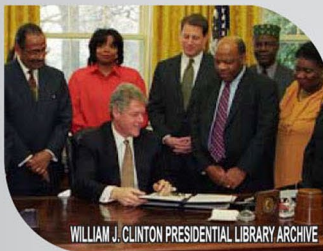




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## A View of Environmental Justice at the U.S. Department of Energy



February 11, 2014



U.S. DEPARTMENT OF  
**ENERGY**

<http://energy.gov/lm/services/environmental-justice>

The U.S. Department of Energy (DOE or Department) has been committed to environmental justice since the signing of Presidential Executive Order 12898 on February 11, 1994, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*.

## **This Year, 2014, Marks the 20-Year Anniversary of the Environmental Justice Executive Order.**

Environmental justice (EJ) is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.

**Fair treatment** means that no group of people should bear a disproportionate share of the negative environmental consequences resulting from industrial, governmental, and commercial operations or policies.

**Meaningful involvement** means that: (1) people have an opportunity to participate in decisions about activities that may affect their environment and/or health; (2) the public's contribution can influence the regulatory agency's decision; (3) their concerns will be considered in the decision-making process; and (4) the decision makers seek out and facilitate the involvement of those potentially affected.

Environmental justice will be achieved when everyone enjoys the same degree of protection from environmental and health hazards and equal access to the decision-making process to enjoy a healthy, sustainable environment in which to live, learn, work, and play.

## Federal Mandates

### **Executive Order 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*** – signed

by President William J. Clinton on February 11, 1994. Executive Order (EO) 12898 focused federal attention on the environmental and human health conditions of minority and

low-income populations with the goal of achieving environmental protection for all communities. EO 12898 requires each federal agency to make EJ part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its program, policies, and activities on minority populations and low-income populations. Its purpose is to ensure that all communities and persons across this nation (populations in the United States and its territories and possessions, the District of Columbia, the Commonwealth of Puerto Rico, and the Commonwealth of the Mariana Islands) live in a safe and healthful environment. Environmental and civil rights statutes provide many opportunities to address environmental hazards in minority communities and low-income communities.

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*"It really boils down to this: that all life is interrelated, and we are all caught in an inescapable network of mutuality, tied in a single garment of destiny. Whatever affects one directly, affects all indirectly."*

Dr. Martin Luther King, Jr.  
December 1967

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*Environmental Justice Interagency Working Group Deputies meeting.*



**The Department's *Environmental Justice Strategy* (Strategy)** – integrates the requirements of EO 12898 into DOE operations. The activities of DOE focus attention on human health and the environment in low-income communities and communities of color, including tribal communities; provide for public participation in decision-making; conduct capacity building programs; and support communities through technical support.

**Interagency Working Group on Environmental Justice (IWG EJ)** – required by EO 12898. Comprised of the lead representatives of 17 departments or agencies and several White House offices, the purpose of the IWG EJ is to coordinate federal agency EJ efforts and develop a dialogue and strategy for future EJ projects in communities around federal sites.

**Environmental Justice Memorandum of Understanding (EJ MOU)** – placed renewed focus on EJ by the Obama Administration in August 2011, when 17 federal agencies signed to re-commit the federal government to the principals of EJ. ([http://energy.gov/sites/prod/files/EJ\\_MOU\\_201108.pdf](http://energy.gov/sites/prod/files/EJ_MOU_201108.pdf))

**Federal Advisory Committee Act (FACA)** – created the Environmental Management Advisory Board under FACA in response to the increasing need for public participation. The Board exists to provide the Assistant Secretary for the DOE Office of Environmental Management (EM), the appropriate site manager(s), and any other DOE officials that the Assistant Secretary designates, with information, advice, and recommendations concerning issues affecting the EM program at various sites.

**National Environmental Policy Act (NEPA)** – requires that all federal agencies involve interested stakeholders in their decision-making, consider reasonable alternatives to proposed actions, develop measures to mitigate adverse environmental impacts, and prepare environmental documents that disclose

the potential impacts of proposed actions and alternatives. DOE's EJ Program actively and consistently complies with NEPA; the Resource and Conservation and Recovery Act; and Comprehensive Environmental Response, Compensation, and Liability Act requirements.

