United States
Environmental Protection
Agency

Office of Solid Waste and
Emergency Response
Washington, DC 20460

OSWER 9200.3-16-1 DRAFT
PB94-963225
EPA540/R-94/004
April 25, 1994

EPA

OSWER Environmental Justice Task Force Draft Final Report Executive Summary

Presented to
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OSWER ENVIRONMENTAL JUSTICE TASK FORCE REPORT EXECUTIVE SUMMARY

INTRODUCTION

Over the last decade, concern about the impact of environmental pollution on particular population groups has been growing. There is a widespread belief that minority populations and/or low-income populations may bear disproportionately high and adverse human health and environmental effects from pollution. This belief has resulted in a movement to assure environmental justice for all populations.

Several studies have been conducted by a variety of organizations (e.g., National Law Journal, United Church of Christ) which conclude that certain communities are at special risk from environmental threats. The authors of these studies have concluded that the implementation of key environmental laws have not historically provided protection to all citizens and that certain populations are more vulnerable than others to health threats from environmental pollution. These studies suggest that vulnerabilities may stem from multiple exposure situations exacerbated by other socio-economic factors, such as poor health care and lack of adequate nutrition. Many groups have concluded that the government must take these issues into account in its decision-making processes, research and data collection.

Early in her tenure as the U.S. Environmental Protection Agency's Administrator, Carol Browner designated the pursuit of environmental justice as one of the Agency's top priorities. In response to concerns voiced by many groups outside the Agency, the Assistant Administrator of the Office of Solid Waste and Emergency Response (OSWER), Elliott P. Laws, on November 29, 1993, directed the formation of a task force to analyze environmental justice issues specific to waste programs and develop recommendations to address these issues. President Clinton signed an Executive Order on Environmental Justice (February 11, 1994) ("Executive Order") which focused the attention of Federal agencies on environmental justice issues. EPA is currently developing an Agency-wide strategy pursuant to the Executive Order. The requirements of the Executive Order provide extra emphasis to the mission of the OSWER task force.

Formation of Task Force

The Superfund Revitalization Office was vested with the lead responsibility for the formation and administration of the OSWER Environmental Justice Task Force. The membership of the Task Force included more than 60 people and had representatives of all OSWER program areas (i.e., RCRA, Superfund, Chemical Emergency Preparedness, Federal Facilities, Technology Innovation, Oil Pollution, Underground Storage Tanks), the Regions and other EPA offices with an interest in waste programs

INTRODUCTION

and environmental justice. In addition, three other Federal agencies participated (i.e., DOJ, ATSDR, NIEHS) and representatives of two professional associations of employees with site response roles (i.e., National OSC Association and National Association of RPMs) participated. Meetings were conducted on a regular basis to identify and conduct an analysis of the major OSWER environmental justice issues, and to discuss the Task Force's recommendations. It should be noted that the OSWER Environmental Justice Task Force report does not focus on enforcement initiatives since these will be addressed by the Office of Enforcement and Compliance Assurance under the new EPA organization.

Outreach Efforts

The Task Force conducted a series of outreach meetings with entities inside and outside the Agency to gain input from a spectrum of affected groups coping with environmental justice issues. A variety of stakeholders were contacted via letters, their comments were solicited and 17 letters were received with suggestions for the Task Force to consider. In addition, meetings were held with these stakeholder groups to explore their comments on the March 15, 1994, draft of the strategy. The Task Force also met with Congressional staff, State and local government representatives, environmental and community group representatives, and labor and industry groups to get their comments on the approach proposed in the March 15, 1994 draft strategy.

The Task Force also traveled to four EPA Regions (3, 4, 6, and 9) to gain insight on Regional activities regarding environmental justice. The Task Force chairman also met with each Office Director of individual OSWER programs to ensure that the recommendations under development would be supported by these program managers. The OSWER Task Force determined that environmental justice stakeholders included: community organizations, nonprofit organizations, environmental groups, business, industry, academia, Federal, State and tribal governments and labor.

