

# **January 2024 NSBEAP EJ Subcommittee**

**January 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: Sara Johnson (NH)
- Region 2: Maxwell Graham (NJ)
- Region 3: Samantha Harmon (PA), Jeremy Hancher (PA), Lee Ann Briggs (PA)
- Region 4: Tony Pendola (NC), Donovan Grimwood (TN), Derek Bozzell (KY), Emily Jayne (KY), Taaka Bailey (MS), Sherry Waldron (GA)
- Region 5: Kaitlyn DeVries (MI), Mark Stoddard (IN), Chrystal Wagner (IN), Hani Sharaya (IN)
- Region 6:
- Region 7: Nancy Larson (KS), Mary Baker (KS), Rajavel Krishnamoorthy (KS), Jennifer Wittenburg (IA)
- Region 8: Kaitlin Urso (CO), Gabe Catenacci (CO), Jesse Fairweather (CO), Jerrett Vigil (CO), Jesse Walters (CO), Bonnie Rouse (MT)
- Region 9: Sydney Boogaard (AZ), Kat Olson (NV), Chris Lynch (NV), Griffin Hadlock (NV), Martin Tull (NV)
- Region 10:
- EPA: Eric Tidquist (R5), Elnora Thompson

## **❖ Agenda repair - none**

## **❖ Approval of December minutes - approved**

## **❖ Autobody outreach discussion**

- Summary of NH project / draft document – Sara Johnson
  - Focuses on how shops can be better members of their communities instead of emphasizing EJ.
  - Includes short list of ways they could decrease environmental impacts and get involved in their communities.
  - Includes a section on environmental requirements but doesn't go into every detail.
  - Sara will be presenting the document to her agency's EJ team who will advise on how to discuss EJ.
  - There are currently two sections of recommendations focused on reducing environmental impacts and community involvement. Would this work better with three sections on environmental requirements, BMPs and community involvement?
- Thoughts on requirements section
  - Don't list all the requirements here. Either include more or stick to voluntary actions.
  - Summarize 6H in a few bulletpoints (metals in coatings, spray guns, gun cleaners, filters, training, etc.). Don't necessarily have to know if they have metals in coatings if they're already complying with the rule. Keep short and simple. Include gun transfer efficiency, using enclosed gun cleaners, solvent distillation.

- Another suggestion to keep info general instead of getting into specific 6H requirements, since the rule doesn't apply to everyone.
  - Seeing shops moving outside municipalities and not being connected to POTW. Want to drain wastewater to onsite treatment.
  - Also seeing shops hooked up to city sewers but not registered with POTW.
  - How is paint from a damaged section of the vehicle removed? Dry or solvent/chemical based? If dry, how is the dust controlled? How is the waste dust managed?
- Section on "nice things to do" that are not required
  - Could include using waterborne/low VOC paints, checking coatings for metals beyond the HAPs in 6H and keeping consistent operating hours.
  - Suggestions not to paint at night when people are at home, pay attention to the Air Quality Index/action days, use PPE.
  - PPE isn't an environmental issue. If including that, should add other health-related things.
  - Hard sell to tell them not to paint on certain days. Maybe just suggest not painting when windy.
  - Add something about benefits of them paying attention to EJ issues.
  - Good housekeeping – avoid spills, etc. that lead to need for remediation. Keep rags/wipes in labeled and closed containers. Keep your mixing area organized and close containers of materials containing a solvent when not in use. Exterior storage of damaged vehicles awaiting appraisal should be kept cleaned to avoid the appearance of operating a salvage yard.
  - Rural areas without access to a sanitary sewer should consider having vehicles cleaned off site.
- Community involvement section
  - Is more EJ focused.
  - Some shops already doing these things.
  - Good to include this section emphasizing impacts of connecting with community.
  - Let community know you're an equal opportunity employer.
- How to get feedback from BIPOC (black, indigenous, and people of color) groups?
  - Sara has good relationships with associations but not much contact with BIPOC organizations. However, others in her department do have relationships with these groups, and they will be reviewing it. Sara will send the document to them once we're good with it.
- Other suggestions
  - Good to have EJ description at end of document. Soften by saying, "these things are especially important in EJ areas." Start with focus how suggestions help shops reduce impacts to encourage them to keep reading.
  - Consider translating into other languages. Sara is already planning on adding a question to her site visit checklist to ask what other languages they need assistance in.
  - Metal finishing and electroplating facilities often have poor housekeeping. In nondescript buildings, so you don't know what's going on inside them. Metal finishing/electroplating has been conducted in impoverished areas, some of which have gone through or are going through remediation. There are probably fewer decorative chrome platers of automotive parts for vintage vehicles.
  - Eric Tidquist (Region 5 EPA) has some contacts in the EJ group at Region 5 and could touch base with one of them to find the right person at Region 4.
  - <https://www.epa.gov/brownfields/solicitation-fy-2024-technical-assistance-existing-and-potential-brownfields-rlf-grant> deadline is March 1, 2024
  - <https://www.epa.gov/brownfields/brownfields-near-you>
- How should the document be distributed (i.e. site visits, web posting, etc.)? Should outreach target EJ areas, and what's the best way to do that?
  - Will include the document on SBEAP web page, do social media posts and bring to site visits. Other ideas?
  - Suggestion to distribute through regional TCTACs who will be providing technical assistance to communities on EJ efforts. <https://www.epa.gov/environmentaljustice/environmental-justice-thriving-communities-technical-assistance-centers>. Don't think the grant has been awarded yet in Region 1.
  - Any other technical assistance providers could help distribute it.
  - Let SBDCs know about this effort.

