



Environmental Justice in Emergency Response

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Executive Orders Related To Environmental Justice

- The Biden Administration has issued several EOs related to EJ
- Provide general direction about how each department and agency should integrate EJ into their programs
- Focus on targeting efforts, which is not how emergency responses are managed. However, there are activities during the ER that can integrate EJ practices
- Highlight 4 EOs today: 13895, 14008, 14091, and 14096



EOs In Detail

- **EO 13985 - Executive Order On Advancing Racial Equity and Support for Underserved Communities Through the Federal Government (January 20, 2021)**
 - *Sec. 8. : “Engagement with Members of Underserved Communities. In carrying out this order, agencies shall consult with members of communities that have been historically underrepresented in the Federal Government and underserved by, or subject to discrimination in, Federal policies and programs. The head of each agency shall evaluate opportunities, consistent with applicable law, to increase coordination, communication, and engagement with community-based organizations and civil rights organizations.”*
- **What this means for Emergency Response:**
 - Public engagement is the avenue for integrating EJ into the response
 - Need to make a concerted effort to work with community based organizations



EOs In Detail

- **EO 14008, Executive Order on Tackling the Climate Crisis at Home and Abroad (January 27, 2021)**
 - *Sec. 222(a) : “The Chair of the Council on Environmental Quality shall, within 6 months of the date of this order, create a geospatial Climate and Economic Justice Screening Tool and shall annually publish interactive maps highlighting disadvantaged communities.”*
 - *Sec. 223 : “Justice40 Initiative. (a) Within 120 days of the date of this order, the Chair of the Council on Environmental Quality, the Director of the Office of Management and Budget, and the National Climate Advisor, in consultation with the Advisory Council, shall jointly publish recommendations on how certain Federal investments might be made toward a goal that 40 percent of the overall benefits flow to disadvantaged communities.”*
- **What this means for Emergency Response**
 - Use of CEJST for identifying/ reporting on if work we are doing is in a disadvantaged community
 - Since emergency response work cannot be targeted, an actual response program would not be measured on J40, but other related work might be used as an ancillary measure



EOs In Detail

- **EO 14091, Further Advancing Racial Equity and Support for Underserved Communities Through the Federal Government (February 16, 2023, update to EO 13985)**
 - *Sec. 2 : Establishes Agency Equity Teams that have a goal to deliver equitable outcomes to all communities*
 - *Sec. 5(a) : Directs departments and agencies to "conduct proactive engagement, as appropriate, with members of underserved communities — for example, through culturally and linguistically appropriate listening sessions, outreach events, or requests for information — during development and implementation of agencies' respective annual Equity Action Plans, annual budget submissions, grants and funding opportunities, and **other actions.**"*
- **What this means for Emergency Response**
- Provides more detailed direction for how to fulfill goals from EO 13895



EOs In Detail

- **EO 14096, Revitalizing Our Nation's Commitment to Environmental Justice for All (April 21, 2023, update to EO 12898 from 1994)**
 - *Sec. 3(vii) – detailed points about community engagement practices*
 - *Sec. 3(xii) : “improve collaboration and communication with State, Tribal, territorial, and local governments on programs and activities to advance environmental justice”*
 - *Sec. 6 : “Community Notification on Toxic Chemical Releases. To ensure that the public, including members of communities with environmental justice concerns, receives timely information about releases of toxic chemicals that may affect them and health and safety measures available to address such releases [under EPCRA].”*
- **What this means for emergency response:**
 - Emphasizes practices that we should have in place based upon other EOs



Emergency Response and Environmental Justice at EPA

- EPA's primary emergency response role is responding to the potential and actual threats and impacts from the release of hazardous substances, contaminants, or pollutants and discharges of oil.
- EPA may also address the impacts of community water and wastewater systems during an Emergency Support Function (ESF) #3 mission for Stafford Act responses
- These incidents are often in areas populated by underserved and overburdened communities.
- We respond to incidents where they occur – we do not prioritize responses based on incident location



Large Disasters That Impacted Overburdened and Under-resourced Communities Highlighted Gaps in Response Practices

