

NATIONAL ENVIRONMENTAL JUSTICE ADVISORY COUNCIL
Public Teleconference Meeting
Tuesday, June 15, 2010

Written Summary

Approved: *Elizabeth Yeampierre*

Elizabeth Yeampierre, Chair

Victoria Robinson

Victoria Robinson

The Executive Council (Council) of the National Environmental Justice Advisory Council (NEJAC) convened for a four-hour public teleconference meeting on Tuesday, June 15, 2010. The meeting included a public comment period. This document summarizes U.S. Environmental Protection Agency (EPA) and community presentations to the Council, discussions among Council members, and community concerns expressed during the public comment period.

The NEJAC is a federal advisory committee that was established by charter on September 30, 1993, to provide independent advice, consultation, and recommendations to the EPA Administrator on matters related to environmental justice. The NEJAC is governed by the provisions of the October 6, 1972, Federal Advisory Committee Act (FACA). The Council is currently comprised of 25 members who represent academia, business and industry, community-based organizations, non-governmental and environmental groups, state and local governments, tribal governments, and indigenous organizations. One EPA staff member serves as the Designated Federal Official (DFO) for the NEJAC. Exhibit 1 lists the members of the Executive Council who participated in the teleconference meeting, as well as those who were unavailable. Appendix A also presents the members of the NEJAC and their affiliations by stakeholder category.

This summary contains the following sections, which correspond to the meeting agenda:

1. Welcome and Opening Remarks
2. Background on Previous NEJAC Recommendations on Post-Katrina Disaster Preparedness and Response
3. Local Community Perspectives
4. Overview of EPA Response Activities
5. Member Questions and Answers
6. Public Comment Period
7. Conversation with the EPA Administrator
8. Member Dialogue: Next Steps

In addition, three appendixes are included. Appendix A lists the NEJAC Members and their affiliations, Appendix B provides a list of meeting attendees, and Appendix C contains written public comments provided to the NEJAC.

1.0 Welcome and Opening Remarks

Ms. Victoria Robinson, NEJAC Program Manager and DFO, EPA Office of Environmental Justice (OEJ), welcomed all participants to the 32nd public meeting of the NEJAC. She noted that over 360 people were participating on the call, which was focused on activities related to the Gulf of Mexico oil spill. Appendix B contains a list of meeting attendees.

Continuing her remarks, Ms. Robinson acknowledged the 10 new members of the NEJAC and congratulated Ms. Elizabeth Yeampierre, Executive Director, UPROSE, Inc., for her new role as the Council's Chair. Ms. Robinson also noted that Mr. John Ridgway, Manager of the Information Management and Communications Section at the Washington State Department of Ecology, served as Vice-Chair of the NEJAC.

Ms. Robinson informed participants that, as part of EPA's efforts to ensure transparency and public access to information, the meeting was being audio recorded and a Podcast would be posted on EPA's NEJAC Web site (www.epa.gov/environmentaljustice/nejac/), along with a written transcript and summary of the meeting, within a few weeks.

Mr. Aaron Bell, Environmental Protection Specialist, OEJ, conducted a roll call of the NEJAC members. Ms. Yeampierre confirmed that enough members were present to establish a quorum (as required under FACA) and, therefore, the meeting could proceed.

Ms. Yeampierre stated that she was honored and privileged to serve in the capacity of NEJAC Chair, recognizing that she is the first Latina to hold the post. She described the meeting as a gathering of environmental justice communities "allied to discuss the environmental justice implications of one of the worst environmental disasters in our nation's history." She referred to the NEJAC report, *2005 Gulf Coast Hurricanes and Vulnerable Populations – Recommendations for Future Disaster Preparedness/Response* (the NEJAC's 2005 Report), issued in August 2006; and the discussion framework for EPA's response activities

Exhibit 1

Members of the NEJAC Executive Council

Members in Attendance

Ms. Elizabeth Yeampierre, NEJAC Chair, UPROSE, Inc.
Mr. John Ridgway, NEJAC Vice-Chair, Washington State Department of Ecology
Mr. Don Aragon, Wind River Environmental Quality Commission
Mr. Chuck Barlow, Entergy Corporation
Ms. Teri E. Blanton, Kentuckians for the Commonwealth
Ms. Sue Briggum, Waste Management, Inc.
Ms. M. Kathryn "Katie" Brown, University of Cincinnati College of Medicine
Ms. Jolene Catron, Wind River Alliance
Ms. Wynecta Fisher, formerly New Orleans Mayor's Office of Environmental Affairs
Ms. Stephanie Hall, Valero Energy Corporation
Ms. Jodena Henneke, Texas General Land Office
Ms. Savonala "Savi" Horne, Land Loss Prevention Project
Mr. Hilton Kelley, Community In Power and Development Association
Mr. J. Langdon Marsh, National Policy Consensus Center
Ms. Margaret May, Ivanhoe Neighborhood Council
Ms. Vernice Miller-Travis, Maryland State Commission on Environmental Justice and Sustainable Communities
Mr. Shankar Prasad, Coalition for Clean Air
Ms. Nia Robinson, Environmental Justice and Climate Change Initiative
Mr. Nicholas Targ, American Bar Association

Members Not in Attendance

Mr. Peter Captain, Sr., Tana Chiefs Conference
Mr. Paul Mohai, University of Michigan
Mr. Vien T. Nguyen, Mary Queen of Viet Nam Church
Ms. Edith Pestana, Connecticut Department of Environmental Protection
Ms. Patricia Salkin, Albany Law School
Kimberly Wasserman, Little Village Environmental Justice Organization

related to the Gulf of Mexico oil spill. These two documents were included in the materials that were distributed to pre-registered meeting participants. Ms. Yeampierre also reviewed the meeting agenda.

2.0 Background on Previous NEJAC Recommendations on Post-Katrina Disaster Preparedness and Response

Mr. Charles Lee, Director, OEJ, acknowledged that disaster response in the Gulf Coast was an important and familiar issue for the NEJAC. He referred to the NEJAC's 2005 Report, which was generated in the wake of Hurricanes Katrina and Rita, and noted its primary assertion that environmental justice should be a critical part of the EPA Disaster Response System. He highlighted three recommendations detailed in the NEJAC's 2005 Report to enhance the Agency's ability to address environmental justice issues:

1. EPA should identify vulnerable populations and their environmental and/or public health needs through use of mapping tools;
2. EPA should ensure communication and engagement with environmental justice communities in the development and implementation of disaster response plans; and
3. EPA should incorporate an environmental justice function in the disaster response Incident Command System structure.

Mr. Lee stated that EPA has taken the recommendations presented in the NEJAC's 2005 Report very seriously. He gave assurance that the Agency was incorporating environmental justice and community engagement in its activities around the Gulf Coast oil spill. He referred to the subsequent presentations for examples of EPA's commitment to incorporate environmental justice into its response activities.

3.0 Local Community Perspectives

Ms. Sharon Gauthe and Ms. Patty Whitney from the Bayou Interfaith Shared Community Organization (BISCO); and Mr. Derrick Evans, Turkey Creek Community Initiatives in Gulfport, Mississippi, shared local community perspectives on the Gulf Coast oil spill.

3.1 Ms. Sharon Gauthe and Ms. Patty Whitney, BISCO

Ms. Gauthe asked the Council and meeting attendees to recall presentations delivered by BISCO over the last 5 years on coastal land loss. She said that the Gulf Coast was on a "fast track to complete destruction." She said that the oil spill was affecting members of the community by putting them out of work and potentially destroying their way of live forever. She noted that fishermen were working hard on cleanup efforts, and said that they were being exposed to oil and constituents of the COREXIT chemical dispersant.

Ms. Gauthe reported that BISCO had held four "listening sessions" in communities, two of which included EPA and other government officials who answered questions. She said such community meetings are important, despite the obstacle of diminishing funds. She asked for grants and emergency resources to be able to continue information sharing among communities. She reported that many communities along the Gulf Coast lacked Internet access or did not know how to use the Internet as a tool. As a result, she said, outreach was being conducted on a one-on-one basis.

Ms. Gauthe stated that threat of hurricanes was the biggest concern among Gulf Coast communities, due to uncertainty about what will happen when storms reach their shores. She expressed concern about the proper cleanup of oil that may enter homes, as well as health concerns related to air quality in the area. She reported that, while she was not smelling or coming in contact with oil, she had started experiencing sinus infections, nosebleeds, and a sore throat since the oil spill began.

Ms. Whitney expressed appreciation for being allowed to speak on behalf of coastal communities. She acknowledged the uniqueness of the communities, stating that the population was the least transient in the country. She said that many residents traced their ancestries to Native American roots before European colonization; and that even those with European ancestry had lived there for a long time. She said that coastal communities “traditionally do not have a voice”, adding that they were “fighting Goliath” because, for almost a century, “the voice of the community has been the oil and gas companies.” She described coastal communities as “a regional environmental justice community” with the Gulf of Mexico as their fence line. She expressed hope that their communities can be saved.

3.2 Mr. Derrick Evans, Turkey Creek Community Initiatives

Mr. Evans began by saying that he was especially troubled by the timing of the Gulf Coast oil spill in that it was occurring in the midst of an “historic effort by EPA to reach out to environmental justice communities, particularly in Region 4 and Region 6.” He expressed disappointment in the waning reputation of the Agency due to the public’s perception that the Administrations of President Barack Obama and EPA were not sustaining the community-minded leadership that they had demonstrated prior to the event. He noted the recent success in community collaboration in the Turkey Creek Watershed, which was facilitated by EPA Region 4. Mr. Evans pointed out that he had been looking forward to that project’s success serving as a model for other communities in Mississippi and along the Gulf Coast.

Mr. Evans mentioned his role as advisor to the Gulf Coast Fund for Community Renewal and Ecological Health (Gulf Coast Fund). The fund, he said, consists of a group of grantee organizations that represent marginalized environmental justice communities. He reported that when the oil spill began, the Gulf Coast Fund provided \$200,000 to more than 30 organizations on the “front lines,” including BISCO, Mobile Bay Keeper, Louisiana Bayoukeeper and others “to keep the local fishing communities, local officials and leaders, and...the federal agencies...better informed and put feet to fire...to separate fact and fiction.”

While acknowledging EPA’s efforts in “busting its hump to be visible and accessible to these communities,” Mr. Evans also recognized the perception that information from the community was not being reflected in the Agency’s policies and actions in response to the oil spill. He expressed his hope that the meeting would help expedite the “return on the investment of time and words into the partnerships.” He likened the Gulf Coast to Appalachia, another environmental justice and Brownfields region that he said has experienced persistent poverty and persistent destruction of their environment. He urged EPA to recognize the challenges of dealing with these problems on a state-by-state rather than a regional basis and called for an improvement of “the paradigm.”

4.0 Overview of EPA Response Activities

EPA senior officials reported on oil spill response activities of their respective offices.

4.1 Ms. Lisa Garcia, Senior Policy Advisor to the Administrator for Environmental Justice

Ms. Garcia provided an overview of EPA's outreach efforts, which she said were partially informed by, and developed from, the NEJAC's 2005 Report. She said that the Agency was focused on being responsive to communities. As examples of EPA activities to ensure community she mentioned the appointment of an environmental justice and tribal liaison to the EPA management team to ensure that the environmental justice perspective was represented; the Agency's invitation to representatives from environmental justice groups to join weekly Gulf Coast outreach calls and attend community meetings throughout the Gulf Coast region; specific outreach to those with no access to the Internet; and, for those with Internet access, daily updates on EPA response actions on EPA's oil spill Web site, www.epa.gov/bpspill.

Ms. Garcia recognized the communities' call for more outreach, including more meetings. She encouraged attendees to visit EPA's oil spill Web site for updates. She expressed her appreciation for the opportunity to engage the NEJAC and other stakeholders as EPA continued to advance environmental justice in its efforts.

4.2 Mr. Mathy Stanislaus, Assistant Administrator, Office of Solid Waste and Emergency Response

Mr. Stanislaus provided an overview of EPA's role in responding to the Gulf Coast oil spill, including the cleanup efforts. He explained that, under the authority of the National Oil and Hazardous Substances Pollution Contingency Plan (or National Contingency Plan), the U.S. Coast Guard served as the lead federal agency that was directing the response effort and access to resources. He reported that the Coast Guard had established a Unified Area Command for the oil spill, and that that the Coast Guard was working with EPA and the National Oceanic and Atmospheric Administration (NOAA) to oversee the cleanup actions conducted BP. He added that, under the authority of the National Contingency Plan, the Coast Guard had also established a Regional Response Team that it co-chaired with EPA. He explained that the Team was comprised of 16 federal agencies that provide advice to the Coast Guard on damage assessments, response options, and waste disposal.

