

January 2025 NSBEAP EJ Subcommittee

January 8, 2025, 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)
- Vice Chair: Gabe Catenacci (CO)
- Region 1: Sara Johnson (NH)
- Region 2: Maxwell Graham (NJ)
- Region 3: Samantha Harmon (PA)
- Region 4: Tony Pendola (NC), LaTrina Williams (MS), Donovan Grimwood (TN)
- Region 5: Ynes Arocho (OH)
- Region 6:
- Region 7: Rajavel Krishnamoorthy (KS)
- Region 8:
- Region 9:
- Region 10:
- EPA: Elnora Thompson

❖ Agenda repair – none

❖ December meeting minutes – approved

❖ EPA updates

- **OECA Annual Results for FY 2024:** <https://www.epa.gov/enforcement/enforcement-and-compliance-assurance-annual-results-fiscal-year-2024>
 - Implementation of new strategies including first-ever EPA's Climate Enforcement and Compliance Strategy and Strategic Civil-Criminal Enforcement Policy to promote greater partnerships between EPA's civil and criminal enforcement programs.
 - Over past 2 years achieved strongest enforcement and compliance assurance results since 2017.
 - Completed record-breaking, precedent-setting cases including largest mobile source and stationary source CAA settlements in history.
 - Cut climate super pollutants like HFCs unlawfully imported and methane emissions at oil and gas fields and landfills.
 - Ensured public water systems following laws designed to prevent contamination.
 - FY 2024 stats
 - 10% increase in total number of inspections from FY 2023, highest since 2017.
 - 53% of inspections in areas with potential EJ concerns (surpassing goal of 50%).
 - 50% of civil cases in overburdened communities.
 - 82% of completed Superfund enforcement settlement agreements at sites in overburdened communities.
 - For first time all six NECLs include promoting EJ.

- Reducing Air Toxics in overburdened communities (2024-2027 NECI) – targeted geographic areas with high levels of HAPs (identified 27 such communities; conducted 184 inspections; used advanced monitoring).
 - Timely and comprehensive relief for communities – pursue case resolution and prevent recurrence (Guayama, Puerto Rico example).
 - Addressing imminent and substantial endangerment – legal tools to provide rapid relief. FY 2024 issued 12 Safe Drinking Water Act emergency orders to protect small or overburdened communities. (example: Lower Yakima Valley dairies manure practices endangered neighboring well-users. Nitrate imminent and substantial endangerment.)
 - Enhancing community engagement – Understanding community’s concerns better informs appropriate relief and cleanup work (example: R2 refinery).
 - Criminal enforcement – prioritize overburdened communities (61%).
 - Improved screening tools and public access to info – ECHO (Enforcement and Compliance History Online) database provided public info on inspections, violations, enforcement for around 800,000 facilities. Improved other tools (Water Quality Indicators, EJScreen – added drinking water noncompliance indicator).
 - EJ community focus: Guayama, Puerto Rico – area with greatest contamination on island.
- Annual Results Maps – find concluded enforcement cases, on-site compliance inspections, current cleanup work on interactive maps.
- Highlights historic, precedent-setting cases.
 1. Marathon Oil – CAA violations at oil and gas production operations. Implementing extensive compliance measures and mitigation to achieve major reduction in emissions from 200+ facilities and paying largest civil penalty ever for CAA violations at stationary sources.
 2. Cummins, Inc. – Diesel engine maker CAA violations for software defeat devices. Largest ever CAA penalty and 2nd highest penalty in EPA history. Nationwide vehicle recall replacing engine control software in hundreds of thousands of diesel engines, extended warranty for certain parts to mitigate smog and ozone-creating NOx, employing new procedures to prevent future emissions cheating.
 3. Gowanus Canal Superfund Site (NY) – One of nation’s most contaminated waterways. Communities around canal overburdened and vulnerable to climate change. Amended administrative order issued to six potentially responsible parties to dredge and cap sediment and perform cleanup work (polycyclic aromatic hydrocarbons (PAHs), PCBs, heavy metals).
- **ECHO changes**
 - Added filter for potential EJ concerns in September.
 - Pulls from EJScreen – 90th percentile.
 - Has mapping capabilities showing inspections and enforcement in areas with EJ concerns. Shows violations and inspections not finding violations.
 - Filter by zip code, city or state.
 - Can limit search to EPA actions only or also see state actions. State actions are reported to EPA but may not have as much information as federal actions shown in the database.
 - Can restrict search to specific time period, type of regulation or nonattainment areas.
- **EPA’s Environmental Justice Strategic Plan:**
<https://www.epa.gov/environmentaljustice/environmental-justice-strategic-plan>

- Part of effort to implement EO on Revitalizing Our Nation's Commitment to Environmental Justice for All which directs all federal agencies to pursue whole-of-government approach to deliver measurable progress on EJ.
 - Builds on accomplishments from previous EJ plans (2014, 2020).
 - See Appendix on page 44 for table summarizing goals and objectives.
- **Indicators of Environmental Health Disparities:**
<https://www.epa.gov/environmentaljustice/indicators-environmental-health-disparities>
 - Six pilot indicators of environmental health disparities.
 1. Blood lead levels
 2. Population in monitored counties meeting PM2.5 NAAQS
 3. Age-adjusted hypertension
 4. Adverse birth outcomes
 5. Childhood asthma
 6. Life expectancy
 - Intent to illustrate disparities in environmental and public health issues and describe EPA's activities that may contribute to reductions in disparities and health burden.
 - Indicators intended as informational and not for use in agency decision-making.
 - Response to FY 22-26 Strategic Plan requiring EPA to assemble indicators to assess performance in decreasing disparities in environmental and public health conditions.
 - Represent environmental health concerns shaped by a wide range of factors.

❖ **State resources**

- **Wisconsin DNR's Environmental Justice Framework and Toolkit for Program and Project Planning:** https://widnr.widen.net/s/sfxsqdsbsx/dnr_ejframeworkandtoolkit
- **Mass TURI TCE grant update**
 - Told they are being awarded grant but have not received official documentation yet.
 - Don't have funds yet to purchase equipment to test parts cleaning.
 - Would normally be able to begin work in October, so everything is delayed and on hold.

❖ **Annual Training**

- NV hoping to get grant that could help fund in-person training but don't officially have it yet.
- If in-person training happens, it would be in fall.
- NSC discussing doing a spring virtual training or newcomer training in March or April.
- Did virtual training a few years ago which was held over four weeks, since it's hard to sit through more than a few hours of virtual meetings at a time. Also having different date options makes it easier to get speakers. Could consider doing that again. Sara will suggest this to the NSC.

❖ **Next subcommittee call (monthly) – February 12, 2:00-3:00 Eastern**

❖ **Next steps**

- **Lisa will set up new Zoom meetings for 2025.**
- **Sara will make suggestion to NSC that virtual training could be spaced out over several weeks, so we don't have to be in virtual meetings for too long at a time.**