

EPA

Moderator: Victoria Robinson
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1:00 p.m. CT

Victoria Robinson: Hello everyone, welcome to the 31st Public Meeting of the National Environmental Advisory Council the NEJAC which is a federal advisory committee of the U.S. Environmental Protection Agency.

My name is Victoria Robinson and I'm EPA's designated federal officer for the NEJAC. To the members of the NEJAC I want to welcome and thank you for taking the time out of your busy schedule for this call. I'd also like to extend a thank you to all the members of the public who are listening in. And those who will be providing comments during this call.

Just to let you know more than 180 people have registered — pre-registered for today's call and approximately 14 people have signed up to give public comment. Most of them verbally, a few of them in written form.

And if you count the number of members and speakers we have on, we're looking at about 200 people on that call. This is our second highest volume call I think we're going to be having — teleconference call for NEJAC.

As a reminder this call is being recorded and an mp3 file is expected to be posted on NEJAC's Website for a pod cast it's part of our ongoing effort to continue to reach out and make meetings and other activities of the NEJAC more publicly accessible. We're also creating a transcript of today's call as well as a written meeting summary, both of which will be available on the Website for later viewing.

So to assist in the preparation of the meeting summary we ask that when you speak, please talk directly into your handset and state your name and

affiliation for the record so that note takers can capture it. We'll also make it easier when people listen to the pod cast recording on the call to discern who is speaking.

And because the call is being recorded we've asked that the NEJAC members and those who will be participating in the discussion and public comment to please refrain from using speaker phones where possible. Which can distort the quality of the recording and also have all kind of feedback. And members if you must use a cell phone or speaker phone please mute your line until you want to ask a question or make a comment.

And before I begin I want to make a note that Elizabeth Yeampierre who is the acting chair of the NEJAC and is with UPROSE in New York, she's unable to participate in this teleconference meeting. She had a family emergency to deal with. And she will — she sends her regrets and her regards.

So I'd now like to turn it over to (John Ridgway) who will be — who's serving as acting chair for this particular call and go ahead John.

(John Ridgway): Thank you Victoria, welcome to everybody for this call I'm not going to take any more time than necessary just want a couple — cover a couple items here. Thanks everybody for your patience with this technology, we're still learning some of the nuances of how to use it well. Thanks to the operators who are helping with this and the note takers and thanks to everybody who's pre-registered to comment and to everybody for understanding about the limited phone lines that require pre-registration.

And I want to quickly just go over the agenda so everybody knows what we're going to try to tackle here in the next less than an hour and a half. We're going to start off with a response from EPA on the goods movement report, that will be 30 minutes and then a 30 minutes dedicated to lead in school drinking water and a new charge coming to this council.

We'll have some liaison reports that will only take a couple minutes, we'll have a brief overview of what's going to happen with this councils meeting in July in Washington D.C. and then we'll have a full half hour dedicated to the

public comment that you heard Victoria reference and we'll get into that and I will be sure that we keep going for the full half hour and do our best to get everybody up there to hear your good input.

So with that I'd like to go into the update from EPA on their response to the good movements report, thanks.

Gay MacGregor: OK, this is Gay MacGregor, and I'm in the Office of Transportation and Air Quality in the Office of Air and our office is leading a team — co-leading a team to respond to the goods movement report which you all sent us last November.

Victoria Robinson: Gay, Gay.

(John Ridgway): Hang on Gay just for a second, go ahead is that Victoria?

Victoria Robinson: Yes I'm sorry to interrupt we forgot one thing; we need to have (Aaron) do the formal roll call.

(John Ridgway): Thank you.

Victoria Robinson: So we'll have (Aaron Bell) of our office go ahead take a roll call of the members.

(John Ridgway): Sorry about that Gay just a moment.

Gay MacGregor: No problem.

(Aaron Bell): OK council members please state that you're here. Victoria Robinson?

Victoria Robinson: Yes.

(Aaron Bell): Langdon Marsh?

Langdon Marsh: Here.

(Aaron Bell): Hilton Kelley? Elizabeth Yeampierre? Peter Captain? Don Aragon? Jolene Catron?

Jolene Catron: Here.

(Aaron Bell): (John Ridgway)?

(John Ridgway): Here.

(Aaron Bell): Shankar Prasad?

Shankar Prasad: Here.

(Aaron Bell): Jodena Henneke? Wynecta Fisher? Sue Briggum?

Sue Briggum: Here.

(Aaron Bell): Chuck Barlow? Patricia Salkin?

Patricia Salkin: Here.

(Aaron Bell): Paul Mohai?

Paul Mohai: Here.

(Aaron Bell): (Katie) Brown? Thank you.

Victoria Robinson: OK wonderful, as a reminder I think that Peter Captain is out — is on travel he said he would not be available on this call he was going to try to dial in but he's in some meetings in New York City and I believe Chuck Barlow's also on travel today as well and could not make today's call. Those are the ones that I'd heard from prior to and — what?

(John Ridgway): Wynecta Fisher stated that she will be 40 minutes late.

Victoria Robinson: Right. OK so all right so I think we pretty much got what we need and we'll turn it back over to you Gay we're sorry for the interruption.

Gay MacGregor: I'll just to rewind a bit, and I'm Gay MacGregor, I'm in the office of transportation and air quality in the office of air. And the office of air is co-leading a team to respond to the NEJACs movement report with regions nine and ten.

A number of other offices — since we met in January and presented to you our plan for how we were going to — how we were going to respond, the process we've convened and expanded the team of people that are addressing the recommendations. We have members on the team from not only region nine and ten in air but also from the office of air quality planning and standards, my office of transportation and air quality, the office of research and development, the office of environmental justice, the office of federal activities, the office of air enforcement and the office of policy.

Each one of those people also have a number of people within their offices that they're working with. So the team is quite large at this point so what we did was we broke down the recommendations roughly into the subcategories that are within the report so for example community facilitator strategies is one.

And then there's another one on regulations and another one on (land use) and planning. They basically mirror the themes in the report and each one of those has a lead for the set of recommendations and responding to them and then we're coordinating across offices and to some degree with other agencies in developing the response.

Where we are right now is we are creating an inventory of activities that we are already undertaking that address the recommendations. And really to the purpose of today's meeting is just to give you a brief overview of some of the highlights of some of the — some of the activities that we are undertaking already.

We're still targeted to give you all a full response in summer, I think now that you're meeting may have been scheduled for July but at that meeting we'll give you at least you know a full response for what we can — there may be some recommendations that we're still are working with. But with that said I'd like to turn it over to Mike Bandrowski from our region nine office to speak about what he's doing with his team of people related to the community facilitated strategies and give you some highlights of that.

Mike?

Mike Bandrowski: Hi this is Mike Bandrowski in region nine, and a couple of people will help me go through the first set of bullets on slide number three if you're following along.

So we've been looking at the recommendations in my group related to community facilitated strategies and collaborative governance and we believe that promoting these approaches are very important and EPA has been working closely with communities for a number of years on a whole variety of projects in these areas. And the one we've highlighted on the slide is one good example as the care program where we've spent over two and a half million dollars in the last five years on various community based products — projects many of which relate to the area of goods movement.

And as it notes here there's at least five projects in the level one area, and at least seven level two projects. And we've tried to put together matrix and we didn't send that out but we can do that for people if they're interested of the various projects that relate to goods movement that where we've been working with communities. And I'm going to ask (Richard Grow) to describe briefly this matrix and what we've learned and our assessment of what projects are currently out there.

(Inaudible)

(Richard Grow): This is (Richard Grow) and to summarize what we did is starting after the January meetings especially the EJ Air Conference which focused on facilitated community collaborative strategies we did an inventory talking with all of our ten regional offices and we did a first round-up of what kinds of projects we're going on with casting a broad net just looking for projects that were community specific, had a multi stakeholder collaborative where it convened by a community based organization or agency and included capacity building.

And once we (surfaced) those projects we looked more closely to see what kind of goods movement activity they were involved in, who convened them, what kind of a (forum), what was EPA's role and what did capacity building look like in those projects.

So I guess what I'm trying to describe here is this was just sort of a first look, it was not in depth enough to figure out what is really which of these are truly community facilitated strategies or collaborative governance. But what we did find that just a thumbnail is we found that there was 18 — there were 18 projects spread around the country some in each of the ten regions. Of those about nine of them looked more like community facilitated strategies, eight of them looked kind of like collaborative governance, nine of those — there's some overlaps here, nine of those 18 projects are (CARE) projects, there's a couple that are what we call showcase communities.

Bottom line is that there's a substantial number of projects that are potentially or could shape up to be become actually community facilitated strategies or collaborative governance.

Examples of these just for those that are familiar with them of a CFS approach would be West Oakland Project or (Harem) B House in Savannah, an example of collaborative governance would be the New Haven Connecticut Project. Bottom line is this is just a first snapshot. There's a number of places — ways we could pursue this further we could take a closer look and actually come up with a finer set of indicators or metrics as to what is you know how these projects work and what they look like.

We didn't want to go that much further (yet) without stopping to talk — to figure out how would we do a finer sort on these projects. So that's where we're at.

Mike Bandrowski: Thanks (Richard) and as (Richard) said we have this matrix and we're going to continue to work on it and we'd certainly be interested in the NEJACs recommendations on how we might improve it and we'll be happy to share it with you at this early stage.

We're also looking ahead to how we might implement some of the recommendations to enhance our grant programs for communities. So one of the things we're doing is talking internally about how we might use some of the funding that we have available related to goods movement and to (CARE) and to modify our programs to better meet the communities needs and so I

think later in one of our slides we talk about follow up communication and whether we might continue to work with the NEJAC to lay out that program as it develops and get your further recommendations on how we might make it more effective.

So moving on in the bullets, we also wanted to address the (NEXUS) between goods movement and (EJ) and (Elizabeth Adams) is going to talk about that briefly.

(Elizabeth Adams): Hi this is (Elizabeth Adams), and this recommendation is very similar to two of the goals that we put forward with the EPAs environmental justice executive steering committee and the goals that were set for the agency in this year. To both identify (disproportionably) impacted communities that were near goods movement centers and also identify what major goods movement centers were in each region.

So to that extent the majority of regions are — have done this or are in the process of doing this basically identifying the impacted communities near both ports and other highways, goods movement centers and determining which communities are impacted by the pollution that those corridors create. And they're using a variety of tools this way to do this and one of the things that we're doing is collecting this information to help the regions identify which communities they want to focus their efforts on.

