



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

FEB 2 2007

ASSISTANT ADMINISTRATOR  
FOR ENFORCEMENT AND  
COMPLIANCE ASSURANCE

Mr. Richard Moore  
Chair  
National Environmental Justice Advisory Council  
c/o Southeast Network for Environmental and Economic Justice  
804 Park Avenue, SW  
Albuquerque, NM 87102

Dear Mr. Moore:

The U.S. Environmental Protection Agency (EPA) has reviewed the recommendations proposed in the National Environmental Justice Advisory Council (NEJAC) report, *The 2005 Gulf Coast Hurricanes and Vulnerable Populations: Recommendations for Future Disaster Preparedness/Response* (August 2006). EPA appreciates the timely, salient advice and recommendations provided by the NEJAC on broad public policy environmental justice issues.

The report contained valuable and insightful recommendations that will greatly assist EPA in improving future disaster preparedness and response. Moreover, the body of work produced by the NEJAC during the past year has made a significant contribution to the Agency's efforts to integrate environmental justice considerations into EPA's policies, programs, and activities.

Prior to and shortly after the NEJAC submitted this report, EPA began to respond to several of the recommendations contained in the report. As you are aware, a number of the recommendations are outside the purview of EPA's responsibilities and therefore could not be addressed. For example, the Federal Emergency Management Agency (FEMA) is responsible for working with the state and local emergency management organizations on disaster preparedness. FEMA and the Department of Health and Human Services (HHS) are the lead for stocking shelters with emergency supplies. HHS assesses the need for and conducts health surveys, while the Occupational Safety and Health Administration (OSHA) is the lead for worker protection.

EPA considers environmental justice to be a critical part of its work and an Agency-wide priority. The Agency is committed to making environmental justice part of its mission by integrating environmental justice considerations into our decision-making, budgeting and

planning processes, including the Agency's disaster preparedness and response plans. In keeping with this commitment, EPA is modifying the implementation of its emergency management Incident Command System (ICS) to enhance the Agency's ability to address environmental justice issues.

On November 2, 2006, the memorandum, "Incorporating Environmental Justice Considerations into EPA Disaster Preparedness and Response Procedures," was issued by Susan Parker Bodine, Assistant Administrator for Solid Waste and Emergency Response; Thomas P. Dunne, Associate Administrator for Homeland Security; and me. (enclosed)

This memorandum outlines changes to the Agency's Draft Incident Management Handbook to ensure that environmental justice issues are addressed in a timely manner. For example, the ICS Liaison Officer, in coordination with Regional Environmental Justice and Tribal Programs, will be responsible for assuring that environmental justice issues are addressed and will brief the Incident Commander, as necessary. The Incident Commander will be responsible for allocating adequate resources to address environmental justice and tribal issues.

EPA is taking other actions to incorporate environmental justice considerations into its disaster preparedness and response procedures, such as:

- EPA will use the Environmental Justice Geographic Assessment Tool, which operates on an EnviroMapper platform, to identify vulnerable populations to establish baselines and outreach strategies during emergency situations.
- EPA will update its list of environmental justice contacts, from all stakeholder groups, that can be accessed quickly in case of future disasters. These contacts can assist the Agency in ensuring adequate outreach to vulnerable communities. Currently, EPA's Region 6 Office of Environmental Justice and Tribal Affairs is working with cities along the Gulf Coast to create an emergency contacts database for such a purpose.
- While local emergency exercises are essentially local activities to test specific emergency preparedness and planning objectives, EPA believes that it is a good idea to include, as an objective of some exercises, the determination of whether or not local emergency response authorities have in place appropriate procedures for dealing with vulnerable populations. To the extent that EPA can influence the structure and objectives of specific emergency preparedness exercises, EPA will recommend that these needs be addressed.
- EPA will develop information materials about the use of environmental waivers during disasters, and use these materials as part of its stakeholder communications activities during future emergency response situations.
- EPA will utilize its long history of effectively using neutral parties to help solve complex, multi-party environmental issues. EPA's Alternative Dispute Resolution (ADR) policy, adopted in 2000, affirms the Agency's strong support for using ADR to deal with environmental disputes and conflicts. In light of the NEJAC recommendation, EPA will evaluate and consider where the use of dispute resolution tools could assist EPA's response efforts with communities and others.

