

Environmental Justice Five-Year Implementation Plan Second Annual Progress Report



U.S. DEPARTMENT OF
ENERGY



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Message from the Associate Deputy Secretary

Environmental justice means involving all people — and treating them fairly — in developing, implementing, and enforcing environmental laws, regulations, policies, and activities.¹ Environmental justice works best when communities care for themselves and determine their own environmental fate.

To meet the Federal Government's responsibilities for environmental justice and renew this charge to Federal agencies, in December 2010, the White House convened a first-of-its-kind, day-long symposium. I am pleased to say that the U.S. Department of Energy (DOE or Department) preceded the administration's renewed commitment with the publication of its updated *Environmental Justice Strategy*, which was released in 2008.

To highlight the Department's unwavering attention to our *Environmental Justice Strategy*, a five-year implementation plan was created alongside it. The implementation plan helps to ensure that each DOE office and program actively pursues the strategy.

This *Environmental Justice Five-Year Implementation Plan – Second Annual Progress Report* reviews, evaluates, and identifies areas of success and areas for improvement. I am particularly excited about new activities that incorporate the tenets of environmental justice in a variety of ways. While some offices are further along than others in meeting the requirements of Executive Order 12898, all have made significant progress.

Using the best practices of some of the more established programs, the Department will continue to seek new ways to implement and advance the overall cause of environmental justice. By continuing this effort of planning, implementing, and assessing our commitments, we will ensure that all DOE offices and programs integrate environmental justice throughout their policies, programs, and activities. The Department will continue to highlight these efforts to serve as a model for the Federal Government.

The relationship between environmental justice and a clean energy economy can be summed up in three words: commitment, fairness, and collaboration. The work that happens each and every day across the Department and at the national laboratories is critical to creating new jobs, keeping America competitive in the global market, and advancing the nation's innovative agenda. As stated in the Secretary's message, "Our new energy future must include everyone." DOE takes that belief seriously and will only continue to learn from and improve its implementation of the environmental justice strategy.

A handwritten signature in black ink, appearing to read "M.G. Williams, Jr." with a stylized flourish at the end.

M.G. Williams, Jr.

¹As set forth in Executive Order 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, signed by President Clinton on February 11, 1994

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Foreword

The U.S. Department of Energy’s (DOE or Department) *Five-Year Implementation Plan* sets an ambitious Departmental agenda that will guide our environmental justice activities for five years. It sets forth an aggressive agenda, and is required to do so if we are to meet the demands that are spelled out in Executive Order 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, and the Department’s *Environmental Justice Strategy*.

So states the opening of our *Five-Year Implementation Plan* (Plan) that was released at *The State of Environmental Justice in America 2008 Conference*. DOE knew that this was a robust path that was intentionally designed to integrate environmental justice (EJ) throughout the Department. That was our intent in 2008 and it remains so today.

The year 2010 was an exciting one for EJ in DOE, as it concluded two years under our Plan. The goal for every DOE program office to be involved and active in the Plan still stands. To date, we have partial involvement. However, many of the nonparticipating programs are reviewing their operations to seek a way to participate. Some are doing so in response to our request, while others have approached the EJ Program on their own. In any case, the EJ Program has made great strides toward including all program offices in the EJ Plan activities. 2010 marked the start of new EJ Plan activities and new intra-agency collaborations.

This document serves as our second annual progress report on implementation of the Plan. When we released our *Environmental Justice Five-Year Implementation Plan – First Annual Progress Report*, we asked stakeholders to provide their comments on the report and make recommendations for improving our EJ Program. We were pleased to receive many substantive comments, some of which are reflected in the New Activities section presented later in this report. As with the first report, we are once again requesting your thoughts, ideas, and suggestions for improving EJ at DOE. Please forward any suggestions to me.

The Department looks forward to working with all interested stakeholders to reach the goals we have established for ourselves to improve the state of EJ in DOE and America.



Melinda Downing
Environmental Justice Program Manager

Environmental Justice Five-Year Implementation Plan

Highlights of Year Two Activities

Introduction

Environmental justice, by definition, requires fair treatment and meaningful involvement of all people with respect to the development, implementation, and enforcement of environmental laws, regulations, policies, and activities. It works best when communities are able to care for themselves and are able to determine their own environmental fate. The fundamental principle of EJ is that all stakeholders should have meaningful and informed participation in all aspects of environmental decision making that could affect their community. There are two sides to meaningful participation: one side is the community stakeholder and the other side is the government decision maker. In order for EJ to work effectively, both sides must have the desire and ability to achieve meaningful stakeholder involvement.

Executive Order (EO) 12898 requires that Federal agencies incorporate EJ into their programs, policies, and activities. DOE is committed to including EJ principles, as appropriate, into its programs, policies, and activities to ensure that no segment of the population is disproportionately burdened from adverse human health or environmental effects. The Department strongly communicates EJ principles throughout program offices to ensure that they are fairly considered during the entire decision-making process. Furthermore, DOE promotes and encourages EJ training, both in the classroom and online, for all Federal and contractor personnel. This activity serves to strengthen the knowledge, skills, and abilities necessary to successfully incorporate EJ principles, as appropriate, into all programs, policies, and activities. Complete incorporation will facilitate EJ for all of our stakeholders.

In addition to meeting the demands of EO 12898, the purpose of developing the Department's *Environmental Justice Strategy* (Strategy) is to present internal and external stakeholders a clear and concise statement of our intent and commitment to EJ. The Plan is our roadmap and navigational guide for realizing this intent. Our annual report gives an account of how well we are doing and provides opportunities for external and internal stakeholders to review our work and respond accordingly. The primary responsibility for accomplishing the various activities in the Plan lies with specific program offices in conjunction with the coordination of the activities of the EJ Program Manager.

