

MEETING SUMMARY

of the

AIR AND WATER SUBCOMMITTEE

of the

NATIONAL ENVIRONMENTAL JUSTICE ADVISORY COUNCIL

**December 11, 2002
Baltimore, Maryland**

Meeting Summary Accepted By:

**Alice Walker
Co-Designated Federal Official**

**Eileen Gauna
Chair**

**Wil Wilson
Co-Designated Federal Official**

**CHAPTER THREE
MEETING OF THE
AIR AND WATER SUBCOMMITTEE**

1.0 INTRODUCTION

The Air and Water Subcommittee of the National Environmental Justice Advisory Council (NEJAC) conducted a one-day meeting on Wednesday, December 11, 2002, during a four-day meeting of the NEJAC in Baltimore, Maryland. Ms. Eileen Gauna, Southwestern University Law School, continues to serve as chair of the subcommittee. Ms. Alice Walker, U.S. Environmental Protection Agency (EPA) Office of Water (OW), and Dr. Wil Wilson, EPA Office of Air and Radiation (OAR), continue to serve as the co-Designated Federal Officials (DFO) for the subcommittee. Exhibit 3-1 identifies the subcommittee members who attended the meeting or participated by conference call, as well as those members who were unable to attend.

This chapter, which summarizes the deliberations of the Air and Water Subcommittee, is organized in four sections, including this *Introduction*. Section 2.0, *Activities of the Subcommittee*, summarizes the discussions about the Permitting Workgroup. Section 3.0, *Presentations and Reports*, presents an overview of each presentation and report as well as a summary of significant questions and comments from the subcommittee members. Section 4.0, *Significant Action Items*, summarizes the significant action items adopted by the subcommittee.

2.0 ACTIVITIES OF THE SUBCOMMITTEE

This section briefly summarizes the discussions of the subcommittee about the activities of the Permitting Workgroup.

2.1 Report on the Status of the Permitting Workgroup

Mr. Kenneth Manaster, Santa Clara University School of Law and chair of the Permitting Workgroup, spoke about the efforts of the workgroup to recommend ways to improve the integration of environmental justice into federal environmental permitting. His discussion focused on the workgroup's efforts to prepare a *Environmental Justice Recommended Practices Guide for Permitting* that provides guidance and recommendations for improving the integration of environmental justice into environmental permitting.

He added that the workgroup has recommended examining permitting processes individually to determine their compliance with law. Mr. Manaster pointed out that although adoption of the recommended best practices is optional, the need to recognize good practices for including environmental justice in permitting is crucial. However, he reported that the efforts of the workgroup had been hampered by limited membership and a lack of enthusiastic members. He also stated that the workgroup struggled with defining the distinction between what is "recommended" and what is regulated or required by law. He stressed that the objectives outlined in the guide are only recommended practices and do not have legal standing. Mr. Manaster concluded that the situation required use of a "creative methodology without inhibiting better approaches."

Mr. Manaster then discussed the organization of the *Recommended Practices Guide*, which features two sections. One section focuses on what he termed "flash points" – the most common steps in environmental permitting processes where environmental justice concerns historically have not been addressed adequately. Examples of common flash points include site determination, public participation (including timing and methodologies), cumulative pollutant impacts, determination of facility

Exhibit 3-1

<p>AIR AND WATER SUBCOMMITTEE</p> <p>Members Who Attended the Meeting December 11, 2002</p> <p>Ms. Eileen Gauna, Chair Ms. Alice Walker, Co-DFO Dr. Wil Wilson, Co-DFO Ms. Wilma Subra</p> <p>Members Who Participated via Conference Call</p> <p>Mr. Kenneth Manaster Mr. Jason Grumet Mr. Robert Sharpe</p> <p>Members Who Were Unable To Attend</p> <p>Dr. Elaine Barron</p>
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compliance, and disproportional impacts. Mr. Manaster stated that the guide identifies specific recommendations that would diminish or minimize those steps as “flash points.” Mr. Manaster explained that the second section of the guide identifies both litigation issues and various permit enforcement mechanisms that allow for effective control of harmful effects of the permit. He mentioned that this section lists recommended practices and approximately 10 areas of the permit where safe practices can be found and which need to be organized and documented by the permitting agency and other permit sources.