Mike Bandrowski: OK thanks (Elizabeth) and then the last bullet on slide three relates to the office of environmental justice, (EJ View) Victoria you were going to describe that briefly?

(Victoria): Yes hi, the (EJ View) is a Web based geographic information, a GIS system that really is an upgrade to the old environmental (inaudible) geographic assessment tool that has been online and available to the public for — since about 2004, 2003.

And it is basically an interface that overlays the socio-demographic layers with environmental data taken from EPAs various databases related to public (inaudible) enforcement information as well as permitting for air, water, TRI reporting that kind of information.

(EJ View) the new interface is scheduled — is currently in final stages of development and it's scheduled to be available to the public hopefully within the next month. The change is — this, the release is coinciding with an upgrade, an overall upgrade to EPA's Website. And so the changes to how we — the interface to the interface is what they're working on right now, how they actually tap into it.

But it's a tool that is very — would be very useful in — for communities and other folks to be able to go in and sort of examine looking at an area surrounding a goods movement facility and to get a sense of who are the affected communities as well as helping to identify what might be of a potential (cumulative) exposures that would occur in addition to the goods movement (thing). So it provides a lot of — access to a lot of information.

Mike Bandrowski: OK thank you Victoria so that kind of summarizes what we've done to catalog what we're currently doing regarding community based projects related to goods movement and then how we're looking to move forward in the coming months and so I'll turn it back over to Gay for the next topic.

Gay MacGregor: OK thanks Mike. The next slide four is health related research and data (gaps) and some of the highlights here — I don't believe our ORD contact is able to join us today so I will just go through these briefly and then if anyone would like more details we can arrange to have her give them to you.

Basically I think in January at the meeting you heard (Gina McCarthy) say that the (NO₂) regulation is part of that. We were going to have 40 community monitors placed and that's still in process. And ORD has completed several new — several studies and plans some new research studies as well to look at the impacts of goods movement on neighborhoods. Some of them — one of them is in (Jifrate) the childhood health affects from roadway and urban pollutant burden. That study is a — involves the community and the University of Michigan and looks at children's asthma.

Some of the research that's has gone on is involves federal highways. In Raleigh and in Las Vegas and they have some other research planned that we'll also use the community based participatory approach. Region five is

working with ORD and planning to do some monitoring near a rail yard that's not yet identified in Chicago. They're considering several different rail yards and the office of research and development apparently has a car that can actually be driven in the streets around the neighborhood and the facilities and measure the pollution. And their planning on doing that beginning this summer in Chicago I believe.

And then region four has conducted a, the Memphis barge study to look at community scale toxics monitoring in communities where the barges are going along the river. The other exciting thing is that we are as an agency talking among the offices about developing a consolidated air toxic strategy. It's occurred to us that some of the air toxics work is scattered throughout the agency and I was recently at the air division directors meeting which our regional air division directors meet every quarter with the office and at the meeting was the office of air enforcement and we were talking about — doing the beginning work of developing a consolidated agency or toxic strategy.

And ORD is also looking at a lot of data generated by others to fill the data gaps that we have including data from California. Moving onto slide five, one of the categories who had recommendations for us on were regulatory and enforcement mechanisms and in January was able to tell you that we had in fact imposed — proposed an emission control area to lower the sulfur and fuel near — within 200 miles of U.S. costal and Canadian costal waters.

That was actually approved in March and will go into effect later this summer in July when we'll be ratcheting down the sulfur that can be used in fuel. And on the second, the next slide which we'll move to in a minute or you will be able to look at the impacts and how large the impacts are of that emission control area. But before we go there, one of the other recommendations was to do something about aviation and in February of this year the International Civil Aviation Organization adopted more stringent standards for air craft.

EPAs planning on following up with a domestic rule to enforce them. And we will work with the Federal Aviation Administration and the International Civil Aviation Organization to develop certification requirements for those standards by — for PM by 2013.

The Office of Enforcement, another recommendation you had for us was that we use supplemental environmental projects that come with enforcement actions to reduce emissions in communities and the office of enforcements very open to doing that and we're talking with them about projects that they can consider.

We've already had a number of diesel reduction projects done as (SEPs) and we're hoping to expand to do more. And then of course (OEEO) will continue to address emissions from major sources for example they had a project in Houston most recently where they did a fly over (identified) hot spots on benzene emissions and then did fence line monitoring to follow up and are taking enforcement actions against some facilities.

If you turn to slide six and slide seven I just wanted to show you because I think these slides are very dramatic about the reductions from the emission control area that was just adopted. You can see if you look at it has — slide six the PM reductions and just how far inland those reductions go from the coast.

The same thing with slide seven, it's really a very — I think a very effective is going to be a very effective control mechanism. If you know about ocean going vessels you know that they use fuel that sometimes can have up to 40,000 parts per million of sulfur. So a reduction of to ten— the first reduction will be to 10,000 parts per million in 2010. And followed by going to 1,000 parts per million a few years later.

So this, these standards are going to be very effective in getting emission reductions not only in communities but all throughout the country. We were quite surprised when we saw this modeling and realized just how far the reductions from the coast line would go inland.

So I think that's a big success because it took a — some time it took several years for us to negotiate that (ECA) through the International Maritime Organization.

Moving on to slide eight, land use planning and environmental review We've committed to develop a letter to the department of transportation asking them to revise their interim guidance on air toxics analysis and (NEBA) documents. That was one of your recommendations.

We also have issued internal guidance within EPA for (NEBA) reviewers on the impacts associated with diesel emissions and I believe that's been in place now for a couple of months. And we're currently developing guidance for completing quantitative hot spot analysis for highway projects and transit projects that receive federal funds. And this will enable us to look at really what the impacts of the purposed projects are on communities in advance of the project going forward.

Moving onto slide nine the environment planning and management highlights. One of the things that we have in our office, office of transportation air quality is a ports air quality plan and we recently updated that plan in March and environmental justice and healthy communities are now one of the three major themes within the plan.

The first one is taking action on climate and improving air quality, the second one is the environmental justice and healthy communities theme and the third one is global environment because we are committed to continue to work on (our nationally) because through the international treaty process as demonstrated through (ECA) you can get substantial reductions not only along the coast but inside the country.

The other thing that we have made an attempt to do in the last few months is create an agency wide awareness of the NEJAC report on goods movement. And the impacts of goods movement, the goods movement have on communities. Last week I briefed all of the air division directors and the office of air enforcement on the report. We are trying to get other offices to make sure that they understand the recommendations and reports so that where they can they can factor some of the recommendations into their planning efforts for programs and we'll be briefing the regional administrators, the new group of regional administrators in July. So there will

be high level recognition and understanding across the agency of the recommendations you've all given us.

I guess I skipped slide ten so we might want to go, no I didn't OK slide ten is resources, incentive and financing highlights and you know we've been doing diesel reduction projects now for several years. And these are through our diesel emission reduction grants.

And just a couple of examples of ones that we know that are really having an impact in communities are the nine million dollars we've given to the Houston-Galveston area council to do bridge loans for supporting clean (dray) truck transportation around the port. Two million to Louisville and Jefferson County metro government to establish a revolving loan fund to replace diesel equipment and nine million dollars to the organization (Cascade Zero Solutions) which has a number of projects around the country that involve funding newer cleaner trucks for operators — mostly owner-operators of small — either small trucks or trucking firms.

We also plan to contact FDIC to evaluate options for house smart way type loans, the subsidized loans can help banks qualify for community reinvestment credit. I think that was also in the report. And this next round for our diesel emission education grants we'd like to target, do some targeted community outreach to make sure that we get applications and that the communities are aware of our fiscal year 2011 solicitation. Currently of course the President's budget is not yet passed but currently the President's budget has 60 million dollars in it for the diesel emission reduction program.

And then one of the things that (has) occurred to all of us as we've reviewed these recommendations and looked at them is that — there's a common theme of communications throughout the report. I think recommendation 13 asks for a national communication plan, there are a number of other recommendations that would like us to have a clearing house for best practices.

So it's occurred to us that really we should be talking with NEJAC more to understand how to better communicate with communities what we're already doing for us to understand what the community needs are. And for the

communities to understand what the agency actions are, what tools we have, best practices, case studies. In some cases and in many cases we already have case studies; we already have some information for instance diesel reduction, diesel emission reduction fact sheets.

And when I try to get on the Web and access those things at any one point it's a little bit confusing and if I were in a community I would have a hard time doing it because I find that sometimes I have to struggle to find what I need. So if you're in a community we'd like to make it easier to find the tools that you all need or the opportunities for funding that we might have.

So we want to talk with NEJAC member so understand better maybe you have some just suggesting for how we ought to do that. But that's one of the things that I think is coming out of the report. I mean to some degree the report is about goods movement and to another degree the report is really about how the agency interacts with communities.

So we'd like to respond on both levels. And then finally the administrator has asked that more community representatives be put on our federal advisory committees and sub-committees. For example, for goods movement we have a mobile source, a technical review sub-committee which is part of our cleaner act advisory council and so this will bring as we — and every few years as you know from NEJAC you rotate your membership every I think it's three years. We rotate our memberships on committees all over the agency. And as we put more members on that can bring a community perspective we'll have community impact into a wider range of policy issues.

So our next step we're going to be continuing to catalog EPA's actions and develop our response and we're going to continue to assess our resources and authority that we have available to address the recommendations. We want to create more opportunities to solicit information from NEJAC members as we go along in the process of developing our responses I think Mike referred to that.

I think he would like to have some conversations about what we're thinking about for (CARE) grants and (CARE) like grants and then on the

communications issue for example when we go out with our next solicitation for our diesel emission reduction grants. What's the best way to reach communities so that they can apply and we can get, we get applications from communities into that pool of applications so they can be considered.

We have environmental justice as a criteria in the grants for selection. But it's not always clear that we have — I mean it's not always the case that we get applications from qualified community organizations. And that particular pool of grants is — there's some specific qualifications you have to be a (5013C) for example with a focus on transportation and air quality to apply.

How do we reach those community level organizations that do that type of thing? So we will continue in the interim to build the agency awareness of the NEJACs goods movement report. And as I said we'll be briefing our new crop of regional administrators during the summer in full not only about what the recommendations are but what we have to that point developed in terms of responses to individual recommendations.

So with that I'll stop and take any questions.

(John Ridgway): Do you think you this is John in (SHARE) are there any questions from council members to what we've just heard?

Sue Briggum: John it's

(John Ridgway): (Dave) I first heard Sue and go ahead Sue.