We thank our program offices for their commitment and contributions to EJ and appreciate their work.



Left to right: Associate Deputy Secretary Melvin G. Williams, Jr. (U.S. Department of Energy) and Secretary Thomas Vilsack (U.S. Department of Agriculture) at The State of Environmental Justice in America Conference.

New Activities

Historically, the EJ Program has focused significant attention on community capacity building. Community capacity building can be defined as the process that gives local community groups the necessary tools and resources they need for meaningful participation in agency decision making and collaborative partnerships with other Federal agencies and nongovernmental stakeholders. These focal points represent critical and important aspects of the Strategy and EO 12898. An additional, equally critical focal point of the program is integration of EJ into DOE's programs, policies, and activities. Several new programs introduced concentrated attention on internal stakeholders and collaborative partnerships inside DOE in 2010. Collectively, community capacity building, collaborative partnerships, and internal integration will be the foundation for a balanced approach to sustaining an efficient and effective EJ Program for years to come.

Washington, DC, Environmental Justice Dialogue

A new EJ activity introduced in 2010 is the Washington, DC, Environmental Justice Dialogue. This is an effort to increase the discussion of environmental and EJ issues between Federal decision makers and nongovernmental stakeholders in Washington, DC. The initial Dialogue consisted of a robust discussion of integrating EJ principles with the implementation of the National Environmental Policy Act (NEPA) process and Environmental Impact Statements (EISs). Participants in this discussion came from five Federal agencies, several nongovernmental organizations, small towns and rural communities, and a national environmental law firm. This two-hour discussion revealed various differences in the way agencies prepare their EISs. However, all methods incorporate EJ considerations into impact analyses in a sufficient manner to preclude any disproportionately high or adverse human health or environmental impact on minority, low-income, or tribal populations. The Dialogues are scheduled to take place quarterly.

Online Environmental Justice Training (OLC²)

EJ training has been a priority in the EJ Program since its inception. Training can be the first step toward integration in some instances. New in 2010 is the development of a one-hour online EJ training class that Federal and contractor personnel can take from their computers. The class has been developed and is planned for introduction in late August. The online class is designed to increase EJ awareness across the Department and will supplement classroom training and individual program assistance to fully integrate EJ throughout DOE.

Partnership with the DOE Office of Human Capital's (HC) Learning and Workforce Development

An additional new activity in the training arena is the partnership with HC at the 2010 Learning and Workforce Development Forum (Forum) in Albuquerque, New Mexico. At the Forum, EJ training was presented to the DOE training community to heighten their sensitivity to including EJ consideration in DOE training activities. All EJ training at the Forum was geared toward helping employees and contractors learn to integrate EJ into all Departmental programs, policies, and activities. An additional component of this partnership with HC is the incorporation of EJ into the training for new DOE supervisors.

George Washington University Environmental Resource Policy Graduate Program Capstone Course

The capstone course is a partnership between the Department and George Washington University. The course provides students in the graduate program of Environmental Resource Policy hands-on experience in the Department's EJ Program. The students analyze current environmental and energy issues and identify recommendations or strategies for the Department. The students earn three credits for the course.

New Activities (continued)

Expansion of Mentorship for Environmental Scholars (MES) Program

The MES Program, sponsored by DOE, is a nine-week paid summer internship that provides traditionally underrepresented undergraduate students with exposure to laboratory research in biotechnology, computer science, environmental science, and engineering. MES actively recruits and trains qualified students from Minority Serving Institutions to create a pipeline that will pilot them toward DOE management and research positions. In 2010, the program expanded to include Native American interns.

Office of Health, Safety and Security's (HSS) Commitment to EJ Activities

Following a series of dialogues and a Sustainability Assistance Network (SAN) Monthly Briefing by the Department's EJ Program Manager, HSS has agreed to conduct the following EJ activities:

- ◆ Include EJ awareness and training in a conference call with DOE Headquarters and field offices, as well as contractor employees who participate in the monthly SAN conference calls conducted by the Office of Sustainability Support (HS-21)
- ◆ Distribute EJ conference and training information to the SAN participants
- ◆ Include a reference in HS-21 training on greenhouse gas emission reductions and sustainability
- ◆ Host an EJ Information Brief on the HSS website
- ◆ Maintain a library of environmental laws, regulations, and EOs to inform DOE and contractor employees and communities of the Department's environmental requirements and assist them in participating in environmental decision making sensitive to EJ issues
- ◆ Participate in the annual EJ conference

Congressional Black Caucus (CBC) Energy Braintrust

Over the years, the EJ Program has partnered with the CBC to convene the Environmental Justice Braintrust during the CBC Annual Legislative Conference. The Braintrust brings together thought leaders from around the country to discuss the latest developments in a particular subject area and maps out a plan for moving forward. In 2010, DOE's Office of Energy Efficiency and Renewable Energy (EERE) and the EJ Program partnered with the CBC to produce a Braintrust on Alternative and Renewable Energy.

Bonneville Power Administration (BPA) Student Internship Program

In fiscal year (FY) 2011, BPA will be utilizing the opportunity to involve students through a work experience. Students who will benefit include those receiving BPA-supported scholarships. This opportunity will help to introduce the student to BPA as an employer of choice and provide the student with an opportunity to consider the agency's student program. BPA will also use other outreach programs in order to feed the diversity of our student program to include the American Indians in Science and Engineering Society (AISES) grant, Apprenticeships in Science and Engineering grant, and an investment made in the Science Bowl. In addition, BPA will ensure that the students that participate in these programs are tracked and will create opportunities in order to have this pipeline serve as a feeder pool into the agency's student trainee program. BPA has also outlined, as part of the FY 2011 cross-agency diversity targets, goals associated with diverse student hiring.