Mr. Manaster concluded his presentation by stating that the *Recommended Practices Guide* represents a work in progress. His two recommendations for improving the document were to (1) identify and gather similar experiences from around the country and (2) consider other similar efforts and lessons learned. He commented that the workgroup expects to complete the guide in fall 2003.

Ms. Gauna supported Mr. Manaster’s recommendations and emphasized the need to recruit and encourage the participation of individuals who have “genuine experiences” with the subject matter to help prepare the guide. Referring to the workgroup’s struggle with definitions and “finding the right context,” she encouraged the members of the workgroup to seek greater community involvement while developing the guide.

Mr. Robert Sharpe, Illinois EPA and a member of the subcommittee, briefly addressed the state’s perspective about permitting and environmental justice, problems associated with the permits issued, and concerns of the authorities involved. He stressed that the guide does not prescribe specific actions but rather, lists broad recommendations for improving the integration of environmental justice in environmental permitting processes.

Ms. Gauna concluded by emphasizing the importance of timing and public participation in document planning. She closed by reminding the group of the conference call in January 2003. She recommended that as many Workgroup members as possible participated in the conference call to integrate all the proposed ideas.

2.2 Investigating Renewable Energy

Mr. Jason Grumet, Executive Director, National Commission on Energy Policy and a member of the subcommittee, expressed his interest in renewable energy projects. He asked whether there is enough interest in this area to pursue. In response, Ms.

Gauna recommended forming a workgroup to explore the issue.

3.0 PRESENTATIONS AND REPORTS

This section summarizes the presentations made and reports submitted to the Air and Water Subcommittee. The presentations addressed environmental permitting, the EPA Region 6 Environmental Justice Listening Session, and the use of reductions in nitrous oxide (NO_x) emissions to offset increases in volatile organic compounds (VOC) to promote the reduction in ozone levels.

3.1 Environmental Permitting

The members of the subcommittee were provided an overview about environmental permitting. Presentations included information about the commitment of EPA OAR to environmental justice and an update about EPA’s Pollution Prevention Pilot Program.

3.1.1 EPA OAR Commitment to Environmental Justice

Mr. Robert D. Brenner, Deputy Assistant Administrator, EPA OAR, presented plans, strategies and activities to incorporate environmental justice into OAR’s existing programs. He emphasized that as the office moves forward to reduce air pollution and protect public health, it will focus on addressing issues related to pollution prevention and permitting. He reaffirmed OAR’s commitment to achieving environmental justice, which, he said, is addressed in OAR’s draft Environmental Justice Action Plan that recently had been submitted to the EPA Office of Environmental Justice for comments. Mr. Brenner also described several programs that reflect OAR’s commitment to environmental justice, which include promoting indoor air and radiation protection through radon and childhood asthma education, conducting transportation planning programs in Baltimore, and introducing pilot projects that focus on toxics in a south Phoenix, Arizona community. Mr. Brenner went on to discuss other efforts that address environmental justice concerns, such as the tracking of emissions caused by the idling of heavy vehicles, emission reduction levels for power plants, the retrofit of diesel equipment, and toxic “hotspots.”

Mr. Brenner commented that OAR’s focus in coming years will be on new source review. (NSR) program. As he stated, modifications to the NSR requirements will address changes made to reform and streamline power plant permitting, the installation of modern pollution prevention equipment, and the effects of emissions. He presented a case study that

illustrated the effects of installing a new turbine in a power plant. He pointed out that the new turbine would be more efficient but possibly could produce more total emissions. Therefore, he explained, the proposed upgrade generated some controversy and could have resulted in higher costs for the plant.

Mr. Brenner then announced that OAR had proposed to use a "percent threshold limit" to address such issues that arise out of routine maintenance, repair, and replacements. Since 1980, he explained, EPA regulations have excluded from NSR review all repairs and maintenance activities that are "routine," but required a complex analysis to determine what activities meet that standard. That approach has deterred companies from conducting repairs and replacements that are necessary for the safe, efficient and reliable operation of facilities, he said, resulting in unnecessary emissions of pollution and less efficient, safe and reliable plant processes. Mr. Brenner explained that a percent threshold limit would encourage companies to implement improvements to their facilities without being concerned about triggering a NSR review. As long as the new development remains under a certain dollar amount threshold, he continued, a NSR review would not be necessary. He explained that the percent value in the case study described above represents what it would cost to rebuild, renew, or replace the old facility. Because EPA has not yet determined the percentage threshold limit, Mr. Brenner encouraged the audience to provide comments to EPA about this issue.

