

***National Environmental Justice  
Advisory Council Meeting***

***November 16-18, 2010***

***Thursday,  
November 18, 2010***

***National Environmental Justice Advisory Council***

November 18, 2010

**NEJAC Committee Members Present:**

Elizabeth Yeampierre, Chair  
John Ridgway, Vice-Chair

Teri E. Blanton  
Sue Briggum  
Peter M. Captain, Sr.  
Jolene M. Catron  
Wynecta Fisher  
Stephanie Hall  
Savonala 'Savi' Horne  
Hilton Kelley  
J. Langdon Marsh  
Margaret J. May  
Fr. Vien T. Nguyen  
Edith Pestana  
Patricia Salkin  
Nicholas Targ  
Vernice Miller-Travis  
Kimberly Wasserman

Victoria Robinson, Designated Federal Officer, ***Ex Officio***

**NEJAC Committee Members Absent:**

Don Aragon  
Chuck D. Barlow  
M. Kathryn Brown  
Jodena Henneke  
Paul Mohai  
Shankar Prasad  
Nia Robinson  
Vernice Miller-Travis

***National Environmental Justice Advisory Council***

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KEYNOTE: “ --- ” indicates inaudible in the transcript.  
“ \* ” indicates phonetic spelling in the transcript.

**M O R N I N G   S E S S I O N**  
(9:09 a.m.)

MS. ROBINSON: Most of you have UPS boxes at your chairs. It is your discretion to go ahead and use these boxes to put your carry packs, handouts and other items from this meeting and leave your box on your chair. Our contractor will collect the boxes and ensure that they are shipped out. Okay. So, that is there for your use. And microphones -- please pull the microphone close to you if you -- move it -- sorry and don't do what I do and turn it off. The audio quality from yesterday was not as high as we would like, particularly in light of -- for podcasting. So please pull the mikes close to you so that -- and speak audibly so that the transcriber can capture this as well as the audio. Thank you.

***Welcome and Review of Action Items from Day 2***

MS. YEAMPIERRE: We had yesterday -- I think that it was really a really uplifting day with a lot of information. And last night, before we adjourned for the day, I had asked if you could think about things that you wanted to discuss today. There are three things that came out of our session on Monday and that ended up in the parking lot and I just wanted to go over them so that we can either discuss some of those this morning or we can talk about them later on around 11:30? One was developed strategies for working more effectively with local communities and stakeholders, if you recall the meeting that we had on Monday, there were some things that we created a list of.

The other was ensure consistent funding for community level programs through the next administration. And the third create approaches to implement coordinated outreach among federal agencies, such as HUD, DOT and EPA. So I would like to ask if there is anything else that you want to add to the list and that with the hope that we can have a discussion.

(No response.)

Okay, would you like to discuss these three? Or any one of them? Okay. Let's begin with the first one. Developing strategies for working more effectively with local communities and stakeholders. Everybody tired? I think -- this is about the time when Hilton should be singing and waking us all up. All right, so the other two --

MS. BRIGGUM: Just one thing I know that often the hope is that when we have people who come from public comments that there will be people from EPA in the audience who are here just because of this opportunity. Knowing that they are the ones that can actually do something as opposed to the council which can only you know, translate concerns into policy advice and I wondered, do we have a sense if that seems to be working -- have we gotten any feedback or seen that people from EPA were approaching some of the people who made comment and that maybe there was follow up that was helpful? Because that would be useful feedback.

MS. ROBINSON: I think what I could address is what I saw sitting from here. First of all, it was -- you had the Regional Administrator, Karl Brooks, here at the table and he actually interacted with several of the commentators. I think that was the first time in a long time we have had something like that. And I think that was very positive. Number 2, there were several individuals who were in the audience from Region 7, several managers and staffers who were in the audience.

They had had an availability session the night before and which a lot of these concerns had been raised and there was a lot of interaction with the Region 7 staff and managers and Karl with the members -- with folks particularly those from the Bannister side and those who gave comments to us on Tuesday night. So there is that. In terms of --- one, they have already asked us for a transcript from the public comment. So we have provided them with a list -- a quick down and --- summary -- a paragraph per person what the basic concern was and giving them points of information for how to follow up with the individuals, so that is what has transpired so far.

MS. YEAMPIERRE: Thank you. Jolene?

MS. CATRON: Good morning, everybody, Jolene Catron, Wind River Alliance, I think the -- I am trying reword what you said what we are talking about, the working on closer communication with or coordinating better with community.

MS. YEAMPIERRE: Do you want me to reread it?

MS. CATRON: Yes, please. Thank you.

MS. YEAMPIERRE: Sure. It is create approaches to implement coordinated outreach amongst federal agencies, such as HUD/DOT and EPA.

MS. CATRON: No, the first one.

MS. YEAMPIERRE: Develop strategies for working more effectively with local communities and stakeholders and the second one is ensure consistent funding for community level programs through the next administration.

MS. CATRON: Thank you. The local stakeholders and communities is what I was wanting to address. I think part of that goes back to the discussion at least in my small group that we were talking about. Better coordination with the regions and how we ensure -- well, I don't know that we have to ensure but you know one of the big questions that we had was -- how well or how our advice as a council trickles down to the regional level and how doable it is at the regional level. So that is one of the things that I wanted to mention.

MS. YEAMPIERRE: Thank you. Anyone else? Father Vien.

FATHER VIEN: Thank you, Elizabeth. I am somewhat connected to this number 1 and I look at Edith and John with envy because their state seems to be way ahead of some other states. Ourselves in Louisiana. I would love to see -- to hear the history, how did you guys get to that point? I would love to hear from --- who has been at the municipal level just to see the view of the people from the state, the view from the city so that we could understand it better as to how we can work with it.

MS. YEAMPIERRE: John?

MR. RIDGEWAY: Good morning everybody, John Ridgeway from Washington State, Department of Ecology. What happened in Washington was serendipitous. It did not -- in terms of recognizing environmental justice, it was not a directive. It was not an executive order. It was not legislation. It was a particular legislator, a senator in our state, who asked if environmental justice was an issue in Washington and sent that request to the Department of Ecology.

And it came to me because I was involved with community right to know data. And I was very familiar with data around the various forms of pollution and so we more or less tried to craft a report like we have seen elsewhere in the country, correlating demographics with exposure to pollution. And I got hooked. So, I became the guy -- and I think the lesson there for whether a state or a local government, one person can start to engage and start asking these questions around what the respective agency is doing.

And that is what I did and it just -- it triggered more and more questions and thoughts and certainly -- I have said it before -- before I got on to this council, I used to come these council meetings -- this was my EJ training was to come to a NEJAC meeting and find out what was going on in other parts of the country. It was just a wonderful resource. So it was that simple. And it allowed me to respectfully stick my nose into just about everything our agency was doing and try to find out how they were engaging with the public. Were we translating, we were training our own staff, were we recognizing cultural competency and it has just grown from there.

So, I think the point is, legislation is not necessary. Having a committee or something of that nature appointed by the Governor's office isn't needed or an executive order. It can happen through any one of us here or anybody out in the audience who may be working in an administration as long as their boss lets them do it. And so there is certainly a little bit of a luck there. But it is an easy case to make.

It is not like it has been over studied or over addressed. So I will leave it at that. Maybe Edith would want to add.

MS. PESTANA: I don't know -- how do I summarize 20 years. How it started in Connecticut -- oh, I am sorry, Edith Pestana, Department of Environmental Protection. I was actually an epidemiologist at the State Health Department at the time and one of my interest was health disparities. And in 1990, I gave a presentation at the Environmental Health Conference on health disparities in the state of Connecticut.

Who was in the audience and who I followed in presentation was some of the commissioner's staff from the state TEP. At the time it was Tim Keating that was commissioner, he was a republican commissioner. And they took notice of my presentation and also took notice of the National Law Journal Study that came out in 1990 which analyzed the discrepancy between enforcement, penalties were higher in White communities versus non-White communities. Super --- clean ups, they spent more money in White communities than in non-White and on and on.

And so EPA was accused of inequitable environmental protection and I leave it to -- Kudos to the administration that -- the Department of Environmental Protection at the time, Tim Keating and Robert Moore, who decided that they would move affirmatively and look at it in the State of

Connecticut. So they asked me to meet with them. I met with them. We created a group of interested people to discuss environmental justice in this State.

We invited the NAACP, the Connecticut Civil Liberties Union to the table, One Chain, a local non-profit community organization, a Tenants Association, ASPEDA which is an a Latino organization for youth out of Bridgeport and a migrant worker's association, just an amazing -- and also John Britton who was the civil rights lawyer and was litigating Sheff versus O'Neal Desegregation, so we had quite the panel of individuals looking at this issue.

They developed a policy which our policy came out in 1993 that would sort of lay the foundation for what was to come. They recommended we have a public conference to discuss -- have workshops on what people wanted. And that laid out the foundation for a strategic plan and we sort of follow that mode today. But we didn't really have any legislation. We just really had very strong leadership in the community and strong leadership at the state level that wanted to see it through.

And then more recently we had the -- just superstar, Gina McCarthy who was the first commissioner that we had that entertained passing environmental justice law and working with the --- for Environmental Justice to draft the language and support an environmental justice law. So we have her to thank. And once again we had just the right leadership and people that were open minded and visionary. We were lucky that we had that. And I am sure that the state of Louisiana has to -- there has to be some visionaries there.

There has to be -- you have -- you got Wynecta there -- she is a leader, she could stir the pot. You have you -- the Catholic Church. The partners are there. The Catholic Church is quite active in the state of Connecticut, they actually teach people how to close doors and organize and trap people, that was a bit aggressive from my point of view. But they are pretty aggressive in Connecticut and I could put you in contact with some of these aggressive Catholics. So that is my piece.

(Laughter)

MS. YEAMPIERRE: Thank you, Edith. Father Vien, I think what I am hearing is that -- and this is probably everywhere. There are good people in all of these agencies and you have to find them. But you also need to organize and have the community behind them to support them. But I am going to move on to Ms. Margaret ---.

MS. MAY: Yes, Margaret May, Ivanhoe Neighborhood Council. I would like to begin by commending EPA Region 7 staff for their outreach. The -- and to give you a little tad of information about Ivanhoe more than we have done already, there are many, many neighborhoods, 200 some in Kansas City and not to boast but Ivanhoe has probably made a great deal more progress in a short period of time over the past 10 years in large part because the small number of people, grass root leaders did the things to get people involved to develop a strategic plan which lead to some funding from the Kauffman Foundation and the ability to hire staff.

There are things that you can do in the community with volunteers and there is a limit to what can be done if you only have volunteers over a period of time. So back to EPA staff, you need an agency -- you need -- it doesn't have to be Government, but you need someone that in likely be Government and be it city or federal or county that actually has the means of reaching out more broadly to the community than it might be possible for a volunteer group to do.

Our city again has 200 and some neighborhoods. It would be virtually impossible for someone to try to do that independently. But when the city and the county, the Federal Government work together, then you have the ability to really reach people and begin to educate them. Quite often the issues that NEJAC is focused on are issues that are needed most by minorities and poor people. But quite often the understanding of the importance of the protecting the environment and doing all of those things is not something that you find everyday among the people who really need it most.

So in order to be able to really be effective with this, I think the agency -- the EPA needs to be very proactive across the country, not just in certain regions where there is a lot going on but the evaluations that Lisa Jackson has of the various regions ought to be, how effective are they in getting participation by the community. You saw a lot of people here on Monday and Tuesday attending the workshops. Some of those were individuals but many of them were representing organizations.

Through the years, there have been a number of opportunities for training that EPA Region 7 has sponsored. And the young woman that spoke yesterday from the boot hill, I actually had a chance to meet her several years ago where she told the story and I wish she had time yesterday to tell you, it is really a wonderful story what they have done down in the boot hills. So I can't say enough about -- I think the agency has a responsibility for making sure that the Regions that really are getting into the

region not just in the area where the office is located but throughout the region.

And as a model, if your EPA region is not doing what you think it should do, I strongly suggest that you talk with Althea Moses here in Kansas City so that she can share with you how they have gone about being successful with Outreach.

MS. YEAMPIERRE: Thank you. That really does address one of our points. One of the challenges as you all know, is not reaching out to community but sustaining their engagement over time. And a lot of the projects and initiatives that our communities are involved in, whether they are addressing infrastructure or a desperate siting take years. So keeping people engaged over time takes resources and support, so thank you for that. Hilton?

MR. KELLEY: Yes, Hilton Kelley, Community In-Power Development Association, Port Arthur, Texas along the Gulf Coast. When it comes to community involvement and inclusiveness, early on within our campaign, it was real tough because the community is a dilapidated community. A lot of folks were struggling, you know, just to keep the lights on. I mean, they are working two and three mediocre jobs and this community I came from, you have three government housing projects located in this west side community.

And when I was growing up in Port Arthur, you know, we had -- it was Gulf and Texaco then. Now it is Valero and Motiva but still Chevron and Huntsman and all of these different industries right on our back steps. And we always knew it was a problem, but yet, no one really knew exactly what to do about it. So when I went back home in 2000, I had been gone for like 21 years and I just got kind of tired of looking at the situation.

And I would have conversations with various people in the community about it and they were just as disgusted by it as well. But you know, I just wanted to try to put everybody together to find some direction. And I just basically started holding meetings at the local church, at St. John Missionary Baptist Church, Reverend Elijah James who is the pastor, opened his doors to me. But it wasn't easy getting churches to really assist me because there were a few churches, like AME Churches wouldn't even touch me, they didn't want to deal with the issue because industry in our community is the bread and butter.

They are the backbone of the community and we have to address that. But at the same time, simply because they are the backbone, does not mean it should remain that way. You should try to incorporate other companies and our city and local government, they kind of fail to do that. And the folks in the community really wanted to do something about the issue but at the same time, it was necessary to really help them address some of their more personal issues.

Like unemployment, some of their housing issues. And we started meeting and gathering around those issues first and then we started discussing some of the more present issues when it came to pollution. But yet, it is very difficult to organize low income folks and the impact of the community without looking at some of their more personal issues first. And I found that to be critical to really getting people to resonate around our organization and to stick with it.

Now that we are addressing some of their issues as well, now they are ready to address more local and more community oriented issues. And you know, it is difficult for a person if they are struggling to really weigh in without addressing those issues. So that is critical. Help them to help themselves first. Then the community as a whole.

MS. YEAMPIERRE: Thank you. You bring up a really good point that sometimes we are addressing environmental issues and all of a sudden we are trying to find housing, employment, dealing with social services issues. Things that we never -- we have no resources for and even aren't prepared to deliver in terms of services. It is staggering. Thank you. Peter?

MR. CAPTAIN: Good morning and thank you. Peter Captain, Yukon Red Barron Tribal Water Shed Council in Alaska. I think Hilton said just about everything that I was going to say but I just want to echo that you know, it is imperative that we as leaders, you know, seek to work collaboratively. My organization, the Water Shed Council consists of 70 tribes from the head waters of the Yukon River in Canada all the way to the mouth of the Bering Sea. And we came together, you know, to battle our roles -- our environmental roles before they start destroying our Yukon River.

You know, out of concern of our subsistence, foods. Our fish, our animals, you know, which were showing up with diseases of various forms. We decided that you know, the best thing to do is to come together and start working. With the aide of course, our Region 10 -- EPA Region 10, they have come -- stepped up to the plate and I was really, really happy for that. And my village of Galena, which was where an air base was located we were faced with environmental roles that started way back in 1937

when the base was there, we have a giant underground plumes of hydrocarbon plumes that fortunately didn't affect our ground water, but was getting pretty close to it.

And so, you know, I grew up wanting to fight these battles, you know, for my tribal people not only in my home village but you know, throughout Alaska.

And what really touched my heart yesterday was the EJ Challenges Facing Rural Communities. Up in Alaska, you know we had -- everything is rural. You know, except Fairbanks and Anchorage and those places. So we are faced with these things day in and day out. And I was really, you know, intrigued by what Hilton said that was either yesterday or the day before, that why should you know, the U.S. spend money fighting foreign wars and then rebuilding those countries when a lot of our rural communities are living in Third World conditions, you know.

