

**Summary Minutes of the  
U.S. Environmental Protection Agency  
Science Advisory Board  
Environmental Justice Technical Guidance (EJTG) Review Panel  
Teleconference  
July 22, 2014**

**Purpose:**

To discuss the Science Advisory Board (SAB) Panel's draft report on EPA's *Draft Technical Guidance for Assessing Environmental Justice in Regulatory Analysis (May 1, 2013)*.

**Participants**

**EJTG Review Panel Members:**

Dr. H. Keith Moo-Young (Chair)  
Dr. Troy Abel  
Dr. Gary Adamkiewicz  
Dr. Sue Briggum- not present  
Dr. Linda Bui,  
Dr. Elena Craft  
Dr. Michael DiBartolomeis  
Dr. Neeraja Erraguntla  
Dr. Richard David Schulerbrandt Gragg  
Dr. Michael Greenberg  
Dr. James K. Hammitt  
Dr. Barbara L. Harper  
Dr. Cecilia Martinez  
Dr. Eileen McGurty  
Dr. James Sadd  
Dr. Douglas Noonan  
Dr. Thomas L. Theis  
Dr. Randall Walsh

**Designated Federal Officer:** Dr. Suhair Shallal

Other Attendees: see Appendix A

**Meeting Materials and Meeting Webpage:**

The materials listed below may be found on the meeting webpage at:

<http://yosemite.epa.gov/sab/sabproduct.nsf/MeetingCal/2A3D351855C9828A85257CF600586C54?OpenDocument>

- Agenda
- Federal Register Notice
- Charge Questions
- Agency
  - Agency Comments on the draft report of the EJTG Review Panel.

## Meeting Summary:

The discussion followed the general plan as presented in the meeting agenda.

### Opening Remarks

Dr. Shallal convened the teleconference and took the roll. She announced that all panel members were present or would join the teleconference shortly. She stated that this was the third meeting of the EJTG Review Panel. Dr. Shallal explained that the SAB Environmental Justice Technical Guidance (EJTG) Review Panel operates under the authority of the Federal Advisory Committee Act (FACA). The SAB panel consists entirely of special government employees appointed by EPA to their positions. As government employees, all the members are subject to all applicable ethics laws and implementing regulations. She stated that for this SAB advisory activity, no conflict of interest or loss of impartiality issues were identified.

She then reminded the participants that all meeting materials were available on the SAB website. She turned the meeting over to Dr. Keith Moo-Young, Chair of the EJTG Review Panel, to continue with the agenda. Dr. Moo-Young reviewed the agenda and explained the purpose of the meeting was to review the draft report of the panel. Dr. Moo-Young then invited the EPA representatives to begin their presentation.

### Agency comments

Mr. Charles Lee, Office of Environmental Justice, was the first speaker. In brief, he thanked the panel members for their comments and recommendations. He noted that this was the EPA's first attempt to write such a guidance. He also stated that the panel's input will be useful and very important for informing future revisions of the guidance.

The next speaker was Dr. Kelly Maguire of the Office of Policy (presentation posted on the SAB website). She also thanked the panel members for their advice and recommendations and noted that there were 5 areas in the report where the agency is seeking clarification. These include: the framework for risk assessment; the use of qualitative and quantitative data; cumulative risk assessment; contributors and driver of EJ; and, when should EJ analyses be conducted. She also asked the panel to include examples to assist analysts in conducting EJ analyses.

Panel members noted that Cumulative Risk Assessment (CRA) for the agency has traditionally focused on chemical mixtures. For EJ analyses, it is necessary to include non-chemical stressors such as social and economic factors. A more holistic approach is required. An example of such an approach being recommended by the panel is the use of health impact assessments (HIA); however, members agreed that there are few applications of HIA in the U.S. but that there may be examples in other countries.

Panel members asked if there was a database of areas or communities that have been identified as having EJ issues. EPA representatives responded that the agency is developing a screening tool to identify which areas may be more heavily impacted by both chemical and non-chemical sources.

### Public comments

The next agenda item was the public comments session. There were no members of the public that had registered in advance to speak on the teleconference. Dr. Moo-Young offered an opportunity to members of the public that were listening on the teleconference line to present oral comments for the panel's consideration. No one indicated that they were interested in offering any comments.

