



## **Policy Statement**

---

### **Identification of Overburdened Communities Highly Impacted by Air Pollution (Section 3 of the Climate Commitment Act)**

#### **Air Quality Program**

Washington State Department of Ecology  
Olympia, Washington

March 2023, Publication 23-02-016

## Publication Information

This document is available on the Department of Ecology's website at <https://fortress.wa.gov/ecy/publications/summarypages/2302016.html>

## Contact Information

### Air Quality Program

P.O. Box 47600  
Olympia, WA 98504-7600  
Phone: 360-407-6800

**Website:** [Washington State Department of Ecology](#)

## ADA Accessibility

The Department of Ecology is committed to providing people with disabilities access to information and services by meeting or exceeding the requirements of the Americans with Disabilities Act (ADA), Section 504 and 508 of the Rehabilitation Act, and Washington State Policy #188.

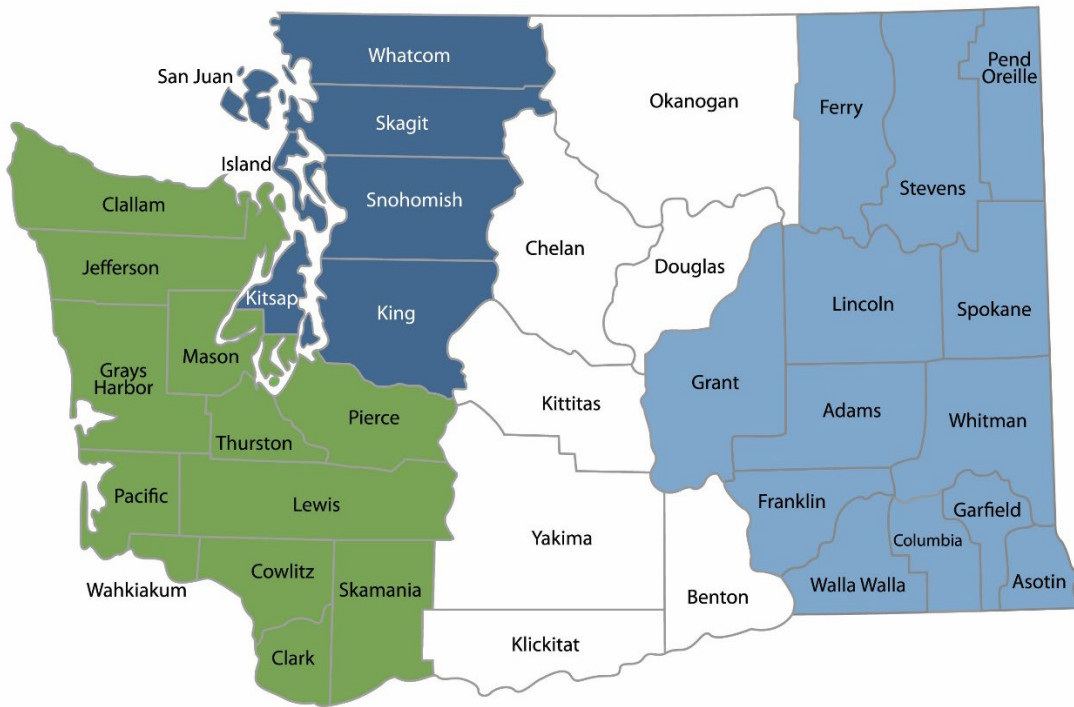
To request an ADA accommodation, contact Ecology by phone at 360-742-4558 or email at [Melanie.Forster@ecy.wa.gov](mailto:Melanie.Forster@ecy.wa.gov). For Washington Relay Service or TTY call 711 or 877-833-6341. Visit Ecology's website for more information.

## Language Access

We offer language services free of charge, including written translated information and interpretation assistance in person or over the telephone. To request language services, please call (360) 742-4558 or email [melanie.forester.ecy.wa.gov](mailto:melanie.forester.ecy.wa.gov).

