



**pennsylvania**  
DEPARTMENT OF ENVIRONMENTAL PROTECTION



# Environmental Justice Policy Feedback Sessions

March 22, 2021

March 31, 2021

Tom Wolf, Governor

Patrick McDonnell, Secretary

# Purpose of EJ Policy Sessions

- Withdrew a draft Policy that included several revisions and updates but continued to focus solely on public engagement in the permitting process.
- How can DEP address EJ in addition to public participation in the permit review process?
- Focused on incorporating a meaningful community engagement process to ensure inclusive community voice around its creation.
- Center this discussion on the voices of those who live in communities facing environmental burdens.

# DEP Mission

To protect Pennsylvania's air, land, and water from pollution and to provide for the health and safety of its citizens through a cleaner environment. We will work as partners with individuals, organizations, governments and businesses to prevent pollution and restore our natural resources.

# OEJ Goals

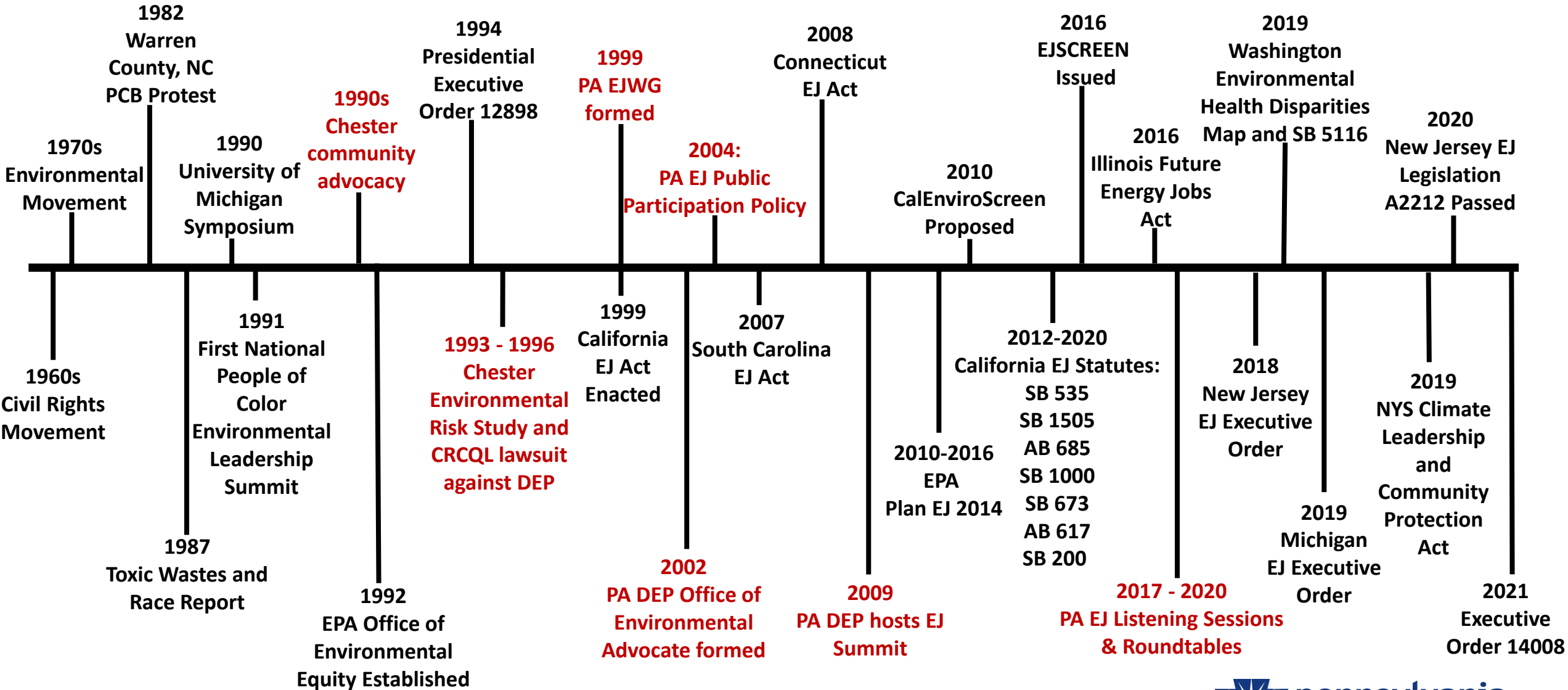
- **Minimizing Adverse Environmental Impacts** - All communities are not unjustly and/or disproportionately burdened with adverse environmental impacts
- **Empowering Communities** - Ensuring citizens have meaningful involvement and a voice in decision-making process
- **Fostering Economic Opportunities** - Enable environmentally responsible economic development to and within EJ communities and in some cases build collaborations and relationships with the community and industry

