

OECA ENVIRONMENTAL JUSTICE PROGRESS REPORT FY 2003

GOAL #1: Incorporate EJ concerns into selection of national enforcement and compliance assurance priorities, targeting strategies, and OECA's accountability process

Strategies	Activities	Duration/ Due Date	Performance Measures	Resources (FTE/\$)	Status
OC: Improve planning, priority setting, targeting, and performance measure practices	a. Establish Planning Review Team (PRT) b. Develop recommendations c. Implementation of PRT's recommendations	a. Sept 02 b. Jan 03 c. Feb 03	a. PRT established b. Report issued c. Implementation Team established	TBD FTE	a. Completed. b. Completed. c. DAA establish OECA Planning Council as the first step to implement PRT's recommendations. Council to develop recommendations for OECA's commitments under EPA's Strategic Plan.
OCEFT: Conduct criminal investigations, identify violators	Prosecute offenders identified as committing criminal offenses	FY 2003	Number of cases initiated, defendants charged, and fines imposed	0.25 FTE (case-carrying agents)	In FY '03: <ul style="list-style-type: none"> • 97 EJ cases initiated; • 80 defendants charged within EJ cases; • \$8,849,373 in fines imposed; • 318 months incarceration imposed

Strategies	Activities	Duration/ Due Date	Performance Measures	Resources (FTE/\$)	Status
OC/ORE: Selection of national enforcement priorities and initiatives which include EJ concerns	Analysis of enforcement and compliance assistance opportunities in areas which present national health and environmental problems as well as EJ concerns	Ongoing	Specific integration of EJ into national enforcement program priorities and initiatives	0.25 FTE	Selection of priorities and initiatives to be completed in FY '04
ORE: Emphasize achieving EJ-related SEPs in enforcement settlements	<p>a. Preparation of Memorandum for OECA AA's signature providing Regions SEP ideas, including projects that would benefit EJ communities</p> <p>b. Emphasize EJ SEPs</p>	<p>a. Memo completed</p> <p>b. Ongoing</p>	<p>a. Memo prepared</p> <p>b. EJ SEPs achieved</p>	<p>a. 0.10 FTE</p> <p>b. 0.25 FTE</p>	<p>a. Memorandum signed by J.P. Suarez on 1/5/04: "Recommended Ideas for Supplemental Environmental Projects"</p> <p>b. 14 EJ SEPs achieved in FY '03</p>
ORE/OPPAC: Create OECA EJ Policy	Draft Policy	Completed	Policy issued	0.01 FTE	<p>Policy issued by OECA DAA on 1/12/04</p> <p>TPED =</p> <p>(1) Nationwide, FY '03: 11 settlements including abatement</p> <p>(2) FY '04: Memo by TPED Division Director (1/22/04) "<i>Treatment of Lead-Based Paint Abatement Work as [SEP] in Administrative Settlements</i>"</p>

Strategies	Activities	Duration/ Due Date	Performance Measures	Resources (FTE/\$)	Status
ORE: EJ-focused enforcement initiative	Federal interagency initiative to investigate and promote compliance with the Lead Paint Disclosure Rule, under TSCA	Ongoing	Administrative penalty orders and consent decrees predominantly achieved in EJ areas	0.10 FTE	Continuing. In FY '03, total penalties of \$395,264 achieved, and 2,982 units certified LBP-free. Data being examined to identified EJ communities
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>	Ongoing	Assistance provided to Tribes and Regions as needed	0.20 FTE	Continuing. Part of core WED and RED programs

GOAL #2: Use integrated strategies to enhance the environment and public health in EJ communities

