



CENTER FOR COALFIELD JUSTICE

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September 30, 2022

Brenda Mallory, Chair
The Council on Environmental Quality
730 Jackson Place NW
Washington, DC 20503

RE: Docket Number CEQ-2022-0004

Request for Information to Solicit Feedback on the Vision, Framework, and Outcomes of the Environmental Justice Scorecard

Thank you for the opportunity to provide feedback on the vision, framework, and outcomes of the Environmental Justice Scorecard developed by the Council on Environmental Quality, the Executive Office of the President, and the White House Environmental Justice Interagency Council. The Center for Coalfield Justice (“CCJ”) respectfully submits the following comments.

The Center for Coalfield Justice is a Pennsylvania-incorporated not-for-profit organization with federal Internal Revenue Service § 501(c)(3)-status recognition located in Washington, PA. CCJ’s mission is to “improve policy and regulations for the oversight of fossil fuel extraction and use; to educate, empower and organize coalfield citizens; and to protect public and environmental health.” CCJ has over three thousand members and supporters and is governed by a volunteer Board of Directors.

CCJ thanks the White House and President Biden for recognizing the need to create a tool that is a “robust and comprehensive assessment of the Federal Government’s efforts to secure environmental justice for all.” This tool will be integral to environmental justice communities to hold our leaders accountable to their promises, and CCJ strongly supports its implementation. To help craft the best tool possible, CCJ offers the following comments.

1. The Government Accountability Office (GAO) should conduct the scorecard to give an unbiased, accurate assessment of the Federal Government’s environmental justice efforts.

As it currently sits, the Executive Office is creating a scorecard to judge its own performance. This could lead to biased results. If agencies are not meeting their goals, the shortcomings may

be understated because of an unwillingness to admit deficiencies. However, the Government Accountability Office (GOA) is an independent, third-party agency that is already tasked with assessing the government's overall performance to ensure they have met set standards and is the perfect agency to conduct this scorecard. They have already proved successful at measuring environmental justice initiatives when they issued their 2019 [report](#) providing interagency recommendations on how to improve efforts. A detached analysis of agency progress toward environmental justice goals will help assure environmental justice communities that the information presented is accurate - whether or not the government is meeting its objectives.

2. Data reported from agencies must be transparent to assure confidence in the scorecard.

To guarantee the accuracy of and confidence in the scorecard, clear, objective, and transparent data and reporting should be required. The data should be accessible to the public, because without it, the public can not fully trust that the scores given are accurate. Additionally, short, easy-to-understand blurbs should be given for each data point so the public can understand how and why it was used.

3. A clear, well-defined vision for the scorecard is needed.

The current vision for the scorecard, a "robust and comprehensive assessment of the Federal Government's efforts to address current and historic environmental justice," lacks the specificity needed to be useful. For example, the vision should name what government efforts are being assessed. If the vision was "a robust and comprehensive assessment of the Federal Government's regulations, programs, investments, and enforcement mechanisms to determine success in reducing harms and burdens in and delivering benefits to environmental justice communities," more people would know exactly what the purpose of the environmental scorecard was without having to do any additional research on it. Stakeholders and other potential engagers would also be able to provide more relevant, helpful feedback on the scorecard with a more specific vision.

4. Feedback on the Framework

The framework for the environmental justice scorecard generally represents the asks of environmental justice communities. Progress in these areas would make us healthier, more resilient, and more prosperous. CCJ offers the following comments on each part of the framework.

- a. Reduction of harms and burdens borne disproportionately by environmental justice communities.*

Reducing harms and burdens in our neighborhoods is crucial to the long-term survival of environmental justice communities. This will not happen without government action, and it is important to measure what the action has been.

It may be obvious, but the long-term goal of reducing the harms and burdens we bear is clean air and water. Residents of environmental justice communities want to live without worry that the air we breathe and the water we drink is polluted and causing us harm. We want our children and grandchildren to grow up healthy, and we don't want to have to move away from our homes to make that happen. Relatedly, another long-term goal would be to have a smaller industrial presence in our communities, as industry is often the source of our pain.

There are many ways to measure the progress the Federal Government has made in reducing harms and burdens in environmental justice communities, including but not limited to: the number of new permits issued in environmental justice communities, the number of operating permits in environmental justice communities, air pollution and water pollution measurements, and cancer and asthma rates. These data sets should be compared to data sets from non-environmental justice communities so that the disproportionate impact we bear can be measured.

b. Delivered investments and benefits to environmental justice communities.

While environmental justice communities have seen a disproportionate amount of harm, we have not seen our share of government investment. CCJ applauds President Biden's commitment that 40% of overall benefits from investments in climate change, clean energy, workforce development, and more will be seen in our communities but also recognizes that more investment is needed to overcome our burdens.

The long-term benefits environmental justice communities want to see include a diversity of well-paying, family-sustaining jobs and energy that is provided by sustainable, clean sources. Even though the hours are long and the work is hard and dangerous, jobs in the fossil fuel industry pay well. Many families rely on them because they do not have any other choice since the economies in environmental justice communities depend on fossil fuels. We hope that new investments will bring new economic opportunities and new jobs so we can unlink ourselves from the very industry that is poisoning us. Another key to breaking from fossil fuel dominance is for our communities to transition to energy sources that are clean and sustainable, and this cannot be done without investment.

The following could be used as markers of progress to assess progress towards these goals, but the list is not exhaustive: The number and type of jobs in environmental justice communities; unemployment rates in each community; the average income of individuals and families; property values; the number of reclamation projects; the number of greenspaces in the community; a measurement of how much energy is supplied by clean, renewable sources versus fossil fuels; access to EV charging infrastructure; and, the number of orphaned and abandoned wells plugged.

- c. *Institutional reforms undertook to center environmental justice community voices in decision making.*

Centering the perspectives, priorities, and lived experiences of environmental justice communities is necessary for environmental justice goals to be achieved. However, to center the voices of the community, the community must be well-informed. Thus, it must be a priority for agencies to provide easy-to-understand information to the public so they can make educated comments.

A long-term goal of centering community voices is that the community actually feels empowered. For too long, our voices have been left out in decision-making and our communities have been harmed because of it. Only when it is obvious that the government is taking action based on our input and our voices and not the input of industry will we trust that it is acting in our best interest.

The environmental justice scorecard should note the number of public meetings held in environmental justice communities, the number of documents created in easy-to-understand language intended to inform community members, the number of comments that were received from individuals and organizations in environmental justice communities, the amount of money spent on outreach, specific instances where advice from environmental justice industries has been implemented in agency action, and more to measure success in this category.

5. Feedback on usability and accessibility features that should be considered for an online platform.

The information presented on a future website should be presented in multiple languages and in a manner that is easily understood by the average person. The scorecard and accompanying information and data are useless if members of environmental justice communities are not able to understand them. If community members do not understand what they are to give input on, the input may be irrelevant and unhelpful. Additionally, without access to easy-to-understand information, the public cannot hold government officials accountable for their promises.

Thank you for your consideration. If you have any questions, please contact me anytime.

Respectfully,

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