# Roots of EJ in Pennsylvania

- Organizing of Chester in early 1990s
- Environmental Risk Study by EPA in conjunction with DER in 1993
- Chester residents (CRCQL) lawsuit against DEP in 1996
- DEP Environmental Justice Work Group (EJWG) created in 1999  
Report and Recommendations released in 2001



# Timeline of Federal and State Government Response



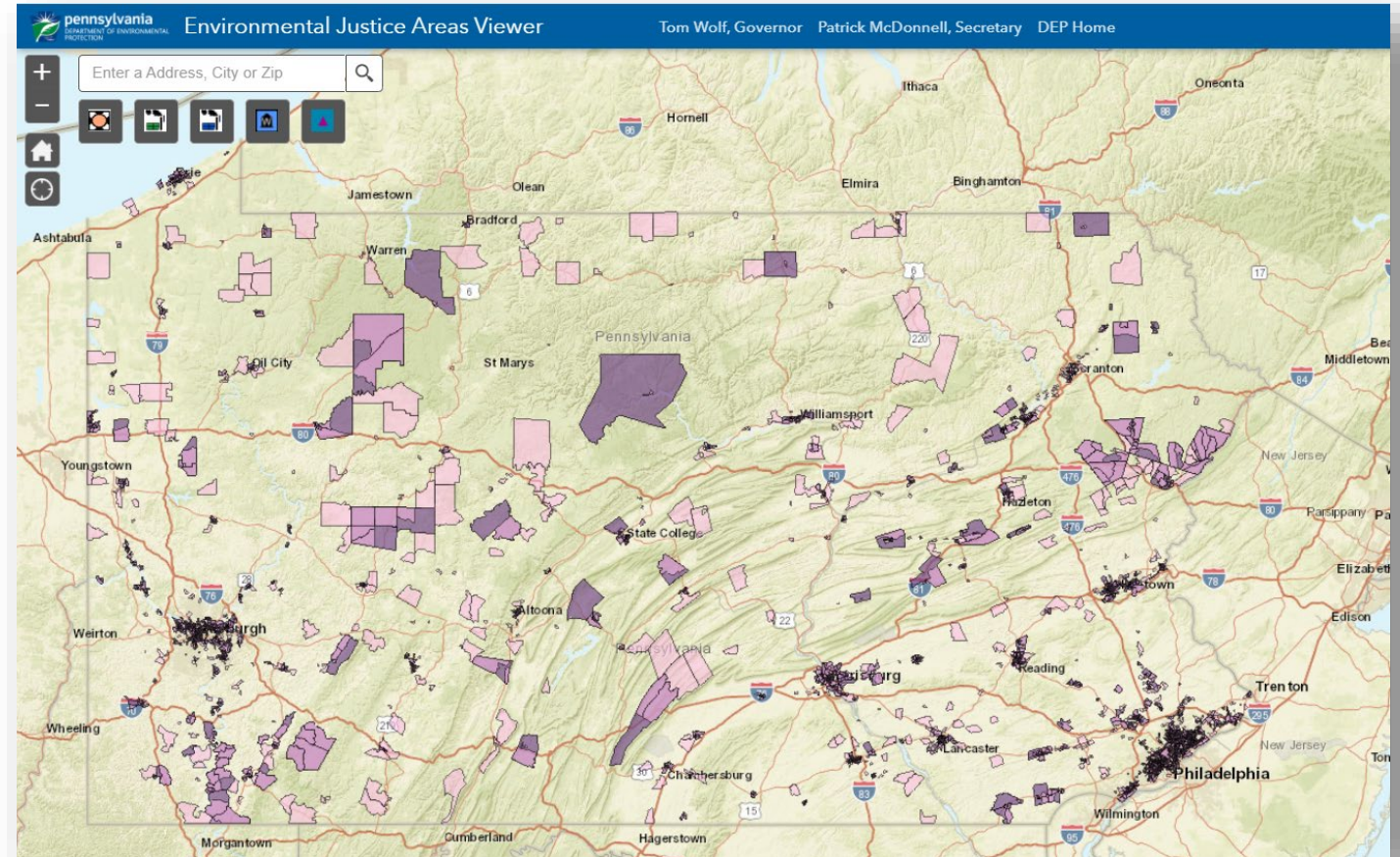
# Questions

- How can the EJ Policy address communities' environmental justice concerns?



