



**Region 5
Environmental Justice
Action Plan For Fiscal Years
2003 And 2004**

**October 2002
77 W. Jackson Blvd.
Chicago, IL 60604**

Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin

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Executive Summary

Region 5 is comprised of the six states of Illinois, Indiana, Michigan, Minnesota, Ohio and Wisconsin and is home to diverse and numerous urban, industrial, and rural areas. The demographic makeup of the Region includes representatives from all races and ethnic groups, including 35 federally recognized Tribes, and a broad spectrum of income levels. Because of the diversity of the region, it is extremely important that we work to ensure environmental justice for all populations. Regardless of race, color, national origin or income, it is vital that all people have an opportunity to live, work and play in a clean, safe and healthy environment.

Region 5 is committed to promoting and supporting equitable environmental protection for all people and recognizes its role in ensuring increased involvement from and attention to low-income and minority communities. We realize that many of these communities do not have adequate access to the resources and information needed to get their concerns addressed. Therefore, it is only through increased involvement and attention that we can ensure that the needs and considerations of these communities are addressed and that they do not suffer a disproportionate environmental or human health impact from environmental pollution.

EPA has defined EJ as “*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 racial, ethnic, or 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.*”

Since 1994, we have worked to achieve environmental justice within our Region. During this time, we have made significant progress by making much needed changes in the way we do business, both internally and externally. We have developed tools and resources to assist us in identifying and addressing environmental justice cases, formed collaborative partnerships with environmental justice stakeholders, enhanced our public outreach and education efforts, provided more opportunities for communities to participate in the decision-making process, proactively targeted our resources and cleanup efforts, and become more sensitive to the needs and concerns of the communities we serve. With all that we have accomplished, however, we realize there is still more work to be done. To this end, we have developed this action plan which describes activities we intend to undertake in order to achieve our Regional environmental justice mission which is “To Eliminate Environmental Injustice in Region 5.”

Region 5 is committed to continuing its support of environmental justice. It remains one of our

top priorities and this action plan reflects our continued commitment. This document has the full support of Regional management and staff and we are committed to allocating the resources necessary to ensure its successful implementation. We are pleased to present this document as our commitment to work to ensure a better quality of life and a safer and healthier living environment for all the citizens of Region 5.

Environmental Justice Narrative

I. INTRODUCTION

Region 5 is committed to supporting environmental justice and ensuring equitable environmental protection for all the citizens of Region 5. This Action Plan describes our goals, strategies, activities, and performance measures that will further the integration of environmental justice into our policies and programs. This plan will focus on three goal areas:

Goal #1: Enhance Awareness and Understanding of Environmental Justice Amongst all Stakeholders.

Goal #2: Increase Access to and Exchange of Environmental Information throughout the Region.

Goal #3: Expand Integration of Environmental Justice into Regional Policies and Programs.

Region 5 has developed many EJ Action Plans over the last ten years. Like those, this plan includes a number of activities that address major EJ concerns relative to the integration of EJ into our policies and programs. For example, we will be looking at how to incorporate EJ into permitting and corrective action decisions, integrating EJ into the air enforcement process for criteria, MACT and toxic air pollutants; developing a process to identify stakeholder needs in the Superfund Program; identifying and addressing sources of fish contamination; forming collaborative partnerships with States, Tribes, Communities and other stakeholders; and incorporating EJ into the Great Lakes funding guidance. We will also have more multi-media outreach and education efforts, including providing EJ training to stakeholders throughout the Region.

We believe this plan exemplifies Region 5 commitment to achieving environmental justice and will move us toward our mission of eliminating environmental injustice in Region 5.

II. MANAGEMENT ACCOUNTABILITY

A. Organizational Infrastructure and Management Support

As indicated in our 1993 Region 5 environmental justice policy statement (Attachment A), *“Region 5 is committed to promoting and supporting equitable environmental protection regardless of race, ethnicity, economic status, or community.”* At that time, we saw the importance of considering questions of justice in all our activities, including education and outreach, regulatory activities, data management, enforcement, grants and communications. Today, we continue to see the importance of considering questions of justice in these areas and the activities outlined in this action plan support that view. Both our Regional policy and the Administrator’s August 2001 memo in support of environmental justice is the foundation upon which we have built our current environmental justice program and efforts to eliminate environmental injustice. Since, 1993, we’ve learned many lessons which have led us to truly appreciate the importance of forging collaborative partnerships with all stakeholders, understanding the benefits of getting communities involved as early as possible and “thinking outside the box” when developing solutions. Our current EJ program reflects our experience and lessons learned in these areas and the activities we’ve planned are representative of our overall growth and maturity. We also intend to revisit our 1993 EJ Policy and update it to reflect the evolution of our EJ program over the last ten years.

Region 5's EJ program is housed within the Office of Regional Counsel (ORC) and reports to the Acting Regional Counsel (Figure 1). We believe this location provides a great opportunity for EJ integration within all program areas because ORC has a relationship with all our Regional programs and because of the sometimes complex legal nature of environmental justice. Currently, the Acting Regional Counsel also serves as a Deputy Regional Administrator (DRA). This gives the added benefit of having a DRA as the primary senior management leader for EJ.

Daily management of the Region’s EJ program, including oversight of the Region’s environmental justice policy and action plan implementation is provided by the EJ Regional Team Manager (EJ RTM) with support from the DRA. We also have a multi-media Environmental Justice Regional Team (EJRT) which is comprised of representatives from each of the Divisions and Offices. This team provides oversight for program-specific EJ activities and is also involved in the conduct of many region-wide EJ activities. Both the EJ RTM and the members of the EJRT team provide a vital multi-media perspective to environmental justice.

Although we have had regional EJ Action Plans in the past, this is the first time that all Region 5 Division and Office Directors have formally signed memos of support for the plan. We believe this is a key step in its successful implementation. Throughout the year, both quarterly and on an annual basis, written progress reports will be prepared and made available to all senior managers, including the Regional Administrator (RA) and both DRAs. The annual report will also be submitted to the Office of Environmental Justice (OEJ) for their consideration and made available to other Regions and the public.

