



pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION



Office of Environmental Justice and PennEnviroScreen

Presentation for EAC
June 11, 2024
Amani Reid

Josh Shapiro, Governor

Jessica Shirley, Acting Secretary

DEP Mission

"To protect Pennsylvania's air, land, and water from pollution and to provide for the health and safety of its citizens through a cleaner environment. We will work as partners with individuals, organizations, governments and businesses to prevent pollution and restore our natural resources."

Presentation Outline

- PA Department of Environmental Protection and the Office of Environmental Justice
- Regulation of Permits, Permitted Facilities, and Environmental Justice Considerations
- Alerts and Notifications Sign-Up Process
- Tools, Resources and Grants
- Public Engagement Opportunities
- Contact us!



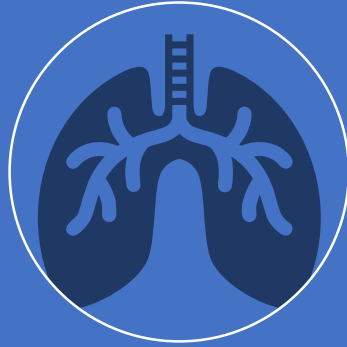
ERA: Section 1, Article 27

“The people have a right to clean air, pure water, and to the preservation of the natural, scenic, historic, and esthetic values of the environment. Pennsylvania’s public natural resources are the common property of all the people, including generations yet to come. As trustee of these resources, the commonwealth shall conserve and maintain them for the benefit of all the people.”

