

**U.S. Environmental Protection Agency
Office of Enforcement and Compliance Assurance**

**FINAL DRAFT
ACTION PLAN TO INTEGRATE
ENVIRONMENTAL JUSTICE**

FY 2004-2005

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(2004)

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TABLE OF CONTENTS

Page

OVERVIEW

- Background 1
- Incorporation of EJ into OECA’s Organizational Structure 2
- Integration of EJ into OECA’s Programmatic Initiatives 3

MANAGEMENT ACCOUNTABILITY

- Organizational Infrastructure 4
- Management Support 4
- Operational Resources 6
- Program Support 7
- Government Performance and Results Act 11
- Internal Organizational Engagement 12
- External Stakeholder Engagement 13
- Data Collection, Management, and Evaluation 16
- Professional Organizational Development 18
- Environmental Justice Assessment 19
- Program Evaluation 20

OECA EJ Performance Measures Matrix (Appendix, 17 pages)

OVERVIEW

Background

The U.S. Environmental Protection Agency (EPA) is committed to incorporating environmental justice (EJ) into EPA programs and policies including the Agency's planning and accountability process. The Office of Enforcement and Compliance Assurance (OECA) has developed an Action Plan for 2004-2005 to demonstrate how it plans to integrate environmental justice into its core and priority program work.

As a starting point, it is useful to articulate the definition of EJ used by OECA's Office of Environmental Justice, which frames the Agency's work in the context of EJ:

*The fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. **Fair treatment** means that no group of people, including a racial, ethnic, or a socioeconomic group, should bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations or the execution of federal, state, local, and tribal programs and policies. **Meaningful involvement** means that: (1) potentially affected community residents have an appropriate opportunity to participate in decisions about a proposed activity that will affect their environment and/or health; (2) the public's contribution can influence the regulatory agency's decision; (3) the concerns of all participants involved will be considered in the decision making process; and (4) the decision makers seek out and facilitate the involvement of those potentially affected. In sum, environmental justice is the goal to be achieved for all communities and persons across this Nation. Environmental justice is achieved when everyone, regardless of race, culture, or income, enjoys the same degree of protection from environmental and health hazards and equal access to the decision-making process to have a healthy environment in which to live, learn, and work.*

OECA is committed to improving environmental performance through compliance with environmental requirements, prevention of pollution, promotion of environmental stewardship and the incorporation of environmental justice across the spectrum of our programs, policies, and activities. This Action Plan describes our EJ goals and the specific tasks to achieve them. Implementation will be achieved through the use of integrated strategies including compliance assistance, compliance monitoring, compliance incentives, and civil/criminal enforcement actions, along with EJ training and specific EJ projects. OECA will incorporate this Action Plan into its internal planning and accountability processes.

OECA's Action Plan discusses how it will incorporate EJ into two broad areas - its

organizational infrastructure and its programmatic initiatives and activities.

Incorporation of EJ into OECA's Organizational Infrastructure

In 1993, OECA established the Environmental Justice Coordinators Council (EJCC) which consists of EJ coordinators from OECA offices. Over the years, the OECA EJ coordinators have been the primary conduits for incorporation of EJ principles into OECA's core work. In March 2003, the Principal Deputy Assistant Administrator established the Environmental Justice Action Council (EJAC), a management-level group that is responsible for developing strategic approaches for the incorporation of EJ into OECA programs.

The EJAC, consisting of OECA's Deputy Office Directors, serves as a strategic policy and steering committee to guide continued integration of EJ into OECA programs. The EJAC is chaired by the OPPAC Deputy Director. It guides OECA's process for incorporating EJ principles into its core work and serves as an ongoing mechanism to ensure that EJ is properly integrated into new initiatives and programs. The EJAC will continue to work with the EJCC to ensure that every office within OECA determines how to integrate EJ concepts and considerations into its daily work, and that the sum total of all the contributions of OECA offices add up to the desired outcomes for the program. In addition, the EJAC will help manage cross-cutting EJ issues, such as training for management and staff, and will periodically evaluate progress on the implementation of this Action Plan, instituting any necessary changes or mid-course corrections. The EJAC will also work closely with OECA's Front Office by raising issues to its attention and responding to its management imperatives relating to EJ.

The EJCC consists of staff level coordinators who work with the EJAC and their office staff to broaden and promote the integration of EJ. OPPAC coordinates OECA's staff level EJ network via a lead EJ Coordinator who chairs the EJCC and is responsible for liaison between the EJCC and the EJAC. This organizational structure promotes the integration of EJ within all eight of OECA's program areas. The EJ Coordinators will continue to work within each OECA office to implement the activities in the Action Plan. Working in unison through the EJCC, the EJ Coordinators will develop a cohesive EJ approach and raise EJ issues to the attention of their individual offices and to the EJAC.

OECA's Principal Deputy Assistant Administrator will lead the foregoing efforts to ensure accountability. OECA's Principal Deputy Assistant Administrator is an active participant in the EJ Executive Steering Committee. The Executive Steering Committee is a cross-Agency group of Deputy Assistant Administrators and Deputy Regional Administrators that focuses on EJ issues. OECA's Principal Deputy Assistant Administrator will use the Executive Steering Committee as a vehicle to communicate with, receive input from, and coordinate approaches with other Headquarters' offices on EJ issues.

Integration of EJ into OECA's Programmatic Initiatives and Activities

OECA's efforts to date have been consistent with EPA's Environmental Justice Strategy. Our program has and will continue to promote the integration of EJ by doing the following:

- (1) integrating EJ into OECA's organization infrastructure and providing management support, operational resources and program support;
- (2) incorporating EJ concerns and impacts into selection of national enforcement and compliance assurance priorities, targeting strategies, and OECA's accountability processes;
- (3) using integrated strategies to enhance the environment and public health in EJ communities;
- (4) enhancing data gathering and analysis of EJ activities;
- (5) evaluating and improving data systems to enhance public access to information;
- (6) enhancing outreach to and collaboration with EJ communities and other external groups;
- (7) considering EJ goals in grants and cooperative agreements;
- (8) enhancing training on EJ issues within OECA and with State and Tribal enforcement and compliance assurance programs; and
- (9) more effectively communicating results in the EJ arena.

MANAGEMENT ACCOUNTABILITY

Organizational Infrastructure

OECA is organized into nine major areas: the Administration, Resource Management, and Support Staff (ARMSS), the Office of Regulatory Enforcement (ORE); Office of Compliance (OC); Federal Facilities Enforcement Office (FFEO); the Office of Federal Activities (OFA); Office of Site Remediation and Enforcement (OSRE); Office of Criminal Enforcement, Forensics, and Training (OCEFT); the Office of Environmental Justice (OEJ); and the Office of Planning, Policy Analysis, and Communications (OPPAC). Each of these offices participates in both management and staff level EJ coordinating groups.

The Environmental Justice Action Council (EJAC), consisting of OECA's Deputy Office Directors, serves as a strategic policy and steering committee to guide continued integration of EJ into OECA programs. The EJAC is chaired by the OPPAC Deputy Director.

The Environmental Justice Coordinating Council (EJCC) consists of staff level coordinators who work with the EJAC and their office staff to broaden and promote the integration of EJ. The EJ Coordinators will continue to work within each OECA office to implement the activities in this Action Plan. Working in unison through the EJAC, the EJ Coordinators will implement a cohesive EJ approach and raise EJ issues to the attention of their individual offices and to the EJAC. OPPAC coordinates OECA's staff level EJ network via a lead EJ Coordinator who chairs the EJCC and is responsible for liaison between the EJCC and the EJAC. This organizational structure promotes the integration of EJ within all eight of OECA's program areas.

