

# **Integrating Environmental Justice Into Emergency Response Preparedness and Management**

## Integrating Environmental Justice into Emergency Response Preparedness and Management

This document outlines steps to enhance the effectiveness of EPA's emergency response functions to ensure such efforts are inclusive, equitable, and responsive in following EPA's mission to protect human health and the environment. EPA's traditional emergency response role primarily has been responding to the potential and actual threats and impacts from the release of hazardous substances, contaminants, or pollutants and discharges of oil. However, 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.

In 2006, the National Environmental Justice Advisory Council's (NEJAC) report, *2005 Gulf Coast Hurricanes and Vulnerable Populations: Recommendations for Future Disaster Preparedness/Response*, called for changes in EPA's emergency response procedures, notably:

- Incorporate an environmental justice function and staffing support in the Incident Command System (ICS) structure
- Develop public participation guidelines for disaster response situations, and promote their adoption and use by relevant emergency response organizations in both the public and private sectors

Following the April 2010 Deep Water Horizon oil spill, EPA deployed an EJ staff member to the Gulf to serve as a liaison officer for environmental justice. Similarly, following the aftermath of October 2012 Superstorm Sandy, staff was again deployed to the region to facilitate identifying and responding to the concerns of underserved and overburdened communities. EJ staff liaisons achieved varying levels of effectiveness and acceptance due to a lack of a clear role and function in the overall response structure. These limitations played out once again during the Flint drinking water response. After these emergency response efforts (each of which occurred in different parts of the country with different circumstances and with varying levels of responsiveness to vulnerable populations), EPA recognized the need for more proactive consideration of the concerns of environmental justice communities during emergency response operations.

The Agency has made some changes to its practice over the last decade to address the need for more proactive consideration of environmental justice in responses. In 2007, the Office of Emergency Management (OEM) revised [EPA's Incident Management Handbook](#) (IMH), and retained these changes in both the January 2016 and April 2020 updates, to include the following environmental justice-related responsibilities for three key leadership positions (KLP):

- **Incident Commander** (IC) [page 7-3, Item d]: "Ensure adequate resources are devoted to Liaison staff to assure that *environmental justice issues*<sup>1</sup> receive appropriate attention."
- **Public Information Officer** (PIO) [page 7-5, Item o-p]: "Ensure that community relations activities are effectively coordinated with other Command and General Staff functions. This

---

<sup>1</sup> For purposes of this document and incorporation into the IMH and any other document, environmental justice issues will be understood to include concerns of overburdened and vulnerable communities including communities of color, low-income communities, tribal and indigenous communities, and issues affecting other vulnerable populations such as persons with disabilities.

includes 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) [p7-8, Item m, o]: "Ensure Environmental Justice issues are addressed in a timely manner and briefed to the IC/UC as necessary;" "Coordinate frequently regarding Environmental Justice issues and outreach to vulnerable populations with the Command Staff PIO, who has responsibility for community outreach activities."

Later in 2016, the Agency issued *EPA Order 2010, Crisis Communications Plan*, which states that community outreach is a vital component of the Agency's overarching communications strategy during a response. Response-specific Crisis Communication Plans identify several key communication considerations that are to be specifically addressed by agency Public Information Officers (PIO) during an incident, *including community engagement, a commitment to language access obligations, and environmental justice*. The Order notes that EPA's community involvement coordinators are highly experienced in determining what environmental messages are important to the public and whether key messages are being disseminated to the public in an understandable, timely, accurate, and consistent manner. The Plan also establishes that the Agency will *assess limited English proficient populations and needs and develop information that addresses environmental justice factors*.

These modifications have been important improvements to the integration of environmental justice and the consideration of the needs of vulnerable populations during an emergency response. However, a more explicit inclusion of environmental justice considerations into EPA's emergency management processes would build on previous recommendations provided to, and improvements already implemented by, the Agency. The Office of Environmental Justice and External Civil Rights (OEJECR), in collaboration with OEM, believe that the recommendations outlined below will build on these improvements to ensure consistent, coordinated, and effective consideration of environmental justice throughout EPA's emergency responses over time. Leads and co-leads for each recommendation are included in brackets after the recommendation.

