

How can the EJ Policy address communities' environmental justice concerns?

Preventing impacts rather than enhancing participation.

accountability

it only works with enforcement actions

by setting up accountable processes through which communities can communicate those concerns to DEP on a regular and ongoing basis

Include very specific metrics in each of the areas of concern. Examples: how many times has public comment changed DEP decisions?

Focus on communicating and engaging with communities more directly.

address enforcement; think beyond race/ethnicity and poverty demographics and look more holistically at what causes a community to be more disadvantaged for EJ purposes; integrate EJ more substantively into permitting decisions

Public participation on the part of the applicant is voluntary it should be mandatory

How do we avoid impacting the same communities over and over again

How can the EJ Policy address communities' environmental justice concerns?

Research on existing health of community members - more protective emissions limits based on health

1. Create relationships with organizations in those communities. I direct an EJ group yet just found out about this meeting 30 minutes ago through a colleague! 2. EJ policy creates discussions, but does not seem to prevent pollution permits

Community residents must be stakeholders and be part of the discussion, not an afterthought

Implement through regulation rather than policy

Identify strong interlinkages with other aspects of environmental and climate policy so EJ and "other" environmental/climate policy doesn't happen in silos

Often times, people just want to be heard. Having an annual listening tour to various communities. And, reporting back to that community afterwards with what you heard and potential changes. Even small incremental changes can make a difference.

Get buy-in from regulated community -- they need to get involved with communities at earliest stages of a potential project

good policies will prioritize public health and safety over profit

Permit applicants should be required to be engaged in community outreach efforts, assure that an agreed upon set goal of public participation is met, and cover associated costs.

How can the EJ Policy address communities' environmental justice concerns?

Make EJ policy, including public participation, into law. A "voluntary" policy does not allow meaningful input even if meetings occur.

Many low income people do not have internet. In EJ communities find ways to communicate through flyers and by collaborating with community groups.

Track health disparities using an established baseline year and compare with permitted activities over time; share any correlating data with the public.

Ensure strong community opposition results in changes in permitting and/or industry selecting safer alternatives

Foster/facilitate EJ community collaboration with health and environmental professionals (scientists, engineers, etc.) for information to support EJ community advocacy

Is it possible that a policy can become a law?

Oversee technical support to empower EJ communities to understand and be part of the process to address the issues

Permits should not be issued to companies that fail to follow requirements for EJ public participation.

Communities should be evaluated for health status and existing emissions/ambient AQ, and if a community fails on the basis of existing health or lots of emissions/bad AQ, there needs to be a way to block any permit that would worsen the situation

How can the EJ Policy address communities' environmental justice concerns?

Capture costs -- force cost of cleanup -- capture of threats -- onto manufacturers or primary consumers. Polluting is too cheap.

Ej is not just spreading the pollution around evenly. All people deserve a truly clean and healthy environment. Support Article 1 Section 27.

Make sure engagement with EJ communities can actually have an impact on decision making on a particular permit application - not just meetings that check boxes as a matter of procedure

If an EJ community has been affected with serious harm, creating a policy that holds the company/business accountable and requiring fines paid to the community.

Don't link the policy to new permits only; it must re-open permits for sources that already exist and have grandfathered standards

all permitting agencies in the state, including in Philadelphia, must be required to look at the proposed emissions as adding to existing emissions (PTE), instead of looking at each permit as if the facility is the only one.

Consider an EJ permit review fee to fund Department EJ actions

Weigh the cost savings of prevention when considering ROIs

The policy places the Office of Environmental Justice in the role of begging for on behalf of the community for a place at the table, with no obligation of the applicant to respond, less any responsibility to respond. What value is this

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EJ needs to also include educational programs to support the community in developing the ability to understand in order to participate fully

Cumulative emissions should trigger small permits in some areas.

What happens if County has a differing definition of what constitutes EJ communities?

Look at downstream or downwind impacts -- not just impact on permitting area

The current policy has limited impact by being narrow in focus to just guidelines for DEP's approach to public engagement for permit application reviews.

Voluntary venting sessions are window-dressing, not justice.

thinking about what forms justice can manifest (distributive, procedural, restorative, retributive), it seems like the policy would best focus on procedural aspects... maybe setting the stage for distributive and restorative in legislation?

As long as its just meetings, the public needs to be able to access all the information and should be given time in the meetings to state their concerns and ask question of both the govt and the facility. ON the record.

The biggest problem people have is that they know the decisions won't be changed because they object.

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At least, trigger permits need to factor in the existing conditions (health and pollution), and develop a sliding scale---the greater the EJ problems (high asthma and cancer rates; high pollution), the smaller the facility need to be.

The systems that are in place are designed to maintain keeping oppressive systems in place to maintain the status Quo. What is needed to support EJ in having more POWER to TRULY serve the people?.