Why not fight our battles on our homefront first and then go out and try to help people? And I thank Hilton for that. Thank you.

MS. YEAMPIERRE: Stephanie?

MS. HALL-VALERO: Good morning, Stephanie Hall-Valero, Energy Cooperation. I just wanted to piggy back briefly off of the comment Hilton made. I think it is important for both the administration and the council in its role as providing advise on policy issues to think about ways to incentivize industry, business and I say that as a business representative. Because a lot of the things that Hilton mentioned and there are things that we saw first hand in communities dealt with a lot of the social economic deficient.

And I think that it is a given that you should be a good operator. But how do you incentivize business industry to go a step beyond compliance to actually investing in the quality of that community. And I would just -- I would hope that somehow, someday in this process we can look at those things that we have available to us to help incentivize industry and business, because I think that you will get much further with progress identifying a willing, able body participant in engaging them in properly incentivizing them to do not only what is regulatory appropriate but is just really the right thing to do.

And I think that there are good people out there. I -- maybe I am overly optimistic in that regard but I tend to give people the benefit of the doubt and to look for the good in them. And when we think about business and we think about companies, they are made up of people. And people who have hearts and some who really want to do the right thing. And when you can identify them, within that company, you will get a lot further in your effort towards progress. And so I just wanted to encourage the council to encourage the administration to be thinking --- about those things that we can do to help better communities. Thank you.

MS. YEAMPIERRE: Thank you for raising that. I think that is a voice that often disappears when we focus on community, we don't talk about business partners being members of the community. We can talk a little bit more about that later. Wynecta?

MS. FISHER: Elizabeth, are we going to focus on all three questions or are just we focus on the community?

MS. YEAMPIERRE: Yes, I think all three and I think that while we have been going around and that everyone has really been talking about all three. I mean, the one that I would say -- even the one about consistent funding for community level programs, yes, all three.

MS. FISHER: Okay, thank you. Father Vien and Wynecta Fisher, E2, Inc. I think right now is an excellent opportunity to try to get state of Louisiana to look at EJ issues because before, the face of EJ in Louisiana was cancer alley only. And so for a lot of people, if I didn't along cancer alley, it wasn't something that affected me. The oil spill has the entire state interested. It is not just in southern Louisiana issue, it is a now a north and south. So I think -- my opinion is that now is a really good time to bring up EJ issues because people north and south are seeing the impacts. So that might help.

But I would like to talk about some of the federal partners and if it all possible, at our next meeting -- NEJAC meeting, and this is not a fresh idea from me, this is an idea that I heard from a colleague. It would be good to have OMB available to us. Because we -- and I don't know if I have mentioned this in this forum, but there are federal agencies that are releasing grant funding to assist communities in doing outreach.

A Department of Ag released one. There is a couple hundred thousand dollars. I know there is community groups that is already on the ground that could utilize that money. I know in Louisiana there is a couple of consultants that got the money. They are not necessarily the grass roots people. So, it would be nice to find out who has the monies so that the people that need the assistance, can get



access to it. But what I recognize is that for most of us, we somewhat operate in our silo.

Sometimes because we are more EJ focused, we look more towards EPA and the partners that EPA has worked with, like DOT or HUD but I don't know, does Department of Defense has any outreach money? They generally do when there is a BRAQ closing, so how can take that money and leverage it for the community that is going to be impacted? It would be nice to have someone from OMB, I believe, at our next meeting.

MS. YEAMPIERRE: Thank you. Let me just repeat the questions for the members who joined us a little later. So these are three issues that came up on Monday and ended up in the parking lot. Develop strategies for working more effectively with local communities and stakeholders. Ensure consistent funding for community level programs through the next administration. Create approaches to implement coordinated outreach among federal agencies such as HUD, DOT and EPA and it is not limited to that. Lang?

MR. MARSH: Lang Marsh, the National Policy Consensus Center. And I have been -- I want to address all three questions, I think at once. And -- because I have been trying to think about how we can be most -- maybe most useful to communities and what our stock and trade is, is recommendations to EPA for things that can be done.

So I was really excited yesterday by both by Bob Perciasepe's mention of communities as sort of the organizing principle and then by Mathy's presentation and his questions for us as to how we might be helpful to his efforts to establish a community based method of dealing with difficult environmental problems.

And so it seems to me that one of the ways we can most useful to communities is to kind of respond to that challenge and develop some recommendations with however it is done, through EPA or directly by us, with a considerable input from communities around the country, that will assist EPA and the other agencies. The Sustainable Communities Partnership, plus beyond that to other agencies. Assist them in integrating their programs and their resources and their technical assistance and so forth, with each other but also with state, tribal, local and non-profit and business organizations to address community problems where the community is assisted to develop its priority list the way Margaret's community has done.

Things that are most important to them, and then that brings together as it has in the green zone, the resources of multiple agencies and others to address those problems. So I think we have got -- I would say really excited that we have gotten some conversation going here in the last three days that could lead us to a process of making some recommendations back to EPA with a considerable amount of community engagement in the things that the communities are most concerned about.

So I don't know how that will all work out or what the format would be or whether there is a charge or how that works. But to me, that is how we could move forward on those three issues maybe on one sort of integrated way.

MS. YEAMPIERRE: Thank you. I want to take a second and circle back to Stephanie's comments about businesses. Because I think it is extremely important when we are talking about communities. In our community, we have about 1,200 manufacturers and we have a few businesses that call us every time they are trying a new energy alternative. They are excited about this partnership.

But there are very few that are like that. And since our communities are really besieged by bad industry and bad businesses, I think it is important to think about them in the same way we think about community. That they need to be educated and that they need to learn that these community partnerships -- these non-traditional partnerships actually in their interest as well.

And so people like yourself, Stephanie and like Sue, I just think that the profile of people like yourself who are transforming the way that businesses do business needs to be raised. And I agree that they need to be incentivize so that they know that it is actually good business to work with communities in a way that is respectful. But what recommendations do you have for approaching businesses that really either don't get it or do they need education, do they need to meet with communities, are there spaces that need to be created so they find out we are not so scary. That when they work with us, it is actually a good thing for the community? What would you suggest?

MS. BRIGGUM: You know, what you are saying is so progressive, it is just kind of like flooring me a little bit at the moment. I mean, it is such a good idea. And you know, and I loved what Stephanie said because she was just so eloquent in providing the positive business case and I am going to have to fault myself. I have tried over the years to try and engage businesses to become more active in NEJAC. There was an organization called the Business Network for Environmental Justice. Which hasn't

met in several years and I talk to business groups about environmental justice and the opportunities and the fact that I have found over the years, NEJAC really gives you know, the business members a very fair hearing and there are real opportunities.

But I am wondering if we need to really step up to education -- maybe there is a way that there could be you know, EPA might facilitate a discussion among the NEJAC and say the Business Network for Environmental Justice. It is run by NAM, but Keith McCoy was a member of a pollution prevention workgroup, he is a great guy. Maybe that would really help him to be able to elevate it within the organization. I would just love to see that sort of thing that would start an education.

And Elizabeth, if you could give that kind of message to that group, I think that would be really well received.

MS. YEAMPIERRE: Thank you. Savi?

MS. HORNE: Yes, I just want to chime in after Sue and I would urge, you Elizabeth to see if you can maybe breathe new life into that group because I think it would be important as we -- as we don't know what is going to happen with EPA's budget with Congress and programs that we care about that the regime changed that is afoot can understand and appreciate the fact that the NEJAC and Federal Advisory, FACA, are doing their jobs and that they are inclusive of the business community.

I think that would be a good thing to do. And I also want to add to the conversation that I do believe -- after listening to the folk on the rural piece, that it would be good if some of our deliberations would be distilled enough that we can share it with Lisa, who would then pass it on to the Administrator, things that came out of deliberations that would inform the interagency working group. It is not a charge but it is coming out of an organic deliberative process and I think that would be a good thing to do.

MS. YEAMPIERRE: Thank you. Patty?

MS. SALKIN: Patty Salkin, Albany Law School, Government Law Center. Two quick comments. On the business of engagement side, there are other Federal Agencies where many of the business interests are regulated in addition to EPA. And this might be another opportunity for some interagency collaboration and looking at where resources are in terms of program funding opportunities but also other kinds of regulatory opportunities where EJ might be an appropriate consideration to start getting that out there.

So I am thinking about FERC, I am thinking about maybe the economic development offices, commerce, you know and the subsets within there. It is worth exploring. And the second comment with respect to community engagement, I think we have an opportunity to think about how to use this academic resource that is out there. So I am putting my hat on as a representative of the academic community.

One of the list serves that I am on is the environmental law professor list serve. There is a lot of conversation about environmental justice issues on that list serve. There are a lot of academics from all different communities that have all different kinds of interests in the issue but they have relationships with their law students. And they are looking for projects, they are looking for case studies. They are looking for teaching opportunities.

And some of these schools have clinics. Some of the schools just engage the students in research. My hat is with law schools but I am sure it is in policy programs and environmental science programs at the undergraduate level as well. I think if we spent some time thinking about how to channel some of those resources to ways that can help enhance the capacity of communities, it is a resource that is inexpensive but for our sweat equity in figuring out how to appropriately channel the energy and efforts.

MS. YEAMPIERRE: Thank you. If you don't mind me just showing a quick anecdote. In our organization, we have 16 graduate students working with the community on a climate adaption plan. And 11 law students. And so we don't have the money to pay a staff like that, but we have tried to take advantage so I think that is a really good recommendation. Ms. May?

MS. MAY: Stephanie mentioned incentives to get businesses to do the right thing. And I would like to say that I think there is a similarity between getting people in the community and getting businesses to get on board. And I think incentives are at the heart of it. We have found that from the small number of people who understood and were interested in doing what they should, we have had to dangle some things in order to get other people to want to come in -- if you can get people to come in and listen, then you get some converse. And I think that the grants that EPA provides maybe other agencies but you know, just being able to say to a person, if you come in, you have a chance to win something, causes some people to then come and learn. And I believe that if we can get the messaging -- if you can get people to hear and listen, then they begin to do differently or it affects their behavior.

I don't have the answers. I know a few ways that you can get people in the community to get involved, I don't have a clue on the businesses. But I will bet around this table, collectively, if we did some brain storming, around what we think would be helpful in getting both of those entities involved, that it might be something that would help move this forward a little more quickly.

MS. YEAMPIERRE: Thank you. John?

MR. RIDGEWAY: Thank you. John Ridgeway, Department of Ecology, Washington State. And my representation for State and Local Government tends to want to take advantage of the third question around how to build better coordination across agencies, just to hear from the Department of Agriculture yesterday was not too soon for this council in my opinion. And that was a great example of one individual who can make a difference in building a bridge across institutions that are not used to working together because they have different statutes and the classic siloed system.

So we heard about FERC or the Federal Energy Regulatory Commission is what that stands for, I believe. Which touches on all of the power generation issues that go round and round the country is absolutely a good idea to think about. Any my work on the permitting subgroup over the last couple of months has drawn a lot more attention for me to -- the Army Corps of Engineers. And we have heard from many people about the problems around the permitting and confusion and the lack of access that people have to understanding the process and the lack of, I think, understanding by these other agencies over all in general.

There are certainly individuals within that may get it to invite the public in to understand what is going on and the incentive there -- and this may apply to industry as well is, building a relationship -- it is not a fiscal incentive, it is not necessarily winning a prize for these kinds of organizations as opposed to communities or individuals within a community.

But the incentive, I would hope we can help build is, what do we have to loose for one thing. And so I would like to -- you to ask us all to think about how we might want to think about maybe one -- at least for starters, bridging opportunity between EPA and again, to Elaine's point, our tool box or our tool set is to advise EPA to find those incentives to bring these other Federal Agencies to these council meetings or to invite them to just listen in on the calls where it is not going to cost them anything other than a couple of hours of time and -- toward to find those individuals who can help be the champions within these institutions or within the regions to start recognizing and talking and feeling comfortable in understanding the relationship with all of these issues. So that is my thought.

MS. YEAMPIERRE: Thank you. Wynecta?

MS. FISHER: Yes I -- Wynecta Fisher, E2, and I thinking from a business perspective and how we incentivize or even educate different other individuals that are not necessarily entrenched in the EJ movement. And the first thing that I thought about is using our individual networks -- I know Nicholas is part of the American Bar Association to implant ourselves in those planning committees. So when people are looking for a plenary speakers or workshop topics, we make sure that there is something about EJ there. Even offering to put the entire panel together.

And you know, initially you might get 5 people, maybe a hundred people but I know with a lot of attorneys, at least this is the case in Louisiana -- well it is everywhere. You have to get so many professional credits. And so that will make you sit in a session. Well it will. So that might be a way to get people to you know, who is to say they are going to listen. They at least hear something and you never know where that might go.

That is one thing. The other thing I want to piggy back on is something that Patricia said about -- and you as well, Elizabeth, about using students. And I am wondering if there would be an opportunity -- I don't know what this would look like -- to take an urban planning student and an environmental law student and pairing them together.

Because you actually practice what you learn, so within your Master's program when you are in -- you know, you are becoming an urban planner, land use and environmental justice is not really addressed but you have that environmental law student that can bring that to light. We are birthing a new generation of planners. And then I want to also look at what Patricia mentioned about possibly incentivizing some of these local municipalities because it is a budgetary issue about changing that comprehensive zoning ordinance. There is a cost associated with it.

But we do know if those land uses are not changed, we can have all of the institutional controls we would like, but those communities would still suffer. And then the other thing is, I had an opportunity to speak with the gentleman from Department of Ag yesterday. And he was saying that he didn't have an opportunity to tell a lot of other things, but he brought up three issues which I think we

might be able to somehow do something with.

He was talking about, you know, sometimes if an urban area is not that far from a rural area, actually having a school trip to see a real farm and see exactly what they do on the farm. The other thing he said is that a lot of these family farms and some of the cooperative farms are going away because they no longer have but the canaries nearby. And so if there would be a way or some type of agreement where those farms could somehow link to the schools and you are giving those children would take the tour of the farm and they would have fresh vegetables and fruits.

And then the final thing is with the rural communities, some of the things that they talked about -- some of them almost made me want to cry. Not literally cry but cry out for them because their issues really are unique and I am thinking about -- I don't know if she is still in the audience, the woman from Mississippi that spoke in July.

And basically we as a council, have to keep in our minds that what we experience -- when she was just talking about getting to Wal-Mart and our experience -- well not a Wal-Mart but a Big Box Store and sometimes a Big Box Store in an urban area is a sign of gentrification whereas in that rural area it is a sign of just surviving. So I think we have to kind of keep our mind open and think of some creative ways to pull them in because that can also -- we can also assist them.

MS. YEAMPIERRE: Thank you. So we are out of time but I am going to take -- if you have a compelling statement, something that you have to say. Two last comments, one from Nicholas and one from Hilton and if you could be brief, I would appreciate it. Thank you.

MR. TARG: I am Nicholas Targ with Holland and Night and the American Bar Association. I have got -- first the American Bar Association would be very pleased to make environmental justice even more fuller a part of our agenda. We have got two different sections with the ABA addressing the issue of environmental justice.

I work primarily with the section of Environment Energy and Resources. Patty Salkin I believe is a vice chair of the section of Individual Rights and Responsibilities. We would be very pleased to step up and provide assistance. One of the things they need to add is that the American Bar Association is a professional association. We are people who represent municipalities, states, businesses, communities but we are ourselves are not the businesses, communities, states or municipalities.

But we would be very pleased to partner with those who actually have the direct representation or who are those organizations. With respect to the issue of coordination with other parts of Government. The EPA in the sustainable communities initiative is a poor cousin. The Department of Transportation and Housing Urban Development are the ones with the budgets that are moving things forward.

In this past go around, HUD and DOT just let grants of approximately \$150 million, \$170 million over this past month. EPA brown fields grant program is significant. It is important but annually about \$40 million are let to municipalities, non-profits and others. There is another \$40 million in brown fields funds as well. But it is the brain power that EPA has and it is the mass experienced over the past couple of decades now addressing issues of environmental justice, that it brings to the table.