DEP Deputes



Water



Waste, Air,
Radiation, and
Remediation



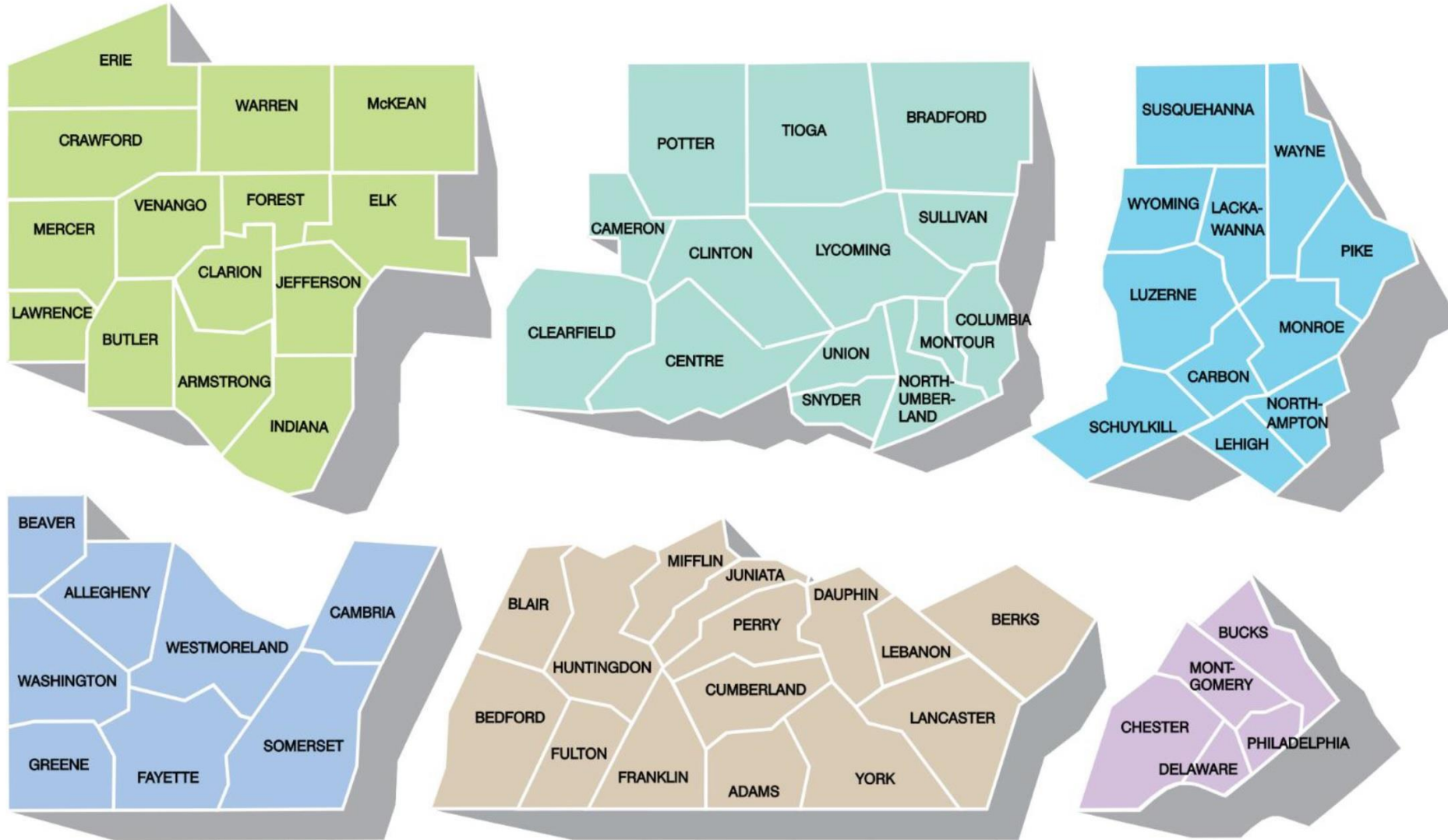
Active and
Abandoned
Mines



Oil and Gas

Regional Offices

DEP Regions



EJ Definition (PADEP)

Environmental justice means **the just treatment and meaningful involvement** of all people, regardless of income, wealth, race, color, national origin, area of residence, Tribal affiliation, or disability, in agency decision-making and other activities that affect human health and the environment so that people: are **fully protected from disproportionate and adverse human health and environmental effects** (including risks) and hazards, including those related to climate change, the cumulative impacts of environmental and other burdens, **and the legacy of racism or other structural or systemic barriers**; and have equitable access to a healthy, sustainable, and resilient environment in which to live, play, work, learn, grow, worship, and engage in cultural and subsistence practices. **It further involves the prevention of future environmental injustice and the redress of historic environmental injustice.**

Definitions of Environmental Justice

U.S. EPA

Fair treatment and meaningful involvement of all people, regardless of race, color, national origin or income, in the development, implementation and enforcement of environmental laws, regulations and policies.

Pennsylvania DEP

Environmental justice embodies the principle that communities and populations should not be disproportionately exposed to adverse environmental impacts.

First People of Color Environmental Leadership Summit

Seventeen
Principles of
Environmental
Justice.

