

Environmental Justice at DEQ

November 2007 summary of activities

Senate Bill 420, the Environmental Justice task force bill, was signed into law in 2007 and takes effect January 1, 2008. In addition to establishing a task force, this new law requires natural resources agencies to assist the task force with information and to report on their Environmental Justice efforts.

Environmental Justice is defined by the United State Environmental Protection Agency as the fair treatment for people of all races, cultures, and incomes regarding the development of environmental laws, regulations, and policies. EPA has this goal for all communities and persons across the Nation. "It will be achieved when everyone enjoys the same degree of protection from environmental and health hazards and equal access to the decision-making process to have a healthy environment in which to live, learn, and work." See <http://www.epa.gov/compliance/environmentaljustice/> for more information.

In response to public concerns, EPA created the Office of Environmental Justice in 1992, and implemented a new organizational infrastructure to integrate environmental justice into EPA's policies, programs, and activities. An Executive Steering Committee made up of senior managers represents each headquarters office and region. It provides leadership and direction on strategic planning to ensure that environmental justice is incorporated into agency operations; the most active group is the Environmental Justice Coordinators Council which serves as the frontline staff specifically responsible to ensure policy input, program development, and implementation of environmental justice through the Agency.

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The EPA's implementation of environmental justice programs includes issuing guidance for its staff, performing training within the agency, coordinating with states, Indian tribes, industry, and all stakeholders, devoting resources to environmental justice program implementation, and developing measurement tools for accountability.

In April 2007, Hastings Public Law Research Institute completed a survey of the laws, policies and practices under which environmental justice is promoted. It defines environmental justice as "the principle that all people have the right to clean air, clean water, and clean land, and that those potentially affected by environmental decisions should have a meaningful say in the decision making process regardless of race, income, or ethnicity". Their report is available at <http://www.uchastings.edu/?pid=1353>.

To prepare for Senate Bill 420, as a first step, DEQ inventoried its recent and current environmental justice work in the interest of sharing our experience with other natural resources agencies that will look to DEQ as a leader in this area. A summary follows.

Environmental Justice Stories from the Field

DEQ is working with local Environmental Justice groups in the Portland metro area to address health concerns related to air pollution. We have worked closely with EJAG (Environmental Justice Action Group¹), including regular meetings to share information, assist with EJAG grant applications, make presentations to EJAG members, request their review of DEQ's Portland Air Toxics Assessment, and serve as the primary source of air quality information for the group. EJAG received a grant to collaborate on options for reducing North and Northeast Portland residents' exposure to air toxics with a focus on diesel pollution. DEQ and EJAG have partnered on these efforts, including the Hospital Clean Diesel Zone program, encouraging garbage haulers to retrofit their trucks, and encouraging UPS to use hybrid trucks at their Swan Island facility. Meetings between DEQ and EJAG also included collaboration with Tri-Met, the Port of Portland, Northwest District Association, and the State Health Department to exchange information and ideas.

On the I-5 Delta Park widening project, located in low-income/minority neighborhoods, the Oregon Department of Transportation (ODOT) set aside a portion of the budget to work on community issues and sought input from EJAG and DEQ on how that money should be spent. EJAG was very involved with the Columbia River Crossing project, which will continue to be controversial. In the future, DEQ will be working on environmental justice issues as part of a Clean Ports Strategy and with the proposed liquid natural gas terminals.

DEQ will work with an environmental justice nonprofit that will soon open an office in the Portland Lents community, thanks to a \$50,000 EPA grant. One mission will be to reduce exposure to toxic air for the residents who live adjacent to Interstate 205. The highway runs next to the backyards of these houses in Lents, and soon, so will the I-205 light-rail line.

DEQ spearheaded a grass roots project to address best management practices and other concerns related to nail salons. Nail salon workers, who are often immigrant workers who speak little or no English, are exposed to chemicals, some hazardous, for long periods of time and are unaware of potential health and environmental risks associated with them. The workers are most often Vietnamese and the clients are often African American. DEQ engaged a collaborative group of stakeholders to address the issue, including local, state and federal agencies in Washington and Oregon, non-profits, private entities, research institutions and Environmental Justice groups. Over fifteen groups of stakeholders participated in the first meeting and workshop in August 2007. The group, now known as the Oregon Collaborative for Healthy Nail Salons, meets monthly to develop collective goals and projects, outreach and education to improve the environmental health of nail salon workers and customers. Member organizations include the Center for Research on Occupational and Environmental Toxicology, Immigrant and Refugee Community Organization, Multnomah County Health Department, Oregon Health Licensing Agency, Oregon Occupational Safety and Health Administration and Zero Waste Alliance. See www.deq.state.or.us/aq/bap/sectors/nail.htm for more information.

