

Recommendations on the Urban Air Toxics Report

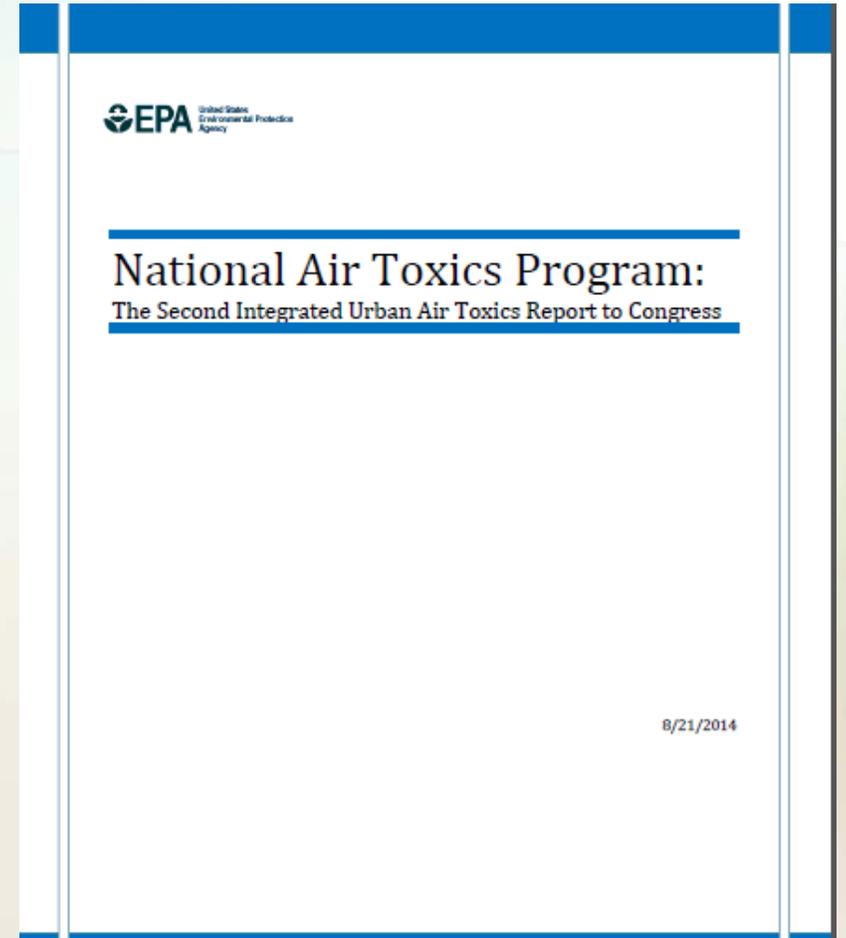


**Presented to the Full Clean Air Act Advisory Committee
November 18, 2015**

Hyatt Regency Crystal City* 2799 Jefferson Davis Highway* Arlington, VA 22202

Overview

- Workgroup Members
- Our Charge
- Logistics
- Model Process
- Main Recommendation Topics
- Closing Remarks
- Q&A
 - Full workgroup participation



Member	Organization
Mark Bohan	Printing Industries of America
Howard Feldman	American Petroleum Institute
Vince Hellwig	Michigan Department of Environmental Quality
Thomas Huynh	Philadelphia Air Management Services
Gary Jones	Printing Industries of America
Chris Kaiser	Rio Tinto Kennecott Utah Copper
Robert Kaufmann	Koch Industries
Melanie Marty	Cal EPA
Mark Miller	UCSF
Robert Morehouse	Air Permitting Forum
Vickie Patton	Environmental Defense Fund
John Paul	Local Government Consultant
Julie Simpson	Nez Perce Tribe
Patricia Strabbing	FCA US LLC
Kathryn Watson	Earth Charter Indiana
Elena Craft	Environmental Defense Fund
Nicky Sheats	Thomas Edison State College
Jason Walker	Northwestern Band of the Shoshone Nation

Co-Chairs: Myra Reece, South Carolina Dept. of Health

Jalonne L. White-Newsome, WE ACT for Environmental Justice

ATW Charge

- The Workgroup was charged by the EPA to address questions related to identifying effective ways to reduce air toxics emissions and exposure, paying particular attention to those communities most burdened.
- The scope was both backward looking - identifying initiatives that have worked; and forward looking – discussing what could be done that has not been done in the past to accomplish the goal of reductions.
- Another issue in the Charge was regarding how EPA and its partners can more effectively communicate and engage with the community groups and other stakeholders concerning the risks from air toxics.

