Pennsylvania DEP’s Environmental Justice Policy
Small Business Compliance Advisory Committee (SBCAC)
April 27, 2022

Tom Wolf, Governor

Patrick McDonnell, Secretary
To protect Pennsylvania's air, land, and water from pollution and to provide for the health and safety of its citizens through a cleaner environment. We will work as partners with individuals, organizations, governments and businesses to prevent pollution and restore our natural resources.
Roots of EJ in Pennsylvania

• Organizing of Chester in early 1990s
• Environmental Risk Study by EPA in conjunction with DER in 1993
• Chester residents (CRCQL) lawsuit against DEP in 1996
• DEP Environmental Justice Work Group (EJWG) created in 1999
  Report and Recommendations released in 2001

Sources: Swarthmore Phoenix & CQ Press
<table>
<thead>
<tr>
<th>Year</th>
<th>Event/Act</th>
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<tbody>
<tr>
<td>1960</td>
<td>Civil Rights Movement</td>
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<tr>
<td>1962</td>
<td>Toxic Wastes and Race Report</td>
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<td>1967</td>
<td>University of Michigan Symposium</td>
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<td>1993</td>
<td>First National People of Color Environmental Leadership Summit</td>
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<td>1994</td>
<td>Chester Environmental Risk Study and CRCQL lawsuit against DEP</td>
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<tr>
<td>1998</td>
<td>PA DEP Office of Environmental Advocate formed</td>
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<td>1999</td>
<td>California EJ Act Enacted</td>
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<td>2004</td>
<td>PA EJ Public Participation Policy</td>
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<td>2007</td>
<td>South Carolina EJ Act</td>
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<tr>
<td>2010</td>
<td>CalEnviroScreen Proposed</td>
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<td>2016</td>
<td>Illinois Future Energy Jobs Act</td>
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<tr>
<td>2019</td>
<td>New Jersey EJ Legislation A2212 Passed</td>
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<tr>
<td>2020</td>
<td>PA Executive Order 2021-07</td>
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<td>2021</td>
<td>PA Executive Order 2021-07</td>
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<tr>
<td>2021</td>
<td>Executive Order 14008</td>
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EJ Policy Components

I. General Information
   a. Definitions, OEJ, EJAB
II. Permit Review Process
III. Community Input
IV. Oil and Gas Engagement
V. Inspections, Compliance and Enforcement
VI. Climate Initiatives
VII. Community Development and Investment
VIII. Policy Updates
Definitions

I. General Information

• Robust definitions section defines terms ranging from applicant to public meeting.
• Assist in clarifying the document and ensuring that it is similarly interpreted by the public, DEP staff, and permit applicants.
• Enhances the overall readability and accessibility of the document.
OEJ and EJAB

1. General Information

- Office of Environmental Justice
  - Define Role of the Office of Environmental Justice
  - Training
  - EJ Maps and Identification of Environmental Justice Areas
  - Annual Report
  - Language Access Services
  - EJ Strategic Plan
  - Environmental Justice Interagency Council

- Environmental Justice Advisory Board
 Permit Review Process

II. Permit Review Process

• Builds from the current policy with improvements and updates
• Clarifies permits covered
• Offers significantly more detail in the Opt-In permit process
• Describes the process for community input
• Indicates a number of potential outreach options
• New section specific to unconventional gas drilling
• Community concern about including some EJ considerations in the process
• Legislatively mandated permit review timelines don’t allow for these permits to be included with the permit review process identified in sections 2 and 3.
Inspection, Compliance and Enforcement

• Moving beyond public participation within our existing regulatory authority
• Prioritizing inspection and compliance
• Community Environmental Projects
VI. Climate Initiatives

• Climate Action Plan involvement
• Climate adaptation
• Directs DEP to engage in public involvement that integrates the stated needs and concerns of EJ communities
• Targeting grants
• Promoting brownfield redevelopment
• Partnering with higher education institutions
VIII. Policy Updates

• Requires review of the EJ policy for updates every 4 years
• Update EJ area identification and mapping every 2 years, based on latest data
EJ Policy Update Timeline

Planning
Fall – Winter 2020

Outreach and Engagement
Fall 2020 – Summer 2021

Drafting and Finalization
Spring 2021 – Summer 2022

Implementation
Summer 2022
Planning

Fall – Winter 2020
Inform partners about withdrawal of policy and plan for EJ Policy development and implementation.
Draft plan and timetable for outreach and get initial feedback on outreach
Consider development of EJ Policy Advisory Group

Outreach and Engagement

Fall 2020 – Summer 2021
Identify internal (DEP and state agency) partners for feedback
Develop outreach questions, survey and strategy
EJAB, EJ Stakeholders and other external engagement
EJ Policy Update Timeline

Drafting and Finalization

Spring 2021 – Summer 2022
- Internal review and input
- EJAB comments on Policy
- Public comment – Spring 2022
- Comment and response document preparation
- Internal review
- Finalize policy

Implementation

Summer 2022
- Staff and state agency training on policy
- EJAB overview of Policy
- Community Engagement about Policy
Office of Environmental Justice

General Comments & Questions
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