# Department of Ecology's Regional Offices

## Map of Counties Served



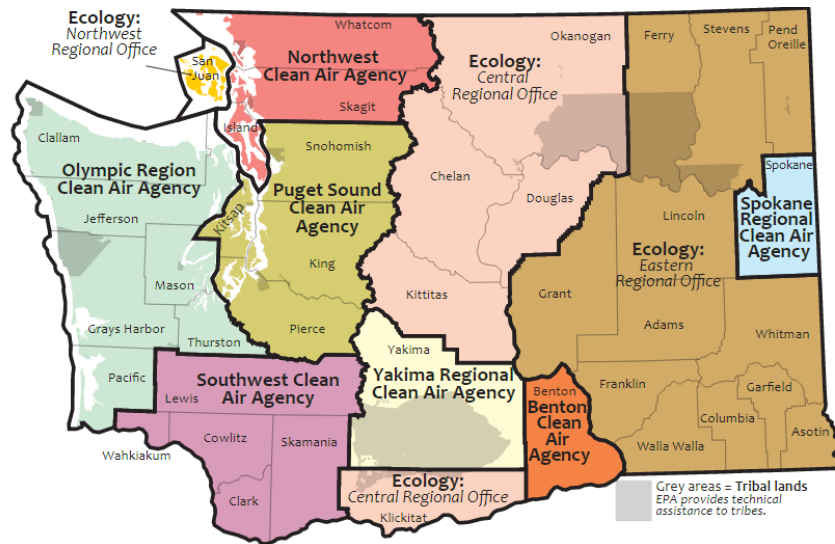
|   |   |                                       |                                       |
|---|---|---------------------------------------|---------------------------------------|
| <b>Southwest Region</b><br>360-407-6300 | <b>Northwest Region</b><br>206-594-0000 | <b>Central Region</b><br>509-575-2490 | <b>Eastern Region</b><br>509-329-3400 |
|---|---|---------------------------------------|---------------------------------------|

| Region              | Counties served  | Mailing Address                               | Phone        |
|---------------------|--|---|--------------|
| <b>Southwest</b>    | Clallam, Clark, Cowlitz, Grays Harbor, Jefferson, Mason, Lewis, Pacific, Pierce, Skamania, Thurston, Wahkiakum           | P.O. Box 47775<br>Olympia, WA 98504           | 360-407-6300 |
| <b>Northwest</b>    | Island, King, Kitsap, San Juan, Skagit, Snohomish, Whatcom   | P.O. Box 330316<br>Shoreline, WA 98133        | 206-594-0000 |
| <b>Central</b>      | Benton, Chelan, Douglas, Kittitas, Klickitat, Okanogan, Yakima   | 1250 West Alder Street<br>Union Gap, WA 98903 | 509-575-2490 |
| <b>Eastern</b>      | Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman | 4601 North Monroe<br>Spokane, WA 99205        | 509-329-3400 |
| <b>Headquarters</b> | Statewide  | P.O. Box 46700<br>Olympia, WA 98504           | 360-407-6000 |

# Washington Local Clean Air Agencies

Ecology works in partnership with EPA, local clean air agencies, and Tribes in Washington to make sure we all have clean, healthy air to breathe.<sup>1</sup> Local clean air agencies manage most of the air quality regulation in Washington, within their respective jurisdictions. Tribal governments protect air quality within their Tribal reservations, with technical assistance from EPA. Ecology is the primary air regulator in all other areas.

## Map of Counties Served



- [Benton Clean Air Agency](#) — Benton County
- [Ecology Central Regional Office](#) — Chelan, Douglas, Kittitas, Klickitat, Okanogan counties
- [Ecology Eastern Regional Office](#) — Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Pend Oreille, Stevens, Walla Walla, Whitman counties
- [Ecology Industrial Section](#) — Pulp mills, aluminum smelters
- [Ecology Northwest Regional Office](#) — San Juan County
- [EPA Region 10](#) — Tribal lands
- [Northwest Clean Air Agency](#) — Island, Skagit, Whatcom counties
- [Olympic Region Clean Air Agency](#) — Clallam, Grays Harbor, Jefferson, Mason, Pacific, Thurston counties
- [Puget Sound Clean Air Agency](#) — King, Kitsap, Pierce, Snohomish counties
- [Southwest Clean Air Agency](#) — Clark, Cowlitz, Lewis, Skamania, Wahkiakum counties
- [Spokane Regional Clean Air Agency](#) — Spokane County
- [Yakima Regional Clean Air Agency](#) — Yakima County

