

## Department of Veterans Affairs Environmental Justice 2015 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).

VA has embraced and 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. VA has complied with and embraced the strategies 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. In February 2012, VA issued its formal Environmental Justice Strategy.

### 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. VA has continued implementation of the plan, highlights from 2015 include:

- Continued participation in the NEPA Committee of the Federal EJ Interagency Working Group (EJIWG). The NEPA Committee seeks to improve the effective, efficient and consistent consideration of environmental justice issues in the NEPA process through the sharing of best practices, lessons learned, research, analysis, training, consultation, and other experiences of federal NEPA practitioners. In 2015, significant work products of the NEPA Committee include: the *Promising Practices for EJ Methodologies in NEPA Reviews* and a companion training module based on the promising practices.

- 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).
  
- Continued outreach and education regarding VA's mission and EJ Strategy. For example, maintained and updated an [EJ webpage](#), attended and/or made presentations at conferences and meetings, and prepared and published the [VA Environmental Justice FY 2014 Implementation Progress Report](#) (February 2014).

#### **ONGOING VA EJ PROGRAMS - 2015 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 2015 activities are provided after each program summary.

- Green Environmental Management System (GEMS). The Veterans Health Administration (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 has completed several notable accomplishments:
  - VHA revised five major directives including Pollution Prevention, Management of Hazardous Chemicals, Lead Based Paint (LBP) in VHA Housing and Child-Occupied Facilities, Emergency Planning and Community Right to Know Act (EPCRA), and the overarching policy on GEMS. These updates ensured VHA continued implementation of Environmental Management Systems at every appropriate facility, pollution prevention and EPCRA programs, and updated LBP policy to meet new requirements and ensure protection of housing residents. Renewal and continued implementation of these VHA programs ensures the local communities surrounding our hospitals are included in our emergency management planning activities, they benefit from our implementing operations that are conducted to limit pollution and promote green practices, and residents on VHA properties are protected from hazards. VHA Environmental policies continue to evolve, ensuring transparency and safe environments for Veterans, employees, and all residents in the surrounding communities.

- VHA has directed the transition and use of an enterprise-wide safety data sheet (SDS)/Chemical Inventory service that includes a multi-lingual service interface that demonstrates VA's commitment to promote our EJ Policy and Strategy. Use of the enterprise-wide service also encourages and enables services users to utilize environmentally preferable products, where feasible. For example, VHA's Center for Engineering and Occupational Safety and Health (CEOSH) periodically publishes "green product" reports, presents monthly service training, and publishes "How to Guide(s)" to assist users to compare the environmental impact of commonly used products with "greener" alternatives, to include bio-based products.
- 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 EO 13693 and other mandates, and to address VA's main environmental challenges, VA established the Green Management Program Service, including the Environmental Management Program, the Fleet Management Program, the Energy & Water Management Program, the Sustainable Building Program, and the Green Routine. Green Routine is an initiative to engage employees in sustainability efforts, which includes employee recognition, outreach to Facility Sustainability Officers, and sharing and encouraging innovative efforts. 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.
- 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.
- 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.
- Climate Change Adaptation. VA continues to improve climate adaptation and resilience measures already incorporated in ongoing business practices. VA is responding to physical and resource vulnerabilities by (1) proactively ensuring that full consideration is given in design and construction of new infrastructure, and (2) collaborating with partners at the regional level, tailoring each facility's response to local threats. New design requirements and standards take into account changing baseline climate data for energy use, potential sea level rise and storm surge, and other aspects of physical threats associated with climate change.

- Title VI of the Civil Rights Act of 1964 (Title VI). Title VI prohibits race, color, and national origin discrimination by recipients of financial assistance from VA. Environmental justice issues may be raised in programs and activities supported through federal financial assistance. In those circumstances, Title VI is an important tool for addressing those concerns. VA's Office for Civil Rights is responsible for enforcing Title VI for the agency. VA is committed to using its authority under Title VI to achieve the goals of Executive Order 12898. In addition, the Director of the Center for Minority Veterans performs functions with respect to Veterans who are minorities which include: serving as principal adviser to the Secretary on the adoption and implementation of policies and programs affecting Veterans who are minorities; making recommendations to the Secretary, the Under Secretary for Health, the Under Secretary for Benefits, and the other Department officials for the establishment or improvement of programs in the Department for which Veterans who are minorities are eligible; and providing support and administrative services to the Advisory Committee on Minority Veterans.

As VA continues to participate on the EJ IWG activities and works to implement our EJ Strategy, 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.