

Response to Comments Summary on FY 2009 Draft NPM Guidance

Office of Solid Waste and Emergency Response

Comment	Commenter(s)	Response	Change to Draft (Y/N/NA)	Modification
Issue Area: Emergency Preparedness				
Page 3, Partial Paragraph at top of page. This list is missing one of the QMR measures. It should say "emergency preparedness training and exercises."	EPA Region 5, Deputy Regional Administrator	Will adjust text to reflect both training and exercises currently tracked in the QMR.	Y	On page 3, revised to include: "...emergency preparedness training and exercises."
Page 15 last paragraph 1 st sentence: This sentence contains the previous Strategic Plan's target and should be updated with the wording of current strategic target.	EPA Region 5, Deputy Regional Administrator	OSWER concurs.	Y	On page 15, revised to include: "In its 2006-2011 Strategic Plan, EPA has set a target that by 2011 it will achieve and maintain at least 95 percent of the maximum score on readiness evaluation criteria for each region. The Core ER assessment tool is used to score regional capabilities..."
Attachment 1, Page 1. As noted during the Measures Streamlining process, measure #324 should be deleted as a separate measure	EPA Region 5, Deputy Regional Administrator	ACS Measure #324 and #327A are not duplicative. Measure #324 is asking the regions how many exercises and inspections will be	N	

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<p>because it is duplicative. That number will be part of the calculation for measure #327A. Besides, #327A is more outcome-oriented than #324.</p>		<p>conducted at FRP facilities for the fiscal year and requires a bidding process. Measure #327A is asking for the compliance rate during the inspection process. The total number in #324 will not equal the number of inspections conducted within measure #327A.</p>		
<p>Issue Area: RCRA Hazardous Waste Management and Recycling</p>				
<p>Page 26, Introductory Page, RCRA Waste Management Program. There is a general reference to the non-hazardous waste regulatory program in Paragraph 3. Unlike all the other areas that are referenced in this introductory section, there is no further discussion of FY 2009 priorities, direction etc. (except those specific to the tribal program). This is surprising considering the following: (a) OSW has indicated interest in pursuing a rule change related to bioreactors; (b) homeland security issues and disaster debris management continue to be an important focus area regionally and nationally; and (c) site-specific non-hazardous waste disposal issues are</p>	<p>EPA Region 5, Deputy Regional Administrator</p>	<p>While we agree that the bioreactor, disaster debris, and site-specific non-hazardous waste disposal program areas are a priority for many regions, and HQ supports these regional efforts, not all regions are able to make this a high priority. Thus, OSWER cannot direct regions to place resources into these areas. These factors also preclude an extensive discussion of these efforts in the brief NPG document, which is focused on activities covered by performance measures and other national high priorities. Because these program areas are not discussed further in the document, we are deleting the reference to them in the introduction. Regions should</p>	<p>Y</p>	<p>Deleted referenced program areas in the sentence in the Introductory page.</p>

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<p>a significant issue in R5 and in other Regions. <u>Recommendation</u> : The lack of discussion about direction, priorities, etc. makes it appear that this area is not a national priority and does not require regional or national resources. Based on the experiences of Region 5 in this area, this is not accurate. Region 5 recommends the National Program Office work closely with the Regions to establish focus activities for FY 2009 in this area.</p>		<p>note that OSWER is developing a rulemaking regarding bioreactors, which may require regional implementation efforts after promulgation, and will undertake efforts regarding the other program areas as needed. Home security waste management issues continue to be mentioned in the document.</p>		
<p>Page 29, First Full Paragraph. The first full paragraph indicates that Regions should focus on two programs: Construction Initiative (CI) and Coal Combustion Products Partnership (C2P2). This directly contradicts the discussions of the Regional Program Managers and OSW related to the update of the Industrial Materials Implementation Plan. A decision was made by the managers to remove from the Implementation Plan the direction to the regions to focus on these two</p>	<p>EPA Region 5, Deputy Regional Administrator</p>	<p>OSWER concurs.</p>	<p>Y</p>	<p>On page 29, paragraphs relating to Construction Initiative (CI) and Coal Combustion Products Partnership (C2P2) have been deleted. The following language has been inserted to address the commenter's recommendations: "The Regions and Headquarters completed the Industrial Materials Implementation Plan in spring of 2008. This is a dynamic document and the</p>

