





Virginia Department of Environmental Quality and Environmental Justice

Central Virginia Waste Management Authority Disaster Recovery Training

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Presentation Overview

- Virginia Environmental Justice Act
- Virginia EJScreen+
- Draft Permitting Guidance
- Ongoing Projects

Virginia Environmental Justice Act

§ 2.2-234. *Definitions.*

§ 2.2-235. *Policy regarding environmental justice.*

It is the policy of the Commonwealth to **promote environmental justice** and **ensure** that it is **carried out throughout the Commonwealth**, with a focus on environmental justice communities and fenceline communities

Virginia Environmental Justice Act – Key Definitions

“Environmental Justice”: the fair treatment and meaningful involvement of every person regardless of race, color, national origin, income, faith or disability, regarding the development, implementation, or enforcement of any environmental law, regulation, or policy.

Virginia Environmental Justice Act – Key Definitions cont'd

"Fair treatment" means the **equitable consideration of all people** whereby no group of people bears a **disproportionate share of any negative environmental consequence** resulting from an industrial, governmental, or commercial operation, program, or policy.

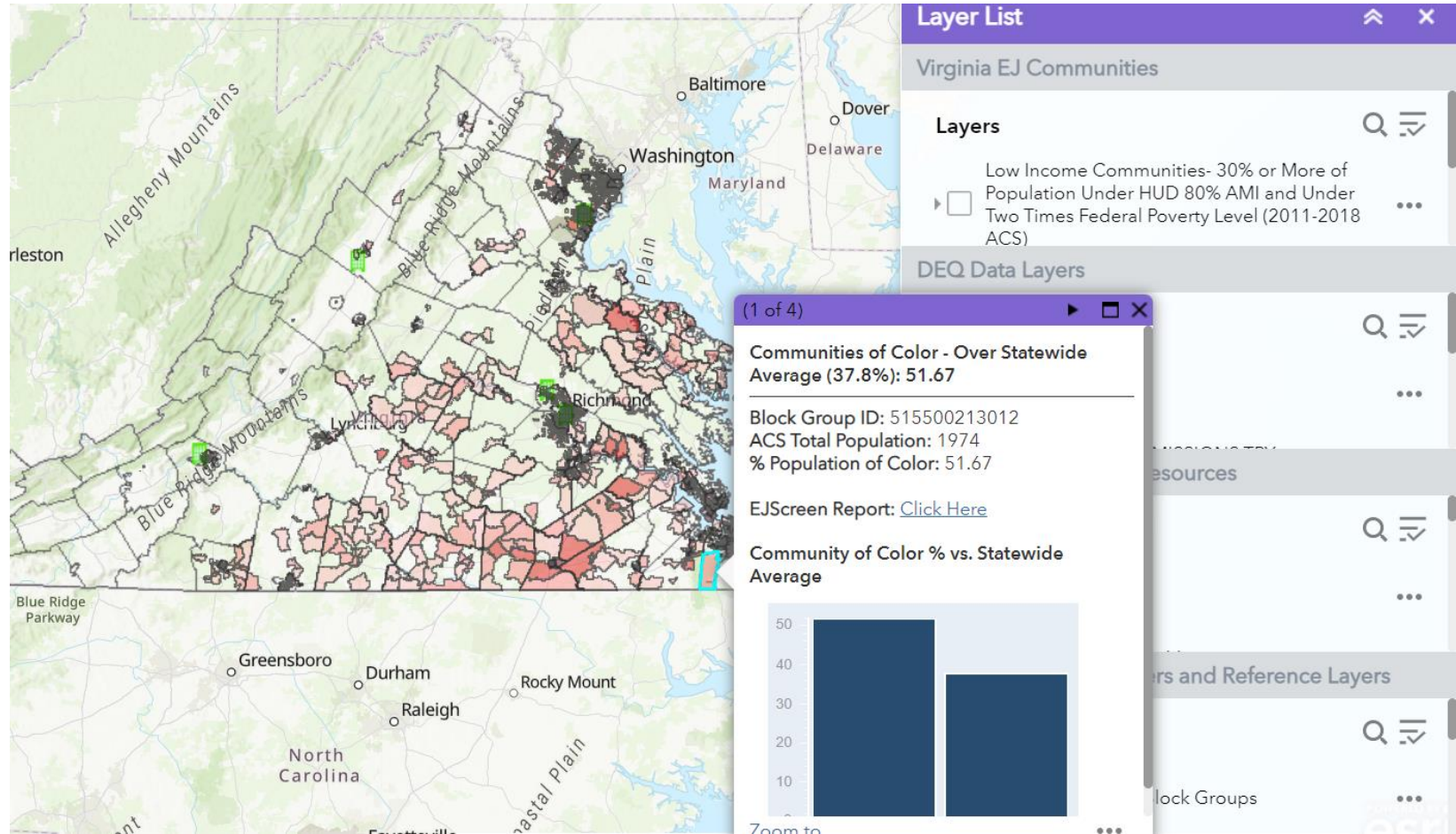
Virginia Environmental Justice Act – Key Definitions cont'd