One of the things that the -- actually a couple of things that the agency could bring to the table are as follows. One is EPA has now a pattern and practice, at least in some programs of requiring partnerships with non-profits and community based organizations. That could be brought and that could be transferred over the other programs as well throughout the other parts of the Government.

Two, the agency still needs to but is probably further along than other parts of the Federal Government in identifying environmental justice communities over burden communities, however we would like define those terms. And also tracking progress. We have been talking about the importance of leadership and leadership is essential in getting a program started.

But in order to keep it going and sustainable, communities need to and others need to be able to identify what progress is being made, where resources are going and how they are being applied and what the changes are actually occurring. That kind of experience in identifying, assessing and tracking resources that benefit or go to or don't go to environmental justice communities is again part of the brain power that the agency can bring to the sustainable communities initiative. Thanks.

MS. YEAMPIERRE: Thank you. Hilton?

MR. KELLEY: Yes, Hilton Kelley, Community In-Power Development Association, Port Arthur, Texas along the Gulf Coast. On the subject of working together and industry playing a part in helping communities and incentives to do so, I would just like to say that you know, it takes a willingness

on all parties part to really make a agreement or something of that nature work.

It takes a willingness from the activist or the EJ Group, it takes a willingness on part of industry. It takes a willingness on part of the city and also it takes a willingness on part of the agencies to assist in that process. Region 6 EPA I think is doing a great job. Port Arthur, Texas has been selected as the EPA showcase community and there are some great models, I think that is going to come out of this project once it is done.

But at this particular point, what Region 6 EPA has been able to do, is to bring all of the parties that I mentioned earlier together. And I think that is paramount because we have been able to really sit down and talk openly about the issues that we have in the community and what industry can do and what we don't like and what they don't like. And now we are able to meet or find medium. And it is really working very very well.

But before Port Arthur was selected as an EPA showcase community, I just have to give kudos to Rich Walsh with the Valero Corporation because he had the foresight, as Stephanie was talking about earlier -- playing a major role in coming into the community and actually hearing us for the first time when it was PrimCort refinery before it was Valero. That particular plant manager was very arrogant. He was very standoffish and it was a good ole boy network and they felt like they didn't have to answer to anyone, even though they were having a major impact on our lives and our community.

But Rich Walsh at the Valero Corporation, even though we don't always see eye to eye on issues at all times, but yet he did have the foresight to say, "Well let's go out into that community and talk to those folks." And that is what they have done. And because of that, I think they are having some successes with being able to move forward with some of their projects.

MS. YEAMPIERRE: Thank you. Sue and then we are going to move on with Gina McCarthy. Thank you.

MS. BRIGGUM: This is just quick. I was just going to volunteer if we could get a little work group to plan a session for the next meeting. I know a lot of people in heavy industry who I think might come to the table constructively. I would love to be part of that.

MS. YEAMPIERRE: Thank you. That is awesome. I mean, that is really great. This is really a Rich discussion and I know that we have a lot to say, so thank you so much. Now we are going to move on to the next part of the agenda where we have -- oh I am sorry, Victoria? I am sorry, moving on to Victoria right now.

MS. ROBINSON: Thank you. Just a quick announcement. Yesterday, Rich Wayland who -- Chet, sorry, gave a presentation about the EPA responses to school air toxics monitoring. And Jolene requested -- I want to find out whether tribes were eligible for the community scale air toxics monitoring grants and he says the answer is yes, they are eligible -- tribal governments. And also, just letting you know, the RFP should go out in early 2011. Okay. So. Thank you.

MS. YEAMPIERRE: Thank you. So now we are being joined by Gina McCarthy who is the assistant administrator at OAR. Gina is going to be talking to us about EPA Plan EJ 2014: Environmental Justice and Rulemaking. She is going to be providing us an update about various Air Rules relating to utilities. Also sharing with us some of the changes in her office and the work that is being done on permenting and some of the challenges that are being faced by the administration right now. So I don't have your bio, but I think everyone knows who you are. You have been very consistent. You have been joining us at several meetings. It is actually -- it is such a pleasure to have you before us. So welcome.

***Plan EJ 2014: Environmental Justice and Rulemaking—  
Clean Air Act Priorities: Air Toxics and Power Plants***

***Presentation by Gina McCarthy,  
Assistant Administrator, EPA, Office of Air and Radiation***

MS. MCCARTHY: Thanks very much Elizabeth and I hope that I am not haunting you but it is great to be here all of the time --

MS. YEAMPIERRE: Did you say stalking?

(Laughter.)

MS. MCCARTHY: I would do that too if I had to. But, no I am just haunting. That is sufficient. I think you all met Janet McCabe who was here yesterday and she is working with us on the issues relative to EJ and permenting. And I want to begin by thanking Edith for her kind words, but

frankly Edith is one of those individuals that when she works for you, she pushes you. She doesn't wait to be pulled. And it was a great opportunity for me to get to work with her and to work with the Connecticut Legislature to pass a law that actually mattered. And I know she is doing a great job implementing it. So it is fun to see things happen.

So I appreciate that. But one of the reasons why I want to be here and I always want to be here is that I think we are doing some pretty significant work in the air program to try to address the issues of environmental justice. Not just as individual rules get looked at but to try to think a bit more strategically about this.

As all of you know, people in my position have limited time with the agency always and so I am trying my best to figure out how we can not just institutionalize the issues that we talk about. Institutionalize them in rule making and how we look at rule making and permitting and how we look at permitting. But we are also -- I am also trying to be as the administrator asked us to be as really focused on what are the key things that we can get done with our limited time here.

And so I wanted to talk to you again because we talked about this before. When I was here last time, we talked about individual rules that were coming up and I think we have had a -- many successes frankly this year in moving those issues and those rules forward. But I think the bigger challenge for us is to think more strategically.

And so I wanted to lay out the strategy that we have in mind then dig in a little bit about what that strategy might look like and one of the -- what I believe to be the most important sectors for us to break through, which is the utility sector. So if you let me walk through this -- and I would actually encourage you to interrupt me. I interrupt myself in my head all the time so you might as well join in the fun.

And so let me walk through this a little bit and figure out how I do this. All right, I don't know whether you need to follow the slides. If you want to, that is great. There is some interesting pictures. I will point to them, other than that we will just chit chat together.

(Slide)

But I think the thing that I wanted to make clear is that the Clean Air Act has a bunch of different ways to manage air pollution. And the way I look at it is, there are rules and there are strategies that I are more important in terms of their local impacts.

And there is a whole range of rules that deal more broadly with Air Quality in general. And there is opportunities on both sides of that ledger for us to think differently and to look at ways in which we can focus on reducing the burden in communities where we know we are overburdened and where they could potentially bear the brunt of new pollution as it comes through. And let me first let me look at the -- right side, I am terrible with right and left, I have to think about which hand I eat with.

The right side on the National Ambient Air Quality standards, those are issues in which we are continually thinking about -- at least now we are continually thinking about the standards and what they ought to be. They will generally apply across the country. And then you will look at areas in which the air quality doesn't meet the standards and as a result, State's look at developing plans. And those plans not only look at what they can do locally but they look at what the Federal Government is doing to try to generally reduce emissions so that the background levels they work from are lowered.

And so we are doing a lot of work on that side of the ledger. We are looking now at PM standards. Those are going to be looked at and the time line is for a February assessment of whether or not those standards are where they need to be. I will tell you that from vantage point, PM is the most significant criteria pollutant that we have. If you actually care about public health. Every year PM 2.5 is responsible for tens of thousands of premature deaths in the United States. It matters a lot. And so we will be focusing a great deal of attention on that.

Everybody knows we are reconsidering the ozone standard. The administrator is doing a tremendous job in ensuring that we can move ahead with the standard that matters, a standard that is consistent with science based limits. We will be moving forward on that quickly. You may remember that I think the last time I was here, we already talked about having accomplished a relook at both SO<sub>2</sub> and NO<sub>2</sub>. That was an accomplishment from last year -- I don't even know when the heck -- was that this year or last year?

MS. McCABE: This year.

MS. McCARTHY: Oh my God, time flies. Feels like 10 years I will tell you. We looked at the SO<sub>2</sub> and NO<sub>2</sub> and we looked at both of those are new standards. Those are standards that hadn't been revisited for decades. We are now relooking at carbon monoxide and you already know that we

have revisited the lead standard and we recently signed, just not a moment forward but to look at monitoring of lead, but just yesterday the administrator signed the designations for the areas that are out of attainment for the lead standard.

So, those things are moving forward and we are proud of that. Those are big ticket items that I are not looked at as frequently as the Clean Air Act requires. So it is kind of fun to be part of that. It is a big deal. It is a big deal for everybody. But if you look on the left side of the ledger, the Air Toxics Rules to me are slightly different. They are different in the sense that when you look at these rules, you tend to look at very localized issues of high risk.

These are areas in which I think that my office could do a much better job at looking at those toxics rules in a way in terms of what makes most sense to actually alleviate problems that address local community concerns. And so that is where we are spending a great deal of our time trying to look at what are we doing, what is our work load, what are the court ordered deadlines. Do those court ordered deadlines get at the most significant issues and we are working with the litigants and the NGO's who have sued us for not moving forward on these rules.

To make sure that we are walking through them in a way where the highest priority issues are addressed first. And what we are looking at it, is a new system where we can look at both of these things together as we are making rule makings so that it doesn't just address the national challenges to reduce -- to improve air quality but it does it in a way that also addresses local community concerns.

It is a challenge, but it is not unachievable. It is actually very achievable if you think about it. And so I wanted to give you our thought process on it. And walk through it.

(Slide.)

Now the first thing and one of the reasons why we must do this, is we have a significant challenge. Our challenge is that we have a large rule making agenda to work with. It is extraordinary at best. To give you an example is our 2010 Reg Agenda lists 64 proposed rules. And 67 final rules that we need to get done next year. That is in addition to 47 larger rules that won't get done next year but are being worked on now because we must get them done over the next two years.

Now that is a daunting task but it is also a tremendous opportunity. But it is an opportunity that we needed to think about it in order to maximize it. And much of the agenda as I have said is driven by statutory time lines and we need to think about that and work with the litigants to make sure we are aligning what ought to be the big priority items which actually is coming up in the litigation schedules.

Now what we have really thought about in terms of a solution for focusing us sort of strategic thinking is to really -- instead of doing individual rule makings and thinking about them, only within the context of that rule making, is how do we begin to look differently at a sector-based approach. And it is a work that the Clean Air Act Advisory Committee has been talking about for years. But is helping us really dig in.

Let me explain to you what that means. It really means targeting our rule making to different industry sectors and coordinating it so that it is a combined rule making package or at least a rule making vision where communities can trust where we are heading, where the regulated community can know where we are heading and where they can look at investing wisely so that we are not nitpicking them with different rules that may in fact end up in conflicting messages but we are actually aligning them together.

And that means, not just looking at our toxics rules in doing that but looking at how that sector approach can help us achieve National Ambient Air Quality Standards. How do we think about it holistically and do this well? And it is not just about prioritizing rule making. It is about looking at the full gamut of what we do for a living. You heard Chet yesterday. Chet is a brilliant, hard working, wonderful person who is working on monitoring. And he is not working on monitoring just to do National Ambient Air Quality Standards. He is looking at issues related to monitoring offense lines for facilities.

He is looking at doing work that we need to do for enforcement purposes as well. So it is not just rules but how do you enforce them, how do you get information out to communities, how do you start looking differently at challenging industries to monitor themselves and make that information available and that is what I mean by a sector-based approach. It is not simply rule making. It is the full gamut of tools that we both have to work with that can make this happen.

(Slide.)

Now let me talk to you about how we have been thinking about a sector-based approach

in terms of where we are prioritizing. And how we are looking at prioritizing ourselves. Now the administrator has made it very clear that with all of this --- of work, we better focus and she said how are you going to do it? Well, that is a really good question. We could all sit around the room and debate which industry section is the most important but we decided to do what EPA does best and think through it for a little bit, but only a little bit. Which is what we often don't do.

We are doing it a little bit so that we can move on. And what we decided to do is ask really common sense questions. Where are the biggest risks? What are the sources that contribute to those risks that are most important. And how do we get improvements in investments? And this is the idea of this holistic approach to rule making, can tell an industry well -- oh, if I choose these range of controls, these measures of efficiency, these leaked detention methods, I can actually assured that EPA won't aggravate me for the next 10 years. That is what I would like because I think we can make tremendous improvements that the communities can monitor and industries can deliver.

And then how do we look at opportunities for co-benefits. Part of the challenges we have is if we don't do rule making together, we miss tremendous opportunities. We see it time and time again. That we are not taking advantage of the most beneficial responses to regulatory rule making because we are not thinking broadly enough. And how do we also address this litigation strategy moving forward.

(Slide.)

So let's start with where are the biggest risks? Now this is a map you ought to look at. This is a map which basically looks at where the estimated non-cancer, respiratory risk is. Now I will tell you that we have looked at a number of these maps based on information that we know as a result of toxic data that -- did on toxic pollution that we gather in looking at risks associated with that. Now what you will see is the darker the color, the higher the average risk level has it indexed. And when you look at that and you plot that out, what you will first see and this isn't surprising to anybody I assume, is that the highest risk areas are the urban areas. And that is primarily because that is where you have many of the larger sources but it also is a factor of that is where most people live.

So when you are looking at exposure, you are going to be looking in those areas and ensuring that if you are prioritizing, you are not missing big ticket items that matter a lot to the broadest amount of people.

(Slide.)

Now the second question is, and this is also a neat little -- it is one of the few that I can actually understand is if you know that there are risks in these areas, the second question becomes what is presenting those risks.

What are the sources that are most notable that we have to look at it. And this chart is interesting in a couple of different ways. One is, if you look at those beige areas, that is the power plants. You will see that they are quite a hefty amount of the toxic exposure in these areas. And so that tells me that our look at utilizes is absolutely appropriately. If you look at that blue section -- I don't know how would I explain the color -- the third from the bottom in the first column. You will see that that is consumer and commercial products manufacturing services.

So there is a lot of industrial manufacturing operations that contribute to these emissions as well as these risks of toxics. So when you look at that -- the other thing I want to point to you is something that was pretty eye opening to me. I want to look at the last column. It is very often we focus on cancer, cancer, cancer. Now I am not telling you that we shouldn't focus on cancer, cancer, cancer but it is not the only health risk around.

Now look at that last column. The light blue on the bottom boilers and engines. Now there is something that we have taken on this year to address that risk. We have made a lot of new standards that deal with diesel engines. We have moved those forward. We have also proposed a new rule on boilers to take care of the toxic emissions from boilers. They are everywhere. And they are a significant risk, not only in urban areas but in rural communities and they are extremely important for us to look at and prioritize.

Now let's look at the top sort of -- I don't know what that color is, what is that color? Green? Teal is a good -- turquoise is good. Whatever the heck it is. It shouldn't be pretty. We should make it brown, actually. That is residential combustion. And I know you spent a lot of time yesterday talking about some of the challenges in the rural areas. Well, take a look at that. It is amazing how much emissions are associated with residential use.

A lot of that is wood stoves. A lot of that is the burning of wood in rural communities as well as the increasing use of those types of combustion facility units in and around the rural areas. Go



ahead.

MS. FISHER: Hi Gina, this is Wynecta Fisher, E2, Inc. you said that we could interrupt you.

MS. McCARTHY: I did.

MS. FISHER: Is it possible that we could get access to that data that you use to --

MS. McCARTHY: Sure.

MS. FISHER: Oh, thank you.

MS. McCARTHY: Oh, absolutely.

MS. FISHER: That would be great.

MS. McCARTHY: I will tell you that this is a snippet of what I am going to tell you next time I come back which is a broader toxic strategy for the entire agency. So you will see all of the data when we do this. This is just wetting your appetite. So again, does this stuff make sense to you? This is sort of confirming what we kind of know? All right, I just wanted to make sure.

