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National Environmental Justice Advisory Council

June 22, 2006

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EPA Members Present:

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National Environmental Justice Advisory Council

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Keynote: "---" indicates inaudible in the transcript.
Keynote: "(*)" indicates phonetic spelling in the transcript.

M O R N I N G S E S S I O N

(8:38 a.m.)

MR. LEE: For the record, our esteemed Chair is late.

(Pause)

MR. LEE: Great fanfare, the Chair has arrived.

Before we start, I would like to ask Victoria to -- give her a few minutes to go through the travel vouchers with you.

General Discussion

MS. ROBINSON: Good morning everybody. Just real quick, I am sure you guys are tired of hearing the same old thing. I just passed out travel vouchers, did everybody get -- Wilma. And you will see that on the travel voucher, you will have several highlighted areas. Please put in the mailing address where you want your payments to be received. If you have had any problems receiving payments, make sure you put the current address where you actually receive mail at.

Highlighted traveler's initials, you need to initial here. And sign and date down below. And it is also important, because I will be checking this and getting back with you, put all your travel-related expenses, taxis, mileage, parking, on the back and itemize them by date so that you can get reimbursed.

Receipts are going to be needed for items over -- is it $50.00 or $75.00 -- $50.00 or $75.00, I will let you know. If you don’t have the receipt with you, please fill out what you can and sign it, and give it to me. Because if you mail it in, it will take an extra three or four weeks before it gets to me from when you mail it. Because everything gets irradiated at the Ohio Post Office.

But it is important that you fill it out, sign it, and give it back to me today. And you can always mail in receipts, or give us some other numbers over the phone if need be. Okay? So if you have any questions, go ahead and give me a holler. If you have any problems with the hotel, also let me know in terms of when you check out.

MR. COLLETTE: Victoria, I might comment. I will give you the form today. I think you said that when I get my hotel bill tomorrow, I can fax it to you.

MS. ROBINSON: That is correct. That is correct.

MR. COLLETTE: Okay.

MS. ROBINSON: Oh, and you also will need your proof that you took the plane, so you need to include your airplane -- you know, your little --

MS. : Boarding passes?

MS. ROBINSON: Yes, boarding pass is one thing, your receipt that you actually give you when you check in.

MR. COLLETTE: Oh, yes, I will fax it.

MS. ROBINSON: That is all you need to include.

MR. COLLETTE: Oh, okay.

MS. ROBINSON: Because they are getting picky about, just because we paid for it, doesn't mean you actually took the flight. So they need to have proof you took the flight. I know all you guys took these flights, because you guys had the flights from hell the other day.

All right. Well, thank you very much.

MR. LEE: Great.

MAYOR DUPREE: Charles, can I just -- since you made mention of the hotel, and I don't know if I will see anyone again after today, I would hope that you all would rethink using this hotel for future meetings. The accommodations were less than what I am accustomed to. So I just thought I would make that statement. That is not for the record though.

(Laughter)

MR. LEE: And after what you had to go through with the hurricanes, that is a really big statement. Actually, I was told last night at dinner that the only reason that many of you stayed here was because of your dedication to the work of this committee. Otherwise, they would have summarily left.

MR. MOORE: That was actually part of the problem with me coming in a few minutes behind, because I was on the

park bench, and I had to --

(Laughter)

MR. LEE: Well, okay, why don't we get started. I just want to say, in terms of recapping your work yesterday, that I thought it was a very, very, very productive day. And I really want to thank and commend you for the work in finalizing the Executive Council Report on Future Mechanisms for Stakeholder Involvement.

And then, I think, the discussion that we had around the Gulf Coast Hurricanes was really stellar, and it laid a good foundation for the discussion today of your recommendations, and the draft recommendations of the Gulf Coast Hurricanes Workgroup Report.

I want to say -- is Cynthia here yet?

MS. : Yes, she is getting coffee.

MR. LEE: Can you make sure she gets here soon? I know I just saw here. Oh, there she goes. I also want to say that there are persons here from different EPA offices who will serve as resource people for different parts of the report. There are people here, I think David Lloyd will be getting here, Myra Blakely, and Joe Bruss from the Brownfields Office. And they have been here throughout the meeting.

We have representatives from the Office of Indoor Air. Can you introduce yourself?

MS. COBB: (Not speaking into microphone) Hello everyone, my name is Laura Cobb, I am with the Office of Radiation and Indoor Air.

MR. LEE: All right, thank you. And then, what I wanted to do, and I wanted to do it now, because when we do these things towards the end of the meeting, a lot of people are no longer here. So I thought it would be a good opportunity to do this now.

And I don’t know if you know, but Gloria Tatum is about to retire from 30 years of work at the Mississippi Department of Environmental Quality. And one of the reasons that I wanted Cynthia to be here is she knows and has worked closely with Gloria, and really deeply appreciates all the work that she has done; especially, her work with distressed environmental justice communities.

And she has a real passion for that, and a real commitment to groups, like the Jesus People Against Pollution in Columbia, and in many other parts in Mississippi. And I don’t think this is going to be the last time we are going to see her, because she has indicated to me that she plans to stay on; especially to work with a number of projects, those of which are related to environmental justice.

So, I know that Mayor DuPree wanted to say a few words as well.

Remarks

by Mayor Johnnie L. DuPree

MAYOR DUPREE: Thank you, Charles. I just wanted to express the State of Mississippi's gratitude for Gloria for over 30 years of service to the state. For most of you who don't know, Gloria and I were classmates. She doesn't look as old as I do.

(Laughter)

MAYOR DUPREE: And we has done a stellar job all across Mississippi when there are problems that the local government can't seem to solve, we call Gloria and she comes in with that same smile that she had "X" years ago, that she still has. And she comes in and just seems to solve the problems for us.

And I hope that she is around for many, many years, because she answers a lot of questions, and solves a lot of problems for us in Mississippi. And I am hoping that she will take that great smile across the United States and be able to do some other things in other states, the same way that she has done in Mississippi. And we thank you from the bottom of our hearts. And it's for the whole State of Mississippi.

MS. TATUM: Thank you.

(Applause)

MR. LEE: Did you want to say a few words?

MS. TATUM: Thanks Charles, and Mayor DuPree, and those of you who are on the Council. I will say that environmental justice is a passion for me. It is something that I could not do on the surface, it definitely comes from the heart, and so much to the point that I do not plan to retire fully. I will come back, and I will contract with the Agency and try to train my replacement person in the environmental justice arena.

But there are also specific projects and individuals that I have met along the way whom I feel that I owe continued service to, starting with Mayor DuPree. We have several projects in Hattiesburg, Mississippi. We also have ongoing projects in Picayune, Mississippi, Louisville, Mississippi. So I will still be in the environmental justice arena, trying to fill the gap, and trying to bring communities, government, and academia together, the way it should be at a table setting and forum, such as we have here with the NEJAC.

I have certainly enjoyed working on the workgroup. I think we had a very instrumental voice and part in this entire process. So I am very appreciative to the State of Mississippi for 30 good years of service. And any time you have a job that you want to get up every morning and go to, that in itself is very rewarding.

So I have never had a dull moment. So, I have

certainly enjoyed my stay at Mississippi Department of Environmental Quality. And I have enjoyed working with all of you. Thank you.

(Applause)

MR. LEE: Great. Richard, do you want me to just start it off?

MR. MOORE: Yes, please.

Review of Day 2 Business

by Charles Lee, DFO

MR. LEE: Okay. I just wanted to just kind of take stock of where we are in terms of the discussion around the Gulf Coast Hurricanes Workgroup Draft Report. And the first item that I think we want to make sure that you are okay with is the fact that Wilma presented a new format for presenting the recommendations. You did discuss this on a conference call, and we thought that it would make your message a lot clearer to regroup on the 14 Draft Recommendations into three major areas.

Right now, they are in your draft report there, separated and grouped into Response and Recovery Recommendations, and Preparedness and Prevention Recommendations. And the three areas are on the PowerPoint there, and that is to Enhance Disaster Preparedness and Response Procedures; and then the second is Facilitating Risk

Communication and Environmental Health Response; and the third is Fostering Environmentally Sound Redevelopment.

So, I think you had agreed to that, but I just wanted to, both for the sake of making sure there is consensus around that, but also to ground the discussion for today in terms of understanding that this may be the way that these will be presented.

(Pause)

MR. LEE: So is that okay with everyone?

MS. SUBRA: And the recommendations didn't change, it is just where they appear under which heading. And one of them changed slightly, which we are going to do in just a moment. So, all it is a regrouping under new titles, but not any changes.

MR. LEE: Okay. In addition -- oh, let me just also say that Tim Fields was supposed to be here today, and he had to attend a family funeral. So he sends his regrets and, obviously, we also send our thoughts with him as he goes through this mourning process.

So, we are not going to have the benefit of his expertise and wisdom, but he did offer some thoughts about the recommendations, which we will share with you as we go through them.

The other thing is that he and I had met with a

number of the EPA offices that some of these recommendations are addressed to. And they do have comments, and they ask that we share them with you. And I would do that as we go through these recommendations.

So, I think with that, you know, we are ready to start the discussion. So, Richard, I will turn it over to you.

MR. MOORE: I just wanted to, you know, as we finished up yesterday, just take a few minutes and just to ask the Council members if there are any comments before we prepare for today's activities. If there are any comments in regards to yesterday's activities, or yesterday afternoon. So, I wanted to open that up for a few minutes.

MS. SUBRA: As just a suggestion, I think we should get your comments on anything you have brought to the table, after having reviewed them. And then, we can do the sort of revised, regrouped, 1-1 recommendation. And then we can hear from Charles, the issues that Tim brought forth. And then we can hear from Charles as he goes through what the EPA offices commented on each of them. If that is okay with you.

MR. MOORE: Okay, I just wanted to make sure as we move forward if there was any discussions in terms of the presentations, or anything that -- Sue?

MS. BRIGGUM: Yes. I just wanted to say for the

record, you know, one of my sections yesterday was talking about ways in which business could be encouraged to come to the table in environmental justice. And I think this has been a real example of why they should.

The commitment that we saw from the most senior levels of the Agency to attend, participate, be fully aware of what we were talking about the way in which two Deputy Regional Administrators, and the head of the Enforcement Office, talked about having read these materials and being eager to implement them, I think, is really impressive. And it shows NEJAC's track record. And I just thought it would be worth taking a moment to appreciate what we have accomplished.

MR. MOORE: Thank you, Sue. Connie.

MS. TUCKER: While the work of the EPA and the emergency response after Katrina in New Orleans was they are very impressive. I was particularly concerned regarding the response by -- I forget her name -- Dana -- to my inquiry regarding the toxins in the flood waters in New Orleans.

I, to some extent, was offended by her response, and I believe many people in the audience. Because when I left the room, I was converged on by people saying, why did you let her get away with that. I predict that, and all you young people in the audience remember this, that come 10, 15 years down the road, we will see a pattern of health effects from

those people who were exposed to what amounted to a toxic soup in the flood waters.

It was very telling when Dana said that she put the responsibility on the health services. But then said, there was no real concern about the toxins in the water. So, of course, the health services would not have tried to at least have a database and do some random testing of people who were exposed to those flood waters.

I wonder then how effective we have been in terms of integrating at least concepts like cumulative risks throughout the Agency, when there is so little concern about humans being exposed in contaminated water.

And, finally, I want to say that I was somewhat disappointed by the members, the lack of any kind of inquiry from members of the NEJAC itself regarding her lack of response. And also, regarding the seriousness of what will probably be a long-term result of exposure to those contaminated waters.

MR. MOORE: Okay, thank you. Chip.

MR. COLLETTE: I heard Dana's response, and it did not concern me, and that is why I did not ask the question. She said she consulted with the CDC. The CDC determination was that there was not an exposure level.

Exposure to heavy metals and stuff does not come in

through by the skin, or exposure to flood waters. It comes in either through ingestion and drinking, or it comes in through airborne phenomenon. But exposure from being immersed in waters, unless you are drinking it, doesn't come. And I had no concern. In fact, I was happy to see and hear the response that Dana and EPA had consulted with CDC, and HHS, and were in constant contact with respect to this problem.

So, I had, and I was happy that they did that. And it is CDC and not -- and not -- EPA. It is Health and Human Services that deal with exposure levels, and announce the exposure levels. But the science of exposure, when you are saying toxic soup, I can remember as a boy swimming in ponds and stuff. And it is 50 years later, and I am all right. It doesn't come in through the skin.

Now, some of the water I have swallowed may have caused me some problems. So I was not concerned by Dana's response, and I just wanted to make that clear for the record. Thank you.

MR. MOORE: I just wanted to, as we go on, I was kind of wondering in that discussion -- because several days ago, when I first arrived at the hotel, there was a special on something that was on TV. I just happened to be switching the station, and it showed one of the volunteers that had first went into Louisiana and had jumped into the water to save one

of the residents there.

And it went on to show when he got back out, you know, did his skin turn bright red. And there was a whole series of activities. And I have to say, I think the question -- and I don't want to speak -- I am just speaking to the point, not attempting to speak for Connie, but I think the question was, what kind of -- part of the question was, what kind of chemicals were found to be in the water?

And, quite frankly, it quite surprised me, I mean, because I come from a community that we have been accused of contaminating ourselves. And it just seems as though to me, that the constant excuses for various kind of contaminations that we are receiving -- I mean, it is again, we will worry about it, everything is going to be all right, this kind of thing.

So I, quite frankly, and I was going to note it. It was the end of the day, and I apologize, Connie, for not bringing my own opinions up. Because as I said, the question to me, part of the question was, what kind of chemicals did you find in the water when you tested the water.

And then, if I am correct in that, then Dana went back into -- which kind of brought me back to the point I was making, how the only contamination in the water came from -- you know, I don't even want to call what I was thinking about

it for that moment.

Now, just to say in my own community, and not to go on to that for a long time, our water was contaminated with nitroglycerin. And they attempted to say, both county departments, both health, city, state, and the Federal Government that we were drinking contaminated water in our community.

But we come to find it out through Freedom of Information, and whatever, for over 25 years. And they chose, because we were a low-income community, 90-some percent Mexican community, or whatever, they chose to never do anything about it.

So, years later, as you are speaking to, years later in our own community, we are finding people, residents in our neighborhood, that moved out of the community and then years later got the shakes, they were blaming it on drug abuse. Got psychological problems, well, that is because we don't get along with each other well, or we eat too much chili, or too many tortillas, or whatever it may be.

And then we come to find out this many years later that it is because we had been bathing in contaminated water, drinking it, bathing in it, and everything else that went along with it, for that many years. And the health departments, including the environmental departments, chose

not to inform my sisters and brothers, my relatives, my family members, or whatever, of the contamination of the community.

So, quite frankly, it is going to be hard for me to be convinced, or to believe, that with all of what took place in Mississippi and Louisiana, that the only contamination that took place in that water was coming from what came back out of the stool. So it is going to be quite hard for me to believe that.

So, I think, just to say to you as Council members, I was quite set back, and taken aback for a minute. And wouldn't have necessarily been if the question would have been, particularly around what the health impacts of the contamination of what was found in the water.

If that would have been the question, if that would have been the major piece of the question, then I don't attempt to claim to be an expert in the medical area, but I do know enough to know that we didn't poor nitroglycerin down our stool in our own communities, and it didn't come from nothing other than all the chili that we eat.

So, I think it was a little set back, and a little degrading, quite frankly. I just want to, for the record, state on my part, I felt that part of the question was -- and I will leave it at that -- is what kind of chemicals were found in the contamination of the water? That was part of the

question, and yet it did overlap a little bit into the health impacts, I do realize that.

But, hey look, I just want to say to you, as our last face-to-face meeting, this is just one of the many, many, many, many examples of the kind of environmental injustice that many of our communities have been exposed to, and continue to be exposed to throughout this period of time.

So, no, we will not take it lightly, no we will just not sit back and take answers like, I am not too sure, go see the Health Department, or whatever it is, because we have been told for years and years at the same time, it is not our problem, there is nothing we can do about it. And, quite frankly -- Mayor and Gloria, quite frankly, even elected officials in our communities throughout these long periods of time that have stepped to the forefront like yourself, and representatives from environmental departments, or whatever, that have stepped forward that have been challenged for stepping forward, and reprimanded for making comments, or whatever, that seem to be anywhere close to making an insinuation, or whatever, about agreeing with what is taking place in many of our communities.

So I commend both of you, and I commend the question, Connie. And, yes, for the record also, I would like to report to be known that I was very dissatisfied, taken

back, and, quite frankly, did not feel very good. So nobody might care whether Richard feels good or whether he feels bad, but the point of the matter is that I think that we should not be accepting those kind of comments to be made like that. So that is purely my own opinion as the Chair. So, yes, Chip, for the record, I would like to also state my own opinion.

MR. COLLETTE: Richard, I do not disagree with you. I am sorry, I only heard one-half, and please accept my apologies if I offended. I would not have accepted service on this if -- Council --- concern. My only comment was and, perhaps, there needed to be more information -- we needed to know the chemicals.

MS. TUCKER: And we asked that question.

MR. COLLETTE: We need to know -- we need to know -- what I had focused on was the line of exposures. If exposures through the skin -- scientifically, it is a different methodology or analysis. I come from a science-based background, and ingestion, drinking, or breathing. And that was my only comment. And I had only heard that one part.

So, please accept my apologies. I do agree with you.

MR. MOORE: Right. I appreciate that, Chip. But we could --

MS. TUCKER: Could I, before Shankar, because first

I want to -- although I am certainly not a scientist, I have sat around this table long enough, and worked around environmental justice long enough to know, whose role environmental health is. So I don't think that we needed that instruction.

However, if you have a logical mind, if the agency who is responsible for testing the water, tells the health agency that there is no concern accept for the fecal matter then, of course, the health agency is not going to act.

So, the health agency didn't act because the Environmental Protection Agency told them that was no concern. That is the first point.

The second point I want to make is that they were concerned about their own workers going out helping with the rescue effort -- I am not talking about reclamation, or remediation, just going out rescuing people, they wanted to make sure their people had on protective clothing. That implies at least suspicion of contamination in the waters there.

So if, in fact, we learned nothing from our cumulative risk report that we did, that we at least know that even at low levels, when you have a number of chemicals -- and there were -- it doesn't take a rocket scientist to know -- that if, in fact, there were Superfund sites, and other kinds

of contaminants as a result of manufacturing processes, as well as, perhaps, the petrochemical industry, that contaminated that water -- even a number of them at lower levels could have created a high toxicity just based on the mixture.

So, that is my problem. That our leadership, and the EPA, is not even aware of what -- even me, with my low education in science. And also, regarding exposure, you are talking about toxic metals, but make no mistake that contact through the skin, as well as ingestion on a number of types of chemicals, will cause exposure. Thank you.

MR. MOORE: Thank you, Connie. Now we are going to take the other cards. I am not too sure, Shankar, which went up first there. But Shankar, if you would go first.

MR. PRASAD: What I observed was a dichotomy in the response. Two people gave very pro-active, trying to be forward, and being so helpful, and then you come here and the headquarters takes -- on the first time they say it, it is always coordinated multiple ways, with multiple agencies and so on.

