

Environmental Justice in Permitting

Assessing Cumulative Impacts and Community Outreach Recommendations

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Purpose

The Virginia Department of Environmental Quality (“DEQ”) is developing an updated draft of its Environmental Justice in the Permitting Process Guidance. DEQ will host two town halls to discuss with the public the development of the guidance document. Any member of the public is welcome to attend the town halls.

The purpose of the town hall is to hear from members of the public regarding the following two topics:

- (1) how to assess the cumulative impacts of certain DEQ-issued permits; and**
- (2) what are recommended outreach strategies to engage communities impacted by such permits.**

DEQ will post the draft guidance as soon as it is available and will then invite written comments on the draft guidance from the public.

Meeting Information:

Richmond metro area town hall: July 22, 2026, 6–9 pm

J. Sargeant Reynolds Community College
Lipman Auditorium (located in the Massey Library Technology Center)
1651 E. Parham Rd., Richmond, VA 23228

Tidewater area town hall: July 29, 2026, 6–9 pm

DEQ Tidewater Regional Office
5636 Southern Blvd.
Virginia Beach, VA 23462

* This meeting room seats approximately 100 people. Admission is first-come, first-served, until capacity is reached.

Contact Information: Danielle Simms
Office of Environmental Justice Program Manager
1111 East Main Street, Suite 1400
PO Box 1105
Richmond, VA 23219
Danielle.Simms@deq.virginia.gov

Cumulative Impacts Background

What's the Problem: Many lower-wealth communities and/or communities of color experience a significant and growing concentration of industrial facilities and other environmental stressors. The cumulative environmental burdens placed on these communities represent an environmental justice crisis. Because traditional regulatory structures assess hazards independently, they understate the actual danger confronting these overburdened communities from the cumulative impacts of pollution.

Policy Landscape and Recommendations: In 2026, the Virginia General Assembly passed HB 1266, which calls for the DEQ to update its 2023 draft Environmental Justice in the Permitting Process Guidance and publish it for public comment. HB 1266 requires the public comment process to include two public town halls held no later than July 31, 2026, and requires the Department to respond to public comments by October 31, 2026. The Department must issue the final guidance memo by December 31, 2026.

During the public comment period, we should advocate for:

- Providing early and meaningful community involvement based on site-specific public participation plans before new permits are considered
- Requiring applicants to submit mitigation plans if a project adds harm to an overburdened community
- Denial of permits based on the total cumulative pollution burden

What is Environmental Justice?

Environmental justice is the idea that everyone — no matter their race, income, or where they live — deserves to breathe clean air, drink clean water, and live in a healthy environment. It recognizes that protecting the Earth and protecting people are connected. When communities are healthy and have the resources they need, people can live with dignity.

What are Cumulative Impacts?

The U.S. Environmental Protection Agency (EPA) defines **cumulative impacts** as “the totality of exposures to combinations of chemical and nonchemical stressors and their effects on health, well-being, and quality of life outcomes.” In other words, it means looking at the whole picture of everything that harms a neighborhood instead of checking problems one by one.

Why Are Cumulative Impacts Important?

Consistent research reveals that lower-wealth communities and communities of color face a disproportionate burden of simultaneous social and environmental stressors. Therefore, traditional regulatory assessments that evaluate only one risk or pollutant at a time can miss the bigger picture. [Click here](#) for a real-world example in Virginia.

Talking Points

- Environmental justice means every person, regardless of race, income, or zip code, has the right to a healthy environment and a meaningful voice in decisions that affect their community.
- Cumulative impacts are the combined effects of multiple environmental, health, and social burdens experienced together. Permit decisions should consider this total burden rather than evaluating each source of pollution in isolation.
- The guidance should establish a clear, transparent, and enforceable process for evaluating cumulative impacts for both new and renewal permits.
- The guidance should apply to the permitting of any facility likely to harm an overburdened community—not merely to certain categories of facilities.
- DEQ should assess impacts using a defined geographic area, such as a census tract, census block group, or scientifically justified radius around the facility, and should develop a Virginia-specific environmental justice index within Virginia EJScreen+ that combines environmental indicators with demographic and health data.
- The assessment should account for existing pollution sources, hazardous sites, traffic, air and water quality, health outcomes, climate stressors, and other relevant community conditions.
- Permit applicants should share responsibility for gathering information and engaging communities. Before submitting an application, applicants should prepare for DEQ approval a public participation plan that includes multilingual notices, mailed outreach to nearby residents, public meetings at accessible times and locations, and opportunities for oral and written comment.
- DEQ's town hall and comment processes should be robust and meaningful, with sufficient notice and comment periods. All comments should be considered, regardless of duplication or technical expertise, and DEQ should clearly explain how public input influences permit decisions.
- When a cumulative impact assessment shows that a community is already overburdened, permittees should be required to propose mitigation measures to minimize harm from the permitted activity to the greatest extent possible. If harm cannot be adequately avoided or mitigated, DEQ should retain the authority to deny the permit.
- The guidance should make clear that environmental justice is not merely an internal consideration; it is a core principle of fair and protective permitting that ensures no community is asked to bear more than its fair share of environmental harm.

