



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OCT 26 2006

OFFICE OF
ENFORCEMENT AND
COMPLIANCE ASSURANCE

MEMORANDUM

SUBJECT: Transmittal of the OECA Environmental Justice Progress Report FY 2006

FROM: Lynn Buhl
Deputy Assistant Administrator

TO: Barry Hill
Director, Office of Environmental Justice

The purpose of this memorandum is to transmit the Office of Environmental and Compliance Assurance (OECA) Environmental Justice (EJ) Progress Report for Fiscal Year (FY) 2006 to the EPA Office of Environmental Justice (OEJ).

On February 14, 2006, OECA transmitted OECA's EJ Action Plan FY 2006 to OEJ. The attached OECA EJ Progress Report identifies and describes the progress to date on the activities described in the EJ Action Plan. The OECA Progress Report also identifies, as requested, 14 key actions (shaded in grey) that exemplify excellent integration and measurable outcomes. These are submitted for their potential inclusion in OEJ's Best Practices Document. The development of the Progress Report and the selection of the key actions were conducted with the assistance of the OECA EJ Action Council and the OECA EJ Coordinating Council.

The preparation of this Progress Report has allowed OECA to evaluate the effectiveness of its actions to achieve results. We are looking forward to the finalization of the EJ Smart Enforcement Assessment Tool which will contribute significantly to the integration of EJ in OECA's priority and core programs. If you have any questions regarding the plan, please contact Rey Rivera, OECA's EJ Coordinator, at 202-564-1491.

Attachment

cc:
OECA Office Directors
OECA Environmental Justice Action Council
OECA Environmental Justice Coordinating Council
Nicholas Targ, OEJ
Amy Tuberson, OEJ

Office of Enforcement and Compliance Assurance
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Goal 5: Compliance and Environmental Stewardship

Objective: Reduction in number of asthma attacks (e.g., reduce asthma triggers such as particulate matter)

Activities	Output	Outcome	Results
<p>Monitor and implement Supplemental Environmental Projects (SEPs) that reduce particulate emissions from wood heating appliances in low-income households and communities</p>	<p>Review progress of Wood Heater Program SEPs being performed in low-income communities currently in process</p> <p>Negotiate new Wood Heater Program SEPs that reduce particulate emissions from wood heating appliances in low-income communities</p>	<p>Ensure that Wood Heater Program SEPs are completed in accordance with the terms set forth in the respective settlement agreements; thereby ensuring that particulate emissions are reduced in targeted low income communities</p>	<p>OECA made a great effort to monitor and implement Supplemental Environmental Projects (SEPs) that reduce particulate emissions from wood heating appliances in low-income households and communities. During FY 2005 Fireplace Products International (FPI) and England 's Stove Works (ESW), agreed to implement wood stove replacement SEPs. The FPI SEP will result in annual particulate emissions reductions of 1.5 tons per year in EPA-Region 9. The ESW SEP will result in annual particulate emissions reductions of 2.2 tons per year in EPA-Region 3. The FPI SEP will replace 30 wood stoves in 30 low-income households in Whatcom County over a 26-month period. The ESW SEP will replace 44 stoves in 44 low-income households over a 26 month-period in Virginia and West Virginia . This will reduce heating costs by 50% for participating households. The SEP progress reports show that FPI replaced 19 wood stoves in 19 low-income homes over 13 months (63% completion in half the time). ESW replaced 33 wood stoves in 33 low-income houses since 3/12/2005 (75% completion).</p>

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Objective: Reduction in the incidence of elevated blood-lead levels

Activities	Output	Outcome	Results
* Lead-based paint abatement Supplemental Environmental Projects (SEPs)	Include in enforcement settlements SEPs designed to reduce exposure to lead-based paint	Reduce children and infant's' blood lead levels	Nineteen enforcement settlements that included lead-based paint abatement SEPs. Actions required consisted of replacement of doors and window, encapsulation of outdoor decking, posts and handrails; as well as laboratory testing of consumer products likely to contribute exposure of lead in children. The majority of the projects were conducted in low-income and minority areas. Total amount spent by defendants to implement the SEPs is approximately \$1 million. OCE: Melissa Marshall; 202-564-7971; marshall.melissa@epa.gov

* *New activity not included in the original OECA's EJ Action Plan FY 2006*

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Objective: Clean and safe drinking water

Activities	Output	Outcome	Results
<p>Revise the compliance monitoring strategy for the National Pollutant Discharge Elimination System (NPDES) program to focus inspections on facilities, both majors and non-majors dischargers, that are or have the potential to affect attainment of water quality standards</p>	<p>The revisions under consideration will target inspections on facilities, regardless of size, that discharge to 303(d)/305(b) listed waters for pollutant(s) contributing to the listing, as well as those that have the potential to impact water quality</p>	<p>Increase inspection attention (and any resulting enforcement activities) on areas where water quality problems are most severe, and to the extent that there is correlation between those areas and Environmental Justice areas, those areas should benefit from these revisions to the compliance monitoring strategy</p>	<p>Draft of revised policy being commented on by the Association of State and Interstate Water Pollution Control Administrators (ASIWPCA). The policy will be shared with the Environmental Council of States (ECOS) at an upcoming meeting before the end of 2006.</p> <p>OC: Rick Duffy; 202-564-5014; duffy.rick@epa.gov</p>
<p>Financial Website Page -- Water Programs</p>	<p>Tools for communities to help fund development of water infrastructure</p>	<p>More communities will find the necessary information to develop financial plans to fund their water programs' financial infrastructure</p>	<p>Web pages are in the final stages of development.</p> <p>OC: Cassandra Rice; 202-564-4057; rice.cassandra@epa.gov Tom Ripp; 202-564-7003; ripp.tom@epa.gov</p>

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Objective: Collaborative problem-solving to address environmental justice issues