So once you have coordination, it becomes onus on us to have that coordinated response too. For example, if they measured something it is important to say that. That we measured. And if they do not know what the exposure is, or if

we don’t know what the health affects are, let’s be honest and say that we do not know whether it causes a problem or not.

But the information is important, because subsequently, it can still be looked upon, whether it needs to be followed through, or should it be monitored. And that becomes a debate among the scientific --- because that data is available.

So it is imperative on the part of the EPA to release that kind of data, and to say that, go to CDC, and go to DHS, or somewhere else to ask for what it can do or what it cannot do, was not the right way of responding to a public inquiry, or to the fact that one of the NEJAC members is asking about it because of the concern related to the public health.

It was not because of -- it was not actually accusation, or trying to make EPA look bad, but on the other hand, what precautions we can take as a follow-up. We know about the dust exposure, dust issues that happened after September 11th, and the consequences of that that are being followed still.

So in that context, it is important to release the data, or at least have it worked up, or something. But not to say that just because we do not know how to interpret, we will not release it.

MR. MOORE: Thank you, Shankar. Richard and then Sue.

MR. LAZARUS: Just a few comments in light of -- people have already covered things pretty well. I, actually, had exactly the same reaction that Connie did when the statements were made. I couldn’t quite believe I was hearing it. What I can’t explain is why I didn’t say anything. Because that is our role, and that is exactly what we are supposed to be doing here, is pushing people when they say things of concern to give voice.

I remember hearing it, and I couldn’t believe she went back to say, this very quickly, broad brush, it could only be heavy metals, only other thing and it would only be long-term, not short-term. And fecal chloroform, it doesn’t cause much more than some short-term affects.

And my apologies, because that -- to our constituents, the reason of the NEJAC is to challenge people at moments like that. Because, perhaps, if we had challenged her, it would have turned out that there was actually more there. And that maybe, in fact, they had done things. But I don’t know that they did, and our job is to push, because the level that we were given suggested a dismissiveness, which shouldn’t be tolerated. And it may be in fact they have done much more work than we know. But I didn’t hear it.

And the notion that in that mix -- for the reasons Connie said - in that mix, there was a lot to worry about. It is hard to believe. You would think there would be a lot to worry about.

And, of course, this is all in the wake of September 11th, where it is well-known that the desire to tell people, to reassure people, that everything is returned to normal is so great, and they wanted to tell everyone it was okay to go back. Because everyone wanted to believe it was okay to go back to lower Manhattan. And it is quite clear it wasn't okay to go back to lower Manhattan.

And that may or may not be what happened in New Orleans and Mississippi, I don't know. But it is what worried me about the flood waters, that there would be the same desire to tell people sooner than was the case. That, in fact, it is okay. That the problems are less. Because that is what you want -- people want to hear it, elected people want to say it, and the fact is, that gives you a reason to sort of push the science away.

And I don't know whether all the testing was done, I hope it has been done, but we certainly didn't get a complete answer yesterday. And I think part of that is our own failing for not challenging and following up on Connie's question.

MR. MOORE: Thank you, Richard. Sue.

MS. BRIGGUM: Yes, this is really frustrating for me, because one of the reasons why I didn't say anything was because I am one of the however many people EPA sends out all their brass communications -- on at least a daily basis for the first month or so. And then at least a couple times a week thereafter.

They sent out an enormous amount of testing and information. And sometimes it would be cited as coming from other sources. CDC, et cetera, they did sampling. They were clearly kind of communicating what the health agencies were saying. But what this says to me is that they really got to work on their risk communications and environmental health response.

If having done all this, and made such an effort, and it was vitally important to people who were responding -- and we assumed this was going everywhere in the world. You know, I mean, we put on protective equipment based on this information that said, to be cautious, you should do the following. Here are best practices. Obviously, that is not getting out.

And it is important not only that it gets out in real time so we prepare ahead of time so everybody knows this, but it is also unfortunate. I suspect it is not Dana's job to explain kind of what went out. And she was doing a shorthand.

And she is, obviously, not experienced in doing this kind of response. And so, maybe think as well, when you give presentations, even though you may say, well, I did that awhile ago, and I am just going to give the bottom line, it is really important for groups like this to understand exactly what you did.

Because we can provide very good input. You know, Connie can tell her a lot about how you have to communicate the risk and the practical ways that need to get out there. And the fact that, as you are going into another hurricane season, that someone in Region IV isn't aware of what they are doing, people need to know. Because then they can access information in real time.

So, we should look at, as we are going through the recommendations to make sure we are being real pointed, because this experience shows us how important what the report says is.

MR. MOORE: Eileen.

MS. GAUNA: I just want to state that I too felt a certain failing. And I heard it a bit differently, in that I thought that she had said that there were other things in the water, but she didn't have the specifics of that information.

And at that point, I just kind of thought to myself, well she is not prepared to go into that, and unless she has

that information, maybe -- you know, that that was a reason for me to let it go.

But on reflection, I think that we should have pressed, and she should have -- if she didn’t have the information right then, said I will get it for you, I will get it back to you, and we will go from there.

I think it is a good lesson for us, and thank you for bringing it up Connie.

MR. MOORE: Okay, Ken.

MR. WARREN: Well, I was thinking along the lines that Sue articulated, which is that we ought to take these concerns that I think we all share and put them into a form of recommendation, since it is our obligation to give public policy advice to EPA. That the question is, what should this public policy advice be.

And I have sort of shaped out two recommendations, I don’t know that I have the exact language. We should all comment on it. But the first would be that EPA should give or cause the Unified Command System to give prompt health and safety advice regarding all potential contaminants of concern.

That advice should be given even if the advice is simply that not sufficient information is presently known, to advise people whether there is, in fact, a health hazard.

And then, precautions or protections should be

identified based upon the advice given. So that if the advice is it is going to be six days before we have our sampling results back, well, what should people be doing within those six days, if they are careful people who wish to protect themselves.

And Connie makes a good point; EPA could even look to what it is advising its own employees to do as an example of what the public might do.

I think that EPA should use a focus group to determine the clarity of the advice that it is about to give before it gives it. Because the advice needs to be clear to people who don't necessarily have the capacity to understand sophisticated sampling results.

I do get the same sampling results as Sue gets, and it is hard for me to decipher them all the time because there is different risk levels involved, based upon whether we are talking about clean-up levels, or hazard levels. It is hard to know where the locations of the samples are.

That is not the kind of advice I think, in its raw form, that is particularly useful to vulnerable populations, or even small businesses who don't have sufficient advice to understand them.

So, using a focus group to make sure that the message that is coming across is understandable and clear

would be useful. And then, as Sue mentioned, the advice needs to be adequately communicated to all affected persons, including vulnerable populations.

So, that is sort of segment number one, which is, you know, what should happen promptly after a disaster occurs. And I think that the second part, which I have raised in conference calls and sort of tossed up as a softball yesterday to see if I would get an answer to, and didn't, is that EPA should perform and disclose a demographic analysis of the health impacts. That once we have all this raw data, we need to understand which populations, if any, are being disproportionately effected by the contaminants, so that sufficient resources can be devoted where necessary.

And I think that if there is prompt advice, and then later on when the data is analyzed, disclosure of the environmental justice impacts of those data, then we will, as a Council, have made some progress with EPA. So, those are my two suggestions.

MR. MOORE: Good. I just wanted to make sure we get around. Thank you very much, Ken, for beginning to move us forward. Are there any other comments, and then I wanted to go back to Ken's recommendations. Are there any other comments before we move forward into that? Jody.

MS. HENNEKE: My comments kind of go along with what

Ken was saying. One of those very bad analogies. Some of my best friends are toxicologists. And I work along side toxicologists. And those are the folks within my office, within my agency, that we look to help interpret that data and give recommendations and advice to the public.

And the communication of that information is very, very difficult. I think it was Stan yesterday that made the comment that one of the things that they had learned was, if you don't know, say you don't know. As agencies, that seems to be very, very difficult for us to do.

However, I think it has to be coupled with there is always reasonable prudent advice that you can give while you are waiting on the rest of the information. And I think that is the thing that we need to focus more on, as we go into any kind of an emergency situation.

As agencies, we have fallen back on, if we don't know, we are not going to tell you anything. When we really need to be saying something. Something is always better than nothing, and that was really what I was focusing on, that I was hearing from Dana.

It did seem to come across to me that she didn't grasp onto the question, and was kind of flailing around with how to answer it in a way to get to Connie's point.

MR. MOORE: Wilma.

MS. SUBRA: I would like to try and focus. Connie is focused on the water. We had a storm surge from the two hurricanes, and the storm surge extended from Mobile Bay to the Louisiana/Texas line. You saw on TV a lot of the people who exposed in that flood water.

The storm surge also brought in contaminated sediments out of the water bodies, and laid it all over the land. So, everywhere where the storm surge was, there is this contaminated sediment. Now, in Mayor DuPree's community, he had rainfall, flooding, and it is different from the storm surge because he is not "on the coast." But, in the analysis that EPA did, and I did, and a lot of other people, we were finding the same types of things.

Lots of bacteria, gram-positive, gram-negative. The volatile organics, like Benzene, the petroleum hydrocarbons, the PAHs, the heavy metals, and in some specific areas, dioxin near -- dioxin sources. But in general, those were the types of things, and we were finding them in the flood waters, and we were finding them in the sediment sludge.

The flood waters are gone; the sediment sludge is still there in a lot of areas. The health impacts that we have recorded have been skin rashes, like you saw on TV; infections of the skin that don't heal -- and they don't heal because a doctor will give you a medication for a gram-

positive, or a gram-negative, and they are both types of organisms in the flood waters and in the sediment sludge.

And then the respiratory, the asthma impacts, the respiratory, the coughs, the upset stomach. That is what we are finding in all the people. Now, who was exposed to that? Those responders that you saw on TV in the early -- the community people who didn't get in and had to be rescued.

But then we had community people returning who were not so much exposed to the water, but to the sediment. And then we have all the people who finally came back and started cleaning out their houses. And then we had tons of volunteers, church groups, teenage groups, MTV is encouraging alternative spring breaks. All of those people are being exposed.

And the issue that Dana touched on is the issue we have been dealing with EPA since the very beginning. And the controversy is, the data matches the interpretations ---. The other piece is we desperately need -- and whether it is EPA or the health agencies-- we desperately need medical tracking of all those people who were exposed to see what the long-term health impacts are.

And that is bigger than this group. But, in fact, the contaminants are still out there in the form of the sediment sludge. When Chip talked about exposure in the early

days, the sediment sludge was wet. As it dried, it was disbursed into the air, so you had skin contact all over your skin, you had inhalation, you had ingestion.

And right now, the skin contact, inhalation, and ingestion of the contaminated sediment is still going on for people who go in the area.

So, in addition to the risk communication, which Sue pointed out, what we did in the recommendations is there is also this need for the long-term health tracking. Because we are seeing the results after 9-11, we are going to start seeing the long-term. We have already seen the short-term.

And, again, it is into this whole host of people. And everybody is coming from everywhere wanting to help us. And what we don’t want them to do is come in and be exposed. So, Louisiana Environmental Action Network is giving out Tyvex suits, respirators, gloves, booties, and the cleaning supplies to people who come in and volunteer to try and reduce their risk. We are not eliminating the risk, but to try and reduce it.

But that is what the real situation is. And we saw yesterday in that conversation the difficulty of making decisions early on, and getting the information out, and making the kinds of decisions that everybody felt comfortable with.

And I am sure the Mayor in his community was faced with a lot of those. Because wastewater treatment plants were going right through the roof with all the untreated sewage. Thank you.

MR. MOORE: Okay. I am prepared to move forward in this discussion. We were doing some summary, and Ken and others offered us some recommendations to begin to -- I just want to, my last comment on this is -- and we don't pat people on the back and congratulate people too easily.

And that it was stated yesterday on behalf of Region IV, others, I am not within that region, and Region VI -- I think a tremendous job that many of the staff and the leadership have done in terms of moving forward, both in Louisiana and Mississippi. And the Mayor, and Gloria, and others also spoke to that fact.

So that is very clear, and I think in summarizing -- and I made a point yesterday, that I believe, in terms of Region VI, that much of what they did -- and I mentioned that we had a series of conference calls and so on, with FEMA and with other agencies, that were called by the Region VI -- and maybe in conjunction with Region IV, I don't know that -- but Region VI people were on.

And they weren't only from Mississippi and Louisiana. I was on that call from New Mexico; there were

other people that were on there from Texas, and some of the other states, and making suggestions during that time.

So I appreciate all the words that have been stated here, but I will just say, as we move forward, what year are we talking about? What year are we talking about when we are talking about the hurricane? And I am just trying to remember, I am getting old in age. What year is this that we are in right now?

And so to ask a question in terms of what chemicals were found in the water, the question was not whether it was found three days after the hurricane, or four days after the hurricane, this is the year that it is. And I am just saying that. Whether we want to be real, or whether we don't want to be real. Whatever.

That I have heard on TV what chemicals were found in the water, so I am not really too sure why we couldn't get that from the employees. So I just want to understand Barry and Charles, and others as we move forward, that it is not a criticism, but we don't take lightly.

I can understand, Sue, what you are saying, and Chip, that maybe she misunderstood the question. I am not trying to beat up on the woman. I am not doing that, but I do know that the insensitivity of the reality of the consequences of many of what communities are being exposed to and whatever

is very, very important to this.

So, I wanted to just thank all those that said words, or whatever. And I think, Ken, if we could move forward -- Connie, if we could move forward, we'll close this with your comments, and then I wanted to go back to Ken and then turn it over to Wilma.

MS. TUCKER: You know, I appreciate Wilma's explanation of the depth of the possible -- well, of contamination there. Because I was not mentioning the sediment, so thank you for that. And thanks for the recommendation that is coming forth.

But I just want to say that, we have had flooding before, and it has always been a concern of mine when I see people out in flood waters. So this was really an opportunity to educate the American public about taking precaution for flood water.

Because even if we were in an area where there was no manufacturing going on, as long as people are using pesticides on their lawns, et cetera, you are going to find that in the water if there is flooding. So we lost an opportunity to educate the entire American public about taking precautions when there is flood water.

And yes, I did concentrate on the flood waters, because that is where we saw those people wading through

there, through those waters. And thanks so much for bringing up the other things.

MR. MOORE: Yes. And I think, Charles, did you want to make a comment, and then I am going to go back to Ken's, open it up, and turn it over to Wilma again.

MR. LEE: No. I was just going to speak to -- I thought that a number of Ken's suggested recommendations could be done in the context of the going through the report.

I think the one that you had that spoke to the disclosure of demographic analysis, I think that is the one that is not in the draft report yet. So that is just a point of information.

MR. MOORE: Okay, Wilma, I am going to turn it over to you. Before we do that, I wanted to just acknowledge Arthur Ray, who has joined us this morning. Art is a longtime NEJAC member, who was initially on the NEJAC Council in the old days. I think that was in 1903, or 1904.

(Laughter)

MR. MOORE: But, Art, we were talking a little bit yesterday about the work of the NEJAC Council, and you are one of those. Both, I think, on the Enforcement Subcommittee and the Council. So we welcome you and we appreciate all the work that you have done, and dedication that you have made throughout these years.

Wilma, I am going to turn it over to you, and then we can move forward on this.

Gulf Coast Hurricanes Workgroup Draft Recommendations

by Wilma Subra, Moderator

MS. SUBRA: Okay. Charles, did you want to say something?

MR. LEE: Yes. Wilma and I had talked about how to go through this workgroup draft. And I know there are some larger questions. I know Eileen has one that just speaks to the broader framework for the draft report.

So I think we should probably go through those first. In terms of that, Tim Fields had suggested that, and he heard yesterday, that EPA is doing a set of evaluations around the hurricane response, and is going to produce some lessons learned reports.

He felt it would be very important for you to recommend to EPA that those lessons which have the greatest relevance to vulnerable communities be identified and communicated. And so that probably should be one of the things that, I think, you should -- that he believes you should kind of make an effort to put into some kind of recommendation.

The other issue in terms of a larger overall perspective is the one that was kind of raised over and over

again. Which, I think, Ken raised it, and others have raised it, is this issue of the fact that many of the concerns that were raised were ones in which EPA may have a role to play, but we are not the primary agency, in terms of reaching out and communicating with other agencies.

And, in so doing, communicating to them about environmental justice issues is the other one he had talked about. This, I think, is not unrelated to the point that you wanted to raise, Eileen. So, maybe you should talk to that next.

MS. GAUNA: The point that I wanted to make was that this is a very -- and we understand as well, I mean, on the committee and, certainly, Wilma has been pressing the point over and over again, that this is a very tiny slice of the whole big picture of Hurricane Katrina, Rita, and their aftermath.

And I was asking Charles if there was some way that we could express that very clearly in the report, so as not to lead the impression that this is it. But that we are really just talking about EPA's very limited role in this, and that the larger issues are really -- the interlocking dynamics of environmental justice, which EPA plays a role in, and is as culpable in as other agencies in a way, because even though I think as an agency, it is way ahead of the game, it has still

got a ways to go.

But I think if we could find some way to reflect in the report that there is a big, broader set of interlocking issues out there, and that we are only addressing a tiny subset of those issues, but we are doing so, mindful of the fact that this subset is intrinsically connected to that larger set of issues. And if we could just reflect that some way in the report, I think it would be helpful to put it in context and in perspective.

MR. LEE: I think the suggestion for doing that -- well, to backtrack a little bit, I mean, there is beginning to be some writings around the larger environmental justice issues related to the hurricanes. I mean, the most recent one is this very large piece that the Russell Sage Foundation Commission, authored by Manuel Pastor, Bob Bullard, Beverly Wright, and another person. And other piece is Oliver Houck's Tulane Law Journal article.

So those things, I think, you can cite by reference in terms of the larger issues. Actually, the third piece is the one that Eileen authored, along with Rob Verchick. But in terms of where that would go in the draft report, I mean, there is a statement in there about how the NEJAC recognizes that the charge says that their recommendations should address those issues that EPA has statutory responsibility for.

And providing Eileen's suggested statement as context to that, in terms of a background, as well as then recognizing then that this is the slice that you have been asked to make recommendations around. That would, I think, satisfy that point.

So, I just wanted to add to that, I think then the issue then flowing from that would be that logically -- you know, flowing from that then, that EPA then -- you may want to say that EPA then has some role to play in terms of communications that Ken had talked about.

MS. GAUNA: Yes, I think that is really important. I just didn't want the report to be read by somebody saying, well, you know, is this all there is? We know that there are a lot of issues out there, and why is this particular report addressing such a tiny part of it.

But also, along with that, if we could find a way to not only talk about the scope of EPA's statutory authorities, and where they fall into this whole thing, but I really like Ken's idea.

And, Charles, you and I had talked about it earlier, of this idea of evaluating what the disparate impact of emergency response is after the fact. That even though that is not "EPA's statutory job," I think that it is a function that it is well positioned to undertake as sort of an

educative function to other agencies.