Final Executive Order on Environmental Justice and Proposed Superfund Legislation

In February the Clinton administration proposed Superfund reauthorization legislation and the President signed an Executive Order on environmental justice. Both are relevant to the Task Force's activities.

The Executive Order on Environmental Justice calls for all Federal agencies to make environmental justice a part of their mission and to develop their own environmental justice strategies. All agency strategies must consider enforcement of statutes in areas with minority populations and low-income populations, greater public participation, improvement of research and identification of differential patterns of

subsistence use of natural resources. In addition, EPA is to convene an Interagency Federal Working Group on environmental justice. The group's responsibilities will include: identifying disproportionately high and adverse health and environmental effects on minority populations and low-income populations; ensuring consistency of Federal implementation of the executive order; assisting in research and coordination of research efforts; coordinating data collection; and developing interagency model projects. The Executive Order requires that agencies conduct activities that substantially effect human health or the environment in a nondiscriminatory manner. Finally, the Executive Order requires better data collection and research and declares that whenever practicable and appropriate, future human health research must look at diverse segments of population and must identify multiple and cumulative exposures. The Executive Order also applies equally to Native American programs.

On February 3, 1994, the Clinton Administration provided proposed legislation to amend and to reauthorize the Superfund law. Several key provisions in the bill impacting environmental justice include: 1) a requirement that standards be promulgated and procedures for assessing risks from multiple sources be developed, 2) a requirement multiple sources of risk be taken into account when determining cleanup priorities, 3) a requirement that demonstration projects be conducted related to multiple sources of risk at designated facilities, 4) under certain circumstances, provision of health benefits to communities surrounding facilities that are subject of demonstration projects be considered and 5) a requirement that an offer be made to form Community Working Groups for factoring stakeholder input into specific site cleanup activities.

GOALS FOR OSWER ENVIRONMENTAL JUSTICE

The Task Force examined a variety of goals suggested by the participants and focused on the two goals developed by the Agency-wide Environmental Justice Task Force. The Agency-wide goals as currently drafted are:

Goal 1: Achieve environmental protection for all, so that no segment of the population, regardless of race, national origin or income, bears disproportionately high and adverse effects of environmental pollution and that all peoples benefit from clean and sustainable communities.

Goal 2: Educate and empower affected communities, community and other nonprofit organizations, federal agencies, tribal, state and local governments, academic institutions, business and industry to ensure early participation in environmental issues, form partnerships, to achieve environmental justice and to help promote sustainable communities.

No conflicts were seen by the OSWER Task Force members between the Agency-wide goals and those being examined by OSWER. Out of this examination,

the Task Force began to develop an overall OSWER strategy and to identify major OSWER environmental justice issues. Six key areas were the focus of the Task Force's recommendations. They were:

1) **Empowering communities, improving OSWER programs' communications with these communities, and establishing trust of EPA in the communities;**

2) **Incorporating environmental justice concerns into all OSWER decision-making and eliminating any potential for discrimination;**

3) **Increasing the priority of consideration of environmental justice issues on a national and Regional basis and in our relationships with States;**

4) **Incorporating environmental justice issues into OSWER risk assessment and risk management processes, including consideration of multiple/cumulative risk;**

5) **Integrating consideration of economic redevelopment and job creation with environmental justice;**

6) **Developing employees and new job candidates who are well-trained and sensitive to environmental justice issues.**

REPORT CONTENTS

The OSWER Environmental Justice Task Force Report describes the recommendations of the members which form a strategy for addressing the key environmental justice issues raised by the many studies and evaluations conducted over the last decade. The Task Force made a concerted effort to identify, in detail, explicit actions, both OSWER-wide and program-specific, which can be taken by Headquarters and the Regions. In addition to changes in policies or development of new guidance documents, specific projects to be undertaken by the Regions are also described.