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<p>areas. The reason for this is that each region will have to respond to the needs and barriers identified by their own stakeholders and they are best suited for pursuing projects designed to support an increase in industrial materials recycling within their region. During the discussion of the implementation plan, OSW compiled all regional and OSW IMR projects and identified what strategic area they addressed.</p> <p><u>Recommendation</u> : Recommend that the NPM Guidance reflect the strategic areas identified in the Industrial Materials Recycling implementation plan rather than continuing to focus on the CI and C2P2 for regional action.</p>				Regions will be working on the priorities identified in the Plan throughout 2008 and 2009.”
Issue Area: RCRA Corrective Action				
<p><i>Goal 3 Land Preservation and Restoration Sub-objective 3.2.2 Clean Up and Revitalize Contaminated Land</i> -- 1st paragraph "...it must be noted that the program plans to work with Regions and states to revise these goals upwards based on early</p>	EPA Region 5, Deputy Regional Administrator	OSWER concurs.	Y	On page 32, deleted the following sentence: Achieving the following three goals will be the program’s highest priority for 2009-2011, but it must be noted that the program plans to work with Regions and states to revise these goals

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<p>progress toward the original 2011 goals..." This is inconsistent with assurances from David Hockey during the January 2008 Corrective Action Conference Call. The goals were to remain the same for all Regions; only the ACS commitments would reflect different accomplishment levels for different Regions.</p>				<p>upwards based on early progress toward the original 2011 goals, an effort that will conclude in the 2nd quarter FY 2008:</p>
<p>Page 32, Goal 3, Paragraph 1. The language is open-ended language regarding the unspecified increases in percentages of completion for the various measures. Region 5 suggests exploring ways to tie these increases down before the final guidance goes out, to allow the Regions and the states to feel more confidence in what we are expected to accomplish.</p>	<p>EPA Region 8, Regional Planner</p>	<p>OSWER concurs.</p>	<p>Y</p>	<p>Made the change noted in response to previous comment and several other conforming changes to this section.</p>
<p>Page 33, Last Full Paragraph. In the last full paragraph, the statement about the 3% increase in CA550s from FY 2008 to FY 2009 is troubling. Region 5 is not aware of how well it has done towards meeting this goal in the past year,</p>	<p>EPA Region 5, Deputy Regional Administrator</p>	<p>Under OMB's Program Assessment Rating Tool (PART) the RCRA Corrective Action Program is required to set annual targets for improving efficiency. These targets are set at the national, rather than regional, level.</p>	<p>N</p>	

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and is hesitant to commit to something of which it has no idea how burdensome it may be. The other parts of the Corrective Action section seem acceptable.				
Issue Area: Superfund and Revitalization				
Page 4, VI. Implementation Strategies. First paragraph, add "...selecting remedies that optimize reuse and revitalization."	State of Oklahoma	OSWER concurs.	Y	On page 4, revised to include: "...selecting remedies that optimize reuse and revitalization."
Page 7. Last paragraph of section VIII. We are seeking more information about using the USACE to establish a Center of Expertise to advise Regional offices on how to help promote the efficiency of project delivery and facilitate project progress through the Superfund pipeline. We would like to understand what this means, what it means to the DEQ PASI program, and how it would affect us overall. We have a very successful, efficient and effective PASI program and this year EPA cut our funding in half. The existing PASI programs in the states are effective and efficient.	State of Oklahoma	USACE supports EPA's Superfund program through an existing Memorandum of Understanding (MOU) between EPA and USACE. The MOU establishes a basic framework for USACE to assist the EPA in conducting its statutory obligations under its Superfund program. The MOU is written broadly, and USACE may support EPA on a wide variety of tasks within the Superfund pipeline that EPA needs to conduct to meet its statutory obligations under its Superfund program. USACE's Hazardous, Toxic, and Radiological Waste (HTRW) Center	NA	NA