Consideration will also be given to including the annual report on our Region 5 EJ website.

B. Operational Resources / Program Support

As stated above, day-to-day implementation of the Region's EJ program is managed by the EJ RTM with senior management support from the DRA. In this full-time position, the EJ RTM serves as the regional spokesperson for environmental justice and liaison between the Region and Hqs, other Regions, other federal agencies, states and local governments, communities, non-profit organizations and other EJ stakeholders. The EJ RTM is also the manager of the EJRT and serves as chair to small EJ project-based teams (which is discussed below in greater detail).

A vital component of the Region's EJ program is the EJRT which is comprised of representatives from each Division and Office. Team members serve in these positions as collateral duties. Each team member serves as the link/liaison into their program and, taken together, bring a wealth information and points of view to our environmental justice program. The structure of our EJ program ensures the incorporation of environmental justice into all program areas. In some instances, programs have duplicated this team structure by forming their own program-specific environmental justice teams which include representatives from their individual branches and sections. We believe that our Regional structure facilitates a consistent approach to EJ and the development of collaborative partnerships between programs to address EJ issues and concerns.

New to our EJ Program will be the formation of small EJ project-based teams. This will provide an opportunity for more staff members to get involved in EJ. For example, in the past, the majority of Regional EJ policy development, training and outreach efforts were performed by the EJ RTM and EJRT. With our new structure, individuals outside of the team will also have the opportunity to be involved in these activities. We believe this will serve to raise awareness of EJ among more members of staff, allow more staff members to have practical EJ experience and allow the Region to match staff with specific expertise to projects that need them.

In addition to these projects, we have a number of other staff members that work on EJ-related projects. For instance, our Indian Environmental Office works exclusively with the 35 tribes in Region 5. We also have an Urban Initiatives Program that focuses on various geographic areas in Region 5, many of which have low-income and minority populations that are exposed to multiple sources of pollution. Many of our other initiatives/teams focus on issues predominant in low-income and minority communities. For example, our Children's Health Team focuses significant efforts toward addressing blood-lead levels in kids and childhood asthma.

The EJ RTM and EJRT represent approximately 3.5 FTE (full-time equivalent) hours.

However, the true amount of FTE (staff-time) dedicated to EJ at any given time is far greater. For example, our Indian Environmental Office, Urban Initiatives Program, Children's Health Team and other groups/projects regularly work in low-income or minority communities. Nonetheless, Region 5 believes that if we are truly successful in the implementation of our EJ program, EJ will one day be so intricately woven into the fabric of our day-to-day business that discussions of FTE will be unnecessary.

Funding for our EJ program comes from several sources. For program-specific environmental justice activities, funding is provided by the individual programs. For example, the air program may utilize its funds to set up monitoring programs or conduct targeted inspections in EJ communities. For larger, Region-wide efforts, we have utilized and will continue to utilize Regional Geographic Initiative (RGI) funds for support [RGI is a national EPA program that funds unique geographically based projects that fill critical gaps in the Agency's ability to protect human health and the environment]. Examples of this include the environmental justice forums (similar to listening sessions) we have held in various cities and the environmental justice training (both a "Fundamentals of EJ Workshop" and "Train-the-Trainer Course") we have hosted. Our Children's Health Team and Urban Initiatives Program also received funding for many of its projects in low-income and minority communities through this program. We will continue to take this approach to funding our environmental justice activities in the future.

C. GPRA Alignment (Link to Mission and Priorities)

EPA has recently developed a new strategic plan based on a four goal structure. Region 5 is currently in the process of identifying its commitments under this new structure. As part of this process, Region 5 has included the goals and objectives of this action plan into Goal 4 of the strategic plan (EJ falls under Goal 4 of the Agency strategic plan). We believe this further solidifies our commitment to and support of this action plan.

Region 5 is committed to incorporating EJ strategies into programmatic functions. In addition to our support and participation in national EJ workgroups (e.g., EJ GIS workgroup, EJ & Permitting Workgroup, Title VI Taskforce, EJ & Enforcement workgroup), we also intend to develop tools to facilitate the further incorporation of EJ into our day-to-day activities. For example, we intend to revise our 1998 "*EJ Guidelines for Identifying and Addressing Potential Environmental Justice Cases*". They are a tool for staff to use when assessing a case for EJ characteristics and will be discussed in greater detail in Section VII of this plan.

Region 5 also intends to continue its practice of working with States to include EJ language/activities into the EPA/State Environmental Performance Partnership Agreements (EnPPAs). Currently, four of our six states have EnPPAs (Illinois, Indiana, Minnesota and Wisconsin). Illinois, Indiana, and Minnesota currently include EJ language in their EnPPAs.

III. INTERNAL ORGANIZATIONAL ENGAGEMENT

As indicated in Section II, the EJ RTM and EJRT are the primary mechanisms through which EJ is implemented and EJ information is exchanged in Region 5. The EJ RTM serves as the manager of the EJ program and the EJRT and provides direction to and oversight of the Region's EJ policy. In addition, the EJ RTM serves as the lead regional contact and spokesperson on EJ issues and coordinator of EJ activities. The EJ RTM also provides oversight and consultation on EJ issues to Regional staff and management, and serves as the primary EJ liaison to other Regions, Federal Agencies, States, Tribes and other stakeholders.

The EJRT serves as the primary mechanism through which multi-media and program-specific EJ work is done. Membership of the EJRT is comprised of one or more representatives from the Air and Radiation Division; Resource Management Division; Office of Public Affairs; Office of Regional Counsel; Office of Strategic Environmental Analysis; Superfund Division; Waste, Pesticides and Toxics Division; and Water Division. The Great Lakes National Program Office and Indian Environmental Office, while they have no standing membership on the team, provide support as necessary. The members of the EJRT are the primary EJ contacts and consultants within their respective program and some serve as leaders of program-specific EJ teams/workgroups. The EJRT and EJ RTM meet quarterly to discuss program progress in implementing the EJ Action Plan, discuss Regional and National EJ news, and discuss ways in which our EJ program can be modified or enhanced.