SUMMARY OF KEY ISSUES AND RECOMMENDATIONS

The Task Force found that the issues and recommendations fell into two main divisions: those which cut across all waste programs and those which primarily were directed to a specific program. OSWER-wide issues/recommendations fell into the following categories: guidelines for environmental justice, Title VI of the Civil Rights Act, communications/outreach/training, economic redevelopment, cumulative risk, contracts/grants/labor issues, Federal interagency cooperation issues, internal

organizational issues and program implementation, and Native American/tribal issues. Resource Conservation and Recovery Act (RCRA) issues focused on: siting, permitting, State programs and corrective action. Superfund issues/recommendations were primarily concerned with meaningful community involvement, site assessment, risk assessment/risk management, and Native American/tribal issues. The oil, preparedness, underground storage tank, training, technology innovation and Federal facilities programs all had critical outreach issues/recommendations, as well as more specific items.

The following sections briefly summarize the major recommendations for both OSWER-wide and program-specific areas.

OSWER-Wide Recommendations

Guidelines for Environmental Justice

Task Force participants, including the EPA Regions, felt that there was a need to keep a flexible working definition with regard to sites/areas with environmental justice concerns. This flexibility allows the specific circumstances to determine whether OSWER programs have a need to address environmental justice issues at those particular sites/areas. Therefore, the Task Force recommended the development of guidelines for identifying communities that either raise or would be likely to raise environmental justice issues.

Title VI of the Civil Rights Act

Several environmental justice advocates are currently exploring the use of Title VI to achieve environmental justice. Title VI requires that any program or activity receiving Federal funding be implemented in a non-discriminatory manner. In those instances where Title VI complaints arise linked to permitting of new facilities and a careful review of EPA and State standards have been conducted to ensure that standards have been followed, the Task Force has recommended that mediation, possibly including discussion of alternate sites for the facility(ies), be used to settle disputes. In certain cases, the Task Force has suggested that it may be appropriate to consider performing a risk assessment if one has not already been conducted. The OSWER Task Force also recommended that the possibility be explored of using public health assessments as screening tools in circumstances deemed appropriate by OSWER. Other recommendations regarding Title VI issues are that OSWER work closely with the Office of Civil Rights (OCR), the Office of General Counsel and other affected offices to develop a strategy to respond effectively to Title VI complaints affecting waste programs and in addition, to evaluate where possible, ways in which to prevent

further complaints. These may include routine communication with OCR with regard to RCRA permit and Superfund issues and review of State programs using RCRA or Superfund authorities to ensure that implementation is not discriminatory. The Department of Justice is another valuable source to assist OSWER in these matters.

Outreach, Communications and Partnerships

As pointed out in the analysis of the goals and objectives of the OSWER Task Force, Task Force members wanted to find ways to improve communications, develop trust and involve the affected communities. To that end, the OSWER Task Force recommended that OSWER should establish a Federal Advisory Committee Act (FACA) subcommittee as part of the Agency's first National Environmental Justice Advisory Council to specifically provide advice and consultation to OSWER on environmental justice issues with regard to waste programs and in conjunction with efforts of the Agency-wide efforts to examine environmental justice issues under the National Environmental Justice Advisory Council. The Task Force also recommends that a directive be issued by the Assistant Administrator that requires all OSWER policies and regulations to consider environmental justice implications. In the area of training, OSWER will focus on internal and external areas to be strengthened. This will include training of Headquarters and Regional personnel on cultural diversity and environmental justice. It will also include the exploration of methods to provide funds for training of outside groups to educate them on the specifics of the OSWER programs so they can be effective participants in the waste programs processes. Regions are to conduct, on an annual basis, public forum meetings for outreach on environmental justice issues. The Task Force has also recommended that OSWER and the Regions explore the creation of business and industry, stakeholder and other types of public/ private partnerships to address environmental justice concerns. Finally, OSWER Headquarters and the Regions are to be proactive in the use of the Geographic Information System (GIS) program to identify potential geographic areas of environmental justice concern, i.e., define potential patterns of inequity.

Economic Redevelopment

Several studies have asserted that communities with minority populations and low-income populations may bear a disproportionate share of economic distress due to the fact that these populations may be concentrated in older urban areas or rural areas where pollution has taken place over a number of years. The OSWER Environmental Justice Task Force concluded that there were a number of recommendations which could be implemented to assist in economic redevelopment. One recommendation is that the current brownfields redevelopment pilot effort with Cleveland, Ohio, to assess potential contamination and encourage voluntary cleanup activities, be expanded.