Example of Cumulative Impacts to Environmental Justice Communities

One recent example of the harm to communities of the current permitting structure is in the Eastern portion of Henrico County.

Unfair Pollution Burden

This community hosts two landfills, a gas plant, the regional airport, growing numbers of data centers, and this medical sterilization facility among other pollution sources. All these facilities emit toxic fumes and chemicals impacting both air and water and exposing residents to health harms.

No Mitigation Planning

On April 9, 2026 there was a 580lb release of the toxic carcinogenic chemical Ethylene Oxide used to sterilize medical equipment within a two hour span. This release adds significantly to their permitted yearly load.

Minimal Notification, No Community Involvement

Residents and the District Supervisor were never notified by the facility or DEQ of the release. Community members learned about the incident when DEQ's Consent Order was stumbled upon by one of the organizations working with residents. The way communications for this incident was handled represents the communications gap caused by the current self reporting structure for facilities of this nature.

Action Alert Language

DEQ Town Halls on Environmental Justice in the Permitting Process Guidance

July 22, 6PM--9PM

J. Sargeant Reynolds Community College
Lipman Auditorium (located in the Massey Library Technology Center)
1651 E. Parham Rd., Richmond, VA 23228

July 29, 6PM-9PM

DEQ Tidewater Regional Office
5636 Southern Blvd., Virginia Beach, VA 23462

* Note: This meeting room seats approximately 100 people. Space is limited. Admission is first come, first-served basis. Let's show up and pack the room for Environmental Justice!

The Virginia Department of Environmental Quality is developing an updated draft of its Environmental Justice in the Permitting Process Guidance. DEQ is hosting two town halls to hear from the public regarding the following two topics:

- (1) How to assess the cumulative impacts of certain DEQ-issued permits.**
- (2) What are recommended outreach strategies to engage communities impacted by such permits?**

The public comments are meant to help inform DEQ's updates to the draft guidance.

Request Virtual Townhall

Send Messages To: Danielle.Simms@deq.virginia.gov

Partner Requests (Short Version)

The Department of Environmental Quality is hosting two town halls this month seeking input from the public on Environmental Justice in Permitting Guidance. However, the town halls are in Richmond and Virginia Beach, only reaching a portion of the many Virginia residents who live in environmental justice and fenceline communities. On behalf of _____, I am requesting a virtual option to ensure the maximum number of people are able to engage in this process, and to ensure many of the voices pertinent to this conversation have a seat at the table.

Sincerely,

Name

Title

Organization

Partner Requests (Long Version):

On behalf of Insert Org Name and the many residents we work alongside across the Commonwealth, I respectfully request that the Department of Environmental Quality schedule an additional virtual town hall as part of the public engagement process for updating the Environmental Justice in the Permitting Process Guidance.

We appreciate DEQ's commitment to holding public meetings in Richmond and Virginia Beach. However, we have heard from residents throughout Virginia, many of whom live in environmental justice and fenceline communities, that traveling several hours to attend either meeting is simply not possible. Transportation costs, work schedules, caregiving responsibilities, disabilities, and other barriers make in-person participation difficult for many of the people whose voices are most important to this process.

HB1266 recognizes the importance of environmental justice in permitting decisions and directs DEQ to seek meaningful public input on how cumulative impacts should be assessed and how communities should be engaged. Providing a virtual participation option would help fulfill the spirit of the legislation by ensuring that geography and economic circumstances do not prevent Virginians from contributing to the development of this important guidance.

Environmental justice is grounded in the principle that everyone deserves a meaningful opportunity to participate in decisions that affect their health and environment. Offering a virtual

town hall would expand access, strengthen the quality of public input, and demonstrate DEQ's commitment to engaging communities that have historically borne a disproportionate share of environmental burdens.

We respectfully ask that DEQ announce a statewide virtual town hall before the public comment process concludes and provide sufficient advance notice so that community members across the Commonwealth have an opportunity to participate.

Thank you for your consideration and for your continued work on this important effort. We look forward to working with you to ensure this guidance reflects the voices and experiences of communities across Virginia.

Sincerely,
Name
Title
Organization

Individual Requests:

I am writing to respectfully request that DEQ schedule a virtual town hall for the development of Environmental Justice in the Permitting Process Guidance.

I appreciate that DEQ has scheduled meetings in Richmond and Virginia Beach. Unfortunately, I am unable to travel to either location due to distance and other commitments. I still want the opportunity to participate in this important process and share my perspective on cumulative impacts and meaningful community engagement.

Many residents across Virginia, especially those living in environmental justice and fenceline communities, face similar barriers. A virtual meeting would make the process more accessible and help ensure that people most affected by permitting decisions have a meaningful opportunity to be heard.

Please consider scheduling a statewide virtual town hall before the guidance is finalized so that all Virginians have an equitable opportunity to participate.

Thank you for your time and consideration.

Sincerely,

[Your Name]
[Address]