Finally, we will regularly share our environmental justice activities and successes via activity reports and end of year reporting. We will enhance our efforts to "get the word out" by hosting regular environmental justice brownbag sessions where staff can come and hear about the latest environmental justice policies and successes. Again, our ultimate goal is to create a business environment where staff is well informed about environmental justice issues and where environmental justice it is woven into the fabric of our policies and programs.

IV. EXTERNAL STAKEHOLDER OUTREACH AND PARTNERSHIPS

Externally, Region 5 has worked to develop partnerships with all environmental justice stakeholders. The Region has worked to encourage States and Tribes to address EJ concerns by notifying them of EJ complaints and partnering with them on environmental justice projects. In addition, we have had dialogues with States and Tribes on key EJ related issues (e.g. Title VI) and included EJ language in the EPA/State EnPPAs. The Region realizes the important role States and Tribes play in achieving environmental justice and we will continue to collaborate with them to address issues and concerns facing low-income and minority communities. For example, we have already begun discussions with the Illinois EPA and the Indiana Department of Environmental

Management on ways to collaborate on EJ efforts. The Michigan Department of Environmental Quality and Wisconsin Department of Natural Resources have also expressed interest in working with Region 5 on EJ efforts. Many activities in this Action Plan require coordination with and input from our States and Tribes and we will make every effort to ensure they are included early in the development process. We believe that this is tantamount to the success of EJ in Region 5.

Our work with EJ communities is extensive. For example, since 1995 we have had five place-based teams focused in geographic areas (Greater Chicagoland, Northwest Indiana, Southeast Michigan, East St. Louis, and Northeast Ohio) with high low-income and minority populations. The work done by and through these teams to foster EJ has been significant and was one mechanism by which states and local governments, community groups, non-profit organizations, academia, business, industry and other federal agencies collaborated to address local environmental and human health issues. As of January 2003, these place-based teams will be combined to form the Urban Initiatives Program. This new program will conduct the same type of work as before but will be expanded to include additional geographic areas. We believe this will enhance our ability to direct efforts to additional communities that require our assistance.

The Region is dedicated to sharing information with and receiving input from external groups. To this end, we have hosted EJ forums and information sessions in various cities throughout the Region on issues that affect low-income and minority communities. In addition, we have a dedicated Regional environmental justice website and a number of program-related environmental justice websites. We also have improved our communications with communities by translating printed outreach materials into English and other languages, whenever necessary.

Experience has shown that outreach to and partnerships with communities is extremely important to the success of environmental justice. We will build on this experience by implementing the many activities described in this plan including hosting EJ listening sessions, continuing our “Tools for Schools” program, ensuring communities are aware of funding opportunities, providing a web-based citizens complaint form for air-related events, and developing a protocol for receiving EJ complaints, just to name a few.

V. DATA COLLECTION, MANAGEMENT & EVALUATION

Currently, Region 5 is updating its GIS data to reflect the 2000 census results. In concert with this, we will update our Region 5 guidelines for identifying and addressing a potential environmental justice case to reflect this new census information, as well as feedback and lesson learned by our staff.

We are also planning to make available to our programs, maps providing demographic information based upon our EJ guidelines. This will provide a tool for our programs to

use to conduct a quick preliminary identification of potential environmental justice areas, identify areas for targeted activities, etc.

Finally, we are planning to develop a tracking system for environmental justice cases/complaints in the Region. This will give us the ability to catalogue our environmental justice efforts/activities, monitor their progress, and evaluate our effectiveness.

VI. PROFESSIONAL & ORGANIZATIONAL DEVELOPMENT

Since 1995, we have provided various types of EJ training to Region 5 management and staff. Topics have ranged from EJ sensitivity training (which provided the most basic EJ information), to brownbag sessions where external EJ stakeholders were invited to discuss their project, to more advanced training on how to identify and address potential EJ cases. At the end of FY 2002, the Region 5 EJ Training Collaborative (EJTC) hosted a “Fundamentals of Environmental Justice Workshop” and an EJ “Train-the-trainer” Workshop. Both sessions were widely attended by EPA staff from Region 5 and outside the Region as well as State and local government personnel and community members.

Region 5 believes it is very important to provide EJ-related training to EJ stakeholders and will continue with our training efforts. Over the next two years, the Region 5 Environmental Justice Training Collaborative will focus its energy on providing additional EJ training to Region 5 staff and management as well as external stakeholders. Our first workshop for FY2003 is scheduled for April in Region 5's Chicago office. Additional workshops will be held throughout the Region, including State environmental agencies. In addition we will continue to host brownbag sessions for the purpose of discussing various EJ-related topics, share information, and receive feedback from staff and other stakeholders. Region 5 is also planning to provide training for staff and management on the findings of the Environmental Law Institute and National Association of Public Administrators' EJ studies.

VII. ENVIRONMENTAL JUSTICE ASSESSMENT

The Region has worked diligently to ensure that consideration of environmental justice is part our regular way of doing business. One way of achieving this has been to provide training on environmental justice to staff and management. Another way has been to provide a tool for staff to use when trying to determine if they are working in low-income or minority area and what to do if they are. To this end, in 1998 we developed our “*Guidelines for Identifying and Addressing a Potential Environmental Justice Case*” (See website at: <http://www.epa.gov/envjustice/Guidelines>) which facilitate a consistent, region-wide approach to assessing and handling environmental justice issues and concerns.

