



CENTER FOR COALFIELD JUSTICE

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Office of Environmental Justice
United States Department of Justice
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RE: DOJ Draft Environmental Justice Strategic Plan

Thank you for the opportunity to provide input on the Department of Justice's Draft Environmental Justice Strategic Plan.

The Center for Coalfield Justice ("CCJ") is a Pennsylvania-incorporated not-for-profit organization with federal Internal Revenue Service § 501(c)(3)-status recognition located in Washington, PA. Our 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's service area includes numerous environmental justice communities, several of which are designated to receive the benefits of President Biden's Justice40 initiative. It is with that perspective that CCJ respectfully submits the following comments.

1. What additional goals and objectives should DOJ consider in its Plan?

Although DOJ is a law enforcement agency that must use discretion when sharing information, one of its goals should be transparency. Transparency and consistency are how you build trust and a relationship with a community. DOJ should communicate clearly and honestly with residents about its plans within their communities and keep them updated on the progress. DOJ should be as transparent as possible when operating in environmental justice communities.

Additionally, under goal 1, DOJ should consider putting pressure on state agencies that have primacy in implementing federal programs to prosecute and correct operators who have repeat violations. Without taking this approach, DOJ may not have much of a role to play in many states that administer the Clean Air Act, Clean Water Act, and more. This would be a more effective tool for DOJ to use because, in many of these states, regulatory agencies, local District Attorneys, and State Attorneys General are not holding major polluters accountable. DOJ can and should step in.

2. How can DOJ improve its outreach and engagement efforts with communities about environmental justice?

In our experience, the best way to communicate with people in environmental justice communities is in person. The internet is still not accessible to many rural areas and poses a financial burden to others, so when a meeting is held exclusively virtually, people who may want to give input are left out. However, people in environmental justice communities may not have the resources to attend a meeting in person due to child care, work requirements, and hours. That is why it is important to provide food, child care for the duration of the meeting, and compensation to get to and from the meeting. Finally, translation should be available in the meeting for those who need it. These standards will allow people who are most impacted to participate actively in conversations.

Having DOJ representatives consistently present in the communities can also be effective. Representatives should attend community events such as fairs and farmers markets to engage with residents in the areas where DOJ is working.

3. What information and resources should DOJ provide to communities to clarify its environmental justice efforts?

In addition to in-person meetings and engagement, written materials that the average person can easily understand should be accessible online and at in-person events. These materials should be translated into all the languages in the communities DOJ is engaging with so that all may participate. Written information should include what the DOJ's environmental justice efforts are and what the public can do to participate in those efforts. Additionally, resources that explain the DOJ's authority to take action and the scope of work in the same plain language would help build relationships and trust with people who live in environmental justice communities.

4. What topics and considerations should DOJ include for staff training on environmental justice?

DOJ should tour the environmental justice communities they are working in, meet the residents, and truly understand what it is like to live and work near dangerous infrastructure. In addition to tours, DOJ should conduct twice-yearly check-ins with EJ communities to learn how their experience has progressed or worsened. What DOJ learns in these meetings and tours should be reflected in official actions taken by DOJ and communicated to those affected.

Training topics for DOJ staff could include transparency, how to write and market materials to an EJ audience, and resource utilization. Resource utilization would teach staff members how to provide clear instructions and communications about the recommended practices for utilizing DOJ resources to maximize their benefits.

5. Recoupment Fees

In Southwestern Pennsylvania, numerous residents with gas leases have been complaining about receiving bills from a specific operator instead of royalty payments. It is unclear why residents are

receiving bills, and no one can get in touch with the operator when trying to inquire about them. In town halls hosted by the operator last fall, many residents aired their complaints to the CEO, but he didn't have clear answers for leaseholders as to why they were getting bills, either. It is concerning that these community members may be paying the operating fees for the oil and gas operations happening near their homes for a company that makes hundreds of millions of dollars in profit, and CCJ requests that the DOJ investigate these claims.

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

Respectfully,

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Community Advocate

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