

DEP Publishes Final Environmental Justice Policy and PennEnviroScreen EJ Tool and Methodology Document

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On January 3, 2026, the Pennsylvania Department of Environmental Protection (DEP) announced the publishing of the [Final Environmental Justice Permit Review and Public Participation Policy](#) (EJ Policy) and the [Final PennEnviroScreen EJ Tool and Methodology Document](#). See 56 Pa. Bull. 81 (Jan. 3, 2026). Both documents were updated from September 16, 2023, interim final versions.

In the 2026 final versions of both documents, DEP's revisions largely focus on expanding, clarifying, and refining policies and key terms in response to public comments. The core substantive policies remain the same as the 2023 interim versions. For example, in the 2026 final EJ Policy, DEP added to the definition of "environmental justice" that it involves "the centering of environmentally burdened community voices in addressing environmental justice concerns." DEP also broadened the definition of "community-based organizations" by including any organizations, not just those that are private or public. DEP also clarified that community-based organizations are not officially selected or appointed by DEP. Additionally, DEP expanded EJ area coverage by redefining which census block groups are considered EJ areas. More specifically, DEP revised the criteria so that census block groups that lacked overall scores due to data gaps but were in the top 5% of PennEnviroScreen Pollution Burden Scores qualified as EJ areas. National Pollutant Discharge Elimination System (NPDES) permits for industrial wastewater facilities remained on the list of enhanced public participation trigger projects in the 2026 final version. In a substantive change, DEP reclassified concentrated animal feeding operations as public participation opt-in projects instead of public participation trigger projects.

In the 2026 final EJ Tool and Methodology Document, DEP added violence, political engagement/political disenfranchisement/political powerlessness, gentrification, climate change, industrial developments, and drinking water as additional future considerations, as well as offering strategies on integrating this new data in the future. In considering drinking water, DEP stated that it may be beneficial to include more data on the quality of drinking water systems in the future. The 2026 version recognized the constraints of only using statewide data and discussed the potential development of regional screening tools that could incorporate "hyperlocal" data. Additionally, DEP included a new "Model Updates" section that explained DEP's intention to update the PennEnviroScreen data "on a periodic basis." DEP also stated there are "substantial improvements" that could be made to the PennEnviroScreen model that may warrant additional public comment periods.

DEP published a [Comment Response Document](#) that includes more detail on these 2026 revisions as well as summaries of the agency's responses to public comments.

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