

US EPA REGION 9 FISCAL YEAR 2015 ACTION PLAN TO ADDRESS ENVIRONMENTAL JUSTICE (EJ)

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INTRODUCTION

Environmental justice is one of several priorities for EPA's Pacific Southwest Region and supports the Administrator's theme of making a visible difference in communities. In 2014, the Region transitioned from a core EJ team to a model where each Division is responsible for integrating EJ into its work through participation in a regional EJ Network. The network develops and follows through on shared commitments in places and projects. The plan is informed by opportunities to implement tools and approaches resulting from EPA's Plan EJ 2014, such as our permitting and enforcement initiatives and the use of EPA's nationally consistent screening tool for EJ, EJSCREEN.

EJ AND PERMITTING

The Region will contribute to national efforts to develop tools and approaches for permit writers to assess and address permit-related EJ issues. The Air Division is leading the Region's participation in this effort and all media programs are implementing the Regional Implementation Plan to Promote Meaningful Engagement of Overburdened Communities in Permitting Activities. Under this plan, we will:

1. Provide enhanced outreach to communities potentially affected by permitting actions, such as permits at the Chemical Waste Management facility in Kettleman City (TSCA), the Evoqua facility at the Colorado River Indian Tribe reservation (RCRA). (LAND)
2. Conduct enhanced outreach for EPA-issued Clean Water Act and Clean Air Act permits in complex cases including the Four Corners Power Plant and Navajo Mine decisions. (WTR, AIR)
3. Conduct enhanced public outreach on a proposed Safe Drinking Water Act (Class III) Underground Injection Control (UIC) permit for the Florence Copper solution mining test project (WTR) and a proposed Prevention of Significant Deterioration (PSD) permit for the main flare at McElmo Creek Oil Production facility within the Navajo Nation. (AIR)
4. Screen every Region 9-issued Clean Water Act permit and Clean Air Act PSD/NSR permit using EJSCREEN and use this information to target enhanced community outreach where it is most needed. (WTR,AIR)

EJ AND COMPLIANCE AND ENFORCEMENT

At the national level, EPA has implemented a comprehensive strategy to integrate EJ into all aspects of the enforcement life cycle, including selecting work and priorities, targeting and developing cases, identifying proper remedies, and enhancing community engagement where appropriate. At the Regional level, we are implementing these strategies through the following activities and are guided by the principle of transparency. We will be as open and transparent with communities about our inspection and enforcement responses as we are able to, consistent with EPA's ethical and legal

obligations governing disclosure of enforcement information. Region 9 will:

5. Focus on communities in the Southern San Joaquin Valley and Southern CA via our participation in community-led EJ and enforcement task forces. For example, we are working with other state and local agencies to address a gas pipeline leak in Arvin that caused the evacuation of a number of homes, and are bringing together local and state agencies to find solutions to clean up a block-size illegal dump in Calwa in Fresno County. (ENF, SFD)
6. Use EJSCREEN as one source of information in targeting our inspection resources. Direct inspection resources, and where appropriate, enforcement responses, to address significant EJ concerns. (ENF)
7. Encourage the use of Supplemental Environmental Projects in the settlement of enforcement cases to benefit communities with EJ concerns where appropriate and to the extent possible, seek community input on potential projects. (ENF)

EJ AND PRIORITY SETTING IN OUR ASSESSMENT AND REMEDIATION WORK

8. Use EJSCREEN to evaluate resource investments by the Superfund Division (SFD) and to prioritize work in EJ communities via community involvement, site assessment, brownfields, and the Superfund Job Training Initiative. SFD will use EJSCREEN to determine if there are Superfund Cleanup sites proximate to communities with EJ concerns that may benefit from additional community involvement investment; utilize EJSCREEN when investigating potential Superfund candidate sites; and utilize EJSCREEN for Brownfields and EJ grant funding outreach. (SFD)
9. Use EJSCREEN to help us prioritize RCRA cleanups and completions. (LAND)

