



Environmental Justice Quarterly

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Report Reveals Industry Perspectives on Environmental Justice

To ascertain the industrial sector's views on environmental justice (EJ) issues, the Office of Environmental Justice (OEJ) went straight to the source, interviewing executives and managers at 15 companies across seven industrial sectors regarding their environmental justice experiences. OEJ has summarized the research findings in *Moving Towards Collaborative Problem Solving: Business and Industry Perspectives and Practices on Environmental Justice*, released in September 2003. The report examines environmental justice from the perspective of the companies, with a particular focus on issues pertaining to the siting and permitting processes for facilities.

"This is indeed a groundbreaking study

on one of the missing links in the environmental justice dialogue," said Barry E. Hill, Director of OEJ. "It's the first time that a broad set of industry perspectives have been captured and shared so that we can better understand and work with businesses to address environmental justice issues. Communities and other stakeholders also benefit from learning more about industry views and best practices."

Researchers found that companies that had previously dealt with environmental justice issues during the siting and permitting processes expressed a greater familiarity with environmental justice concepts and solutions. In some cases, difficult past experiences with community

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Urban Planning and Environmental Justice

On July 16, 2003, the National Academy of Public Administration (NAPA) released its third EPA-commissioned report on environmental justice, entitled *Addressing Community Concerns: How Environmental Justice Relates to Land Use Planning and Zoning*. Commissioned in June 2002 by the Office of Environmental Justice (OEJ) and produced by NAPA's Standing Panel on Social Equity, the report focuses on how local government decisions on zoning and land use have affected environmental justice concerns. The study examines the relationship among zoning, land use, and environmental justice concerns in five communities where environmental justice issues have been raised.

Highlighted Communities

- Altgeld Gardens, Chicago, Illinois
- Austin, Texas
- Chester, Pennsylvania
- Huntington Park, California
- St. James Parish, Louisiana

Based on the study, the NAPA panel established four recommendations for communities addressing environmental justice concerns:

- Officials responsible for planning, zoning, public health, and environmental protection must take immediate steps to determine whether residents in

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Report Offers Insights on Dispute Resolution Techniques

The Office of Environmental Justice (OEJ) commissioned a study to better understand alternative dispute resolution mechanisms used to reconcile environmental issues in communities. Traditionally, residents in overburdened communities have responded to environmental issues with litigation, achieving mixed results. Alternative dispute resolution techniques have the potential to improve environmental conditions, enhance community/corporate relations, and more holistically integrate the interests of residents in what are typically low-income communities of color.

The report, entitled *Using Alternative Dispute Resolution Techniques to Address Environmental Justice Concerns*, goes on to examine how specific communities addressed environmental crises and what resulted from their involvement with various entities, such as industrial facilities. For example, it explores whether dispute resolution encouraged improvements to



environmental safety and more active citizen roles in mitigation, monitoring, and decision-making.

"We wanted to make sense of early efforts by residents, who, rather than filing environmental justice claims, negotiated with corporate entities," said Marla Hendriksson, OEJ national program manager for communications and outreach. "The case studies in the report aim to help guide residents, community-based organizations, elected officials, and others in the community when implementing their own dispute resolution cases."

The case studies involved field research, including site visits, interviews with about 80 participants and key players, and analysis of environmental data from government agencies. Three areas were studied: Contra Costa County, California; Houston, Texas; and North Denver, Colorado. In each region, two cases with substantial documentation were researched. Each case study shows the geography and social forces at work within the community, the history leading up to conflict with area industries, the development of a specific dispute, the steps taken to resolve the dispute, and the lessons learned by the communities from their experience. The case studies were made possible through a cooperative agreement with the Consensus Building Institute.

To obtain a copy of the report, contact OEJ at 800 962-6215 or visit the OEJ Web site at www.epa.gov/compliance/environmentaljustice/index.html.

Planning for Environmental Justice

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low-income and people-of-color neighborhoods are exposed to excessive pollution or other public health hazards. They must use legal tools to eliminate or prevent pollution and communicate with their citizens about when and how these risks will be reduced or eliminated.

