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Leadership and Excellence in Environmental Engineering and Science

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Professor Daniel B. Oerther, PhD, PE, BCEE, BCES is a past President of the American Academy of Environmental Engineers and Scientists and currently serves as the interim Executive Director. Dan promotes interprofessional environmental health practice and education including community-engagement achieving equity in access to water sanitation and hygiene (WaSH), food and nutrition security and safety (FNSS), and affordable energy efficiency in the built environment. He is the winner of the 2016 Superior Achievement Award and in 2020 he served as the Kappe Distinguished Lecturer. Dan holds numerous distinctions including: lifetime honorary member of Sigma Theta Tau the International Honor Society of Nursing; Diplomat of the American Academy of Sanitarians; and Fellow of the American Academy of Nursing, the Academy of Nursing Education, the Association of Environmental Engineering and Science Professors, the Chartered Institute of Environmental Health, the Royal Society for Public Health, and the Society of Operations Engineers. From 2014 through 2019, Dan served as a senior science advisor to the US Secretary of State in the Office of Global Food Security.



ENVIRONMENTAL JUSTICE AT EPA

Philip M. Fine, Ph.D.

Principal Deputy Associate
Administrator for Policy

U.S. EPA

AAEES Webinar

July 20, 2022

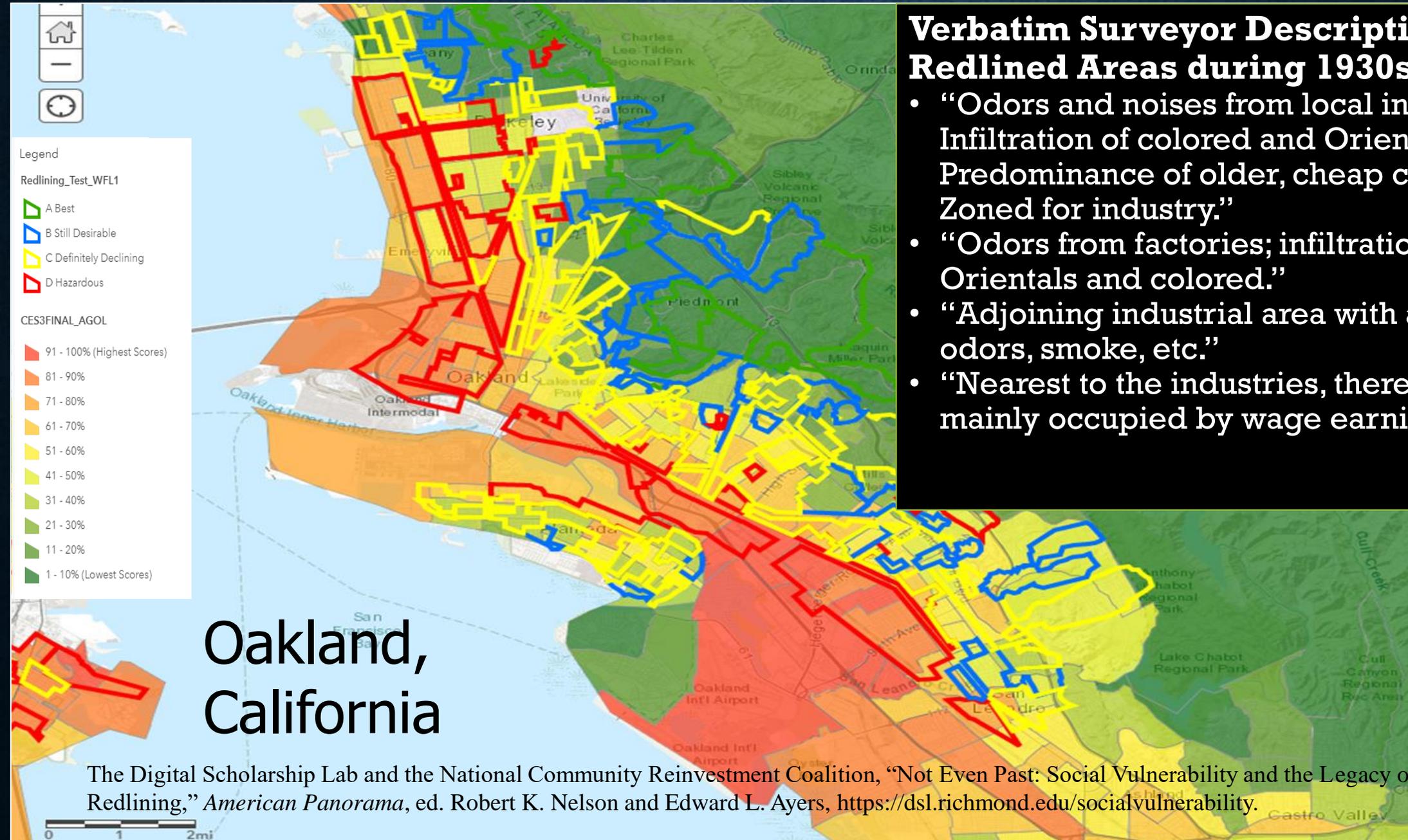
HISTORICAL LEGACY OF EJ: REDLINING AND SYSTEMIC RACISM

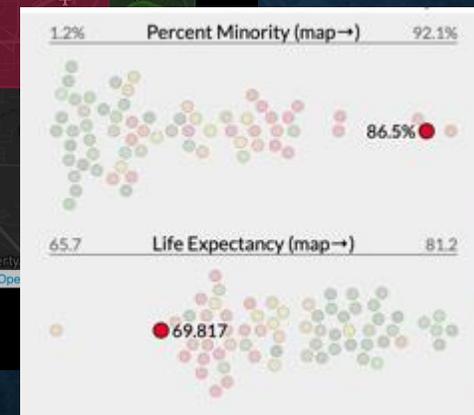
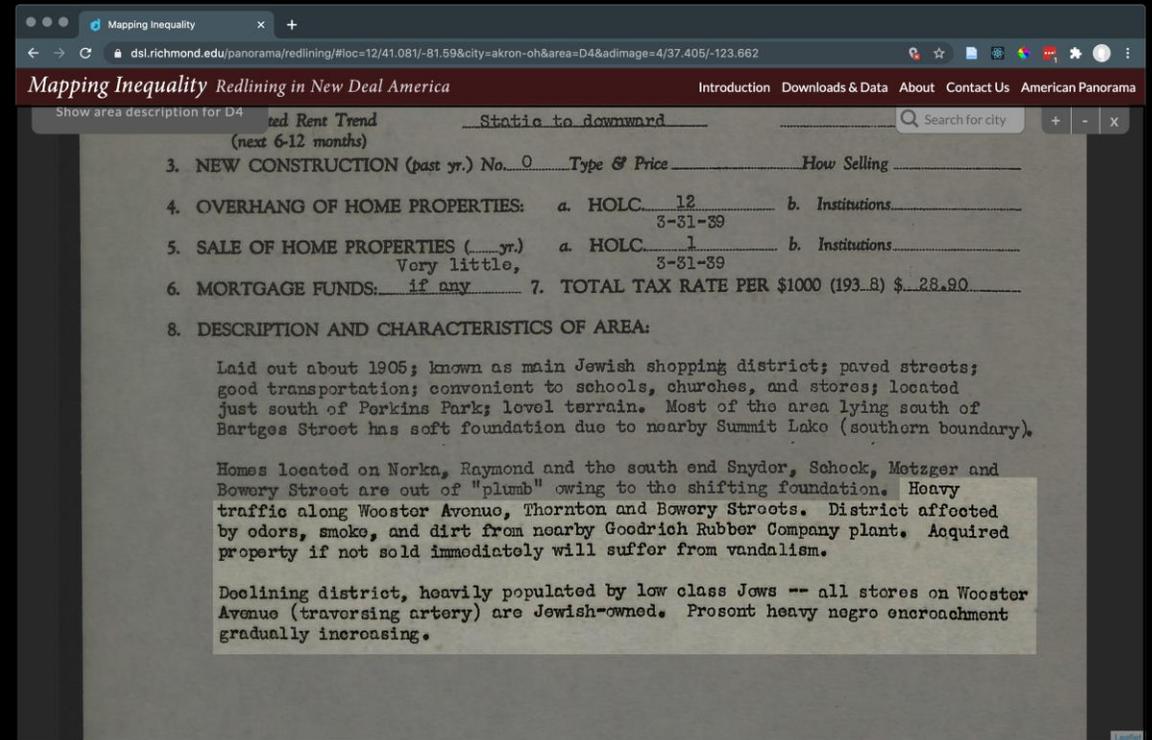
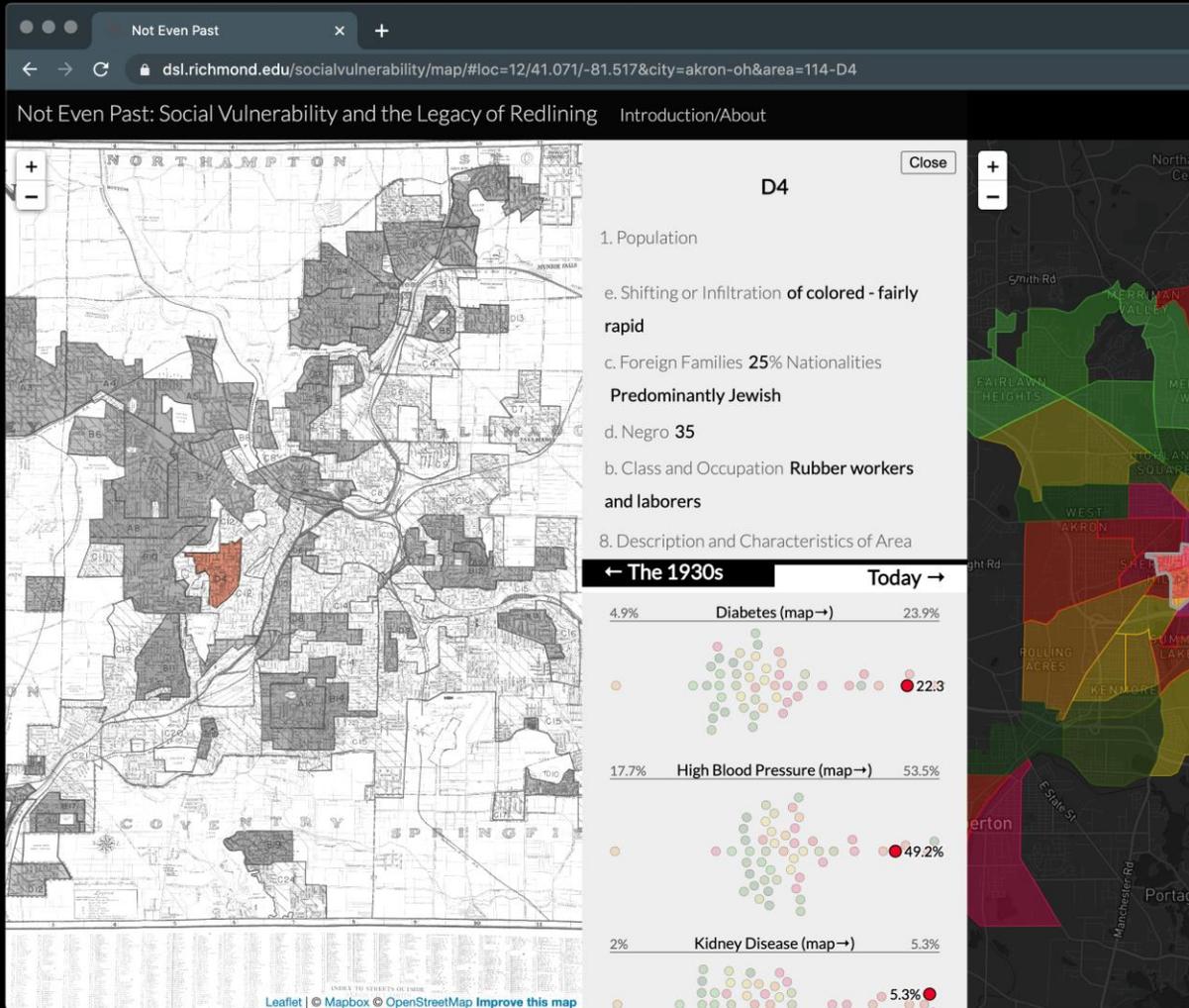
Verbatim Surveyor Descriptions of Redlined Areas during 1930s:

