

The Changing Landscape of Environmental Justice

Think environmental justice requirements apply mostly to permitting related to new development? Think again. At the SURF Membership Meeting last month, SURF Secretary Stacey Hellekson (Woodard & Curran) provided an overview of recent efforts by federal agencies in response to Executive Order 14008, which states “We must deliver environmental justice in communities all across America.” For the U.S. EPA, this includes not only developing new rules and policies (see “Dive In!” below), but also implementing and enforcing existing rules at existing facilities. We’ll be featuring more information about the Order in future issues of *SURF Break*, but suffice to say, the ripple effect has begun. The EPA’s Office of Enforcement and Assurance has set a national goal to conduct 45% of all inspections in the fiscal year 2022 (FY 2022) at facilities located in or affecting vulnerable or overburdened communities.

What can you do now? Look at your sites and manufacturing locations on available mapping tools to understand what types of disparities may exist. Based on your findings, develop an environmental justice initiative to support your company’s or client’s goals. For example, is there an opportunity to put in a biking trail or incorporate an EPA grant for job training to create local jobs?

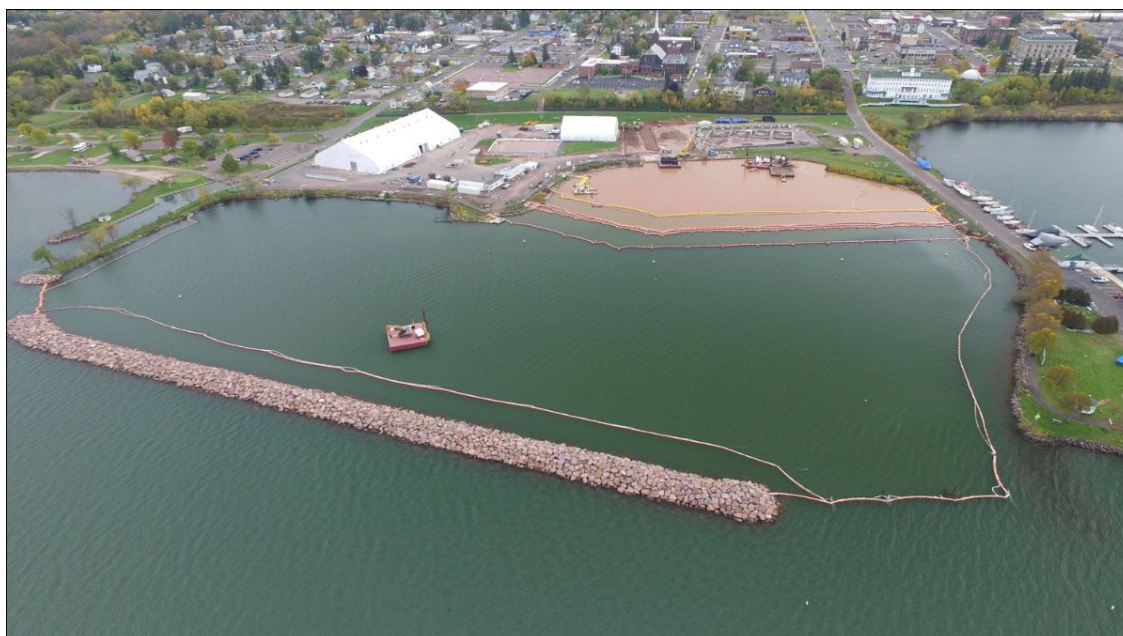
Catch next month’s *SURF Break* for more details about the discussions at SURF’s

Membership Meeting. In the meantime, SURFs interested in leading or participating in a technical initiative about environmental justice should email Kyle Waldron by clicking [here](#).



Dive In! U.S EPA Publishes 2022 - 2026 Strategic Plan

On March 28, 2022, the U.S. EPA published its strategic plan for fiscal years 2022 to 2026. Although three guiding principles of the plan remain unchanged (follow the science, follow the law, and be transparent), a fourth principle has been added – advance justice and equity. In alignment with the added principle, the EPA has established programmatic goals for climate change and environmental justice. (The remaining five goals are shown above.) Four cross-agency strategies describe how the EPA will carry out its mission and include (1) ensuring scientific integrity and science-based decision making; (2) considering the health of children at all life stages and other vulnerable populations; (3) advancing EPA's organizational excellence and workforce equity; and (4) strengthening tribal, state, and local partnerships and enhancing engagement. To access an overview of the plan or the plan itself, click [here](#).



Case Study: Stakeholder Engagement Key to Success of Years-Long Remediation Project

If you've been to a SURF meeting or heard one of our members make a presentation, you know we preach early, meaningful stakeholder engagement when performing remediation projects. An over \$200 million remediation project recently completed by Foth, a SURF Sponsor, demonstrates the benefits of building relationships and trust early in the remediation lifecycle.

The project involved remediating soil, sediment, and groundwater at a Superfund site on the shore of Lake Superior in Ashland, Wisconsin. Adjacent to the site is a residential community, school, hotel, church, boat ramp, campground, and marina. In the planning phase of the project, Foth met with community members, listening to understand their concerns. Working together with the U.S. EPA, Wisconsin Department of Natural Resources, City of Ashland, and the community, concerns about potential odors, dust, poor air quality, and maintaining the pristine water quality of Lake Superior were addressed before the work began. Community advisory group meetings were held monthly to maintain communication and transparency.

The first phase of the project, in the upland area, provided the opportunity to develop a rapport with stakeholders and, eventually, trust. Local subcontractors were used when possible, resulting in a local spend of \$23 million. The second phase of the project included a one-acre, pilot-scale test of the in-water remedy: wet dredging.

Because of the trust between all parties, no delays occurred during the design and permitting process; the pilot construction process was initiated in January 2016, and the pilot was completed in November of the same year. Throughout the project, stakeholder collaboration resulted in finding the right solutions. The pilot (negotiated during the Record of Decision process) led to an Explanation of Significant Differences, which led to an efficient, full-scale wet dredging in-water remedy. [Watch](#) a two-minute video highlighting the technical aspects of the project.

Upcoming Events

SURF Webinar: Sustainable Remediation in Africa, Australia, and the U.S.

April 27, 2022

2:00 p.m. – 3:30 p.m. EDT

Register by clicking [here](#).

Join us for a panel discussion on the similarities and differences of sustainable remediation implementation and organizations in Africa, Australia, and the United States. Panelists will include representatives from the U.S. chapter of SURF, Australasian Land & Groundwater Association (ALGA), and Network for Industrially Contaminated Land in Africa (NICOLA). Click the registration link above to receive participation information.

Battelle: 2022 Chlorinated Conference

May 22-26, 2022

Palm Springs, California

Click [here](#) for more information or to register.

Environmental Concerns in Rights-of-Way Management: 13th International Symposium

October 9-12, 2022

Charlotte, North Carolina

Submit an abstract by clicking [here](#).

Registration opens June 14th, click [here](#) for more information.

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