Well, even after all this, there were still disparate impacts in terms of who got rescued when, or in terms of post-disaster reconstruction. Or, in terms of risk communication. So, I would really like to follow-up with a recommendation on just the function of evaluating that EPA is positioned to take, irrespective of its statutory authorities.

MS. SUBRA: Let me just respond. First, Eileen, could you come up with suggested language that we can put in the beginning part? And one of the other things yesterday, when you saw Dana presenting where their authority primarily was, and then the secondary authority, one of the things that Stan didn't say that he said in Biloxi, was that they were just about finished with the emergency response, and that by the middle of summer, most of their people would be out of there.

Now, that doesn't say they don't continue to do environmental regulatory issues, but it is much longer-term than what EPA is going to be physically doing extra things in those communities. I mean, the recovery, the lack of healthcare, the lack of mental healthcare. All the things that these communities need are going to last for a long, long time.

So, I don't know how to capture that as well, but

that we are looking at that tiny slice, and even though in the response there is recovery mentioned, it is not going to be EPA there in extra numbers to hold the hand as the total response. And when EPA walks out, it is like a turnkey house. So, it is truly very, very narrow in the overall scope of what has gone on.

MS. GAUNA: Just a follow-up. Could we tailor our evaluated question to that? Is that what you are suggesting?

MS. SUBRA: Yes.

MS. GAUNA: That when EPA says, okay, our job is done here in terms of the response, not in terms of overall regulation, that at that point, a recommendation to evaluate whether there were any disparate impacts of what was done? Is that it?

MS. SUBRA: Yes. And I have got that one marked, and we are going to do that in the revised plan. Sue.

MS. BRIGGUM: I really like what you are saying, Eileen, because I think that some of the real intensity and passion of the issues raised at the meeting, if you could help capture that in the beginning to set the context of the enormity of the issues, and the fact that we are an advisory committee to EPA, and that we are going to focus as is appropriate on their role, which is admittedly quite modest.

And then say, if we feel this -- and I think I have

been hearing it all along -- you know, their role is limited, but they were pretty bold in terms of trying to do a much better job than had ever been done before. And showed a lot of commitment and success. And having done that, have raised expectations of what the Agency is capable of. Which is, you know, extraordinary response.

And in that light, we say for the future, could you also realize that there is an obligation. For example, even if the response is over and the National Response Plan says that your role has concluded, you do have a role in terms of characterizing environmental quality. And, therefore, health, and therefore, you should be advising CDC, or whatever, on the need for subsequent monitoring. And that there is sediments issue.

So that what I would like is to give credit where it is due, because that then always incentives even more energy the next time. And I think if we don’t acknowledge what they are doing, it is like all of their enthusiasm hasn’t been appreciated. That doesn’t mean that we don’t have new challenges that we are going to recommend, but I am just trying to think about the way that is fairest, and most likely to have implemented what we are recommending.

MR. COLLETTE: I second that. I would point out, and I stand for your correction, Wilma, but one of the things

for reorganizing is was our concern on the workgroup with the facilitating risk communication and environmental health response. I will be interested in seeing the redraft.

I think I would just point out, just in case there is anybody here not familiar. We have already tried -- the workgroup has already tried to address those items in Issue 1-9, and Draft Recommendation 1-9, as well as in Issue 2-5, and Draft Recommendation 2-5.

And if you aren't aware of those, you need before making comment, check those again. Because I remember our discussions, this was one of our major concerns and we needed to highlight it. And the present structure doesn't couple those things, or highlight them presently. But we have the recommendations in there.

MS. SUBRA: Okay, so I have marked evaluation one, and I think when Tim made the recommendation that EPA communicate with the other agencies about environmental justice, we will put that one under the communication issue. So, we are picking them up as we go, okay?

So, do we want to do the overall, or do you want to do EPA first?

MR. LEE: Well, why don't we, at this point, I think these are the larger issues.

MR. : Charles, can you pull the microphone

over please.

MR. LEE: Yes. These are the larger issues. Why don't we go to the sheet that was handed out to you in terms of the new Recommendation 1-1. And this begins to capture a lot of the things that have come up recently. What this is the old Recommendation 2-1, which was the revised EPA Disaster Management Procedures.

Essentially, it doesn't change very much, except to become more specific about the kind of things you may want to recommend as a result of yesterday's discussions, and also as a result of discussions since the final draft version of the workgroup report was submitted.

And what this also does is to incorporate what the workgroup thought were the three over-arching themes in terms of the use of GIS tools to identify, and analyze, and assess environmental and public health needs of vulnerable communities, in terms of ensuring communications with vulnerable populations, and input from vulnerable populations, in both the development of, and implementation of, disaster response procedures.

And also, this whole issue of both inter-governmental and intra-governmental coordination. And that recognizes that in terms of disaster response, there are multiple federal agencies, but there are also multiple levels

of government at work.

Then there is another one that captures the discussions from the public comment period, which have to do with the development of public participation guidelines for disaster response situations, promoting their adoption and use by both the public sector and private sector organizations. Recognizing that a lot of emergency response also is done by contractors and other organizations.

And the other one being the idea that -- and this speaks to Grants comment about hard wiring environmental justice into the emergency response system. The point that Larry Starfield made about the exploration of an idea of having an environmental justice function within the Incident Command System structure. So, incorporating an environmental justice function into the Emergency Response Command structure.

That is the way it is written now, but I think that you could probably be more specific about that. Tim suggested that it be something like incorporating environmental justice function and staff support into the Incident Command Systems structure, which is the whole thing that was presented yesterday in terms of the National Response Plan and that entity that is the unified command, which is the incident command structure.

So, those are the things that in addition to -- you know, the other ones in terms of revised emergency procedures, as far as stakeholder communication, implementation for exercise and environmental waivers, which speaks to some of the aspects at the Chef Menteur landfill issue, the possible use of consideration of EPA to help address, or resolve, disputes through options like mediation and collaborative problem-solving, and other approaches.

The question of whether or not there needs to be emergency preparedness exercises involving vulnerable populations. Which, actually, speaks to EPA's role, but it actually could have broader implications; especially, addressing what many of you have been concerned about in terms of all the evacuation issues.

And then, obviously, you can add into that this question of an evaluation of the disparate impacts, or potential disparate impacts of the emergency response, in terms of EPA's response. Perhaps, other things.

But that, I think, makes it a very strong set of recommendations on your part. It captures all of the discussions from the workgroup, as well as the things that have come up afterwards.

MS. SUBRA: And the first one, on identifying the vulnerable populations, that is so critical. Because people

will say, oh yes, we know where they are. And then they don't get attended to. So if we know where the vulnerable populations are, and we know their needs. We are light years ahead, and then planning how do we respond to their needs. Sue.

MS. BRIGGUM: I just want to thank you, Charles. I know you and Wilma have been working really hard on this. I think that this is really important, as one of the company's that is a responder, and is subject to concerns, it would really be very helpful to have these clear guidelines that, perhaps, prevent the kinds of controversies we have now.

Because there is better, and more informed, and effective outreach, as well as better understanding of the various roles and review procedures and standards. So, I certainly support this. I think it is very well done.

MS. SUBRA: Everyone is good with it?

MR. LEE: Why don't we go through each of them then.

MS. SUBRA: Okay. If you will turn in your booklet to the document. And this is the same document you were provided some time around May 15th, and that document had the cover letter by Richard. And this was also the document that was put out as the public notice in The Federal Register.

(Pause)

MS. SUBRA: And, again, bearing in mind what is on

the screen will be the three major topics or themes.

So the first one is Response and Recovery. And again, there were three themes in this one, and they have just been regrouped under the new themes.

(Pause)

MS. SUBRA: I need to do it under my scratched up version. So, under the first theme, which is Response and Recovery, we have topics such as community partnerships and collaborative problem-solving. And we have heard those themes throughout. And, again, what we did here was do the things specific to the hurricane, the hurricane response, and the hurricane recovery.

The second one is some of the same topics that Charles just went through. Meeting the immediate environmental and public health needs of the communities. That is what was so desperately needed by those people in the early days, and still an issue. And assist the community residents to participate meaningfully.

And I just want to say, when Larry talked about they are not CNN, what you saw on CNN was what they thought the rest of the world wanted to see was sort of downside, the negatives. Not very much was covered about the positives. And there were a whole lot of positives, but that doesn’t obviously get viewers.

And then mold contamination. When I was telling you about the contamination, Connie, in that sediment sludge, there were a lot of mold and yeast. But in the houses that were flooded, or in the houses that had their roofs damages, and had a lot of rainfall damage, huge mold populations -- and this is another area of exposure for people going in and trying to gut out their houses.

And then the waste debris and sediment issue. And you heard a little piece of it. There are huge piles of debris, huge piles of different kind of waste.

And then risk communication, which is so critical. And in this case, the people were everywhere, and nowhere, and most people didn’t know where their loved ones were located.

And the best thing was the TV and the radio in the communities where they were relocated. Because even those who did have a computer didn’t take it with them, so the Internet was not something that worked short-term.

Cell phones, out of the area, were a real benefit because you could communicate with the community member when they went to a new location and got a new cell phone with a new number. Because it took a long time for the cell phone towers to be rebuilt.

And then sustainable development. And, again, that is in the third category.

And Brownfields Reassessment. Worker Protection. You have heard a lot about that. And then Job Training and Job Creations. And Public Health Concern.

So, originally, section one had a whole host of diverse topics that we are now sort of placing in more appropriate locations.

So, if you just take a few minutes to look through the ones under topic one, and see if you have any issues, problems, suggestions. And, Ken, we are going to take yours, and then fit them into the best place. So, we didn't ignore you. Richard.

MR. LAZARUS: Yes, I just have a question. Maybe the EPA resource person can help me out. It is just an informational question. EPA's jurisdiction over mold inside homes. I wasn't quite sure what the statutory jurisdiction was. I know it is a very serious problem, I just wasn't as conversant.

MS. COBB: Do you want me to use the mic so everyone can hear me? Hi, Laura Cobb here from Office of Radiation and Indoor Air.

As far as mold is concerned, we do not have regulatory authority. We are authorized to provide information and technical guidance, and that type of thing, which we do. But we can't make anyone do anything.

MR. LAZARUS: Well, I guess the question is not whether you can make someone do something, but do you have authority under any statutes to actually do something about it yourself, as opposed to make other people?

MS. COBB: No, we do not.

MR. LAZARUS: I don't know whether there is room here for, or whether we want to go beyond that, or there is room for suggestions of EPA going there, it may be beyond our purview. But maybe other people know more. I know it takes statutory authority; the question is whether that is something outside our jurisdiction to recommend.

MS. SUBRA: And we had that discussion over and over again. And EPA, and a lot of other agencies and organizations issued fact sheets on mold.

MR. LEE: To follow up on that discussion, the EPA's authority, like Laura said, were really in the area of education and research. And in terms of the response in the hurricanes, the primary responsibility is, actually, CDC.

And that is why the workgroup decided that they wanted to make a recommendation around, if you have all this information, which there are plenty of, how do you better utilize it, or how would vulnerable populations better utilize it. And that is why the recommendation is written the way it is. Did you want to go through it, whereby --

MR. LAZARUS: No, I don't. I mean, it is just a serious limitation in terms of what I understand is a very serious public health hazard down there. If EPA doesn't have any more authority, I don't know what our role is. But it is disappointing, not in terms of what the workgroup has done, but it is just a statement of about the existing statutes.

When you think about the kinds of health hazards that communities face, in your home is about as immediate as it can possible get, compared to sort of a Superfund site several miles away. And it is in Congress that there is no particular national legislation, something that is so compelling.

MS. SUBRA: And, basically, what happened was any of these houses that were flooded, or had rain through the roof. Everything that was purview surface, grew mold and all of that had to be thrown out.

I mean, like you could get your mother's china, and your silver and clean that, but anything that water could penetrate, mold was growing huge. And you just removed it out to the curb and it became debris. I mean, it was heartbreaking, but that was the situation.

And the best thing you could do was hope to protect the people as they went in and gutted it and provide them with protection.

So, do we have any comments, Connie, on this? We are on Section 1.

MS. TUCKER: I am on mold. The draft recommendation. Well, one thing that I did observe, I guess I was down there four or five times, post-Katrina and Rita. And what I did observe was that there was a lot of information being distributed about mold, and how to deal with mold. I think that was DEQ, or EPA, I can't remember who had the fact sheet out, but it was everywhere.

It seems to me though that it would be good to add to the recommendation -- and I am not sure who should provide it -- but there ought to be some sort of focused effort at providing funding for remediation assistance projects.

What my observation down there was like everybody was on their own. They had the information about protection, but sometimes the protective gear was not available. So they had that information, but they still were left to do the remediation themselves. And it was really, really terrible, at least the few places that I saw.

So, maybe some sort of funding for -- I am not sure what agency would do that.

MS. SUBRA: You are asking for funding --

MS. TUCKER: Funding for remediation assistance projects.

MS. SUBRA: Okay.

(Pause)

MS. SUBRA: Are we ready to move onto 2? I can tell Victoria just got back in the room. It is freezing in here, Victoria.

(Pause)

MS. SUBRA: Okay, Charles wants to know if we want to go through Section 1, one-by-one. What is the comfort level here?

(No response)

MS. SUBRA: Charles says we are going to go through them one-by-one.

(Pause)

MR. MOORE: Wilma is also trying to do several things here at one time, so let me help both of them out. So we are going to go through it, section-by-section. We are going to start off -- we are on 2, and we will start off with 2-1. Is there any comments? Connie.

MS. SUBRA: He wants to start on 1-1.

MR. MOORE: I am sorry, I am sorry, Charles. Let’s start back from the beginning. Sorry. Okay, just regrouping. Just regrouping here right quick.

Okay, thank you very much. We are going to go back to 1-1, and if we are fine, we are going to move forward.

Thank you.

Draft Recommendation 1: Response and Recovery

MR. MOORE: Okay, so any comments on 1-1?

(No response)

MR. MOORE: Do you have a comment? Just make a comment.

MR. COLLETTE: Richard.

MR. MOORE: Yes, sir.

MR. COLLETTE: I am not going to make any comments. I happened to read through and I caught some typos and editorial comments. And I just wanted to make it -- I passed that information on to Charles already. So I would just make a note that I had caught a lot of typos in editing, and just made those marks and passed them on.

MR. MOORE: Thank you, Chip. And remember now, we are working off this new copy on 1.1.

MS. SUBRA: No, you are working off the original copy. And this one is going to go under the second topic up there, which is facilitate risk communication and environmental health responses.

MR. MOORE: Okay, thank you. Harold, do you have a question?

MR. MITCHELL: Wilma, excuse me. Just on this Draft Recommendation 1-1, review whether or not there needs to be an

emergency preparedness exercise involving vulnerable populations. Can we change that to “exercises involving and identifying the vulnerable populations.”? Because that vulnerable population regarding the seniors and elderly, that were not identified.

MS. SUBRA: You want to add, “identified.”

MR. MITCHELL: Yes.

MS. SUBRA: Okay.

MR. MOORE: Okay, any other comments?

(No response)

MR. MOORE: Okay, let’s move to the next one please. Ken.

MR. WARREN: I would think that some of the points that I made would fit within 1-1. Do you all want to just address them later, whatever your preference is.

MR. MOORE: I think it would probably be important just to do it now, so we don’t have to come back to it. So, could you restate that, Ken, the ones that you think fit in there?

MR. WARREN: Sure. I think that we should recommend that EPA give, or cause the Unified Incident Command, to give prompt health and safety advice regarding all potential contaminants of concern. And then I have got some sub-sections to that.

That even if the advice is that information is not known at present, EPA should state that and identify the precautions or protections that can be taken to avoid injury.

And EPA should use focus groups to determine the clarity of the advice that it is given so that it is understandable by community members, small businesses, and others. And then the advice ought to be adequately communicated to all affected persons, including vulnerable populations and small businesses.

MR. MOORE: Okay, thank you.

MS. SUBRA: In addition to, or in place of? I missed that beginning phrase.

MR. WARREN: I am thinking this is a bullet point in addition to the ones that are already there.

MS. SUBRA: In addition to, yes. Okay. So can you give us that verbiage in hard copy so we can do that?

MR. WARREN: Sure.

MS. SUBRA: If the group agrees.

MR. WARREN: Sure.

MR. MOORE: Any discussion in terms of Ken? Connie.

MS. TUCKER: Excellent add-ons. The only concern I would have is the focus group. I agree that that would be good, but there ought to be some sort of emergency response that would not need a focus group to give risk information.

So I would say that, for example, if a disaster occurs, that EPA should have the authority to immediately give precaution without having to go through a focus group process.

And then for longer-term risk assessments, and/or communication, and then they can use the focus group.

MR. MOORE: Ken.

MR. WARREN: I mean, certainly, if it can't be done in a timely fashion, I agree. My concern is simply that sometimes the messages that you get from EPA are not understandable. And you know, issuing a very prompt message that is not understandable is counter-productive. So I was just hoping the focus groups could let then know, we are not understanding this.

MR. MOORE: Okay. Eileen.

MS. GAUNA: Yes, I was having the same concern about that Ken, because I have seen some of EPA's quickly put out information. But I think there is a way around that and I don't know how much we want to micro-manage the situation. But the idea of thinking ahead of time by using focus groups, and thinking of ways to phrase things in culturally appropriate ways, even if you don't have the specific information to plug in.

But I think that there is a range of risks out there that are foreseeable that can be thought of ahead of time and

developed so that you can use it quickly, you know, in an emergency situation where you have to act quickly, where you not putting out 10 to the minus 4s, and 6s, and stuff like that.

I don’t know how to get that idea across, but maybe we should try to recommend that.

MR. MOORE: Charles. The Office of Emergency Management’s -- since we are talking about risk communication -- and I think this could all go in terms of a lot of detail in that section on risk communication -- you know, is that overall, they felt that this is a really important issue. And that in terms of the evaluation of the Katrina response, they have developed a number of workgroups. One of which is risk communication.

And that, specifically, they thought that EPA needs to work with effective stakeholders, regulatory officials, to improve risk communications. The one area -- and I think this is where a lot of the rub comes in -- is the recognition of the distinction between communicating in terms of public announcements, and in terms of community involvement.

You know, there is two processes going on, one is trying to make sure there is a right message, and then there is the other in terms of the kind of interactive communication with affected populations, particularly, vulnerable

populations. So that is one of the areas.

As part of a national approach to response, has established a workgroup. In the future, EPA should develop materials prior to emergencies, such as Q&As generically. And they said that they had an experience where they had a full-time community involvement person in St. Bernard Parish that lead to a greater trust and better working relationships with the community; though, not necessarily agreement on all issues.

So that was their response. So I think where you are headed in terms of your recommendations is really, I think, very much on target. I think that some of these things in terms of focus groups, ahead of time, and things like that, are very much in line with that.

MR. MOORE: Okay, any other discussion in terms of that particular points? Ken, did you have any comment?

MR. WARREN: No.

MR. MOORE: Okay, are we ready to move forward?

(No response)

MR. MOORE: Okay, let's take the next section please.

MS. SUBRA: Okay.