---

<sup>1</sup> <https://ecology.wa.gov/About-us/Accountability-transparency/Partnerships-committees/Clean-air-agencies>

# **Policy Statement**

## **Identification of Overburdened Communities Highly Impacted by Air Pollution**

---

**The Improving Air Quality in Overburdened Communities Initiative  
(Section 3 of the Climate Commitment Act)**

Air Quality Program  
Washington State Department of Ecology  
Olympia, WA

**March 2023 | Publication 23-02-016**



DEPARTMENT OF  
**ECOLOGY**  
State of Washington

# Table of Contents

- Purpose of This Document..... 8**
- Introduction..... 8**
  - Legislative direction .....8
- Process to Identify Overburdened Communities Highly Impacted by Air Pollution ..... 9**
  - Implementation policy: reevaluation.....9
  - Implementation policy: Tribal communities.....10
  - Final indicators to identify overburdened communities highly impacted by air pollution.....10
  - Boundary Guidance .....12

# Purpose of This Document

This document contains the Department of Ecology agency policy for the identification of overburdened communities highly impacted by air pollution, pursuant to Section 3 of the Climate Commitment Act, codified as RCW 70A.65.020.

This work is externally referred to as the Improving Air Quality in Overburdened Communities Initiative. Communities on Tribal Land or centered around indigenous populations will only be finalized following Tribal Consultation. This Policy Statement relies on Government-to-Government consultation conducted with interested Tribes that have Tribal Land identified as a potential overburdened community highly impacted by air pollution. More information on the technical process and community summaries are available on [our website](#).<sup>2</sup>

## Introduction

The “Improving Air Quality in Overburdened Communities Initiative” is a new effort to reduce air pollution in Washington communities highly impacted by air pollution. While the Climate Commitment Act<sup>3</sup> (CCA) focuses on greenhouse gas emissions, Section 3 of the CCA also requires that we work to reduce another type of air pollution, called [criteria air pollutants](#),<sup>4</sup> in overburdened communities highly impacted by air pollution.

This new law requires us to:

- Identify which Washington communities are overburdened by air pollution and the significant sources of this pollution.
- Expand and improve Washington’s air quality monitoring network in these communities.
- Develop strategies to reduce criteria air pollutants in these overburdened communities.
- Conduct periodic analysis to make sure reduction goals for air pollution for these communities are being met.

Environmental justice is at the center of this initiative. We are building this initiative over time, with multiple opportunities for public input, to best serve the needs of the public.

## Legislative direction

The adopted policy for identification of overburdened communities highly impacted by air pollution is legislatively directed as the first step of implementation of the Environmental Justice Review Provisions of Section 3 of the Climate Commitment Act (CCA), codified as RCW 70A.65.020. Ecology has publicly referred to the work of this section as the Improving Air Quality in Overburdened Communities Initiative.

---

<sup>2</sup> <https://ecology.wa.gov/Air-Climate/Climate-Commitment-Act/Overburdened-communities>

<sup>3</sup> Engrossed second substitute senate bill 5126, chapter 316, laws of 2021

<sup>4</sup> <https://ecology.wa.gov/Air-Climate/Air-quality/Air-quality-targets/Air-quality-standards#criteria>



The CCA puts environmental justice and equity at the center of climate policy, ensuring that communities that bear the greatest burdens from air pollution today, see cleaner, healthier air as the state cuts emissions of greenhouse gases and criteria pollutants. The Cap and Invest Program is focused on greenhouse gas emission reduction across the state. RCW 70A.65.020 requires Ecology to identify overburdened communities highly impacted by air pollution to ensure reductions in criteria air pollutants in these communities. The Findings and Intent section of the CCA states that “under the program, the legislature intends to identify overburdened communities where the highest concentrations of criteria pollutants occur, determine the sources of those emissions and pollutants, and pursue significant reductions of emissions and pollutants in those communities.” RCW 70A.65.005(1). Criteria air pollution is designated by the Environmental Protection Agency (EPA) for the tie to public health, and includes particle pollution, sulfur dioxide, ground-level ozone, nitrogen dioxide, carbon monoxide and lead.