Mr. Stanislaus spoke about EPA's "tough decisions" regarding the use of the dispersant to accelerate oil degradation. He noted that EPA's primary concern was to limit the impact of the oil. He referred to trade-offs that EPA had to consider, including the known toxicity of the selected dispersant (COREXIT) and the fact that it breaks down in the natural environment more quickly than oil. He stated that skimming and burning the oil were preferred options, compared to using the dispersant. He added that BP had to obtain EPA's written approval prior to using the dispersant, which he said was resulting in a reduced total volume of dispersant used. He expressed optimism that the Agency was "achieving optimal results with use of less chemicals." Mr. Stanislaus indicated that an aggressive monitoring program was in place. He encouraged attendees to visit EPA's oil spill Web site to access information on the Agency's response efforts, including sampling results.

Mr. Stanislaus also addressed the issue of waste disposal. He explained that oil that could easily be separated out would be retrieved as product, and that the remaining oil would be managed as waste. He reported that thus far, no sample results had indicated that the oil waste was hazardous, which meant that it could be handled and disposed of as solid waste. He stated that the Agency was working with states to address the waste, including reviewing and approving waste management plans that specified landfills to receive the waste oil.

Mr. Stanislaus gave assurance that the EPA Administrator and her staff were committed to engaging local communities and implementing the recommendations detailed in the NEJAC's 2005 Report. He acknowledged that "half of what we need to do [in terms of] environmental justice is to listen."

4.3 Ms. Cynthia Giles, Assistant Administrator, Office of Enforcement and Compliance Assurance

Ms. Giles noted that OEJ falls under her purview as Assistant Administrator of the Office of Enforcement and Compliance Assurance (OECA) and also mentioned her other role as the Agency's National Program Manager of Environmental Justice. She stated that she was attending the meeting to "listen to the issues, concerns, and advice of the NEJAC [and] the public on...how communities disproportionately impacted by the BP oil spill can be heard and their concerns about the spill addressed." She gave assurance that EPA was working in partnership with community groups and other agencies to achieve the government's top priority of stopping the oil spill and cleaning up the oil. In addition to environmental investigations, she referred to Attorney General Eric Holder's statement that civil and criminal investigations were also underway. She indicated that EPA was working with the U.S. Department of Justice (DOJ) on those investigations as well.

4.4 Mr. Peter Silva, Assistant Administrator, Office of Water

Mr. Silva provided an overview of the Office of Water's monitoring efforts related to the oil spill. He reported that, as part of EPA's commitment to transparency of its activities, his office was posting water sampling data on EPA's oil spill Web site. He explained that the monitoring process involved collecting water samples, analyzing them in a laboratory, and verifying the data before posting it on EPA's Web site.

Mr. Silva noted that samples were being analyzed in both EPA and private laboratories and, in general, it took five to seven days to analyze and post the data on EPA's Web site. He said that samples were analyzed for 22 contaminants associated with oil, as well as for the dispersant. He emphasized that the data reflected a snapshot in time of water conditions a few days prior. He clarified that the data should be used to provide a broader perspective of human and aquatic impacts.

Mr. Silva reported that, as of a week prior to the meeting, no dispersant had been detected in the water samples. However, he also acknowledged that analytical methods for some of the dispersant constituents did not exist and that EPA was in the process of developing those methods. He also noted that elevated levels of nickel were measured in samples collected on June 4 and 7, 2010. He commented that those results might be associated with the oil spill or legacy contamination. He said that the data was being used to analyze short- and long-term environmental impacts in the region.

Mr. Silva noted that there were other information sources in addition to EPA's water monitoring data. He encouraged attendees to also seek out information on recreational water conditions from state beaches; fish consumption advisories from the U.S. Food and Drug Administration (FDA); and worker safety advisories from the Occupational Safety and Health Administration (OSHA). He concluded his remarks by saying that the Agency was committed to working with communities to share information and reach individuals "on the ground."

4.5 Ms. Beth Craig, Deputy Assistant Administrator, Office of Air and Radiation

Ms. Craig provided an overview of air monitoring efforts and lessons learned from a health perspective. She indicated that EPA was conducting onshore air monitoring to evaluate the potential for health effects, and added that the Agency was working closely with OSHA to ensure worker safety. She reported that her office was monitoring and evaluating the potential for health impacts from four perspectives:

1. Offshore burning of oil
2. Near or onshore evaporation of fresh oil

3. Near or onshore evaporation of weathered oil
4. Constituents of the COREXIT dispersant

Ms. Craig explained that samples had been collected from more than 400 stationary monitoring locations, many of which were part of a nationwide monitoring network that was already in place before the oil spill, as well as several new monitoring locations. In addition, she reported the use of mobile monitors, specifically, two Trace Atmospheric Gas Analyzer (TAGA) buses that traveled along the coast. She said that EPA was working with states to include more monitoring buses. She also mentioned that planes were being used for aerial air monitoring.

Ms. Craig explained that air samples were analyzed for (1) polycyclic aromatic hydrocarbons (PAHs) and particulate matter (PM) to evaluate the offshore burning of oil; (2) volatile organic compounds (VOCs) to evaluate evaporation of fresh oil; (3) semivolatile organic compounds (SVOCs) to evaluate evaporation of weathered oil; and (4) constituents of the dispersant COREXIT. She added that air samples were also being analyzed for hydrogen sulfide, which produces the "rotten egg-like odor" often associated with oil and gas extraction.

Ms. Craig said that over 900 samples had been analyzed and, after quality assurance, the data was posted on EPA's oil spill Web site. She reported that thus far, EPA was observing levels of PM that were "typical of this time of year" in the Gulf Coast region; and chemical concentrations that were not associated with long-term health problems. She acknowledged, however, that residents had been experiencing eye and throat irritation, even at low levels of exposure. She also reported that constituents of the dispersant had been detected but at levels below those of concern and only for seconds in an entire day of monitoring. She also noted that hydrogen sulfide had been detected in Venice, Louisiana. She pointed out, however, that hydrogen sulfide was not found at multiple monitors at the same time, which could suggest the presence of other sources.

Ms. Craig indicated that EPA was also sending the TAGA bus to investigate community complaints of odor. She stated that those monitoring results would also be posted on EPA's oil spill Web site.

Ms. Yeampierre thanked the EPA senior officials for providing a comprehensive overview of the Agency's response efforts. She urged them to stay for the Council members' questions and the public comment period during which she expected many questions and comments.

5.0 Member Questions and Answers

Highlights of the follow-up discussions among NEJAC members are presented below.

Ms. Yeampierre asked for comments from the Regional Administrators about EPA activities along the Gulf Coast. Mr. Stan Meiburg, Acting Regional Administrator, EPA Region 4, expressed concern on behalf of his staff in Region 4 about the impacts to the shoreline. He stated that his office was working in conjunction with the Unified Area Command in many ways -- for example, by mobilizing additional EPA staff to supervise cleanup crews.

Mr. Hilton Kelley, Director, Community In Power and Development Association in Port Arthur, Texas, asked about efforts to protect wildlife in marshland areas along coastline. He expressed concern about preserving unique, indigenous species for future generations, including "ancient snapping turtles [and the] alligator garfish," and questioned whether efforts were underway to gather and temporarily relocate them to another location. Mr. Stanislaus stated that NOAA and the Coast Guard were leading efforts to protect the wildlife. He committed to gathering more specific information on wildlife protection efforts and

sending it out to the NEJAC.

Mr. Kelley questioned the possibility of the oil spill traveling westward, as a result of changes in wind patterns. He asked about measures that should be taken to protect the Texas coastline. Mr. Stanislaus indicated that NOAA was leading hurricane planning efforts, which included all the Gulf Coast states. Mr. Meiburg confirmed that efforts were underway to ensure hurricane preparedness in local communities, acknowledging the common occurrence of oil and hazardous substance releases during large storms. He noted the importance of residents working closely with local authorities to ensure their safety.

Ms. Wynecta Fisher, former Director of the New Orleans Mayor's Office of Environmental Affairs, Office of Recovery and Development Administration, observed that most of the coastal parishes involved in addressing the oil spill were small offices with limited time and resources to develop the plans mentioned by Mr. Stanislaus. She asked whether EPA could provide templates to local municipalities and states to facilitate development of various plans before, rather than after, a disaster. Mr. Stanislaus recognized the need for EPA to assist in local emergency planning. He acknowledged the recommendation in the NEJAC's 2005 Report that called for reinvigoration of State Emergency Response Commissions and Local Emergency Planning Committees to facilitate disaster planning and management.

In terms of identifying environmental justice groups along the Gulf Coast, Ms. Fisher stated that more than 50 percent of fishermen in Plaquemines Parish were minorities. She urged EPA to reach out to this population in Plaquemines Parish and suggested contacting the South Plaquemines United Fisheries Cooperative.

Ms. Fisher urged EPA to work with other federal agencies to examine the health impacts of multiple stressors in Gulf Coast communities. She noted the upcoming 5-year anniversary of Hurricane Katrina, and the exacerbation of challenges to the community by the economic downturn and the oil spill. Ms. Stanislaus reported that a federal interagency process was underway to examine the collective health impacts of these issues. He committed to reporting back to the NEJAC on more details about those efforts.

Ms. Vernice Miller-Travis, Vice Chair, Maryland State Commission on Environmental Justice and Sustainable Communities, referred to an article in the *New York Times*, which raised concerns about landfills slated to receive materials that were being used in cleanup activities. Specifically, she cited Ms. Brenda Dardar-Robichaux, leader of the Houma Indian tribe, who expressed concern in the *New York Times* article about oil waste and cleanup materials that may be sent to a nearby landfill. Ms. Miller-Travis commented that the region already faced legacy issues around waste storage in improperly-managed landfills. She asked about EPA's plan for dialogue about these issues. Mr. Stanislaus stated that EPA recognized the need for an aggressive waste management plan that emphasized proper characterization of the waste upfront; identification of potential facilities that could receive the waste; and, in conjunction with the states, evaluation of each facility's compliance history and the potential impacts on surrounding environmental justice communities. He also noted the need for interim staging areas where waste characterization would be conducted prior to disposal. He stated that EPA would conduct air monitoring and oversight during those activities, and that the monitoring data would be posted on EPA's oil spill Web site. He gave assurance that the EPA Regions would work with the states to ensure that the waste facilities were being operated in safest way possible.

Mr. Ridgway referred to the recommendation in the NEJAC's 2005 Report that called for involving stakeholders in the issuance of any environmental waivers, for example, in emergency situations. He asked whether EPA had issued, or was considering issuing, any environmental waivers in relation to the Gulf Coast oil spill; and if so, how stakeholders were involved in the process. Mr. Stanislaus replied that EPA had not issued any environmental waivers and added that he did not anticipate the issuance of any waivers.

He gave assurance that the public would be notified, however, of any requests for waivers.

Ms. Jolene Catron, Executive Director, Wind River Alliance, noted that several non-federally-recognized tribes lived in the Gulf Coast area. She asked whether EPA included these tribes in its outreach to tribal communities. Ms. Garcia confirmed that the Agency was engaging in outreach to both federally-recognized and non-federally-recognized tribes. She added that EPA Region 6 was taking the lead on holding tribal meetings on certain reservations.

Mr. Kelley asked whether EPA was involved in generating ideas, models, and recommendations to stop the oil leak. He asserted that the Agency must have specialists who can help address the problem.

Mr. Stanislaus referred to the Unified Area Command, in which the Coast Guard and the U.S. Department of Interior (DOI) were leading efforts to plug the wellhead; and the Regional Response Team, whose 16 agencies were jointly overseeing the development of recommendations to respond to the oil spill.

Ms. Garcia welcomed individuals with proposed solutions to submit them to the Unified Area Command through a link on EPA's oil spill Web site.

