

# Environmental Justice and Impact on Manufacturers

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In recent weeks, the U.S. Environmental Protection Agency (EPA) released the draft 2023 Environmental Justice Guidance Document ([Guidance](#)), a revision of the EPA's "Technical Guidance for Assessing Environmental Justice in Regulatory Analysis." The draft Guidance represents a strategic initiative intended to enhance environmental justice and rectify the disproportionate impact of environmental hazards on underserved communities. For manufacturers, this document underscores the need for increased vigilance in environmental compliance and proactive community engagement. However, navigating this landscape can pose challenges.

The Guidance outlines analytic expectations and discusses technical approaches and methods that can be used by federal agencies to evaluate environmental justice concerns for regulatory actions. The proposed revision reflects the state of the science, new peer-reviewed agency guidance, and new terminology, priorities, and direction. The guidance also incorporates [Executive Order 14096](#), "Revitalizing Our Nation's Commitment to Environmental Justice for All."

By embracing the principles outlined in the Guidance, manufacturers can attempt to shield themselves from regulatory penalties, enhance their reputation by showcasing a commitment to social responsibility, and contribute to the broader goal of achieving environmental equity.

Here are key strategies manufacturers may want to consider while aligning with the document's guidelines:

## Understand the Document

Manufacturers will want to thoroughly review the Guidance to understand its implications and expectations. This includes staying informed about any updates or changes to regulations that may affect operations.

## Conduct Environmental Impact Assessments

Manufacturers may conduct comprehensive environmental impact assessments, including specific evaluations of their facilities' effects on nearby communities, particularly those identified as disadvantaged. These assessments should not only address direct pollution but also consider noise, traffic, and other forms of disruption.

## Enhance Public Engagement

Effective communication with affected communities is crucial. Manufacturers can establish forums for dialogue, attend community meetings, and set up dedicated channels for feedback regarding their operations. Being transparent and responsive to community members' concerns can build trust and prevent potential conflicts.

## Implement Robust Compliance Programs

Staying compliant with existing and newly introduced environmental regulations is advisable. Manufacturers should develop and maintain robust compliance programs, including regular training for employees, periodic audits, and corrective action planning.

## Invest in Cleaner Technologies

Investing in research and development of incorporate cleaner, more sustainable technologies and practices into manufacturing processes is never a bad idea. Reducing emissions and waste not only benefits the environment but also resonates positively with consumers and regulatory bodies.

## Partner with Local Leaders

Collaborating with local government officials, environmental groups, and community leaders can help manufacturers better understand the needs and expectations of the communities in which they operate. It also enables them to contribute positively to local environmental justice causes.

## Monitor Legal Developments

Since environmental regulations can evolve rapidly, manufacturers should keep abreast of any legal changes at the federal, state, and local levels. Engaging legal counsel with expertise in environmental law can be critical in adapting to these changes.

## Tailor Reporting and Documentation

Document and report all efforts towards reducing environmental impact and supporting environmental justice. This not only serves as evidence of compliance but can also provide valuable data for continuous improvement in environmental performance.

## Foster a Culture of Sustainability

Manufacturers may consider establishing a company culture that prioritizes sustainability and environmental responsibility, incentivizing employees to propose and implement eco-friendly initiatives.

## Prepare for Contingencies

Having an emergency response plan in place for potential environmental incidents is required. A well-executed response can mitigate negative outcomes and demonstrate the company's commitment to the well-being of the community.

The Guidance will impact the regulatory community as future rulemaking committees will likely take into consideration the principles it outlines. Similarly, private entities may also want to reevaluate operational methods in light of the Guidance document. The EPA is seeking public comments on the draft revisions until January 15, 2024. Two informational webinars will be held on December 6, 2023, and December 12, 2023, respectively, to discuss the revision.

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