



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region 1
5 Post Office Square - Suite 100
Boston, Massachusetts 02109-3912

BY ELECTRONIC MAIL

October 5, 2015

Michelle A. Reid
Director of Environmental Justice
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02109

Re: EPA-Region 1 Comments on Draft Environmental Justice Policy

Dear Ms. Reid:

Thank you for providing the opportunity to review and comment on the Executive Office of Energy and Environmental Affairs' ("EEA") draft Environmental Justice Policy ("Policy"). EPA-Region 1 commends the Commonwealth of Massachusetts and EEA for continuing to work toward achieving environmental justice in communities throughout Massachusetts. Executive Order 552 on Environmental Justice ("EJ") seeks to expand integration of EJ throughout the executive branch of the Commonwealth. Further, through the draft Policy, it seeks to build upon the strong foundation for advancing EJ in Massachusetts established by EEA's 2002 EJ Policy. EPA-Region 1 looks forward to continuing to work collaboratively with the Commonwealth and EEA to reach our shared goal of achieving environmental justice.

EPA-Region 1 respectfully submits the following comments and suggestions:

Page 3 – In the definition of "Equal Protection," consider replacing the term "handicap" with "disability."

Pages 3 and 5 – Regarding the definition of "EJ Populations," has EEA considered expanding the scope of the health-based criterion to include additional health measures such as respiratory and cardiovascular hospitalization rates? Has EEA also considered expanding the scope of this criterion to include disproportionate health impacts to the elderly and immuno-compromised individuals? The reference to "childhood cancer/lead poisoning" in the draft Policy may give the false impression that these health issues are interrelated. Also, the phrase "statistically

significantly higher” should be defined. EPA-Region 1 encourages EEA to work with the Massachusetts Department of Public Health and other public health experts to broaden and improve the health-based criterion.

Page 5 – In the section titled “Serving EJ Populations,” consider including language that addresses gentrification in neighborhoods that have benefited from the cleanup and redevelopment of brownfields sites and other quality of life improvements.

Page 6 – In the section titled “Serving EJ Populations,” consider adding a paragraph that describes the membership and role of the Governor’s EJ Advisory Council.

Page 6 – Paragraph 7 – Consider adding language stating that the goals of the Interagency EJ Working Group includes promoting collaboration with federal partners and other stakeholders.

Page 6 – Paragraph 8 – Consider addressing how and to whom EJ Maps will be distributed or made available.

Page 6 – Paragraph 9 – Among the resources to be included on the EJ Website, please consider including information about and examples of host community benefits agreements. Please also consider including information about specific services that could be provided to EJ populations to help ensure that people who live in overburdened neighborhoods are not displaced after those burdens are remedied or addressed.

Page 7 – Paragraph 10 – Consider adding a target date for the completion of the consolidated Secretariat EJ Strategy discussed in this paragraph.

Page 7 – Paragraph 12 – Consider defining “key agency actions” and “key activities” for which all EEA agencies shall establish inclusive and robust public participation programs. EEA should consider a definition or interpretation of “key agency actions” and “key activities” that includes a broad range of agency actions related to the development, implementation and enforcement of energy, climate change and environmental laws, regulations and policies.

Page 9 – Paragraph 18 – Consider adding language which states that meaningful outreach includes providing feedback to EJ populations about agency decision-making outcomes and how input from EJ populations impacted or affected agency actions.

Page 9 – Paragraph 23 – Consider including the Department of Housing and Community Development, the Workplace Safety & Health Program and other

Commonwealth agencies focused on worker protection and public health protection among the participants in the meetings discussed in this paragraph.

General - Has EEA considered incorporating an annual or other regular public reporting goal in the Policy?

General - What is the feasibility of developing outcome measures or measures of success related to implementation of the Policy?

Thank you again for the opportunity to review and comment on the draft Policy. Please call me at 617-918-1007 if you have any questions or would like to discuss these comments.

Sincerely,

A handwritten signature in blue ink that reads "Sharon Wells". The signature is written in a cursive, flowing style.

Sharon Wells, Director
Office of Civil Rights and Urban Affairs
EPA-Region 1

cc: Deb Szaro, Deputy Regional Administrator, EPA-Region 1