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| **Topic or Issue: Applying Environmental Justice (EJ) and Equity Concepts to AWOP Implementation**  Participants: Robert Compton (AL), Nick Holomuzki (EPA R3), Janine Morris(EPA R4), Nyibe Smith (VA), Maggie Kinney (EPA R6); facilitators: Kevin Letterly and Alison Dugan |
| **Topic Description and Objectives:**  Kevin reviewed the definition of environmental justice: *Environmental justice is 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.*  Kevin discussed the renewed emphasis by the Biden Administration, the uncertainties about how this will be implemented for drinking water, and how this may change current processes.  Group discussion questions included:   * Introductions and why did you select this small group topic? * What is your state or organization doing with regard to environmental justice?   + Any projects you are working on that specifically address environmental justice?   + Any previous projects that may address this issue? * AWOP Model was reviewed, and the group was asked, “Where can Environmental Justice/Equity con­cepts be applied?” * Given these definitions, tools, and things on which your state or organization is already working, what role do you see AWOP playing in EJ? * Do you have any ideas or suggestions on bringing EJ into the existing AWOP activities? |
| **Feedback From the Group** |
| ***Introductions and interest in this group:***  TSC:   * Alison explained that her perception is that EPA (OGWDW) is still figuring out the best way to incor­porate EJ concepts into our various programs and how they are implemented. She looks forward to this discussion and feedback from the group.   EPA Region 3:   * Nick Holomuzki (Region 3), explained that EJ guidance is still forthcoming (potentially after related vacancies in their regional office are filled). * Currently, they are in the initial phases of working on a project to provide DW assistance to communi­ties that might have EJ concerns. They are using metrics of Capacity Development Program, such as health-based violation (HBV) data, Enforcement Targeting Tool (ETT) scores and other approaches to identify and prioritize communities. Other indicators that were discussed included: consider smaller sys­tems (10K or less), all systems must have HBVs, and unresolved significant deficiencies and Covid data would also be considered. This resulted in a ranking of 150 systems on their list. At this point, the *“list”* has been given to the EJ Screen Team so they can further refine with that tool. Nick believes EJ-related funding may be available to these systems. * They still need to refine the methodology, but he hopes to work with the state Capacity Development coordinators to incorporate the methodology (and these systems, when applicable) into their activities. This is very much a work in progress. This project has really sparked his interest in environmental jus­tice issues.   EPA Region 4:   * Janine Morris, (Region 4), explained that they are very much in the beginning phases of their efforts. Janine provided the correct terminology, which the group tried to use for the remainder of this conver­sation (and hopefully in the future): areas of environmental concern (vs. environmental justice communities). * They too have an Office of Environmental Justice that reached out to invite people to participate in their monthly meetings and participate at various levels as time and interest allows. Two members of the Region 4 AWOP team (Emma and Janine) are EJ advocates with Region 4. Advocates are people from their Region who want to learn more about these issues and determine how they can use tools to ensure they are addressing areas of environmental concern. Ultimately, they want to work ideas for­ward with the states. * In Region 4 they review HBV lists and discuss quarterly with their states. They would like to have the EJ office train states on the use of EJ screen and other tools to identify areas of environmental con­cerns. She hopes that enforcement (e.g., for systems on ETT list) will also determine if some, all, or a few systems with compliance issues are EJ systems. She anticipates that they will work with their Tribal coordinator as well. * Janine suspects that over 90% of water-related customer complaints are from very small systems with areas of environmental concerns. * Region 4 laboratory services (in Athens) has two mobile labs, which Janine feels might provide an opportunity to follow-up with citizen complaints (e.g., these labs could support sampling in unrespon­sive systems). Specifically, repeat complaints especially might be well-suited for this type of action.   + Alison shared that Matt was involved with an effort that EPA ORD was tasked that involved train­ing Region 5 staff on sample collection and analysis. Apparently, Region 5 had identified an area of environmental concern where citizens may be doing some water quality sampling. Alison thought Janine would be interested in this, given what they are considering for their mobile lab.   + Overall, they are reviewing the things that they are already doing to see if they can be improved.   ***Kevin invited participants to further discuss what motivated their choice in this small group.***   * Kevin explained that he took a few EJ courses in college and, with the recent interest at the federal level and within ASDWA, they are trying to identify how this might change their current processes. * Nick has been interested in this for a while, and this recent project has heightened his interest. He won­ders whether they will receive more EJ guidance or official policies once the new Regional Adminis­trators are appointed.   + Janine has always been interested in this topic, but, in Region 4, everything seems to come through the Office of Environment Justice. Furthermore, Janine explained how Region 4 AWOP team is structured to include PWS program leads and State Program Managers among their AWOP team.   + The State Program Managers are the main regional point of contact for their respective states, and they hear about concerns. Janine suspects that many of the citizen, congressional, and community concerns are from areas of environmental concern.   + Janine discussed a situation in a small town that she had been receiving complaints from for years. It is located in an area of environmental concern in the state that she oversees. Finally, in 2019, the state asked Region 4 to provide a program review of the appropriateness of their EJ-related policies, and Region 4 provided an oversight inspection. Around this same time, there was some political pub­licity about this issue. She feels that many small towns don’t have the resources to maintain their sys­tem (money for maintenance and well-qualified operators), and this is the root of the issues.   + Nick discussed the ratio between water utility rates and median income – a good indicator of system compliance. HS education is also a good indicator. Areas with bad water may impact child develop­ment and this becomes a cycle. It is difficult to recruit certified operators into these communities, and it’s a vicious cycle.   + Janine – EJ program has tools to look at demographics, economics, and then layer with other infor­mation (e.g., water quality data, customer complaints), which she looks forward to using. In Region 4, they don’t really plan to change their processes, but enhance them so that they are adequately taking care of these communities. Once areas of environmental concern are identified, they can work with the state to determine the best approach for each community and issue. She thinks the application of EJ con­cepts is broader than just for AWOP and is relevant to the entire drinking water program.   + She is not sure what more they can do, however, to enhance AWOP implementation. Janine suggested that maybe the states could use the EJ Screen tool with their status component to see if any that are highly ranked are also in areas of environmental concern. Region 4 only tracks one (Tribal) system in their status component, so this concept wouldn’t really apply for them.   + Maggie (Region 6) is a recent graduate. While in school, she had several courses related to environ­mental justice and equity, but never really applied the concepts to the drinking water sector. This small group topic interested her to think about how EJ and DW may intersect.   + Janine and the entire workgroup agree that it is important for everyone to have safe water, regardless of income level, race, and education level of the community. * Robert Compton (Alabama) chatted that he is interested in this topic, despite having no formal educa­tion/classes on this. * Alison’s interest and understanding about environmental justice/equity have evolved through her career.   ***Kevin asked if there are any additional ideas on how to bring EJ concepts into AWOP activities, or your current activities – or past experiences that you would like to share?***   * James Reynolds (Virginia Department of Health) worries about larger systems that might have areas of environmental concern in areas of their distribution system. For example, there may be high lead con­centrations in certain neighborhoods, and he wonders if this is something that AWOP could target? He thinks they might have to solicit water quality data and input from systems to make this actionable. Or possibly that more specific DS Special Studies might be helpful.   + Janine asked if a system serves an area of environmental concern, how would we know (e.g., if their compliance data looks good).   + James responded that in the large city he works in, they have older piping and lead service lines in older areas of town – so maybe that would be the starting point? He is not sure – this concept of targeting these areas is new in Virginia. He is very concerned about the larger systems that are in compliance but have inconsistent infrastructure that might not be captured through compliance monitoring.   + Nick was thinking more about the larger systems and thought that the EJ screen tool might provide insights on monitoring areas/locations for specific water quality parameters (e.g., DBPs). These larger systems may have asset management plants and may already be aware. These plans and EJ screen efforts may highlight some neighborhood issues.   ***Alison reviewed the AWOP model.***  She reviewed the AWOP components (i.e., status, TPI/training, integration into other DW programs), which the group is aware of and has already touched on with respect to environmental equity concept AWOP activities. Perhaps we just need to keep our eyes/ears open about what DW activities might be enhanced by EJ concepts and tools.  The group discussed conceptually how this could be done:   * Apply an EJ screening tool (e.g., EJ screen, ESRI tool) to all of the systems in any of theAWOP status components (e.g., turbidity, DBPs, DS, etc.), potentially adding points for systems identified as being in areas of environmental concern; this will likely increase their priority ranking. * AWOP assistance (e.g., TTA, CPE or PBT or other operator training) could be applied to these high ranking systems. * All of this would go through the status component in order to use their existing tools. * States should document that they are working with these systems and can apply EJ funding and resources if/as/when needed/appropriate.   Nick asked how to differentiate the EJ concerns and AWOP activities. He feels we need to assess systems that are having trouble, determine whether they are located in areas of environmental issues, and determine which concerns need to be addressed and what resources would be best (e.g., enforcement, capacity devel­op­ment, AWOP, etc.). The group agreed – AWOP prioritizes based on water quality – and from there, the level of assistance needed can be determined.  *Take homes and next steps:*   * Janine suggested the following approach for all to consider:   + Continue to use tools to prioritize water systems (e.g., HBV lists, ALE lists, AWOP Status Compo­nents, AND Customer Complaints).   + Couple this with some type of GIS/screening tool to determine if the high-priority system(s) is(are) located in areas of environmental concern.   + Based on this analysis, provide appropriate technical assistance or follow-up (e.g., by enforcement, AWOP team, capacity development). * Status component – Prioritize systems, based on their needs and respond accordingly. They may have these needs because they are EJ systems. |
| **Action Steps:** |
| * James (Virginia) wants to further explore complaints and options for tracking them. These could pos­sibly be used as an indicator for water quality and for optimizing this information. * Alison suggested that we start a process to periodically report back on how things are going – either among this small group (i.e., EPA Region 3, EPA Region 4, TSC, Virginia, Alabama) or possibly dur­ing Regional AWOP meetings, to share what is working and what is not working. |