OSWER will expand the pilot effort to a minimum of seven other cities. In addition, OSWER currently has also targeted the Cuyahoga Community College in Cleveland as a pilot for development of a curriculum to train students on environmental issues and prepare them to take their place in the workplace in hazardous materials cleanup activities. This pilot effort will also be expanded through the Hazardous Materials Training and Research Institute to other community colleges in areas with environmental justice concerns. The Task Force also recommended that OSWER explore additional options to expand these training efforts (e.g., working with labor unions and the Department of Labor). OSWER will also focus redevelopment efforts in coordination with the pre-established Housing and Urban Development (HUD) empowerment zones.

Cumulative Risk

As a result of the many studies and concerns expressed regarding populations exposed to multiple sources or contaminants, the OSWER Task Force also recommended that OSWER support Agency-wide efforts to develop scientifically valid standards to measure cumulative risk.

Federal Inter-Agency Cooperation

Several of the OSWER programs involve extensive interaction with other Federal agencies, such as the Agency for Toxic Substances and Disease Registry (ATSDR) and the National Institute of Environmental Health Sciences (NIEHS). OSWER will be a participant in the Federal Interagency Working Group and will coordinate its efforts with those of the larger group. Both ATSDR and NIEHS had participants on the OSWER Task Force and all Task Force members agreed that OSWER would coordinate efforts on environmental justice activities with these agencies. In addition, the OSWER Task Force recommended that OSWER work with the Department of Justice and other Federal agencies on appropriate projects. A need to expand partnerships with other Federal agencies was identified by the Task Force members. Specific recommendations included: continuing to participate in the minority health program of ATSDR (e.g., Mississippi Delta Project), coordination of training efforts, working with NIEHS on outreach pilots for training of local waste workers, working to improve communications between workers and communities to enhance safety and protection, and working together with other Federal agencies to address issues raised at specific sites or areas with environmental justice concerns.

Contracts/Grants/Labor

In exploring contracts, grants and labor issues, the OSWER Task Force found many limitations imposed by existing regulations for both grants and procurement linked to existing requirements for the competitive processes for both Federal and State contracting. However, there were still some areas which OSWER can strengthen. These include encouraging our contractors to hire persons in "labor surplus" areas

(usually areas of high unemployment) and establishing monetary incentives to encourage subcontracting to small disadvantaged businesses. OSWER will work with the Office of Acquisition Management and the Office of Small and Disadvantaged Business Utilization to expand the use of the contractor mentor/protege program. In addition, OSWER may engage in outreach efforts to our contractor community to stress the importance of environmental justice and the need for reemployment in areas with environmental justice concerns. In the longer term, OSWER will also explore the need for regulatory change in coordination with other Agency efforts to expand employment of local labor in affected communities. OSWER will also explore opportunities to cooperate with other Federal agencies with regard to the development of a skilled labor force in disadvantaged areas.

Internal Training, Organization, and Program Implementation

The OSWER Task Force also considered changes to the structure of OSWER and how it currently operates in the context of environmental justice. It was clear that coordination between various program areas needed to be strengthened. The recommendation by the OSWER Task Force was to establish a clear focal point with access to senior management to coordinate issues related to environmental justice, community outreach, State/local/tribal government and economic redevelopment issues and to establish an OSWER environmental justice workgroup with representatives across all programs to focus on these issues. One of the OSWER Deputy Assistant Administrators should be designated as the senior organizational focal point for environmental justice issues and activities. It was also recommended that a single person be designated as an Environmental Justice coordinator for the Assistant Administrator. Other recommendations included the development of a hotline for OSWER-specific environmental justice issues and for OSWER to educate its employees on environmental justice.

In addition, changes to implementation of the programs in the Regions were also considered. One key recommendation was that each Region should look across their waste programs and select one additional project to pilot creative new ideas for addressing environmental justice concerns in a specific geographic area. Regions will nominate what will be the most appropriate project within their Region.