ATW Logistics

- Workgroup met once a month via conference call.
- Face-to-face meetings were held in October 2014 and September of 2015.
- Consensus was reached on each of the recommendations.
- The report also includes comments on some issues within the discussion summaries where there were differing perspectives.



Major Themes

- While the Workgroup did not prioritize the recommendations, they centered on these four areas in order to reduce emissions and the risk of exposure to them.
 - Improving Data
 - Enhancing Communications
 - Increasing Funding
 - Empowering Communities





Recommendations by Topic

Topic 1: Communications

Lead: Robert Morehouse

- **Recommendation No. 1:** EPA should evaluate and recommend **best practices** in air toxics communications (states/local/tribal/industry) to help improve risk communications.
- **Recommendation No. 2:** EPA should develop and share with state/local/tribal organizations/communities and industry training **tools** on air toxics communications.

Topic 2: Mobile Sources

Lead: Thomas Huynh

- **Recommendation No. 3:** EPA should request that the National Toxicology Program (NTP) evaluate the carcinogenicity of diesel exhaust.
- **Recommendation No. 4:** EPA should collaborate with other federal agencies to expedite the retirement of the diesel engine legacy fleet.
- **Recommendation No. 5:** The EPA Administrator should advocate for the issuance of an Executive Order to require clean diesel technology (or other lower emissions technology) engines be used in all federally funded infrastructure projects.

Topic 3: Community & Urban Air Toxics

Leads: Nicky Sheats and Thomas Huynh

- **Recommendation No. 6:** EPA should invest more resources to partner directly with communities, local government, tribes, states and business communities in a collaborative fashion on community air toxics strategies.
- **Recommendation No. 7:** EPA should develop a cumulative impacts policy that includes, but goes beyond, participation that results in reducing air pollution in EJ communities and overburdened communities. The EPA should use a screening tool that incorporates a cumulative impacts index to identify EJ communities and communities with high levels of cumulative impacts.

Topic 3: Community & Urban Air Toxics, continued...

- **Recommendation No. 8:** EPA should characterize and publish the variation of air toxics concentrations, air toxics emissions and air toxics related health risks within urban areas and determine if they are correlated with race or income.
- **Recommendation No. 9:** EPA should carry out its statutory obligation to review, revise and publish, as appropriate, the Clean Air Act (“CAA”) Section 112(b) (1) list of hazardous air pollutants (“HAPs”).

Topic 4: Supplemental Environmental Projects (SEPs) Policy

Lead: Robert Kaufmann

- **Recommendation No. 10:** EPA should encourage supplemental environmental projects that focus on reducing urban and tribal areas' exposure to air toxics, with a particular focus on diesel particulate emissions. Likewise, EPA should encourage state enforcement authorities to prioritize projects that reduce urban air toxics as part of state compliance agreements.
- **Recommendation No. 11:** In its settlement negotiations with companies regarding violations of CAA requirements that result in excess toxic emissions, EPA should direct penalty/SEP funds to states, tribes and localities to specifically mitigate future excess emissions equal to or greater than the toxic emissions experienced.

Topic 5: Funding

Lead: Nicky Sheats

- **Recommendation No. 12:** EPA should request that Congress continue and sustain funding for the Diesel Emission Reduction Act (DERA) Program.
- **Recommendation No. 13:** EPA should fund community driven programs that make it possible for communities to organize internally, collaborate with other stakeholders and obtain expert assistance in order to address air toxics issues, particularly in disproportionately impacted communities.
- **Recommendation No. 14:** EPA should provide grant funding options for tribes that support tribal air toxics programs and projects.

