

EPA's Office of Environmental Justice and External Civil Rights Compliance Office Issues Draft National Program Guidance

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The US Environmental Protection Agency's (EPA) Office of Environmental Justice (OEJ) and External Civil Rights Compliance Office issued draft guidance (Draft Guidance) on June 2, 2022, outlining how EPA intends to integrate environmental justice (EJ) and civil rights concerns into EPA's "fabric of work." EPA lists specific efforts it intends to undertake to promote EJ and civil rights at the federal, tribal, state, local, and community level; to embed EJ and civil rights in "all the Agency's work to maximize benefits and minimize impacts to underserved and overburdened communities;" and to strengthen enforcement of and compliance with civil rights laws "to address the legacy of pollution in overburdened communities."

The Biden Administration has aggressively focused on EJ and environmental equity issues since taking office, with EJ issues being [discussed in speeches by key EPA personnel](#) and featuring in DOJ initiatives (see [here](#) and [here](#)) and – in regards to equity – EPA committing to increased community participation (see [here](#)).

The Draft Guidance (available [here](#)) commits to a series of long-term performance goals to be accomplished by September 30, 2026. These include that:

- all EPA programs that seek feedback and comment from the public will provide "capacity-building resources to communities" with EJ concerns to support these communities' ability to "meaningfully engage" and "provide useful feedback" to programs;
- all written agreements between EPA and tribes or states (e.g. grant plans) implementing authorities delegated to EPA will identify and address disproportionate impacts;
- EPA will reduce on-the-ground disparities in environmental and public health conditions in measurable ways under metrics to be determined;
- where EPA takes actions with EJ implications, EPA "will clearly demonstrate how the action is responsive" to EJ concerns "and reduces or addresses disproportionate impacts";
- in work with communities with EJ concerns, EPA will continue to prioritize access and equity

issues, including by completing additional information-sharing, outreach, and technical assistance events with EJ advocacy groups or EJ-affected communities;

- EPA will implement language and disability assistance plans to ensure equitable access to EPA activities; and
- EPA will pro-actively audit its civil-rights compliance and financial assistance programs to ensure compliance with federal nondiscrimination requirements.

Comments are accepted on the draft guidance through July 14.

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