"Meaningful involvement" means the requirements that:

- **Affected and vulnerable community residents have access and opportunities to participate in the full cycle of the decision-making process** about a proposed activity that will affect their environment or health and
- **Decision makers will seek out and consider such participation, allowing the views and perspectives of community residents to shape and influence the decision.**

Virginia EJScreen+

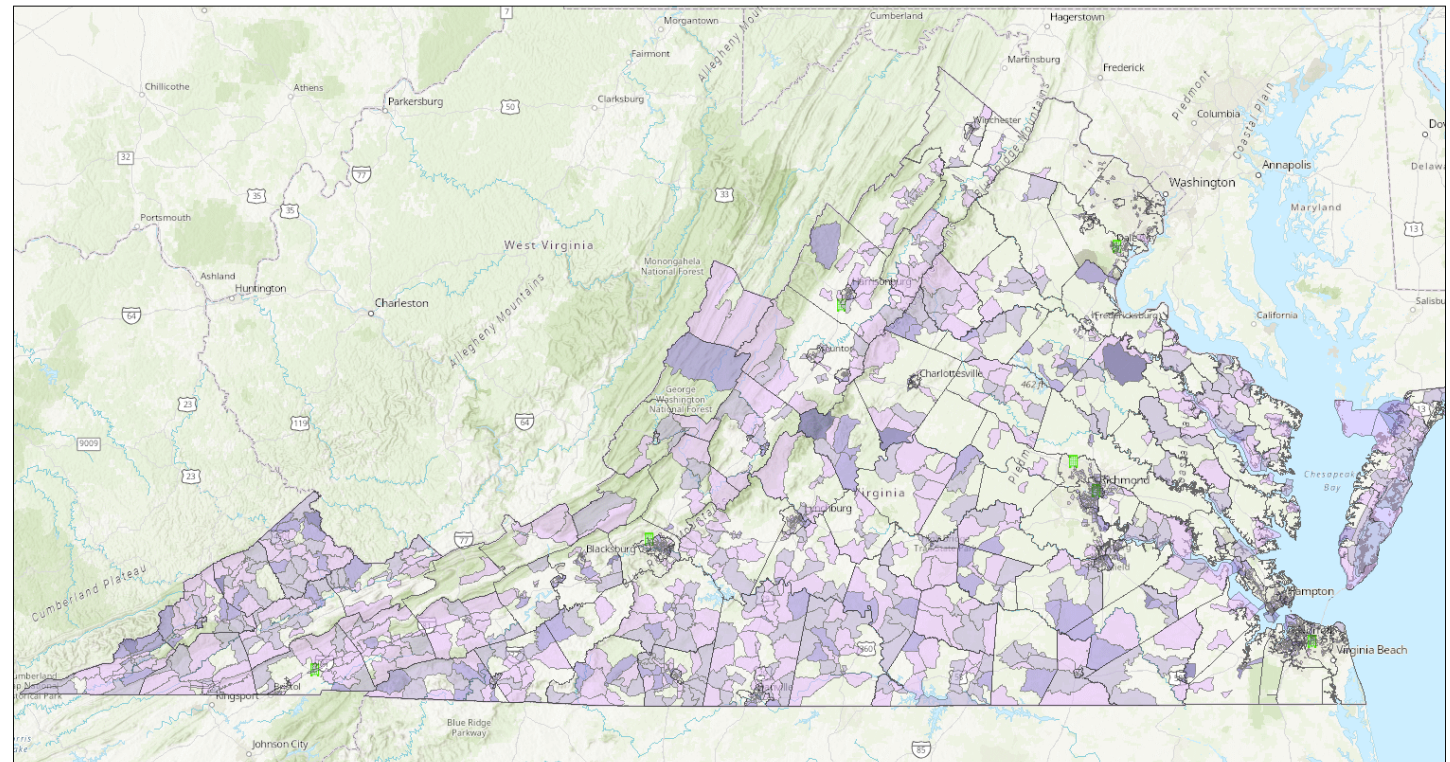
- [GIS Mapping Tool](#)
- Developed to increase access to and enhance awareness of Environmental Justice-related data and information throughout the Commonwealth
- Two major EJ Indicators



Low Income Communities

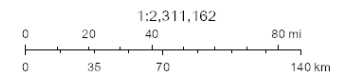
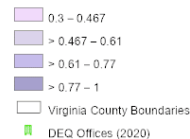
- Over 30% or more of the population in a census block group are under HUD 80% AMI and under two times federal poverty level.

