CENTER FOR COALFIELD JUSTICE

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February 19, 2025

Office of Environmental Justice and External Civil Rights
United States Environmental Protection Agency
1200 Pennsylvania Ave NW, Washington DC 20460

RE: Docket ID No. EPA-HQ-OLEM-2024-0360 - Interim Framework for Advancing Consideration of Cumulative Impacts

Thank you for the opportunity to provide input on the Framework for Advancing Consideration of Cumulative Impacts. The undersigned community-based and environmental organizations offer the following comments to improve the effects this framework will have on public health, the environment, and overburdened communities.

First, we would like to thank EPA's Office of Environmental Justice and External Civil Rights for the work that they have done to bring justice for overburdened communities. It is important work that must be continued to improve health and quality of life for all Americans, and this Cumulative Impacts Framework is critical to further that goal. Specifically, we appreciate that communities will be given the opportunity to lead in the processes to determine cumulative impacts to honor the expertise we have on our homes. The robust meaningful engagement to be done to identify and incorporate stressors that are important to community history, lived experiences, and realities will further trust and help overburdened communities be happier and healthier.

1. **The cumulative impacts framework must be required and enforceable for permit reviews completed by the EPA.**

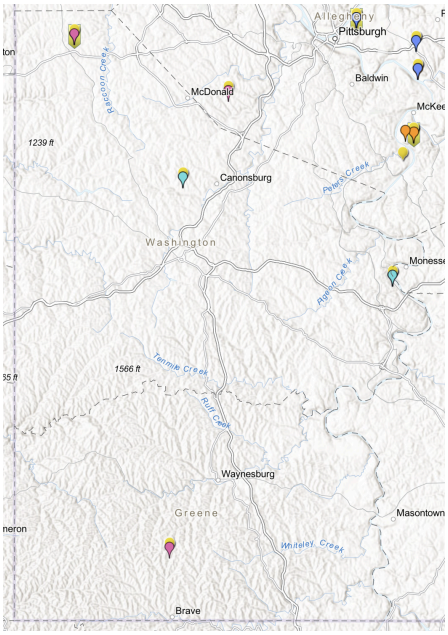
While we appreciate the creation of this cumulative impacts framework, it must be required for all permitting decisions offered by the EPA at the very least. Ideally, the EPA would require the use of the framework whenever its decisions could increase pollution and further cumulative impacts on already burdened communities. Without a requirement in place, likely, the framework will not be put to use, and our communities will continue to feel unjust burdens. Thus, we encourage the EPA to initiate a formal rulemaking to incorporate cumulative impact assessments to make the use of this framework enforceable. As part of this rulemaking, we encourage the EPA to allow the denial of permits, grant funding, or whatever benefit a project may receive if the cumulative impacts are too great to maximize the framework's significance.

2. **A cumulative impacts assessment must identify, measure, or quantify all exposures and effects that may burden a community.**

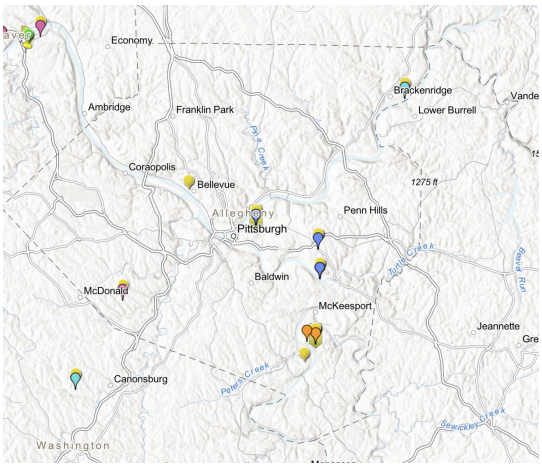
As written, the Cumulative Impacts Framework encourages assessors to consider only the exposure and effects that are most relevant to the decision being made. However, this is counterproductive to the goal of completing such an assessment. The EPA will only get a true sense of the burdens a community must endure when it is taking all impacts into account, and it must get a true sense to make sure that a decision will not cause harm.

Additionally, the nonchemical stressors considered must include economic impacts such as income level, utility rates, tax bases, quality of infrastructure, diversity of job opportunities, and more.

3. **More data gathering is needed in rural poor and working-class communities disproportionately impacted by pollution.**



To accurately assess cumulative impacts, the EPA must install more air monitors in rural poor and working-class communities disproportionately impacted by pollution. For example, Pennsylvania's Washington and Greene Counties, counties heavily affected by legacy and current pollution with large swaths of land designated as disproportionately impacted[1], only have four air monitoring stations between them. Meanwhile, Allegheny County alone, which also has many designated disproportionately impacted communities[2], has nine monitoring stations. We implore the EPA to mirror the density of air monitors in urban areas in rural areas. Even though these counties have a smaller population, they deserve equal access to information about their air quality. However, most urban and rural places could use more air monitoring. Increasing the number of monitoring stations will allow the EPA to have a more robust data set; and will put it on better footing to make more informed decisions on what is and is not to be permitted in the future.



If the EPA cannot install the number of air monitors our communities need, it should allow data from community monitoring tools such as PurpleAir Monitors to inform cumulative impact analyses. These monitors are much more widespread and help poor and working-class communities disproportionately impacted by pollution inform daily life decisions. However, they are not accepted for official use.

4. **Ensure the cumulative impacts framework is not just used in poor and working-class communities disproportionately impacted by pollution.**

All communities, not just poor and working-class communities disproportionately impacted by pollution, deserve to have a cumulative impacts assessment done before a polluting project is sited. Cumulative impact assessments should be a standard in all permitting decisions, even if the framework itself is flexible, so that the permitting agency has a clear picture of the community's current burdens and how they may be affected by additional burdens.

Thank you for your consideration.

Respectfully,

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[1] Office of Environmental Justice, *PennEnviroScreen*, PA. DEP'T OF ENV'T PROT, https://gis.dep.pa.gov/PennEnviroScreen/.
[2] *Id*.

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