

ENVIRONMENTAL JUSTICE AGENCY GOALS

North Carolina Department of
Environmental Quality
2024

INTRODUCTION

It is the policy of the North Carolina Department of Environmental Quality that no person shall, on the ground of race, color, national origin, sex, age or disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance, as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, the Rehabilitation Act of 1973, and all other related nondiscrimination laws and requirements.

DEQ and its staff adhere to policies and programs for enhanced public participation and nondiscrimination and the Department Strategic Plan includes a goal to ensure the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation and enforcement of environmental laws, regulations, and policies.

DEQ strives to incorporate this perspective into the core mission of the department. The following goals were developed as directed under Executive Order 292 and revised in response to public comment and feedback from the Governor's Environmental Justice Advisory Council.

1. Create equitable access to DEQ funding opportunities to ensure funds are made available and distributed to underserved communities.
2. Increase environmental justice and public participation training throughout the department.
3. Evaluate existing authority to support environmental justices in underserved communities.
4. Enhance transparency by informing stakeholders of DEQ regulatory programs and actions, providing access to community level information, and increasing opportunities for public engagement.

1. Create equitable access to DEQ funding opportunities to ensure funds are made available and distributed to underserved communities

1.1 Track the percentage of grant applications that are received from counties/towns in Tier 1 counties or serving Potentially Underserved communities as defined by the EJ Mapping Tool (where specific project data is available) and track the percentage of applications that are subsequently funded in Tier 1 counties or serving Potential Underserved communities.

1.2 Evaluate need for adjustments to grant ratings systems/scoring criteria that are within DEQ's purview to increase funding opportunities/access for counties/towns in Tier 1 counties or serving Potentially Underserved communities.

1.3 Collaborate regularly with DIT to make sure all funding opportunities are listed on the Environmental Justice Hub.

1.4 Ensure grant applications available to community organizations are provided in top four languages commonly spoken in North Carolina.

1.5 Evaluate participation/response rates for emerging contaminants testing and filtration options in underserved communities and conduct enhanced outreach to identified communities and households. In the case of contamination above established health or regulatory levels, provide communities resources to mitigate exposure.

1.6 Incorporate the EJ Hub definition of underserved communities developed by the EJ Council into the application data collection to allow for future tracking.

2. Increase environmental justice and public participation training throughout the department.

2.1 Make Title VI and EJ training, as recommended by the EJ Council, available to all staff through LMS once available and require training for all new employees and existing employees

2.2 Propose funding in the next budget cycle to increase number of EJ focused staff, including an EJ Director. All EJ staff would report to the director, the director will report to the Secretary's office.

3. Evaluate existing authority to support environmental justices in underserved communities.

3.1 Consider use of § 130A-294 (a)4(c)9 of the Solid Waste Management Act of 2007 which allows DEQ to deny a permit for a solid waste management facility if the Department finds "the cumulative impact of the proposed facility, when considered in relation to other similar impacts of facilities located or proposed in the community, would have a disproportionate adverse impact on a minority or low income community protected by Title VI of the federal Civil Rights Act of 1964."

3.2 DEQ will host a public hearing in the affected underserved community before any permits related to this statute are granted

4. Enhance transparency by informing stakeholders of DEQ regulatory programs and actions, providing access to community level information, and increasing opportunities for public engagement.

4.1 Request recurring funding in budget for specialized language translation and interpretation services through a third-party vendor. DEQ will use vendor to translate press releases into Spanish and will use services to translate press releases and public materials into the top three most spoken languages surrounding impacted communities for place-based public announcements such as public hearings or swimming advisories.

4.2 Identify documents with highest frequency of use according to programmatic data (volume of permits/requests) or online website analytics and ensure documents are available in languages other than English that are commonly spoken in North Carolina.

4.3 By March 31, 2025, conduct a review of compliance and enforcement data to include Notices of Violation, Notices of Deficiency and Notices of Regulatory Requirement issued for facilities within the Divisions of Air Quality, Water Resources and Waste Management permitting purview and compare compliance data for facilities located in underserved communities to statewide data to identify areas where notices may be concentrated and coordinate future remediation. Assemble team to determine next steps which could include cumulative impact studies, enforcement

action, public communication strategies or other efforts to assist most impacted communities by September 31, 2025.

- 4.4 Regularly host community meetings in underserved communities, with a minimum of three per year, considering the cultural and social norms of that community. After proactively seeking the comments of and listening to the community, DEQ should create a report that both acknowledges and significantly addresses the concerns raised to increase transparency, accountability, and trust.
- 4.5 Evaluate current stakeholder engagement and determine any barriers that need to be addressed. Evaluate information including whether information is understandable and relatable, how stakeholders are being reached, etc.