WORKING WITH STATE AND LOCAL AGENCIES ON EJ AND TITLE VI

Working with our state and local agency regulatory partners is one of the most effective ways to address multi-jurisdictional EJ challenges. Region 9 will:

10. Support the public release of EJSCREEN, including a preview period for state and local agencies, and serve as the Region's point of contact for public inquiries about the tool. (ENF)
11. Work with EPA Regions 7, 8 and 10 to support an informal network of EJ contacts at state and local agencies within these regions to share best practices and troubleshoot EJ challenges. (ENF)
12. With the California Department of Toxic Substances Control (DTSC), provide EJ workshops, including a Title VI orientation, for the majority of the DTSC workforce. (ENF)
13. Document the innovative approach to Title VI via the community-initiated Alternative Dispute Resolution being pursued by the West Oakland community, to contribute to lessons learned with regard to Title VI. (AIR)
14. Provide training for the California Department of Pesticide Regulation and local municipalities to enable inspectors to better communicate with Spanish-speaking agricultural workers during worker safety inspections. (LAND)
15. Support Technical Assistance Providers for small public water systems in rural communities, for example, to provide training and consolidation assistance in Merced and Tulare Counties. We will also review the findings from the Department of Water Resources Tulare Lake Basin Pilot Project to identify where collaboration with other state and local agencies is merited. (WTR)
16. In partnership with the California Regional Water Quality Board, prioritize site assessment and cleanup of abandoned or leaking underground storage tanks in communities with EJ concerns in southern California. (LAND)

EJ AND TRIBAL GOVERNMENTS AND COMMUNITIES

We will rely on our government to government relationship with tribes to advance EJ principles and programs. This relationship includes formal consultation and coordination, as well as provision of technical assistance and grants to support tribal interests and programs. Technical assistance includes supporting a tribal understanding of EJ principles and programs, and support of EJ networks and tribal EJ programs. Provision of grant funds includes identification of eligible capacity-building work under the General Assistance Program that may assist tribes in building effective EJ programs and/or networks.

Region 9 will:

17. Continue to engage with tribal leaders and tribal environmental personnel on issues of mutual interest, including EJ, through coordination of quarterly Regional Tribal Operations Committee Meetings. Specifically, these meetings will continue to include outreach on EJSCREEN and other tools useful to tribes in administering their own programs and benefitting their communities. (LAND)
18. Help ensure access to safe drinking water and basic sanitation for tribal communities. To the extent possible, support planning, design, and construction of tribal drinking water and wastewater facilities. (WTR)
19. With assistance from tribal governments, Indian Health Service, and third party technical assistance providers, evaluate vended water machines to ensure that water purchased by tribal residents from such machines meets Safe Drinking Water Act requirements. (WTR)
20. Through the West Coast Collaborative, reach out to tribal partners in advance of future Diesel Emission Reduction Act (DERA) grant solicitations so that tribes are aware of funding opportunities to reduce diesel emissions. (AIR)
21. Under the Navajo Abandoned Uranium Mine program, focus on the highest health risks, including the 43 priority mines located near homes. We will increase water infrastructure in mining areas, remediate homes, clean up the Northeast Church Rock mine, and expand interagency outreach. (SFD, WTR)
22. Through an FY14 EJ grant and technical assistance, we will continue to support the Tolani Lake Enterprises' Puerco-Little Colorado River Watershed Navajo Community-Based Uranium Water Quality Assessment Project in addressing the challenge of uranium-contaminated groundwater by building on existing knowledge, increasing public awareness, and identifying solutions. (SFD)
23. To improve indoor air quality and address health disparities among Region 9 tribes, we will establish a Tribal Indoor Air Quality and Health Network, create outreach materials, and provide indoor air trainings focused on mitigating exposures from mold, wood and coal stoves, and other indoor asthma triggers. (AIR)

REACHING OUT TO COMMUNITIES WITH EJ CONCERNS

Direct response to EJ concerns raised by communities remains an ongoing part of our work. Region 9 will:

24. Support community-based air quality monitoring by bringing in a third party to facilitate the review and updating of the "Bucket Brigade" community monitoring protocol so that EPA may review the associated Quality Assurance Project Plan, at the request of Global Community Monitor. Representatives of the Bay Area and San Joaquin Valley air districts will be invited to participate. (MTS/ENF)
25. Serve as a resource to the City of Richmond and Global Community Monitor to facilitate understanding of air monitoring data results collected under the Richmond Community Air Monitoring program. (AIR/ENF)
26. Work to fully integrate community and EJ partners into the West Coast Collaborative meetings, webinars and other consultations, to ensure that EJ perspectives are appropriately taken into account in discussions of diesel engine pollution reduction. (AIR)
27. Produce and distribute an English/Spanish Toxic Release Inventory (TRI) "fotonovela," a comic-book style booklet to share TRI information and relevant web resource. (ENF)
28. Partner with organizations to bring children's environmental health information to community safety fairs and teen parents in communities with EJ concerns in the San Joaquin Valley. (LAND)
29. We will respond to high rates of asthma in Imperial County, California through
 - a. a grant awarded to the Imperial Valley Child Asthma Program to provide in-home asthma management education and to hold a "Stop and Listen Asthma Forum," an environmental health campaign geared at the high school level, and (AIR/LAND)
 - b. third-party technical assistance from the Office of Environmental Justice to Comite Civico del Valle (CCV) to enhance and evaluate the Identifying Violations Affecting Neighborhoods (IVAN) platform, an online crowd-sourced system of reporting community concerns utilized by four EJ
30. Together with California's primacy agency, evaluate monitoring data from public and private primary and secondary schools in California that have their own public water system for compliance with drinking water standards.

31. Hire a Spanish-speaking press office in our Office of Public Affairs. (OPA)

USING OUR GRANTS PROGRAMS TO ADDRESS EJ

EPA grant programs are a valued source of funding to build capacity and get on-the-ground results for communities. Region 9 will:

32. Target outreach for competitive Brownfields grants to communities, including local governments, with EJ concerns and will provide one-on-one technical assistance in Brownfields grant application development through EPA staff and contractors who provide webinars on how to develop a successful grant application. Archived webinars provide successful examples from prior years. (SFD)
33. Prioritize communities and local governments with EJ concerns for Targeted Brownfields Assessment contractor assistance. (SFD)
34. Target outreach for competitive environmental justice small grants and collaborative problem solving programs in areas with the greatest need (as estimated by EJSCREEN and community concerns) and fewest past recipients. (ENF)
35. With the California State Water Resources Control Board, follow up from an October training workshop in Sacramento for Borrowers, Communities and Stakeholders on the California State Revolving Fund (SRF), which included training on creative financing options for systems of all sizes, how to assist small and disadvantaged systems, how to successfully apply for SRF funding, and effective project management techniques. (WTR)

CONVENING PARTNERSHIPS TO ADDRESS ENVIRONMENTAL JUSTICE

Whether convening or participating, we will continue to rely on partnerships to address some of the most significant EJ challenges. Region 9 will:

36. Continue to participate in the "Community Engineering Corps" program, led by the American Water Works Association, to facilitate volunteer engineering design and construction support in disadvantaged communities. We are coordinating with the Metropolitan Water District of Southern California and the CA-NV Section of AWWA to identify target communities for assistance. We will use the opportunity to further our ongoing efforts with the California State University campuses under the existing EPA-CSU Memorandum of Understanding. (WTR)
37. Participate in community-based EJ and Enforcement Task Forces such as the Fresno Environmental Reporting Network and the Kern Environmental Enforcement Network, by responding to community concerns that surface via the task forces, partnering with other agencies to address concerns where no clear jurisdiction exists, participating in bus tours and supporting task force efforts to build their own capacity. (ENF, SFD)
38. Through the Clean Air Technology Initiative (CATI), work with the South Coast and San Joaquin Air Districts, the California Air Resources Board, and the California Energy Commission to demonstrate and deploy low and zero tailpipe emission technologies in California communities heavily impacted by ozone and PM air pollution. (AIR)
39. Build on the success of the pilot phase of the Southern CA Clean, Green and Healthy Schools Partnership by working with the CA DTSC, CA Dept. of Education and the Los Angeles Unified School District to address priority school environmental health issues in Southern CA. (LAND)
40. Reduce air pollution from residential wood smoke by convening stakeholders in a collaborative effort to support wood smoke reduction programs throughout the Region. Specifically, we will:
 - a. convene a Residential Wood Smoke Forum for California air districts in Sacramento,
 - b. provide contractor and technical support to develop wood smoke reduction programs in low income communities, such as Portola in the Northern Sierras,
 - c. develop resources to better communicate the impact of wood smoke in Region 9, and
 - d. publish and communicate research results from a study of residential heating options on the Navajo Nation. (AIR)
41. Provide children's environmental health trainings for community health workers, day care providers and