**Distributive
Justice**

**Procedural
Justice**

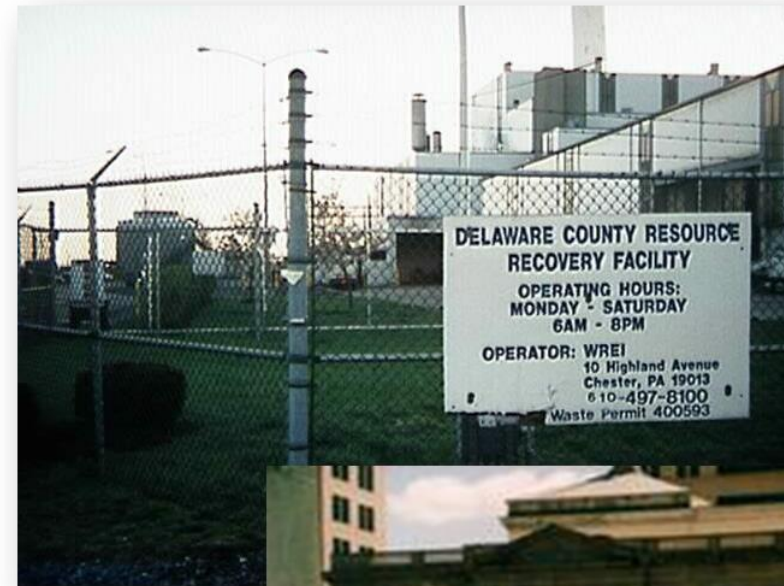
**Corrective
Justice**

**Social
Justice**

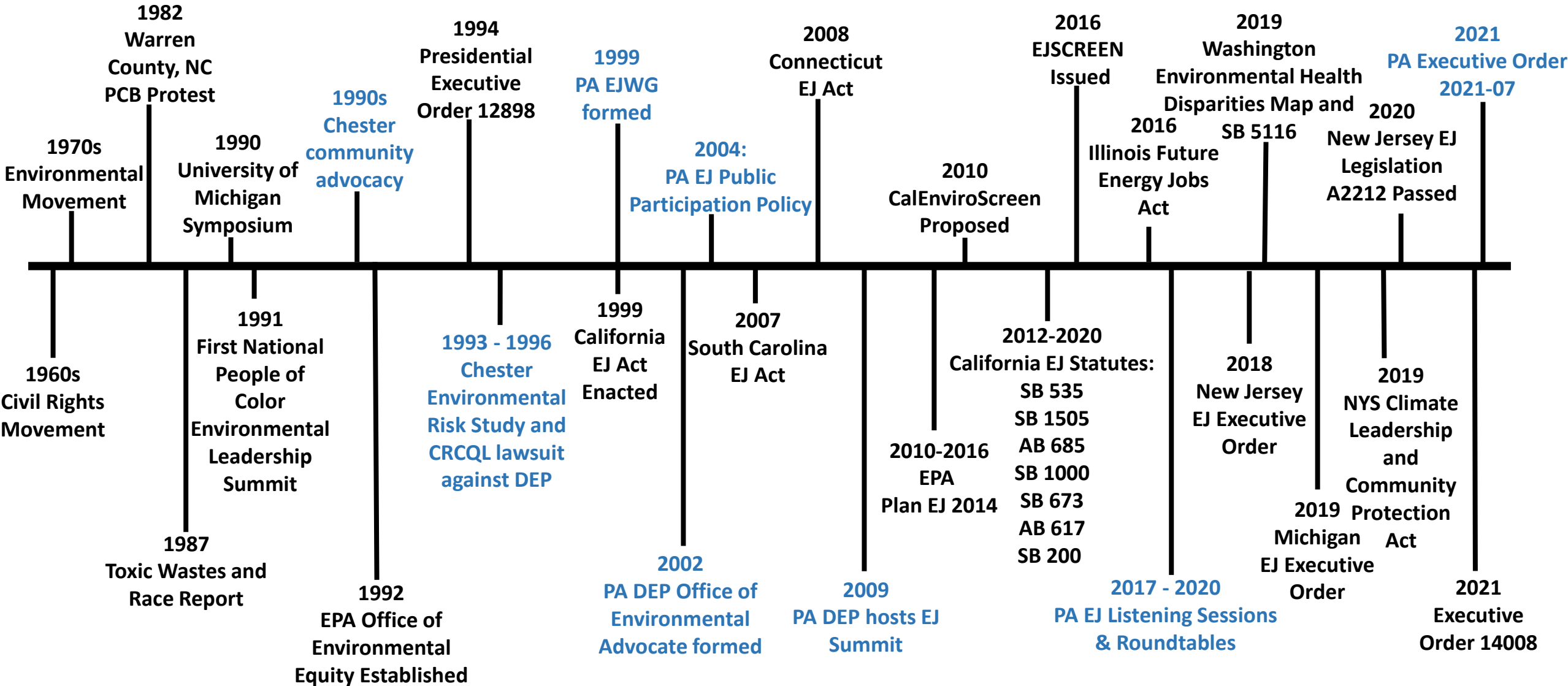
**Structural
Justice**

Roots of EJ in Pennsylvania

- Organizing of Chester in early 1990s
- Environmental Risk Study by EPA in conjunction with DER in 1993
- Chester residents (CRCQL) lawsuit against DEP in 1996
- DEP Environmental Justice Work Group (EJWG) created in 1999 Report and Recommendations released in 2001



Timeline of Federal and State Government Response



OEJ Goals

- **Minimizing Adverse Environmental Impacts** - All communities are not unjustly and/or disproportionately burdened with adverse environmental impacts
- **Empowering Communities** - Ensuring citizens have meaningful involvement and a voice in decision-making process
- **Fostering Economic Opportunities** - Enable environmentally responsible economic development to and within EJ communities and in some cases build collaborations and relationships with the community and industry

2021 EJ Executive Order

- An [Executive Order](#) on environmental justice was issued on October 28, 2021.
- Permanently established the Office of Environmental Justice.
- Formally established the Environmental Justice Advisory Board
- Created an Environmental Justice Interagency Council
- Outlined activities that executive branch agencies should take to further environmental justice goals.



Purpose of EJ Policy Updates

- Withdrew a draft Policy because it solely focused on public engagement in the permitting process and did not address wider concerns.
- How can DEP address EJ in addition to public participation in the permit review process?
- Focused on incorporating a meaningful community engagement process to ensure inclusive community voice around its creation.
- Center this discussion on the voices of those who live in communities facing environmental burdens.



