



# **US Environmental Protection Agency**

## **Office of Enforcement and Compliance Assurance (OECA)**

### **Quarterly Environmental Justice Outreach Teleconference Transcript**

**May 16, 2012**

**EPA**

**Moderator: Lisa Garcia**  
**May 16, 2012**  
**6:00 p.m. ET**

Operator: Good afternoon, my name is (Heather) and I'll be your conference operator today.

At this time, I would like to welcome everyone to EPA's Environment Justice Community Outreach Conference Call.

All lines have been placed on mute to prevent any background noise. After the speaker's remarks, there will be a question and answer session. If you would like to ask a question during this time, simply press star then the number one on your telephone keypad. If you would like to withdraw your question, press the pound key.

Thank you.

I would now like to turn the conference over to (Ms. Lisa Garcia). Please go ahead.

Lisa Garcia: Hello everyone one, good evening. Welcome to our quarterly community outreach call. We – we have been doing these for over a year now, maybe two years and so we're – we're glad that we're able to continue – to continue these calls to update the public on some of the environmental justice work that we're doing and open it up for – for some public comment.

So today's – today's call is a little late, it's from 6:00 p.m. to 7:30, and one of the reasons that we did that is there was a request that we do an evening call. Of course, that doesn't necessarily work for the folks out on the west coast,

but it's at least later, so hopefully people we're able to join us after work or – or other members of the public that haven't been able to join during the day.

So unfortunately, we – we did not send out a – an agenda – early, so we apologize for that, but what I'm going to do is, I usually start out with an update on Plan EJ 2014.

And for those of you that are new, this is Lisa Garcia; I'm the Senior Advisor to the administrator on environmental justice and we're out of Washington, D.C.

So the first thing I usually do is give an update on Plan EJ 2014 which I'm going to do and then we're going to respond to one or two of the – the questions that came in for – from the community, capacity building and grants. We're going to have an update on that and how the public can access some of the grant programs from EPA.

There was another question that came in on Title XI and so we'll be talking about that and then the other question that we'll be focusing on towards the end is the environmental justice designations; a question came in on how – will EPA designate environmental justice areas.

And then that'll take probably about 20 minutes to a half an hour and then we're going to open it up for public comment.

OK. So I will start with Plan E.J. 2014. For those of you who don't know, this is EPA's roadmap to ensure that we're integrating environmental justice into all of our programs. The administrator made environmental justice a priority early on in the administration and – and then EPA came out with the goals of how to integrate environmental justice into our work and Plan E.J. 2014 embodies some of that.

We heard from communities that there were concerned about rule making, permitting, compliance and enforcement, community based programs and administration wide actions and so what you'll see in Plan E.J. 2014 is that we try to capture some of the priorities for the public and communities and how – EPA can focus it's work and integrating environmental justice.

One of the things that we heard from EPA and also the public, is what are the tools that we can use to help us integrate environmental justice. And so within the tools area under plan E.J. 2014 you see tool development areas of science, law, information and resources.

So just quickly as an update for those who haven't been following this since we're doing an evening call, I just want to make sure that if anyone is new to this, they'll hear this; but in December of 2011, we put out a document called Plan E.J. 2014 E.J. Legal Tools which speaks to key legal authorities related to permitting, rule making and other areas that provide legal assistance to EPA –staff when they're looking to promote environmental justice. And so that's on our Web site, I encourage folks to go to that.

This was one of the asks, certainly from many people is what authority – legal authority, would give us those kind of opportunities to look at environmental justice considerations and other community concerns.

The –other update I want to give you, just under Plan E.J. 2014 is one of the commitments that the cabinet members made when they met in 2010 to reinvigorate the interagency working group on environment justice was that we would continue to have senior level meetings and discussions on each agency's commitment to environmental justice.

So along with each agency reaffirming the commitment, each agency put out an environmental justice strategy in February and you can – the public can access that on our Web site, it's [environmentaljustice/iwg](#) for Interagency Working Group, the agency's put E.J. strategies.