With respect to the NEJAC's recommendations about risk communication, telecommunications, and environmental health response, EPA has made significant progress. For example:

- EPA has formed a working group on Crisis Communications, chaired by the Office of Public Affairs, the Office of Emergency Management, and a Regional Public Affairs Director, to address improvements in the area of public outreach and risk communication. The group is currently developing a Crisis Communications Plan for Incidents of National Significance and a "tool kit" that will include message templates, sample fact sheets and other communication strategies. The group is working in concert with the Centers for Disease Control (CDC) and FEMA to ensure appropriate coordination.
- EPA has selected six organizations in Regions 4 and 6, through a competitive process, to receive grants in the amount of \$50,000 each to address environmental justice issues resulting from Hurricanes Katrina and Rita. These grants will help build the capacity of community-based organizations to address local environmental and/or public health concerns in hurricane devastated areas.
- As part of the Agency's ongoing commitment to support vulnerable populations with guidance on flood and mold issues, EPA and CDC finalized a low literacy flood cleanup brochure based upon lessons learned from Hurricanes Katrina and Rita. Key public health messages include proper mold cleanup procedures, personal respirator use, and avoidance of carbon monoxide poisoning from portable generator use.
- EPA, through its Office of Research and Development (ORD), is evaluating the direction of future studies regarding the environmental impacts on public health following natural disasters. ORD is exploring the possibility of a workshop, through its Regional Science Program, to work with our regional staff to understand on-the-ground impacts and the science needed to support our ongoing mission.
- EPA is developing a longer term telecommunications strategy to address the replacement and maintenance of necessary emergency telecommunications equipment as well as the training of personnel to use this equipment. EPA has already provided uniform and redundant telecommunications equipment (e.g., satellite, high frequency radios) to its responders across the country.

Lastly, EPA shares many of the NEJAC's concerns about environmentally sustainable redevelopment. For example, the Office of Water has long supported and worked toward restoration of vulnerable coastal resources, including wetlands and barrier islands. EPA envisions restoration of Louisiana's coastal wetland ecosystems through strategic, "natural" reintroduction of river water, barrier island/shoreline restoration, and application of innovative technologies such as pipeline delivery of new sediment.

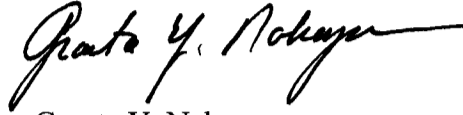
EPA places a high priority on coastal planning and protection efforts, which work to stem the loss of coastal resources in Louisiana. Currently, EPA works closely with the U.S. Army Corp of Engineers, Departments of Agriculture and Interior, and the U.S. Geological Survey, as well as the State of Louisiana, on the Coastal Wetlands Planning, Protection and Restoration Act Task Force to "provide for the long-term conservation of such wetlands and dependent fish and wildlife populations in order of priority, based on the cost-effectiveness of such projects in

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creating, restoring, protecting, or enhancing coastal wetlands, taking into account the quality of such coastal wetlands.”

Thank you and the members of NEJAC for your hard work and dedication in producing this report and furthering EPA’s mission to protect human health and the environment for all people.

