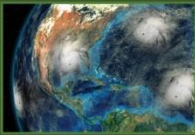


# EPA's Office of Land and Emergency Management (OLEM) Environmental Justice Action Plan – 2-Year Update October 2024



## EJ ACTION PLAN

*Building Up Environmental Justice  
in EPA's Land Protection and Cleanup Programs*



October 2024

EPA 300D24001



## WELCOME BACK

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This document is a companion piece and update to the OLEM EJ Action Plan that was created by the Office of Land and Emergency Management (OLEM) in September 2022. This document provides updates and status reports on the projects in the 2022 action plan, as well as a summary of a few new projects. The September 2022 action plan captured 36 projects that were intended to have meaningful results and benefits for people and communities experiencing EJ concerns. The projects represented in the action plan fall within the purview of the OLEM program offices, which are:

- Office of Superfund Remediation and Technology Innovation (OSRTI),
- Office of Resource Conservation and Recovery (ORCR),
- Office of Emergency Management (OEM),
- Office of Brownfields and Land Revitalization (OBLR),
- Federal Facilities Restoration and Reuse Office (FFRRO),
- Office of Underground Storage Tanks (OUST), and
- Office of Mountains, Deserts and Plains (OMDP).

### Background

The actions in the plan were organized around several themes provided in Biden Administration Executive Orders. In 2021, President Biden issued two executive orders – Executive Order 13985 (Advancing Racial Equity and Support for Underserved Communities Through the Federal Government) and Executive Order 14008 (Tackling the Climate Crisis at Home and Abroad) – that give direction to federal agencies to promote and work toward proactively achieving environmental justice. OLEM built upon this direction enthusiastically and developed its Environmental Justice Action Plan. The Action Plan included projects, tools and practices that occur across all parts of OLEM. It includes partnerships with OLEM's regional EPA offices, and other national programs. The plan is built around the themes outlined in the administration guidance: strengthen compliance and enforcement, incorporate environmental justice considerations in their work, increase community engagement, and ensure that at least 40 percent of the benefits flow to disadvantaged communities.

The majority of the projects were initiated in 2022, with a few initiated prior to the release of the plan. While few of the original projects were finite in duration, most of them are ongoing and continuing to seek and provide benefits for affected communities. Since the issuance of the Executive Order report several agencies have enhanced their documenting and tracking of EJ efforts throughout the executive branch of the federal government. Those efforts, under the auspice of the Office of Management and Budget, the President's Council on Environmental Quality and the EPA Office of Environmental Justice and External Civil Rights, are now being tracked and documented on quarterly, semi-annual, and annual bases. The data gathering and report vehicles include the EJ Scorecard, including J40 specific highlights; J40 Pilot Program

Benefits tracking; BIL/IRA Award Analysis; EPA EJ Implementation Plan and EPA EJ Strategic Plan.

Concurrent with the development and publication of the OLEM EJ Action Plan several major pieces of legislation were passed which provide resources, goals, collaborations, and unprecedented funding to EJ efforts throughout the federal government. Those laws include the Bipartisan Infrastructure Law, and the Inflation Reduction Act. Not every project in the OLEM EJ Action Plan falls under those acts, but the resources and accountability those laws provide certainly enhance and inspire the work of OLEM and EPA in general.

This document, which provides updates on the projects initiated in 2022, serves as a companion piece to the 2022 OLEM EJ Action Plan. It references the actions and highlights results to date and ongoing efforts. The work conducted on behalf of those actions is showing results in several important areas of significance for moving toward environmental justice. Results are occurring in community engagement, tools development and availability, technical assistance to communities and partner entities, and putting a wide range of resources in the communities with EJ concerns and challenges.

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## **1. GOOD GOVERNANCE**

### ***Project Goals, Results and Next Steps***

The project targeted the development of a “Good Governance” process, to provide support to communities with EJ concerns and create a more collaborative multi-agency working relationship. The project established a pilot Good Governance (GG) Directory that enables EPA to help direct communities with environmental justice concerns to appropriate people within EPA or other external organizations that can address their environmental-related concerns. The GG Directory includes multi-agency contact information and search protocols.

The project resulted in many lessons learned. A challenge identified is the need for regular upkeep of multi-agency contacts to provide accurate, current information to its users. Collaboration with other program outreach efforts enhances communication and EPA’s approachability standing with communities.

This project is underway. Next steps will be to continue piloting the GG Directory with regional involvement and then develop an internal online version of the GG Directory for RCRA staff implementation.

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## **2. STRENGTHEN RMP PREVENTION AND EMERGENCY RESPONSE REQUIREMENTS IN COMMUNITIES WITH ENVIRONMENTAL JUSTICE CONCERNS**

### ***Project Goals, Results and Next Steps***

The project involves proposing and finalizing changes to OEM’s RMP rule to reincorporate key prevention and response measures of the 2017 RMP Amendments rule, as well as incorporating additional requirements to strengthen accident prevention programs at RMP facilities that are in or near communities with EJ concerns.

This project is enhancing accident prevention and emergency response requirements at RMP-regulated facilities in or near communities with EJ concerns and reduce the frequency and severity of accidental releases in such communities.