DEQ is working to retrofit school bus engines to reduce diesel emissions in rural areas, improve air quality and protect the health of children, many of whom are from low-income communities. Using \$230,000 in EPA grant funds and \$161,000 in DEQ match funding, bus engines will be retrofitted for six rural school districts, including Tillamook, Knappa, Nestucca, NeahKahNie, Astoria and Oakridge. DEQ served as the grant applicant on behalf of the schools and Tillamook School District has agreed to sponsor the "Request for Proposals" for purchasing the

¹ EJAG is now the "Organizing People Activating Leaders" environmental justice group.

retrofit equipment. We hope to install the retrofits during summer 2008 when the busses aren't in use.

DEQ participated in an Oregon Solutions project aimed at getting commitments from 31 businesses and groups in North and Northeast Portland to: 1) reduce the near-term diesel emission load in the area, 2) support EJAG's existing and ongoing work through recruitment of additional businesses into the voluntary effort, 3) leverage funding to support the transition costs for participating private and public fleets, and 4) generate positive publicity for project and program participants. The end result was a Declaration of Cooperation that all parties signed to reduce diesel emissions and provide public education and awareness activities to improve air quality in the area.

DEQ coordinated with the Multnomah County Health Department on a grant to develop a "Protocol for Achieving Community Excellence in Environmental Health." As a group and in a public forum, DEQ and Multnomah County Health established the protocol, identified appropriate groups for application, picked a project, and carried it out. Multnomah County Health adopted it as a working model for some of their problem solving. Our project involved a housing project in Northeast Portland serving low-income and minority communities.

DEQ staff work with the Northwest District Association's Environmental and Health Committee and regularly attending their meetings. Their primary focus is ESCO, which is an industrial facility located across the street from a low-income housing complex; the Committee is concerned that ESCO emissions impact minority and low-income communities in Northwest Portland. The Committee includes a public housing project for people with medical conditions that prevent them from participating in society in some usual ways; for example, people who are constantly exhausted, or to whom exposure to air pollution can trigger major health problems.

DEQ's cleanup program is working on a Eugene railroad cleanup where groundwater contamination from the rail yard extends under a nearby low-income neighborhood. There is a potential for VOC vapors to enter several (seven) homes from the groundwater contamination, and DEQ has been meeting with the residents for several years. Recently, we delineated the area of potential impact, and have begun to install vapor barriers to prevent vapors from intruding into the homes. In addition, the City of Eugene is cleaning up areas around the Union Pacific Railroad that have impacted two low-income communities and DEQ is working to involve the communities by holding local meetings, doing mailings and talking with residents who have questions. We have also supported the idea of the City forming a Community Advisory Group to provide a central place for residents to express their interests and request and receive information. This continues to be a very challenging site.

DEQ's Office of Compliance and Enforcement worked with tenants of the Pine Villa Mobile Home Park in Grants Pass prior to its closing for public health reasons. DEQ voluntarily compiled and dispersed relocation packets for the purpose of providing lower income households and elderly residents with information that might otherwise be difficult for them to access. The packets included information on legal aid services, housing services including specific programs in Josephine and Jackson Counties for Section 8 Housing and information on how to obtain certificates and vouchers, tenant-based assistance programs, tax credit programs, lists of senior and disabled subsidized units, lists of Josephine and Jackson county mobile home parks with vacancies and apartments with vacancies for lower income households, RV space advertisements in the recent local newspapers, and a list of Senior and Disabled Services locations in Josephine and Jackson counties.

DEQ staff is mounting a special outreach effort in several low-income neighborhoods near Boeing's Portland Airport facility to address concerns related to Boeing's application for increased emissions of air pollutants. At a public information meeting, one of the neighbors identified the proposed increase as an environmental justice issue because of many low-income people live near the facility and the neighborhood includes Hispanic and Asian communities. DEQ contacted all of the nearby neighborhood associations to seek input on the proposal, including Cully, Roseway, Woodlawn and Concordia.