# EJ Public Participation Policy

- Applies to Trigger Permits (and Opt-in Permits).
- In Environmental Justice Areas and Area of Concern.
  - EJ Areas – 30% People of Color and/or 20% Low-income
  - Area of Concern is 0.5-mile buffer.





# Questions

- What worked and what were challenges with the current EJ Policy?
- How can we improve the public participation process within the policy?
- How can DEP address environmental justice concerns in addition to public participation in the permitting review process?

# Definition of Environmental Justice

Fair treatment and meaningful involvement of all people, regardless of race, color, national origin or income, in the development, implementation and enforcement of environmental laws, regulations and policies.

US EPA

Environmental justice embodies the principle that communities and populations should not be disproportionately exposed to adverse environmental impacts.

Pennsylvania DEP

Seventeen Principles of Environmental Justice.

First People of Color Environmental Leadership Summit

**Distributive  
Justice**

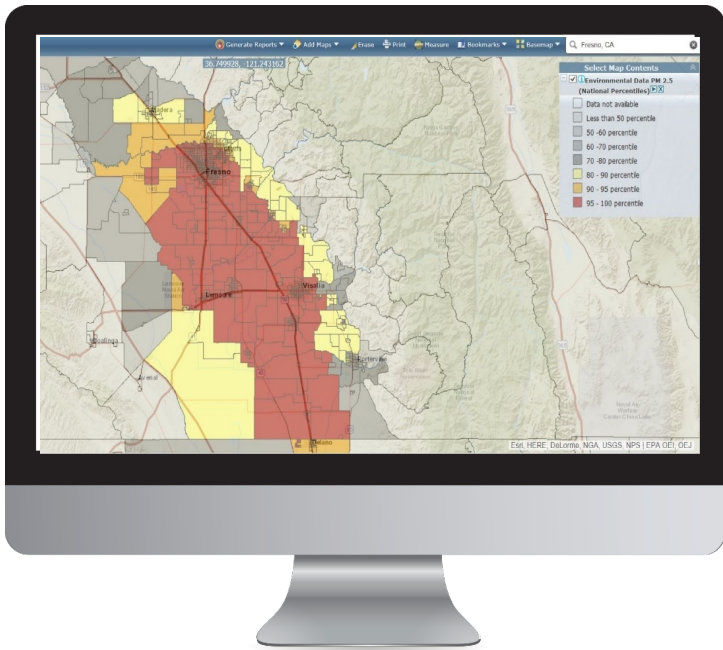
**Procedural  
Justice**

**Corrective  
Justice**

**Social  
Justice**

**Structural  
Justice**

# Tools: EPA EJSCREEN



## EJSCREEN Training Videos

<https://www.epa.gov/ejscreen/ejscreen-videos>

### Environmental Indicators

- PM 2.5
- Ozone
- NATA Diesel PM
- NATA Air Toxics Cancer Risk
- NATA Respiratory Hazard Index
- Lead Paint (pre-1960s Housing)
- Traffic Proximity
- Proximity-NPL Sites
- Proximity-RMP Facilities
- Proximity-TSD Facilities
- Proximity-Waste Water Dischargers

### Demographic Indicators

- Low-Income
  - Minority
  - Less than High School Education
  - Linguistic Isolation
  - Individuals under Age 5
  - Individuals over Age 64
- Index:** Calculated as (Low income + minority) / 2