## **Process to Identify Overburdened Communities Highly Impacted by Air Pollution**

This section describes the final indicators to identify communities identified as overburdened communities highly impacted by air pollution and provide details regarding implementation.

### **Implementation policy: reevaluation**

The indicators established in this policy to identify overburdened communities highly impacted by air pollution and the list of communities will be re-evaluated every six years. Ecology is committed to this initiative being an iterative process. This reevaluation is in addition to the statutorily required biannual reports. Future reevaluation processes will also include opportunities for public engagement.

We expect both the air quality that communities experience, as well as the availability of data related to environmental justice to change with time. As data is updated and new information is gathered through continued engagement with stakeholders, communities, and Tribes, we may identify new overburdened communities highly impacted by air pollution in the future. The data and new information may include, but is not limited to, updates in environmental justice screening tools, new air monitoring data (including monitoring efforts taken separately from this initiative), air modeling studies, and lessons learned from the Healthy Environmental for All Act (HEAL), and other efforts to identify overburdened communities. We also may need to adjust the boundaries of currently identified communities because of this reevaluation. We plan and commit to reevaluating these communities regularly every six years based on the amount of time it takes to gauge changes in air quality.

We do not anticipate removing the classification of an identified overburdened communities highly impacted by air pollution unless and until air quality targets are met, or there is the express direction from a tribal nation to do so regarding tribal lands.

## Implementation policy: Tribal communities

Ecology will not finalize any Tribal reservation land, managed under jurisdiction of a federally recognized Tribal government, as overburdened communities highly impacted by air pollution without express interest and permission reached through Tribal decision-making processes. Ecology will reach out to tribes we have identified as highly impacted by air pollution, based on the overlap between tribal land and elevated levels of criteria air pollution, staff-to-staff engagement and government-to-government consultation. Ecology is also available for further staff-to-staff engagement and government-to-government consultation for Tribes not identified by Ecology's process.

## Indicators to identify overburdened communities highly impacted by air pollution

The process to identify overburdened communities highly impacted by air pollution is to meet the threshold for at least one indicator in each of the categories of Community indicators and Elevated Levels of Criteria Air Pollution indicators.

This process is Ecology's policy for identifying overburdened communities highly impacted by air pollution. The current application of this policy can be found at [Ecology.wa.gov/Overburdened](https://ecology.wa.gov/Overburdened) in the Community Summary Profile. This includes the list of identified communities and the rationale for identification as a result of applying these following indicators.

### 1. Community indicators

Community indicators represent the population characteristics or overall environmental health disparity of a community. They are used to identify which communities are overburdened or vulnerable, regardless of air pollution impact.

Environmental Health Disparities (EHD) Map Rank – The EHD Map is an interactive mapping tool that compares communities across our state for environmental health disparities. The following indicators are included in the EHD map (version 2.0):

- Environmental Exposures (diesel PM emissions; ozone concentration; PM2.5 concentration; proximity to heavy traffic roadways; toxic release from facilities (RSEI model))
- Environmental Effects (lead risk from housing; proximity to hazardous waste treatment, storage, and disposal facilities (TSDFs); proximity to National Priorities List sites (Superfund Sites); proximity to Risk Management Plan (RMP) facilities; wastewater discharge)
- Sensitive Populations (death from cardiovascular disease; low birth weight)
- Socioeconomic Factors (limited English; no high school diploma; poverty; race – people of color; transportation expense; unaffordable housing; unemployed)

- Threshold: Rank 9 or 10 (>80th percentile)

EJScreen Demographic Index - An average of the percent of low-income populations and people of color, used in the Environmental Justice Screening Tool (EJScreen), calculated at the census block group level.