New Activities (continued)

Bank Deposit Financial Assistance Program

The Office of Economic Impact and Diversity (ED) provides updates on how the minority- and women-owned financial institutions who participate in the program have provided resources or benefits to minority, low-income, and tribal populations in their communities.

Commitment to Gulf Coast Initiatives Deepwater Horizon Integrated Services Team

ED reports on the results of DOE intra-agency working group subject matter experts' response to Gulf Coast initiatives, including efforts to increase energy efficiency and renewable energy.

Institute of Electrical and Electronics Engineers Green Technologies Conference

ED provides a DOE forum on energy, education, and grant writing. ED encourages the development of solutions to our current energy crisis, ways to reduce carbon emissions, and ways to curb greenhouse gases.

Education and Technical Assistance

To educate communities and provide technical assistance, EERE—with ED and intergovernmental programs—will help to develop a Clean Energy Education Campaign. ED will give minority, low-income, and tribal communities increased access to DOE energy programs and teach them about the environmental and economic benefits of clean energy. Communication strategies for DOE funding opportunities will also be developed.

Analysis for Secretary Chu

ED will prepare for the Secretary an analysis of DOE's actions to educate and involve minority, low-income, and tribal populations about DOE activities.

Energy Consumption Analysis

In collaboration with Morehouse College, ED and the Energy Information Administration will conduct socioeconomic research relating to energy consumption and use patterns among minority populations in support of Public Law 95-619. An annual report will be disseminated on the research results. The Energy Consumption Analysis will make it easier for DOE programs to reduce energy consumption for minority households and create an education and outreach program aimed at teaching minority populations how to consume less energy and reduce energy costs. This task will serve approximately 100 to 200 economically disadvantaged minority households.

Atlanta Universities Consortium Sustainable Campus Community Initiative

This collaborative initiative supports capacity building in the areas of alternative, renewable, and green energy technologies. An energy/science portal site will be made available to all participating institutions' students and faculty, and (with assistance from Oak Ridge National Laboratory) high school students will participate in a 2-week High School Energy Summer Institute. In addition, the initiative will lead to the creation of an Energy Stars Fellowship Program to attract talented students and employ them in energy research efforts at the consortium or with a DOE laboratory.

New Activities (continued)

American Indian Science and Engineering Society and the American Indian Higher Education Consortium Joint Collaboration

BPA and ED promote science education and research among American Indian college students and faculty at Tribal Colleges and Universities (TCUs) and mainstream higher education institutions in partnership with national laboratories. A research and education funding initiative supports energy-related research projects on tribal lands conducted by American Indian students. BPA and ED provide educational and training opportunities that will enhance student achievement and provide faculty professional development in energy fields.

Support to Minority Serving Institutions (MSIs)

ED provides support to MSIs so that they may participate in research and development, program evaluation, training, internships, scholarships, grants, and contracts.

U.S. Department of Agriculture (USDA)

DOE is partnering with USDA in developing technical and financial assistance programs for disadvantaged and underserved communities to meet the mutual goals of both agencies.

Environmental Justice Five-Year Implementation Plan

Goals

Goal 1. Identify and address programs, policies, and activities of DOE that may have disproportionately high adverse human health or environmental effects on minority, low-income, and tribal populations.

Goal 2. Enhance the credibility and public trust of DOE by further making public participation a fundamental component of all program operations, planning activities, and decision-making processes.

Goal 3. Identify activities of DOE that improve research and data collection methods relating to the human health and environment of minority, low-income, and tribal populations.

Goal 4. Identify activities of DOE that further DOE leadership by integrating environmental justice with activities and processes related to human health and the environment.

Plan Year Two Highlights

Goal 1. Identify and address programs, policies and activities of DOE that may have disproportionately high adverse human health or environmental effects on minority, low-income, and tribal populations.

GOAL 1

Activities:

Conduct environmental justice activity assessments. [Legacy Management (LM)]

The EJ Program conducts assessments on a continual basis. They are conducted in conjunction with EJ training, workshops, and other discussions and result in new and additional EJ activities.

Evaluate Departmental programs, policies, and activities to determine if they present disproportionately high and adverse human health or environmental effects on minority, low-income, and tribal populations. (LM)

The EJ Program is constantly monitoring Departmental activities to determine whether they present a disproportionately high and adverse human health or environmental effect on minority, low-income, and tribal populations. During 2010 the EJ Program examined the process for integrating EJ considerations with the implementation of the NEPA process, e.g., including EISs. The examination included a series of conversations with the U.S. Environmental Protection Agency (EPA) and a two-hour dialogue with several Federal agencies and an environmental law firm. The results of the discussions were that there exists minor differences in the way agencies prepare their EISs, and the DOE method incorporates EJ considerations into impact analyses in a sufficient manner to preclude any disproportionately high or adverse human health or environmental impacts on minority, low-income, or tribal populations.

