



DEP Environmental Justice Listening Sessions Guide to Comments

This guide will go provide helpful information to answer the questions that the DEP Office of Environmental Justice is soliciting from community members. It is best to incorporate these into your personal story.

How to Comment:

Attend one of the traveling listening sessions across the state and provide oral comments on the record or submit written comments to DEP-OEJ@pa.gov by the end of May.

You will have three minutes to provide verbal testimony and only one person from an organization should be designated to provide comments.

Current Environmental Justice Policies:

Currently the environmental justice communities are designated based on being a majority minority community or a community with most of its members living in poverty. The DEP wants to hear how they can better expand the agency's view on environmental justice. Also the current permitting process in environmental justice communities requires increased public participation and DEP needs to hear this process is not working and needs to be improved.

Increase public participation when a permit is triggered for EJ:

<http://www.elibrary.dep.state.pa.us/dsweb/Get/Document-48671/012-0501-002.pdf>

DEP Environmental Justice Policies, Issues, and Solutions

Existing Policy	Issue	Solution
<p>DEP designates communities as environmental justice if they are 30% or more a minority and 20% or more living in poverty.</p>	<p>There are communities just under these thresholds or having massive projects and a concentrations of activities that are putting them at risk.</p>	<p>DEP should expand the data they look at to beyond the census tracts and also factor into things like homeownership rates, assisted school lunches rate, disability and elderly populations, etc.</p> <p>DEP should also factor in existing industrial and extractive operations within the community.</p>
<p>Water Permits, Air Permits, Waste Permits, Mining Permits are considered trigger permits that start the Environmental Justice Public Participation Policy.</p>	<p>Permits outside of these categories are also degrading the communities and being targeted to environmental justice communities. Oil and gas extractions, pipelines, and other infrastructure are not currently considered trigger permits but are impacting many environmental justice areas.</p>	<p>DEP should add oil and gas permits to the trigger list.</p> <p>All permits should be triggered to see if they will create more impact to already burdened community.</p>
<p>Program staff must notify the EJ office when a trigger permit is applied for and the location of the proposed activity.</p>	<p>Currently not all program staff are alerting the EJ office of trigger permits.</p>	<p>More training and funding needs to be allocated to make sure that trigger permits are not overlooked.</p>
<p>DEP should meet with all stakeholders.</p>	<p>Not all stakeholders are being brought into the conversations and often DEP allows the applicant to decide who these people should be.</p>	<p>It should not just be up to the applicant to control the process and do outreach. DEP should ensure that all interested parties are engaged in the permitting process.</p>
<p>DEP should produce and distribute information sheets regarding the proposed activity and provide residents with permit conditions</p>	<p>Does not always happen or the information produced and distributed is inadequate.</p>	<p>Just do this and include infographics as much as possible. Even working with local community groups in the area to help know what communication tools work best.</p>

Existing Policy	Issue	Solution
<p>DEP will maintain presence or availability in local area through permitting process</p>	<p>We see the DEP during the public meetings and then usually don't hear from them again until there is a permit decision</p>	<p>Actively provide updates on the permitting process and changes to the application. Do not wait for the community to check back in.</p> <p>Updated the eFacts system to include more information and send email notices to interested parties when updates to eFacts happen in non- technical language. The burden should not be on the community members to stay up date on the permit but the applicant's responsibility.</p>
<p>Public Notices should be written in easily understood terminology and placed in widely read publications beyond the legal notices in newspaper. Could be flyers, church bulletins, etc.</p>	<p>The public notices are only get put in the legal section of the paper and sometimes for the initial meetings are not even publically noticed if the company is the only one organizing the meeting</p>	<p>Follow the suggestions originally in the policy and publish additional notice outside of newspaper in widely read publications in your community and post flyers in local businesses and community centers. Require permit applicant to do direct mailing.</p>
<p>Applicant is encouraged to host community meeting before applying for permit.</p>	<p>Sometimes this happens but is often in controlled manner that does not provide transparent information.</p> <p>Often meetings are held before the Applicant has gathered all of the relevant information or made key decisions about the proposed project.</p>	<p>Meeting should be held during the entire permitting process. A meeting after permit is administratively complete and again after technical review is over before a decision is made. Many changes happened during technical review and this gives communities the opportunity to weigh in on the final project and understand the timeline for the project.</p> <p>DEP should always participate in these meetings and make themselves available to answer questions from the community.</p>

Existing Policy	Issue	Solution
<p>DEP holds an informal public conference within 30 days of receiving the application to inform residents of environmental justice area of scope and nature of project</p>	<p>These meetings frequently are not able to answer people questions and folks are told to wait and see.</p> <p>The format of these meetings does not allow people to hear others' questions and concerns, which prevents the community from learning from each other</p>	<p>See suggestion above for public meetings needed.</p> <p>The DEP needs to hold the informal public conferences so folks can ask questions together and hear all the answers.</p> <p>DEP should be able to answer questions on the spot and engage with the community and not just take note and tell them they will get a written response - it's important that DEP staff that is responsible for reviewing the proposal is present at the meetings to be able to answer questions.</p>
<p>DEP accepts comments from EJ communities</p>	<p>These comments are often not taken into consideration or given very little weight during the permitting process. Instead, the comments are merely noted for the record</p>	<p>Actually listen to these communities who are experts on the surrounding area and best able to provide information about the impact a particular project will have on their quality of life.</p>

Other Resources:

[Center for Coalfield Justice Community Indicators of Environmental Justice](#)

Environmental Justice Blog