- EPA is primarily using EJScreen to identify communities for enforcement, but may also use CEJST. Can crosswalk the map with autobody shops.
- Distribute by mailing or could go door-to-door.
- KS is planning a similar push for the EPA EJ Flyer for site visits. Find the flyer and EJ resource page on NSBEAP @ <https://nationalsbeap.org/node/454>. They use CEJT for their database, but OECA is using only EJScreen. Doesn't have state tool. Cross walk the data with ECHO to get permit data.
- PA has a new EJ mapping tool. PennEnviroScreen. It is also similar to EPA tool with a lot more layers than the prior tool which was primarily race and socioeconomic. <https://gis.dep.pa.gov/PennEnviroScreen/>
- Michigan has a mapping tool too that is similar to EPA's EJScreen. <https://www.michigan.gov/egle/maps-data/miejscreen>. It is still in a draft form.
- Colorado's EnviroScreen tool (there is a tab that defines Disproportionately Impacted Community): [https://teeo-cdphe.shinyapps.io/COEnviroScreen\\_English/](https://teeo-cdphe.shinyapps.io/COEnviroScreen_English/)
- Had a question on the annual report about if programs are tracking outreach in EJ areas and, if so, how are they defining them. Didn't get many positive responses.
- KS uses CEJST and EJScreen.
- Colorado mapped all the autobodys in the state by SIC code and then could over lap with EJ areas - then do outreach in those areas in-person. They use their own mapping tool.
- Could work through a state auto body association regarding outreach. They are probably interested in improving their image in the public's eye. In Indiana, it is the Indiana Auto Body Association.
  - Vocational/technical schools might be another group you should consider approaching.
  - Another resource - <https://ccar-greenlink.org/how-we-do-it/#collision>.
- Next steps
  - Sara will edit the document based on feedback received. Will have EJ Subcommittee review it again before sending to her agency's EJ group for review.

❖ **Technical Subcommittee Jan presentation on screening tools**

- Mary Baker presenting on EJScreen and CEJST.
- Lisa will give intro to EPA EJ flyer and how to use it.

❖ **Annual Training**

- Have already had EPA speakers on what EJ is, etc. and have recorded presentations.
- Should focus on practical applications of EJ work.
- Could discuss how to work with TCTACs or technical assistance to brownfield (TAB). Those groups might not know about us, but they're the ones getting the word out and they have funding.
- Nancy L. has a connect with TAB and can connect us.
- KS is looking at inviting the TCTAC for Region 4.
- Eric Tidquist, EPA Region 5, can help us find a Region 4 EPA EJ contact if needed.

