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letter from the regional administrator

Dear EJ Stakeholders:

EPA New England is pleased to present you with the EJ Newsletter. As you will see, EPA maintains an ongoing commitment to ensure environmental justice for all people, regardless of race, color, national origin, or income.

EPA New England reaffirmed this commitment to environmental justice in the October 2001 EPA New England Regional Policy on Environmental Justice. EPA New England has made significant progress in its efforts to address and respond to environmental justice concerns by ensuring that environmental justice is considered in every aspect of our work. This is evident by the establishment of a regional EJ Council, which is charged with the responsibility of institutionalizing environmental justice considerations in the environmental decisions the Agency makes, programs it implements, and projects and initiatives it undertakes.

Inside we hope you will find information that is both inspiring and useful, as we highlight some of our programs who are taking a proactive approach to identifying and addressing many of the environmental concerns that impact New England citizens, as well as, current events taking place throughout the Agency.

Sincerely,



Robert W. Varney
Regional Administrator
EPA New England

ej environmental justice news

A Newsletter from the EPA New England Environmental Justice Council

ej news

Using Laws and Alternative Dispute Resolution to Reach Environmental Justice

Communities can tackle environmental challenges in a variety of ways without resorting to lawsuits. EPA New England and its Environmental Justice Office held a workshop this fall on how to use federal environmental laws to solve problems without litigation. The workshop also trained participants from New England grassroots organizations on Alternative Dispute Resolution (ADR), a system that uses neutral third parties to address EJ problems in a community.

Nearly 30 environmental justice community organizations and grassroots groups in all six New England states participated in the workshop. This varied group of participants was given:

- an environmental justice orientation session where they shared experiences, insights and goals for the training.
- a summary of ways to address pollution problems without litigation.
- a focus on the three laws most relevant to communities experiencing EJ problems: Clean Water Act, Clean Air Act, and Resource Conservation and Recovery Act.

- detailed information about permitting procedures.
- an overview of alternative dispute resolution tools available to address environmental justice problems.
- a discussion of barriers to effective negotiation and methods to overcome those barriers.
- examples of successful efforts by grassroots organizations to achieve environmental justice in their communities.



Participants at training in Mansfield, MA.

Groups participating said their communities face issues ranging from air pollution, transportation problems (e.g., diesel buses, ozone, particulate matter), asthma rates, water and land pollution, and contamination at landfills and other sites.

The training was held by the Environmental Law Institute,

an international research, policy and training organization. Its partners included: the Southwest Network for Environmental and Economic Justice, a network of more than 60 grassroots environmental organizations in the southwestern US; Connie Tucker, a consultant based in Atlanta, GA, who helps connect community groups with research and educational institutions; and Michael Lewis of JAMS located in Washington, DC, a mediator, teacher, trainer and consultant in dispute systems design. Elissa Tonkin, EPA New

England regional ADR program director, was also part of the training team

EPA New England's ADR Program is nationally recognized as a leader in using this sort of dispute resolution for environmental issues. The environmental justice program at EPA New England is increasingly using dispute resolution as a way to help groups reach agreements over issues related to environmental justice.

As a result of this training, EPA New England is working more closely with both the ADR Program and with EJ community organizations and grassroots groups who were at the meeting.

This workshop was part of a national effort to give EJ training to staff throughout EPA. Months before the workshop came to New England, the regional EJ Office and ADR program worked with trainers to adapt the workshop to address issues relevant in this area and to bring New Englanders onto the training team.

Conn. Environmental Commissioner Describes "No Child Left Inside" Program

Connecticut's "No Child Left Inside" initiative was the subject of a lecture given recently at EPA New England by Gina McCarthy, commissioner of the Conn. Department of Environmental Protection (DEP). McCarthy gave her talk as part of the region's monthly Environmental Justice Lunch and Learn series.

During her September visit, McCarthy gave some 40 attendees an overview of the effort underway in Connecticut and New England to get more families and children outdoors.

The presentation explored the challenges that parks and environmental agencies confront, with fewer and fewer people visiting recreational areas. She also addressed the long-term consequences of children staying indoors more. When children spend less time outdoors, she said, there are a number of results: more childhood obesity; more related health problems; less interest in the natural sciences, and an erosion of the future generation of environmental stewards. In other words, a child who spends more time outside enjoys nature more, exercises more and is more likely to care for the environment as an adult.

