

## Department of Veterans Affairs Environmental Justice 2012 Implementation Progress Report

### BACKGROUND

The Department of Veterans Affairs (VA), established as an independent agency under the President by EO 5389 on July 21, 1930, was elevated to Cabinet level on March 15, 1989 (Public Law No. 100-527). VA's charge is to serve America's Veterans and their families with dignity and compassion and to be their principal advocate in ensuring that they receive medical care, benefits, social support, and lasting memorials promoting the health, welfare, and dignity of all Veterans in recognition of their service to this Nation.<sup>1</sup> It is VA's intent and practice that this mission is accomplished in a manner that is neutral with respect to race, ethnicity, gender, or income – so that all Veterans are treated equally and no disproportionate burdens are imposed.

On February 11, 1994, the President signed EO 12898, *Federal Actions to Address Environmental Justice in Minority and Low-Income Populations*. On August 4, 2011, VA and 16 other Federal agencies signed the *Memorandum of Understanding on Environmental Justice and EO 12898* (EJ MOU).

While VA practices the principles of environmental justice (EJ) through the assurance of fair and equitable care of our Nation's Veterans and compliance with environmental and non-discrimination laws, prior to last year's Environmental Justice Strategy (February 2012), it previously had no formal strategic EJ plan beyond those embodied within the processes under the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. Section 4321 *et seq.* (NEPA) and through compliance with Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. Section 2000d *et seq.*

### VA EJ STRATEGIC PLANNING AND IMPLEMENTATION ACTIVITIES

Since signing the EJ MOU, VA has been working to integrate EJ into its mission by ensuring that it identifies and addresses programs, policies, and activities with the potential for disproportionately high and adverse human health or environmental effects on all people regardless of race, ethnicity, gender, or income with the respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.

In 2012 the VA worked with stakeholders to develop a strategic plan and launch a more formal EJ program throughout VA. A few highlights from 2012-2013 about our progress to plan and implement VA's EJ strategic plan include:

- Participated in the EJ Interagency Working Group (EJ IWG) throughout 2012 and 2013.
  - VA serves as a member of the EJ IWG's NEPA Committee, which was formed for the purpose of improving the efficiency of the NEPA process across the Federal government, in order to enhance consideration of EJ through the sharing of best practices and lessons learned.
  - During 2012, the NEPA Committee of the IWG has taken several steps toward achieving this mission.
    - Conducted a series of cross-agency trainings on various tools, methods, and agency-specific focal areas for incorporating and improving EJ within the NEPA process. The trainings are designed to inform agencies on the current state of NEPA-related EJ efforts across the Federal family.
    - Commenced the drafting of a national NEPA training module on EJ. The national training module will provide a foundational understanding of NEPA's role in addressing EJ.

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<sup>1</sup> [Department of Veterans Affairs 2010 Organization Briefing Book](#), page 1.

