



At a Glance

The EPA Needs to Further Refine and Implement Guidance to Address Cumulative Impacts and Disproportionate Health Effects Across Environmental Programs

Why We Did This Audit

To accomplish this objective:

The U.S. Environmental Protection Agency Office of Inspector General conducted this audit to determine what actions the EPA has taken to identify and address any disproportionate health effects to disadvantaged communities located on or near the 35th Avenue Superfund site in North Birmingham, Alabama. We also sought to analyze how different EPA programs coordinate regarding site permitting and cleanup.

The communities surrounding the 35th Avenue Superfund site, located in EPA Region 4, face multiple types of pollution in their air, land, and water. Collectively, Executive Orders 12898, 13985, and 14008 direct federal agencies to make environmental justice part of their mission by developing programs, policies, and activities to address the disproportionately high and adverse human health, environmental, climate-related, or other cumulative impacts on disadvantaged communities. As of March 2023, the EPA had spent an estimated \$46 million to clean up the 35th Avenue Superfund site.

To support these EPA mission-related efforts:

- *Compliance with the law.*
- *Operating efficiently and effectively.*

To address a top EPA [management challenge](#):

- *Integrating and leading environmental justice, including communicating risks.*

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What We Found

While an EPA Region 4 initiative examined air, water, and waste issues in North Birmingham communities from 2012 through 2016, we found that Region 4 programs generally took a siloed approach in considering cumulative impacts at the 35th Avenue Superfund site—meaning they looked primarily at cumulative impacts within individual programs rather than across programs. The underlying cause of this siloed approach was the lack of both statutory mandates and agencywide policies and guidance for considering cumulative impacts and disproportionate health effects across programs. However, Executive Orders 13985 and 14008, issued in 2021, make considering cumulative impacts and associated disproportionate health effects across programs essential to advancing environmental justice.

The EPA took several actions since we began our audit—including developing guidance and plans—to further address environmental justice and better consider cumulative impacts in its decision-making. However, the guidance and plans do not explicitly state how programs should coordinate with one another to address cumulative impacts. Furthermore, the EPA has not established performance measures related to identifying and addressing cumulative impacts and disproportionate health effects across programs. Developing and implementing policies, guidance, and performance measures regarding cross-program coordination will allow the EPA to consistently identify and address disproportionate health effects, which is critical to advancing environmental and public health outcomes in all communities.

Without policies, guidance, and performance measures, EPA programs may not be addressing cumulative impacts and disproportionate health effects on overburdened communities. Such policies, guidance, and performance measures are critical to advancing the EPA's environmental justice and equity goals.

Recommendations and Planned Agency Corrective Actions

We recommend that the EPA develop and implement policies and guidance to increase and improve coordination between EPA programs to assess and address cumulative impacts and disproportionate health effects. We also recommend that the EPA develop and implement performance measures to monitor progress. The Agency agreed with our recommendations and provided acceptable proposed corrective actions and estimated completion dates. All recommendations are resolved with corrective actions pending.