Issue 1-1: Community Partnerships and Collaborative Problem-Solving

MR. LEE: If you go to your notebooks and go to

Response and Recovery, what is in there, Issue 1-1, Community Partnerships and Collaborative Problem-Solving. And then we should go through -- I think my suggestion, Wilma and Richard, is go through the specific recommendations in detail, and any kind of comments about the background in discussion.

MR. MOORE: Okay. So Community Partnerships and Collaborative Problem-Solving. Discussion, Wilma, comments before we open it up for discussion?

MS. SUBRA: Okay. The one in your notebook that is labeled 1.1 will now be under topic two, which is again, Facilitate Risk Communication and Environmental Health Responses.

MR. MOORE: Okay. Discussion.

(No response)

Issue 1-2: Mold Contamination

MR. MOORE: Okay, Wilma, let's go to the next one please.

MS. SUBRA: Okay. The next one deals with mold, and we have had a little discussion on that. We have noted Connie's comment about providing funding for remediation, and it will also be under the risk communication and environmental health response, under the new one. So any additional comments on the mold issue?

MR. LEE: If I may, there is a comment from the

Office of Indoor Air around that. And they suggest that the Assistant Administrator for Air and Radiation may not be the most appropriate official to be identified to be charged with, or addressing the recommendation. And that that should be done more on a regional level. So that was the major comment that they had.

MS. SUBRA: And we have talked about it since you received these comments, so we are pulling all the pieces together as we go through it one time. And it is important that you communicate at the headquarters level, and then the headquarters level communicate down to the regions.

That would miss if we just had this communication with the regions and not through headquarters. So, we were feeling it was more appropriate to come through headquarters and go down. But it is up to the group.

MR. MOORE: Okay, now discussion. Sue.

MS. BRIGGUM: Couldn’t we do this simply by saying, working with the regional, and then they can work out who is the primary responsibility. But this would be a good way to get a lot of communication among the groups, but it is an acknowledgment that they all have important roles? Because we don’t want them to feel that we haven’t appropriately identified the responsible.

MR. MOORE: Any additional discussion? Eileen.

MS. GAUNA: Okay.

MR. MOORE: All right, let's go to the next one please.

MR. LEE: Oh, and just one --

MS. SUBRA: Wait, Charles is finding -- go ahead.

MR. LEE: Just the other comment from the Office of Air is that there is a reference there about African Americans having a high rate of asthma, that that be qualified to African Americans having made up a majority of the population prior to the hurricanes. So that was just a minor thing.

MR. MOORE: Okay, comment, and we will move to the next one.

(No response)

MR. MOORE: All right, Wilma, let's go to the next one.

MS. SUBRA: So were they asking us to take that out?

MR. LEE: No.

MR. MOORE: I think they were asking to add to that a different language.

MS. SUBRA: Okay. Okay, all right. Eileen.

MS. GAUNA: I am sorry, I was just confused about that. I was distracted here by a chair that is falling apart.

(Laughter)

MR. MOORE: You mean this Chair, or that chair?

(Laughter)

MS. GAUNA: I thought my colleague here was going to fall over this way, so I was getting ready to push him the other way so he would fall into Sue.

MR. MOORE: I thought you were speaking of the Chair of the meeting.

(Laughter)

MR. MOORE: Eileen.

MS. GAUNA: Oh, no. Well, the Chair is falling apart, but that is a different story.

MR. MOORE: Thank you.

MS. GAUNA: I am just wondering if we could use that as an opportunity to make a broader point, which is throughout this document, but maybe I think needs to be emphasized. It is that there are certain vulnerabilities that are definitely associated with particular racial groups. And not only asthma in African Americans, blood lead levels, pesticide related health effects with farm workers.

And the reason I am saying this is, quite frankly, because of this move to get away from using race as any kind of criteria. And I think this is just a sobering reminder that there are definite exposures and health effects that are so strongly associated with race that we just can’t simply forget that. And so I would suggest that we use that to make

that broader point.

MR. LEE: If you could provide that language, I think that can be --

MS. GAUNA: Since I am providing -- can I do this like afterwards, because it is distracting to try to come up with language while I am trying to listen.

MR. LEE: No, no, I don't mean right now.

MS. GAUNA: Okay.

MR. LEE: We will keep track. Don't worry.

MR. MOORE: Connie.

MS. TUCKER: I am going to have to leave. I had to change my flight because they are predicting storms this evening and I have got to get to Albany, Georgia. So I just can't have a nightmare of a trip going as I did coming.

I do want to just mention one thing before I go. Great work, Wilma and the workgroup. And I just noted in the -- because we are getting ready to move to 1-3, and I just noted in your introductory statement around waste debris and sediments that that was no mention in the introductory comments about the sediments, once dry can become airborne and create a further risk through inhalation.

So, I thought maybe that ought to be added, because that was a great point you made earlier on.

MS. SUBRA: Thank you, Connie.

MR. MOORE: Thank you, Connie. Shankar.

MR. PRASAD: I am going back to the point that you are talking about the ---, and bringing that issue in this document. What we are talking here is an emergency situation. Do we have even enough science to go in that direction to differentiate that level of knowledge in order to make any kind of recommendation?

While we can clop together the vulnerable population categories, but to say that we will be able to -- or the science will be able to tell us to that level of detail, which sub-group, which compounds need to be kind of looking and be prepared for that kind of a thing, is it not stretching the science?

MR. MOORE: Response.

MS. BRIGGUM: Richard is looking at me because he and I spent like four years together on the National Environmental Policy Commission that Congressman Claiborne established. And the second report we did was on health and disparate impacts. And boy is the science ever there, and I am happy to give Eileen a copy of our report, which will have a lot of studies and documentation.

And if you say, well, we didn’t study on this particular population, you don’t have to if you have all this science showing the disparities, based on just ordinary

living. You have to understand -- I will say, as Connie says, logically, that if you have an emergency with exposure, it is going to follow the same track. So I would feel very comfortable citing the information in studies that we have seen in great detail.

MR. MOORE: Thank you, Sue.

MS. GAUNA: If I could respond too. I think the problem is even more in an emergency situation. Because if you are saying -- if you know that certain vulnerabilities and exposures cluster around particular racial groups, you know, for you to say -- you know that these are vulnerable populations.

And so, to me, it is entirely appropriate in that situation to say, okay, we know that farm workers already have high levels of pesticide exposures. You add on to that exposures caused by flood water sediment and disaster types of conditions, that the use of race is a proxy for particular vulnerabilities and conditions is entirely appropriate.

Because you don’t have the time to get that information at that point in time. And that is why I think it is important to make that statement here, particularly, in light of recent Supreme Court decisions that say, if you can narrowly tailor a response not to consider race, then do that. But if you can’t narrowly tailor a response, and you need to

consider race, then you can do so in a constitutionally permissible manner.

And the reason that I am bringing this up is in my estimation, I think that the Environmental Protection Agency -- and I will say this for the record, because it is my opinion -- is interpreting that line of case law in an unduly restrictive fashion.

And I am just concerned here that all of a sudden there is this blanket prohibition against using race out there in instances where it is not only entirely appropriate, but it is about the only proxy you have at that particular time, in light of those studies that all of us have seen to some degree and are familiar with.

So, I think it bears bringing that out, not in a harsh way, but just in a very factual way. That there are exposures and vulnerabilities that are strongly associated with particular racial groups.

MR. MOORE: I think we are ready to move forward. Thank you for those comments. Okay, can we go to the next one please?

Issue 1-3: Waste Debris and Sediments

MS. SUBRA: Okay, the next one is Waste Debris and Sediments. And you have heard a lot of discussion over the last two days concerning this. And one of the issues is to

identify where you are going to put debris ahead of time. And I think that has been a theme throughout.

The other one is what happens when you have the variances and the community is not allowed to be notified or participate in the process. So what we tried to capture here was making sure that you are prepared to handle waste debris when a natural disaster occurs. That you plan for it.

MR. MOORE: All right, so we are on 1-3, Waste Debris and Sediments. Any discussion? Eileen.

MR. LEE: I need to share -- can I share the Office of Emergency Management's response, or their reaction to this? They said that they wanted to emphasize that most of the data for New Orleans was beneath LDEQ and EPA levels. That there was pre-existing and EPA is monitoring what they called diesel-range organics, and oil range organics.

The Army Corp. of Engineers is in charge of the actual removal of debris. EPA did ensure appropriate disposal of debris, issued permit waivers, and worked closely with the states. Only vegetated debris material was burned. EPA is also ensuring recycling for refrigerators and electronic items.

They said also that EPA can and will use the EJ assessment tool. That they believe that EPA is already implementing many of the recommendations. They did want to

note that the statement on Page 5, Volumes 14-16, so that is that -- lines 14-16 is not accurate, because it could be misinterpreted that such contamination is severe and widespread.

MR. MOORE: Okay, discussion.

MR. WILSON: Well, as it relates to the last comment that you read, it goes to the point that was made earlier. That is why you have to test, so that you know.

You know, in this context where people are saying you can't use race, in the context where people are saying you are just scaring us, that is all the more reason why you do the testing, so you know exactly what that situation is.

This unidentified person from OEM who is telling you it ain't so, that is the arsenic chromium are not at levels, I mean, how can he or she know exactly what the situation is everywhere.

So, it seems to me somewhere here, or perhaps later in 1-4 where you are talking about risk communication, that is precisely where you want to emphasize that testing be done. And that these long-term implications that you were referring to, Wilma, as they relate to sediments, makes sense.

In other words, nobody wants bad news, but let's find out exactly what the situation is. Let's let the facts determine what our actions should be.

And so if the OEM fellow is right, then show us the test results. And let's hope that he is right. That there really isn't a severe problem that threatens health. But let's test and let's know what the facts are.

MR. MOORE: Chip.

MR. COLLETTE: Just a suggestion and a very minor change in language, at line 14, where is starts off "through sediments" -- and I really don't have a major concern, but why don't we change the word "the" to "many" -- "many sediments deposited." That is probably a little more accurate. That would just be my suggestion as a minor change.

MS. SUBRA: Thank you.

MR. MOORE: Okay, a response to Chip's comment.

MR. WARREN: Maybe we should also add the word, "at varying concentrations."

MR. MOORE: Okay, Ben.

MR. WILSON: There is also this point that is made here that the lead for the collection and disposal is the U.S. Army Corp. of Engineers. Entirely accurate. But, again, the point that Ken and others have made earlier, that just because they may have the lead in identifying what they are, it seems to me EPA has the ability to weigh in and tell us what the impacts have been demographically.

And, again, you are doing it also, by the way -- and

I apologize for not saying it sooner -- which is the footnote on page 3 please, that lists what their priorities are? It says that ESF-10 is what they are supposed to do, and ESFs-3, -8, -11, -12, -14, and -15 are those which they may also have some responsibility for.

Again, a point that others have made previously, that just because it is not your primary responsibility, doesn't mean you can't take the lead in measuring what adverse impacts have been. Again, another place to make the point that Ken has made.

MR. MOORE: Okay, now I think that we have had agreement on those suggestions from 14 and 15. So we agreed on that, and so now there has been additional ones that have been suggested on the lead. So, is there any discussion around that? Chip, did you have something? Shankar?

MR. PRASAD: What I say just is whether we would want to add on line 15, "could contain," instead of saying "contain." But at the same time, "grading concentrations" takes care of that too.

MR. MOORE: Okay. Are we prepared to move forward?

(No response)

MR. MOORE: Okay, any additional comments? Charles, did you have anything else?

MR. LEE: The most important thing is going through

those recommendations.

MR. MOORE: Okay, let's move to the recommendations then. Discussion -- 1-3.

(No response)

MR. MOORE: Okay, the first bullet, no comments?

(No response)

MR. MOORE: Okay, the second bullet. Shankar.

MR. PRASAD: Should we place the bullet number 2 as number 1? In priority 1?

MS. SUBRA: I can't hear you.

MR. MOORE: Just talk a little bit louder, Shankar.

MR. PRASAD: Should we be placing the bullet number 2 as 1? The first is the identification of the place pre-determined.

MR. MOORE: It was just a call to replace 2 as number 1. Okay, we have agreed with that. Any discussion on bullet 3?

(No response)

MR. MOORE: Bullet 4? Eileen.

MS. GAUNA: I had a question on bullet 4. That is the one, "conduct assessments" -- am I in the right place?

MR. MOORE: Yes.

MS. GAUNA: "Conduct assessments of potential environmental justice areas located near newly proposed

facilities using tools such as EJ, GIS."

What do you mean by new facilities? Do you mean facilities connected to waste and sediment disposal? It seemed a little broad, given the context of the recommendations. So I just wanted a little bit of clarification on that.

Or, do you mean new facilities in the wake of reconstruction generally?

MS. SUBRA: Yes.

MS. GAUNA: In the wake of reconstruction generally? Okay. I am wondering if we should make that clear in the recommendations because it is under this waste debris and sediments. So I was thinking of in connection with dealing with waste debris and sediments.

MR. MOORE: Gloria.

MS. TATUM: Just a response to that, in the wake of Katrina, we had environmental waivers in place, and we had to go in and put in new permitted sites to get rid of the waste. So, in the context of that, we also strategically looked at where we were permitting these sites and approving them to be placed.

So it was a good mechanism for us because we wanted to make sure that we weren't impacting the communities any more than necessary. We wanted to make sure that we were

evenly, across the board, and we were being fair in our process.

MS. GAUNA: Thanks, that is what I was wondering. If these were the facilities that were being built to deal with the sediment and waste problem, and not a refinery five years later, or something like that.

MS. TATUM: Yes, these were disposal facilities.

MS. GAUNA: Okay, maybe disposal facilities, or something to connect it to the recommendation.

MR. MOORE: Charles.

MR. LEE: The public comments from Tuesday evening had made a comment about this particular recommendation. And they said something to the effect that there should be consideration about where debris gets placed.

I think that is meant in a planning context, that there should be -- that debris disposal sites should be planned for ahead of time, and done so in a way that it does not create disproportionate impacts.

MR. MOORE: Eileen, were you adding some language there? What you are doing, are we okay with the language, we were doing clarification.

MS. SUBRA: We are just going to add a descriptor. That’s all.

MR. MOORE: Okay. Then Charles, did you have any

other?

MR. LEE: That was the comment.

MR. MOORE: That was the comment.

MR. LEE: That was the recommendation, so I think that as I read it, that can be added in as another recommendation.

MR. MOORE: As a separate bullet?

MR. LEE: Yes. If that is okay with the committee.

MR. MOORE: Is that agreeable?

(Members nodding their heads)

MR. MOORE: Okay, can we move to -- Sue.

MS. BRIGGUM: Just if we would add, “to the extent possible,” because it is relatively easy to plan for debris. Florida, the Katrina planning was far larger than people anticipated. So, I think that would be more practical.

MR. MOORE: Okay, are we prepared to move forward? Ben.

MR. WILSON: I just wanted to ask, in the earlier discussion, we talked about some type of testing of the impact of these sediments on vulnerable populations. Is this where we want to make that specific recommendation, or is that somewhere else? I thought that was a suggestion Wilma made, but maybe I am incorrect.

MR. MOORE: Wilma.

MS. SUBRA: Yes, we can work it in here. Thank you.

MR. MOORE: Okay, next bullet.

(Pause)

Issue 1-4: Risk Communication

MR. MOORE: Okay, could we take then 1-4, risk communications.

MS. SUBRA: This one will be in the second topic theme, Facility Risk Communication and Environmental Health Response. Charles, do you have any comments from the Agency?

MR. LEE: Oh, yes, I am sorry. I think I went over this before, which speaks to the establishment of a risk communication workgroup, and the recognition that this is an area where there could be improvement. And so on and so forth.

MR. MOORE: Discussion. Ben.

MR. WILSON: Is this also a place where we could reiterate some of Ken's points?

MS. SUBRA: Repeat that please.

MR. WILSON: I was asking, is this a place where we could reiterate some of the suggestions that Ken made?

MS. SUBRA: Yes.

MR. MOORE: Ken, could you just quickly go through that with us, so we are reminded of what we are speaking to?

MR. WARREN: Sure. EPA providing prompt health and

safety advice regarding all potential contaminants of concern, identifying precautions or protections that may be appropriate. And making sure that its notices are adequately communicated to all effected persons, including vulnerable populations and small businesses.

MR. LEE: You had another one about use of focus groups.

MR. WARREN: I did, although I took to heart the comments that I got that the focus groups should be done in advance. So that would be a preparedness issue, but we could put that here as well if you think it appropriate.

MR. MOORE: Discussion. Eileen.

MS. GAUNA: Just a suggestion. In thinking about it, we could just say we recommend the advance preparation of templates for culturally appropriate warnings in an emergency situation. Or something like that, just a little bit of suggested language to get us started on that idea.

MR. MOORE: Chip. There was the chair, and now we are ringing. Okay, discussion. Are we agreed in this section that Ken's comments will be added in this section?

(No response)

MR. MOORE: Okay, can we move then to -- in this copy, draft recommendation 1-4?

(No response)

MR. MOORE: Charles, any response on 1-4?

MR. LEE: 1-4 is risk communication.

MR. MOORE: Yes.

MR. LEE: Yes, we did that already.

MR. MOORE: Okay. Then we can go to the next section.

Issue 1-5: Sustainable Redevelopment

MS. SUBRA: Okay, the next one is Sustainable Development, and that will appear in the third category up on the screen. And Charles will see if he has any comments from the Agency.

MR. LEE: Well, this is really technical, it is not -- basically, it is just saying that the Office of Policy Economics and Innovation, perhaps, should be the office that this is directed to. Presently, this recommendation is directed to the Administrator, because it is so wide-ranging. And so that is just the one comment that they had.

In general, their reaction is that while sustainable redevelopment is not an area in which EPA plays a major role -- that is that whole discussion about ESF-14, you know, with long-term community recovery -- EPA would like to foster environmentally sound redevelopment.

And that speaks to that question that Ken raises about having a role that influences the direction of very

important issues that EPA may not have a direct role in. But that is their reaction to this particular recommendation.

MR. MOORE: Discussion. Ben.

MR. WILSON: Minor point I would make here. Lines 1 and 2, near the top of page 7, they talk about the need to address the reconstruction of infrastructure. I have an obvious bias on this, but I think this really -- it has to be a top priority.

And while, again, EPA does not have the primary role, (a) I think they can be very helpful, as they have been in some instances, explaining the significance of, and the priority, of restoring infrastructure.

So, I think my specific suggestion is that some language to emphasize the importance of EPA communicating with the lead agency here about the priority of infrastructure and, obviously, placing -- and I am trying to think of this in the context of environmental justice -- but if anything, trying to prioritize that reconstruction in those areas in which vulnerable populations reside.

MR. MOORE: Discussion in terms of -- do we have any language? How do we want to --?

MR. WILSON: Something I would be willing to work on it at break.

MR. MOORE: Okay, good. And if you could just come

back with it.

MR. LEE: By way of amplification, FEMA is in the process of dealing with the major physical reconstruction in the New Orleans metropolitan area. And that is being done in terms of the evaluation of proposed projects through an alternative to the regular NEPA process. And that was something that they agreed upon with the Council on Environmental Quality.

Now, in the context of that, FEMA is seeking to address the environmental justice issues in the review. And I think that they are at a very beginning stage of that. They do have as part of their checklist of considerations environmental justice.

