

What is a DEP “policy”?

While a law says *what* must be done, a policy says *how* it will be done. A DEP policy is a written, nonbinding document that outlines procedures that DEP and others (such as companies or communities) may put in place and actions they may take to meet the requirements of an environmental law or outline key practices of an agency or organization. In some cases, a policy can be thought of as an instruction manual that outlines details of these practices or provides real life direction to meet what a law requires.

What’s the current DEP Environmental Justice Public Participation Policy?

Environmental Justice (EJ) Areas are defined in the EJ Public Participation Policy as communities where at least 20 percent of residents have incomes below the federal poverty line and/or 30 percent identify as a non-white minority. About 32 percent of Pennsylvanians live in [EJ Areas](#).

DEP developed its current EJ Public Participation Policy in 2004 to ensure Pennsylvanians in EJ Areas have the ability to access information from DEP and participate in DEP processes when an applicant applies for a permit from the agency to do something that will affect the environment. An applicant could be a business, organization, local government, individual or another entity. DEP wants more residents in EJ Areas to access permit applications and have the opportunity to give feedback when DEP is reviewing a permit.

The EJ Public Participation Policy outlines actions that DEP takes to reach out to residents in EJ Areas to inform them that:

- An applicant is applying for a permit from DEP to be allowed to operate, build, or make change that will somehow affect the environment or public health.
- All residents have a right to give feedback when DEP is reviewing the permit.
- DEP can help people understand what’s being proposed and how, when, and where to voice their opinion.

For example, say a company applies for a permit to dispose of waste in a neighborhood that’s in an EJ Area. DEP engages residents in the neighborhood through community leaders, website and newspaper notices, fliers, and other methods to tell them what the applicant plans to do. DEP provides information on when and where there will be a meeting to discuss it, or other ways to share their questions and opinions on it.

DEP was in the process of updating its EJ public participation policy and then stopped. Why?

DEP wanted to hear from more residents in EJ communities about certain types of permits, called “trigger permits” in the Policy. Trigger permits are the permits that may have a significant public concern because of the potential impacts on human health or the environment. Beginning in 2017, we asked for and received input on how to improve the EJ Policy. Many people told us DEP should think bigger about environmental justice and work with communities on more than just permit reviews.

Now DEP is developing a different EJ Policy?

Yes, we are revising the 2004 policy. DEP agrees strongly that we should develop a broader approach of environmental justice. We want to bring residents’ views into more aspects of DEP work and provide tangible benefits to communities.

Will DEP get public input from EJ communities on this new policy?

Yes. We are incorporating a community engagement process for development of the revised policy to ensure inclusive community voice in the creation of the new policy. We began community engagement in spring 2021, will have a formal public comment period and public hearings, and continue to take feedback until the EJ Policy is finalized.

I'd like to provide feedback to DEP on how to improve the new EJ Policy. How can I get involved?

The Environmental Justice Office wholeheartedly welcomes feedback from environmental justice stakeholders across the Commonwealth as we move forward to develop the new EJ Policy. Please see a *timeline and key elements of the process* on our [EJ Policy Revision page](#). We'll add more information on the revisions and ways to engage as the process moves forward. Please [contact our office](#) with any questions. [Sign up for the OEJ newsletter to stay involved in the update process](#).

How will the new EJ policy be different?

The new policy will attempt to integrate EJ into more aspects of DEP's work to benefit EJ communities. This may include revising definitions of EJ areas/populations; increasing collaboration and planning between state government agencies; developing EJ mapping, resources, and data for community use; prioritizing EJ in grantmaking practices; offering more translation services; and training DEP staff and external partners on environmental justice.