Mr. Evans asked whether EPA was proactively seeking "community experience and wisdom" from non-governmental organizations (NGOs) in the Gulf Coast region to avoid mistakes that could potentially be prevented with knowledge from the community. He echoed Ms. Miller-Travis' advice that EPA consider the comments made by Ms. Brenda Dardar-Robichaux, a fellow Gulf Coast Fund advisor, to prevent the potential exacerbation of problems at landfill sites. Mr. Stanislaus gave assurance that EPA was committed to engaging with local communities to inform its policies. He added that he welcomed ideas about specific ways to access community knowledge. In response, Mr. Evans stated that the oil spill disaster was "occurring within a pre-existing context that includes a pervasive paradigm of citizen voices being unheard and unheeded across coastal zones of these states...that are not famous for their rigorous enforcement of federal or state environmental laws." He urged that EPA approach the Gulf Coast states collectively as an environmental justice region, stating that the Agency had the power to "shift this paradigm," especially in this time of crisis. He reminded EPA to engage in "in-reach," in addition to outreach, by tapping into the base of community experience and wisdom. He mentioned Dr. Wilma Subra, Dr. Beverly Wright, and Dr. Riki Ott as experts familiar with the issues at hand.

6.0 Public Comment Period

Ms. Yeampierre began the public comment period by stating that the NEJAC was seeking input on the following:

1. How should EPA engage other federal, state, tribal, and local governments to ensure that coastal planning and protection efforts are a high priority?
2. How should EPA engage communities in the environmental cleanup and recovery actions?
3. The scope of disaster preparedness efforts within coastal communities.

She asked public commenters to incorporate these issues in their comments. She reminded members of the NEJAC to ask clarifying questions.

Ms. Robinson added that the purpose of the public comment period was to inform the deliberations of the NEJAC. She explained the guidelines for providing public comments and asked commenters to limit their statements to five minutes to allow adequate time for others to speak.

Sections 6.1 through 6.7 summarize the verbal comments presented. Section 6.8 lists the individuals who submitted written comments, which are included in Appendix C.

6.1 Ms. Wilma Subra, Subra Company and Louisiana Environmental Action Network

Ms. Subra described the non-governmental organization (NGO) community as the “first to respond to the BP disaster and interact with the research communities.” She said that while the communities appreciated EPA’s visits and commitment to working with them, NGOs were the ones “working day and night with these communities.”

Ms. Subra said that concerns about protecting communities extended from Pensacola, Florida, to New Iberia, Louisiana; and included the states of Florida, Alabama, Mississippi, and Louisiana. She reported that residents were checking the weather station every day to decide whether to go outside and engage in outdoor activities. She added that wind direction and odors could result in health impacts. She stressed “a real need to address this broad spectrum of human health impact.” She also asserted that workers were getting sick from “work[ing] out over the slick, putting out the booms, [and] bringing in the absorbent pads” but were not speaking out because “they desperately need those jobs.”

Ms. Subra also expressed concern about the following issues:

Waste management. Turning her attention to the state waste management plans that Mr. Stanislaus had described earlier, Ms. Subra noted recent reports that Waste Management was named BP’s contractor to receive waste resulting from the oil spill. She noted that Louisiana’s waste management plan did not list Waste Management landfills among facilities that are appropriate to accept such waste.

Air and water monitoring. Ms. Subra asked whether EPA planned to conduct additional monitoring as a result of the proposed offshore burning of crude oil from any new wellhead sources. Use of booms. She referred to management plans that did not call for booming of shorelines that were characterized by wetlands and marshes. She asserted that there was “a really big disconnect” in the plans, given that the oil slick was moving toward the shoreline.

Vietnamese fishermen. Ms. Subra raised the issue of older Vietnamese fishermen who do not speak English and find it difficult to distinguish open fishing grounds from closed ones. She stated that many of these fishermen were “turned back” after they had reached open waters, and some had been fined for collecting shrimp before they were told the area was closed. She acknowledged this issue fell under the purview of the Louisiana Department of Wildlife and Fisheries but stressed the general need for “a mechanism to communicate with all these environmental justice communities.”

Ms. Subra expressed her appreciation for EPA’s work and stated that the Agency’s process was “a lot easier...more transparent and open.”

6.2 Ms. Lori J. Latimar, University of Arkansas

Ms. Latimar, a student at the University of Arkansas in Little Rock, referred to her past experience in the regulatory sector and said she understood the technical language being discussed. She expressed the need, however, to “break down government language to about a 5th grade level ... so that the common everyday person can understand.”

Turning her attention to recent news reports, she expressed concern that BP could be “operating outside the limits of a legal permit,” based on her understanding of the reports. She stated that she had researched the Material Safety Data Sheets of the COREXIT dispersant and questioned whether BP was legally permitted to use the product.

Ms. Latimar also noted that, in the event of an industrial accident, those involved in the accident are “pulled off the job [or] taken out from behind the wheel” and, if found to be at fault, charges are filed. She noted that in the case of the Gulf Coast oil spill, the company responsible for the accident had been left in charge. She commented that “it’s hard to see that we can get environmental justice from a person driving so recklessly.”

Ms. Latimar expressed her appreciation to everyone, specifically community groups involved in environmental justice, for allowing her to speak.

6.3 Ms. Rebecca Templeton, Bayou Grace Community Services

Ms. Templeton stated that her organization, Bayou Grace Community Services, focused on “hope and sustainability” in the five bayou communities in lower Terrebonne Parish in Louisiana. She explained that the following concerns have been raised by those communities:

- **High use of dispersants and the long-term effects of their use.** She reported concern about the continued use of COREXIT and said many felt that BP should be told to cease its use.
- **Lack of ambient air quality monitoring.** Ms. Templeton said that the Louisiana Department of Environmental Quality has one permanent ambient air monitoring station in the northern part of Terrebonne Parish but no permanent or temporary stations in the coastal parts of the parish where oil is washing ashore.
- **Water quality.** She referred to reports that oil had been found in the local water supply. She asked whether anyone was testing the water quality; and if so, where the data could be found and what steps were being taken to protect the water supply.
- **Disposal of collected oil and used booms.** Ms. Templeton asked where the waste was being disposed of and whether the oil was being treated as a toxic material. She expressed the “community’s opinion that oil waste needs to be treated as toxic material and discarded in a safe way.”
- **Worker safety.** Ms. Templeton said that the community believed there was a need for stricter limits on chemical exposure. She explained that workers were being exposed to chemicals “far beyond the normal 8-hour work day.” She expressed hope that the National Institute for Occupational Safety and Health (NIOSH) was considering these issues. She added that workers should be protected with respirators and boats involved in the cleanup should be equipped with an air monitoring device. She predicted opposition to stricter occupational standards by industry but added that “this disaster is unprecedented [and] we feel unprecedented measures for protection need to be taken.”

Ms. Templeton expressed her gratitude for the opportunity to address the NEJAC on behalf of Bayou Grace Community Services and the five communities the organization represented.

Following Ms. Templeton’s verbal comments, Ms. Katie Brown, University of Cincinnati College of Medicine, asked whether anyone from EPA could respond to the issues raised. Ms. Craig committed to following up on the concerns raised by Ms. Templeton about air quality monitoring. Ms. Garcia committed to following up on the concerns about oil in the local drinking water supply, adding that EPA’s oil spill Web site included a question-and-answer page on water issues but it did not address the concerns raised by Ms. Templeton. Ms. Garcia also referred Ms. Templeton to a letter on the oil spill Web site from EPA to BP that discussed dispersants and potential less toxic alternatives. She added that there had been a decrease in surface application of dispersants and referred to the Web site for that information.

Ms. Yeampierre requested that Ms. Templeton submit her comments electronically. Her written comments are provided in Appendix C.

6.4 Mr. Albert Y. Huang, Natural Resources Defense Council (NRDC)

Mr. Huang stated that NRDC had been providing legal and technical assistance to the Gulf Coast Fund grantees. He then read a letter to Administrator Jackson that was co-written by Ms. Miriam Rotkin-Ellman, NRDC; Dr. Wilma Subra; and Anne Rolfes, Louisiana Bucket Brigade; and signed by about 20 community-based groups from the Gulf Coast. He mentioned the continuing concerns about gaps in air quality monitoring and stressed that it was “essential that there be comprehensive monitoring that captures the full spectrum of short-term and longer-term health risks.”

Mr. Huang reported that while EPA was reporting “typical” air quality for the areas monitored, communities were experiencing odors and health complaints consistent with exposure to oil spill chemicals. He asserted that there was a “disconnect” and gaps in the Agency’s monitoring and communication plans and, to address them, EPA should act on the following recommendations raised in the letter to Administrator Jackson:

- Conduct air sampling in areas where people are most likely to be exposed (for example, near the water where workers may come in contact with oil).
- Improve response to community complaints and follow-up with testing. Mr. Huang suggested dedicating a portion of EPA’s oil spill Web site to gather community complaints, as well as the following:
 - a. Create an EPA Rapid Response Team
 - b. Work with communities to develop Community Health Action Plans.
- Expand monitoring to include SVOCs. Mr. Huang noted that SVOC data was only available from monitoring sites in Region 4 and only for a limited suite of compounds. He urged EPA to expand the monitoring to the most highly impacted areas of Region 6.
- Monitor wind patterns.
- Ensure public disclosure of monitoring data.
- Communicate monitoring results effectively.

Mr. Huang stated that the recommendations listed in the letter would greatly improve the monitoring and communication of health risks associated with the oil spill. He invited EPA to respond directly to the authors of the letter and the Gulf Coast communities that signed the letter. After the teleconference meeting, Mr. Huang provided an electronic copy of the letter, which is included in Appendix C.

Ms. Craig thanked Mr. Huang for a “thoughtful and constructive letter.” She and Ms. Garcia committed to responding to the authors and signatories of the letter.

6.5 Ms. Ellen Bateman, Institute for Conflict Analysis and Resolution

Ms. Bateman stated that she was with the Environment and Conflict Working Group at the Institute for Conflict Analysis and Resolution at George Mason University. She expressed hope that EPA would engage local communities “in the spirit of collaboration, participation, and transparency.” She echoed Mr. Huang’s sentiments on open lines of communication, stating that EPA should engage local communities by “honoring local knowledge and concerns,” and “utiliz[ing] the work force in the Gulf region to work on cleanup, recovery, education, and green energy transformation.” She urged EPA to take on a leadership role in establishing partnerships with states and localities to create “green jobs” related to the cleanup, recovery, and renewal efforts.

Ms. Bateman also urged EPA to advocate for those “outside of the circle of culprits” to get involved in finding remedies and evaluating the environmental and health effects of the oil spill. She stressed that more expertise was clearly needed. She also urged EPA to engage in alternative dispute resolution techniques to resolve anticipated conflicts as communities come together to respond to the oil spill. She also requested that the Agency make information available to those without Internet access.

Following the meeting, Ms. Bateman submitted her comments electronically. They are included in Appendix C.

6.6 Mr. Sherri Jones, Forrest County Environmental Support Team

Mr. Jones thanked “all EPA officials” for their work related to “this unprecedented crisis.” He said he was speaking on behalf of the Forrest County Environmental Support Team in Hattiesburg, Mississippi. He expressed his community’s concern about workers involved in the oil spill response. He reported that 22 young men who had graduated from a training class prior to the oil spill were immediately called by a company to be sent to the Gulf Coast region. He acknowledged the employment opportunity, but he also expressed concern that the young men “return safely.”

Mr. Jones noted that “many companies from around the country” had come into the community and local residents believed those companies were not properly training workers. He said workers had initially been receiving 40 hours of training, which was reduced to 8 hours and, recently, people were being dispatched after only 2.5 hours of training. He urged for an investigation into this.

Mr. Jones also expressed concern about the need to develop relationships with communities throughout rural parts of the affected states. He reported that as a result of Hurricane Katrina – which caused wind speeds in Hattiesburg, Mississippi of over 200 miles per hour – there were still residents living in homes with “blown-off roofs” and who were still trying to recover.

He expressed deep sadness over companies “com[ing] in to more or less pimp our people here.” He urged EPA, OSHA, and other agencies to make sure that the Department of Justice was investigating companies that were “placing people on these hazardous jobs and paying them just a little above minimum wages,” when similar jobs had formerly offered \$22 to \$24 an hour. He reported that some companies were employing people at \$8 and \$10 an hour with no per diem or hotel room. He also expressed the need for healthcare.

Mr. Jones referred to the \$200,000 in funding that Mr. Evans had mentioned earlier and noted that Crystal Springs, Columbus, and Hattiesburg, Mississippi were not recipients of those grants. He emphasized the importance of getting funds to areas that need them. Mr. Jones recognized Ms. Tennie White who, he said, was a technical advisor who had supported the work of four or five communities for three years, on a *pro bono* basis, because the communities did not have the funds to pay her. He noted that they already had been dealing with many issues prior to the oil spill.

Mr. Jones asked for information on who was monitoring these companies to ensure that the health and safety of workers were protected.