Now next we need to look at what does this mean for where these big emitters are located. And this is one of my favorite slides and I have done this in every state that I have been in. Which is basically to look at where we might anticipate environmental justice communities are and where these large sources of emissions exist and is there a correlation between the two.

I did this in Massachusetts and it really helped us pass an environmental justice policy because the correlation between the two was startling. It was unavoidable. Now we didn't argue about whether it was a historical artifact of the industrial revolution or whether this was a concerted effort by some to take advantage of communities where they thought they could site. I didn't need to. It was clear that we needed to do something about it regardless of what your position was.

So again, this is a case study that has been worked at in Chicago and basically those blue circles are blocked group level data. And the blue represent areas where the groups are more than 50 percent minority population as well as 20 percent living below the poverty level. So it may be your definition or more restrictive or not, but if you look at it, you will see that many of the facilities that we are looking at, and working on for our rules could have significant impact in areas that we believe may be most vulnerable to the pollutants that are being admitted.

Areas where there are likely to be we can tell status. Where there may not be an ability for folks to move or to actively engage or participate in permitting decision making. In other decisions that will really matter to them. Please?

MR. TARG: As you are looking through -- Nicholas Targ, the Law Firm of Holland and Knight with the American Bar Association. Thank you very much for coming to address us and going through this very important issue. With respect to the impact on low income and people of color communities, one of the things that would be very helpful to understand or to see is how the regulation of different sectors would fall out with respect to impacts, specifically with respect to low income and people of color communities.

I recognize some of the challenges that are involved with that. But using reductions based on existing NADA data pressed against and making that kind of information public --

MS. McCARTHY: Yes, I agree. That is exactly the point of all of this. Is I don't want to just release the data but I want to consider the data when we are looking at our rule making. Because that data is extremely important to us because we can -- frankly what I am doing here is explaining that we are using that data to prioritize what we do. So that I am working on the rules that I think from a scientific standpoint and from what we know, matter the most, because they get at the highest risk first.

But secondarily during the rule making process to look at what it means for environmental justice moving forward and what people could expect to see in terms of risk reduction. And we are already starting to integrate that and you will see it in rules that we are putting forward.

MR. TARG: That is -- that is outstanding. That would create the basis for one projecting what the goals might be and also setting an annual or every two year benchmarks for what the outcomes would be as well.

MS. McCARTHY: The only thing that I will tell you and we -- we will look at this a little bit on the transport rule because I have some better example. I don't have all of the environmental justice data, I should have brought it with me. But we are working on it. I will tell you that one of the things that is most challenging for us is that on the toxics rules, we can get that information and make that clear. And it actually has a real opportunity in many cases to make a difference.

In some cases, it is informative only because the Clean Air Act is so prescriptive in how

you make your decisions that you can't readily factor those -- that information in the decision so your best opportunity is to do what I am doing which is looking beforehand at what rules make a difference to an environmental justice communities rather than after the fact integrating the environmental justice data into the decision making because they can't do that.

MR. TARG: I completely agree --

MS. McCARTHY: If you know the Clean Air Act, you know that.

MR. TARG: Yes, what this allows you to do again is to make projections --

MS. McCARTHY: Absolutely.

MR. TARG: And then also to bench mark what the expected progress is --

MS. McCARTHY: Absolutely. Absolutely. So in other words, it is pretty exciting and this data will all be available to everybody either beforehand, we can talk in more detail next time about where the -- the data behind these priorities or we can send it along and then we can talk here about the ways in which we are looking at environmental justice and the rules that we are doing. But it is all actually pretty exciting.

But so far, I am probably not -- am I telling you anything new right? I am just verifying what you probably already have been thinking about? So let's talk about in the end where we are ending up in terms of our thinking and why -- we asked ourselves all of these questions and we came to some conclusions. And those are preliminary and I would love to hear from you guys if you think we are getting anything wrong. And again, we will talk about a lot of the underlying data that goes into this decision making.

But there are a number of priorities sectors and they are not necessarily in a hierarchal order here. But these are the sectors that we believe pose the most risk and offer the most opportunity when we are looking at organizing the rule making that we do. So in other words, we think that these are the biggest bang for the buck items. If I am only here for a short period of time, these are the ones that I want to make progress on as soon as possible.

Because they are absolutely critical and they may be, I think, I don't know where Hilton went but I think he would probably readily agree because this is sort -- oh, there you are. Why did I think you weren't there? You were sitting forward and I didn't see you. How could that little woman cover you up that is amazing. It is nice to see you.

(Laughter.)

MS. McCARTHY: It is my eyes, Hilton, I am sorry. I think you will agree when you look through this, this is sort of like what is in your neighborhood.

MR. KELLEY: Very much, so.

MS. McCARTHY: Yes, it really is. It is a big ticket item -- is utilities and we can talk about and I will show you the data from that one so you can see why I am focusing on those so specifically. Chemical manufacturing, iron and steel. If you look at mobile sources, we have made tremendous progress on that over the past year with lots of rules and we are going to continue to make progress specifically on the diesel front which we know has specific issues relative to local pollution.

We have non-utility boilers. I mentioned that before we put out a toxics rule on boilers that is stirring everybody up, which is, the good news is we have lots of information and we are going to do a great rule on that. Oil and gas is becoming a predominant issue out in the Western part of the country. It is actually contributing to winter time ozone, which is a first. We have never known that before. It could be because it never happened before.

But oil and gas exploration is something that we really need to look at closely. Petroleum refining we have some real opportunities. We talked a little bit about that last time I was here. And that is not just looking at rules that directly relate to them -- I am sorry, I don't want to go too long. I am kind of done, aren't I? How long do I have? An hour right? I am sorry?

MS. YEAMPIERRE: You have until 11:00.

MS. McCARTHY: Okay, great so I am not done. Good. Petroleum refining is an area where it is not just about that sector but it is about looking at and remember we talked about leak detection, we talked about malfunctions, start up and shut down. How do we make sure that flaring is done in an emergency basis and not as standard operating practice. We are moving forward the rules that get at these issues as we are sitting here. So we are getting fundamentally at some of these questions as well as knowing what sectors they will impact the most. As many of you know, we put out a Portland Cement rule and that rule was the first opportunity for us to use this multi -- this sector approach. It wasn't just a toxic standard but it was also a standard regulating new source performance standards,

getting at the criteria pollutant world so that we could look at maximizing our opportunities for reductions in the most cost effective way.

As all of our rules we are being sued on, everything but we are going to win this time. Okay. In addition, I just wanted to make sure that I didn't always focus on rules because that is not the only tools in our toolbox and much of what we talked about last time was how do we do better at monitoring because a lot of it is about we have rules in place, what are you doing to enforce -- how do we get smarter at where the toxics are being emitted. How do we allow communities more access to data that matters to them so that they can take actions, not just with us but at other local and state --- entities.

So we are looking at doing a fairly concerted effort working with our enforcement office under the auspices of a new cross office effort that the administrator is really interested in, is looking at new monitoring technologies, getting them out there, getting them into the communities, using our innovative technology initiatives to foster that. We are looking at how do we make that data much more transparent, understandable so people can do what we are doing.

Which is look at it and know immediately how you prioritize what is important and what matters and how to read that. We are really looking much more at the neighborhood monitoring. We are working closely with these community based efforts so that we can integrate some of the monitors that we are actually developing and moving forward with the Office of Research and Development and with our folks at OAQPS, they are developing the monitors that will allow us to look at multiple pollutants and not just by roadways, which is great. But at fence lines. Elizabeth?

MS. YEAMPIERRE: Gina, do you have an example of that because one of the common complaints is that monitoring is done in a way that really doesn't resonate for the community, the monitors are put in the wrong place. And that they are not at the level where people are walking and breathing it in -- do you have --

MS. McCARTHY: I do, I have two examples. One is not the example that is my favorite. It mentions the DIAL, I forget what that is called. I forget what the acronym is, but the dial is this really expensive mobile unit that can do fence line monitoring, that you move around and you basically use it for enforcement purposes. The enforcement people love it. But it costs something like a million and a half bucks.

And it is great to have, don't get me wrong. But the more interesting thing for me is some of the work that we are doing in the communities in Texas. We are actually going and putting in monitors that are very inexpensive to operate along the fence line of lodge refineries. Because that is how we figured out that the leak -- that flaring does not provide the reductions in emissions that we thought it did.

MS. YEAMPIERRE: We have mobile air monitors in our community but there was someone who came and testified before us, I think from the bay, from San Francisco. Who was talking about being able to measure the emissions and that she needed equipment -- how would people in the community access those resources and where would they get information about that equipment?

MS. McCARTHY: We -- you know, we should -- I am happy Elizabeth after this, why don't we have a conversation about that and why don't we provide a mechanism. Because one of the things I am not sure we are doing -- I know we are doing pilots and I know we have equipment that is fairly inexpensive that we can move around and that can be really helpful to us. I don't know if we have a concerted program to solicit interest in that so that we can prioritize together about where it makes most sense.

Let me challenge us to think about that and then get back to you. Because I don't think we have put out a broad call for that as opposed to identify pilots. Yes?

MS. BLANTON: Terri Blanton, Kentuckians for the Commonwealth. So when we are talking about the utilities sector and air monitoring and air pollution, I noticed on the map you know, you are talking about it is mostly in the cities but do we really do the air monitoring in the rural areas to see the impact in the mining communities, whether it is central Appalachia and whether it is in Montana or whether it is in -- out in the west. Where the beginning of the utilities is actually happening with the mining of the coal because lots of people whether it be in the west or central Appalachia feel for the most part that they are prisoners within their own homes because of particular matter from either the mining of the coal or the transporting of the coal be it on trucks or trains.

So when-- is that really an adequate or a fair representation of air pollution when the monitoring isn't happening in the rural parts of the country.

MS. McCARTHY: Yes, you are making a very valid point. One of the things that differentiate I think our work in urban areas with rural areas is that the rural areas -- they tend to be very

large sources that pose significant problems that are multi media. They show up on our radar screen anyways. They show up in areas where you have pristine areas and they end up being non-attainment and that ends up being the focus of attention in terms of how you have to do a state planning process to meet Ambient Air Quality Standards. They tend to show up.

And so I guess what I am trying to indicate is that I am not indicating the fact that we want either shift resources away from addressing those but I think that we haven't known enough about the mix of sources sometimes in these populated areas and we spend a lot of times wringing our hands about cumulative impact. I think that we have lots of tools where we don't need to wait for more scientific data in order to move forward. But what we haven't had is really good monitoring data to be able to allow us to do that from an enforcement perspective and to influence how our rule makings are done.

So I don't disagree with you at all that those are very large issues. They tend to be issues that are on our radar screen and -- yes, go please?

MS. McCABE: The other thing is that -- this has been challenging forever because monitoring is expensive and resource intensive and over time, the emphasis has been as you point at, in putting the monitors where the most people live. But the information that you are seeing in this presentation is not just based on monitoring data. The map of the country which I noticed didn't have Alaska on it and I apologize for that, well, we will fix that. But it is based more on emissions data from sources that get reported either through mandatory reporting requirements of criteria pollutants or of toxic pollutants and other inventory work and it is from that data -- from those data that we generate these maps.

So the fact that you don't have a monitor in a rural area wouldn't influence this and in addition, we don't monitor for many of the pollutants that go into putting these sorts of maps together. So even without a widespread monitoring in rural areas, which by the way we are trying to be sensitive to and increase as we develop the newer standards, we have other information that we can use that is nationwide.

MS. McCARTHY: Does that answer your question to some extent? Not at all? Well, go ahead. Sue has a question.

MS. BLANTON: Sometimes I think when we talk about utilities we only talk about the end of the cycle.

MS. McCARTHY: Yes, you are absolutely right.

MS. BLANTON: And we are not talking about the entire cycle of whatever, whether it is gas or coal. Whatever nuclear. So I just think that when that needs to be thought about in the entire -- I mean, if we are talking about utilities and you have these power plants on here then we need to think about the entire cycle of producing energy and the utilities. Not just the in use.

MS. McCARTHY: And the only thing I will tell you, I think that the administrator and the overall EPA is thinking about this more holistically. It is just my tools tend to be how do we regulate the utility itself. But we are certainly coming out with rules that look at mining operations. So it is not that we won't get at them. But you are absolutely right and you are making a significant point and I think that the administrator is working very hard on the point that you have just mentioned.

And the other media, there is some significant rules that are being proposed that will help with that but it is certainly not the full answer.

MS. BLANTON: I have another question?

MS. McCARTHY: Sure.

MS. BLANTON: So, you know, if you look at the fleet of power plants and being one of these people that have fought the construction of new power plants, sometimes it makes you think am I really doing something right by fighting a new power plant when you know, 82 percent of the plants were built before 1950.

MS. McCARTHY: Now, you are going ahead now. That is not allowed in your questions. (Laughter.)

MS. BLANTON: Well, I will get to that question when you get to that slide.

MS. McCARTHY: Other than -- I will go ahead, let me catch up with you. Let me get everybody caught up.

MS. YEAMPIERRE: Can you just take a question from Sue, for a second and then you can --

MS. McCARTHY: I am sorry, sure.

MS. BRIGGUM: I just would like to have you take some credit, I think that the new

executive order on heavy duty engines in fact will to some extent address some of the rural concerns because it has been almost impossible to get the manufacturers of heavy duty engines to pay attention to fuel efficiency and improve and the administration has done that. I think that could be very profound in terms of providing assistance.

MS. McCARTHY: I will always take a comment like that, thank you. So let's focus on the utilities because it is a good question you are asking is where do we put our emphasis on this so that we can move towards a cleaner energy supply.

(Slide.)

Let me just remind you of why utilities are a big ticket item. I mean, if you look at in particular -- I point you to the SO<sub>2</sub> and the NO<sub>x</sub> reductions -- I am sorry, emissions. 60 percent of the SO<sub>2</sub> emissions come from utilities. 20 percent of the NO<sub>x</sub>, now those are both precursors to PM finds.

You know we need to think about the actual public health impacts associated with utilities and how we get more serious about meeting what I believe to be the obligations under the Clean Air Act. The Clean Air Act made some assumptions and assumptions didn't really pan out. One of the assumptions that were made when the Clean Air Act was written and when it has been updated was that if that -- that these older utilities will be phasing in to sort of new utilities before you know it, so we really don't need to focus as heavily on the older utilities as we do the new.

That has not proven to be an effective strategy. As you can see from these numbers, I don't think it has been an effective strategy. These numbers would be very low had that been the case. Now if you look at -- this is the slide --

MS. WASSERMAN: I just wanted to say that that is a great picture, that is the picture that --

MS. McCARTHY: I thought it was really cool too.

MS. WASSERMAN: That is the co-power plant in our neighborhood.

MS. McCARTHY: Is it really?

MS. WASSERMAN: Yes, we took that picture so thank you very much for using that.

MS. McCARTHY: Don't you love the way they did that? I thought it was cool too. Thank you.

(Laughter.)

MS. McCARTHY: And of course, Mercury is something that we all have to be concerned about. And it is not just Mercury but the other toxics that might wind their way along with those. And so that has become a big ticket item in terms of our ability to regulate and look at how we move forward with some cost effective installations of control measures.

(Slide.)

Now this is the slide that Terri was at. And this is the slide that shows to you these numbers are the percentages of existing facilities without advanced SO<sub>2</sub> and NO<sub>x</sub> controls. Now the SO<sub>2</sub> and remember and NO<sub>x</sub> are big ticket health items. And what you see is that 82 percent of the oldest facilities are not up to snuff in terms of the controls that they are supposed to have on.

And there are a lot of older facilities. And I will -- 10 percent -- I am sorry, let me think, what is the best number here. I won't go -- I won't get into that. But there are a lot of facilities, some of which are 70 years old. 70 years old. It is amazing how long these facilities last. And many of them it is just time to make investments in these as other countries are making investments. I don't think this type of fleet was really what President Obama has in mind when he talks about Clean Energy. When he talks about moving forward to remain competitive.

