

Environmental Justice Council (EJC)

Meeting #14

Thursday, March 14, 2024

6:00 p.m. to 7:30 p.m.

Meeting Minutes

Meeting location: In-person

Meeting documents: [Agenda](#), [Slides](#)

Council members present:

- Kalila Barnett
- Melissa Harding-Ferretti
- Cheryll Holley
- Lydia Lowe
- Peter Maathey
- Sofia Owen
- Jen Salinetti
- Patricia Spence
- Ari Zorn
- Miles Gresham

Executive Office of Energy and Environmental Affairs (EEA) staff present:

- María Belén Power, EJC Undersecretary
- Caroline Lemoine, Deputy Director of Environmental Justice for External Stakeholder Coordination
- Crystal A. Johnson

Massachusetts Department of Environmental Protection (MassDEP) staff present:

- Bonnie Heiple, Commissioner
- John Beling, Deputy Commissioner
- Christine Kirby, Assistant Commissioner, Bureau of Air and Waste (BAW)
- Glenn Keith, Director, Air and Climate Programs, BAW

1. Welcome and Overview of Meeting Logistics

María Belén Power welcomed panelists and attendees. **Kecil John** provided an overview of the meeting logistics, including use of the question and answer (Q&A) box and the availability of interpreters.

2. Agenda Overview

María Belén Power reviewed the meeting agenda.

3. Roll Call/Approval of Prior Meeting Minutes

María Belén Power conducted a roll call of the EJC members. At the start of the meeting, the following council members were present: **Kalila Barnett, Melissa Ferretti, Cheryll Holley, Lydia Lowe, Peter Maathey, Sofia Owen, Jen Salinetti, Pat Spence, Ari Zorn, and Miles Gresham.**

The following council members were not present: **Madeline Fraser Cook, Caroline Hon, Namrita Kapur, and Marcos Luna.**

María Belén opened the floor for a motion to approve the minutes from the previous meeting **Peter Maathey** motioned to approve. **Melissa Ferretti** seconded the motion. All present council members accepted the minutes.

4. First Public Question and Answer Session

One public participant posed a question. The public participant expressed their concerns in a pattern of developers utilizing Chapter 40B, which focuses on the accessibility of affordable housing units, to push through development projects. Developers will include affordable housing units in their proposed projects to increase their likelihood of approval. The participant expressed the need to ensure that development projects consider the impact of unsustainable projects on future residential areas.

Q and A Box

Comments from the Q&A are listed below

#	Question	Name
1	What do you offer the children of the Fore River Basin (north Weymouth, east Braintree, Germantown, and Quincy Point as the Enbridge compressor station emits carcinogens 24/7 with permits from MADEP? Particulate matter for just one VOC irritates normal cells and triggers tumors. Margaret Bellafiore Fore River Residents Against Compressor Station.	Margaret Bellafiore
2	As a resident of Cape Cod, I have concerns about residents funding the town wastewater management plans based on MA DEP requirements of 5 years for Innovative/Advanced septic systems for individual homes or wastewater treatment plants with sewers for developments and ocean outfalls for treated. Sewage effluent to reduce “nitrogen” loading to impaired local embayment’s. Falmouth where I live has 14 nutrient impaired embayment’s.	David Dow

5. Briefing from MassDEP on Cumulative Impact Regulations

Commissioner Bonnie Heiple introduced the Cumulative Impact Regulations (CIA). Bonnie provided an overview of the new requirements instilled by MassDEP for facility development to

control air pollution. Applicants will have to undergo stringent measures to prevent further health inequities borne by Environmental Justice (EJ) communities.

Assistant Commissioner Christine Kirby provided a background on the requirements for applicants to submit a Comprehensive Plan Application (CPA) to develop a new or existing facility. Applicants must work with MassDEP to provide background information, collect information to characterize nearby EJ populations, and document concerns raised by EJ populations. Further, applicants must model potential emissions, including additional vehicle impact, on air quality, followed by a report documenting potential emission impact and mitigation measures in place.

Director Glenn Keith provided a demonstration of the mapping tools utilized to assess EJ community health indicator data.

Councilmembers inquired about the purpose of the process, required metrics, the consideration of socioeconomic impact analysis, the utilization of a risk-based assessment, MassDEP staff capacity, regulations for facilities developed outside of EJ community boundaries, the transferability of these regulations, and the most effective way to communicate these regulations to EJ communities.

