

## **Department of Veterans Affairs Environmental Justice 2013 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 dignified resting places at national shrines that honor and commemorate Veterans' service and sacrifice to our Nation. It is VA's intent and practice that this mission is accomplished in a manner that treats all Veterans equally and without regard to race, ethnicity, gender, or income. This ensures 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 the Environmental Justice Strategy issued in 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, VA worked with stakeholders to develop a strategic plan and launch a more formal EJ program throughout VA. In 2013, VA continued implementation of the plan. A few highlights from 2013 include:

- Continued participation in the EJ Interagency Working Group (EJ IWG)
  - VA has served as a member of the EJ IWG's NEPA Committee since 2012. The EJ IWG NEPA Committee was formed for the purpose of improving the effectiveness, efficiency and consistency of the NEPA process to enhance consideration of EJ through the sharing of best practices, lessons learned, training and other tools.
  - During 2013, the NEPA Committee of the IWG took several steps toward achieving this mission.
    - Created the EJ Resources Compendium. This resource tool provides a compilation of publically-available NEPA- and EJ-related documents from

- almost twenty Federal agencies (e.g., regulations, guidance, circulars) accompanied by hyperlinks for quick access.
- 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. VA participated in these trainings.
  - Conducted a review of existing Federal agency training materials on EJ and NEPA, and is using this assessment to produce a national NEPA training module on NEPA and EJ with the focus on effective EJ analysis in the NEPA process.
- Maintained and expanded an internal EJ Task Force comprised of staff across VA programs and offices. The VA EJ Task Force is tasked with overseeing implementation of VA's EJ strategy. Two representatives from the VA Office of Tribal Government Relations were added.
  - 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 (Federal Leadership in Environmental, Energy, and Economic Performance), 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), and prepared and published the [VA Environmental Justice FY 2012 Implementation Progress Report](#) (February 2013).

### **ONGOING VA EJ PROGRAMS - 2013 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 2013 activities are provided after each program summary.

- Green Environmental Management System (GEMS). VHA 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 planning, purchasing, and operating decisions, wherever practicable. By definition and design, GEMS is a systematic approach that helps ensure all VHA facilities meet environmental compliance and program management requirements without consideration of where the facility is located. This minimizes potential disproportionate impacts on EJ communities.
  - To ensure healthy environments for Veterans, medical center staff, and the communities surrounding VHA facilities, VHA seeks to use environmentally preferable products where feasible. For example, VHA's Center for Engineering and Occupational Safety and Health (CEOSH) have developed reports for certain commonly used items that compare the environmental impact of each product with "greener" alternatives, to include bio-based products. To date, CEOSH has published five of these reports.
- 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.
- 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 2013, VA continued expanding the Green to Green project beyond the Chicago area through outreach, including giving a presentation at the Good Jobs, Green Jobs Conference in April 2013.
- 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.
  - OPH formed its own working group for continued review and integration of EJ into its mission. OPH's EJ working group will conduct a gap analysis of OPH to identify opportunities for integrating EJ.
- 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.

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.