Mr. Brenner commented that the important environmental justice priorities for OAR in the coming years involve pollution prevention and promoting initiatives for clean fuels to reduce toxic chemicals in communities. He provided examples of projects in Cleveland, Ohio and Phoenix, Arizona where OAR had successfully worked with local community groups to develop programs to reduce toxic chemicals in those communities and implement toxic emission reductions. He added that in those projects, the communities had set up coordinated campaigns that addressed diesel retrofit programs, the promotion of local initiatives, public transportation campaigns, the reduction of indoor air pollution in city schools, and other comprehensive efforts to reduce toxic chemicals. Mr. Brenner explained that the applicable EPA regional offices had identified the generators of significant levels of toxic chemical contaminants and worked with the local communities to focus reduction efforts on high-priority sources of toxic chemicals. He cited the South Phoenix project to highlight the need to focus environmental justice efforts based on case-by-case situations rather than relying solely on regulations because environmental

concerns and environmental justice issues vary from community to community.

Mr. Brenner closed by reiterating the need for OAR and the Air and Water Subcommittee to continue to work together to develop partnerships with environmental justice communities. He emphasized that such partnerships are crucial for OAR to be successful in reducing air pollution and protecting public health.

Ms. Gauna requested clarification from Mr. Brenner regarding the percent threshold limit. She also asked about the non-attainment issues and downwind transport of air pollution. Mr. Brenner clarified that the percent threshold limit is still in development and that he anticipates receiving comments from the proposal reviewers about that issue. Regarding non-attainment and downwind transport, Mr. Brenner assured the meeting participants that the proposed flexible permitting program would meet the regular emissions standards and the ozone transport rule. He mentioned that each state would still need to set limits to meet air quality standards and that each plant would have to develop its own model sources and its own monitoring programs.

3.1.2 EPA Pollution Prevention Pilot Program

Mr. Robert Kellam, EPA Office of Air Quality Planning and Standards, discussed the background, assessment, and findings of the Pollution Prevention in Permitting Pilot Program. He explained that the program had been introduced as a flexible permitting program that enabled permitted sources to make quick changes in response to market pressures. Mr. Kellam stated that the program recognizes the need for companies to respond quickly to rapid market changes. He added that administrative friction often occurred because of the costs and delays associated with industries having to retool to make changes driven by the market as well as comply with environmental requirements. He explained that the new, innovative approach to permitting is to provide additional flexibility. This flexibility, continued Mr. Kellam, will help industries meet environmental standards while expanding their facilities. He stated that the most common issue faced by various companies is the need to increase production while not exceeding the permitted emissions limits.

Mr. Kellam then discussed the permitting review process under the pilot program, which includes off-site research, on-site visits, and report drafting and reviews. He briefly described each of the companies participating in the pilot project:

- Minnesota-based 3M, one of the first program participants, makes products that need to be adapted quickly in response to market changes
- DaimlerChrysler joined the program when the company launched its new line of products
- Imation Corp. and Intel Corporation are semiconductor companies that produce products that require frequent testing
- Lasco Bathware, Inc., a Washington-based firm produces fiberglass and acrylic baths and generates styrene emissions as a by-product
- Saturn Corporation, based in Tennessee, participated in the flexible permitting program in 2000 when it retooled its sport utility vehicle line

Mr. Kellam then summarized the findings from Pollution Prevention Pilot Program:

- Although flexible permits ensure compliance and monitoring and data gathering are sufficient, there is a need to focus on permit requirements when the flexible permit is due for revision.
- Flexible permitting is enforceable, noncompliance is detectable, and the initial calculations and findings are replicable.
- Flexible permitting encourages emission reductions and pollution prevention (for example, Intel reduced its emissions of volatile organic compounds (VOC) from 190 tons per year to 53 tons per year, and DaimlerChrysler reduced its general emissions from 1,400 tons per year to 800 tons per year while increasing production).
- Six of the participating companies believe that because of market requirements, flexibility in permitting is needed to reduce emissions.
- Companies that have flexible permits do use them.
- Flexible permitting allows and enhances information-sharing because topics have to be discussed up front.
- Flexible permitting provides the public with access to more information.
- Flexible permitting does produce net financial benefits for both companies and permitting authorities; the additional time and associated cost required to develop a flexible permit versus a conventional permit typically is offset during the permit term by the reduced time needed to process notice of construction applications and permit revisions .
- Participating companies are pleased with the increased permitting efficiency that allows them to focus on other priorities with only minor modifications to the permit.
- Flexible permitting should meet an individual company's needs.