Highlights of the follow-up discussion are summarized below:

Ms. Yeampierre stressed the need for interagency coordination, specifically among DOJ, Department of Labor (DOL), Department of Health, and OSHA.

Ms. Garcia noted that interagency work was taking place and referred to the Unified Area Command and Joint Incident Command structures that Mr. Stanislaus had described earlier. In terms of responding to community concerns, Ms. Garcia referred to the interagency group, Deepwater Integrated Services, which had established a community relations team the previous Sunday to work with local groups. She stated that the team, which was comprised of 100 federal staff, included limited English proficiency specialists who would ensure translation of materials, as needed. Ms. Garcia committed to following up with DOJ on the concerns raised by Mr. Jones about unfair work practices.

Ms. Brown noted, and expressed her concern about, Mr. Jones's report on the limited amount of worker training. She acknowledged that the issue was outside of EPA's and NEJAC's purview, but she recognized it as a pervasive economic issue that was hitting environmental justice communities. She stated that, while it was not an EPA issue *per se*, she would like the NEJAC to consider work-related issues such as the lack of health plans, insurance, and other support mechanisms. She referred to the health-related experiences of first responders involved in cleaning up the "9/11 tragedy" and asked whether illnesses were being tracked and monitored as part of the oil cleanup.

Ms. Garcia stated she was not aware about efforts to track the health of workers, but pointed out that she would follow up on that issue. She noted that OSHA was involved in ensuring the use of protective gear (such as respirators) and assessing the health and safety of workers. She provided the following OSHA Web site for fact sheets that addressed the concerns raised by Mr. Jones: osha.gov/oilspill/index.htm.

Mr. Evans stated that the first respirators distributed to cleanup workers came from the Louisiana Environmental Action Network, Louisiana Bayoukeeper, and other maritime-based Gulf Coast Fund grantees. He stated that Mr. Jones was one of the first responders trained by the Deep South Center for Environmental Justice at Dillard University in New Orleans. The Center, he said, was founded by Dr. Beverly Wright, and was another Gulf Coast Fund founding organization. He referred to NGOs as "the best untapped resource for ideas, information, and paradigms;" and described environmental justice as "the intersection of environmental law and science...[and] sociology." He invited EPA to engage the Gulf Coast Fund advisory group and its grantees, which, he said, could potentially result in a Regional Citizens Advisory Council similar to the one formed in Alaska following the Exxon Valdez oil spill.

6.7 Mr. Luke Funchess, Concerned Citizens of Crystal Springs

Mr. Funchess referred to his organization's joint efforts with Mr. Jones as part of a Coalition of Organizations in Mississippi. He echoed Mr. Jones's assertion that proper hazardous materials training was important for workers in the field. He said that people would start getting sick in 5 to 10 years. Turning his attention to health assessments conducted after the 9/11 tragedy, he explained that those assessments did not predict that people would die of asbestos and other respiratory illnesses. He asked whether "we learned anything."

Mr. Funchess urged EPA to listen to people in the community who have been "crying out for years." He referred to a spill in Crystal Springs by Kuhlman Electric Corporation in 2000 during which, he asserted, "no one heard the community." He questioned whether this "large problem" (of the oil spill) would be treated as if it occurred in a small community.

Mr. Funchess said individuals who are responsible for protecting people should "step down" if they are not doing their jobs. He added that if problems in a community are reported, authorities should "send somebody out to listen ..." to what residents are saying versus adopting the attitude that "these people don't know what they're talking about." He ended by saying, "We are at the crossroad. Where are we going from here?"

Following Mr. Funchess' comments, Mr. Kelley remarked that the company making the cushions and absorbent pads for the oil spill cleanup had recently opened in Port Arthur, Texas. He reported an influx of people to Port Arthur from New Orleans for such jobs and expressed concern that they were not being paid adequately. He added that BP should equip every worker with some type of respirator to protect those working on the "front lines."

6.8 Written Comments

Several individuals submitted written statements for the public comment period, including the following who did not speak during the meeting:

- Mr. Stephen M. Brittle, Don't Waste Arizona
- Mr. Mike Smith, concerned citizen
- Ms. Lauren Butz, Mary Queen of Viet Nam Community Development Corporation
- Mr. Hoyt Hillman, Arkansas River Coalition
- Ms. Meisha McDaniel, Joint Center for Political and Economic Studies

During the meeting, Ms. Christine Guitar, OEJ, read the written comments of these individuals, except for Ms. McDaniel's comments (due to time constraints). In response to Ms. Guitar's reading of Ms. Butz's written comments, Ms. Garcia stated that EPA was working closely with the White House and other federal agencies to address concerns about the health and safety of cleanup workers.

Appendix C contains all written public comments submitted, including those from Ms. Templeton, Mr. Huang, and Ms. Bateman, who also spoke during the public comment period.

7.0 Conversation with the Administrator

Ms. Lisa Jackson, EPA Administrator, began by congratulating Ms. Yeampierre on being named NEJAC chair. She welcomed the new NEJAC members and thanked Ms. Gauthier, Ms. Whitney, and Mr. Evans for providing a community perspective on the oil spill. She referred to President Obama's speech, scheduled later that evening, for the "big remarks," but said she also wanted to provide EPA's perspective of the issue.

Ms. Jackson gave assurance that the oil spill was the Administration's "top priority domestically" and that EPA staff were "doing everything in our power to respond." She recognized that the Coast Guard was coordinating the nation's overall response. She reported that more than 20,000 federal responders were on-scene "working around the clock," including members of the U.S. Department of Homeland Security, NOAA, Department of the Interior, NIOSH, OSHA, Small Business Administration, and EPA.

She explained that EPA's primary role was to monitor air, water, and sediment; and alert local officials and the public about any health threats associated with the release or response efforts. She expressed EPA's commitment to post all data on EPA's oil spill Web site (www.epa.gov/bpspill) "as quickly as we can." She noted that any lag in posting the results was due to time required to analyze samples and present the raw data in a useable format. She acknowledged that the response effort was a challenging task but expressed hope that the Agency's work would become a "new standard for the federal government during crisis response." She welcomed input and help from the public in this regard.

Ms. Jackson also mentioned the challenge of making tough decisions, most notably, the one involving the use of dispersants. She recognized that the decision to use dispersants represented a trade off. She described oil as the "number one enemy" and said that, until there was a way to stem the flow of oil, the top

priority was to address the oil at sea before it reached the shoreline, where it could do tremendous harm to wildlife and tidal systems. She used this explanation as the basis for approving the dispersants, which are less toxic than oil and may break down in weeks, compared to oil that could linger in the ecosystem for months or years.

Ms. Jackson said that EPA was taking steps to ensure that the dispersant was used only when absolutely necessary. She referred to a request from BP to use dispersants in areas below the water surface, which EPA declined pending testing confirming that the approach was effective. She explained that the Coast Guard only allowed the use of surface dispersants when other methods, such as skimming and burning, were not feasible. She added that EPA had taken a “hands-on and aggressive role” in advising the Coast Guard on dispersant use, and that the Agency had also called on BP to reduce the quantities used.

Ms. Jackson described how EPA was “looking ahead” at assisting communities affected by the long-term challenges of the oil spill. She recognized that a serious commitment was required from the federal government. She acknowledged that it was “critical that every community is engaged” in planning for their recovery and stated that vulnerable communities “must be empowered in the response and long-term rebuilding.”

She described the following steps that EPA had taken, or was taking, to ensure that community voices were heard:

- EPA’s Emergency Operations Center added an environmental justice member to its management team to ensure that an environmental justice perspective was represented in day-to-day decisions.
- EPA was preparing to launch weekly environmental justice and tribal calls. She described these calls as being similar to the weekly White House Gulf Coast outreach calls with environmental justice organizations..
- EPA senior management staff had participated in focused environmental justice community meetings along the Gulf Coast to hear community concerns.
- EPA was seeking assistance and input from NEJAC members and stakeholders participating in the teleconference meeting.

Ms. Jackson stated that, in the previous 18 months, EPA had been working to incorporate environmental justice and science into every decision made, and to ensure that environmental justice would become “standard operating procedure” at the Agency. She thanked everyone for their dedication.

On behalf of the Council, Ms. Yeampierre thanked Ms. Jackson for her leadership and for addressing the needs of “our most vulnerable communities.”

Highlights of the follow-up discussion among NEJAC members are presented below:

Mr. Kelley asked for updates on efforts to stop the leak. Ms. Jackson described that issue as “the most frustrating aspect of the response” and explained that the drilling of interceptor or relief wells was the only proven method. While two such wells were being drilled, she said that about 15,000 barrels of oil a day were being pumped to the surface (“top hat” method). She reported that BP had been ordered to increase its recovery capacity up to 48,000 or 50,000 barrels a day, with hopes for an eventual 100 percent recovery capability. Ms. Jackson also referred to surface burns as another way to deal with the oil that reached the water surface. She mentioned dispersants as “the absolute last resort.”

Mr. Kelley asked about efforts to protect unique wildlife in the wetlands and marsh areas. Ms. Jackson said that those efforts were being led by U.S. Fish and Wildlife Service, Louisiana Department of Fish and

Wildlife, and NOAA. She also acknowledged that NGOs and private groups were also involved, adding that BP was required by law to hire private contractors to wash contaminated birds. She stated that the Coast Guard was focused on keeping oil out of the marshes. In the event that the oil did reach the marshes, she explained that it may be best to physically skim as much oil as possible, and then rely on tidal action to wash the oil out into booms in place to capture it. Ms. Jackson noted that, in the following few weeks, the entire Louisiana coastline would become part of the annual flyway for migrating birds. She reported that, in preparation, the U.S. Fish and Wildlife Service was considering leaving a second crop of rice fields to attract the birds away from the marshes.

Ms. May expressed concerns about news reports that nuclear power could be used to stop the spill. Ms. Jackson acknowledged that many ideas were being considered to stop the gushing wellhead. She gave assurance, however, that “no one in the federal government” was considering that option.

Mr. Ridgway asked Ms. Jackson whether there were specific and immediate issues that she wanted the NEJAC to focus on, in terms of providing an environmental justice perspective. Ms. Jackson welcomed any recommendations but asked for suggestions from the Council on additional data that EPA should collect. She also encouraged communities with concerns about air quality to call on EPA’s TAGA bus and request that samples be taken.

8.0 Member Dialogue: Next Steps

Highlights of the NEJAC’s concluding remarks and discussion of “next steps” are provided below.

Financial Support. Ms. Brown recalled Ms. Gauthe’s request for financial support and resources for NGOs and community-based organizations on the “front lines.” She asked about mechanisms (for example, small grants, as cited in the NEJAC’s 2005 Report) to channel some money to these groups. Mr. Lee reported that EPA had issued several environmental justice grants following Hurricanes Katrina and Rita and the NEJAC’s 2005 Report. He said that the Agency was evaluating whether this funding mechanism was appropriate for the oil spill response. Ms. Gauthe stated that BISCO received one of those grants and, as a result, was able to do a significant amount of work.

Mr. Evans invited EPA and others to discuss ways to provide resources to NGOs across the Gulf Coast. Mr. Lee committed to following up with Mr. Evans on this. In addition, Mr. Lee informed the NEJAC that EPA had been communicating with foundations regarding ways to support community groups. Mr. Evans acknowledged the recent generosity of NRDC and others that have “dedicated...almost all of the money that they’ve raised in response to this disaster to the Gulf Coast Fund for redistribution to...fishermen communities.”

Best Practices and Lessons Learned. Ms. Margaret May, Executive Director, Ivanhoe Neighborhood Council, expressed the need for developing “best practices” in areas including communication strategies, equipment to be used, and the formation of advisory councils, as part of a proactive planning strategy. She said, “we need to get a group of people with the knowledge and experience in these areas and...come up with...a playbook.”

Ms. Yeampierre agreed and expressed the need to incorporate climate adaptation and community resilience models. She acknowledged the opportunity to prepare for disasters as well as secure the resources necessary to address them in a “holistic...and interagency way.”

Mr. Lang Marsh, Fellow, National Policy Consensus Center, asked whether EPA had looked at, or would look at, the circumstances around the 1979 IXTOC oil spill in Campeche, Mexico, to glean “lessons learned” in

terms of short- and long-term monitoring, and impacts on local communities. Ms. Yeampierre agreed that EPA should look at the 1979 spill in Mexico from a "lessons learned" perspective. She also asked about the status of post-hurricane cleanup and economic development impacts on the affected communities, and how the oil spill was impacting post-hurricane remediation efforts.

