



# Environmental Justice Fact Sheet

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## *National Environmental Justice Advisory Council*

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### BACKGROUND

EPA's commitment to environmental justice began in 1992, as a response to public concerns, when the Agency created an Office of Environmental Justice and implemented a new organizational infrastructure to integrate environmental justice considerations into EPA's policies, programs, and activities. In 1993, the Agency established the National Environmental Justice Advisory Council (NEJAC) in order to obtain independent advice and recommendations from all stakeholders involved in the environmental justice dialogue.

### Obtaining Stakeholder Advice

The NEJAC was established by charter pursuant to the Federal Advisory Committee Act (FACA) on September 30, 1993. On August 8, 2006, EPA Administrator Stephen L. Johnson approved the renewal of the charter for the NEJAC, which provides the Administrator with advice and recommendations with respect to

integrating environmental justice considerations into EPA's programs, policies, and day-to-day activities.

The NEJAC consists of members from community-based groups; business and industry; academic and educational institutions; state and local governments; tribal governments and indigenous organizations; and non-governmental and environmental groups. The Council meets once each year and provides a forum focusing on human health and environmental conditions in all communities, including minority populations and low-income populations.

The issues around environmental justice are often complex and involve strongly divergent viewpoints. The NEJAC provides an environment for all parties to express their concerns and to formulate independent, cogent, and timely advice and recommendations to EPA on major public policy issues. In this way, the NEJAC assists in integrating environmental justice into EPA's policies, programs, and activities.

### EPA's Commitment to Environmental Justice

In his June 9, 2008, Memorandum, "Strengthening EPA's Environmental Justice Program," Administrator Stephen Johnson noted that the advice and recommendations of the NEJAC will be especially pertinent to the Agency as it seeks to place greater emphasis on implementation and the integration of environmental justice considerations into all programs, policies, and activities. In this memo, the Administrator stated that continued progress requires a management and implementation infrastructure that utilizes internal staff and expertise as well as external advice and recommendations. This infrastructure includes the NEJAC, whose advice also will assist in EPA's implementation of the Administrator's priorities. These national priorities include: reducing asthma attacks; reducing exposure to air toxics; increasing compliance of regulations; reducing incidence of elevated blood lead levels; ensuring that fish and shellfish are safe to eat; ensuring that water is safe to drink; and using collaborative problem-solving to address environmental and/or public health concerns.

In recognizing that minority and/or low-income communities frequently may be exposed disproportionately to environmental harms and risks, EPA works to protect these and other burdened communities from adverse human health and environmental effects of its programs, consistent with existing environmental and civil rights laws, and their implementing regulations, as well as Executive Order 12898 ("*Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*," Feb. 11, 1994).

EPA will continue to fully implement its programs, policies, and activities to ensure that they do not adversely affect populations with critical environmental and public health issues including minority and low-income communities

### NEJAC ACCOMPLISHMENTS

As a committee consisting of representatives of broad spectrum of stakeholders, the NEJAC has developed consensus proposals to the Agency for creative and collaborative strategies to better address the human health and environmental protection needs of disadvantaged and underserved communities and to ensure that the goal of environmental justice is being integrated in Agency policies, programs, and priorities.

From **1993 to 1996**, the NEJAC produced a number of products and provided consensus advice to help the Agency focus its environmental justice agenda. For example, the initial draft of EPA's Environmental Justice Strategy required by Executive Order 12898 was reviewed and substantive recommendations made; the Office of Solid Waste and Emergency Response's Facility Siting Criteria document was reviewed; the Model Plan for Public Participation was published and distributed widely; and a public forum protocol was developed and subsequently used as the model for the first Interagency Public Meeting on Environmental Justice held January 19 and 20, 1995, in Atlanta, Georgia. During the summer of 1995, public dialogues were conducted in five major cities concerning possible solutions to urban crises resulting from the loss of economic opportunities caused by pollution and the relocation of businesses. These dialogues were intended to provide an opportunity, for the first time, for environmental justice advocates and residents of impacted communities to systematically provide input regarding issues related to the EPA's Brownfields Economic Redevelopment Initiative. In May 1996, the NEJAC and EPA co-sponsored a Roundtable on Superfund Relocation issues in Pensacola, Florida, to help EPA determine how relocation should be considered during any cleanup decision. The first NEJAC/EPA Enforcement Roundtable was held in San Antonio, Texas.

During the **1997 to 1999** period, the second NEJAC/EPA Enforcement Roundtable was held in Durham, North Carolina; the US-Mexico Border XXI program proposal was reviewed; and the Agency's enforcement and compliance work plan was commented on. In an effort to provide guidance to EPA regarding international issues related to environmental justice, the first Roundtable on Environmental Justice on the U.S./Mexico Border was held August 19 to 21, 1999 in National City, California. The objectives of that Roundtable were to define and trace the evolution of the national and international environmental justice issues; identify environmental justice issues along the joint U.S./Mexico border; provide an overview of current border programs and explore ways to address concerns; develop environmental justice border policies; and identify existing enforcement and cleanup processes.

