

The Environmental Justice Work Group felt that it was very important that the department develop an action plan concerning the recommendations in their report. Soon after the department accepted the consensus report, we began implementing the recommendations. This plan includes action items that have not yet been completed.

The action plan covers the four major sections of the Environmental Justice Work Group Report and identifies key goals that are attainable through short-term and long-term efforts. The suggested timeframes for implementation are divided into three phases:

- Phase I: 0 – 12 months
- Phase II: 12 – 24 months
- Phase III: 24 – 36 months

This action plan is a living document and has been drafted to evoke conversation, agreement, and action. The department is seeking comments from the Environmental Justice Work Group and Advisory Board on this draft action plan.

I. Improving the condition of environmentally burdened minority and low-income communities

Goal 1 – To assess our decision-making process, current environmental conditions and procedures to set priorities and allocate resources to improve restoration efforts in environmentally burdened communities.

Timeframe	Action Item
Phase I	Coordinate with DEP's Environmental Futures team to establish common and applicable indicators that address the integration of environmental justice concerns into the departments planning process.
Phase I Ongoing	Encourage collaboration with state and federal agencies, such as the PA Department of Health, the National Environmental Justice Advisory Council, and the Chesapeake Bay Environmental Justice Task Force, to develop policies and procedures to address the needs of environmentally burdened communities. The Department is currently working on data sharing with the PA Dept. of Health, with the hope of obtaining information that could help address health issues in EJ communities in the future. The Department has also collaborated with the Alliance for the Chesapeake Bay on a regional EJ meeting in Harrisburg in April 2004. The Alliance for the Chesapeake Bay was charged with holding regional meetings as a result of the Chesapeake Bay Environmental Justice Task Force meetings. The Department has also worked with the Delaware Valley Regional Planning Commission.
Phase II	Conduct a statewide review of existing data to determine the most environmentally burdened communities using health data, toxic release inventory, impaired waterways list, major hazardous air pollutants, and hazardous waste sites. The Department is in the process of sharing data with the PA Dept. of

	Health.
Phase II	Conduct Bi-annual program evaluations of programs such as Reclaim PA, Brownfields, Growing Greener, etc. that are applicable to the restoration of environmentally burdened communities.
Phase III	Develop improvement plans for communities that are identified through the statewide assessment.

II. The Permitting Process

Goal 1 – Develop a permitting process that encourages early and meaningful public participation.

Timeframe	Action Item
Phase I Completed	Include examples of a clear and understandable public notice and a plain-language summary of a permit application in the Environmental Justice Policy. Examples were included in the Environmental Justice Public Participation Policy, which was published on April 24, 2004.
Phase II	Research the availability and cost of using mobile or temporary offices in an effort to reach out to local residents in their community.

Goal 2 – Develop a permitting process that considers relevant impacts to minority and low-income communities.

Timeframe	Action Item
Phase I	Develop criteria that would trigger a separate impact analysis.
Phase I	Review existing statutes and regulations to determine our authority to conduct or require a cumulative impact analysis.
Phase I	Research existing cumulative impact protocols from other states and federal agencies.
Phase I	Review existing statutes and regulations to determine our authority to conduct or require a disparate impact analysis.
Phase I	Research existing disparate impact protocols from other states and federal agencies.
Phase II Completed	Provide technical guidance and training to regional permitting staff and environmental advocates on the use of internal mapping tools to identify low income and minority communities using US census data. Training opportunities have been provided in central office and all six (6) regional offices. Permitting staff from each program responsible for the issuance of trigger permits attended.
Phase II	Research data and authority that will allow the department to consider health data as a part of the decision making process.

Phase II	Research the expansion of harms versus benefits analysis for permitting actions other than those that are currently required.
Phase II	Develop and promulgate regulations for a cumulative impact analysis process.
Phase II	Develop and promulgate regulations for a disparate impact analysis process.
Phase III	Seek advice and final approval for disparate impact analysis from the Environmental Justice Advisory Board.
Phase III	Seek advice and final approval for cumulative impact analysis from the Environmental Justice Advisory Board.