Public Hearing & Comments on Policy Revision

- Virtual Hearings (please register 24 hrs in advance at dep.pa.gov/EJPolicyRevision)
 - Wednesday, October 11, 2023, at 5 p.m. Virtual
 - Wednesday, October 25, 2023, at 5 p.m. Virtual
 - Thursday, November 16, 2023, at noon Virtual
- In-Person Hearings (please register 24 hrs in advance at dep.pa.gov/EJPolicyRevision)
 - Thursday, October 12, 2023, at 6 p.m. Shamokin Area/Ranshaw PA
 - Monday, October 16, 2023, at 6 p.m. Scranton PA
 - Wednesday, October 18, 2023, at 6 p.m. Erie PA
 - Wednesday, October 18, 2023, at 6 p.m. Pittsburgh
 - Thursday, October 19, 2023, at 6 p.m. Harrisburg
 - Saturday, October 21, 2023, at 10 a.m. Chester PA
 - Thursday, October 26, 2023, at 6 p.m. Philadelphia
 - Tuesday, November 28, 2023 at 6 p.m. Washington PA
 - Thursday, November 30, 2023 at 6 p.m. Allentown PA

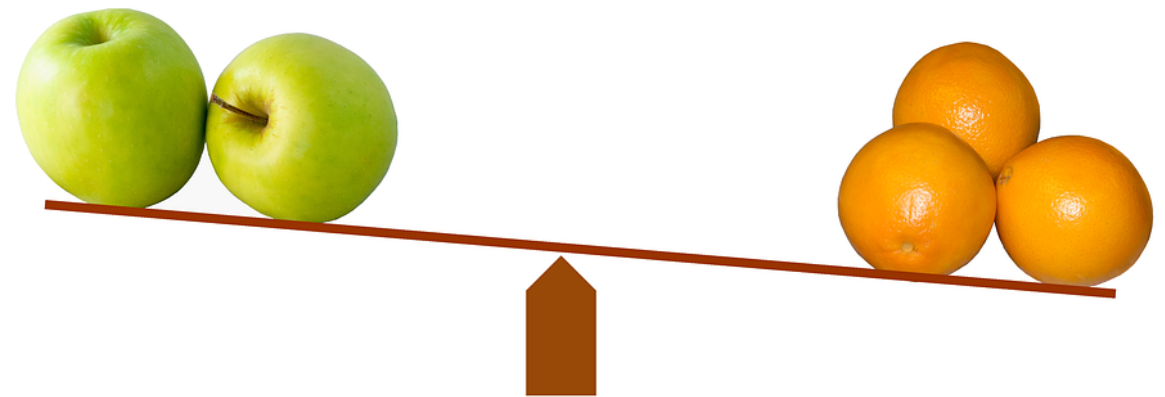
EJ Policy 2023 vs. 2004 Highlights

2023 EJ Policy

- Enhanced Public Participation through clear definitions and criteria with more tools.
- Enhanced Demographic and Environmental Factors for Policy application
- Prioritized Proactive Community Engagement
- Inspections, Compliance, and Enforcement
- Encouragement on Mitigation Practices
- Community Development and Investment (including grants)
- Climate Initiatives
- Policy Updates Cycle

2004 EJ Policy

- Defined Environmental Justice area based on two demographic factors, poverty and race.
- Initiated Enhanced Public Participation Guidance.
- Identified Applicable Trigger Permits
- Identifying where the Policy applies



EJ Policy Components



- I. Introduction
- II. Definitions
- III. Environmental Justice Area Criteria
- IV. Proactive Community Engagement
- V. Enhanced Public Participation
- VI. Inspections, Compliance, and Enforcement
- VII. Community Development and Investment
- VIII. Climate Initiatives
- IX. Policy Updates

Indicator Categories

Pollution Burden (Threat)

- **Environmental exposures:** quantifiable levels of pollutants
- **Environmental effects:** adverse environmental conditions / risks that are not quantifiable
 - Based on proximity

Population Characteristics (Vulnerability)

- **Sensitive Populations:** health characteristics that either amplify or may be caused by environmental hazards
- **Socioeconomic factors:** certain demographic characteristics may reduce communities' ability to mitigate effects of environmental hazards

Calculating Final Score

$$C = \frac{\sum c}{n}$$

C = Component score

Σc = Sum of all indicator percentiles within component

n = Number of indicators within component

$$PB = \frac{EXP_{avg} + (EE_{avg} \times 0.5)}{1.5}$$

PB = Pollution Burden score

EXP = Environmental Exposures component score (average of all Environmental Exposures indicators)

EE = Environmental Effects component score (average of all Environmental Effects indicators)

$$PC = \frac{SOC_{avg} + SP_{avg}}{2}$$

PC = Population Characteristics score

SOC = Socioeconomic Populations component score (average of all Socioeconomic Populations indicators)