RMP facilities are more often located in or near communities with EJ concerns. Therefore, strengthening the prevention and response programs at RMP facilities in general will benefit many communities with EJ concerns by reducing the frequency and severity of accidental releases at facilities in or near these communities. Additionally, EPA will propose applying key restored prevention measures to additional facilities in or near communities with EJ concerns.

OLEM and OECA are committed to RMP inspections and enforcement. The final rule was released on February 29, 2024 and can be found here: [Risk Management Program Safer Communities by Chemical Accident Prevention Final Rule | US EPA](#).

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### ***3. ANALYSIS OF SPCC/FRP INSPECTION DATA TO TARGET FUTURE INSPECTIONS IN COMMUNITIES WITH ENVIRONMENTAL JUSTICE CONCERNS – PHASE 1***

#### ***COMPLETE***

Phase 1 was completed in the summer FY2023 to include briefing OEM and OECA (OC) staff and management on the findings. The information collected in Phase 1 will be used to shape and tailor the tools/guidance/procedures used to improve the targeting goals addressed in Phase 2.

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### ***4. ANALYSIS OF SPCC/FRP INSPECTION DATA TO TARGET FUTURE INSPECTIONS IN COMMUNITIES WITH ENVIRONMENTAL JUSTICE CONCERNS – PHASE 2***

#### ***Project Goals, Results and Next Steps***

This project involves analysis of past oil inspection program data to identify the impacts of the Spill Prevention Control and Countermeasure (SPCC) and Facility Response Plan (FRP) programs on communities with EJ concerns and the SPCC and FRP inspection program's future implementation activities relative to these communities.

Phase 2 of this project is using the results of the impact analysis to identify sectors or locations that are more likely non-compliant and to focus future inspections and compliance efforts on these areas. This project builds on OECA's work overall on inspections in communities with EJ concerns. As a companion to OLEM inspections, OECA together with the regional offices will carry out any necessary enforcement actions. By increasing the SPCC/FRP facility inspection rate in communities with EJ concerns, facility SPCC and FRP plans will improve, resulting in fewer and less severe oil spills affecting nearby communities.

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### ***5. USE OF ASPECT TO PROVIDE CONTINUOUS EVALUATION MISSIONS (CEMs) FOR DISADVANTAGED COMMUNITIES, THE CLIMATE AND ENFORCEMENT: PHASE 1***

#### ***Project Goals, Results and Next Steps***

EPA's Airborne Spectral Photometric Environmental Collection Technology (ASPECT) is an aerial surveillance platform providing wide-area chemical, radiological, and nuclear detection as well as infrared photometric and advanced imagery products. This project began in FY2022 and is ongoing. ASPECT can be used to:

- Provides continuous evaluation missions (CEMs) for disadvantaged communities, climate change and enforcement.
- Characterize chemical pollutants over prioritized disadvantaged communities of concern. Produce EJ-focused data products highlighting data coverage over disadvantaged communities.
- Collect air quality data to support state/federal air standard violations enforcement, improve regulated facility compliance and improve air quality.
- Provide screening data for disadvantaged communities.

Overlaying ASPECT data on a geospatial view of historically overburdened communities will show the public where data were collected with respect to their location. This transparent access to data aids with the development of trust within historically overburdened and disadvantaged communities and demonstrates how the EPA is adapting our screening methodologies equitably to the nation.

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## ***6. ENHANCED TRIBAL OIL SPILL AND CHEMICAL ACCIDENT PREVENTION/PREPAREDNESS PROGRAM IMPLEMENTATION***

### ***Project Goals, Results and Next Steps***

This project will Improve OEM oil and chemical program implementation by increasing compliance in Indian country through enhanced outreach, training, inspection targeting and coordination with tribes. This will prevent and minimize adverse impacts from oil spills and chemical accidents in Indian country.

The project involves tracking regional tribal participation in Local Emergency Planning Committee (LEPC) activities; educating tribes about the SPCC, FRP, Emergency Planning and Community Right-to-Know Act (EPCRA), and RMP programs and opportunities for tribal involvement; tribal outreach to aid in targeting inspections at high-risk SPCC, FRP and RMP facilities on Indian lands; and working with OLEM, EPA Regional offices and tribes to meet the priorities of the Tribal Waste and Response Committee. The project began in FY 2022 and is ongoing.

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## ***7. FACILITY-SPECIFIC COMPLIANCE ASSISTANCE FOR UST FACILITY OWNERS AND OPERATORS IN COMMUNITIES WITH ENVIRONMENTAL JUSTICE CONCERNS IN INDIAN COUNTRY***

### ***Project Goals, Results and Next Steps***

The project provides targeted compliance assistance by creating a facility-specific compliance assistance plan tool (FASCOMP) for UST facility owners and operators in communities with EJ concerns in Indian country. The project helps UST facilities, such as convenience stores, which provide economic benefits in their communities, meet compliance requirements more easily. Improving compliance assistance specific to facilities in communities with EJ concerns will reduce the chance of a release and further burden on these communities. Better compliance is expected to reduce the chance of a release, to avoid further contamination in surrounding communities.

The project has resulted in many lessons learned. A challenge identified is ensuring quality data in agency data systems, which would help to enable development of accurate compliance plans. Compliance remains a continuing challenge and there is a large appetite for compliance assistance tools such as the FASCOMP.