Fund the Emergency Preparedness Working Group (DOE-complex funded) for enhancing rural county emergency response capabilities. [National Nuclear Security Administration (NNSA)]

An Emergency Management grant program was instituted by the Nevada Division of Emergency Management in FY 2000. Funding for FY 2010 in the amount of \$1,173,525 was provided to fund enhanced county emergency response capabilities in communities near the Nevada National Security Site (NNSS) (formerly known as the Nevada Test Site). To fund this grant, approved waste generators are charged an additional \$0.50 per cubic foot for disposal of low-level and mixed-level waste. The funding is need-based and distributed according to applications submitted by counties. The amount of funds is based on the amount of waste disposed of at the NNSS.

Identify Departmental activities that may have a disproportionately high adverse impact on human health or environmental effect on minority, low-income, and tribal populations. [Western Area Power Administration (WAPA)]

In 2010, several EISs were conducted for individual construction, upgrade, or renewable energy projects. There were no disproportionately high adverse impacts on human health or environmental effects on minority, low-income, and tribal populations for these projects. WAPA is refining criteria for identifying disproportionately high and adverse human health or environmental effects on minority, low-income, and tribal populations. This activity is ongoing.

Goal 2. Enhance the credibility and the public trust of DOE by further making public participation a fundamental component of all program operations, planning activities, and decision-making processes.

GOAL 2

Activities:

Enter into and/or maintain 15 technical assistance cooperative agreements with tribal nations.
[Environmental Management (EM)]

EM maintained 15 cooperative agreements with specific tribes around EM sites/facilities and with tribes along transportation routes which carry EM wastes and materials. EM provided funding for the State and Tribal Government Working Group to hold two large national meetings in FY 2010 which included the participation of the EM Assistant Secretary and other EM senior management to discuss and address various issues of concern including those of tribes. The support included not only costs associated with holding the meetings themselves, but also the travel for all the tribal members. Additionally, staff and program support assistance were paid for and provided through the efforts of the National Conference of State Legislators.

Examples of other work performed through cooperative agreements are listed as follows:

- ◆ EM sustained tribal capacity building and environmental program work with all cooperative agreement tribes in FY 2010, which resulted in continued critical involvement of tribes in a wide range of EM decision-making and transportation-planning activities at the Hanford Site, the Los Alamos National Laboratory, and the West Valley Demonstration Project. As a result, there is enhanced protection of critically important tribal cultural resources, tribal treaties, and other rights and interests.
- ◆ EM hired scientific and tribal staff to examine site cleanup strategies and proposed work that may positively impact tribal rights and interests and support formal consultations.
- ◆ EM provided comments to site and contractor staff on impacts from DOE sites to tribal lands including participation in the Natural Resource Damages Assessment process.
- ◆ EM performed environmental monitoring activities and data collection on tribal lands to help determine impacts and supplement DOE data where applicable.
- ◆ EM established and maintained tribal transportation and emergency response programs.
- ◆ EM assisted DOE in performing work to preserve and protect cultural resources and properties on DOE sites as required by law.
- ◆ EM, with the assistance of tribes, made sound decisions that impact their interests, and help ensure that EM meets its compliance obligations.

Create two new environmental partnerships (one inter-agency and one intra-agency).
[Energy Efficiency and Renewable Energy (EERE)]

This activity has been deferred due to office transition.

GOAL 2 (continued)

GOAL 2

Support one research hub with Historically Black Colleges and Universities (HBCUs), TCUs, and other MSIs for renewable energy research and development. (EERE)

EERE has existing partnerships with HBCUs involving technical/scientific activities.

Recruit interns from HBCUs, TCUs, and MSIs. (EERE)

EERE placed 28 interns in the summer of 2010.

Recruit minority students. (BPA)

In 2010, BPA had a total of 82 students on the rolls. Based on self-identification, 33 percent of those students were minorities, including:

- ◆ 5 percent African-American.
- ◆ 12 percent Asian.
- ◆ 5 percent Hispanic/Latino.
- ◆ 2 percent Native American.
- ◆ 9 percent mixed race.

The student program coordinator and college recruiter laid out a recruitment strategy for reaching out to colleges and universities in order to advertise student opportunities. The diversity and recruitment team also worked with various community partners (e.g., Urban League, Hispanic Chamber of Commerce, Native American Youth and Family Services) to ensure that the community is informed of student opportunities. The student program coordinator also partnered with DOE Ambassadors to assist in the recruitment search, while BPA partnered with internal resources such as Internal Resource Groups, Pluralism Council, and Cross-Agency Diversity Work Team to assist in the talent search for a diverse student applicant pool.



Intern working in the Savannah River Site laboratory

GOAL 2 (continued)

GOAL 2

Recruit minority and tribal interns. (BPA)

In FY 2010, a total of 47 students were hired (includes both Student Temporary Experience Program and Student Career Experience Program). Based on self-identification, 45 percent of those students were minorities, including:

- ◆ 4 percent African-American.
- ◆ 11 percent Asian.
- ◆ 9 percent Hispanic/Latino.
- ◆ 6 percent Native American.
- ◆ 15 percent mixed race.

In FY 2010, the agency also sponsored two work-experience opportunities for AISES. Of the two students that were offered a work experience, one of the students was extended an opportunity to be converted to a student trainee in Transmission Services as an Electrical Engineer.

In FY 2010, the Tribal Affairs organization supported eleven \$2,500 scholarships to Native American students.

