
Effective Date:
12/15/03

WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Environmental Equity Policy

Section 1. Background

The Department of Environmental Protection (DEP) recognizes that national studies have shown that in certain circumstances low-income and minority communities face an inequitable share of human health and environmental risks associated with industrial development. The DEP also recognizes that sustainable community development will result in a higher quality of life in terms of economic opportunity and a safe and healthy environment. In light of these circumstances and DEP's mission of *promoting a healthy environment*, it is necessary that the DEP integrate environmental equity principles into its policies, regulations, legislative proposals, and programs.

Section 2. Purpose

The purpose of this policy is to address the disparate adverse environmental impacts and the lack of proportionate funding and environmental benefits, when they exist, that may impinge on the quality of life in low-income and minority communities. However, the successful restoration of communities does not rely solely on the authorities vested in the DEP. Therefore, it is essential that the DEP actively partner with other state and federal agencies, municipal governments, industries, grassroots and civic organizations, and academia to address the problems. Only through collaborative efforts can environmental inequities that may exist in West Virginia be resolved.

The procedures outlined in this document are intended to supplement existing requirements. Nothing in this policy shall affect regulatory requirements.

Section 3. Definitions

Environmental Equity: The fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. Fair treatment means that no group of people should bear a disproportionate share of the negative environmental consequences as a result of their racial, ethnic, cultural, or

socioeconomic background when permitting industrial, municipal, and commercial operations or in the execution of federal, state, local, and tribal programs and policies.

Low-Income Community: A community that has a greater population of low-income families than does a statistical reference area as determined by the United States Census Bureau. According to the U.S. Census Bureau data of the 2000 Supplementary Survey, for West Virginia, the estimated population that falls below the poverty level is 19.3%. A low-income community in West Virginia is any community with an estimated poverty population greater than 19.3%.

Minority: A minority is an individual or group of individuals that are Hispanics, African Americans, Asian Americans, Pacific Islanders, American Indians and Alaskan Native. EPA does note that the terms used to describe racial population groups are continually changing and interchangeable (i.e., Black and African American, Hispanic and Latino, and Indian and Native American). The term 'minority', as used in this policy, does not distinguish people by sex, age, or any disability.


Minority Community: A community that has a significantly greater population of minority individuals than does a statistical reference area as defined by the United States Census Bureau. The estimated percent of West Virginia's population that is minority is 5% and thus any community with an estimated minority population greater than 5% is a minority community.

Section 4. Policy Statement

The West Virginia Department of Environmental Protection will, within its authority, ensure that no segment of the population, because of its status as a low-income or minority community or any other factors relating to its racial or economic makeup, bear a disproportionate share of the risks and consequences of environmental pollution or be denied equal access to environmental benefits. The DEP is committed to incorporating environmental equity into its program development and implementation, its policy making and its regulatory activities.

Section 5. Policy Number.

Policy Number 11.


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Cabinet Secretary