Activities	Output	Outcome	Results
<p>Partner with the community group Earth Conservation Corps (ECC)</p>	<p>OC, in conjunction with other OECA offices, will mentor and work closely with the ECC to build relationships with communities and other service-based organizations in environmental justice areas where environment and community are at risk</p>	<p>Partnership that promotes student mentoring, environmental education, stewardship and which strengthens communities by improving economic opportunity and restores community pride</p>	<p>EPA and ECC signed a Memorandum of Understanding (MOU) in May 2006. The purpose of the MOU is to establish the framework for a partnership between EPA and ECC. The MOU formalized the partnership and established Mentoring Program.</p> <p>Phase I of the Mentoring Program is completed. OC held a brown bag session to solicit volunteers to serve as mentors. Twenty persons volunteered to serve.</p> <p>In May 2006, the first National Environmental Partnership Summit was held in Atlanta, GA, which engaged ECC students to explore what environmental stewardship meant to them as the next generation of environmentalists. Two ECC students told their story about the challenges they have overcome and opportunities seized by being an environmental steward.</p> <p>A “60 Minutes” film was also shown about the ECC and the State of the Anacostia River.</p> <p>OC: Sandi Jones; 202-564-7038; jones.sandra@epa.gov James Edward; 202-564-2462; edward.james@epa.gov</p>

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Activities	Output	Outcome	Results
<p>Advance EJ principles and objectives in the deliberations, meetings, and capacity building of external organizations (e.g., State associations, trade associations, the law enforcement community and stakeholder groups)</p>	<p>At all such deliberations and meetings, identify, address, and advance EJ principles and objectives</p> <p>Discuss EJ principles and identify EJ communities when providing training to law enforcement personnel</p>	<p>External organizations (including those with EMSs) better understand, and are more sensitive and responsive to, the needs of EJ communities</p> <p>Law enforcement agencies acquire a greater understanding of environmental crime in EJ communities, and include principles of EJ in their agency’s investigative and enforcement strategies, which reduces crime in EJ communities</p>	<p>A resolution on environmental justice was adopted by the full membership of the International Association of Chiefs of Police, a force of 19,000, resulting in the recognition of the need to integrate EJ principles into environmental criminal enforcement practices. Continuous results will be a reduction of crimes in EJ communities.</p> <p>Court TV featured an EPA criminal environmental enforcement case that involved the death of a child due to blood-lead poisoning. All facets of the investigation were presented, including the fact that the victim, family, and other residents lived in a community with a disproportionate number of environmental hazards, and were at the lower end of the sphere in opportunities for economic and educational advancement. Continuous results: educated a broad and diverse audience to the dangers of environmental crime, and the adverse impact on human health.</p> <p>EPA and many other federal, state and local governments observed the fifth annual “National Environmental Crime Prevention Week.” The week focused on increasing the awareness of environmental crimes, including numerous training sessions with a focus on environmental justice. Continuous results: education, enforcement, and reduction in pollution.</p> <p>Development of and increasingly widening distribution of the <i>Reporting Environmental Violations</i> brochure has resulted in a more educated public about environmental crime and the need to report it. Result will be an increase in criminal enforcement and an increase in pollution reduction.</p> <p>Translation into Spanish of the Reporting Environmental Violations brochure and online reporting form as an outreach for the assistance by the Hispanic population.</p> <p>OCEFT: Barbara Foreman; OPPAC: Rey Rivera; 202-564-1491</p>

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Participate in Federal Interagency Working Group on Environmental Justice (IWG)'s meeting as OECA representative	Enforcement and Compliance concerns are taken into consideration in meetings/calls attended	Lines of communication, coordination and collaboration are enhanced among HQ Offices and other Federal agencies	Ongoing attendance and participation at the quarterly IWG meetings with other participating federal agencies. This continued participation ensures OECA's representation at the table on the discussion of environmental justice issues in relation to other federal agencies. OPPAC: Rey Rivera; 202-564-1491; rivera.reiniero@epa.gov
Provide consultation on EJ to the OECA Planning Council and the Implementation Teams of the strategies for the National Program Priorities that are incorporate EJ principles	Ongoing attendance to monthly OECA Planning Council meetings to stay up to date in progress reports from the National Priorities Strategies Teams and provided necessary assistance	Ensure that EJ concerns are identified and addressed and integrated into OECA policies and implementation of National Program Priorities	Ongoing attendance and participation at the monthly OECA Planning Council meetings to ensure that EJ concerns are identified and addressed and integrated into OECA Strategies Implementation Teams (SITs) of the National Program Priorities that ensures early assistance to the SITs in integration of EJ principles into the implementation strategies of the national priorities. OPPAC: Rey Rivera; 202-564-1491; rivera.reiniero@epa.gov
Work with the EJCC to define ways in which environmental justice assessments can be effectively conducted for enforcement and compliance targeting and other activities	In 2006, develop implementation strategy on how to effectively conduct environmental justice assessments and targeting of enforcement and compliance activities through the use of the EJSEAT	More effective use of environmental justice assessment tools to address enforcement and compliance activities in areas with environmental justice concerns is accomplished	EJCC will begin developing implementation strategy once the key analysis tool, the Environmental Justice Smart Enforcement Assessment Tool (EJ SEAT), is made available. OPPAC: Rey Rivera; 202-564-1491; rivera.reiniero@epa.gov

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Objective: Revitalization of brownfields and contaminated sites