## RECOMMENDATIONS

- 1) Integrate Environmental Justice priorities into EPA's National Approach to Response (NAR) structure and develop Management Objectives/Incident Objectives, as needed –**  
In compliance with the National Incident Management System (NIMS) and per Order #2071 on EPA's National Approach to Response (NAR), EPA has created a coordinated structure to enhance the Agency's ability to implement the operational components of a response by maintaining communication and coordination among senior management, providing resource support at a national- or regional-level, and supporting the incident command structure in the field. These structures include the Policy Coordinating Committee (PCC), which addresses significant intra- and inter-agency national policy issues; the National Incident Coordinator (NIC) and Regional Incident Coordinator (RIC) positions, who coordinate cross-programmatic policy and resource needs; and the National Incident Coordination Team (NICT) and Regional Incident Coordination Team (RICT), which support the efforts of the NIC and RIC, respectively. To ensure that environmental justice is embedded in a response, when appropriate, we

recommend that the RIC work in tandem with the NIC and PCC to develop management objectives for individual responses to provide general direction and/or convey Agency priorities around ensuring responses are equitable. Sample management response objectives include but are not limited to:

- Assist with facilitating greater inter- and intra-governmental coordination to protect vulnerable underserved and overburdened populations
- Ensure that the needs and concerns of vulnerable populations are being adequately considered and addressed.

The RIC should then ensure that Incident Objectives developed by the regional IMT align and help achieve the management objectives developed for environmental justice. [RIC(s) and IC(s) from the impacted Region(s) in coordination with the NIC (if nationally-significant incident)]

- 2) Engage Environmental Justice expertise in early assessments, as needed** -- Add an EJ representative, ideally either a Regional EJ Coordinator, their division manager, or a manager/senior staff from OEJECR, to regional and/or headquarters incident management assessment processes, as appropriate. By engaging the EJ representative during early-assessments, the Agency can better plan for how to identify potential environmental justice concerns, issues, and vulnerable populations. For example, EJ representatives could participate in early assessments of household hazardous waste (HHW), regulated facilities, and/or staging areas. This representative can share concerns about EJ directly with the LNO based upon firsthand knowledge of tools such as EJScreen in addition to on-the-ground connections and relationships maintained by the EJ program. For instance, by bringing together skilled use of EJScreen and other tools and insights from local contacts built on existing relationships, current or previous recipients of EJ grants, networks accessible through current or previous members of the National Environmental Justice Advisory Council (NEJAC), and historical knowledge by EJ program personnel, the EJ representative has a high likelihood of accelerating EPA's ability to have firsthand knowledge of local circumstances and sensitivities in a matter of hours. [RIC(s) and IC(s) from the impacted Region(s) in coordination with the NIC (if nationally-significant incident)]
- 3) Incorporate an environmental justice function and staffing support within the IMT and EOC structures, where appropriate.** To ensure that environmental justice issues are addressed in a timely manner and briefed to the Incident Command/Unified Command as necessary, we propose that a cadre of EJ Response Facilitators be identified from throughout the EPA regional and headquarters program offices to serve within EPA's ICS structure, including in roles with EJ-related functions previously laid out in EPA's IMH. EJ Response Facilitator personnel should possess the skills and situational awareness to ensure that environmental justice is incorporated into response activities. It is absolutely critical that the Agency understand where these facilitators will function within the ICS organization to ensure consistency and acceptance of their function. Having a dedicated support staff with the specific focus for environmental justice issues and populations will greatly enhance EPA's ability to ensure that the needs and concerns of the most vulnerable populations are being adequately included. [RIC(s), IC(s), and REOC Managers from the impacted Region(s) and NIC

and HQ EOC Manager from HQ for incorporating EJ function support (if nationally significant incident); OEJECR for revisions to existing Job Aids and position checklists]

The EJ Response Facilitators cadre could reside within one or more of the following roles, including in IMT/field and EOC venues, especially for responses of greater scope and complexity. This cadre will be fully trained and deployable in accordance with the training requirements detailed in Attachment A.