McCarthy described Connecticut's efforts to reverse these trends. The DEP in 2006 launched the "No Child Left Inside" initiative to attract more families and children to state parks, forests and waterways. The centerpiece is the Great Park Pursuit, which takes families on seven- to eight-week adventures, similar to the "Amazing Race" and "Survivor" reality series. In this program, families learn of opportunities awaiting them at state parks and forests

McCarthy noted that the No Child Left Inside initiative also includes park passes for foster families; park and forest interpreters; an urban fishing program; environmental education; state park passes at libraries and water safety classes. The initiative is a model for states and recreational organizations nationwide.

For more information, please visit www.nochildleftinside.org/

Environmental Justice Law Passed in Connecticut

An environmental justice bill signed into law May 27 in Connecticut identifies new requirements for major polluting facilities seeking permits in low income communities. Proponents consider a groundbreaking law, which marks critical progress on environmental justice in Connecticut. The legislation was developed by the Conn. Coalition for Environmental Justice, the Conn. Department of Environmental Protection, elected officials and other advocacy groups working together.

A public outreach portion of the law requires a public meeting at least 60 days before the DEP or Conn. Siting Agency decides to issue a permit. In addition, the facility owners must negotiate environmental benefits to offset the impacts of the proposed facility with elected officials and community members. The legislation applies to projects in 25 towns identified as distressed municipalities and 34 other neighborhoods

considered environmental justice communities. The new law defines an environmental justice community as a Census Block Group in which 30 percent of the population earn less than 200 percent of the federal poverty level.



Wastewater treatment plant in Hartford, CT

The facilities regulated by the new law are electric generating facilities larger than 10 megawatts, sludge and solid waste incinerators, sewage treatment plants, three types of solid waste facilities (intermediate processing centers, volume reduction facilities and multi-town recycling facilities), medical

waste incinerators and major sources of pollution under the federal Clean Air Act.

The new law also limits the amount of asbestos allowed near residences.

office update

RI Grant Shows How Brownfields Funds Promote Justice

In the City of Providence, RI, contaminated properties in two low-income and minority neighborhoods were redeveloped with help from EPA brownfields awarded to two non-profit organizations: the Steel Yard, a program of the Woonasquatucket Valley Community Build, and Rhode Island Family Life Center.

EPA awarded two Brownfields grants for \$200,000 each to the Steel Yard to clean up two contaminated sites that are part of the Steel Yard, a former steel and iron factory on Sims Avenue along the Woonasquatucket River. The property will be redeveloped into green space and an amphitheater for a market, the arts, community meetings and environmental education.

The RI Family Life Center, a non-profit that helps ex-prisoners reintegrate into the community, received \$200,000 to clean contamination in the vacant industrial building on a half acre property located near three densely popu-

lated neighborhoods with Hispanic populations of at least 40 percent. The property contained metals, inorganic materials, possibly PCBs and an underground storage tank. EPA awarded \$128,000 to clean hazardous substances and \$72,000 to clean petroleum contamination.

Brownfields are properties with land and buildings that sit abandoned and vacant, unused because of the presence or perceived presence of contamination. Potential developers are deterred by the contamination, and the surrounding neighborhoods suffer. Redeveloping these properties, which tend to be old commercial and industrial areas, helps reduce the damage to the neighborhood, often low-income and minority communities.

"EPA Brownfields grants are an economic engine, helping vitality return to our communities, and this influx of new EPA funding will speed up that process," said Robert W. Varney, Regional Administrator of EPA New England. "These funds will directly improve the quality of life in these Rhode Island communities, where citizens are working to redevelop and put to good use abandoned, contaminated parcels."

For more information on EPA New England's Brownfields program, please visit www.epa.gov/region1/brownfields/index.htm

EPA New England Hosts a Mystic River Summit

More than 150 federal, state and local officials joined a group of non-profit organizations at the Mystic River Watershed Summit and Annual Report Card event held April 10 at EPA's Boston office. The summit is part of EPA New England's

Urban River Strategy and was designed to generate ideas, develop goals and map a strategy to restore the Mystic River Watershed. It was an important step toward EPA's long-term commitment to improving water quality.



