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17 SWPA Environmental Groups Push Back on the DEP's Updated EJ Policy for Failing to Adequately Protect Communities

Pittsburgh, Pa. – A coalition of 17 environmental groups in Southwestern Pennsylvania, led by Protect Penn-Trafford (ProtectPT), have raised several major concerns with the Pa. Department of Environmental Protection's (DEP) proposed revisions to the state's Environmental Justice policy.

The DEP will hold [two public hearings](#) this week in Washington and Allentown, Pa., and are accepting written comments on the proposed policy revision through Nov. 30, 2023. While environmental groups support revising the current DEP policy wholeheartedly, which has been in place since 2004, they remain concerned that it doesn't go far enough to remedy the neglect that those living in EJ communities across the state have faced for decades.

The groups contend that the revised policy must be stronger and the DEP must work more closely with EJ communities and require a binding agreement with communities. The DEP should no longer have the sole discretion to make decisions on permits and projects that impact the health and safety of communities, groups say.

"The state's environmental justice policy does not go far enough in mandating community participation in decisions that involve EJ communities," says Gillian Graber, executive director of ProtectPT. "The state's environmental justice policy does not go far enough to ensure resident participation in the public process. Without the participation of residents directly affected by proposed projects, outcomes on permitting will not change," adds Graber.

The policy also needs to go further to address financial and other barriers to public participation that members of EJ communities often face. The DEP needs to consult with EJ communities to identify these barriers and require that measures be taken to reduce them whenever a public hearing is held in an EJ area, whether hosted by the DEP or an applicant. The DEP should consider providing cash stipends, transportation, child care and other accommodations to ensure resident participation in the public process.

The 17 organizations have signed two letters addressing both [policy concerns](#) and the [methodology](#) used to define "EJ communities" in the new policy.

They are also advocating for changes that would make EJ challenges legally enforceable rather than discretionary, such as provisions included in PA House Bill 652. House Bill 652 is modeled after a New Jersey policy that contains legally enforceable EJ provisions. It would require that select known polluting facilities seeking permits to build or expand in EJ communities prepare a cumulative environmental assessment that details potential negative impacts their operations may have on the broader area where they're operating.

The bill also provides legal grounds on Environmental Justice cases for the DEP to deny a permit application or require added stipulations for approval if it finds those impacts would further harm the health and environment of the community.

Signing on the letters are: Protect PT, Allegheny County Clean Air Now (ACCAN), Beaver County Marcellus Awareness Community (BCMAC), Black Environmental Collective, Breathe Project, Clean Air Council, Climate Reality Pittsburgh & SWPA, Community Partners in Asthma Care, CREATE Lab (Carnegie Mellon University), Environmental Health Project, FracTracker Alliance, Mountain Watershed Association, Physicians for Social Responsibility, Protect Elizabeth Township, Rail Pollution Protection Pittsburgh (RP3), Sunrise Movement Pittsburgh and Three Rivers Waterkeeper.

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