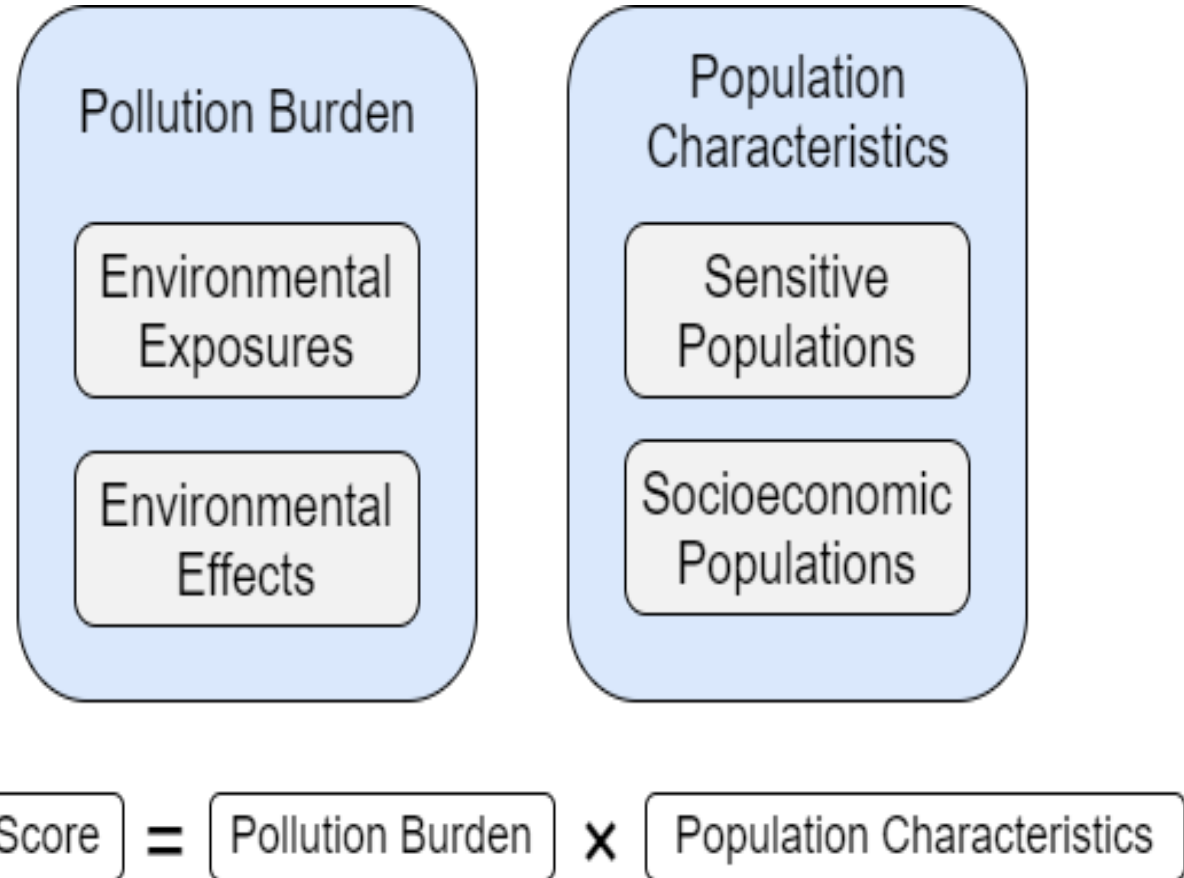
SP = Sensitive Populations component score (average of all Sensitive Populations indicators)

$$F = \left(\frac{PB}{PB_{max}} \times 10 \right) \times \left(\frac{PC}{PC_{max}} \times 10 \right)$$