Native Americans/Tribes

The Task Force also found that Native American/Tribal issues were unique. OSWER-wide recommendations included: the need to examine ways to increase EPA and other Federal agency technical assistance to tribal governments; initiation of pilots to implement environmental program activities with other Federal agencies on tribal lands; and cosponsoring the second National Tribal Conference on Environmental Management.

OSWER Program-Specific Recommendations

In its deliberations, the Task Force discovered that each program area also presented unique issues and opportunities to develop recommendations to address environmental justice issues. The following sections address the recommendations on a program-specific basis that will be implemented by the individual OSWER program offices in cooperation with the EPA Regions.

Resource Conservation and Recovery Act

The Resource Conservation and Recovery Act (RCRA) program issues/ recommendations focused on six major areas. These included siting, permitting, public involvement, corrective action, disproportionate impacts and Native American/Tribal issues. For siting, the primary recommendations included the development of technical assistance guidance for States and local governments to use when considering the location of RCRA facilities. This guidance would assist these entities in determining criteria to consider with regard to environmental justice issues when making a determination with regard to siting a facility. The Office of Solid Waste (OSW) will also hold a meeting with State and local governments to inform them of EPA's environmental justice concerns in conjunction with siting and discuss potential solutions. A national summary will be compiled of existing State and local government requirements for siting with regard to environmental justice. The Office of Solid Waste (OSW) will, most importantly, form a workgroup to evaluate location standards, environmental justice issues and setback distances in relation to siting of facilities.

For permitting, OSW will examine means to factor environmental justice into its public health considerations and will also find ways to expand public involvement on siting (in conjunction with workgroup efforts on location standards) and permitting issues. With regard to Title VI complaints, the Task Force also has suggested that OSWER explore the possibility of using risk assessments, where they have not already been developed, to provide additional information on threats to public health and the environment. In addition, OSW and the Regions will interpret existing authority to require EPA to fully consider the nature of environmental justice complaints prior to final permit determinations. In the public involvement area, OSW will determine methods to incorporate environmental justice into the annual RCRA Implementation Plan development process and into the State capacity assurance plan guidance. Methods will also be established to create interaction at an early stage with States and communities. OSW will also perform demographics research to examine populations and income around various combustion sites.

For the RCRA corrective action program, OSW will examine whether its current priority setting method adequately addresses environmental justice concerns

and will also ensure that future activities undertaken regarding environmental justice are consistent with similar activities undertaken by the Superfund program.

For Native Americans/Tribes, the RCRA program will pursue a pilot project to provide access to States and Regional programs on the Tribal IndianNet Access bulletin board. A key recommendation is also for OSW to draft a rule that would allow tribes to be authorized to run programs as States.

Superfund

The Superfund program focused on several areas of concern. One of the most significant areas was that of community involvement/outreach. One of the major recommendations which also parallels provisions of the Administration proposal to amend Superfund is the establishment of Community Advisory Groups for selected sites with environmental justice concerns. Regions will identify ten sites for establishment of Community Advisory Groups by the end of this fiscal year and will implement Community Advisory Group activities at these sites by the end of FY 1995. The Office of Emergency and Remedial Response (OERR) will develop guidance describing the membership, functions, objectives and scope of authority for Community Advisory Groups at Superfund sites. In addition, Regions will work with other Federal agencies to establish, for sites with several issues beyond the scope of Superfund, interagency working groups to address these issues (e.g., employment, housing, health clinics) to provide a forum for especially endangered communities to discuss issues which EPA cannot address.

To address concerns regarding early identification of sites in areas of environmental justice concern, OERR will work with the Regions to pilot proactive site assessment efforts during the site assessment phase of the Superfund process. Also in concert with Administration proposals to amend Superfund and requirements of the Executive Order, OSWER will work with other EPA programs, and with health agencies to examine current risk assessment approaches. After this effort is complete, OSWER will develop tools for the site manager to factor in multiple exposures and unique risk scenarios in coordination with overall Agency efforts with regard to risk assessment.