- *Liaison Officer* (LNO) has the responsibility for contributing to the attainment of stakeholder objectives by effectively coordinating with stakeholders and understanding their concerns. The LNO is the main point of contact for ensuring environmental justice concerns are addressed by the IMT. EJ Response Facilitators will assist the LNO (i.e., as an Assistant LNO or ALNO) by coordinating with environmental justice stakeholders to elicit their input into the response process, which will be briefed to the Incident Command/Unified Command, as necessary. Also, given that LNOs are tasked with the information flow between the incident command and other governmental agencies, EJ Response Facilitators will support the LNO function by assisting with facilitating greater inter- and intra-governmental coordination to protect vulnerable populations. It is important to note that other governmental agencies may also be subject to obligations related to public involvement and language access pursuant to civil rights laws, including Title VI of the Civil Rights Act of 1964 and the Rehabilitation Act.
- *Public Information Officer* (PIO) manages and coordinates a spectrum of public information activities, including community outreach and concerns, message strategies, and multi-lingual and cultural issues inclusive of responsibilities for managing and coordinating conformity and compliance with accessibility policies (e.g., EPA Order 1000.32 and Executive Order 13166). These activities include outreach to vulnerable populations throughout the course of the response, in collaboration with and assistance to the LNO and PIO. EJ Response Facilitators will support community relations and public engagement efforts. For instance, EJ Response Facilitators could be deployed to focus on assessing stakeholder concerns and environmental justice issues in support of PIO efforts to develop and implement a community relations strategy in an Assistant PIO (APIO) or Community Relations Specialist (CRS) role.
- *Technical Specialist*, functioning within the IMT and reporting to the Liaison Officer (preferred approach) or serving elsewhere in the response organization, as determined by the Incident Commander, based on management and/or incident objectives developed for the response and the exigencies of the situation.
  - *EJ Desk Officer*, a technical specialist functioning within the HQ Emergency Operations Center (EOC) or the Regional EOCs (REOCs), which support the Incident Management Team (IMT) by assigning and coordinating agency resources and providing immediate reach-back support as appropriate. The EJ Desk Officer, activated when the need arises (particularly in the regional offices where on-site deployment is not critical), will assist the IMT in ensuring that environmental justice concerns of impacted communities are addressed. By

assisting IMT staff in the assessment of community needs and identifying potential disparate impacts of response decisions, the EJ Desk Officer will help bring attention to the importance of identifying, understanding, and engaging communities with environmental justice concerns. The EJ Desk Officer will also help facilitate interaction and coordination and provide situational awareness to the RIC, NIC, and other senior management.

To assist in formally integrating the consideration of environmental justice into response efforts, position checklists and position-specific job-aids for other positions should be developed and/or updated. These would include, at a minimum:

- *Job Aids:* Revise job aids for LNO stakeholder staff and PIO community relations staff which lay out best practices and key steps to ensuring environmental justice concerns are identified and considered.
- *Position Checklist:* Develop position checklists of tasks for the EJ Technical Specialist and the EOC/REOC EJ Desk Officer positions.

**4) Implement training and other related requirements.** To support the effort to formally deploy EJ Response Facilitators to assist with a response, as well as to more broadly ensure that environmental justice concerns are effectively considered, as appropriate, during a response, the following training and certifications are required:

- **Ensure that EJ Response Facilitators meet minimum training requirements** in accordance with NIMS and EPA policy. As such, each EJ Response Facilitator should:
  - Enroll as a member of the appropriate regional or headquarters Response Support Corps (RSC), the Agency's standing resource of EPA volunteers who provide critical support to the Agency during an EPA emergency response. This will be done in accordance with the recruitment, activation, deployment, training, exercising, etc., requirements outlined in [EPA Order 2072](#). This reserve of EPA employees stands ready to provide whatever support is needed, based on their qualifications. Each regional and headquarters program has its own reserve of RSC members who can be activated when needed to assist with an emergency response.
  - Take required on-line training, attend appropriate orientation training(s), etc. Attachment A summarizes the required training suggested for EJ Response Facilitators. Also listed are optional trainings which individual EJ Response Facilitators may find useful.
  - Attend EJ Response Facilitator-specific training (to be developed). This training, including annual refresher sessions, should incorporate best practices and lessons learned from previous experiences, while focusing on developing consistency while respecting the flexibility needed for individual responses during emergency responses.
  - Participate in additional response-related training events, as offered, such as presentations, periodic IMT exercises, etc. [OE]ECR]
- **Develop and conduct environmental justice-specific training module(s)** (conducted broadly to various staff engaged in response efforts or as part of selected position-specific

courses). These modules would address ways to enhance the effectiveness of EPA's emergency response functions to ensure such efforts (including decisions) are inclusive, fair, and responsive in addressing the concerns of vulnerable and underserved communities about environment and public health. Senior EPA environmental justice staff (headquarters or regions, as appropriate) would assist in delivering these modules. [OEJECR, in collaboration with OEM]