Activities	Output	Outcome	Results
<p>Support completion of negotiation of Federal Facility Cleanup Agreements (FFCAs) for federal facility sites listed on the National Priority List (NPL) to assure cleanup and ultimate reuse of contaminated federal facility sites</p>	<p>All remaining (17) NPL sites without cleanup agreements will have completed FFCAs</p>	<p>Sites will be cleaned up with appropriate federal and state oversight and appropriate opportunities for community input</p>	<p>EPA and federal agencies with NPL sites have a statutory obligation under CERCLA to establish enforceable interagency agreements (or Federal Facility Cleanup Agreements, FFCAs) to govern cleanup activities. In 1988, EPA and DoD agreed on a model FFCA to promote proper, consistent FFCAs at affected sites, and that model was updated and reaffirmed in 1999. Approximately, 156 FFCAs have now been signed with federal agencies, including 135 with DoD and 28 with the Air Force. There are 17 agreements yet to be negotiated, including seven with the Air Force. Most are past due under CERCLA.</p> <p>In March 2005, EPA developed and undertook an FFCA Completion Strategy. After gaining Regional, OECA and OSWER support for – and OGC review of – the strategy, implementation proceeded in three phases: (1) provide notice to the federal agencies of EPA’s intent to complete the FFCAs in accordance with the model; (2) conduct outreach to the remaining facilities and establish schedules for FFCA completion at the individual facilities; and (3) take enforcement wherever good faith negotiations are not ongoing. It was applied to all federal agencies – Army, Navy, Air Force, DOE and Coast Guard – that had NPL facilities without FFCAs. <u>Steps 1 and 2 are completed.</u> We are currently in good faith negotiations for an FFCA or are considering taking enforcement action depending on the particulars of the various cases at issue.</p> <p>FFEO: Sally Dalzell; 202-564-2583; dalzell.sally@epa.gov</p>

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Objective: Ensure Compliance

Activities	Output	Outcome	Results
<p>NATIONAL ENFORCEMENT AND COMPLIANCE ASSURANCE PRIORITY:</p> <p>Mineral Processing Strategy</p>	<p>Each national enforcement priority has EJ as a component in its performance-based strategy. In FY 2006, when EJ SEAT is available, each Strategy Implementation Team will assess how to incorporate the use of the tool into their priority strategy</p>	<p>Each national priority will be able to use the tool to help target its activities and measure the results where there are actions in EJ areas</p>	<p>OCE will begin implementing its EJ Action Plan commitments once the key analysis tool, EJ SEAT, is made available.</p> <p><u>SIT</u>: Mary Kay Lynch (R4); Karin Koslow (OC); Rosemarie Kelly (OCE)</p>
<p>NATIONAL ENFORCEMENT AND COMPLIANCE ASSURANCE PRIORITY:</p> <p>Air Toxics Strategy</p>	<p>Each national enforcement priority has EJ as a component in its performance-based strategy. In FY 2006, when EJ SEAT is available, each Strategy Implementation Team will assess how to incorporate the use of the tool into their priority strategy</p>	<p>Each national priority will be able to use the tool to help target its activities and measure the results where there are actions in EJ areas</p>	<p>OCE will begin implementing its EJ Action Plan commitments once the key analysis tool, EJ SEAT, is made available.</p> <p><u>SIT</u>:Eric Schaaf (R2); Mamie Miller (OC); Pam Mazakas (OCE)</p>

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<p>NATIONAL ENFORCEMENT AND COMPLIANCE ASSURANCE PRIORITY:</p> <p>Concentrated Animal Feeding Operations (CAFOs) Strategy</p>	<p>Each national enforcement priority has EJ as a component in its performance-based strategy. In FY 2006, when EJ SEAT is available, each Strategy Implementation Team will assess how to incorporate the use of the tool into their priority strategy</p>	<p>Each national priority will be able to use the tool to help target its activities and measure the results where there are actions in EJ areas</p>	<p>OCE will begin implementing its EJ Action Plan commitments once the key analysis tool, EJ SEAT, is made available.</p> <p><u>SIT</u>: Mike Bussell (R10); Rick Colbert (OC); Randy Hill (OCE)</p>
<p>NATIONAL ENFORCEMENT AND COMPLIANCE ASSURANCE PRIORITY:</p> <p>Sanitary Sewer Overflows (SSOs) Strategy</p>	<p>Each national enforcement priority has EJ as a component in its performance-based strategy. In FY 2006, when EJ SEAT is available, each Strategy Implementation Team will assess how to incorporate the use of the tool into their priority strategy</p>	<p>Each national priority will be able to use the tool to help target its activities and measure the results where there are actions in EJ areas</p>	<p>OCE will begin implementing its EJ Action Plan commitments once the key analysis tool, EJ SEAT, is made available.</p> <p><u>SIT</u>: Mike Alushin (OC); Stan Meiburg (R4); Mark Pollins (OCE)</p>

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<p>NATIONAL ENFORCEMENT AND COMPLIANCE ASSURANCE PRIORITY: Stormwater Strategy</p>	<p>Each national enforcement priority has EJ as a component in its performance-based strategy. In FY 2006, when EJ SEAT is available, each Strategy Implementation Team will assess how to incorporate the use of the tool into their priority strategy</p>	<p>Each national priority will be able to use the tool to help target its activities and measure the results where there are actions in EJ areas</p>	<p>OCE will begin implementing its EJ Action Plan commitments once the key analysis tool, EJ SEAT, is made available.</p> <p><u>SIT</u>: Ken Gigliello (OC); Bob Murphy (R6); Amy Porter (OCE)</p>
<p>NATIONAL ENFORCEMENT AND COMPLIANCE ASSURANCE PRIORITY: Combined Sewer Overflow (CSOs) Strategy</p>	<p>Each national enforcement priority has EJ as a component in its performance-based strategy. In FY 2006, when EJ SEAT is available, each Strategy Implementation Team will assess how to incorporate the use of the tool into their priority strategy</p>	<p>Each national priority will be able to use the tool to help target its activities and measure the results where there are actions in EJ areas</p>	<p>OCE will begin implementing its EJ Action Plan commitments once the key analysis tool, EJ SEAT, is made available.</p> <p><u>SIT</u>: Stephen Perkins (R1); Rick Duffy (OC); Kate Anderson (OCE)</p>