And then at the end of April, the deputies for each agency held a senior level meeting to discuss – and the meeting was chaired by CEQ, the Council on Environmental Quality and EPA and the deputies met from all the agencies once again to talk about implementation of the E.J. strategies and this administration's continuing commitment that all the agencies work together to really improve the quality of life in communities and find ways to – to bring about benefits in communities most in need.

And I think that is the general update for Plan E.J. 2014. If some on the phone are not aware of Plan E.J. 2014, I encourage you to go to our Web site. Plan EJ 2014 is EPA's Environmental Justice strategy. And if you have questions, of course, you can get in touch with us.

So now I'm going to go to some of the questions that came in from community and the public. What we do is before these community outreach calls, we send out a request for suggested topic areas to talk about and one of the questions was on Title VI. And so this is a, I guess, separate update on Plan E.J. 2014 but also speaking to the –question of Title VI.

EPA released what we're calling a supplement to Plan E.J. 2014 on how to improve the Title VI work that we do at EPA. It is out in draft right now and–it's out in draft for public comment.

The public comment period ends June 19, so I encourage everyone to look at the – the supplement – Plan E.J. 2014 supplement on Title VI. In it are some of the commitments that EPA has made to look at improving reviewing Title VI complaints under the Civil Rights Act. Also improving compliance so that this would be more of an affirmative or proactive approach. How do we work with states to improve compliance generally? And that is one of the efforts that we – the EPA is undergoing. And so the – the supplement speaks to some of the areas that we're working on to improve.

Another area of focus is limited English proficiency, ensuring that – that recipients and agents – and the agency ensures that there's opportunities for limited English proficiency populations. And so how do we ensure that there's translation and access to certain information?

So I would just encourage, if you are interested in the Title VI work or the Office of Civil Rights work or the civil rights work in general to – to look at that document. There's also another document we issued in January which speaks to creating a model civil rights office which includes some of the equal opportunity work that we're doing and other work that the Office of Civil Rights does. So that is on Title VI.

OK. Now, I'm going to – for the next response there were several questions that came in and I'll just call them generally capacity and availabilities for resources or funding opportunities. So I'm going to turn it over to (Sheila Lewis), who's in the Office of Environmental Justice for EPA to talk about some of those opportunities from EPA's perspective and the Office of Environmental Justice perspective.

(Sheila Lewis): Thank you. Thank you, Lisa.

We here at EPA have a number of community based grant programs and we also are committed here at EPA in making it easier for communities to access our grant resources.

So here lately and it's a new Webpage where it's the EPA grant competition forecast calendar and it's specifically for community based organizations.

And here we are providing a forecast of funding opportunities for the fiscal year. So what – what is up now is funding opportunities for the year 2012 and then also on that Webpage are additional community based grant programs.

So we invite you to visit that Web site and the URL for that Web site is [www.epa.gov/ogd](http://www.epa.gov/ogd) and on that – and when you go to that Webpage, you'll see a little box in the upper right corner where it says community resources. And so that will take you to the forecast page as well as a Grants 1010 Tutorial.

Working with communities, we recognize that navigating this federal grant process can be a little (unwieldy) so we provided a grant tutorial that's up on the Webpage that will get you through some of the basics and also help direct you to some additional federal funding from other resources. So there's a link to the [grants.gov](http://grants.gov) Web site which gives you a listing of the grant – the current grant opportunities at any day and time.

And then also, there is information to the catalog of federal domestic assistance and that gives you – it's a compendium of all the federal grant programs. And so the list is long and they've got some great search engines you can use on key words that would relate to the projects that you are interest in.

Just to give you a short list of what's up now on the EPA competition forecast calendar, we've got the five start restoration grant – training grant program and so that is focused on community, watershed based wetland restoration, we've got the environmental education program, the (brownfields) and revitalization program.

And so that's just a short list – short list of expected funding opportunities for the remainder of the year, that would be through August 2012. And – but please bookmark this link and visit it occasionally because the information will be updated on a regular basis.