In addition, OPPAC coordinates activities associated with the Enforcement Subcommittee of the National Environmental Justice Advisory Council (NEJAC). The NEJAC Enforcement Subcommittee provides public input on enforcement and compliance assurance issues and promotes the integration of EJ into OECA's program.

Management Support

In the early 1990's, the Agency established an infrastructure for the integration of environmental justice. First, the Office of Environmental Justice within EPA was created in 1992. Second, the Agency initiated the EJ Executive Steering Committee consisting of senior Agency managers to guide EPA's overall EJ policy. Third, the Agency created a network of EJ Coordinators both at Headquarters and in the Regions. In 1993, OECA established the

Environmental Justice Coordinating Council (EJCC) which consists of EJ coordinators from each OECA office. Over the years, the OECA EJ coordinators have been the primary conduits for incorporation of EJ principles into OECA's core work. In March 2003, the Principal Deputy Assistant Administrator for OECA established the Environmental Justice Action Council (EJAC), a management-level group that is responsible for developing strategic approaches for the incorporation of EJ into OECA programs.

The EJAC guides OECA's process for incorporating EJ principles into its core work and serves as an ongoing mechanism to ensure that EJ is properly integrated into new initiatives and programs. The EJAC will continue to link with the EJCC to ensure that every office within OECA determines how to integrate EJ concepts and considerations into its daily work, and that the sum total of all the contributions of OECA offices add up to the desired outcomes for the program.

The EJAC will help manage cross-cutting EJ issues, such as training for management and staff, and will periodically evaluate OECA's Action Plan and progress on its implementation, instituting any necessary changes or mid-course corrections. The EJAC will also work closely with OECA's front office by raising issues to its attention and responding to its management imperatives relating to EJ.

In addition to the EJAC and the EJCC, OECA established the Planning Council, which consists of headquarters and regional compliance assurance senior management. The Council recommends national priorities, establishes performance-based strategies for priorities which include goals, milestones and measures, and develops targets for OECA's commitments under EPA's Strategic Plan. The Planning Council will factor EJ into the development of the performance-based strategies, resulting in better integration of EJ as OECA addresses public health and the environmental issues. OECA will ensure that its activities are compatible with the Agency's Strategic Plan and with the Government Performance and Results Act (GPRA).

OECA's Principal Deputy Assistant Administrator will lead the foregoing efforts to ensure accountability. OECA's Principal Deputy Assistant Administrator is an active participant in the Executive Steering Committee, a cross-Agency group that focuses on EJ issues. OECA's Principal Deputy Assistant Administrator will use the Executive Steering Committee as a vehicle to communicate with, receive input from, and coordinate approaches with other Headquarters' offices on EJ issues.

Operational Resources

Approximately four (4) full-time equivalents in OECA specifically focus on

environmental justice issues. This includes members of the EJAC, EJCC and other key OECA managers and staff involved in a wide array of EJ activities. Most of these FTEs are performing environmental justice-related work as a collateral duty.

The primary responsibility of the OECA Environmental Justice Coordinators is to ensure that environmental justice is pursued actively in all of OECA's work and that EJ-focused projects are developed. The functions and day-to-day responsibilities of OECA's Environmental Justice Coordinators are as follows:

- Promote the Integration of Environmental Justice. Work with the OECA Deputy Office Directors to incorporate environmental justice into programs, policies, and activities and OECA priorities. This includes soliciting, both directly and indirectly, the level of assistance, consultation, training and oversight, that will permit integration of environmental justice into the office's priorities.
- Provide Consultation and Assistance to EJAC. Provide information and recommendations to the Environmental Justice Action Council (EJAC) concerning the full range of OECA EJ activities. Work with the EJAC to conduct various analyses, gather data, and evaluate programs.
- Responsiveness to Agency/OECA Reporting Requirements. Assist the OECA Deputy Office Directors to produce the end-of-year report on the OECA Action Plan and associated revisions. Also, assist in reporting on performance measures and ongoing evaluation and revision of matrices.
- Cross-Agency Outreach. Coordinate with other EJCCs in the Agency concerning approaches to the integration of EJ and provide support to EJAC for outreach activities.
- External Outreach. Working through the EJAC, the EJCC will provide program-specific background materials and coordination that might be required for National Environmental Justice Advisory Council activities. In coordination with the EJAC, the EJCC will work with the regional EJ coordinators to maximize opportunities for input by the EJ community through regional listening sessions.
- Represent Office on the EJCC. In consultation with the EJAC, the EJCC is responsible for developing a holistic approach to EJ in OECA's programs and policies. The EJCC shares information about office program changes and other

developments that might affect the implementation of environmental justice.

Program Support

As described in the “Organizational Infrastructure” section above, the EJAC and the EJCC are standing groups that focus on office-specific and OECA-wide environmental justice issues. In addition, OECA has requested the NEJAC Enforcement Subcommittee to form workgroups to assist with specific aspects of EJ integration into OECA programs.

Specific enforcement and compliance assurance initiatives taking EJ considerations into account follow. The OECA office with primary responsibility is indicated after each activity.

- National Enforcement Priorities. OECA has major enforcement and compliance initiatives underway in priority areas which are expected to result in significant benefits for EJ communities – for example: tribal compliance issues, sanitary sewer overflows, combined sewer overflows and reduction of air toxics. OECA will seek to fully incorporate EJ considerations into this work. OC will lead efforts to select national enforcement priorities and develop performance-based strategies that include EJ concerns. ORE will focus on ensuring EJ is considered as part of case selection, injunctive relief and identifying appropriate opportunities for supplemental environmental projects (SEPs). OECA will specify measures for performance-based strategies to assess the impact of this work in EJ communities. (OC and ORE)

- Criminal Enforcement. OCEFT, working in partnership with State and local agencies, will strategically target its actions to address instances of harm or potential harm that have a disproportionate impact in EJ communities. Approximately thirty percent of the open criminal cases have EJ implications and OCEFT will continue its targeting work to bring more criminal enforcement actions in EJ communities. In addition, OCEFT will increase coordination with ORE and OC to achieve greater overall compliance. (OCEFT)

- Federal Facilities’ Enforcement. In an effort to increase the number of multi-media inspections at Federal facilities, FFEO, has been conducting targeted Federal facility multi-media inspections under its inspection initiative. FFEO will be looking at Civilian Federal agencies because these agencies have not received the level of attention as have the Department of Defense and the Department of Energy. Under this initiative, FFEO will be seeking to include EJ concerns and to work to develop SEPs that will benefit the impacted community. (FFEO)

- “Framework for Problem-Based Approach to Integrated Strategies”. The Framework is a strategic approach to addressing national and regional environmental problems using “integrated strategies” – comprehensive approaches which give up-front consideration to which tool or tools to use when addressing identified environmental problems. The Framework specifically addresses EJ by asking Regions to:
 - ▶ Consider whether EJ communities are a specific impacted population when establishing the baseline of information on: (a) health and environmental impacts; (b) potential risks; and (c) root and contributory causes.
 - ▶ Consider EJ issues when describing the factors that make particular problem(s) ripe for resolution and a relative priority.
 - ▶ Inform the public on what EPA is doing to address compliance issues/problems, particularly in EJ communities.