And, certainly, the kind of methodology that has been -- say like, developed by EPA in terms of the EJ Tool Kit, and other kind of things have been shared with them. And I assume they are in the process of trying to figure out how to apply that.

So that is just by way of background, and I think that is an example of what you are talking about in terms of speaking to what Stan and Larry talked about as far as we had some -- and Grant talked about -- as far as some of these tools that EPA has developed, can be shared and have broader influence.

MR. MOORE: Any additional discussion? Richard.

MR. LAZARUS: Just a small one on this one. I noticed that the description of the issue refers to making sure that the community residents are meaningfully involved. And then I didn't see a parallel in the recommendation. And I wondered whether we could add it at the end of that recommendation, where it says, "implement in a timely manner, and that the views of impacted community residents are considered."

So, the job of the EPA Administrator --- individuals both, to make sure the sustainable development is done, and also to make sure the community residents' views are considered.

MR. MOORE: Okay, are we agreeing with that? Eileen.

MS. GAUNA: Yes, I am just wondering how we would do that in a context where EPA has a very limited role. Just maybe wording like, use its expertise in this area to promote meaningful involvement, or something like that.

MR. WILSON: Yes, we may need to make the word "promote" rather than "ensure" if they don't have primary responsibility. So it might make more sense to do the second half to be, "and promote consideration."

MR. LEE: This is case in point in terms of the

issues that came up around land-use and unintended impacts. You know, certainly, there are massive issues related to environmental justice that are part of the planning process for the reconstruction, but obviously, EPA does not have a role there.

MR. MOORE: Any additional discussion?

(No response)

MR. MOORE: Okay, are we prepared at this point to take a break? Or, do we want to continue?

MR. : Break.

MR. MOORE: Break. Okay, could we take -- what are we showing, 15 minutes? A 15 minute break please. And if we can get quorum in 15 minutes, we will continue to go right through it. Thank you.

(Whereupon, a brief recess was taken)

MR. LEE: I also want to ask that those of you that have language, we should talk afterwards to make sure that if you don’t have it ready by the end of this meeting, that you can get it to us. Okay, you don’t need to get it to us right at the meeting. I mean, we do want you to really concentrate.

There is one piece of news I want to share with you. Kent Benjamin, who is Environmental Justice Coordinator for the Office of Solid Waste and Emergency Response did talk with Dana Tulis who was here yesterday, and she said that she was

going to get you the information about all the testing that was done, and the contaminant levels, as well as where on the website all that information can be found. Was there anything else, Ken, to add to that? Great.

MR. MOORE: All right, I think we are then prepared to move. I think we finished that recommendation, the last one that we did. That was 1-5.

Issue 1-6: Brownfields Assessment and Cleanup

MR. MOORE: So we are at 1-6 and we will go straight into the draft recommendations. Brownfields Assessment and Cleanup. Questions, comments? Wilma, do you have anything?

MS. SUBRA: This will be under the third bullet item on the screen. Charles?

MR. MOORE: Eileen.

MS. GAUNA: I am wondering if it warrants a sentence or so in this particular section referencing back to the Unintended Impacts Report, and talking about -- because I know that is an issue, isn’t it now in the Gulf Coast, as a potential displacement and gentrification in rebuilding? So, I am kind of wondering if we should just reference that report in some way here.

MR. LEE: I do have comments, and David Lloyd is here from the Office of Brownfields Clean-Up and Redevelopment. And, basically, one of the recommendations in

1-6 talks about setting up some criteria that gives high priority of Brownfields assessment clean-up, revolving loan funds, and job training grants to vulnerable communities in the Gulf Coast region impacted by the hurricanes.

And OBCR believes that the present criteria gives enough flexibility to address this need. And that they express concerns about the fact that there are administrative difficulties for EPA to implement this kind of suggested open-season concept.

So, I don’t know, David, did you want to add anything to that?

MR. LLOYD: I would just add a few things. One, as we looked at it, and we still are looking at the recommendation and talking about it with the regional coordinators, and folks who have to implement it. And our thinking was that we do have a fairly broad community need criteria, and we have even talked to the Assistant Administrator about it.

And I think we feel that that criteria can be used to apply in a situation where the community need element is in this case, you know, obviously, a catastrophic storm that has affected property.

And the reason -- and, again, we are still looking at it and we are going to think about it even more thoroughly

before we formally respond -- but a little bit of the concern is there are so many different types of natural disasters that could come into play. And the Brownfields Program is not a response program in its origin.

We wouldn’t want to make that such a key element that any time we have a natural disaster situation in the country, that may not be as suited for Brownfields, that still there is a big push for those resources because every community needs them.

So, what we were hoping -- and, again, we will respond with more clarity when we have the formal report -- is that we could look at that, make sure it has the proper points assigned to it, because it does have points assigned to it, and use and educate communities more on how that can be used in a situation like we had in Katrina and Rita.

And as to the other element of the administrative burden, what we were getting at their, our initial reaction was, as the statute that authorizes the Brownfields grants require that they be ranked.

So they have to be awarded in a rank order, and the concern is -- and it is really a matter of just having to think it through more first -- but how we could do that on a rolling basis, and make sure that there is integrity in that process, and that we are ranking them correctly.

And the other thing is, and this is sort of the nature of all federal programs, you know, we are under continuing pressure from our oversight committee and from congress to minimize the amount of the funds used for administrative component.

So, we are trying to make the process as streamline as possible to keep that down, and also make sure we are complying with the requirement that we rank.

So, that was our initial reaction to that recommendation. And also, just so you know, we have had that recommendation come from different stakeholders, the regions, and others, mayors. Everyone would like more open continuous ability to tap the resources. So that is our first reaction to that, and as I say, we will respond more formally. And I appreciate the input on it.

MR. MOORE: Thank you, David. Thank you for joining us also. Could you reintroduce yourself just for a second for folks?

MR. LLOYD: Yes. David Lloyd, the Director of the Office of Brownfields Cleanup and Redevelopment. And Myra Blakely and Joe Bruss are with me as well. Joe is responsible for the Job Training Program, which is another issue I know that is of interest to the Council.

MR. MOORE: Okay, thank you. Comments on 1-6?

Eileen.

MS. GAUNA: I just have a couple of questions to make sure I am understanding correctly. One is, you appear to be saying that within the structure, the Brownfields Programs, overall, there may be limited flexibility in terms of prioritizing post-disaster areas for Brownfields redevelopment. Am I capturing that, or am I off base on that?

MR. LLOYD: No, what I was trying to say -- I probably didn't communicate it very clearly -- what I was trying to say is that the criteria that we use to rank the applications, that is something that we look at every year. So we do have an ability to make adjustments to it.

What I was suggesting was that as they are worded now, there is a criterion for community need. And we feel that that criterion as broad enough as described now that it wouldn't require us to change it to put in a component for natural disasters.

To keep the focus of the program where it is now, it is broad enough that it can address any number of issues in a community and give them -- they can give weight to it for a different -- you know, a factory has just closed, there has been a devastating event that has affected the economy. Things like that. And leave it open so communities have flexibility in how they make the application.

The other thing I wanted to mention, and I didn't do it just a second ago, is that even though there is some constraint here, we do have flexibility in a couple of other areas, and we used it to the maximum amount we could in helping respond to this event.

One is, the funding that we provide to the state programs, which is approximately $50 million per year -- and in the scheme of big federal funding, we know that is not a lot -- but it helps the state programs in their response, their voluntary clean-up and response.

And in this instance really, fortunately because of the timing, we were able to give what we would consider significant additional resources to both Region IV and Region VI state programs. That is one thing we will always, as it is structured, will always be able to do that in any given year.

And the other thing we can do, and we did here as well, is provide additional funding to the regions for targeted Brownfields assessments; which, I think, is a very potent way in this kind of a situation for them, they can use their own discretion to decide where those resources get applied, working with the state or the community, to assess problems.

In this case, I don't remember the exact funding increase that we were able to provide to Region IV, but in

Region VI, we gave them a total of almost $1 million, which was considerably higher than they had been given in year past. But they had a legitimate need for it. So that is something also we'll be able to keep doing.

So I think those two things probably would be more helpful in this sort of a fact scenario than would be modifying the guidelines for the grant competition. So I just wanted to make sure that people are aware of that.

MR. MOORE: Eileen.

MS. GAUNA: Okay, just a follow-up. The reason I am pressing this is because it is such an unusual situation, and I am trying in my own mind to figure out how a Brownfields redevelopment project would work within this context; which, I think, presents some complexities that, obviously, other contexts wouldn't have.

So I am wondering, in terms of making or fashioning our recommendations in a way that would get at what is feasible for your program, do you have any thoughts on -- let's say that you do have a Brownfields Redevelopment Program in a post-disaster area. One of the hallmarks of the Brownfields Programs at EPA is their robust public participation component.

And how would that work in a context where you have people who were formally in the area, maybe in other states,

and displaced and scattered. Do you have any thoughts on how one -- but they intend to come back. Or at least you assume that a certain percentage of them intend to come back. How would public participation work in that context?

MR. LLOYD: Well, I don't have a thorough response for you on that, because I think that is one of the challenges. And one of the issues that we have talked about is when you are looking at Brownfields Assessment and Clean-Up Grants, and how they are used, when the topic first came up of, gee, how are these going to play a role, will these play a role in the Katrina and Rita situation? The hurricane response.

And pretty much, uniformly, in the office it was, we don't think the communities would even be ready. That they do have a need, and there will be a need, and Brownfields will be involved. We knew that. But we didn't feel in the immediate post-disaster that they would have the ability to manage a grant to do the kind of things you are talking about. To do the community involvement that is required.

It was too early for the redevelopment, and also, frankly, because of the size of the grants, and the scope of the problem -- you know, we are talking about a relatively small amount of money, $200,000.00 per grant.

So, I guess my answer, Eileen, is that we don't --

that is something we would have to think through. I think that is the challenge really. And that is why I think, and I think folks would agree with me in OSWER, that the state programs helping them as much as we can -- and that is one of the action items that our Assistant Administrator, Susan Bodine, has asked we focus on, is strengthening the state and tribal programs. She wants them stronger so there is more sustainable ability to carry this program out.

So funding variances don't have a major impact on it. That, and then again, the targeted Brownfields assessment thing. I think that is really useful.

So, in terms of responding to the recommendation, I think the ones that were made about -- the TBAs, I think, was a very good one, and one that we can -- it helps us continue to support that effort internally, knowing that it will be helpful in these situations.

MR. MOORE: Other comments.

(No response)

MR. MOORE: So we are prepared to move forward to 1-7.

MR. LEE: Well, is yours a change in language?

MR. MOORE: Yes, I am sorry. Let me go back. And I also wanted to -- I just reminded Charles -- or we had a discussion during the break there, that after each one, we

should ask also if there was any comments made during the public comment period.

So, was there language -- draft language change that we were speaking to? Eileen.

MS. GAUNA: Okay, just a follow-up on that. Given that you are going more towards grants for state Brownfields Programs, is that what you are doing is -- the reason I am worried is because state Brownfields Programs don't have the kind of environmental justice criterion that are in the federal Brownfields Programs.

MR. LLOYD: Yes, and I would clarify. I don't know that we are going more toward them. I think what we want to do though is continue and try to strengthen the state programs as they exist. The voluntary cleanup programs, okay.

That is really what I am getting at. There is no desire on the part of the office that the focus on funding, the grant competition, and the individual --- lessen at all. And there is a call for it to increase.

So it is just strengthening that existing network that we are building with states and tribes.

MR. MOORE: Thank you. Charles.

MR. LEE: So the question for the committee would be, what David, basically, said was that the use of the community criteria is sufficient to address the needs that are

identified in this particular recommendation. Is that the direction that the committee wants to go, as opposed to the present language? And if so, what other kind of specific things you may want to highlight for David's office's attention?

MR. MOORE: Chip.

MR. COLLETTE: I have one additional question, David. In working for government, I understand when you have to rank things, open type of application process is, virtually, very difficult. If you can administer it, it is difficult and expensive.

The question being is, as hurricanes come at different times, or different disasters, is there a possibility of providing -- or, how would a recommendation be received of allowing in the case of a disaster after a certain time a second grant application window?

MR. LLOYD: Well, I would want to take that back and consider it formally. But, I think, again, the thing I would just -- and, I think the recommendation is sort of phrased that way now.

Again, the challenge we would have is because it is a national competition, and the community-need criteria -- which I do think covers this, also covers the many other things that communities deal with.

I don’t know that we would want to make changes that move it more towards an emergency response program, because it truly isn’t that. The statute doesn’t speak to that, as a stated reason.

So, we have other things that we can look at though in terms of just whether there should be some sort of supplemental fund available. That is, certainly, not off the table, and it has been looked at before by the program.

What I would like to do, if the recommendation is worded as it is now, we could probably address that after a little more careful thought on our part. Whether some type of ability to address situations in the year, if that could be accommodated, with the current structure we have.

MR. MOORE: Sue.

MS. BRIGGUM: Yes, I really appreciate the careful look at the wording. Because it is clear you actually intend to respond to this very seriously. And you are making me recall that there are statutory constraints in terms of the criteria for selection.

So, if you could give us some language -- suggestions, frankly -- that respect the statutory box in which you are in, as well as it sounds like a very welcome interest in potentially requesting a supplemental in this kind of situation. It sounds like we could change the wording in a

way that would give you the kind of ammunition to achieve the kinds of goals we have in mind.

MR. LLOYD: Yes. I can do that. And I mean, again, not to sound bureaucratic at all, but I hope too that it is administratively, any kind of second competition, or concurrent is so difficult for us to envision could be done efficiently.

So I don’t have a lot of encouragement that that is a really good option, but I think giving you maybe some language might be helpful to come up with a ground we could work from.

MR. MOORE: Richard.

MR. LAZARUS: I really appreciate the candor of your comments. And like Sue, especially, because I think it suggests a sincere effort to take seriously the recommendations. What I would ask is when you are looking at this is, clearly, you cannot have this trump -- whatever statutory constraints exist.

But what would be, I think, most welcome is if you could identify the existing guidelines that your office uses to see if there are ways in which emergency situations, exigent circumstances, are put at a disadvantage in the application process.

And I like what you referred to as accommodate.

Because it may well be that, although the victims of these events can't somehow trump all over victims, in all other interests of the Brownfields Program, there may be ways in which the implementation existing program doesn't actually take into account their particular needs. And that kind of accommodation, I think, could go a long way to addressing our concerns.

MR. MOORE: Additional comments? David, you are going to work with us on that language a little bit?

MR. LEE: Yes. I will follow-up with David on that.

MR. MOORE: Okay.

MR. LEE: Well, I just want to make sure that before we move on, to really thank David and the staff at the Brownfields office for being here. I told David, he didn't just come here to participate in the sections at a meeting that had some relevance to his office - meaning, the Unintended Impacts Report, or this recommendation. He was here the whole time.

And I told him that he is carrying on the tradition of the former Director, Linda Garczynski, who really was -- she used to come to all the NEJAC meetings and actually stayed the entire time of all the NEJAC meetings. And I just wanted to make sure that the Council acknowledged that.

MR. MOORE: And also, again, David, we would like to

thank you and our staff for joining us, but also for the work that you have been doing.

Okay, are we ready to move to 1-7 recommendation? Worker Protection.

Issue 1-7: Worker Protection

MS. SUBRA: Charles, do you have any comments from the Agency?

MR. LEE: Yes. I mean, the Office of Emergency Management noted that this was an extremely important issue. I mean, I wanted to convey to you the way they talked about this. And they acknowledged and recognized that it has a lot of implications for low-income minority and undocumented workers.

They recognize that this was a concern, as was noted for their EPA's own employees and contractors, but they realize this is a very big, and very important issue.

I mean, clearly, the lead for this issue is the Occupational Safety and Health Administration. But, the EPA leads, or is part of a workgroup, as part of the national approach for response; which is, you know, some of the committees have been set up to evaluate and plan for future emergencies. So, that is their response to this.

MR. MOORE: Was there any additional comments, Charles, on the public comments?

MR. LEE: No.

MR. MOORE: Okay, well, discussion on 1-7 recommendations.

(No response)

Issue 1-8: Job Training and Creation

MR. MOORE: Okay, I think then we are ready to move to 1-8, Job Training and Creation. Recommendations? Charles.

MR. LEE: There are several parts to this recommendation. One of the reactions was that there was a significant effort on the part of EPA through its clean-up contractors to hire locally. And I think the number of local hires was pretty large. I don't recall offhand exactly what it was, but it was pretty significant.

They also said that, whereas, the issue of safe and affordable housing for clean-up workers is a very real one. It does not fall under EPA's purview. EPA does not have anything that it can do directly around this.

But, like Larry Starfield says, you know, these are issues that EPA are certainly very concerned about, as distinctive things that they have a lead for. But it is a very important issue.

MR. MOORE: Okay, discussion on 1-8 recommendations.

(No response)

Issue 1-9: Public Health Concerns

MR. MOORE: Okay, we will move then to 1-9, Public Health Concerns. Charles, any responses or comments?

MR. LEE: Yes, this is a really difficult recommendation, and I wanted to offer something by way of explanation for this particular recommendation.

And I wish Connie were here, because this recommendation was an attempt to speak to a lot of the concerns of the workgroup members, as well as her.

And this recommendation was ultimately crafted by Dr. Jonathan Ward, who is a toxicologist from the University of Texas Medical Center in Galveston. And, you know, it recognizes the needs, the possible health effects of contact with contaminated water, as well as other types of health effects, including psycho-social effects, like emotional effects and things like that.

But the question comes up in terms of it is just an incredibly huge effort, an expensive effort, to do health tracking. And to establish a monitoring effort without some kind of clear basis or understanding of how to go about that. It is certainly then going to be an impediment to serious consideration of this.

So, what Dr. Ward thought was a way to approach this was to identify -- and he didn’t know of some prototype studies that gives you a better understanding of what you

might want to look for in a larger research or survey effort. And that is why this recommendation is posed the way it is.

OEM's response is that discussions be held with the appropriate officials in the Office of Research and Development EPA, to get their comments. As well as that, ultimately, CDC will need to determine the need for such a registry.

MR. MOORE: Discussion. Eileen.

MS. GAUNA: I am just wondering if in this section we might put something a little bit stronger about the EPA using any kind of supportive and discretionary -- and even though it has a supportive role in all this, it still does have a role in testing and so forth. And that it very aggressively use whatever position it has in this to promote protection; particularly, of vulnerable communities.

And I am thinking of something a little bit more general than -- it just seems to me that, especially, in light of the earlier conversation that the Environmental Protection Agency could have maybe been a little bit more aggressive in this area to help protect.

In terms of testing and getting the information out there, and trying to do what it can to prompt other agencies that deal directly with public health to take precautions.

MR. MOORE: Comments. Chip.

MR. COLLETTE: Eileen, if I remember -- and Jody or Wilma, again, correct me -- but I remember our workgroup discussion on this. And this was one of the ones that we spent a substantial amount of time on, looking at getting the input of scientific advice, considering -- I think we spent more time on this than almost any other recommendation, if I am recalling it.

