EPA agreements and State program oversight.

U.S.-Mexico Border Program

The U.S.-Mexico Border Program is committed to serve all communities along the border; however, we place special emphasis on those communities that are in need, such as the EJ community along the border. Our commitment is to meet the EJ needs of the border communities and stakeholders as well as possible. We facilitate the creation of a two- way communication with the border community, serve as a liaison to increase EPA access to affected communities, and try to fill in the gaps of the Border Program regarding environmental justice. Some of the activities that the Border Program can conduct, with the assistance of the EJ Office, is conduct extensive outreach activities to inform and educate the border communities about environmental justice and to identify their specific EJ needs. The Border Program also is committed to strengthening the capacity of the border communities to become organized and articulate their issues and concerns, in order that a meaningful community participation process can be created so that they will be encouraged to take an active role in protecting their environment.

Oversight of State Permit Program

- Review 100% of the Prevention of Significant Deterioration air permits.
- Review 100% of the Nonattainment New Source Review air permits.
- Review 100 Title V air permits. We will also focus on Title V permits in nonattainment areas and potential EJ communities.
- Provide oversight on hazardous waste combustion permits.
- The RCRA program oversight activity is accomplish in partnership with the State Agency and through technical assistance. In addition to the hazardous waste combustion permits, the RCRA program provides oversight on all controversial hazardous waste facilities.

RCRA PROGRAM GOALS FOR ADDRESSING ENVIRONMENTAL JUSTICE

Setting program priorities/targets; Strategy for accomplishing goals

1. Funding RCRA Tribal Grants

The Region 6 RCRA Tribal Program awards approximately \$250,000.00 per year to Regional Tribal Program. Region 6 RCRA Program and the Tribes will continue to identify solid waste and hazardous waste specific RCRA hazardous waste “implementation” needs and assist in capacity building. Hazardous waste “implementation” by the Tribes, which was authorized for funding in the revised 40 CFR Part 35 regulations in February 2001, will not include “O&M” activities, but will focus on results-oriented projects.

Region 6 and the Tribes will also continue to update the inventory of large quantity hazardous waste generators (LQGs), small quantity hazardous waste generators (SQGs) and treatment, storage and/or disposal facilities (TSDFs) on Tribal lands. GIS mapping, conducted to locate and identify known SQGs and LQGs on or adjacent to Indian lands, will be updated and revised based on Tribal input and actual field verification.

As Tribal hazardous waste capabilities increase, it is envisioned that the resulting data base of hazardous waste facilities on Tribal lands will ultimately be maintained by the Tribes. The Region will meet regularly with Tribal staff to review the compiled information for completeness and accuracy.

The Region is also continuing to provide additional assistance to the Tribes to build capacity to develop and implement Tribal hazardous waste programs. The following activities are being conducted to provide support to the Tribes:

- Hold informational meetings with the Tribal staff to discuss the regulatory, enforcement, and procedural aspects of the Resource Conservation and Recovery Act and its applicability to Tribal lands.
- Workshops to educate the Tribal community about RCRA in general, especially the requirements for handling, storing, treating, and disposing of typical hazardous wastes generated by small businesses. The Region has developed informational brochures specifically targeted to address hazardous wastes on Tribal lands.
- Jurisdictional/statutory issues associated with the enforcement of RCRA on Tribal lands will continue to be researched in an effort to identify and resolve potential impedances to establishment of Tribal hazardous waste programs.
- Region 6 will provide financial assistance as it becomes available and provide technical assistance as necessary to the Tribes to develop and implement its own hazardous waste programs.
- Region 6 will conduct meetings with the Tribes as necessary to assist in identifying suitable hazardous waste “implementation” projects.

2. RCRA Permitting

a. EJ analysis performed - GIS & RCRA info

The Multimedia Division has developed a RCRA Electronic Query System (REQS). The REQS is a window-based integrated information system with browsing, report-writing, and querying functions that supplements the RCRAInfo system. In addition, the REQS incorporates information from the Biennial Report System (BRS), Environmental Justice (EJ) data, the Texas Voluntary Cleanup Program (VCP) data, Government Performance and Results Act (GPRA) data, and US Census data into one desktop system. The REQS allows the Multimedia Planning and Permitting Division RCRA Program staff to perform a level of data analysis and evaluation that was not possible prior to the development of this system. This resulted in improved program planning and performance; analysis of permit implementation and corrective action; inspection targeting and enforcement tracking; GPRA tracking; environmental justice evaluation; and waste management, etc.

We will evaluate current data in REQS to ascertain program implementation status in the Region between States, and within States (including EJ and non-EJ populations) Specifically, the items to be measured/monitored include (EJ vs. non-EJ areas): number/types of facilities; length of time to permit; human exposures controlled, groundwater released controlled, corrective action implemented, etc.

Risk Assessments

At hazardous waste combustion facilities where the Region is conducting Risk Assessments for Louisiana or other States, we will continue to use site specific cultural information when developing our risk assessment assumptions.

The primary steps in risk assessment are problem formulation, risk analysis and risk characterization. As part of the Region's Environmental Justice Strategy each of these steps has been enhanced to evaluate potential environmental justice concerns. During problem formulation, information on demographics of the area being evaluated is gathered and reviewed. Risk analysis is broken into two primary components, exposure assessment and effects assessment. Information gathered during problem formulation is evaluated on a site-specific basis to determine if exposure parameters (e.g. ingestion rates) are appropriate to accurately depict the culture diversity of the study area. For example, during problem formulation of a recently completed risk assessment it was determined that a Vietnamese community resided in an potentially effected area. The community was evaluated and found to have a much higher fish ingestion rate than that which would normally used in a risk evaluation. Documentation of this increased rate was provided to Region 6 and the information was incorporated into the risk assessment.

Once the exposure assessment is complete an effects assessment is conducted. Toxicity benchmarks utilized in the effects assessment, such as cancer slope factors and reference doses, have been adjusted on a national basis by a factor of 10 to account for sensitive sub-populations and cultural diversity. The last phase of the risk assessment process, risk characterization, is the portion of the assessment where results are presented and interpreted. When appropriate, specific results related to cultural diversity are discussed along with uncertainties within the evaluation.

3. Public involvement in the RCRA permitting process

The RCRA permitting process has a fairly extensive public involvement process which is required by the regulations. This includes the relatively new (1995) expanded public participation regulations.(40 CFR part 124.31, 32, 33 and 40 CFR part 270.-----). All of the Region 6 States have adopted the RCRA Permitting Expanded Public Participation Regulations, three (3) are authorized for it, and all the States are implementing it.

4. Increased outreach efforts

Options (dependent on additional travel funds and for training materials etc.) Partnering with States, conduct additional public outreach activities at selected TSDs undergoing permitting, where the site is in an EJ community or where public concern is high. This will require additional travel funds.

5. Environmental Clean-up/RCRA corrective action

The vast majority of clean-up of contaminated sites at active RCRA facilities is conducted under RCRA permits. Therefore, for Multimedia Division, the EJ activities would be part of the permitting process. Additional public involvement would be required as part of the permitting process when a clean-up remedy is selected and a class-3 permit modification is done. The public participation requirements of the permitting process apply to permit modifications as well.

6. Encouragement to the States

Ensure States follow the public participation regulations for the RCRA permitting process. The need for additional forms of oversight will be identified on a case by case bases.

AIR PROGRAM GOALS FOR ADDRESSING ENVIRONMENTAL JUSTICE

Air Permitting

We will evaluate the Environmental Justice Screening Analysis developed by the Louisiana Department of Environmental Quality as a model to determine the potential impacts to the potentially affected areas. As part of our strategy we will encourage our States/local to use this analysis as they begin the permitting process. The analysis includes questions that require the permittee to:

- Identify and evaluate adverse environmental effects;
- To conduct a cost benefit analysis of the environmental impact of the project versus the social and economic benefits;
- To evaluate alternative projects and alternative sites that would offer more environmental protection; and
- To evaluate any mitigating measures that would offer environmental protection without unduly curtailing non-environmental benefits.

As sub-lead for Environmental Justice and Permitting, Region 6 is leading a national workgroup that plans to present the above model to Air Division Directors in order to encourage all States to use it during the permitting process.

Air Tribal Grants

Region 6 will continue to work with Tribes and Pueblos to develop air quality programs. In 2002, extensive outreach, which include a grant workshop, will be provided to Tribes that have not been involved in CAA activities will be completed and grant funds provided as appropriate.

Region 6 is working with the Central States Regional Air Planning (CENRAP) to ensure appropriate Tribal representation and support for Regional air planning activities.

Air Planning

Will review new State Economic Incentive Programs (Emissions Trading/Banking) to insure that they adequately address the Environmental justice requirements of EPA's Economic Incentive Policy.

Air Monitoring

A primary goal of ambient air monitoring is the evaluation of population exposure to pollutants. The majority of these population oriented monitors are located in urban and industrial areas and many of these locations are within EJ communities. Region 6 will be conducting an analysis to ensure monitors are being utilized to the maximum exposure benefit. Activities currently being performed that address air quality in EJ areas:

- Expansion of air toxics monitoring efforts in industry dense residential areas (many of which are EJ areas)
- Region 6 Cumulative Impact Tool currently being developed will provide a method for scientifically evaluating EJ impacts from air toxics.
- Coordination with citizen groups in Calcasieu and Houston on several community focused air monitoring projects (Calcasieu VOC/Dioxin Monitoring, Bucket Brigade)

PESTICIDES, TOXICS, UNDERGROUND STORAGE TANK (UST) PROGRAMS GOALS FOR ADDRESSING ENVIRONMENTAL JUSTICE

Pesticides Program

The Pesticides Program will continue to address environmental justice in its work. The program will target agricultural workers (including migrant workers), low-income populations and Tribal populations which are typically under served and disadvantaged. Goals for the program will be:

- Ensuring all complaints of pesticide exposure to workers are investigated and all Region 6 States are conducting agricultural worker protection inspections,
- Oversight of two projects that prevent illegal and dangerous use of agricultural pesticides in low-income urban settings, and
- Initiation of three projects with Tribes to reduce adverse health risk from pesticides exposures.

Toxic/Indoor Environment/Children Health Program

The Toxic Program will conduct greater than 10 percent of all EPCRA inspection in EJ areas.

The Children Health Program will promote healthy environments and living places for children in EJ areas including but not limited to, the Border and Tribal nations. Also, the Children Health Program will conduct outreach to educate school administration, parents, and child care providers on the HELP for kids program, Mercury in Schools initiative, Radon, Tools for Schools, Sunwise, Young Farmers Academy, Lead Base Paint, Asbestos, environmental tobacco and smoke initiative, and the asthma awareness programs. The Region 6 has developed and implemented the Regional Strategic Children Health Plan that ensures healthy environments and living places for children. The Region 6 Strategic Children Health Plan will be made available upon request.

The Indoor Environment Program will make the communities and Tribes aware of all grant opportunities that they are eligible to pursue including lead based paint, radon, and indoor environments

grants. In addition, Indoor Environment Program will continue to provide funding for Tribal participation in radon and indoor environments programs, as well as the lead based paint program.

Solid Waste

The Region's overall goal is for the Tribes to become self-sufficient in managing their solid waste program. It is anticipated that it will take several years to reach this goal. The Region plans to continue to use a consortia approach. There are 65 recognized Tribes in Region 6. The All Indian Pueblo Council (AIPC)/POEP represents 19 Pueblo Tribes in New Mexico and the Inter-Indian Tribal Environmental Council (ITEC) represents 31 of the Tribes in Oklahoma. By using these two consortia the Region can leverage limited resources to provide technical assistance to individual Tribes. During the past two years the Region has developed technical expertise regarding the solid waste program in both consortia. The Region 6 will continue to provide the following Tribal assistance:

- Provide Cherokee Nation with landfill design flexibility as allowed by 40 CFR 258.
- Assist Nambe and Northern Eight Tribes in designing a landfill to fulfill their long term solid waste management plans.
- Work with BIA, IHS and other federal agencies to provide monies and technical assistance to properly close high priority open dumps.
- Provide guidance to Tribes on design and operation of transfer stations.

Underground Storage Tanks

The Underground Storage Tanks Program will ensure that 14 percent Federal inspections will be conducted in Tribal areas.

IV. Reporting (semiannual)

The following activities will be reported semiannual:

- Report the number of low-income/minority communities the hazardous waste, air, pesticide, solid waste, lead-base paint, underground storage tank and children health programs provided assistance and outreach efforts.
- Report the number of water related issues/concerns received by the Multimedia Division from low-income/minority communities.
- Report the number of low-income/minority communities and Tribes provided grant funds and technical assistance by the hazardous waste, air, pesticide, solid waste, lead-base paint, underground storage tank and children health programs.

(Generic reporting will be covered in the Region 6 overall Strategy in lieu of in the individual Division Strategies.)

**DRAFT SUPERFUND DIVISION
STRATEGY ENVIRONMENTAL JUSTICE**

rev.12.29/03

I. Background

Structure of EJ Program

The Superfund Division has an Environmental Justice (EJ) Representative who serves: 1) as the point of contact for the Division in matters related to environmental justice and 2) as the Division’s representative on the Region 6 EJ Workgroup. This position is within the Division Director’s immediate office and facilitates communication with division management and division branches. The current Division EJ Representative position is vacant.

Each branch chief serves as the branch focal point for EJ activities. The branch chief is in the optimum position to expeditiously enlist the appropriate Section, team and staff responses to EJ initiatives and/or to EJ issues. The following structure is in place in the Division:

TITLE	EMPLOYEE	RESPONSIBILITY	PHONE NUMBERS
Division Director	Sam Coleman	Overall management of Division EJ Program activities	214-665-6701
Deputy Director	Pam Phillips	Deputy Director	214-665-6701
Branch Chiefs		Manage EJ program specific initiatives	
	Charlie Gazda	Response & Prevention Branch	214-665-2270
	Betty Williamson	Program Management Branch	214-665-2241
	Wren Strenger	LA/NM/OK Branch	214-665-6583
	John Hepola	AR/TX/OK Branch	214-665-3187
Section/Teams/Staff		Consider EJ interests, incorporating environmental justice in program processes.	