Topic 6: Data Gaps

Leads: Kathryn Watson and Julie Simpson

- **Recommendation No. 15:** EPA should form a workgroup to identify data gaps and limitations of the NEI, including gaps for hazardous air pollutants (“HAPs”) and determine potential solutions to fill those gaps. The workgroup would be under the purview of the CAAAC and would include representatives from a broad group of experts and stakeholders from state, local and tribal governments, non-governmental organizations, industry and the EPA.

Topic 6: Data Gaps, continued...

- **Recommendation No. 16:** EPA should enhance NATA as a risk assessment and screening tool by issuing it on a three-year cycle using the most recent NEI, adding tools that can identify hotspots. Since EPA currently classifies diesel exhaust as likely to cause human cancer, future NATAs should attempt to estimate cancer risk associated with diesel exhaust. EPA should examine the feasibility and methodology for adding ingestion risks from mercury and other persistent, bio-accumulative toxics.
- **Recommendation No. 17:** EPA should support programs and projects that address air toxics data gaps in Indian country and Alaska Native Villages.

Topic 6: Data Gaps, continued...

- **Recommendation No. 18:** EPA should continue, support and collaborate with programs to gather indoor, outdoor and personal monitoring data. Among other uses, such data should be used to enhance ambient and human exposure modeling to better characterize both the individual and the synergistic risk of personal, indoor, and ambient exposure to air toxics and inform strategies to address air toxics that are most harmful.
- **Recommendation No. 19:** EPA should support robust community monitoring and citizen science projects that provide quality data and guidance on how to use the data to assess air toxics and inform effective strategies to address air toxics.
- **Recommendation No. 20:** EPA should support the evaluation of portable and personal environmental monitors (“PEMs”) for air toxics and other pollutants to ensure high quality data.

Topic 7: Best Practices

Lead: Myra Reece

- **Recommendation No. 21:** EPA should develop a sustainable platform from which best practices related to air toxics can be continually highlighted and shared between all stakeholders, including communities, industries, federal, state, tribal and local governments, environmental groups, academia, etc.

Topic 8: Recognition Programs

Lead: Myra Reece

- **Recommendation No. 22:** EPA should develop a recognition program for businesses, modeled after Energy Star (“Community Star”) who exemplify the principles (i.e., empathy and caring) of being a “good neighbor” and having a strong commitment to the community, particularly regarding the reduction of air toxics and other toxic pollutants.
- **Recommendation No. 23:** EPA should develop a recognition program for state/local or tribal governments who value community engagement and whose innovative efforts are making a difference in the communities they serve, particularly related to air toxics issues.

Topic 9: Next Steps

Lead: Jalonne L. White-Newsome

- **Recommendation No. 24:** EPA should – by or before April 2016 – create a standing independent committee that reports to the CAAAC consisting of members representing community groups, industry, state/local/tribal governments that evaluates and reviews the progress and shares information – at least annually – on the programs and processes related to urban air toxics.
- **Recommendation No. 25:** EPA should conduct a systematic review – using the criteria provided – to evaluate the effectiveness of federal programs that specifically address urban air toxics – by or before January 2017.

Model Process...Lessons Learned

- Building knowledge and understanding of the issues – common ground (presentations, guest speakers)
- Building Trust and Relationships (face-to face meeting)
- Collaborative Problem Solving/diverse stakeholders
- “Model” for local collaborative partnerships and addressing air toxics at the community level



Closing Remarks

- The Workgroup seeks endorsement of the Report and its recommendations from CAAAC for submittal to the EPA.
- The Workgroup worked hard to put together achievable, actionable recommendations.
- To that effect, the Workgroup respectfully requests to hear back from the EPA regarding the status of Recommendation No. 24. and requests a timeline with regard to the implementation of all recommendations from the EPA at the next CAAAC meeting, if not sooner.

Special thanks to:

- EPA Staff:
 - Bill Harnett
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 - Laura McKelvey
 - Keith Mason
 - Others at RTP
- Others:
 - Fran Marshall, Facilitator (SCDHEC)
 - Our speakers
- Each of our Workgroup members

