

NATIONAL ENVIRONMENTAL JUSTICE ADVISORY COUNCIL
Washington, D.C.
Public Teleconference Meeting
August 23, 2007

MEETING SYNOPSIS

Approved: Richard Moore
Richard Moore, Chair

Charles Le
Charles Lee, DFO

This summary presents highlights of the 24th public meeting of the National Environmental Justice Advisory Council (NEJAC), held August 23, 2007. Unlike previous meetings, this was the NEJAC's first ever open meeting conducted via teleconference call. The members of the NEJAC previously had expressed a desire to conduct such meetings, as way to provide quick response to Agency questions and offer more opportunities for public comment, while remaining in compliance with the Federal Advisory Committee Act.

All but two members of the NEJAC were able to participate in the call – one member was called away for a family emergency while the second member had difficulty dialing in. In addition to the 17 NEJAC members who were on the call, approximately 45 members of the public and representatives of EPA regional and program offices participated. During the one-half hour public comment period, three members of the public presented compelling discussions about topics that were relevant to the goods movement, transportation, or integration issues under discussion by the NEJAC.

The purpose of the call was to provide members a briefing about the major topics to be discussed during the upcoming September public meeting scheduled for September 18 through 20, 2007 in Baltimore, Maryland. After a brief welcome by Richard Moore, NEJAC Chair and Charles Lee, members then discussed the proposed agenda for the September meeting. Charles Lee prefaced his presentation of the proposed NEJAC agenda with the following key messages:

- EPA has a long standing relationship with the NEJAC. NEJAC has been vital to EPA's having made a significant and meaningful difference in people's lives.
- We see the NEJAC as a valuable partner in this process, as exemplified by EPA's carrying out Grant Nakayama's commitment to timely, written responses to NEJAC recommendations.
- We will step up the NEJAC's assistance in identifying and addressing important EJ concerns, and, in fact, are entering a new phase in our relationship with the NEJAC.

Shankar Prasad, Co-Chair of the NEJAC Goods Movement Work Group (GMWG), also provided an update about the status of the GMWG's activities, including conducting four teleconference calls and one face-to-face meeting at which the work group explored underlying assumptions about key concepts and began discussing a framework for potential advice and recommendations.

Charles Lee then briefed the members about two key issues related to the integration of environmental justice consideration in EPA's programs, policies, and activities. These issues were the Environmental Justice Strategic Enforcement Assessment Tool (EJSEAT) and EJ Program Reviews. He also reviewed the preliminary discussion questions for each topic.

Key comments, suggestions, and questions offered about EJSEAT include:

- EPA should post information about the EJSEAT's algorithm and basic information on the EPA Web site.
- EPA should prepare and distribute to the members a EJSEAT-related glossary to facilitate the discussion at the September NEJAC meeting make help the public understand the tool.
- Member inquired about to the categorization of the compliance indicators, such as major facilities. He noted that this indicator could go in both directions. He added that areas with numerous inspection activities are positive since the facilities are being inspected; however, this also indicates that there are a large number of facilities in the area, which negatively impacts the area.
- EPA should provide a brief description about the data behind the indicators.
- Areas with non-major facilities (i.e., Mom-and-Pop stores) will not be identified by this tool.
- EPA should consider or think through how States will be affected by the use this tool. For example, what are the ramifications at the state-level if a community is or is not identified as a potential area of EJ concern?
- How does or will EJSEAT align and intersect with other available categorizing tools, such as economic development zones used for loans and tax credits?
- How will EPA address the fact that tribal populations often do not participate in the U.S. Census and other issues related to demographic characteristics of tribal populations?

Key concerns and suggestions offered about EJ Program Reviews include:

- EPA should examine the EPA's Risk Management program to ensure that facilities are informing communities about "worst case" risk factors and prevention methodology.

Action Items

During the call, the NEJAC took two actions:

- Members reviewed and approved the proposed agenda for the September meeting
- Members reviewed and approved the NEJAC's charge to its Goods Movement Work Group, which will guide the work group's efforts to assist the Council in its response to EPA's charge related to goods movements.

Next Steps

Members agreed that the teleconference meeting was "extremely useful," adding that they would like to schedule additional public teleconference calls.