Historical Background of EJ Accomplishments

Due to the nature of work in the Superfund Division Environmental Justice (EJ) issues were being addressed prior to the formation of a formal program. In order for the Region to be responsive to the communities, it has been important that the affected community be informed and consulted throughout the superfund process. It has also been important to look for creative uses for existing resources in order to maximize the achieved effect. In the Superfund Division, these resources have provided a vehicle to provide information and education to the community resulting in more effective community input into the process, and tools which have allowed the Region to address community concerns.

Division Goals/objectives Pertinent to Environmental Justice

This plan is intended to provide employees of the Superfund Division engaged in removal, remedial, site investigation, oil pollution response and supporting activities with general guidelines on implementing Regional and Agency policy on Environmental justice into these activities. These guidelines will be implemented on a site-by-site basis, and it is not expected that they will cover all situations or issues which will be encountered. These guidelines may also need to be applied differently depending upon the immediacy of the threat encountered.

The Superfund Division carries out its programs consistent with Executive Order (E.O.) 12898 and the Region 6 Environmental justice program within the authority provided by applicable federal law. In each program, the Division strives to ensure fairness in its actions. Major Division actions are evaluated with respect to Agency EJ responsibilities and the statutory and regulatory provisions under the Clean Water Act (CWA) and the Comprehensive Environmental Response, Compensation, and Liability Act.

With the goal of carrying out the Division programs consistent with the E.O. 12898 and the Region's EJ Strategy, the Superfund Division ensures that all citizens are protected equitably under its programs. The CWA and the CERCLA and the associated regulations do not discriminate based on ethnic, economic, or other characteristics of an area or community. During annual program planning, commitments are made to provide assistance in EJ areas for which the Division is responsible (program areas that have not been delegated to the States/Tribes) and to assist States/Tribes with their work in EJ areas.

In addition to working with the States and Tribes on CWA and CERCLA activities, the Superfund Division's goal is also to cooperate with other EPA programs and other Federal agencies in striving to achieve environmental equity to the maximum extent possible.

To a great extent the priorities of the Division are set by the relative threat posed by the various sites identified. However, the Division will carefully look at the threat posed to any identified EJ community and will carefully look to assure that those communities are afforded equal treatment in the allocation of resources to address such threats. In addition, the Division will consider the risks posed by other environment sources which affect the community. While it may not always be able to address those additional risks, the Division will determine whether the additional risk would require the site to be given a higher priority for funding or if the additional risk indicates that a different response is appropriate.

II. EJ Population Identification/Analysis

The first step to be taken is the identification of all EJ sites. All EJ sites, as defined by the Regional EJ policy, will be identified at the earliest reasonable point in the process. For remedial sites, this activity should be completed during the site investigation. Early identification will provide the opportunity for the community to provide input into the listing of the site, and to be involved in resulting site activities and decisions.

For removal sites, this activity will be completed as early as immediacy of the threat allows. In the case of emergencies and oil pollution responses, the activity may not be completed until after the threat is addressed. But in all other actions, the activity should be completed before signing the action memorandum. Once a determination is made regarding new or existing sites, that information will be recorded in CERCLIS.

III. Program Goals for Addressing Environmental Justice

1. **Enforcement - NA**
2. **Environmental Clean-up - NA**
3. **Corrective Actions - NA**
4. **Encouragement to the States:** While the Superfund Division cannot require the States and local governments to comply with the EJ Executive Order, the Division will work with the States and local governments within the Region to encourage them to comply with the goals of the EO. This will be especially important as more of the sites are addressed through Brownfields and voluntary cleanup programs. While most of these programs do not include the very elaborate community involvement required by the federal program, the Division will work with the States and local government to assure that the communities have a voice in the protection of their health and the environment.

The Division will also coordinate with other federal, State and local authorities to address issues and concerns raised by the community. In many cases, the primary concerns identified by a community cannot be addressed under programs administered in the Division. In those cases, the Division will attempt to identify the appropriate authority, if any, which can provide assistance to the community, and will relay those issues or concerns to the appropriate authority. If appropriate, the Division may also act to facilitate interaction between the community and the authority.

5. **Public participation**

The Superfund program currently conducts extensive efforts to assure community involvement. Those activities must continue. In addition, the Superfund Division will look to the opportunities to enhance those activities, and to more carefully target them to the needs of EJ communities. In particular, the Division will look for ways to provide education to the communities which will better prepare them to participate in the process to address threat, and to more effectively express their needs and issues during the process. Education should be customized to fit the individual community and may include:

the administrative process and how it directly affects the surrounding community;

the rule, regulation and guidance applicable to a particular activity;
the technical process and its implications;
risk assessment and how it affects remedy decisions;
investigation and studies to be performed and why they are important;
the community participation process;
opportunities for other assistance, including both EPA and other resources;
the enforcement process and what it means to getting the site addressed; and what

the EPA can and cannot do - realistic expectations.

The Division will consider other techniques for enhancing community involvement, including the appointment of Community Advisory Groups, and will use them where appropriate. The goal must be to give the community meaningful opportunities to participate in decision making. The decision must directly affect their lives, and they should have a say in the outcome.

IV. Reporting

As determinations regarding new or existing sites are made they are entered into CERCLIS. This provides a current up to date list of the Superfund Division actions involving Environmental justice issues.

**DRAFT WATER QUALITY PROTECTION DIVISION
STRATEGY ENVIRONMENTAL JUSTICE**

rev.12.29/03

I. Background**Structure of EJ Program**

The Water Quality Protection Division has an Environmental Justice (EJ) Representative who serves: 1) as the point of contact for the Division in matters related to environmental justice and 2) as the Division's representative on the Region 6 EJ Workgroup. This position is within the Division Director's immediate office and facilitates communication with division management and division branches. The current Division EJ Representative is Dina Granado at 214-665-6522.

Each branch chief serves as the branch focal point for EJ activities. The branch chief is in the optimum position to expeditiously enlist the appropriate Section and staff responses to EJ initiatives and/or to EJ issues. The following structure is in place in the Division:

TITLE	EMPLOYEE	RESPONSIBILITY	PHONE NUMBERS
Division Director	Miguel Flores	Overall management of Division EJ Program activities	214-665-7101
Program Analyst	Dina Granado	EJ Rep./ coordinator	214-665-6522
Branch Chiefs		Manage EJ program specific initiatives	
	Larry Wright	Source Water Protection Branch	214-665-7151
	Jack Ferguson	NPDES Permits Br.	214-665-7170
	Richard Hoppers	Ecosystems Protection Branch	214-665-7135
	Joan Brown	Assistance Programs Branch	214-665-6579
	Jayne Fontenot	Customer Service Branch	214-665-7191
Section Chiefs/staff		Consider EJ interests, incorporating environmental justice in program processes.	

Historical Background of EJ Accomplishments

Due to the Division's concerns that all citizens' water resources be protected equitably, the following are two examples of the proactive approach taken by the Water Division:

- The Water Quality Protection Division was the first in the Region to conduct a program-wide EJ analyses; an analysis was done for major NPDES permits and for Class I injection wells. These analyses were made possible by the Division's early development and implementation of Geographical Information System (GIS) initiatives.
- The Water Division was actively involved in addressing the environmental concerns in Calcasieu Parish, Louisiana. In cooperation and through a grant to the State, the monitoring frequency for Public Water Supply Systems was increased and technical assistance was provided to expeditiously identify any quality problems that had or that might occur.
- The Source Water Protection Branch continues to carry out Direct Implementation programs on Indian Lands for both the Underground Injection Control program and the Public Water Supply Supervision program. Source Water Assessments are being done for all Tribes with public water systems; this is being done for both ground water and surface water systems.
- The Assistance Programs Branch has incorporated the Environmental justice goals into the Division's National Environmental Policy Act (NEPA) process for the Clean Water State Revolving Fund (SRF) and Drinking Water SRF Program as well as special congressionally earmarked infrastructure construction projects. The Region 6 States and Regional staff that manage these programs were provided training on EJ activities in Region 6, environmental justice in the NEPA Review process, the EJ Index Methodology and Application of GIS in EJ Index Calculations.
- The Assistance Programs Branch has provided and continues to oversee well over one quarter of a billion dollars in grant assistance to Region 6 States to assist communities along the U.S./Mexico Border. These communities called "Colonia" are often highly impoverished areas, characterized by substandard housing and poor living conditions resulting in public health and environmental problems. Funds have been awarded to construct colonia drinking water and wastewater treatment facilities as well as low interest loans to colonia residents for installing indoor plumbing.

Division Goals/objectives Pertinent to Environmental Justice

The Water Division carries out its programs consistent with Executive Order (E.O.) 12898 and the Region 6 Environmental justice program within the authority provided by

applicable federal law. In each water program, the Division strives to ensure fairness in its actions. Major Division actions, including permitting and technical and financial assistance, are evaluated

with respect to Agency EJ responsibilities and the statutory and regulatory provisions under the Clean Water Act (CWA) and the Safe Drinking Water Act (SDWA).

With the goal of carrying out the Division programs consistent with the E.O. 12898 and the Region's EJ Strategy, the Water Division ensures that all citizens are protected equitably under the water programs. The CWA and the SDWA and the associated regulations do not discriminate based on ethnic, economic, or other characteristics of an area or community. During annual program planning, commitments are made to provide assistance in EJ areas for which the Division is responsible (program areas that have not been delegated to the States/Tribes) and to assist States/Tribes with their work in EJ areas.

In addition to working with the States' and Tribes' on CWA and SDWA activities, the Water Division's goal is also to cooperate with other EPA programs and other Federal agencies in striving to achieve environmental equity to the maximum extent possible under the water programs.

II. EJ Population Identification/Analysis

EJ Index Screening

The Water Division approach is based on the Region 6 methodology for the identification of EJ communities/areas. (These identified communities/areas are then considered when setting program priorities to protect human health and the environment and during program oversight.)

To conduct an impact assessment, the Water Division uses a 4 mile radius about the facility; the Region 6 methodology for determining EJ status takes into consideration the density of facilities in the subject area and other factors established by the Region.

Expanded EJ Studies

In addition to the routine screening carried out by the Water Division using the prescribed methodology, other considerations may be taken into account to ensure that any communities/areas that are not identified in the initial EJ screening process may be identified as EJ communities/areas when appropriate. For example, other options to identify EJ communities may include the following:

- Region 6 with States and in collaboration with communities identifies (lists) geographic areas as EJ areas in which to concentrate EJ initiatives.*
- Region 6 establishes a process for communities to self-identify for EJ status followed by the Region working with the States to finalize EJ areas.**

Availability of Data to Division Employees for Decision-making

The computer analysis pathway for conducting EJ analyses using the Region's EJ methodology is available to all employees through the EPA Region 6 Intranet under "Special Initiatives."

- * Concern- identification of an EJ area could be seen by some citizens, institutions, etc., as potentially impacting an area in a negative way, such as the potential to impact property values, etc.; a legal determination needs to be made.
- ** Concern- development of adequate criteria to determine applicability of community for EJ status.

III. Program Goals for Addressing Environmental Justice

A. Setting program priorities/targets; strategy for accomplishing goals

1. **Funding:** Most funding for States, Tribes, and other entities is through the SDWA and the CWA. The Division participates in the National Environmental Performance Partnership Systems (NEPPS), with States having the opportunity to enter into Performance Partnership Agreements (PPAs) and/or Grants (/PPGs). A key component is the process for joint priority setting and for public participation, which includes EJ stakeholders. States are encouraged during the negotiation of these and the traditional categorical grants to include EJ components. The Assistance Programs Branch also ensures that EJ requirements have been incorporated into the Drinking Water and Clean Water SRF Programs and the special congressionally earmarked infrastructure projects. All projects involving construction will be reviewed for the incorporation of EJ requirements through the NEPA process.

The Assistance Programs Branch administers the Water Division grants in coordination with the Branches which provide technical expertise in the development of work plans and State/EPA agreements and State program oversight. Goals and priorities for State water quality protection, through planning and management, are identified for use in the development of grant objectives and in the identification and resolution of policy and program issues.

Examples in accomplishing goals under the SDWA are the Drinking Water State Revolving Funds program (SRF) (administered by the States) and the State Revolving Funds (SRF) Indian set-aside grant program (administered by EPA) that allow for infrastructure improvements. States are required to use affordability in determining the priority given to communities for assistance, and States are allowed to give special dispensation for disadvantaged communities, including the extension of loan periods and provision of a portion of the funds to be used in the form of a subsidy (grant with negative interest). The SDWA SRF programs, the CWA Hardship Grants program, and

the Colonias program address the needs of specific low-income/minority communities.

The SDWA and the CWA funds result in the protection of public water systems and the improvement/protection of surface and ground water quality in Region 6. In combination 6WQ funding provides for human health and environmental/ecological protection and includes opportunity for the consideration of sensitive populations in program implementation. All funding ensures non-discrimination and equal employment opportunities in all grant and contract activities.

2. **Permitting:** Under the SDWA and the CWA the Agency has responsibilities for permit programs, the Underground Injection Control (UIC) and the National Pollutant Discharge

Elimination System (NPDES) programs, respectively. The UIC permits and no-migration petitions assure protection of underground sources of drinking water, and the NPDES permits protect health and aquatic life with the emphasis on surface water quality protection. In most instances (with the exception of the no-migration petitions) these programs have been delegated to the States. These State programs issue the permits which, at a minimum, comply with the Federal program requirements. Program priorities and targeted accomplishments are negotiated annually consistent with regional and Headquarters (HQ) guidance.