During Fiscal Year (FY) 2003, the Framework was piloted in eight Regions. Activities will continue in FY2004 and 2005. (OC)

Strategies geared to specific programs:

- Worker Protection. The Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) regulations contain Worker Protection Standards (WPS) aimed at protecting farm workers, a population generally considered an EJ population. ORE has developed WPS training as well as a comprehensive enforcement manual that includes statutory and regulatory documents, WPS guidance and policy, sample complaints, and model settlement agreements. Past training has been very successful and, as a result, ORE intends to repeat the training in FY 2004 as budget allows. (ORE)
- Interagency Initiatives. Since 1999, ORE, US Department of Housing and Urban Development (HUD) and the US Department of Justice (DOJ) have pursued a joint initiative to investigate and promote compliance with the federal Lead Paint Disclosure Rule promulgated pursuant to the Residential Lead-Based Paint Hazard Reduction Act. EPA enforces this Rule through the Toxic Substances Control Act. This initiative has focused on low-income communities, which often have a high incidence of childhood blood-lead poisoning associated with older, substandard housing. Settlements obtained through this initiative have required

property owners and managers to inspect and test housing for the presence of lead-based paint and abate lead-based paint and lead-based paint hazards, with a priority on abating any such hazards in units occupied by children. To date, these and other settlements have resulted in commitments to inspect and test more than 160,000 housing units across the nation, and collection of more than \$350,000 in penalties. This initiative also has included a significant compliance assistance component with compliance assistance materials provided during 95% of the inspections, and criminal prosecution, which has resulted in guilty pleas, criminal fines and sentences for several defendants. EPA plans to continue this initiative for the foreseeable future. (ORE, OCEFT, and OC).

- Environmental Results Program (ERP). OPPAC has been working with Region 3, Maryland and the District of Columbia (DC) to develop integrated strategies based on this innovative self-certification program developed by the State of Massachusetts. The Maryland Department of the Environment and the District of Columbia Environmental Health Administration have developed ERP programs focusing on auto repair shops, with a view to addressing compliance issues in EJ communities (the Park Heights area of Baltimore and Ward 5 in the District). OPPAC has provided financial and technical assistance to both programs. OPPAC will continue to work with Maryland and DC to implement these programs, including the development and use of self-certification forms and measures to evaluate results. (OPPAC)
- Commission for Environmental Cooperation. OPPAC has funded two cooperative agreements with California and Texas and provided these States with guidance to develop pilot projects to train and assist small to medium sized businesses in developing Environmental Management Systems (EMSs) focused on compliance, pollution prevention, disclosure of environmental results, and continuous improvement in regulated and non-regulated activities. The EMS model is based on the Commission for Environmental Cooperation (CEC) 10 Elements of Effective EMSs. The CEC was established as part of a side agreement to North American Free Trade Agreement (NAFTA) to address environmental issues among Canada, U.S. and Mexico. OPPAC will work with Texas and California to measure how EMSs can improve the environment near border and EJ communities in furtherance of the Border 2012 Plan among EPA and border States and other Agency initiatives. (OPPAC)
- Performance Track.. In FY 2004, OPPAC will explore with the Office of Policy, Economics and Innovations (OPEI) and Office of Environmental Justice (OEJ) ways to leverage the National Environmental Performance Track members' commitment to environmental stewardship in EJ communities. (OPPAC)

- Supplemental Environmental Projects. ORE and OSRE will continue their strong support of EJ SEPs. ORE will enhance the quality of EJ SEP reporting by working with Regional EJ and SEP coordinators to develop a list of factors determinative of whether a SEP has EJ benefits. Based on this enhanced reporting of FY'04 SEPs, ORE will establish a goal for achieving future SEPs in civil settlements. It will also seek to increase the number of EJ SEPS nationally by working with the Regions to implement the January 5, 2004, guidance from the Assistant Administrator for OECA "Recommended Ideas for SEPs." This memorandum provides the Regions with project ideas that have the greatest potential for significant and measurable environmental and/or public health benefits in the community affected by the particular violation. Several of the recommended projects listed in the Memorandum will specifically affect environmental justice communities. (ORE and OSRE)
- Supplemental Environmental Projects (SEP) Guidance. OECA's SEP Policy specifically emphasizes consideration of EJ issues. EJ projects result in direct and immediate environmental benefits to EJ communities. OECA issued interim guidance on the role of communities in the development of SEPs in FY 2003 and ORE will encourage Regional personnel to follow it in developing EJ SEPs. OSRE will continue to encourage the use of SEPs in the settlements of environmental enforcement cases at Superfund and Brownfield sites. Because local communities are the most affected by environmental violations and should be afforded an opportunity to comment on and contribute to the design of proposed SEPs, both ORE and OSRE will encourage the Regions to promote public involvement in accordance with the community input procedures set forth the SEP Policy. (ORE and OSRE)
- Structuring the Settlement of National Cases. ORE is undertaking efforts to ensure that settlements provide relief for communities shown to bear a disproportionate share of pollution and non-complaint activity. For example, many, if not most, petroleum refineries are located in urban areas. The Air Enforcement Division's (AED) petroleum refinery initiative is aimed at significantly reducing emissions of benzene (a hazardous air pollutant), volatile organic compounds (VOCs, which are involved in the formation of smog and also can be hazardous air pollutants), sulfur dioxide (SO₂), and nitrogen oxides (NO_x, which also is involved in the formation of smog). Through company-wide settlements that require the installation of control equipment, among other things, AED has been able to ensure reductions of tens of thousands of tons of pollution from refineries. Moreover, these company-wide settlements often include SEPs which provide additional benefit to the community immediately surrounding a

refinery. (ORE)

- RCRA Corrective Action Facilities and NPL Sites. When setting priorities for enforcement actions at RCRA Corrective Action facilities and NPL sites, OSRE will review the existing priority setting tools and guidance to evaluate EJ as a consideration in site remediation enforcement activities. (OSRE)

Government Performance and Results Act (GPRA) Alignment (link to mission and priorities)

OECA's strategic goal is to improve environmental performance through compliance with environmental requirements, prevention of pollution and promotion of environmental stewardship, regardless of race or socioeconomic background. Therefore, EJ considerations are an integral part of all of OECA's GPRA goals. OECA's current GPRA objectives and targets focus on protecting human health and the environment through implementation of our tools to solve environmental problems - civil and criminal enforcement, assistance, monitoring, incentives and innovative approaches.

OECA will continue to incorporate EJ concerns into its accountability process. OECA's Planning Council will ensure that modifications and improvements to planning and accountability processes directly support the Agency's Strategic Plan and GPRA. OECA will continue refinement of its programs through the use of "smart enforcement" - using data more effectively to focus on serious environmental problems and utilizing appropriate tools to address the targeted problems. As national and regional priorities are identified, OECA will encourage actions in EJ communities, achieving results that are meaningful for both the national program and for the communities. (OC)

As discussed in previous sections, OECA will integrate EJ into specific programmatic areas/functions, as well as specific enforcement and compliance assurance initiatives. OECA will use a strategic approach by utilizing integrated strategies - action plans designed to address significant environmental and noncompliance problems using appropriate programmatic tools such as compliance monitoring, compliance assistance, civil and criminal enforcement, settlement policies, and incentives to more effectively address the needs of EJ communities.

Finally, through EPA regional offices, OECA will utilize Performance Partnership Agreements (PPAs) and Performance Partnership Grants (PPGs) to specifically address EJ issues. As partners in the enforcement of Federal environmental laws, it is critical that States and Tribes participate in implementing actions to address EJ issues. Where applicable, OECA will incorporate EJ concerns in cooperative agreements and grants awarded to States and Tribes to

ensure that EJ priorities are properly reflected.

