Public Comment on Interim Framework for Advancing Consideration of Cumulative Impacts Docket ID Number: EPA-HQ-OLEM-2024-0360

Introduction: What Are Cumulative Impacts?

Cumulative impacts refer to the combined effects of multiple sources of pollution and environmental stressors on a community over time. Traditionally, environmental permitting and regulatory processes evaluate pollution sources in isolation, failing to account for the total burden of pollution and socioeconomic stressors affecting a population. This fragmented approach overlooks the reality that many overburdened communities experience disproportionate environmental harm due to exposure to multiple, overlapping sources of pollution, compounded by social and economic disadvantages.

For communities like Fifth Ward and Northeast Houston, cumulative impacts include exposure to air pollution from industrial facilities, hazardous waste sites, proximity to highways with high vehicle emissions, and climate change-related stressors like extreme heat and flooding. **The failure to address cumulative impacts in permitting and enforcement decisions exacerbates public health disparities, environmental injustices, and economic disenfranchisement.**

Cumulative Impacts in Houston, TX: Understanding the Problem

Houston's legacy of industrialization, redlining, and environmental racism has resulted in highly polluted, economically marginalized communities that face compounded environmental and social stressors. In Fifth Ward and nearby neighborhoods like Kashmere Gardens and Pleasantville, residents are disproportionately affected by pollution and systemic barriers to economic mobility and healthcare access.

Key Environmental and Social Stressors in Houston's Fifth Ward and Surrounding Communities

1. Air Pollution:

- Fifth Ward, Kashmere Gardens, and Pleasantville are located near the Houston Ship Channel, a corridor of refineries, chemical plants, and heavy industry that release hazardous air pollutants such as benzene, formaldehyde, and particulate matter.
- Data from the EPA's EJScreen tool indicates that these communities experience higher-than-average exposure to nitrogen dioxide (NO_2), ozone, and fine particulate matter (PM2.5), all linked to respiratory diseases and cardiovascular issues.
- A study by West et al. (2023) in the Fifth National Climate Assessment confirmed that neighborhoods surrounding the Houston Ship Channel have some of the highest air pollution levels in the city.

2. Water and Soil Contamination:

- The Union Pacific Railroad (UPRR) Superfund site in Fifth Ward has left a legacy of creosote contamination, with carcinogenic chemicals linked to leukemia and other cancers.

- Water infrastructure failures and persistent flooding have compounded chemical exposures, affecting drinking water safety and exacerbating the health risks of legacy pollution.

3. Climate Stressors:
   - **Extreme Heat:** Fifth Ward has one of the highest surface temperatures in Houston, with limited green infrastructure and a high percentage of impervious surfaces worsening the urban heat island effect.
   - **Flooding:** Many homes are located in a floodplain, and chronic infrastructure failures have led to repeated flooding events that worsen mold, water contamination, and displacement risks.

4. Non-Environmental Stressors:
   - **History of Redlining and Economic Disenfranchisement:** Fifth Ward and other Black and Brown communities in Houston lack generational wealth, access to capital, and adequate public investment in infrastructure and services.
   - **Health Disparities:** High rates of asthma, cancer clusters, and cardiovascular disease correlate with exposure to environmental toxins and lack of healthcare access.
   - **Proximity to Industrial Hazards:** These communities face a higher risk of chemical disasters and explosions due to aging infrastructure at refineries and petrochemical plants.

Why Cumulative Impacts Matter for Houston's Environmental Justice Communities
The EPA's Interim Framework for Advancing Consideration of Cumulative Impacts is a crucial step toward rectifying historical disparities in environmental protection and public health. However, for communities like Fifth Ward, Kashmere Gardens, and Pleasantville, this framework must be more than an advisory tool—it must result in concrete policy changes that prioritize environmental justice in decision-making.

Failure to address cumulative impacts means that overburdened communities will continue to suffer environmental and health injustices at a disproportionate rate. Regulatory agencies must move beyond a single-source approach to permitting and enforcement and instead assess the total pollution burden, vulnerability factors, and cumulative risk to human health.

How This Framework Can Benefit Houston's Overburdened Communities
The EPA's commitment to integrating cumulative impacts considerations into decision-making can provide tangible benefits to Fifth Ward and other environmental justice communities by:

1. Improving Permitting Processes:
   - Require cumulative impact assessments before approving new industrial permits in overburdened areas.
   - Halt the siting of new pollution sources in communities already experiencing high environmental burdens.

2. Strengthening Environmental Enforcement:
   - Increase monitoring and enforcement of Clean Air Act and Clean Water Act violations in high-impact zones.
   - Impose stricter air and water quality standards in environmental justice communities.

3. Expanding Community Science and Data Collection:
   - Provide funding for local air and water monitoring programs led by community health workers and citizen scientists.
   - Support transparent and publicly accessible data platforms that allow residents to track pollution levels in real time.

4. Prioritizing Environmental Remediation and Resilience Investments:
   - Allocate federal funding for green infrastructure, flood mitigation, and heat resilience projects in historically redlined communities.
   - Promote community-driven nature-based solutions, such as urban reforestation, bioswales, and green roofs to combat heat and improve air quality.

5. Integrating Socioeconomic and Health Disparities into Decision-Making:
   - Require health impact assessments (HIAs) in permit approvals and enforcement actions.
   - Address housing, economic, and healthcare disparities as part of climate adaptation and resilience planning.

The Role of Conservative Environmentalism and the Dangers of Halting Environmental Justice Progress

Conservative environmentalism, rooted in the principles of stewardship, responsibility, and localism, has long emphasized the preservation of natural resources, pollution reduction, and economic sustainability as a means of ensuring a thriving nation for future generations. The concept aligns with traditional conservative values—protecting clean air, water, and land as vital assets that support public health, national security, and economic growth.

However, the current administration's decision to halt or weaken environmental justice initiatives is detrimental to the nation as a whole and runs counter to conservative environmentalism's core tenets. By ignoring cumulative impacts and rolling back policies designed to protect vulnerable communities from pollution and climate change, the government is increasing public health risks, exacerbating economic inequality, and burdening taxpayers with the long-term costs of environmental degradation.

True conservative environmentalism calls for smart, market-driven solutions that promote clean energy, protect natural resources, and uphold public health, not corporate favoritism that allows polluters to offload their costs onto local communities and the American public. Weakening environmental justice efforts is not only a failure of governance but also a betrayal of the long-standing conservative principle of

conservation—leaving the country more polluted, less resilient, and less economically secure.

Recommendations for Strengthening the EPA Framework

To make this framework actionable and effective, we recommend the following improvements:

1. Mandate cumulative impact assessments in permitting and rulemaking, rather than making them discretionary.
2. Strengthen enforcement against repeat polluters in overburdened communities by imposing stricter penalties and requiring community reparations.
3. Ensure community-led governance in decision-making by incorporating local organizations, resident councils, and environmental justice advocates into EPA advisory panels.
4. Expand federal funding for environmental justice initiatives and prioritize high-risk areas like Houston's Fifth Ward Englewood Yards and the Houston Ship Channel, and PetroChem sites.

Conclusion

The EPA's framework for cumulative impacts has the potential to address long-standing environmental injustices in Houston's Black and Brown communities. However, for it to be effective, it must be legally enforceable, community-driven, and tied to measurable outcomes. We urge the EPA to take a bold and proactive approach to protecting historically marginalized communities from cumulative environmental harms.

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