Under the UIC program Region 6, however, handles the no-migration petitions for Class I wells in the States and carries out direct implementation programs for all classes of wells on Indian Lands, for which the Region with input from the Tribes, establishes priorities and targets for planned accomplishments.

The Water Division strategy is to accomplish goals under the SDWA and NPDES permit programs and provide equitable protection for minority/low-income communities. This is exemplified by the following:

- Various administrative, technical, and scientific reviews and evaluations are conducted for the permitting programs in the Region, and expert assistance is provided as needed. Authorized States are encouraged to consider environmental justice when setting priorities for permit issuance, and oversight of State activities in EJ areas may be increased to identify any State program implementation weaknesses, and if applicable, increase the availability of technical assistance to States to address concerns.
- State water quality standards related to NPDES are approved/disapproved by the Water Division. (EPA promulgates standards in the absence of appropriate standards.) When assisting States/Tribes in the development of standards, Region 6 scientists are sensitive to EJ communities' consumption patterns and to bodily contact exposure. The standards in turn provide the technical basis for determining the NPDES permit parameters and concentration limits to ensure all citizens and ecological systems are adequately protected. The Region reviews all major permits drafted by authorized States in EJ areas. Additionally, the Region will request the review of minor permits in areas jointly identified by the Region and the States as having significant EJ concerns.
- The Region is responsible for all UIC no-migration petitions, and has conducted an EJ analysis for each of the Class I UIC wells in the Region. Its direct implementation program on Indian lands is the largest in the nation for Class II wells.

In summary, the following activities in EJ areas are done by the Water Quality Protection Division in Region 6:

Permitting Summary:

- Issue NPDES and UIC permits for non-delegated programs (States/Tribes)
- Review 100% of UIC no-migration petitions and issue on approval

- Extend public comment period from 15 to 30 days for UIC Tribal program Class II permits where public interest warrants.
- Increase Technical Assistance/Outreach/Education Initiatives

Oversight of State Programs Summary:

- Review 100% of major NPDES permits
- Ask States to review 100% of minor NPDES permits
- Review States' implementation of water programs
- Review EJ compliance under the Clean Water SRF Annual Review and Drinking Water SRF Biannual Review.

3. **Enforcement - NA**

4. **Environmental Clean-up - NA**

5. **Corrective Actions - NA**

6. **Encouragement to the States:** Funding, technical assistance, and training provide a level of encouragement to the States and Tribes, and these enhance their ability to address/maintain water quality protection programs in EJ areas. By increasing oversight in EJ areas, program weaknesses can be identified, and when applicable the Region increases the availability of technical assistance to address identified concerns. States are also encouraged to consider environmental justice when setting priorities for permit issuance.

States are encouraged to establish SDWA SRF programs for disadvantaged communities and EPA will assist the States. Additionally, the Clean Water Act Hardship Grants program and the Colonias program address the needs of specific low-income /minority communities.

Guidance and assistance are provided in the development and operation of water quality management plans and programs. States have identified priority watersheds and have developed watershed restoration action strategies.

B. **Public participation**

1. **Community inquiries/educational sessions/response to requests:** The programs may expand public outreach/education activities (beyond the required minimum in identified EJ areas). In addition to responding to inquires and requests, the staff plans, designs, implements, and develops strategies, products, and opportunities (brochures, fact sheets, posters, pamphlets, seminars, public meetings, workshops, etc.) to inform the public about the water programs.

Information is provided to the public, press, industries, environmental organizations, federal and State agencies and to other stakeholders. The Division is responsive to individual and community inquires and provides workshops/meetings to share technical and programmatic information with those potentially impacted by water programs actions.

2. **Addressing language barriers:** Information (brochures, etc.) is prepared in the language of the community as needed (for example, in Spanish for many areas in Region 6).
3. **Public meetings/hearings:** The Water Division's Customer Service Branch issues public notices and coordinates public and evidentiary hearings. Any special EJ community needs are addressed, as in instances when a translator is needed. Also, hearing times and locations are selected to facilitate the EJ communities participation in meetings/hearings and to avoid conflict with any EJ communities unique, scheduled events.
4. **Encouragement to States:** States are encouraged to establish programs for disadvantaged communities (minority/low-income), and assistance is available to the interested States. States are encouraged to include opportunities for public participation (for all stakeholders) in their programs that are funded under EPA grants.

Educational material is available to the States that addresses the needs of the diverse Region 6 population.

IV. Reporting (semiannual)

1. Report the number of low-income/minority communities the Water Division provided water quality protection assistance.
2. Report the number of water related issues/concerns received by the Water Division from low-income/minority communities.
3. Report the number of low-income/minority communities and Tribes provided technical assistance by the Drinking Water and UIC programs.

(Generic reporting will be covered in the Region 6 overall Strategy in lieu of in the individual Division Strategies.)

*Environmental Justice Implementation Strategy
Management Division*

I. Background

The primary function of the Management Division is to be the focal point of internal assistance and service related functions for our customers. These functions include strategic planning, quality assurance budgeting, accounting, information technology, and management of human resources, facilities, records management and administrative support. All functions within the Division are committed to supporting the Environmental justice Program under Stated roles and responsibilities.

II. Program Goals by Branch

Environmental Services Branch (Houston Laboratory)

The Houston Laboratory is a state-of-the-art facility which maintains quality-trained personnel on the latest techniques used in assisting programmatic customers. The Lab is responsible for providing data analysis on samples as requested by Programmatic Divisions. The Lab itself does not generate requests for sampling, but will provide full support for any data requests related to environmental justice.

Resource Branch

The Resource Branch houses the budget, planning, accounting, procurement and grants functions. The Grants team provides support in processing EJ grants as prepared by the Programmatic Divisions.

Information Branch

The Information Branch provides technical support in the areas of personal computers, information technology, web authoring and mainframe communication. The Branch's customers are at the Regional and Headquarters Level.

Administrative Services Branch

The Administrative Services Branch provides support to the in-house, regional workforce in the areas of Facilities Management and Human Resources. Besides acting as the liaison to Building Management and handling all facility needs, this branch provides personnel services to include training. Part of that activity relates to recruitment of qualified candidates to fill job opportunities offered here in the Region.

rev.12.29/03

Border XXI Efforts:

The following Memorandums of Understanding are in place which serve the Environmental justice community:

Langston University in Langston Oklahoma is a member of the Black Historical Colleges and Universities (BHCU) Association and is located 30 miles northeast of Oklahoma City. EPA has developed a specific plan of action with Langston Officials to address environmental projects, education, and environmental justice issues in the area.

- C **Goal:** To provide guidance, and as needed, training to equip Langston University with the tools necessary to address environmental projects, education and as necessary environmental justice issues in the area. *Estimated completion date: ongoing*

The University of Texas at Brownsville is a member of the Hispanic Association of Colleges and Universities (HACU) Association and is located at Brownsville, Texas. EPA has a workgroup currently working on the development of a plan of action specifically tailored for environment education, environmental projects, and environmental justice issues in the lower Rio Grande Valley.

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Border XXI Environmental Information Resources Workgroup

Wire the Border Project - A project in conjunction with the U.S. Mexico Chamber of Commerce to equip four border communities along the U. S. Border with computers to access the Internet for environmental information.

- C **Goal:** To provide the communities along the U.S. Mexico Border a means of accessing environmental information. *Estimated completion date: June, 2002*

Border XXI Web Site

A one stop web site for communities and others searching for specific environmental information.

C **Goal:** To provide environmental information specific to the U.S. Mexico Border and other environmental information as requested. *Estimated completion date: June, 2002*

C **Contact for Border XXI goals:** Sam Balandran 214-665-8051

III. Summary

While the primary function of the Management Division is support of our Regional Division offices and our Headquarters Counterparts, the Division is committed to doing all it can to enhance quality of life for EJ communities. With input from the programs and the Environmental justice team, efforts, though limited, within our scope of authority will be targeted for EJ communities where possible.

IV. Reporting

Data will be provided on a semi-annual basis from the Administrative Service Branch and the Border XXI contact to determine progress in accomplishing the stated goals.

Environmental Justice (EJ) Implementation Strategy

Office Of External Affairs

I. BACKGROUND

The primary responsibility and mission of the Office of External Affairs is to foster communication with the public; the media and to Federal, State, local government agencies; and elected officials. Our strategy to meet the objectives of environmental justice focuses the following components:

Media includes the proactive interface with Region 6 print and broadcast media;

Intergovernmental includes remaining abreast of “hot” issues in given Congressional districts and coordinating responses to Congressional inquires;

Executive Correspondence which includes the management of all written correspondence received in the Regional Administrator’s Office;

Environmental Education(EE) Program which supports and promotes educational activities which develop the knowledge base and skills to foster responsible environmental decision-making;

Regional Native American Office (RNAO) which serves as the focal point for Tribal matters within Region 6.

Office of External Affairs contact information:

Establish Goals & Initiatives for the Office	David Gray	214-665-2200
Implementation of Office Strategy	Terrie Mikus	214-665-2147
Implementation of Office Strategy Alternate	Maurice Rawls	214-665-8049
Office EJ Coordinator	Patty Senna	214-665-7178

II. EJ POPULATION IDENTIFICATION/ANALYSIS

External Affairs will utilize the Region 6 index methodology for the identification of EJ communities and areas, including the Region's Geographic Information System demographic analysis protocol.

III. PROGRAM GOALS FOR ADDRESSING ENVIRONMENTAL JUSTICE

Setting Program Priorities / Targets:

- Funding:
 - EE Grants
 - RNAO General Assistance Program Grants
- Permitting: N/A
- Enforcement: N/A
- Environmental Clean-up: N/A
- Corrective Action: N/A
- Encouragement to States/Tribes:
 - Region 6 EE Strategic Plan Goals: #2 Partnerships & #4 Building State Capacity
 - RNAO Strategic Plan

Strategy for Accomplishing Goals:

Media:

- External affairs will monitor EJ activities and proactively provide media outlets with information that will establish/maintain EPA's actions as being credible
- External Affairs will arrange for periodic editorial boards for the Regional Administrator, Deputy Regional Administrator and Environmental Justice Team Leader to advance the EJ Program
- External Affairs will arrange for periodic media interviews for the Regional Administrator, Deputy Regional Administrator, Environmental Justice Team Leader to advance the EJ Program
- External Affairs will inform EPA Headquarters, Office of Communication, Education and Media Relations of contentious EJ news articles/reports that can potentially have National implications
- External Affairs will issue EJ Press Advisories and/or Press Releases, as appropriate, and post subject information on the web site in a timely manner.

Intergovernmental:

- External Affairs will serve as the EJ liaison between elected officials and all Region 6 Division offices

- External Affairs will remain abreast of all elected official's written as well as verbal EJ requests; ensuring the concerns are addressed in a timely and responsive manner

- External Affairs will inform EPA Headquarters, Office of Intergovernmental Relations of contentious EJ issues about which a given elected official could potentially contact the Region 6 Administrator

Executive Correspondence:

- External Affairs will monitor all correspondence received in the Regional Administrator's Office paying close attention to issues relative to environmental justice and/or issues focused in an environmental justice or disadvantaged community.

- External Affairs will develop a mechanism to report trends in environmental justice correspondence for within-Region review.

- Correspondence will be controlled to appropriate office with information copy to the EJ Team Leader.

- External Affairs will inform the Environmental Justice Team of potential opportunities for speaking engagements by the Regional Administrator or Deputy Regional Administrator in EJ communities.

Environmental Education Program:

- Through the Region 6 Environmental Education Program, External Affairs will coordinate the distribution of environmental education and information resources to EJ community groups. EJ communities will be included in the EE Grant solicitation process for EE proposals (via notices to community leaders/organizations and State agencies). Environmental justice is a criteria priority for reviewing and evaluating EE Grant proposals.

- The EE Program will seek opportunities and audiences to conduct special EE forums for disadvantaged community members.

- External Affairs will encourage members of minority, disadvantaged and Native American communities to participate in Regional Earth Day activities.

- External Affairs will facilitate the distribution of bilingual environmental education materials.

Regional Native American Office:

- RNAO through its Strategic Plan, will continue outreach, coordination and communication efforts to help Region 6 Tribes establish and maintain successful environmental programs.

- RNAO will organize and facilitate training related to Tribal affairs to increase cultural sensitivity, program coordination, and Tribal participation in environmental improvement on Region 6 Tribal lands.

- RNAO will identify and recommend opportunities for the Regional Administrator to speak with Native American audiences.
- RNAO will work to increase awareness of environmental grant opportunities for Region 6 Tribes.

Other Approaches:

In the day-to-day distribution of environmental press releases, External Affairs will:

- Study available market research to determine the most effective communication methods for reaching EJ communities
- Study demographic data to locate and identify language markets.
- Identify and translate press releases or advisories that should be issued in more than one language.
- Specifically target geographic areas of Region 6 to receive other than English language press communications.
- Include all known minority media publications and radio/television stations in Region 6 on an automated fax list to receive press releases/advisories.
- Encourage minority media publications and radio/television stations to contact the Region 6 Media Office with press inquiries.
- Utilize EJ community newspapers for dissemination of EPA articles and to announce EPA activities.