Our EJ guidelines include the following components: an EJ Assessment-Process Flowchart; a “Frequently Asked Questions” list; a GIS Request Form; an EJ & Enforcement Protocol; an EJ and Permitting Protocol; and an EJ & Community Involvement Protocol. Through the use of these guidelines, a staff member interested in a particular geographic area, facility or community can complete the GIS Request Form to receive demographic information and compare this data to our Regionally established thresholds for minority and low-income communities (based upon State percentages and national poverty levels, respectively). If the thresholds are exceeded, the case can be considered a potential EJ case, and staff can then use the protocols to get ideas on how to proceed in enforcement, permitting and community involvement matters.

Having used these guidelines in the Region since 1998, we have learned that a simple, easy assessment process is more likely to be utilized by staff. They also want more specific information on how to proceed if they have are working on a potential EJ case. As such, it is our intention to modify our guidelines to meet the needs identified by our staff, including feedback from our external stakeholders, and provide extensive training on how to use them.

VIII. PROGRAM EVALUATION

Regular evaluation of our EJ program is key to understanding our progress and successes, and identifying where enhancements and changes are needed. As such, the Region’s environmental justice efforts will be evaluated annually on two levels. On the first level, each program will evaluate it’s success in addressing its EJ activities based on self-identified measures. On the second level, the EJ RTM and DRA will evaluate the Region’s overall efforts based upon measures which will be developed through OEJ and Agency strategic planning process.

In order to keep abreast of short-term accomplishments, quarterly progress reports will be developed and provided to Regional management. Annual accomplishments will be captured in an annual progress report that will be provided to Regional management, the Office of Environmental Justice, States, Tribes, and other interested stakeholders.

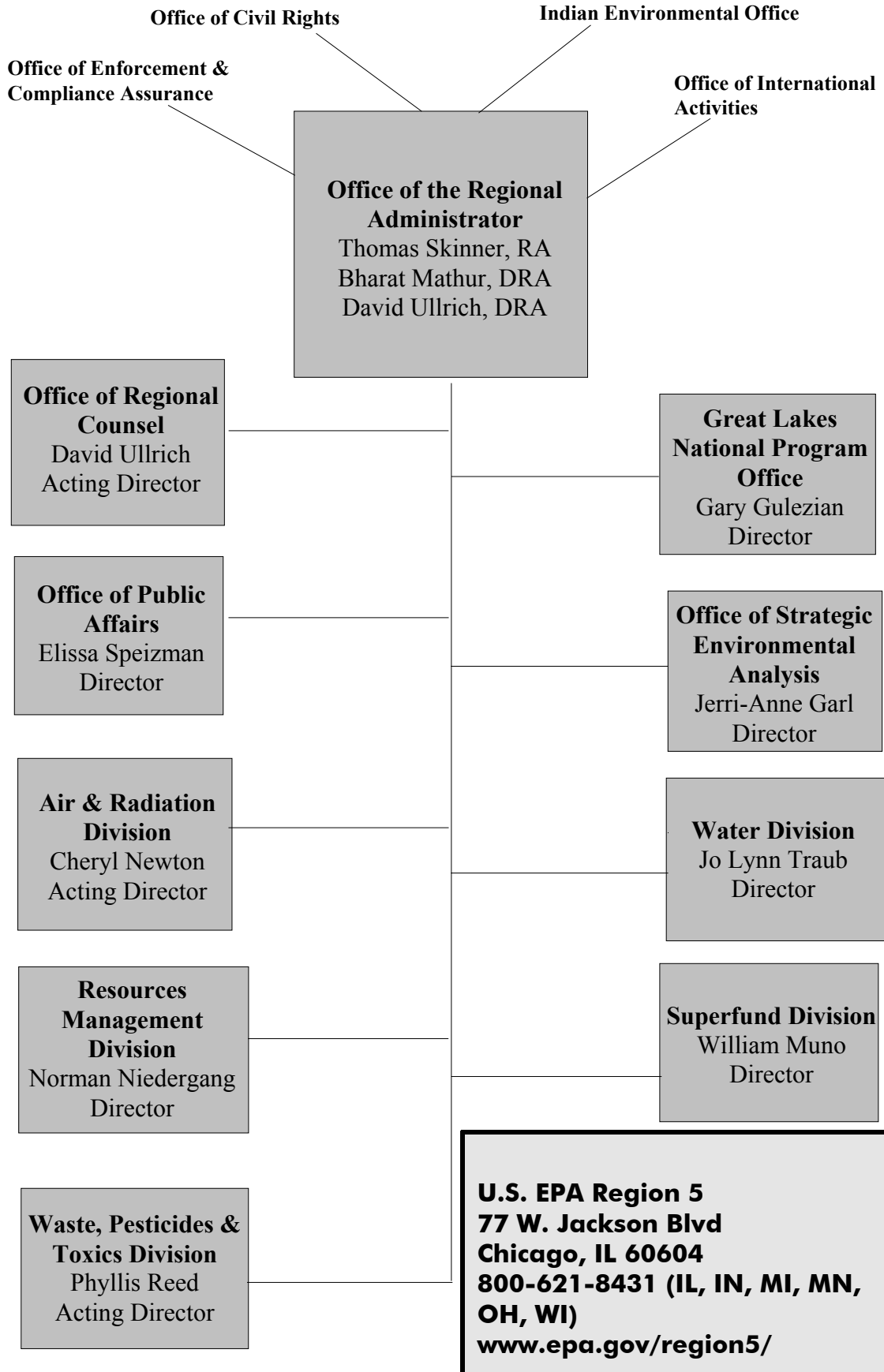
IX. CONCLUSION

Region 5 is excited about the continued implementation of its environmental justice program and our role in promoting and supporting the Agency’s environmental justice goals and objectives. We want to ensure we are doing the “right things right” and we hope efforts to solicit feedback from EJ stakeholders will help us to make corrections and adjustments that will further enhance our program. With this in mind, this EJ Action Plan is considered a “living document” which will be modified annually to reflect feedback from EJ stakeholders as well as the latest environmental justice policies,

science, lessons learned.

We believe the goals, strategies, activities, and performance measures described in this Action Plan are realistic and achievable and move us toward ensuring a better quality of life and a safer and healthier living environment for all the citizens of Region 5. We welcome your review and comment on any of the strategies and activities described in this EJ Action Plan.