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

❖ **Next Steps**

- **Sara will edit autobody document based on feedback received and will have EJ Subcommittee review it again. Then will send it to her agency's EJ group for review.**
- **Mary Baker will present on EJScreen and CEJST on the next Technical Subcommittee call. Lisa will introduce the new EPA EJ flyer and web page on National SBEAP.**
- **Nancy will connect Lisa with TAB in KS as a possible annual training speaker.**

# **February 2024 NSBEAP EJ Subcommittee**

**February 14, 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:
- Region 3: Samantha Harmon (PA)
- Region 4: Tony Pendola (NC), Donovan Grimwood (TN), LaTrina Williams (MS)
- Region 5: Ynes Arocho (OH)
- Region 6:
- Region 7: Mary Baker (KS)
- Region 8:
- Region 9: Sydney Boogaard (AZ)
- Region 10:
- EPA:

## **❖ Agenda repair**

- EJ Flyer
  - Question if it's possible to edit the document to make state-specific.
  - Sara only allowed to put documents on her website if they're her documents. Can only link to outside information. Wants to change "if you own a business in New Hampshire..." and use her own QR code.
  - Generally, Paula did not want the document edited since language was vetted by OECA and others at EPA.
  - It was noted that the flyer doesn't have EPA's logo on it.
- SBEAP/SBO promotional flyers
  - Sam H. created a new flyer promoting all three aspects of the program.
  - Are there other examples of state flyers on the national website? Yes, there are some examples on the Promotional Subcommittee page.
- [Environmental Justice Update 2024: Approaching the Crossroads - ALL4 \(all4inc.com\)](#)
  - Donovan forwarded email for webinar Feb 21. May be of interest to group.
  - All4 is also speaking at annual training.
  - Register for webinar to get recording.

## **❖ Approval of January minutes - Approved**

## **❖ Any additional thoughts on January's autobody outreach discussion?**

- Sara received great feedback. Discussion was worthwhile.

## **❖ Recap of Technical Subcommittee Jan presentation on screening tools**

- Mary Baker presented on EJScreen and CEJST.
- Lisa gave intro to EPA EJ flyer and how to use it.

❖ **Annual Training**

- Federal employees operating under a continuing resolution for budget so they can't officially make plans until they know how that will play out.
- EJ panel and discussion
  - KS Technical Assistance to Brownfields (TAB) staff unable to attend.
  - Donovan and Crystal spoke with Region 4 TAB, and they're interested in speaking.
  - If TAB isn't able to speak, could have Matt Taylor speak from TN agency. He was a Title VI coordinator.
  - Another option is to ask TN brownfield staff to speak.
  - Panel will join open discussion on EJ after they speak and answer questions.
  - Lisa will share EJ flyer during open discussion.
  - Each panel member will discuss their program initiatives and how we might be able to work with them.
- Crystal is working with the regional transport authority which gives free brownfields tours.

❖ **Next subcommittee call (monthly) – April 10, 2:00-3:00 Eastern; ~~March call cancelled due to Annual Training~~**

❖ **Next Steps**

- Lisa will ask Paula about editing the flyer.
- Lisa will cancel March meeting.

# **April 2024 NSBEAP EJ Subcommittee**

**April 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: Sara Johnson (NH)
- Region 2:
- Region 3:
- Region 4: Tony Pendola (NC), Donovan Grimwood (TN), LaTrina Williams (MS)
- Region 5: Ynes Arocho (OH), Kaitlyn DeVries (MI)
- Region 6:
- Region 7: Mary Baker (KS)
- Region 8: Gabe Catenacci (CO)
- Region 9:
- Region 10:
- EPA:

## **❖ Agenda repair – None**

## **❖ Approval of February minutes - Approved**

## **❖ New subcommittee members – Gabe Catenacci (CO) introduced himself.**

## **❖ Co-chair request**

- Seeking a subcommittee co-chair to work with Lisa.
- Will send a note to entire subcommittee with request.