And so there are significant challenges for us, with the existing fleet. As well as looking at the new sources that are coming online which frankly tend to be orders of magnitude cleaner. And the good news --

MS. YEAMPIERRE: Can I ask -- I am sorry to interrupt, are they too old to repower?

MS. McCARTHY: No.

MS. YEAMPIERRE: Or retrofit?

MS. McCARTHY: No. It becomes a market question. Because as you know it depends on where they are going to fall in terms of the cost associated with the production of electricity at these facilities. Many of these older units are there for two reasons. One is primarily because they make money. And they can run them for short periods of time. They can make substantial amounts of money and they don't have to worry about updating because they only run certain periods of time.

And the second issue is that many of the -- some of them, I don't know if I would

characterize it as many, some run in areas where there are problems with producing electricity during high peak demand. And Connecticut is one of those areas and why I have been obsessed about this issue ever since. Is that if you think about it -- the areas that -- the times when ozone is produced are times when it is the hottest because it takes sunlight to produce -- to produce ozone.

And so what you see is in the summer when it is the hottest, is when ozone is produced and it is also the time when energy demand is the highest because people run their air conditioners as a result, there are units that are out there that are sitting idle that are waiting just for those days. And those are units which do not follow the rules but have contracts because of reliability concerns. They are almost exclusively coal units. And they burn -- and those are the days that you have high ozone. It is the worst possible confluence of issues running together.

And if you took care of that, you could potentially come into attainment in many more areas as a result of addressing that issue. Which is why we are working really hard to integrate energy policy and planning and demand reduction into the SIP Planning Process. So that States instead of saying I am going to spend a whole lot of money to change out gas cans, maybe they can think about demand reduction strategies that actually force out of business those coal units that are there solely to produce electricity on the worse days possible.

So I mean, it is just so cool to think you can get at it as easily as that and I think in many ways you can do that or at least get a significant head start on how to reduce high ozone during those periods. So it is really -- we are working at all fronts to try to incentivize and make this happen. And actually, Connecticut, God bless them, has been in a pilot with Region 1 to help us work on how we do that. And we are making incredibly good progress so it is very exciting.

But this is a challenge that we face. So --

MS. McCABE: May I add one other thing?

MS. McCARTHY: Yes, you can.

MS. McCABE: In answer to your question, in each of these facilities the old ones that have not upgraded, they have their own unique circumstances. Some of them are in are in very small physically and so they don't have room to put on the kinds of control technology. Some of them are small in terms of how much power they produce. And so the money that you would have to invest for those controls is a lot less cost effective per ton of reductions. Not to say that these are good reasons, they are reasons though.

And so you have many of these facilities that a 50 year old facility, I mean, I am feeling pretty old -- that is about how old I am, so some of the companies just feel that it makes better business sense for them to just run them as long as they can before somebody comes and make them put some controls on. Because it would be so cost ineffective to do that.

So there individual things about individual plants that go --

MS. YEAMPIERRE: The reason I raised it is that we have so many peakers in our community and we have a power plant company that is expanding and when we tried to negotiate into their permit and into --- of understanding, is that they would take the peakers off line so that we would have a net reduction in emissions. But also I was thinking about a question that Stephanie raised earlier about incentives to force these companies to retrofit and repower.

But that is what I was thinking -- but thank you.

MS. McCARTHY: And if I could just give a little twist on that, one of the things that I want to make clear is that when I say they are making money, I don't mean it in a mean way. I don't mean it in a black hat or white hat way. That is simply how the energy market works. You know, you go for the cheapest energy and that is what gets called on first. And that is what gets -- you know it is these units. These must run units that get called on last when you need them.

I am not making a value judgement. So I absolutely think that you are absolutely right that we need to look at this -- not only as a public health challenge but as a challenge on how we deal with energy policy issues so that the cleaner facilities actually get turned on more quickly. And so that you work this whole thing out, rather than making dramatic shifts. And so that it is really about how do you send the right triggers to the energy market world so that you can do this in the least expensive way.

And when we are looking at this, our rules are public health based. You know, we make decisions on the basis of what our rules say and what the science is driving. But we could be preparing absolutely today and frankly we are. To look at how you make it, yourself less reliable on some of these units that are peakers. How you build transmission lines that provide incentives for new cleaner facilities to come on board and how do you send all of those signals so that the energy market engages in this

question in a more robust way.

Rather than step back and say oh, this could be a problem. And we are absolutely having those conversations and I think there is a way to do that. And one of the best things about it, frankly is that right now, we have an opportunity if we do this well and in an environmentally sound way, the natural gas resources that are now projected to be available provide a very different dynamic in terms of energy prices.

The price of natural gas should be low enough that the cleanest fuels really have an opportunity to compete effectively and that will change the energy market dynamic no matter what we do. And what you see already is you have companies that manage all of these fleets of utilities that actually are proposing to close some of these small facilities because they aren't cost effective anymore. They are competing against inexpensive natural gas. The dynamics have already changed.

But the utility decision makers at the state and regional levels are saying, "Oh no, we can't afford that." You have to keep them on. So there are many ways in which we can actually work with industry and work with our federal partners and our state partners to make this happen in a way that is good for them and that is good for energy and that is good for the environment. It is just we have to get away from the constant battle of saying you don't need to do any of this.

MS. HORNE: Hey Gina, I couldn't agree with you more. I live in --- Chapel Hill, North Carolina where you have the flag ship of the University system. Right at the fence line of the University's power plant. And about 10 years ago they knocked down the stacks to build higher capacity ones and even though at the time the gas prices -- natural gas prices were as competitive but they parsed it down to the margin of pennies on the ton of coal and they continue to do coal burning right in the middle of town and it is just -- it is unbelievable and it is ringed by minority communities and of course, the asthma rate and everything else goes up.

But you can't attack the sacred cow of the University. So I really appreciate the work that you are doing and I think if we kind of shift the energy to conservation and doing just what is even much better, paint a little bit more for gas to get energy and then cleaning that up. We have to progressively just really make a commitment to move away from coal. And I think it is doable.

MS. McCARTHY: I think that one of the things that -- Elizabeth, I am really going over again and so I am going to -- I am happy to speed this up and I will do that if that makes sense to you?

MS. YEAMPIERRE: Yes. No thank you, we are completely engaged in listening to every single word. We have an option of taking our break a little later. I just want to get a sense of how the council feels? Are you comfortable with ten more minutes?

MS. ROBINSON: Yes, the break was originally from 11:00 to 11:30, so even if they shift it to 11:30 to 12:00, you are not going to be -- you will be fine to get out.

MS. McCARTHY: Just some of this presentation that I don't need to go through. So let me try to get to the highlighted items --

MS. YEAMPIERRE: So let's do 10 more minutes and then --

MS. McCARTHY: Thank you. But the one thing that I wanted to mention in response is that -- is that the challenge for us really is to make the public health needs the primary cornerstone of the Clean Air Strategy you have moving forward. I feel like we are always the one that can be moved. And others remain stationary. If we get the world say, "Okay, we need to make these public health changes" how do we change everything else to accommodate that and make it work.

That is the kind of dynamic change that we are looking to make and we do have rules that are in process that can make that happen. And let me get to those quickly. I am skipping this slide - - you can read it later.

(Slide.)

It is the tail of rules as to why we haven't gotten this done but it is acknowledging that there have been rules that have been required under the Clean Air Act that should have made many of these changes and they have been deferred a long time. So when you start reading rhetoric in the news or discussions about how EPA has gone wild and is doing all of these crazy rules, we are doing them as slowly as humanly possible except now.

(Laughter.)

Not because the agency didn't try but because it has been challenged, the Courts have thrown them out and we have tried to provide creativity, the Courts have said you can't be creative. So we now know enough about what we can't do that we can do and will do what we have to do. I can't change it -- oh there I can.

(Slide.)

I just wanted to remind everybody I am going to quickly go through this is that we have rules that deal with local pollution that we have talked about. That deal most predominately with the toxics issues but air quality is not just about local stuff. It is about transported pollution. So we are looking at both of those equations in order to achieve the air quality reductions. And this becomes very critical in the utility industry because there are cost effective opportunities on both sides in order to achieve better air quality.

(Slide.)

And let me just walk through very quickly what our rules are that deal with both these localized issues as well as these larger issues moving forward. We have the transport rule which really is focusing at this point -- the majority of the reductions we are hoping to achieve are from the utilities sector and this has to do with NOx and SO2 reductions. That is a rule that we have already proposed. We are finalizing it in the coming year.

We have a second transport rule that is going to take place as soon as the Ozone Standard is reconsidered and that final decision is made shortly. We have the Utility MACT rule which I tell you is the cornerstone of change. And we will walk through that. And so let's just move forward as quickly as I can get it done.

(Slide.)

The transport rule or overview and I don't want to dwell on this but this is a rule that many in the environmental justice community I think might have concerns about and that is because it does rely on a cap and trade program. But it is much more narrowly crafted than it has been proposed before because the Courts have limited flexibility for a cross -- for regional trading. And so what you will see is the predominate reductions that were going to be achieved -- are going to be achieved will be at utilities.

It will mean that we will capture the range of capital investments that these utilities have been making. Allow those units to be run constantly so we get better air quality. It will expedite reductions moving forward quite a bit. And I will show you that you should not really underestimate what a small rule like this actually accomplishes. Take a look at these numbers.

The numbers indicate that the annual benefits from just this one rule that we are going to finalize, that will not be momentous in its cost will have tremendous public health benefits. This was just an example to talk to you. When I say really big ticket public health items, I mean big ticket public health items. And this is predominately driven by again, PM2.5 in ozone.

And so what you are looking at is significant public health reductions but look at the cost benefit analysis here. EPA says that the benefits will be anywhere between 120 which is low balling and 290 -- \$290 billion dollars and that is in a single year. As opposed to 2.8 billion in terms of cost. These cost benefit numbers are staggering. And actually OMB considers this to be one of their highest priority rule makings.

Because we always go off the charts when we do rules like this in terms of giving them credit for getting through rules that have great cost benefits. So in these instances, we don't argue about their cost benefit analysis. In other areas, we do.

(Slide.)

And here is -- I just wanted to point your attention on the utility MACT. Now why utility MACT? This is taking place of the mercury rule that the Court struck down because toxics are not pollutants that lend themselves to trading. They have localized impacts and they need to be done on a facility by facility basis. This is the rule that we are going to be moving forward with a proposal in March to be finished in November. This is a rule that we are going to combine with new source performance standards and this is a rule that will provide certainty to the utility industry in terms of making decisions about what units are worth being invested in and what units are not and how do we move forward.

This is a lynch pin rule for us. I am going to be haunting everyone about this rule. I will tell you it is on everyone's radar screen. Everyone knows it is a big ticket item. We are going to be watching for this. I want you to be watching as well and helping us talk about the benefits associated with these rules. Talk about the public health implications. Give us pictures of these facilities in the urban areas and the rural areas that matter most to people so that we don't get swept up in larger issues and discussions that lose sight of what we are really here to accomplish.

And that is my plea for you. There is lots of opportunities for comment. I really want you to help me do the outreach so that people understand why these rules are important and we can move this forward.



(Slide.)

Now these are my couple of slides and I will tell you that the approach we are talking about in terms of prioritizing, has already begun. We think we can make significant progress moving forward. We think that the benefits associated with thinking more strategically are great. the litigants that we are talking about that are -- that have already scheduled for litigation and for rule making that is looking at different sources other than what we think of the big ticket items have been willing to defer those and give us more time because they know we are doing the most important things first.

So I will end with that and ask your -- entertain questions. And again, I just ask your support and your input. These are the things that we see are important. I love doing this. If we have missed the boat, I want to hear about it. But if you think what we are attacking are the most significant issues, I need your support to get the word out at the community level. This cannot be an inside the beltway discussion. We are not losing lives inside the beltway. We are losing lives across the United States and I will need your support to get these rules done, so thank you very much for your patience.

MS. YEAMPIERRE: Thank you. Kim? I am doing it in order of people who haven't spoken as often, if that is okay.

### ***Questions and Answers***

MS. WASSERMAN: Kim Wasserman, LVJEO, first of all, having been at my second NEJAC meeting, I think it is amazing -- it is incredibly amazing to me having lived in my neighborhood for 30 years, that the EPA understands what is happening on a local level. I never knew that to be quite honest with you. For us it has always been -- and our neighborhood is struggling against a coal power plant.

Yes, the Region sued them but we never knew that you all knew what we knew. And so it is very refreshing to us to know that. So first of all, thank you for that very much.

MS. McCARTHY: What is your neighborhood, where are you?

MS. WASSERMAN: We are in the Little Village Neighborhood. We live -- I live three blocks from the Crawford Coal Power Plant, the one that you had on the map. I live literally a block away from that picture. And so thank you very much for that. Because like I said, it is very encouraging to know that. I think for us one of the things that is helpful is in starting our discussions with the Region is to figure out how we can get like you said, the information that you all have down to a community level because we don't know that these conversations are happening federally and we want to empower our folks to know that they are happening and this is why they should get involved.

I think another thing that would be helpful for us as a community that is impacted is to figure out how we can be supportive to the EPA's campaigns against the coal power plants aside from meeting with the lawyer and getting an update. We need to know how we can be helpful on the ground and moving strategic with you all in helping fight these coal power plants. Because you nailed it in the head. They don't care about our neighborhood and unfortunately in this case, there are not incentives. They are running this plant into the ground and they are killing our people in the process.

Our people, her people in the process. And we cannot afford the luxury after 8 years of fighting them to be nice anymore. And so my question is, how can we work with you and make our fight even better on the ground? For those communities that don't have the luxury of incentivizing working with these companies?

MS. McCARTHY: Thank you. And I will tell you that I am most happy to talk to the Regions about how we can do the actual work that you are talking about is getting the information out there. We have also talked to some of the non-profits who sometimes can be a little bit more pointed in their outreach than we can. And I think they really will add value. I wish EPA's website wasn't quite so onerous to navigate -- we are working on it trust me. But we have some really phenomenal information on our website.

We have maps that show you -- you can click on -- we show you where the largest facilities are and these energy generating units. They have different sized bubbles for the how much emissions they generate. You can find out by clicking on that what emissions they have emitted over the past years. Of who is running their equipment, you can tell. And it tells you -- you can actually click and get a Google picture of these facilities.

So there is information available but I can't expect everybody to figure out how to get there and work it. So we will do our best to accommodate your interest in public information in a timely way.

MS. YEAMPIERRE: Thank you. Jolene?

MS. CATRON: I just -- Jolene Catron, Wind River Alliance, Gina thank you for that presentation, that was very informative and very thought provoking. One of the things I wanted to share is just kind of a big picture thought when we talk about clean natural gas. That is kind of like along the same terms of clean coal, there is no such thing as clean natural gas.

Wyoming, if you look back to your United States map, the hard Wyoming is all one color and that is due to natural gas production. Oil and gas production. Especially natural gas and the process of hydraulic fracturing. It is taking the pollution that was in the air and now it is being re-injected into the ground and opening these fractures in the rocks and creating this kind of new kind of pollution that we haven't really -- that has been exempt from federal law.

And so from the Safe Water Drinking Act and so I think we really need to be careful about or at least be cognizant of how the movement of source pollution is going from the air into the ground when we are talking about natural gas production.

MS. McCARTHY: I -- thank you, you are right. Next time I will talk about this I will make that broader point. One of the challenges that we face is that much of what I am doing is -- I think making a significant public health impact but it is not a clean energy strategy and I should make that very clear. It is a piece of it that we can do in the short term. But I think that you are right, we need to make the point that really what we are looking for is clean energy.

And we are not there with these rules. But it certainly would help in a short term. And the interesting thing is that we -- you guys talked about incentives and I am all for positive incentives and I think that the administration is spending significant amounts of money in two ways, on the positive incentive side of clean energy. One is on renewables. There is a significant amount of money being expended to try to reduce the cost associated with the renewables.