Internal Organizational Engagement

The EJAC and the EJCC serve as a consistent mechanism to communicate with and to engage all OECA offices regarding EJ issues. In addition, OECA's Principal Deputy Assistant Administrator participates in the EJ Executive Steering Committee and uses the Committee as a vehicle to communicate with, receive input from, and coordinate approaches with other Headquarters' offices on EJ issues. OECA's EJ activities are further enhanced by close collaboration with OEJ which is located in OECA as well. OEJ provides leadership to all Agency offices concerning EJ issues and OECA consults regularly with OEJ staff and management to ensure that OECA approaches to EJ issues are consistent with OEJ's Agency-wide policies and guidance. The following is an example of where OECA provides guidance to the Agency regarding EJ integration :

- Guidance for National Environmental Policy Act (NEPA) Compliance and Section 309 Reviews. The OECA Office of Federal Activities issued in 1998 and 1999 respectively, "*Guidance for Incorporating Environmental Justice Concerns in EPA's NEPA Compliance Analyses*" and "*EPA Guidance for Consideration of Environmental Justice in Clean Air Act Section 309 Reviews.*" The 1998 document provides guidance to ensure that EPA-prepared environmental impact statements (EISs) and environmental assessments (EAs) fully consider and address environmental justice concerns in the NEPA analysis. The 1999 document provides guidance for EPA when it reviews and comments on other federal agency EISs to ensure that EJ concerns are fully analyzed. (OFA)

External Stakeholder Engagement

The following outreach strategies facilitate communication between OECA and external stakeholders, and will ultimately help ensure the consideration of external stakeholder input by OECA:

- Outreach to Stakeholders on Priorities. OC, in cooperation with OPPAC and OEJ, will continue to obtain input from EJ communities, other Headquarters' offices, the Regions, States, Tribes and pertinent advisory committees on OECA's programmatic priorities. This will be accomplished through a variety of means, including Federal Register notices and meetings. (OC)
- NEJAC Enforcement Subcommittee Advice. OPPAC will work closely with the Enforcement Subcommittee and the OECA offices to ensure that the

Subcommittee's advice is considered as OECA continues to integrate EJ into the enforcement and compliance program. This will be accomplished by bringing programmatic issues to and discussing potential planning and priority setting with NEJAC to get their review and comment, and by increasing OECA management and staff participation in the Enforcement Subcommittee's monthly conference calls. OPPAC will also further regional staff participation in the activities of the Enforcement Subcommittee. The Designated Federal Officer (DFO) for the NEJAC Enforcement Subcommittee will continue her pivotal role as the liaison between OECA and the Subcommittee members. (OPPAC)

- Coordination with the National Organization of Black Law Enforcement Executives (NOBLE). As part of its overall outreach program on environmental crime, OCEFT has engaged NOBLE in a training and public awareness partnership that will assist in combating environmental crimes in economically disadvantaged areas. Formal training is offered in the areas of detecting, responding to, and investigating environmental crimes, including illegal asbestos removal, lead paint hazards, and illegal hazardous waste dumping. OCEFT expects to train more than 100 black law enforcement officers in FY2004 and will expand the program to include Hispanic law enforcement officers as well. Also, EPA has joint State/local partnerships which operate as multi-agency task forces and include law enforcement officers from all levels of government. These task forces often address EJ-related environmental crimes. (OCEFT)
- National Inspectors Workshop. The FY2004 and 2005 National Inspector Workshops will continue to include sessions designed to raise the awareness of EPA inspectors about EJ issues. Sessions will include information on how EJ is relevant to the enforcement program, EJ issues that can arise in areas where facilities are in noncompliance, ways to target facilities to address EJ concerns, and desktop databases that provide EJ information. (OC)
- Border Compliance Assistance Center. OC will continue to support and develop the Border Compliance Assistance Center. This web-site provides information on importing hazardous waste into the U.S. from Mexico, as well as Mexican hazardous waste regulations. The Center provides a one-stop location for compliance assistance tools, such as checklists, guides and fact sheets on laws and regulations, that help explain the environmental requirements that apply to transporters, importers, exporters, generators, and warehouse/storage facilities involved in sending hazardous waste between the United States and Mexico. Because many EJ communities are on the US/Mexican border, this center provides relevant information to these communities. All information on the site is provided in both English and Spanish. In FY 2005, OC is exploring expanding the

Center to include issues on the US/Canadian border. (OC)

- Alternative Dispute Resolution (ADR). OECA will continue to utilize ADR to address EJ concerns through constructive engagement and collaborative problem solving among stakeholders. (OECA)
- EPA Authorization of Tribal Inspectors. In FY2004, OC will issue draft and final national guidance on the criteria for authorizing State and Tribal inspectors to conduct inspections on EPA's behalf. The Guidance will address issues such as the physical appearance and tracking for these credentials, Confidential Business Information issues and media/program specific training requirements consistent with Executive Order 3500.1. These training requirements will include mandatory reading, course work and on-the-job training for inspectors which lead inspections. (OC)
- Protecting Public Health and the Environment Through Enforcement and Compliance Assurance in Indian Country. OECA has developed an enforcement and compliance assurance strategy for Indian Country. One of the strategy's objectives is for the enforcement and compliance assurance program to help ensure that Tribal members do not disproportionately face adverse health or environmental effects and risks. The strategy develops a common understanding among environmental managers and staff at the Federal and Tribal level about the nature of enforcement and compliance assurance programs. In addition, the strategy outlines how EPA works with Tribes to maximize compliance and reduce threats to public health and the environment in Indian Country and other areas where Indian Tribes and their members have rights and resources. (OECA)
- 309 Clean Air Act Review Process. OECA will continue its role as the Agency's 309 review office to make publicly available written comments on environmental impacts associated with proposed actions by Federal agencies. Public access to these comments will ensure that EJ concerns are considered and reasonable efforts are made to inform and involve EJ communities in the development of environmental impact statements (EIS) and the decision-making process. (OFA)
- Mitigation Plans. OECA will continue its role as the Agency's National Environmental Policy Act (NEPA) compliance office to ensure that mitigation plans developed by EPA incorporate EJ concerns and that the public has meaningful involvement in the development, implementation and enforcement of these plans. (OFA)

External stakeholder engagement in EJ issues will be facilitated further by various grant programs, among which are the following:

- Financial Resources to Tribes to Build Capacity in Indian Country. In FY 2004, OC will provide \$900,000 to support Tribal municipal solid waste compliance assistance and enforcement activities. Among other things, Tribes use these resources to coordinate reductions in municipal solid waste. In FY 2004, OC also will provide \$600,000 to support Tribal multimedia enforcement and compliance activities. Tribes use these resources to develop regulatory authorities for multiple environmental programs and to build infrastructure for Tribal compliance and enforcement programs. (OC)
- Superfund Technical Assistance Grants (TAG). This continuing grant program provides funds to community groups to hire technical advisors who can assist the groups in interpreting technical information concerning the assessment of potential hazards and selection and design of appropriate remedies. (OSRE in cooperation with OSWER)

Data Management and Evaluation

OECA has developed ways in which our EJ data can be utilized by the public as well as OECA HQ offices and regions. OECA will provide pertinent, accurate, up-to-date, user-friendly data, that is easily accessible via the Internet.