Goal 3 – Providing and encouraging the use of alternative dispute resolution and mitigation techniques that benefit both the applicant and the involved communities.

Timeframe	Action Item
Phase I	Coordinate mediation services with the Bureau of Human Resources and, if necessary, develop a new or revised policy concerning the use of these services. The Department has recently created a Center for Environmental Collaboration and Dispute Resolution within the Policy office. This Center will be responsible for the coordination of mediation services within the Department. The Center is mentioned several times throughout the Proposed Policy on Public Participation in the Permit Application Review Process.
Phase II	Conduct an analysis to determine how alternative dispute resolution will impact the money back guarantee program.

Goal 4 – Improve community outreach procedures in low-income and minority communities.

Timeframe	Action Item
Phase I Ongoing	Review existing outreach materials and publications to identify and eliminate language barriers. The Department has translated several documents into Spanish. The Commonwealth of Pennsylvania is currently developing a state-wide translation contract. Once in place, this contract will allow for more publications and outreach materials to be translated into other languages.
Phase I	Develop notification system for people without computer access.
Phase II In progress	Research the possibility of extending office hours for public file review. The Department has tried to address this need by providing copies current applications to local libraries and other public places in areas close to the proposed facility. The regional advocates will do their best to provide reasonable help to anyone interested in conducting a file review.

Phase II	Review existing outreach materials and publications to identify any information gaps for low-income and minority communities. This was completed and gaps identified, however, this will be done periodically to ensure that a wide variety of information is available and that as many issues as possible are covered.
Phase II Ongoing	Evaluate existing grant programs to encourage equal distribution and provide technical assistance for low-income and minority communities. As of July 19, 2004 the Department will begin tracking all grants through the grants center. This will provide one data source for information pertaining to grant distribution, making this goal much more attainable and allowing for more frequent reviews.
Phase III Ongoing	Develop materials and publications that are sensitive to cultural differences and specific community interests. All materials and publications developed by the Department are intended to be sensitive to cultural differences and specific community interests. The Department will continue to develop publications with these thoughts in mind.

III. Monitoring and Enforcement

Goal 1 – Eliminate the potential for disparity in the way facilities in minority and low-income communities are monitored and the regulations are enforced.

Timeframe	Action Item
Phase I In progress	Develop a fact sheet regarding the monitoring and enforcement process. This fact sheet will also include information concerning the complaint process and citizens rights concerning environmental issues. This fact sheet has been developed and is currently going through the Department's publication review process.
Phase I Ongoing	Promote the use of Community Environmental Projects (CEP) in place of fines, and provide a fact sheet on CEPs to the general public. Several CEP's have been completed in low-income and minority areas, most notably asthma programs in both Chester and Harrisburg. The Office of Environmental Advocate will continue to promote the use of CEP's.
Phase II Ongoing	Conduct an analysis of permitted facilities that are not in compliance and are located in low-income and minority communities, then develop a schedule for compliance. Department compliance staff continuously work with facilities that are not in compliance in developing schedules to achieve compliance.

Goal 2 – Reduce the need for enforcement by encouraging and educating facilities on good housekeeping and pollution prevention practices.

Timeframe	Action Item
------------------	--------------------

Phase II Ongoing	Schedule Promote visits by OPPCA OETD to facilities located in low-income and minority communities. The OPPCA office has been renamed the Office of Energy and Technology Development. Since these visits are voluntary on the part of the regulated community, the OEA will continue to promote the use of this program.
Phase II	Develop compliance assistance tools for affected communities as well as regulated entities.

IV. DEP Organizational Change

Goal 1 – Seek advice from the EJWG, EJAB, and OEA to plan and implement training programs relevant to the issues discussed in the Work Group Report.

Timeframe	Action Item
Phase II In progress	Develop a training module for department personnel to increase understanding and implementation of the Environmental Justice program. Regional Advocates have all participated in Train-the-Trainer program. A course outline for a training module has been developed.
Phase II	Seek input from community organizations on the training module.
Phase II	Consider the hiring of environmental health professionals as central office staff.
Phase III	Consider the hiring of additional environmental advocates for the Northern Regions of the state.