During the **1999 to 2008** period, NEJAC restructured its meetings from addressing site-specific issues to addressing national policy issues. In recent meetings, the following issues have been discussed and reports of recommendations submitted to the Administrator:

- **Permitting:** What factors should be considered by a federal agency, as well as state or local agencies with delegated permitting authority in the decision making process prior to allowing a new facility to operate in a community that already may have a number of such facilities?
- **Community Based Health Models:** Is there a direct correlation between the environment and the public health problems of the resident of communities that are located in close proximity to multiple pollution-generating facilities?
- **EJ Integration in Federal Programs:** How have the Federal agencies succeeded in integrating environmental justice into their programs, operations, policies, and activities pursuant to Executive Order 12898?
- **Fish Consumption:** How should the EPA improve the quality, quantity, and integrity of our Nation's aquatic ecosystems in order to protect the health and safety of people consuming or using fish, aquatic plants, and wildlife?
- **Pollution Prevention:** How can EPA promote innovation in the field of pollution prevention, waste minimization, and related areas to more effectively ensure a clean environment and quality of life for all peoples, including low-income, minority and tribal communities?
- **Cumulative Risk:** To ensure environmental justice for all communities and tribes, what short- and long-term actions should the Agency take in proactively implementing the concepts contained in its Framework for Cumulative Risk Assessment?
- **Enhancing Stakeholder Involvement:** What mechanisms will most effectively: ensure continuation of timely, relevant and cogent public policy advice on environmental justice issues/concerns; enable impacted communities to continue to raise concerns to government agencies; support continued partnership-building and problem-solving capacity among EPA's regulatory partners and other environmental justice stakeholders; and promote opportunities for training and sharing lessons learned for all stakeholders involved in the environmental justice dialogue?

- **Goods Movement and Air Quality** – How can the Agency most effectively promote strategies, in partnership with federal, state, tribal, and local government agencies, to identify, mitigate, and/or prevent the disproportionate burden on communities of air pollution resulting from goods movement activities.
- **Green Business and Sustainability:** How can the EPA enhance its efforts to engage the private sector - business and industry - in a meaningful dialogue to strengthen the links between environmental justice, green business, and sustainability.
- **State EJ Assistance:** What mechanism can EPA use select, fund, and implement State Cooperative Agreement projects that will result in meaningful and measurable environmental and/or public health improvements in communities and/or disproportionately exposed to environmental harms and risks.

In 2007, the NEJAC incorporated public teleconference calls as a way to expand public participation at its meetings. In addition to its public face-to-face meetings, the NEJAC has held four public meetings via teleconference call in 2007 and 2008. It anticipates it will hold two such calls each year.

#### **PUBLIC MEETINGS**

Because NEJAC is chartered under FACA, it is required to hold public meetings to receive comments, questions, and recommendations regarding environmental justice issues. Each NEJAC meeting includes a minimum of two hours for members of the public to register and make statements before the NEJAC. Time for public comment also has been allotted during public teleconference calls. All comments are recorded and maintained as a part of the public record of each meeting. Each meeting record is available to the public on the Internet (*see box below*) or in Room 2224, Ariel Rios Building, 1200 Pennsylvania Avenue, NW, Washington, D.C. 20004. In some cases, hard copies are available. Call the *OEJ Information Line* at 1-800-962-6215.

#### **MEMBERSHIP**

Careful consideration is given to the appointment of each member to ensure that the point of view of every stakeholder group is represented. Members have staggered terms, and the membership is rotated to provide the widest participation possible by the greatest number of stakeholders.

#### **INTERNET ACCESS**

Information about the NEJAC, including reports and publication is available on the Internet (*see the box below*), where you will be prompted to select a variety of options for information about NEJAC. You will be given an opportunity to add your name to the Office of Environmental Justice's mailing list and be able to "link" to other sites of interest.

<b>NEJAC KEY POINTS OF CONTACT</b>	
<b>Chair</b>	<i>Mr. Richard Moore</i>
<b>Designated Federal Officer (DFO)</b>	<i>Mr. Charles Lee 202-564-2597</i>
<b>Program Manager</b>	<i>Ms. Victoria Robinson 202-564-6349</i>
<p><b>To receive the most UP-TO-DATE INFORMATION about the NEJAC:</b>            Go <u>online</u> at:  <a href="http://www.epa.gov/compliance/environmentaljustice">http://www.epa.gov/compliance/environmentaljustice</a></p>	