- Enforcement and Compliance History Online (ECHO). EPA formally launched ECHO in September 2003. This web-based tool allows the public to ascertain the inspection, violation, and enforcement histories of all facilities regulated under Federal environmental laws within their community. It empowers the public with the ability to utilize information about compliance with environmental laws, and provides EJ search options and data. Users may formulate queries based upon minority population percent and detailed demographic statistics. OC will determine if additional enhancements can be made to the site to increase its usability by the EJ community in FY2004. (OC)
- Online Tools for EJ Analysis. Several tools are available or soon to be available, which provide sophisticated analytic query options for conducting EJ analysis. The Online Targeting Information System (OTIS) includes EnviroMapper for Compliance analysis. This interface allows users to plot facilities based upon the

length of time since last inspection, or compliance status. Each map view comes with demographic information. In 2003, OTIS added a query tool that allows users to combine any query with EJ data from the 2000 Census. This tool also allows users to sort the results of any query by percent minority or population density. Additionally, the Office of Environmental Justice and Office of Environmental Information are collaborating on mapping tools that will allow detailed analysis of environmental justice factors. These tools will analyze and provide colored theme maps based on user-specified requirements. (OC, OEJ, OEI)

- Additional EJ Analyses and Tools. OSRE will investigate adding active cleanup sites (e.g., RCRA corrective action; National Priorities List (NPL); Brownfield, etc.) to the EnviroMapper so a more comprehensive picture is provided of the sites when the EJ layer is added. (OSRE)
- Hazardous Waste Manifest Rulemaking. This FY2004 rulemaking will, through amendments to the manifest regulations, ultimately provide information to EPA and the US Customs Service about actual shipments of hazardous waste into the United States. The manifest form will reflect information of particular significance to EJ communities - transport and destination of hazardous waste shipments. Many EJ communities are located either near hazardous waste sites or along travel routes to those sites. (OECA)

Professional and Organizational Development

OECA is committed to ensuring that all OECA personnel have the expertise to identify and address environmental justice issues in their daily work. By the end of December 2004, OECA will have delivered a comprehensive EJ training program for all OECA employees. Specifically, this training will expose participants to various components of EJ and instruction in specific methods to integrate EJ into OECA's programs. The training will be provided in a variety of formats. OECA will also conduct a review of current training activities designed for our State and Tribal partners and provide EJ training as appropriate. (OPPAC and NETI).

- Site Remediation and Enforcement issues Training. In June 2003, the Office of Site Remediation Enforcement (OSRE) facilitated a Lessons Learned Seminar on the Anniston Superfund Site. This case study was presented by Regional, Headquarters and Department of Justice personnel who shared their hands-on experiences with Seminar attendees. Building on the success of this Seminar, OSRE will continue to provide training towards improving OSRE awareness and understanding of Environmental Justice issues as they specifically pertain to

remediation and enforcement issues. Planned activities include regular EJ Brown Bags, a one-day OSRE EJ Fundamental training course, and additional Case Study & Lessons Learned Seminars. Future work will include developing educational information for our counter parts in the Regions. (OSRE)

- Worker Protection Standards Training. FIFRA regulations contain worker protection requirements aimed at protecting a population generally considered an EJ population - farm workers. In FY 2004, OC will continue to provide assistance to State and Tribal inspectors on interviewing techniques for workers as part of their inspector training. OC provides two national Pesticide Inspectors Residential Trainings (PIRT) to State and Tribal inspectors annually. Regions will continue to provide further training to their States and/or Tribes. (OC)
- Measurement Training. OC will continue to include EJ issues in compliance assistance measurement training provided to the Regions. The training enhances EPA's ability to measure the impact of compliance assistance activities, including in EJ communities. (OC)
- Pesticide Regulatory Education Program. OECA will continue to sponsor 4 to 5 Pesticide Regulatory Education Program (PREP) courses with OPP. In FY 2004, EJ issues will be addressed at several of the courses. Subjects may include trans-boundary issues, concerns affecting Tribes, the WPS program and how to constructively interact with the public. (OC)
- Training of Tribal Inspectors. OECA continues to support the training of Tribal inspectors through a cooperative agreement with the Institute for Tribal Environmental Professionals at Northern Arizona University. The training is designed to provide information on how to effectively and safely conduct inspections under Tribal and environmental laws. In FY 2004, Region 9 will assume responsibility for management of the cooperative agreement. (OC)

Environmental Justice Assessment

OECA utilizes EJ analyses in various aspects of its work through the use of the following:

- Online Tools for EJ Analysis. Several tools are available or soon to be available, which provide sophisticated analytic query options for conducting EJ analysis.

The Online Targeting Information System (OTIS) includes EnviroMapper for Compliance analysis. This interface allows users to plot facilities based upon the length of time since last inspection, or compliance status. Each map view comes with demographic information. In 2003, OTIS added a query tool that allows users to combine any query with EJ data from the 2000 Census. This tool also allows users to sort the results of any query by percent minority or population density. Additionally, the Office of Environmental Justice and Office of Environmental Information are collaborating on mapping tools that will allow detailed analysis of environmental justice factors. These tools will analyze and provide colored theme maps based on user-specified requirements. (OC, OEJ, OEI)

- Additional EJ Analyses and Tools. The Office of Compliance and the Office of Environmental Justice are working together to collaborate on additional EJ analyses and tools for FY2004. Potential projects include: analysis of inspections in EJ areas, and several significant software upgrades that will better integrate enforcement/compliance data with spatial data showing environmental communities and relative risk data. (OC and OEJ)

Program Evaluation

OECA will review and analyze its EJ activities to highlight results in the enforcement and compliance program. OECA will prepare communications tools that discuss EJ and will work with the Regions to identify and utilize appropriate communications tools.

- OECA Accomplishments Report. OECA issues an end-of-year accomplishments report that summarizes overall results of the enforcement and compliance program. EJ will be fully integrated into this report to highlight the accomplishments and results from the EJ Action Plan. (OPPAC)
- Ongoing Communications about EJ issues. OPPAC will ensure that, in addition to the OEJ list server, other OECA list servers (OC/ORE, Federal Facilities, AgCenter) publicize EJ newsworthy issues, program activities, and events. In coordination with the EPA press office, OPPAC will collaborate with OEJ on communications mechanisms for specific enforcement and compliance EJ activities. (OPPAC)

FINAL DRAFT OECA ENVIRONMENTAL JUSTICE PERFORMANCE MEASURES MATRIX FY 2004-2005

The matrix includes projects from the following OECA offices:

- Federal Facilities Enforcement Office (FFEO)
- Office of Compliance (OC)
- Office of Criminal, Enforcement, Forensics, and Training (OCEFT)
- Office of Federal Activities (OFA)
- Office of Planning, Policy Analysis, and Communications (OPPAC)
- Office of Regulatory Enforcement (ORE)
- Office of Site Remediation Enforcement (OSRE)

Overarching Goal: To effectively integrate environmental justice into all EPA strategic planning, program policies, and daily operational activities that results in a measurable benefit to the life of impacted communities

Objective 1. Risk Reduction / Public Health and Environment Protection — *to ensure equal implementation of environmental laws to achieve significant risk reduction which will improve the environment and/or public health of affected communities*

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*

Objective 3. Training — *to provide training for EPA managers and staff to enable them to incorporate environmental justice considerations into their decision-making process*

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

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*

Objective 6. Environmental Justice Assessment — *to conduct an assessment of the environmental justice indicators within affected communities as part of the decision-making process*

Objective 1. Risk Reduction / Public Health and Environment Protection — 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	Outputs	Outcomes	Estimated Resources	Lead Contact
FFEO: Use of EJ factors will be used in assessing targets for inspection at federal facilities	By the end of each fiscal year, identify with the Regions appropriate targets for inspection at federal facilities, using EJ as a factor	Preference for inspections will be given to facilities whose communities are more than 25% minority, more than 25% of families are low income, or more than 25% of families live below poverty line	TBD *	Joyce Olin
FFEO: Identify opportunities for EJ SEPs Report	By the end of each fiscal year, identify EJ SEPs in FFEO Annual Accomplishments	Increase the number of settlements that include EJ SEPs	TBD	Lance Elson and Gracie Garcia
OC and ORE: Selection of FY 05-07- national enforcement priorities which include EJ Concerns. Priorities include: <ul style="list-style-type: none"> • Wet Weather • Petroleum Refining • NSR/PSD • Air Toxics • Mineral Processing • Tribal 	By September 2004, select national priorities under Goal 5 of EPA’s Strategic Plan and develop performance-based strategies with significant EJ components to implement those priorities	Specific integration of EJ into national enforcement program priorities. By the end of FY 05, report from the actions in the strategies: <ul style="list-style-type: none"> • Pounds of pollution reduced • Complying actions • Increased understanding of regulations • Changes in behavior 	OC: 0.50 FTE ORE: 0 . 75 FTE ORE: \$5K	OC: Robert Tolpa ORE: <i>Wet Weather</i> - Mark Pollins <i>Pet Ref/NSR/Air Toxics</i> - Adam Kushner <i>Mineral Processing & Tribal</i> - Rosemarie Kelley

