

January 2023 NSBEAP EJ Workgroup

January 11, 2023 2pm – 3pm (Eastern)

Mission: Explore how SBEAPs can address environmental justice (EJ) concerns in their states through small business assistance.

❖ Roll Call –

- Chair: Lisa Ashenbrenner Hunt (WI)
- Region 1: Sara Johnson (NH)
- Region 2: Maxwell Graham (NJ)
- Region 3:
- Region 4: Tony Pendola (NC), Donovan Grimwood (TN)
- Region 5: Renee Bashel (WI), Jenifer Dixon (MI)
- Region 6:
- Region 7: Nancy Larson (KS), Mary Yesko (KS), Cris Brazil (KS)
- Region 8:
- Region 9: Sydney Boogaard (AZ), Kat Olson (NV)
- Region 10:
- EPA: Paula Hoag, Mari Grover, Elnora Thompson

❖ Agenda repair

❖ December minutes - Approved

❖ New subcommittee members – welcome and introduction

- Mari Grover (EPA OSDBU)
- Mary Yesko (KS)
- Cris Brazil (KS)

❖ NEJAC vacancies

- 10 vacancies to be filled on EPA's National Environmental Justice Advisory Committee.
- Jenifer Dixon (MI) still interested in nomination.
- Anyone else interested in being nominated let Donovan and Lisa know.
- NSC will provide letter of recommendation (part of application process).
- Nomination deadline March 17.

❖ Annual Training

- Paula reaching out to EPA Region 9 for speaker, but some confusion about what SBEAPs do.
- Potential presentation on MOU between CAL EPA and Region 9 on EJ enforcement, action plan. Example of federal and state collaboration affecting facilities and enforcement.
- Maxwell looking to speak. Will help with intro to EJ Subcommittee.

❖ EJ web page

- Reviewed list of EJ links for web page.
- Group into categories. Nancy Larson will take stab at organizing them. Will use headers as outlined in SOP.
- Could add resources to left sidebar.

- Remove case studies, because we don't have any yet.
- Should spell out full web address instead of just link to help with accessibility. Same with email addresses.
- Suggestion to develop flyer or other marketing materials for small businesses on what EJ is, how it may impact them (i.e. enforcement initiatives) and how SBEAPs can assist them.

❖ **Annual report EJ questions**

- Interest in knowing if SBEAPs are tracking assistance in areas of EJ concern. If yes, how are they defining EJ areas?
- If going to track EJ outreach activities through annual report, need consistency of definition.
- Subcommittee could provide guidance on how EJ activities could be measured.
- Going to replace existing EJ question asking if SBEAPs are doing anything to address EJ. Most answered "no" last year.
- Could also ask questions at Annual Training about what EJ topics SBEAPs would like training on. Possible webinar(s).
- Nancy Larson will send draft language for questions. Lisa, Jenifer, Sara will help wordsmith.
- For 2024, ask SBEAPs how they're incorporating their EJ knowledge.

❖ **Business toolkit (MI)**

- Didn't have time to discuss.

❖ **Next subcommittee call (monthly) – Wednesday, February 8, 2:00-3:00 Eastern**

❖ **Next Steps**

- **Lisa/Chris/Paula – Continue working on finding speaker for Annual Training**
- **Nancy – take stab at grouping web links for EJ page.**
- **All – develop flyer or other marketing material for small businesses on what EJ is, how it may impact them and how SBEAPs can help.**
- **Nancy, Lisa, Jenifer, Sara – work on wording for EJ questions for Annual Report.**

February 2023 NSBEAP EJ Workgroup

February 8, 2023 2pm – 3pm (Eastern)

Mission: Explore how SBEAPs can address environmental justice (EJ) concerns in their states through small business assistance.

❖ Roll Call –

- Chair: Lisa Ashenbrenner Hunt (WI)
- Region 1:
- Region 2: Maxwell Graham (NJ)
- Region 3: Samantha Harmon (PA)
- Region 4: Tony Pendola (NC), Donovan Grimwood (TN)
- Region 5: Jenifer Dixon (MI), Dan Sowry (OH), Todd Nein (OH), Emilie Eskridge (OH)
- Region 6:
- Region 7: Nancy Larson (KS), Mary Yesko (KS)
- Region 8:
- Region 9: Kat Olson (NV)
- Region 10:
- EPA: Mari Grover, Elnora Thompson

❖ Agenda repair

❖ January minutes - Approved

❖ NEJAC vacancies

- No one has expressed interest in nomination other than Jenifer.

