

Other State Models for Considering EJ and Cumulative Impacts

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California's Work

- Air quality can be more stringent than federal standards since their statute preceded that of the US.
- California's Air Resources Board has defined EJ communities based on percentage minority and low-income populations and density of polluters.
- These EJ communities are offered equal protection from environmental pollutants through a variety of mechanisms, these include: funding availability and increased staff levels for enforcement.

California's Work

- California Environmental Quality Act (CEQA) – Requires air permit applicants to fill out environmental checklist, or if applicable based on the pollutant amounts emitted or type of facility, perform an environmental impact statement prior to permit award.

Minnesota

- Examples of one state's qualitative approach to assessing cumulative impact.



Air Emissions Risk Analysis (AERA) Forms - Minnesota

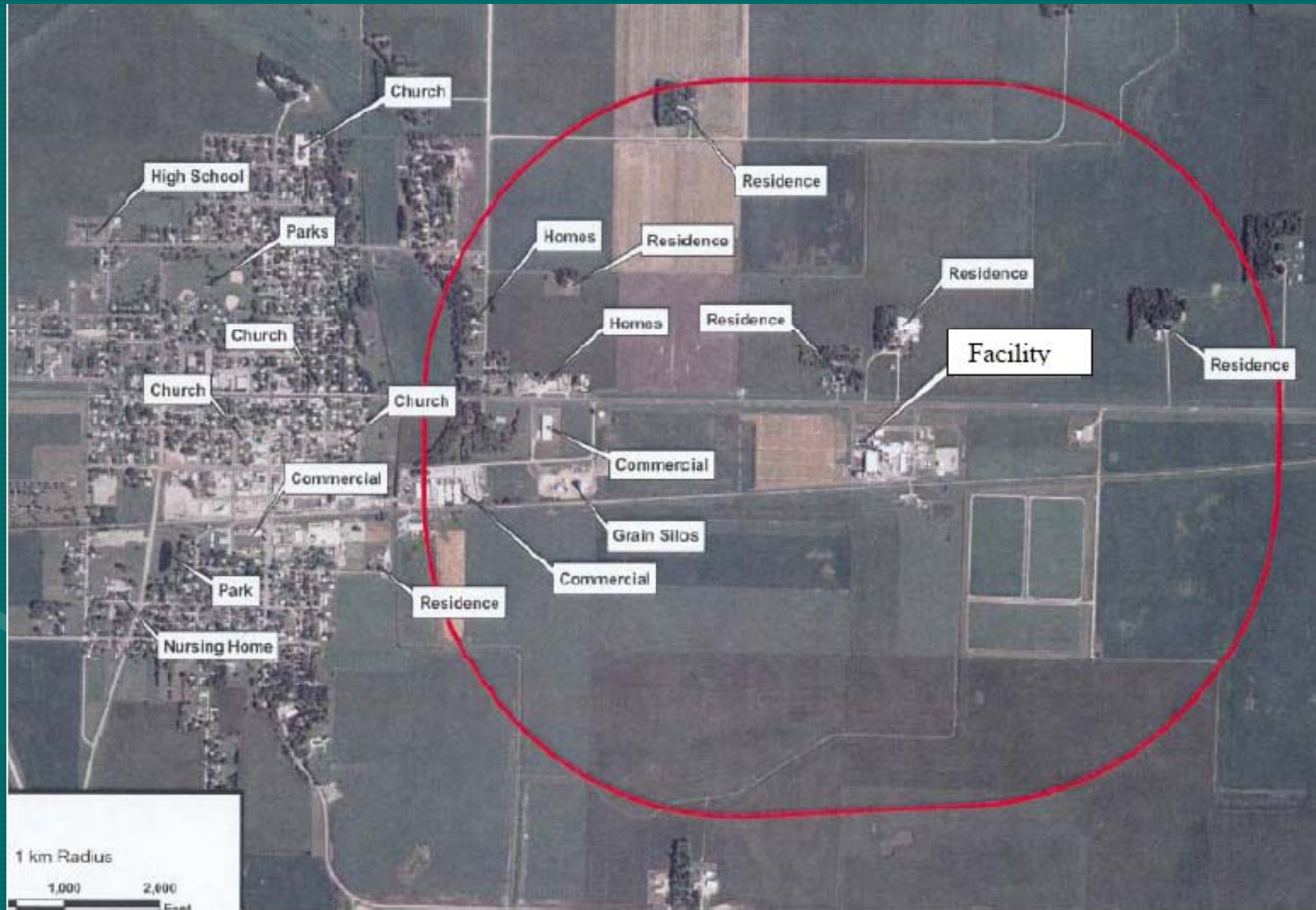
- AERA-01 Deliverable Checklist
- AERA-02 Qualitative Information
- AERA-02b Qualitative Information Instructions
- AERA-03 Dispersion Factor Analysis
- AERA-04 Emergency Internal Combustion Engine Certification
- AERA-05 Emissions
- AERA-13 Determination Checklist for Proposed Ethanol Facilities