This project is underway. The draft compliance assistance tool was demo-ed at the Tribal Lands and Environment Forum in August 2024. Development of a fully functional application and the commencement of initial testing is anticipated in FY 2025.

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## ***8. RCRA TREATMENT, STORAGE AND DISPOSAL FACILITIES (TSDFs) UNIVERSE ANALYSIS AND MAPPING***

### ***COMPLETE***

Under the Resource Conservation and Recovery Act (RCRA) authorities, EPA established a comprehensive regulatory program to ensure that hazardous waste is managed safely, including programs for permitting and oversight of Treatment Storage and Disposal Facilities (TSDFs). This ongoing project provided a more in-depth understanding of TSDF locations and demographics to better support fair treatment and meaningful stakeholder involvement. The project developed tools for future assessments, including clearly defining the universe of facilities, establishing the importance of using state-specific percentiles for demographic

information to better tailor the assessment, mapping the boundaries and buffers around each facility to provide a more complete picture of the communities that may be impacted. Local knowledge is important in both identifying community concerns and estimating the appropriate buffer to use for a given facility.

One challenge identified during the project was the lack of availability of detailed information, such as boundary information and local knowledge, for all facilities at the national level.

Next, ORCR will explore options for adding buffers to the existing map to improve the analysis, continue work on the GIS module in “RCRAInfo” and work with regional offices and States to develop the database of facility boundary information that will be the basis for future TSDF mapping work.

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## ***9. STRENGTHENING COMMUNITY RESILIENCY THROUGH NATURAL DISASTER DEBRIS PLANNING AND MANAGEMENT***

### ***Project Goals, Results and Next Steps***

Lower-income communities are more likely to be neighborhoods that are more susceptible to disasters and are near industrial areas and hazardous waste sites, leaving them more vulnerable to toxic leaks from storm damage. This project examined the benefits and cost savings of building stronger, more-resilient buildings and mitigating risk from a disaster by decreasing the generation of and improving the planning and management of disaster debris. A central part of this analysis looked at the costs and benefits to communities with EJ concerns within the context of debris planning and management. A companion guide to EPA’s Planning for Natural Disaster Debris guidance will be developed that focuses on resiliency, including a special emphasis on the impacts of disasters on overburdened communities and how they can mitigate impacts before disasters occur.

This project is underway and ongoing. A contract will be in place to conduct the cost-benefit analysis. Next steps include finalizing a draft companion guide, which will contain information on reducing debris generation and increasing community resilience through an environmental justice and equity lens. This will help to create resilient communities that recover faster, contain less harmful materials, generate less debris, and use fewer resources to rebuild. Once developed, the draft will be open for public comment.

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## 10. EPA'S NATIONAL RECYCLING STRATEGY AND BIPARTISAN INFRASTRUCTURE LAW GRANT PROGRAMS

### *Project Goals, Results and Next Steps*

In November 2021, EPA released the National Recycling Strategy as part one of a series dedicated to building a circular economy for all. It focuses on improving the nation's municipal solid waste (MSW) recycling system and broadens our future vision to include the full impact of materials. *(EPA has also released a Draft Strategy to Prevent Plastics Pollution, in April 2023, and a Draft National Strategy for Reducing Food Loss and Waste and Recycling Organics, in December 2023, as part of the circular economy series.)* OLEM's RCRA has made significant resource investments under its National Recycling Strategy beginning in 2021.

In November 2021, President signed the Bipartisan Infrastructure Law. It provides:

- \$275 million in funding for EPA to create a Solid Waste Infrastructure for Recycling (SWIFR) grant program,
- \$75 million for a new Recycling Education and Outreach grant program and Model Recycling Program toolkit, and
- \$25 million for EPA to develop best practices for the collection of batteries and a voluntary labeling program.

EPA received additional funding to implement the SWIFR grant program through regular appropriations. The grants program helps assist tribes, states, and local governments in making improvements to their solid waste management systems. It also will help communities with education and outreach activities to increase collection rates and decrease contamination in community recycling programs.

- In the SWIFR funding opportunity for states and territories, grantees were required to specify how the funded activities would support disadvantaged or underserved communities.
- EPA structured the SWIFR for Communities funding opportunity as well as the Recycling Education and Outreach funding opportunity to ensure a minimum of 40% of funding would flow to disadvantaged communities.
- EPA also created a funding opportunity exclusively for tribes and intertribal consortia to support their needs.

ORCR engaged over 4,000 stakeholders across the country to help inform the development of the funding opportunities. This input enabled EPA to create and release four funding opportunities that meet a wide range of needs of communities across the country.

EPA selected grant recipients totalling over \$105M in funding to expand recycling infrastructure and waste management systems across the country, representing EPA's largest recycling investment in 30 years. Grant funding includes:

- Approximately \$32 million in funding for all 56 eligible states, territories, and the District of Columbia.
- Approximately \$73 million in funding for 25 selected communities; 81% of which will benefit disadvantaged communities.

EPA will continue to collaborate across all levels of government, including tribal nations, and with public and private stakeholders, to advance a circular economy for materials. This includes finalizing the Draft National Strategy to Prevent Plastic Pollution Strategy and the Draft National Strategy for Reducing Food Loss and Waste and Recycling Organics.