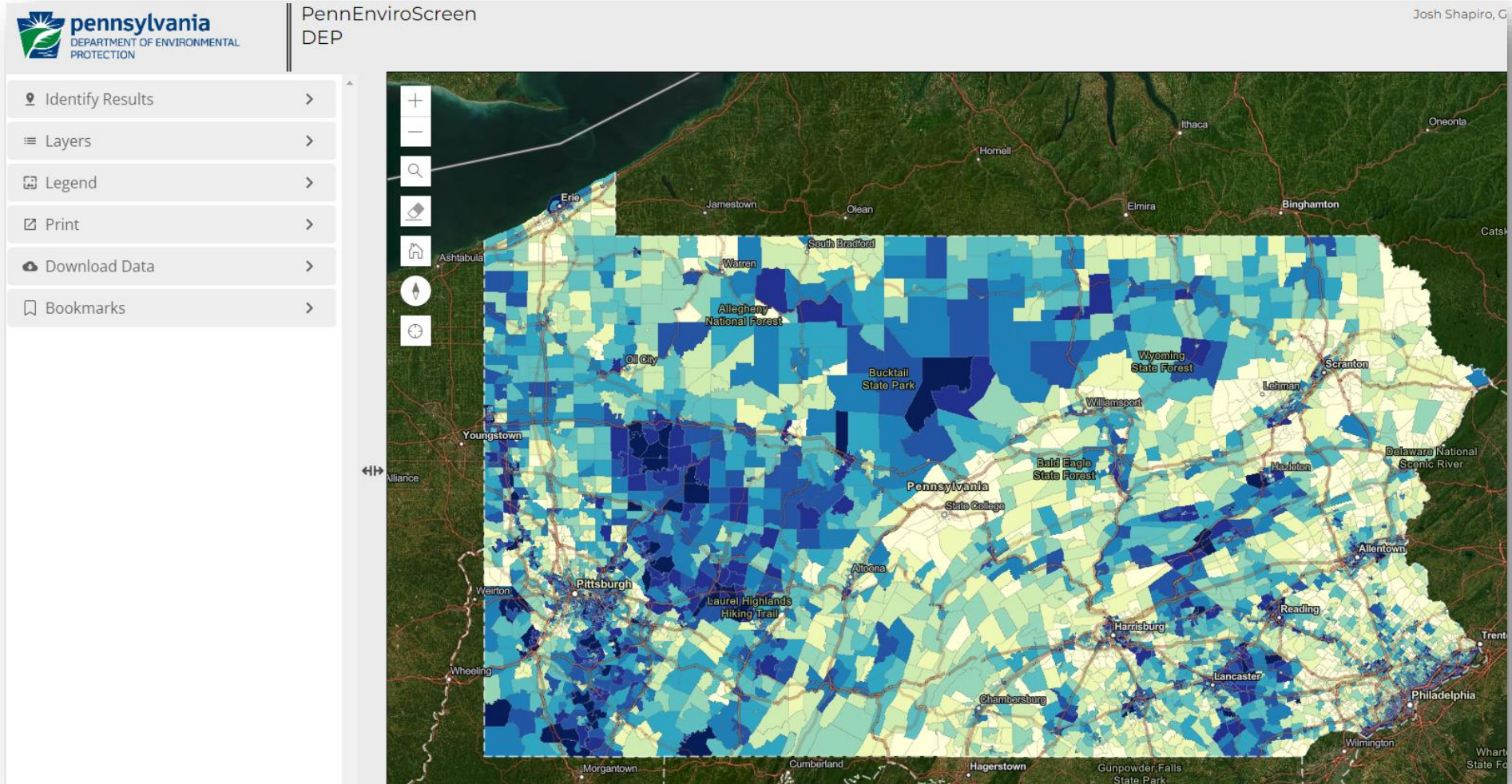
F = Final Score

PB = Highest block group Pollution Burden score in state

PC = Highest block group Population Characteristics score in state

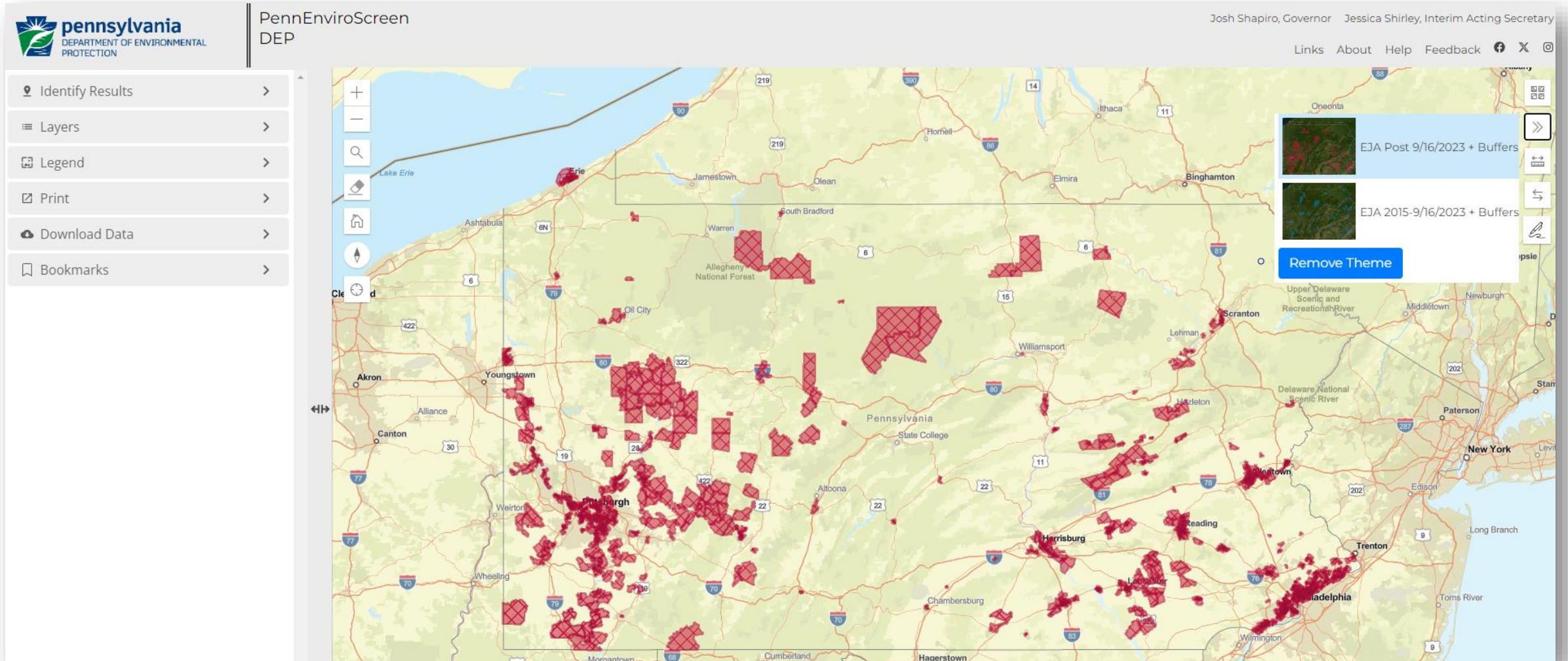


PennEnviroScreen



<https://gis.dep.pa.gov/PennEnviroScreen/>

PennEnviroScreen – EJ Areas



<https://gis.dep.pa.gov/PennEnviroScreen/>

Proactive Community Engagement

IV. Proactive Community Engagement



- Reaching communities before an environmental project or crisis.
- Centering on community voices

Enhanced Public Participation Process

V. Enhanced Public Participation

- Details the Enhanced Public Participation Process
 - A. Projects Covered (**To which projects** it can be applied in the permitting context)
 1. Trigger Projects
 2. Opt-in Projects
 - B. Enhanced Process (**How** it is applied in the permitting process)
 1. Pre-Project Community Outreach
 2. Language Access
 3. Permit Application

Enhanced Public Participation Process (Cont)

V. Enhanced Public Participation

- Details the Enhanced Public Participation Process
 - B. Enhanced Process (**How** it is applied in the permitting process)
 - 3. Permit Application
 - i. Public Participation Strategy
 - ii. Pre-Application Meeting
 - iii. Notice
 - iv. Public Meetings
 - v. Public Comment
 - vi. Technical Support
 - 4. Communication After the DEP Authorization or Permit Issuance

Inspection, Compliance and Enforcement



VI. Inspections, Compliance, and Enforcement

- Moving beyond public participation within DEP's existing regulatory authority
- Prioritizing of Competing Demands
- Civil Penalty Enhancements
- Use of Civil Penalties
- Community Environmental Projects
- Filing Complaints

Enhanced Public Participation Process

V. Enhanced Public Participation

- Details the Enhanced Public Participation Process

- A. Projects Covered (**To which projects** it can be applied in the permitting context)

1. Trigger Projects
2. Opt-in Projects

- B. Enhanced Process (**How** it is applied in the permitting process)

1. Pre-Project Community Outreach
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Enhanced Public Participation Checklist

- Coordinating our efforts to set the right level of public engagement that fits for the project.
- Building off of already required public outreach where identified.
- Accessibility and Language Needs



Opt-In Request Form

- Allow public to identify project concerns around a project.
- Give heads up on projects with community concern
- Talk with DEP and the EJ Regional Coordinator
- Online Self Opt-In Request on Website



<https://pacedcitpowerapps.powerappsportals.us/services/Environmental-Justice-Opt-In-Form/>