- Commenced the drafting of a NEPA EJ Checklist. The checklist is designed to provide Federal NEPA practitioners with a series of recommendations for conducting environmental justice analyses based on best practices and lessons learned.
    - Created the EJ Resources Compendium. This resource tool provides a compilation of publically available NEPA- and EJ-related documents from Federal agencies (e.g., regulations, guidance, circulars) accompanied by hyperlinks for quick access.
    - As a member of the Communication Platform Working Group, VA helped assess various templates and designs for a web portal. The outcome was the creation of the NEPA Committee’s Community on OMB MAX.
  - VA participated in the EJ IWG’s Title VI Committee.
  - VA also participated in IWG-hosted listening sessions with EJ advocates and stakeholders from across the country.
- Maintained and expanded an internal EJ Task Force comprised of staff across VA programs and offices. The VA EJ Task Force:
  - Is tasked with drafting and overseeing implementation of VA’s EJ strategy.
  - Finalized VA’s Environmental Justice Strategic Plan (February 2012).
  - Created an internal action plan to guide implementation of the strategy and conducted follow-up activities to carry out the plan.
- Continued implementation of VA’s EJ Strategy.
  - VA’s EJ strategy has three overarching goals:
    - **Goal 1:** Identify and address VA programs, policies, and activities that may have disproportionately high and adverse human health or environmental effects on minority, low-income, or tribal populations (which may include Veterans).
    - **Goal 2:** Ensure transparent and accessible information sharing and promote public participation for programs, activities, and operations that have potential EJ implications.
    - **Goal 3:** Identify areas to improve research and data collection methods relating to human health and the environment of minority, low-income, and tribal populations (which may include Veterans).
  - The strategy is designed to allow for change as VA identifies new opportunities and initiatives, and modifies or enhances existing or proposed initiatives. Aspects of the strategy and the upcoming action plan may also change in response to Veteran inputs, other public feedback, or any new direction from the Administration or the EJ IWG.
  - VA continued to implement the strategy principally through its compliance with NEPA and the Veterans Health Administration (VHA) environmental management system (referred to as the Green Environmental Management System, or GEMS), as well as through the EJ action plan.
  - VA’s EJ Strategy focuses on ensuring that:
    - A healthy and safe environment exists around VA facilities and activities, including those located in or near minority, low-income, and tribal populations (which may include Veterans).
    - The site selection process for new facilities fairly and openly considers sustainability and equity factors (e.g., using the *Recommendations for Sustainably Siting Federal Facilities* guidance developed under *EO 13514, Federal Leadership in Environmental, Energy, and Economic Performance*, the *Implementing Instructions - Sustainable Locations for Federal Facilities*) and includes the full participation of potentially impacted communities or tribes.
    - In alignment with VA’s hiring practices for all jobs, equal opportunities for green jobs and workforce development are given to minority and low-income populations, and especially the Veterans among them, as VA implements *EO 13423 (Strengthening Federal Environmental, Energy and Transportation Management)*, *EO 13514, Energy*

Independence and Security Act of 2007, 42 U.S.C. Section 17001 *et seq.*, and Energy Policy Act of 2005, 42 U.S.C. Section 15801 *et seq.*, and otherwise undertakes efforts to reduce its environmental impacts.

- Continuing outreach and education regarding VA's mission and EJ Strategic Plan. For example, maintained and updated an [EJ webpage](#), attended and/or made presentations at conferences and meetings (e.g., Green Jobs/Good Jobs, National EJ Conference, 2012 Summit on the Science of Eliminating Health Disparities), and prepared and published an [EJ Implementation Progress Report](#) (February 2012).
- Completed and submitted a Title VI-EJ survey conducted by the Department of Justice.

## **ONGOING VA EJ PROGRAMS - 2012 ACTIVITY HIGHLIGHTS**

VA has several specific programs to advance EJ. Their continuation and the development of future programs to address EJ will be a key part of implementing VA's EJ strategy. Highlights of 2012 activities are provided after each program summary.