IV. REPORTING (semi-annual basis) The following information will be listed in External Affairs databases:

Number of correspondence inquires regarding EJ issues

Number of speaking engagements by the Regional Administrator to EJ audiences

Number of EE Grants received/awarded for EJ projects

Number of special EJ forums held for disadvantaged communities

Number of EJ community representatives participating in Region 6 Earth Day events

Number of RNAO Tribal environmental outreach projects

Number of Region 6 Tribal training events

Number of speeches by the Regional Administrator at Tribal events

Number of Region 6 EJ media and communities receiving EPA press communications

Number of proactive EJ activities provided to media outlets

Number of EJ media inquiries/interviews arranged by External Affairs

Number of EJ Press Advisories issued

Number of Press Releases issued

Number of Congressional EJ inquires received/resolved

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*Environmental Justice Implementation Strategy
Management Division*

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Rev: 01/2002
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Contact for Border XXI goals: Sam Balandran 214-665-8051

III. Summary

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IV. Reporting

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Attachment B

Environmental Justice Index Methodology

Computer Assisted
Environmental Justice Index Methodology

Office of Planning and Analysis
U. S. EPA Region 6
July 1994

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CHAPTER IV
Environmental Justice

A. Introduction

Environmental Justice refers to the pledge or assurance that no population will endure a disproportionate share of the country's pollution. Evidence has been presented that minority and low-income communities are exposed to more environmental pollutants than the general population.¹ A modification of the Region 6 Human Health Risk Index (HRI) formula² is used to define and prioritize specific sites as to their potential for environmental justice concerns. The HRI-Justice methodology defines justice criteria, applies basic principles of science, and enables environmental managers to use program specific data to identify communities of most concern.

The Human Health Risk Index (HRI) enables users to select specific HRI subfactors and perform special regulatory, health, and social-economic analyses. These special applications include environmental justice studies, enforcement targeting analyses, environmental impact studies, and pollution prevention project assessments.

The Environmental Justice chapter describes how a modification of the HRI can evaluate and rank environmental justice concerns around commercial hazardous waste sites. This HRI-justice example uses Geographic Information System (GIS) maps, census demographic data and the HRI method to mathematically rank individual sites. The example's extensive use of GIS maps is for demonstration purposes only. Justice information can be demonstrated using HRI criteria and rankings alone. The method described is automated in GIS and currently analyzes 50 square mile and one square mile geographic areas (communities). The method also has an automated mapping facility. Examples of other special applications in this document are: enforcement targeting and facility permitting.

The Environmental Justice Formula is derived from the Human Health Risk Index (HRI) 2 and is consistent with the approach used in all risk based algorithms: Exposure multiplied by Hazard equals Risk.

Human Health Risk Index (HRI) = Exposure X Hazard

The Potential Environmental Justice Index (EJ) defines "exposure" as the population exposed and assumes the total population of a study area is impacted by environmental justice factors. In the HRI, hazard has two components: Degree of Impact (DI) and Degree of Vulnerability (DV). DI is a chemical specific parameter. Inclusion of this factor requires chemical exposure and toxicity information. For the justice formula, Degree of Impact (DI) is not calculated. Potential risk from chemical exposure can be calculated separately (Chapter II, Enforcement Targeting). Degree of Vulnerability is calculated for EJ and includes two criteria: a community's percent minority representation and percent economically stressed households. These EJ methodology criteria (population, percent minority, and percent economically stressed households in the study area) become the "analytical definition" for environmental justice. Each of these parameters are ranked to facilitate the mathematical prioritization process. Sites are evaluated using an environmental justice formula and ranked on a scale of 0 to 100. Although higher scores can indicate greater potential justice concern, the population density, percent minority population, and percent of economically depressed household data are the more important analytical factors. When evaluated independently, they often provide greater insight to the potential environmental justice concerns and can be used

alone to rank sites (i. e., sites ranked on percent minority or economic status, or the combination of these two factors). The methodology user should realize that even an index ranking of zero can have significant EJ concerns. For example, an unpopulated area will rank a zero, but if owned by minority and/ or low-income groups, the site may have significant EJ importance.

Environmental Justice Formula:

Environmental Justice Index (EJ) = Exposure X Hazard
(PE/ PC X POP) X (DI X DV)

where:

PE = Population Exposed

PC = Population in Community

PE/ PC = 1 (assumes total population is effected)

POP = Population Density Ranking (0 -4)

DI = Degree of Impact (= 1)

DV = Degree of Vulnerability (Minority Ranking X Economic Ranking)

Minority Representation Ranking (1 -5)

Economic Status Ranking (1 -5)

therefore:

EJ index = [Population Ranking] X [Minority Ranking X Economic Ranking]
[POP (0 -4)] X [(1 -5) X (1 -5)]

Because all HRI subfactors are mathematically related, data from smaller analysis (i. e., environmental justice, enforcement targeting) are directly applicable to formal HRI risk evaluations. Therefore, all special application studies contribute to an ever larger risk analysis. Use of the HRI formula assures the investigator that risk data is evaluated by documented, consistent, peer reviewed ranking criteria. B. Methodology and Computer System Overview
The Environmental Justice Analysis System (EJ) is resident on the Region 6 EPA Geographic Information System (GIS) and uses other systems (i. e., RCRIS, CERCLIS, TRI, PCS) supported by the Region's Novel LAN to provide locational information to GIS. All Region 6 Programs can perform site specific environmental justice demographic analyses. The Programs are responsible for the locational accuracy of the data submitted to the computer system and accurate communication or environmental justice findings.

A one and fifty square mile study area is analyzed around each EJ point location. The computer system clips a circular coverage with a 4 mile radius (50 square miles) from the Census TIGER coverages 3 . Data is extracted from various Census files to address methodology criteria. The EJ index is calculated by finding the percentages for each subfactor for the 50 square mile area, ranking the percentages based on scaling criteria, and multiplying the rankings. The same process is performed for the one square mile analysis (approximate 0.56 mile radius).

The Environmental Justice Index calculated from these subfactors, or the independent subfactors comprising the Environmental Justice Index, should be used as a Demographic Correlation Variable for studies conducted by Programs. These studies serve to evaluate Agency policies or procedures regarding sociological equity. EPA activities for evaluation can include enforcement targets, permit decisions, grant awards, or risk calculations. 1. Calculation of the Degree of Vulnerability Degree of Vulnerability (DV) for the HRI 2 is the mean of ranking values of demographic data for the minority, economic status, age, pregnancy, life-style factors, and pre-existing disease subfactors (see Chapter I).

Of the subfactors above, minority representation and economic status (household income) are used in the EJ formula. Each DV-EJ subfactor has a scaling range from 1 to 5. The HRI-Justice vulnerability scaling scores are multiplied. Therefore, the maximum value for Degree of Vulnerability in the EJ formula is 25. The scaling criteria for the Degree of Vulnerability subfactors (percent minority and percent economically stressed) are derived from the HRI Degree of Vulnerability Ranking Methodology. Like the HRI, subfactors for the fifty and one mile study areas (EJ communities) are compared to the State in which it resides. Region 6 State EJ criteria (1990 Census) are:

<u>State</u>	<u>% Minority</u>	<u>% Economically stressed</u>
Texas	39.4 %	27.6 %
Louisiana	34.2 %	36.3 %
Arkansas	17.7 %	36.0 %
Oklahoma	19.0 %	32.0 %
New Mexico	49.0 %	31.0 %

The evaluation criteria for the Degree of Vulnerability subfactors is:

HRI Degree of Vulnerability Ranking Methodology	Criteria Score
Percentage of residents in the risk group is less than or equal to the State %	1
Percentage of residents in the risk group greater than the State percentage but less than or equal to 1.33 times the State percentage	2
Percentage of residents in the risk group greater than 1.33 times the State percentage but less than or equal to 1.66 times the State percentage	3
Percentage of residents in the risk group greater than 1.66 times the State percentage but less than or equal to 1.99 times the State percentage	4
Percentage of residents in the risk group greater than or equal to 2 times the State percentage	5

a. The Minority Status Variable -DVMAV (DV-Minority Average_ The Ethnicity (DVMAV_ subfactor is derived from a comparison of the area's percent of minority population to the calculated State percent minority population. For example, the average minority percentage in Texas is 39.4 %. The EJ methodology scaling criteria for Texas is:

MINORITY STATUS VARIABLE
Percent (% Minority Representation
Score

≤39.4 % (≤ Texas State average
1
> 39.4 % and ≤ 52.4 %
2
> 52.4 % and ≤ 65.4 %
3
> 65.4 % and ≤ 78.8 %
4
> 78.8 %
5

Region 6 chose to include the Hispanic population in the definition of minority, even though this populous may have reported themselves as white in the 1990 Census. The minority population of a Region 6 community is defined as the Census 1990 total of the non-white population plus the white Hispanic-Origin population.

The data used to calculate the minority percentage is found in the block level file called P. L. 94-171 of the 1990 Census ³. The field used is P004_0002 which is defined as White with no Hispanic-Origin. This value is subtracted from the total population, giving the number of people who are Non-White or White with Hispanic-Origin. The percentage of people in the study area that are Non-White or White with Hispanic-Origin is compared to the State percentage of people in this same census category. Detailed documentation of the State census numbers used and methodology calculations is found in the EJ Computer System User's Guide (Potential Environmental Justice Index)⁴

b. The Economic Status Variable -DVECO (DV-Economic Status) The Economic Status (DVECO) subfactor is derived from a comparison of the area's percent economically stressed to the calculated State percent economically stressed population. Census household income data is block group level data. The block group scaling score is used for each census block in the HRI-Justice calculation when finding the EJ index for a block. For the Economic Status subfactor, the risk group is assumed to be households that make less than \$15,000 a year. For example, in Texas the percentage of such households is 27.6 %. The economic status scaling criteria for Texas is:

ECONOMIC STATUS VARIABLE
Percent (%) Households below \$15 K Score

- 1 $\leq 27.6\%$ (\leq Texas State average)
- 2 $> 27.6\%$ and $\leq 36.7\%$
- 3 $> 36.7\%$ and $\leq 45.8\%$
- 4 $> 45.8\%$ and $\leq 55.2\%$
- 5 $> 55.2\%$

The data used to calculate the economically stressed percentage is found in STF3A of the 1990 Census 3 , specifically the files STF301 and STF314. The economic data found in the P80 category of STF314 is reported by household, therefore, to find the percentage of economically stressed it is necessary to use the number of households from P5 field (P0050001_ of STF301 as a denominator. The fields used to total the low-income group are the sum of P0800001, P0800002, P0800003, and P0800004 of STF314. Detailed documentation of the State census numbers used and methodology calculations is found in the EJ Computer System User's Guide 4 .

2. Calculation of Population Factor

The Population Factor (POP_ used in the justice formula is the population density score for the study area. The population density ranking (POP_ is determined by evaluating the total population from POP100 of PL94171, and evaluating the average one square mile population for the area. The density is ranked by the scaling criteria following. The criteria scores range from 0 to 4.

- POPULATION FACTOR Density Ranking
Population per Sq. Mile Scaling
Score
- 0
 - 0 > 0 and ≤ 200
 - 1 > 200 and $\leq 1,000$
 - 2 $> 1,000$ and $\leq 5,000$
 - 3 $> 5,000$
 - 4

The population is found for the study area and ranked on a one square mile area.

3. Calculation of the Potential Environmental Justice Index The product of the subfactors, Minority Status (DVMAN), Economic Status (DVECO), and Population Factor (POP) is the Potential Environmental Justice Index (EJ). The maximum possible value of the EJ index is 100.

C. System Features

1. The User's Guide

A Region 6 EJ Computer System User's Guide 4 is available (Potential Environmental Justice Index). The guide presents the computer screens experienced by users through the menu activity as well as general GIS lessons on using the Data General interface with UNIX for support of Environmental Justice data processing.

Quality Assured Locational Data

THE MOST IMPORTANT STEP OF GEOGRAPHIC INFORMATION SYSTEM APPLICATIONS IS THE PROCESSES THAT ASSURE THE LOCATIONAL DATA USED IS ACCURATE.

THE ACCURACY OF THE DATA IS THE REQUESTING PROGRAM'S RESPONSIBILITY.

Before anyone evokes the Environmental Justice System, consideration for Quality Assured Locational Data must be made. The system tracks the Quality Assurance of the location, the Requestor's name and Program-Code.

2. Input

There are two methods of input currently available for the EJ system, individual site processing and batch processing. Both use Latitude and Longitude location for conversion to GIS-albers coordinates (X-axis, Y-axis). Programs and primary data gathering groups use Latitude and Longitude as the standard method of identifying location, therefore, this system is designed to address this data format.

The EJ system employs an interactive menu interface to evoke the proper method of input. The Individual Site Processing Option prompts the user for information that meet the output criteria where the system cannot answer the query. The Batch Processing Option prompts the user for a file name where dBase data has been stored.

The user is responsible for input for:

Name of the Requestor
Source of Quality Assured Locational Data
Latitude/ Longitude
EPA Identifying number and Site Name
Mail Code

Users collect data from the EPA Mainframe systems or through program file research and are responsible for the accuracy of the information. If the need exists to evaluate more than 1 location, a dBase file can be built by the user to transfer the batch of locations to GIS. The EJ System will automatically convert the dBase file into a format compatible with the Region 6 GIS system. The user is given the steps to complete the task through the User's Guide on How to Transfer dBase Files to GIS.

D. Examples of Region 6 Environmental Justice Analyses

1. Enforcement Targeting

One of the many applications for environmental justice evaluations is enforcement targeting. This is a procedure which ranks industrial facilities as to the potential impact each site may pose to human health and the environment. Region 6 typically identifies facilities that have been non-compliant in more than one media program (Air, NPDES, RCRA).

These facilities are subjected to a computerized risk screening methodology using census information and Toxic Release Inventory (TRI) data. These facilities are also evaluated by the Environmental Justice computer methodology. Each site can be ranked by potential risk, environmental justice ranking, population around each site, economic status of surrounding communities, or by minority representation for the one and fifty square mile study areas. Facilities which score high in historical noncompliance, risk, and environmental justice are potential priority enforcement targets. A four mile radius was demographically evaluated for each industrial facility and ranked from 0 to 100.