Protection of the Barrier Islands. Mr. Ridgway referred to the recommendation in the NEJAC's 2005 Report about protecting coastal wetlands and barrier islands during hurricanes. He asked for a response from EPA, either during the teleconference meeting or during the next in-person NEJAC meeting scheduled for July 2010. Mr. Lee stated that EPA's Wetlands Office employs staff in a Gulf Coast field office. Mr. Lee committed to following up with that office and reporting back. He also cited a recent White House report on ocean and coastal policy, which he said included a community outreach component specifically targeting environmental justice communities. Mr. Lee also referred to hearings in Alaska and New Orleans, as well as along the East and West Coasts, during which there were discussions about climate change and community resilience. He committed to getting and sharing that information with the NEJAC.

Ms. Teri Blanton, Fellow, Kentuckians for the Commonwealth, echoed Mr. Ridgway's concern about the barrier islands and the associated social justice implications. She urged EPA to use local NGOs to protect them, stating that "those islands have protected people from hurricanes." Mr. Ridgway agreed to work with Ms. Blanton on language for the letter to the Administrator on this issue.

Site Visit. Mr. Kelley expressed his desire to gather a few NEJAC members to visit the Gulf Coast before the July 2010 NEJAC meeting. The purpose, he said, would be to gain a better understanding of the impact of the oil spill on affected communities. He agreed to follow up with Mr. Evans, Ms. Fisher, and others to coordinate a meeting. Ms. May expressed a willingness to participate in discussions around the meeting but did not feel it was necessary for her to attend the meeting.

Additional Data. Mr. Marsh referred to Administrator Jackson's request for recommendations of additional data that EPA should collect. He acknowledged that the Agency had done a "good job" with respect to collecting data on short-term impacts, but he expressed concern that data was missing on long-term health impacts on humans and wildlife. He suggested adding a paragraph in the letter to Administrator Jackson, requesting that data be collected and analyzed on the long-term effects on humans and wildlife. He agreed to help craft the language for this.

Waste Disposal. Ms. Blanton expressed concern about waste disposal. Mr. Ridgway assured her that this issue would be included in the letter.

EPA's Evaluation of State Regulations. Ms. Sue Briggum, Vice President of Federal Public Affairs, Waste Management, Inc., requested that the Council give Mr. Stanislaus additional time to report back on EPA's efforts in evaluating the state regulations. She expressed concern that he was not given the opportunity to describe the Agency's extensive work in this regard.

Mr. Ridgway suggested writing a letter stating that the NEJAC was interested in learning more about EPA's progress in evaluating state regulations and that, as Mr. Stanislaus and others at EPA provide responses, the Council could continue to assist as needed.

Ms. Brown noted that the issue of state regulations was an important one that had been raised on several occasions. She asked whether EPA could conduct a Webinar or provide responses in writing. Ms. Robinson explained that, due to FACA requirements associated with NEJAC meetings – such as a minimum of 25 days advanced notice in the Federal Register – the proposed Webinar would need to take place around the July 2010 meeting.

Mr. Ridgway suggested that the NEJAC request in its letter that Mr. Stanislaus provide a preliminary written outline of EPA's efforts in evaluating state environmental regulations. The letter from Mr. Stanislaus could be discussed at the July 2010 meeting. Ms. May and Ms. Yeampierre agreed.

Public Input. Mr. Ridgeway and Ms. Yeampierre asked participants for input on ways to improve the teleconference meetings of the NEJAC. Ms. Robinson encouraged attendees to submit suggestions using the teleconference meeting registration e-mail address (NEJACJune2010Meeting@AlwaysPursuingExcellence.com).

Next Steps. The Council identified the following issues to be raised in a letter from the NEJAC to the EPA Administrator:

- Request for targeted funding for affected communities, with priority given to NGOs and community-based organizations involved in "front line" activities.
- Need for interagency coordination in proactively preparing for potential disasters, including providing preparedness and response plan templates to communities.
- Need to address and incorporate climate adaptation and community resilience.
- Need to protect coastal wetlands and barrier islands (to be coordinated by Mr. Ridgway and Ms. Blanton).
- Need to protect workers involved in oil spill cleanup. Involve DOL, DOJ, and Department of Health. Ms. Yeampierre suggested asking these agencies to attend the next NEJAC meeting.
- Request for a meeting between several NEJAC members, EPA representatives, and Gulf Coast residents to discuss community concerns.
- Need for monitoring the long-term effects of the oil spill on humans and wildlife.
- Need to evaluate waste disposal sites and approach.
- Request that Mr. Stanislaus provide a preliminary written outline of EPA's efforts in evaluating state environmental regulations that could be discussed at the July 2010 NEJAC meeting.

Mr. Marsh, Ms. Brown, Mr. Ridgway, Ms. Yeampierre, and Ms. Kelley agreed to help draft a letter of advice to the EPA Administrator on these issues.

7.0 Closing Statements

After Ms. Robinson conducted a final roll call, Mr. Yeampierre adjourned the meeting by wishing everyone a wonderful summer. She thanked the Council members for their "insightful guidance and comments."

Appendix A

NATIONAL ENVIRONMENTAL JUSTICE ADVISORY COUNCIL

List Of NEJAC Members

DESIGNATED FEDERAL OFFICER

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Executive Director
UPROSE, Inc.
Brooklyn, New York

VICE-CHAIR

John Ridgway

Manager
Information Management and Communications
Section
Hazardous Waste and Toxics Reduction Program
Washington State Department of Ecology
Olympia, Washington

OTHER MEMBERS

ACADEMIA (4)

M. Kathryn Brown

Research Assistant Professor
Department of Environmental Health
University of Cincinnati College of Medicine
Cincinnati, Ohio

Paul Mohai

Professor
School of Natural Resources & Environment
University of Michigan
Ann Arbor, Michigan

Nia Robinson

Environmental Justice and Climate Change Initiative
Bennett College
Greensboro, North Carolina

Patricia E. Salkin

Associate Dean and Director
Government Law Center
Albany Law School
Albany, New York

BUSINESS/INDUSTRY (3)

Chuck D. Barlow

Assistant General Counsel, Environmental
Entergy Corporation
Jackson, Mississippi

Sue Briggum

Vice President
Federal Public Affairs
Waste Management, Inc.
Washington, D.C.

Stephanie Hall

Senior Counsel, Environmental Safety and Regulatory
Affairs
Valero Energy Corporation
San Antonio, Texas

Appendix A

COMMUNITY-BASED ORGANIZATIONS (5)

Hilton Kelley

Director
Community In-power & Development Association
Port Arthur, Texas

Margaret J. May

Executive Director
Ivanhoe Neighborhood Council
Kansas City, Missouri

Fr. Vien T. Nguyen

Pastor
Mary Queen of Viet Nam Church
New Orleans, Louisiana

Kimberly Wasserman

Coordinator
Little Village Environmental Justice Organization
Chicago, Illinois

Elizabeth Yeampierre [see above]

NON-GOVERNMENTAL/ENVIRONMENTAL GROUPS (5)

Teri E. Blanton

Fellow
Kentuckians for the Commonwealth
Berea, Kentucky

Savonala 'Savi' Horne

Executive Director
Land Loss Prevention Project
Durham, North Carolina

J. Langdon Marsh

Fellow
National Policy Consensus Center
Portland State University
Portland, Oregon

Shankar Prasad

Executive Fellow
Coalition for Clean Air
Sacramento, California

Nicholas Targ

Co-Chair, Environmental Justice Caucus
American Bar Association
San Francisco, California

STATE and LOCAL GOVERNMENTS (5)

Wynecta Fisher

Former Director
Mayor's Office of Environmental Affairs
Office of Recovery and Development Administration
New Orleans, Louisiana

Jodena Henneke

Deputy Commissioner
Coastal Resources
Texas General Land Office
Austin, Texas

Vernice Miller-Travis

Vice Chair
Maryland State Commission on Environmental Justice
and Sustainable Communities
Bowie, Maryland

Edith Pestana

Administrator, Environmental Justice Program
Office of the Commissioner
Connecticut Department of Environmental Protection
Hartford, Connecticut

John Ridgway [see above]

TRIBAL GOVERNMENTS and INDIGENOUS ORGANIZATIONS (3)

Don Aragon

Executive Director
Wind River Environmental Quality Commission
Eastern Shoshone and Arapaho Tribes
Fort Washakie, Wyoming

Peter Captain, Sr.

Vice President
Tanana Chiefs Conference
Fairbanks, Alaska

Jolene M. Catron

Executive Director
Wind River Alliance
Ethete, Wyoming

Appendix B
NEJAC Public Teleconference Meeting
Tuesday, June 15, 2010

List of Attendees

Last Name	First Name	Organization	City	State
Abron	Lilia A.	PEER Consultants, PC	Rockville	MD
Ahearn	Caroline	U.S. EPA		
Ahn	Samuel	United Methodist Church	Washington	DC
Ahtuanguaruak	Rosemary	Inupiat Community of Arctic Slope (ICAS)		
Albores	Richard	U.S. EPA		
Ali	Mustafa	U.S. EPA Region 2	Washington	DC
Altidor	Kedesch E.	U.S. EPA Region 4	Atlanta	GA
Andreen	Christina	U.S. EPA		
Annicella	Alan A.	U.S. EPA Region 4	Atlanta	GA
Ashe	Janine	Federal Highway Administration	Washington	DC
Augenstein	Suzanne	Congressman James R. Langevin	Warwick	RI
Austin	Diane	University of Arizona		AZ
Baldwin	Janet	Oseola McCarthy Youth Development Center	Hattiesburg	MS
Banister	Beverly H.	U.S. EPA Region 4	Atlanta	GA
Barlow	Elvie	U.S. EPA Region 4		
Barringer	Jody	Office of Management and Budget		
Barrino	Reginald S.	U.S. EPA Region 4	Atlanta	GA
Bateman	Ellen	Institute for Conflict Analysis and Resolution	Arlington	VA
Bautista	Eddie	NYC Environmental Justice Alliance	Brooklyn	NY
Beck	Nancy B.	Office of Management and Budget	Washington	DC
Beckley	Dennis	[not specified]		
Bell	Aaron	U.S. EPA	Washington	DC
Benjamin	Kent	U.S. EPA		
Benson	Sonja L.	Alaska Department of Environmental Conservation	Fairbanks	AK
Benson	William	U.S. EPA	Research Triangle Park	NC
Billups	Angie	U.S. EPA Region 4		
Bingham	Pamela R.	Bingham Consulting Services (MD/MS/LA)		
Blacklaw	John R.	Washington State Department of Ecology		WA
Blanco	Elodia M.	Gulf Coast Fund		
Blaser	Tom	U.S. Department of the Interior	Washington	DC
Bloomgien	David	U.S. EPA		
Boehland	Jessica	The Kresge Foundation		
Boos	Gerard	U.S. EPA	Stennis Space Center	MS
Bracy	Michael K.	The EOP Group, Inc.	Washington	DC
Brandt	Peter	U.S. EPA Region 2		
Braz	Amy	U.S. EPA Region 1	Boston	MA
Brindis	Daniel	Earth Day Network	Washington	DC
Brisley	Virginia	Seedco Financial	New Orleans	LA
Brown	Gavin	Congressional Quarterly		
Brown	Deborah	U.S. EPA Region 1		
Browne	Mario C.	Allegheny County Health Department	Pittsburgh	PA
Bruss	Joseph	U.S. EPA	Washington	DC
Buchanan	Kayla	U.S. EPA Region 4		