Welding demo at the Steelyard



Regional Administrator Robert W. Varney at Mystic River Summit

"The Mystic River has played an important role in our local history, and it's time to give the watershed the attention it needs to thrive once again," said Robert W. Varney, regional administrator of EPA's New England office. "It will take a lot of hard work to restore this river, but along with our partners we are committed to making a cleaner and healthier Mystic."

EPA New England is working to form partnerships with the Mystic watershed groups and communities to restore water quality in the watershed. Revitalizing the Mystic will be a

challenge, but advocates for the river believe this collaborative approach will yield the greatest results and represents the first step toward reaching the common goal. Environmental justice is an important consideration in EPA New England's urban rivers strategy and played a crucial role in the summit.

For more information on EPA New England's Mystic Summit, please visit www.epa.gov/region1/mysticriver/summit.html

Indoor Air Quality Tools for Schools Program

EPA's Indoor Air Quality Tools for Schools program, begun in 1995, helps schools maintain a healthy environment. The program has given hundreds of schools in New England easy-to-use products and materials to help them put indoor

air quality management programs in place. The Tools for Schools program is especially suited to help schools located in communities with potential environmental justice concerns identify, correct and prevent indoor air quality problems.

"Schools using the 'Tools for Schools' program are seeing tangible reductions in asthma episodes and I urge other schools to follow their examples," said Robert W. Varney, regional administrator of EPA's New England office.

Poor indoor air quality can hurt the comfort and health of students and staff, which in turn can affect student attendance and performance. In addition, if schools do not respond promptly to poor indoor air quality, students and staff are at an increased risk of short-term health problems, such as fatigue and nausea, as well as long-term problems like asthma.

EPA New England's Tools for Schools program has made progress in all six New England states, especially Connecticut, since the publication of the Tools for Schools kit in 1995. EPA New England received funding in 2007 from EPA's Office of Radiation and Indoor Air to showcase the training program put together by the Conn. Department of Public Health for other state health departments. This effort has led other states to develop their own strategies and training programs.

The program can significantly improve environmental and public health in communities exposed disproportionately to environmental risks. For example, in Hartford, Conn. with a population that is 38 percent Hispanic, 37 percent African American, and 22 percent non-Hispanic Caucasian, public schools are located in the poorest neighborhoods of one of the poorest cities in the country. Data collected by school nurses indicate the prevalence of asthma and other respiratory illness among Hartford children ranges from 6 to 22 percent within public schools. (http://www.epa.gov/ne/eco/uep/grants_uei.html). The number of asthma incidents in Hartford has declined 21.2% in one year, after Tools for Schools was implemented in most schools.

In Waterford, Conn. the number of indoor air quality health complaints in one elementary school dropped 74 percent from 152 to 40 the

year after the kit was used. In Hamden, Conn., absenteeism was cut by more than half from 484 days to 203 days in the year after the kit was used in one elementary school.

In New Hampshire, more than 20 schools representing over 10,000 students and staff have incorporated EPA's Tools for Schools to track and improve indoor school environments. And in Maine, the Indoor Air Quality Council's annual conference will emphasize indoor air quality in schools.

Since winning EPA's Tools for Schools Excellence Award in 2003, Westborough School District in Massachusetts has continued to refine its program in response to suggestions from staff. In the past two years, no staff, parent or student has submitted a health problem related to indoor air quality to a school nurse.

For more information on EPA's Tools for Schools program, visit www.epa.gov/iaq/schools/index.html.

Penobscot Nation Closer to Realizing Sustenance Fishing Rights within the Penobscot Reservation

The Penobscot Indian Nation, which has lived along the Penobscot River for nearly 10,000 years, is working to restore its river so it can continue to fish for food in these waters.

Tribal culture and spirituality emphasize the connection between land and people. The lower portion of the Penobscot has seen diminishing sea-run fisheries in recent years. Sea-run fish swim from the ocean to freshwater rivers to reproduce. The Penobscot River, the second largest river in the

Northeast, once had 11 species of sea-run fish, including Atlantic salmon, American shad, river herring and sturgeon. Migratory barriers, overfishing, poor water quality and habitat destruction generated by log drives and dams have

driven fish populations to all time lows. The Penobscot River Restoration Project is working to restore sea-run fish species and continue energy production.