❖ Climate and Environmental Justice Screening Tool – recap from Donovan

- Donovan will share webinar slides when available.
- Combines info from existing screening tools from federal agencies into single tool.
- Decisive tool that defines which communities are disadvantaged.
- All agencies to begin using by October of this year.
- Agency-specific tools may still be used with adequate justification.

❖ Annual Training

- Still looking for local/regional speaker.
- Paula talked with EPA Region 9 EJ staff. They don't see link with SBEAPs.
- Jenifer talked to an EPA Region 5 contact who provided an EJ contact in Region 9 who she will reach out to.
- Other thoughts
 - New head of EJ spoke at the DC P2 conference last week and he is the same person we had at our Annual Training. Janet McCabe, AA, spoke too and she was an awesome speaker.
 - Kat will do some digging on EJ groups in Nevada to see if there might be some natural fits for the March training.
- Lisa and Maxwell will draft an intro to the EJ Subcommittee and web resources. Anything we want to highlight when introducing the subcommittee?

❖ **EJ web page**

- Nancy added links to tools.
- ECHO
 - Region 7 SBEAPs had demo of tool.
 - Can find out what permits a facility has, RCRA status, etc.
 - Uses data from EJ Screen and shows which categories the facility falls under (i.e. wastewater, air toxics, cancer risk, particulate matter).
 - Only includes environmental indices, not demographics.
 - Tony uses to check for small businesses with violations and cold calls them.
- Jenifer hearing from businesses wanting to know how they'll be impacted by EJ.
- EPA EJ Showcase Communities – each region highlights a project. Will produce future case studies.
- Need to find web page with EPA regional EJ contacts.
- Posted Lisa's full document of links under "list of EJ resources."

❖ **Other things of note**

- 2023 National Environmental Justice Conference and Training Program March 7-9. Registration is free for the public sector. <https://thenejc.org/registration>.

❖ **Next subcommittee call (monthly) – Wednesday, March 8, 2:00-3:00 Eastern**

❖ **Next Steps**

- **Move next call back 15 minutes to accommodate annual training planning call.**
- **Donovan will share slides on Climate and Environmental Justice Screening Tools when available.**
- **Lisa will review web page edits and find EPA regional EJ contacts.**
- **Lisa/Maxwell will draft intro to EJ Subcommittee and web resources for annual training session.**

March 2023 NSBEAP EJ Workgroup

March 8, 2023 2pm – 3pm (Eastern)

Mission: Explore how SBEAPs can address environmental justice (EJ) concerns in their states through small business assistance.

❖ Roll Call –

- Chair: Lisa Ashenbrenner Hunt (WI)
- Region 1: Sara Johnson (NH)
- Region 2: Maxwell Graham (NJ)
- Region 3: Jeremy Hancher (PA)
- Region 4: Tony Pendola (NC), Donovan Grimwood (TN)
- Region 5: Jenifer Dixon (MI), Deb Jacobson (IL), Emilie Eskridge (OH), Renee Bashel (WI)
- Region 6:
- Region 7: Nancy Larson (KS), Mary Yesko (KS)
- Region 8:
- Region 9: Kat Olson (NV)
- Region 10:
- EPA: Mari Grover, Elnora Thompson

❖ Agenda repair

❖ February minutes - Approved

❖ Annual Training

- EPA Region 9 speaker: Morgan Capilla, Environmental Justice Coordinator; or someone from her office. (45 minutes)
- Subcommittee overview: Maxwell Graham – review of draft outline
 - Add discussion on cumulative effects. EPA is starting to consider / define. Small businesses may come into play since they're looking at all pollution sources.
 - Jenifer Dixon has experience in this area she can share.
 - NJ also considering cumulative impacts. Both major and minor air sources have been impacted.
 - Lot of questions about how to quantify. Climate and Environmental Justice Screening Tool doesn't address cumulative impacts. EPA doesn't have much guidance.
 - Nancy Larson heard from the KS environmental agency that, according to a committee they're on (maybe ECOS?), PA and CO both have strong programs. Nancy will find out more information.
 - Housing issues may come into play. Many areas converting old industrial buildings into housing, moving people into existing industrial areas. Are existing environmental issues considered when deciding where to put housing? Might be a zoning question. Renovations should at least trigger asbestos notifications. Environmental issues may be considered if property is already considered a brownfield.
 - We haven't been given much information about EPA assistance efforts beyond enforcement.