- Mayors, county executives, and governors, as well as local and state legislative bodies, should mobilize their land use planning and zoning powers to address environmental justice problems; improve citizen participation in decisions that have environmental or public health impacts; and provide helpful information to the public about land use planning, zoning, facility siting, and permitting decisions.

- Federal, state, and local officials must cooperate when responding to environmental justice issues and ensure that their efforts are mutually compatible and reinforcing. They should share information, coordinate their public outreach and enforcement actions, and develop joint strategies for mitigating local environmental and public health hazards.
- City and county officials must give serious consideration to the environmental and public health consequences of land use planning and zoning decisions, and they must learn more about how their actions could impact all community residents.

The panel also noted similarities between its most recent findings on

planning and zoning and the findings of its two previous OEJ reports: *Environmental Justice in EPA Permitting: Reducing Pollution in High-Risk Communities Is Integral to the Agency's Mission* and *Models for Change: Efforts by Four States to Address Environmental Justice*. Common threads across the panel's work include the idea that ensuring environmental justice is a basic duty at all levels of government, that public protest rather than proactive governmental effort remains the primary catalyst for environmental justice, and that greater cooperation is needed if environmental justice is to be achieved.

Copies of NAPA's newest report can be found online at www.napawash.org.

Report Reveals Industry Perspectives

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environmental justice issues led to more proactive environmental justice programs as companies seek to avoid delays and increased costs. Participants in the study recommended several key elements in addressing environmental justice challenges:

- *Involve the community early in the process:* By reaching out to the community early on, companies create goodwill in the community from the start, and prevent potential environmental justice issues from becoming reality.
- *Conduct outreach appropriate to the affected community:* By assessing the unique needs and concerns of the affected communities, companies can build trust. The key is to communicate effectively, taking into account such elements as the language, lack of technical knowledge, and cultural sensitivities of the community.
- *Go beyond the minimum community involvement requirements:* While doing the minimum may meet legal obligations, persistent efforts to positively involve the community through meetings, mailings, and feedback

can pay dividends in avoiding environmental justice conflicts.

- *Maintain ongoing communication with the community:* By keeping lines of communication open beyond the siting and permitting process, companies can build trusting, respectful relationships with surrounding communities that can span the facility's lifetime.
- *Be a good neighbor—give back to the community:* By giving back to the communities that surround them, companies can establish valuable, longstanding corporate/community partnerships.

According to the report, while awareness of environmental justice across industries is high, some companies do not distinguish environmental justice efforts from their comprehensive community involvement practices. Though the title "environmental justice" may not be attached to such efforts, interviews revealed that companies are aware of the principles central to environmental justice—enfranchising the communities that are affected by a facility, regardless of the racial, ethnic, or socioeconomic makeup of the population.

Industry Sectors Addressed

- Automotive/Steel Manufacturing
- Chemical Production/Processing
- Energy/Utility Providers
- Light Industrial
- Petroleum Production/Refining
- Retail Stores
- Waste Management/Disposal

Several companies choose not to identify their efforts as environmental justice due to a belief that the term *environmental justice* is inherently biased against industry—implying that an injustice has been committed, though the project may still be in the planning phases. In addition to the title, company officials also noted that they had experienced difficulty with the flexible or ambiguous terms used to define environmental justice—terms such as *minority*, *low-income*, *significant*, or *disproportionate impacts*, and *meaningful involvement*.

In order to help clarify the environmental justice concept and to demonstrate various ways of addressing it, OEJ selected five case studies from the companies interviewed to be included in the report. These five examples detail the successful efforts by companies to involve stakeholders, address community concerns, and achieve positive environmental justice outcomes.

OEJ hopes that this report will help to educate a variety of stakeholders—companies, community members, and governments—regarding industry's perspective on environmental justice, and that other companies can learn from the experiences of the companies highlighted in the study.