We also here in the Office of Environmental Justice, has the Environmental Justice Small Grant Program and that is program that has – we've had the – been fortunate to be able to offer funding through this program for the last 20 years and it's a program that's designed to meet the community where they are and help them address the issue in the community.

So we invite you to visit our small grant Webpage so most of you all are familiar with the Office of Environmental Justice Web site and so you just click on the link for the small grant page. And we invite you to take a look at the page. We have summaries of all the – well for the projects for the last ten years and we invite you to take a look at those to get an idea of the type of projects that have been funded as you start to take a look at the issues in your area and start to develop your work plan.

And so I will be here at the end if there should be any questions when we get to the questions and comment period.

OK, thank you, Lisa.

Lisa Garcia: Thank you.

So, yes, I definitely encourage folks who are interested in some of those funding opportunities to – to look at the Web site and to see what's available and also – especially for someone who has not applied for – grants like (Sheila) said, to look early at what some of the requirements are, what some of

the projects that were funded in the past are to get – to begin to get an idea of how to take advantage of some of the funding opportunities.

And of course, we also have – one thing that I did not mention that we announced last year is on the interagency Web site, we also have a link to a compendium for all agencies which lists other agency resources.

So if you don't see something on the EPA Web site, look at the interagency – I think it's Directory of Federal Resources under the Interagency Working Group for Environmental Justice and there's resources from other agencies, like Department of Commerce or HUD and all other agencies.

OK, and then so the final topic that I was going to go over that was one of the – one of the questions that came in from the community that – that I'll be able to answer is what's the policy on either environmental justice designation and – and what – I guess what is the policy that EPA is working on.

So one of the things under the information prong of Plan E.J. 2014 was the EPA has embarked on looking at what kind of data EPA has that would help us identify environmental burdens and also demographic information.

And so what we did was we looked back at the Executive Order which was signed in 1994 that essentially asked the agencies to ensure that their actions don't disproportionately impact communities and that they look at the environmental impact.

So what we did as a part of the project is to look at how – what information we have to assess potential environmental burdens and then once again looking at the Executive Order is to look at the populations that we're focusing on so it's low income, minority and tribal populations is the demographic information from the Executive Order.

And so we're working on a project that we call an Environmental Justice Screening Tool, E.J. Screen, to be able to try to really assess areas that we would maybe consider to potentially be over burdened by these environmental indicators that we have.



And once again, it's based on national data. We're trying to do this on a national level. So some of the comments that we got, you know when we – when we're in communities or doing outreach with the states or local governments is what about other data?

And so we recognize that some states may have data on asthma or land use or open space. While those are all very good information, right now EPA is just starting with things like the National Air Toxics data that we have or superfund data, so that we can take our (inaudible) toxic release inventory. And so that's the effort that EPA is working on to try to figure out where these potential areas of concern would be.

And so that's a little bit of an update on how we're doing that.

There were some other questions from – that we considered, I guess more – that we would need the expertise and someone from the Office of Air and someone from the Office of Water and unfortunately they were not able to join us but we will try to – what we do is we try to make sure that we continue to keep the comments that came in from the public and hopefully at a later date we can answer them or – or maybe even write back to the person who wrote in.

So there was one commenter who had questions about a specific site, the Radford Army Ammunition Plant and so we've reached out to our regional folks to be able to respond to that. So hopefully between our regions and our programs we'll be able to respond to some of the comments that come in if we weren't able to do it on the public call.

So that it is from our end. Operator, I'm going to ask that you please give the instructions on how folks can begin to ask questions. I will ask for anyone asking questions, I – I have a new request on this community outreach call. If you have – if – if you were able to reach me or – or were able to ask a question on one of the last community outreach calls that you wait a minute or two to see if there's any new member of the public who wanted to ask a question and I think from the past two calls, we keep reiterating that.

We – we want to really continue to do these community outreach calls. So we just as that people are respectful of everyone's time so that we can get to the next question and also respectful of this relationship that we want to continue to have.

So just understanding that everyone's really working hard, maybe not at the speed that some communities have asked us to but we are really working hard to ensure that the voices of the public continue to come in to EPA so that we can improve our work on all different levels to advance the administrator's priority on environmental justice.