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## 11. COAL COMBUSTION RESIDUALS (CCR)

### *Project Goals, Results and Next Steps*

The 2015 final Coal Combustion Residuals (CCR) regulations established a regulatory framework to ensure the safe operation, closure, and cleanup of releases from CCR disposal units. The broad reach of CCR universe (over 700 units at 300 facilities in 43 states and Puerto Rico) means there is significant potential for intersection with many communities, including communities with EJ concerns. Some of these rulemakings (e.g., federal permitting and legacy units) offer opportunities to identify how environmental injustice may be addressed as part of the rulemaking and rule implementation process. To enhancing the protection of groundwater and communities near regulated CCR facilities, EPA is taking actions such as:

- Proposing changes to the CCR rule to regulate previously federally unregulated CCR units, inactive surface impoundments at inactive facilities and CCR management units (i.e., the “Legacy CCR rule”).
- Proposing to deny Alabama’s state CCR permit program based on EPA’s finding that Alabama’s program was significantly less protective of people and waterways than the federal regulations require.
- Not granting certain requests for extensions to the current deadline for initiating closure of unlined CCR surface impoundments.
- Working with EPA’s Office of Enforcement and Compliance Assurance (OECA) to put certain facilities on notice about their obligations to comply with CCR regulations.
- Working with states to approve state CCR permit programs that allow for meaningful public participation.
- Meeting with stakeholders to obtain feedback on CCR rule implementation and ensure future CCR regulations are protective of human health and the environment.

Feedback from stakeholders noted that in-person meetings and public hearings are vital to enhancing public participation, especially in communities with EJ concerns. When planning future public meetings, ORCR will consider best practices to address stakeholder feedback.

Several of these proposed and finalized rulemakings are currently under development. In FY 2024, ORCR will: finalize changes to the CCR rule (i.e., the Legacy CCR rule)

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## **12. SEMS EJ FLAG AND EJSCREEN TRAINING FOR SITE TEAMS**

### ***Project Goals, Results and Next Steps***

The 2021 interim protocol is being updated to reflect updates to the tools used to identify communities with the potential for having EJ concerns. The protocol relies on EPA's EJScreen **tool** to develop a nationally consistent methodology for identifying proposed, final, deleted and SAA NPL sites in SEMS that have the potential for EJ concerns. In addition to EJScreen, regions will also have the option to use the Climate and Economic Justice Screening Tool (CEJST) to inform their understanding of community demographics. The interim guidance update is projected to be complete by October 2024.

OSRTI held EJScreen training for the Community Involvement Program in March 2023, and ongoing training is held at the regional level for site teams.

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## **13. ADVANCING SUPPORT TO UNDERSERVED COMMUNITIES IN THE SUPERFUND SITE ASSESSMENT PROCESS**

### ***COMPLETE***

OLEM completed all four tasks associated with this project. Training for the Superfund Site Assessors was completed in December 2022 (FY23/Q1). OLEM finished both collecting baseline summary information on how EJ information has been factored into the site assessment process and formulating strategies to advance EJ within this process in December 2024 (FY24/Q1). OLEM completed revising site assessment data tracking tools in April 2024 (FY24/Q3) by incorporating EJScreen and CEQ's Climate and Economic Justice Screening Tool (CEJST) data directly into these tools. Looking forward, OLEM is using the results from this project to implement additional strategies to continue advancing EJ within the Superfund site assessment process. These additional strategies include enhancing EJ aspects within site assessment training and guidance, expanding use of EJScreen and CEJST data collection and tracking tools, and implementing a new internal Superfund program measure focusing on assessing sites in locations with seven (7) or more EJ Screen indexes at or above the 80<sup>th</sup> percentile. OLEM plans to complete work on these additional strategies from September 2024 (FY24/Q3) through May 2025 (FY25Q3).

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## **14. INCORPORATING COMMUNITY INPUT AND ENVIRONMENTAL JUSTICE CONSIDERATIONS CONSISTENT WITH STATUTORY REQUIREMENTS AND REGULATIONS**

### **COMPLETE**

This project is complete. The final memo, *Incorporating Community Input, Including Environmental Justice Considerations*, was signed by Larry Douchand, Director of the Office of Site Remediation and Technology Innovation, on September 19, 2023. A training webinar was held for site teams on March 14, 2024, and additional training opportunities are being planned.

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## **15. EQUITABLE REDEVELOPMENT AND COMMUNITY-WIDE REVITALIZATION IN SUPERFUND REDEVELOPMENT WORK**

### ***Project Goals, Results and Next Steps***

In FY24, the Superfund Redevelopment Program delivered technical assistance at 92 sites, including 39 sites with potential EJ concerns. This includes six sites in Puerto Rico which had previously not accessed technical assistance. Some of this assistance focused on alternative energy feasibility and other sustainable development strategies. In FY25, the Program plans to develop strategies to better serve tribal communities at sites with Native American interests and how to better collaborate with Superfund Community Involvement Coordinators.