FIGURE 1



ENVIRONMENTAL JUSTICE STRATEGIES AND ACTIVITIES MATRIX

GOAL #1: Enhance Awareness and Understanding of Environmental Justice Amongst all Stakeholders

Strategies	Activities	Performance Measures	Lead Contact
1. Implement strategies to ensure internal staff and external stakeholders (e.g., States, Tribes, community groups, etc.) have adequate training/tools to address EJ issues.	1a. Provide basic EJ training regionwide to all stakeholders, including staff, States, Tribes, community groups and other interested stakeholders.	1a. Hold 4 EJ “Fundamentals of EJ” Workshops.	Region 5 Training Collaborative
	1b. Provide staff with an overview of the Public Involvement Policy.	1b. Host a brownbag session to present the policy.	Region 5 EJ Program
	1c. Develop and provide advanced EJ training to staff and interested stakeholders.	1c. Training is developed and 3 workshops/ brownbags are held.	Region 5 EJ Training Collaborative
	1d. Provide training to staff on ELI and NAPA studies.	1d. Host one brownbag session on these topics.	Office of Regional Counsel
	1e. Provide legal counsel to staff about use of legal authorities in permitting and enforcement matters.	1e. Program staff receive timely and accurate legal counsel about use of legal authorities to address EJ matters and issues.	Office of Regional Counsel
2. Increase awareness and understanding of Title VI.	2a. Participate in National Title VI Taskforce initiative	2a. Initiative completed	Waste, Pesticides & Toxics Division

Strategies	Activities	Performance Measures	Lead Contact
3. Conduct outreach efforts with communities who are especially affected by EJ issues/concerns.	<p>3a. ARD will ensure that the division is represented on workgroups to address such issues in accordance with the Exec. Order; initiate outreach to communities.</p> <p>3b. Provide information and guidance on EJ to Saint Clair Superior Neighborhood Development Association (SCSNDA) and attend monthly SCSNDA Environmental Committee meetings jointly with Ohio EPA, Northeast District Office</p> <p>3b.(i) Arrange for Region 5 EJ team members to provide an overview presentation on EJ and what it may mean for the neighborhood group.</p>	<p>3a. Representation on workgroups being implemented.</p> <p>3b. Continued attendance at monthly meetings.</p> <p>3b(i). Presentation/ Discussion Meeting completed. Questions from SCSNDA answered directly.</p>	<p>Air & Radiation Division</p> <p>Region 5, Cleveland, OH Office</p> <p>Region 5, Cleveland, OH Office</p>
4. Receive input and respond to issues from external stakeholders.	4a. Interactions with stakeholders.	4a. Issues are identified and addressed in a timely manner through, phone calls, letters, meetings, investigations, reports strategies, etc.	Air & Radiation Division
5. Increase staff and management knowledge regarding environmental and health risk factors in EJ communities.	5a. Training for ARD managers and staff.	5a. TBD	Air & Radiation Division
6. Tools for School Program g assist schools and parent groups to address indoor environmental issues. g help protect the health of children and have a significant impact for those schools with a large minority population	6a. ARD will continue to work and perform outreach in school districts located in low-income and minority communities. In addition, ARD will work with a number of tribal schools.	6a. Tools for School program being implemented.	Air & Radiation Division
7. Develop effective ways to work with State/local/Tribal agencies re: EJ issues/concerns .	7a. Training for all interested Region 5 State/local/Tribes agencies.	7a. State/local agencies identify and address potential EJ cases in their day-to-day activities.	Air & Radiation Division

GOAL #2: Increase Access to and Exchange of Environmental Information throughout the Region

Strategies	Activities	Performance Measures	Lead Contact
<p>1. Develop collaborative partnerships with States and other stakeholders to address EJ issues.</p>	<p>1a. Convene information exchange meetings with State EJ contacts.</p> <p>1b. Convene an EJ Listening Session.</p> <p>1c. Work closely with the City of Waukegan, IL Interagency Working Group EJ revitalization project.</p>	<p>1a. Biannual conference calls are held with State EJ Contacts.</p> <p>1b. One listening sessions held each fiscal year.</p> <p>1c. TBD</p>	<p>Region 5 EJ Program</p> <p>Region 5 EJ Program</p> <p>Office of Public Affairs Superfund Division</p>
<p>2. Provide communities and environmental organizations a means to express their EJ issues and concerns electronically to U.S. EPA.</p>	<p>2a. ARD will provide a citizen’s complaint form on the website for the public to access and submit to the Agency electronically. Complaints addressed under appropriate program area (e. g. permits program, SIP etc.).</p>	<p>2a. Citizen complaint form developed and available for use electronically for the public.</p>	<p>Air & Radiation Division</p>