Thanks.

So, operator if you could open up the lines.

Operator: At this time, I would like to remind everyone in order to ask a question, press star then the number one on your telephone keypad.

Our first question comes from the line of (Lewis Zeller) with Blue Ridge Environmental.

(Lewis Zeller): Yes, hello. Thank you for holding this call today and I appreciate your overview from (Ms. Garcia) and some of the other members here.

I did send in a suggestion and –and I appreciate the fact that you all will – plan to respond to it but it has to do with an agency which we are dealing with in Georgia around the first new nuclear power plant license in three decades. There's an existing nuclear plant in Burke County, Georgia and two more are under construction recently permitted for that site.

And we – I noticed in the – in the plan that the – the 2014 plan it talks about permitting and so just in a nutshell the Nuclear Regulatory Commission we have dealt with for years now with – about emergency planning zones, emergency management. In – in York County, for example, we have pointed out to them research and – and in fact this particular site plant (inaudible) was named in a study published in 2009 by (Aldread) and other in terms of the

Environmental Justice impacts specifically at locations of nuclear power plants.

And we've just run into just a terrible stone wall it seems like. Some of the things which are published in their documents about Environmental Justice under the environmental – National Environmental Policy Act, they're required to at least address these issues but in – it just doesn't pass the lab test what the Nuclear Regulatory Commission seems to print in black and white and basically it's – it's – it's a dead end and it's – it's just unsatisfactory.

If the NRC is a party to the, you know, you know, to the Executive Order and then of course there was the Memorandum of Understanding of August, I believe, 4th, a couple of years ago, it – it's hard to tell.

Lisa Garcia: Yeah, so the Nuclear Regulatory Commission is a member of our interagency working group and so one of the things – and I'll just talk generally about the – since you brought up the – I guess the environmental review.

So a lot of these types of, I guess reviews and – and I don't know specifically about your issue that you're raising in Georgia, but I'll just speak generally that the Council on Environmental Quality is charged with ensuring that NEPA, the National Environmental Policy Act, is, you know, is followed throughout the agencies.

And one of the things that we did in the interagency working group is we – we set out to do kind of an assessment on what the policies are across the government on environmental justice and NEPA and – and one of the things that actually – we're having our first meeting – and I know that it – it probably – it may not help your specific situation but we're holding a kind of a task force on how all the agencies can begin to improve the work that they're doing on environmental justice.

So – so my hope is that the agencies along the lines of what you're saying is that the – the agencies will improve their understanding of what it means to consider some of the environmental justice concerns in – in – in a review process.

Now of course, it doesn't change the fact that the nuclear – nuclear – sorry, Nuclear Regulatory Commission will be issuing a permit for something like this and – and they're really going to be the lead on – on something like that but I guess generally the – the agencies are definitely interested in trying to look at best practices and how to improve that work.

So I thank you for – for your question, we'll, you know, like I said, I think we have it here and maybe we can set you up with some – some contacts to – to – to look at some of those best practices of what other agencies are doing in – in your – and – and working with the NRC because I don't know where this – where the project is or if there's interagency review of that.

So we'll look into that a little bit more and – and reach out to you.

So thanks for your question.

Next question?

Operator: As a reminder, ladies and gentlemen, to ask a question, press star, one.

Our next question comes from the line of (inaudible) with Sea Island Coalition.

Female: Good evening everyone this is Queen Quet of the Sea Island Coalition.

And I was very interested in finding out more about how can we get community coalition engagement with the EPA to assist grassroots community members in understanding the various things that the agency does regarding environmental problems that may already exist.

But also to learn more about some of the new technologies that are affecting our environment in the sea islands in the Southeast from Jacksonville, North Carolina down to Jacksonville, Florida because we know that there is now a push toward clean energy that would involve offshore wind supplies and we were wondering how this might impact our fisheries and other things and how the community might engage in some forms of coalitions or task force if there's something that already exists within the EPA?

Lisa Garcia: Thank you for your question.