### Discussion of the panel's draft report

Dr. Moo-Young then suggested that the discussion of the report should begin. He stated that he would like to complete the discussion of the responses to the charge questions first, then discuss the executive summary and finally the letter to the Administrator. He called on the lead discussants for each charge question to provide comments, followed by comments from other team members and then other panel members. Panel members agreed to the following edits:

#### Question #1

Panelists agreed that the definition presented in the report for qualitative versus quantitative data was limited. It was inadequate to equate these types of information to textual versus numeric data. Panel members suggested that instead of providing a definition, the report should include references that clarify the differences. Examples of HIA were also suggested, as well as references that highlight "best practices" for ensuring public involvement.

#### Questions # 2 and #3

Panel members recommended that the discussion of the quality of the data should be amplified. The use of the terms "statistical power" should be replaced by "sample size."

#### Question #4

The panel agreed that the section beginning on page 22, line 25 would be re-written by Dr. Sadd and the statement on page 24, line 16 should be removed.

#### Question #6

No changes needed

#### Question #7

The panel decided that the statement "premature inclusion of contributors and drivers" would be removed and a further clarification would be provided by Dr. Briggum. The sentences on page 31, line 27 to page 32, line 2 would be removed, and new language would be provided by Drs. Briggum, Gragg and Abel. Dr. Walsh would re-write the section on page 30, lines 25 to 31.

#### Question #8

The panel agreed to clarify what is meant by "cumulative risk assessment should include non-chemical stressors." Dr. Erraguntla would provide language about the need for systematic review to strengthen the validity and credibility of assessments. Dr. Harper would provide the citation for Figure 1.

#### Questions #9 and #10

The panel agreed that the statement on page 38, line 23 should be removed. Appendix B should also be referenced and better labeled.

Dr. Harper would provide a paragraph with urban and rural examples.

On page 42 line 1-2,  $\Delta E$  should be corrected to read E and on page 42, line 25 "family income" should be deleted.

#### Question #11

The panel decided that on page 47, the statement beginning on line 9 to line 11 should be deleted. Members agreed to add a recommendation that states the EJTG should instruct analysts to undertake an economic analysis and should provide instruction on how to do it.

Question #12

Panel members agreed to add language from a 2013 NEJAC working group about incorporating EJ into all EPA cross-cutting issues.

Executive Summary

The panel agreed that language about staffing should be added to the executive summary.

Letter to the Administrator

The panel decided to add recommendations about research needs and staffing needs into the letter. Also the recommendation to create an interagency working group to enhance collaboration should be included.

After the entire report was discussed, Dr. Moo-Young thanked panel members for their participation in the review and their comments on the draft report. He then asked panel members to provide their revisions within 1 week. He then turned the meeting over to Dr. Shallal for final remarks.

Dr. Shallal thanked all the participants and indicated that she would send an email detailing the next steps. She then adjourned the meeting at approximately 5:00 p.m.

On Behalf of the Panel,  
Respectfully Submitted,

/s/

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Suhair Shallal, Ph.D.  
Designated Federal Officer

Certified as Accurate:

/s/

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H. Keith Moo-Young, Ph.D.  
Chair, SAB Environmental Justice Technical Guidance Review Panel

NOTE AND DISCLAIMER: The minutes of this public meeting reflect diverse ideas and suggestions offered by panel members during the course of deliberations within the meeting. Such ideas, suggestions, and deliberations do not necessarily reflect definitive consensus advice from the panel members. The reader is cautioned to not rely on the minutes to represent final, approved, consensus advice and recommendations offered to the Agency. Such advice and recommendations may be found in the final advisories, commentaries, letters, or reports prepared and transmitted to the EPA Administrator following the public meetings.

**Appendix A- Individuals requesting teleconference access**

<b>First Name</b>	<b>Last Name</b>	<b>Affiliation</b>
Tom	Brennan	US EPA/SAB Staff Office
Kelly	Maguire	EPA
Charles	Lee	EPA
Ann	Wolverton	EPA
Linda	Wilson	Office Of New York Attorney General
James	Broughel	Mercatus Center At George Mason University
Rachel	Leven	BNA