

Illinois Environmental Justice Advisory Group

Meeting Minutes-July 27, 2005

1:30 – 3:30

The 1st meeting of the Illinois EJ Advisory Group was held at the Illinois EPA Headquarters in Springfield on the above date and time. The moderator/facilitator was Ken Page.

Attendees at Illinois EPA:

1. Don Shandy, Kerr-McGee
2. Kathy Andria, American Bottom Conservancy
3. Andy Rathsack, American Council of Engineering Companies in Illinois
4. Keith Harley, Chicago Legal Clinic
5. Joe Schatteman, Illinois Municipal League
6. DK Hirner, Illinois Environmental Regulatory Group
7. Emeritus Professor Peter Wenz, University of Illinois at Springfield
8. Lisa, Chemical Industry Council of Illinois
9. Alan Waltz, USEPA Region 5
10. Ken Page, IEPA
11. Ron Burke, IEPA
12. Bill Child, IEPA/BOL
13. Chris Pressnall, IEPA/DLC
14. Charles Gunnarson, IEPA/DLC
15. Don Sutton, IEPA/BOA
16. Rick Cobb, IEPA/BOW
17. Scott Phillips, IEPA/DLC
18. Kurt Neibergall, IEPA/CR

BOL-Bureau of Land; BOA-Bureau of Air; BOW-Bureau of Water; DLC-Division of Legal Counsel and CR-Community Relations

Attendees by Conference Call:

1. Dr. Irene Brodie, Mayor, Village of Robbins
2. Sarah Shipp-Parran, Economic Youth Committee for Economic Recovery
3. Maggie Rice, Chicago Department of Environment
4. Lana Varner, Freeport Citizens EJ Group
5. Cheryl Johnson, People for Community Recovery
6. Dorian Breuer, Pilsen Environmental Rights and Reform Organization
7. Abbas Hassain, Reduce Recidivism by Industrial Development, Inc.

- I. Welcome by Ken Page and Ron Burke
- II. Introductions:

Everyone in the conference room was introduced as well as the attendees on the conference call.
- III. Handouts:

All attendees at the Illinois EPA building were given a folder which contained the draft EJ policy, draft Public Participation policy, list of advisory group members, advisory group FAQ's and English and Spanish documents that are on the EJ webpage.
- IV. Ground Rules were introduced to the group. Asked that all adhered to the ground rules paying special attention to #10 " We will keep our focus on our goals, avoiding sidetracking, personality conflicts and hidden agendas. We will acknowledge problems and deal with them".
- V. Discussion:
 1. Draft Public Participation Policy
 - a. It was suggested that the term EJ area be changed to Potential EJ area – supported by the Advisory Group.
 - b. Question: What type of permits will be covered by this policy? IEPA indicated the intent is for the policy to cover the larger permits issued. IEPA will look at permits that require public notice.
 - c. Question: How are EJ areas determined? The IEPA currently uses the demographic data provided by USEPA, which has historically relied on race and income data. However, USEPA is considering (and since this meeting has proposed) changes to its definition and approach to EJ that will no longer rely on such demographic data. The advisory group agreed their needs to be agreement on how to define potential EJ areas. USEPA agreed to provide a map based on race and income data. Also, USEPA web site includes Enviromapper (www.epa.gov/enviro/ej), which provides information about demographics and environmental conditions by zip code, county, etc.

- d. Question: How is minority defined? USEPA uses the definition from the census.
- e. It was suggested that the EJ Public Participation policy also apply to enforcement actions and citizen complaints. For example, make enforcement actions known to nearby residents and potential EJ areas. There are significant constraints on how much the public can be involved in ongoing enforcement actions. The public has the right to know progression of investigation, but enforcement discretion is important. IEPA indicated it attempts to follow up with all complainants, but IEPA doesn't always find a problem upon investigation so that may not solve the complainant's issue(s). It was suggested that IEPA should contact community at large rather than just the complainant.
- f. IEPA pointed out that this draft policy encourages permit applicant(s) to meet with community stakeholders to promote open dialogue early and other strategies to ensure early communication in potential EJ areas. IEPA supports good neighbor relations with industry and communities. IEPA will provide examples of good neighbor agreements. Kerr-McGee was recognized for their good work in communities and their good neighbor agreements. Comment: Most companies want to encourage good communication but it's difficult to get to the facts of complaints.
- g. Comment: Expectations from the regulated community need to be laid out up front in this policy.
- h. Comment: USEPA decisions are mostly good but officials are not always in concert w/community in their actions. How does USEPA handle outside influences that may impact local decisions?
- i. Question: Where did the decision regarding the radius for air permits (5 miles) come from? This radius is not set in stone and is open for discussion.

VI. Open Discussion/Questions

1. It was suggested that IEPA's communication with EJ groups and community people is inadequate. The Freeport EJ group has not received sampling data from IEPA. Communication breakdown between agency and community
2. Also suggested that IEPA make as much information available to the public as possible.
3. Suggestion for more frequent meeting at the beginning of this process. Next meeting will be held in six weeks.
4. Suggested to send everyone a membership list with contact information.
5. Suggested to form an email list serve for the group. This will allow group members to communicate and share ideas.

VII. Next Meeting Date and Location

The next meeting will be in about six weeks. The location will be in the Chicago area. Seeking locations from the group. Will provide several dates.

VIII. Future Discussions

1. Brownfields and EJ – how better to utilize Brownfields in EJ communities and how to improve upon what is currently being done.
2. Plain language summary of permit applications
3. Community “Right-To Know” legislation, how is this tied to enforcement-related actions? What is the public participation in the Right-To-Know legislation? Group should look at how those coincide. This legislation will play a role in dissemination of information.
4. Draft EJ Policy.

