

## 1. Introduction and summary

- A. Briefly describe EO 12898, “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations,” etc.

The U.S. Environmental Protection Agency (EPA), Region 2, has performed an Environmental Justice (EJ) analysis in accordance with the President’s Executive Order 12898 “Federal Actions to Address Environmental Justice in Minority Population and Low-Income Populations” following the Regional Policy. Environmental Justice is the right to a safe, healthy, productive and sustainable environment for all, where “environment” is considered in its totality to include the ecological, physical, social, political, aesthetic and economic environments.

Executive Order 12898 (the “Order”) was signed by President Clinton on February 11, 1994, to focus federal attention on the environmental and human health conditions of minority and low-income populations with the goal of achieving environmental protection for all communities. The Order directed federal agencies to develop environmental justice strategies to help federal agencies identify and address disproportionately high and adverse human health or environmental effects of their programs, policies and activities on minority and low-income populations. The Order is also intended to promote nondiscrimination in federal programs substantially affecting human health and the environment, and to provide minority and low-income communities’ access to public information in matters relating to human health. The Order underscores certain provisions of existing law that can help ensure that all communities and persons across the nation live in a safe and healthful environment.

It is important to note that the major tenet of environmental justice is the fair treatment and meaningful involvement of the affected community in carrying out the Agency’s and the Region’s programs, policies and activities. Fair treatment and meaningful involvement should not be understood to mean preferential treatment for certain communities. Rather, these principles should be understood to mean the Agency and Region will continue to provide equal protection and access to information to all served communities. Fair treatment and meaningful involvement may include, but not be limited to ensuring to the extent possible and practicable, the following:

- that notices about public meetings are disseminated in local media used by the community, and that such notices are translated into appropriate languages other than English, if a community is largely non-English speaking;
- that environmental laws are enforced equally in all communities;
- that Regional managers and their staff understand and are aware of cultural differences and unique dependence some communities, such as tribal nations and indigenous peoples, have upon their land for subsistence fishing and hunting; and
- that communities have access to accurate, timely and reliable information.

B. Summarize the factual conclusions of the EJ analysis and any linkages to proposed permit terms or other permit outcomes

*The most notable flag that came of the EJSCREEN indexes is related to traffic proximity. The 1-mile area around the facility does not exceed the 80<sup>th</sup> percentile for any other EJ index. The community is largely composed of a minority population with demographic indicators that are less than those of the state as a whole.*

*Considering the demographic composition as well as the EJ indexes, this area would be classified as community of potential EJ concern.*

## 2. Proposed permitted activity and regulatory framework (Worksheet section)

A. Describe the requested permit action (e.g., new permit or renewal), the facility and the applicable regulatory framework (e.g., CAA/PSD, CWA/NPDES, SDWA/UIC, RCRA, TSCA)

CWA / NPDES PRASA Permit Renewal

B. Note other types of permits required by EPA statutes (e.g., PSD, NNSR, NPDES, UIC, RCRA, TSCA) that are in place or are being sought for the same facility, and the agency responsible for issuing that permit or identified by the permit applicant (e.g., EPA, state or local agency), as indicated by EPA's ECHO database [ <https://echo.epa.gov>, select "Single Facility Search"]

N/A

## 3. Geographic area(s) identified by screening step per Regional Implementation Plan

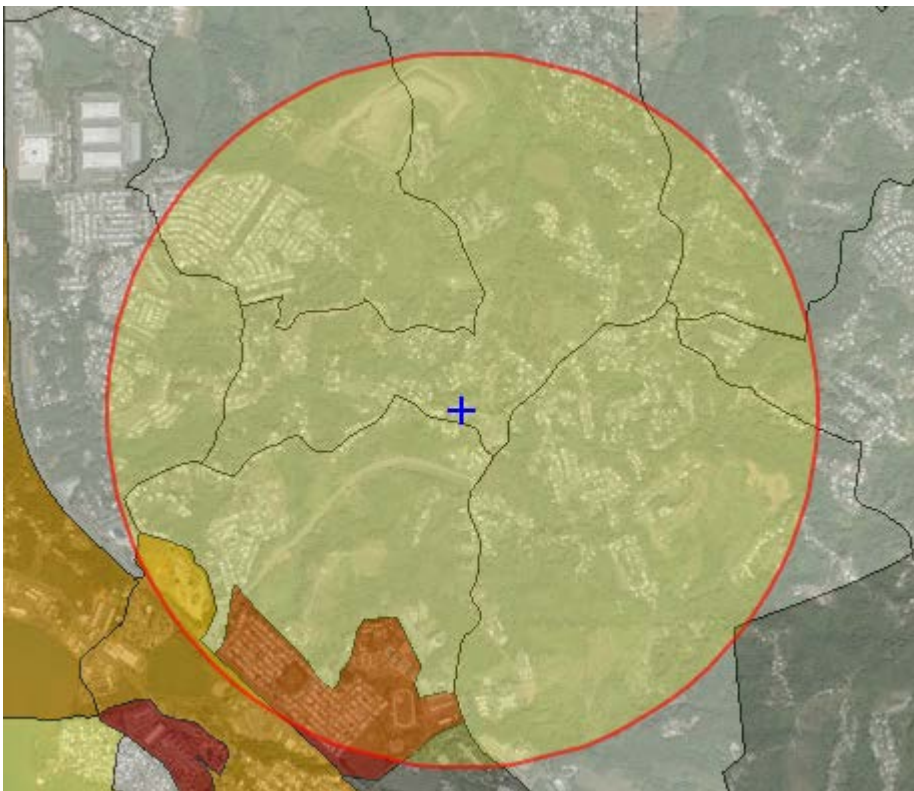
A. Identify area(s) (with maps, if practicable) near the facility that the EJ in Permitting screening process has prioritized for EJ analysis.