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<p>NATIONAL ENFORCEMENT AND COMPLIANCE ASSURANCE PRIORITY:</p> <p>New Source Review – Prevention of Significant Deterioration (NSR-PSD)</p>	<p>Each national enforcement priority has EJ as a component in its performance-based strategy. In FY 2006, when EJ SEAT is available, each Strategy Implementation Team will assess how to incorporate the use of the tool into their priority strategy</p>	<p>Each national priority will be able to use the tool to help target its activities and measure the results where there are actions in EJ areas</p>	<p>OCE will begin implementing its EJ Action Plan commitments once the key analysis tool, EJ SEAT, is made available.</p> <p><u>SIT</u>: George Czerniak (R5); Bob Tolpa (OC); Adam Kushner (OCE)</p>
<p>NATIONAL ENFORCEMENT AND COMPLIANCE ASSURANCE PRIORITY:</p> <p>Tribal Compliance Assurance</p>	<p>Each national enforcement priority has EJ as a component in its performance-based strategy. In FY 2006, when EJ SEAT is available, each Strategy Implementation Team will assess how to incorporate the use of the tool into their priority strategy</p>	<p>Each national priority will be able to use the tool to help target its activities and measure the results where there are actions in EJ areas</p>	<p>OCE will begin implementing its EJ Action Plan commitments once the key analysis tool, EJ SEAT, is made available.</p> <p><u>SIT</u>: Carol Rushin (R8); Sally Seymour (R9); Jim Edward (OC); Jonathan Binder (OC); Mary Andrews (OCE)</p>

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<p>NATIONAL ENFORCEMENT AND COMPLIANCE ASSURANCE PRIORITY:</p> <p>Financial Assurance</p>	<p>Each national enforcement priority has EJ as a component in its performance-based strategy. In FY 2006, when EJ SEAT is available, each SIT will assess how to incorporate the use of the tool into their priority strategy</p>	<p>Each national priority will be able to use the tool to help target its activities and measure the results where there are actions in EJ areas</p>	<p>OSRE is currently waiting for the release of EJ SEAT. After the release, OSRE plans to receive EJ SEAT training and subsequently begin implementing EJ SEAT (e.g., creating baselines) in furthering this priority.</p> <p><u>SIT</u>: Ann Pontius (OSRE); Karin Koslow (OC); Chris McCullough (OCE)</p>
<p>* Petroleum Refinery Initiative</p>	<p>Address remaining major petroleum refineries through enforcement actions and settlements. Prepare to return refinery enforcement actions to the core air enforcement program</p>	<p>Elimination of violations of emission limits for key air pollutants known to cause or worsen serious respiratory illnesses, particularly in children and the elderly, aggravate existing heart disease, and may lead to premature death</p>	<p>Four settlements entered, affecting 36 petroleum refineries nationwide, all located in low-income and minority areas. These settlements achieve the Petroleum Refinery Initiative's primary goal of having nearly 80% of the petroleum refinery industry in this country under comprehensive, multi-issue company-wide settlements. When fully implemented, the consent decrees entered to date under the Initiative will reduce nitrogen oxide emissions by 160 million pounds per year and sulfur dioxide emissions by 470 million pounds per year, with additional reductions in benzene and other volatile organic compounds.</p> <p>OCE: Melissa Marshall; 202-564-7971; marshall.melissa@epa.gov</p>

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Activities	Output	Outcome	Results
<p>Use data to target problems and ensure the strategic use of resources and tools to take actions in EJ communities</p>	<p>Sponsor regional pilot tests of the Framework for Problem-Based Approaches to Integrated Strategies which includes targeting problems in EJ communities, using assistance, incentives, inspections, civil/criminal enforcement and innovative approaches to bring about compliance and involving the public</p>	<p>Pounds of pollution reduced Complying actions Increased understanding Changes in behavior</p> <p>FY 2006 – Region 9 will conduct additional compliance assistance workshops and training to help reduce pollution</p>	<p>The biannual reports from each Integrated Strategy pilot are available, but they do not break out results by EJ communities, except for the Region 9 project which was focused primarily on EJ communities. The target sector was selected because it was an EJ priority, an OECA priority, and a priority for both Region 9 and the state of California.</p> <p>The Region 9 Integrated Strategy project was with auto salvage-dismantlers-recyclers in Barrio Logan, California. OECA/ORE had identified this sector as an enforcement priority for Environmental Justice. Also, Barrio Logan has been identified by Region 9 as an EJ community. We provided funding to this IS pilot project to help us identify strategic ways to use enforcement, compliance assistance, monitoring and incentives to resolve the environmental problems this sector posed to EJ communities.</p> <p>Two multi-media compliance assistance and pollution prevention workshops were held, 18 total businesses attending. At both workshops, 100% of those attended improved their understanding. EPA visited six of the businesses for follow-up outcome measurement and found that all 6 (100%) had made at least one environmental management change and 4 of the six (80%) reduced at least one pollutant.</p> <p>OC: James Edward; 202-564-2462; edward.james@epa.gov Joanne Berman; 202-564-7064; berman.joanne@epa.gov R9: Karen Henry; 415-972-3844; henry.karen@epa.gov</p>