Sue Briggum: Yes, this is a comment rather than a question, this was an extremely thorough response to the goods movement report and I would just say extremely welcome. I really appreciate the time you've spent and the care that you've taken in terms of kind of setting a baseline and establishing ways to track and your openness to talking to the council about how we might continue to dialog on this subject. So thank you very much.

Victoria Robinson: You're welcome.

(John Ridgway): Others?

Shankar Prasad: Hi this is (Shankar Prasad) I also want to echo Sue's sentiments and also want to thank you for — in giving us this overview and it's really (true). Two comments one of the recommendations specifically mentioned about taking a second look at (whether) establishing a cancer risk (potency) number for diesel, that's something that you may want to review that aspect and give us some feedback in July.

Victoria Robinson: Yes we're planning on doing that actually and several people who were involved in the original both (OIQPS) and ORD are talking about that. So we expect to have some kind of.

Shankar Prasad: That will go a long way in the context of characterizing the risk and (inaudible) risk which is a key piece. And second it looked like the monitoring aspect is (inaudible) and so some amount of diligence in the context of how to — whether that is a good market of the diesel or is there something beyond that can be done, since we do not have a diesel (true market) is there a need to look into that research aspect of it as something worth pursuing?

Victoria Robinson: OK I will bring that back, also I'll say that that's in part that will be in some of the discussions as we develop air toxics strategy.

Shankar Prasad: OK thank you.

(John Ridgway): Other members?

(Lang): This is (Lang), I was very — I also want to say how pleased I am with the thoroughness and seriousness that EPA took in responding to our report. And pleased that — at the, you know many actions that are already underway. I have a question about the very first part of the presentation on the collaborative governance and community facilitated strategy piece.

And would be very interested in looking at the specific items that, specific cases that you mentioned so — because I'd like to delve into that somewhat before the July meeting, to see you know how you characterize things and where there might be some lessons learned that could be plucked out of those cases that could be generalized for really both EPA regions and for states and

localities. So I'm very interested in seeing if there are some potentially further steps that could be taken based on the analysis that you've done.

Victoria Robinson: Mike?

Mike Bandrowski: Yes

Victoria Robinson: Yes I mean I think this is what you were talking about (right); you'd like to try to set something up if there are people interested in doing this?

Mike Bandrowski: Yes we could send the matrix out as it is now to the, to the NEJAC members and then you know set up some sort of follow-up discussion however you prefer to do that but we are in the process of you know still collecting information and revising so it's in draft form now but we defiantly be fine sharing it and asking for further input and discussion. If that's OK with you Gay.

Gay MacGregor: Fine with me.

Victoria Robinson: And maybe I think Mike you also asked and it sounds like (Lange) is volunteering to be one of the people that would work with you as you go through this.

Mike Bandrowski: Yes so maybe Victoria you could just let me know after the call and maybe how best to proceed if I should you know work through you or work through (Lange) however best to do it. But we don't have to take up time with logistics now.

Victoria Robinson: Right we can talk afterwards, yes.

(Lange): And Victoria this is (Lange) again. I would request that we send that same matrix to Omega and see if we can get some comments from him because he was so (instrumental) in developing that recommendation (inaudible). And maybe even getting him back on July I don't know if that's possible.

Victoria Robinson: OK all right we could talk about that but definitely I think we can get the matrix out to him. That sounds good.

(John Ridgway): This is John from (SHARE), let's just be sure we get that matrix out to all the NEJAC members to be clear as (Lange) asked for in advance of the July meeting so we'll have a chance to digest and be ready to discuss it well, that would be great.

Victoria Robinson: Yes.

(John Ridgway): OK anybody else from the NEJAC like to ask questions on this? This is John I'll ask one question on slide number four I believe it is, of the presentation, you make a reference to the, excuse me I didn't mean slide four let's see can I get this right? Slide number eight,

Female: Eight.

(John Ridgway): Your reference to using guidance for (NEPA), my question is, is this going to actually be something we'll see implemented through (NEPA) review or is this just a passive guidance that they can consider as a fine (convenient)?

Victoria Robinson: Well it's basically it's internal for the agency and it talks about how to consider goods movement in diesel as you consider you're doing your (NEPA) review and actually it was done with the coordination of OFA at their request. So I'm assuming their going to be using it as a — do their (NEPA) reviews.

(John Ridgway): Great maybe you could build an update on to how that's working into the July presentation I'd be interested in that and I think the public would be as well. That's a you know a obvious key element to assessing potential impacts of (interesting) communities.

Victoria Robinson: All right. Yes I think that we might have an OFA member on the line but he might be on mute.

(John Ridgway): OK, great.

Female: And for those that don't know OFA Office of Federal Activities.

(John Ridgway): OK thank you. Any other members wish to ask before we move to the next item? OK.

Victoria Robinson: If not I'd like to thank you all for the opportunity to give you the update and we'll look forward to working with you.

Male: Attention please, attention please.

Victoria Robinson: Except we're having a fire drill now here so I'll put you on mute.

(John Ridgway): Thank you good work, OK moving along next to the lead and school drinking water issue and a new charge coming to this council, Victoria?

Victoria Robinson: Yes hi, I'm going to turn this over to Francine St. Denis so she can introduce her senior manager who will be providing a review there should you should of received a revised PowerPoint presentation I believe last week that's going to focus on this new initiative and so Francine St. Denis from Office of Ground Water and Drinking Water.

Are you there (Fran)?

Francine St. Denis: Hi (inaudible) thanks, let me just introduce (Cynthia Darly) who is our, been the Office of Ground Water Drinking Water Office Director for the last 15 years and she's going to talk about our reduction of lead in drinking water in schools and childcare facilities initiative.

(Cynthia)?

(Cynthia Darly): Hi good afternoon it's really a pleasure to talk to you this afternoon about an issue that we hope we'll be able to turn from a pilot into a strong initiative over time but we would like to get some advice from you as we head down that path or start down the path.

So we're looking at schools and childcare facilities in terms of the drinking water quality that they provide to the, to the children that they take care of.

(John Ridgway): I'm sorry to interrupt just for a moment I want to be sure you let us know what slide we should be looking to as you go through this presentation.

Victoria Robinson: Sorry OK, slide one.

(John Ridgway): Thank you.

Victoria Robinson: And I hope everyone got the revised presentation this morning, so there should be 12 slides.

(John Ridgway): Thank you, go ahead.

Victoria Robinson: So just starting with a little background in terms of slide one, accessible drinking water in schools and childcare facilities offers children a healthy and inexpensive choice. There are a lot of public health professionals, school administrators, parents and many others who are really looking to tap water as an alternative to sugar sweetened beverages, both in an effort to prevent childhood obesity and also as an alternative to bottled water which can really be quite costly if the schools and childcare faculties have to do that.

So we're trying to look more closely at the information we have about those schools and childcare facilities that are now public water systems. And I'll talk about that in a moment. As well as those schools and childcare facilities that are not public water systems and what we can do in terms of looking at the quality of the water that they provide.

So if you turn to slide two there are about 99,000 public schools that receive water from a public water supplier. And there are about — nationally there are about 325,000 licensed childcare facilities and there are about 7,700 schools and childcare centers that we have in our database that are regulated public water suppliers.

So what they are is they have their — they either are — have their own wells or they might be part of a church or some other, some other place that's remote from the town public water system that has its own well. And provides water to the students in the school.

So they're not hooked up to a town's public water system in that case. And then for those schools we regulate them directly as public water systems and our regulations apply to them directly.

So if you turn to slide three, for those — again for those schools that are public water systems we're looking at making sure that that where they have particular challenges in meeting the standards that we have in place that we and the states are able to help address those water quality concerns at the schools and that we have — get better information than we have in the past in terms of what's happening in terms of violations at the schools for all the drinking water rules that apply to them.

Most particularly for schools that are their own water systems or childcare facilities that are their own water systems, the microbial rules are particularly important for those systems as well as the lead and copper rule and there maybe some nitrate and some others may also be of particular interest for those, for those facilities so we're coordinating with the office of enforcement in terms of making sure that where have systems where we know they have ongoing violations that we're able to work with the regions and the states to try and make sure that they are all working to address those issues.

And we're also focusing on making sure that we provide fact sheets and technical assistance that are particularly tailored to the schools and the kind of expertise the schools might have in terms of dealing with their water well.

For schools that are served by a public water system that means they're in a community of some sort and they receive water from the community system. We're going to focus our efforts on looking at lead. Because that's probably the issue that we think most of the community water system really is responsible for meeting the — all the rules and most of those rules the community water system can deal with at the treatment plant or at the place where the water leaves the well and moves into the distribution system.

But for lead and copper there are issues in terms of plumbing within the school or childcare building as well as some of the service lines that are, that are in the street or take the water from the distribution main to the building.

So (as) we go to slide four, the reason that we're focusing on lead is as we've, as we look at concerns in terms of lead in communities we all know about the health affects of lead in children and the, and the potential for impaired mental

development, IQ deficits, shorter attention spans, lower birth rates and those, and those health effects are not necessarily reversible or completely reversible.

So we have a particular concern there. We don't, we don't have good information on schools at this time in terms of knowing the level of concern. But we do know that as EPA focuses on the other sources of lead in the environment; lead paint, lead in dust and soils that lead in drinking water can become a larger exposure pathway if a child has exposure to lead from the drinking water.

The next slide on slide five sort of shows or tries to show the sources of lead in drinking water at a school or childcare facility. So the water main, the water that leaves the treatment plant almost never has lead at any, at in it. And the — what happens is the lead is leached either from service lines under the ground or from lead that's in the plumbing that's in the building itself.

And the issues that we have the way that we run our lead rule now we require monitoring at homes across the community. Where we think there might be high levels of lead to determine whether or not the treatment that the system has done — sorry where it's a large system whether the treatment system has done in terms of putting in corrosion control has worked sufficiently to bring the lead levels down where you would think they might be high.

And for those systems that don't — aren't required to treat (inaudible) smaller systems where they need to put in corrosion control as well. And so systems have gone through that in the last decade. Since the original rule was done — or actually last 16 or 20 years as the rule was done. But what we don't have is information about what happens in schools. And there has been some work done in a couple of very large cities particularly on the east coast in looking at whether lead is in the water that taps that school.

And we've found some areas where there are concerns not always, but we think it's important to try and follow-up on this in a way that sort of gets states, towns and EPA to work together to try and figure out is there a way to look at this issue more across the board and make sure that as people are

looking to use drinking water, the tap water on a regular basis, that it's safe for the kids to use.