Pictured above: Expanded aerial view of PRASA Mirtadero facility. Through this view you can clearly see private residences in close proximity to the water treatment plant.

| Selected Variables                          | State Percentile | EPA Region Percentile | USA Percentile |
|---|------------------|-----------------------|----------------|
| <b>EJ Indexes</b>                           |                  |                       |                |
| EJ Index for PM2.5                          | N/A              | N/A                   | N/A            |
| EJ Index for Ozone                          | N/A              | N/A                   | N/A            |
| EJ Index for NATA* Diesel PM                | 26               | N/A                   | N/A            |
| EJ Index for NATA* Air Toxics Cancer Risk   | 21               | N/A                   | N/A            |
| EJ Index for NATA* Respiratory Hazard Index | 23               | N/A                   | N/A            |
| EJ Index for Traffic Proximity and Volume   | 91               | N/A                   | N/A            |
| EJ Index for Lead Paint Indicator           | 69               | N/A                   | N/A            |
| EJ Index for Superfund Proximity            | 22               | N/A                   | N/A            |
| EJ Index for RMP Proximity                  | 12               | N/A                   | N/A            |
| EJ Index for Hazardous Waste Proximity*     | 40               | N/A                   | N/A            |
| EJ Index for Water Discharger Proximity     | 5                | N/A                   | N/A            |

EJ Indexes are pictured above. Traffic proximity and volume is the only index that exceeds the 80<sup>th</sup> percentile.



EJSCREEN Map displaying EJ Index for Traffic Proximity (1 mile radius)

B. Explain how the area(s) were identified (e.g., use of EJSCREEN; information contained in the permit application or developed by the permitting program indicating areas of pollution impacts/plumes)

The aerial photo of the facility and the surrounding area was pulled from ECHO. Using the EJSCREEN report for the area within 1 mile of the facility, it was possible to determine the EJ indexes that exceeded the general rule of the 80<sup>th</sup> percentile.

**4. Description of communities identified by screening step (Worksheet section 4)**

A. Social Demographics. This information, in conjunction with the health information below, may help identify a community’s potential vulnerabilities.

The community surrounding the facility is largely made up of a minority population – This is typical of Puerto Rico. All other demographic indicators fall well below the state average. The numbers can be seen in outlined section of the table below.

| Selected Variables  | Value | State Avg. | %ile in State | EPA Region Avg. | %ile in EPA Region | USA Avg. | %ile in USA |
|---|-------|------------|---------------|-----------------|--------------------|----------|-------------|
| <b>Environmental Indicators</b>                                     |       |            |               |                 |                    |          |             |
| Particulate Matter (PM 2.5 in µg/m <sup>3</sup> )                   | N/A   | N/A        | N/A           | N/A             | N/A                | N/A      | N/A         |
| Ozone (ppb)   | N/A   | N/A        | N/A           | N/A             | N/A                | N/A      | N/A         |
| NATA* Diesel PM (µg/m <sup>3</sup> )                                | 0.391 | 0.761      | 52            | N/A             | N/A                | N/A      | N/A         |
| NATA* Cancer Risk (lifetime risk per million)                       | 30    | 34         | 48            | N/A             | N/A                | N/A      | N/A         |
| NATA* Respiratory Hazard Index                                      | 0.78  | 1.1        | 45            | N/A             | N/A                | N/A      | N/A         |
| Traffic Proximity and Volume (daily traffic count/distance to road) | 210   | 140        | 82            | N/A             | N/A                | N/A      | N/A         |
| Lead Paint Indicator (% Pre-1960 Housing)                           | 0.27  | 0.15       | 85            | N/A             | N/A                | N/A      | N/A         |
| Superfund Proximity (site count/km distance)                        | 0.066 | 0.15       | 44            | N/A             | N/A                | N/A      | N/A         |
| RMP Proximity (facility count/km distance)                          | 0.9   | 0.51       | 85            | N/A             | N/A                | N/A      | N/A         |
| Hazardous Waste Proximity* (facility count/km distance)             | 0.015 | 0.06       | 0             | N/A             | N/A                | N/A      | N/A         |
| Water Discharger Proximity (facility count/km distance)             | 1.4   | 0.41       | 94            | N/A             | N/A                | N/A      | N/A         |
| <b>Demographic Indicators</b>                                       |       |            |               |                 |                    |          |             |
| Demographic Index   | 81%   | 86%        | 21            | N/A             | N/A                | N/A      | N/A         |
| Minority Population   | 99%   | 99%        | 21            | N/A             | N/A                | N/A      | N/A         |
| Low Income Population   | 63%   | 73%        | 21            | N/A             | N/A                | N/A      | N/A         |
| Linguistically Isolated Population                                  | 57%   | 70%        | 16            | N/A             | N/A                | N/A      | N/A         |
| Population With Less Than High School Education                     | 20%   | 28%        | 30            | N/A             | N/A                | N/A      | N/A         |
| Population Under 5 years of age                                     | 2%    | 6%         | 15            | N/A             | N/A                | N/A      | N/A         |
| Population over 64 years of age                                     | 17%   | 16%        | 59            | N/A             | N/A                | N/A      | N/A         |

B. Environment/Land Use Information. This information can help determine whether a community may be considered overburdened from other sources of pollution not directly related to the action being permitted and also identify potential pathways for exposure.

Looking at the Environmental Indicators in the map above, we can see that the indexes for Water Discharge Proximity, RPM proximity and Lead Paint Indicator exceed the 80<sup>th</sup> percentile.



*Using NEPAAssist, we can see that there is a school in close proximity to the facility.*