Strategies	Activities	Performance Measures	Lead Contact
<p>3. Implement strategies to ensure EJ communities have adequate access to environmental information - including developing a mechanism to disseminate EJ info, policies, publications, grants, contacts, environmental information etc. to the public.</p>	<p>3a. Maintain the Region 5 EJ website.</p> <p>3b. ARD Homepage on the Internet includes several elements relating to EJ.</p> <p>3c. Update as necessary.</p> <p>3d. Incorporate info on State lead permits on Internet - ARD has a link to the State agencies websites under the EJ Section on ARDs Homepage. This information includes general permitting information and status of the State's permitting activities.</p> <p>3e. Develop a way to supply info to affected communities on enforcement actions initiated by ARD relevant to their communities - ARD will continue to explore more meaningful and understandable ways to better interact with EJ communities in accessing enforcement information.</p> <p>3f. Provide the public with information for emission sources - ARD will add a link on ARDs Homepage on emission sources under EJ section..</p>	<p>3a. Website is continually updated</p> <p>3b. An EJ section is included on ARD's Homepage and has been updated on specific info, activities and program implementation.</p> <p>3c. Webpage is accurate.</p> <p>3d. Information on State permits accessible to the public and other governmental agencies.</p> <p>3e. Effective outreach mechanisms created (e.g. webpage links, targeted press releases, presentation etc.).</p> <p>3f. States contribute information under the National Emission Inventories (NEI).</p>	<p>Resources Management Division</p> <p>Air & Radiation Division</p> <p>Air & Radiation Division</p> <p>Air & Radiation Division</p> <p>Air & Radiation Division</p> <p>Air & Radiation Division</p>
<p>4. Provide the public with access to air quality monitoring data for criteria pollutants (those regulated by the National Ambient Air Quality Standards, NAAQS) and for air toxics in EJ communities.</p>	<p>4a. Monitoring data for NAAQS criteria pollutants and some air toxics studies are entered into the AIRS database and are available at: www.epa.gov/air/data</p> <p>Air toxics data which were not submitted to AIRS are potentially found in the Air Toxics Archive, or available on State agency websites. ARD staff will assist in obtaining this data.</p>	<p>4a. NAAQS data are routinely entered in the AQS system under AIRS and are available to the public via the internet. Air toxics data are also increasingly available in AIRS.</p>	<p>Air & Radiation Division</p>

Strategies	Activities	Performance Measures	Lead Contact
<p>5. Provide a tool to help those in the EJ community who want to learn how to write more competitive grant proposals and ensure EJ communities are aware of available funding opportunities.</p>	<p>5. Update the “Grant Writing Tutorial” software program, adding three new EPA grant programs and translating the entire program into Spanish. The program will be available on both the internet and CD-ROM.</p> <p>5b. Work with Tribal governments to ensure wastewater and drinking water infrastructure needs are fully reflected on IHS SDS priority list. Provide funding for Tribal infrastructure projects, to the extent funds are available, based on the SDS priority list.</p>	<p>5a. Host community review session once draft software program is complete. Integrate comments and complete final software program.. Disseminate software program to intended audience.</p> <p>5b. Level of funding provided for Tribal infrastructure projects.</p>	<p>Office of Public Affairs</p> <p>Water Division</p>

GOAL #3: Expand Integration of Environmental Justice into Regional Policies and Programs

Strategies	Activities	Performance Measures	Lead Contact
1. Develop process for Remedial Project Managers (RPMs) & On-Scene Coordinators (OSCs) to identify stakeholder needs relative to Community Advisory Groups (CAGs), Technical Outreach Services for Communities (TOSC) & Technical Assistance Grants (TAG).	1a. Develop plans to identify tools. 1b. Make RPMs/OSCs aware of available tools.	1a. Plan developed 1b. Activity completed	Superfund Division Office of Public Affairs
2. Track EJ matters in Region 5.	2a. Develop a protocol for receiving and tracking EJ complaints/activities. 2b. Develop & maintain a tracking database for EJ cases. 2c. Provide ongoing support for EJ cases to which attorneys are assigned (assigned enforcement, permitting and counseling matters) within the tracking database. (Such cases are expected to constitute the core data.).	2a. Protocol is developed 2b. A tracking database is established 2c. All EJ cases to which attorneys are assigned are included within tracking database.	Region 5 EJ Program Office of Regional Counsel Office of Regional Counsel
3. Implement the Limited English Proficiency Executive Order.	3a. Develop a strategy for implementing the LEP Executive Order.	3a. Strategy is developed	Region 5 EJ Program Office of Public Affairs
4. Identify and address sources of fish contamination.	4a. Implement Water Division Goal 2 Strategy #1(a): In partnership with States and Tribes, Region 5 will develop an innovative approach to reducing mercury loadings from all media, using appropriate tools that focus on pollution prevention rather than treatment technologies. 4b. Implement Water Division Goal 2 Strategy #1(b) (Region 5 will inform and educate the public, regulated community and others on the sources, loadings of mercury to promote opportunities for voluntary reduction.	4a. Goal 2 Strategy #1(a) implemented as planned. 4b. Goal 2 Strategy #1(b) implemented as planned.	Water Division Water Division
5. Gather health data related to subsistence fishing and fish	5a. Implement Water Division Goal 2 Strategy #2(b) (Region 5 will develop a monitoring and assessment plan for emerging contaminants in	5a. Goal 2 Strategy #2(b) implemented as planned.	Water Division

Strategies	Activities	Performance Measures	Lead Contact
contamination.	<p>fish in order to assess the significance and impact on the environment and determine which chemicals are of most concern for potential voluntary and regulatory actions [e.g., criteria development]).</p> <p>5b. Implement Water Division Goal 2 Strategy #2(a) (Region 5 will build, through targeted funding, technical assistance, etc., adequate sampling and analytical capacity in States, Tribes and others to fully implement the fish contaminant monitoring programs needed to support fish consumption advisory programs, to characterize contaminant trends and to inform the public) .</p>	5b. Goal 2 Strategy #2(a) implemented as planned.	Water Division
6. Incorporate EJ in RCRA permitting and corrective action analyses and decisions	<p>6a. Perform potential EJ analysis for RCRA and PCB permits and corrective action sites.</p> <p>6b. Perform demographic analysis to identify potential EJ areas.</p> <p>6c. Encourage State adoption of Expanded Public Participation Rule.</p> <p>6d. Expand LUST program’s current GIS facility mapping activities to include the incorporation of census tract information.</p> <p>6e. Provide legal counsel and support, as needed, regarding incorporation of EJ considerations into RCRA permitting and corrective analyses and decisions.</p>	<p>6a. Analysis completed</p> <p>6b. Analysis completed</p> <p>6c. State adopted Rule</p> <p>6d. Complete GIS mapping</p> <p>6e. Program receives timely and accurate legal counsel.</p>	<p>Waste, Pesticides & Toxics Division</p> <p>Waste, Pesticides & Toxics Division</p> <p>Waste, Pesticides & Toxics Division</p> <p>Waste, Pesticides & Toxics Division</p> <p>Office of Regional Counsel</p>
7. Conduct community based air toxics efforts.	<p>7a. Facilitate projects in urban and tribal communities (e.g. Cleveland Pilot Project, Milwaukee project).</p> <p>7b. Develop 112(K) State Air Toxics programs to address community scale risk.</p> <p>7c. Respond to community concerns when issues arise.</p>	<p>7a. Air toxics reductions achieved</p> <p>7b. Effective State programs developed</p> <p>7c. EJ Community concerns addressed</p>	<p>Air & Radiation Division</p> <p>Air & Radiation Division</p> <p>Air & Radiation Division</p>