Invite minorities (Native Americans, African-Americans, and Hispanics) to serve on the Nevada Site-Specific Advisory Board (EM SSAB – formerly known as the Community Advisory Board for Nevada Test Site Programs), a citizen-based organization that is involved in staying apprised of the legacy environmental cleanup and long-term stewardship. (NNSA)

The Nevada Site Office conducted an FY 2010 Nevada Site Specific Advisory Board membership recruitment drive. Though advertisement was conducted in the Las Vegas valley and all affected rural communities as well as the Spanish-language newspaper, no applications were received from minorities. The Nevada National Security Site (NNSS) and surrounding restricted area comprise some 5,470 square miles of unpopulated land. The rural communities surrounding the NNSS typically have very low populations. As a result, the EM SSAB in Nevada has not traditionally had the same level or type of diversity that might be found within other local boards across the country. The NNSS and the EM SSAB in Nevada continue to make a concerted effort during recruitment campaigns to diversify membership.

Support distribution of NSO's *Operation Clean Desert Learning Trio* (Trio). The Trio is an elementary learning program geared toward teaching environmental issues to members of religious organizations, and community centers located in low-income neighborhoods, at-risk schools, and schools in rural areas. (NNSA)

During FY 2010, more than 2,400 people attended the Trio at a variety of venues, such as rural community libraries and at-risk schools.

GOAL 2 (continued)

GOAL 2

Conduct approximately 24 meetings and workshops from 2009 through 2013 that include announcements in Spanish and English and provide a Spanish interpreter. (NNSA)

Six EM public meetings and one EM workshop (open house) were conducted in FY 2010.

Support one Teaching Radiation, Technology and Energy (TREAT) Workshop to provide learning activities about waste management and environmental radiation to area schools. [Savannah River Site (SRS)]

The overall goal of the TREAT Workshop was to educate 25 teachers and local community leaders who reside near the SRS facility about radiation, sources of radiation, radioactive waste management, effects of radiation on environmental health, and an understanding of environmental radiation exposure to humans. The TREAT Workshop was very successful. So many applicants were turned down due to capacity limits that plans are underway for two TREAT Workshops in FY 2011 to be held in Aiken, South Carolina, and Savannah, Georgia. The TREAT Workshops will be conducted at the University of South Carolina in Aiken and at Savannah State University in Savannah. The teachers and community participants for the TREAT Workshop will be recruited both by DOE and Savannah State University.

Provide tours for Savannah State University interns. (SRS)

There were no 2010 SRS tours.

Participate in community outreach meetings with stakeholders to listen, develop trust, and provide opportunities for meaningful public participation. (SRS)

A Technical Assistance Workshop was held in Augusta, Georgia, for 25 individuals interested in learning first-hand about available grants in the area to enhance their communities. Hands-on computer time and instructions were given. The audience included local ministers and professors. In addition, two outreach communities located in Georgia and South Carolina held Community Leaders Institutes (CLIs).

Participate in the annual EJ Conference, three CLIs, one Technical Assistance Workshop, and one made-for-television dialogue. (SRS)

Savannah State University research students presented research projects at the 2010 EJ Conference which focused on working with stakeholders for improved community environmental conditions.

Two CLIs were held in Georgia and South Carolina. The CLIs gather community members and state and local government representatives to provide information and resources to address issues identified by each community. Following the CLIs, a Technical Assistance Workshop was held in those communities.

The SRS EJ Manager, four Savannah State University students, and one faculty member participated in the 2010 EJ Conference. Five students presented their summer research internship findings.

The made-for-television dialogue was deferred to 2011.

GOAL 2 (continued)

GOAL 2

Mentor and nurture Savannah State University students toward graduate school opportunities in environmental science, environmental engineering, and environmental health-related disciplines. (SRS)

Four student interns attended the 2010 Society of Environmental Toxicology and Chemistry (SETAC) Conference. The SETAC Conference offered networking and graduate school opportunities nationwide.

Provide opportunities to students for research internship training at Savannah State University. (SRS)

Student interns received hands-on training for sample collection and processing, greenhouse studies, fish, plant and soil/sediment sample extraction, and the operation of professional instruments.

Create opportunities for communities to participate in employment and entrepreneurial activities at Superfund Sites. (SRS)

SRS has successfully completed two Superfund Job Training Initiative (SJTI) programs. A total of 40 individuals graduated from the SJTI programs and have contractor jobs with SRS.

Acquire one summer intern to support and learn the SRS EJ Program. (SRS)

Six DOE/United Negro College Fund Mentors for Environmental Scholars students from Savannah State University were hired as interns in 2010.

Continue to provide technical assistance such as anemometers, wind/hydro study results, and Open Access Transmission Tariff (OATT) procedures to tribes. (WAPA)

Tribal Transmission Siting Workshops were conducted in Albuquerque, New Mexico (February 17 and 18, 2010), Portland, Oregon (April 14 and 15, 2010); and Bismarck, North Dakota (May 20 and 21, 2010). The technical assistance presented in each workshop covers interconnection processes, OATT procedures, small and large generation issues, NEPA information, cultural resources issues, permitting, and cost. WAPA employed one tribal engineering student as a summer intern in the WAPA Upper Great Plains Region.

GOAL 2 (continued)

GOAL 2

Facilitate the Hanford Federal Facility Agreement and Consent Order [Tri-Party Agreement (TPA)] for achieving compliance with the Comprehensive Environmental Response Compensation and Liability Act (CERCLA) remedial action provision and with the Resource Conservation and Recovery Act (RCRA) treatment, storage, and disposal unit regulation and corrective action provisions, including the Community Relations Plan. [Hanford Site (HAN)]

The TPA is regularly modified and updated with the consent of all parties (i.e., DOE, EPA, and the State of Washington), and with public input to ensure ongoing commitment to compliance with environmental laws and regulations and achieving environmental restoration goals previously agreed upon. A variety of changes and updates were made in 2010. The majority of the changes reflected a need to change cleanup priorities or direct resources toward activities that would yield the highest near-term results. Also, some modifications were made to reflect changing priorities of various regulatory agencies overseeing the HAN cleanup. All of these changes help to achieve cleanup of the HAN as quickly and efficiently as possible, while assuring compliance with RCRA and CERCLA requirements.

