MPCA’s Renewed Environmental Justice Policy

2013 Conference on the Environment

Ned Brooks

MPCA Environmental Justice Coordinator
Overview

- What is “Environmental Justice” or EJ
- MPCA’s Policy, Goals, Commitments, Plans
- Incorporating EJ into MPCA work
- Possible implications for regulated community
- Questions
Environmental Justice at MPCA

- Started work in early 1990s
- Renewed commitment in 2012
  - Increased national, local attention/concern
  - Minnesota government-wide efforts to reduce disparities
- MPCA EJ Steering Team
  - Commissioner’s Office, Division Directors
  - Current EJ Staff
  - Ned Brooks, Bill Wilde, Catherine Neuschler (sup.)
MPCA EJ Policy

Updated October 2012

The MPCA will, within its authority, strive for the “fair treatment and meaningful involvement” of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations and policies.”
Meaningful Involvement

- Potentially affected community residents have an appropriate opportunity to participate in decisions;
- The public’s contribution can influence the regulatory agency’s decision;
- The concerns of all participants involved will be considered in the decision making process; and
- The decision makers seek out and facilitate the involvement of those potentially affected.
Fair Treatment

• ...no group of people, including a racial, ethnic or a socioeconomic group, should bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations or the execution of federal, state, local, and tribal programs and policies.
Disproportionate Impacts

Vulnerable Infrastructure

Cumulative & Multiple Environment Impacts

Vulnerable Population

Unique Exposure Pathways

Lack of Voice & Public Participation

Minnesota Pollution Control Agency
MPCA Strategic Plan Goal and Strategies
May 2013

• Goal: Pollution does not have a disproportionate negative impact on any group of people
  • Develop and implement program strategies to identify and address environmental justice concerns
  • Identify and enhance opportunities for all Minnesotans to provide meaningful input into MPCA environmental decision making.
EPA Plan EJ 2014

- Four-year Roadmap to systematically integrate EJ into EPA’s work
- Includes integration in “Cross-Agency Focus Areas:”
  - Rulemaking
  - Permitting
  - Compliance and Enforcement
  - Community-Based Actions
- MPCA considering modeling this approach
Environmental Justice in Permitting – EPA Guidance

• 2011 Plan: *Considering EJ in Permitting*
  • Full and meaningful community access
  • Address EJ issues to greatest extent practicable

• May 9 Federal Register: *EPA Activities to Promote EJ in the Permit Process*
  • EPA Actions to promote meaningful engagement
  • Promising practices for permit applicants
Possible Actions to Promote Meaningful Engagement (EPA)

• Identify Priority Permits for “Enhanced Public Involvement”
  • Air construction permits, major NPDES permits, any new source, major modifications, RCRA combustions permits, etc.

• EJ Screening and Review
  • Preliminary socio-economic, location data

• Enhanced Outreach
EJ Area of Concern Screening

- Review of environmental and demographic information about a location
- Allows preliminary characterization of potential impacts and/or population vulnerabilities
- Can consider: income, race, language, education, environmental stressors, etc.
- EPA Tools: EJ View, EJ Screen
- MPCA considering defining “EJ Areas of Concern” based on demographic information
Siemens Industry Inc.
2430 Rose Place, Roseville, MN 55113
RCRA ID #MIND981098478

NOTE on Environmental Justice Rankings:
EJSCREEN Data are restricted to internal EPA personnel only. Census tracts with a score of 1, 2, or 3 are considered to be high-priority potential EJ areas of concern according to US EPA Region 5. For more information on the 18 indicators used to calculate the EJ Rankings, see http://www.epa.cits.gov/ota/ej.

EJ Rank by Census Tract

Sources:
US EPA EJSCREEN rankings 2011
Bing Maps Imagery & Roads 2012
US EPA R5 LCD: LS 12/10/12
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EJ “Area of Concern”  
(Example Only)

- Family Income Below 50% of State Median
- or
- Non-White Residents 2X State Average

Green Census Block Groups = Condition 1 (median family income criteria) or Condition 2 (proportion of non-white residents criteria) is met.
EJ “Area of Concern” *(Example Only, Continued)*

Family Income Below 50% of State Median or
Non-White Residents 2X State Average
**Enhanced Outreach**

- Communicate early and often
- Use plain language, translate if needed
- Use communication techniques the community values
- Hold informational meetings in addition to required public meetings
- Hold meetings at times and places best suited to community
- Engage community leaders
Addressing Issues of Disproportionate Impact

• Early communication can lead to project improvements
• EJ concerns can lead to changes
• Cumulative Levels and Effects Analysis
• Environmental Review
Next Steps, etc.

• Continue learning about EPA, State approaches (including MPCA)
• Begin to work with cross-agency function areas (permitting, C&E, rules, etc.) to identify integration strategies
• Develop tools
  • Screening, guidance, best practices, protocols, trainings, etc.
• Integrate into all programs, day-to-day work
Thanks!
Questions?

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