- **Broad EJ and Emergency Response Training for EPA's Response Staff:** Such trainings would focus on best practices for ensuring that environmental justice issues/concerns are addressed, as well as understanding the "how" of engaging underserved and overburdened communities and assessing environmental justice concerns, and incorporate checklists for response staff which incorporate environmental justice best practices appropriate for staff response functions. See Attachment B for an example of a workshop to be conducted within a region. Alternately, these training modules can be incorporated into or held in conjunction with regional ICS-based exercises.
- **Incorporate EJ topics into the Agency's ICS training:** Ideally, a discussion about integrating EJ principles and outlining best practices should be incorporated into the Agency's advanced ICS and position-specific training courses (where appropriate).
- **Develop and conduct training on environmental justice tools for use in emergency management activities**, including a session developed specifically for regional emergency management staff, as well as one focused on adapting EJSscreen for responses. [OEJECR, in collaboration with OEM]
- **Add an EJ Response Facilitator certification to the Field Readiness database**, as well as offer "Environmental Justice" among the list of expertise and skills. An EJ Response Facilitator certification and the environmental justice skill would be set with restricted data entry rights and managed by OEJECR. [OEJECR, in collaboration with OEM]

**5) 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.** As the Agency continues to update and standardize its use of public participation guidelines, it should consider developing relevant guidelines that reflect the unique nature of public engagement during disaster response. Public engagement is not limited to traditional one-way outreach, nor is it limited to the general public. Rather, engagement includes providing opportunities for community voices and concerns to be considered, while engaging non-governmental and environmental organizations invested in community resiliency. [OEJECR, in collaboration with OEM]

- *Public Participation Guidelines:* Review existing guidelines for disaster response to ensure they are reflective of environmental justice considerations. NEJAC recommendations and EPA's policies may be helpful in this review (for example, the NEJAC [Model Guidelines for Public Participation](#), the [EPA Policy on Environmental](#)

[Justice for Working with Federally Recognized Tribes and Indigenous Peoples, etc.](#)).  
[OEJECR]



## Attachment A Training

In support of EPA's preparedness for nationally significant incidents, each EJ Response Facilitator will adhere to ICS training standards in compliance with the National Incident Management System (NIMS).

<b>Trainings for EJ Emergency Response Facilitators</b>
<b>REQUIRED</b> (for deployment)
EPA Response Support Corps (RSC) Orientation (one-time)
<a href="#"><u>IS-100.c: Introduction to Incident Command System, ICS-100 (one-time)</u></a>
<a href="#"><u>IS-200.c: Basic Incident Command System for Initial Response, ICS-200 (one-time)</u></a>
<a href="#"><u>IS-700.b: National Incident Management System (NIMS) An Introduction (one-time)</u></a>
<a href="#"><u>IS-800.d National Response Framework (NRF), An Introduction (one-time)</u></a>
24-Hour HAZWOPER Health and Safety Training (one-time with annual 8-hour refresher training)
EJ Response Facilitator-specific trainings [under development] (one-time with annual refresher)
Region-specific Community Outreach Response Team (CORT) trainings and/or exercises (as convened)
<b>OPTIONAL</b>
<a href="#"><u>EPA, FEMA, or USCG versions of ICS-300 Intermediate ICS for Expanding Incidents</u></a>
<a href="#"><u>EPA, FEMA, or USCG versions of ICS-400 Advanced ICS Command and General Staff - Complex Incidents</u></a>
<a href="#"><u>EPA WEBINAR: Regional Emergency Operations Center</u></a> . This webinar describes the function and operation of Regional and Headquarters Emergency Operations Centers. Developed for Response Support Corps (RSC) members in regional offices and at EPA HQ. See also <a href="#"><u>FEMA IS-2200 Basic Emergency Operations Center Functions</u></a> .
<a href="#"><u>EPA ESF-10 From No Mission to Mission</u></a> . This course is for members of the Response Support Corps (RSC) and On-Scene Coordinators (OSC) who are not experienced in working under the Stafford Act process. Participants gain insights into the following: (1) The Mission Assignment process, (2) A presidential declaration after a disaster occurs, (3) Activation of Emergency Support Function (ESF) 10, and (4) Action Request Forms (ARF), Mission Assignments, task orders, and closeouts
<a href="#"><u>FEMA IS-288.A: The Role of Voluntary Organizations in Emergency Management</u></a> . This course provides a basic understanding of the history, roles, and services of disaster relief voluntary agencies in providing disaster assistance.
<a href="#"><u>IS-368: Including People with Disabilities &amp; Others with Access &amp; Functional Needs in Disaster Operations</u></a> . This course provides an overview of disabilities and access and functional needs and explains how disaster staff can apply inclusive practices in their disaster assignments.
<a href="#"><u>FEMA IS-505: Concepts of Religious Literacy for Emergency Management</u></a> . The course provides emergency management professionals with the religious literacy and competency tools needed to learn how to effectively engage religious and cultural groups and their leaders throughout the disaster lifecycle.