Alerts and Notifications Sign-Up Process

- E-Facts and E-Notice are electronic notification systems that can provide the latest alerts
 - <https://www.ahs.dep.pa.gov/enoticeweb/>
 - <https://www.ahs.dep.pa.gov/eFACTSWeb/>
- PA Bulletin also provides key updates
 - <https://www.pacodeandbulletin.gov/>
- The Regional Resource Page provides specific project updates
 - <https://www.dep.pa.gov/About/Regional/Pages/default.aspx#.VfxOz99VhBc>



Tools, Resources and Grants

- [PennEnviroScreen](#) tool identifies EJ areas and criteria. A [tutorial](#) on how to use this tool is available on the Department's website
 - <https://gis.dep.pa.gov/PennEnviroScreen/>
 - <https://www.dep.pa.gov/PublicParticipation/OfficeofEnvironmentalJustice/Pages/PA-Environmental-Justice-Areas.aspx>
 - eMapPA is another tool https://gis.dep.pa.gov/emappa_external/
- DEP Recycling Resource Information
 - <https://www.dep.pa.gov/Citizens/RecyclingDisposal/Pages/default.aspx>
- Funding Opportunities:
<https://www.dep.pa.gov/PublicParticipation/OfficeofEnvironmentalJustice/Funding/>
 - Department of Environmental Protection's (DEP) [Growing Greener Plus](#) and Section [319 Nonpoint Source Management Grants](#) Programs. Both program are now open, and the application due date is Friday, June 21st at 11:59 p.m.
- EPA Regional Resource Page
 - <https://www.epa.gov/environmentaljustice/resources-creating-healthy-sustainable-and-equitable-communities>
- Technical Assistance: <https://www.nwf.org/Our-Work/Environmental-Justice/Region-3-TCTAC>

Ad photos

Community Change Grant

Background:

- EPA received \$3 billion through the Inflation Reduction Act (IRA) to fund environmental and climate justice activities to benefit disadvantaged communities.
- All grants must be awarded by September 30, 2026.

Goals:

- Fund community-driven pollution and climate resiliency solutions.
- Invest in strong cross-sectoral collaborations with partners working with and for communities.
- Unlock access to more significant resources.
- Deliver technical assistance and capacity-building support.
- Strengthen communities' decision-making power.

Details:

- Track 1: Community-Driven Investments for Change
 - Per Award Amount: \$10M – and cannot exceed \$20M each
- Track 2: Meaningful Engagement for Equitable Governance
 - Per Award Amount: \$1M – and cannot exceed \$3M each

Technical Assistance

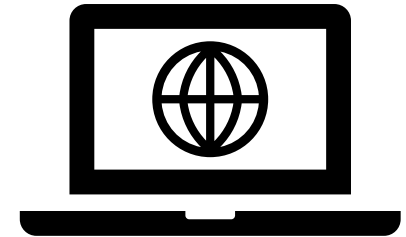
- Community Change Technical Assistance Program
- Equitable Resilience Technical Assistance Program
- Thriving Communities Technical Assistance Centers (TCTACs)

<https://www.epa.gov/inflation-reduction-act/inflation-reduction-act-community-change-grants-program>



Environmental Complaints

- To report an environmental complaint to the Department, submit a general complaint online
 - <https://greenport.pa.gov/obPublic/EnvironmentalComplaintForm/>
- More details for specific environmental complaints
 - <https://www.dep.pa.gov/About/ReportanIncident/Pages/EnvironmentalComplaints.aspx>
- Call the Department's complaint hotline, 866-255-5158
 - Please leave a voice message.
 - Complaints are recorded and followed up.
 - Complaints can be made anonymous if preferred
 - Complaints outside of the Department's programs will be forwarded to the respective Department, Agency or Local Municipality.



Public Engagement

- Participating and Joining the Environmental Justice Advisory Board!
 - <https://www.dep.pa.gov/PublicParticipation/EnvironmentalJustice/Pages/default.aspx>
 - Next upcoming one is on May 14 in Chester, PA. Virtual option available
 - Consideration to join other advisory boards
 - <https://www.dep.pa.gov/PublicParticipation/AdvisoryCommittees/Pages/default.aspx>
- Participate during Public Comments and Hearings!
 - For Specific Permits, please reach out to the regional coordinator
 - For Policy and Technical Related: Please visit E-Comments: <https://www.ahs.dep.pa.gov/eComment/>
- Sign-up for OEJ's e-newsletter to stay up to date: <https://signup.e2ma.net/signup/1887020/1790186/>
- Consider self-enrolling for future outreach and engagement opportunities.
 - <https://pacedcitpowerapps.powerappsportals.us/services/Environmental-Justice-Outreach-Self-Enroll/>



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Sign up for



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