And crafting and doing the words, and trying to go as far as we could do with recommending in the basis of good scientific advice, and how you create a study of what EPA could do.

But I do remember among the ones we discussed, spending an awful lot of time on this one.

MS. HENNEKE: Yes, we did talk about it a lot. I think we felt like we went about as far as we could go. But if there is some creativity that the rest of the Council can come up with, I don’t think -- I, personally, wouldn’t necessarily be resistant to that. But we just, speaking at least as one member of that workgroup, I felt like we went about as far as we could go.

MR. MOORE: Any additional discussion? Eileen, were you offering word change, or just were in discussion.

MS. GAUNA: No, fair enough. I think that -- you know, I was hoping for something else that was stronger. But

I didn’t deal with the details of this, so that is fine with me.

MR. MOORE: Thank you. Gloria.

MS. TATUM: I agree with Chip and Jody. I think we stretched it really as far as we could go. Because when you are in the environmental arena, you know, we are developing scientific data and information, and then it has to be turned over to health authorities to try to interpret what that data would mean to human health.

Sometimes, the two just don’t mix and jive, and that is why different agencies handle their own area of expertise. So, I would hate to set EPA up for failure on this whole process, because it is just not our area of expertise.

And if we put too strong of a language on it, and have them to have more of a heavy hand on it than we have now, I think we would be setting them up for failure.

MR. MOORE: Charles.

MR. LEE: You know, by way of background, the long-term health effects of Katrina are going to be widespread. I mean, one of the major areas is going to be emotional and psycho-social health. And these are the --- has been identified through other types of venues, this is not the only one.

Like I know the National Academy of Sciences has

pulled together a really extraordinary effort that pulls together the three academies; which is the National Research Council, the National Academy of Engineers, and the Institute of Medicine. They have had two major meetings, their most recent one being in New Orleans.

So, these are the venues in which a lot of these issues are being spoken to. So, I think, hopefully, in those other venues which has the ability to cross agency lines in a lot better way than, perhaps, this advisory committee. I think things are going to come out of that.

The National Science Foundation has also done a number of grants, one of which is very interesting. It went to the University of Southern Mississippi that looked at the affect of social networks -- the strength of social networks in terms of hurricane response and recovery.

So these are the types of things. These are the kind of issues that I think are spoken to in the other EJ reports that are very important to this. But like the workgroup tried to do, is they tried to really focus this around recommendations, within the confines of the charges of recommendations of EPA. Of what EPA can do.

MS. GAUNA: Okay, if I could just respond to that a minute. I think even if the EPA has a supportive role, and is a bit player in this drama, that there is still a lot of

discretionary authority, even within that supportive role.

And just maybe some sort of a statement that whenever it has that entryway, that it use it aggressively. And leave it at that.

MR. LEE: I think the statement you propose, I think that would do fine after this. And make that in a more generic kind of statement, yes.

MR. MOORE: Eileen, are you working on that language? Charles has it? I just want to make sure. I just don't want to give Eileen any assignments during her lunch break.

MS. GAUNA: Is there any place in the report where you want it, so I can flag it so I can work on it and get the language back to you?

MR. LEE: I think it would be right here. For the --

MS. GAUNA: Page and line please.

MR. LEE: Page 9. I think you had really suggested it, and I put it down. I think that could be word-smithed to fit what you are saying.

I mean, I think that ultimately when you look at the final report, this is a common issue that was raised by Ken. And that was what was going to be spoken to in the beginning, when you framed this in terms of there is a larger issue, in

terms of this massive nature of the hurricane disaster. And that you are only going to be able to take one slice at it, but also -- yes, but I think it could be done here too.

Because this one here speaks to -- it ultimately is going to speak to the relationship between all the factors, and the influence of say environmental contaminants.

And that really is where the Cumulative Risk Report comes in. Or the cumulative risk issues comes in. Is the confluence of the social issues, the ability to recover type of issues, and the environmental contamination?

I think we are not really, and nobody is really at the stage where they can look at that carefully yet. But, hopefully, if you pursue this, that would be one of the places where it would lead.

Draft Recommendation 2: Preparedness and Prevention

MR. MOORE: Thank you, Charles. Are we prepared to move forward to the next one?

(No response)

Issue 2-1: Revised EPA Disaster Management Proceedings

MR. MOORE: Okay, 2-1.

MS. SUBRA: Okay, Richard, 2-1 is now the new 1-1, which was on the single sheet we did earlier. So we have already gone through this, and have agreement on this one.

Issue 2-2: State, Tribal, and Local Government Preparedness

MR. MOORE: Okay, thank you. Okay, then we will go to 2-2. Comments.

(Pause)

MR. MOORE: Charles.

MR. LEE: Yes, this is an issue that requires a lot of input or, basically, coordination and direction from the Federal Environmental Management Agency. And it is an issue that has to do with state, tribal, and local government emergency management. The majority of funding for this comes from the Department of Homeland Security.

So, the reaction to this was that that point should be made stronger in the recommendations.

MR. MOORE: Wilma.

MS. SUBRA: One of the things as we had our workgroup meetings, and EPA, who have been in the field, came to us and said that the evacuation of the people, the physical evacuation, wasn’t under their jurisdiction. So this is a way of working with the locals and the tribes, and making sure that they are ready when an event occurs.

And a lot of this has already occurred, because we are now in 2006 hurricane season. And the local governments, and the state governments, are talking extensively on how do we get the people out, what do we have in place. And identifying those vulnerable populations so they know who has

to be taken care of to get them out, as opposed to you and I, who would get in our vehicle and drive away.

MR. MOORE: Jody.

MS. HENNEKE: For example, most of you all may have seen when we thought that Rita was going to swing a little further west and hit Houston, rather than Beaumont-Port Arthur. We had very difficult times evacuating the fourth largest city in the country, and Galveston with it.

Part of that was because a large portion of New Orleans was in Houston at that time. So, since then, our governor pulled together a task force, and we have totally re-written our evacuation procedures for the coastal areas and Texas. But it took a tremendous amount of effort to do that, but it helped, having spent a very miserable two weekends trying to move people in and out of Houston.

But I think many of the governors along the coastal areas have spent the last six months to a year re-looking at their evacuations procedures.

MR. MOORE: Thank you, Jody. Now, the suggestion to strengthen this, we want to take that up as we are moving that forward. I mean -- gees.

MR. COLLETTE: That is easy for you to say.

(Laughter)

MR. MOORE: Ben.

MR. WILSON: It is obvious to me that a lot of these issues aren't primarily, from this particular section, EPA's. But the two obvious issues that, just observing this, related to -- and I appreciate your point in keeping it general by using the word procedures -- but my recollection was how the heck are we going to -- not the route to get out of the city, but are how are people going to get out. You know, which meant, the buses. And then where are they going to go, the places.

So, it occurs to me that that may be a FEMA issue, that might be a local government issue, I don't know. But it sure would be a lot more helpful if -- and I don't see why people can't start making those types of emergency plans right now.

If people had to go somewhere, where would that army base be? What would that local community be? And what are the -- you know, establishing some understanding with our neighboring communities. So, well, I will just shut up.

MS. SUBRA: And that is happening a lot at the local level right now, in the more rural areas. Is everybody is identifying where they will go, telling all their family members where they will go.

And then the local governments are asking, please come and talk to us if you can't get out, and we will have to

figure out a way to get you out. And they are lining up transportation.

So, I know it is after the fact, but if it hits again, they are going to be a lot more prepared, and better organized about it. Now, the big urban areas, the Houstons and the New Orleanses are going to be the real difficult ones.

MS. HENNEKE: I don't want to imply that it is just a routing issue. Those emergency plans, those evacuation plans are much more extensive than they once were; including -- and it goes way beyond routing. Everything from gasoline supplies, to evacuation places, et cetera. So they are much more detailed than they once were.

I know Florida has gone through some of the same kinds of things, and I am sure Mississippi, and Alabama, and Louisiana as well. But, to my knowledge, all of those coastal states over the last year have re-looked at their evacuation procedures.

MR. WILSON: There was a very good point though that I thought was made by someone else again yesterday, which is that I think you can, perhaps, use some of the information that EPA has available to it to identify vulnerable populations so you know where they are, so you can implement these procedures.

You know, I can have a procedure, but if I don't

know where my sick and infirm are, where my elderly are, then I can't do what I have to do.

MS. SUBRA: And that is why in 1-1, it is identify vulnerable populations. Which will feed into this one, which is 1-2.

MR. LEE: If I may, what Ben is suggesting is that -- and it is thematically the same point that Grant made and, I think, Stan made, which is that if EPA has resources and information and tools, it should encourage other agencies. And that is both federal, state, and local agencies to utilize them.

And, certainly, in the process of in this particular recommendation, that really applies. Is that speaking to what you are saying?

MR. WILSON: It is. And Wilma has spoken to what I am saying. The perfect truth is, Wilma, I wasn't smart enough to realize that this was right after 1-1. But if that connection that you just made could be made explicitly, I think that would be clear. Thank you.

MR. MOORE: Other comments. Shankar.

MR. PRASAD: I am sorry to interrupt. I will be leaving in a few minutes. I just wanted to take this opportunity to say that it has been a great privilege and honor to be a part of this esteemed group.

And during the last year and a half on this, as well as the Cumulative Impacts Working Group, I made a lot of new friends, learned a lot of new perspectives, and begin to appreciate the multiple stakeholder views.

And also though, many of you have said we are a little more forefront than California, but I also know that almost they are catching up there. So we need to be, in order to be ahead, we need to move faster.

And sometimes I might not have agreed with all of you, but at the same time, I hope that I have brought a perspective from our side, as well as the government, and as a personal believer in environmental justice. It has been a pleasure.

And I also wanted to thank Charles Lee and EPA staff for being extremely helpful and supportive for all of us. Thank you very much.

MR. MOORE: Thank you, Shankar.

MR. LEE: And Shankar, we want to say how grateful we are for all the effort, and the passion, the dedication, and the competence you bring to your service as a member.

MR. MOORE: Okay, any additional comments?

(No response)

Issue 2-3: Disaster Communications Deliver Mechanisms

MR. MOORE: Okay, then we are prepared to move to

2-3. Charles, any response back?

MR. LEE: The Office of Emergency Management said that they recognize that this issue is a really important issue, and that telecommunications is one of EPA's priorities under the national approach to response.

There is a workgroup around this that has been established, and they are dealing with all the different types of technical issues, and logistical issues. Like Dana said yesterday, in terms of developing systems of communications, and redundant systems of communication.

They suggested that rather than -- the way that the recommendation is presently directed to, that it be shared by responsibility of implementing be shared by the Assistant Administrator for OSWER, as well as the newly created position of the Associate Administrator for Homeland Security. That is the Associate Administrator for Homeland Security at EPA.

MR. MOORE: Okay, discussion.

MR. LEE: Oh, one last thing. They also express support for better guidelines for public participation.

MR. MOORE: Thank you, Charles. Any public comment responses?

MS. SUBRA: And, Richard, this was the issue that Larry was talking about having pulled together a group that didn't have a name, like you were describing. That you were

on, I was on, and Jody was on.

And Chip is in the other district, so he didn't get to. But this was something they pulled together quickly to help communicate. And I think the process is building from there. And the staff of Region VI, and the audience of EJ led that charge.

MR. MOORE: Great.

MS. SUBRA: Thank you.

MR. MOORE: Thank you, Wilma. Any other comments? Discussion?

(No response)

Issue 2-4: Coastal Wetlands and Barrier Islands

MR. MOORE: Okay, then can we move please to 2-4. Charles.

MR. LEE: 2-4 addresses the hugely important issue of Coastal Wetlands and Barrier Islands. And we did make available to you this morning a letter from Ben Grumbles to Fred Krupp. Ben Grumbles is the Assistant Administrator for the Office of Water, and Fred Krupp is the Director of the Environmental Defense.

And this is in response -- acknowledging and also supportive of the same ideas that this recommendations speaks to; which is the need to work to protect coastal wetlands and barrier islands.

And, basically, this details the efforts that EPA is a participant in terms of the Coastal wetlands Planning, Protection, and Restoration Act.

So, the overall response to this is they reacted very positively to this.

MR. MOORE: Thank you, Charles.

MS. SUBRA: And this will be under the third bullet, the redevelopment, rebuilding aspects.

MR. MOORE: Okay, comments or discussion. Richard.

MR. LAZARUS: Yes, I just have a question. In terms of the restoration of the coastal wetlands, which is something that is, actually, very important to me personally.

But does it run into at all environmental justice concerns, to the extent that some low-income communities were living in the coastal areas that will no longer be allowed to move back into because of the desire to restore them? This coastal wetlands. Is there a conflict there at all between sort of the pure environmental protection issue, and environmental justice issue?

MS. SUBRA: Only on a very, very small case. In most cases where the wetlands were destroyed, they have already moved out because they have been impacted by a number of hurricanes.

But we always take into account the ones that are

living there that will be displaced. Or the ones that fish or trap for a living that the ecosystem may change from brackish to more fresh, so that there are sources. So, that is always included in when we do the coastal.

MR. LAZARUS: Right. And I guess I should be clear in terms of conflict, because the fact is there are unsafe places to live as well. So it is in the long-term interest of people not to live in unsafe places.

MR. LEE: I don’t know if anybody has an answer to that one yet, but I think that is a huge issue, and it was in the backdrop of a lot of the discussion. I think Chip, and Juan, and Jody could speak to that. But I don’t know, I think there is an issue that purveys a lot of the questions in terms of the redevelopment, and the reconstruction in New Orleans.

MR. MOORE: Eileen.

MS. GAUNA: I am wondering if it warrants something in the report acknowledging that we recognize and understand that that is an issue. Because otherwise, it seems like we are just glossing over it.

And it is -- you know, on the whole scale of the thing, there may be relatively small pockets where that is going to occur, but I do think that that is an issue that presents a particular environmental justice dilemma. That Charles says, it really doesn’t have an answer at all, much

less an easy answer. But that we should at least acknowledge.

MR. LEE: The question is how do you want to acknowledge it, right? The premise that this is written from is that many communities that are impacted by the loss of wetlands, and that is what Wilma spoke to.

Now, the other kind of question that Richard is raising is one I don’t know -- you know if you say that that is an important point to make note of, it is also important to figure out how you want to speak to that.

MS. GAUNA: Well, I was just thinking of something that is very straight-forward and says, you know, we recognize that there is a potential conflict between wetland restoration and the desire of some environmental justice communities to re-establish their communities within those areas that were formally wetlands, that we now need to perform wetland functions.

And that we recognize that that is a conflict that warrants further -- you know, it just warrants a lot of thought and consideration. And I think it is just important to say that. I mean, even candidly acknowledge that we don’t have an answer for that as a body, but at least we do see that as a conflict.

MR. MOORE: Comments.

(No response)

MR. MOORE: Okay, can we move on then? We have agreed to Eileen's suggestion? So can we move then to 2-5.

MR. COLLETTE: Richard. I am sorry, a brief comment. Our experience in Florida has been that -- and you have been working in Pensacola, Wilma -- that, of course, our beaches are more occupied, we do beach and coastal restoration. There are areas to the southeast of Tallahassee called the Lost Coast, where you can do restoration.

But our experience has been that we don't have much power to stop people moving back into high-risk areas. We have increased our recommendations, and areas our department has on citing them in coastal areas, like power plants, or lift stations, or sewage, and addressed matters like that.

But if people want to pay the money and take the risk, and have the property, we have found that we can't do much other than try to protect infrastructure through building codes. We have done some changes in the insurance laws that you are not going to be in the state wind, storm, flood, insurance pool over $1 million.

If you have a beach house, it is $1.5 or $2 million. But we have done economic incentives and business considerations, but you can't stop people moving back. Eileen, you may want to follow-up on my comment on that.

On the other hand, the issue with respect to

restoration of coastal areas and wetlands, that gets into the issue -- if they are depleted, that gets into the whole area of littoral law.

And it has to be looked at that -- it is sort of beyond the scope of this committee -- but if it has been, if there has been erosion -- and I do not know the law in Louisiana, I can only speak for the law in Florida -- then the state property line, our property line is, basically, at the mean high water line the state owns in Florida.

If there has been erosion, then if there is accretion, or fill-in, or beach restoration, that property doesn't go back to the private owners. It becomes state land, or government land.

So there is something in the natural process of riparian -- well, it is riparian or littoral law. Technically, with the ocean, it is called littoral law, but it is the same thing.

And that may just have a process in that that solves the situation. If you restore a wetland, you don't restore necessarily the property rights that have been lost.

MR. MOORE: Comments.

(No response)

MR. MOORE: Okay, if we could then move --

MS. GAUNA: Richard.

MR. MOORE: I am sorry, Eileen.

MS. GAUNA: I think that is part of the problem that you are identifying, is you do have this desire to go back and rebuild. And like you said, well, you can't stop anybody from coming back and rebuilding.

But, as I understand it, that is part of the problem and that is part of the dynamic that has direct environmental justice implications, is that you have people equipped with more knowledge and more resources, who can pose a credible threat for a 5th Amendment challenge, for example, if they are not allowed to come back and rebuild.

But then you have low-income, people of color communities who are told not to come back and rebuild and may not necessarily be equipped with that knowledge to say, we want to -- so, it is an unequal playing field in terms of this who can come back and rebuild on those wetlands and who can't.

So I see the potential for disparities just by virtue of different resources to pose that challenge. And so it is, again, one of these things, it is not within EPA's jurisdiction by any means, but at least a recognition that we see that as a dynamic, and is part of the problem, I think might be important.

MR. MOORE: Chip, did you have a comment?

MR. COLLETTE: No, I am done.

MR. MOORE: So we are agreeing with Eileen's comments?

(No response)

MR. MOORE: Okay, who is going to work on that?

MS. SUBRA: Yes, she gave us wording.

MR. LEE: I will. Eileen and I have just got to get back together. It's been a day and a half.

MR. COLLETTE: Every time you speak, Eileen, you increase your list.

(Laughter)

MS. SUBRA: And Richard started it.

MR. COLLETTE: Good job Richard.

(Laughter)

Issue 2-5: Contaminated Flood Water, Sediments, and Associated Hazardous Materials

MR. MOORE: All right, 2-5. Charles, Wilma.

MS. SUBRA: It is now 1-4.

MR. LEE: Okay, the Office of Emergency Management's one technical comment, basically, says that the issue here in terms of early dissemination of information and production of materials around the potential hazards is a responsibility of OSWER, not the Office of Research and Development. So they suggested that this be directed to the Assistant Administrator for OSWER.

They did think that -- and they also wanted to note

that they are working on mechanisms and pre-planning in terms of better dissemination, and better quality of materials that addresses the issues here.

And then there is a comment they wanted to make about the characterization that it may seem like though that most hurricanes will result in contaminated flood waters. That New Orleans was probably more of an exception, and that is just a matter of re-characterizing it.

Certainly, emergency shelters and medical supplies are very important issues. They are outside of the EPA's purview, however.

MS. SUBRA: And this gets to one of the recommendations that Ken suggested. So, if we don't put it here, associate with this, we at least refer back to wherever we put it so it keys it up in both locations. Is that okay?