- Poll / discussion questions
 - Would need to find software for polling. Nancy exploring. No one else using.
 - Could use Google Jam Board.
 - Decided in-person discussion is better than polling.
 - Proposed questions look good.
 - Renee offered to take notes during discussion.

❖ **Web page**

- Will get feedback at Annual Training and then decide next steps.

❖ **NEJAC nomination**

- Nomination deadline March 17.
- Jenifer Dixon applying.
- Still time for others to nominate if interested. The more people nominated, the better.

❖ **Next subcommittee call (monthly) – Wednesday, April 12, 2:00-3:00 Eastern**
Speaker: Jamie Marincola, Stormwater, Wetlands and Oil Supervisor, OECA, EPA Region 9

❖ **Next Steps**

- **Maxwell and Lisa will finalize Annual Training session outline and create PowerPoint.**
- **Renee will take notes on discussion questions during training.**
- **Nancy will get more info on the committee that KS agency staff referenced.**
- **Lisa will talk to Jamie Marincola to discuss April call.**

April 2023 NSBEAP EJ Workgroup

April 12, 2023 2pm – 3pm (Eastern)

Mission: Explore how SBEAPs can address environmental justice (EJ) concerns in their states through small business assistance.

❖ **Roll Call –**

- Chair: Lisa Ashenbrenner Hunt (WI)
- Region 1: Sara Johnson (NH)
- Region 2: Maxwell Graham (NJ)
- Region 3: Samantha Harmon (PA)
- Region 4: Tony Pendola (NC), Donovan Grimwood (TN)
- Region 5: Jenifer Dixon (MI), Todd Nein (OH), Renee Bashel (WI)
- Region 6:
- Region 7: Nancy Larson (KS), Mary Yesko (KS)
- Region 8:
- Region 9: Chris Lynch (NV), Sydney Boogaard (AZ), Cortney Madina (AZ)
- Region 10:
- EPA: Elnora Thompson
- Guest: Jamie Marincola, EPA Region 9

❖ **Agenda repair - None**

❖ **March minutes - Approved**

❖ **Guest speaker: Jamie Marincola; Stormwater, Wetlands and Oil Supervisor; Enforcement and Compliance Assurance Division, EPA Region 9**

- **A recording of the presentation is available on the EJ Subcommittee web page.**
- Jamie spoke on collaborative efforts between EPA Region 9 and California EPA regarding environmental justice.
- They have an MOU and EJ Enforcement Action Plan focused on strategic inspection targeting, enforcement actions and community engagement.
- Key elements of their work involve locally focused enforcement, rapid response to environmental events, a coordination toolbox to streamline the inspection process for businesses, and locally focused enforcement including the use of supplemental environmental projects (SEPs).
- Much of their work is based on community complaints.
- These efforts are currently being piloted in five communities where they can work with community groups to identify environmental concerns.
- They also work with businesses within the target communities and sometimes need to mediate between them and communities when the business is in compliance, but the community still wants to shut them down. An example was provided of a scrap metal business next to a school. They also do a lot of outreach to businesses that don't know they need a storm water permit and on spill prevention.
- Other EPA regions are considering doing similar things to Region 9.

❖ **Questions and discussion with Jamie**

- Michigan is looking into a potential project bank for SEPs for the Detroit area. Guidance from EPA would be helpful. EPA stopped doing SEPs under the last administration but has since brought them back. They have not done SEP banks (except for wetlands which is a similar concept). Some businesses prefer SEPs to paying money to a general fund. However, SEPs can be complicated and agencies don't always have the time or expertise to manage them. But it is a good way for the business to give back to the community.
- Some states don't want to talk about environmental justice. EPA has not imposed EJ requirements on states and their efforts are voluntary EPA is trying to lead by example. Todd noted that Ohio is working on lead line replacements and providing water bottle refill stations and that EJ is not only about race but also includes economic factors.
- EPA is going outside their current universe of facilities to identify businesses are regulated but might not know. They have developed a tool to help identify businesses that may need a storm water permit.