The Superfund Redevelopment Program finalized an internal beta Equity Mapper application and assessment tool in September 2023. This application and assessment were piloted as part of reuse planning technical assistance at over 30 sites in FY24. A pilot summary report with lessons learned has been developed and is under review by Superfund Redevelopment Program to determine next steps and how the tool might be incorporated into technical assistance and training in the future.

Superfund Redevelopment coordinated with the Office of Community Revitalization (AO/Office of Policy) to offer Local Foods, Local Places planning assistance to three communities impacted by Superfund sites – Turner Station, MD, Ringgold, GA, and Wellston, OH. The assistance is underway and expected to be completed by March 2025.

Superfund Redevelopment Program has developed a number of materials on equitable development to share strategies and case studies with Superfund stakeholders. This includes six fact sheets on strategies to prevent residential and commercial displacement with examples

from communities with Superfund sites in reuse; a report highlighting ways that Superfund reuse delivers equitable impacts such as affordable housing; healthy food options; recreation and other community amenities; and increased social capital in communities impacted by Superfund sites. Fact sheets and report are expected to be completed by September 2024. A new webpage on Equitable Development will also be published on the Superfund Redevelopment webpages in January 2025 as part of a broader web revamp.

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## ***16. PROVISION OF FUNDING TO EPA REGIONS TO ADDRESS ENVIRONMENTAL JUSTICE CONSIDERATIONS IN PFAS PROJECTS AT FEDERAL FACILITY NPL SITES***

### ***COMPLETE***

OLEM has provided funding to four Regions to explore opportunities to incorporate EJ considerations into the CERCLA process at federal facility NPL sites. When completed, the projects will inform our understanding of best practices and be shared with other land cleanup program offices, other Regions, states, and other federal agencies.

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## ***17. DOCUMENTATION OF CURRENT PRACTICES CONSIDERING EJ IN RISK ASSESSMENT ACROSS EPA PROGRAMS***

### ***COMPLETE***

Project started during fall 2020, with development of a survey. Survey and discussions started in May 2021. The survey questionnaire was sent to risk assessors across different EPA offices and programs.

We received a total of 140 survey responses from individual EPA staff. In addition, we held two focus group discussions and received written, office-wide responses from two offices, summarizing the experiences and work practices of all their risk assessors.

The survey questionnaire comprised three sets of questions. The first set of questions sought to capture the risk assessment and programmatic contexts for responses provided by survey participants. Respondents were asked to identify the steps in the risk assessment process they worked on and the decision-making framework within which they assess or consider human health risks. All 5 stages of the risk assessment process were represented among the respondents who reported spending a varying amount of time on risk assessment tasks. Additionally, all of EPA's major regulatory and analytical frameworks were represented in the survey responses with most respondents referencing IRS, CERCLA, and TSCA specifically.

The second set of questions focused on use of environmental justice information in risk assessment. Most of the respondent risk assessors reported accounting for environmental justice during risk assessments, primarily in the exposure assessment step. Respondents across multiple program offices and regions described quantitative approaches to addressing EJ issues in exposure assessment (e.g., changes to intake factors for cultural practices), while others indicated that they address EJ using a qualitative or descriptive approach (e.g., including EJ language in the scoping and analysis phase).

The survey provides critical information to support research agendas.

In the third set of survey questions, survey respondents were asked to share their perspectives on the extent to which they viewed their activities to incorporate EJ issues in risk assessment as effective. Slightly more than half of the respondents said they did not think they effectively considered EJ factors in their risk assessments. The most cited reasons were a lack of data, including data on toxicity to account for responses of racial/ethnic minorities and low-income populations, and a lack of guidance or methodologies for considering EJ factors. Survey respondents also identified specific strategies, data, methods, and tools needed to improve the process of incorporating social vulnerability and susceptibility into human health risk assessment.

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## ***18. TIPS AND TOOLS FOR APPLYING ENVIRONMENTAL JUSTICE CONSIDERATIONS AT FEDERAL FACILITY NPL SITES PROJECT GOALS***

### ***COMPLETE***

FFRRO is working with EPA Region 3, the U.S. Army, the U.S. Navy, the U.S. Air Force, and state (Pennsylvania, Delaware, and Virginia) representatives to pilot approaches to characterizing communities adjacent to three federal facility NPL sites, to identify those with EJ concerns. FFRRO will draw on the experience of these Regions and consult with OECA and OSRTI, including community involvement coordinators (CICs) and staff from ORD and OEJECR, to identify best practices, and build out Standard Operating Procedures (SOPs) and Review Templates to promote consistency.

The work group produced a summary report describing the efforts undertaken to familiarize team members with available desktop tools for screening communities, gather information about surrounding communities, and plan targeted engagement strategies to establish meaningful engagement. The report also identifies opportunities to document findings to support communities and future decision-making. The work group will meet in one year to

catalogue progress and identify challenges. In the meantime, FFRRO will recruit additional facilities for pilot implementation.

More information on this project can be found at: <https://www.epa.gov/fedfac/environmental-justice-considerations-federal-facility-superfund-sites>

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## ***19. DEVELOPMENT OF ENHANCED CRITERIA AND/OR AN ENVIRONMENTAL JUSTICE-SPECIFIC AWARD CATEGORY DURING EPA'S 2022 AWARD CYCLE***

### ***COMPLETE***

EJ considerations were included in the 2022 and 2023 request for nominations. Several 2022 nomination packages included descriptions of community engagement and site reuse that addressed environmental justice concerns, which can be found at: <https://www.epa.gov/fedfac/2022-national-federal-facility-excellence-site-reuse-awards>.