VA EJScreen+ Low Income EJ Indicator



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Low Income Communities- 30% or More of Population Under HUD 80% AMI and Under Two Times Federal Poverty Level (2011-2018 ACS)



Virginia Department of Environmental Quality, VGIN, Esri, HERE, Garmin, FAO, NOAA, USGS, EPA, NPS, U.S. Environmental Protection Agency, Headquarters, Esri, USGS

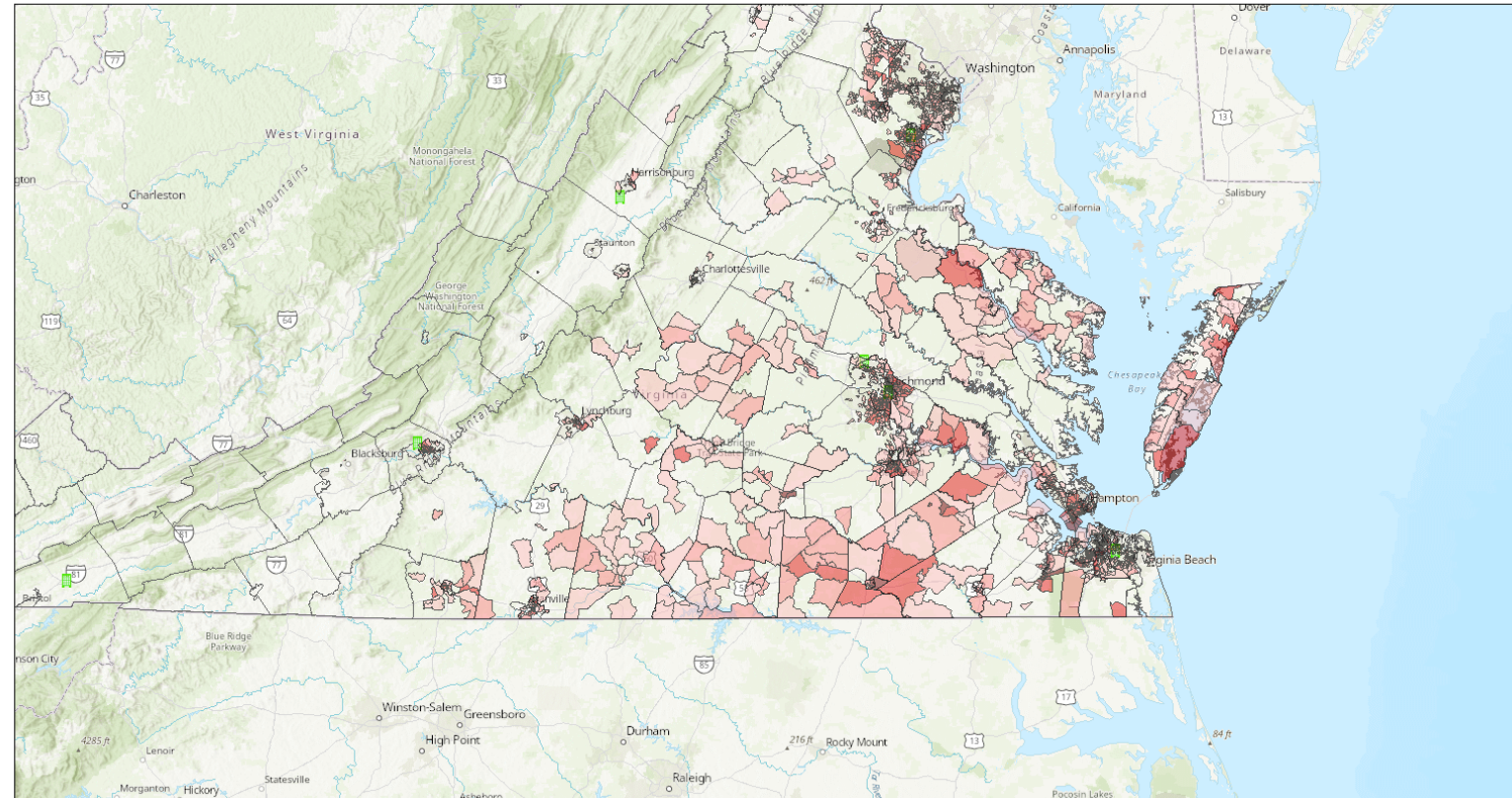
Department of Environmental Quality

Esri, USGS | VGIN, Esri, HERE, Garmin, SafeGraph, FAO, METI/NASA, USGS, EPA, NPS | U.S. Environmental Protection Agency, Headquarters | Virginia Department of Environmental Quality | Oak Ridge National Laboratory (ORNL), National Geospatial-Intelligence Agency (NGA) Homeland Security Infrastructure