Support the Public Information Repositories to give the public access to information on TPA activities and provide documents for public comment. (HAN)

Annual audits were again conducted in 2010 to assure continued usefulness of the repositories and their content. The content of each repository was verified as complete and up to date. It was verified that each repository provides computers to access the TPA's searchable automated database. Access to the TPA's electronic database at college- and university-based repositories was enhanced by adding additional data terminals.

Support the TPA-searchable automated database found at the following Internet website: TPA Administrative Record and Public Information Repository (www2.Hanford.gov/arpir/). (HAN)

In 2010, enhancements were made to the data-based search engine to make it more user friendly and to simplify public access to database content. The TPA database was enhanced by including an individual word search capability. Previously the database was searchable only by keyword and a few other parameters, which occasionally made it difficult to find specific documents.



Secretary Chu with American Indian and Alaska Native Leaders at the Tribal Summit

GOAL 2 (continued)

GOAL 2

Support the Hanford Advisory Board (HAB). (HAN)

During 2010, the Richland Operations Office supported HAB operations by supplying information requested and responding to HAB recommendations issued.

The HAB is a part of the EM Site-Specific Advisory Board, a stakeholder board that provides the Assistant Secretary for EM and designees with independent advice, information, and recommendations on issues affecting the EM program at various sites. Among those issues are cleanup standards and environmental restoration, waste management and disposition, stabilization and disposition of nonstockpile nuclear materials, excess facilities, future land use and long-term stewardship, risk assessment and management, and clean-up science and technology activities. The Board's membership is carefully considered to reflect diverse viewpoints in the affected community and region. Board members include people who are affected by DOE site clean-up activities, including minorities and members of tribal nations.

During 2010, a wide variety of information was provided to the HAB members, and the HAB issued three consensus advice letters to DOE. Those letters dealt with administration of the Hanford Beryllium Exposure Program, Hanford's Tank Closure and Waste Management EIS, and selection of a new Richland Operations Office Manager.

Continue publication of the Hanford Events Calendar (<http://www.hanford.gov/>). (HAN)

TPA public involvement activities are ongoing. The event calendar and documents were published on the HAB website and updated throughout 2010. The objective of publishing this information is to inform the public of opportunities to provide input to environmental restoration decision making at the Hanford Site, and also distribute information that is helpful in understanding remediation and other activities at Hanford.

Support and implement the Department's American Indian Policy. (HAN)

During 2010, Hanford improved the effectiveness of its Tribal Affairs and Cultural Resources Program by moving the Program to its Office of Communications and External Affairs. This move facilitates enhanced direct interaction with the Native American tribal nations. The Tribal Nations Program Coordinator within the Office of Communications and External Affairs is responsible for implementing the American Indian Policy. The Cultural Resources Program Manager is responsible for protecting physical items and real property that are deemed important to the social, religious, and cultural values of the Native American people. By locating both of these functions within the same division, communications between the two were enhanced and improved the efficiency of delivery of service to affected parties.



White House and Environmental Protection Agency Environmental Justice Forum

GOAL 2 (continued)

GOAL 2

Support the DOE Hanford Cultural and Historic Resources Program that reviews project activities to determine the impacts projects may have on cultural and historic properties on the Hanford Site. (HAN)

The DOE Hanford Cultural and Historic Resources Program works with tribes who have traditional ties to the area. Monthly meetings are held to discuss projects which could impact culturally sensitive areas or traditional cultural properties. Tribes are invited to attend field walk-downs and participate in monitoring of project activities and field surveys. As requested, DOE project staff attend tribal meetings to explain projects. Tribes helped draft Management Plans and Memoranda of Agreement.

Include EJ in any Supplemental Environmental Projects (SEPs). (HAN)

During 2010, no incidents occurred that required formulation of a SEP. Should development of a SEP become necessary, EJ considerations will be included.

Participate in the identification of Federal actions through NEPA and address resulting potential EJ concerns. [Fossil Energy (FE)]

FE continues to utilize the NEPA process in identifying and evaluating disproportionately high and adverse human health or environmental effects in minority, low-income, and tribal communities, within the context of EO 12898.

DOE prepared an EIS (DOE/EIS-0409) to assess the environmental impacts associated with a proposed project designed, constructed, operated, and owned by Mississippi Power, a Southern Company subsidiary. The analysis found that the proposed action would not impose a disproportionately high and adverse human health or environmental impact in minority, low-income, or tribal communities. The U.S. Army Corps of Engineers was a cooperating agency in the preparation of this EIS. The project would demonstrate advanced power generation systems using Integrated Gasification Combined Cycle (IGCC) technology at an undeveloped site in Kemper County, Mississippi. DOE's proposed action has two EJ components: 1) to provide cost-shared financial assistance; and 2) to issue a loan guarantee. After careful consideration of the potential environmental impacts and other factors such as program goals and objectives, DOE decided it would provide, through a cooperative agreement with Southern Company Services, (also a Southern Company subsidiary), \$270 million in cost-shared funding for the project under DOE's Clean Coal Power Initiative Program for the project. A separate decision would be made regarding the loan guarantee, and DOE would announce that decision in a subsequent Record of Decision. FE completed only one EIS in 2010. The Record of Decision for the Kemper County IGCC Project, Kemper County, Mississippi, was published on August 19, 2010. A separate decision would be made regarding the loan guarantee, and DOE decided to announce that decision in a subsequent Record of Decision. FE completed only one EIS in 2010.