MR. WARREN: Yes. That is good. I was thinking of the recommendation about performing a demographic analysis of the areas with elevated contaminant concentration. Is that the one you had in mind?

MS. SUBRA: Yes.

MR. MOORE: Okay, thank you, Ken. Eileen. Further discussion?

(No response)

MR. MOORE: Charles, what were you saying?

MR. LEE: No, I was just saying we need to get back to that last one that Ken did. Ken proposed before -- we didn't really actually discuss it fully yet, so I had a note that we needed to come back to it.

MR. MOORE: Come back to it?

MR. LEE: Yes.

MR. MOORE: Okay. Any other discussion then in terms of the draft recommendation? Chip.

MR. COLLETTE: I would say the office's comment, that not all hurricanes produce flood waters with contaminants or sedimentary problems. It is true, at least, in our experience. So we probably do need to modify that.

MR. LEE: It would be a change of the word -- I think it is really "likely to cause" or to --

MS. : (Microphone not turned on)

MR. LEE: Yes, basically, change that word.

MR. MOORE: Any further discussion?

(No response)

MR. MOORE: Okay, I think then, if I am correct, there are a couple of things that we needed to go back to. We had just identified that one in terms of being Chip's recommendation. And also, the other one that I had, Charles, was this collaborative partnership. I think there might have been some comment made during the public comment period.

MR. LEE: Right.

MR. MOORE: So could we take that collaborative partnership public comment discussion, and then we will move into Chip, and then we will move into any additional pieces.

MR. LEE: You are talking about Ken.

MR. COLLETTE: Ken.

MR. MOORE: I mean, Ken, I am sorry.

MR. LEE: Yes. And then I think the other one that I just wanted to make sure you discussed through was Connie's -- it is too bad Connie is not here, but the recommendation around mold in terms of providing resources, is actually one you should talk through. I think it is much more complicated than just EPA providing resources. So I think it would do you well to go through that.

In terms of the other comments from the public comment period, in addition to the comment around waste and debris, which you have addressed, are two comments that speak to risk communication; particularly, in terms of the whole area of language access and persons with limited English proficiency.

So, I think that the way you would deal with it, and we will be more than willing to do that, is to wherever there is risk communication, and communication types of things, to highlight that.

There were some references that were suggested in terms of communicating with culturally diverse populations, but also was in there to highlight that question. So, I want to make sure that whoever makes public comment, that they can see themselves reflected.

The other one has to do with the -- in terms of the recommendation around partnerships and collaborative problem-solving was to make use of existing national and regional resource organizations, or networks and resource organizations.

You know, such as -- I don’t know, the group that Lisa was a member of, or other ones, who was said to have a lot of different types of expertise and connections, and other kind of resources that could be very helpful to the issues in any given disaster community. So I think that you can just add into that recommendation.

And then the last one is the -- and this is one of those real general ones. This is like the ones that Wilma, and Chip, and Juan, and Jody are very well aware of, are the kind of issues that communities are concerned about, but are much, much, much bigger than the charge to the NEJAC.

And there was a point made about the importance of housing issues and community development. And, obviously, it is way beyond the scope of this committee, but it may be

possible just to reference that concern in terms of the sustainable redevelopment recommendation. By saying that wherever possible, issues of affordable housing and community development are addressed. In the context of environmentally sustainable redevelopment.

So, if you are okay with that, that is what I would recommend you do as far as that public comment.

MS. SUBRA: And on that area, at the break, Juan mentioned the issue of the FEMA trailers and formaldehyde, off gas and into the air. And, again, that comes under redevelopment because that is where a lot of the people are living. So maybe we could either flag it in there, or under public health, and refer back to the other one.

MR. MOORE: Okay, any further discussion?

(No response)

MR. MOORE: Okay, Ken. Do you want to take us back through that earlier recommendation?

MR. WARREN: Yes, the recommendation is that EPA should perform demographic analyses of areas with elevated contaminant concentrations, and facilitate the application of resources to communities that suffer a disproportionate adverse impact.

MR. MOORE: Okay, discussion.

(No response)

MR. MOORE: And so the recommendation was to add that into which -- remind me which section?

MR. WARREN: Well, I am not sure. It would fit into either two or three. It is really a choice of how we want to emphasize it. If it were two, then we could call it a risk communication-type recommendation.

But, I think it probably better fits into three, because we are not really -- risk communication should be done separately, it seems to me, from the demographic analysis. Part of it would be an appreciation of vulnerabilities, but that needs to be done sort of independent of this kind of demographic analysis.

But, as part of redevelopment, one needs to know where the resources should be directed. And I think maybe it would be more palatable to put it there. But, it really can go either place.

MR. LEE: I thought you were talking about that in terms of incorporating that as one of the revisions in terms of emergency preparation and response procedures.

MR. WARREN: I thought that the preparation point was more understanding where vulnerable communities were, but that this point is slightly different. Which is, once EPA has a set of data from which conclusions can be drawn as to whether the impacts are disproportionately affecting

environmental justice communities, that EPA should make that data and that analysis known. And then, direct resources to remediate the effects.

MR. LEE: Yes. And I did not mean to say preparation. I thought that what you meant was that that should be part of the revised procedures in terms of doing that kind of analysis and making it known.

My sense is that it is really unclear what EPA's role is, in terms of redevelopment. So, essentially, I think it would be much better accepted in the way that you are talking about. Because that is much more clear in terms of EPA's mission. But that is my --

MR. WARREN: I defer to your knowledge of the Agency.

MR. LEE: But there is another part of the issue that you have been raising, Ken. I think you have been raising it for awhile, which is that you have requested that EPA provide to you some kind of an analysis of the present areas in which there are -- in terms of accedences, the demographics of areas where there are accedences as far as the environmental testing is concerned.

MR. WARREN: Right. I mean, that is this recommendation. And I am looking at it both in terms of the Katrina sampling results -- we need an analysis to understand

whether they are having a disproportionate effect. Whether the toxins are having a disproportionate effect.

But also, it should be built into EPA's procedures in future events that this is an analysis that they will routinely perform.

MR. MOORE: Eileen.

MS. GAUNA: Richard Lazarus came up with some language for the coastal wetland and barrier islands, we can get that to you later on. But I did want to point out that it may not be that EPA has no role in this issue, because of the 404 permits that might need to be issued.

So, I think that is an avenue where we could prompt the Agency to really be attendant to the particular environmental justice issues that are involved with that issue.

MR. MOORE: Okay, before we move forward here, did we decide which section in that discussion with Ken -- did we make that decision what section it would go in, two or three?

MR. LEE: In 1-1.

MR. MOORE: Okay, so we did. Thank you. Thank you for that, Ken.

MR. LEE: And I think you are done with all the recommendations. I had forgotten to -- I had just overlooked another comment from the Office of Emergency Management. And

this is, actually, a major one, it was said yesterday, but I thought it was important to reiterate it as an overall comment. Is that they really support the use of tools like on the EJ geographic assessment tool, and other GIS platforms to conduct assessments.

And they are already beginning to explore ways to implement that. So that was something that I did not want to get overlooked.

The other is that -- and this goes back to this whole issue of monitoring, testing, and things like this -- this has to do with the issue of sediments. Where they did find accedences to the risk levels, EPA has gone back at least twice to retest.

And I think that would be reflected in the information that Dana is going to share with you.

MR. MOORE: Okay, now we have completed the recommendations for this report. Was there any other kind of closing comments in regards to the report? Eileen.

MS. GAUNA: Just great, great report. And thank you, Wilma, for your leadership on this, and for all the workgroup members. It was phenomenal.

(Applause)

MS. SUBRA: And the other members of the workgroup and the staff that supported us, that are sitting in the

audience, we could not have done it without them. And their perseverance while they were personally, and professionally, totally impacted by these hurricanes.

What I said earlier, it is just amazing that we were able to get it done with everybody's help and all the issues they had going on in their lives besides that.

MR. LEE: Yes, one of the things you should know is that pulling together this workgroup was really a difficult task because maybe half of the people didn't have any -- they only had cell phones. And a lot of them, we weren't sure exactly where they were staying at any given point because they were all just dislocated.

MR. MOORE: Other comments? Sue.

MS. BRIGGUM: Just to really reiterate that. The amount of privation was incredible, and your dedication in working on this, and working so carefully to make sure that you would come up with things that would really meaningfully improve the program and working with EPA to make sure that the recommendations can be implemented. We just can't say enough about how hard you worked and the excellence of the product. Thank you very much.

MR. LEE: One last thing, just to make sure to recognize -- even though he is not here, is the incredible contributions and assistance of Tim Fields.

I mean, Tim, you know, obviously, had a lot of the understanding, both experientially and technically, around emergency management and the way that system works at EPA. I mean, I think he really helped guide us in terms of being able to have meaningful recommendations that fit within the charge that EPA gave to you.

MR. MOORE: And I also just wanted to thank Dana and those that participated in the discussion yesterday. The Office of Emergency Management, for the work that was done there.

And I think both Gloria and the Mayor very clearly had responded, and made comment to the kind of relationship that was established between the EPA here in Washington, and the regions.

I also thank Gloria and the Mayor, and all of those others that participated in the working group. And Wilma, for your leadership in terms of chairing that. And the Council for the, I think, very constructive process that we went through in terms of dealing with it.

And all those that made public comment, both in our working group meetings, in Mississippi, and so on. So, again, thank you. I think we have approved, with the modifications, the Gulf Coast Report.

MR. MOORE: Charles, can we speak process just for --

MR. LEE: Well, I think it is really great because we just completed the work that we had asked you to do here. And the agenda says that we are moving into a concluding session, which I figure will be just thoughts from each of you regarding the meeting, and any personal or other kind of thoughts you wanted to share with regard to the work that this committee, or anything else that you may want to do.

So, I think with that, after that, we can adjourn. And you can adjourn probably before 1:00, and still have lunch on time.

MR. MOORE: Okay, any comments from the Council members? Jody.

MS. HENNEKE: I just wanted to say that, as many others have spoken to you, it has been both an honor and a privilege. And I have been very humbled to work on not only the Executive Council, but on several different workgroups over the years.

Each and everyone of those efforts, I mean, nobody tees-up an easy question. So, those issues that we have worked through on those respective workgroups have been very difficult, and I have been amazed and pleased, and all of that, at the product that we come out with at the end.

And a very large portion of that credit goes to the EPA staff that we work with. In this particular situation, even though he is very humble, I can tell you my personal experience with the Executive Council has changed dramatically over the last several years. A good bit of that goes to Charles' credit, a good bit of that goes to Richard's credit. And I appreciate that from the both of you.

I think it has helped me grow as an individual, and helped me grow as a professional. And I value that, and I appreciate that from the both of you. Thank you very much.

MR. MOORE: Thank you, Jody. Chip.

MR. COLLETTE: Jody said what I was going to say, except much more eloquently. So I will just say I second that. I will say -- I mean, I am impressed at the workgroup. Gloria and some of the people on the workgroup, it was awesome.

And having been under the old committee, and subcommittee system, and now the workgroup, I do believe that our earlier recommendations, streamlining the workgroups work better. But my compliments, Richard, to you.

And Charles will never say it, but as much as we thanked Tim Fields, I have a thank you for Charles and the leadership he did, and the guidance, and the grace, and the getting through sometimes when -- you know, none of us on this

Council or in the workgroups are weak, or mild personalities. And to facilitate our working together is critically important. And my compliments.

MR. MOORE: Okay, any additional comments? Richard.

MR. LAZARUS: Just briefly. I was along with Richard and Charles back on the original NEJAC. I remember well the revolution in Albuquerque, the times and the tone have changed considerably since then. I thought the NEJAC back then was quite spectacular. Different than the one today.

MR. LEE: A lot more fun.

MR. LAZARUS: It was a lot of fun. Different than the one today. But I think this one has been just terrific. I am very pleased, and I think this NEJAC has been able to sort of transition to help really perpetuate NEJAC in the future at a challenging time.

I thought the work product proves here, the efficiency of the work product, and the ability of the Council members was simply extraordinary. And I think a lot of credit, as people have said, goes to Charles, even in his non-NEJAC official member now, part of the administration role.

And, of course, to Richard Moore, who has provided just extraordinary leadership along the way. When he became head of the NEJAC, at the request of the NEJAC originally --

not at the request of EPA -- and it was a brilliant move by the Council. I think one of the best decisions the Council ever made, was to put Richard at the head.

It has given NEJAC the kind of credibility and the voice, and the kind of passion one heard just earlier today, just a little bit, coming back. I remember a lot of those statements, and I have learned a lot from him over the years.

MR. MOORE: Thank you, Richard. Sue.

MS. BRIGGUM: Yes. And like Richard, and Richard, and Charles, I too was at the original meeting. And I remember the old days that were vibrant. But, you know, this is a deeper vibrance.

This is a group which has taken on issues that are so difficult, but they do it with such respect for everyone, and such respect for tackling the tough issues, and resolving them as truthfully, and sincerely, as possible.

And I really do credit Charles' incredible work in making sure that everything is done so methodically, and accurately, and well. And Richard, who is better at chairing a meeting than anybody I have ever seen in my entire life.

(Applause)

MR. MOORE: Thank you. Ben.

MR. WILSON: I just wanted to say it has been a privilege to serve on the NEJAC and to be a part of this

particular meeting. I have learned a great deal from each of you, and -- I have learned a great deal.

And I think the most important thing though that occurs to me is that when you are in these types of meetings, you recall those people that you really are representing.

And, particularly, when we were doing this report, what came to my mind was seeing first-hand the homes of people that were devastated by the hurricanes. I really appreciated what Wilma said about the workgroup that put together this report.

Many, going through their own personal disasters, and yet, thinking of a greater good. And so, again, I am very humbled, and consider it a privilege to have a chance to work with each of you. Thank you very much.

MR. MOORE: Thank you, Ben. Ken.

MR. WARREN: Well, I am a relative newcomer to the group, only having been here six years.

(Laughter)

MR. WARREN: Measured in single digits. But it has been a privilege to work on this group. I got involved because I think that civil rights issues are among the most vexing issues, and the most important issues facing our country.

I think that the solutions need to be ones that are

sensitive to communities that have been mistreated in the past, but also forwarding looking in the sense that the business community, and those disadvantaged communities need to join together and work together for a better future for everyone.

What modes that kind of dialogue should take, one clear to me when I started with this group, but I am convinced now that with sterling leadership, which we have gotten from Richard and from Charles, and from extremely high-quality participation by all members of this Executive Council, there really are ways to craft solutions to move our country forward.

So, I would just say that the success of this group, and the accomplishments, Richard and Charles, that you have led us to, shouldn't be a secret. That we should find some way as a group, and EPA should find some way as an agency, to let the country know -- certainly, to let others in the government know -- that with careful leadership, with dedication, and with respect, that solutions can be crafted.

So, I really hope that we come up with some way to publicize the success that the two of you, in particular, are most responsible for.

MR. MOORE: Thank you, Ken. Juan.

MR. PARRAS: It is always an honor to be in your

presence, Charles Lee and Richard. And I think the whole Council has done an excellent job. And I am also very honored to be a part of this group.

I also want to express gratitude to all the other participants, the public participants that actually sit here and listen to all of our agreements and disagreements. And, obviously, their input is very valuable also. And I want to thank everybody, and thank you for allowing me to serve on this Council. Thank you.

MR. MOORE: Harold.

MR. MITCHELL: I want to thank the Chair Charles, and Richard as well, and the entire group for a product that was put together that I didn’t have to make any comments on as far as when you looked at the recommendations that actually came in, and the conference calls.

Unfortunately, I was not a part of because I was in my junior session this year, but a lot of what was captured, I think you really didn’t have to comment on as well. But I think going forward, looking at the new direction in which the NEJAC has taken of coming up with solutions on complex issues, was evident out of this work product.

And I just wanted to tell you thank you for your consideration and the grace that you gave me during my last two months. But I will apologize and I have my

recommendations with Ms. Tucker that will be forwarded to this body.

MR. MOORE: Thank you. Eileen.

MS. GAUNA: Well, I just have to say I agree with everything. This is a consensus thing here, but I also do want us to take a moment to really recognize that we stand on the shoulders of former NEJAC members, and a lot of people who came during public comment over the years, and who sometimes in tactful ways, and sometimes inappropriately confrontational ways pushed the Agency forward, pushed the NEJAC forward, pushed each of us individually forward to deal with these issues over the years.

And you know, personally, I owe a lot of people a big debt of gratitude. And many of them are not here today, many of them are. And I just think we should recognize that as well.

MR. MOORE: Thank you. Wilma.

MS. SUBRA: It has been a long and interesting process. When I started this, I realized that Charles owned your soul, your heart, and he was going to work you to death.

(Laughter)

MS. SUBRA: And I think the Hurricane Workgroup showed that no matter what else was going on in your life, and you thought you were totally overwhelmed before the hurricane,

you always had time to do all the things you needed to do, including work on the Hurricane Workgroup.

What I don’t see us doing is taking advantage of what we have accomplished. Like Ken said, the Agency should be publicizing what we are doing.

In the letter that came to Richard that was handed out on the first day, it talked about the CARE Program. And I just want to tell you a little bit. Marva is in the audience. Marva used to be with us in the NEJAC and then she moved to the CARE Program.

And the CARE Program grew out of the Cumulative Risk Report, which most of us around this table lived and died through. But it had had a huge impact because the Agency then took the program, Hank, and Marva, and I, and a lot of other people within the Agency came up with the roadmap. Shirley is using the roadmap for Larry’s Region VI three communities he talked about yesterday.

But Marva and Hank, and all the people in the CARE Program have taken the Cumulative Risk have gone out and gotten communities to submit proposals, and they are Level-1 and Level-2 communities, those that identify in the Cumulative Risk, and those that are doing something about it.

And you all have 17 new communities this year that are awarded. And last year, before the hurricane, we had a

meeting of the communities at that time.

And if you sat in that room and you saw the multi-stakeholders that came together from each of those communities and sat around the table, and talked about identifying the issues and what they are doing to address the cumulative impacts, you would have been blown away by the impact that that one report, in that one work effort, has already had; and, hopefully, each year, more and more of those communities will be involved.

And the ones in Region VI will be involved. And the impact that it has had, particularly, on the multi-stakeholders.

So I don’t think we see enough -- we, as the Council, much less the outside world -- see enough of the impacts that the reports we have done has accomplished in the real world outside of Washington.

As part of the hurricane, I have been working a lot with Church --- Service, and United Church of Christ, because they have disaster ministries. And a lot of them knew Charles in a previous life with the United Church of Christ.

And one of the interesting things is, as we had this meeting, people have been complaining about, oh, we are getting old. Well, those two groups say, we are only old people because the people in their second occupation, which

Gloria is getting ready to enter into, everyone around the table has gray hair. And that it is okay to be old, because the old people have the experience and the knowledge going into it.

And then when I saw the letter that was handed out today about coastal restoration, it had in there about the restoration of Timbalier Island. I worked on Timbalier Island in 1972 and 1973, and they were truly islands. They weren't degraded. They hadn't eroded, they hadn't been exposed to all the hurricanes.