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<p>We are also seeking information on the Center of Expertise, the funding that will be provided to the USACE. Is the funding in lieu of federal contracts and/or funding to state?</p>		<p>of Expertise (CX) is in place in Omaha, and is comprised of approximately 100 USACE staff. The HTRW-CX supports a number of EPA regions in meeting EPA’s statutory obligations under the Superfund program. USACE’s HTRW-CX is available to provide support to an EPA region on promoting efficiency for project delivery and to facilitate project progress through the Superfund pipeline.</p> <p>If an EPA region requests such support from USACE under the MOU, the funding for such support should be provided by an EPA regional office through a site-specific Interagency Agreement (IAG) between EPA and USACE, or through a Generic IAG between an EPA region and USACE. These site-specific or Generic IAGs may already be in place or be developed and put in place.</p> <p>If a state desires USACE support on</p>		

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		<p>a Superfund project, the state has two options for receiving such support. A state could develop a separate MOU or other agreement directly with USACE and the specific request for that support would be detailed within that agreement. A state could also provide funding to an EPA region who then could request USACE support to a state under an existing or new IAG. Under this second option, the IAG would be between USACE and the EPA regional office, and the scope of work within that IAG would specify support that USACE would provide to the state.</p>		
<p>Page 12. Implementation Strategies to Meet Performance Goals 1st paragraph.</p> <p>Insert “selecting remedies that optimize reuse and revitalization” in the first paragraph.</p>	<p>State of Oklahoma</p>	<p>OSWER concurs.</p>	<p>Y</p>	<p>On page 12, revised to include: “...selecting remedies that optimize reuse and revitalization.”</p>
<p>5. Page 13, last paragraph. EPA has a new measure of efficiency that</p>	<p>State of Oklahoma</p>	<p>The EPA program was directed by OMB to adopt an outcome</p>	<p>NA</p>	

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tracks the number of sites with human exposures under control per million dollars. While not a bad idea, it is difficult to understand how these comparisons can be made. Some sites are large and complex and require more money, some contract mechanisms are more efficient than others and we are curious if there is any attempt to adjust for these and other factors.		efficiency measure. The program does try to account for the variability in site expenditures in the calculation of this measure. The program excludes 1% of the highest and lowest cost sites each year and also uses a 3-year rolling average of the data.		
Pg 7 second paragraph Ex Summary In addition to the focus on post construction NPL sites, similar attention should be devoted to those sites awaiting funding, or not funded. Not compiling these sites paints an inaccurate picture of the NPL landscape.	Santa Clara Pueblo	OSWER disagrees. The increased emphasis on post-construction projects is warranted considering most sites listed on the NPL have already reached construction completion.	NA	
Issue Area: Tribal Program Concerns				
We would suggest tracking underground storage tank operational compliance rates in Indian Country separately from other lands, under Measure ST6. In Region 9, compliance on tribal lands	EPA Region 9, Tribal Program	OSWER tracks underground storage tank operational compliance rates in Indian Country separately from other lands, and reports that information publicly every six months in our mid-year and end of	N	

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lags significantly compare to non-tribal lands (43% compared to 75%)		year activity reports. You can find the latest report at http://www.epa.gov/oust/cat/camarclhv.htm . You can also find a good discussion of this issue beginning on page seven of our Report to Congress on Implementing and Enforcing the Underground Storage Tank Program in Indian Country which you can find at http://www.epa.gov/oust/fedlaws/financial_trtc.htm .		
We would support increasing the national target for Measure TR2, number of dumps closed, clean up, or upgraded in Indian Country. The current measure is only 27, out of a universe of thousands. Region 9 alone closed more than 80 dumps in Indian Country last year.	EPA Region 9, Tribal Program	OSWER appreciates this support and is working with regional offices regarding the regional and national targets for FY 2009 and beyond.	NA	
Pg 32 first paragraph RCRA Regarding the collaborative EPA/IHS OMDS database, communication should be encouraged between regional tribal project officers in the GAP and RCRA programs to ensure all tribal solid waste clean up activities are	Santa Clara Pueblo	OSWER agrees and will continue discussions among RCRA tribal program staff and GAP program staff.	N	

