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Building Up Environmental Justice in EPA's Land Protection/Cleanup Programs: U.S. Environmental Protection Agency Announces Action Plan

10/06/2022

The United States Environmental Protection Agency ("EPA") issued a document titled:

EJ Action Plan – Building Up Environmental Justice in EPA's Land protection and Cleanup Programs (September 22) ("Action Plan")

The *Action Plan* was issued by EPA's Office of Land and Emergency Management and is described as an environmental justice document that identifies projects, tools, and practices applicable to:

- Superfund
- Brownfields
- Emergency Response
- Solid Waste Management
- Resource Conservation and Recovery Act Corrective Action
- Underground Storage Tank Programs

EPA defines environmental justice as:

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

Fair treatment is typically defined to mean no group shall bear a disproportionate share of negative environmental consequences for government/private activities.

EPA describes four main goals put forth by the *Action Plan*:

- Strengthening Compliance at the Cornerstone Environmental Statutes (This includes developing a "good governance" process and referral list to help address follow-up actions on communities' environmental concerns)
- Incorporating Environmental Justice Considerations During the Regulatory Process (This includes assessing impacts to pollution-burdened, underserved, and tribal communities when developing Office of Land and Emergency Management regulations, while developing tools to identify, track, and

consider the implications of potential environmental justice-related factors throughout the Superfund process)

- Improving Community Engagement in Rulemakings, Permitting Decisions, and Policies (This includes providing earlier and more frequent engagement with pollution-burdened and underserved communities in carrying out Office of Land and Emergency Management programs, and increasing technical support and risk communication resources for communities through the agency's Technical Assistance Services for Communities program and various grants.)
- Implementing President Biden's Justice40 Initiative (This includes providing direct and indirect benefits to underserved communities with grant application resources in making grant award decisions, to the extent allowed by law.)

The four principal chapters of the *Action Plan* include:

- Strengthen Compliance
- Incorporate Environmental Justice Considerations
- Improve Community Engagement
- Justice40

A copy of the *Action Plan* can be downloaded [here](#).