But in just that short period of time, how much damage has been done to that coastal area, those coastal islands, that there is a need for restoration. So, yes, we are all getting older, but I think we bring a lot of knowledge and base here.

And I think Charles is an amazing person, being able to pull that knowledge, and expertise, and interaction and get it to move forward to the work products that you have seen.

So, thank you, Charles, for all the effort. Thank the staff that has worked with us over the years, and thank the members of the Council for a real, real experience that I will remember forever. Thank you.

MR. MOORE: Before Charles, we just went around the room. I would want to make a few comments. One, I think, in

terms of the Council, that many of us have worked together not only in the NEJAC venue, but many of us have been on the Title VI FACA together. I think I was on the Air FACA for a period of time. And then some working groups. And then, additionally, the Council.

I was on the Enforcement Subcommittee, and was honored by what is being referred to as the Albuquerque meeting, to be -- and, Charles, kind of doesn't laugh when he sees the bio because in the bio it says the first elected Chair of the NEJAC Council. And that was quite a meeting in Albuquerque, there was no question about it.

And I think in many other cases, there were some of the times, first times that we met. And I remember that discussion very, very clearly.

As I said, I have had the opportunity throughout these years to interact with previous NEJAC Council members. It has been an incredible experience, and many of my mentors, actually, come off of -- and we still continue today our relationships, both professionally and personally -- with many of the sisters and brothers that were not only on the NEJAC Council, but that were also on the working groups.

And one of those is present with us, and we introduced him earlier today. Arthur Ray, who was the Deputy Secretary for the Environment of the State of Maryland, and

also a business representative to the NEJAC Council.

And so with that, I think that even those of us here at this table, just to say, Wilma, I have worked with Wilma in other venues around with the Southwest Worker's Union, the Kelly Air Force Base issues in San Antonio. An incredible person of integrity and so on.

And to be very, very highly respected by many of us that are doing grass roots organizing on environmental and economic justice issues.

Sue, if I run into a problem, I jump on the telephone and call Sue. And I have never hesitated to do that, and have incredible respect for Sue and her commitment also to environmental justice.

And even to the extent that many may not know this, but Sue had taken a leadership role within her business to have discussions on environmental justice, and also, if I am correct Sue, to move to implement some environmental justice policies within the company itself. And you are to be commended for that.

Chip, we have just kind of been getting to know each other, but I mean just to say quite frankly, I mean, your personality all by itself is a piece all in itself. And I remember many of those conference calls, and Chip was on the majority of them, if not on all of them. But we always knew

when Chip was there because he was very energetic in his tone, and so on, about adding recommendations and so on.

Eileen and I go back -- Eileen is a little bit older than I am, but.

(Laughter)

MR. MOORE: Exactly, exactly, now I am going to get beat up. After the meeting, and back home. But Eileen and I go back quite a few years. And many of you know, or had the opportunity to know Eileen's sister, Jeanne Gauna.

Jeanne was a founding member of the Southwest Organizing Project in Albuquerque. And Jean and I spent many years working together. And Eileen is just an incredible sister, and we are on working groups together in New Mexico.

Eileen was one of the representatives that participated within the listening sessions that took place, where one aspect of that, that Governor's Executive Order had come out of. And just many, many things that we have worked on throughout this time period.

And Jody, Jody and I -- just like some of the others, we have been on the other side of the -- I don't even want to say the other side of the fence.

You know, a lot of conferences I have been on, sometimes I was at a conference in Maryland about three weeks ago, and people kept referring to those that live on the other

side of the fence. And I just had to ask them at one point, those people, who are those people that live on the other side of the fence? I said, who are we talking about? We have got to put a real face on things.

And Jody and I worked together in Region VI on those listening sessions, and have been on some committees. And it has been great working together, Jody. And I have got a lot of respect for you.

Richard, you know, what can you say about Richard. People that know him, one of those like Eileen, academics that doesn't only talk the stuff, but really puts it to practice. And integrates, and shares, and dialogues, and discusses with grass-roots people and other colleagues in the area of environmental justice.

And is one of the very well known environmental justice attorneys throughout this country. And we have got a lot of respect for you brother, and the work that you have been doing. And also in your field and your personal life.

Ben and I have just kind of been getting to know each other. I always know when Ben, like someone would say maybe to some extent with me, when Ben raises his hand, he has got something to say. Sometimes some people have to say something because they feel they have got to say it.

And I am not saying that is anyone on this Council,

but when Ben has got something to say, he goes up. And you have added incredible -- I mean, just in terms of the kind of stuff, Ben, I think that our relationship will go beyond the work of this Council, and I would like to be able to communicate with you about other aspects of things that you are involved in that we are involved in.

Ken's been there also from the beginning. Has always had, as you all know, just incredible input into the process. And I do appreciate, Ken, your earlier comments.

Because those that may have been confused, or still may be at the end of the day -- it has never been for us, and I am only speaking for myself and no one else in the environmental justice movement -- but it has never really been in the work that I have participated in. An anti-business, or an anti-industry, or an anti-job piece.

I am still convinced today that for those that want to do things right, that it is much more beneficial to do it right, and in some cases, add the additional financial resources to back that up, than it is to not do it right, and then we have to live with, and they have to live with, the consequences that many of us are imposed upon.

So, I really do appreciate your work, and if we can be of any assistance, we are looking for that model, because as many times we have demonstrated in front of facilities and

so on, that we are still looking for businesses that are real serious about wanting to do this thing.

And as we have said to a lot of them, all those bus loads of people, church people, other environmental justice elected officials, and so on. That when we have taken those buses and stood on top of the bus roofs and taken pictures across the fence, or whatever.

We would like to be able to take that same bus and go inside that facility and say this company is one of them that have really taken serious their commitment, and we want to be able to promote that, so we can continue that.

Juan, as you know, comes from Houston. We are very familiar with a lot of the issues that Juan's been working on. We have been communicating throughout the years. And Juan is not only involved in the environmental justice community, but also very, very actively involved in the labor community. And making those connections between workers, labor, environmental justice, and so on, has been real crucial to us.

Harold is just a young brother that we are always going to keep on tab of. Because, you know, I always said with Harold, one day we are going to see Harold in Washington, D.C. And I think we are getting quite close to that.

And Harold has been involved also in the Just Transition Alliance, which is the community labor alliance

that we have been involved in with, what was before OC8W Past, now the United Steel Workers. And, is just a brother to be highly respected in his community, and very clearly, will be a shining elected official.

And I believe that Harold will never forget where he is coming from, and quite frankly, Harold knows if he does, we will be there to remind him.

(Laughter)

MR. MOORE: So, I just want to say that it has been a long road, and it has been a good one. I don't want to continue because we finished up early. But I just have to make a couple of other comments.

And I just wanted to flag to us as a Council the significant work that the interns have done. That have been working with us not only in this meeting, but doing other kind of work.

And if you could just please, stand up and identify yourself.

(EPA staff introductions)

MR. MOORE: --- New Mexico. And that is the southern part of New Mexico. So we really appreciate your work. And are there others here that we should be introducing?

MS. : (Not speaking into microphone)

MR. MOORE: Okay, then could we have the introductions, please, of the others that are sitting at the table.

(Additional introductions)

MR. MOORE: And we really do appreciate all your work. Could we have the people that have been taking the minutes introduce themselves please.

(Additional introductions)

MR. MOORE: Great. Welcome. Welcome. Amy is one of the people that always calls me right before the conference call. And I always said, no, I was ready for it, I had the papers on the table, everything was ready to roll. But thank you for your work Amy.

I just wanted to say also, you know, in regards to that, the significance of identifying the record of the meeting, and the crucialness to that.

I will have to apologize to our sister that has been doing that, or those of you that have been doing that, if we have been talking too fast. I am not one of those people, but I will apologize on behalf of the rest of the Council members.

Did we get everyone there in terms of the folks? I just want to do a couple of quick things, Charles, and then I will turn it back over to you.

Marva’s name has been mentioned constantly. When

she was here, and when she wasn't here. But Marva is someone that, again, from our perspective, Marva reminded me in a discussion that some have been recruited into environmental justice, some have been assigned to environmental justice from the agencies, or whatever.

And Marva was one of those people that asked to be. And it was reminding me -- actually, I came in with Clarice when we first did the beginning of the NEJAC Council. Quentin Pair. Quentin is from the Department of Justice.

Quentin and I get into it. I will tell him sometimes there is a Department of In-Justice, there is a Department of Justice, but Quentin is the EJ Coordinator for the Department. We have worked together in many, many different venues, and so on.

The unfortunate thing about doing all this is because we have another sister that is sitting there with us that also was identified this morning. But just to say, incredible, incredible work. And we can give respect to the regional administrators, and they deserve it.

But it is people like Cynthia and others that really help to get those administrators in place, and kind of keeps them on the ball. So we really do appreciate your work, sister, and it has been a long haul. And we very clearly appreciate what you have been doing.

As we said, Gloria, is we have done that the first time we met. You know, and interestingly, I interact a lot with a lot of the groups in Mississippi and so on, and I have heard quite a few positive -- well, I have heard quite a few positive comments about yourself and the function that you played there. If you are seriously talking about retiring and want to come into the southwestern part of the United States, we would be more than happy.

(Laughter)

MR. MOORE: You know, sometimes on airplanes, or whatever, sometimes I am flying back into New Mexico, and somebody will say, the person sitting beside me, New Mexico is a very beautiful state, I really want to retire here, I want to live here.

You know, we have got so many people coming in that those of us that live there are about ready to be run out to make space for those that are coming in. So we are on a recruitment drive for good people to New Mexico.

Because I tell many of them sometimes on the plane, I do not want to live there, I am moving, there is more crime. Somebody just broke in and stole my dog, my goat the other day, and all this kind of stuff.

(Laughter)

MR. MOORE: So, if I was you, I wouldn’t want to

live here. Gloria, we sincerely would like for you to not only come to visit us, but you are welcome to come to our state.

MS. TATUM: Always hustling, Richard. Always hustling. I like that.

MR. MOORE: I know, I know. We got to recruit. We got to recruit when it's being done.

MR. COLLETTE: Come to Florida.

MR. MOORE: Exactly, exactly. So, many here are, actually, also -- and in this ---, I mentioned Art. And not to go back into Art, but I will just say this publicly, Art is a person that I do have incredible respect for. And I mentioned that earlier. And he is a brother, and he is serious about this business. And we appreciate that.

And then there is others that are in there, some that I haven't had the opportunity to meet. Others I know you have worked -- I think, Albert, you worked for a while with the Environmental Health Coalition if I am correct, and now are with NRDC, I think.

And we have other people there that have been, and has a long history, of environmental justice. Exactly. And so it is the same thing here. And whatever we say, Kent, you take the message back to Dana.

I mean, you have been around us for a long time.

You know we are real serious about our work, and I do honestly believe that she is too. Quite frankly, I really do.

So I hope that even in a message that gets taken back, and I know at least in carrying that message forward with yourself, that you will inform her of the sincerity of the discussion that took place this morning. It was not a personal attack, it was not any of that. Nor was it to be portrayed as being that.

For the rest of you that are sitting there, our sister here, let’s just continue to do what we are doing, and you continue doing what you are doing. We had others that came from state agencies.

I didn’t want to give too much credit to the State of Pennsylvania Environmental Department, because then tomorrow morning, or when I get back home, somebody will call and tell me, now you were over there clapping for the State Environmental Department, and they are doing this, this, and this.

But I did have the opportunity to meet some of the people from the state agencies. Those are people that we interact with, not only with our elected officials, but those are people that we interact with on a constant basis.

There are other people here that have been here for the last couple of days. I think USDA, the Environmental

Justice Coordinator was here, and some of the other federal agencies. And we compliment you on your work that you are doing within those agencies.

And, sister, could you please introduce yourself? You have been behind the screen there. If you could just step forward so everybody can see you, and if you can introduce yourself.

MS. : (Not speaking into microphone) Cynthia ---.

MR. MOORE: And the sound has been fantastic. So just to say that.

(Applause)

MR. MOORE: Because part of the thing with this group, if the microphones don't work, everybody can hear us anyway. Because we do have a habit of talking loud.

I think I didn't miss anybody in terms of doing that. I do want to thank the workers of this hotel. They have been very, very respectful. Those that have cleaned our rooms, those that have been waiting for us.

Those of you that have been in bar -- not me -- the bartenders, the waitresses, the workers in the kitchen, those that went to the Salvadorian restaurant last night for the fantastic food, and all that kind of thing.

So I just wanted to close with that, and just make

these comments before I beat up on Charles for my closing moment.

Patricia, there is no question of your commitment in work. And, again, I was doing a very dangerous thing by naming names. And in my younger age, although I know people and have worked with them for a while, but I don't see them very often, I tend to forget.

Donele Wilkins is here from Detroit, Michigan. Donele was here earlier, I had seen her back there. Shirley -- Shirley knows, Shirley remembers the Wisconsin NEJAC meeting.

But I said, when we started off, you know, my first interaction with Region VI -- and I say that -- was, basically, being arrested at the ---, because we protected at Region VI, got locked in the stairways. The police came and escorted us out of there.

We were arrested in San Francisco for sitting in Region IX's office. We threatened to sit in Region VIII's office if they didn't get their stuff together.

And I will give a little compliment to Region VIII in that too, because even in our interaction with Region VIII with Denver, Region VIII was actually the first region in the country that had an EJ coordinator before the Executive Order was signed. Before the President's Executive Order.

But I want to give due credit to Shirley. A congratulations on your assignment as I will say, as the Coordinator, if that is the correct language -- Director, whatever the name is -- of the Office of Environmental Justice out of Region VI. And incredible person and very highly respected by us.

(Applause)

MR. MOORE: And very, very highly respected by many of our communities, and has done a tremendous job. Shirley, and Nelda, and many of the other staff there within the office.

So I am going to leave it there. That was the short version.

(Laughter)

MR. MOORE: And Charles, you know, Charles and I worked together right before Charles came to the EPA. I remember meeting Charles way back in 1913, I think it was, or something like that?

(Laughter)

MR. MOORE: In 1984.

MR. LEE: In 1984.

MR. MOORE: In 1984. And, you know, there was a presentation being given in Albuquerque at the Untied Church of Christ, and Charles came in. And there were a couple of

other younger people that came in doing a slide presentation. It was right after the report came out. Toxics, Race, and so on.

And Jeanne and I, and others from the Southwest Organizing Project, were sitting in that room. And we didn't know about environmental justice. I mean, it was like social issues, we don't want this stuff, and don't put it in somebody else's community.

You know, it was really that kind of stuff. So we weren't using environmental justice language, or environmental racism, or many of the other words that we have a tendency to use today.

And Charles came in and they were doing their presentation. And Jeanne and I would be tapping each other because we had been working -- the sewage plant has been in every community that I have lived in. Even, as a matter of fact, in Albuquerque, people have said, don't move where Richard moves because if the sewage plant is not there, it is going to move there eventually.

And so Jeanne and I were sitting there, and we were tapping each other. And we were saying, well, damn, we have been doing all that stuff that they are calling environmental justice. And that is happening here too. And it was right before the report came out.

And Charles has been in the people business for quite a few years. And Charles and I agree and disagree like many of us around this table. We get into some good ones. All of you who think that we don't get into some good ones, we do.

But Charles is to be very highly respected. Also, to First People Color Summit as one of the lead staff people. And so on, from the commission, from United Church of Christ, and then all the years of work and commitment throughout these years.

So, I would like to thank you all for allowing me the opportunity to know you, to work with you, to learn from you. And I think when this NEJAC is closed in terms of the tenure of our work, that we will continue, as you have before you got here.

And when you go back home, to do the very important work of really protecting people and really making sure that those that are the most highly impacted, and those people of color and working class people that live on the other side of the fence, and indigenous nations, and indigenous organizations that were involved in the process.

So, thank you all. Hell of a good job. To be very highly commended, and just a set of fantastic people. So, have a fantastic trip home. And for those that are staying,

we are going back to the Salvadorian restaurant this evening because there is a band playing.

(Laughter)

MR. MOORE: Thank you all. Charles.

MR. LEE: Thanks, Richard. I told Richard I wanted to have the last word, but actually he just had the last word.

And I just wanted to note that in terms of moving forward, we will be getting you the documents for your action, and we want to try to do this as quickly as possible. And so that your recommendations have as much impact as they can in terms of the issues that EPA asked you to speak to.

I want to thank all of you for the members of the Council for an incredible amount of work, done in a very short period of time. Very few people -- many people may not realize that you have only been together, both in terms of the Executive Council, and the separate workgroup, for no more than six months or so. And to have done all this work in that short period of time is really a testament to all of you.

You know, I was going to say something about many of you, but actually Richard said all of that, so there is no need to keep repeating it.

The one thing I will add though is this. You know, the development of the emergence of a truly deliberative process to address the complex issues represented by

environmental justice is represented right here. And all the things that you heard is the evolution, and development, maturation of that process.

And I don’t know if others realize as you do how difficult that is. I mean, some of the environmental justice issues, as many of you have said, represent some of the most difficult, some of the most entrenched, and some of the most persistent issues in society; not just in this country, but globally.

So, something like this, the experience of this, and the example of this, and the lessons learned from this, I think, is something that goes way beyond just your contributions to EPA. And, certainly, a process like that that is independent is really important.

Victoria and I talk a lot about, so, how do we want to describe the NEJAC. And, certainly, in terms of its mission and charter, and you know, its --- advice and recommendations, but independent advice and recommendations. So, I want to thank you all for that.

I want to make some recognitions in terms of acknowledgments. The many EPA staff that were here, many who are not, but certainly, we want to recognize all those EPA staff that have worked in many different ways to support your work.

I think for this particular set of last six months, the work that Kent Benjamin, and Shirley Augurson, and Cynthia Peurifoy have done around the specific issues that came to your attention, were just totally invaluable. So I want to make sure you recognize them for their work.

(Applause)

MR. LEE: And, Richard, already did this, had them identify themselves. But, certainly, the hotel staff and the contractor staff from ICF. I want to make sure you recognize them for their work.

(Applause)

MR. LEE: And then, of course, the Office of Environmental Justice staff. Everybody from Barry Hill, who provides the leadership and support for this activity, to Linda Smith, and everyone else.

But most importantly, I want to make sure that you realize that all the accolades that you have kind of pointed in my direction, should go to Amy Tuberson and Victoria Robinson.

(Applause)

MR. LEE: Because all the meticulous hard work of making sure that your -- Richard has called up before a conference call, and things like that, they take care of. And so, certainly, this could not have been done without them.

And lastly, I want to ask you to give Richard a real big round of applause for a wonderful meeting that he has chaired, and the leadership he has provided as Chair over the last six months.

(Standing Ovation)

MR. LEE: Actually, I was going to tell you my version of the story back in 1984 when we first met, but I think I will leave that for later. So, with that, I think, Richard, we can adjourn.

MS. ROBINSON: Uh oh, I need your travel vouchers.

MR. MOORE: All right, travel vouchers. Have a very safe trip home. The meeting is adjourned.

(Whereupon, at 1:19 p.m. the meeting was concluded)