FFRRO expects that nomination packages will continue to address environmental justice concerns, and as we gather more examples and experience, we will refine suggestions for documenting EJ considerations in the nomination packages.

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## ***20. TRAINING RESOURCES FOR REGIONAL OSCs***

### ***COMPLETE***

In 2022, an EJ discussion was added to the OSC Readiness Training Conference plenary agenda. EPA hosted monthly EJ Screen/CEJST webinars, throughout 2022 into August 2023.

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## ***21. INTEGRATING ENVIRONMENTAL JUSTICE INTO EMERGENCY RESPONSE PREPAREDNESS AND MANAGEMENT***

### ***COMPLETE***

November 2022: Memo signed formalizing this process. In the Fall of 2023, OEM hosted an ICS Institute for approximately 300 emergency response staff and Response Support Corps members. EJ was integrated into the training and exercise scenario for the IC, PIO, and LNO

roles to coincide with Recommendation 3 of the 2022 document *Integrating Environmental Justice into Emergency Response Preparedness and Management*.

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## **22. Create awareness and help brownfields stakeholders understand how they can use justice and equity screening tools**

### **COMPLETE**

The Office of Brownfields and Land Revitalization (OBLR) provided information and resources on EJScreen and the Climate & Economic Justice Screening Tool (CEJST), including a recorded demonstration of how Brownfields Grant applicants can use EJScreen to identify specific EJ-related issues around their brownfield sites. OBLR also updated a 2021 interim protocol, which provides national, consistent guidance to the regional offices for identifying communities with the potential for having EJ concerns. The protocol relies on EPA's EJScreen tool to develop a nationally consistent methodology for identifying proposed, final, deleted and Superfund Alternative Sites NPL sites that have the potential for EJ concerns. In addition to EJScreen, regional offices will also have the option to use the Climate and Economic Justice Screening Tool (CEJST) to inform their understanding of community demographics.

Resources on how EJScreen and CEJST can be used by communities with brownfield sites will continue to be updated. In addition, OBLR continues to encourage brownfield coordinators and other staff to use EJScreen and CEJST to identify communities for targeted outreach when sharing information about brownfields resources and grant opportunities.

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## **23. DEVELOPMENT OF DATA TOOLS TO ENABLE ENVIRONMENTAL JUSTICE ANALYSES**

### **COMPLETE**

The goal of the project was to combine all Indian country data into a single database. The database provides us with the ability to conduct an EJ analysis of Underground Storage Tank (UST) facilities and releases in Indian country, where EPA has direct authority.

EPA's Office of Underground Storage Tanks (OUST) worked with regional offices to consolidate all underground storage tank (UST) and leaking underground storage tank (LUST) data from Indian country into one database. The data system is complete, and EPA will actively update with current data moving forward. This is the first time all Indian country data is combined in a national mapping application of UST and LUST data. Combining this data in one interface allows

users to look at UST facilities and LUST sites in relation to EJ criteria, surface and groundwater, public drinking water protection areas, estimated number of private domestic wells, and number of people living nearby, and flooding and wildfires.

OUST will continue to work with partners to update the database with the most current data available. OUST will also continue to work with EPA regional offices to identify status of LUST sites in those communities and determine what action can be taken to further advance cleanups at those sites. Future steps may include changes in investment and will be informed by the Administration's implementation of Justice40.

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## **24. PILOT ENVIRONMENTAL JUSTICE ANALYSES OF UST AND LUST SITES**

### **COMPLETE**

OUST worked with Regional and state program partners from August 2021 to February 2022 on the UST/LUST EJ pilot project. The goals were to analyze the universe of UST facilities and LUST releases, and to identify programmatic adjustments to advance EJ in the national tanks program. Lessons learned informed a broader EJ implementation guidance document for Regional and state UST and LUST programs, which OUST shared in March 2022. This EJ implementation guidance document outlined expectations for all regions and states to integrate EJ considerations into their programmatic decisions beginning in FY 2023.

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## **25. DEVELOPMENT OF OUST-SPECIFIC EJSCREEN TRAINING FOR STAKEHOLDERS TO LEARN MORE ABOUT THE APPLICATION AND HOW IT CAN BE USED IN THEIR PROGRAMS**

### **COMPLETE**

In September 2022, OUST hosted an EJ-specific training for attendees at the National Tanks Conference. The training highlighted national EJ goals and provided an overview of EJ tools that will help advance EJ in the national UST program. Additionally, OUST hosted EJScreen trainings for regional and state programs in the fall of 2023. OUST continues to provide support with EJ analyses, a foundational step in advancing EJ as a priority in the national tanks program.

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## 26. ENVIRONMENTAL INDICATOR WITH UST AND LUST DATA IN EJSCREEN

### COMPLETE

The UST/LUST indicator was featured in the February 2022 update of EJScreen. OUST and ORD continue to work actively with OEJECR to keep the UST/LUST indicator updated with the most current data available. Future updates of the EJScreen application will feature updated UST/LUST data from UST Finder.