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Activities	Output	Outcome	Results
EPA Authorization of Tribal Inspectors procedures	Implement guidance to states and tribal inspectors on how to process a request to conduct inspections on behalf of EPA	Increase the number of tribal inspectors	<p>The Office of Compliance (OC) issued Guidance for Issuing Federal EPA Inspector Credentials to authorize Employees of State/Tribal Governments to Conduct Inspections on Behalf of EPA on Sept. 30, 2004.</p> <p>OC issued 18 inspector credentials to tribal inspectors representing 10 tribal organizations under three EPA statutes (CWA, FIFRA and RCRA).</p> <p>The tribal organizations included: the Fond du Lac Band of Lake Superior Tribe; Mille Lacs Band of Ojibwe; Cheyenne River Sioux Tribe; Fort Peck Assiniboine and Sioux Tribes; Mandan, Hidatsa and Arikara Tribes; Standing Rock Sioux Tribe; Oglala Sioux Tribe; The Navajo Nation; Salt River Pima - Maricopa Indian Community; and the Yakama Nation.</p> <p>OC: Phyllis Flaherty; 202-564-4131; flaherty.phyllis@epa.gov</p>
Topical Directory for Environmental Justice on the National Compliance Assistance Clearinghouse Web site	Develop topical directory for environmental justice and add to Compliance Assistance Clearinghouse	Easier search capabilities for environmental justice documents, tools guidance and training activities	<p>Work ongoing. A new page on the Clearinghouse News Tab was added on October 18, 2006 with a list of the key EPA EJ links - at http://cfpub.epa.gov/clearinghouse/news_detail.cfm?Story_ID=205 In addition, the new front page of the Clearinghouse now under development will have a new , more detailed EJ topic tab. This will be provided to OECA for review by 10/31/06 and the will need to be reviewed by OEI. Plan is to have the new EJ topic tab up on the new Clearinghouse front page by early December 2006.</p> <p>OC: Sharie Centilla; 202-564-0697; centilla.sharie@epa.gov</p>

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Activities	Output	Outcome	Results
Pesticides Inspector Residential Training	Conduct four training sessions for State and Tribal inspectors that include Worker Protection Standards and sessions on interviewing farm workers and dealing with cultural differences	Increased understanding and effectiveness of State and Tribal inspectors concerning EJ matters	<p>On May 1-4, 2006, in Savannah, Georgia, the Agriculture Branch of the Office of Compliance sponsored and coordinated the “Breaking Barriers Pesticide Inspector Training (PIRT) Workshop” in conjunction with the Georgia Department of Agriculture. Inspectors learned about differences in Hispanic and mainstream U.S. culture that can affect the interview process, and how to open communication channels with Hispanic workers who speak or understand limited or no English. In addition to interviewing and cultural training, the course included intensive Spanish language training specific to inspectors' needs. Because of the unique nature of the course and limited funding, 21 inspectors (from 20 states and American Samoa), who routinely conduct Worker Protection Standard (WPS) Pesticide use inspections participated. Attendees were provided with a Pesticide Inspectors' Manuel for Interviewing Hispanic Agricultural Workers, a WPS Screening Interview Flip Chart and an Audio CD as tools to assist them in interviewing Spanish speaking farm workers. In the classroom, inspectors were taught Spanish through games, scramble exercises and puzzles in which they actually used/learned Spanish language. Inspectors also practiced speaking in Spanish using the flip chart to interview each other. During a mock inspection held at a tree farm, the inspectors used the flip chart to interview Hispanic workers. Afterwards they acknowledged that they felt more confident interviewing the Hispanic workers. A pretest was conducted to check the inspectors' knowledge in Spanish and a post test was conducted to see how much they had learned. Attendees requested a "Breaking Barrier PIRT Workshop" II. Inspector from Arizona and New Mexico sent e-mail messages stating that they used the WPS Screening Interview Flip Chart to interview Hispanic workers without any hesitation. Before attending the Workshop, they used interpreters or avoided interviewing Hispanic workers.</p> <p>OC: Amar Singh; 202-564-4161; singh.amar@epa.gov</p>

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Activities	Output	Outcome	Results
Pesticide Regulatory Education Program	Conduct four Pesticide Regulatory Education Program courses that include Worker Protection Standards and trans-boundary issues	Increased understanding of EJ issues and increased integration of EJ activities into state/tribal pesticide programs	<p>High Visibility Pesticide Incident training, delivered May 21 – 25, 2006.</p> <p>Risk Communication for Pesticide Regulators training, delivered June 25 - 29, 2006, Pesticides and WPS, delivered August 15 – 19, 2006.</p> <p>OC: Kate Perry; 202-564-4059; perry.kate@epa.gov</p>

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<p>Special fact sheets for small and minority livestock farmers</p>	<p>Make fact sheets available through a grantee for small and minority livestock farmers</p>	<p>Increased understanding by small and minority livestock on agricultural compliance issues</p>	<p>The Ag Center supported and participated in the development of a new series of fact sheets, perhaps the first national series prepared about small-scale animal production as part of the Livestock and Poultry Environmental Stewardship (LPES) project. Called the <i>LPES Small Farms Fact Sheet</i> series, the series provides practical, science-based information about best environmental stewardship management practices for small, minority, and limited resource producers, for their advisors, and for educators. The fact sheets were developed by the Small Farms Team--a nationwide collaboration of agricultural engineers, agronomists, and other experts from 12 land-grant universities, the EPA Ag Center, MWPS, and USDA.</p> <p>In order to serve a variety of audiences, including minority and limited resource farmers, the fact sheets were developed following the “easy-read” guidelines. Two of the fact sheets have been translated into Spanish. The Author Team developed the fact sheets using the EZ Read format to better reach the significant proportion of our population that read at the fifth grade level or below or that speak English as a second language. In addition, EZ Read materials appeal to everyone, not just those who find it difficult to read and understand the written word. EZ Read materials are developed following a generally accepted set of principles, including guidelines on layout and design, organization of information, language and vocabulary, point of view and sensitivity to cultural issues, and field testing with the target audience. The fact sheets can be found at: http://www.lpes.org/Small_Farms.html.</p> <p>Under the Livestock and Poultry Environmental Learning Center Project there will be several (3+) Web cast features for extension educators and others who advise farmers to familiarize them with the fact sheets.</p> <p>OC: Carol Galloway; 913-551-7487; galloway.carol@epa.gov</p>