❖ **Next subcommittee call (monthly) – Wednesday, May 10, 2:00-3:00 Eastern**

❖ **Next Steps**

May 2023 NSBEAP EJ Subcommittee

May 10, 2023 2pm – 3pm (Eastern)

Mission: Explore how SBEAPs can address environmental justice (EJ) concerns in their states through small business assistance.

❖ **Roll Call –**

- Chair: Lisa Ashenbrenner Hunt (WI)
- Region 1:
- Region 2: Maxwell Graham (NJ)
- Region 3: Samantha Harmon (PA), Jeremy Hancher (PA)
- Region 4: Tony Pendola (NC), Donovan Grimwood (TN)
- Region 5: Renee Bashel (WI), Deb Jacobson (IL)
- Region 6:
- Region 7: Mary Yesko (KS)
- Region 8:
- Region 9:
- Region 10:
- EPA:

❖ **Agenda repair**

❖ **April minutes - Approved**

❖ **Potential project**

- Paula spoke with KS about a potential outreach project that could be done under their grant.
- Would include a handout or flyer for small businesses notifying them of increased EPA enforcement activities and promoting the use of SBEAPs to ensure compliance.
- Focus on air regulations and especially target metal fabricators.
- Need to determine who would distribute.
- Will draft something for subcommittee to review on June call. Finalize in July.

❖ **Take-aways from last month's speaker Jamie Marincola, EPA Region 9**

- **A recording of the presentation is available on the EJ Subcommittee web page.**

❖ **Annual Training recap and discussion of ideas**

- Surprised that in some states EJ is considered a “dirty word.”
- Annual Report data: 85% of respondents are not tracking EJ-related activities. Of those that are, 80% are using EJ Screen. One program indicated they did not recognize EJ in their state.
- Several attendees indicated they would like training on the different EJ screening tools. Could discuss the difference between them and what to use when.
- Could review analytics on subcommittee page to see what people are using.
- NEJAC section on web page – Weren't able to get a nominee on the NEJAC but could keep the section with some general information and public meeting announcements.

❖ **Question: Is anyone applying for EPA's P2 grant for EJ communities?**

- Sam H. interested in talking to other states looking at this grant.

- WI considered applying for grant for their Green Tier (beyond compliance) program as part of a new climate charter. Not specifically for SBEAP but do want to recruit small businesses.
- Deb: IL has partnered with Missouri and Iowa on Mississippi River corridor.
- Org in Chicago interested in partnering to get funds for landscapers in EJ areas to purchase electric equipment.
- Also an EPA P2 grant for safer products.
- TN may apply for grant to do something similar to OH's Permit Wizard.

❖ **What's next?**

- Training on EJ screening tools or other EJ topics – open to SBEAP Main. Maybe quarterly.
- Case studies/examples of working with businesses to address EJ concerns / show practical applications.
 - Successes/failures working with community groups.
 - Has anyone had success bringing small businesses to the table with communities?
- Review outreach flyer for businesses during June call.
- Metrics – easy ways to determine if businesses are in disadvantaged communities?
 - KS is adding EJ tracking to their database and Mary can talk about it once it's integrated. Automatically determines if contact is in an EJ community using address and census data. Makes tracking easier so doesn't take too much time to enter data.
 - Most programs track SBEAP efforts in a database or Excel spreadsheet but looks different in every state.
 - Excel function can help make EJ determinations. Typos can cause issues since it's an automated process.
- Reach out to SBDCs to see if EJ is on their radar. Connect with other assistance providers.
- Potential future topic – EPA/state enforcement partnership policy – EPA has authority to step in if state isn't adequately addressing an issue. EPA may take the lead on “actions to advance important national policy priorities. In addition to NECIs, EPA may have overarching national policy priorities and goals where compliance and enforcement actions by EPA may be needed (e.g., lead contamination and environmental justice).” – Could impact states not addressing EJ.

❖ **Next subcommittee call (monthly) – Wednesday, June 14, 2:00-3:00 Eastern**

❖ **Next Steps**

- **Draft outreach flyer for businesses on increased enforcement will be shared with group. Discuss during June call.**
- **Lisa will add general info to NEJAC section of EJ web page.**