(Let's) go to page, slide six we've over the years had a program that we call the Three T's for reducing lead in drinking water in schools and childcare facilities. And those include training school and childcare officials to raise awareness about potential occurrences and causes and health affects of lead in drinking water.

Assisting officials in identifying potential areas where elevated (level) leads might occur. And establishing a testing plan and then testing the drinking water at those places to identify problems and take corrective actions as necessary and then telling students, parents, staff and the larger community that monitoring programs potential risks and the results of testing and remediation actions.

And we've done a lot of work in getting that, the information packets that was done with the Three T's approach out and around. And a number of states have really adopted this as an approach but it hasn't really been adopted across the board.

So what we wanted to try and do if you turn to slide seven, is develop and adopt a school district pilot to implement the Three T's and so for the pilot we provide testing, funding for testing and elementary schools and the adopted school district. And provide the school district with that Three T tool kit, develop lesson plans for science classes on the proper procedure for testing the school water and develop planning (good) fact sheets for collecting the samples, cleaning the aerators which are at the end of the taps. And talking about the things that they could do in terms of other remediation pieces.

And we're working now with our — with at least one of our regions in terms of identifying how we might do that. And we talked about that a little bit more on page eight. What we're hoping to do as we, as we select a school district is look at, look at municipalities or areas where there's been a lead action level of exceedance by the public water systems.

So for the lead rule we don't have our normal drinking water standards, we have what we call an action level which is supposed to be the — if there's an exceedance and that means the corrosion control of the town, that the community water system has put in is not working well. And so as long as their below that action level the corrosion control is working well. But there are a number of communities and cities that have had lead action levels of exceedance so we look at maybe focusing on those cities.

Also focusing — connecting that with CDCs (blood) lead level data to identify communities or cities that have high (blood) lead levels compared to other parts of the country. And also look at communities that are considered low income or minority or tribal or otherwise a vulnerable community. We've been talking with the environmental justice programs in the regions about the office of Environmental Justice's showcase communities and whether there's a connection with any of them.

Or some combination of — so we'd be looking at these criteria the communities might not always fit all of them but we want to try to identify communities that would be good in terms of our, in terms of our starting point.

So we've been working with our regional drinking water and the Environmental Justice Program to look at where we would identify these initial districts that we would be looking at. And then we — on slide nine we'd be developing a best management practices guide and updating — we've got a drinking water school Website with new fact sheets and how decisions (trees) in terms of how you make decisions about what remediation to do, case studies and other resources.

And we've also got, we're also planning to do some online tutorials about how to implement the Three T strategy and make remediation decisions as well to try and provide things to assist schools and childcare facilities (only).

And then as a follow-up to that what we're hoping to also do is to follow that up possibly with a national lead testing challenge where based on the outcome of the pilot we'd look at having a voluntary national school and childcare center lead monitoring initiatives. Where we'd partner with education

associations to promote the Three T strategy and also partner with drinking water utility organizations state and federal agencies and develop some additional tools but look for ways to have both the water utilities themselves work with the schools to do some testing on a voluntary basis.

And also do some work — which we might also do in our adoptive school districts approach to have science programs within the schools do some of the monitoring for the (inaudible) that would need to be done within the schools. So that you build into the science program what is this mean and get some of the results back in terms of the students knowing what they've done.

So on slide 11 what we're looking to you for is to help us — and I'm not sure we've, we had a draft charge that has gone around to you I think. We, I guess we need to sort of talk a little bit about the charges itself in terms of whether we've drafted it in the right way but one of my questions is this a consultation or a charge for you to give us formal advice and I'd be happy to talk about that.

But we have two questions that we've particularly identified, how can we enhance our proposed strategy for the voluntary testing and monitoring of drinking water in schools and childcare facilities and how can we engage — how should EPA engage communities particularly underserved communities around this effort.

And we're trying to make sure that we also are thinking through how we do the communication materials that we've got to do for both of the pieces of this proposal. So with that I can open it up to questions.

(John Ridgway): Thank you thank you, council members questions go ahead anybody?

(Patty): This is (Patty).

(John Ridgway): (Patty) thank you go ahead.

(Patty): A couple things, you mentioned that you were looking for potentially for some schools or data from schools and I think that the city school district in

Rochester, New York has been grappling with this issue. I'm not sure if they're on your radar screen or not.

(John Ridgway): Excuse me, whoever's got a ringing phone in the background if you could turn it off that would be great. Back to (Patty's) question.

Victoria Robinson: Yes I have, I have heard of about Rochester but I'm not sure whether we've in talking with region two if Rochester has come up or not. But we'll follow up with them a good suggestion. Thank you.

(Patty): Now are — I work at Albany Law School, and our school has hosted a — started with lead paint but it's more a lead roundtable and it's just a group of volunteers and there are a lot of educators involved with that roundtable and they had a lot of data about the educational effects, (psycho-educational) effects, neurological kind of damage as a result of lead, both in the housing but I think also in the water in Rochester.

Victoria Robinson: Yes.

(Patty): And then I think my other question or my question really is probably in what you wrote here for the charge. And I was just curious as to how you were going to interact with the state agencies who also have jurisdiction over drinking water issues. And you know the difference between the city, the urban systems and the rural systems which may not be public water systems.

Victoria Robinson: Right the (initiative) that we're trying to do here in particular — the initiative has two pieces one that is we're going to pay attention to the information that we have for those schools that are public water systems but the main part of what we're talking to you about is those schools that are not water systems. And trying to make sure that we have a way to work with them. But we would be obviously partnering with the states as we do this.

And we've, as we developed the Three T's a number of years ago we have an MOU that becomes a bit more (inaudible) but we're about to reinvigorate it. That the states were actually a party to in terms of working to use the Three T's.

So this is (inaudible) look at whether there's some other ways that we can focus on states just like us the regulations don't actually apply to schools that are within a water system and served by a water system the regs only apply to the water system itself.

And so the question here is how do we start getting some information about what the quality of the water in those, in those schools. And are there things that can be done to the quality of the water in those, in those schools and are there things that can be done to improve it. Particularly from the standpoint of lead.

(Victoria): (Patty) this is (Victoria) that was a good question I think that when we had initially put together the draft charge the very first question about how can EPA enhance its proposed strategy one of the sub-questions deals with about what kinds of issues should EPA consider in pursuing these partnerships with state, local and tribal government agencies which do have a very large part and large role in this overall issue. And that would be something that you know I think NEJAC would look to — the agency would be looking to the NEJAC to say hey what we need to consider what should we keep in mind that kind of stuff.

Victoria Robinson: Yes we obviously have our thoughts in terms of how we proceed but it we really would appreciate to get your thoughts because you might have some suggestions that we haven't been thinking about.

(Patty): All right and it's (Patty) again just one more comment there, maybe some land use aspects of this as well in terms of how the lead gets into the drinking water and if it's still actively getting involved and if it is not just a pipe issue?

Victoria Robinson: Yes OK.

(John Ridgway): Other members?

Don Aragon: This is Don Aragon with the Wind River Environmental.

(John Ridgway): Hi welcome Don, go ahead.

Don Aragon: You know we talked — I hear the lady keeps mentioning states and I'm with the tribal governments and a lot of the Indian Reservations in the west to mid-west and areas we're all rural. And one of the things that I know for a fact that a lot of our schools are on wells, water wells. And EPA does not regulate these water wells and stuff like that. How are these schools going to be reviewed in this program, are you going to take a look at some of the well waters and see if those waters are safe to drink.

I think there's only one tribe in the United States at this particular time that has full (privacy) over its safe drinking water program and that's Navaho Indian Nation down in Arizona. And they have a lot of rural schools, majority of their communities are all on water wells and in talking with the Navaho people and the representatives from that area down there you know it's a real problem for them because of the lack of EPA regulations to regulate water wells.

So I think you know this is an area that — of concern we have not only on Indian Reservations but off Indian, off reservation where a lot of our non-Indian communities also depend upon water wells for their safe, for their drinking water. And domestic waters and so I think that you know when you're looking at this project you need to take a serious look at not only waters that come from the tap but I think a lot of the reservations don't have water treatment plants or water treatment facilities and if there used in ground waters you know the EPA like I said does not regulate ground water and so this could become a real problem for us. Thank you.

Victoria Robinson: Thank you for your comments, that actually although EPA doesn't regulate the quality of ground water we do regulate water wells where those wells serve more than 25 people for more than 60 days a year.

Don Aragon: OK.

Victoria Robinson: So if a school, if a school has a water well and it has more than 25 students and teachers than we would regulate that well as a public water system. Not as a community water system, but as a public water system.

Don Aragon: OK.

Victoria Robinson: And our regulations would apply to that well.

Don Aragon: (Thanks.)

Victoria Robinson: And actually the Navaho nation is in fact the first tribe to receive (privacy) for the drinking water program and actually my boss (Pete Silva) and my deputy (Nancy Gells) were just there I think last week, it was either the last week or the week before, visiting with the Navaho nation and touring their drinking water and waste water situation, so we're very interested in that issue and we will be looking particularly at tribal systems that serve schools or that are school wells. As we do this and I apologize for just saying states because obviously I meant states and tribes.

And where the schools are — have their own well we'll clearly be looking as I said at the beginning at what issues the schools have in terms of meeting all the standards that apply to them which would be particularly the microbial nitrate standards as well as lead possibly.

Don Aragon: OK thank you.

(John Ridgway): This is John in (SHARE) I hate to interrupt others here I just want to do a quick time check, we're about at the end of this and given that we have a charge to address this in much greater detail, I'd like to ask if Victoria could go into that element of what we shall expect in terms of this charge assuming we're going to get into this much more in the months ahead.

Victoria Robinson: OK thank you John, I'll get more into what the process is because you know as you've all received a copy of the draft charge which is draft and as (Cynthia) — it is (Cynthia) right? As (Cynthia) eluded to that there's still some revisions to be had and an assessment about the direction they want to take on the charge, but the process that what's going to happen is that we're going to have a small work group that we will be bringing having two co-chairs who are members of the council and a couple other individuals who'll be interested in serving on a work group and as well as some outside individuals. And who will respond to the charge.

Now there is an aggressive timeline on this, they would like to have — the last I've heard and this is something I have still have to confirm, but that they wanted a draft report that would be presented to the NEJAC members for its deliberation at the early November NEJAC meeting that's going to be in Kansas City this year.