2. Permitting for Industrial Sites

A major responsibility of EPA and State environmental agencies is the permitting of industry related activities which impact the environment. The Region's EJ formula is used to accurately access demographic information for one and fifty square mile areas around sites being considered for permit privileges. The following examples are for individual sites, but the EJ system is also used to evaluate permitting practices for whole regulatory programs (i. e., RCRA, NPDES, MSW) involving hundreds of sites. Table IV. 1 shows the EJ analysis findings for four permitted sites described below and Houston Scrap in Houston, Texas.

a. Environmental Impact Statement -Wallace, Louisiana

A plastics manufacturing facility asked regulators for a permit to build a plant near Wallace, Louisiana, on the west bank of the Mississippi river (the lower half of Maps 1 -3). EPA Environmental Impact Statements do not traditionally assess environmental justice issues. The EJ formula was used to characterize the demographics of the community around the proposed site. The site of interest is approximately in the center of each map. Map 1 shows the minority ranking of each block, Map 2 the economic status for census block group, and Map 3 demonstrates EJ index values for each census block.

The data indicates that one square mile around the site is sparsely populated (133 residents), one-hundred percent minority, and economically stressed. The plastics facility did not build in this area. The EJ analysis was used as an Regional awareness tool.

b. Underground Injection Well Permit Application -Winona, Texas Gibraltar Well # 186)

A company in the deep piney woods of East Texas applied for a permit to continue injecting hazardous waste underground. A segment of the small community town of Winona, Texas opposed the facility operation and the issuance of a permit. Maps 4-6 show the demographics surrounding the facility. There are few residents near the injection well (0.56 mile radius from site). This does not indicate a lack of potential EJ concern. Program managers are responsible for accessing demographic information and determining possible EJ concern.

c. Wastewater Treatment Plant -Marrero, Louisiana

Conditions of an NPDES permit were evaluated for a wastewater treatment plant in Southern Louisiana near New Orleans. EJ demographic information was used by EPA staff for a public meeting. The information is shown in Maps 7 -9.

d. Uranium Processing Facility -Gore, Oklahoma

Sequoyah Fuels is a uranium processing facility on the banks of the Arkansas and Illinois Rivers in Eastern Oklahoma. The company has several permits from EPA and DOE. A Native American environmental group has opposed the facility's operation and requested an EJ analysis. Notice the zero population reported for the 1 square mile study area. The EJ analysis does not evaluate worker populations. The facility borders land owned by Native Americans. Maps 10 -12.

3. Superfund

a. In 1991 areas of West Dallas were found to contain varying levels of lead contaminated soil. One source of the pollution had been the RSR Smelter. Region 6 EPA and the Texas Natural Resource Conservation Commission (TNRCC) are removing contaminated soils from the Dallas community. A component of the risk management plan was an evaluation of communities adjacent to permitted hazardous waste facilities being considered to receive the West Dallas soil. The soil was not hazardous. A proposed landfill in Avalon, Texas was evaluated using the Environmental Justice methodology. 1). Waste Disposal Site and West Dallas EJ Analyses Avalon, TX is a small rural community about fifty miles south of Dallas. CSC Disposal is a hazardous waste site in the city. The Minority Status, Economic Status, and Population Factor of the Region 6 EJ methodology were calculated for the community around the landfill site. Maps 13 -15 demonstrate the 1 and 50 square mile EJ analyses for the Avalon, CSC facility. An analysis of the West Dallas site is also presented in Maps 16 -18.

Other waste disposal facilities were considered for the disposal of West Dallas soil. Two of these sites were landfills near Conroe, Texas and Monroe, Louisiana.

2) Results

Demographic information produced by the EJ methodology characterized each waste site considered for landfill disposal of West Dallas soil. The environmental justice information was combined with transportation distance, transport safety, facility design, and cost considerations to decide which landfill was the best overall disposal site choice. The Avalon site was selected. The non-contaminated soil was transported and deposited at this regulated site in 1993-94.

b. Emergency Response -Houston Scrap, Harris County, Texas Houston Scrap is a battery cracker, collecting lead from used auto batteries for recycling. Lead concentrations on site in excess of thirty percent have been measured, offsite contamination is known to exist, but the full extent has not been identified. The company has been ordered to immediately remove contaminated waste piles. Emergency response has fenced the area to keep the public out. Remedial activities are anticipated once the surficial waste piles are removed. Maps 19 -21. E. Discussion 1. Environmental Justice Index scores are a general ranking tool. Population density, percent minority population, and percent of economically depressed household data are the more important analytical factors. When evaluated independently, they often provide greater insight to the potential environmental justice concerns and can be used alone to rank sites (i. e., sites ranked on percent minority or economic status, or the combination of these two factors). The methodology user should realize that even an index ranking of zero can have significant EJ concerns. For example, an

unpopulated study area will rank a zero, but the land can be owned by or adjacent to land owned by minority and/ or low-income groups. The uranium processing plant bordering Native American land in Gore, Oklahoma is such a site (Maps 10 -12).

2. The Region does not believe an environmental health risk must exist before there can be justice concerns. This is evident by the absence of risk criteria from the EJ methodology. An analysis of an area's potential risk from chemical releases is calculated at a default value of 1. Region 6 has an automated risk methodology developed independent of EJ analysis. Both justice and risk evaluations are used for enforcement targeting projects.

3. Environmental justice has great potential to be misunderstood by government and the public. Application of the basic principles of science can help prevent this misunderstanding. An accurate assessment of demographic data will compliment our community outreach and environmental justice awareness efforts.

4. The EJ Index is derived from the product of three criteria factors with values ranging from 0 -4, 1 -5, and 1 -5. The index can range from 0 -100, but, mathematically, there are not 100 index values possible. This should be remembered when using the methodology for enforcement targeting and other multi-site applications. The range of possible values is smaller for facilities ranking between 50 and 100 than for those ranking from 1 to 49. Therefore, there can be a greater demographic difference between two facilities ranking 60 than for two sites ranking 20.

5. Methodology users should realize that if ranking factors for minority and economic status are both ranked "5", and the site is in a relatively low population area, the highest possible EJ Index is only 25 (on a scale from 0 to 100). Therefore, higher rankings require high population areas. The computer code describing the spacial and mathematical aspects of the methodology is documented in the Pilot Degree of Vulnerability and Potential Environmental Justice Index System Documentation.

6. Although the subfactors are similarly weighted, it is possible that population may have been an "indicator" factor. Meaning, wherever population density is high, the other subfactors tend to rank high. Urbanization may be a concern in this regard. Statistical analyses are planned to further study this possibility.

7. Environmental justice criteria rankings can be very different when the 50 square mile area is compared to the 1 square mile evaluation. Subfactor differences are caused by a change in the number of census blocks analyzed and the actual demographics for the individual blocks. When the study area boundry (line for the 0.56 mile or the 4 mile radius) crosses through a census block, the population is assumed to be equally distributed through the block's area. Therefore, if a block with 1000 residents is halved, a population of 500 is counted for that block. This process can potentially cause significant error depending on the number of blocks and the degree of population segregation within each block.

8. Although EJ studies can be statistically analyzed using standard methods, obtaining statistical significance for study areas with few census blocks is more difficult than for larger areas. Several of the one mile study areas had less than 30 census blocks. Avalon, Texas has 14 and not all of those were complete (totally within the study area).

TABLE IV. 1 Environmental Justice - Permitting Industrial Sites

Minority
 Economic
 EJ Ranking
 Location
 Population
 Percentage
 Percentage
 Index
 (Ranking)
 (Ranking)
 (Ranking)
 Value

Wallace, LA
 6,436
 67.5 %
 41.8 %
 (50 sq. mi.)
 (1)
 (4)
 (2)
 8

Wallace, LA
 133
 100.0 %
 39.3 %
 (1 sq. mi.)
 (1)
 (5)
 (2)
 10

Winona, TX
 2,060
 26.0 %
 31.4 %

(50 sq. mi)
(1)
(1)
(2)
2
Winona, TX
16
12.5 %
27.1 %
(1 sq. mi.)
(1)
(1)
(1)
1

Gore, OK
1,973
21.7 %
47.8 %
(50 sq. mi.)
(1)
(2)
(3)
6
Gore, OK
0
0 %
0 %
(1 sq. mi.)
(0)
(1)
(1)
0

Dallas, TX
137,276
73.4 %
38.5 %
(50 sq. mi.)
(3)
(4)
(3)
36
Dallas, TX
1,616
99.4 %
69.8 %
(1 sq. mi.)
(3)
(5)
(5)
75

Houston, TX
206,442
84.8 %
48.1 %

(50 sq. mi.)
(3)
(5)
(4)
60
Houston, TX
3,953
92.2 %
54.5 %
(1 sq. mi.)
(3)
(5)
(4)
60

References

1. U. S. EPA. Environmental Equity: Reducing Risk for All Communities, Policy, Planning, and Evaluation (PM-221), EPA230-R-92-008, June 1992
2. U. S. EPA. Region 6 Human Health Risk Index Draft Document, Policy and Analysis Section, Dallas, TX, January 1991.
3. U. S. Census Bureau, TIGER STF3A Census Coverage, P. L. 94-171, P004_ 0002.
4. U. S. EPA. Region 6 Pilot Potential Environmental Justice Index: User's Guide, Dallas, TX, April 1994
5. U. S. EPA. Region 6 Degree of Vulnerability and Potential Environmental Justice Index System Documentation, Dallas, TX, September 1993

ATTACHMENT C

GPRA Goals and Measures

Compliance Assurance & Enforcement Division

Annual Performance Goals and Measures and Accountability Measures

GPRA GOAL 9: A Credible Deterrent to Pollution and Greater Compliance with the Law

Objective 1: EPA and its State, Tribal, and local partners will improve the environment and protect public health by increasing compliance with laws through a strong enforcement presence.

Annual Performance Goal:

EPA will direct enforcement actions to maximize compliance and address environmental and human health problems; 75% of concluded enforcement actions will require environmental or human health improvements such as pollutant reductions and/or changes in practices at facilities.

Performance Measures:

75% of concluded enforcement actions require pollutant reductions and/or changes in facility management or information practices.

300 million pounds of pollutants reduced (aggregate).

Increase or maintain existing compliance rates or other indicators of compliance for populations with established baselines, or develop additional rates for newly selected populations.(core optional)

Reduce by 2 percentage points overall the level of significant noncompliance recidivism among CAA, CWA, and RCRA programs from FY 2000 levels.

Increase by 2 percentage points over FY 2000 levels the proportion of significant noncomplier facilities under CAA, CWA, and RCRA which returned to compliance in less than two years. (core required)

Produce report on the number of civil and criminal enforcement actions initiated and concluded.

Annual Performance Goal:

EPA will conduct 15,000 inspections, 400 criminal investigations, and 200 civil investigations targeted to areas that pose risks to human health or the environment, display patterns of non-compliance or include disproportionately exposed populations.

Performance Measures:

Number of criminal investigations.

Number of civil investigations.

Number of EPA inspections.

Five percent of mutually agreed-upon high-priority facilities in Indian Country will have been the object of minimum core compliance monitoring program.

Annual Performance Goal:

Ensure compliance with legal requirements for proper handling of hazardous waste imports and exports.

Performance Measures:

Review and respond to 100% of the notices for trans-boundary movement of hazardous wastes, ensuring their proper management in accordance with international agreements.

Annual Performance Goal:

Improve capacity of States, localities and Tribes to conduct enforcement and compliance assurance programs. EPA will provide training as well as assistance with State and Tribal inspections to build capacity, including implementation of inspector credentials program for Tribal law enforcement personnel.

Performance Measures:

Conduct 150 EPA-assisted inspections to build capacity.

Number of EPA training classes/seminars delivered to States, localities and Tribes to build capacity.

EPA will make a decision on issuance of inspector credentials to qualified Tribal members within 60 days after completing the training requirements.

NETI will train 95 Tribal personnel.

NETI will provide Tribal governments with 50 computer-based training (CBT) modules.

Total number of State and local students trained.

Annual Performance Goal:

Maintain and improve quality and accuracy of EPA's enforcement and compliance assurance data to identify noncompliance and focus on human health and environmental problems.

Performance Measure:

Field test Integrated Compliance Information System (ICIS) Phase I, retire Docket system and complete design and development of ICIS Phase II.

Complete Quality Management Plan (QMP) project for an additional 3 data systems.

Begin development and system testing for modernized Permit Compliance System (PCS) system.

Continue operation and maintenance/user support of 14 information systems housing national enforcement and compliance assurance data with a minimum of 95% operational efficiency.

Conduct 4 analyses of environmental problems in Indian Country using EPA's baseline assessment survey.

Objective 2: EPA and its State, Tribal, and local partners will promote the regulated community's compliance with environmental requirements through voluntary compliance incentives and assistance programs.

Annual Performance Goal:

Increase opportunities through new targeted sector initiatives for industries to voluntarily self-disclose and correct violations on a corporate-wide basis.

Performance Measures:

Complete settlements with 500 facilities to voluntarily self-disclose to the Federal government and correct violations.□

Annual Performance Goal:

Review all major proposed Federal actions subject to the National Environmental Policy Act (NEPA) and achieve successful mitigation for at least 70% of the adverse environmental impacts resulting from those actions.

Performance Measures:

70% of significant impacts identified by EPA are successfully mitigated.

Annual Performance Goal:

Review and document 100% of water treatment facility grants and water discharge permits subject to National Environmental Policy Act.

Performance Measures:

100% of water treatment facility grants and water discharge obligations are met.

Annual Performance Goal:

Promote the use of Environmental Management Systems (EMS) to address known compliance and performance problems.

Performance Measures:

Increase EMS use by developing tools, such as training and best practice manuals that encourage improved environmental performance and conduct research and evaluation of EMSs.

Annual Performance Goal:

Increase the regulated community's compliance with environmental requirements through their expanded use of compliance assistance. The Agency will continue to operate small business compliance assistance centers and develop compliance assistance tools such as sector notebooks and compliance guides.

Performance Measures:

Develop 150 compliance assistance tools.

Add all new EPA compliance assistance materials to the Clearinghouse within 30 days of issuance.

Reach 500,000 facilities, States, or technical assistance providers through targeted compliance assistance (core optional).

Agency will reach 30 Tribally owned/managed entities through targeted compliance assistance.