# CalEnviroScreen



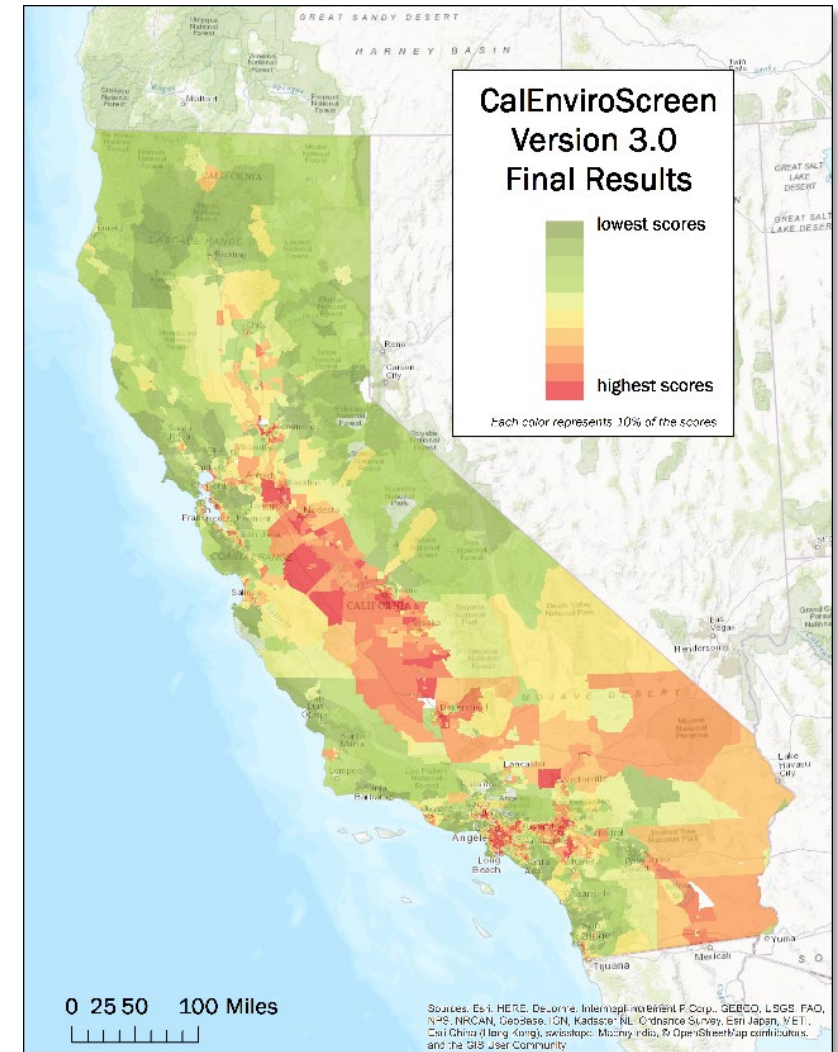
- Combines pollution burden and population characteristics
- Ranks communities according to combined scores for cumulative impacts
- Informed by significant and ongoing public input

## Pollution Burden

## Population Characteristics



[Available as an interactive web map](#)



# Questions

- DEP currently delineates EJ Areas based on race (>30% minority) and income (>20% in poverty). Do you feel that the current definition, or any definition, of an Environmental Justice Area is effective? What revisions would you recommend for identifying priority populations? Note that there is no federal definition as the US EPA intentionally does not create a definition for EJ Areas or communities, though their EJSCREEN tool is available and uses a variety of factors.

# EJ Policy Update Timeline

## Planning

Fall – Winter 2020

Inform internal and external partners about withdrawal of policy and planning for EJ Policy Development and Implementation.

Draft plan and timetable for outreach and get initial feedback on outreach from internal and external partners

Consider development of EJ Policy Advisory Group

## Outreach and Engagement

Fall 2020 – Spring 2021

Identify internal (DEP and state agency) partners for feedback on EJ Policy and outreach process

Develop outreach questions, survey and strategy

EJAB, EJ Stakeholders and other external engagement

## Drafting and Finalization

Spring 2021 – Spring 2022

Present draft of EJ Policy for internal review and input

EJAB Comments on Policy

Public Comment – Fall 2021

Comment and response document preparation

Internal review

Finalize policy

## Implementation

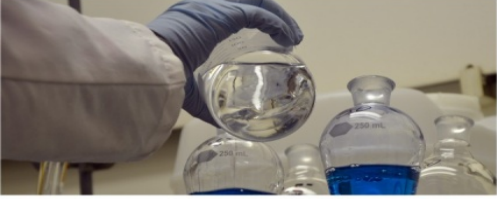
Spring – Summer 2022

Staff and state agency training on policy

EJAB overview of Policy

Community Engagement about Policy





# Office of Environmental Justice

**General Comments & Questions**

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