To obtain a copy of this report, contact OEJ at 800 962-6215, or visit the Web site at <www.epa.gov/compliance/environmentaljustice>.



National Environmental Justice Meeting Promotes Integration and Shared Learning

As host of the 2003 National Environmental Justice and Small Grants Coordinators' Meeting in May, EPA Region 7 showed off its brand new Science and Technology Center in Kansas City, Kansas. The 3-day meeting welcomed 42 EPA attendees representing all 10 Regions and most Headquarters offices. Organized by the Office of Environmental Justice (OEJ) and Region 7, the meeting had two primary focuses: (1) to promote comprehensive integration of environmental justice into each Regional and Headquarters program, and (2) to foster better connections and shared learning among OEJ staff and environmental justice coordinators regarding the Agency's overall environmental justice integration initiative.

The meeting began with a focused group discussion of how Environmental Justice Action Plans (see "EPA Gears Up for Next Environmental Justice Action Plans," page 5) can be enhanced. In presenting an assessment of the inaugural round of action plans from the perspective of OEJ, Marla Hendriksson, national program manager for communications and outreach, noted that, while the action plans are a step in the right direction, there is still plenty of work to be done. Hendriksson made clear OEJ's commitment to assist EPA offices in developing and implementing more effective and comprehensive action plans in the future.

As a result of the interim report issued in March 2003, OEJ has refined the performance measures for the next round of action plans. In a question and answer session, environmental justice coordinators had a chance to ask questions and offer important feedback about their experiences with the action plan development process. This exchange proved to be a shared learning experience for both regional environmental justice coordinators and OEJ staff.

In a follow-up session, attendees learned about EPA's new Environmental Justice Geographic Assessment Tool (see "OEJ Releases



To promote comprehensive integration of environmental justice issues into EPA regional and headquarters programs, policies, and activities, 42 attendees gathered at EPA's National Environmental Justice & Small Grants Coordinators' Meeting in Kansas City, Kansas. Several topics were covered, including environmental justice action plans, the Environmental Justice Geographic Assessment Tool, and alternative dispute resolution techniques.

New Geographic Assessment Tool," page 8), which was developed to establish greater consistency in identifying environmental justice regions in the United States. The software application utilizes geographic information systems (GIS) technology to spatially correlate and map environmental, health, and socioeconomic data—helping regions target their resources more effectively. To provide attendees a first-hand look at the impressive capabilities of the tool, David Wolf of the Office of Environmental Information and Bonnie Figueiroa, Environmental Careers Organization intern, provided an online demonstration.

The second day of the meeting addressed several topics, including the upcoming second round of Interagency Workgroup Revitalization Projects, the Environmental Justice Collaborative Problem-Solving Grant Program, and environmental justice outreach strategies, and featured regional listening sessions and a presentation by representatives from a local community group about its struggles to revitalize a neighborhood

park. A panel of representatives from the Oak Grove community presented their perspective regarding the proposed redevelopment of a former landfill area. The visioning and strategic planning for the proposed John Garland Park revitalization project was made possible by an Environmental Justice Small Grant to Associated Youth Services.

On its third and final day, the meeting was capped off with a day-long seminar about using alternative dispute resolution to address environmental justice concerns, presented by Larry Susskind, president of the Consensus Building Institute. The seminar featured presentations and interactive discussions about the range of dispute resolution options available and highlighting issues unique to environmental justice (see "Report Offers Insights on Dispute Resolution Techniques," page 2).

For more information about the meeting, contact Marla Hendriksson at 202 564-1897 or <hendriksson.marla@epa.gov>.

EPA Gears Up for Next Environmental Justice Action Plans

Following on the heels of the first comprehensive set of Environmental Justice Action Plans, which integrate environmental justice into the Agency's policies, programs, and activities, EPA offices are gearing up for the next round. The Office of Environmental Justice (OEJ) has issued revised instructions and templates for the submission of updated action plans for fiscal year (FY) 2004-2005 and a progress report for FY 2003.

