

EPA Local Government Advisory Committee

Summary of Public Meeting

December 15, 2023

1:00pm Call to Order and Welcome

Paige Lieberman, Designated Federal Officer, called the meeting to order.

Mayor Deana Holiday Ingraham filled in as Chair of the meeting and welcomed everyone. She reviewed the various recommendations the LGAC has made throughout the year, including PFAS risk communication, the Greenhouse Gas Reduction Fund, PFAS and drinking water regulations, and the Climate Pollution Reduction Grants.

Charles Lee from EPA's Office of Environmental Justice and External Civil Rights provided an update on EPA's work to develop a cumulative impacts framework. He highlighted the importance of involving federal, state, local, and tribal partners in the process.

Paige Lieberman completed roll call of members and established a quorum.

1:15pm Early Input on Reducing Plastic Pollution Work

Whit Remer discussed the goals of the workgroup on Reducing Plastic Pollution, and the opportunity to provide input on the EPA's Draft Strategy to Prevent Plastic Pollution. The first request for input is to help prioritize actions within the three objectives of the strategy: reducing pollution during plastic production, improving post materials management, and preventing trash and micro/nano plastics from entering waterways while removing escape trash from the environment.

Whit noted that he and Councilmember Kimball will follow up with an informal survey of members and a workgroup meeting, to be scheduled in mid-January.

1:20pm Presentation on Cumulative Impacts & Environmental Health at the Local Level

Loren Hopkins, Chief Environmental Science Office of the Houston Department of Health, discussed the potential dangers of cumulative impacts, citing examples in Houston and what is being done to mitigate these threats. Specifically, there are 130 concrete batch plants that pose significant concern in Houston, as a lack of zoning has led to them being sited near residential areas. The Texas Commission on Environmental Quality requires a standard permit to operate a concrete bath plant, but it doesn't address climate impacts. We could have multiple sources in the community, and background concentrations are not considered, and there's no monitoring required. On this very fine scale we can't get a good handle on what's happening when there's a resident right next to a site like this. The city has mobile monitoring units, but this is something that really requires annual monitoring, and we don't have the budget to do this effectively. The city works with our many environmental justice communities to protest the permits for these plants. We know we need concrete, but we don't want it so close to residential areas. We do research and health interventions to try to remedy the pollution that's caused by these plants. In these communities the rate of asthma attacks is six times higher than the rest of the region, and cardiac arrest is two times higher. The volume of issues is overwhelming the City's 911 response team. Not one concrete batch plant permit has ever been denied due to community protest or health reasons.

Monitoring is not required for the air emissions from these plants. However, the City spends its own money trying to monitor pollution before new permits are reviewed. We have also set up alert systems

for air quality. We worked to pass a state law requiring cumulative impacts be considered, but it failed in committee.

Fortunately, the EPA is now investigating their permitting. When we get to the point of applying cumulative impacts, we hope there will be something that says if you have a community with a whole bunch of human impacts, you must have a monitor there.

Mayor Deana Holiday Ingraham noted this as an example of how cumulative impacts can have a detrimental impact on communities for generations, despite being technically in compliance with the law.

1:35pm Environmental Justice and Equity Workgroup Recommendations

Mayor Deana Holiday Ingraham presented the draft recommendations from the LGAC. The EPA asked the LGAC to identify ways that the federal government can use policy to address cumulative impacts. She noted that, as in the case of Houston, some communities have no authority over zoning or land use. As a result, the LGAC recommends that EPA lead the development of federal policy that encourages local governments to establish zoning, land use, and public health regulations that limit community exposure to unregulated or unregulated industrial sites that pollute or cause risk to residents or the environment.

Additionally, the LGAC recommends that EPA provide direct funding to local governments to mitigate and remediate the accumulation of environmental harm caused by industrial facilities until enforcement is revamped in a way that centers the community throughout the enforcement process.

The EPA asked the LGAC to identify partnerships that could address cumulative impacts through better coordination and planning. In response, the LGAC recommends that if a state implementation plan is approved over local government's objection, that EPA meet with the impacted area and help local governments navigate available policy options and federal funding opportunities to support unaddressed community goals or needs, including how to move forward. The LGAC recommends that EPA take action to protect these communities, including disapproving a state plan and proposing a federal implementation plan, where states are pursuing emissions offsets. EPA should encourage them to prioritize areas already overburdened by air pollution and facilities whose admissions directly impact overburdening communities.

Finally, the LGAC recommends that EPA partner with state, tribal, territorial, and local governments to analyze and contextualize the data that contributes to cumulative impacts using existing tools such as the EJ screen and the climate and economic justice screening tool. This will support data driven identification of overburdened and underserved communities that can be used to support permitting decisions. In this, the LGAC also recommends that EPA provide regional technical assistance and design of local environmental justice indexes like EJ Screen to map impacts in finer detail.

In the last section of the recommendation, LGAC focuses on EPA's cumulative impacts framework. Regarding this framework, LGAC recommends the development of a toolkit that leads to a collaborative, cohesive permit review process that allows local governments to ensure proposed industrial permits are protective of human health and the environment. Lastly, the LGAC recognizes that it is not the only federal advisory committee advising the Agency on environmental justice, and therefore recommends

that EPA coordinate the work between the LGAC and the National Environmental Justice Advisory Committee, as both committees work to provide recommendations on cumulative impacts.

Commissioner Lowery recommended the expansion of the unregulated and outdated industrial facilities that are responsible for high levels of greenhouse gas emissions. She also requested that the phrase "LGAC is delighted" be removed, and replaced with something that underscores the seriousness of the issue being discussed.

Genevieve LaMarr LeMee, from Philadelphia, suggested that it would be helpful if EJ Screen was updated to show cumulative impacts. She notes that it is important to also look at health and demographic information and it would be helpful if EJ screen was updated before we develop more local tools to be able to show all these indicators at once and show the degree to which some communities are overburdened relative to others.

The LGAC members voted to approve the recommendations as written, with minor alterations to a few words used in the text.

1:50pm Public Comment Period

There were no public comments made.

1:55pm Closing Remarks

Mayor Deana Holiday Ingraham thanked LGAC members for their participation.

2:00pm Meeting Closed

Paige Lieberman, Designated Federal Officer, closed the meeting.