- “Odors and noises from local industries. Infiltration of colored and Orientals. Predominance of older, cheap cottages. Zoned for industry.”
- “Odors from factories; infiltration of Orientals and colored.”
- “Adjoining industrial area with attendant odors, smoke, etc.”
- “Nearest to the industries, thereby being mainly occupied by wage earning families”

Oakland, California

The Digital Scholarship Lab and the National Community Reinvestment Coalition, “Not Even Past: Social Vulnerability and the Legacy of Redlining,” *American Panorama*, ed. Robert K. Nelson and Edward L. Ayers, <https://dsl.richmond.edu/socialvulnerability>.





The Digital Scholarship Lab and the National Community Reinvestment Coalition, "Not Even Past: Social Vulnerability and the Legacy of Redlining," *American Panorama*, ed. Robert K. Nelson and Edward L. Ayers, <https://dsl.richmond.edu/socialvulnerability>.

<p>May 5, 2021, 12:00 – 1:00 pm EST</p>	<p>Learning about the Climate Safe Neighborhoods Partnership and how youth in two of Groundwork's Trusts, Groundwork Hudson Valley, and Groundwork Richmond, VA, and other places are leading the way in working closely with residents and stakeholders to organize, mobilize, and effect systems change to make communities more resilient to extreme heat and flooding.</p>	<p>Recording of Climate Safe Neighborhoods Partnership Session</p> <p>(Captions in both English and Spanish; subtítulos en inglés y español)</p> <p>Transcript in English (txt)</p> <p>Transcript in Spanish (en Español) (txt)</p>
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<p>June 10, 2021, 12:00 – 1:00 pm EST</p>	<p>Learning about the Pollution and Prejudice project and how CalEPA's racial equity team designed a set of tools to explore the connection between racist land use practices of the 1930s and the persistence of environmental injustice. Understanding how environmental conditions are informed by legacy land use practices helps CalEPA to ensure equitable access to clean air, water, and land for all Californians through policy development and implementation.</p>	<p>Recording of the Pollution and Prejudice project Session</p> <p>(Captions in both English and Spanish; subtítulos en inglés y español)</p> <p>Transcript in English (txt)</p> <p>Transcript in Spanish (en Español) (txt)</p>
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<p>April 6, 2021, 12:00 – 1:00 pm EST</p>	<p>Reviewing a recent study on the correlation of redlined areas and the location of urban heat islands will discuss their participatory research on the spatial distribution of climate impacts, involving communities in measuring heat in cities. This interdisciplinary approach offers a compelling perspective on how scientists and residents seek to address disproportionate vulnerability emerging from climate change.</p>	<p>Recording of the Redlining and the Climate Crisis Session</p> <p>(Captions in both English and Spanish; subtítulos en inglés y español)</p> <p>Transcript in English (txt)</p> <p>Transcript in Spanish (en Español) (txt)</p>
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<p>March 4, 2021, 12:00 – 1:00 pm EST</p>	<p>Highlighting The Mapping Inequality Project, a unique collaboration on redlining and current environmental challenges that provides publicly accessible digitized versions of redlining maps for about 200 cities. This project has generated trailblazing work in the area of EJ and systemic racism. Two of its founders will discuss the genesis, philosophy, methodology, and impact of this game-changing project.</p>	<p>Recording of the Mapping Inequality Project Session</p> <p>(Captions in both English and Spanish; subtítulos en inglés y español)</p> <p>Transcript in English (txt)</p> <p>Transcript in Spanish (en Español) (txt)</p>
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EJ AND SYSTEMIC RACISM SERIES



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Permission granted to Saira Butt for her website

**SEPTEMBER 1982
WARREN COUNTY
NORTH CAROLINA**



**Indigenous
Environmental
Network**

TO: Christian R. Holmes
Assistant Administrator

F. Henry Habicht II
Deputy Administrator



THRU: AX

PROPOSAL

The Office of Administration and Resources Management (OARM) proposes to establish the Office of Environmental Equity which will report to the Deputy Assistant Administrator for Management and Administration in OARM.

BACKGROUND

In a report to the Administrator, the Environmental Equity Workgroup found that low-income and minority communities are disproportionately impacted by environmental dangers. The House Appropriations Report on the FY 1993 Budget documented Congress' concern over this matter and its requirement that targeted strategies be developed and implemented to address the environmental dangers to high-risk communities.