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entered into the database. Open dumps have been cleaned with various funding sources (GAP, hazardous waste, solid waste, etc.)				
Although not identified as a specific goal; assistance to tribal governments regarding meth hazards, from site characterization to clean up, should be addressed as it does fall under the EPA "significant responsibilities related to the safe management of solid and hazardous waste". Increased understanding of health risks associated with meth contaminated <i>Brownfield</i> sites is mentioned on page 24 but not all meth sites are Brownfield sites.	Santa Clara Pueblo	<p>No planned change.</p> <p>OSWER's Office of Brownfields and Land Revitalization (OBLR) has included an activity in its EJ Action Plan regarding enhanced understandings of public health risks associated with methamphetamine contaminated brownfield sites in Indian Country. Through the Brownfields research, training, and technical assistance grant awarded to Cherokee Nation, Cherokee Nation is providing training, in a train-the-trainer format, to tribal representatives in Region 6 on the public health risks associated with methamphetamine labs and potential cleanup methods.</p> <p>In addition to this cooperative agreement, OBLR has also recently awarded a research, training, and technical assistance cooperative</p>	NA	

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		agreement to the Midwest Assistance Program, Inc. focused on assessing the needs of and developing a train-the-trainer program for tribal representatives for increased capacity in the management of tribal response programs. This activity and cooperative agreement was not included in the OBLR EJ Action Plan.		
Under the OBLR EJ Action Plan there is mention of methamphetamine contaminated brownfield sites on tribal lands training as a goal. My understanding is that there will also be a separate brownfields in Indian Country training initiative. This initiative could also be mentioned in the guidance and possibly a goal set for this initiative.	EPA Region 6, Tribal Program	There is no separate Brownfields in Indian country training initiative planned, at this time.	NA	
On page 9, 3 rd paragraph, a suggested additional goal for FY09 could be continued implementation of the EPA Tribal Superfund guidance and formation of additional	Santa Clara Pueblo	OSWER concurs.	Y	On page 9, revised to include: "5) implement Superfund tribal guidance concepts to improve EPA's tribal consultation efforts in the Superfund

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steps to enhance tribal program.				program and consideration of tribal lifeways in the HRS."
Pg 3 third paragraph Ex Summary A key step to improve tribal program development would be to include tribes in development of the measures, which means solicit input from tribes regarding internal and external program measures, training, outreach, etc. "tribes" does not mean NTC.	Santa Clara Pueblo	OSWER agrees. EPA establishes a formal comment process, which includes substantial outreach to tribes, as part of developing the EPA Strategic Plan goals, objectives and measures. OSWER's long-term "strategic measures" are developed and commented on as part of this process (and annual goals toward achieving these strategic measures are typically highlighted in OSWER's NPM guidance). For example, the two RCRA tribal solid waste measures (regarding open dumps and integrated waste management plans) are strategic measures. OSWER is soliciting input from all federally-recognized tribes on existing measures, and potential draft measures and "indicators" (as well as all other OSWER tribal program activities) in a draft OSWER tribal strategy. This tribal strategy is currently out for tribal comment until May 16, 2008, and can be found at	NA	

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		<p>www.epa.gov/oswer/tribal . After this strategy is final, OSWER intends to solicit tribal input to update and implement the strategy annually (including measures), in part through an annual tribal forum meeting on the OSWER tribal strategy (which will include tribal representatives outside of the National Tribal Caucus and other such entities). In addition, OSWER intends to update this strategy in tandem with the tri-annual public review process for updating EPA’s Strategic Plan. OSWER will continue to utilize the National Tribal Caucus, NTEC and other tribal groups to help disseminate information and provide feedback from member tribes. At the same time, OSWER will continue to ensure that our programs do not rely on these entities alone to satisfy our tribal outreach efforts.</p>		
Overall Comment: Similar to working with ECOS in national program guidance development, we should develop a process similar for	EPA Region 6, Tribal Office	(same response as above).	NA	

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obtaining tribal input. Concern was expressed that the NTEC might not represent individual tribes.				
<p><i>The Indian Health Service, in collaboration with EPA, customized the IHS Operation and Maintenance Data System (OMDS) database, a subset of the web Sanitation Tracking and Reporting System (w/STARS).</i></p> <p>The customizing of the OMDS database also included tribal input. For example, one tribe has been noting the presence of methamphetamine waste in their open dumps before the new version of the IHS ranking criteria. The IHS old criteria did not have meth waste as a factor in the ranking of open dumps.</p>	EPA Region 6 Tribal Program	OSWER agrees, and appreciates assistance from all of our program partners. We anticipate that as assessments are made of open dumps and data is entered onto the w/STARS database, staff will suggest additional refinements and improvements.	N	
<p><i>The w/STARS database will be the official repository for EPA to hold all data on open dumps on tribal lands. Regions should input data to accurately populate the</i></p>	EPA Region 6 Tribal Program	OSWER has been working with IHS and the EPA Regions regarding data collection and input.		