Strategies	Activities	Performance Measures	Lead Contact
<p>8. Identify EJ areas by accessing demographic information through available mapping tools in accordance with Region 5s Interim guidelines. Share information with States and Tribes.</p>	<p>8a. ARD has GIS maps for Region 5 States located within the division. The maps provide a demographic breakdown by economic and ethnic status. Staff will use these maps to identify EJ areas to assist them in prioritizing their work assignments.</p> <p>8b. More detailed maps are available through a request to RMD GIS contacts on a case-by-case basis. GIS request form must be submitted by ARD staff.</p> <p>8c. Additional mapping tool websites available which ARD staff can use.</p> <p>8d. Reassess EJ NPL sites based on 2000 census.</p> <p>8e. Target Non-NPL sites to be re-evaluated.</p> <p>8f. Enter 1a. and 1b. into wastelan (CERCLIS).</p> <p>8g. Provide legal counsel concerning actions to address EJ at CERCLA sites (NPL and non-NPL).</p>	<p>8a. Ability to track cases identified in EJ areas</p> <p>8b. TBD</p> <p>8c. TBD</p> <p>8d. All NPL sites are re-evaluated</p> <p>8e. All sites are target and re-evaluated</p> <p>8f. 80% of sites are entered into wastelan</p> <p>8g. Program receives timely and accurate legal advice.</p>	<p>Air & Radiation Division</p> <p>Air & Radiation Division</p> <p>Air & Radiation Division</p> <p>Superfund Division</p> <p>Superfund Division</p> <p>Superfund Division</p> <p>Office of Regional Counsel</p>
<p>9. Provide priority review of draft air permits which relate to EJ issues.</p>	<p>9a. Review Draft Permits; Permitting staff will be responsive to public questions regarding permits and their process, pollution control technologies, cumulative emissions, and requirements and promote resolution. Track Permits through state databases.</p> <p>9b. Provide legal counsel and support concerning consideration of EJ issues in air permitting.</p>	<p>9a. Percentage of permits with EJ issues reviewed.</p> <p>9b. Program receives timely and accurate legal counsel.</p>	<p>Air & Radiation Division</p> <p>Office of Regional Counsel</p>

Strategies	Activities	Performance Measures	Lead Contact
10. Encourage State Air Permit programs to support EJ considerations.	<p>10a. Work closely with State and local permit writers to encourage consideration of EJ issues when reviewing permit applications.</p> <p>10b. Analyze each State to determine if the EJ Communities are sufficiently being notified of permitting activities. Work with States on procedures to integrate EJ analyses into their process where improvements could be made.</p> <p>10c. Permit training for citizens on Title V and PSD Permits.</p>	<p>10a. Number of discussion held with States; States effectively address EJ issues raised in permit processing.</p> <p>10b. States have effective notification process.</p> <p>10c. Number of training sessions held.</p>	<p>Air & Radiation Division</p> <p>Air & Radiation Division</p> <p>Air & Radiation Division</p>
11. Integrate EJ in Air Enforcement Process, including not only criteria pollutants but also MACT for toxics air pollutants	<p>11a. Target sources with high emissions in low-income and minority communities.</p> <p>11b. Identify all cases as to EJ status in Tracking system.</p> <p>11c. Forward all enforcement actions to CIC in OPA to distribute to community organizations.</p> <p>11d. Will solicit and consider EJ issues during case resolution and work with specific communities as needed.</p> <p>11e. Implement Region 5's Interim Guidance for Identifying and Addressing Potential EJ cases</p> <p>11f. Provide legal counsel and support concerning consideration of EJ issues in entire air enforcement process.</p>	<p>11a. Cases will be developed in EJ areas.</p> <p>11b. Accessibility for the public on enforcement activities.</p> <p>11c. End-of-year report will display reduction of emissions included in SEPs and penalties assessed in EJ areas.</p> <p>11d. TBD</p> <p>11e. TBD</p> <p>11f. Program goals for integrating EJ in air enforcement process are appropriately considered in carrying out enforcement..</p>	<p>Air & Radiation Division</p> <p>Air & Radiation Division</p> <p>Air & Radiation Division</p> <p>Air & Radiation Division</p> <p>Air & Radiation Division</p> <p>Office of Regional Counsel</p>