GOAL 2 (continued)

GOAL 2

Continue the external communications and public participation initiatives as strategies to enhance the credibility and public trust of the Department. [Oak Ridge Operations (ORO)]

The Oak Ridge Site Specific Advisory Board (ORSSAB) holds meetings every second Wednesday of the month to discuss environmental cleanup activities and issues of concern from the public. These meetings have also created ways to expand the conversation about protecting public health and the environment. The meetings are held at the DOE Information Center. In addition to the monthly meetings, contact information for both the ORSSAB Chairman and Region 4 Regional Project Manager is available to the public on the ORSSAB website.

The ORSSAB is premised on public participation. The 20 current members (see <http://www.oakridge.doe.gov/em/ssab/members.htm>) were chosen to reflect the gender, race, occupation, and interests of persons living near the Oak Ridge Reservation and are appointed by DOE to serve on a voluntary basis. Among the more notable achievements is the *Public Environmental Survey*. Each year, the ORSSAB surveys the residents in communities adjacent to the Oak Ridge Reservation to learn about any concerns regarding environmental cleanup activities currently underway or cleanup activities that need to be addressed by DOE's EM program. The survey is mailed to 800 area residents and is also distributed at various locations and presented by the ORSSAB's Public Outreach Committee to community groups. The 2010 survey was conducted during July and August 2010, prior to the Board's annual planning retreat. Survey results were provided to ORSSAB members for their consideration in developing the Board's work plan for FY 2011. Other external communications include the *Public Involvement News* newsletter, the *Environmental Cleanup Progress Review*, and the *Annual Site Environmental Report*.

Participate in interagency working group on tribal energy development. (ED)

ED staff participated in the White House interagency working group on tribal energy development during 2010. This group was formed to identify ways agencies can collaborate on tribal energy development and other energy-related issues.



American Indian Science and Engineering Society panel discussion

Goal 3. Identify activities of DOE that improve research and data collection methods relating to human health and environment of minority, low-income, and tribal populations.

GOAL 3

Activities:

Conduct environment, fish, and wildlife mitigation and recovery programs. (BPA)

BPA implements extensive environmental, fish, and wildlife mitigation and recovery efforts, particularly in the Columbia River Basin. This work is implemented by BPA's tribal partners under agreements known as the Columbia Basin Fish Accords. U.S. Fish and Wildlife Service program direct funding from BPA to tribes has more than doubled from approximately \$42 million a year in 2004 to \$87.5 million in 2010. During that same period, the work by tribes has conserved over 2,300 miles of habitat and enhanced nearly 23,000-acre-feet of water per year.

Retain at least one HBCU or other minority organization that provides sampling and environmental analysis services. (EERE)

This activity has been deferred.

Support research grants to HBCUs, Hispanic Serving Institutions (HSIs), and TCUs. (NNSA)

NNSA provided research training on developments in nuclear materials under extreme service environments and radiation technology; comprehensive analysis of next generation nuclear reactors to determine the most efficient structure to reduce radioactive leakage; exploring new concepts in remote sensing of radiological threats or accidents; detection and sensing of environmental and chemical substances using ad hoc wireless sensor network, sensor research focused on water, and airborne biological and chemical sensors.

Support the Community Environmental Monitoring Program (CEMP). (NNSA)

In FY 2010, the CEMP was funded at \$1.5 million and conducted one training workshop. The objective of the CEMP is to ensure public confidence through the operation and maintenance of 29 community environmental monitoring stations located in Nevada, Utah, and California. The CEMP also provides transparency of potential long-term environmental impacts from historic nuclear testing activities conducted at the NNSS. The CEMP is made up of community members who are responsible for collecting the results of environmental monitoring stations that are part of the program. This gives community members firsthand information on sampling results, thus creating transparency.

Provide consultation with tribes and collect public input for proposed Western projects. (WAPA)

In FY 2010, WAPA conducted over 50 public and 30 tribal meetings through the NEPA process. A section of each meeting is dedicated to identifying minority, low-income, and tribal populations, and receiving input on EJ concerns and improvements to DOE's EJ Strategy. As a regular course of business, WAPA participates in a number of meetings and workshops to identify other Federal and private mechanisms for the agency to enhance research and data collection to facilitate and improve EJ activities.

Goal 4. Identify activities of DOE that further DOE leadership by integrating environmental justice with activities and processes related to human health and the environment.

GOAL 4

Activities:

Conduct four sessions of EJ training for employees, contractors, and stakeholders. (LM)

In 2010, the EJ Program conducted three training sessions at Headquarters, one at the SRS, and a two-day training session in Albuquerque, New Mexico, in partnership with HC at the 2010 Forum. All of the training was geared toward helping employees and contractors integrate EJ into all Departmental programs, policies, and activities. In addition, the training objective provided the community, stakeholders, and those interested in being a part of the decision-making process the opportunity to become informed on the Department's activities, issues, and concerns.

Continue to address EJ through a high-standard NEPA process. (WAPA)

For all projects, NEPA analysis addressed activities that integrate EJ with activities and processes related to human health and the environment. In 2010, several EISs were conducted for individual construction, upgrade, or renewable energy projects. There were no disproportionately high adverse impacts on human health or environmental effects on minority, low-income, and tribal populations for these projects.

NEPA is implemented in connection with agency projects across our 15-state service area. Under NEPA, EJ is addressed by identifying disproportionately high and adverse human health or environmental effects on minority, low-income, and tribal populations.