There is discussions about how to reduce time to get these renewable units into place. And it is also transmission lines that are being built to try to access areas of renewables are important. But the second issue is the amount of money that is being spent on energy efficiency. The more I look at energy efficiency and demand reduction, the more it becomes an absolutely essential strategy even for this. We looked at potential costs associated with our making -- if you invest in energy efficiency, the cost associated with these changes go down dramatically. So there is lots of things we can do and it is a much bigger picture than I am presenting here and I really appreciate it. I will make sure next time that I start with that and then talk about this more narrowly because the last thing I want to do is say this is the be all and end all. Thank you.

MS. YEAMPIERRE: We don't have a lot of time left. And I am just going to urge the council to please keep your comments brief. I know I always ask that and we do what we do. But also, that you have an opportunity to send your comments to Gina as individuals and that is always an option. Hilton?

MR. KELLEY: Hilton Kelley, Community In-Power Development Association, Southeast Texas, on the Gulf Coast. I just wanted to make brief comment. Gina, I just would like to say that you guys are doing an outstanding job and I commend your efforts and Lisa Jackson's actions. I have had the pleasure to sit down and talk with you on a few occasions and I must say, you guys hit the ground running. And I think you got it. In the past when the last administration was in place, they didn't get it.

The EPA then didn't get it and we were outside campaigning. But I must say that I really feel that you guys really get the issues that are out there and we know that the task is very daunting and it is tough and it is broad. But I commend your staff and your self and Lisa Jackson for really putting out this tremendous effort to address many of the problems that we have environmentally speaking. Thank you.

MS. McCARTHY: Thank you, Hilton. I would just say that in order for us to be successful we need to translate a really good vision and actions and we need to get them over the finish line. I need you to do that. Lang?

MR. MARSH: Lang Marsh, National Policy Consensus Center and Gina, I really also want to commend you for doing what you all said you would do last time which is to really incorporate environmental justice into rule making. This is a wonderful example of that. I just wanted to make a suggestion on the -- addresses the points made by Kim and Terri and Stephanie and others about better information and incentives.

One of the things that scientists have produced is a really good accounting of the total life cycle impacts and costs of coal and other fuels. And that information you know, which demonstrates and to my satisfaction at least, that coal is not the least priced fuel -- it is the highest priced fuel. It is just that

the price is paid in our health and in property damage and wild life lost and so forth and so on and it really comes to the expense mostly of communities.

So in terms of giving communities really good information, I think it would be helpful as Terri has pointed out to have digestible life cycle impacts and cost information provided. And in the end, that kind of information will lead to a demand for clean fuels which will also be addressed the kind of incentives that Stephanie and Sue have been talking about.

I think it is -- you know, a wonderful scientific tool. I know the administrator is interested in it and Bob and others in the administration but it needs to be translated to a digestible community based information that can be used in organizing and understanding what is happening.

MS. McCARTHY: Thank you, Lang. Very thoughtful comment.

MS. YEAMPIERRE: Thank you. You know we are always impressed by the breath of the information, the candidness and the level of the commitment. I would ask, though, in your future presentations, if you could in your maps, include Alaska, Hawaii and U.S. Territories. We won't ever get to go to those places, so it is important for us to have that information. So Terri and then Nicholas is the last comment. Thank you.

MS. BLANTON: Terri Blanton, Kentuckians for the Commonwealth. I have had the opportunity to go to that website that you were talking about and it is quite eye opening if you -- oh most definitely. So I encourage everyone to take a trip through that website and plan on staying there for a while because there is a lot to see and to learn. And really interesting in helping move this forward in a positive direction and it is always really exciting to be working for something positive instead of always working against something negative. So thank you.

MS. McCARTHY: Could I just mention that the reason that website was developed, was it had the foundations but over the past year we developed it because John Walk called me from -- John Walk is from NRDC and he said, "Why don't you have this information up there?" All I really had to do was ask. And we have this whippersnappers who know how to do all of this stuff.

So maybe one of the great things to do is for you to think about what information you really want displayed because I was amazed that you -- if you ask you shall receive.

MS. BLANTON: Can we go back to that question about the power plants, if we spent so much of our energy like --- building new power plants because that means that we are going to be stuck the next 50 or 75 years on coal. But when you look at power plants that is 82 percent of them is over 50 years old and I am with the lady over there, I am over 50 and I feel old. So I mean, it is like how do we balance that thought about finding --

MS. McCARTHY: All I can say is what the Clean Air Act tries to do is you try to bring all existing facilities to take a look at really well known cost effective technologies and over time get them integrated in. That is where we sort of fundamentally missed the boat for whatever reason on the utilities. There are many things -- the utility MACT and the NSPS is not designed nor will it get coal out of the mix. But it says you have to get on board like seat belts on cars. You know at some point, you just have to catch up and then on the new facilities we make demands that they put the best control technology money can buy on them.

It is a more strict standard and it is what we should do and it keeps pushing innovation and I think it is a really creative approach. It is probably the best kind of framework you can do in a regulatory arena. So --

MS. YEAMPIERRE: Thank you -- he put his card down. Okay, so Nicholas has a brief comment.

MR. TARG: Thank you so much for again coming today and for your leadership and for the agency's innovation in this very important area.

MR. RIDGEWAY: Can you speak up just a little louder please?

MR. TARG: It is important for a couple of reasons. One is the demonstration of the ways in which the agency can take environmental justice into consideration in the rule making process. Just across the board. And to that end, including the environmental justice implications, quantitatively -- in the Federal Registration, in the preamble to the rule, will be really helpful both to understand what the implications are and also in moving forward demonstrating to the agency and frankly to the rest of the Federal Government how it is done.

MS. McCARTHY: Excellent. Thank you. Again thank you, Elizabeth. You are always patient with me. And it is great to be here. And I will see you next time.

MS. YEAMPIERRE: It is always wonderful having you and we go over because

everyone has such rich comments that they want to incorporate, thank you so much.

MS. McCARTHY: Thank you very much.

MS. YEAMPIERRE: So we are going to take a 30 minute break. So that we can check out and come back here. Please be back here in time. So right now I have 11:22. Is that what everybody has?

MR. TARG: Close enough.

MS. YEAMPIERRE: All right, so we will be back at 11:52. All right, see you in a minute. (Whereupon, a luncheon recess was taken.)

## A F T E R N O O N S E S S I O N

(12:07 p.m.)

MS. YEAMPIERRE: We are going to get ready to get started and Victoria has a few housekeeping things that she wants to share with you and then we will bring this NEJAC to a close.

MS. ROBINSON: Okay. Actually less housekeeping and more administrative in terms of the kind of process we need to follow. Yesterday I talked about for both of the reports, we are going to have to -- there is going to be an open comment period if you will from the members to submit your comments to the respective chairs of the subgroups. Your comments to the Planning Permit Draft need to go to John. Make sure you cc me and John will make sure that the subgroup gets those.

Comments to -- or revisions to the Plan EJ Report, need to go to Kim and make sure you cc me as well. And also -- I am sorry, make sure you cc Elizabeth as well on those comments. And I am going to do is -- because the holiday is coming up and it is a short week next week, giving two weeks, December 1st to have your comments sent. So that will give the subgroup an opportunity for a couple of weeks to compile those revisions and put them into -- and incorporate them into their document.

We would like to be able to get a final draft for each of the documents out to the members by Christmas, by New Year's Day so you have some time -- a couple of weeks after that to -- for ballots. We are looking at having ballots due back by January 15 so that by the end of January, we can submit these reports to the administrator. So does that sound amenable to folks in terms of a doable process, timewise? Okay, wonderful.

So again, send them to the respective chairs of the two subgroups, cc myself and Elizabeth and we will be also providing some note taker -- don't worry about the formatting, my note takers will be able to help -- the contractor will be able to help with that in getting it formulated. They may work directly with you. Same with you, John. Okay. All right. Thank you.

## ***Next Steps***

MS. YEAMPIERRE: So we have until about 1:30 and around that time, Father Vien and Hilton Kelley have graciously offered to help us with the closing. We -- one of the challenges of sharing the NEJAC is that we always have time limitations. And the cards go up and it is my responsibility to say, "Okay three more." And I am always really terrified that that fourth one is going to add something that is so valuable and it is always the case that it does. And so it is a dance. And sometimes I dance well and sometimes I don't dance as well, which is really hard for me given that I am Carribean and I should be able to dance well all the time.

But it is a challenge and I think that -- I think that this session this morning was really an example of that we are getting better at dancing. So I think it was a really rich discussion. So we are going to start -- we are at the point of Net Steps. And there was a lot of discussion over this week on a number of topics. I am going to start with Nicholas because during the break he mentioned that there were a few things that he wanted follow up on and to flag him and we will go around the table. Does that sound good with everyone?

(Chorus of "Yes")

MS. YEAMPIERRE: Okay, cool. All right. Nicholas?

MR. TARG: Okay. Hi -- just so you don't make me raise my hand first. My name is Nicholas Targ. I am with the law firm of Holland and Knight and I am with the ABA here today. Following up on our meeting in July, I both appreciated the opportunity to introduce and to work with other members from NEJAC and with respect to the time that we are afforded by our chair and the excellent crafting of many, many people. Not the least of which was Sue Briggum. We put together a letter and then rapidly

approved a letter to the administrator raising questions about how Plan EJ was going to be connected to the strategic plan and how the strategic plan was going to be considered more specifically, how environmental justice was going to be considered more specifically within the context of the agency's strategic plan.

And recommending that one, we would have an opportunity to comment and two that there be specific measures that were included. If I could ask have we received a response to that letter?

MS. YEAMPIERRE: No, we haven't received a response to that letter. Although I have to say in terms of the process and how that letter was generated, that it really for the future -- that when there is something as compelling and as important as that, that I would urge the members to raise it in advance so that there is consensus and that people aren't running out and people can weigh in and it is a letter that really represents the consensus of the Advisory Board.

That is not the reason why it hasn't been responded to but I just wanted to flag that because I think there was some concerns raised about how that letter was drafted and delivered. But no we haven't received a response. Victoria?

MS. ROBINSON: As she said, there has not been a response. I will, when I get back, I will check to see where the response would be coming from. Because if it was submitted via two channels, the official request since it was a request of the council was submitted to the administrator as well as submitted to the docket for public comments. So I will have to check both venues to see how that -- how the -- one, the docket was responding to comments as well as response from the administrator whether they have delegated that down to the program office that was actually managing the plans. So I will follow up on you all and get back with you sometime next week.

MR. TARG: In addition to that, if I may ask -- at least on behalf of myself. I understand that Plan EJ is being implemented presently. That there is drafting that is going on, that there are skeleton outlines that are being put together. It would be very helpful certainly for the task group that was assigned to provide comments to Plan EJ to have a -- to have the implementation schedule so that we can -- so that one we can understand how their comments would be potentially incorporated and so potentially we could participate in further implementation steps.

And with respect to the strategic plan, if I might add, I believe that I heard from the Deputy Administrator that Plan EJ was going to be incorporated in somehow into the agency's strategic plan. It would -- I would love to understand how that process actually functions. In the previous administration, there was a cross cutting element addressing environmental justice in the agency's strategic plan but I believe that it lacked milestones, implementation, goals and outcomes. And it would be very helpful to understand how this strategic plan is differentiated from the previous one. Thank you.

MS. YEAMPIERRE: Thank you. I think Heather is going to answer that. And I would also urge you to speak to Kim about the process. I don't think you were here when the presentation was made. Am I wrong about that? Were you here when the presentation on Plan EJ was made?

MR. TARG: Yes, I was right here and I was part of the group that put that together.

MS. YEAMPIERRE: No, I knew you were part of the group, so was I but I don't remember seeing you but Heather is going to address your questions.

MS. CASE: Thank you, Nicholas for your question. I want to make two points I think. I think in this last presentation from Gina, you heard an urgency. An urgency. Plan EJ is a framework for EPA's ongoing and future EJ work and that is the way we are thinking about it. I think when this was rolled out back in July, it was described as we are not going to sit back on our heels and wait until the plan is finalized but we would continue to carry forward work.

So in that light, I do want to point out that work groups under each of those plans are under way. For example, I think that council has deliberated around EJ and rule making. That is one of the core elements of Plan EJ. That work is going forward. So we are trying to walk a fine line between putting the framework forward, getting feedback on it and making progress on the agenda. Does that make sense?

MR. TARG: Absolutely. I wouldn't expect the agency to not move forward and given the time frame and the amount of -- trying to link up the Plan EJ to the strategic plan. You need to move deliberately. If it is possible to have a schedule for the implementation so that we can understand where that process is and ways in which this body might fight into that and our response to the request for information might be incorporated, would be very helpful.

MS. CASE: Yes, we can commit to sharing that and I think Lisa mentioned that yesterday that we would get back with the details of the implementation of the plan. To your second

question about what is the relationship of Plan EJ 2014 to the strategic plan? When this team came in, they created five cross cutting strategies, one of them is on EJ and children's health. That was published - that strategy, it had six principles in it. Was published as part of our final strategic plan.

As part of the process for carrying out this strategy, the agency is putting out annual action plans. Annual commitments to carry forward those five strategies. So what we have been trying to reconcile here is Plan EJ and the process we put forward with the creation of the FY11 Annual Action Plan. So the way we talk about it again is Plan EJ is the guiding document, it is the guiding framework for advancing EPA's EJ agenda and it is reflected in this annual action plan.

So there are specific commitments that are being created again, we are trying to get our planning cycles lined up for FY11.

MS. YEAMPIERRE: Thank you. Edith?

MS. PESTANA: If you could clarify for me what does incorporating EJ in rule making -- what does that mean? I am not sure I know what that means, I mean, can you give me an example. A concrete example of how you would do that please?

MS. CASE: Sure. So the EJ and rule making effort is broken into two parts. One is -- as Bob mentioned on Tuesday, is to get our rule writers -- he talked about a guide right to be thinking regularly about the Executive Order, okay. Identifying and addressing disproportionate impacts on low income and minority populations. Core to that is that we want rule writers to be able to address three key questions.

One as part of the process, how did you reach out to low income and minority communities? Secondly is, how did you identify disproportionate impacts in the rule making? And the most important question is how did those answers to those first two questions influence the decision associated with the rule making? Okay.

So that is one piece of it, okay. So that work -- we released our draft guide in July. It is being used and then the second piece is really getting to the how to. The technical guide of how do you think about -- we have talked about the disproportionate impact factors. How do we think about those factors and fold those considerations into analyses that support rule making?

MS. PESTANA: I have a follow up question. And will you provide guidance to the states on what you just explained? Because you come out with rules but states in order to implement the rules, need a guidance?

MS. CASE: I guess when I think about how does that get translated to states, then we shift into the permitting discussion. And that was what the panel talked about. So I mean -- I think that is the beauty of the design of Plan EJ is someone said here, that we are looking at is the creation of the regulatory framework and then its implementation. And we want to influence all of those pieces.

MS. YEAMPIERRE: Okay. Jolene?

MS. CATRON: I have a question regarding not to the EJ Plan 2014 but more towards Next Steps, so I didn't want to cut off that conversation is that okay? I received a troubling email yesterday and I am not quite sure about the process of this, but I just wanted to bring this up to the NEJAC's attention. The Department of Energy -- I am sorry, the Department of Interior which includes the Bureau of Indian Affairs has a climate change adaptation initiative and there has been a noticeable lack of outreach to tribes in this initiative and funding to BIA for this initiative. Out of a 100 -- out of 2,011 funding levels, a 171.3 million in 2011, only 200,000 of that is going to tribes in the northwest and Alaska. And so it is really a troubling amount of money that is being given to tribes about this --

MS. YEAMPIERRE: Jolene, I am sorry, can you repeat the amounts please?

MS. CATRON: Yes, \$171.3 million of the initiative was funded in 2011 and only \$200,000 of that is going to tribes in the northwest and Alaska. Tribes in general are at the front lines when it comes to climate adaptation and really feeling the effects of climate change. And so, I don't know -- my question about process is whether we could put together the NEJAC council -- put together a coordinated response to that or if I can just solicit to the members to respond individually to write a letter of support. I don't know -- that is my question.

MS. YEAMPIERRE: Victoria?