6. Environmental Justice Strategy Update

Crystal A. Johnson provided an update on the EJ strategy. As of February 15, 2024, the strategy was announced. The [document](#) is comprised of each agency under the EEA and their strategy to advance equity. The strategy will be updated every 3 years and will continuously involve public engagement. **María Belén** suggested that the agencies can present how they are implementing EJ into their work via the EJC meetings.

7. Second Public Question and Answer Session

The public participants posed questions and the EJC discussed the following topics:

- The process for EJ communities to be made aware of a new facility being built.
- The ability for regulations and requirements to retroactively apply to well-known polluters.

Comments from the Q&A are listed below

#	Question	Name
1	I live in the Waquoit Bay Watershed on Cape Cod which includes the Mashpee Wampanoag Tribe Reservation which includes toxic chemicals in drinking water from Joint Base Cape Cod (PFAS6 contamination from the fire training area); nutrient pollution from septic systems; climate change effects on wild places, wild things, and extreme weather events like tornadoes/northeasters; effects of human development projects on biodiversity on land and in the surrounding ocean; etc. Has MassDEP evaluated the EPA headquarters Ecological Risk Assessment Project on the Waquoit Bay Watershed which was conducted between 1995-2004 to explore cumulative effects via risk analysis?	David Dow
2	Do the regulations include harm from increased traffic due to development projects?	Marjorie Hecht

3	Air pollution from the Joint Base Cape Cod is the source for PFAS6 pollution of the Fire Training Area 1 Plume which has contaminated drinking water in Falmouth and Mashpee. Multiple stressors from different source areas interact to cause negative effects on EJ populations (PFAS6 contamination in fish and shellfish in Ashumet and Johns Ponds which are caught by EJ populations to put food on the table).	David Dow
4	How can a community refuse a permit from the beginning?	Tina Grosowsky
5	Would the Weymouth compressor station be denied under these regulations if it was in place at the time of their air permit application?	Vick Mohanka
6	Does MassDEP intend to expand staff capacity for enforcement and evaluation of the permit application materials/modeling? How can MassDEP ensure that the modeling done is sufficiently objective and accurate (depending on assumptions made in modeling, the results can vary significantly)?	Isabella Gambill
	The working assumption in the JBCC Superfund/Safe Drinking Water Act cleanup was that groundwater was the major transport pathway from toxic source areas in soil via the groundwater. Thus, the Asshomet Valley Plume with BTEX et al. was long and narrow. The Fire Training Area 1 plume from Fire Training Area 1 source area travels via the air and thus the Fire Training Area 1 groundwater plume is a large glob polluting drinking water in Falmouth and Mashpee. PFAS chemicals contain 15,000 isomers with a variety of biological; chemical; geological and physical properties which lead to a variety of toxic transport pathways.	David Dow
8	Hello and good evening. I don't see the link to the EJ strategy posted in the chat. Who should I reach out to, to get this?	Damion Outar
9	Thank you for this amazing work!! Will the new regulations have any clout with legacy super-polluters like General Electric who have gamed the system for decades to avoid being subject to many MA regulations? I am specifically asking in the context of the EPA GE-Pittsfield/Housatonic Superfund cleanup of PCBs from the river and surrounding floodplain in Pittsfield and five towns downriver here in rural Berkshire County. GE has long leveraged their "hybrid" Superfund permit status with EPA and the state and plans to use 10s of thousands of diesel trucks for this cleanup, driving by at least 9 schools and daycare facilities in the affected municipalities, and will construct a massive landfill for lower-level contaminants in the heart of Berkshires. Are there actions MassDEP can take now to help us, including by helping get a CIA done for affected EJ populations, especially since MassDEP will become responsible for this dump after GE is "done" with it in 15 years? - Julia Thomas, Clean Berkshire Collective	Julia Thomas
10	How does a community become an environmental justice community? Right now, the Wampanoag in Mashpee are not an EJ community.	Marjorie Hecht
11	Many errors were made in siting, certifying, and permitting the Enbridge compressor station in Weymouth. This new process would have prevented this toxic facility. Will a righting this wrong be considered. Isn't that the definition of justice?	Margaret Bellafore

8. Next Steps and Adjourn

María Belén Power reminded councilmembers to send agency recommendations for presentations to her via email. Additionally, she reminded the councilmembers of the next meeting date, May 9, in Springfield or Holyoke, Massachusetts. **María Belén Power** motioned to adjourn. The meeting adjourned at **7:32 pm**.