



# Environmental Justice and Air Quality

**John Mooney, Director**

**EPA Region 5, Air and Radiation Division**

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# Principles for Addressing EJ Concerns in Air Permitting

- [Principles for Addressing Environmental Justice Concerns in Air Permitting](#) (December 2022)
- **Supports EPA regions to take immediate action** to address EJ concerns as part of EPA's implementation of air permitting programs
- **Encourages EPA regions to share the principles** with Tribal, state, and local partners and to work proactively and collaboratively with those partners to facilitate consideration and application of these principles in their air permitting actions.
- **Encourages examining all relevant statutory and regulatory authorities**, including discretionary authorities to address or mitigate identified air quality impacts to the extent feasible. References *EPA Legal Tools to Advance Environmental Justice*.
- **Addresses Title VI requirements** by referencing *Interim Environmental Justice and Civil Rights in Permitting Frequently Asked Questions ("FAQ")*

# Principles for Addressing EJ Concerns in Air Permitting

1. Identify communities

2. Engage early

3. Enhance public involvement

4. Fit-for-purpose analysis

5. Minimize and mitigate

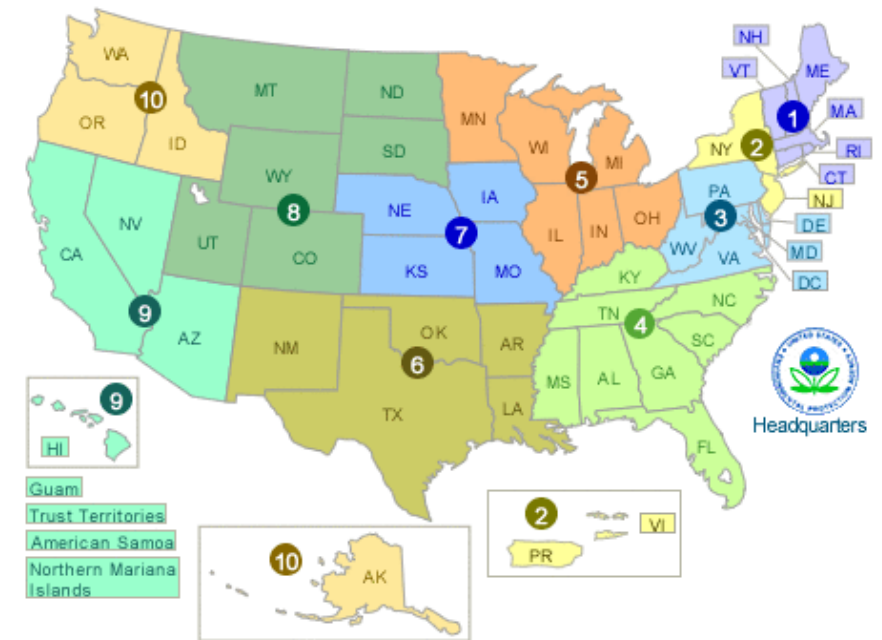
6. Provide federal support

7. Enhance transparency

8. Build capacity

# State/Local Examples

- **Universal Coatings**  
*Michigan EGLE, Minor NSR Permit*
  - Agreement on further VOC and HAP reductions.
- **Suncor Energy, Plant 1 and 3 Refinery**  
*Colorado Dept of Public Health & Environment, Title V Permit Renewal*
  - CDPHE webpage with up-to-date information on the refinery
  - Facility website to disseminate CEM data for transparency
- **SOBE Thermal Energy Systems**  
*Ohio EPA, Minor NSR Permit*
  - Ohio EPA EJ report
  - Dispersion modeling to demonstrate NO<sub>2</sub>, PM<sub>2.5</sub> NAAQS compliance
- **Carmeuse Lime**  
*Indiana Dept of Environmental Management, Title V Permit Renewal*
  - Clarifications on the use of engineered fuels
- **Covanta Delaware Valley**  
*Pennsylvania DEP, Title V Permit Renewal*
  - PADEP source-specific community information webpage
  - Additional actions taken by the source (e.g., website posting CEM data)





# U.S. EPA Example

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## Veolia ES Technical Solutions - Hazardous Waste Incinerator

U.S. EPA Region 5, Title V (Part 71) Permit Renewal



### Early Community Engagement Meeting

Held prior to the public comment period to:

- Explain the air permit and emissions
- Receive community feedback on:
  - What would effective community engagement look like to residents?
  - What environmental concerns should EPA consider while drafting the permit?
- Feedback period requesting community input, ends May 15
  - In person, email, QR code
- Share Veolia contact information for facility tours, if interested



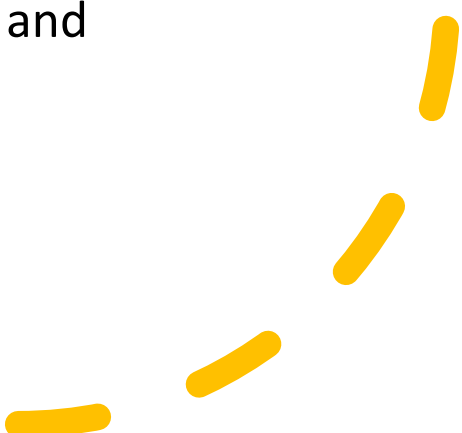
### EPA Public Participation Plan

- Expected issuance July 15



Early engagement  
by the applicant  
to proactively  
identify and  
mitigate concerns

## Examples of Applicant Actions

- Conducting their own early engagement (pre-application) with the community to understand their concerns
  - Proactively assessing EJ concerns and preparing an EJ analysis
  - Identifying measures they can take to mitigate impacts
  - Developing a facility webpage to provide community information
  - Attending permit public information meetings and public hearings
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# Title VI of the Civil Rights Act: Informal Resolution Agreements

An Informal Resolution Agreement (IRA) is a set of voluntary commitments aimed at resolving Title VI complaints accepted for investigation by U.S. EPA.

## Example IRA provisions relating to procedural safeguards <sup>1</sup>

Notice of Non-Discrimination under Federal Non-Discrimination Law

Grievance Procedures to Process Discrimination Complaints filed under the Federal Non-Discrimination Laws

Designation of Non-Discrimination Coordinator

Public Participation

Meaningful Access to Programs and Activities for Persons with Limited English Proficiency

Meaningful Access to Programs and Activities for Persons with Disabilities

<sup>1</sup> *Each IRA is tailored to address facts and issues pertaining to the respective case. There is no standard IRA for all Title VI cases.*

# EPA Environmental Justice Reference Documents



[“EPA Legal Tools to Advance Environmental Justice”](#), May 2022

[“Interim Environmental Justice and Civil Rights in Permitting Frequently Asked Questions”](#), August 2022

[“EJ in Air Permitting: Principles for Addressing Environmental Justice Concerns in Air Permitting”](#), December 2022

[“EPA Legal Tools to Advance Environmental Justice: Cumulative Impacts Addendum”](#), January 2023