Increase the use of Sector Facilities Indexing Project website user sessions over FY 2000 levels.

Multimedia Planning and Permitting

Environmental Indicator

Air Program

Goal 01-Objective 01-Subobjective 01: NAAQS for Ozone

Statement: By 2010, the air will be safer to breathe for Americans living in areas that exceed the NAAQS for ozone (and all areas will come into attainment by no later than 2012).

Performance Measures:

- Total number of people who Live in Areas Designated to Attainment of the Clean Air Standards for Ozone
- Areas Designated to Attainment for the Ozone Standard
- VOCs reduced from Mobile Sources
- NOx reduced from Mobile Sources

Goal 01-Objective 01-Subobjective 02: NAAQS for Particulate Matter (PM)

Statement: By 2010, the air will be safer to breathe for Americans living in areas that exceed the NAAQS for PM (and all areas will come into attainment by no later than 2010 for PM10 and 2017 for PM2.5).

Performance Measures:

- Total number of people who Live in Areas Designated to Attainment of the Clean Air Standards for PM
- Areas Designated to Attainment for the PM-10 Standard
- Additional People living in Newly Designated Areas with Demonstrated Attainment of the PM Standard
- PM-10 reduced from Mobile Sources
- PM-2.5 reduced from Mobile Sources

Goal 01-Objective 01-Subobjective 03: Visibility

Statement: By 2005, visibility will improve nationwide. Visibility in national parks and wilderness areas (Class I areas) will improve by 10-30% from 1995 levels.

Performance Measures:

- Number of Areas days nationwide that any city reports Air Quality Index (AQI) values greater than 100 in the nation's 94 largest metropolitan areas.

Goal 01-Objective 01-Subobjective 06: Nitrogen Dioxide

Statement: By 2005, all areas will come into attainment with the NAAQS for nitrogen dioxide, making the air cleaner to breathe for 13 million Americans.

Performance Measures:

- Total number of people who Live in Areas Designated to Attainment of the Clean Air Standards for NO₂
- Areas Designated to Attainment for the NO₂ Standard
- Additional People living in Newly Designated Areas with Demonstrated Attainment of the NO₂ Standard
- Total number of people who Live in Areas with Demonstrated Attainment of the NO₂ Standard
- PM-2.5 reduced from Mobile Sources

Goal 01-Objective 01-Subobjective 07: Lead

Statement: By 2005, all areas will come into attainment with the NAAQS for lead, making the air cleaner to breathe for 1.4 million Americans.

Performance Measures:

- Total number of people who Live in Areas Designated to Attainment of the Clean Air Standards for Pb
- Areas Designated to Attainment for the Pb Standard
- Additional People living in Newly Designated Areas with Demonstrated Attainment of the Pb Standard

Goal 01-Objective 01-Subobjective 09: Carbon Monoxide

Statement: By 2005, all areas will come into attainment with the NAAQS for carbon monoxide, making the air cleaner to breathe for 43 million Americans.

Performance Measures:

- Total number of people who Live in Areas Designated to Attainment of the Clean Air Standards for CO
- Areas Designated to Attainment for the CO Standard
- Additional People living in Newly Designated Areas with Demonstrated Attainment of the CO Standard
- CO reduced from Mobile Sources

Goal 01-Objective 01-Subobjective 10: Sulfur Dioxide

Statement: By 2005, all areas will come into attainment with the NAAQS for sulfur dioxide, making the air cleaner to breathe for 5 million Americans.

Performance Measures:

- Total number of people who Live in Areas Designated to Attainment of the Clean Air Standards for SO₂
- Areas Designated to Attainment for the SO₂ Standard
- Additional People living in Newly Designated Areas with Demonstrated Attainment of the SO₂ Standard

Goal 01-Objective 02-Subobjective 02: Air Toxics Characterization

Statement: By 2010, develop improved air toxics information (i.e., monitoring networks, inventories) to support the quantitative evaluation, characterization and tracking of risk-based indicators. Develop the technical tools needed to fully implement strategies and programs to reduce air toxic exposure risks.

Performance Measures:

- Combined Stationary and Mobile Source Reductions in Air Toxics Emissions. (% Reduction in Air Toxics Emissions)

Goal 01-Objective 02-Subobjective 03: Air Toxics Implementation

Statement: By 2010, ensure all promulgated emission standards are delegated to or otherwise effectively implemented by States. Determine where the existing rules and programs are not adequately addressing emissions, exposures, and risks and develop and implement approaches that go beyond the initial MACT program provisions.

Performance Measures:

- Federal Register Publication of Final MACT Standards
- Number of proposed MACT Standards

Goal 01-Objective 04-Subobjective 01: Acid Rain

Statement: By 2010, U.S. sulfur dioxide emissions will be reduced by 10 million tons below 1980 levels. By 2000, nitrogen oxide emissions will be reduced by 2 million tons below 1980 levels.

Performance Measures:

- Reduction in SO₂ Emissions
- Reduction NO_x Emissions

- Ozone Season NOx Reduction

Hazardous Waste Management

Goal 05- Objective 01- Subobjective 05: High Priority RCRA Facilities Exposure

By 2005, 95% of high priority RCRA facilities will have human exposure to toxins controlled and 70% of high priority RCRA facilities will have toxic releases to groundwater releases controlled (using a 1997 baseline). A baseline of 1700 facilities will be used to determine progress and 185 are in Region 6.

Performance Measures:

Current Human Exposures Under Control (CA725)				
Fiscal Year	Annual	Cumulative		Cumulative GPRA Interim Milestones for CA725⁽⁴⁾
	Projected⁽¹⁾	Number⁽²⁾	Percent⁽³⁾	
		116*	59*	
2003	4	120	65	65%
2004	28	148	80	80%
2005	28	176	95	95%

Migration of Contaminated Groundwater Under Control (CA750)

Fiscal Year	Annual	Cumulative		Cumulative GPRA Interim Milestones for CA750 ⁽⁴⁾
	Projected ⁽¹⁾	Number ⁽²⁾	Percent ⁽³⁾	
		93*	48*	
2003	0	93	50	50%
2004	18	111	60	60%
2005	19	130	70	70%

(1) Number of facilities projected to meet CA725 and CA750 EIs in fiscal year.

(2) Cumulative number of facilities meeting CA725 or CA750 through end of fiscal year.

(3) Number of cumulative EIs / Number of Baseline facilities.

(4) As a percent of the GPRA Baseline.

Goal 05-Objective 02- Subobjective 04: Prevent and Reduce Releases from Hazardous

By 2005, 90% of existing hazardous waste management facilities will have approved controls in place to prevent dangerous releases to air, soil, and groundwater.

Performance Measures:

Status at End of FY02 *	Operating Permits	Post-Closure	Combined Baseline
Facilities Meeting Goal (number/percent)	195 / 77%	150 / 67%	345 / 72 %
Accomplishments Met During FY02			27
Facilities NOT Meeting Goal			130
Facilities in GPRA Baseline			475
Will the FY02 Annual Performance Goal of 71% be met? (Y/N)			Y

* These numbers are as of 9/18/2002.

FY03 Projections	Operating Permits	Post-Closure	Combined Baseline

Number Projected to be Accomplished During FY03	12	4	16
Total Facilities Meeting Goal by End of FY02 (number/percent)			361 / 76 %
Facilities NOT Meeting Goal by End of FY02			114
Is the FY03 Annual Performance Goal of 74% projected to be met? (Y/N)			Y

FY04 and FY 05 Projections	Operating Permits	Post-Closure	Combined Baseline
Number Projected to be Accomplished During FY04-05	11	8	19
Total Facilities Meeting Goal by End of FY02 (number/percent)			380 / 80 %
Facilities NOT Meeting Goal by End of FY02			95
Is the FY05 Annual Performance Goal of 80% projected to be met? (Y/N)			Y

Goal 05-Objective 02- Subobjective 05: Reduce Combustion Facilities Emissions

By 2005, reduce hazardous waste combustion facility emissions of dioxins and furans by 90%, particulate matter by 50%, and acid rain gases by 50% from levels emitted in 1994.

Performance Measures:

- Final Permit Determinations Made Through FY 2002- 69 units @ 14 facilities
- Final Permit Determinations Projected For FY 2003- 8 units @4 facilities
- Final Permit Determinations Projected For FY 2004-2005-16 units @ 8 facilities
- HWCs to be permitted after FY 2005- 45 units @ 31 facilities

Goal 04-Objective 06- Subobjective 01:Increase Recycling and Reduce Chemicals in Hazardous Waste Streams

By 2005, reduce the most persistent, bioaccumulative, and toxic chemicals in hazardous waste streams by 50% as compared with a baseline year of 1991 and achieve a 25% increase

in the amount of hazardous waste safely recycled, relative to the amount safely recycled in 1993.

Pesticides/Toxics/Solid Waste/Under Ground Storage Tank (UST) Program

Solid Waste/UST

Goal 04-Objective 06- Subobjective 02: Increase Recycling and Reduce Municipal Solid Waste Generation

By 2005, per capita generation of municipal solid waste will be reduced to the 1990 baseline level of 4.3 pounds per day; and recycling, including composting, will divert at least 35% of municipal solid waste from land filling and combustion (increasing from the 1990 baseline of 17%).

Performance Measures:

- Decreases in the quantity of waste generated and toxicity of waste generated, and increase in recycling of waste.
- Reduction in municipal solid waste landfilled and combusted.
- Reduction in per capital generation of municipal solid waste to 4.4 pounds per day.

Goal 05-Objective 01-Subobjective 01: Cleanup of Underground Storage Tank Contamination

Statement: By 2005, cleanups of 370,000 sites where groundwater or soil is known to be contaminated by petroleum releases from USTs regulated under RCRA Subtitle I will be initiated or completed under the supervision of EPA or its partners.

Performance Measures:

- Leaking Underground Storage Tank Cleanups Completed

Goal 05-Objective 02-Subobjective 01: Reduce the Annual Number of Confirmed Releases of Underground Storage Tanks (USTs)

Statement: By 2005, the annual number of confirmed releases from underground storage tanks (USTs) will not exceed 6,500; in comparison, 24,000 were reported in Fiscal Year 1997.

Performance Measures:

- Percentages of UST facilities in significant operational compliance with leak detection requirements.
- Percentages of UST facilities in significant operational compliance with spill, overflow and corrosion protection regulations.

Goal 05-Objective 02- Subobjective 07

By 2005, generators of non-hazardous industrial waste relying in part on voluntary guidance developed jointly EPA and the States, will ensure that 90% of the new landfills, waste piles, surface impoundments, and land application units receiving non-hazardous waste will have appropriate controls in place to prevent dangerous releases to air, soil, and groundwater.

Performance Measures:

- Number of non-hazardous industrial waste facilities with appropriate controls in place to prevent dangerous releases to air, soil, and groundwater.

Goal 05-Objective 02- Subobjective 08

By 2005, 100% of existing Municipal Solid Waste (MSW) disposal facilities in States (based on the universe baseline from 1996) will have approved controls in place to prevent dangerous releases to air, soil, and groundwater.

Performance Measures:

- Number of Municipal Solid Waste disposal facilities with appropriate controls in place to prevent dangerous releases to air, soil, and groundwater.

Pesticides

Goal 04-Objective 01-Subobjective 01: Human Health Risk Reduction

Statement: By 2005, human exposure to pesticide use will be reduced, including reducing (by 50% from 1995 levels) the number of workers suffering adverse health effects caused by acute pesticide poisoning; reducing (by 50% from 1995 levels) consumer and commercial use of pesticides with significant neurotoxic effects; providing all pesticide handlers, farm workers and applicators using pesticides adequate training in the safe handling, use and disposal of pesticides; and reducing use (by 50% from 1995 levels) in the U.S. of pesticides with high potential to leach into and persist in groundwater.

Performance Measures:

- Model and Focus agriculture partnership pilot projects
- Successful transition from high risk pesticides to effective alternative pest management practices.
- Pesticides with high leaching and persistence potential managed to protect groundwater. .

Goal 04-Objective 01-Subobjective 02: Ecosystem Risk Reduction

Statement: By 2005, environmental exposure to pesticides will be reduced, including protecting all species federally listed as endangered or threatened as of 1995, from pesticide levels that may affect their existence; reducing (by 50% from 1995 levels) the use in the U.S. of pesticides with high potential to cause significant acute toxicity to fish or wildlife; and implementing stewardship strategies to reduce pesticide risk by using Integrated Pest Management (IPM) through agreements with 80 pesticide user groups.

Toxics

Goal 04-Objective 02-Subobjective 00: Reduce Lead Poisoning (Resources at the Objective Level, No Subobjectives)

Statement: By 2005, the number of young children with high levels of lead in their blood will be significantly reduced from the early 1990's. EPA, under the 1992 Residential Lead-Based Paint Hazard Reduction Act (Title IV of TSCA), will contribute to solving this environmental problem primarily by assisting in, and in some cases guiding, Federal activities aimed at reducing the exposure to children in homes with lead-based paint.

Goal 04-Objective 04-Subobjective 01: Indoor Environments

Statement: By 2005, reduce lung cancer, respiratory diseases including Asthma and other IAQ-related health problems, 11.5 million more Americans will be exposed to healthier air in their homes by mitigation of 700,000 homes with high radon levels, the construction of one million homes with radon-resistant construction techniques, and the reduction of the proportion of households in which children 6 and under are regularly exposed to smoking from 27% in 1994 to 15%. To reduce health problems in the nearly 10 million children made ill annually from contaminated indoor air in schools, 15% of the nation's schools will adopt good Indoor Air Quality (IAQ) practices consistent with EPA's "Tools for Schools" guidance. To reduce IAQ-related illness from contaminated air in the workplace, 5% of office buildings will be managed with good IAQ practices consistent with EPA guidance as set forth in EPA's "Building Air Quality" guidance.