- *Green Environmental Management System (GEMS)*. VA is committed to delivering quality health care to our Nation's Veterans. VA established GEMS to ensure all VHA facilities meet or exceed all environmental laws, regulations, and best practices. VA views the GEMS process as an expression of its commitment to ensuring that environmental compliance is a key component in long range planning, purchasing, and operating decisions, wherever practicable. By definition and design, GEMS is a systematic approach that helps ensure fair and equitable treatment and minimizes potential disproportionate impacts.
  - *To ensure healthy environments for Veterans, medical center staff, and the communities surrounding VHA facilities, VHA seeks to exceed compliance with environmental requirements where feasible. For example, VHA is in the process of installing additional air pollution controls on all of the ethylene oxide (EtO) medical sterilizers at its medical centers. These air pollution control devices (APCDs) on the EtO medical sterilizers exceed the requirements of the Clean Air Act's regulations (40 Code of Federal Regulations 63, Subpart WWWW). Through VHA Directive 2011-015, VHA must install APCDs on all EtO medical sterilizers by October 1, 2014. As of January 2013, all but 38 of the more than 150 VHA medical centers have installed the APCD's to their EtO medical sterilizers.*
  - *VA participates in EJ IWG listening sessions and other sponsored activities as appropriate. For example, the GEMS Coordinator from Durham VA Medical Center represented VA at the EJ IWG listening session in Raleigh, NC.*
- *VA Green Programs*. VA is committed to being a good steward of the environment and promoting the development and implementation of sustainable programs and practices across VA to ensure its environmental impacts are minimized. To implement EOs 13423 and 13514 and other mandates, and to address VA's main environmental challenges, VA created several internal task forces and working groups, including the Environmental Management Task Force and Green Purchasing Working Group. The Greening VA programs include the Environmental Management Program, the Fleet Management Program, the Energy & Water Management Program, the Sustainable Building Program, and the Green Routine. In fulfilling VA's commitment to care for our Nation's Veterans and their families, VA also strives to ensure a healthy and sustainable environment for current and future generations. Greening VA reduces human health and environmental impacts to all populations and creates green job opportunities.
  - *Relevant VA policy, guidance, directives, training materials, and other documents that were created or revised were reviewed for EJ implications, connections and alignment with VA's EJ Strategic Plan throughout the last year (e.g., [VA Directive 0066](#), [VA Sustainable Locations Program](#), [VA Sustainable Design Manual](#)).*

- *Green Careers Program.* Veterans face unique challenges as part of their reentry into the workforce when their military service ends. Current economic conditions have a significant negative impact on Veterans and a disproportionate impact on recently-separated Veterans compared to the average American. In the interest of ensuring that VA not only provides quality care for the Nation's Veterans, but also strives for a healthy and sustainable environment, VA developed a green career program – Green to Green – to connect Veterans to the green jobs market. The purpose of the program is to develop a pathway to assist men and women who have served our country to transition from uniform service into training education programs and career and/or job opportunity in the green technology, energy, and recycling fields. The goal of this program is to work collaboratively with organizations and other agencies to explore and identify existing and established programs in green technology, energy, and recycling fields, and to develop and implement a comprehensive process for providing this information to Veterans. The program is offered to all applicable Veterans regardless of race, ethnicity, income, or other socio-economic factors and strives to increase the workforce aimed at correcting environmental impacts.
  - *In 2012, VA sought to expand the Green to Green project beyond the Chicago area through outreach, including development of an overview brochure, a success story featuring Veterans working on VA's Green Management Program, and a slide presentation for use in internal and external communications. VA also began working on a program to pilot Green to Green at several facilities across the country.*
- *Public Health.* VA's Office of Public Health (OPH) serves as the leader and authority in public health within VA. Public Health in VA is the science and practice of promoting health and preventing disease among Veteran and VA staff populations. In this context, health can be affected by natural or human-made environments, present and past occupations, place in society, gender, and other social or individual characteristics. OPH provides epidemiological surveillance and studies to monitor the health of the Veteran population potentially exposed to environmental or other health hazards. OPH is able to detect and respond to public health threats using various mechanisms of surveillance.
  - *In 2012, OPH identified several ongoing programs and activities with EJ connections. OPH formed its own working group for continued review and integration of EJ into its mission.*
- *Town Hall Meetings.* To ensure that VA remains respectful of all stakeholders affected by programming, VA Medical Center Directors often hold town hall style meetings that are open to the public, especially the community of the Medical Center facility. These forums can be used to help address any potential EJ concerns for the communities which host VA facilities. The open forums allow VA to share important information about environmental impacts and programs, as well as hear directly from stakeholders affected by operations. Leveraging this existing forum for public participation will help VA reach its target audience for EJ messages and facilitate needed feedback loops.
  - *In 2012, VA prepared EJ talking points for these Town Hall forums.*

As VA continues to participate on the EJ IWG activities, works to implement our EJ Strategy, and develops an action plan, additional opportunities for intra-departmental and inter-agency collaboration may be identified. VA looks forward to more progress in the upcoming year and to working with all interested stakeholders to reach the goals we have established and improve the state of EJ in VA across the country.