Objective 1. Risk Reduction / Public Health and Environment Protection — 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	Outputs	Outcomes	Estimated Resources	Lead Contact
OC: Border Compliance Assistance Center	Throughout FY04/05, continue to support and develop the Center. Explore expanding the center to include issues on the US/Canadian border.	Risk to EJ communities from hazardous waste is reduced along the Mexican and Canadian borders as evidenced by increased understanding of regulations, changes in behavior and actions taken to reduce pollution.	0.10 FTE	Tracy Back and Rochele Kadish
OCEFT: Develop methodology to identify facilities with significant environmental impact	By Mid FY 05, establish criteria for ranking these facilities	Distribution of Top 10 facilities to CID and field investigators for criminal enforcement planning	0.40 FTE	Ed Goodwin
OCEFT: Consult with OEJ to determine previously established environmental justice communities	By Mid FY05, include these communities as essential part of strategic enforcement planning process	Affected communities become high priority area for enhanced enforcement	0.40 FTE	Ed Goodwin
OCEFT: Conduct criminal investigations, identify violators of EJ cases	Prosecute offenders	Reduce threat, protect public health, safeguard natural environment	0.25 FTE (case-carrying agents)	Becky Barnes and Lewis McClam
OFA: Incorporate EJ principles in Environmental Impact Statements (EIS) and associated Mitigation Plans	By October 2004, identify EISs received through September 2004 needing mitigation commitments that address EJ concerns	Federal agency EIS mitigation commitments that incorporates EJ concerns and enhance participation in the EJ community	0.25 FTE	Arthur Totten
OPPAC: Develop methodology to review pending legislation for EJ concerns	By December 2004, a tool (e.g., checklist, sign-off process) is developed to ensure that active legislation (circulated by the Office of Congressional and Intergovernmental Relations (OCIR) or developed by OECA) is reviewed for EJ concerns	Ensure legislation addresses EJ concerns	0.10 FTE	Wendy Miller

Objective 1. Risk Reduction / Public Health and Environment Protection — 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	Outputs	Outcomes	Estimated Resources	Lead Contact
OPPAC: Develop methodology to ensure that new regulations identify and address EJ concerns	By December 2004, a tool (e.g., checklist, sign-off process) is developed to ensure that OECA workgroups members review new regulations for EJ concerns	Ensure that EJ concerns are identify and addressed in new regulations, in accordance with OECA Regulatory Development Template	0.10 FTE	Gerard Kraus
OPPAC: Develop methodology to ensure that new OECA policies are reviewed for EJ concerns	By December 2004, a tool (e.g., checklist, sign-off process) is developed to ensure that new OECA policies are reviewed for EJ concerns	Ensure that EJ concerns are identified and addressed in OECA policies	0.10 FTE	Milton Robinson
OPPAC: Develop methodology to ensure that State Memoranda of Agreement (MOA) are reviewed for EJ concerns	December 2004, a tool (e.g., checklist, sign-off process) is developed to ensure that State and Tribal MOAs are reviewed for EJ concerns	Ensure that EJ concerns are identify and addressed in State and Tribal MOAs	0.25 FTE	Art Horowitz
ORE: Incorporate EJ concerns into the TRI enforcement initiative	<ol style="list-style-type: none"> 1. Establish strategy to ensure integration of EJ concerns into the initiative targeting 2. Initiate investigations or compliance determinations at targeted facilities 	Improved TRI reporting for facilities in EJ communities	0.10 FTE FY 04: \$80,000 (total contract amount)	Ann Pontius (or Carl Eichenwald)
ORE: Incorporate EJ concerns into the TSA lead (Pb) enforcement initiative	<ol style="list-style-type: none"> 1. Establish strategy to ensure integration of EJ concerns into the initiative targeting 2. Initiate investigations or compliance determinations at targeted facilities 	Improved Pb compliance for facilities in EJ communities	0.20 FTE FY 05 <i>Projection:</i> \$50,000	Ann Pontius (or Stephanie Brown)
ORE: Create incentives and provide information to the public to encourage defendants to undertake SEPs that benefit EJ communities	By FY 05, develop a report that established the baseline of the number of cases identified as having EJ SEP potential	Increase the number of settlements that include EJ SEPs	0.20 FTE	Melissa Raack and Beth Cavalier

OSRE: Compile “Lessons Learned” from Regions for practice tips for working with and in EJ communities	During FY 05, develop fact sheets and other information tools sharing lessons learned	Shared use of successful approaches in EJ communities	0.25 FTE	Jocelyn Scott
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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	Outputs	Outcomes	Estimated Resources	Lead Contact
OC: Outreach to stakeholders on Priorities	By January 2004, obtain input from Program Offices, Regions, States, Tribes and NEJAC on national priorities through a variety of means.	The input of EJ communities is integrated into the national priority setting process. OECA works on problems of concern to EJ communities.	0.10 FTE	Robert Tolpa
OC: Enforcement and Compliance History Online (ECHO)	Continue to support and operate ECHO so compliance and enforcement information is available to EJ communities. Determine if additional enhancements can be made to increase usability by EJ communities.	Usefulness of the ECHO site is determined by number of hits and queries, and the amount of downloads.	0.10 FTE	Michael Barrette
OFA: Incorporation of EJ principles in Section 309 Reviews	Make publicly available written comments on environmental impacts associated with proposed actions by Federal agencies	EJ community involvement in the development of the EIS and the decision-making process	0.15 FTE	Arthur Totten
OPPAC: Solicit stakeholders' input into OECA programs and policies	By October 2004, develop a Strategic Plan for the NEJAC Enforcement Subcommittee activities for FY 2005	OECA's senior managers and staff will have readily available information on stakeholder enforcement and compliance concerns	0.25 FTE	Rey Rivera
OPPAC: Monitor integration of EJ	Conduct progress report quarterly meetings with the EJ contacts from each OECA office (EJ Coordinating Committee and EJ Action Council); and provide quarterly update to the OECA Deputy Assistant Administrator)	Improve accountability by having senior managers and staff will regularly assess and adjust activities according to their offices' EJ strategy	0.10 FTE 0.01 FTE	Rey Rivera EJAC Chair