Appendix B

Last Name	First Name	Organization	City	State
Butz	Lauren	Mary Queen of Viet Nam Community Development Corporation	New Orleans	LA
Cairns	Holly	Pennsylvania Department of Environmental Protection	Pittsburgh	PA
Carey	Pat	U.S. EPA	Washington	DC
Carre	Kris	U.S. EPA Region 10	Portland	OR
Case	Heather Anne	U.S. EPA		
Chi	John	U.S. EPA Region 2	Washington	DC
Chin	Allison	Sierra Club	Lansdowne	VA
Cohen	Rachel	Religious Action Center of Reform Judaism	Washington	DC
Collier	Melissa	Mississippi Department of Environmental Protection	Jackson	MS
Cook	Becky	U.S. EPA	Washington	DC
Couch	Jim	U.S. EPA Region 4		
Coursen	David F.	U.S. EPA	Washington	DC
Crampton	Elizabeth	Office of Congressman Joe Sestak (PA-07)	Media	PA
Crawford	Dorothy	U.S. EPA Region 6	Dallas	TX
De Leon	Fe	Canadian Environmental Law Association	Toronto	ON
Deadwyler	Traymone S.	HandsOn Network	Atlanta	GA
Deming	Rev. Jim	United Church of Christ	Cleveland	OH
Dennis	Carol	Office of Management and Budget	Washington	DC
Dewani	Yashika	U.S. Department of the Interior, Region 9	Oakland	CA
Diaz-Bonilla	Victoria	U.S. Department of Justice	Washington	DC
Dorsey	Towana J.	U.S. EPA	Washington	DC
Douglas	Aaron	U.S. Geological Service	Fort Collins	CO
Drinkard	Andrea	U.S. EPA	Washington	DC
Ennemoser	Rusty	Florida Department of Transportation	Tallahassee	FL
Epps-Price	Lena (Vickey)	U.S. EPA	Research Triangle Park	NC
Evangelista	Pat	U.S. EPA Region 2	Washington	DC
Evans	Carlos R.	U.S. EPA	Washington	DC
Evans	Derrick	Turkey Creek Community Initiatives	Gulfport	MS
Fabersunne	Mikos	Department of Toxic Substances Control	Sacramento	CA
Fauci	Mary	Nez Perce Tribe	Lapwai	ID
Faulkner	Kathryn	U.S. EPA	San Francisco	CA
Ferguson	Patty	Pointe-au-Chien Indian Tribe	Scottsdale	AZ
Fernandez	Christine	Southern California Association of Governments	Los Angeles	CA
Fields	Leslie G.	Sierra Club	Washington	DC
Fields, Jr.	Timothy	MDB, Inc.	Washington	DC
Franco-Spera	Maria	New Jersey Department of Environmental Protection	Trenton	NJ
Frazier	Tasha	U.S. EPA Region 2	Washington	DC
Fretwell	Jeff	Maryland Department of the Environment		MD
Fulton	Kari	Environmental Justice and Climate Change Initiative	Washington	DC
Funchess	Luke	Concern Citizen		
Garcia	Lisa	U.S. EPA	Washington	DC
Garcia-Costas	Arturo	NYS Department of Environmental Conservation		NY
Gauthe	Sharon S.	Bayou Interfaith Shared Community Organizing (BISCO)	Thibodaux	LA
Gee	Randy	U.S. EPA Region 6		
Gibbons	Dayna	U.S. EPA		
Giles	Cynthia	U.S. EPA	Washington	DC

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Last Name	First Name	Organization	City	State
Gladden	Devin C.	U.S. Department of Justice	Washington	DC
Glass	David	New Jersey Department of Environmental Protection	Trenton	NJ
Glickman	Laura	U.S. EPA		
Gomez	Jennifer	New York University School of Law	New York	NY
Gonsoulin	Mary E.	U.S. EPA	Ada	OK
Good	Sheryl	U.S. EPA Region 4		
Gordon	J. Scott	U.S. EPA Region 4		
Gornick	Sue	BP		CA
Green	Gregory	U.S. EPA	Research Triangle Park	NC
Grober-Morrow	Melissa	HandsOn Network	Atlanta	GA
Grow	Richard	U.S. EPA Region 9		
Guarino	Doug	Inside EPA		
Hale	Jeannine	U.S. EPA Region 6	Dallas	TX
Hall	Frank R.	American Academy of Environmental Engineers (AAEE)	Germantown	MD
Hammond	Lisa	U.S. EPA	Washington	DC
Harris	Reginald	U.S. EPA Region 3	Philadelphia	PA
Harris	Francene	U.S. EPA Region 5		
Harris	Tonnita	U.S. EPA Region 1		
Hatim	Muhammad	U.S. EPA Region 2		
Heller	Zoe	U.S. EPA Region 9		
Henderson	Kristi	American Veterinary Medical Association	Schaumburg	IL
Heumann	Katharine	Alaska Department of Environmental Conservation	Juneau	AK
Hewitt	Julia	National Park Service	Washington	DC
Holmes	Georgiana	Florida Department of Environmental Protection	Tallahassee	FL
Hooks	Gregory	Washington State University		WA
Hopkins	Holly A.	American Petroleum Institute	Washington	DC
Hu	Tina	U.S. EPA Region 2	Washington	DC
Huang	Albert Y.	Natural Resources Defense Council (NRDC)	New York	NY
Israels	Ken	U.S. EPA Region 9		
Ivey	Olin M.	National Religious Coalition for Creation Care (RNRCCC)	Chattanooga	TN
Jackson	Lisa	U.S. EPA	Washington	DC
Job	Ann	CalEPA Department of Toxic Substances Control	Sacramento	CA
Jones	Monica D.	U.S. EPA	Washington	DC
Jones	Sherri	Forrest County Environmental Support Team	Hattiesburg	MS
Jones	Walter	Laborers' Health and Safety Fund of North America	Washington	DC
Kaelin	Colleen	Kentucky Department for Public Health	Frankfort	KY
Kajumba	Ntale	U.S. EPA Region 4		
Kamke	Sherry	U.S. EPA Region 5		
Kearney	Gavin	New York Lawyers for the Public Interest	New York	NY
King	Marva	U.S. EPA	Washington	DC
Kirkland	Katherine H.	Association of Occupational and Environmental Clinics	Washington	DC
Kitchens	James	U.S. EPA	Athens	GA
Kolodner	Louis	U.S. EPA		
Koonuk	Ray	Native Village of Point Hope	Point Hope	AK
Kuhns	Tracy	Louisiana Bayoukeeper		
Lang	Elvin	Alabamians United for Environmental Justice	Montgomery	AL
Lapierre	Ken	U.S. EPA Region 4		

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Last Name	First Name	Organization	City	State
Lasky	Lara	U.S. EPA Region 5	Chicago	IL
Latimar	Lori J.	University of Arkansas		AR
Layne	Kendra	U.S. EPA		
Lee	Anna Yun	Communities for a Better Environment	Oakland	CA
Lee	Suzette Tay	APEX Direct, Inc.	Bartlett	IL
Lee	Charles	U.S. EPA	Washington	DC
Lewis	Sunny	Environment News Service	Seattle	WA
Lockhart	Freda	U.S. EPA Region 4	Atlanta	GA
Long	Larry	U.S. EPA Region 4		
Longoria	Rose	Yakama Nation	Toppenish	WA
Lopez	Alex	Los Angeles Conservation Corps	Los Angeles	CA
Macey	Gregg P.	Fordham University School of Law	New York	NY
Madison	William	City of Dallas	Dallas	TX
Maguire	Kelly B.	U.S. EPA	Washington	DC
Major	Jennifer L.	Ross & Associates Environmental Consulting, Ltd.	Seattle	WA
Malek-Wiley	Darryl	Sierra Club	New Orleans	LA
Marshall	Melissa	U.S. EPA	Washington	DC
Mason	Suzy	Louisiana Green Corps	Metairie	LA
Mathers	Monica C.	American Refining Group, Inc.	Bradford	PA
Matystik	Walter F.	Manhattan College	Manhattan	NY
Mcbride	William	U.S. EPA Region 4		
McCarthy	Gina	U.S. EPA	Washington	DC
McDaniel	Meisha	Joint Center for Political and Economic Studies	Washington	DC
McDonald	Cameron	U.S. EPA Region 9		
McKelvey	Laura	U.S. EPA		
McLendon	Ella	U.S. EPA Region 4		
Meiburg	Stan	U.S. EPA Region 4	Atlanta	GA
Miller	Latoya	U.S. EPA Region 4		
Mims	Alice	U.S. EPA		
Minter	Marsha	U.S. EPA	Washington	DC
Mock	Brentin	The Lens / The Root.Com		LA
Molina	Lilian	Energy Action Coalition	Washington	DC
Moore	Kristy	Renewable Fuels Association	Washington	DC
Moore	Jeanita	U.S. EPA Region 5		
Moseley	Lyndsay	Sierra Club	Washington	DC
Moses	Mike	U.S. EPA		
Muriel	Jasmin	U.S. EPA	Washington	DC
Murray	Sharon	U.S. EPA Region 9	San Francisco	CA
Naus	Wendy	Council on Social Work Education	Washington	DC
Ney	Frank	U.S. EPA Region 4		
Nguyen	Loan	U.S. EPA	Washington	DC
Nolan	Sheila M.	Central States Air Resource Agencies (CenSara) / Central Regional Air Planning Association (CENRAP)		
Nordgren	John	The Kresge Foundation	Troy	MI
O'Connor	Devin	U.S. EPA		
Oden	Kevin	City of Dallas	Dallas	TX
Olin	Joyce	U.S. EPA		
O'Neill	Maureen	U.S. EPA Region 2		
Outin	Youlanda R.	Agency for Toxic Substances and Disease Registry (ATSDR)	Atlanta	GA

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Last Name	First Name	Organization	City	State
Owens	Stephanie	U.S. EPA	Washington	DC
Ozbenian	Serda	Animal Welfare Institute	Washington	DC
Page	Kenneth L.	Illinois Environmental Protection Agency	Springfield	IL
Parris	Scott	U.S. EPA		
Pastos	Nikos	Center for Water Advocacy	Anchorage	AK
Patterson	Jacqueline	National Association for the Advancement of Colored People (NAACP)		
Pavlou	George	U.S. EPA Region 2	Washington	DC
Pawlowski	Vincent	University of Arizona	Tucson	AZ
Payne	Jim	U.S. Department of Justice	Washington	DC
Petit	Bob	Alaska Department of Environmental Conservation	Soldotna	AK
Pettigrew	Khristen	U.S. EPA Region 4		
Peurifoy	Cynthia	U.S. EPA Region 4	Atlanta	GA
Piazza	Millie	Washington State Department of Ecology		WA
Piras	Patrisha	Sierra Club	San Lorenzo	CA
Pleune	Jamie Gibbs	Georgetown University Law Center	Washington	DC
Polinsky	Robyn	U.S. EPA Region 4		
Pulliam	Jessica	U.S. EPA Region 1		
Quinones	Jaime Rivera	For A Better Bronx	Bronx	NY
Ramirez	Elsa	League of Conservation Voters	Washington	DC
Rao	Ravi	U.S. EPA Region 4		
Reaves	Doretta	U.S. EPA	Washington	DC
Reeder	Victoria	[not specified]	Oakland	CA
Reeves	Dawn	Inside EPA	Arlington	VA
Rhona	Julien	U.S. EPA		
Rivera-Lupianez	Ana	U.S. EPA	Washington	DC
Rivers	Tahani	U.S. EPA	Washington	DC
Robbins	Matt	U.S. EPA Region 4		
Robinson	Steve	Northwest Indian Fisheries Commission		WA
Rodgers	Darrell	National Center for Environmental Health (NCEH)/Agency for Toxic Substances and Disease Registry (ATSDR)	Atlanta	GA
Rollins	Jim	Policy Navigation	Fairfax	VA
Rosas	Estela	APEX Direct, Inc.	Bartlett	IL
Rosen	Vicki	U.S. EPA Region 9		
Rosenfeld	Kate	DC Legislative and Regulatory Services, Inc.	Washington	DC
Ross	Joi	APEX Direct, Inc.	Bartlett	IL
Ross	Bennett	APEX Direct, Inc.	Bartlett	IL
Rousey	Toni	U.S. EPA	Washington	DC
Ruhl	Suzi	U.S. EPA		
Saeed	Nausheen	National Association of County and City Health Officials (NACCHO)	Washington	DC
Salinas	Jesse	HandsOn Network	Atlanta	GA
Sanders	Felicia M.	Sustainable Community Development Group, Inc.	Washington	DC
Sarmiento	Michael	Southwest Network for Environmental and Economic Justice	Albuquerque	NM
Scagnelli	Francesca	U.S. EPA Region 5		
Schleifstein	Mark	The Times-Picayune	New Orleans	LA
Schwabe	Chloe	National Council of Churches	Washington	DC