Goal 04-Objective 04-Subobjective 02: Effects of Indoor Contaminants

Statement: By 2005, produce technical reports, methods, models, and other scientific information to improve the understanding of the effects of indoor contaminants on human health, the concentrations of these contaminants in micro environments, their sources, and risk management options to reduce exposure.

Goal 05-Objective 02-Subobjective 11 : Respond to Radiological Emergencies

Statement: By 2005, the Federal Radiological Emergency Response Program will improve the effectiveness of local, State, and regional responders to prevent reduce, or mitigate the human health and environmental threats in a radiological emergency by assuring that the responders meet standards for radiological-preparedness program.

Goal 07-Objective 02-Subobjective 02: Toxic Release Inventory

Statement: Annually, EPA will process 110,000 facility reports (Form Rs), of the Toxic Release. EPA will provide TRI chemical data and evaluation tools to the public. Communities will have the ability to evaluate potential risks for themselves. The TRI data will be presented in forms, both substantive and computer formats, that individuals can use.

Enforcement

Goal 09-Objective 01-Subobjective 01: Achieve Continuous Improvements

Statement: Achieve continuous improvement in compliance with environmental laws and regulations in high priority portions of the regulated community while maintaining a strong base program.

Goal 09-Objective 01-Subobjective 02: Reduce Non-compliance in Targeted Areas

Statement: Deter non-compliance by targeting at least 50% of all compliance monitoring activities, in high risk and high priority areas.

Goal 09-Objective 02-Subobjective 01: Increase Self-Disclosure by Regulated Community

Statement: By 2005, increase the number of violations reported and subsequently corrected through self-disclosure by the regulated community by 100% of 1997 baseline.

Goal 09-Objective 02-Subobjective 02: Improve Compliance Through Targeted Assistance

Statement: Increase the understanding of environmental requirements in the private sector and at State, Tribal, local, and Federal facilities through the use of compliance assistance tools.

The Superfund Division is committed to incorporate environmental justice into its GPRA planning and reporting requirements as stated in the Region 6 EJ Strategic Plan and the Superfund Division EJ Strategy.

FY 2003 Annual Performance Goals and Measures and Accountability Measures

GOAL 5: Better Waste Management, Restoration of Contaminated Waste Sites, and Emergency Response

Objective 1: Control Risks from Contaminated Sites and Respond to Emergencies

EPA and its federal, State, Tribal and local partners will reduce or control risk to human health and the environment at contaminated Superfund, RCRA, Underground Storage Tank (UST) and brownfields sites and have the planning and preparedness capabilities to respond successfully to all known emergencies to reduce the risk to human health and the environment.

Subobjective 2: Reduce Risks from Superfund Sites

Superfund Removal Response Actions

Annual Performance Goal:

Measure: 16 Removal Starts

Environmental Indicator (EI) data reported in CERLIS/WasteLan to document and communicate environmental progress.

Measure: Amount of liquid based waste removed [EI data]

Measure: Amount of solid waste removed [EI data]

Superfund Cleanups

EPA and its partners will complete Superfund cleanups (construction completion).

Annual Performance Goal:

Measure: (5) NPL site construction completions

Tribal Cleanup Assistance

EPA will continue to emphasize increasing the number of Indian Tribes participating in the Superfund program as expressed through the number of Tribes supported by Superfund cooperative agreements with Tribes and intertribal consortia.

Annual Performance Goal:

Measure: Conduct Site assessments (7/PAs and 2/SIs) in Indian country

Measure: Support 34 Tribes by (1) cooperative agreement with the Inter-Tribal Environmental Council (ITEC) consortia.

Measure: Provide approximately \$200,000 for building Tribal capacity.

Measure: (1) Superfund site, Tar Creek, impacts Indian country where a Tribe is involved as either the lead or support agency.

Superfund Intermediate Cleanup Indicators

EPA will increase the number of Superfund hazardous waste sites with human exposures and migration of contaminated groundwater under control.

Environmental Indicator (EI) data reported in CERLIS/WasteLan to document and communicate environmental progress.

Annual Performance Goal:

Measure: Superfund hazardous waste sites with human exposure under control [EI data]

Measure: Superfund hazardous waste sites with groundwater migration under control [EI data]

Subobjective 3: Conduct Superfund Enforcement

Superfund Cost Recovery

EPA will ensure trust fund stewardship by getting PRP to initiate or fund the work and recover cost from PRPs when EPA expends trust fund monies. Address cost recovery at Superfund sites with a statute of limitations (SOL) on total past cost equal to or greater than \$200,000 and report the value of cost recovered.

Annual Performance Goal:

Measure: Address 100% of SOL cases for Superfund sites with total addressed past costs equal to or greater than \$200,000 and report the value of cost recovered.

Superfund Potentially Responsible Party Participation

EPA will maximize all aspect of PRP participation, including 70% of the work conducted on new construction starts at non-Federal Superfund sites, and emphasize fairness in the settlement process.

Annual Performance Goal:

Measure: PRPs conduct 70% of the work at new construction starts.

Subobjective 8: Facilitate Brownfield Redevelopment

Brownfield Site Assessment Grants

EPA will provide additional site assessment funding and community support.

Brownfield Community Support

EPA will provide funding for communities to capitalize revolving loan funds, provide funding for training pilots

Environmental Indicator (EI) data reported in CERCLIS/WasteLan to document and communicate environmental progress.

Annual Performance Goal:

Measure: Will leverage cleanup and redevelopment funding of over \$ 5 million in EJ communities. [EI data]

Measure: Will generate over 300 jobs for minority and disadvantaged workers. [EI data]

Measure: Will conduct at least 20 site assessments for EJ communities. [EI data]

Measure: Will award at least 10 cooperative agreements to recipients whose jurisdictional areas include predominately EJ communities; This will include the following;

Measure: 3 of the 10 cooperative agreements will be for the capitalization of revolving loan funds

Measure: 1 of the 10 will be for job training and we will;

Measure: Continue to support both of our Showcase Communities who are concentrating many of their efforts to revitalize EJ areas

Subobjective 10: Ensure Federal Preparedness

Homeland Security

EPA will review vulnerability assessments of critical facilities, help prioritize the risks associated with each facility and make recommendations for improvement.

Annual Performance Goal:

Measure: Complete reviews of vulnerability assessments with (2) facilities, help prioritize the risks associated with each facility and make recommendations for improvement.

Annual Performance Goal: Improve overall homeland security readiness capability by 20% by performing enhanced training and exercises and providing state-of-the-art equipment. Percentage of improvement will be determined by annual readiness survey and inspections.

Measure: Percentage improvement on homeland security readiness

Measure: Percentage of LEPCs that have incorporated homeland security prevention and planning into the community contingency plans.

Measure: Percentage of States that have incorporated homeland security planning and State response systems.

Objective 2: Regulate Facilities to Prevent Releases

EPA and its federal, State, Tribal, and local partners will ensure that facilities are managed according to the practices that prevent releases to the environment.

Subobjective 3: Ensure Effective Oil Pollution Prevention, Preparedness, and Response

Oil Spill Prevention Compliance

Bring facilities in compliance with the Spill Prevention Control and Countermeasure (SPCC) provisions of the oil pollution prevention regulations.

Annual Performance Goal:

Measure: Bring (70) facilities into SPCC compliance.

Oil Spill Responses

EPA will respond to and monitor significant oil spills in the inland zone.

Annual Performance Goal:

Measure: Respond to or monitor (70) oil spills.

FY04-05 ENVIRONMENTAL JUSTICE ACTION PLAN MATRIX
Region 6 - Dallas, Texas

Objective 1. Risk Reduction / Protect Environmental and Public Health - To ensure equal implementation of environmental laws to achieve significant risk reduction which will improve the environment and/or public health of affected communities.

Activity	Output	Outcome	Resources (FTE/\$)	Lead Contact
EJ Issues Identification	Work with media Divisions, communities, States, NGOs, and others to identify environmental and health issues in EJ communities and coordinate with appropriate federal and State personnel to solve problems identified.	Improve health and environmental conditions in affected EJ communities	3.0 FTE	EJ Team Olivia Balandran-Team Leader 214-665-7257
Superfund removal actions and NPL site construction completions.	Initiate removal actions starts at Superfund Sites and NPL site construction completions. Enter Environmental Indicator data into CERCLIS/WasteLan (liquid and solid based waste removed) for actions completed. By Sept. 2004, perform (16) removal action starts and (5) NPL construction completions.	Progress towards hazardous waste reduction/control in the affected communities is achieved.	3.0 FTE	Chris Petersen (214) 665-2275 Susan Webster (214) 665-6784
Superfund Site Assessments and NPL listings at sites affecting EJ Communities	Complete 5 NPL listings and 50 Site Assessment Final Reports in EJ Communities	Progress towards hazardous waste reduction/control in the affected communities is achieved.	3.0 FTE	Susan Webster (214) 665-6784
SPCC Compliance and Response activities	Bring (70) facilities into SPCC compliance. Respond to and monitor significant oil spills (70) in the inland zone. SPCC compliance at (70) facilities. Respond/monitor (70) significant oil spills in the inland zone.	EPA with its federal, State, Tribal, and local partners will ensure that facilities are managed according to the practices that prevent releases to the environment.	2.0 FTE	Don Smith (214) 665-6489

Activity	Output	Outcome	Resources (FTE/\$)	Lead Contact
PRP cleanups/cost recovery at Superfund sites.	Initiate PRP cleanups or cost recovery at Superfund sites with a statute of limitation (SOL) on total past cost equal to or greater than \$200,000. Report number of PRP cleanups and the value of cost recovered.	Better management of Superfund Trust Fund dollars. Maximize all aspects of PRP participation, including 70% of work at new construction starts.	TBD	John Hepola (214) 665-6726
Vulnerability Assessments of Critical Facilities	Review vulnerability assessments of critical facilities, help prioritize the risks associated with each and make recommendations for improvement. Perform enhanced training and exercises and state-of-the-art equipment. Complete reviews of vulnerability assessments at (2) facilities. % of improvement on Homeland Security (HS) readiness. % of LEPCs and % of States with HS and prevention and planning into their community contingency plans.	Ensure federal preparedness by improving overall Homeland Security readiness capability.	0.1 FTE	Craig Carroll (214) 665-2220
Review and Evaluation of the Non-compliance History of the 12,000 Public Water Systems	Conduct an in-depth review and evaluation of the non-compliance history of the 12,000 public water systems in the Region based on SDWIS data 1998 to present. Evaluate non-compliance history report, by State Geographic areas identified that are in need of compliance assistance/ enforcement for nitrate violations Geographic areas prioritized based on risk in identified EJ areas	80% of the water systems that receive compliance assistance will develop a compliance schedule for a return to compliance for nitrates 70% of the prioritized water systems will return to compliance for nitrates by 2008 Enforcement actions initiated against 2 water systems in areas	0.1 FTE	Linda Hutchison (214) 665-8416

Activity	Output	Outcome	Resources (FTE/\$)	Lead Contact
NPDES industrial enforcement actions and compliance monitoring	Conduct 30% of NPDES industrial enforcement actions and compliance monitoring in high risk, disproportionately exposed areas By September 2004, take at least 10 NPDES industrial enforcement and compliance actions in high risk, disproportionately exposed areas.	Emissions are reduced in affected communities (set baseline, plus X% in future years)	0.20 FTE	Charles Faultry (214) 665-6475
Enforcement and Compliance activities near Ponca Tribal lands.	Investigate and conduct appropriate enforcement for emissions/releases from facilities adjacent to Ponca Tribe lands in Oklahoma	Ensure compliance with permit conditions and reduce fugitive and stack emissions of particulates to maximum extent practicable.	0.1 FTE	Esteban Herrera (214) 665-7348 Mark Potts (214) 665-6746
Inspections at border warehouses and port facilities	Conduct 100 inspections at border warehouses and port facilities in collaboration with TCEQ, BCBP, OECA, and the affected Regions. Identify of priority toxic pollutants, and develop an implementation of toxics reduction strategies in the affected industrial sector (includes setting a baseline)	By Sep 2004, we expect to change behavior in 50 sites of the inspections completed	4.0 FTE and 2 Contractors	Gerardo Acosta (214) 665-8042
Beaumont/Port Arthur TX EJ Flaring and Emission Reductions	Beaumont/Port Arthur TX EJ Focus - Continue flaring and emission reductions in EJ areas	Obtain agreements to reduce flaring with 5 industries by 9/30/05	1.0 FTE	David Garcia (214) 665-7593
Asbestos-in-Schools Inspections and Enforcement	EJ Focus on Asbestos-in-Schools Inspections and Enforcement in EJ areas in New Mexico and Arkansas 50 Inspections to be conducted.	Improve Compliance with AHERA by 25% by 9/30/05	1.0 FTE 1 Contract Inspector	Mark Hansen (214)665-7548
Lead Based Paint Inspections and Enforcement	EJ Focus on Lead Based Paint Inspections and Enforcement in areas of elevated blood lead levels in children 80 Inspections to be conducted.	Improve Compliance with LBP regulations by 25% by 9/30/05	2.0 FTE 2 Contract Inspectors	Mark Hansen (214)665-7548