The last major set of recommendations concern the Superfund risk management process. OERR, in cooperation with the Regions, will evaluate the remedy selection process and the speed of cleanup to determine the effects on areas with minority populations and low-income populations. This analysis will assist Regions in early identification of potential areas of concern before the major environmental justice issues arise at the individual sites. In addition, OSWER will work with the Office of Enforcement to encourage potentially responsible parties and other Federal agencies to find a means to address problems associated with multiple sources of environmental risk, including lead contamination resulting from lead paint use inside of buildings.

Finally with respect to Native American/Tribal issues, OERR will continue efforts to provide technical assistance and build response capacity with tribal entities.

Oil Pollution Act

The magnitude of the total number of oil storage facilities is enormous and quite difficult to quantify. A comprehensive list of these facilities does not exist at this time. OERR will work with the Regions to identify major oil storage facilities existing in communities with environmental justice concerns that are under EPA purview. Based upon this assessment, OERR will develop an outreach and education strategy to ensure that communities recognize the potential risk for releases within their communities and OERR will also work with the Regions to target inspections of facilities in these communities and take necessary enforcement actions to address potential risks of releases.

Underground Storage Tanks

The recommendations with regard to the Underground Storage Tank (UST) program highlighted a variety of areas. With regard to outreach, the Office of Underground Storage Tanks (OUST) plans to issue a brochure to States and regulated facilities regarding consideration of environmental justice issues. In addition, OUST will explore ways to incorporate environmental justice concerns into the grants process with States and will attempt to find methods of providing funds and technical assistance to tribal governments. They will also provide guidance on considering environmental justice as a qualitative factor in priority ranking systems for State-lead cleanup and enforcement actions. Finally, OUST will pursue award of a grant (from funds other than the Trust Fund) to the National Association of Minority Contractors to support training and certification of local hires by States in UST programs.

Chemical Emergency Preparedness and Prevention

The Chemical Emergency Preparedness and Prevention Office (CEPPO) evaluated issues and recommendations which primarily focused on outreach. CEPPO will develop a letter for the Administrator's signature which will be sent to Governors of all 50 States which will discuss the need for Local Emergency Planning Committees and Tribal Emergency Response Commissions to be truly representative of the communities, especially in areas with environmental justice concerns. CEPPO will also work with communities with environmental justice concerns to fully explain the provisions of "community-right-to-know" legislation and how it may benefit their communities. CEPPO has also developed a LandView computer system which

provides information on an ordinary personal computer or Macintosh regarding potential risks on a geographic basis. CEPPO intends to expand the availability of this system, particularly to communities with environmental justice concerns.

Training and Technology Innovation

The Technology Innovation Office has the lead responsibility for training new Regional remedial project managers and on-scene coordinators in the basic tenets of the Superfund program. As part of the need to sensitize employees to environmental justice issues, TIO has committed to develop a training module on these issues for the CERCLA Education Center.

Regarding development and use of innovative technologies, TIO will work with the Small Business Administration to promote development in the use of innovative technologies by small businesses. In addition, TIO will conduct an analysis of the demographics of a representative sample of the 263 Superfund National Priorities List sites where innovative technologies have been used to determine whether there are trends of interest with regard to environmental justice.

Federal Facilities

The major issues examined with regard to Federal facilities issues concerned outreach. The current Federal facilities program has a legally constituted FACA organization named the Federal Facilities Environmental Restoration Dialogue Committee (FFERDC). A new focus of the mission of the FFERDC will be the integration of environmental justice considerations into the current Site-specific Advisory Boards and funding priorities. In addition, OSWER will evaluate closing bases for any potential effects on communities with environmental justice concerns. Base closings are well suited for this analysis because one of the main goals of the base closure program is the expeditious return of these properties to economic reuse in the community.

RESOURCE IMPLICATIONS

The OSWER Task Force Draft Final Report contains many wide-ranging recommendations on ways for OSWER and the Regions to address environmental justice concerns. However, in the current times of economic and fiscal constraint in the Federal government, it is not possible for the program to implement all of the report's recommendations for all sites, facilities or areas. OSWER recognizes that, given Regional resource constraints, it will not be possible to implement these recommendations in all circumstances. Each program area and each Region must now perform a resource

analysis focusing on the major recommendations discussed in the preceding sections to determine the extent to which these recommendations can be adopted and the necessity for tradeoffs in other activities in order to implement these activities.