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Last Name	First Name	Organization	City	State
Sendzik	Mark	U.S. EPA	Research Triangle Park	NC
Shanker	Howard	Shanker Law Firm	Tempe	AZ
Shapiro	Naomi	U.S. EPA Region 2		
Shelton	Ashley	American Veterinary Medical Association	Washington	DC
Shields	Peter J.	ICF International		VA
Shpak	Mitzi	Action Now	Altadena	CA
Shubert	Jan	U.S. EPA	Washington	DC
Silva	Peter	U.S. EPA	Washington	DC
Smith	Mike	<i>[not specified]</i>		AL
Southall	Mary E. Owens	Coppin State University	Baltimore	MD
Spalding	Curt	U.S. EPA Region 1	Boston	MA
Sparks	Grant	The International City/County Management Association	Washington	DC
Spiezman	Elissa	U.S. EPA Region 5		
St. John	Karen	BP America		
Stanislaus	Mathy	U.S. EPA	Washington	DC
Starfield	Lawrence	U.S. EPA Region 6	Dallas	TX
Sternberg	Shira	U.S. EPA		
Stevens	Madalene	U.S. EPA	Washington	DC
Stohs	Sheryl M.	U.S. EPA Region 10	Seattle	WA
Subra	Wilma	Subra Company and Louisiana Environmental Action Network		LA
Tafur	Victor M.	Pace Law School	White Plains	NY
Tellis	Vickie	U.S. EPA Region 4		
Templeton	Rebecca	Bayou Grace Community Services	Chauvin	LA
Thompson	Fred	U.S. EPA Region 4		
Tin	Angela	American Lung Association of the Upper Midwest	Chicago	IL
Tlyder	Shaina	U.S. EPA Region 4		
Tomes	Wendell M.	U.S. EPA	Washington	DC
Totten	Arthur	U.S. EPA		
Tripathi	Arati	U.S. EPA		
Vanzant	Ronald	Jordan & Associates	Orange Park	FL
Vela Acosta	Martha Soledad	The Kresge Foundation	Troy	MI
Wahbeh	Hibba	U.S. Army Corps of Engineers	New York	NY
Walker	Alice	U.S. EPA	Washington	DC
Walker	Richard	Washington State Department of Ecology		WA
Ward	Dondra	U.S. EPA	Washington	DC
Ware	Rita K.	U.S. EPA Region 6	Dallas	TX
Wassilie	Carl	Alaska's Big Village Network	Anchorage	AK
Wayland	Richard A. "Chet"	U.S. EPA	Washington	DC
Weaver	Steve		Arlington	VA
Wells	Sharon	U.S. EPA Region 1	Boston	MA
Wesley	Terry M.	U.S. EPA Region 2		
Wesley	Joan M.	Jackson State University	Jackson	MS
White	Brandi M.	U.S. EPA	Research Triangle Park	NC
White	Tennie	Forrest County Environmental Support Team	Hattiesburg	MS
Wiley	Yvette	Muscogee Creek Nation	Okmulgee	OK

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Last Name	First Name	Organization	City	State
Williams	Babette D.	U.S. Department of Labor	Washington	DC
Williams-Bower	Vera	U.S. EPA	Washington	DC
Willow	Anna J.	The Ohio State University	Marion	OH
Wilson	Wil	U.S. EPA	Washington	DC
Wilson	Sacoby	University of South Carolina	Columbia	SC
Wokpara	Chituru P.	Georgia Environmental Protection Division	Atlanta	GA
Woodberry	Leo	Woodbury & Associates	Florence	NC
Wright-Bailey	Alice	Pennsylvania Department of Environmental Protection	Norristown	PA
Younge	Jasmine	U.S. EPA Region 4		
Zawlocki	Chris	National Center for Environmental Innovation	Washington	DC

Appendix C
NEJAC Public Teleconference Meeting
Tuesday, June 15, 2010

Written Public Comments

This appendix contains written statements provided by members of the public for the public comment period during the NEJAC Public Teleconference Meeting on June 15, 2010. Statements included in this appendix are shown verbatim, as provided by the individual commenters, with no modifications or changes.

Sections C.1 through C.5 present written comments from Mr. Stephen M. Brittle, Don't Waste Arizona; Mr. Mike Smith, concerned citizen; Ms. Lauren Butz, Mary Queen of Viet Nam Community Development Corporation; Mr. Hoyt Hillman, Arkansas River Coalition; and Ms. Meisha McDaniel, Joint Center for Political and Economic Studies, who did not speak during the public comment period.

Sections C.6 through C.8 presents written comments from Ms. Rebecca Templeton, Bayou Grace Community Services; Mr. Albert Huang, Natural Resources Defense Council; and Ms. Ellen Bateman, Institute for Conflict Analysis and Resolution, who also spoke during the meeting.

C.1 Mr. Stephen M. Brittle, Don't Waste Arizona

Shortly after the Exxon Valdez oil spill, attention was focused on Dr. Ralph Portier of LSU. He talked about using microbes/bioremediation to eat the oil. The problem at that time was the water where the spill had occurred was too cold for the microbes to propagate quickly enough, but the Gulf of Mexico is warm. The microbes eat their way through the oil (hydrocarbons vs carbohydrates) and then die off after their meal is gone. The microbes that can be utilized are not harmful and yet I hear no one speaking about this strategy.

EPA should approach LSU about strategies to utilize bioremediation and LSU's array of microbes to digest and break down the oil in the marshes and along the coasts, and even under the water.

C.2 Mr. Mike Smith, Concerned Citizen

My name is Mike Smith and I have some firsthand information and some conclusions based upon my personal experience in the oil field and oil spill cleanup.

It is my opinion that the main piece missing from these calls and the actions of the President is a common vocabulary/lexicon for the items and methods in question.

One particular item is the "Hat" that BP said they were trying to put on the Well to "siphon off" the oil. In the oil field it is called "an attempt to 'Re-Case' the Well Head" and it was being done not to staunch the flow or cap the Well but to salvage the Well for BP's continued use of that well.

Had BP wanted they could have placed a dome over the end of the Well Pipe-aka Casing-and filled it with fast drying cement that is used in the oil field every day. It would have set faster than the ice crystals could have increased the buoyancy of the re-casing tool. In fact the re-casing tool that they have could be pressed into action and filled with cement.

Should all else fail the Re-Casing Tool could be fitted with nozzles and lowered onto the leak and filled with cement should the current strategy fail.

The term Top Kill is a coined phrase just for this exercise. It is, in fact, the standard method for controlling oil well blow outs and the method that went wrong on the rig and led us to this disaster: and the exact same disaster that happened on the Ixtoc oil rig sinking in Campeche Mexico in 1979. http://en.wikipedia.org/wiki/Ixtoc_I_oil_spill.

C.3 Ms. Lauren Butz, Mary Queen of Viet Nam Community Development Corporation

With the understanding that there have been 71 cases of illnesses reported by clean-up workers, lack of efficient/effective training and protections for the workers (reports of oil leaking through gloves provided by BP, no respirators when they are thought to be necessary), can we begin the discussion to mandate BP provide health

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insurance for those working on the drilling disaster?

C.4 Mr. Hoyt Hillman, Arkansas River Coalition

3 suggestions for the Gulf oil waste.

It is not a good idea to put the oil contaminated waste in permanent landfills:

#1 temporarily store the waste in sedimentation tanks and pump top half into spare strategic reserve caverns.

#2 Gulf dredged sediments (bottom half) that are contaminated with petroleum compounds could be recycled as an aggregate replacement in asphalt mixes, help lower costs for highways.

#3 The waste oil collection could also be economically useful as an industrial fuel supplement in Coal fired public utilities, and lower rates for consumers.

C.5 Ms. Meisha McDaniel, Joint Center for Political and Economic Studies

June 14, 2010

Statement from the Joint Center for Political and Economic Studies Concerning the Oil Spill in the Gulf of Mexico

Background

The Joint Center for Political and Economic Studies is a leading think tank committed to responding to public policy issues affecting African Americans and communities of color. In July 2008, the Joint Center launched the Commission to Engage African Americans on Climate Change (CEAC). Composed of leaders from within the scientific, academic, private, and public sectors, this diverse body was established with the mission to cultivate African American engagement on the issues stemming from climate change and leadership in the new green economy. With the guidance of the Joint Center, the Commission has helped to develop policy recommendations that address disparate environmental impacts on communities of color and ensure protection to low-income households.

As recounted in the Joint Center publication *Environmental Justice through the Eye of Hurricane Katrina*, disaster preparedness is a national security issue. The devastation that struck the Gulf Coast during Hurricane Katrina in 2005 demonstrated how structural barriers to equity in housing, transportation, and land use decision-making can effectively isolate vulnerable communities from the resources necessary to plan for and respond to disasters. Now, as millions of gallons of oil spread unabated increasingly closer to protective ecosystems, human settlements, and wrecks the region's commercial fishing industry, the need for immediate action to assess and redress the damages inflicted to human and wildlife communities affected by the oil spill is evident.

Disaster Preparedness within Vulnerable Communities

Moving forward, the National Environmental Justice Advisory Council must utilize its position within the U.S. Environmental Protection Agency (EPA) to implement a protocol for national emergency preparation that is inclusive and recognizes the unique socio-economic challenges facing racially and ethnically diverse communities and works to bridge these disparities in order to ensure substantively adequate access to the tools that prevent loss during disasters and resilience in their wake. In 2008, the National Consensus Panel on Emergency Preparedness and Cultural Diversity¹ issued a consensus statement explaining the need for and characteristics of public health awareness plans that include and engage diverse communities:

The integration of racially and ethnically diverse communities into public health emergency preparedness is essential to a comprehensive, coordinated federal, state, tribal, territorial and local strategy to protect the health and safety of all persons in the United States. Such a strategy must recognize and emphasize the importance of distinctive individual and community characteristics such as culture, language, literacy and trust, and promote the active involvement and engagement of diverse communities to influence understanding of, participation in and adherence to public health emergency preparedness actions. Additionally, this strategy must acknowledge the critical commitment to

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developing effective and sustainable services, programs and policies and building mutual accountability. Only through these comprehensive, unified efforts can we work to counter the legacy of racial and ethnic disparities and ensure that quality and equality for all communities form the foundation of the Nation's planning for any and all public health emergencies.

Making Coastal Planning and Protection a Priority

Coastal communities are particularly sensitive to the effects of global climate change and many major cities in the United States fall within zones that are at risk for impacts of sea level rise, including wetland submersion, beach erosion, flooding, and saltwater intrusion into freshwater aquifers. Given predictions from the Intergovernmental Panel on Climate Change and the U.S. Global Change Research Program, more frequent and intense weather events in the not-so-distant future require that our governing bodies make coastal planning and protection a priority without delay. Effective public health emergency preparedness is contingent upon engagement of stakeholders at multiple levels of government. In order to generate the buy-in necessary to ensure the protection of coastal areas and the communities that rely on them, the EPA must exert its unique position as a regional and national body to generate the information necessary for government decision-makers to make informed choices that builds on the assets of communities of color—opportunities for health improvement, willing workers, ample need for development—to promote an equitable and sustainable domestic growth.

Federal/State

- Enforce Executive Order No. 12898 to address environmental justice in minority and low-income populations
- Invest in emergency response technology in areas with high vulnerability and sensitivity to human and climate-induced disasters
- Create a disaster fund for low- to moderate-income communities

Regional/Local/Tribal

- Engage universities to collaborate with community members to conduct community-wide vulnerability and capacity assessments (CVCA)
- Conduct cost-benefit analyses to determine the costs of inaction involved in not preparing for coastal disasters

Community Engagement in Environmental Clean-up and Recovery

The environmental, health, and economic impacts of the oil spill on Gulf Coast residents have yet to be determined; however, the actions taken now and after the flow of oil subsides to facilitate swift and comprehensive recovery must be meted against potential long-term effects on future Gulf Coast residents and the courageous individuals involved in cleaning efforts. The Joint Center's Commission applauds the EPA for disclosing the composition of Corexit, the chemical currently being used as a dispersant in the Gulf Coast. Yet, accounts that spill workers are complaining of "respiratory problems, headaches, and nausea"² bring the safety of exposure to the oil and dispersants into question. Alternatives to chemical dispersants, such as bioremediation strategies, need to be implemented to avoid possible detrimental health impacts on workers. In the event of future oil spills, the lessons learned from this tragedy must be recorded and disseminated to the public, including comprehensive environmental and racial/ethnic impact analyses examining affected regions. Finally, given the continuing threat that offshore drilling poses to hundreds of communities bordering our coasts, the EPA must commit to a stronger stance in favor of alternative energy and supporting communities with the means to implement clean energy projects. Without addressing energy sovereignty in the U.S., our coasts will continue to bear the brunt of our collective addiction to oil.

Footnotes:

¹ June 11, 2008. National Consensus Statement & Guiding Principles & Panel List

² Schwartz, N. and Brown, M. (June 6, 2009) "Gulf spill workers complaining of flulike symptoms." Associated Press.

C.6 Ms. Rebecca Templeton, Bayou Grace Community Services

Bayou Grace Community Services is focused on hope and sustainability in the 5 Bayou Communities in lower Terrebonne Parish, Louisiana. In working and communicating with members of our 5 Bayou Communities, we have identified some of the many concerns that people in our communities have specific to the BP Oil Drilling Disaster.