Communities of Color

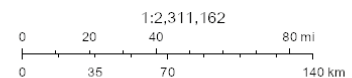
- A population made up of individuals who identify as belonging to one or more of the following groups: Black, African American, Asian, Pacific Islander, Native American, other non-white race, mixed race, Hispanic, Latino, or linguistically isolated over the statewide average of 37.8%

VA EJScreen+ Web Map Communities of Color EJ Indicator



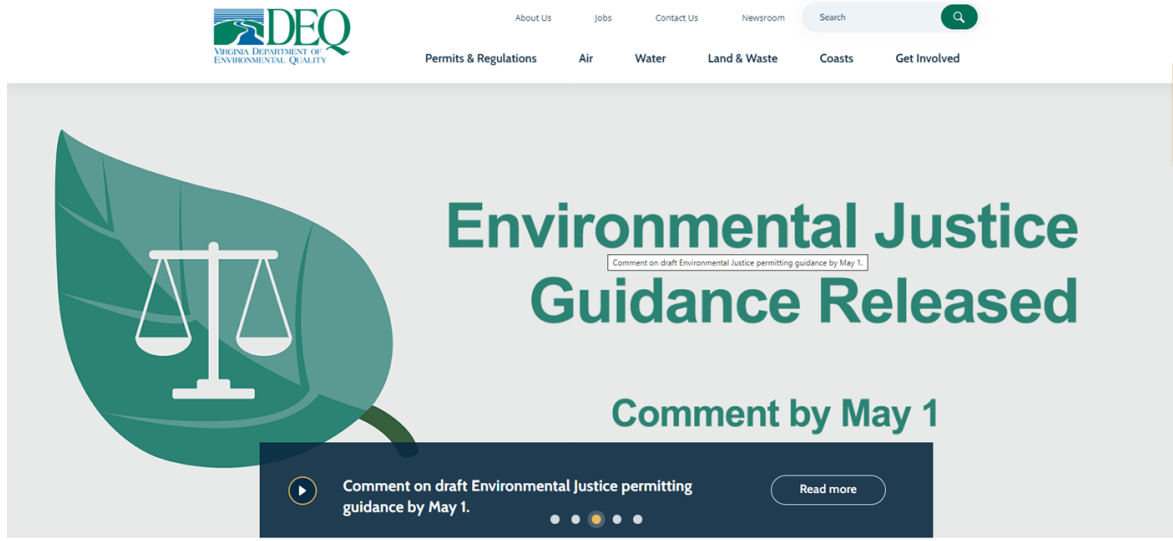
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Communities of Color - Over Statewide Average (37.8%) (2014-2018 ACS)



Virginia Department of Environmental Quality, VGIN, Esri, HERE, Garmin, FAO, NOAA, USGS, EPA, NPS, U.S. Environmental Protection Agency, Headquarters, Esri, USGS