To address this issue, OARM proposes to establish the Office of Environmental Equity to serve as a centralized unit to deal with environmental impacts on racial and low-income populations. The Office will coordinate communication, outreach, education and

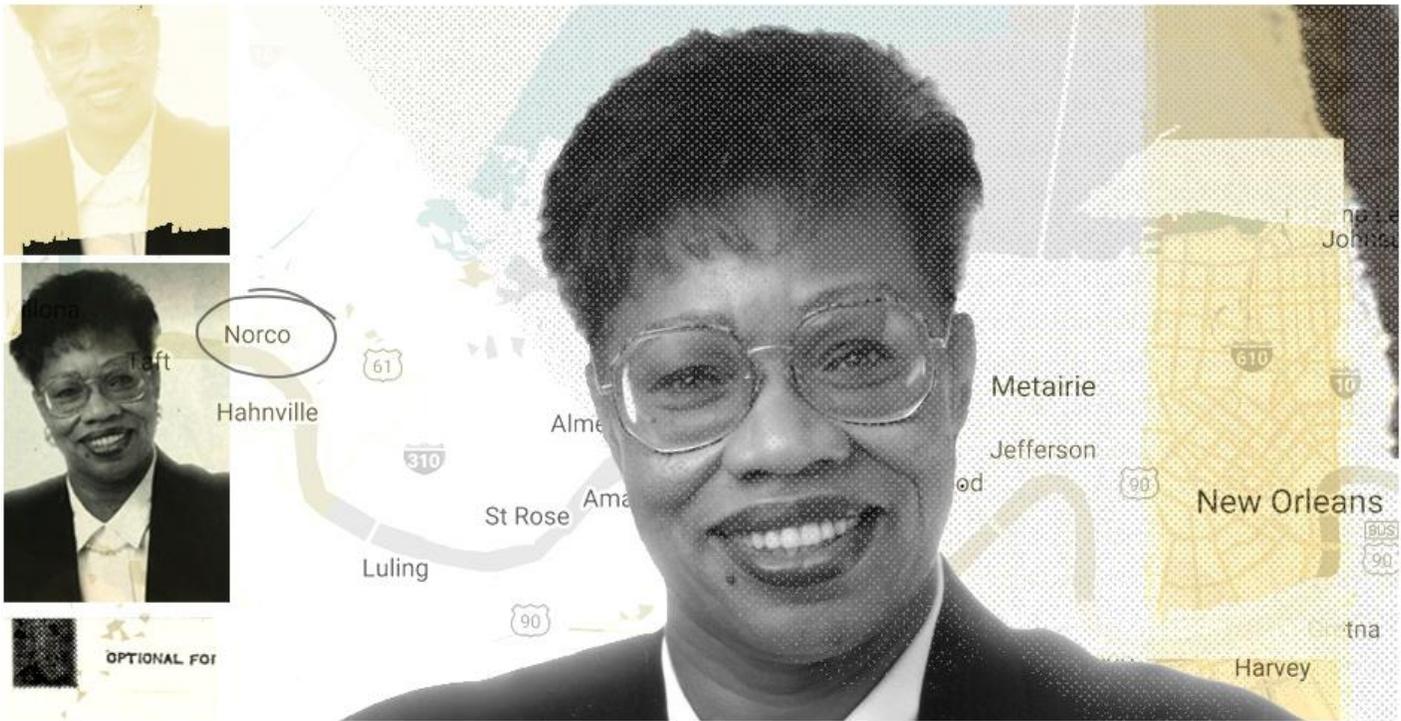


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ENVIRONMENTAL JUSTICE

The trip that changed everything for an EPA pioneer

Hannah Northey, E&E News reporter • Published: Thursday, August 13, 2020



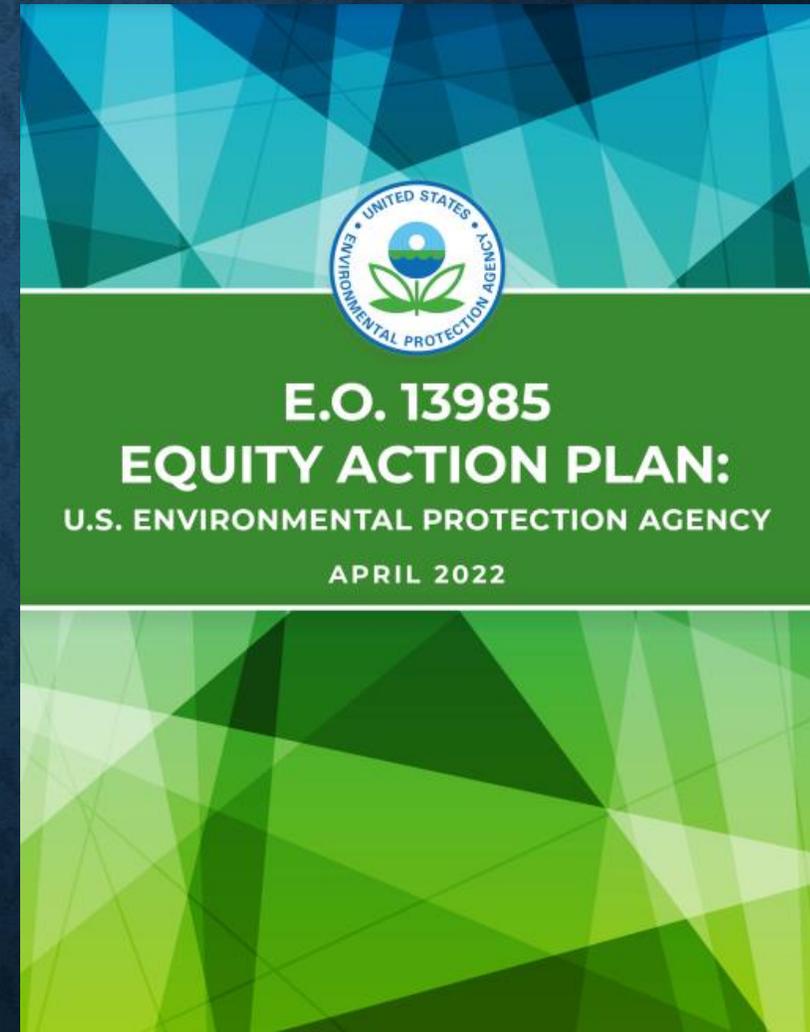
Clarice Gaylord was the first director of EPA's Office of Environmental Justice. Claudine Hellmuth/E&E News (illustration), Clarice Gaylord (photo); Snazzy maps© 2020 Google

EO 13985

Executive Order On Advancing Racial Equity and Support for Underserved Communities Through the Federal Government

JANUARY 20, 2021 • PRESIDENTIAL ACTIONS

- All of Government approach to equity
- Equity Action Plans crafted by every agency
- EPA's plan leans heavily into EJ



EO 14008

- Justice40 – at least 40% of the benefits of certain programs flow to disadvantaged communities
- Climate and Economic Justice Screening Tool
- EJ Scorecard
- Significant public engagement

Things to know

This tool identifies communities that are marginalized, underserved, and overburdened by pollution. These communities are located in census tracts that are at or above the thresholds in one or more of eight categories of criteria.