Two major changes have been incorporated into the template: (1) action plans will now cover a 2-year period, and (2) common measures of performance will help evaluate the overall success of EPA's Environmental Justice Program. OEJ hopes that this new approach will help provide more consistency in the Agency's environmental justice efforts while allowing flexibility for individual programs.

OEJ's modifications to the action plan template are based on the findings of an interim report developed by the Environmental Justice Steering Committee's Accountability Workgroup. The

report showed that some offices had difficulty identifying measurable results and needed a set of common measures to assess effective environmental justice integration. Based on the workgroup's research on the initial round of action plans, OEJ identified the following six objectives:

1. *Risk Reduction/Environmental Protection and/or Public Health Improvement:* Implement environmental laws equally to ensure the improvement of the environment and/or public health of affected communities.
2. *Outreach and Communication:* Provide opportunities for the public to be meaningfully involved in environmental justice decisions.
3. *Training:* Ensure that EPA managers and staff can effectively incorporate environmental justice into daily activities.
4. *Federal, State, Tribal, and Local Government Coordination:* Effectively coordinate environmental justice efforts across all levels of government.

5. *Grants and Contracts*

Administration: Promote efficient management of grants and contracts to ensure environmental and health concerns of affected communities are addressed.

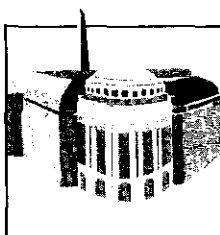
6. *Environmental Justice*

Assessment: Conduct assessments of environmental justice indicators (environmental, health, social, and economic) within affected communities when making decisions.

These objectives will serve as the framework by which progress toward environmental justice integration can be measured. Offices are, however, encouraged to develop additional measures based on special initiatives unique to their office or program.

OEJ will assist headquarters and regional offices in the transition to and development of the FY 2004-2005 action plans, which are due December 31, 2003. OEJ's Executive Steering Committee also plans to institute an EPA Environmental Justice Integration Award, recognizing those offices and regions that have demonstrated considerable progress in environmental justice integration. This official recognition from the highest level of the Agency will be based on the evaluation of FY 2003 Progress Reports, to be submitted by February 28, 2004.

For more information on environmental justice action plans, contact Marla Hendriksson, OEJ's national program manager for communications and outreach, at 202 564-1897 or hendriksson.marla@epa.gov.



Headquarters Update OPPTS

Each quarter, the Office Update features a specific office at EPA Headquarters, highlighting recent activities, programs, and policies aimed at addressing a variety of environmental justice issues.

An Active Force in the Community

Many low-income and minority populations face potential exposures to toxic substances in their homes, communities, and places of work. Through targeted outreach, technical assistance, and funding, EPA's Office of Prevention, Pesticides, and Toxic Substances (OPPTS) is helping communities understand and address these hazards. To learn more about OPPTS' environmental justice activities and programs, visit <http://www.epa.gov/oppts> or contact Elaine Lyon-Johnson at 202 564-0547, or lyon-johnson.elaine@epa.gov.



Lead Awareness Program

Children who live in older, poorly maintained housing with lead-based paint are often at risk for lead poisoning. OPPTS' Lead Awareness Program helps people understand and minimize the risks of childhood lead poisoning. As part of the program, OPPTS has funded a number of successful programs:

- *The National Council of La Raza (NCLR)* - Committed to improving life conditions for Hispanic Americans, this nonprofit organization developed a public service announcement (PSA) campaign, in Spanish, to educate families about the importance of testing children for elevated blood lead levels. In

association with this initiative, OPPTS upgraded the National Lead Information Center's toll-free hotline to better serve Spanish-speaking callers.

- *Native American Tribal Grants* - OPPTS and regional EPA offices are assisting Native American tribes in their efforts to conduct risk assessments, childhood screening, and inspections of tribal homes for hazardous lead levels. A recent EPA grant is supporting the Cherokee Nation—the first Native American tribe in the south central United States with its own lead-based paint certification and accreditation program.