MS. ROBINSON: Yes, there are two different thinks to be thinking about here. This is something that is regarding the Department of the Interior and the NEJAC provides advice to EPA. So you would have to think of, as a body if you were to frame a response to this, we would have to frame it within the context of what you would recommend EPA do in this role. And does it have a role in this process?

As individuals, you are all encouraged to submit comments as you see fit and but if there is -- if you wanted this as a body to address it, we need to figure out how you would encourage EPA in its role with and its partnership and relationship with DOI to try to make some -- address some of this stuff.

MS. CATRON: Thanks for that clarification. I think this certainly falls under our strong encouragement to EPA and the inner agency working group initiative.

MS. YEAMPIERRE: I think that was exactly what a few people were about to say. So, I am sorry, let me look at the list a second. Wyneceta?

MS. FISHER: Wyneceta Fisher, E2 Inc. Actually I have one to two questions. When we had our Monday meeting, we were talking about a 2 year window and a 5 year window -- can I bring those up now? Okay, so for the 2 year window, one thing that our group had put out there was having a working relationship with the EPA program officer.

And the example that we had was for example working with someone directly in the Air -- office when it came to permitting issues. Is that something that is doable or is that something that is not doable? And the second question, I know that the July meeting is going to be in the D.C. area, has there been a determination if we are going to have -- where we are going to have the fall meeting and if we are going to have three meetings like we did last year? Thank you.

MS. ROBINSON: I will address the last question and then I think Heather and I can talk about the first one. Regarding venues, those sites have not been selected. We basically have a commitment to do two face to face meetings a year. As well as supplemented with public teleconference calls throughout the year. I do not anticipate a commitment for three face to face meetings, however we need to take a look at what our work plan is for next year in terms of the amount of work that the council will need to be doing and make a decision real soon about how many we are going to be doing.

If we do two, the meetings will be spring, around April and fall around October. Less interference with other major things that occur like summer holidays and getting kids into schools and other kind of holidays. If we do three, then we are really going to have to push to have a meeting as early as February. And shift things around. So we are still working on that. In terms of venues, it is likely that the next meeting will be held in D.C. -- if we do two meetings, we typically try to have one in the D.C. metropolitan area to facilitate the attendance of folks from EPA's headquarters, folks from EPA Region 3 that is a close -- and Region 2 -- it is a quick little drive down or a train ride, as well as folks from the other federal agencies who are in Washington, D.C.

So that is where we are right now. We have request from one state of Mississippi to want to host a NEJAC meeting sometime next year. We have a request from EPA's Region 5 to host a meeting again in Region 5 near Chicago in conjunction with the Illinois EPA's first EJ conference, statewide EJ conference that is supposed to be co-hosted by the NAACP. We don't have enough information yet, we are still trying to get that information in terms of what is involved and how big their meeting is and we are looking at -- that would be sometime in October.

So we are looking at spring and fall. So there is still some decisions that have to be made regarding that. You asked a question about having a more direct -- working relationship with the program offices. And more at a staff level. Working relationship we have -- that usually occurs with the work groups or subgroup that is -- been convened to help address and develop the council's draft recommendations and we highly encourage their participation. If you are talking about an ongoing standing working relationship, I need to get a little bit more information about what the anticipated -- what you are waiting from that kind of relationship and how that is supposed to work. Or is it between individuals? Or the council? I am not quite sure.

MS. FISHER: Well, if we get another charge as a workgroup it would be -- well I can't speak for the permitting group. Just use that as an example, they possibly could have worked -- I don't know if they did or not work directly with someone in that office.

MR. RIDGEWAY: Just a quick follow up to that. We did have direct communication in our deliberations with staff from a variety of offices regarding the different kinds of permits and without that, we would not have been able to produce what we did. So that was critical but it was informal, easy to do. It was a matter of picking up the phone and asking who knows within what office about the questions we had. And there was a quick response.

MS. ROBINSON: We also -- just wanted to add, we also -- when we had the work groups, we really work hard with the program offices particularly those offices that would own the recommendations if you will. We work closely with them to encourage them to participate in the process. The school air toxics monitoring recommendations -- that process was lead very ably by OEQPS down at

RTP, the ones who are actually doing the air monitoring work. They were actively engaged in the work of the work group.

Same thing with Good's Movement. We had a series of office of staff from around the country who were engaged in Good's Movement issues. Who were engaged by participating on teleconference calls that the work group had, coming to meetings and we were actively engaged in the response that EPA put together that was I think presented last June.

MS. YEAMPIERRE: I just want to urge you to meet with the steering committee to discuss the sites that we might select. I think that site selection has to be part of a strategic plan that it has to dovetail a lot of what we are talking about in terms of permitting, rule making and Plan EJ. I also think we need to look at communities that have not had an opportunity to have our presence there.

I don't know if we have ever had a NEJAC meeting in Indian Country. I don't know whether we have had one in the southwest. And so I would really hope that that decision -- that we are not told where we are going but that we are consulted with so that it is part of strategic plan. So that we are thinking in a way that is more strategic and intentional.

MS. ROBINSON: Yes, we will do that.

MS. YEAMPIERRE: Thank you. I saw some other cards -- Kim?

MS. WASSERMAN: So I had one comment and one question. First of all, glad Chicago is on the map. I didn't know about the EJ convening, which is a little troubling, I will say that much. So I think any work on the communication between that region. But I have a process question if I can. The question I have is, can you -- Victoria, can you explain with how we deal -- I question is about public comment. So like we get people who come up and say we would like NEJAC to do -- comment on this. Or we would like NEJAC to do that. So my question is, what is our responsibility to that person or that request?

Is it individually can we do something? Is it a body that we can do something because I feel kind of bad that people come up and if they don't know what we can and cannot do, I feel like we should probably put that out there, so that they are not asking something that we technically can't do. So I am wondering if you can clarify that.

MS. ROBINSON: The sole purpose of the public comment just as with the purpose of the presentations is to help you as members to make better informed deliberations. To inform your decisions about like, outreach and better engagement. Understanding the limitations within rural communities versus communities that are -- variety of different things.

And the -- because that is what the purpose is, you are here to listen. As well as we ask them to ask -- to provide -- like what do you want the NEJAC to advise EPA about? That then becomes part of that process and most people I think this time, they kind of said, this is what we wanted EPA to do. In terms of following up as a body, that is what the role of what you guys would do as NEJAC, however that does not prevent anybody as an individual to reach out to somebody.

I think there was often some advise from members about -- how you thought about this, have you thought about that. That is great, that is the kind of interaction that is encouraged. But that is more of an individual and we encourage people to continue doing that. Now, in terms of manage the expectations for individuals, we have -- we do provide guidelines for public comment. I do not know how many people actually read them.

But it is a good question to ask, how do we better communicate that expectation to potential commentors. So they don't feel like, okay, I can't come to the NEJAC and they have not done anything and then the NEJAC gets tarred with not doing anything. Okay?

MS. YEAMPIERRE: And that is really a good point. People have a lot of expectations and we personally want to feel at the end of our term, we can look back to a set of accomplishments. Some mild stones and making sure that it is all part of a plan, is going to be extremely important for us. Peter Captain, our representative from Alaska left some materials here, if you want to look at them at the end, I will have them right here. Ms. May?

MS. MAY: Margaret May, Ivanhoe Neighborhood Council. I have three points. The first is to ask question of Jolene about the number of organizations like yours that actually apply to the Department of Energy -- excuse me, Department of Interior. Because not knowing and I presume you do know how many applications were submitted. But from a community standpoint there are opportunities that quite often communities are not able to take care -- advantage of because of the -- first of all, lack of awareness of the opportunity and then secondly, perhaps not having the grant writing expertise to do it.

So I think that one of the things that I think that we would want to recommend is,



somehow that there be some technical assistance available to communities that really are in need of the benefits of that the -- the grants could afford. So not knowing that -- that was my first question when I heard you make the point.

MS. YEAMPIERRE: Jolene?

MS. CATRON: Thanks for the question. And I am still doing a little bit of research into this, so I may not have all of the facts just right but from what I understand this climate change adaptation initiative put together by the Department of the Interior is a couple of years old. They didn't include a strong outreach to tribes to begin with. So, to answer your question there are 230 something tribes or native villages that Peter Captain is representing. And then, in the United States -- in the mainland United States, there is an additional 500 -- am I getting my numbers right? 300 - 577 tribes -- Federally recognized tribes in the United States.

So there is a lot of tribes that are under represented in this initiative. Not to include non-profit organizations like mine. Mine is a 501(c)(3) non-profit organization that isn't specifically a tribal organization. And so there is a lot of informal tribal grass roots organizations. And then there is also the 501(c)(3) kinds or organizations. So the lack of outreach to tribes is one of the issues. Because tribes didn't maybe know about this, and the thing to remember is that this money is funneled through the Bureau of Indian Affairs and so just about every tribe except I think Alaska, native villages have access to the Bureau of Indian Affairs and it doesn't necessarily mean that the Bureau of Indian Affairs have access to the tribes.

Because they are classically known for not doing the kinds of outreach that they are supposed to be doing and really helping the tribes where they are supposed to be helping. They are the federal arm of -- that recognizes tribal -- that works with tribes on the ground. The DOI also has climate science centers that were developed as part of this initiative and another land initiative as part of this.

And there was no tribal or very little tribal outreach to that too. So there really was just a lack of outreach to tribes in general. So, they may not even know about this. And so the money that is going to the Pacific Northwest and Alaska, that \$200,000. Like I said there is 233 Alaskan native villages and I don't know how many Federally recognized tribes there are in the Pacific Northwest but I know there is quite a few.

MR. RIDGEWAY: In Washington State, there is about 29 -- excuse me for interrupting, John Ridgeway, Department of Ecology and in the -- up in Alaska, there is hundreds and they are not considered tribes necessarily either. I mean, there is bands and groups and it is very complicated. So in summary that is not enough money in my opinion.

MS. MAY: My question really isn't aimed at the -- questioning what you said about the money or where it should be going but just from the standpoint if applications are made, because if they didn't know and they didn't apply then maybe the place to start is making sure that the awareness is there and the assistance is there so if there should be additional opportunities to apply, that this doesn't happen again.

Because if they are not told and they don't apply, then if they have additional money, then you are going to have the same result was the reason for asking the question. Second thing is, I agree with you Elizabeth regarding where the meetings should be held. It is very important that they be held in locations to the maximum extent possible where they have not previously been held. Just as you saw the number of people from this Region that participated in the workshops and they weren't people just from Kansas City, they were more broadly from the Region. I think it is very important to provide that opportunity because there are folks who came here who may not have participated in anything else -- there was a lot of advertising done and that is how people get the bug and begin to do the things that they can do individually to protect the Earth and the planet.

And my final point is, and I would like to suggest that at some point we include on the agenda how do we balance our day to day needs to be comfortable with the need to protect the planet and the Earth? And what -- the reason I have this question, with the oil spill and the things that were done in connection with that by the administration to prevent additional deep drilling and what you, if you paid attention to the news, you saw the people that lived in the area and you heard them saying that they needed to get back to work.

So, while we know and have data to show that if we don't change our ways, we are not going to have much in the way of an Earth for our -- I have great grandchildren at this point and for their children to enjoy, but at the same time, we have our immediate situation -- our immediate needs. Our need for comfort. We really need to talk about the practical side of this. You know, Terri you are

concerned and I share your concern about what is happening with coal and all, but I wonder how many of the people in your area would say, we need our jobs?

So I think we need to have a presentation and a discussion around that so that whether or not we agree among ourselves totally, we at least are dealing with the real world and this is further complicated with, we see the progress is being made with the change in administration. The recent election of course was very frightening about what may happen in the next two years. So you saw what didn't happen with the previous administration and unless things change and I am going to claim that they are going to change, that we have a different outcome the next two years.

But we got the real world and the ideal world and I think we need to have a little more discussion about how does what we are doing fit into that.

MS. YEAMPIERRE: Thank you so much. Hilton, if I may respond to that. There was a brother who came in and testified about environmental literacy and I work with young people and often times we talk about living with what we need and not with what we want. And our communities are often conditioned because -- sometimes because we come from struggle and we don't have things that the moment we are able to get them, we want a lot of them.

And so we don't -- so you see outside of public housing people who have an --- and we ask what is that about it. Or people paying \$200 for a pair of Nikes. I think it is our responsibility and I think that is part of what we do as EJ activists is to transfer the culture of consumption and to get our communities to understand that how we live. Because unlike other folks, we need to -- we work in these places that are industry and so people need the information so that they can become meaningful stake holders in decision and so that they can transform their lives.

But unfortunately I think going green sometimes means those amenities are things our people can't afford. Like they can't afford 7th generation toilet paper, right? And so -- and even the processes of those green products have become the new toxic processes that are manufactured in our communities. So when people talk about green economies like manufacturing solar panels and how that is going to bring jobs to our communities, they are not saying that that is going to be the new polluting industry in our neighborhood. They are just looking at the end product, the outcome.

So it is really important on a grass roots level, that we figure out how we get that information to people so that they can make powerful choices. Including everything from what we buy, what we eat, what we use and begin that cultural shift. I think that is one of the things that you were speaking to -- am I --

MS. MAY: That is exactly right. I had a conversation at the last NEJAC meeting with a person and while you know, we talk one thing, sometimes we act differently and the comment was about the being comfortable in our homes. Well, this person said a lot of glowing things about what we should do but then I don't want to give up the warm in my home was the comment.

So I just think that we need to have a discussion and try to really sort of get our minds around reality and idealism and what is it that we really are about and what we are trying to do. And how committed are we.

MS. YEAMPIERRE: Well, thank you, we have moved away from Mother Earth. Hilton, I am sorry? Are you ready?

MR. KELLEY: Yes, I am ready but this was getting really intense and never mind. Yes, Hilton Kelly, Community In-Powered Development Association, Port Arthur, Texas on the Gulf Coast. I just have a couple of comments around the topic of the limitations of the NEJAC and also I would just like to make a recommendation that we hold one of these meetings in Hawaii. So we haven't been there yet.

But yes, on the topic of the limitations of NEJAC. Now the way I understand it, you know there are limitations as to what we can do as a body but we have had a couple of speakers that have come forward within the last three NEJAC meetings that I have been to and I have personally took it upon myself to visit those communities and I have learned quite a bit.

And what I have done in learning from those communities, I have brought it back and injected it into our conversation without anyone really understanding where it was coming from, you know, a lot of times I talk about Port Arthur. But I visit a lot of communities around our nation and I have been privilege to do so because our organization has grown and have some pretty good funders that have started to work with us, but that came after six or seven years of hard work.

But yet I visited Bayou Sol. Bayou Sol is in Louisiana and this is a community that lives in the marshy areas. There are trailer parks out there. There are Indian Reservations out there as well. And I have got a chance to see first hand what those communities look like and how they are being

impacted by the oil spill. Also I have had an opportunity to visit Mossville and my wife accompanied me on most of these trips and I know Delmar Bennett very well. And I know their plight with the dioxins in the water and they are right next to Louisiana -- Lake Charles, Louisiana where the Natchez River is just dotted with chemical plants.

So once you take it upon yourself to go visit these communities, I think you can become - and this is not just for any one particular person but this is for all of you, I think you can better advocate for not only your community but for others as well. And you can also have a better picture as to how a lot of our fight and our struggles tie together. I would like to encourage that.

MS. YEAMPIERRE: Savi?

MS. HORNE: Savi Horne, Land Loss Prevention Project. It is just kind of echoing Margaret and Hilton and I guess I saw a little piece of trivia in the paper this morning that 2.8 million baby boomers will reach 65 in 2011 and it just struck me the sense of urgency that we have in this special time. Are, I guess special dispensation if you will of the next two years of making it work and I think we need to figure out what we need to do as a body to move this agenda on a really really fast track.

It will call for a lot of sacrifices in our lives but it might be really well worth it at the end of the day. Because there are plenty of gray hairs at EPA who will be transitioning and that is a loss of institutional memory of our movement and commitment to EJ and to protection of the environment. So there is -- it just -- it blows your mind but we have to find the reservoir of energy and a lot of it might be centered around our feeling of being planted and this is our planet and we have to protect it and we have to protect our communities and maybe find that extra turbo boost to do the little extra that we need to do to move forward in 2011.

