

ILLINOIS COMMISSION ON ENVIRONMENTAL JUSTICE

MEETING MINUTES

Wednesday, June 5, 2024 (1:00 pm – 3:00 pm)

I. Welcome

- *Brief Opening Remarks:* Paulina Lopez Santos, Office of Environmental Justice, Illinois Environmental Protection Agency (IEPA) – welcomed Commissioners and meeting attendees.
 - Commission meetings are open to the public and are recorded. Meeting minutes and recordings are posted on the IEPA webpage.
 - Introduced and turned to Chair Kim Wasserman to facilitate the meeting.
- *Host/Facilitator:* Kim Wasserman, Commission on EJ Chair & Executive Director of the Little Village Environmental Justice Organization (LVEJO) – Introduction, welcome, roll call.

II. Introductions/Roll Call

Ex-officio Members, State Agency Directors or Designees

- Chris Pressnall (designee) – Illinois Environmental Protection Agency (IEPA)
- Isabel Velez-Diez (designee) – Illinois Department of Commerce and Economic Opportunity (IDCEO)
- Gerrin Cheek Butler (designee) – Illinois Department of Public Health (IDPH)
- Illinois Department of Natural Resources (IDNR) – Not present
- Illinois Department of Transportation (IDOT) – Not present
- Illinois Department of Human Services, House Office (IDHS) – Not present

Elected Officials

- Representative Kimberly DuBuclet – State Representative 5th District

Governor Appointed Commissioners

- Marcus Jordan – Diversity, Equity, Inclusion for Operating Engineers Local 150 and Indiana, Illinois Iowa Foundation for Fair Contracting
- Chynna Hampton – Equity Director, Climate Jobs Illinois in affiliation with the Illinois AFL CIO
- Donovan Griffith – Vice President of Government Affairs, Illinois Manufacturers Association
- Ashish Sharma – Climate and Urban Sustainability Lead at Discovery Partners Institute & Climate Scientist, University of Illinois System
- Andrew Armstrong – Chief of Springfield Environmental Bureau, Illinois Attorney General's Office
- Victoria Wilson – President & CEO, Naturally Urban Environmental Inc., & Commissioner on Cook County's Environmental Sustainability Commission
- Dulce Ortiz – Clean Power Lake County

III. Agenda

Blacks in Green (BIG) Thriving Communities Technical Assistance Center (TCTAC), Naomi Davis & Trey Scott

- Blacks in Green has been a community-based organization based in Chicago with a national network for 17 years.
- Partners are Environmental Health Watch, Black Environmental Leaders, UIC, U of I School of Public Health, Smart Energy Design Assistance Center, and Midwest Tribal Energy Resources Association
- Big TCTAC Menu of Services Focus Areas
 - Organizational Capacity Building
 - Grant Seeking Support
 - EJ Project Implementation
- Prepare to tap into trillions in funding
 - Monthly Lunch & Learns to learn how to prepare paperwork.
 - Monthly Matchmaker Mixers to meet municipal partners (Invest.gov, Build.gov Cleanenergy.gov)
- BIG Menu of Services
 - Grant Seeking Support
 - Capacity Building
 - Community Engagement Assistance (Empowering the Community)