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1. We are concerned about the high use of dispersants, and the long-term effects of dispersant use. We are especially concerned about the continued use of the dispersant Corexit. Many in our communities feel that BP needs to be told to stop using this dispersant and all dispersants.
2. We are very concerned about the lack of ambient air quality monitoring. In Terrebonne Parish, the LADEQ has a permanent ambient air monitoring station in the northern part of the parish. To our knowledge, there is no temporary ambient air monitoring station in the most coastal parts of the parish where oil is washing ashore.
3. We are also concerned about water quality. There are reports that oil has been found in our water supply in Terrebonne Parish. Who is testing the water quality? Where is this information? What is being done to protect our water supply?
4. We are concerned about where collected oil and used booms are being disposed of. Much of this is being disposed of in landfills. However, the oil is not treated as a toxic material. Oiled waste needs to be treated as a toxic material and discarded of in a safer way.
5. There needs to be stricter limits on chemical exposure looking more to NIOSH standards and taking into consideration that people are being exposed to chemicals far beyond a normal eight hour work day. People need to be protected to a greater extent, such as being allowed the use of respirators. Also, each boat involved in clean-up and laying out boom needs to be equipped with an air monitoring device that constantly measures the level of exposure encountered by those working in that environment.
6. We understand that providing stricter standards for protection and limits to chemical exposure is opposed by many at the industry level. However, this is the largest environmental disaster that this country has faced. So much about this disaster is unprecedented and unprecedented measures need to be taken. This disaster along the Gulf Coast needs to be granted an exception so that there are stricter limits to chemical exposure and so that our people can be protected to a greater degree.

On behalf of Bayou Grace Community Services, thank you to the NEJAC for allowing me the opportunity to lift concerns that we and members of our communities have specific to the BP Oil Drilling Disaster.

Rebecca Templeton
Bayou Grace Community Services, Inc.

C.7 Mr. Albert Huang, Natural Resources Defense Council

June 15, 2010

Administrator Lisa Jackson
Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

cc: Janet McCabe, Office of Air and Radiation, USEPA
Maria L. Martinez, Air Quality Analysis Section (6PD-Q)

Dear Administrator Jackson,

Thank you for your ongoing commitment to protecting the people and resources of the Gulf Coast from environmental hazards, including those associated with the BP oil disaster. We appreciate that you have come down several times in recent weeks to the Gulf to hear community concerns, and we also appreciate your efforts to respond to issues we have raised about the EPA air quality monitoring.

We do have continuing concerns about gaps in the air quality monitoring being conducted in the Gulf Coast. As the duration of this environmental and public health disaster continues, it is essential that there be comprehensive monitoring that captures the full spectrum of short-term and longer-term health risks. EPA must redouble its efforts to work with communities to ensure that air quality monitoring is responsive to local concerns and that the findings are communicated effectively.

Oil spill-impacted communities have been experiencing odors and health complaints consistent with exposure to oil spill chemicals. At the same time, EPA is reporting "typical" air quality for the areas monitored. This disconnect reflects gaps in the current monitoring and communication plans employed by EPA that must be remedied. To that end, we make the following recommendations:

Appendix C

Improve Response to Community Complaints by Creating a Rapid Response Team and NGO / University / EPA Collaborative

Oil spill-impacted communities have been experiencing odors and health complaints and not receiving adequate attention. EPA should be responding to these complaints as quickly as possible to conduct the appropriate monitoring and communicate the results. To facilitate this, EPA should dedicate a portion of its website to providing information on how to report a complaint, locate the results of any monitoring conducted in response to a complaint, and related relevant information on odors and health effects.

We appreciate the offers made by EPA staff on the ground in Louisiana to provide cell phone numbers that citizens can call when they smell odors. However, this response is dependent upon the good will of the EPA employees on the scene and does not constitute a long-term plan. To ensure a continued plan for complaint response we recommend:

1. Creation of an EPA Rapid Response Team that responds to calls from citizens.

Local residents would be given a phone number and EPA staff or contractors would respond promptly to investigate and conduct the needed sampling. EPA would turn around the results quickly and provide callers with a report of the results as soon as feasible.

2. Working With Communities on an Environmental Health Action Plan

We invite EPA to partner with us and other non-profit environmental groups and local universities to develop additional methods for documenting problems, communicating risk, and recommending interim solutions. This collaboration could include an environmental health action plan for the region that includes documentation of community experiences as part of the data necessary to understanding the impact of the disaster. We believe it is important to work together.

Expand Monitoring to Include Semi-Volatile Organic Compounds (SVOCs)

In addition to the Volatile Organic Compounds (VOCs) being currently measured, crude oil contains SVOCs which both can cause odors and are linked to long-term health impacts. Comprehensive onshore monitoring should include testing for these compounds in areas most likely to be impacted by oil spill fumes. The results of this monitoring should be made publicly available for compounds with associated health risks and those with low odor thresholds. Currently, SVOC data is only available from monitoring sites in Region 4 and only for a limited suite of compounds. Expanding this monitoring to the mostly highly impacted areas of Region 6 is urgently needed.

Monitor Wind Patterns to Estimate Most Impacted Areas

Meteorological data on wind conditions and weather patterns should be assessed to evaluate the degree to which existing fixed monitoring stations are capturing the areas of highest impact. The results of this assessment should be updated regularly and posted on the website. In the event this modeling reveals areas of potential impact that are not included in the current monitoring network, EPA should develop an expanded monitoring plan to address these areas.

Obtain all Relevant Data on Pollutant Releases

Efficient and comprehensive monitoring plans would be greatly assisted by accurate and complete information on the location and quantity of pollutant releases. This should include up-to-date monitoring of the spill and also all applications of dispersants. In particular, the location, quantity, and application method for all airborne dispersant applications should be reported to the public. This information can inform onshore air monitoring and the development of offshore buffer zones to keep clean-up workers and communities safe.

Ensure Public Disclosure of Monitoring Data

All data collected on air quality, both offshore and onshore, should be made public regardless of where it originated. EPA is the agency best suited to be a clearinghouse for this data and make it available to the public. We strongly encourage EPA to seek out the data being collected by other entities and agencies and make this information available to the public on its website. This should include information on both the oil-related compounds and the dispersants. It is essential that the public and medical providers in particular, have access to health-relevant information on all chemicals released into the environment. We greatly appreciate the fact that EPA made the ingredients in the dispersant products publicly available. Data are also needed on the chemical make-up of the crude oil and oil-dispersant mixture.

Appendix C

Communicate Monitoring Results Effectively

The scope of this monitoring effort is daunting and we appreciate the efforts of EPA staff and contractors who are working to collect the data and make it available to the public. However, the current presentation of the data on the website is confusing and difficult to access.

We recommend that the website be improved to facilitate queries by specific location. Also, all data files should include enough information to enable a user to determine what was sampled, where it was sampled (latitude, longitude, city, county, state), when it was sampled (date and time), what method was used for the sample collection and analysis, and the relevant limits of detection. The presentation of the monitoring results should also be improved to better respond to community concerns and achieve environmental justice. For example, the monitoring results do not adequately address spikes that could result in significant odor exposures but average out over time. Also, EPA's extrapolation of regional air quality from a limited number of fixed monitoring stations fails to account for localized hotspots. The conclusion that "air quality is normal for this time of year" is not supported by empirical data since this is the first time that monitoring of this scope for air toxics has taken place in the region. When personal experience (smelling odors during the spikes) is at odds with EPA's assessment, community members lose trust in the agency. EPA's communication of the monitoring results should reflect an honest assessment of the situation and include explicit recognition of the limitations inherent in the sampling results. We recommend that EPA's website include language such as the following:

The EPA has a robust monitoring plan in place. However, we cannot be in every place at one time. The results we post are results for those areas only and cannot be extrapolated to the entire region. If you smell an odor please call our Rapid Response Team immediately.

In addition, the EPA should conduct community forums to explain the monitoring efforts and results to community members. Such forums should be conducted in collaboration with local community and environmental groups and should include presenters from relevant agencies, local universities, and outside experts.

Given the scope of this disaster, we understand the challenges your staff face, and we appreciate the hard work being conducted to collect information and communicate it to the public. The recommendations included in this letter, if enacted, will greatly improve the monitoring and communication of health risks associated with the oil spill. Thank you for your commitment to air quality monitoring in the Gulf Coast and we look forward to continuing to work with you to ensure the protection of all communities.

Sincerely,

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Al Huang, Environmental Justice Attorney
Natural Resources Defense Council

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Glenda Perryman, Executive Director
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Lucedale, Mississippi

Sharon S. Gauthe, BISCO Director
BISCO (Bayou Interfaith Shared Community Organizing)
Thibodaux, LA

Carol McGilvray, Executive Director
Rose Johnson, Founder
North Gulfport Community Land Trust
Gulfport, MS

Natasha Cameron-Boyd, Executive Director

Appendix C

GURLS for Life, Inc. (Growing Up Responsibly to Lady
Status)
Moss Point, MS

Mary Troupe, Executive Director
Mississippi Coalition for Citizens with Disabilities

Diem Nguyen, Executive Director
Mary Queen of Viet Nam, Comm. Develop Corp.
New Orleans, LA

Sherrie Graham
LEADERSHIP Counts!
Mobile, AL

Courtney Howell, Executive Director
Bayou Grace Community Services
Chauvin, LA

Carolyn Thompson, Executive Director
Tri-Coastal Community Outreach
Grand Bay, AL

Scott Douglas, Executive Director
Greater Birmingham Ministries
Birmingham, AL

John Zippert
Federation of Southern Cooperatives
Rural Training and Research Center
Epes, Alabama

Grace M. Scire, Gulf Coast Development Director
Boat People- SOS
Bayou La Batre, AL
Biloxi, MS
New Orleans, LA

Cynthia Sarthou, Executive Director
Gulf Restoration Network

Rev. Jim Deming, Minister for Environmental Justice
Justice and Witness Ministries
United Church of Christ
Cleveland, Ohio

Rosa Herrin, Advocacy Programs Coordinator
Moving Forward Gulf Coast, Inc.
Slidell, LA

Rose Murray
Elizabeth Etherton
Alexander F. Tilton
Tulane University Law School
JD Candidate, 2012

Sarah Minge
Charlotte, NC

Ben Smilowitz, Executive Director
Disaster Accountability Project

Courtney Halwig, Legal Intern
Advocates for Environmental Human Rights
New Orleans, LA

Dr. Beverly Wright, Director
Mary I. Williams, M.Ed., Program Manager for
Community Outreach
Deep South Center for Environmental Justice

Michael Brune, Executive Director
Haywood Martin, Delta Chapter Chair
Sierra Club

Appendix C

C.8 Ms. Ellen Bateman, Institute for Conflict Analysis and Resolution

How should EPA engage local communities? With collaboration, participation, transparency. And open lines of communication. The EPA should engage local communities honoring local knowledge and taking local concerns into serious consideration to lead the way to implement the design of methods that utilize the workforce in the Gulf region for work on clean up, recovery, education, and GREEN energy transformation. The EPA should take a leadership role in designing partnerships with states and localities to create and designate jobs related to clean up, recovery and renewal as GREEN jobs. In the 21st century, rich with diverse thought and solutions based approaches and innovative technologies, the EPA should advocate for companies and constituents outside of the circle of culprits-Cameron, Transocean, Halliburton and BP-to press ahead double pace to remedy this disaster and learn about the effects of the spill on ecosystems animals, and humans.

The EPA should insist that knowledge resources are dispatched to the spill site immediately. BP nor EPA should prohibit scientists from learning about the BP spill and the BP spill response now. More expertise is clearly needed in this situation- the EPA, with power and authority must assert itself in ways that it has not dared to imagine in the past. Rather than serving big business, the EPA must serve the environment and the living organisms that are inseparable from their environment. The EPA must be a strong advocate for the scientific community and allow knowledge and expertise from the academy to interact as respondents during this pressing exigency to address the necessary solutions to the damaged well and consequences of pollutants to the ecosystems.

The EPA should engage alternative dispute resolution techniques to resolve the conflicts that will arise as many communities come together to respond to the BP spill and the BP spill response for generations to come. Organizations and Coalitions with expertise in collaborative processes, alternative dispute resolution, and dialogic techniques should be represented in the list of regional agencies involved in the BP spill response and the ongoing recovery in the region. Information that is posted on the website should be made available to those without internet access.