school decision makers in the Border Zone and San Joaquin Valley. (LAND)

42. Host up to three *Healthy Homes* training sessions for communities with EJ concerns in FY15. (LAND)

CLIMATE CHANGE, SUSTAINABILITY, LAND USE AND EJ

We will continue to take part in efforts to respond to the drought in the Pacific Southwest and help align resources, tools and approaches in a cohesive way to address disproportionate vulnerability to climate change. Region 9 will:

43. Support drought response measures in response to the ongoing rainfall shortage in the Pacific Southwest (WTR).
44. Evaluate Tribal Drinking Water grants against new Regionally-developed criteria to ensure they supply at least 30 gallons of safe, drinkable water per person per day. Incorporate measures to encourage water conservation in projects where usage exceeds 150 gallons per person per day. (WTR)
45. Attempt to expand inclusion of grey water reclamation funding in wastewater system upgrades on the Indian Health Service Sanitation Deficiency System List. (WTR)
46. Partner with the CA Area Indian Health Service Directors, the Governor's Tribal Advisor Office and other Federal agencies on tribal outreach about funding opportunities for responding to the drought. (WTR)
47. Work with state agencies to sponsor drought workshops for small and tribal communities dependent on a single-source water supply in the most drought-affected areas in the Region. Workshops will cover topics such as use of water audit software, well sounding, drought emergency funding sources, and information for homeowners on mitigating drought. (WTR)

We will also focus on the Pacific Islands, communities most at risk from sea-level rise due to climate change.

48. Support efforts to produce climate vulnerability assessments and adaptation plans, as well as facilitate information exchange about climate change among Pacific Islands. (LAND)
49. In American Samoa, CNMI, and Guam, we support local sustainability and zero waste initiatives including sustainable buildings, bottle recycling and eliminating plastic trash. (LAND)
50. Support improved access to safe drinking water for Pacific Island residents by providing technical expertise, and funding for water infrastructure. (WTR, LAND)

The intersection of land use and environmental justice is key. In light of our limited authority in this area, we will rely on tools, training and outreach, our relationships with other federal agencies and opportunities to support community-based environmental problem solving through our grants programs.

51. Conduct outreach and training on tools we have developed to help schools and land use planners reduce near-road impacts at schools and in communities. These tools will make complex scientific data on health impacts and mitigation practices more accessible and understandable. (AIR, LAND)
52. Continue our involvement in bringing environmental justice concerns related to toxic air contaminants into land use and other (sustainability, climate change, transportation) planning processes by building on lessons learned through our work with the West Oakland, California community by applying them in collaboration with our grantees as follows:
 - a. With an FY14 EJ grant and technical assistance, we will continue to support the Environmental Health Coalition in reducing air pollution in the low-income Latino neighborhood of Barrio Logan in San Diego by creating an implementation plan for transportation and land use policies as recommended in the Port of San Diego Climate Action Plan (SFD)
 - b. Share the air monitoring and land use planning results of work done in Oakland Chinatown under an EJ grant and EPA technical assistance. The monitoring methodology and mitigation proposals can be used as a model by other communities. (SDF)
53. Partner with HUD, USDA, and DOT to strive for the inclusion of energy efficient and water conserving features in 100% of federal housing and infrastructure projects.