So it would be a relatively quick turnaround process and if anybody's interested in serving on such a work group let me, let me or (Aaron) know, (Aaron Bell), and we'll definitely keep you posted. But we'll be working closely with Elizabeth and John as well as the Office of Drinking Water to actually get the work group up and running, hopefully by the end of — middle or end of May.

OK?

(John Ridgway): So to clarify this is John, the time you need to hear members step forward and volunteer is I'm assuming pretty quick within the next week or two, that?

Victoria Robinson: Yes the next two weeks would be fine, those who have expressed an interest based on the charge that they have in front of them, if they've got an interest. What I will be doing is taking a look at what perspectives that we will need, represented on the — on this work group. One of the things we're looking at doing is trying to maybe coordinate with somebody from the (NDWAC) the National Drinking Water Advisory Committee. And see if we get bringing that from that expertise, even though this is not really about a strategy related to the drinking, Safe Drinking Water Act but having that knowledge of drinking water systems would be helpful.

We might be — we're looking at possibly coordinating with somebody from the Children's Health Protection Advisory Committee as well as looking for somebody from a state position because as (Patty) pointed out that's a very important role that needs to be and perspective that needs to be considered during this — our deliberations.

So I'll be working up the master list of what we consider our perspectives that we need to have covered and if you are interested then we can see how that

fits into it. So the next couple weeks, just drop us an e-mail and we will be getting back with you, OK?

(John Ridgway): Thank you Victoria and to members I apologize for cutting this short for comments. But we will have a chance to get into this more.

Victoria, if it's OK I'd like to move on to our quick little liaison reports.

Victoria Robinson: Right and as — since Elizabeth's not here Elizabeth was supposed to — she serves our liaison to the Children's Health Protection Advisory Committee School Citing Guidelines task group that recently finalized and forwarded its letter — it's reported recommendations to the administrator. There will be apparently some feedback, something's going to be occurring in the next couple of weeks so (Elizabeth) will be providing her report out at the next meeting that she's available.

But she did want to let you know that they — that task group has pretty much finalized it's work and produced a report that actually has been approved by the, their — the council, their committee and forwarded to the administrator.

So the next person who serves as a liaison is Don Aragon, he's liaison to the EPAs (Tribal) operations committee and he is going to report back on what, what's going on with that.

Male: On?

Don Aragon: Yes thank you, there's been a lot of activity within the national (tribal) caucus and within the EPA itself. The American Indian Environmental Office recently named (Sadie Hutchkey) from region eight as the now interim acting director of the AIEO office in Washington D.C. and she took charge of the office back there on March the 29. She's had one meeting already with the Tribal Caucus and we've gone over the priorities for the tribes and on a national basis and she wanted us to present here with at least five items that are of really high concern in regards to the environmental issues on Indian reservations.

I'll just give you a list of these things. Number one is clean air and global climate change is a real issue because of the impacts that it is having on some of our native villages up in Alaska. Where with the sea levels rising it is now threatening some of their villages that are along the sea shores. And so global change here is something that the tribes are really looking into and it's also impacting other tribes in our lower 48 areas. Where we've gone through severe drought.

A lot of Indian communities are having problems with their water wells going dry, things of that nature or the changing of the quality of that water. The second thing is of course clean and safe drinking water for our Indian communities. The TLC has participated in the EPA strategic plan and some of the concerns that came out of their is one of the things that we would like to set some kind of goals for like the year 15 or 12, 2015 we would like to have a reduction in the number of Indian homes without running water and stuff like that. We'd like to cut into that and reduce that by anywhere's from 15 to 20 percent. So that these Indian communities have safe drinking water for their communities.

Land preservation is number three, and the restoration of lands from closed old open dumps, solid waste is a real strong and heavy issue out in the rural areas where we have a lot of illegal dumping. The tribes need the assistance of the EPA in helping us curb that activity and working with tribes to develop what we call strategic solid waste management plans. These plans will give the tribes the authority and the ability to rule, regulate and do something about the illegal dumping on their lands.

Fourth is healthy ecosystems and communities. This is a real strong task that we're taking under because of what's happening on most of the Indian reservations throughout the United States as population expansion, which is also impacting the ecosystems. And it's also taxing the old infrastructure systems of public utilities which is water lines, sewer lines, and those type things. And so we need to take a serious look at what these impacts are and what – how this is impacting the health of the Indian communities themselves.

We have a project underway in region 8 here where region 8 is now doing an assessment on the number of septic tanks throughout Indian country where a majority of the reservations do not have sewer lagoon treatment facilities and a majority of the homes all have their own private septic systems. Well, one of the problems with that is the number – the amount of septic water that is being pumped into the ground water and impacting rivers and streams. As we continue to develop more and more septic systems in our communities and in – even in the rural settings, one of the things that we're finding is that some of these contaminants from those septic systems are finding their ways to the rivers and streams.

And so this is a initiatives that the EPA and region 8 has taken on. We're going to start having community meetings in June. I believe we have at least four set for Wyoming, Montana, North and South Dakota, and Colorado, where they're going to go in and actually meet with state as well as tribal officials and tribal environmental people to try to get a handle on this growing problem that we see with the population expansion.

See, we have people that just move into an area. We call them squatters. They put a trailer house out in the open plains area and what happens is that they drill a well – water well and also put in a makeshift septic systems. And these squatter type people are really having an impact on a lot of our vacant lands.

The fifth and the last thing that we talked about was compliance and Indian – or environmental stewardship. This is really growing to be a strong issue probably in the next 20 years on Indian reservations because one of the things that has happened as Indian tribes have been operating their environmental programs and like we heard in that last presentation that Navajo is one of the first tribes to assume primacy over their safe drinking water.

While in the next 20 years, as the tribes continue to build their capacity, one of the things we are seeing is that the environmental work for Indian tribes is changing. It is increasing and one of the things is that – is happening is that with the tribal sovereignties that we deal with, tribes are assuming primacy

over their water, which is through their water quality standards. They're ruling and regulating. The same thing is happening in the air.

So as these tribes continue to build their capacity and start assuming the primacy and working with the agency, the EPA, on these enforcement and protecting the environments in their communities, we're going to see a change in the environmental tribal programs because they're going to become more and more regulatory in the issuing of permits and assuming a lot of the past that the EPA currently does.

There's a big push to continue with the development of what we call DITCAs which is the Direct Implementation Tribal Cooperative Agreement programs. We call them DITCAs. That's where the EPA actually issues a federal permit on Indian lands. The Indian environmental programs do the inspections and report any and all violations or whatever to the EPA for enforcements.

These DITCA-type relationships have worked out very well for Indian tribes because it gives them the authority to work with their ecosystems, their environments, controlling the activities on the reservations with the help and the work of the agency itself. So this partnership and it's a sense – it's called DITCAs and they're cooperative agreements. These are some of the things that we are really looking at.

And to wind up here, the tribal caucus presented last Thursday evening from 6:30 until approximately 8:00 Eastern Time, had a meeting with the deputy administrator, Bob Perciasepe and Sadie Hoskie and other senior members of the EPA to talk over the tribal environmental budgets and how we can put this budget into reality where it addresses some of the issues I've just identified to you.

Instead of looking in the past what we are doing is looking at the present and into the future as to – as tribes continue to build their capacity to rule and regulate their own homes, environments and work with these things. We hope that the agency can keep up with the tribes.

One other strong item that we feel is very important for the Indian tribes is to work with the agency through what is called a Network Exchange Programs.

Network Exchange deals with the transference of the data, for instance water quality data, air data and stuff like that to the agency.

What this does is we transfer this to the Office of Environmental Information back there and it allows the agency to draw profiles on what are the living conditions on Indian reservations. Without the data, of course, that can't be done.

So what has happened in the last five years is the agency has funded pilot projects, Wind River participated in the – what we call the WQX. WQX stands for Water Quality Exchange. We also participated in the AQS. That stands for the Air Quality Standards. And so what we're doing is in the process of developing our own programs.

We're also developing the mechanisms to give real time data to the agency so that they have an understanding of what is happening in our tribal environmental programs. We feel that the agency should continue to fund these network exchange programs because the transference of the data in all aspects, for instance safe water in schools.

Everything of that nature can be transferred in this method. And we can work better knowing what the conditions on our reservations are and where to concentrate our efforts and resources to curb some of these community problems that exist.

And as I mentioned to you, septic systems on rural Indian reservations is a growing problem and probably will only get worse as the population continues to expand.

Victoria Robinson: Don?

Don Aragon: Yes.

Victoria Robinson: I'm sorry. This is Victoria. I'm sorry to have to cut you off. We're approaching 3:30 and ...

Don Aragon: I'm finished.

Victoria Robinson: OK, wonderful because we've got to get the public comments started because that's the time that's been designated in the Federal Register.

Don Aragon: Yes.

Victoria Robinson: So but appreciate the report back, very thorough. And it's a lot of interesting information. And we could certainly see and need to have a conversation about how to apply this stuff, the work that's being done by the top within the concepts – or coordinate, I'm sorry, so that some of those thoughts are reflected in the kind of work that the NEJAC is looking at over the year.

Don Aragon: Thank you.

Victoria Robinson: OK, thank you. (John), could we ...

(John): Yes, just before we get into public comment, I'm going to ask, Victoria, that you and I just, in about one or two minutes here, give a quick overview of July and what members can expect and the public as well for that meeting.

Victoria Robinson: OK. The next meeting the NEJAC is a face-to-face meeting scheduled for the last week of July here in Washington, D.C. It's actually going – the meeting it will be at the Fairfax at Embassy Row Hotel in downtown, just off downtown in D.C.

I saved the last week of December because the exact specific dates of when the meeting starts and ends, that's being adjusted slightly because of a couple other major events are going on in D.C., one of which is the National Urban League conference that's scheduled at the Convention Center for the last half of the week.

What will be involved for the NEJAC members is at a minimum it's three days of travel which would involve a two-day, full two-day NEJAC meeting with one evening of public comment and we will have a two-thirds of a day set aside for orientation for all the members of the NEJAC, current as well as new that will be coming on – who will be onboard by then.

And this orientation will be a very interactive process to discuss roles and expectations of the council, council members of EPA as well as efforts toward building you know participating in consensus-driven discussions, things like that and how workers operate, as well as redoing our standard operating procedures which used to be called by-laws.

So there's going to be very – a variety of things that will happen that week. So we'll be keeping you posted as when we know the exact date of the meeting. But we know it's that last week in July. And I think (John) wanted to also talk about something as well.