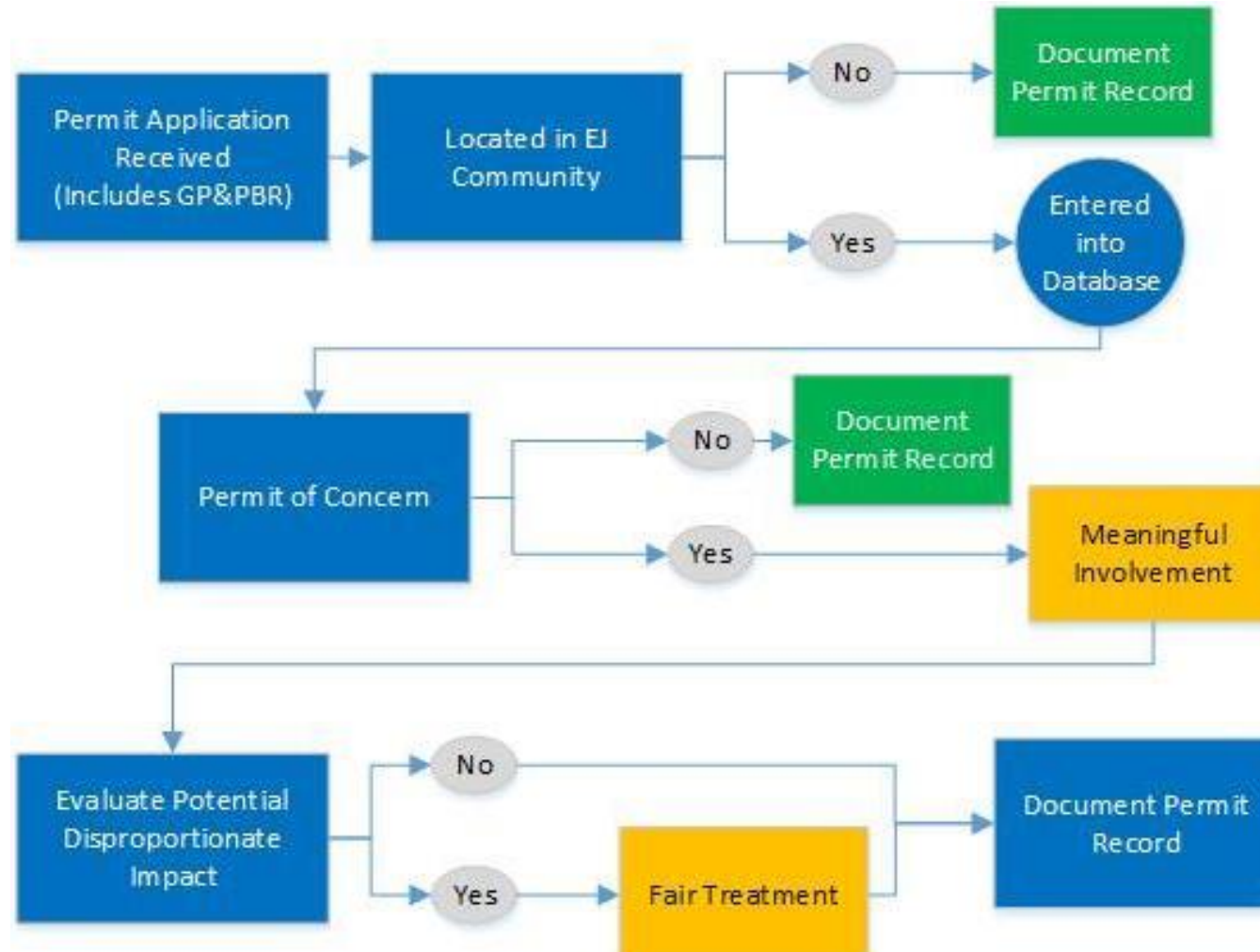
Environmental Justice Draft Guidance: Overview



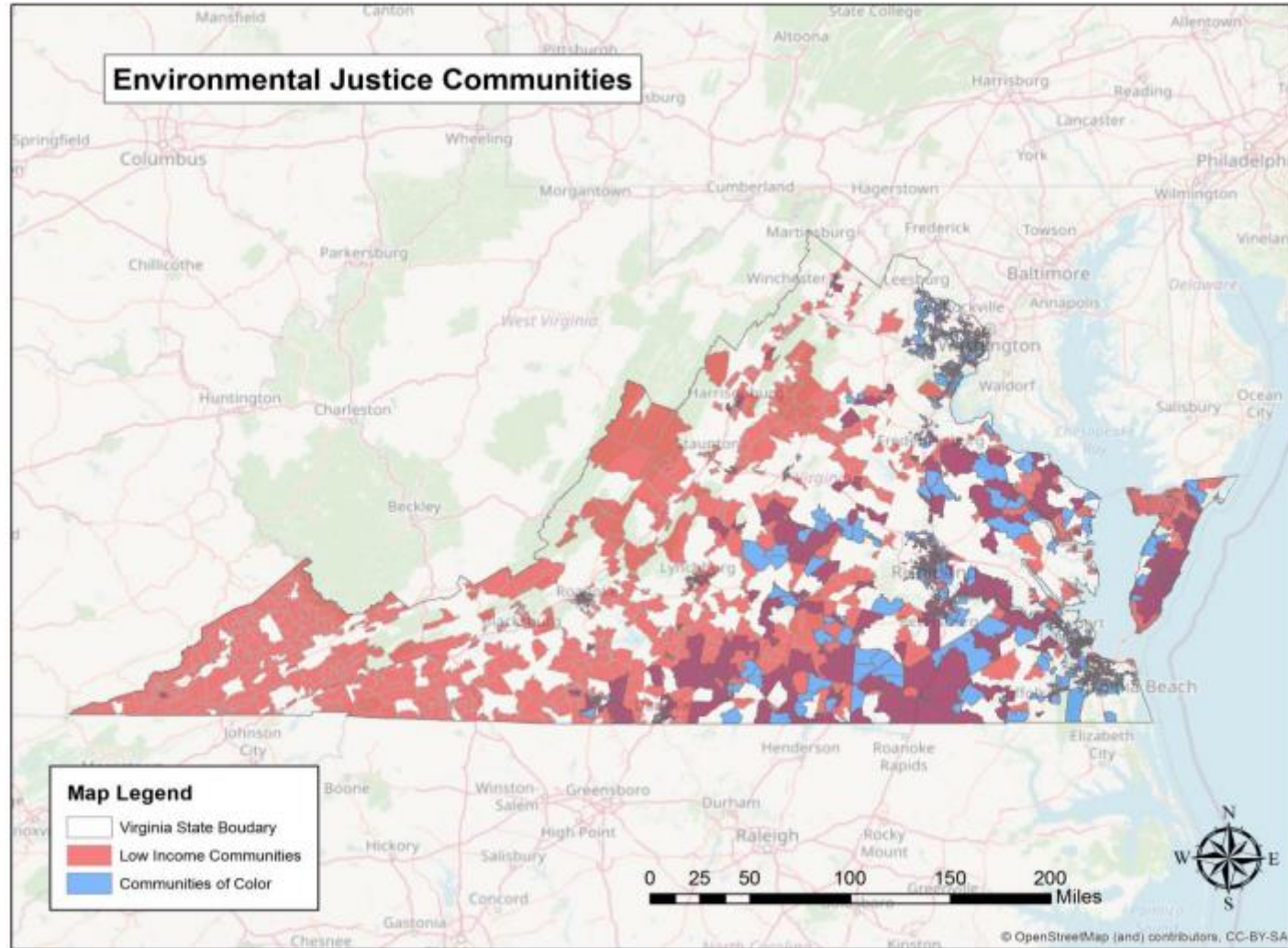
- Creates procedures to ensure fair treatment and meaningful involvement throughout DEQ's permitting processes
- Available for informal public comments until May 1, 2023
- Environmental Justice in the Permitting Process – Link to Draft Guidance