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<p><i>database during FY 2009.</i></p> <p>OSWER and the Regions should work with tribal partners to assist in inputting data into w/STARS. Currently those tribes that have IHS compacted programs already enter their data directly into IHS databases. EPA has partnered with tribes to develop capacity to inventory open dumps. Tribes also directly submit data into EPA's other environmental data systems (AQS, STORET, WQX, etc). Tribes are also working on innovative ideas through EPA's Exchange Network to share open dump data.</p> <p>The Region 6 tribal solid waste coordinator will be working with the IHS offices and tribal consortia located in Oklahoma and New Mexico to explore ways to allow the tribal consortia to directly input consortia member open dump data into w/STARS.</p>				
Page 32. "Assist tribal governments	State of	Use of the term, "Tribal lands,"		

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<p>to ensure than an additional 27 open dumps <u>in Indian country and on other Tribal lands</u> are closed, cleaned up, or upgraded.”</p> <p>Tribes have no jurisdiction outside Indian country. The only “tribal lands” recognized by federal law are those included in the federal statute at 18 USC 1151 which is the definition of Indian country. What are the “other Tribal lands” ?</p>	Oklahoma	within EPA’s 2006-2011 Strategic Plan, and within this guidance, is not intended to provide any legal guidance on the scope of any program being described nor is their use intended to expand or restrict the scope of any such programs.		
Same comment, next paragraph re: “open dumps on tribal lands”.	State of Oklahoma	Same response as above.		
Same comment on the Attachment 1, page 1, item 3.1.2	State of Oklahoma	Same response as above.		
Issue Area: Environmental Justice				
Some items appear to be region-specific. If so, what regions do they apply to and why are they so focused in a national review?	EPA Region 8, Environmental Justice Office	Some of the items were based on suggestions made by Region 5’s EJ program, with the belief that they were applicable nationally.	N	
Has OSWER thought through the staff time commitment (at HQ and in the Regions) associated with these items? This is the make or break	EPA Region 8, Environmental Justice Office	Not specifically because of the Agency goal of integrating EJ, these efforts should be part of the overall programmatic effort.	N	

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calculus.		The items listed in the NPM Guidance are offered to be included in each region's EJ Action Plan. They are intended to be accomplished in collaboration with the regional Environmental Justice Coordinator and the team each region has to address EJ issues.		
Are there processes and/or tools to accomplish the stated goals? If not, who will create these and how does OSWER assure uniformity and quality? Is there HQ support to the regions in the form of tools/ time/ advice/etc?	EPA Region 8, Environmental Justice Office	OSWER, and the Headquarters office of EJ are available to assist with tools, available training, and methodologies.	N	
Is there accountability for HQ and the regions for the goals listed? In the 17 goals listed, what are the priorities contemplated by OSWER?	EPA Region 8, Environmental Justice Office	Each region and program office has employed annual EJ Action Plans with measurable goals for a number of years. Activities should be included in your upcoming regional EJ Action Plan using the logic model template. Outcomes should be characterized based on Awareness, Behavior and Condition changes in the short, medium and long term. This will be the basis of any successful effort.	N	

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		The priorities for each region should be determined as part of the regions overall resource and staffing plans. EJ is meant to be integrated into all of the work of the Agency not as a set-aside. Consequently, the goals of the NPM Guidance should be integrated into activities already budgeted and undertaken in each region.		
Has OSWER defined “success”? (e.g. “We worked on number xx, but cannot point to any particular improvement in the circumstances in EJ communities”, or, alternatively, “We targeted EJ communities for action and reduced air contaminants by 4 trillion tons/year.”)	EPA Region 8, Environmental Justice Office	Activities should be included in your upcoming regional EJ Action Plan using the logic model template. Outcomes should be characterized based on Awareness, Behavior and Condition changes in the short, medium and long term. This will be the basis of any successful effort.	N	
Is the idea to establish goals and then turn the regions loose on these to foster a multiplicity of approaches which, if successful, can be made available to other regions? If so, again, who pays (in time and treasure) for the development and implementation of this effort?	EPA Region 8, Environmental Justice Office	Yes. Practices that mitigate disparity or promote EJ are meant to be integrated into all of the work of the Agency not as a set-aside. Consequently, the goals of the NPM Guidance should be integrated into activities already budgeted and undertaken in each region.	N	