## Fulfilling the Commitment

Federal agencies have used a variety of organizational approaches to carry out EO 12898. EJ is a cross-cutting issue. EJ is not an outcome, but a process. The Department's commitment to EJ is demonstrated through a variety of activities.

### Programs and Activities of DOE's Five-Year Implementation Plan

The Department's EJ Program has involved community stakeholders in the decision-making process through public participation in the form of community meetings, workshops, and conferences. A significant number of programs, activities, and partnerships were created and implemented during the first five years of DOE's implementation of its strategic goals and work plans. The following is a partial listing of these programs, activities, and partnerships.



*Teachers, students, and community representatives participate in a DOE Community Capacity Building Workshop.*



*Community Leaders panel in Albuquerque, New Mexico.*

### *Community Engagement*

- **Community Education and Advisory Project** – develops public involvement programs; conducts public meetings, workshops, hands-on training; and distributes information.
- **Community Capacity-Building Through Technology** – creates community technology centers and provides technical assistance to underserved communities by helping communities gain access to computers and the Internet in order to expand and develop capacity to participate in environmental decision-making.
- **Community Leaders Institute (CLI)** – introduces community leaders to resources and information that will help them address environmental and other issues in their communities. The CLI's focus on the unique relationship between environmental protection, human health, EJ, and economic development. DOE and the Medical University of South Carolina convene the CLI with federal, state, and local government representation, and others based on the subject matter.
- **National Environmental Justice Conference and Training Program** – held annually to bring together local community activists and other participants from federal agencies, academia, business and industry, and non-profit

organizations to participate in dialogue on achieving equality of environmental protection and a free exchange of lessons learned on the concepts of EJ.

- **Tennessee Oversight Inter-Local Agreement** – provides intergovernmental cooperation on environmental and emergency management issues at the Oak Ridge site. The organization provides a new opportunity for the local government to receive information and to provide input into DOE processes, further improving external communication and public participation.
- **Student Temporary Employment Program (STEP)** – supported by the Bonneville Power Administration (BPA), STEP assists the recruitment of minority, low-income, and tribal interns. The program is intended to provide interns with the knowledge and resources to facilitate ideas that positively impact their environment through public participation, as well as to evaluate programs, policies, and activities to determine if they present disproportionately high and adverse human health or environmental effects on minority and low-income populations, including tribal populations.

### *Partnerships*

- **Cooperative Agreements** – maintained by EM, there are 15 cooperative agreements with specific tribes located around EM sites and along transportation routes that carry EM waste and materials. EM provides funding for the State and Tribal Government Working Group to hold large national meetings to discuss and address various issues of concern, including those of tribes. Funding also supports Tribal Leader Dialogues, which bring together elected leaders of tribal nations surrounding EM sites to meet with senior DOE officials and site managers.
- **Samuel P. Massie Chairs of Excellence (Chairs)** – supported by the Department's Office of National Nuclear Security Administration (NNSA), the Chairs serve as the technical support



for EJ communities. The Chairs are a team of world-class scholars, researchers, and educators from 14 Historically Black Colleges and Universities and one Hispanic Serving Institution who advance research, enhance academics, promote partnerships, and effect outreach in the environmental sciences.

- **Minority-Serving Institutions Program (MSIP)** – NNSA provides funding to minority-serving institutions to advance scientific research, student internships, faculty fellowships, and curriculum development. A portion of the funding was awarded to the MSIP, which includes the Chairs program and grants that support Native American and Hispanic academic development and advancement. Additional funds were used to initiate the new MSIP in which the objective is to build a sustainable, educational pipeline.
- **Emergency Management Grant Program** – provides funding through the NNSA to enhance rural county emergency response capabilities. To fund this grant, approved waste generators are charged an additional fee per cubic foot of low-level and mixed-level waste disposed.
- **Tri-Party Agreement (TPA)** – also known as the Hanford Federal Facility Agreement, is used to focus the site's environmental restoration and cleanup activities and ensure

*Dr. Kenneth Sajwan and students  
at Savannah State University.*



*NNSA employee shares NNSA  
mission with student interns.*





their effectiveness. The agreement is frequently modified and updated to address changes in environmental laws and adjustments in cleanup policies and priorities. The agreement includes a Community Relations Plan that vigorously encourages involvement of tribal nation representatives and members of minority and low-income populations, including tribal populations, in the TPA modification and decision-making processes.