Environmental Justice Draft Guidance

Permit Evaluation Process – Flow chart



Environmental Justice Draft Guidance: Map

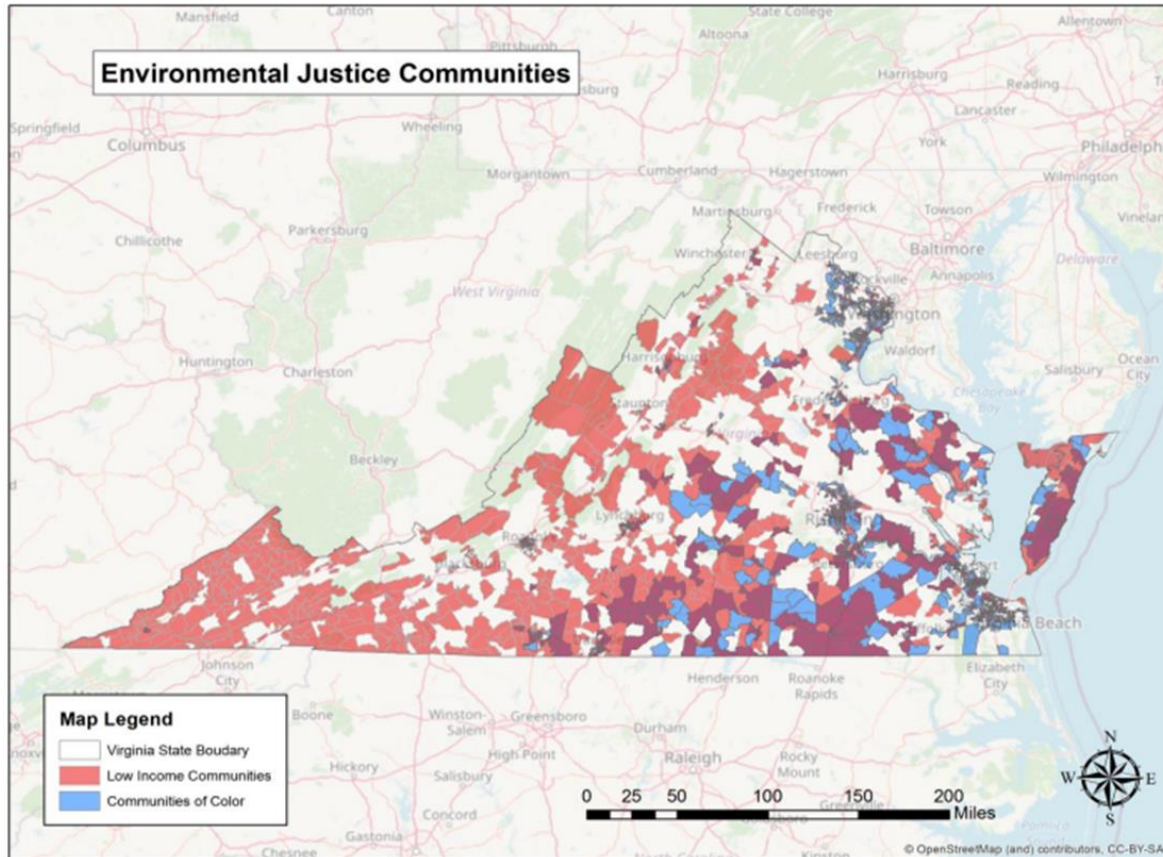


Environmental Justice Draft Guidance: EJ Communities

Low Income Communities

Census block groups in which 30 percent or more of the population is composed of people having an annual household income equal to or less than the greater of