Mr. Kellam reported that another round of pilot projects would be conducted, which will include the Eli Lilly and Company papermill facility in Indiana. He concluded his presentation by pointing out that successful companies possess two tendencies within their corporate culture that allow them to meet the market demand while remaining in compliance with environmental regulations: (1) documented compliance history, pollution prevention programs, and the ability to monitor and track changes through continuous modeling and monitoring, and (2) the technical capacity to operate within the requirements of their permits.

Ms. Guana then opened the floor to discussion from members of the audience.

Mr. Neil Carmen, Sierra Club Lone Star Chapter and a member of the audience, commented on the potential disadvantages of flexible permitting. He expressed concern that the recommended methodology for achieving air pollution reductions would result in increased pollution in other media such as water and soil. Mr. Carmen also recommended that the permitting agencies examine air toxicity differences and apply rankings to differentiate between the "good" and the "bad" companies that currently are participating in the flexible permitting pilot program. Mr. Carmen also inquired about the duration of the program.

Mr. Kellam responded that monitoring of increased waste in water and soil would be required to examine the effects of implementing the flexible permitting program. He noted that the guidance currently does not address this issue. He also commented on the need to use analysis, guidelines, and discussions with waste departments to formulate such a monitoring program. Discussing air toxicity differences, Mr. Kellam stated that the issue is being examined. He stressed, however, that if an applicable requirement exists for a specific pollutant, EPA cannot relax the requirement; the Agency can only promote flexible permitting for meeting the current environmental demand, he said. Mr. Kellam commented that it might be difficult to rank participating companies as "good or bad" because some companies might be willing to reduce emissions and assist the community but may not be aware of their responsibilities to do so. He cited as an example one company that local residents complained was emitting an odor. Initially, the company was not aware of its responsibility to address the emission or the impact of the odor on the surrounding environmental justice community; however, he continued, once the company was informed about their responsibility, the company responded quickly to the problem, and in the end,

the community was happy. Mr. Kellam stated that the duration of the flexible permitting program is currently five years but the period is not fixed because companies can apply for permit modifications.

Mr. Carmen continued to comment about ambient air monitoring before and during the flexible permit pilot program. He expressed concern about whether any of the facilities in the project is emitting hydrogen chloride (HCl), which is highly toxic even at low levels. Mr. Carmen also described serious concerns about emissions of styrene. His final comment referred to modeling individual sources versus cumulative sources. Mr. Carmen explained that traditional screening levels often do not indicate problems in a point source evaluation; in contrast, cumulative modeling would show otherwise, he said.

Mr. Kellam responded that air monitoring was being performed before and during the pilot program, but he did not know whether ambient air was monitored during the project. Regarding monitoring for HCl, Mr. Kellam said he was unable to comment because not much off-site monitoring data for HCl is available. Regarding the issue of styrene and other common toxic emissions, Mr. Kellam noted that a flexible permitting program might provide opportunities for noncompliant companies to improve their environmental culture, especially larger firms located in areas or states without responsibility for those emissions.

Mr. Raju Kakarlapudi, EPA Region 7 and a member of the audience, commented that some companies have strong environmental management systems in place that are worth exploring and learning from. He also pointed out that the results of small pilot projects are often difficult to replicate in the real world.

Ms. Liz Heron, reporter for *Inside Washington* and a member of the audience, raised the question of what happens after a company moves beyond the pilot phase. Ms. Heron commented on the histories of the participating companies and questioned whether they are aware of their responsibilities and whether they have had any prior permitting problems. Also, with regard to community involvement, Ms. Heron raised the question of whether any independent support is available for the communities to participate in the evaluation of flexible permits or receive technical assistance grants similar to other programs. She went on to comment about the traditional distrust of many communities for federal and state government agencies and wanted to know what is being done to improve their trust of those agencies.