- EJ Project Implementation

Discussion/Q&A

- Question, Delia Barajas (Cicero): What about general projects like Illinois EPA informing EJ communities when industries are in violation?
 - Answer: Organizations like Chicago Environmental Justice Network (CEJA) work on issues related to regulatory progress or enforcement. Organizations that are doing that work can get money and other support for various projects. If you want to focus on violations or failure to enforce, TCTACS can support those projects.
- Follow up question: There are more specific items, including violations in our community. Do the TCTACS help with that?
 - Answer: Yes, we help with those types of activities.
- Question, Victoria Wilson: How can IEPA EJ Commission assist in getting the word out regarding services you offer? How can we encourage more project development at the state level to give back regarding something that maybe we can propose as one of our target goals at this commission to focus on.
 - Answer: If there is project implementation, projects on the Commission that are beneficial to EJ communities, there is matchmaking with government and industry, to advance community interest. We also have a newsletter to get the word out. We can get together to plan. We want to be facilitators.
- Question, Paulina Lopez-Santos: You mentioned there are 179 clients in the state of Illinois. Do you have a document that lists the projects that those clients are pursuing and the types of technical assistance they're requesting? The EJ Commission could potentially analyze those projects and work to reinforce some of the most common projects.
 - Answer: We have an unpublished granular database of what we are working on, but we could give you a short white paper of what we have by category, to bring a lens and a spotlight. There are ways we are looking at this in this early stage of how to bring government to the table and how we match them up with communities in need and really empower community-based organizations through funding and other resources to advance initiatives with government.
- Question, Ashish Sharma: Helpful for me to know which are the communities seeking technical assistance and what are the focus areas? Also, what are the efforts in big areas to address environmental concerns. And what are the distributions of those throughout the region?
 - Answer: This is a next step in our level of organizing services. This is a high leverage opportunity now. We can sit down with you and other agencies. We also have a spreadsheet of government offices that we want to make sure they have the word. We can publish and share the locations of organizations as well as their requests and priorities.

Illinois EPA Office of EJ (OEJ) Updates, Chris Pressnall

- Enhancements to Illinois EPA EJ webpage
 - Grant opportunities
 - Posting of EJ notification letters online starting May 1, 2024
- EJ Enforcement Policy
 - Finalizing + goal is to post and implement by end of year
- General Iron Informal Resolution Agreement, several deliverables
 - Enhanced Public Participation Plan
 - Revised Language Access Plan
 - Plans are being discussed with the attorneys of the complainants, as well as U.S. EPA. These are due to go out to public notice and comment. We can discuss at the next Commission meeting. Language Access Plan and Disability Access Plan which are already out there but are being revised.
- Carbon capture & sequestration legislation
 - Passed by the Illinois legislature although it may not have been signed by the Governor yet.

- Creates an EJ grant program, which we currently don't have in Illinois. Illinois EPA OEJ does not have independent funding.
- 24% of carbon sequestration fees will be diverted to this fund, which creates a grant program. The dates are years down the line, but exciting, nonetheless.
- Legislation calls out the EJ Commission, reviewing progress reports on carbon sequestration.
- This is for December 1st 2028.

Discussion/Q&A

- Question, Delia Barajas (Cicero): Will you be including EJ communities like Cicero in plans?
 - Answer, Chris: Yes. The idea is to be more transparent in general throughout various points. The plans are all statewide plans, apply to all of Illinois.
- Question, Delia Barajas (Cicero): Why can't the Illinois EPA shut down industries that continue to harm our families over and over?
 - Answer, Chris: That is a complex question. When we find violations, we refer those to the Illinois Attorney General's Office and then it goes into the legal process. Andrew, do you have anything you'd like to add, or anybody else from the Attorney General's Office (AGO)?
 - Andrew Armstrong, AGO – When IEPA finds violations of the Illinois Environmental Protection Act, those get referred to the AGO for enforcement. That process can take time while drafting and filing a court complaint. Any relief out of the defendant, they have to agree to it, or a court order is then needed to get them to do that. If the company does want to fight that, that can take a long time to try to get them into compliance.
- Follow-up question, Delia Barajas (Cicero): So then how do we protect our families, if this is such a long process, as it is with Koppers and now Electric Plating. In those years, this is all impacting our families. So is there not a way to protect our families?
 - Andrew Armstrong, AGO – To get relief from a facility, we need to go through the established court process. The Illinois Environmental Protection Act does have citizen complaint procedures. With respect to the AGO enforcement work however, the established channels need to be followed.
- Question: How often are EJ assessments conducted in Illinois industries.
 - Answer, Chris – In the Informal Resolution Agreement, IEPA has agreed to do EJ assessments for certain permits. It gets technical and is specific to major source or potentially major source, construction permits. Some of those assessments that have occurred are in the St. Louis Metro East area. This is a new development as well.
- Question, Victoria Wilson: Can we restate the focus and mission for this Commission specifically, so that we can refresh those who are new, and to make sure we are on task and focused on what our goals are?
 - Answer, Chris: Yes. The link to our Commission on EJ flyer that outlines the mission is in the chat.
- Question/Comment, Juliana Pino, LVEJO: Thank you for the call to refocus. I do want to go back briefly to the CCS legislation. LVEJO worked on it alongside several other stakeholders in negotiation with the Governor's Office. A role for the EJ Commission explicitly and partly because this legislation emerged in a vacuum of regulation around CCS where the federal government put out large incentives for those activities that are highly underregulated in most states, as well as other issues like how companies are going to track and plan their intended capture activities. Important for the Commission to be involved in reviewing the progress of capture activities, including federal and state statutory requirements, reviewing proposals, and understanding proximity to EJ communities as well as thinking through the potential impacts for economically disadvantaged communities, etc., and how public participation processes associated with permitting could provide transparency and meaningful participation for EJ and other communities. Also gives the Commission space to make recommendations