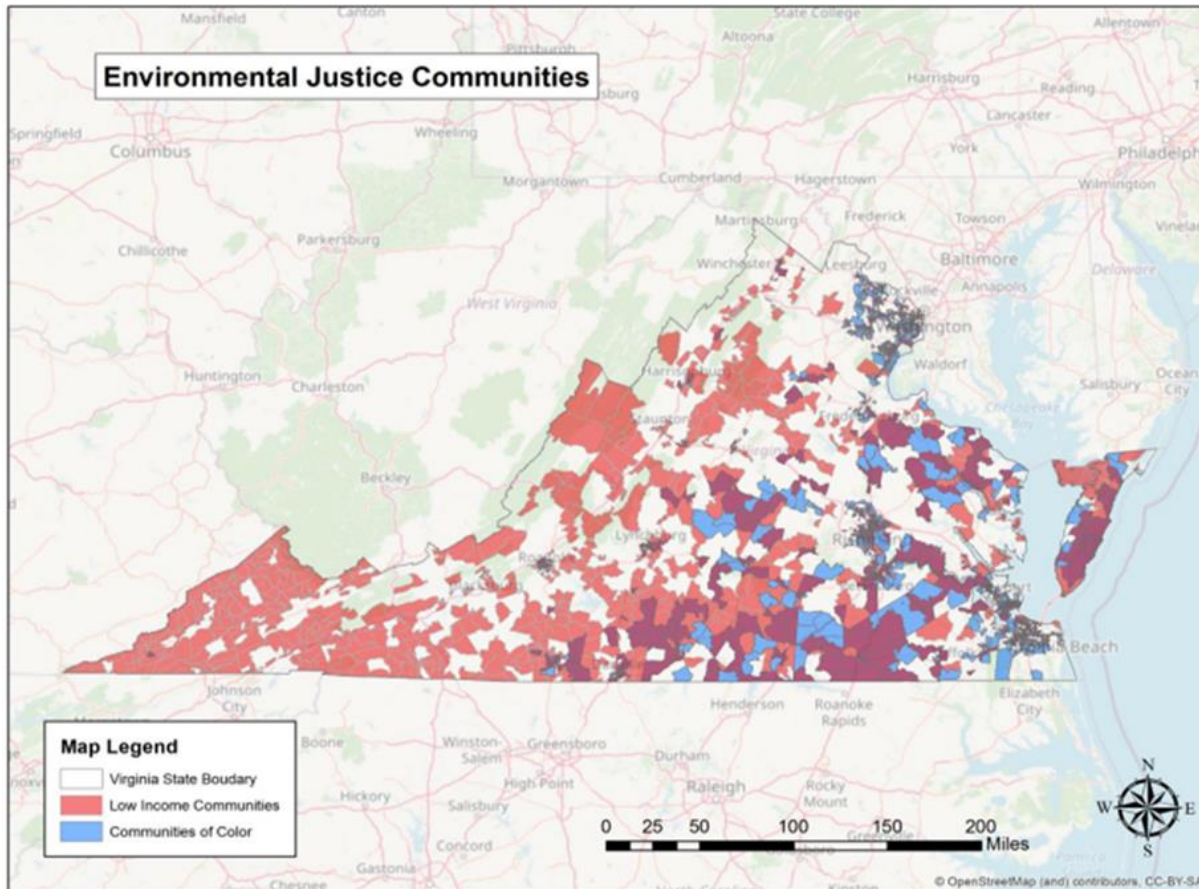
- An amount equal to 80 percent of the median income of the area in which the household is located, as reported by the Department of Housing and Urban Development, and
- 200 percent of the Federal Poverty Level (2011-2018 ACS)



Environmental Justice Draft Guidance: EJ Communities

Communities of Color

Any geographically distinct area where the population of color, expressed as a percentage of the total population of such area, is higher than the population of color in the Commonwealth expressed as a percentage of the total population of the Commonwealth (37.8% 2014-2018 American Community Survey (ACS)).