Activity	Output	Outcome	Resources (FTE/\$)	Lead Contact
Grand Bois, LA community air sampling	Conduct air sampling to help clarify environmental issues of concern to Grand Bois community in November 2003. Sampling investigation by November 30, 2003, issue appropriate enforcement order in FY04.	Air sampling information made available to Grand Bois community. Address unacceptable risks posed to community associated with facility operations.	0.25 FTE/\$30K	Anna Treinies 214.665.8348
Texas and Louisiana Gulf Coast Air emissions	EJ Focus along the Texas and Louisiana Gulf Coast areas for Air emissions investigations and reductions 15 Inspections to be conducted.	Increased compliance with environmental regulations and reduced air emissions in EJ communities	5.0 FTE	William Honker (214) 665-7220
Wall Colmonoy Tribal Property Assessment	Conduct an assessment of remaining cleanup areas on the Wall Colmonoy Tribal property utilizing an expedited letter agreement (3013). Issue RCRA 3013 Letter Agreement by 10/31/03	Define residual contamination and risk. Quantifiable pollutant reduction from any residual clean up activity. Reuse 18 acres of formerly contaminated property for residential construction for the Itsleta Pueblo.	0.2/\$20K	Robert Wilkinson 214-665-8316
NPDES industrial compliance assistance activities in EJ areas	Conduct 30% of NPDES industrial compliance assistance activities in EJ areas. By September 2004, participate in 2 NPDES industrial compliance assistance workshops to discuss enforcement and EJ.	NPDES industrial facilities and employees learn to integrate EJ consideration into daily responsibilities.	0.20 FTE	Charles Faultry (214) 665-6475

Activity	Output	Outcome	Resources (FTE/\$)	Lead Contact
UIC Enforcement on Indian Land.	Conduct 160 inspections of injection wells on Indian lands in R6. Review approx. 2500 annual operations reports from injection facilities. Review reports of approx. 1500 inspections conducted by inspectors employed by the Osage Tribe of OK. Expect at least 20 administrative orders for compliance and 1 administrative order with penalty.	Enforcement will result in compliance with UIC program regulations and assure protection of underground drinking water resources. Those in compliance with program requirements verify that drinking water resources are protected from injection activities and encourage operators to continuously comply with EPA regulations.	3.0 FTE	Ronald Van Wyk (214) 665-6459
NPDES inspections on Tribal land.	By September 2004, conduct 2 NPDES inspections in Tribal areas.	Greater NPDES compliance presence in Tribal areas.	0.10 FTE	Charles Faultry (214) 665-6475
K Industries Drum Assessment near Apache Day Care Center	Assess K Industries' 600 drums to determine which pose the most immediate health risks to affected community (Apache Day Care Center). Identify hazardous waste pollutants, then develop and implement a strategy to remove wastes from the site. Issue Final Order by 6/30/04.	Environmental and public health issues at the site will be addressed. 600 drums hazardous waste removed.	0.1 FTE/\$35K	Melissa Smith (214) 665-7357

Objective 2. Outreach and Communication - To provide opportunities for meaningful involvement and ensure effective communication between the Agency decision makers and stakeholders, including all affected communities.

Activity	Output	Outcome	Resources (FTE/\$)	Lead Contact
EJ Community Outreach	Work with media Divisions, communities, States, NGOs, and others to provide relevant information and data to communities to empower them to be meaningfully involved in the environmental decisionmaking process.	Improve health and environmental conditions in affected EJ communities	2.0 FTE	EJ Team Olivia Balandran-Team Leader 214-665-7257
FY 04 Stakeholder Listening Sessions	By October 2004, assist States in sponsorship of three Regional EJ Listening Sessions.	EJ communities provide input and engage in discussion with EPA and other stakeholders about issues that affect their communities.	0.2 FTE	Olivia Balandran 214-665-7257
IWG Revitalization Project: Project ReGeneration	Work with Collaborative project team to accomplish the goals and objectives of Project Regeneration in the Greater Kelly (AFB) Communities in San Antonio, TX	Demonstrate accomplishment of environmental justice results through collaborative problemsolving	0.3 FTE	Warren Arthur 214-665-8504
Superfund Outreach in EJ Communities	Prepare fact sheets, public notices, post cards, meeting notices, celebration events, meetings, open houses, and award Technical Assistance Grants. (25) Fact Sheets (10) Public Notices (40) Meeting Notices (10) Celebration events, meetings, open houses (14) Tech. Assistance Grants	(a) Citizens provide input and engage with other stakeholders in discussions that affect their communities (b) Increased community awareness of EPA activities, which leads to greater public participation	3.0 FTE	Beverly Negri (214) 665-8157

Activity	Output	Outcome	Resources (FTE/\$)	Lead Contact
Brownfields Outreach on U.S.-Mexico Border	Make Brownfields presentations at conferences, and conduct Brownfields workshops for border communities. Work with the North American Development Bank and the Border Environmental Cooperation Commission to expand their mission mandate to include Brownfields assistance component. By Sept. 2004, make (10) presentations, put on (1) workshops for TX/Mexico border communities.	Increase awareness of Brownfields program on U.S.-Mexico Border	0.1 FTE	Dorothy Crawford (214) 655-2739
Healthcare/HAZMAT emergency response (bilingual) workshops on U.S.-Mexico Border	Conduct healthcare/HAZMAT emergency response (bilingual) workshops to hospitals and awareness training to local officials regarding weapons of mass destruction along the TX/Mexico border. By Sept. 2004, conduct one HAZMAT emergency response workshop at hospitals. Conduct one workshop on weapons of mass destruction awareness for local officials.	Improve response capabilities of hospitals, EMT personnel, and environmental engineers in preparation for mass casualty events in the TX/Mexico border areas. Increase local official's awareness levels with regards to weapons of mass destruction.	0.2 FTE	Fendol Chiles (214) 665-2283

Activity	Output	Outcome	Resources (FTE/\$)	Lead Contact
NPDES Program Tribal Outreach Activity.	Conduct 1 NPDES program outreach activity with a New Mexico Tribe. By September 2004, conduct 1 program outreach activity with a New Mexico Tribe.	Increased community awareness about EPA NPDES enforcement and permit activities in the State of New Mexico.	0.15 FTE	Charles Faultry (214) 665-6475 Shirley Quinones 214-665-2713
Conduct 2 multimedia training workshops for State and Tribal Inspectors in New Mexico	Training	Enhanced capability of State and Tribal inspectors, resulting in improved compliance with Federal and State regulations	0.2 FTE	William Honker (214) 665-7220
Supplemental Environmental Project (SEP) Outreach Activities	Continue visiting and communications with EJ communities presenting how they can be involved in the SEP process. Encourage partnerships for their aid. Interactive website, posters, CD presentations, brochures/leaflets - enforcement action updates on web	SEPs by industry will reflect community desires that are beneficial to/for them and their environment. Partnerships with industry and local government and other community groups.	0.5 FTE	Teresa P. Cooks (214) 665-8145
Outreach for Water Programs	Community outreach through public education and information by developing audio/visual media, printed material, conducting workshops, access and facilitation, technical support, response to public inquires, environmental education	Increased public awareness of Water Programs	As needed and available	John Stadleman 214-665-7394

Activity	Output	Outcome	Resources (FTE/\$)	Lead Contact
	and demonstration activities involving the public, language translation (oral, written and visual media)			

Objective 3. Training - To provide training for EPA managers and staff and others to enable them to incorporate environmental justice considerations into their decisionmaking process.

Activity	Output	Outcome	Resources (FTE/\$)	Lead Contact
EJ Training Initiative	Encourage appropriate Region 6 staff and management to attend EJ fundamentals training. Encourage external partners including States to either sponsor in-house training at their site or attend training in Dallas. By Sept 2005, approximately 50% of the appropriate Regional employees will have completed the EJ fundamentals training.	Regional employees and State/other external partners learn to integrate EJ considerations into daily responsibilities	0.5 FTE	Shirley Augurson (214) 665-7401

Objective 4. Federal, State, Tribal and Local Government Coordination - To ensure effective coordination across all levels of government to address the environmental and public health concerns of affected communities.

Activity	Output	Outcome	Resources (FTE/\$)	Lead Contact
Tribal Brownfield Grantee Technical/Administrative Assistance	Provide technical and administrative assistance and guidance to the Tribal programs with active Brownfields grants. Assistance includes Quality Assurance Project Plan review and approval, Quarterly Report review, clarification of allowable grant expenditures. 2 Subtitle A Grants 1 Subtitle C Grant	Increased return of blighted property to viable use, increased jobs and improved livability.	0.25 FTE/\$600,000	Dorothy Crawford (214) 655-2739
EJ Requirements in State Enforcement MOA's	Incorporate EJ requirements in State Enforcement MOA's- Draft conditions and negotiate outputs/performance measures	Encourage EJ initiatives in State MOA.	TBD	Enforcement Coordinator-6EN (TBA) Olivia balandran
EJ Requirements in PPG/PPA's	Incorporate EJ requirements in PPG/PPA's - Draft grant conditions and negotiate outputs/performance measures Draft grant conditions; Negotiate outputs/performance measures	Include language in agreements	TBD	Shirley Augurson 214-665-7401

Activity	Output	Outcome	Resources (FTE/\$)	Lead Contact
EJ Community input in State Oversight Protocol	Incorporate EJ community input, as appropriate into New Region 6 State Enforcement Program oversight protocol for FY 04.	EJ community participation in the coordinated EPA/State enforcement program. Consistency across all media and improved State/EPA coordination on EJ interests in the enforcement program.	0.1 FTE	Katy Griffith Ruth Gibson

Objective 5. Grants and Contracts Administration - To promote effective and efficient management of all grants and contracts to ensure that the environmental and public health concerns of affected communities are addressed.

Activity	Output	Outcome	Resources (FTE/\$)	Lead Contact
Collaborative Problem Solving Grant	Serve as lead Region for FY 04 Collaborative Problem Solving Grant Solicitation. Conduct outreach in EJ communities in Region 6.	Increase capacity of EJ communities to achieve environmental problem solving through collaborative partnerships.	0.5 FTE	Shirley Quinones
EJ Small Grant Program	Conduct outreach in EJ communities in Region 6. Distribute solicitation, evaluate grant proposals, and award grants. Perform administrative activities related to awarded grants.	Achieve community empowerment in mitigating health and environmental issues in EJ communities.	0.5 FTE	Shirley Quinones 214-665-2713

Activity	Output	Outcome	Resources (FTE/\$)	Lead Contact
Brownfield grant funds to universities in border communities.	Conduct outreach and award Brownfield grant funds to universities in border communities. Since this is a nationally competitive program, no actual number of grants are projected.	Border communities gain financial assistance for Brownfields development.	0.25 FTE	Dorothy Crawford (214) 655-2739

Activity	Output	Outcome	Resources (FTE/\$)	Lead Contact
Brownfield grants and cooperative agreements to EJ communities.	Award Brownfield grants and cooperative agreements to EJ communities. By Sept. 2005 will leverage cleanup and redevelopment funding of over \$5 million in EJ communities. Generate over 300 jobs for minority and disadvantaged workers, conduct at least 20 site assessments, provide funding for one or two training pilots. Award 10 cooperative agreements	Facilitate Brownfield redevelopment in EJ communities.	1.5 FTE/\$5M	Dorothy Crawford (214) 655-2739

Objective 6. Environmental Justice Assessment - To conduct an assessment of the environmental justice indicators within affected communities as part of the decisionmaking process.

Activity	Output	Outcome	Resources (FTE/\$)	Lead Contact
EJ Analysis at Potential Superfund Sites	Perform EJ analysis using the EJ Index Methodology to better identify demographics of the affected communities. By Nov 2004, the EJ analysis is performed on 20 potential Superfund Sites.	This information will be used to develop community outreach/community relations plans, and develop a more comprehensive information fact sheet to better incorporate community input into the cleanup process.	1.0 FTE	Susan Webster (214) 665-6784
Socio-economic Assessment of Houston/ Galveston area	Assessment of Houston/ Galveston area comparing socio-economic variables evaluated in 1990 and year 2000. On-going assessment of the Region 6 EPA Index process. Information comparing industry chemical emissions data and demographic changes. A Health Risk Index will be calculated for each census and TRI data year.	Information regarding changes in potential environmental risk within EJ communities will help Region 6 assess past compliance assistance activities and plan effective future strategies.	Projects are performed by students	Gerald Carney 6EN-XP (214) 665-6523

Activity	Output	Outcome	Resources (FTE/\$)	Lead Contact
Assessment of RCRA Corrective Actions in EJ Communities	<p>Work with States to conduct an assessment of RCRA corrective actions (GPRA progress in communities with EJ concerns vs. other communities). A comprehensive assessment of RCRA corrective actions is completed by 4/05.</p> <p>A baseline is established to assess future RCRA corrective actions.</p> <p>Meet GPRA environmental indicator goals for human exposure and groundwater control in EJ areas by 9/30/05.</p>	<p>The baseline will help the region prioritize RCRA corrective actions, considering the most affected communities, and assist in assessing future progress in the RCRA program</p> <p>Human exposure and ground water migration controlled at GPRA high priority facilities within EJ areas by 9/30/05.</p>	2.0 FTE/\$20 K	<p>Chief, Technical Section RCRA Enforcement Branch Compliance Assurance and Enforcement Division (214) 665-6480</p>

Objective 7. U.S. Mexico Border - To work with U.S.- Mexico Border communities to improve environment and environmental health

Activity	Output	Outcome	Resources (FTE/\$)	Lead Contact
Annual Colonia Program/Revolving Fund Evaluations	Conduct State discussions on EJ requirements during Annual Program evaluations for Colonia Programs as well as Revolving Fund	Enhance State Grantees knowledge of EJ requirements	0.005 FTE	Russell Bowen
Border Compliance Assistance Center	Continue support of One-Stop-Shop for small to medium size businesses to help them understand their regulatory obligation related to import/export and transportation of hazardous waste between the US and Mexico. Will present information in English and Spanish.	Number of users and voluntary online survey will provide information on improved understanding of requirements.	0.1 FTE	Bonnie Romo 6EN
Border EJ Roundtable	Conduct EJ Roundtable involving border stakeholders, agency officials, etc. in El Paso TX	Increase awareness of Border EJ issues and improve communications between EPA and border stakeholders	0.5 FTE/\$5K	Nelda Perez 6RA-DJ Gina Weber 6PD
Border Outreach	Development of outreach materials in Spanish	Improve access of Spanish-speaking communities in Texas and New Mexico	0.5 FTE	Nelda Perez 6RA-DJ Gina Weber 6PD