(John): Well, yes, I just wanted to mention that in coordination with Elizabeth here prior to this call, we wanted to recognize that she's interested in bringing youth-oriented activities, ways to engage the youth with both EJ and the NEJAC in particular. And that will be something that we'll be discussing and probably engaging in in some degree as well in July. So we can look forward to that, which will be most welcome.

Victoria Robinson: Yes, that – there actually will be an engagement with the youth for – during part of the NEJAC meeting that will run a little bit concurrent to it like a small like workshop. We're coordinating with Elizabeth as well as local community organization in Washington, D.C. about something that's going to fit the needs of the local communities here.

But if anybody has any questions about the upcoming meeting or meetings – the other one is going to be in Kansas City in early November – we'll hold those questions until after public comment is over. And then stay on the line, members, and I will go ahead and answer any questions you might have. OK?

(John): Thank you.

Victoria Robinson: Now, we're going to be turning to public comment. And before I turn it over to (John), I just wanted to remind everybody that the purpose of public comment is to inform the deliberations of the NEJAC. And we do have a list of speakers, 14 in this case are registered in advance to provide comments.

When it is your turn to speak, I will call your name and the operator will unmute your line. We'll tell the operator that – I'll call out three names and see if those three are actually – have actually – have actually come on the line themselves. And they can let us know if they are actually here. When you are brought in, please state your affiliation to make sure we have it accurately recorded for the record and then provide your comment. And to ensure that we keep within the time limits of the call, keep your comments to within five minutes. So I'll go ahead and turn it over to (John).

(John): Thank you and before I call the first name here, a couple things. To those of you who are waiting to give your comments, I apologize in advance if I mispronounce your name. I'll do my very best.

And second, I want to ask are there any members that signed on to this call after we took the agenda or the roll call? Any new members? I heard Don Aragon signed on obviously. Anybody else? OK, that's it. Let's go.

Victoria Robinson: OK. The first three – Carl Wassilie from Alaska's Big Village Network, number two will be Omega Wilson from West End Revitalization Association and Jeannie Economos from the Farmworker's Association of Florida. So operator, the first one will be Carl.

Carl Wassilie: Hello.

(John): Hello, Carl. This is (John). Go ahead.

Carl Wassilie: Yes, this is Carl Wassilie. I'm with the (guy) – this is Carl Wassilie from Alaska's – with Alaska's Big Village Network. I'm with the – I'm Yupik – the Yupik people from western Alaska. I currently live in Anchorage.

Alaska's Big Village Network is creating communities of inclusion typically for those that being disproportionately impacted by various policies, regulations and industrial pollution as well as the global fallout here in the Arctic.

I appreciate the opportunity to speak here. I know there's a very limited time and as the Tribal Operations caucus liaison, Mr. Aragon, had mentioned there

are some big issues when it comes to coastal communities and climate change. That's correct. There are multiple tribal communities, over 20, that are sinking into not only the permafrost but there's massive changes happening in the river systems.

But combine that with the – with the massive industrial planning and the lack of ability of – a lack of process of tribal governments to – tribal governments, not the corporations but tribal governments.

I'm going to make that distinction because there's a lot of confusion that's being perpetuated, not only by the state and the confusion within the agencies themselves regarding government relationships with the tribal governments which are – tend to be village-based. And the corporations tend to be city-based and they're for profit only.

Anyways, that's one of the major issues that we're dealing with is communication with industrial processes, the lack of – the lack of EPA as well recognizing tribal – yes, hello – tribal cultural resources, living cultural resources.

There's international migratory birds as well as salmon that go within various jurisdictions of different regions through the West Coast, North Pacific and Bering Sea, Chukchi Sea, Beaufort Sea, not only the salmon but also marine mammals including whales.

So there's, on a spatial sense, there's not – there's a lack of direct communication with the villages that are impacted by the current industrial processes happening whether it's extraction of oil, gas.

Or in the river systems right now there's pipelines being built, roads being built, barges, increased traffic barges and barges in our areas where – and as well as gold mines, various mineral mining. And that's kind of to give you a broader base of Alaska. You combine that with the climate change impacts and there's – it's pretty significant.

I mean, the government processes are extremely lacking to include not only tribal governments but indigenous peoples, the communities that depend on

our relatives, the ones that – our relatives being those that have – that we've been communicating with for thousands of years, and providing sustenance for the whole planet like salmon and the birds as well as marine mammals.

So that's – so that communication is extremely lacking. There's no protocols for translations in our indigenous speaking communities. Translation ...

Victoria Robinson: One minute.

Carl Wassilie: Hello?

Victoria Robinson: One minute.

Carl Wassilie: OK. Yes. OK, so the translations with indigenous peoples, particularly like in villages and rural villages there's no protocols. There's hand-picked folks from industry that are manipulating data and that there's not much transparency on the technical processes and there's extremely lacking – extreme lack of (ability) linked directly to the villages and their tribes to address these issues, as well as the lack of funding for community groups, indigenous peoples.

And one of the key issues that we're looking at is the lack of ability for the State of Alaska to manage these permits. The federal EPA has given the – accepted the application of the state for the National Pollutant Discharge Elimination System, a permitting system to the state without adequate consultation with the tribal governments.

As well as assessing the ability for the state to address the community impacts, the historical contamination sites before statehood, as well as the subsistence to food, the food that we eat, that's called subsistence to social living cultural resources. There's also a lack of protection of our cultural resources, including those (inanimate).

So I hope that there – that we can work together on increasing communications and get some funding for various tribal regulations, tribal communications on industrial processes. In particularly permitting because

that doesn't address the spatial issues of migratory species that we depend on for cultural.

So it's a cultural – extreme cultural stresses are being put on our people combined with pollution, climate change and lack of funding. I thank you very much. I appreciate the opportunity to speak.

(John): Carl, this is the chair. Thank you very much for your time and the information you shared with us. I will presume that EPA will take a look at everything you've said here. And I'll be sure to follow up that they do that.

And that applies to the other comments that we'll be hearing. I probably won't repeat that statement much. But, everything is being recorded and transcribed so that the EPA as well as this NEJAC Council will fully see your comments.

Carl Wassilie: OK, thank you.

(John): So again, thank you. Omega, are you ready to go?

Omega Wilson: Yes. You hear me now?

(John): I do, thank you. Welcome. Go ahead.

Omega Wilson: All right, thanks a lot. I'd first of all I'd like to send out special concerns as another major community person to Elizabeth Yeampierre and that everything is well and that she's back with us soon.

A lot of community people who worked relative to the Environmental Justice activities related to the goods movement, of course, know that I worked with West End Revitalization Association Organization in North Carolina for the last 16 years and recently retired community perspective Environmental Justice, well NEJAC member and Goods Movement Work Group member.

And I think – I don't think I'll be going out on a limb to say that a lot of the community people and tribal area members who are listening would not be pleased that the policy reviews committee with (Gay) and all of the other people and Richard and some of the other people who spoke, have been

hearing the community voice. And I think a lot of the people in the community would be very pleased with that.

Of course, we would like to thank all of the support that came out of the New Orleans Environmental Justice Air Quality meeting as well as the NEJAC meeting. There were, of course, numerous Environmental Justice community and tribal leaders, veteran leaders dealing with goods movement issues and community supporters from various parts of the country that participated in the Goods Movement and NEJAC meeting.

And several of those on the phone now, and some of those were expected. They've all ready called and said they expected to be present at the July NEJAC meeting and I think in Washington, D.C. I believe that's what Victoria said.

There's some very particular questions. And there not very many, and I'll just ask both of them at the same time. And I don't whether anybody can respond to them since you're listening to comments, but if you can to help everybody who's listening out.

Where is the multimedia inclusion in the goods movement policy recommendation? Since one of the things that Goods Movement people express a great deal of concern is we know the policy recommendations' original intent had addressed – was addressing air quality.

The Goods Movement people, and of course and we all know, the goods movement activity is based on water, air and the soil. And they're very concerned about where that's going to be, because it wasn't mentioned at all in this policy recommendation, in order to get true – a true realistic policy that deals with goods movement.

The second question that a lot of people, or everybody wants to know, is what is going to be the administrative trigger at the administrative – at the EPA administrative level, Lisa Jackson or President Obama's cabinet to actually facilitate the operationalization of the goods movement policy relative to

timetable, fully funded activities, as well as interaction at the ground level of community and tribal EJ leaders?

Now I may have a minute or two left, and I don't know whether or not they'll allow somebody to respond to some of this or any of it?

(John): Omega, thank you, and let me take a stab and Victoria I'm assuming you're full up here. These questions here are clearly directed to EPA and I'm not presuming they're ready to answer these.

So I presume Victoria you will get these questions to (Gay) and the other team members and that we can see a response from them to Omega and our council and maybe that could also be posted on the Web site when that becomes available for the public to see as well. Any thoughts on that, Victoria?

Victoria Robinson: Yes, that's correct. What I will be doing is taking your questions, Omega, and forwarding them to (Gay) and to (Mike) and asking that as they do their response if the members so desire, if that's who they want that to be addressed as part of their – the agency's response to this – to the goods movement recommendation.

Omega Wilson: Thank you, thank you, thank you very much.

(John): Omega, thank you and thank you also for your best wishes for Elizabeth and your work that you've done to support this goods movement work. I appreciate it.

Omega Wilson: You're welcome.

(John): OK. Let's move on to Jeannie if she's available.

Victoria Robinson: Jeannie Economos had to step away for a few moments. We'll have to get back to her.

(John): OK.

Victoria Robinson: So the next three are Andrea Hriko from the University of Southern California, Atlee McFellin from the American Sustainable Business Council

and Lillian Molina from Energy Action Coalition. So operator, will the first one will be Andrea Hriko.

Andrea Hriko: Hi, can you hear me?

(John): Hi, yes, Andrea.

Andrea Hriko: This is Andrea Hriko from the University of Southern California. And I served as a member of the Goods Movement Work Group for that was set up under NEJAC. And I would like to first comment on slide number eight. I'll give you a second to turn to that.

And what I would like to do is highlight the need to – for EPA, excuse me, and the Federal Highway Administration to truly tackle the near highway exposure issues that there are in transportation projects.

Here in Los Angeles, we've had several goods movement projects, projects that are directly related to expansion of the ports and the need to have infrastructure that moves more and more containers on trucks or rail.

And these projects have moved forward with the federal government especially the Highway Administration, and they've delegated authority to our Caltrans, our California Department of Transportation. They have really sat as idly by as projects are approved that will impact people living in close proximity.