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## 27. COMMUNITY ENGAGEMENT AND TECHNICAL ASSISTANCE (CETA)

### *Project Goals, Results and Next Steps*

In line with our commitment to empowering local communities dealing with RCRA environmental concerns, the CETA Program announced a significant program update for Fiscal Year 2023.

In FY23, the CETA Program achieved a milestone by establishing a contract vehicle explicitly designed to provide impartial support and assistance to communities, emphasizing the RCRA Program's dedication to collaboratively addressing environmental challenges. This contract vehicle ensures equitable access to reliable assistance. Furthermore, our community-driven approach highlights the importance of geographical balance, with a focus on diversifying the distribution of technical assistance opportunities across all geographic locations in the United States.

To support these internal processes, we have developed the CETA Program website. This digital platform serves as an information resource, housing the CETA brochure and simplifying the process of requesting assistance. Notably, the CETA Program was rolled out in the Waukegan, Illinois, community in FY23, marking the initial step in empowering communities to effectively address environmental concerns.

**CETA webpage is located at <https://www.epa.gov/rcra/forms/rcra-community-engagement-and-technical-assistance-program>**

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## **28. RCRA COMMUNITY OF PRACTICE FOR ENVIRONMENTAL JUSTICE**

### ***Project Goals, Results and Next Steps***

The RCRA Community of Practice serves as a forum for the RCRA Program, States, Industry, and the general public, fostering a culture of knowledge sharing, research collaboration, and the exchange of lessons learned and best practices. This collaborative environment is poised to reshape the relationship between these entities, emphasizing a stronger commitment to community benefits, effective outreach, and engagement practices within disadvantaged communities. By nurturing this relationship, the community of practice will enable the integration of these essential practices into waste management programs over the long term. Ultimately, this initiative will bring about tangible benefits for environmental justice, ensuring that the needs and concerns of vulnerable communities are at the forefront of decision-making and resource conservation efforts.

In FY23, the community of practice achieved increased knowledge sharing, strategic alignment with ORCR goals, and a boost in membership. Challenges included resource constraints and availability of featured speakers. In FY24, the primary goal is to instill a culture of proactive preplanning, ensuring smooth operations. The next steps include prioritizing Teams' site maintenance for effective communication and enhanced interaction. By the end of FY24, the community of practice aims to establish and actively engage in a cross-functional collaboration project that will leverage the diverse expertise of our members to address a key challenge related to EJ.

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## **29. EPA/HUD PROXIMITY ANALYSIS: ASSESSING CLEANING UP HUD-ASSISTED HOUSING ON SUPERFUND SITES**

### ***COMPLETE***

The team is now working on the 2024 analysis, expected to be completed by spring 2025. The purpose of the analysis is to coordinate with HUD to address contamination from Superfund sites. This is a cross agency project under the HUD/EPA MOU to identify HUD housing facilities on or near Superfund sites and facilitate collaboration between the agencies.

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## **30. PILOT SUPERFUND COMMUNITY WORKSHOPS**

### ***Project Goals, Results and Next Steps***

The goal of the Superfund Community Workshops is to standardize EPA’s approach to community involvement at Superfund sites early in the cleanup process, ideally soon after a site has been listed on the National Priorities List. By building strong relationships with communities from the get-go, Superfund will increase its likelihood of community support for cleanup plans, decrease its likelihood of cleanup delays, and have a better chance at redevelopment opportunities that best serve the affected community or communities.

The project team piloted five Superfund Workshops in Regions 1, 2, and 3 between September and December 2022 and began refining the approach based on pilot feedback in March 2023. The team updated the workshop toolkits to better address the information communities were most interested in and added more interactive elements to better engage workshop attendees.

In 2024, the project team piloted an additional three workshops in Region 2 and Region 5. There has been overwhelming support from communities at each site in Regions 2 and 5, where the workshops have been piloted, and the project team continues to refine the approach with the goal of project completion by fiscal year 2025.

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## **31. SUPERFUND SITE PROFILE PAGE UPDATE**

### ***Project Goals, Results and Next Steps***

The Site Profile Design Team re-convened in 2024 to work with the Information Management Branch (IMB) and the Office of Mission Support (OMS) to navigate migration and creation of new Site Profile Page (SPP) content type in Drupal. As part of the migration, the team will evaluate the need for clear risk communication messaging for each site and possible improvements to accessing site information and EPA resources that may address environmental justice concerns. The team expects to test the new content in 2025 with OMS and the regions.