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<p>“Enhance and maintain a stable set of internal measures for routine analysis of OSWER EJ program performance.” What measures? Measures currently used in EJ programs, an OSWER-defined set of measures which all can use or regionally-developed measures?</p>	<p>EPA Region 8, Environmental Justice Office</p>	<p>Outcome measures should be characterized based on Awareness, Behavior and Condition changes in the short, medium and long term. This will be the basis of measuring any successful effort. OSWER and OEJ will be available to assist with determining some potential measures.</p>	<p>N</p>	
<p>“Increase the level of understanding of the concept of risk and EPA’s role/approach to risk in communities with environmental justice concerns.” Understanding for who? EPA? Communities? States?</p>	<p>EPA Region 8, Environmental Justice Office</p>	<p>All stakeholders should be included in information, tools and skills exchanges as informational resources become available.</p>	<p>N</p>	
<p>“Improve outreach and results from OSWER EJ Fundamentals training.” Are we really trying to improve results (and how do you measure this) from EJ training or just more broadly apply such training?</p>		<p>Yes. OSWER and the Headquarters Office of EJ are available to assist with this.</p>	<p>N</p>	
<p>“Improve outreach and tools in OSWER that focus on: analysis, performance measurement, population vulnerability, cumulative impacts (e.g. multi-facility), or other EJ-oriented measure of risk</p>	<p>EPA Region 8, Environmental Justice Office</p>	<p>Agreed</p>	<p>N</p>	

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and revitalization in communities with EJ concerns.” This should largely be a case of adopting and adapting.				
<p>“Regions are asked to work with states to, in part, “consider risk” when prioritizing facilities to be addressed in multi-year permitting strategies. Regions could also be asked to consider population vulnerability, cumulative impacts (e.g. multifacility), or other EJ-oriented measure of risk. (Goal 3; Subobjective 3.1.2).” The challenge is how to quantify risk and then agree with states on how to rank risk. Doing so will keep everyone more or less on the same page.</p> <p>“Progress towards RCRA GPRA goals in potential EJ communities should advance at least at the same pace as in non-EJ areas. (Goal 3; 3.1.2).” If we really meet the goal listed above, this will naturally follow.</p> <p>“Work toward these GPRA goals</p>	EPA Region 8, Environmental Justice Office	<p>The EJ Fundamentals Training Course is one tool that can be provided to states to provide knowledge and understanding of opportunities to “consider risk”. Additionally, the recently completed EJ Protocol for Assessing Permitting provides a resource and opportunity to promote knowledge and understanding of these issues. OSWER and OEJ are available to assist regions in accessing and utilizing these resources.</p> <p>Regarding the second and third comments, we agree.</p>	N	

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could be prioritized in part based on EJ-oriented measures of risk. (Goal 3; 3.2.2).” See the preceding two comments.				
<p>“Regions should support and work closely with states to ensure that environmental regulations, applicable Federal EJ policies, strategies, tools and training programs are used to adequately address EJ concerns. (Goal 3; 3.2.2).” Absolutely. The question is “how”. If a state has a commitment to EJ expressed in statute, regulation or guidance, the path to collaboration is easier to see. If a state has no such guidance, other than what might be contained in their PPA with EPA, the challenge is significantly heightened.</p> <p>“Regions are asked to include risk-based measures that address EJ concerns (such as cumulative impacts, population vulnerability, exposure pathways related to subsistence fishing, etc.) when</p>	EPA Region 8, Environmental Justice Office	See response above.	N	