The project proposes to purchase and remove two dams, Veazie and Great Works, and redesign another, Howland Dam, to include a fish by-pass. A fish by-pass helps fish move safely past dams and other obstructions. These projects will increase sustenance fishing for the Penobscot Nation.

The project is a partnership of the Penobscot Nation, hydropower company PPL Corporation, Maine Audubon, American Rivers, Atlantic Salmon Federation, Natural Resources Council of Maine, The Nature Conservancy, Trout Unlimited and state and federal agencies. A 2004 agreement with the Federal Energy Regulatory Commission outlines the project's major objectives.

To achieve these objectives, the agreement gives the Penobscot River Restoration Trust, the non-profit established for the project, the option to buy the three dams from PPL Corporation. The agreement also gives PPL the chance to increase power production at six existing dams to recoup the lost power from the proposed project. PPL also agreed to modernize and expand fish passages at four more dams.

"Many of our tribal members are excited about getting some fish back to the reservation," said John Banks, Natural Resources Director for the Penobscot Nation. "It's difficult to express the

importance of this project in words. It's sorta like when your children get on the school bus in the morning, and you hope for their safe return after school. After the salmon go out to sea to mature, it's nice to have them come back home."

The Penobscot River Restoration Project will have a wide range of benefits to fish and wildlife populations, water quality and communities along the river. The benefits extend to the whole ecosystem and the Gulf of Maine. For example, nutrients derived from sea-run fish will reach farther up river, and the

natural flushing of sediments will reach Penobscot Bay, restoring a natural cycle to the river. The project also will benefit sports fishermen. The restoration of sea-run fisheries will increase tourism and economic development through fishing.

The Penobscot River Restoration Project received a \$10 million commitment from Congress and National Oceanic and Atmospheric Administration. This money, along with \$10 million from a private fundraising campaign, has moved the project closer to completion. An additional \$25 to \$30 million is needed to pay for the whole project.

For more information please visit, www.penobscotriver.org/ and www.penobscotnation.org/

ej highlights—grants

Two Non-Profit Groups Awarded \$50,000 EPA Grants

The Committee for Boston Public Housing of Boston and The Way Home, Inc., of Manchester, N.H. received \$50,000 grants through EPA's Environmental Justice Small Grants Program.

The Committee for Boston Public Housing will train residents at home on Integrated Pest Management. The Committee for Boston Public Housing was one of 20 community-based organizations across the country that received \$50,000 from EPA's Environmental Justice Small Grants Program for projects in low-income communities on environmental and public health issues.

Integrated Pest Management focuses on using safer methods to get rid of pests by reducing and eliminating the number of pesticides used in homes. The program's pesticide exchange will replace commercial pesticides with Home Safe kits. With input from residents, the program will also create a public health campaign about the dangers of pesticide use.

"Educating asthmatic public housing residents about how the use of pesticides and insecticides can trigger asthma symptoms will help people to improve their indoor environment," said Mae Bradley, executive director of the Committee for Boston Public Housing.



The Way Home, through a Healthy Housing Advocacy Project, aims to educate the community and help residents develop community and tenant advocacy groups so they can participate in decisions and policies that affect their health. The organization hopes to heighten awareness of lead poisoning and its health effects and causes; to increase the community's ability to identify, control, report and clean environmental hazards; and to educate tenants on their rights and responsibilities in regards to safe and affordable housing.



Presenting check to partners at Viet-Aid

"Low income families are often afraid to speak up about housing problems. The EPA grant for our Healthy Housing Advocacy Project will help residents learn skills, and participate in a collaborative process to make effective use of local housing codes, so their housing will be safer for their children," said Mary Sliney, executive director of The Way Home.

Funding under EPA's Environmental Justice Small Grants Program is available to non-profit organizations designated by the IRS or recognized by the state, territory, commonwealth or tribe in which it is located.

For more information: EPA environmental justice grants (www.epa.gov/compliance/environmentaljustice/grants/ej-smgrants.html)

Vietnamese Non-Profit Awarded \$100,000 EPA Environmental Justice Grant

The Vietnamese American Initiative for Development (Viet-Aid) of Boston was one of 10 groups across the country to receive a \$100,000 EPA grant to help improve the environment in low income communities. This money was given for the Healthy Floor Finishing Project through EPA's Environmental Justice Collaborative Problem-Solving Program.