Strategies	Activities	Duration/ Due Date	Performance Measures	Resources (FTE/\$)	Status
<p>OC: Address national and regional environmental problems using integrated strategies</p>	<p>a. AA issues directive on integrated approach</p>	<p>a. 1st Q FY '03</p>	<p>a. Directive issued (with specific EJ component)</p>	<p>TBD FTE</p>	<p>a. Completed. "Framework for Problem-Based Approach to Integrated Strategies" issued in November 2002.</p>
	<p>b. Integrated strategies concept to be piloted in EPA Regions</p>	<p>b. FY 2003</p>	<p>b. Pilots conducted</p>	<p>TBD FTE</p>	<p>b. Framework was piloted in 8 Regions. One pilot specifically focused on encouraging environmental compliance at automobile salvage companies doing business in an EJ community. Next step is to evaluate if EJ issues were considered in pilots.</p>
<p>OC: Review of Worker Protection Enforcement and Compliance Program</p>	<p>Develop EPA's worker enforcement and compliance program</p>	<p>Ongoing</p>	<p>Program developed</p>	<p>TBD FTE</p>	<p>Drafted EPA's program is under final review.</p> <p>Guidance provided to Regional pesticide offices on how to report Worker Protection Standards compliance monitoring and enforcement activities. Revision of reporting requirements to be finalized in FY '04.</p>

Strategies	Activities	Duration/ Due Date	Performance Measures	Resources (FTE/\$)	Status
OFA: Incorporation of EJ principles in Section 309 Reviews	Make publicly available written comments on environmental impacts associated with proposed actions by Federal agencies	Ongoing	Number of reviewed documents with EJ concerns	1.00 FTE	In FY03, from the 437 draft and final Environmental Impact Statements that were reviewed, 36 had environmental concerns regarding EJ which were considered and notified to the communities.

GOAL #3: Enhance data gathering and analysis of EJ activities and evaluate and improve data to enhance public access to information

Strategies	Activities	Duration/ Due Date	Performance Measures	Resources (FTE/\$)	Status
<p>OC: Offer to the public the ability to ascertain inspection, violation, and enforcement histories of all facilities under Federal environmental law</p>	<p>a. Development of on-line data systems that includes compliance information</p> <p>b. Study reach and useability of the tools developed</p>	<p>a. Ongoing</p> <p>b. End of FY '04</p>	<p>a. Number of on-line data system tools developed</p> <p>b. Reach and useability of the tools developed</p>	<p>TBD FTE</p>	<p>a. As series of on-line tools completed, such as: – ECHO (Compliance History Online) – GIS Assessment Tool – Watch List Program</p> <p>b. Ongoing</p>

GOAL #4: Enhance outreach to and collaboration with EJ communities and other external groups

Strategies	Activities	Duration/ Due Date	Performance Measures	Resources (FTE/\$)	Status
<p>OPPAC; Work with the NEJAC Enforcement Subcommittee to ensure its advice on EJ integration in the enforcement and compliance program</p>	<p>a. Conduct regular conference calls with the Enforcement Subcommittee request input</p> <p>b. Discuss with the Enforcement Subcommittee the provided recommendations</p>	<p>a. Monthly</p> <p>b. On as needed basis</p>	<p>a. Number of requests for input</p> <p>b. Number of EPA timely responses to Subcommittee recommendations</p>	<p>TBD FTE</p>	<p>a. Enforcement Subcommittee provided input on OECA draft priorities</p> <p>b. Subcommittee commented on OECA priorities for FY 2005-2007</p>
<p>OCEFT: Overall outreach program on environmental crime</p>	<p>Engaged the National Organization of Black Law Enforcement Executives (NOBLE) in a training and public awareness partnerships</p>	<p>b. By the end of the FY</p>	<p>Training developed to assist combat environmental crimes in EJ areas</p>	<p>TBD FTE</p>	<p>Completed.</p>
<p>ORE: Assist EJ communities to participate in SEP development</p>	<p>a. Draft interim guidance for OECA AA's signature</p> <p>b. Ongoing coordination and outreach to implement guidance</p>	<p>a. Completed</p> <p>b. Ongoing</p>	<p>a. Guidance drafted</p> <p>b. As needed</p>	<p>a. 0.30 FTE</p> <p>b. 0.04 FTE</p>	<p>Interim Guidance for Community Involvement in Supplemental Environmental Projects issued on 6/17/03</p>
<p>ORE: Increase awareness of Worker Protection Standards</p>	<p>Provide Worker Protection Standards (WPS) Training for State and Tribal inspectors</p>	<p>Ongoing when resources allow</p>	<p>Number of training sessions offered and people trained</p>	<p>0.10 FTE</p>	<p>One training session given in Summer 2003</p>

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