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making decisions for chemicals to reduce (in addition to 31 priority chemicals). (Goal 5; 5.2.1).” Again, the question is how. Is a formal risk assessment called for or is the program to rely on generally available data to make this determination?				
“Regions are encouraged to prioritize reduction efforts toward areas with the highest overall concentrations of risk. (Goal 5; 5.2.1).” This appears to be a restatement of the 5th goal listed above. Is this restatement necessary?	EPA Region 8, Environmental Justice Office	No.	Y	On page 53, deleted restatement of goal, as suggested.
“In communicating with stakeholders about the Schools Chemical Cleanout Campaign, OSWER supports a focus on schools that face particularly high financial and technical barriers to implementation.” Does this mean that EPA will pay for the cost of this process? If so, what is the potential cost of such a program?	EPA Region 8, Environmental Justice Office	The Regions should work with the headquarters Office of Solid Waste to deliver this program.	N	
What does “enhanced	EPA Region 8,	“Enhanced understanding” here	N	

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understanding” mean? Is the intent here to enhance outreach?	Environmental Justice Office	means, “awareness, education, and outreach,” and the intent is to enhance outreach.		
Is this a Meth. Risk Assessment or a survey and quantification of the number of such labs and the consequent level of exposure to tribal populations?	EPA Region 8, Environmental Justice Office	No. There is no assessment taking place through this cooperative agreement project.	N	
Regional focus is OK, but why is it in a national guidance document, unless it is meant to inform and encourage all regions to pursue Brownfields work in EJ communities.	EPA Region 8, Environmental Justice Office	The reason this is a national guidance document is because the project/cooperative agreement is managed out of headquarters and the project will identify lessons and information which can be replicated on a national basis.	N	
Again, this appears to have been driven by some particular region’s (or more than one region’s) experience. This can be instructive for all regions, but those problems may or may not apply to all regions.	EPA Region 8, Environmental Justice Office	OSWER agrees.	N	
I thought that the Brownfields Program already had in place (with significant programmatic support) Brownfields Job Training grants.	EPA Region 8, Environmental Justice Office	That’s correct. However, through this project/cooperative agreement, HMTRI also performs outreach to communities interested in developing job training programs – either with EPA Job Training grant	N	

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		funds or on their own.		
<p>Good idea. However, most readers will have to look up the definition of hedonic pricing. This is a model identifying price factors according to the premise that price is determined both by internal characteristics of the good being sold and external factors affecting it. Incorporating a definition like the following as a footnote might help:</p> <p>“With regard to the housing market: the price of a property is determined by the characteristics of the house (size, appearance, features, condition) as well as the characteristics of the surrounding neighborhood (accessibility to schools and shopping, level of water and air pollution, value of other homes, etc.) The hedonic pricing model is used to estimate the extent to which each factor affects the price.”</p>	EPA Region 8, Environmental Justice Office	OSWER agrees.	Y	On page 25, included footnote with definition of hedonic pricing, as suggested.
This goal addresses the tension between the desire to significantly	EPA Region 8, Environmental	Yes. This is an approach that could be pursued. However, the main	N	

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<p>incorporate the needs of EJ communities into the Brownfields grant award process and the economic drivers which appear to dominate such applications. As to looking back, OSWER could invest a significant effort in looking retrospectively at this question – and learn that Brownfields did (or did not) do well with respect to this question. Does this help?</p>	<p>Justice Office</p>	<p>point of this project is to simply see which communities we’re serving and have served through the years</p>		
<p>As to using this tool to look at prospective target areas, it will make little difference in the award of grants unless the Brownfields RFPs specifically create criteria which significantly reward applications targeting such communities.</p>	<p>EPA Region 8, Environmental Justice Office</p>	<p>That’s correct. However, targeted outreach could be performed to communities with significant low-income, minority populations and concentrations of brownfields. This analysis will also provide the first layer for looking at other demographic information (i.e. percent of renters in a community being served by brownfields funding, population densities, etc.) We hope to eventually link this analysis with information enforcement and public health data in the future.</p>	<p>N</p>	

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Issue Area: Processes and Practices				
<p>“[OSWER’s guidance] should include Environmental Management Systems (EMSs).”</p>	<p>EPA Region 9, Staff</p>	<p>OSWER’s Office of Solid Waste is in the process of developing a quickplace internet site on permitting efficiency and innovation that will include EMS, and particularly, a 2006 study that we funded through a grant to South Carolina that analyzed how EMSs can complement RCRA permits. We plan to inform the regions through means other than the NPM guidance.</p>	<p>N</p>	