Pesticides

English is not the first language of many of the nation's migrant farmworkers. OPPTS has developed pesticide safety materials in multiple languages to help educate these populations about potential pesticide exposures and the Worker Protection Standard—a regulation that protects the more than 3.5 million people who work with pesticides. OPPTS also sponsored the Association of Farmworker Opportunity Programs' effort to develop a workbook on pesticide safety for students to use in English as a Second Language (ESL) courses. To further disseminate information about pesticide hazards, OPPTS recently worked with the Hispanic Radio Network to develop a series of PSAs reaching 5 million listeners nationwide.



OPPTS has also launched an initiative to help health care workers recognize and treat pesticide-related health conditions. In June, a national forum brought together 100 health care professionals to discuss strategies for implementing the initiative.

Tribal Program

Native Americans who practice subsistence living can be exposed to high levels of toxics through their diets. OPPTS works with tribal governments and health care providers to help these populations maintain their traditional lifestyle while also reducing the potential risks. The Tribal Program recently organized the 2003 Tribal Lifeways/Subsistence Technical Workshop, in Anchorage, Alaska, to bring together tribal experts on subsistence living and gain their perspective for meaningful federal program implementation. OPPTS also provided a grant to George Washington University in Washington, D.C., to train tribal health care providers about the risks and symptoms of exposure.

Pollution Prevention

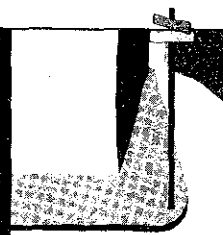
With the help of its Environmental Justice Through Pollution Prevention (EJP2) Program, OPPTS has helped people of diverse cultural and ethnic backgrounds learn first-hand about the value of pollution prevention. During the past 5 years, EJP2 has funded a wide range of programs. For example, minority teenagers in Miami, Florida, have conducted environmental research. In Alaska, an

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Regional Corner

Region 4

This column explores exciting environmental initiatives under way in EPA regional offices. Each quarter, we will focus on a different regional program. EPA Region 4 covers Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee.



Southeast Demonstrates Commitment to Revitalization

Through diverse community revitalization projects and a comprehensive training course, EPA Region 4 staff are getting hands-on environmental justice experience. These efforts are among those outlined in a recent memorandum from Regional Administrator Jimmy Palmer Jr., which describes Region 4's plans for addressing environmental issues, both internally and in the community.

Region 4's community work aims to holistically address the multifaceted environmental, health, economic, and social needs facing distressed populations. This past May, the region was granted 4 of the 15 recently selected federal Interagency Working Group (IWG) Environmental Justice Revitalization Projects:

- **Anniston, Alabama - Vision 2020: For the Children of Anniston—Children's Health Environmental Justice Project**
Through education, early detection, and treatment, this project seeks to address the health issues affecting children growing up in Anniston—a city historically plagued by industrial contamination and military waste.
- **Belle Glade, Florida: Glades Area Environmental Justice Training Collaborative**
A citizens' action group and a university are teaming up to build capacity and train citizens in the Glades area so they can effectively address the health and environmental impacts affecting their communities.
- **Princeville, North Carolina: The Sustainable Redevelopment and Revitalization of Princeville**
The aim of this project is to help Princeville—the first city in the United States founded by former slaves—recover from the devastation of Hurricane Floyd in 1999 and



Acting EPA Administrator Marianne Lamont Horinko, Region 4 Administrator Jimmy Palmer, Jr., and facilitator Timothy Fields participate in a panel at the EPA Brownfields conference on August 18, 2003.

achieve sustainable recovery, redevelopment, and revitalization.

- **Rock Hill, South Carolina: The Arcade/Westside Area Revitalization Project: A Community-Based Collaboration**

With the loss of its local textile industry, the community hopes to create a revitalized urban core. Current projects focus on renovating two abandoned textile mills into a senior citizens' housing/activity center and affordable housing and commercial space.

