

# EPA ENVIRONMENTAL JUSTICE FY2017 PROGRESS REPORT

## EXECUTIVE SUMMARY



Marking the 25th anniversary of the establishment of its Office of Environmental Justice, EPA's Environmental Justice FY2017 Progress Report highlights the considerable ongoing environmental justice (EJ) work that continues throughout the Agency. Its focus on demonstrating tangible results in minority, low-income, tribal and indigenous communities affirms through action how deeply environmental justice is ingrained in EPA's fabric. The report illustrates the meaningful and impactful work that EPA staff are doing every day and how we can build on them to achieve more for the nation's most vulnerable communities. It focuses on four themes: (1) delivering environmental results; (2) cooperative federalism; (3) rule of law and fair process; and (4) building community capacity and engagement.

### 1. Delivering Environmental Results

EPA identified significant national EJ challenges and reported measurable environmental outcomes for them. These measure were:

- **Fine Particle Air Pollution (PM<sub>2.5</sub>)** – In United States (US) counties with PM<sub>2.5</sub> monitors, the percentage of the low-income population in the US living in areas in attainment for the PM<sub>2.5</sub> National Ambient Air Quality Standards increased from 43% in 2006-2008 (baseline period) to 92% in 2014-2016. This is a significant improvement in helping low-income populations breathe cleaner air.
- **Small Community Drinking Water** – Small community drinking water systems with repeat health-based violations decreased from 1.2% to 0.5% nationally in FY2017, from 754 to 326 systems.
- **Tribal Drinking Water** – People living in Indian Country served by drinking water systems meeting all applicable health-based standards increased from 87.9% to 90.5% in FY2017. The number of systems out of compliance decreased from 92 to 65.

Examples of tangible environmental benefits for overburdened and underserved communities included:

- Percentage of children with elevated blood lead levels in the area around the Omaha Lead Superfund Site reduced from 25% in 1999 to 0.3% in 2017;
- \$12.7 million in water infrastructure technical assistance awarded nationally;
- 38 out of 44 small public drinking water systems in exceedance of lead standards and 31 out of 181 such systems in exceedance of arsenic standards were returned to compliance in the Pacific Southwest;
- 312 Brownfields grants totaling \$63.3 million, representing \$16.59 in additional benefits leveraged per dollar spent; and
- Improved air quality around ports, rail yards and freight distribution centers through Diesel Emissions Reduction Act program grants totaling \$23.8 million.

### 2. Cooperative Federalism

EPA's partnerships with state, local, tribal governments and other federal agencies produced tangible benefits for the nation's underserved and overburdened communities that included:

- Over \$1 million in state, local and EPA Brownfields funding awarded to the City of Lawrence, MA;
- Community visioning to shape reuse plans for the Kerr-McGee Superfund Site in Navassa, NC;
- Supporting Louisiana Department of Environmental Quality's regulatory oversight of creosoting facilities in Alexandria and Pineville, LA;
- Assisting Detroit, MI, to comprehensively achieve environmental quality and economic revitalization in its recovery from municipal bankruptcy;
- Facilitating health care, economic advancement and environmental progress in communities with federal interagency and stakeholder partnerships through Brownfields to Healthfields efforts; and
- Deploying hundreds of EPA staff in response to Hurricanes Harvey, Irma and Maria.

Cooperative efforts aimed at building EJ capacity within partner agencies involved:

- Identifying best practices on community involvement and equity in state permitting programs (Environmental Council of the States report), training communities on how to participate in regulatory processes (Clean Air Act training), and incorporating EJ in joint planning (Virginia Performance Partnership Agreement);
- Strengthened consideration of EJ in the National Environmental Policy Act review process and sharing lessons on collaboration through the federal Interagency Working Group on Environmental Justice; and
- Working with 11 federal departments and agencies and 6 White House offices to harness their expertise and resources through the development of a federal inventory of lead programs – *Key Federal Programs to Reduce Childhood Lead Exposures and Eliminate Associated Health Impacts*.

### 3. Rule of Law and Fair Process

- **Enforcement and Compliance** – EPA’s enforcement and compliance program focused on sustaining progress in integrating EJ into all parts of the enforcement life cycle. It compiled important summary national enforcement results related to EJ, three of which are below. In addition, cooperative efforts with states represent new opportunities for EPA’s EJ efforts with enforcement. This was illustrated by EPA Region 9’s participation in California EPA’s environmental justice enforcement initiative, which focused on East and West Oakland, and Pomona in FY2017.

| Enforcement Actions  | National Total | Number in Areas with Potential EJ Concerns | Percent in Areas with Potential EJ Concerns |
|--|----------------|--|---|
| Final Administrative Penalty Orders                                      | 1,259          | 457  | 36%   |
| Supplemental Environmental Projects                                      | 94             | 42   | 45%   |
| <b>Estimated Environmental Benefits</b>                                  |                |  |   |
| Pollutants Reduced, Treated, or Eliminated ( <i>millions of pounds</i> ) | 217            | 77   | 35%   |

- **Science** – EPA strengthened the foundational link between EPA science and the needs of underserved and overburdened communities, in areas of air, water, land, health disparities, and in tribal science grants.
- **Coordination between EJ and Civil Rights Programs** – EPA’s two-pronged effort included: (1) investigation of complaints filed with EPA pursuant to Title VI of the Civil Rights Act of 1964; and (2) training and technical assistance to 38 states, as well as local agencies and tribes, across all ten EPA Regions, on how to proactively address their civil rights obligations.
- **EJSCREEN** – EPA continued engagement around EJSCREEN, a tool to further integrate EJ in the Agency’s work, and updated it to include a revised surface water data layer and other enhancements.

### 4. Building Community Capacity and Engagement

EPA maintained a comprehensive program to ensure engagement with and build capacity within communities, including:

- Providing recommendations to the EPA Administrator and lifting up community, tribal and state voices through the National Environmental Justice Advisory Council;
- Providing financial and technical assistance through 36 EJ Grants totaling \$1.08 million, the Urban Waters Small Grants program, the Technical Assistance Services to Communities program, the Office of Sustainable Communities and EPA’s work on equitable development;
- Training by EPA Regions and programs on issues such as lead exposure, grant writing and leveraging resources, and on the *Policy on Environmental Justice for Working with Federally Recognized Tribes and Indigenous Peoples*; and
- Convening past and current recipients of EPA Region, state or local agencies’ EJ grant(s) to share successes related to citizen science, partnering and environmental education.