The tool uses census tracts that represent about 4,000 people, which is the

Executive Order on Tackling the Climate Crisis at Home and Abroad

JANUARY 27, 2021 • PRESIDENTIAL ACTIONS

American Rescue Plan (ARP)

- EPA received a supplemental FY 2021 appropriation of \$100 million from the ARP to address health outcome disparities from pollution and the COVID-19 pandemic.
- EPA's appropriation was split into two \$50 million line items – one dedicated to support environmental justice (EJ) priorities, and the other dedicated to enhance air quality monitoring
 - On July 7, 2021, EPA announced its plans for the \$50 million in ARP funding available to improve ambient air quality monitoring for communities across the United States



EJ ARP FUNDING AREAS

EJ Grants	DERA	Enforcement	Brownfields	Children's Health	Drinking Water
\$16.65 million will be used to fund EJ grants.	\$7 million will fund a tailored use of the Diesel Emissions Reduction Act (DERA) rebate program to fund electric school buses in low-income communities.	\$5.13 million will be used to expand civil and criminal enforcement to include monitoring near low-income communities and drinking water sources and for crime victim outreach.	\$5 million will help communities tackle the challenge of assessing, cleaning up and preparing brownfield sites for redevelopment .	\$4.85 million will fund the Children's Healthy Learning Environments Grant and Pediatric Environmental Health Specialty Units (PEHSUs).	\$4.70 million will support drinking water needs with a focus on tribal and rural areas through in-person technical assistance.

EJ ARP FUNDING AREAS

Community Technical Assistance	Tribal Engagement Efforts	EJSCREEN	EJ Analytical Projects	Policy Outreach	Administrative Costs
<p>\$2.15 million will build community capacity to address air and water issues in underserved communities through specialized technical assistance.</p>	<p>\$1.6 million for a grant solicitation to support efforts by tribes to engage their community members on priority EJ water and air quality issues.</p>	<p>\$720k will be used to enhance the development of EJSCREEN, the EJ analysis tool and support related resources.</p>	<p>\$700k will advance data analytics work in the Office of Air and Radiation.</p>	<p>\$500k will support new methods of outreach and support for critical EJ issues in the oil and gas sector.</p>	<p>\$1 million will be used for administrative costs (2% of funds).</p>

AMERICAN RESCUE PLAN – AIR MONITORING

EPA is making \$50 million in American Rescue Plan (ARP) funding available to **enhance ambient air quality monitoring in communities** across the United States. (<https://www.epa.gov/arp>)

1. Grant Competition for Community Monitoring (\$20M)

- EPA launched a \$20 million grant competition that called for proposals from nonprofit community-based organizations, state, Tribal and local air agencies -- individually or in partnerships -- to conduct monitoring of pollutants of greatest concern in communities with health outcome disparities.

2. Direct Awards to Air Agencies for Continuous PM_{2.5} Monitoring and Other Common Air Pollutants (\$22.5M)

- EPA is in the process of awarding \$22.5 million to state, Tribal or local air agencies for enhanced monitoring of PM_{2.5} and five other air pollutants regulated by the National Ambient Air Quality Standards under the Clean Air Act.

3. Enhanced Regional Capacity for Short-term Community Monitoring Needs (\$5M)

4. Administrative Support (\$2.5M)

FY 2022 EJ BUDGET

EPA received a \$100M appropriation for its EJ program in FY22. This is an increase from approximately \$15M/year for over the last decade.

1. EJ Grants – EPA will develop a new grants and technical assistance programs based upon recipient and potential applicant feedback received this summer.
 - \$20M for direct community support
 - \$20M for states, tribes, local governments
 - \$11M for capacity building technical assistance to communities and their partners
2. EJ Staffing – EPA will invest in an expansion of dedicated EJ staff in headquarters and the regions
 - Increase to 110 staff throughout regions (currently 13)
 - Increase to 90+ in HQ (currently approx. 30)
3. Support for NEJAC, WHEJAC, EJScreen, etc.

Draft FY 2022-2026 EPA Strategic Plan Framework

Mission: To Protect Human Health and the Environment

Principles: Follow the Science, Follow the Law, Be Transparent, Advance Justice and Equity



Strategy 1:

Ensure Scientific Integrity and Science-Based Decision Making



Strategy 2:

Consider the Health of Children at All Life Stages and Other Vulnerable Populations



Strategy 3:

Advance EPA's Organizational Excellence and Workforce Equity



Strategy 4:

Strengthen Tribal, State, and Local Partnerships and Enhance Engagement



Goal 1:

Tackle the Climate Crisis



Goal 2:

Take Decisive Action to Advance Environmental Justice and Civil Rights



Goal 3:

Enforce Environmental Laws and Ensure Compliance



Goal 4:

Ensure Clean and Healthy Air for All Communities



Goal 5:

Ensure Clean and Safe Water for All Communities



Goal 6:

Safeguard and Revitalize Communities



Goal 7:

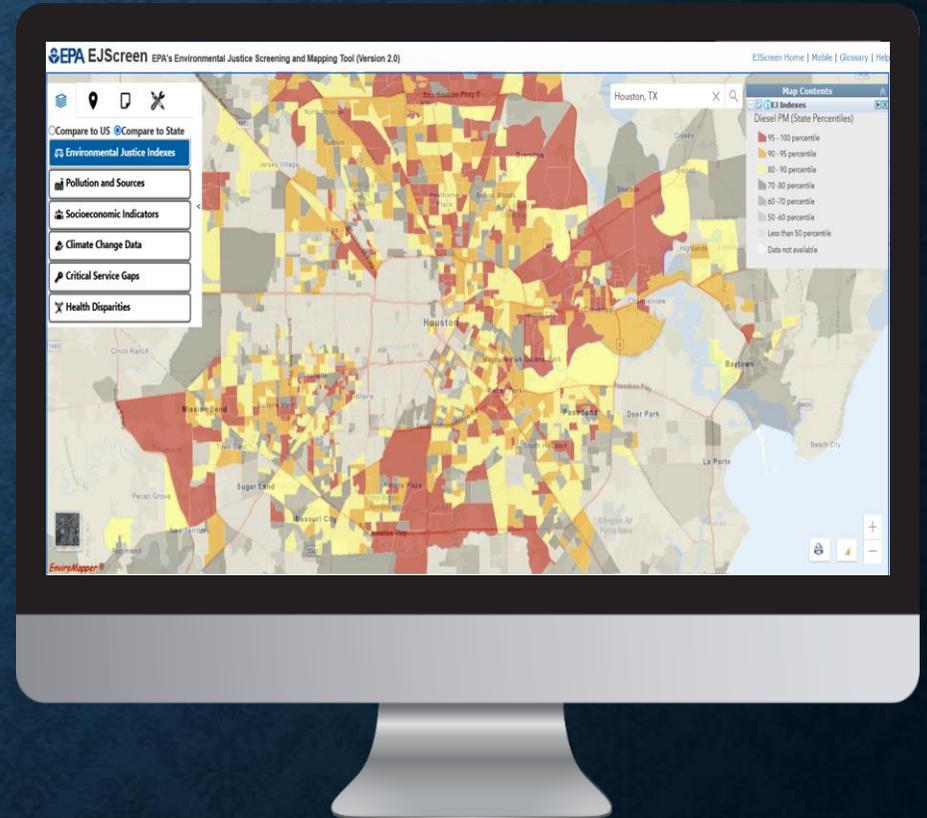
Ensure Safety of Chemicals for People and the Environment

EJ ENFORCEMENT

- Memorandum from Acting Assistant Administrator Larry Starfield, Using All Appropriate Injunctive Relief Tools in Civil Enforcement Settlements, April 26, 2021 - (April 26, 2021)
- Memorandum from Acting Assistant Administrator for Enforcement and Compliance Assurance Larry Starfield, "Strengthening Enforcement in Communities with Environmental Justice Concerns" - (April 30, 2021)
- Memorandum from Acting Assistant Administrator for Enforcement and Compliance Assurance Larry Starfield, "Strengthening Environmental Justice Through Criminal Enforcement" (pdf) (June 21, 2021) " - (June 21, 2021)
- Memorandum from Acting Assistant Administrator for Enforcement and Compliance Assurance Larry Starfield, "Strengthening Environmental Justice Through Cleanup Enforcement Actions" (pdf) (July 1, 2021) - (July 1, 2021)

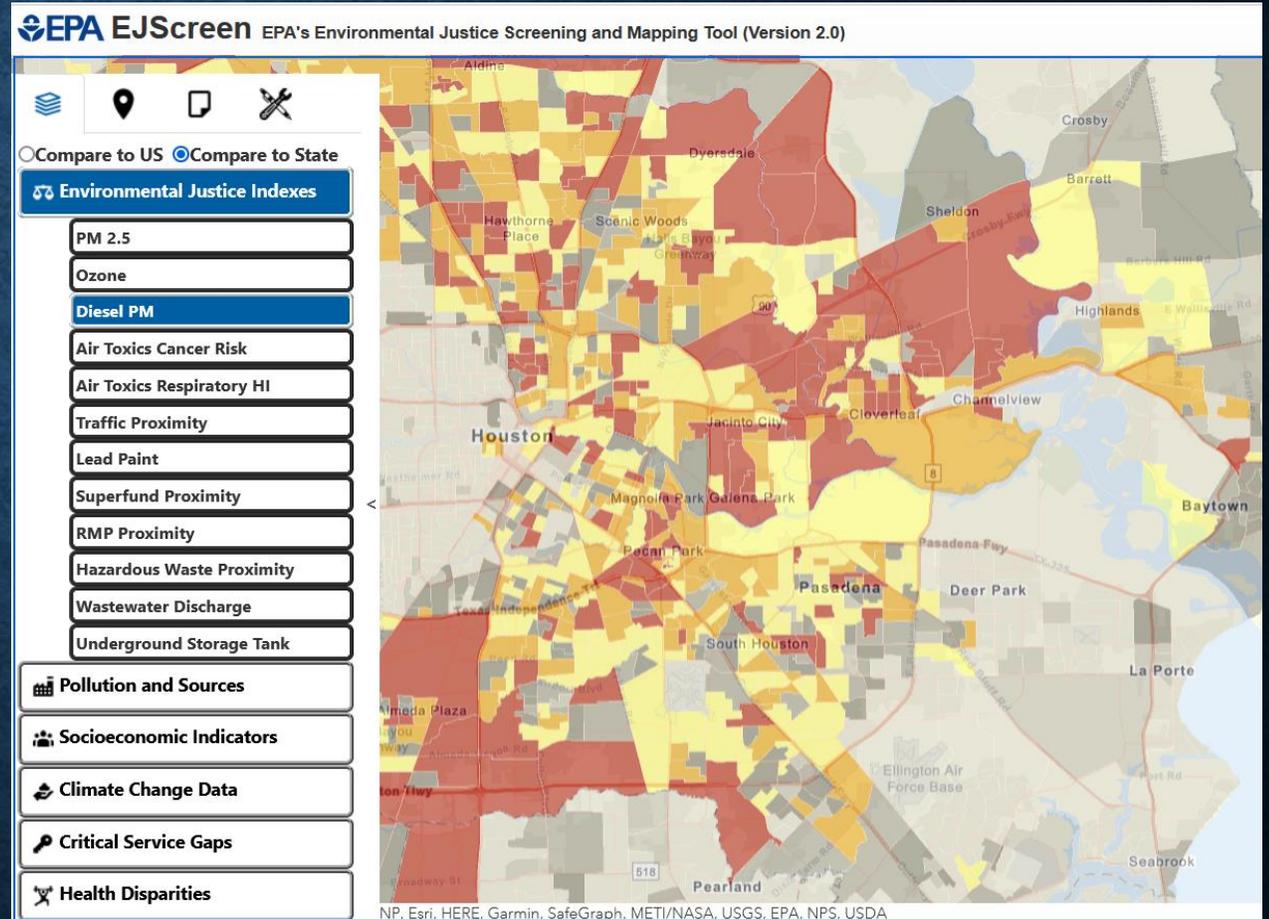
What is EJSCREEN?