So the issues of the Federal Highway Administration's interim guidance and basically having EPA have a rule in seeing that that guidance is changed so that near roadway impacts are really considered when new infrastructure projects are built is really important.

I would note that in the nitrogen dioxide document, and the NO₂ monitors are referenced in that slide, there was an EPA conclusion that 16 percent of U.S. housing units are located within 300 feet of a major roadway or railroad or airport.

And so that population, which is about 48 million people, probably includes a much higher percentage of non-white and economically disadvantaged people. The disadvantaged persons based on – based on the some graphs that have been done, charts that have been done for EPA.

So I would think that this issue really merits aggressive action by EPA to make sure that those EJ communities are not being placed at undue risk from new roadway developments and road widening projects. And that there really is a way to look at diesel exposure in a more conservative fashion at EPA and to make sure that these highway projects include looking at new roadway impacts.

Also, with regard to the NO₂ monitors that are mentioned in the document, I think that that's really terrific, but that we also need to be monitoring for other pollutants in port and rail areas.

Finally, there's been a big push by the American Association of Railroads and others to promote freight rail. Like for example, there's a large media campaign right now. And it's probably aimed at the new transportation bill.

So I would encourage that EPA actually start closely monitoring what's happening at rail yards. The media campaign you know talks about saving fuel as your – as trains are whisking containers across the country. But when you have trains and containers, you also have rail yards, and at least in California and Chicago, many of those rail yards are located in very close proximity to neighborhoods.

So I'm pleased that EPA is starting to – is going to monitor some rail yards in Chicago, but I hope that they will start looking at some of those elsewhere because there are very high emissions and typically neighbors that live very close by.

I don't know. Do I have any more time or am I finished with my time?

(John): Probably be good to wrap it up if you have a chance.

Andrea Hriko: OK. I think it's also – it's not mentioned in the document that but it was in our Goods Movement report that it would be important for each EPA region to develop a Goods Movement team and a contact for the public so we know where to turn to in that region when there's a goods movement issue.

And I would also encourage that the partnership, the new partnership with EPA, HUD and the Department of Transportation, that it's mostly focused on walk ability issues, but I think it would be really important for EPA to insert that, this these near roadway impacts in a more aggressive fashion.

And finally, the last point is just that it would be very helpful for EPA to address the clearinghouse that was a recommendation in the Goods Movement report for best alternative technologies for reducing emissions when moving cargo containers. Thank you.

(John): Thank you, Andrea, very, very good list of recommendations. I appreciate that. I think we ought to move on. Victoria, would we want to go to ...

Victoria Robinson: (John), Atlee and Lillian apparently are not on the line. They're not – they did not come in. The next person is (Colin) – let's see, the next person is Angelo Logan from East Yard Communities for Environmental Justice and then Christine Chaisson from the Lifeline Group.

But before that, just wanted to note that Michael Downes from the American Optometric Association has submitted a written comment which the members received and that will be read into the record as well as any other written comments that we – any written statements that we have received.

So the next person is Angelo Logan, then Christine Chaisson, then Debra Ramirez I believe.

Angelo Logan: Hello, this is Angelo.

(John): Hello Angelo. Welcome. Thank you. Go ahead.

Angelo Logan: Thank you. Again, I'm with East Yard Communities for Environmental Justice. We're in the East Los Angeles, City of Commerce area. And I was also a member of the Goods Movement Working Group.

And I would like to start by saying, within the recommendation I really wanted to emphasize one part of the recommendation which is you know on the very first page, where it states in one of the bullet points to convene a sense of urgency towards taking action for reducing exposure to air emissions in communities prioritized for action.

And I really want to emphasize the sense of urgency. I know that you know EPA and everyone on the phone is really doing a lot to address the recommendations, but I really feel that it's important to know that in the communities there are real serious health consequences because of exposure from air emissions from goods movement activities.

Especially those facilities that have enormous amounts of activities, such as the Port of L.A., Newark, New Jersey and so forth. And so I really want to emphasize this sense of urgency.

Secondly, I wanted to say that – to echo the support of around the community-facilitated strategy that specifically in the conversations in the working group and the NEJAC – last NEJAC meeting, where the topic was discussed, that there needs to be, when a federal funded goods movement project is considered, that the process for the community-facilitated strategy needs to be triggered with the purpose of influencing the project's final decision.

When I talk about the federally funded goods movement projects, not the typical kind of like funding allocations that triggers NEPA, or the traditional NEPA process, but that when the federal government that contributes to these projects that one agency, like the Department of Transportation lending resources to develop these projects, that the other agency, the sister agency or brother agency needs to be involved in that particular project.

So it needs to be – the resources need to be triggered to develop these, community-facilitated strategies to influence the project's decision. And this

will also help to implement EPA's guidelines and recommendations across the board. So that's the – in that part.

Also within that, I feel that the community-facilitated strategy within that strategy there needs to be – it's critical that we need to have a multi-agency collaborative, that we need to bring all the participating agencies together so that the right hand's talking to the left hand.

Second part – third part that I would like to recommend is that EPA should list diesel exhaust as a hazardous air pollutant. Listing it as a primary mobile source, air toxin is not enough. It needs to be subject to the national emission standards for hazardous air pollutants in Section 112. EPA must periodically review the list of hazardous air pollutants, and where appropriate, revise this list by rule.

I would also like to suggest that the Science Advisory Board ask EPA's National Center for Environmental Assessment whether the scientific evidence would be sufficient to generate a quantitative slope factor at this time, given that the NCEA has a cooperative agreement with California, (OE), to share resources in developing toxicity information and that they have a quantitative slope factor for the scientific documentation to support that decision. And NCEA would need to judge whether (OE) documentation is sufficient for EPA to develop its own risk factor.

The U.S. EPA describes diesel exhaust as a serious public health concern. And the role of the Environmental Protection Agency is primarily to protect human health and the environment. The public really needs to be safe, needs to have a real safe air environment from toxic sound and diesel exhaust.

And it's really critical that we address diesel exhaust as we know goods movement activities generate thousands and thousands of tons of diesel exhaust, and it's a serious air toxic contaminant that we're contending with. We really need to get off of diesel, not just to reduce diesel, but to really work towards getting off diesel altogether. Thank you.

(John): Thank you very much. I appreciate your time, Angelo. Next, Christine, I believe. Is that correct?

Victoria Robinson: Yes.

(John): OK. Christine, are you available on the line?

Christine Chaisson: Yes, I am.

(John): Thank you. Go ahead.

Christine Chaisson: Well, first of all thank you for the opportunity to listen in on these meetings and participate. Again, I'm Chris Chaisson. I'm with the LifeLine Group and just to introduce that group, it's a 501©3 organization. And our role is to provide technical assistance and free software tools that deal with exposure and risk assessment.

Over the past 10 years, we've teamed with EPA's Office of Pesticides, OPPTS, several parts of Health Canada, CDC, State of Alaska and World Health Organization and government groups like that to assist with their risk assessment initiatives.

Now, some of that work we've realized is, we think relevant to the issues that you've been talking about in NEJAC, but also more broadly across EPA's Environmental Justice Group and I'm going to try to very briefly summarize that by describing the general situations to which the tools and technologies and to which our tools are directed and make sure that you just – my purpose here is just to make sure that people realize that this, these resources are available to them.

(John): OK, for the sake of time, I'm going to ask that you keep it as brief as you can.

Christine Chaisson: Right. Situational concerns. People will find out that there's a contaminant in the medium or in their community somewhere and that concern sparks an interest in finding a remediation for it without going through the, frequently without relating that exposures.

I mean the (assessment) is to a real potential health outcomes, and that when that linkage is not made, the community or the stakeholder group has minimized, if you will, its impact in the decision making process.

When there's a good exposure assessment and risk assessment, it optimizes their ability to, first of all, have attention brought and also to optimize the idea that the risk mitigation strategies do indeed address the relevant issues within that community.

And it is able to illustrate what the potential impact of the risk mitigation could be. It's like we heard previously about the hot spot analysis, you want to see what the returns would be for any investment in risk mitigation.

EJ communities, like the tribes, like anyone who doesn't live a perfectly quote "general U.S. typical lifestyle" or eats any kind of foods that aren't you know, from the major commercial markets, frequently suffer disproportionate risk.

And even worse than that, the risk assessment tools up until now have been designed with assumptions in them that are very appropriate for nice, suburban lifestyle but are not appropriate for most what we'll call atypical communities.

So the new exposure and risk assessment models that are freely available to any interested party has been developed over the last five or six years to be community-based models which consider potential health impacts from the chemicals in the personal spaces, if you will, and diets and water of the – of that kind of community.

So it allows the assessors to describe the diets or activities in environments of concern, of the community of concern, and the exposure and risk assessment then is directly relevant to them.

We also have databases, for example, that are already set up and freely available that deal with many of the tribal groups or communities in Alaska, southwestern tribals, Mexican influence communities, a lot of the Arctic populations and also free tutorials and other databases. These models can be very handy to augment the TIS-based models or decision tree system and help to translate monitoring results and potential health effects.

Now, that's just a very brief overview, but you can get more information on the Web site which is just www.thelifelinegroup.org. Or you or can contact me directly, that would be fine. I can, you can address that to cfchaisson@thelifelinegroup, or even a phone number here at the office, 703-978-8496.

So with that, I'll just stop and if anyone on the line wants more specific conversation about that we can, we can provide that at their – at their convenience.

(John): Thank you very much. And we can, again, this will be posted for people to see who couldn't write this down when we get the minutes online, so thank you, Christine.

Victoria Robinson: Actually, your – her statements or comments is actually going to be sent electronically via e-mail to all the participants on the call as well as all the members.

(John): Thank you.

Victoria Robinson: OK.

(John): OK. (Colin Miller).

Victoria Robinson: No, (Colin)'s not on.

(John): Not on? OK.

Victoria Robinson: The next person is Debra Ramirez.

(John): Thank you.

Debra Ramirez: This is Debra Ramirez. Can you hear me?

(John): Hi, Debra. Thank you, we can. Go ahead.

Debra Ramirez: My name is Debra Ramirez and my organization is – and I'm the founder of Mossville Environment Action Now and Citizens Against Contamination. I

live at 1313 6th Avenue, Lake Charles, Louisiana. My number here that you can reach me is 337-656-5719.

(John): Thank you.

Debra Ramirez: The Web site is smokerabbit331@yahoo.com. My description of concern is with the body burdens of toxic chemicals on the body and the effects of toxic pollutions in communities who are next to polluting industries.