AERA 2

MAPS

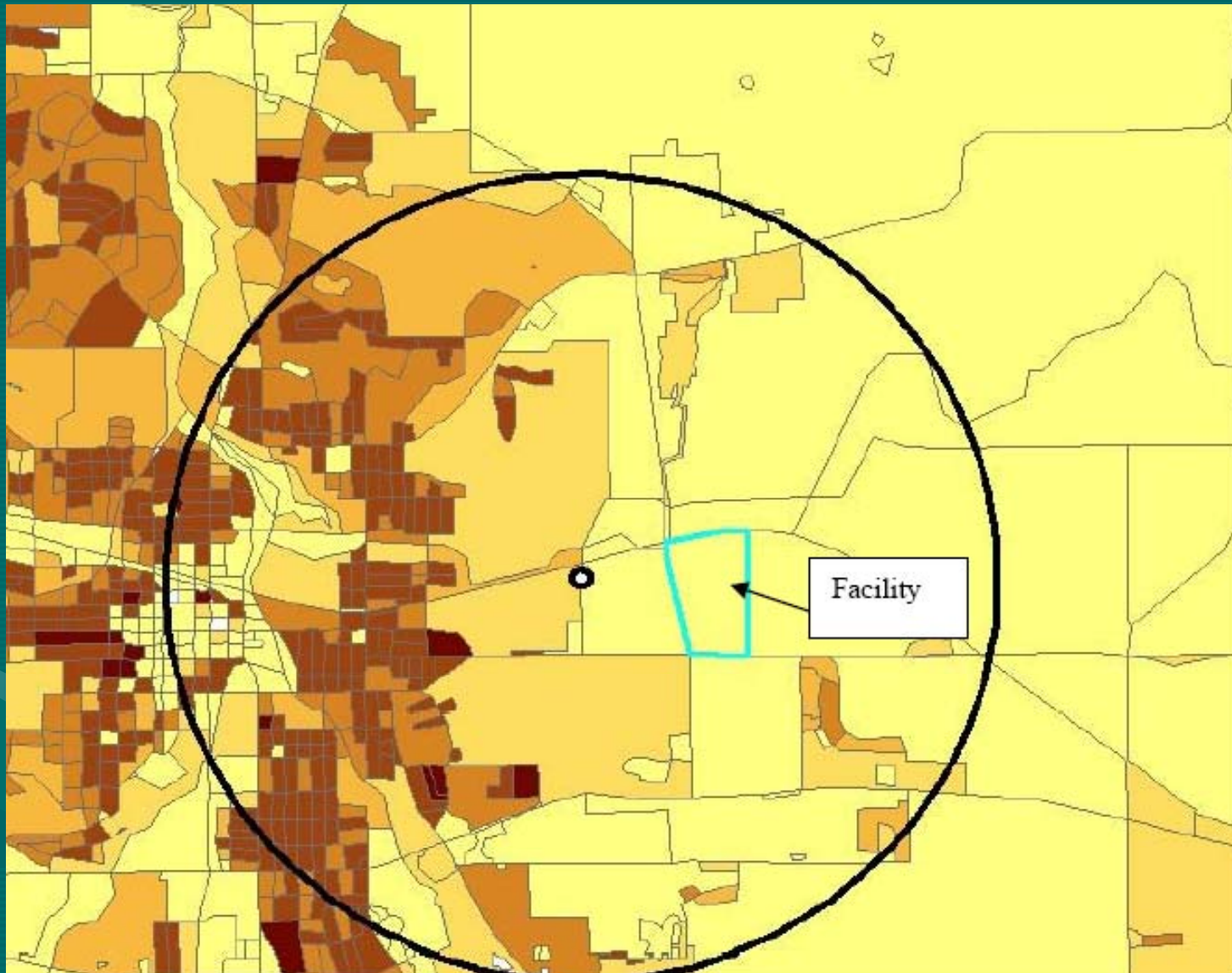
- Sensitive Receptors
- General Neighborhood Information
- Nearby permitted air emission facilities
- Zoning
- Land Use