- EPA's web-based GIS tool for nationally consistent EJ screening and mapping
- Combines environmental and demographic data to highlight areas where vulnerable populations may be disproportionately impacted by pollution
- Starting point for agency considerations of environmental justice



EJSCREEN KEY FEATURES

- 12 EJ Indexes – one for each environmental indicator
- Annually updated environmental data
- Annually updated demographics – from most recent U.S. Census data
- Highest resolution data available
- Ability to download data
- Accessibility / ease of use



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Governor Murphy Signs Historic Environmental Justice Legislation

09/18/2020

Nation's Strongest Measure to Protect Overburdened Communities from Pollutants

Fulfilling a commitment to enact sweeping protections for environmental justice communities, Governor Phil Murphy today, alongside U.S. Senator Cory Booker, Mayor Ras Baraka, Senator Troy Singleton, Assemblyman John McKeon, and environmental advocates, signed legislation (S232), which requires the New Jersey Department of Environmental Protection to evaluate the environmental and public health impacts of certain facilities on overburdened communities when reviewing certain permit applications. New Jersey is the first state in the nation to require mandatory permit denials if an environmental justice analysis determines a new facility will have a disproportionately negative impact on overburdened communities.

The bill defines an overburdened community as any community where 35 percent of the households qualify as low-income according to the U.S. Census, 40 percent of households are minority, or 40 percent of households have limited English proficiency. There are approximately 310 municipalities with populations totaling approximately 4,489,000 that have overburdened communities within their municipalities.

are your views on

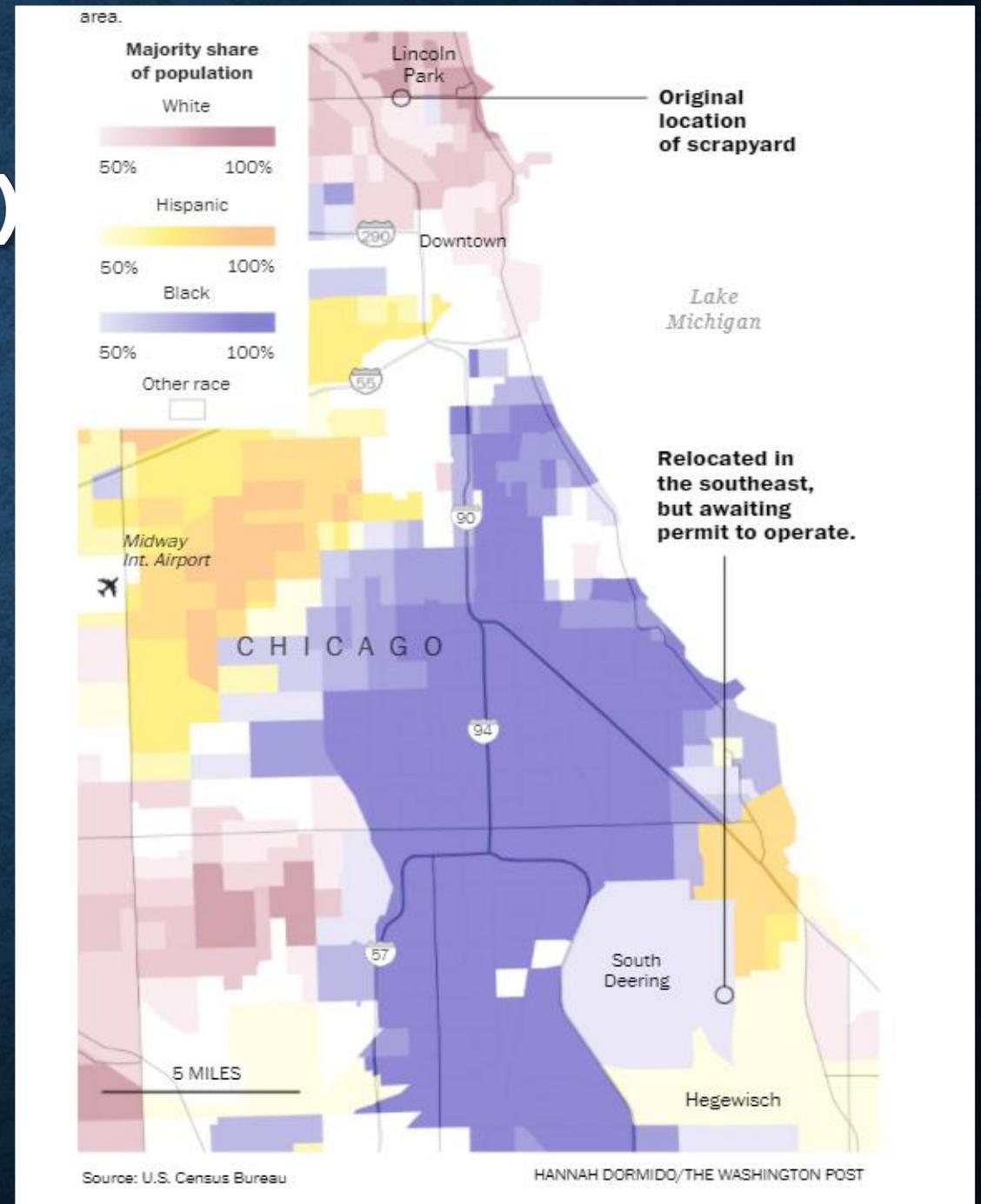
Senate Bill S8830

2021-2022 Legislative Session

Makes provisions regarding the siting of environmental facilities in minority communities or economically distressed areas