I just want to say that I'm one of the many children of Mossville, Louisiana, and my mother and father who I was born, also herself and himself also belong to the same toxic parents, as well.

We're all from Mossville, as well as Mossville's people.

We are in the belly of the womb of a mother who is surrounded by toxic polluting industrial polluters. Umbilical cords that we share are the many releases and pipelines that pollute our water, land and air.

Our toxic mother gave birth and she made her children sick from the nearby pollution. A woman who was pregnant may pass these toxic chemicals to her developing fetus through the placenta you know since body burden refers to the total amount of chemicals that are present in the human body at any given point in time.

Now, sometimes it's also useful to consider the body burdens of a specific single chemical like dioxins and leads and mercury. And the continuous exposure to such chemicals can create a consistent body burden remains for years, and Mossville has had the body burden for over 80 years to date.

In their fat tissue, bones, muscle, seamen, brain tissue and organs, they have suffered the burdens of death of their children, their mothers and fathers and family. Whether chemicals are passing through or stored in our bodies, body burden testing can help reveal to us an individual, unique chemical load and can highlight the kind of chemicals we are exposed to as we live out each day of our lives.

And of course, there were 28 people tested with unique dioxins in their blood three or four times higher than the national average. Within my chemical mother's womb, there are at least 700 contaminants in Mossville, which most are well studied.

All these chemicals has the ability to attach themselves to dust particles and catch themselves in the air and water currents, (inaudible) to travel through our communities from where they are produced and used.

Our chemical mother's womb is like a bowl of chemical soup, and we are not able to live a life of joy and happiness. Also, residents and their babies are being aborted by the pollution they live, work and play in.

I ask the question, who is responsible for the death of so many children, so many people? Mossville residents have no other alternative but to absorb these chemicals that store themselves for long periods of time. All of our bodies are receptacles for a multitude of chemicals.

Our neighborhood is infested with poisonous chemicals from nearby industries right across the street from our homes, less than 80 feet. The people in Mossville are crying the words, "Save us, save us." The effects of toxic pollution on nearby homes is (inaudible).

The burden that we already didn't have – I mean, I'm sorry – that already burden we had but what we had as homes and land and trying to have a happy life. It was ours. It was our life and we thought it was a good life until we found out what was happening to us.

Those chemicals that are known to harm human health and other living things kill our people and destroy our life. It can have devastation on our trees and homes and automobiles as well as soil and water sources like our rivers and lakes.

(Food) in toxins also destroy the homes of animals. They lose their homes and they die, too as do those in our area, too. (Mutation) in food they depend on contaminated from nearby polluters and are at its worst, the burden on the Mossville community only hopes for future survival. Its land has been

destroyed. There are no gardens and harvesting of vegetables there. There are no more schools in Mossville.

The churches are even being destroyed and pastors are dying from cancer. There are no banks or businesses in Mossville. Who would want to build their businesses on contaminated soil? Who would want to build their businesses in contaminated air? Who would want to build their businesses for so many lawsuits to come in just to have people come in sick as far as devastation even if they drink the water within the business?

A dead society has been overlooked for decades. Mossville's residents fix their houses up and the chemical explosions and toxins from nearby industries are tearing them down. We had beautification. We don't have it anymore. The beautification that you will find within those fence lines of the facility yards of the polluters. You can't even find a trash or paper can or bottle on their premises.

They have a breathtaking view. They are killing us and making our breath taken away. Everyone who visits our neighborhood picks at us, calls us toxic babies, toxic town. Our homes were supposed to protect us from the outside elements and now the pollution releases and elements into our homes.

Explosions and releases and spills in our homes created from the (flow) of industry. Toxic plants and waste sites are destroying our homes and children and sick and residents, and all they had to offer us in return industry being good neighbors? Our bonus, build around people of color, low income and cause their death.

Mossville is suffering a double burden of spills and releases on them which contribute to the great burden of toxic trespass which leads to higher burden of cancer rates, heart disease, developmental disorders and toxic trespass.

I ask the United States government to create a classification system that eliminates exposures to known toxic chemicals in umbilical cord blood, replace and review new chemicals and their effects before they allow them to the market products, designate funds to research safer alternatives, identify

less toxic and nontoxic options for pregnant women – women, children, elderly, low income communities of color.

(Ensure) that the government agency manufacturers testing the chemicals before they release it into the market and test current chemicals that are (inaudible) already on the market as soon as possible, create bio monitored programs that are conducted with community participation and consultation, evaluate the exposure to chemicals by a (inaudible) solution – population, I'm sorry.

Green jobs, green chemistry, green schools, green buffers between people and industries who pollute and ...

(John): Debra, I'm sorry to interrupt. I'm wondering if there's a chance that you can send us your comments here. It sounds like you might have them written down – they're very well-organized – so that we can move on to other people given the limited time. Is that possible?

Debra Ramirez: I thank you again. Let me just end it by saying yes, I appreciate the marriage that's trying to come between government and community – communities around the world, and we are as one and we only have one water, one air and one land. Thank you.

(John): Thank you, Debra, and again, if you can send those in, we'd be most grateful just to be sure we got all your comments correctly. But we've got it recorded as well.

Debra Ramirez: Thank you.

(John): Thank you so much. Victoria, who do we have left?

Victoria Robinson: Yes, we are – the last two would be (Rovina Sual) and then if Jeannie Economos is back on the line, then that would be it.

(John): OK. Is (Rovina) available?

(Rovina Sual): I'm here. Can you hear me?

(John): Hi, yes, please go ahead.

(Rovina Sual): OK, thank you so much. Dr. (Schuback), members of the committee, thank you for your thoughtful considerations of these matters and for your services to (inaudible) on this committee.

I spoke to you the last time you convened. I shared with you some very specific school sites and the concerns that we had over institutional control and deed restrictions. I thought it would be helpful today to just very briefly discuss a specific school site known as Central 13 Elementary School.

It's a Title 1 school. It's an Environmental Justice community. And I'd like just to illustrate with this example how even with California's guidelines, with oversight, with regulatory agencies working closely on a school district that's working closely, there are still these enormous challenges and environmental problems.

Central 13 School District has ground water contamination. The site's contaminated with metal solvents and gasoline. Surface oils below our – have gases in the water and the site is next to a gas station which has been leaking gasoline under the school site. And again, I want to emphasize, this school is being built as we speak.

There's active oil drilling, oil operation with injection wells. There's an operating oil pipeline, other sources of contamination that include but aren't limited to furniture repair, auto repair, degreasing operations. And the site you know is – the site is really as complex as any federal Superfund site.

It's a little over three acres. It's contaminated now and will no doubtedly remain contaminated with many chemicals after this planned remediation occurs because the problem is that the contaminated soil that's being removed and the new soil that's being brought in, without a full understanding of what the original source of the contamination is at this site, are being characterized or removed.

And without that original source being removed, I mean the new soils can very easily become contaminated and enter the ground as the ground water

risers and falls it will continue. There's MTBEs. There's PCE. It's really – it's really problematic. And the digging and the hauling off of this soil is only going to become re-contaminated if the site is not – and the identifying contamination source is not identified.

We hope that things can be learned from this scenario and not repeated. And I want to also comment that the individuals who spoke earlier today, I certainly support the efforts that are being done to help all minority communities and the public at large in ensuring that these sites are safe for our children, because we believe that the path forward that allows the educational system to achieve the goal of educating our children while keeping them safe at school is the real, real key.

And I just hope that Central 13 will ultimately be cleaned up and safe for children, but the school itself is built right on top of a plume, which at this point and time, as I understand it, no vapor intrusion control fully in place or continued monitoring plan created. So this is just one example why we hope that there will more protective measures taken in selecting school sites and ensuring that they're cleaned up before they begin building.

And my last comment, I wanted to comment on the national environment – on the charge on safer drinking water in schools and the Childcare Facilities Initiative. I'm really, really ...

(John): Please be brief, we appreciate it.

(Rovina Sual): ... (inaudible) efforts that are being proposed for that. But as we all know, lead poisoning is irreversible and so given the fact that many of these school sites or childcare facilities may receive federal funding, possible Title 1, or state funding, and because of that and also the participation in registry from the local country health departments that do keep in mind, and keep a registry of children or individuals who have been impacted by lead poisoning.

My hope is that a precautionary measure will be taken and not just allow it to be voluntary procedure but a mandatory procedure for school districts, given that the fact that these – I'm sorry, school sites – given the fact that that ingestion of lead is a totally irreversible health risk.

So thank you, again, for your help and your – this opportunity to speak before you. And I look forward to hearing about your great work. Thank you.

(John): Thank you very, very much. I appreciate that. Victoria, anybody else here?

Victoria Robinson: Is Jeannie Economos still on the line? Again?

Operator: She is not on the line.

Victoria Robinson: I'm sorry?

Operator: She is not on line.

(John): She is not on the line, OK.

Victoria Robinson: OK, all right then. All right then, so I think then that is everybody that had signed up for public comment and so I think that concludes public comment period, unless you want to see if any members have any quick questions or anything, (John)?

(John): Members? Sounds like we're OK for now.

Victoria Robinson: OK, wonderful then. OK, then we will go ahead and I'll have you conclude the meeting unless there are some members who'd like to ask questions about the upcoming – the July meeting.

(John): Before we close, I have just a couple of quick wrap-up comments.

Victoria Robinson: OK.

(John): I again want to thank everybody who's taken the time to register and listen in to this meeting, and I invite you to send your comments or e-mails to the NEJAC and Victoria Robinson if you have any advice on how we can conduct these even better or any other comments about things within NEJAC in the context of what we have on the Web site or things that you have access to. That's a standing invitation.

We look forward to the meeting in July and track that Web site, the NEJAC Web site for details. And finally, just thanks to everybody, including the members, for your support of the NEJAC and EPA's engagement with the many EJ issues that they are dealing with across the country. We're here to help them do that better and we can't do that without the members' input and those of all sectors of this country. So thank you all for that.

And I think with that, we're ready to adjourn unless there's anything else, Victoria?

Victoria Robinson: No, I think you've covered it and again, if any members have any questions about the upcoming meeting, just go ahead and give – send me an e-mail, OK?

(John): OK.

Victoria Robinson: Wonderful.

(John): We're adjourned. Thank you so much, everybody.

Female: Thank you.

(John): Bye-bye.

Operator: Thank you for participating in today's conference call. You may now disconnect.

(John): Thanks, operator.

END