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Activities	Output	Outcome	Results
<p>Utilize the Environmental Justice Smart Enforcement Assessment Tool (EJ SEAT) and other tools sanctioned by EPA to identify and assess areas with potential environmental justice concerns for criminal investigative activity</p>	<p>Develop a series of EJSEAT maps to be utilized by the CID Area Offices for their strategic enforcement initiative.</p> <p>Ensure CID Area Offices incorporate the use of computerized EJ SEAT service into criminal enforcement planning.</p>	<p>Increase OCEFT/CID staff's capacity to identify, assess, address, and measure environmental justice results in their day-to-day work.</p> <p>Increase in criminal enforcement and prosecution activities are conducted in areas with potential disproportionate environmental and health burdens.</p>	<p>The implementation of the CID Case Conclusion Data Sheet, a new instrument which measures program performance by calculating impacts and reductions, instead of traditional outputs, e.g., fines, restitution, and years of incarceration or probation, will result in a more finite assessment of pollution reduction in <i>all</i> communities. This new instrument also ensures that the investigator continuously reports data on environmental justice communities in his/her assigned areas.</p> <p>OCEFT is currently waiting for the release of EJ SEAT. After the release, OCEFT will make maps available to CID Area Offices.</p> <p>OCEFT: Barbara Foreman; 202-564-6005; foreman.barbara@epa.gov goodwin.ed@epa.gov</p>

Ed Goodwin; 202-564-5918;

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Activities	Output	Outcome	Results
<p>Incorporate EJ principles in Section 309 Reviews to help federal agencies address EJ issues in environmental impact statements (EISs) and associated mitigation plans.</p> <p>Make publicly available EPA's review comments on Draft EISs. Comments underscore environmental impacts including EJ concerns associated with proposed actions of Federal agencies.</p>	<p>At the start of each fiscal year (October), number of EISs with EPA- identified potential EJ issues received through the end of the previous fiscal year (September).</p>	<p>Percentage of EISs with potential EJ issues that document conscientious efforts to involve the EJ community in the development of the EIS and the decision-making process as evidenced in the Final EIS document. The Government Performance Reporting Act (GPRA) system will be used to measure progress.</p> <p style="text-align: center;">-----</p> <p>Percentage of EISs with potential EJ issues that document mitigation commitments for EJ-related environmental impacts. The GPRA system will be used to measure progress.</p>	<p>On 100% of the EISs that EPA raised concerns about the involvement of EJ communities in the EIS development (3 out of 3), the lead agency modified its public participation process (<i>e.g.</i>, increased outreach to EJ communities and/or translated documents) that promoted increased involvement of the EJ community in the EIS development and decision-making processes. The 3 projects that incorporated public outreach are:</p> <ul style="list-style-type: none"> • US-219 Improvements Project (Somerset County, PA) • Mark Twain National Forest Land and Resource Management Plan (Missouri) • Pacific Coast Groundfish Fishery Management Plan (WA, OR and CA) <p>-----</p> <p>On over 80% of the EISs that EPA expressed concern about the impacts of the project on potential EJ communities (5 out of 6), the lead agency made mitigation commitments, project modifications and/or selected an alternative that reduced the EJ-related environmental impacts. The 5 projects that incorporated mitigation commitments are:</p> <ul style="list-style-type: none"> • US-219 Improvements Project (Somerset County, PA) • Capital Beltway Study (Fairfax County, VA) • Snapper Grouper Fishery (South Atlantic Region) • Interstate 70 Corridor Improvements (Boone County, MO) • Mid-City/Westside Transit Corridor Improvements (Los Angeles County, CA) <p>[For the License Renewal of Nuclear Plants for Nine Mile Point Nuclear Station (Oswego County, NY) project, mitigation was requested but not received.]</p> <p>OFA: Arthur Totten; 202-564-7164; totten.arthur@epa.gov</p>

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Activities	Output	Outcome	Results
Use EJ Smart Enforcement Assessment Tool (EJ SEAT) to ensure Region and States use EJ as a criterion in the next round of the RCRA Corrective Action Smart Enforcement Strategy (CASES)	When EJ SEAT is available, OSRE will conduct outreach to Regional EJ Coordinators on how to implement EJ SEAT and link them with CASES contacts in the Regions.	Expedite meeting RCRA corrective action goals (e.g., human exposures controlled and construction completion) at facilities with EJ concerns by targeting or monitoring them under CASES.	OSRE is currently waiting for the release of EJ SEAT. After the release, OSRE plans to receive EJ SEAT training and subsequently begin implementing EJ SEAT (e.g., creating baselines) to better target and monitor RCRA Corrective Action sites with EJ concerns. OSRE: Carlos Evans; 202-564-6331; evans.carlos@epa.gov
Modify Appendix C of the Superfund Community Involvement Handbook, “Conducting Community Involvement During Enforcement Actions and Development of Administrative Record”	By the end of FY 2006, revise this policy tailored to encourage early community involvement and EJ consideration to be used at sites being addressed under the CERCLA enforcement program.	Increase awareness of internal and external stakeholders on the importance of early community involvement/EJ planning in enforcement actions.	OSRE is modifying the existing Appendix C of the Community Involvement Handbook to integrate environmental justice considerations. This document will be distributed internally within OSRE and to the Regions. The modifications will be made formally to the Community Involvement Handbook when OSRTI makes the next round of edits to the document. OSRE: Arati Tripathi; 202-564-2044; tripathi.arati@epa.gov

* *New activity not included in the original OECA’s EJ Action Plan FY 2006*

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Cross-Cutting Strategies:

Objective: Internal Capacity Building (e.g., internal program management)