IMPLEMENTATION FRAMEWORK

Each Headquarters program office and Region, consistent with the recommendations in this draft final report, will be tasked with the responsibility of developing draft implementation plans for the OSWER Environmental Justice recommendations in their programs. The goal of these plans will be to detail the most feasible and extensive implementation of these recommendations within current resources over the next 17 months (by the end of FY 1995).

Plans will contain milestones, descriptions of activities planned for each of the major recommendations (those contained in this Executive Summary and others to the extent practicable), the timeframe for implementation and the extent to which recommendations are being applied (e.g., demonstration project or application to all sites or facilities). Each program area and Region must also designate a point of contact for coordination of the plans' development and implementation. It is expected that Regions will coordinate their environmental justice activities in response to the OSWER strategy with those ongoing within the Region. Regions are requested to consult with their States as they develop their plans to continue partnership efforts with State counterparts. The program areas and Regions will have until June 1, 1994, to submit draft plans for implementing the Task Force recommendations. OSWER will track the proposed actions contained in the implementation plans against the major milestones described in this Executive Summary. Implementation of these milestones will be expected to be reported on by each Region and Headquarters program office every six months. OSWER will coordinate implementation of these milestones with the ongoing Agency-wide efforts.

NEXT STEPS

The remaining major milestones are as follows:

Discuss Regional Implementation at Waste Management Directors Meetin	April 27, 1994
Issue Final Draft Task Force Report	April 28, 1994
Regions and Programs Submit Draft Implementation Plans	June 1, 1994
Series of Meetings with Industry, State/Local Governments, Labor Unions and other Representatives Regarding Potential EPA Partnerships	June 1994

SCHEDULE FOR MAJOR RECOMMENDATIONS

The following pages describe in tabular format the major recommendations, both OSWER-wide and program-specific, and the general timeframes for their implementation. OSWER believes that the implementation of these recommendations will result in substantial human health and environmental benefits for populations in proximity to OSWER-regulated facilities.

Summary of OSWER-Wide Recommendations

AREA	FY94	FY95
Guidelines for Environmental Justice		HQ develop guidelines for identifying communities with EJ concerns
Title VI - Civil Rights Act	HQ Develop strategy to respond to discrimination complaints with OCR, OGC, DOJ, etc.	
Internal and External Outreach, Communications and Partnerships	HQ Establish EJ waste subcommittee to first EJ Federal Advisory Council HQ issue directive to require EJ be addressed in all OSWER policies and regulations HQ and Regions use GIS and Landview to identify potential areas of environmental justice concern HQ to explore creation of public/private partnerships to address EJ concerns	HQ and Regions to fund training of outside groups on waste programs and public participation Regions to hold annual public forum meetings on environmental justice
Economic Redevelopment	HQ and Regions work together to identify total of 7 additional pilots Coordinate redevelopment efforts with HUD empowerment zones	HQ continue work with HMTRI to expand training and curriculum development to other community colleges HQ and Regions initiate activities at 7 brownfields pilots
Cumulative Risk	HQ to support Agency-wide efforts to develop scientifically valid standards to measure cumulative risk	

Summary of OSWER-Wide Recommendations

AREA	FY94	FY95
Federal Interagency Cooperation	HQ and Regions continue work with ATSDR to expand minority health program HQ and Regions work with ATSDR and NIEHS to address issues of mutual concern at specific sites HQ work with NIEHS on pilot efforts to train local waste workers	Develop pilot efforts with other Federal agencies to address EJ concerns
Grants/Contracts/ Labor	HQ and Regions encourage contractors to hire workers in "labor surplus" areas HQ and Regions expand efforts of contractor mentor-protege program HQ meet with contractor trade associations to stress importance of EJ	HQ evaluate need for regulatory-statutory changes HQ and Regions establish monetary incentives to hire small disadvantaged businesses
Internal Training, Organization and Program Implementation	HQ designate EJ coordinator HQ create focal point for EJ/outreach/State/-local and tribal issues/economic redevelopment HQ (OSWER) establish EJ workgroup Regions select 10 additional pilots for EJ concerns HQ (OSWER) establish EJ hotline	Regions implement new ideas at 10 additional EJ pilots HQ and Regions train all waste programs personnel in environmental justice
Native Americans/Tribes	HQ and Regions identify ways to increase technical assistance to tribal governments Sponsor second National Tribal Conference on Environmental Management	HQ and Regions initiate pilots with other Federal agencies to implement environmental programs and activities on tribal lands

