

PADEP Issues Final Revised Environmental Justice Policy

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Pennsylvania – Mining

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On January 3, 2026, the Pennsylvania Department of Environmental Protection (PADEP) published its final revised Environmental Justice Policy, as well as updates to the Pennsylvania Environmental Justice Mapping and Screening Tool (PennEnviroScreen) Methodology Documentation. See 56 Pa. Bull. 81 (Jan. 3, 2026); 56 Pa. Bull. 83 (Jan. 3, 2026). The final Environmental Justice Policy (TGD No. 015-0501-002) is now in effect. PADEP had been operating under its Interim-Final Environmental Justice Policy since 2023 while soliciting comments on the policy from the public, as reported in [Vol. 40, No. 4 \(2023\)](#) of this *Newsletter*. PADEP reported that it received over 700 comments during the comment period and published a Comment Response Document alongside the final policy.

The final policy uses PennEnviroScreen to determine whether facilities are in environmental justice areas based on 32 environmental, health, socioeconomic, and demographic indicators, as explained in the PennEnviroScreen Methodology Documentation (TGD No. 015-0501-003). Environmental effects indicators include proximity to coal mines, abandoned mine lands, land remediation projects, oil and gas wells, and railroads. The data sets contained within PennEnviroScreen are updated on a rolling basis. The Environmental Justice Policy also identifies permit types that require enhanced public participation. “Trigger Projects” that are automatically subject to the policy include various mining permits, including those for bituminous and anthracite underground and surface mines, large industrial mineral surface and underground mines, coal refuse disposal and processing, large coal preparation facilities, and the use of biosolids for reclamation. National Pollutant Discharge Elimination System permits for industrial wastewater facilities discharging at or above 50,000 gallons per day and air permits for new, major sources of hazardous air pollutants or criteria pollutants are also considered trigger projects. On its own initiative or upon request from a community, PADEP may subject other projects to the new policy as “Opt-In Projects.”

The final Environmental Justice Policy now defines environmental justice areas as census block groups with a PennEnviroScreen score equal to or above the 80th percentile score *or* census block groups lacking overall scores due to data gaps, but with the highest 5% of PennEnviroScreen Pollution Burden Scores. Under the prior Interim-Final policy, only census block groups with a PennEnviroScreen score equal to or above the 80th percentile score were considered environmental justice areas.

PADEP’s Environmental Justice TGDs and the Comment Response Document are available on PADEP’s eLibrary [here](#).

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