So we – so one of the goals for us is to expand the conversation so I'm – I'm glad you're on the line. I – I've never heard of your group or the – or the area so it's nice to – to have you join us.

But one of the things that we are really interested in is continuing to support, educate, build capacity for communities like you're saying, you know how do – how – how do communities find out what is available at EPA, what information we have and also the interagency working group. You know because one of the things that we've learned is that it – it, you know, for a community to learn what's available to begin to reduce some of the burdens, it's not just EPA, it's many different agencies, state and local governments that need to be at the table.

So I would – it sounds like you're in North Carolina did you say?

Female: From North Carolina all the way to Florida is a chain of Sea Island is the (inaudible) nation so that whole set of Sea Islands from one Jacksonville to the other Jacksonville.

Lisa Garcia: OK. So one of the things that I'm hearing you say is there's – I was just talking with the regional administrator from Region IV, so you're in Region IV ...

Female: OK.

Lisa Garcia: ... and – and it would be great for you to contact – we have community outreach folks and environmental justice coordinators in Region IV. But one of the E.J. showcase communities that we identified for EPA is actually Jacksonville, Florida and so there is a team – a group of people at EPA and some of the agencies actually focusing on – on work in Jacksonville and it would be great if you could contact our regional – our regional folks in Region IV. I do not have the phone number here, but do you have access to Internet?

Female: OK. Yes.

Lisa Garcia: So you can definitely work – look it up if you go to epa.gov ...

Female: OK.

Lisa Garcia: ... and it's Region IV and there are –we have an E.J. office there and like I said, there's also community involvement folks and – and they'll be willing to work with you. So I really encourage you – tell them Lisa said to call you.

Female: Will do.

Lisa Garcia: If – if they're not on – you know a lot of times we have our regional folks on the phone but you know, because of the timing, a little bit late, they may not be here.

The other thing I wanted to mention for any one else who's in Region IV, we're actually planning an environment – or Region IV is planning an Environmental Justice Workshop in August to talk about, you know, how – how the work has proceeded and how they're doing kind of a progress report, but also where they can improve the work.

And it may be a great opportunity to you to also may be send some of the community folks there or see if, you know, we can send one and then they – they become the leader to bring back the information to your community groups.

And that was also posted that it's going to be free registration, yeah.

Female: Great.

Lisa Garcia: And so it seems like the opportunity may also come that there'll be a conference and also we encourage, you know, community groups to work with other community groups because you can really learn a lot from other organizations that have kind of started out at the beginning and how they got to – to some of this – their success stories.

Thank you for your call and I hope we'll – we'll see you in August maybe.

Female: I hope so if it's not the same weekend as our festival.

Lisa Garcia: Oh, OK. Well, if not, maybe in Jacksonville or someplace else. But thanks for your call.

Are there any other questions?

Operator: As a reminder, in order to ask a question, press star, one.

Our next question comes from the line of (Charles Utley) with Blue Ridge Environmental Defense.

(Charles Utley): Good afternoon and thank you for taking my call. I'm with the – I'm at ground zero at (inaudible) and my question is a – I guess two fold.

We want to partnership with the EPA as well as within our state to better control the disproportionate amount of – of exposure that this one community is receiving and that it's location is across the river from (inaudible) as well as the – as the plant itself is in their backyard.

So we are interested in partnership or some type of communications where we can get a first-hand information about stopping some of the amount that – that – that – the bulk of the disproportionate that this one community is receiving.

I'm speaking primarily of water, air as well as the unknown because after Fukushima the – the community is really now in an uproar as to their safety. So if you can help us with any resources that would help bridge that – that – that unknown to – to the community would be of vast help to us.

Lisa Garcia: OK. Yeah, that's definitely something we can – we can help facilitate.

As I mentioned, we're not the – the lead for that but, you know, as – as the chair of the interagency working group, we always share information with other agencies and – and – and any information that we can help the community with on – on understanding the process or other environmental impacts and obviously, as (Sheila) was mentioning there are some of – some of the grants that we have.