## Trainings for EJ Emergency Response Facilitators

[FEMA IS-553.A: Coordination between Water Utilities and Emergency Management Agencies](#) This course seeks to enhance the knowledge and skills of emergency management agencies (EMAs) and drinking water and wastewater utilities (water sector) to enable more effective cross-sector relationships.

[FEMA IS-662: Improving Preparedness and Resilience through Public-Private Partnerships](#). This course describes how to establish and sustain public-private partnerships, as well as how to communicate and share resources in a partnership.

[FEMA IS-909: Community Preparedness: Implementing Simple Activities for Everyone](#). This course presents a model program for community preparedness. In addition, resources materials are available to help organizations conduct simple preparedness activities for everyone.

[FEMA IS-2901: Introduction to Community Lifelines](#). This course introduces the Community Lifelines construct, an outcome-driven response structure used to achieve incident stabilization. This course provides an overview of the seven Community Lifelines, including how they promote the importance of situational awareness, prioritization of response efforts, and decision-making processes during a disaster response to work toward incident stabilization.

## Attachment B

**Workshop:** ENHANCING ENVIRONMENTAL JUSTICE IN EMERGENCY RESPONSE (Sample)

**Proposed Length:** approximately 4 to 8 hours plus 3 hours optional for RSCs

**Target Audience:**

*Primary:* On-Scene Coordinators, Remedial Project Managers, Community Involvement Coordinators, EJ Coordinators/Team, LNOs, PIOs

*Other participants* may include: Superfund Attorneys, Criminal Investigative Division Response Support Corp members, and others as identified

**Facilitators:** Nick Nichols, OEM

Victoria Robinson, OEJECR

To be determined, OEM Program Operations and Coordination Division

To be determined, Regional EJ Team

The session/workshop will focus on ways to enhance the effectiveness of EPA's emergency response functions to ensure such efforts are inclusive, fair, and responsive in addressing the concerns of vulnerable and underserved communities about environment and public health. Panelists will include perspectives from a Regional EJ Coordinator, On-Scene Coordinator, and video testimonials from communities. The goal is to identify best practices from which participants can draw to ensure such efforts are inclusive, fair, and responsive.

Specifically, the sessions will provide ways to address environmental justice concerns during an emergency response. Topics include

- A. Building trust between environmental justice communities and government agencies,
- B. Understanding how response decisions (which often drive long-term recovery, reuse, and revitalization) can result in possible unintended impacts in communities,
- C. Examining the impact of persistent, inter-related social, economic, and environmental challenges on community acceptance of proposed remedies, and
- D. Using EJSCREEN to generate a clearer profile of communities with environmental justice concerns.

The presentations will be followed by interactive group exercises and Q&A sessions, where attendees can share the challenges they face in incorporating environmental justice principles throughout a response.

Participants in these sessions/workshop will:

- Share the challenges they face in incorporating environmental justice principles throughout a response
- Learn about how emergency responses can incorporate environmental justice principles throughout a response and help lay the groundwork for equitable reuse/revitalization/recovery efforts.

- Identify Agency resources and tools that can be used to aid incorporating environmental justice principles, including examining how to use EJSCREEN
- Collaborate with other OSCs/RPMs/Community Relations Specialists (CRSs)/Superfund CICs), etc., about best practices to identifying and understanding environmental justice concerns before, during, and after site cleanups

**Proposed Sessions** (order is flexible)

<b>Time</b>	<b>Attendees</b>	<b>Description</b>
3 hours	<b>EJC, CRSs/CICs</b>	Enhancing EJ in Emergency Response & Superfund Cleanup for CRSs
1.5 hours	<b>All</b>	Adapting EJSCREEN for emergency response
3 hours	<b>OSCs, RPMs, SF Attorneys</b>	Enhancing EJ in Emergency Response & Superfund Cleanup for RPMs and OSCs
2 hours	<b>ALL</b>	Interactive group exercise and Q&A session, where trainees can share the challenges they face in incorporating environmental justice principles throughout a response & cleanup.
3 hours	<b>RSC Members</b>	EJ Awareness for RSC Members