Additional Discussion/Q&A

- Question, Clarification on dates for IEPA plans to go out for public comment?

- Answer: Enhanced Public Participation Plan will go out for public comment on July 13th. 30-day comment period. Language Access Plan out for public comment around September 11th. **Timeline subject to change**
- Question/Comment, Kim Wasserman: Although the Commission isn't meeting at that time, might be a place where Commissioners can collectively put together some comments to give back to the IEPA regarding public participation. I want to flag this opportunity to provide public comment for Commissioners. I would ask folks to think about the role of the Commission as well as the amount of people who have come to our meetings to express concern about how things have happened in the State. There has been public commentary given to us. It might benefit us to collectively, as a Commission, submit comments to that public participation process.
 - Answer from Commissioners generally: Commissioners in support of getting together to discuss providing comments as a Commission. Rules of the EJ Commission align greatly with this task – advising state entities on EJ-related policies, plans, laws, etc.
- Question/Comment, Andrew Armstrong (AGO): There has not been an annual report from the Commission for a while. I believe the last one was 2018. Should we also talk about that at our upcoming meeting? Additionally, given we are almost at quorum, should we also form a subcommittee to look at our work plan for 2025 to map things out?
 - Answer from Commissioners generally: In support of developing a workplan, vision for 2025 and including in report.

Update and Discussion on Potential EJ Questions for State Agencies

- Kim Wasserman: Discussion on the EJ-related questions created for state agencies. Initially developed a few years ago to get a basic understanding of state agencies' development of EJ offices, programs, efforts, and initiatives. Open discussion on updating and revisiting these questions. Questions/thoughts? Open discussion.
 - Answer, Andrew Armstrong: Yes. Also, ask agencies how they define environmental justice and if it has a policy, what screens it would use for identifying EJ communities.
 - Answer, Juliana Pino (in chat): Are any of these agencies currently getting public input into their EJ work? What is public facing and what is going on exclusively behind agency doors?
 - Answer, Victoria Wilson: Additional funding coming from the federal government, new departments being developed, and who the points of contacts are at each agency, how they are engaging with the IEPA and other EJ divisions. How are state agencies working together. Would help Commission in defining work plan actions.
 - Answer from Commissioners generally: In support of updating and revisiting the questionnaire and voting on it at the next Commission meeting.

IV. Next Meeting Dates and Location

- The Commission agreed to meeting again on Tuesday, July 16th to discuss the Illinois EPA's Draft Enhanced Public Participation Plan (**Timeline subject to change**) and to vote on the State Agency EJ Questionnaire.

V. Adjournment