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## **32. TASC PROGRAM FUNDING AT THE EPA HQ LEVEL FOR COMMUNITIES WITH EJ CONSIDERATIONS NEXT TO FEDERAL FACILITY NPL SITES**

### ***Project Goals, Results and Next Steps***

In an effort to provide funding to communities with EJ concerns, OLEM established the Technical Assistance Services for Communities (TASC) which boosted resources for more

effective engagement, resulting in TASCs being established in four communities: Ellsworth Air Force Base (Region 8), Fort Devens (Region 1), Pease Air Force Base (Region 1), and SLAPS (Region 7). In each case, the community heard about TASC through an EPA public meeting and then spoke with the site team (Regional Program Manager (RPM) and/or Community Involvement Coordinator (CIC)) about receiving TASC assistance. At Ellsworth and SLAPS, a community Technical Assistance Needs Assessment (TANA) was developed in coordination with the community. The TANA is being used as a “roadmap” for meeting the community’s site cleanup information needs through the Region, other agencies and/or the TASC program. The Devens and Pease communities had managed Technical Assistance Grants (TAG) for a while but were reaching a point of losing internal capacity to manage the grants. TASC is being provided to Devens, in the interim, while the community is determining if they want to find a new TAG advisor or if they want to switch to TASC, moving forward.

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### **33. TECHNICAL ASSISTANCE OUTREACH**

#### ***Project Goals, Results and Next Steps***

EPA’s technical assistance grants expand OBLR’s outreach to communities with brownfields, particularly those that may be new to addressing brownfields and are facing EJ challenges. OBLR’s [Technical Assistance to Brownfields \(TAB\) providers](#), and other technical assistance providers, target outreach to underserved communities, and communities that do not currently have a brownfields grant. The free technical assistance and resources that providers offer benefit communities by helping them cleanup and reuse brownfield sites.

TAB providers and EPA Regional programs are using data provided as part of recent EPA Brownfields Grant competitions and EJScreen to identify and target outreach to communities that face significant environmental challenges. Technical assistance providers will continue to promote the availability of these free resources to help advance brownfields assessment, cleanup, and reuse, particularly in underserved communities, and communities without brownfields grant resources.

In FY22 and FY23, our TAB providers provided technical assistance to a total of 331 communities. 180 of them were identified as disadvantaged communities, based on the Climate and Economic Justice Screening Tool (CEJST).

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### **34. EQUITABLY ASSESSING AND CLEANING UP BROWNFIELD SITES**

### ***NEW PROJECT***

EPA's Brownfields Program is committed to ensuring that residents of communities affected by economic disinvestment, health disparities, and environmental contamination have an opportunity to meaningfully engage in and benefit from brownfields planning, assessment, cleanup, and reuse.

By using EJScreen and/or CEJST, the Brownfields Program will attempt to meet the goal of having 45% of brownfield properties assessed and 50% of brownfield properties cleaned up occurring in underserved communities.

When more underserved communities can assess and clean up their brownfields, they can revitalize their brownfield properties, mitigate potential health risks, and promote economic vitality.

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## ***35. SET-ASIDE AND EJ CRITERION IN SUPPORTING ANAEROBIC DIGESTION IN COMMUNITIES FUNDING OPPORTUNITY***

### ***Project Goals, Results and Next Steps***

In 2020 ORCR announced the availability of funds and solicited applications that will demonstrate a means of accelerating the development of new or enhance/increase existing anaerobic digestion capacity and infrastructure in the United States from food waste. The grant includes a criterion on EJ. This funding announcement supports the priorities detailed in President Biden's Executive Order 13985 (Advancing Racial Equity and Support for Underserved Communities Through the Federal Government) and Executive Order 14008 (Tackling the Climate Crisis at Home and Abroad). In addition, this opportunity included an EJ set aside of about \$800,000 of the estimated total specifically for U.S. territories, tribal governments, tribal colleges and universities, and eligible organizations located in persistent poverty counties. This first phase of the project is complete, with funds awarded in the summer of 2022. The second phase focuses on quantifying EJ benefits of grant projects funded through a set-aside reserved for applicants located in a persistent poverty county at the time of application submission. The second phase begins at the end of FY2024. Notably, this project will establish a model for other grant programs in the Office of Land and Emergency management, such as the Solid Waste Infrastructure for Recycling and Consumer Recycling Education and Outreach grant programs.

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### ***36. EXPLORE THE POTENTIAL OF REVISING RCRA HAZARDOUS WASTE STATE GRANT TERMS AND CONDITIONS TO BETTER PRIORITIZE AND SUPPORT STATE ACTIVITIES TO ADDRESS ENVIRONMENTAL JUSTICE***

#### ***Project Goals, Results and Next Steps***

EPA provides annual grant funding to authorized states and territories to implement the RCRA Hazardous Waste Management Program. Authorized states are the primary implementing agency for most permitting, corrective action and enforcement activities. ORCR and EPA Regional offices would explore and potentially develop proposed grant terms and conditions focusing on state commitments that support EPA EJ priorities and goals. ORCR would also coordinate with efforts within other media programs to ensure Agency-wide consistency. EPA would also coordinate with states throughout this effort.

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### ***37. ANALYTICAL NEEDS ASSESSMENT***

#### ***COMPLETE***

This action was largely aimed at increasing awareness and coordination across OLEM's policy development community, and resulted in:

- OLEM's Office of Program Management provided the Office Directors with an assessment and inventory of available data sources for integrating environmental justice in all policy and regulatory development actions.
  - Updates to OLEM's Action Development Process library of resources were aligned and merged with the [agency website](#) as an ongoing reference tool for rule writers.
  - Training sessions by the National Center for Environmental Economics on using the technical guidance for environmental justice considerations in economic impact assessments have been held throughout FY22-23. OLEM rule writers and economists participated in the training events.
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