DEQ is working with the City of Keizer and local communities to address perchlorethylene and TCE contamination in groundwater. In 2004, DEQ did a groundwater study to evaluate the contamination and provided information and access agreements to residents for well testing. The city has a large Hispanic population, so DEQ translated the information and materials into Spanish. In addition, we arranged with the City of Keizer to use their bilingual staff if needed help with communication in the community.

DEQ staff work with the Josiah Hill Clinic (their primary focus is lead poisoning) and low-income and minority populations to address potential health and environmental concerns.

DEQ Northwest Region translated documents into other languages to enable outreach to non-English speaking communities, including:

- Open burning and wood smoke pollution pamphlets - Spanish
- Asbestos Homeowners Advisory - Russian and Spanish
- Dry Cleaner Compliance Calendar and many other related documents – Korean and Vietnamese

DEQ met with the Hispanic Community Project, formed in January 2006. The goal of the project was to determine the challenges Hispanics and Latinos face in west Umatilla and Morrow counties. The group conducted a regional needs assessment to help them identify barriers and needs that keep those communities from fully participating in the social and civic life of their greater communities.

DEQ communications staff have had multiple contacts with the editor of the Spanish edition of the *East Oregonian* and producer of a Spanish radio show on KQFM radio in Hermiston, and provided Spanish-speaking contacts from community, business, media, church and individual community leaders.

Thirty DEQ employees have recently taken EPA's training course, "The Fundamentals of Environmental Justice." This course is a highly interactive, thought-provoking and "learner centered" workshop experience based on principles of community education. The topics introduced in the workshop include:

- Comparative Definitions of Environmental Justice
- Historical Context of Environmental Justice
- Acts, Authorities and the Executive Order
- Case Studies
- Environmental Justice Analysis
- Meaningful Involvement for Environmental Justice
- Environmental Justice "Updates"

In 2006 and 2007, DEQ's Director and members of DEQ's Executive Leadership Team met with Tribal Councils and Boards to explore opportunities for building stronger relationships and

increasing collaboration on issues important to tribal nations. DEQ leadership traveled to meet with the Confederated Tribes of Siletz Tribal Council, leaders of the Cow Creek Band of Umpqua Indians, the Confederated Tribes of the Umatilla Indian Reservation Board of Trustees, the Confederated Tribes of Grand Ronde Tribal Council, and the Coquille Indian Tribal Council. DEQ looks forward to continuing to build partnerships with tribal nations at the leadership, manager and staff level to ensure that tribal interests and concerns are addressed in agency actions. Each year, DEQ solicits input from tribal managers on policy, permitting and planning projects, and meets with tribal representatives on a government-to-government basis as established by Senate Bill 770.

In May 2006, DEQ conducted “Conversations with DEQ” town hall meeting in north Portland, at the headquarters of the Oregon Association of Minority Entrepreneurs. As part of the publicity for this event, we advertised in the minority-owned and operated Portland Observer newspaper.

In September 2006, the Oregon Tradeswomen, Inc., were invited to give a presentation to the Brownfields Networking meeting. This is a group of Brownfields professionals from federal, state and local government and the private sector. Oregon Tradeswomen (www.tradeswomen.net) provide training to women who want to increase their earning potential by entering the skilled crafts trades. They had applied for, and subsequently won an EPA grant to provide training on how to work on Brownfields projects.

Also in 2006, DEQ’s Communications office hired a fully-fluent Spanish-speaking intern to learn more about how to effectively reach out to Latino groups in the Portland metro area. The intern asked people about their knowledge of environmental issues and how those issues ranked in importance to them. She also sought to understand the best ways to package and deliver information to reach Spanish-speaking communities. In addition, she provided a list of community and news media contacts in the Latino community, as well as a detailed report of her findings in August 2006. DEQ is now taking steps to expand our outreach to Latino communities based on this work.

DEQ distributed fliers in southeast Portland in Russian and Vietnamese in the wake of the Thermofluids fire in March 2004, providing guidance for handling asbestos-containing debris that landed in some neighborhoods and streets. DEQ also conducted a neighborhood information meeting in southeast Portland after the Thermofluids incident with a Spanish-speaking translator present.