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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 2  
290 BROADWAY  
NEW YORK, NY 10007-1866

APR - 4 2000

Mr. Leon Sedefian  
Air Pollution Meteorologist V  
New York State Department of Environmental Conservation  
Impact and Assessment & Meteorology Section  
80 Wolf Road, Room 400  
Albany, New York 12233-3253

Re: Environmental Justice Analyses for Clustered Sources

Dear Mr. Sedefian:

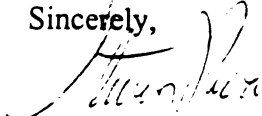
On February 11, 1994, President Clinton signed Executive Order 12898 on Federal actions to address Environmental Justice in minority populations (including tribal nations) and low income populations with the goal of achieving environmental justice. That order is also intended to promote non-discrimination in Federal programs substantially affecting human health and the environment, and to provide minority communities and low-income communities access to public information on, and an opportunity for public participation in, matters relating to human health or the environment.

The Prevention of Significant Deterioration (PSD) of Air Quality Regulations is a Federally delegated program in the State of New York where environmental justice needs to be addressed. As such, it is recommended that environmental justice is addressed in all of your PSD permit applications and made part of the administrative record for public review. This is particularly important at a time where, it has come to our attention that there are a number of sources proposing to construct in the vicinity of each other. Most of these sources have accepted permit limits which would minimize their air quality impacts so that cumulative impacts from other sources need not be addressed. From an environmental view point, this is acceptable since the goal of establishing permit limits is to reduce impacts on the environment. However, although individual source impacts are below modeled significant impact levels, we believe it is prudent to take precautions that examine the cumulative effects from the new sources in order to assess whether there are impacts on a potential environmental justice community.

We recommend that each applicant perform an environmental justice analysis as part of the PSD application in order to assess whether there is a disproportionately high and adverse impact on a minority or low income community. We recommend that the applicant perform such an analysis by modeling its impact (even if the maximum impacts are below significant impact levels) with the combined impact of any other existing or proposed significant source in the area so that a judgement could be made as to whether there is a disproportionately high and adverse burden on the nearby community. At a minimum, the analysis should include isopleths of the

concentrations which identifies the combined maximum impact overlaid on top of a demographic map which depicts the percent minority and income level. It is also useful to include a windrose of the meteorological data. On March 23, 2000 we mailed you copies of environmental justice analysis summaries which were performed for 2 sources in Puerto Rico. In these cases, in addition to the modeled impacts, the total amount of air toxics emissions were gathered through the TRI data base. We recommend that your office gather similar information. If you would like to discuss this letter further please contact Annamaria Colecchia of my staff at (212) 637-4016.

Sincerely,



Steven C. Riva, Chief  
Permitting Section, Air Programs Branch