So let us – I think this is one of the things that we had put to table to make sure that we had, like I said, some of the – the more – the experts. I am not an expert on these issues but certainly be able to facilitate that kind of – that type of conversation and information as you mentioned.

So thanks for – for your question and we'll be getting back to you.

(Charles Utley): Thank you.

Operator: Our next question comes from the Line of (Winetta Wright) with (TESECI)

(Winetta Wright): Good afternoon.

Hi Lisa. This is (Winettea Wright) from Jacksonville, Florida and ...

Lisa Garcia: Yes, hi.

(Winetta Wright): ... and I was listening to Queen Quet and I was glad to hear her.

But what I wanted to ask you, I had the opportunity to go on the West Coast and it seems that, you know, I know in different parts of the country are more advanced because a lot of the countries – I mean – I mean communities in Colorado and Wisconsin and Oklahoma, they – they pretty much, well started the, you know, the environmental, you know, progress a little earlier.

But here in Region IV, we are getting ready to have a lot of impact and in my community in '06, we have the highest rate of asthma in the whole state of Florida and we're getting ready to have – our port is going to be dredged and they're getting ready to bring two new companies.

And I'm a bit concerned about the way that it's being done as far as the health impact and assessment and the impact of the extra diesel, you know, pollutants that are going to be in this community that is already, you know, distressed.

So I know the Smart Partners (New Growth) is really a very good model. I think that it should be, you know, you know, patterned for the whole country that the way they have done it and I'm just wondering if there's any, you



know, way that you all can implement these type of – of projects that have been so successful over the years in – in other communities.

Lisa Garcia: I think the – the issue you – you bring up a good general concern for, you know, not only for the West Coast but as the Panama Canal expands, there's really going to be – we're seeing a lot of discussion of expansion on – on the East Coast.

And so one of the things that we've been encouraging and we'll continue to try to encourage this is that, you know, ports and communities and local governments begin the conversation early to figure out what – what some of those potential impacts are going to be. I think that everyone understand the impact from increased truck traffic for several reasons and so how do we, you know, how do we have a discussion that talks about safe – safety but also about health impacts.

And so we're definitely looking to those opportunities we met. I won't mention which ones, but the, you know, on the West Coast the administrator made an announcement with some of the ports on the West Coast about reducing their – their mission through new technology, I guess, and – and also reducing some of the impacts on the truck – the truck traffic and also the operations onsite; of course those are existing ports.

And we're really looking forward to having those conversations with others. As we hear about projects, I can tell you that one – another port came in to visit with EPA to discuss environmental justice and how to do community outreach, how to look at some of those impacts.

So I think – I would just say that we – we are on board to – to really partner with you understanding that the – the business side and the job side of it is very much needed but of course, there are opportunities to do it in safe and environmentally friendly ways. And so we want to continue to have those conversations.

I hadn't about Jacksonville. That's a new one.

And so I would also encourage you, if you did meet those people out west, there's a coalition of health ports I think it is and they – they have a lot of information and technical assistance and it's just a really good resource for community groups as I mentioned before, to really pool their resources and information to begin to inform each other and figure out how we collectively look at all these – the ports throughout the country and how they're impacting communities because there are ways to really reduce some of those impacts.

Thank you.

Next question?

Operator: There are no further questions at this time.

Lisa Garcia: Oh, OK. Great.

So – so I'll speak for about a minute in case anyone decides to chime in.

But I do want to say thank you again for – for joining us and I'm – I'm really happy that we were able to – to reach some new – new faces even though we can't see you – but new – new folks to be able to engage and – and kind of make that connection between our regional folks at EPA to be able to continue these conversations and work with communities.

So we'll probably have the next community outreach call in September and – like I said for some of the – the questions that came in, we're going to be asking some of our regional partners to answer the person specifically. And if not, we'll table some of the conversations for our next call in September.

So with that, if no more questions, I will say good night to everyone and I guess good afternoon out on the West Coast. But thanks again for joining us.

Bye-bye.

Operator: Thank you. This concludes today's conference call. You may now disconnect.

**END**