To protect workers in the Boston area, many of

whom are Vietnamese, the project will develop and distribute materials to business owners and workers in Vietnamese that will include recommended product substitutions, as well as, fire prevention and basic health and safety information. Safer chemicals can reduce fire hazards and help reduce exposure to toxic chemicals. The project will also develop and distribute an educational program in Vietnamese for cable television, radio and newspapers. Several hands-on training sessions on how to use safer alternatives

will also be scheduled.

"These grants are essential to ensuring that communities who are more vulnerable to environmental challenges have the resources to promote environmental solutions in their own neighborhood," said Robert W. Varney, regional administrator of EPA's New England office.

Healthy Floor Finishing Partners include the Massachusetts Coalition for Occupational Safety and Health, New Ecology Inc., University of Massachusetts Lowell and the UMass Lowell Department of Work Environment.

The Environmental Justice Collaborative Problem-Solving Program is available to all non-profit organizations designated by the IRS or recognized by the state, territory, commonwealth or tribe in which it is located.

For more information on EPA's Collaborative Problem-Solving Cooperative Agreement program, please visit www.epa.gov/compliance/environmentaljustice/grants/ej-cps-grants.html

Community Action for a Renewed Environment (CARE) Grants to Promote EJ

Health risks in Bridgeport, Conn. and Newport, RI will be assessed and addressed, thanks to two grants given for about \$100,000 each

"This is an open door of opportunity for the City of Newport; we are excited to move forward to improve the environmental health issues that face us. The grant will allow us to look at a range of issues, identify the top five health concerns and take some definitive action."

--James Sattel, Southern Rhode Island Area Health Education Center

through EPA New England's Community Action for a Renewed Environment program. Both grants will address environmental and public health concerns on the local level, and both cities will see tangible and sustainable benefits from these funds.

The Connecticut Coalition for Environmental Justice was awarded \$99,962 from the CARE program to assess risks from toxics and environmental pollutants in Bridgeport, the largest city in Connecticut. Bridgeport has one in five residents living below the poverty line, double the state average. The Connecticut Coalition will also use the money to set priorities for pollution reduction and to develop a plan for action to reduce residents' exposure to toxins.

The Rhode Island Area Health Education Center received \$100,000 to establish a community coalition to identify, rank and prioritize risks posed by environmental health issues in Newport. The organization will also take the lead in developing a plan to address these issues.

"[We] have developed a list of over 30 environmental hazards in Bridgeport that affect the health of community residents, especially children."

-- Elizabeth Ratliff, CCEJ Board of Directors and Bridgeport resident

Despite its reputation as a community of wealth, Newport has a poverty rate of 24 percent and an old housing stock that is linked to its high rate (7.8 percent) of childhood lead poisoning. In addition, 42 percent of households report at least one family member with asthma. The community has also experienced poor air quality and numerous beach closures (38 closures from 2004 to 2005) due to water quality issues.

For more information on EPA's Community Action for a Renewed Environment, please visit www.epa.gov/care/

hq activities

U.S. Senate Committee on Environment and Public Works Subcommittee on Superfund and Environmental Health hearing entitled, "Oversight of the EPA's Environmental Justice Programs." July 25, 2007

The Senate Environment and Public Works Subcommittee on Superfund and Environmental Health, chaired by Senator Hillary Rodham Clinton (D-NY), held the first-ever Senate hearing to provide oversight into EPA's environmental justice programs. The hearing on July 25, 2007 was held in light of recent reports from the Government Accountability Office and the Inspector General of the EPA that raised concerns about EPA's commitment to environmental justice.

Granta Nakayama, assistant administrator in EPA's Office of Enforcement and Compliance Assurance, participated as a witness at the hearing. Nakayama focused on EPA's environmental justice accomplishments, what has been learned from those accomplishments, and how EPA plans to continue efforts to address environmental justice. Granta Nakayama's full testimony can be found at www.epa.gov/compliance/resources/policies/ej/index.html.

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web resources

EPA New England Environmental Justice Program website
<http://www.epa.gov/region1/ej/index.html>

National Office of Environmental Justice
<http://www.epa.gov/compliance/environmental-justice/index.html>

National Environmental Justice Advisory Council
<http://www.epa.gov/compliance/environmental-justice/nejac/index.html>

National Office of Civil Rights
<http://www.epa.gov/civilrights/aboutocr.htm>

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