

USING ENVIRONMENTAL LAWS AND ADR TO ACHIEVE ENVIRONMENTAL JUSTICE IN YOUR COMMUNITY

EJ Hooks Fact Sheet

STEP ONE: Develop a summary of the environmental justice problem you want to address

- What people are affected (e.g. neighborhoods, workers)?
- What are the demographics (e.g. race, ethnicity, income status, age)?
- What environmental media are affected (e.g. land, water, air)?
- What is the route of exposure (e.g. drinking water, recreation)?
- How are people affected (e.g. illness, jobs)?

STEP TWO: Form a Community-Based Participatory Research and Action (CBPRA) Steering Committee

- **Task One:** Hold community focus groups or other similar activity on the problem
- **Task Two:** Identify potential representatives for the Steering Committee (note: at least 51% should be community representatives)
- **Task Three:** Identify and invite potential collaborative partners with demonstrated concern about your problem. Select as needed and as appropriate to your circumstances from the following:
 1. Multi-disciplinary academics
 2. Multi-agency/governmental/non-governmental (e.g. representatives of health departments and/or clinics, local government, state regulatory agency, U.S. EPA, multi-business)
- **Task Four:** Conduct CBPRA Training for Steering Committee
- **Task Five:** Develop principles for collaboration

STEP THREE: Building Your Case

- **Task One:** Conduct research on community knowledge (anecdotal data) including residents and workers.
- **Task Two:** Conduct research on existing regulatory and technical data and identify data gaps
 1. Pollution Permits, Emissions and Compliance (local, state and federal)
 - Air, water, and soil
 2. Environmental Pollution
 - TRI, EPCRA
 3. Chemical Accidents
 - EPCRA
 4. Worker Issues/Worker Information
 - Recorded injuries, lost-time accidents and other injury categories for permanent and temporary employees; OSHA safety compliance inspection records; regulatory citations, notices, penalties.
 - Worker interviews on facility practices for both current and former workers (confidentiality may be needed)
 5. Environmental Assessments and Investigations
 - State Regulatory Agency
 - EPA
 - Property or ownership transactions

- **Task Three:** Conduct dialogue session(s) with the Steering Committee and other community members
 1. List and discuss all problems
 2. Discuss feasibility of any proposed actions
- **Task Four:** Conduct research on health concerns
 1. Develop health fact sheets for each on-site chemical's potential adverse health impacts (e.g., low-level exposure, high-level exposure)
 2. Research available health data on impacted community (e.g. ADD/ADHD and special education data; respiratory health data; cancer data; other available health data; community perceptions about health)
 3. Identify data gaps
 4. Identify cumulative risk and impacts and community vulnerability: *health of impacted community; income; access to health care; marginalization; duration of exposure, considering all media and exposure routes; environmentally related diseases; reproductive and developmental concerns*
- **Task Five:** Perform data analysis
 1. Develop an analytical report of all data, e.g., environmental, health, socio-economic, cumulative risks assessment
 2. Show data on blown-up maps and on GIS
- **Task Six:** Hold full-day Steering Committee meeting to review data and decide next steps
 1. What are the biggest concerns?
 2. What remedies does the community want?
 3. What responses will be most effective?

STEP FOUR: Develop a plan of action

- Identify points of leverage (legal and political)
- Identify additional collaborative partners (traditional and untraditional)
- Identify all strategies that may be effective
- Rank effective strategies
- Determine course of action

STEP FIVE: Getting Community Buy-In

- Present all data collected to impacted community (maps will provide powerful visual)
- Present concerns by priority and proposed remedies
- Provide opportunity for community input and buy-in
- Conduct other activities to inform larger community

STEP SIX: Getting to the Table

- Present data to industry of concerns and propose remedies
- Point out potential for mutual gains
- Propose ADR
- Ensure that community has capacity to participate in ADR