Activities	Output	Outcome	Results
<p>Make Worker Protection Standards (WPS) a priority in the Pesticide state grant guidance</p>	<p>Include worker protection standards in the grant guidance</p>	<p>Increased understanding of worker protection standards by state and tribal programs</p>	<p>Regions, states, tribes used this guidance in negotiating cooperative agreements for FY 2005-2007. States and tribes focused on conducting inspections specific to the WPS. Interviewed farm workers and handlers as part of the inspection. Following risk-based strategy focused on establishments that pose the highest risk to pesticide workers and handlers.</p> <p>OC: Amar Singh; 202-564-4161; singh.amar@epa.gov</p>
<p>Develop and deploy interim EJ SEAT data set and query and reporting capability in Online Targeting Information System (OTIS)</p>	<p>OTIS users can select, view, and sort facilities based on “EJ areas of concern”</p>	<p>HQ and Regions can target and report on EJ based on a common, consistent, quantitative definition of EJ. The tool will be of great importance in the SITs integration of the required EJ component in all the OECA National Priorities</p>	<p>As of July 2006, prototype version available on the OTIS Web site. This will not be considered completed until the EJ SEAT workgroup obtains successful peer review of the EJ definitions and formula, and until technical issues, such as ICIS Facility Registry System (FRS) data, are satisfactorily resolved. Additionally, an announcement and instructions on use will need to be issued by the AA.</p> <p>OC: Andrew Schulman; 202-564-5244; schulman.andrew@epa.gov</p>

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Activities	Output	Outcome	Results
Partner with the Office of Environmental Justice (OEJ) to provide Basic Environmental Justice training to government professionals and the regulated community	Work closely with OEJ to devise a means for allowing the regulated community access to the Basic Environmental Justice training course and other pertinent EJ information and training via NETI Online by 2nd Quarter FY 2006	Increased access by the regulated community to Basic Environmental Justice training resulting in a better informed community	<p>The Basic Environmental Justice training course for government professionals completed and accessible via NETI Online. Two hundred eighty-one (281) participants accessed the training.</p> <p>OC: Patricia Straw; 202-564-2513; straw.patricia@epa.gov</p>
Design and implement a robust National Enforcement Training Institute (NETI) Tribal training strategy	Work closely with other OECA offices to increase capacity building and improve health and safety of Tribes	Increased awareness among tribes and EPA on innovative procedures and best practices that can be used in addressing enforcement and compliance issues	<p>A National Tribal Training Strategy was finalized and posted on the front page of NETI's Web page. The Strategy increases awareness among tribes and EPA on innovative procedures and best practices that can be used in addressing enforcement and compliance issues. The Strategy was distributed to approximately 40 major Tribal environmental organizations. At the Tribal Caucus Meeting held on August 23, 2006, it was distributed to 19 Tribal members as well as various HQ and Regional Tribal representatives who distributed it further to their contacts.</p> <p>OC: Jeff Lightner; 303-236-6782; lightner.jeff@epa.gov</p>

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Activities	Output	Outcome	Results
<p>Develop and provide tailored environmental justice training to all DC Metropolitan Area and Headquarters OCEFT personnel</p>	<p>Cooperatively developed a tailored environmental justice training course with OEJ (Training course to be delivered to approximately 80 OCEFT employees in DC Metropolitan Area and Headquarters)</p>	<p>Increased awareness of the EPA commitment to, and policies and procedures used to address environmental justice in daily decisions and responsibilities.</p>	<p>The implementation of a training program for members of the International Association of Chiefs of Police will result in the globalization of education on the policy and practice of environmental justice. This arena includes more than 19,000 police executives in more than 100 different countries. High level of collaboration has been necessary in order to get the group to understand the importance of the effort. Continuous result will be the integration of the principles of environmental justice in criminal case assessment and selection; and reduction in pollution around the globe. First training session is scheduled for June 2007, in New Orleans Louisiana.</p> <p>OCEFT: Barbara Foreman; 202-564-6005; foreman.barbara@epa.gov</p>
<p>Continue active participation and interaction in the EPA Environmental Justice Coordinating Council (EJCC)</p>	<p>Participate in EJCC meetings, workshops, discussions. Provide pertinent office insight and perspective and associated policies relative to EJ integration</p>	<p>Maintain consideration of EJ issues when developing new policy and guidance documents</p>	<p>Ongoing coordination of bimonthly EJCC meetings for the continued discussion of EJ-related issues and activities and EJ integration into OECA programs.</p> <p>EJCC members* : Joyce Olin (FFEO); Alice Mims (OC); Melissa Marshall (OCE); Barbara Foreman (OCEFT); Mustafa Ali (OEJ); Arthur Totten (OFA); Arati Tripathi (OSRE); Rey Rivera (OPPAC)</p> <p>* as of September 2006</p> <p>OPPAC: Rey Rivera; 202-564-1491; rivera.reiniero@epa.gov</p>

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Activities	Output	Outcome	Results
Monitor integration of OECA EJ Action Plan	Conduct progress semi-annual progress report meetings with the EJ contacts from each OECA office (EJ Coordinating Committee and EJ Action Council); and provide update to the OECA Deputy Assistant Administrator)	Improve accountability by having senior managers and staff regularly assess and adjust activities according to their offices' EJ strategy	Ongoing coordination of EJAC/EJCC meetings at least twice a year for the monitoring of the OECA EJ Action Plan, continued implementation of OECA EJ Policy, and discussion of EJ-related issues and activities and EJ integration into OECA programs. OPPAC: Rey Rivera; 202-564-1491; rivera.reiniero@epa.gov (and EJAC Chair, OPPAC Director, Caroline Petti)
Work with the OECA Planning Council to define ways in which the Environmental Justice Assessment Tool (EJ SEAT) can be effectively implemented for enforcement and compliance targeting and other activities related to priorities and core programs	Develop implementation strategy on how to effectively conduct environmental justice assessments and targeting of enforcement and compliance activities	More effective use of environmental justice assessment information and tools to address concerns in environmental justice areas is accomplished	OPPAC continues to participate in OECA Planning Council meetings. Once the EJ SEAT is made available, an implementation strategy could be developed. OPPAC: Rey Rivera; 202-564-1491; rivera.reiniero@epa.gov OC: Robbi Farrell; 202-564-4061; farrell.robbi@epa.gov