- Threshold: >90<sup>th</sup> percentile

Tribal Land (Reservation land, Disputed land, and Off-reservation; this layer and any boundaries for any Tribal identified areas will be defined in consultation with Tribes)

Tribal lands in Washington State, including:

- Reservation land – Federally recognized Tribal reservation lands
- Disputed land – Lands designated as being part of a reservation, but title is disputed by other parties
- Off-reservation Tribal land – lands outside of a reservation acquired by or held in trust for Tribal use

Government-to-government consultation with several Washington Tribes is ongoing. We are continuing to invite government-to-government consultation with all Tribal nations and organizations affiliated with Washington Tribes on the areas included in “Tribal land” at any time. Tribal land is not limited to the listed bullets, and we look forward to continued input from Tribal nations.

## 2. Elevated Levels of Criteria Air Pollutants

Areas with an elevated level of one or more criteria pollutants and/or the highest cumulative level of criteria pollutants, based on a combination of monitoring, modeling, and/or emissions data. These thresholds are for community identification only and do not reflect any new air quality standards set by Ecology. For this indicator, the following thresholds are considered elevated levels of criteria air pollution.

Table 1. Criteria Pollutant Thresholds

| Pollutant               | Threshold  |
|-------------------------|--|
| <b>PM<sub>2.5</sub></b> | PM <sub>2.5</sub> 24-hour design value ≥ 20.4 ug/m <sup>3</sup>  |
| <b>PM<sub>2.5</sub></b> | PM <sub>2.5</sub> annual design value ≥ 8 ug/m <sup>3</sup>  |
| <b>PM<sub>10</sub></b>  | At least one recent exceedance of the federal 24-hour PM <sub>10</sub> standard of 150 µg/m <sup>3</sup> not attributable to natural events such as wildfires or high-wind dust events               |
| <b>O<sub>3</sub></b>    | O <sub>3</sub> 8-hour design value ≥ 65 ppb  |
| <b>NO<sub>2</sub></b>   | NO <sub>2</sub> 1-hour design value ≥ 54 ppb   |
| <b>CO</b>               | CO 8-hour design value ≥ 4.5 ppm   |
| <b>SO<sub>2</sub></b>   | SO <sub>2</sub> 1-hour design value ≥ 36 ppm   |
| <b>Lead</b>             | Proximity to any lead source emitting more than 0.5 ton per year   |
| <b>Cumulative</b>       | 98 <sup>th</sup> percentile or above for the AQI sum of all statewide interpolated criteria pollutants combined (PM <sub>2.5</sub> 24-hour, O <sub>3</sub> , NO <sub>2</sub> , SO <sub>2</sub> , CO) |

Details and rationale for all indicators are in the updated [Technical Support document](#).

## Boundary Guidance

Ecology uses the following factors to set boundaries for the identified overburdened communities highly impacted by air pollution. These factors are applied according to the context and regional considerations of each of the identified overburdened communities highly impacted by air pollution.

- Census block groups borders are used as boundary lines, except for some rural areas, and on tribal land:
  - Consult with tribes on boundaries for tribal communities
  - In rural areas where census block groups are large look at air pollution data, existing geographic boundaries such as towns, land use, and other local data to refine boundaries
- Cross-check against the most recent version of the following screening tools:
  - Washington State Environmental Health Disparities Map (Washington State Department of Health)
  - EJ Screen (US EPA)
  - Climate and Economic Justice Screen Tool (The White House Council on Environmental Quality)
  - Environmental Justice Index (Agency for Toxic Substances and Disease Registry)
- Look at local/regional data, if available:
  - Data and tools from Local Clean Air Agencies, where applicable (such as the Puget Sound Clean Air Agency's Community Air Tool (CAT))
  - Studies and reports from academia, community groups, government, etc.
  - Historic redlining maps
  - Land use/zoning maps
  - Locations of sensitive receptors such as schools, childcare facilities, hospitals and clinics, long-term care facilities, migrant worker housing, prisons, and detention centers
- Other guidance:
  - Review comments received during the public engagement periods for specific areas of concern
  - If it fits with the above factors, or comments about how people identify their own communities, look at existing geographic boundaries, like city limits, neighborhoods, etc.
  - If a large area is identified, separate into multiple adjacent communities if airshed, pollutants/sources of concern are not reasonably consistent across the whole area