Mr. Kellam responded that after the pilot program is completed, participating companies should be able to cost-effectively reduce their air emissions while remaining competitive; companies likely would not continue using the program if it is not cost-effective, he said. Mr. Kellam stressed that the program is not for every company and has natural limiting factors. He explained that the flexible permitting program can help companies meet or exceed requirements for emissions reductions, but cannot be used by itself to negotiate requirements. Regarding the environmental records of participating companies, he stated that the companies varied in their backgrounds. He cited the example of Lasco Bathware, Inc., which has a history of not following through on its commitments. Therefore, that company required greater effort to integrate into the program, he continued. Mr. Kellam stressed that the "interest of the companies to make things work" is one of the most crucial factors for success of the program. Therefore, he said, EPA does not select program candidates based on a firm's environmental record.

Turning to community involvement, Mr. Kellam stated that the extent of support for community involvement is unknown because there is a lack of documentation for what is a state-based program. He repeated that EPA's flexible permitting guidance is not mandatory; however, it encourages state and local permitting authorities to use flexible permits where allowed by their regulations, and as resources and needs dictate, he explained. The guidance does not exempt sources from fully complying with requirements of the Clean Air Act or the Operating Permits Program, he cautioned. Mr. Kellam commented that it is natural for communities to be suspicious of companies that lack good environmental programs; therefore, he stated, in addition to having faith in those companies, independent technical review are needed to assist communities in better understanding the issues. He recommended the participation of academic institutions as one way to improve trust between communities and federal and state agencies. He cited the participation of Tulane University's engineering and law departments as an example of how a university can assist communities technically, as well as "energize" them. He noted that Tulane University gained the trust of the community by providing it with engineering support, data calculation and replication, and continuous monitoring and modeling. Mr. Kellam concluded by stating that the bottom line for flexible permitting is to motivate companies to stay underneath the permitted emissions limits and thus reduce the amount of pollution emitted.

Mr. Carmen commented that the biggest challenge for communities that want to participate in determinations for siting new facilities is participating during permit renewal and modification. He stated that any flexible permit program must address those issues, as well as how siting determination is conducted. Ms. Gauna added that public participation, timing, cumulative impacts, and compliance findings are just as relevant and important to the permit renewal and modification process. She mentioned that the permitting guidance makes distinctions between a new siting decision and permit modification and renewal.

3.2 EPA Region 6 Environmental Justice Listening Session

Mr. Richard Moore, Executive Director, Southwest Network for Economic and Environmental Justice (SNEEJ), and Ms. Sunita Singhvi, EPA Region 6, provided an overview of the EPA Region 6 environmental justice listening session held in Houston, Texas, from November 14 through 16, 2002. Ms. Wilma Subra, Louisiana Environmental Action Network and member of the subcommittee, served as the chair for the afternoon discussion.

Mr. Moore began the presentation with a general overview of SNEEJ, its partnership with EPA Region 6, and how that partnership had been formed. Mr. Moore explained that SNEEJ is an independent, grassroots non-profit organization based in New Mexico that initially had struggled with EPA Region 6 over environmental justice issues. He stated that in early 1990, SNEEJ had sent a letter to President George W. Bush and the EPA Administrator, charging EPA with environmental racism. He explained that the letter had expressed SNEEJ's opposition to the proposed changes in the new source review provisions of the Clean Air Act and the proposed rule for preventing significant deterioration and nonattainment.

Mr. Moore noted the struggle between national environmental organizations and grassroots "organizations of color" about environmental issues. He pointed out that often, there are only "subliminal" differences between these organizations about environmental issues and civil issues. Mr. Moore explained that sometimes environmental cases have been litigated as civil cases rather than as environmental enforcement cases. That approach does not give the community the leverage to protect itself, he noted. He then cited several examples of such cases, including children poisoned after eating chipped lead-based paint, pollution from the uranium mining industry, and odor from sewage plants. e

Mr. Moore further commented that in the 1990s, EPA's early environmental justice efforts were not protecting minority groups living in the southwestern United States. Therefore, he said, a coalition of grassroots organizations had requested a meeting with the EPA Regional Administrator. Mr. Moore stressed that the meeting was a crucial beginning for an open dialogue among the groups involved. He noted that trust is a crucial factor which requires communication between all parties involved. Mr. Moore reported that the environmental justice listening sessions now have the endorsement and support of both the Regional Administrator and the Deputy Regional Administrator of EPA Region 6. He stressed the importance of them maintaining an open-door policy. All public institutions must allow people to feel that they are part of the process and that such institutions are accessible to them, he noted. He emphasized the need to build long-term relationships and commitments through consistent participation of all groups.