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*“Look and listen for the welfare of the whole people, and have always in view not only the present but also the coming generations, even those whose faces are yet beneath the surface of the ground—the unborn of the future Nation.”*

The Constitution  
of the Iroquois Nations

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- **BPA Environment, Fish and Wildlife Mitigation, and Recovery Programs** – committed to improving the research and data collection methods relating to the Columbia Basin ecosystem, which is home to many minority and low-income populations, including tribal populations. This work is implemented by BPA’s tribal partners under agreements known as Columbia Basin Fish Accords.
- **United Negro College Fund (UNCF) Mentors for Environmental Scholars Program** – conducted by DOE and UNCF, the program provides an internship/mentorship program for undergraduate students attending minority institutions. Students receive hands-on experience at DOE laboratories in the fields of environmental science and engineering, and are encouraged to explore careers with the Department.
- **Congressional Black Caucus (CBC) Environmental Justice Braintrust** – chaired by Congressman James E. Clyburn, (South Carolina), the purpose of the ongoing EJ Braintrust is to identify environmental issues and to recommend strategies that will assist policy makers in the development of a forward-thinking, comprehensive environmental policy that recognizes and fosters the unique relationship between environmental protection, human health, EJ, and economic development.

- **Urban Waters Federal Partnership (UWFP)** – improves coordination among federal agencies and collaborates with local community-led revitalization efforts. UWFP is improving our nation’s water systems and promoting the community’s economic, environmental, and social benefits.

### *Departmental Initiatives*

- **Weatherization Program** – supported by the Office of Energy Efficiency and Renewable Energy (EERE), this program enables low-income families to permanently reduce their energy bills by making their homes more energy efficient. EERE works in three major areas: (1) reducing our dependence on imported oil; (2) finding ways to produce cost-competitive electricity from renewable resources; and (3) optimizing the efficiency of our homes, buildings, and factories.
- **Environmental Justice Online Training Program** – intended to provide online instruction in the principles of EJ to employees across the DOE complex. The purpose of this training course is to help DOE employees gain a greater awareness of EJ and the strategies for incorporating EJ into DOE policies, decisions, and activities. In addition, DOE also conducts face-to-face EJ training.
- **DOE Office of Fossil Energy** – uses the NEPA process to identify and evaluate disproportionately high and adverse human health or environmental effects in minority and low-income populations, including tribal populations, within the context of EO 12898. There are several environmental impact statements in progress, each in different stages of the NEPA process. These projects are ongoing and throughout the projects, NEPA analyses address activities that integrate EJ with activities and processes related to human health and the environment.

- **Environmental Justice Website**

– developed by the DOE Office of Health, Safety and Security (HSS), this public website contains active links to EO 12898, the DOE EJ Strategy and its five-year implementation plan, annual progress reports, and the EJ MOU. The HSS website also contains links to the White House Council on Environmental Quality guidance, EJ, NEPA, and five EJ compliance tools that were developed by the U.S. Environmental Protection Agency.



*DOE staff consulting with community members at WAPA*

- **Tribal Energy Projects** – hosted by the Western Area Power Administration, the series of tribal webinars deals with developing renewable energy projects on tribal lands to help improve possibilities for tribal economic development.
- **DOE-Wide Diversity and Inclusion Strategic Plan** – developed by the DOE Office of Economic Impact and Diversity (ED), this DOE-wide plan provides guidance to program and site offices to establish program- or site-specific plans. Additionally, ED established a Diversity and Inclusion Council, comprised of members from all programs and sites, which provides regular briefings to senior leadership.

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*“One lasting and ongoing success of the environmental justice movement is that its goals and principals have been institutionalized as federal policy, representing a profound institutional transformation. This institutionalization has occurred within individual federal agencies and across the executive branch of the federal government.”*

Melinda Downing  
Environmental Justice Program Manager, DOE

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For more information about  
DOE's programs and activities visit  
<http://energy.gov/lm/services/environmental-justice>  
or e-mail [ej@hq.doe.gov](mailto:ej@hq.doe.gov)