

HB 109 Comments: Gabriel Gray, Pittsburgh United

February 28, 2025

PA HB 109, which amends Title 27 (Environmental Resources) of the Pennsylvania Consolidated Statutes, provides significant protections for people in environmental justice communities by addressing the disproportionate environmental burdens they often face. Specifically, the bill targets communities that are already experiencing higher levels of pollution and have vulnerable populations. It is critical to pass this Bill to ensure the following protections for people in Environmental Justice communities:

1. **Designation of Environmental Justice Areas:** The bill grants the Pennsylvania Department of Environmental Protection (DEP) the authority to officially designate “environmental justice areas” in communities that are disproportionately affected by pollution and have more vulnerable populations (e.g., low-income, minority, or elderly residents). This ensures that communities most at risk are specifically identified, allowing for targeted protections.

2. **Cumulative Environmental Impact Reports:** Before issuing any permits in these designated environmental justice areas, the applicant would be required to submit a cumulative environmental impact report. This means that before any new development or activity that could affect the environment is approved, there would be a comprehensive evaluation of the total environmental burden the area is already experiencing. This allows for a more thorough understanding of how new pollution or environmental stressors might compound existing issues, particularly in already burdened communities.

3. **Robust Public Hearing Process:** The legislation mandates a more robust public hearing process for permits in environmental justice areas. This means residents of these communities would have more opportunities to voice their concerns, ask questions, and raise objections before a permit is issued. It strengthens the democratic process and ensures that the people who will be most affected by environmental decisions are given a chance to participate in the decision-making process.

4. **Permit Denial or Additional Conditions Based on Cumulative Impacts:** If the cumulative environmental impact report shows that a new permit would exacerbate existing pollution problems or harm vulnerable populations, the DEP has the power to impose additional conditions on the permit or even deny it entirely. This ensures that new projects or permits do not add undue harm to already stressed communities.

Overall, Pennsylvania House Bill 109 provides a proactive and community-centered approach to environmental justice. By considering cumulative impacts, strengthening public input, and allowing the DEP to deny or modify permits based on these factors, the bill works to protect the health and well-being of residents in environmental justice areas. It ensures that the right to a

clean environment is upheld, especially in communities that have historically been subjected to environmental harm.