- After Hurricane Katrina (2005), the National Environmental Justice Advisory Council (NEJAC) recommended changes to EPA's emergency response procedures
 - Recommended incorporating EJ into the Incident Command System (ICS) structure
 - Recommended development of public participation guidelines for disaster response situations and to promote their adoption by relevant response organizations
- After Deep Water Horizon (2010) and Hurricane Sandy (2011), EPA observed that EJ practices during responses needed more proactive considerations of communities impacted by the incidents



Efforts to Increase Community Outreach in Emergency Response

- EPA's Incident Management Handbook (IMH) was revised in 2007 to address the need for more proactive consideration of EJ in response
 - Included EJ related responsibilities for three Key Leadership Positions (KLPs)
 - Incident Commander (IC)
 - Public Information Officer (PIO)
 - Liaison Officer (LNO)
 - IMH includes ICS training requirements for each EJ Response Facilitator in compliance with the National Incident Management System (NIMS)
- ***EPA Order 2010, Crisis Communications Plan*** was issued in 2016
 - Identified considerations for Public Information Officer (PIO) during an incident
 - Community engagement
 - Language access
 - Environmental Justice



Integrating Environmental Justice into Emergency Response Preparedness and Management

- Issued November 2022
- The guidelines document was developed collaboratively by the Office of Environmental Justice and External Civil Rights (OEJECR) and OLEM's Office of Emergency Management (OEM)
- The goal is to enhance the inclusivity, equitability, and responsiveness of EPA's emergency response functions.
- Reviewed by EPA's National Incident Management System (NIMS) Integration Team (NIT), the Removal Managers, and the regional Environmental Justice (EJ) Coordinators.



Five Recommendations and Clarifications

- Integrate Environmental Justice priorities into EPA's National Approach to Response (NAR) structure and develop Management Objectives/Incident Objectives, as needed
- Engage Environmental Justice expertise in early assessments, as needed
- Incorporate an environmental justice function and staffing support within the IMT and EOC structures, where appropriate.
- Implement training and other related requirements [in order to develop a cadre of EJ Facilitators]
- Develop and promote the adoption and use of public participation guidelines for disaster response situations by relevant emergency response organizations in both the public and private sectors.



Questions?



Executive Orders That Address Environmental Justice

- **EO 13985 - Executive Order On Advancing Racial Equity and Support for Underserved Communities Through the Federal Government (January 20, 2021)**
 - <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/executive-order-advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government/>
- **EO 14008, Executive Order on Tackling the Climate Crisis at Home and Abroad (January 27, 2021)**
 - <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/executive-order-on-tackling-the-climate-crisis-at-home-and-abroad/>
- **EO 14091, Further Advancing Racial Equity and Support for Underserved Communities Through the Federal Government (February 16, 2023, update to EO 13985)**
 - <https://www.whitehouse.gov/briefing-room/presidential-actions/2023/02/16/executive-order-on-further-advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government/>
- **EO 14096, Revitalizing Our Nation's Commitment to Environmental Justice for All (April 21, 2023, update to EO 12898 from 1994)**
 - <https://www.whitehouse.gov/briefing-room/presidential-actions/2023/04/21/executive-order-on-revitalizing-our-nations-commitment-to-environmental-justice-for-all/>



Environmental Justice-Related Responsibilities for Specific Key Leadership Positions (KLPs)

- **Incident Commander (IC)** : Ensure adequate resources are devoted to Liaison staff to assure that environmental justice issues receive appropriate attention.
- **Public Information Officer (PIO)** : Ensure that community relations activities are effectively coordinated with other Command and General Staff functions, including outreach, in coordination with the Command Staff Liaison Officer, to vulnerable populations during the course of the response in collaboration with regional environmental justice and tribal offices. Ensure the community feedback and issues are effectively coordinated with the LNO.
- **Liaison Officer (LNO)** : Ensure Environmental Justice issues are addressed in a timely manner and briefed to the IC/UC as necessary; and coordinate frequently regarding EJ issues and outreach to vulnerable populations with the Command Staff PIO.