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Activities	Output	Outcome	Results
Develop an OECA Environmental Justice Award	Create an EJ award, part of the annual OECA Honor Awards Ceremony, to be given to an OECA employee who assisted on the integration of EJ principles into OECA's programs in an exemplary manner	Reward and encourage those individuals who effectively implement OECA EJ policy	<p>The OECA Environmental Justice Achievement Award was developed in February and awarded for the first time at the OECA Honors Award in July 2006. The award was designed to recognize employees who make an exceptional contribution to integrate environmental justice principles into OECA programs, policies, and activities. The award also supports OECA's commitment to achieving the goals of OECA's EJ Policy.</p> <p>OPPAC: Rey Rivera; 202-564-1491; rivera.reiniero@epa.gov</p>
Evaluate the need for a regular call with Regional counsel representatives (ORC's) to promote national consistency on EJ issues	This may provide a forum for discussing changes in EJ policy at Headquarters and for discussing how these changes will affect enforcement of CERCLA actions and RCRA corrective actions from a legal perspective	Call may serve as a mechanism for information exchange, policy development, and internal outreach and may ultimately provide a more consistent and collaborative approach to addressing EJ issues in enforcement actions	<p>After evaluating the need for a regular call with Regional counsel representatives (ORC's), OSRE concluded that OSWER's EJ Steering Committee call would be an appropriate forum in which to communicate with both regional counsel and regional programs. There are other existing calls that OSRE may also utilize when necessary, such as the RCRA Enforcement Managers Call or the Regional Counsel/Branch Chiefs call.</p> <p>OSRE: Carlos Evans; 202-564-6331; evans.carlos@epa.gov polin.robert@epa.gov</p>

Rober Polin; 202-564-4292;

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Activities	Output	Outcome	Results
Develop EJ guidance documents or other tools, if necessary, to be used to identify EJ concerns early on during settlement negotiations	Provide support to ORC's (through OSRE-ORC call) to ensure they have the necessary tools to identify and address EJ concerns early on during settlement negotiations, and if necessary, develop tools to accomplish these goals	Increase communication with Regional counsel to improve consistency and certainty in how EJ concerns are handled during settlement negotiations.	OSRE is currently exploring what tools will help improve consistency and certainty in how EJ concerns are handled during settlement negotiations (e.g., developing a checklist or revising model settlement documents). OSRE will continue working on this important project during the next fiscal year. OSRE: Robert Polin; 202-564-4292; polin.robert@epa.gov
Continue OSRE coordination with OSWER EJ Steering Committee	OSRE participation in OSWER bi-monthly calls, which have participation from all ten Regional offices, OSWER program offices, and other EPA offices	Call serves as a venue for information exchange, policy development, and internal outreach. Increased awareness and communication between program and enforcement offices on EJ issues may lead to opportunities for collaboration	OSRE is participating in OSWER's EJ Steering Committee Calls. OSRE: Carlos Evans; 202-564-0000; evans.carlos@epa.gov

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Activities	Output	Outcome	Results
<p>Compile “Lessons Learned” from Regions containing practice tips on how best to deal with EJ concerns and communities</p>	<p>Publish a report for distribution to Regional and Headquarters staff, once OSRE has compiled 5 stories and identify an example that OSRE may use to host a Case Study/Roundtable discussion for OSRE staff</p>	<p>Increase awareness among Headquarters and Regional staff on innovative procedures/best practices that can be used when addressing EJ in enforcement activities</p>	<p>After reviewing cases and engaging in discussions with Regional staff, OSRE did not find five case studies with enforcement issues specific to staff needs. OSRE will continue looking for innovative procedures/best practices through our work on the Financial Assurance priority and CASES.</p> <p>OSRE: Tessa Hendrickson; 202-564-6052; hendrickson.tessa@epa.gov</p>
<p>Host brown bags on an EJ topic related to site remediation enforcement activities</p>	<p>Host one session per year delivered to OSRE staff with 51% of staff in attendance</p>	<p>Increase integration of EJ into OSRE activities and provide specialized and work-specific training to OSRE staff as measured by post-brown bag questionnaire</p>	<p>In November 2005, Nicholas Targ and Tinka Hyde did a presentation on EJ SEAT during an OSRE All-Hands meeting.</p> <p>OSRE will host a Brown Bag with OSWER’s EJ Coordinator, Kent Benjamin, to discuss the NEJAC report on the “Unintended Impacts of Redevelopment and Revitalization Efforts in Five Environmental Justice Communities” on October 11th.</p> <p>OSRE: Arati Tripathi; 202-564-2044; tripathi.arati@epa.gov</p>

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Activities	Output	Outcome	Results
Continue OSRE EJ Coordinator review of new policy and guidance documents	For new policy and guidance documents, EJ Coordinator should be among the first reviewers of the document. “EJ Considerations” box on concurrence memo should be checked off by OSRE staff before sending document up to management	Increase consideration of EJ issues when developing new policy and guidance documents	<p>In FY '06, OSRE fully implemented its policy of EJ Coordinator review for new documents under development. New policy and guidance documents are required to go to the EJ Coordinator for review if EJ considerations are relevant to the new document. As a result, OSRE’s EJ Coordinator reviewed two policy and guidance documents that were under development for EJ integration prior to those documents being sent to management for their review and comment.</p> <p>OSRE: Arati Tripathi; 202-564-2044; tripathi.arati@epa.gov</p>