Sincerely,



Granta Y. Nakayama

Enclosure

cc: NEJAC Executive Council Members

- Susan Parker Bodine, Assistant Administrator,  
Office of Solid Waste and Emergency Response
- Thomas P. Dunne, Associate Administrator for  
Homeland Security
- Barry Breen, Principal Deputy Assistant Administrator,  
Office of Solid Waste and Emergency Response
- Lawrence E. Starfield, Deputy Regional Administrator, Region 6
- Lynn Buhl, Deputy Assistant Administrator,  
Office of Enforcement and Compliance Assurance
- Kevin Teichman, Deputy Assistant Administrator for Science,  
Office of Research and Development
- Deborah Y. Dietrich, Director, Office of Emergency Management
- Dana S. Tulis, Deputy Director, Office of Emergency Management
- Barry E. Hill, Director, Office of Environmental Justice
- Charles Lee, Associate Director, Office of Environmental Justice
- Elizabeth A. Cotsworth, Director, Office of Indoor Air and Radiation
- David Evans, Director, Wetlands Division  
Office of Wetlands, Oceans and Watersheds
- Laurie Dubriel, Special Assistant, Office of the Administrator
- Kent Benjamin, Environmental Justice Coordinator,  
Office of Solid Waste and Emergency Response

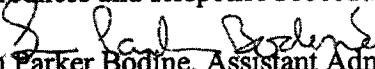


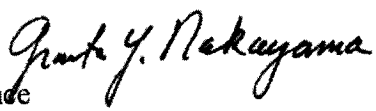
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460


NOV 2 2006

**MEMORANDUM**

**SUBJECT:** Incorporating Environmental Justice Considerations into EPA Disaster Preparedness and Response Procedures

**FROM:**   
Susan Parker Bodine, Assistant Administrator  
Office of Solid Waste and Emergency Response

Granta Y. Nakayama, Assistant Administrator   
Office of Enforcement and Compliance Assurance

Thomas P. Dunne, Associate Administrator  
for Homeland Security 

**TO:** Regional Administrators

EPA is modifying its emergency management procedures to enhance the Agency's ability to address environmental justice issues. These changes are being made in accordance with Administrator Johnson's Memorandum, "Reaffirming the U.S. Environmental Protection Agency's Commitment to Environmental Justice," November 4, 2005, in keeping with lessons learned during the Hurricane Katrina response, and in response to the National Environmental Justice Advisory Council (NEJAC) report, *The 2005 Gulf Coast Hurricanes and Vulnerable Populations: Recommendations for Future Disaster Preparedness/Response*, August 11, 2006. The NEJAC recommended, among other things, that the Agency "incorporate an environmental justice function and staffing support in the Incident Command System structure." We are writing today to let you know about the revisions that are underway to address this recommendation.

The Office of Emergency Management, in the Office of Solid Waste and Emergency Response, is in the process of drafting an Agency Incident Management Handbook (IMH) to serve as a field guide for responders working within an Incident Command System (ICS) during an emergency response. Among other information, the IMH will include position descriptions for key leadership positions. To address the NEJAC recommendation, the IMH will clearly indicate that the ICS Liaison Officer, who is in charge of establishing and coordinating contact with key stakeholders, will assure environmental justice issues are addressed in a timely manner and briefed to the Incident Commander as necessary. The Incident Commander will be responsible for assuring that adequate resources are devoted to Liaison staff to assure that environmental justice and tribal issues receive appropriate attention.

Moreover, the IMH will make clear that the ICS Liaison Officer must coordinate frequently regarding environmental justice issues and activities with the ICS Public Information Officer, who has responsibility for community outreach activities. This will necessarily include outreach by the Public Information Officer and the Liaison Officer to vulnerable populations during the course of the response, in collaboration with regional Environmental Justice and Tribal Offices. The ICS Liaison Officer will be responsible for assuring that the concerns of the affected communities are raised to the Regional Incident Coordination Team (RICT) through the Incident Commander, and that Agency decisions are effectively communicated to ICS staff and communities during the incident response.

In order to carry out these responsibilities, the RICT will coordinate support for the ICS Liaison Officer from the designated Environmental Justice and Tribal Coordinators in the Regional Offices both during preparedness activities as well as at the time of a response. During a response, such support may include providing contact and other relevant information for community-based and tribal organizations and their leaders. Additionally, utilization of the Geographic Information Systems (GIS) tools, such as the Environmental Justice Geographic Assessment Tool, can assist in identifying vulnerable populations. Discussing these procedures in advance during RICT meetings and including these activities in exercises will contribute to our overall preparedness.

We appreciate your attention to this important activity. If you have questions or need additional information, please contact Kathy Jones at 202-564-8353.