Mr. Moore ended his presentation by describing the first Region 6 environmental justice listening session as mainly an open-dialogue forum conducted in partnership with representatives of communities; state, tribal, federal, local, and municipal governments; industry; and academia. Mr. Moore stated that a broad number of topics ranging from enforcement, permitting, United States-Mexico joint border issues, and facility siting had been discussed.

Ms. Singhvi also reported on what she termed the success of the environmental justice listening session. She mentioned that the planning committee for the listening session included representatives of various chemical associations, local industry, state agencies, and universities. She also stated that the inclusion of academic institutions was intended to maximize the success of the session. Ms. Singhvi stressed that the listening session's focus had been the public; therefore, she stated, public participation had been highly encouraged. She summarized the main agenda of the session, which included encouraging greater overall participation by various stakeholders, getting certain individuals "on board," and permitting. Discussing difficulties with addressing issues related to the United States-Mexico border, Ms. Singhvi stated that there is a need to go beyond the current approach. She mentioned a report being developed that addresses issues associated with integrating environmental justice into all the United States-Mexico border programs and activities.

Ms. Singhvi concluded by discussing the goals of the listening session, which were to provide the Region 6 environmental justice community; local, state,

tribal, and federal government agencies, and industry with opportunities to communicate and develop strong working relationships and to improve information-sharing among the groups involved.

Ms. Subra concluded by emphasizing the need for states to be represented at environmental justice listening sessions and the importance of getting input directly from the community.

Dr. Mohammad Hatim, EPA Region 2 and a member of the audience, suggested promoting an environmental justice listening session in each state or EPA region. Ms. Singhvi responded by discussing the logistical and resource constraints associated with conducting a listening session in each state or EPA region. She explained that the possibility of having a such sessions in each state would largely depend on the availability of funding. She stated that the Texas listening session had been conducted on a trial basis and that its success could encourage other states to follow suit. In addition, Ms. Singhvi stressed the importance of conducting follow-up work after the listening session. She also stressed the need for discussion panels to include representatives of various stakeholder groups, including environmental justice communities, industries, and states. Ms. Singhvi concluded by stating the need to conduct listening sessions based on state-by-state cases with a focus on local issues and local participation.

Dr. Hatim raised the possibility of expanding the United States-Mexico border region. Ms. Singhvi stated that there EPA had not discussed doing so. She added that she hopes representatives of Puerto Rican communities are able participate in the EPA Region 2 listening session scheduled for March 2003.

In conclusion, Mr. Moore reported that as follow-up to the Texas environmental justice listening session, there are plans to conduct environmental justice training for businesses, communities, and representatives of other stakeholder groups; the trainers would be representatives of grassroots groups and EPA, he said. He mentioned the possibility of partnering with other agencies to conduct the training as one way promote the program. He stressed the importance of promoting ownership of and participation in the program. He concluded by requesting recommendations and feedback from the audience.

3.3 Using NO_x Emissions to Promote Reductions in Ozone Levels

Mr. William Luthans, EPA Region 6 (based in Baton Rouge, Louisiana), spoke briefly about efforts underway to use reductions in NO_x to offset VOC increases to obtain reductions in ozone levels. He reported that EPA Region 6 had conducted a study about the substitution of NO_x for VOCs. Mr. Luthans explained that NO_x was being considered as an alternative because studies have shown that reductions in Nox levels are more effective in promoting ozone quality than reductions in levels of hydrocarbon. Computer models have shown decreasing returns for hydrocarbon reduction on ozone quality, he explained. He pointed out that a 30 percent reduction in hydrocarbons would result in only a 1 part per million reduction in ozone levels. In conclusion, Mr. Luthans stressed the need to identify any concerns the public may have about the offset program and solicit their comments.

4.0 SIGNIFICANT ACTION ITEMS

This section summarizes the significant action items adopted by the Air and Water Subcommittee.

- ✓ The subcommittee agreed to develop a best practices guide that identifies and recommends useful practices for incorporating concerns about environmental justice into the permitting process at the federal, state and local levels. The Permitting Workgroup will continue work on the *Environmental Justice Recommended Practices Guide for Permitting*. New members will be recruited for the workgroup to ensure representation of appropriate stakeholder groups. A first draft of the guide is expected to be completed by fall 2003.