GENERAL IRON PERMIT DENIAL CHICAGO, ILLINOIS (2022)

Scrap metal recycling facility relocated from wealthy white community to poor Black and Brown community



COMMUNITY PERSPECTIVE

“Throughout the Illinois EPA and CDPH permitting process, community members and environmental justice advocates have protested the location of Southside Recycling. These protests have centered on concerns about environmental and community impacts, as well as the equity implications of that may support de-industrialization of more affluent neighborhoods, while industry continues to be concentrated in areas like Chicago’s Southeast side.”



AUTHORITIES

- Municipal code (giving CDPH Commissioner authority to “do any and all other acts which may be necessary” to implement powers given to her under the code; and to “advise, consult and cooperate with other agencies of the state and federal governments, and other governmental agencies to advance environmental protection”)
- Rules promulgated for permitting recycling facilities under that code “require applicants to demonstrate that proposed facilities will be designed and operated in a manner that prevents public nuisance and protects the public health, safety, and the environment.” (Rules include authority to consider history of compliance & material threat to continued compliance.)
- Other permit reviews by Illinois EPA and US EPA prior to municipal permitting decision

HEALTH IMPACT ASSESSMENT

A tool that helps evaluate the potential health effects of a plan, project, or policy before it is built or implemented.



step 1

SCREENING: Determine the need and value of an HIA for the decision-making process.

The U.S. EPA recommended an HIA as a process to inform CDPH's decision on the Large Recycling Facility permit application. After considering key screening questions, CDPH determined that an HIA would provide necessary additional insight into the health equity impacts of the RMG/Southside Recycling proposal.

step 2

SCOPING: Determine which health impacts to evaluate, methods for analysis, and priority populations.

CDPH solicited broad input on the RMG/Southside Recycling permit. Through public town halls, an extended public comment period, and daily media monitoring, we received insight from thousands of community members, local organizations, environmental advocacy groups, public health professionals, and other stakeholders to help us understand the impacts – both positive and negative – of greatest interest. CDPH used this feedback to establish the HIA scope, which we validated through additional engagement meetings during the HIA process. The U.S. EPA provided guidance on methods for analysis.

step 3

ASSESSMENT: Gather existing conditions data and evaluate potential health impacts.

CDPH conducted a mixed-methods assessment to understand existing conditions and potential environmental, health, and social/quality of life impacts on the Southeast side. We reviewed literature to help us analyze the environmental, health, and quality of life impacts of industrial facilities. We received input directly from community residents through small-group feedback sessions and a survey conducted as part of the HIA process. The U.S. EPA, Agency for Toxic Substances and Disease Registry (ATSDR), and CDPH's environmental consultant provided new analysis, sampling, and modeling to help us quantify current exposures and associated health risks, as well as the potential impacts of the proposed Southside Recycling operations.

step 4

RECOMMENDATIONS: Make recommendations to mitigate negative impacts and maximize positive impacts.

CDPH reviewed best and promising practices from around the country and also sought input from stakeholders on policy or process reforms that would advance racial and health equity and environmental justice. Community members offered their recommendations through small-group feedback sessions and a survey.

step 5

REPORTING: Develop a summary report to communicate findings and recommendations.

CDPH has made our materials associated with the HIA process – including the permit application, public comments, HIA meeting documentation, and underlying data – publicly available on our [website](#). With this report, CDPH is sharing our analysis, interpretation, and recommendations.

step 6

MONITORING: Evaluate the effects of the HIA on the decision, implementation of the project, as well as community health effects.

CDPH is committed to applying the findings of the HIA to the ultimate RMG/Southside Recycling permit decision, as well as tracking the effects of this decision on the community. Our HIA includes a monitoring plan.

PERMIT DECISION

- CDPH has determined that there is an unacceptable risk that the proposed facility would produce an increase in particulate matter, noise, and diesel emissions, the negative effects of which are magnified in a population with health vulnerabilities
- The interaction between potential adverse changes in air quality and quality of life caused by operations, and health vulnerabilities described in the HIA— together with the Applicant’s track record in operating similar facilities within this campus—presents an unacceptable risk.
- Cited racial equity concerns, including existence of two civil rights complaints under Title VI of Civil Rights Act

OTHER RECOMMENDATIONS

- Increase monitoring, enforcement, and environmental protections for the Southeast side.
- Embed cumulative impact principles in zoning, permitting, and enforcement and engage the community in decision-making.
- Expand and enhance use of health and racial equity impact assessments to inform decision-making.”

Implications of all these commitments

- All of government approach to equity and justice
- Bringing together compliance with civil rights laws and integration of EJ considerations across the environmental regulatory endeavor
- Disproportionality and cumulative impacts in regulatory decisions (i.e., permits, rules)
- Disproportionality and cumulative impacts in formal agreements with regulatory partners (i.e., states, tribes, local governments)
- Clear responsiveness to community input in our decisions
- Just treatment and meaningful engagement with communities with EJ concerns

Thanks!

Contact Info

Philip Fine

fine.philip@epa.gov

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Questions? Email Marisa Waterman at mwaterman@aaees.org with any questions you may have.



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