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	Outputs	Outcomes	Estimated Resources	Lead Contact
OPPAC: Communicate highlights of EJ success stories in the enforcement and compliance program through the development of a stakeholders report	By September 2005, develop and publish a biannual report of EJ success stories report to be that covers FY 2003 and 2004.	Stakeholders have a common understanding of OECA goals and accomplishments	0.40 FTE Contractor Support \$15,000	Rey Rivera
OPPAC: Participate in implementing EPA-wide <i>Strategy for Determining the Role of EMSs in Regulatory Programs</i> (April 2004)	Participate in ongoing OPEI-led efforts to identify, review, fund, and implement experimental projects to represent and advocate EJ principals/interests	Experimental projects to implement the EMS Strategy, as appropriate, enhance environmental performance and public involvement consistent with EJ principles	0.05 FTE	Jon Silberman
OPPAC: Implement EPA's <i>Guidance for the Use of EMS in Settlements as Injunctive Relief and SEPs</i> (June 2003)	<ol style="list-style-type: none"> As Regions contact OPPAC under the <i>Guidance</i> to consult on EMS proposals, advocate opportunities to advance EJ principles (co-lead: ORE-SLPD) By October 04, develop mechanism to document and track assistance on this area to the Regions 	EMS settlement terms - particularly as SEPs - reflect consideration of EJ principles and, where appropriate, directly benefit EJ communities	0.025 FTE	Jon Silberman
OPPAC: Advance EJ principles and objectives in the deliberations and meetings of all external organizations (e.g., State associations, trade associations, and stakeholder groups)	<ol style="list-style-type: none"> By October 2004, identify and assess adequacy of existing EJ outreach strategy/ tools/ publications; determine need & schedule for new products By December 2004, develop initial brochure, addressed to organizations promoting or implementing EMSs, highlighting ways to promote EJ through EMSs 	External organizations (including those with EMSs) better understand, and are more sensitive and responsive to, the needs of EJ communities	0.25 FTE 0.10 FTE Contract support	Rey Rivera Jon Silberman

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	Outputs	Outcomes	Estimated Resources	Lead Contact
OPPAC: Request the Office of Policy, Economics, and Innovation (OPEI) to include as a criterion for funding in its Innovation Grants solicitation the inclusion of an environmental justice element in a proposed Environmental Results Program	By the fourth quarter of FY 04, draft and send a memorandum from OPPAC's Office Director to the appropriate manager in OPEI to make this request	If OPEI agrees to include this criterium, States will be encouraged to consider ERP that have an EJ component	0.025 FTE	Patricia Mott
OPPAC: Assist States with that have EJ concerns to address any special compliance assistance needs	By October 2004, develop a tool to assist those States with ERP projects that includes sector or geographic areas with EJ concerns to develop additional or targeted compliance assistance materials	Communities addressed by these ERPs received the necessary assistance to address special needs (e.g., translating workbooks into Korean for dry cleaners)	0.025 FTE	Patricia Mott
OPPAC: Encourage Performance Track Program (PT) Managers to incorporate EJ considerations into the program design and implementation	By March 2005, after a series of management-level discussions with OPEI PT managers, develop a specific ways to add EJ considerations to the Program such as entry requirements, screening, ways to encourage performance commitments that support EJ, public reporting/outreach	Determine specific ways on how to specifically incorporate EJ into PT	0.20 FTE	Caroline Makepeace
OPPAC: Advance EJ principles and objectives in deliberations and selection of innovation projects and proposals	By March 2005, develop written procedures for advocating policies and results that consider, respect, and advance EJ principles and objectives for individuals involved in the deliberations and selection of innovation projects and proposals	Consideration of EJ principles ensured through the use of written procedures in the formal and informal review of innovation projects and proposals	0.20 FTE	Ann Strickland and Caroline Makepeace

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	Outputs	Outcomes	Estimated Resources	Lead Contact
OPPAC: Advance EJ principles and objectives in the Criteria for Best Practices and Innovations submissions	Before the next selection cycle, include in the voting criteria procedures for selecting the best innovative practices and processes, the promotion of ideas that consider, respect, and advance EJ principles and objectives	EJ will be established as a critical element in consideration of of Best Practices and Innovations	0.10 FTE	Robin Lancaster
ORE: Target Enforcement Alerts to address EJ concerns	Alerts that discuss enforcement and compliance activities affecting EJ concerns	Improved understanding of environmental issues that affect EJ communities	0.15 FTE	Samantha Diesenhouse
OSRE: Develop “community forum” for external stakeholders (including in the EJ-related groups) on EPA enforcement process for CERCLA and RCRA corrective action	<ol style="list-style-type: none"> 1. By the end of FY 2005, develop and conduct one training pilot session with a maximum of 40 participants 2. In FY 2006 , distribute a revised training module for national use to EPA regional offices 	Increased awareness and understanding by external stakeholders of EPA enforcement process in cleanup programs – with emphasis on when community can have impact on outcomes	0.25 FTE	Jocelyn Scott

Objective 3. Training — to provide training for EPA managers and staff to enable them to incorporate environmental justice considerations into their decision-making process				
Activity	Outputs	Outcomes	Estimated Resources	Lead Contact
ORE: FIFRA training dealing with Worker Protection Standards (WPS)	Conduct FIFRA WPS training, resources allow	Increased understanding of WPS requirements and enforcement procedures	0.10 FTE	Ann Pontius
OC: Pesticide Inspector Residential Training (includes Worker Protection Standards)	By September 2004, conduct two training sessions for State and Tribal inspectors	Increased understanding and effectiveness of State and Tribal inspectors concerning EJ matters	0.20 FTE	Amar Singh
OC: EJ Training for Inspectors at Annual National Inspectors Workshop	By September 2004, conduct two training sessions for inspectors at the national workshop	Increased understanding by EPA inspectors on EJ matters	0.20 FTE	Iliana Tamacas
OC: Pesticide Regulatory Education Program, including WPS, tribal and trans-boundary issues	By September 2004, conduct four courses in FY 2004	Increased understanding of EJ issues and increased integration of EJ activities into state/tribal pesticide programs	0.20 FTE	Kate Perry
OC: Incorporate EJ principles in the Compliance Assistance Measurement Training	By September 2004, compliance assistance measurement training provided to all Regions which includes EJ issues	Increased understanding of outcomes in CA activities that relate to EJ	0.20 FTE	Rochele Kadish
OCEFT: Coordination of training with an EJ component with the National Organization of Black Law Enforcement Executives (NOBLE)	By Mid FY 05, conduct 3 training sessions and train approximately 75 participants	Better dissemination and understanding of EJ principles by NOBLE	TBD	Barbara Foreman
OCEFT: Assist the EJAC/EJCC in design and development of OECA-wide EJ training	FY04 - delivered pilot offering in February to managers	Managers learn to integrate EJ principles into daily decisions and responsibilities	0.10 FTE	Linda Flick

Objective 3. Training — to provide training for EPA managers and staff to enable them to incorporate environmental justice considerations into their decision-making process				
Activity	Outputs	Outcomes	Estimated Resources	Lead Contact
OCEFT: Provide environmental law and criminal law trainers and support curriculum development	Assistance/participation provided upon request/as resources are available	OCEFT/OECA employees learn to integrate EJ principles into daily decisions and responsibilities	0.10 FTE	Tom Seaton
OCEFT: Develop on-line version of EJ training	On-line training available early FY05	All EPA employees and our state, tribal and local partners receive training in principles of EJ	0.25 FTE	Linda Flick
OPPAC: Coordinate with the Office of Environmental Justice to provide Environmental Justice training for OECA managers and staff	In conjunction with OEJ, coordinate training for all the OECA offices and offer one or two short EJ seminars in FY 2005	OECA staff learn to integrate environmental justice considerations into daily responsibilities and implement that knowledge	0.40 FTE	Rey Rivera
OPPAC: Participate in Agency workgroups to address EJ issues in Indian country	Continue to convene OECA tribal workgroup, participate on Tribal; Compliance National Priority Team, and the Indian Program Policy Council Steering Committee	OPPAC's expertise will be used to inform AA's decision-making on environmental justice issues affecting tribes.	0.30 FTE	Beverly Updike
OSRE: Deliver EJ Awareness Open House	Deliver formal announcement of OSRE EJ educational activities for the fiscal years of FY 2004 and FY 2005 <i>(Completed in March 2004)</i>	OSRE staff informed of future opportunities to learn about EJ	0.01 FTE	Janá Tatum
OSRE: Conduct EJ Brown Bag Series	One session in FY 2004 and two sessions in FY 2005 where EJ Community Leaders present community perspective	Increase integration of EJ into OSRE activities and provide specialized and work-specific EJ training to OSRE staff	0.01 FTE	Janá Tatum
OSRE: Conduct RCRA/SF site visit in EJ community	By October 2004, conduct one RCRA/SF site tour in EJ community	Increase understanding of complex EJ issues and increase integration of EJ into OSRE work	0.01 FTE	Janá Tatum and Matt Sander