Strategies	Activities	Performance Measures	Lead Contact
12. Ensure State implementation Plans, which allow trading of emissions, address EJ issues	<p>12a. Work with Illinois on an ongoing basis to address any issues that arise.</p> <p>12b. Work with Michigan to develop program revisions if any EJ Issues are revealed during program implementation if SIP is approved.</p>	<p>12a. State addresses EJ in annual program review. EJ issues are identified and resolved</p> <p>12b. Incorporation of EJ into SIP program in Michigan for trading of emissions.</p>	<p>Air & Radiation Division</p> <p>Air & Radiation Division</p>
<p>13. Development of State Implementation Plans</p> <p>The State's process requires a high level of public notice and participation.</p>	13a. ARD SIP reviewers will review the State's administrative record to identify EJ issues and to ascertain they have been addressed. Staff will highlight EJ issues in our rule making actions on requested SIP revisions. Public comments on SIP revisions will be addressed into ARDs final action.	13a. SIPS with EJ issues are identified and addressed.	Air & Radiation Division
14. Incorporate EJ into the Great Lakes funding guidance.	<p>14a. Develop funding guidance</p> <p>14b. Publish funding guidance</p> <p>14c. Make grant decisions</p> <p>14d. Notify applicants of final decisions</p>	14a. Funding guidance developed and implemented that includes EJ criteria	Great Lakes National Program Office
15. Implement actions identified in the Great Lakes Strategy, particularly in the Contaminated Sediments and Air Deposition sections, to reduce exposure to toxics substances from the consumption of contaminated fish and wildlife.	<p>15a. See "<i>Great Lakes Strategy 2002 A Plan for the New Millennium</i>", April 2002, Page 13 and 14 at:</p> <p>www.epa.gov/glupo/gls/index.html</p>	15a. As an indicator of progress toward the reduction of toxic substances in native, top-level predators, concentrations of PCBs in whole lake trout and walleye sample will decline by 25% in the period from 2000 to 2007	Great Lakes National Program Office
16. Consider EJ issues in evaluating projects under National Environmental Policy Act (NEPA)	<p>16a. Review other agencies' NEPA documents and comment as appropriate on EJ implications of projects.</p> <p>16b. Include consideration of EJ issues in EPA's preparation of NEPA documents for Congressional Special Appropriation projects</p>	<p>16a. Number of comments related to EJ at draft and final EIS stages.</p> <p>16b. Number of issues resolved or mitigated to allow signing a Finding of No Significant Impact</p>	<p>Office of Strategic Environmental Analysis</p> <p>Office of Strategic Environmental Analysis</p>

Strategies	Activities	Performance Measures	Lead Contact
17. Revise and Finalize 1998 Interim Region 5 EJ Guidelines.	17a. Solicit input and feedback from staff, States, Tribes and other stakeholders on necessary, recommend revisions to and finalize 1998 Interim Guidelines.	17a. Draft of final Region 5 EJ policy is completed for internal and external review.	Office of Regional Counsel
18. Target enforcement and compliance assurance activities in EJ communities.	18a. Develop methods and approaches to target enforcement activities in EJ communities. 18b. Develop methods and approaches to target compliance assistance activities in EJ communities.	18a. Provide report with recommendations. 18b. Provide report with recommendations.	Office of Regional Counsel Office of Regional Counsel
19. Establish a current Region 5 EJ Policy.	19a. Update our 1993 Region 5 EJ Policy.	19a. New Regional EJ policy is developed and signed by Regional Administrator.	Region 5 EJ Program

ATTACHMENT A



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590
SEP 02 1993

MEMORANDUM

REPLY TO THE ATTENTION OF:
R-19J

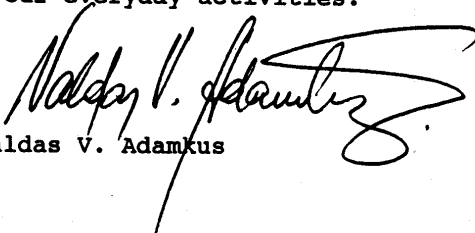
SUBJECT: Environmental Justice Policy Statement
FROM: Valdas V. Adamkus
Regional Administrator
TO: Division and Office Directors

This is to provide you the subject policy statement developed by the Region 5 Environmental Justice Steering Committee, and to provide direction on its implementation.

The policy statement calls for action consistent with ongoing activities, along with development of specific action items by each Division/Office beginning with the Fiscal Year 1994 workplans.

I am directing the Environmental Justice Steering Committee to further discuss the review mechanism in the policy, to ensure effective implementation and to develop implementation steps as may be required. Once these implementation steps are defined, the Committee will consider environmental justice activities and make recommendations thereon, as appropriate, to me.

As the policy states, "*Region 5 is committed to promoting and supporting equitable environmental protection regardless of race, ethnicity, economic status, or community*". I look forward to your active support and participation as we integrate environmental justice into our everyday activities.


Valdas V. Adamkus

Attachment

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ATTACHMENT A

PAGE 2

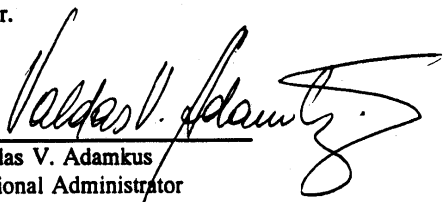
Regional Policy on Environmental Justice

Employment: Region 5 policy is to recruit, hire, promote, train, and transfer individuals of diverse backgrounds within all levels of EPA. Such a policy facilitates decision making that reflects the broadest range of experience and understanding. Further, attainment of cultural diversity at all levels in the workforce will facilitate our ability to successfully implement this policy. Region 5 will incorporate appropriate action items in the development of annual Regional and Division or Office affirmative action plans.

Contracts and Grants: Region 5 will routinely promote and support Environmental Justice through program activities funded by Contracts and Grants. Routine consideration of Environmental Justice at the time of program planning and resource use decisions will significantly increase our opportunities to promote/achieve Environmental Justice.

Communications: Region 5 will improve and expand its communications effort by endeavoring to keep citizens, especially those in minority and disadvantaged communities, abreast of emerging Regional and Headquarters policy. The Region recognizes the sensitivity and concern that issues such as risk assessment, risk management, and risk communication present to racial minorities and low income communities. Towards this end, Region 5 will seek to enhance its communications and outreach activities by encouraging participation by minority and disadvantaged communities in those activities.

Review Mechanism: The EPA Region 5 Administrator shall ensure that Environmental Justice issues and goals are being met through a yearly review process by the Environmental Justice Steering Committee that includes an evaluation of Divisional workplans, quarterly status reports to the Environmental Justice Steering Committee pursuant to report to the Regional Administrator, and any other activities deemed necessary by the Regional Administrator. The Regional Environmental Justice Steering Committee shall serve at the pleasure of the Regional Administrator as the appropriate vehicle for ensuring that Environmental Justice issues and goals are addressed in a timely and effective manner.


Valdas V. Adamkus
Regional Administrator

9/02/93
Date