Region 4 hopes these projects will build on the success of its first IWG revitalization initiative, the ReGenesis

Revitalization Project, which is helping three historic neighborhoods impacted by manufacturing plants and landfills in Spartanburg, South Carolina. To date, federal grants have awarded more than \$3.5 million to the project, allowing for the completion of a compre-

hensive redevelopment plan with sequenced targets for development. The project is now embarking on Phase 2, which will focus on five areas: (1) environmental cleanup; (2) health and green space; (3) transportation; (4) housing; and (5) commercial development. As the lead agency of the ReGenesis Project, EPA Region 4 recently celebrated its success in a ceremony attended by EPA Acting Administrator Marianne Lamont Horinko. To learn more about the ReGenesis Revitalization Project, visit www.epa.gov/evaluate/regenesis.pdf.

To further integrate environmental justice within the region's internal operations and the communities it serves, four sessions of the "Fundamentals of

Environmental Justice Course" will be offered in Atlanta this fall. This learner-centered training course is open to EPA staff, other government employees, community organizations, and industry representatives. More than 340 people have already signed up for the course. Participants will explore environmental justice issues, study relevant laws, review analytic tools, and meet with people who are addressing environmental justice concerns every day.

These are just some of the many environmental justice projects happening

in Region 4. To learn more about Region 4's environmental justice program and events, contact Cynthia Peurifoy, environmental justice coordinator, Region 4, at 404 562-9649 or cpeurifoy.cynthia@epa.gov.



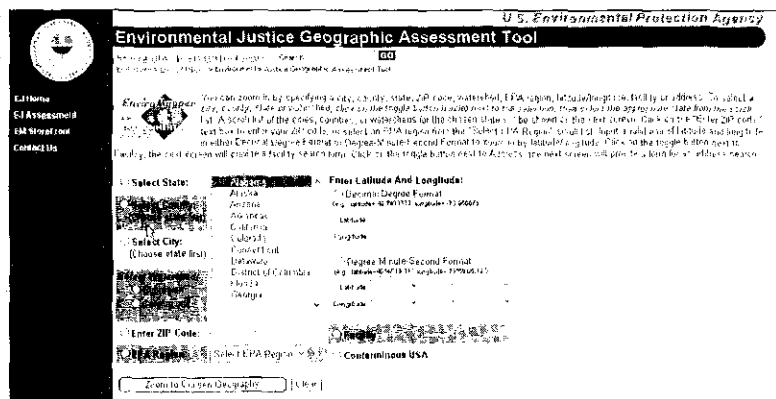
Harold Mitchell, executive director of Regenesys, presents EPA Region 4 Administrator Jimmy Palmer, Jr. with a tribute of appreciation for Region 4's Spartanburg Workgroup and its partnership with the Regenesys Revitalization Project.

OEJ Releases New Geographic Assessment Tool

The Office of Environmental Justice (OEJ) has released the Environmental Justice Geographic Assessment Tool, which can be accessed at www.epa.gov/enviro/ej. The tool is part of a suite of applications under the EnviroMapper software.

The Web site provides detailed instructions on how to use the tool, as well as how to manipulate the tool to provide custom data.

The Environmental Justice Geographic Assessment Tool replaces the EnviroJustice Mapper and provides information relevant to any area in the continental United States. Factors relevant to environmental justice assessments generally fall into four sets of indicators: environmental, health, social, and economic. Once fully developed, the tool will provide the information necessary to conduct a comprehensive preliminary analysis of any area of concern.



Headquarters Update: OPPTS

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environmental coordinator position has been established.

OPPTS also brings pollution prevention to small and medium-sized businesses

through its Design for the Environment (DfE) program. Several DfE partnership projects, such as the Automotive Refinishing Project and the Garment and Textile Project, target businesses in urban areas, where improvements in the workplace can also have positive impacts on the surrounding community. Additionally, OPPTS recently launched a

new effort with the automotive industry to "green" its supply chain. The partnership provides a forum for small and mid-sized suppliers (many of which are minority-owned and operated) to work together and share best practices with larger suppliers.

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