Summary of Program-Specific Recommendations

PROGRAM	AREA	FY94	FY95
RCRA	Siting	HQ hold meeting with State/local officials on EJ concerns and potential solutions HQ form siting workgroup to evaluate location standards policy options	HQ develop technical assistance guidance for state/local/tri-bal governments HQ develop national summary of existing state/local/tri-bal government siting requirements
	Permitting	HQ begin development of method to expand public involvement in siting and permitting	HQ develop method to factor EJ into public health considerations HQ and Regions to fully consider EJ complaints before final permit considerations
	Public involvement	HQ begin to determine method to incorporate EJ into RCRA Implementation Plans and into State CAP guidance	HQ to establish methods for State/local interaction on EJ issues
	Corrective action	HQ begin to examine priority setting to see if EJ is adequately addressed	HQ to coordinate approaches with Superfund
	Disproportionate Impacts Research		HQ to evaluate demographics of combustion sites
RCRA (cont'd.)	Native Americans		HQ to pilot access for States/Regions on Tribal IndianNet Bulletin Board HQ to draft rule to consider treating tribes like States for purposes of hazardous waste program authorization

Summary of Program-Specific Recommendations

PROGRAM	AREA	FY94	FY95
Superfund	Community Involvement and Outreach	Regions establish Community Advisory Groups at 10 selected sites HQ develop guidance for Community Advisory Groups	Regions establish interagency working groups for sites with problem areas beyond scope of Superfund
	Site Assessment	HQ and Regions identify pilot proactive site assessment efforts HQ begin to examine priority setting to see if EJ is adequately addressed.	HQ to coordinate approaches with RCRA on priority setting
	Risk Assessment	HQ begin examination of tools to allow site managers to factor in multiple exposures	
	Risk Management	HQ begin examination of remedy selection process and speed of cleanup effects on areas of EJ concern	HQ work with other Federal agencies/PRPs to address problems associated with multiple risks
	Indoor Lead Paint	Work with PRPs and other Federal agencies to pursue removal	
	Native Americans/ Tribes	HQ and Regions continue to work with Tribes to build response capacity	
Oil Pollution	Outreach	HQ begin identification of facilities in areas of EJ concern	HQ develop education and outreach strategy to communities
	Inspections		HQ and Regions target inspections and enforcement actions to areas of EJ concern

Summary of Program-Specific Recommendations

PROGRAM	AREA	FY94	FY95
Underground Storage Tanks	Outreach	HQ to issue brochure to States and regulated facilities on consideration of EJ	
	Grants and Technical Assistance	HQ begin to explore methods to incorporate EJ concerns into grants process HQ pursue award of grant to Nat'l. Assoc. of Minority Contractors for training and certification	HQ to find methods to provide funds and technical assistance to tribal governments
	Priorities	HQ begin to develop guidance on EJ and priority ranking systems for State leads	
Chemical Emergency Preparedness and Prevention	Outreach	HQ to develop letter to Governors from Administrator re: LEPCs and TERCs representation HQ and Regions expand use of Landview with communities	HQ and Regions begin process to explain "community-right-to-know" to areas with EJ concerns
Training and Technology Innovation	Training	HQ begin development of training module on EJ for CEC	
	Technology	HQ begin analysis of sample of 263 NPL sites and demographics re: use of innovative technologies	HQ work with SBA to promote use of innovative technologies by small businesses
Federal Facilities	Stakeholder Involvement	HQ and Regions incorporate EJ in Federal facilities priority-setting and stakeholder involvement	HQ evaluate base closings for impacts on communities with EJ concerns

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