

## Chapter 15. EPCRA Program & Environmental Justice

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.”

Environmental justice is a major part of the agency’s core mission of protecting human life and the environment.

The EPCRA program was created to protect all communities from potential chemical accidents. In communities nationwide, consequences from potential chemical accidents disproportionately affect vulnerable and disadvantaged people living adjacent to the fence-line of these facilities. Given these potential impacts, LEPCs and TEPCs should focus special attention on citizens living and working near facilities that handle hazardous chemicals. Some of the areas in which LEPCs and TEPCs are encouraged to account for vulnerable populations are as follows:

- LEPCs and TEPCs are required to develop emergency response plans for chemical hazards in their community. Chemical emergency plans required under EPCRA Section 303 includes methods for determining the occurrence of a release and the area or population likely to be affected. In this document, see Chapter 3 for the list of nine elements that must be included in the local emergency plan. Appendix N further explains each of these elements.
- Any hazard analysis conducted should consider the population, in terms of numbers, density, and types of individuals (e.g., facility employees; residents; people in hospitals, schools, nursing homes, prisons or day care centers, etc.) who could be within a vulnerable zone. *See Chapter 18, section 18.1.2, Vulnerability Analysis.*

As stated in EPCRA section 301(c), LEPCs and TEPCs are required to establish rules on how these committees should function, which includes notifying the public of committee activities and holding public meetings to discuss the emergency plan.

As noted in Chapter 16, every citizen in the community, including low-income residents and/or people of color should be invited to observe or participate in the local emergency response plan exercises. You may need to explain the emergency action plan and how the community will be notified of emergencies in multiple languages. The LEPC or TEPC should consider providing real-time translation services to engage non-English speaking members of the community during response plan exercises. Additionally, you may develop a factsheet or a quick guide to explain the emergency action plan in multiple languages depending on the diversity in your community.

In addition to meetings for planning and preparing the community, you should also hold public meetings after an accident to explain the course of actions taken to respond to the release and any environmental/health impacts. *See Chapter 13, section 13.5 and Appendices G, L, and M for additional details.*

- LEPCs and TEPCs should ensure that whatever notification system is used for notifying the public of emergencies, it will reach all members of the community, especially vulnerable individuals, such as those with special medical needs, the elderly, disabled individuals, those with transportation limitations and those who have challenges with technology. You should ensure that the emergency notification (i.e. to seek protection from chemical releases, evacuation procedures, etc.) is timely enough to ensure protection of the public. Depending on the composition of the community, the notification to the public may have to be provided in multiple languages.

## 15.1 Communicating with your Community

Effective communication with the public can be an opportunity to develop robust emergency response efforts in your LEPC area. Relationships thrive and trust is gained when you consider the needs and challenges facing those potentially affected by accidents at your facility.

Local environmental groups, particularly those who are trusted by the vulnerable communities, should be encouraged to join LEPC and TEPC organizations to get involved in planning for chemical emergencies as well as be informed of potential risks of hazardous chemicals present in facilities in the community. Such organizations include local advocacy groups, faith-based organizations, academia, etc. As members of LEPCs and TEPCs, these citizen and environmental group representatives would be able to assist in explaining potential risks or what to do in case of emergency to the public that may have physical and mental disabilities, elderly, low-income residents, people of color, those with transportation and digital challenges, individuals who are not proficient in English, etc. Just as important, as members of LEPCs and TEPCs, these citizen and environmental group representatives can aid committees in understanding the concerns and needs of impacted communities.

## 15.2 Cultural and Linguistic Considerations for Effective Communication

Understanding and adapting to cultural sensitivities will help in this effort and allow you to better coordinate with the community in which you operate. LEPCs and TEPCs should not only assess and understand the varied needs related to culture and language, but also recognize how other social disparities impact how well community members are able to participate in a response and how their needs are considered. These disparities may include limited access to transportation, healthcare, and the internet, as well as a lack of recognition of their stakeholder status in response issues. In addition, community stakeholders often do not have the technical understanding or assistance to effectively participate in environmental decisions that impact their lives.

A few considerations for communicating with surrounding communities to ensure that all community members are equitably informed include:

- ✓ Demonstrate respect for different cultural customs, norms, and gender roles. It is important to maintain honesty and integrity in the process and articulate goals, expectations, and limitations.
- ✓ Recognize the need to enhance the capacity of community members' understanding of the information to be disseminated:
  - Consider the readability of information before producing outreach materials
  - Explain technical information in lay terms

- Clearly present information in a way that avoids misunderstandings
- ✓ Recognize community and indigenous knowledge
- ✓ Conduct community forums in accessible locations and at times accessible for community members
- ✓ Leverage non-traditional engagement and communication methods (such as social media) to engage members of the public in a participatory process. It is important to remember that social media and technology, should enhance, but not take the place of face-to-face engagement with community members
- ✓ Provide both verbal and written information when necessary
- ✓ LEPCs and TEPCs should ensure the availability of translation services to address language barriers
  - In some cases, students or faculty at local schools or universities may provide volunteer translation services
- ✓ Demonstrate respect for varied occupations and work schedules
- ✓ Avoid use of slang, fast-paced speech, and long monologues.

When communicating potential chemical risks and to prepare the public for chemical emergencies, LEPCs and TEPCs should consider these suggestions.