## **❖ EJ Flyer follow up**

- Ok to make state-specific edits referencing your state and adding state website QR code.
- Can edit PDF with Acrobat. An editable Word version could also be made.
- Sara got approval from her agency to post the flyer as is. They preferred it not being a NH doc. They liked the language used to define environmental justice. Sent flyer to municipalities and promoted the help Sara can provide. Also planning social media posting.
- Flyer is posted on [Environmental Justice | National Small Business Environmental Program](https://nationalsbeap.org/sites/nationalsbeap/files/small-business/NSBEAP-EJ-1223.pdf) along with information on EJ for a small business audience. Direct link:  
<https://nationalsbeap.org/sites/nationalsbeap/files/small-business/NSBEAP-EJ-1223.pdf>.

## **❖ Annual Training recap**

- Session on EPA EJ Enforcement Initiatives and EPA's Small Business Compliance and Audit Policies / States' self-disclosure policies

#### ❖ Discussion on self-disclosure policies and how they can be included in EJ outreach

- Not all states that have a policy promote it much (NH, TN).
- Policies used most frequently for EPCRA and RCRA issues. It's most been promoted for those issues.
- Important to recognize that it's not a "get out of jail free" card. Can't keep using it frequently.
- Are reports coming from EJ communities? – EPA doesn't publicly post a list of who discloses, but it might be possible to request that information informally or through a FOIA request.
- Sara wants to draft some outreach language on the NH policy that makes it understandable to small businesses.
- In CO, the oil and gas industry is the primary user of the state policy.
- Barriers from small businesses to use policies include the cost of an audit, knowledge of the program and trust in regulatory agencies.
- Discussed potential ways for small businesses to do an audit without hiring an auditor. They may be able to work with:
  - SBEAP – Some states, like TN, and EPA allow this.
  - SBDCs
  - Trade associations
  - University programs
  - Retired engineers program
  - Other small business assistance providers
- Attorneys have been a major promoter of WI's policy.
- WI's CAP was involved in rebranding the state compliance audit policy (now called Enviro-Check) to make it less intimidating and increase use.
- A limiting factor is that you can't keep using the policies or have repeat violations.
- Most of the state policies are similar to EPA's, since they were written around the same time.
- Policies written in the early 2000s. They were promoted more back then than now.

#### ❖ Links to state policies

- **TN:** TDEC Self-Policing Policy <https://www.tn.gov/environment/sbeap/info/self-policing.html>
- **CO CDPHE:** Environmental self-audit reporting <https://cdphe.colorado.gov/environment/environmental-self-audit-reporting>
- **WI:** Enviro-Check <https://dnr.wisconsin.gov/topic/EnviroCheck>
- **MI:** Environmental Audit Privilege and Immunity <https://www.michigan.gov/egle/regulatory-assistance/compliance-assistance/environmental-audit>
- **KS:** Environmental Audit Policy <https://www.kdhe.ks.gov/DocumentCenter/View/15122/Environmental-Audit-Policy-PDF>
- **OH:** [https://dam.assets.ohio.gov/image/upload/epa.ohio.gov/Portals/0/general\\_pdfs/audit.pdf](https://dam.assets.ohio.gov/image/upload/epa.ohio.gov/Portals/0/general_pdfs/audit.pdf)

#### ❖ Next subcommittee call (monthly) – May 8, 2:00-3:00 Eastern

#### ❖ Next steps

- **Lisa will send out request for subcommittee co-chair.**
- **Lisa will resend subcommittee call invitations to make sure new members have the link.**
- **Lisa will send a note to SBEAP Main listserv inviting other to join subcommittee.**
- **Anyone who has notes from the EJ Open Discussion session from the Annual Training send notes or highlights to Lisa.**
- **If your state has an audit/self-disclosure policy, send link to Lisa to compile.**
- **EJ Subcommittee will discuss collaboration with Education Subcommittee on May 28<sup>th</sup> Ed call on self-disclosure policies.**