

The cover memorandum for the *Interim Guidance on Considering Environmental Justice During the Development of an Action* is written for EPA employees and contains links to resources on EPA's intranet website. These resources are inaccessible from non-EPA computers.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

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OFFICE OF
POLICY, ECONOMICS
AND INNOVATION

MEMORANDUM

SUBJECT: Transmittal of *Interim Guidance on Considering Environmental Justice During the Development of an Action*

FROM: Lisa Heinzerling,
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TO: Assistant Administrators
General Counsel
Regional Administrators
Associate Administrators
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Deputy General Counsel
Deputy Regional Administrators
Deputy Associate Administrators

We are pleased to announce the release of EPA's *Interim Guidance on Considering Environmental Justice During the Development of an Action*. This step-by-step Guide will help EPA staff determine whether actions raise possible environmental justice concerns and will encourage public participation in the rulemaking process. Further, the Guide will support us in meeting our responsibilities under Executive Order 12898, *Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations*, and EPA's regulatory authorities to consider the needs of minority, low-income, and indigenous populations overburdened by pollution. The Guide can be accessed through EPA's Action Development Process (ADP) Library at <http://intranet.epa.gov/adplibrary/statutes/12898.htm>.

This Guide is also an important and positive step toward meeting EPA Administrator Jackson's priority to work for environmental justice by explicitly integrating environmental justice considerations into the fabric of EPA's process for developing actions under our Action

Development Process. The Guide starts at the beginning of the rulemaking process and continues through each step of a rule's development, including promulgation and implementation. This will provide a roadmap that workgroups can use to meaningfully engage with, and consider disparate impacts on, minority, low-income, and indigenous populations or tribes.

The Guide should be used by participants on action development workgroups and by the managers who will need to be engaged and provide direction at key points throughout the Action Development Process.

As your organizations begin to implement this Guide, we invite you and your staff to share your practical knowledge, experience, and lessons learned to help ensure that this Guide is a useful and effective tool. By learning from each of you, we can capture best practices and integrate them into a final guidance document within the next year. As part of this effort, we have developed a discussion forum for users of this Guide where they can ask questions and share their experiences (<http://epaquickplace1.rtp.epa.gov/ejinrulemaking>). We ask that you encourage your staff to use this site, by logging in using their Lotus Notes User name and Password, to help raise the Agency's capacity to address environmental justice concerns in the Action Development Process. The Office of Policy, in consultation with the Office of Environmental Justice, will support the Agency in the implementation of this guidance document. Please contact Eileen McGovern of the Office of Policy (mcgovern.eileen@epa.gov or 202-566-2881) if you need additional assistance.

A critical next step will be the development of guidance that will help workgroups conduct appropriate technical and scientific analyses of environmental justice issues. That guidance currently is under development. We hope to provide you with this analytical support by early in the next calendar year.

Please join us in advancing Administrator Lisa Jackson's priority to expand the conversation on environmentalism and work for environmental justice by assuring that your managers and staff understand and implement this new guidance.

Attachment

cc: Regulatory Steering Committee Representatives
Regional Regulatory Contacts