In EJ communities, meetings need to be advertised using multiple ways. Through the mail, through ads in local or neighborhood papers, as well as by email.

Applicants can PAY for the meeting, but DEP should set up the meetings. Otherwise, polluters set up meetings at their convenience, not the public.

Open formats with microphone for questions and answers to be shared openly so all can hear. Do not use Open House formats that divide the room and potential for folks to hear all comments, questions and answers.

Make investigations into cumulative impacts mandatory as part of EJ review process

What worked and what were challenges with the current EJ Policy?

Trigger permit criteria too selective

Once a permit is submitted, it creates a confrontation between the residents and industry. If DEP informed residents before permits were submitted, it might prompt collaboration.

I don't know how census tracts align with municipal boundaries, but I wonder if census tracts are the most useful geography by which to designate EJ areas/communities. Are census tracts really "communities" ppl identify with/in?

The current policy has limited impact by being narrow in focus to just guidelines for DEP's approach to public engagement for permit application reviews.

No teeth (no ability for community members to use EJ to demand stricter permit limits)

Confusion (community members misled about the extent of what EJ "policy" can accomplish)

Too often, permittees did not participate in the voluntary process, or did so at a point at which it was already too late for communities to have much influence on the project.

If a community already has a higher than average level of pollution, any smaller permit should be considered a trigger permit

In cases where there were no established EJ/community groups following a project, it was difficult for an appropriate level of information to filter to residents.

What worked and what were challenges with the current EJ Policy?

Trigger permit criteria too narrow ... even smaller permits can cause larger impacts in aggregation

Applicants' personal vested interest in the process should preclude them from taking the lead in setting up and conducting any informational community meetings as they're currently allowed to do.

Agree with earlier comment about permittee taking lead in public meetings. This led in many instances to divisive interactions with community and unproductive outcomes.

DEP should have an established relationship with a community group in each of the EJ areas and engage them as early in the process as possible. DEP should provide data to communities to empower their work

The definition of an EJ area is not uniform between County - State - US

If the policy relies on permit applications for projects located WITHIN EJ areas, it may limit the ability to address impacts IN EJ areas by projects located OUTSIDE EJ areas (e.g., a facility with a discharge upstream/upwind of an EJ area)

DEP should apply this to ALL permits that have the potential to generate pollution. This should include existing permits to pollute, not just when applicants apply for new permits or to modify existing permits.

More complete data gathering in EJ communities would set the stage for cumulative impacts legislation.

EJ policy does not provide the opportunity to describe the full extent of contamination or to measure whether it is increasing or decreasing.

What worked and what were challenges with the current EJ Policy?

DEP should coordinate with Phila and Allegheny Cnty to assure policy is enforced consistently across PA. Both counties have air permitting programs. They do not utilize DEP's EJ policy or have their own equivalent or stricter policies in place.

Consider existing health outcomes and health disparities in the community in which projects are proposed

Perhaps the wrong Q&A, but on cumulative impacts, there should be the ability to consider multiple exposure pathways (air emissions and water quality)

We need an environmental justice law or regulations akin to NJ. Anything less will do more harm than good promoting false hope. Thre OEJ would oversee the implementation

Public participation only has value if it offers the opportunity to better the outcome. The process will otherwise do more harm than good

How can we improve the public participation process within the policy?

Can we designate community leaders who can work on talking with its communities all through the year who then can relay to you? This gives more time to think throughout the year, but also make sure each community can be and feel heard.

As a matter of policy delay consideration of a permit application for 90 days when the public has not been notified and inform the public of the permit. This will incent industry to engage the public before permit is submitted.

Exit survey at meetings to determine support or disapproval for people who are residents and who don't work for applicant.

DEP should set up the meetings to be convenient (time and location) for the involved public. The polluter should be charged a fee, they should be required to attend, but they should not set up the meeting. Its an insult to the public

1. Start earlier (pre-application where feasible)2. Improve the very old EFACTS system, which is hard to navigate3. Put more permit information on the Internet4. Always offer a Webex/virtual alternative. The past year has taught us this is viable

Access to engineering / source-specific expertise at DEP; particularly with air quality, "could the proposed installation be done with fewer emissions?" is nearly impossible to address in 30 days

When applicants do not answer questions at meetings, full answers must be provided within less than a week and made publicly available.

Investing in multiple modes of communication -- email, mail, social media, canvassing etc

Find a way to make citizen dissent matter; could delay process and require more meetings; triggers additional evaluation or input. Prevent pre-ordained approval.

How can we improve the public participation process within the policy?

DEP and local governments need to keep lists of people who have commented on permits before and make sure that people who want to be involved are invited.

Trigger criteria must be better resolved otherwise we never get to public input process early enough.