Objective 3. Training — *to provide training for EPA managers and staff to enable them to incorporate environmental justice considerations into their decision-making process*

Activity	Outputs	Outcomes	Estimated Resources	Lead Contact
<p>OSRE: Workshop on Case Study of RCRA/SF site with EJ concerns</p>	<p>By May 2005, conduct a half day- to one-day workshop from Regional case team</p>	<p>Increase understanding of complex EJ issues and integration of EJ into OSRE work</p> <p>Identify ideas for new tools that OSRE can create to assist staff</p>	<p>0.10 FTE</p>	<p>Janá Tatum</p>
<p>OSRE: Develop EJ training specific to remediation and enforcement issues for HQ staff</p>	<ol style="list-style-type: none"> By December 2005, develop EJ training materials specific to remediation enforcement issues (completed June 2004) By October 2004, conduct three sessions with 100% participation of OSRE staff 	<p>Increased awareness of EJ in OSRE and integration of EJ into everyday work</p>	<p>0.025 FTE</p>	<p>Jocelyn Scott</p>

Objective 4. Federal, State, Local, and Tribal Government Coordination — to ensure effective coordination across all levels of government to address the environmental and/or public health concerns of affected communities				
Activities	Outputs	Outcomes	Estimated Resources	Lead Contact
FFEO: Participate in OECA tribal efforts to assure coordination in tribal lands affected by federal facilities	Enforcement and Compliance concerns are taken into consideration in meetings/calls attended	Lines of communication will improve with respect to federal facility enforcement and compliance assistance to federal facilities that impact tribal lands	TBD	Melanie Garvey
OC: EPA Authorization of Tribal Inspectors	By September 2004, issue national guidance on the criteria for authorizing State/Tribal inspectors to conduct inspections on behalf of EPA	Increase Tribal capacity for compliance and enforcement. Outcomes reported as: <ul style="list-style-type: none"> • Pounds of pollution reduced • Complying Actions • Increased understanding 	0.5 0 FTE	Phyllis Flaherty
OPPAC: Participate in Federal Interagency Working Group on Environmental Justice (IWG)'s meeting as OECA representative	Enforcement and Compliance concerns are taken into consideration in meetings/calls attended	Lines of communication, coordination and collaboration are enhanced among HQ Offices and other Federal agencies	0.10 FTE	Rey Rivera
ORE: Incorporate Tribal-related concerns into core program compliance and enforcement activities	<p>a. Assist Tribes on issues related to Tribal authorization to administer and enforce 1) NPDES program; 2) Tribal policy and enforcement actions; 3) drinking water system compliance in Indian Country</p> <p>b. Identify opportunities to support Regional cases which target enforcement problems in Indian Country.</p>	<p>a. Increase Tribal capacity for compliance and enforcement</p> <p>b. Improve health and environmental conditions in Indian country</p>	1.00 FTE	Mary Andrews and Andrew Stewart

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

Activities	Outputs	Outcomes	Estimated Resources	Lead Contact
<p>OSRE: Initiate working group with OSWER to better coordinate among the two offices on EJ concerns</p>	<ol style="list-style-type: none"> 1. By October 2004, develop a list of members 2. Conduct at least six regular meetings per year 	<p>Continuity of services and information will increase because of better coordination between program office and enforcement office</p>	<p>0.025 FTE</p>	<p>Janá Tatum</p>

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	Outputs	Outcomes	Estimated Resources	Lead Contact
OC: Financial resources to Tribes to build capacity in Indian Country	<p>Provide \$900,000 for Tribal municipal solid waste compliance and enforcement</p> <p>Provide \$600,000 for multi-media enforcement in Indian Country in FY 2004 and FY 2005, readjust allocation of 1.5 million in accordance with goals of Tribal priority and Strategy</p>	<p>Increased Tribal enforcement and compliance assurance capacity</p> <p>Pounds off pollution reduced Increased understanding of regulations Complying actions</p>	0.20 FTE	Jonathan Binder
OC: Training of Tribal Inspectors	OC supports a cooperative agreement with Northern Arizona University to train Tribal inspectors. In FY2004, Region 9 will assume management of the cooperative agreement	Increased understanding of regulations by Tribal inspectors	0.10 FTE	Jonathan Binder

Objective 6. Environmental Justice Assessment — *to conduct an assessment of the environmental justice indicators within affected communities as part of the decision-making process*

Activity	Outputs	Outcomes	Estimated Resources	Lead Contact
<p>OC: As a part of Smart Enforcement, use data to target problems and ensure the strategic use of resources and tools to take actions in EJ communities</p>	<p>Sponsor regional pilot tests of the <i>Framework for Problem-Based Approaches to Integrated Strategies</i> which includes targeting problems in EJ communities, using assistance, incentives, inspections, civil/criminal enforcement and innovative approaches to bring about compliance and involving the public</p>	<p>Pounds of pollution reduced</p> <p>Complying actions</p> <p>Increased understanding</p> <p>Changes in behavior</p>	0.30 FTE	Jim Edward
<p>OC: On-line Tools for EJ Analysis</p>	<p>Use OTIS to target action to address problems in EJ communities. Enhance our targeting ability through the use of mapping tools that allow detailed analysis of EJ factors</p>	<p>Increase effectiveness of actions in EJ communities in addressing specific problems</p>	0.20 FTE	Mike Barrette
<p>OC: Additional EJ Analyses and Tools</p>	<p>Collaborate on additional tools for EJ analysis including:</p> <ul style="list-style-type: none"> • analysis of inspections in EJ areas • software upgrades to better integrate compliance and enforcement, spatial and relative risk data 	<p>Increase effectiveness of actions in EJ communities in addressing specific problems</p>	0.20 FTE	Mike Barrette
<p>OPPAC: Work with the EJCC to define ways in which environmental justice assessments can be effectively conducted for enforcement and compliance targeting and other activities</p>	<p>By September 2005, Implementation strategy on how to effectively conduct environmental justice assessments and targeting of enforcement and compliance activities</p>	<p>More effective use of environmental justice assessment information and tools to address concerns in environmental justice areas is accomplished</p>	0.025 FTE	Rey Rivera
<p>ORE: Participate in EJCC activities</p>	<p>Ongoing participation of ORE in EJCC</p>	<p>Keep ORE update in EJ issues</p>	0.01 FTE	Melissa Marshall

Objective 6. Environmental Justice Assessment — *to conduct an assessment of the environmental justice indicators within affected communities as part of the decision-making process*

Activity	Outputs	Outcomes	Estimated Resources	Lead Contact
<p>OSRE: Evaluate how EJ issues are factored into prioritizing cleanup enforcement cases</p>	<p>Options for incorporating EJ factors into prioritization</p>	<p>TBD</p>	<p>0.25 FTE</p>	<p>Arati Tripathi</p>
<p>OSRE: Develop protocol for EJ considerations for document preparation or case analysis</p>	<p>By December 2005, develop a checklist that includes EJ concerns to be considered by OSRE staff and managers when preparing or reviewing case analyses</p>	<p>Framework of EJ incorporated into OSRE daily work</p>	<p>0.01 FTE</p>	<p>Janá Tatum</p>

* TBD = To be determined by the last quarter of FY 2004