MS. YEAMPIERRE: Absolutely. Wynecta?

MS. FISHER: Hi, Ms. May and Elizabeth I want to thank you for bringing up something that I actually forgot to mention and that is I know there is a big push and I am all in support of renewables but we have to look at that supply chain. And where are those raw materials that make up that particular component, where are they manufactured and how it impacts our community because you know -- we have to look at that at some point.

And I don't know if anyone has but I do think that that is important. Because as that demand rises, you are going to have that impact grow on those particular fence line communities -- and then the other -- I haven't heard anyone talk about this, but when I was flying in, I was sitting next to someone who was a physician, he is an internist and we were talking about the number of people that are sick now because of environmental issues and how you know, when you are doing a study for different medicines, you are looking at a healthy body.

You know our bodies now are not as healthy. And I was telling him about this -- I am hearing it on the radio in Louisiana how EPA and I think the agency is health and human services. Is looking for volunteers and it is a study where they are looking I want to say it is household chemicals and some other -- another environmental impacts from infants to a certain age and apparently this study you are not going to be injected with anything. It is basically having these meetings and if -- you know, with someone from one of those agencies.

I just think that is really important because we have to begin to get this data somehow. You know, if I am a pregnant mom that grew up -- if I am a second generation of a fence line community and I have moved out, those chemicals are still in my body. And you know, maybe I want to be thrifty or I can't afford it, and I am using a crib that possibly has lead paint, although I think I scraped it all off. So even though there is a lot of little -- I think it would be nice if maybe on the NEJAC's website they could put that link. Because he had not heard about it but when we were walking off the plane, he was able to find it via his Iphone. I just think that is a way to get some community people involved.

MS. YEAMPIERRE: Thank you. Terri?

MS. BLANTON: So I do know that my homeland is being blown up to send the coal to China to build power -- to build wind turbines to send them back to the United States for green energy. So I definitely agree with you about the impact of thinking green as we move forward and yes we do think about jobs in central Appalachia and in the coal fields and advocate for people that has been in the front line of producing energy for this nation, for the past 100 years to be in the forefront of the new energy revolution of the future and that doesn't mean blowing up my homeland to send the med --- coal to China for them to build wind turbines to sell them back to the United States. Thank you.

MS. YEAMPIERRE: Jolene?

MS. CATRON: Jolene Catron, Wind River Alliance -- kind of following up to Savi's

comments about this urgency that we all feel and the real -- responsibility that I think everyone around this table really feels a lot of times too. And I am just wondering as part of a process do -- Victoria do you see or I don't know if it is appropriate to talk about it right now, but maybe give us hints of possible charges that the NEJAC is going to see in the future where EPA might be heading. So then some of us can already start doing our homework along those lines?

MS. ROBINSON: That is something that we are actively working on trying to identify possible charges. I do know that the EPA -- Internal Work Group on Permitting, had talked about wanting to stay engaged with the NEJAC. We are going to see if that will -- what kind of charge that that will entail. I know there is other opportunities that we need to talk with Lisa Garcia about how she envisions engaging the NEJAC around the implementation of Plan EJ 2014. Those are the two biggest items. And so we are working on actually one of the things that we are going to be doing as an action plan when we get back from this meeting, is really sitting down with Lisa Garcia and the rest of the -- through her the rest of the agency in terms of what do they see that they need advise about it and around.

And vice versa. And for us to bring up to them those items that you as a body said, we would like to provide advise to the AC about x,y, c and try to marry that with appropriate program office. So, it is hoped that before our next meeting we have a good action plan in terms of time line of key possible charges -- it would be agency wide as well as possibly a couple of minor -- smaller ones from some of the program offices that have more localized impact within a program.

MS. YEAMPIERRE: Lang then John?

MR. MARSH: Lang Marsh, National Policy Consensus Center. Just in terms of Next Steps, I heard a pretty strong call from Mathy Stanislaus towards some kind of follow up on the question of helping EPA build a community based strategy for all of its programs, but starting with his. So I don't know how that will be followed up on exactly but I think -- I would be very eager to have something like that come from Mathy or from the EPA.

MS. YEAMPIERRE: I think it would be great to -- and he made the invitation to maybe even have a conference call with Mathy where we can bring in the community and discuss how we might be able to operationalize something like that. I don't know how folks feel about that. But it is something that he offered.  
Sue?

MS. BRIGGUM: Yes, and on Next Steps, I know that our EJ and Permitting workgroup had asked about whether a longer term working group might be established. I would hope, maybe Heather, you could take that back. I hate to see a half a year lapse before our next NEJAC to get a response, and are eager to keep working.

MS. YEAMPIERRE: John?

MS. CASE: I think there was interest that we heard from the leads for that work, associated with Plan EJ, clearly OAR I think is interested in that. So we will follow up with Lisa.

MS. YEAMPIERRE: So people are starting to leave, so we are going to take John's comment and then we are going to start closing this meeting if that is cool with everybody? Is that good?

MR. RIDGEWAY: Thank you. John Ridgeway, Department of Ecology. Next Steps -- a wonderful distraction there for a moment, excuse me. We have a new string committee here and in the context of what can happen between our face to face meetings, I would like to just put out a general reminder to all of your council members that by no means is -- as I understand it, the string committee going to be exclusive to just those on it.

All of you have a standing invitation to let Elizabeth know what you are interested in that we can help facilitate, work around, dialogue around in between our face to face meetings. And do take advantage of those on the steering committee for that reason, so that we can help refine what those next steps are, build them into the conference calls that will get scheduled. That will likely happen before we have face to face meetings. And it is important for all of you to do that. The string committee I think is a tool to further use all of you rather than a side bar group that is going to be making decisions.

And this is one of the things that I brought up on Monday which is to understand that relationship and as being on the string committee, it is my interest to be sure that we also let everybody on the council know what we are trying to do and continually remind you to give feedback for that including where we meet, what kind of charges we might respectively give back to EPA in a sense. It is a two way -- it is a dance as Elizabeth kind of noted earlier.

We don't have to passively wait for them. They are busy and we are too and like Sue, I am looking forward to you know, keeping her work going and not getting stalled just because we are not

meeting face to face.

MS. YEAMPIERRE: Thank you. Actually that was one of the first points that I wanted to make. I wanted to share that the idea behind the steering committee is, you know, those of us who do environmental justice work on the ground, believe in sharing leadership. We believe that there is not one person who speaks for the community and that it is in these collective processes that we actually have the best thinking and the best recommendations.

And so I would urge you to use that process that has been put in place as a way of making the agenda move forward quicker and more -- in a way that is more meaningful so that we don't feel like we are sort of spinning our wheels at every NEJAC, repeating the same things so that there is some traction between meetings. So yes, thank you for raising that.

### ***Closing Remarks***

MS. YEAMPIERRE: So I am going to try to bring this meeting to a close and I just want to share -- start out by sharing an experience that I had two days ago. Two days ago I went to the local chocolate store here in the hotel and one of the ways that I assess whether or not my organizing or the work that my organization does is effective is by asking random people in the community questions.

And if they don't know what we are doing -- if they are not aware of the issue, I feel like we have failed. So I ask completely random people. And so I asked the cashier to describe his community and he told me that it was economically depressed. That there was a lot of drugs, a lot of violence, a lot of problems and then he talked about the green zone. And he said in that area, he says it is like a hundred blocks.

He says in that area there are good things happening. So I wanted to share that with Margaret May and I wanted to say that that awesome organizing, so I wanted to -- you know, I just really wanted to give it up to you because that for me -- this is a young man that works in a store in here, in this hotel and he was talking about the green zone. That means that the word is out, that the outreach is being done effectively and that is awesome. So congratulations on that.

(Applause.)

MS. MAY: I am glad you got a hold of someone that had heard. I am not sure that -- I hope you didn't ask too many people.

(Laughter.)

MS. YEAMPIERRE: You know, and the fact that you can stay humble, that is EJ too. That is all good. So thank you for that. While we were here, we learned a lot. You know, we learned about the plight of rural communities and we were able to really visualize what some of the economic, political and environmental challenges are being faced by people who live in these communities. We talked about plans for -- community based planning and looking at strategies that we might be able to use in different regions to get communities more engaged during the time that there is not only a fiscal crisis but climate is changing and non-traditional partnerships are going to be more necessary than ever.

We talked about the role of businesses and that. We also talked about Plan EJ. We talked about rule making and air permitting and we talked about the whole permitting process and I really want to thank John Ridgeway for his leadership for chairing that committee and for being so gracious and so generous with his time, his creativity and his energy. So I just want to formally recognize you. We could applaud for John too, here.

(Applause.)

Thank you. And Kim Wasserman, who you know is a NEJAC zygote right. She just showed up. I think that it is always important and the other reason the steering committee was created was to create a continuum of leadership. Our organizations are often intergenerational. We don't believe in youth lead or adult lead, we believe in we lead. We believe that there is -- setting the table requires that everybody be at the table and that there is a lot of information that we learn and a lot of wisdom that is gained and we work in intergenerational ways.

And so it was very important that someone like him have an opportunity to step up. Because there is a learning curve. I learn at every one of these meetings and even if I didn't want to -- somebody is going to tell me something, that is going to broaden my horizon, it is going to hopefully shape my leadership and make it possible for me to adapt, be sensitive and check myself because that is what we are supposed to do and so I was very pleased that she had an opportunity to do that because I think that as she moves forward, she is going to be able to use those skills in other ways that are going to

benefit the NEJAC.

So, it is really important also that in the selection of committee chairs, that you think about what interest they represent and that that is mixed up so that different people have an opportunity to exercise leadership. So I want to thank her even though she is not here. I want to say -- I want to thank Victoria, for working so hard and so patiently, for always putting on what is really a tight information dense event. That overwhelms us but also lifts the spirit. And inspires us to -- and reminds us of the work that we have to do.

So if you could recognize Victoria Robinson, that would be awesome.

(Applause.)

Thank you. I want to thank all of the workers in the building. All the people who made it so comfortable for us to be here. You know, the people that nobody ever recognizes that you come in and the bed is crisp and cool and hot is that, that we can actually come and have something done for us, right? That is a real luxury that most of us never have. Really, really want to thank all of the NEJAC members. All of you are absolutely brilliant -- as we say in Brooklyn, "off the hook" "off the chain". You guys come in with a lot of energy, a lot of creativity, you don't let yourselves get silent. You speak until you get it out.

You represent our communities with passion and with a lot of love. All of you totally different from each other and collectively necessary so that we can move this agenda. So I wanted you to applaud for yourselves right now, do this.

(Applause.)

Oh, our APEX contractors. Can you imagine these people who are listening and taking notes. They are taking notes while we are doing all of this. How hard is that? All right. So if you can recognize them, that will be awesome. Thank you.

(Applause.)

And I hope I haven't left anybody out, but I just really want to move now to the community -- I am sorry --

MR. RIDGEWAY: I have one group to add on.

MS. YEAMPIERRE: Okay, go ahead. Go ahead.

MR. RIDGEWAY: In the spirit of kudos, it is to the EPA staff who have spent the last four days hanging out back there, paying attention and listening and helping to connect what you hear, get back into your programs internally as well as the communities that you are representing within your Region and back to your leaders who aren't able to get here, I so much appreciate your time, all of you.

MS. YEAMPIERRE: Thank you. Thank you. Absolutely. And thank you for --

(Applause.)

MS. YEAMPIERRE: Yes. And thank you for not living in your heads, for attaching your heart to your policy because that is how this work is going to be transformational. And you came and you were really actively engaged, so thank you for that. And then finally I want to thank the community. I get a lot of my strength and my spirit really gets regenerated from interacting with the people in the public. I want to really thank you. We heard everything from a sophisticated presentation about mountain top removal, to folks to talk about literacy and the need for equipment so that people can become grass roots community scientists.

We heard some spoken word which we never did before, but for me I have to flag that because that is our community response and provides information in a multiplicity of ways. And when we are organizing -- we organize around food and we organize around celebrating culture because you don't bring people together to talk about PM2.5.

You build community -- no it is true -- you build community around the things that really matter to them and in that process, we have an opportunity to talk about reducing emissions. And so the community has a way of expressing their priorities, their concerns and their struggle in a multiplicity of ways, so I also want to thank the sister who was bold and stood up to the mike and brought some poetry.

So I would like to thank all of you and I would like to -- so a hand of applause for everybody.

(Applause.)

And now Father Vien and Hilton Kelley have graciously offered to end this with some lifting words, some prayer or meditation or whatever your belief system is. Something to take us to the journey to the next meeting that we have. So if I can just give the mike up to them. Mucho gracias de ---.

MR. KELLEY: Yes, I would just like to encourage everyone here to not forget the

struggle. Not forget why we decided to pick up that banner and speak on behalf of our communities who we have collaborated with to give a voice to, not only on a local level, a state level but on a national level. I mean, we know that all of the issues in our respective regions are not being addressed. But yet to have a voice at the table is very, very important and I know if it wasn't for many of us here, some of our communities would have never been heard of.

I know many of us don't even know what -- where Port Arthur is, what Port Arthur -- a lot of folks never even have heard of those areas. So but I just want to encourage you to be strong in your struggle. I remember being out late at night, 2:00 in the morning taking air samples near a plant in some small community and it is very eerie.

And a lot of times you feel like you are so alone but yet when you look around and your work is done and the data is in, this is when the real praise comes about and people go wow, we knew this but you got out there in the trenches and you proved that it was so. So, remember the struggle and remember the people that you represent and remember those that do not have a voice and continue to fight for your own communities and remember we must also bring a national perspective to this whole deal and tie the issues together so that we can all have a unified, more solid impact on the decision process that is being made in D.C.

And I just want to encourage you all to stand strong, we know the struggle is long. I thought it would take two years for me to go back to my community and get the job done and I am going into my 11th year with absolutely no vacation. But the will of the people keep me moving. And just remember, God is with you. Whoever you believe in, I know for me, it is Jesus Christ that has upheld me and compelled me forward. And I would just like to encourage you all to stay strong. And keep your God's wind beneath your wings.

MS. YEAMPIERRE: Thank you. Thank you, Hilton. So let me just say one more thing. Just because I feel as chair, compelled to have the last word before we have that moment at the end. A lot of us do come from struggle. We know what it is like to do a lot with a little. And it is unbelievable what a few people with the will -- what the political will can do. I have seen people just completely transform their communities and you need to believe that you have the power to do that.

And Hilton is absolutely correct. Sometimes we come in and we are asking for a lot of resources and the question we have to ask ourselves is what do you do when the resources aren't there. You know, what do you do when the political will isn't there. Well, a lot of people who came behind us, did a lot more with a lot less. And they were plagued with the kind of racism and the kind of limitations that don't exist for us today. That is not to say that they don't exist. They are just not the same.

And so these people gave up their lives, they gave up everything to make it possible for us to come through that door. And so we feel that we are a generation that has to keep that door open. And so we do that with or without resources. We have the opportunity here to talk about how those resources can be directed in a way that is strategic so that given -- and it is really important, this issue of resources is important because everybody is going to tell you that there is less money, climate is changing and that -- the fiscal crisis is going to be really overwhelming.

And I think this is just the beginning of it. So what have we done historically as a people to transform our lives, to reclaim our spaces and to reclaim our communities. So these partnerships are going to be extremely important and I want to urge you to really dig deep inside and think of your ancestors and get the strength that you need to move forward and to make sure that you reach out when you need the help. So I just wanted to add that friendly amendment to Hilton because I think he is one of those people on the Advisory Council who brings a spiritual energy that always inspires me. So I am going to switch now to Father Vien. So that you can conclude this because I think people are anxious now. They are like, okay we are done, we got it. We are out. All right. Father Vien?

FR VIEN: Let us pray. Living God we thank you for this opportunity to be here this last day.

MS. YEAMPIERRE: Thank you. The meeting is adjourned.  
(Meeting adjourned at 1:15 p.m.)