It's always better to slow the process before a permit is granted than to deal with lawsuits or the other consequences after the fact.

If there is significant disapproval within an EJ community, DEP should immediately shelve the permit pending further discussion and resolution.

There must also be a tighter deadline for DEP/polluter to answer questions and respond to comments. Sometimes comments are answered at about the same time the permit is issued!

We need local control over the environments we live in. DEP may not be in position to facilitate that until state law cannot preempt local environmental controls. Perhaps this needs a constitutional amendment?

Require industry to fund experts to help communities understand technical information on permits.

DEP (and particularly permitting, OEJ, and Communications sections) has been forced to do more with less for too long - hiring and training more DEP personnel would be beneficial to communities, regulated entities, and existing staff.

Would be nice to have some way to assess if community members understood the information presented to them at these meetings

How can we improve the public participation process within the policy?

There needs to be an outreach coordinator. It is a specialty. Knowledge of social media, social networks, knowing the best timing, wording, approach are essential.

On the timing aspects of permit decisions, this policy needs to consider points of connection with other DEP policies, particularly the Permit Decision Guarantee policy

It's important that a public participation process start early enough so that there can be true discussion and multiple meetings on difficult issues. One or two meetings is often not enough

DEP should do more extensive local air monitoring for hazardous air pollutants whenever a permit including HAPs is under consideration

How can DEP address environmental justice concerns in addition to public participation in the permitting review process?

We should create a set of community agreements that new industries must agree to before entering/submitting permits for an area - for example, how would they address increased heavy diesel traffic to and from the site, how will they address waste

Alter the permitting regulations to require that cumulative emissions be calculated and used to determine the "size" of a facility.

In an EJ community, I think DEP should pass a regulation that requires that all permits be issued based on the SIZE of the emissions capacity, and not allow permits that rely on a facility operating under capacity.

incorporating EJ considerations into funding decisions, such as grant application review/scoring

In addition to external focus on EJ community concerns, policy should expressly include inward looking goals (for example, training of DEP staff in all functions on EJ and equality/justice issues)

As part of permit review memos, DEP should include an EJ assessment; such an assessment should include multiple exposure pathways / cumulative burden (an air quality permit should note water quality, solid waste, etc.)

The file review process is a joke at DEP. Sorry. If possible, the EJ Policy should require all support documentation online. See the EPA "Dockets" for rulemakings.

Justice means fairness. People in EJ communities should not be asked to discuss the addition of more poison in our environment. We have reached our saturation point. Polluting projects all need to be planned in the wealthiest communities.

We need to address a history of redlining and why EJ communities have such cheap land available... and how more polluters leads to lower land and property values

How can DEP address environmental justice concerns in addition to public participation in the permitting review process?

There definitely should be more grant money for clean projects and jobs and environmental cleanup in EJ communities!

Look not only at demographics, but also at where sources are clustered and where cumulative impacts are likely to be felt - this should include evaluation of mobile sources too (distribution/logistics centers, highways, railyards)

Can we also look at ways to attract cleaner, greener industries to that offer livable wages?

EJ public participation could be made mandatory by changing the regulations that define permit applications--- just require it to submit a permit, no law needed.

English as a second language and foreign born residents

DEP currently delineates EJ Areas based on race and income. What revisions would you recommend for identifying priority populations?

of hazards within the county # of children within the county/whatever border you want to use

work with DOH to answer what chronic illnesses are common across the state and whether there are environmental conditions that affect those diagnoses

Areas that are already suffering industrial blight should be prioritized for clean industries and not allowed to just be the "throw away" neighborhoods.

Health, race, income, existing pollution in the neighborhood is critical. Any area with very high respiratory illnesses and cancer should be considered off limits even if the people are white and not very poor.

proximity/access to health care services and systems... # of nurses and doctors per capita

Consider climate impacts (or risk thereof) in the evaluation.

Already existing pollution sources should be included as a part of identifying EJ populations - again underscoring the importance of cumulative impacts

We must bring together all of the risk components in EJScreen with local data on risk and community vulnerabilities and use this in the permitting process..

1. percentage of undeveloped greenspace in the census tract
2. toxic release inventory, with an understanding that some pollutants travel (might need to include adjacent tracts)
3. transportation (traffic counts, rail, etc.)

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Impact evaluation should consider relevant geographies. For example, if we're thinking about impacts a facility has on downstream flooding, then the hydrologic geography (e.g., watershed) is relevant. For air pollution, it's an airshed...

Consider the EPA RSEI (not all pollutants are equally harmful)

People whose first language is not English, and foreign born residents

counties with no health department

4. human health (cancer, COPD, asthma, immunocompromised)
5. historic pollution burden (EPA has so2 ambient air data from 1980 available online)

maybe considering health and environmental outcomes as metrics for prioritizing populations