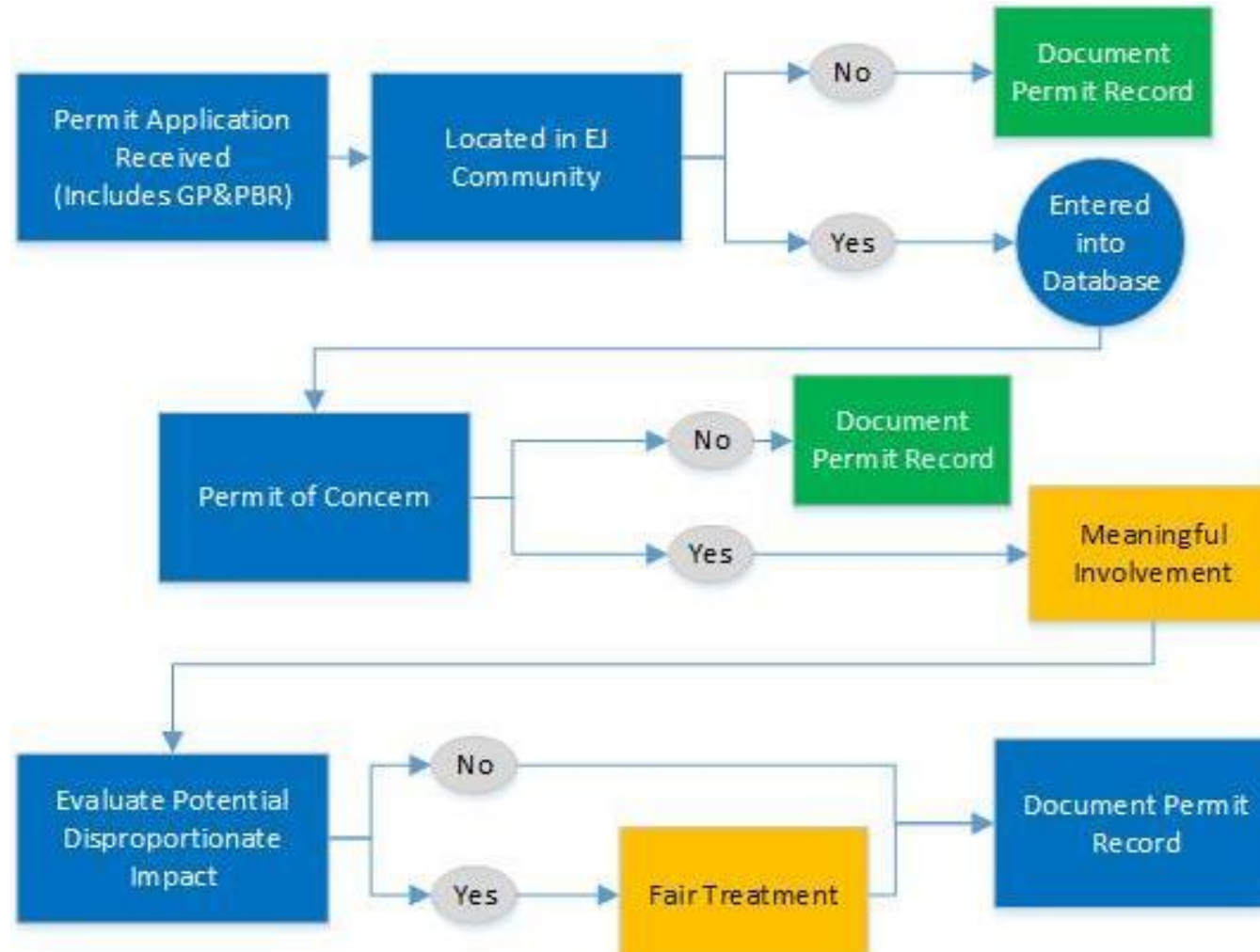
Environmental Justice Draft Guidance: Permits of Concern

PERMITS of CONCERN
AIR¹
Construction of a new major source or major modification to an existing major source
Construction of a new major source or major modification to an existing fossil fuel-fired generating facility with a capacity of 500 megawatts or more
Construction of a new major source or major modification to an existing fossil fuel-fired compressor station facility used to transport natural gas (this excludes fossil fueled backup compressor station power)
WATER
VPDES new or expanded major municipal (≥ 25 MGD) and new or expanded major industrial discharges
VWP wetlands individual permits greater than 10ac wetlands or 25,000 lf stream proposed impacts
Groundwater new individual permits (≥ 1.0 MGD) or expanded existing withdrawals
Surface Water Withdrawal new individual or expanded existing withdrawals
LAND
New or expanded solid waste landfills
New or modified hazardous waste permitted Treatment / Storage / Disposal Facilities
New or expanded materials recovery facility or transfer station covered by Permit by Rule
Other Permits on Case by Case Basis

¹ New stationary sources and projects at existing stationary sources that are exempt from permitting under 9VAC5 Chapter 80, operating permits and permit amendments are not considered permits of concern.

Environmental Justice Draft Guidance

Permit Evaluation Process – Flow chart



Grants, Water Quality Monitoring, Air Quality Monitoring

- Grant webinar – March 2023
- Nominate water bodies for monitoring – March/April 2023
- Citizen Water Quality Monitoring
- Air Quality Monitoring – Tidewater Air Monitoring Evaluation Project

Thank you!

Any questions?