Sensitive receptor



Provided by Natural Resources Group, Inc. for the purposes of an AERA submittal

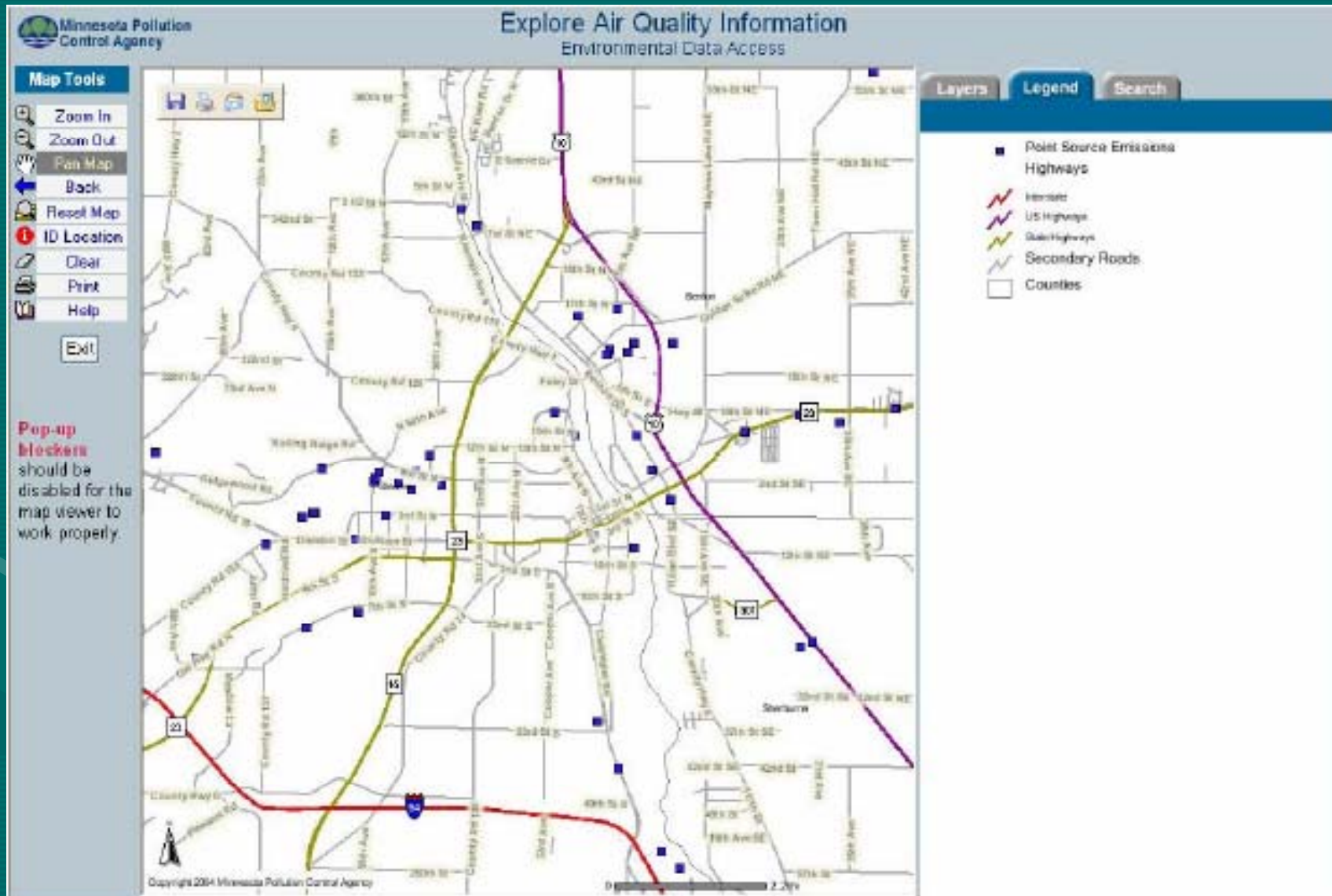
General Neighborhood Information



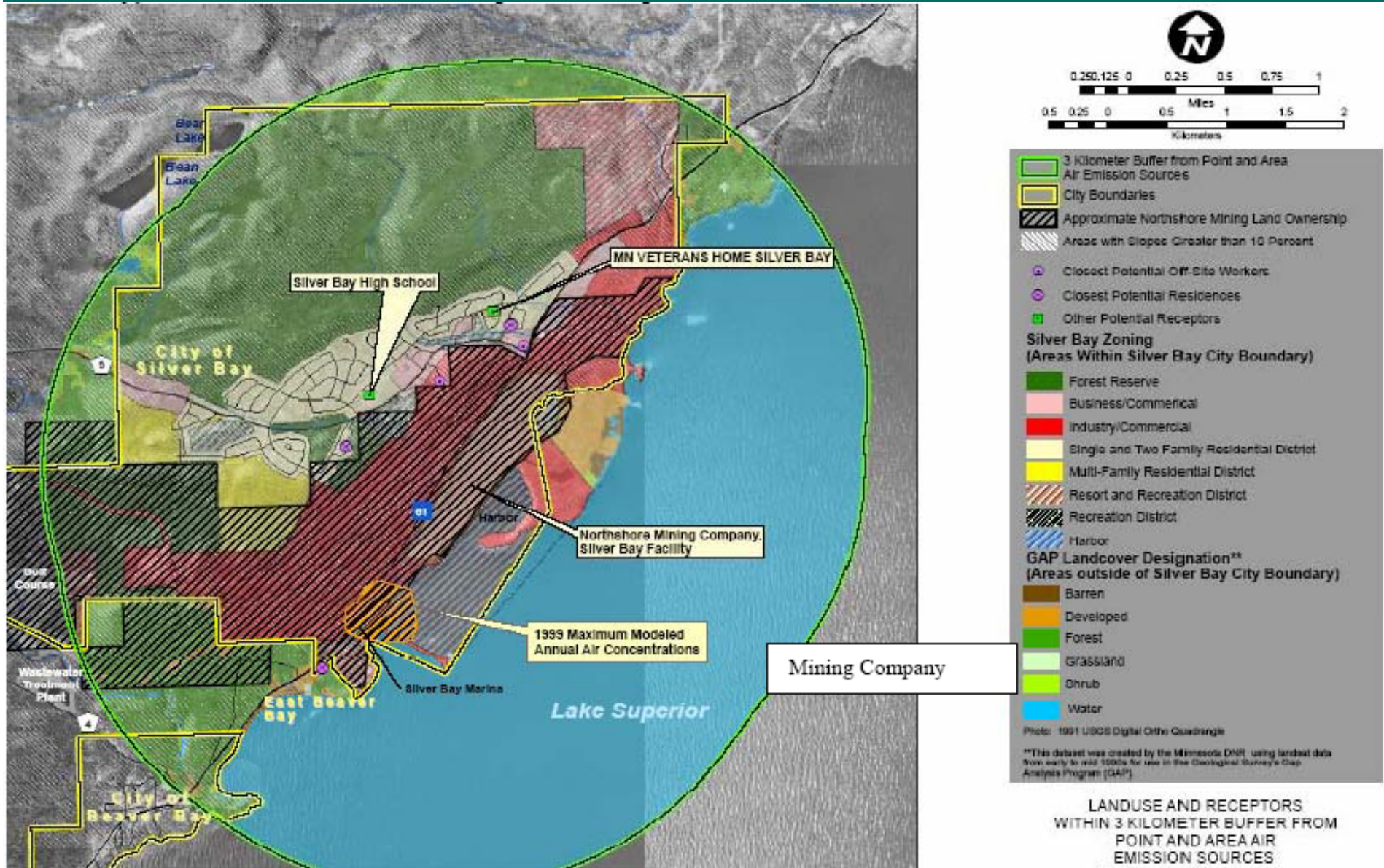
Population
Density
Map

Map created by MPCA for purposes of an AERA

Nearby permitted air emission facilities



Land Use



Map created by Barr Engineering for purposes of AERA submittal.

Conclusion

- Many states have implemented requirements to assess health conditions and cumulative risk as part of the air permitting process.
- These requirements do not conflict with the existing Federal Clean Air Act nor do they exceed federal standards.
- We may not have exact “science” but we can eyeball areas and intuitively know that they are disproportionately burdened by air pollutants based on qualitative analyses.