Continue to apply EJ principles in ongoing cleanup activities. (ORO)

One of the activities at the Oak Ridge Reservation includes working with EPA to collaborate on Superfund activities. The site is located in close proximity to a community and it is also on the National Priority List (NPL). DOE is the lead agency responsible for implementing the cleanup of the NPL site. EPA and the Tennessee Department of Environment and Conservation oversee DOE activities, pursuant to the Federal Facility Agreement (FFA). The FFA establishes priorities for cleanup and annual enforceable schedules for addressing those cleanup priorities. The EJ principles applied as part of these priorities ensured greater public participation and promoted enforcement of all health and environmental statutes in areas with minority, low-income, and tribal populations.

GOAL 4 (continued)

GOAL 4

Conduct an EJ national conference. (LM)

The Department sponsored *The State of Environmental Justice in America 2010 Conference* in May. The fourth annual Conference brought together participants from Federal agencies, academia, business and industry, nonprofit organizations, local community activists, and citizens to dialogue on achieving equality of environmental protection. This Conference focused on green jobs, clean energy, succession planning, health disparities, environmental health in disadvantaged communities, and EJ considerations in sustainable development and other issues.

The Conference paid specific attention to students and community initiatives. Augusta State University students gave a presentation entitled *The Price of Environmental Racism in a Community: The History and Potential Future of Hyde Park, Augusta, Georgia*. Another student team from the University of Arkansas gave a presentation entitled *Putting the Neighbor Back in the Hood*, an effort to revitalize a minority and low-income section of Little Rock, Arkansas. A George Washington University student team presented the results of their research regarding management issues associated with former uranium milling sites within the Navajo Nation, entitled *Environmental Justice Issues Between the Navajo Nation and the United States Department of Energy*. A fourth student team from Columbia University presented a workshop entitled *Evaluating Environmental Justice Strategies in Federal Agencies: A Regional Approach*. There were additional presentations from students attending Tennessee State University, San Jose State University, Savannah State University, and Tufts University. All of the student research and projects focused on working with stakeholders for improved community environmental conditions.

The Conference also focused attention on HBCUs, other MSIs, their access to Federal programs, and their ability to provide technical assistance and other services to communities seeking EJ. A plenary session entitled *HBCUs and MSIs* discussed Federal resources and programs to strengthen these institutions. Another session entitled *Transforming and Diversifying HBCUs through Collaborative Relationships* discussed the value of cultivating relationships with Federal agencies and other entities to enhance HBCUs. Both sessions provided ideas and possibilities for HBCUs to gain greater participation in Federal programs and provide additional assistance to EJ communities.

In the concluding session, Congresswoman Donna Christensen and Congressman Donald Payne led a discussion of the health challenges plaguing EJ communities and efforts in the U.S. Congress to address these challenges. A question and answer period followed the congressional presentation.



Summary and Conclusion

This is a report of accomplishments made during the second year of our implementation of the Plan. The Plan contained a number of activities to be conducted each year. As with any plan, minor adjustments were made where warranted as situations and circumstances changed. The commitment of some activities were met and exceeded, while others were revised for better results. In any case, the accomplishments throughout the Department show a strong commitment to EJ and clear proof that EJ is being integrated into the fabric of our programs, policies, and activities.

The most telling sign that EJ is being integrated throughout the agency is the number of new activities that were added in this second year and the number of new activities that are being discussed. Program offices are eagerly responding to requests to get involved in EJ. Additional offices are asking what activities they can conduct to support the Department's EJ Strategy.

While the EJ Program is pleased with the accomplishments made during the second year of the Plan, we look forward to achieving even more during year three of the Plan. We are proud and excited for the 2010 accomplishments, but we must continue to collaborate and look for every opportunity to fully integrate EJ throughout the Department.

The State of Environmental Justice in America Conference attendees



Dr. David Rivers, Lessie Price, Melinda Downing, and U.S. Representative, Dr. Donna Christensen



Ray Dempsey, Sharon Beard, Sue Briggum, Mathy Stanislaus, and Tim Fields during the Roundtable Discussion: "Environmental Justice and Lessons Learned from the Gulf Coast Oil Spill" at The State of Environmental Justice in America Conference

Acronym List

AISES	American Indians in Science and Engineering Society	HBCUs	Historically Black Colleges and Universities
AUGs	Affected Units of Government	HSIs	Hispanic Serving Institutions
BPA	Bonneville Power Administration	HSS	DOE Office of Health, Safety and Security
CBC	Congressional Black Caucus	IGCC	Integrated Gasification Combined Cycle
CEMP	Community Environmental Monitoring Program	LM	DOE Office of Legacy Management
CERCLA	Comprehensive Environmental Response Compensation and Liability Act	MES	Mentorship of Environmental Scholars
CLIs	Community Leaders Institutes	MSIs	Minority Serving Institutions
DOE or Department	U.S. Department of Energy	NEPA	National Environmental Policy Act
ED	DOE Office of Economic Impact and Diversity	NNSA	National Nuclear Security Administration
EERE	DOE Office of Energy Efficiency and Renewable Energy	NNSS	Nevada National Security Site
EIS	Environmental Impact Statement	NPL	National Priority List
EJ	Environmental Justice	OATT	Open Access Transmission Tariff
EM	DOE Office of Environmental Management	OLC ²	Online Environmental Justice Training
EM SSAB	Nevada Site-Specific Advisory Board (formerly known as the Community Advisory Board for Nevada Test Site Programs)	ORO	Oak Ridge Operations
EO	Executive Order	ORSSAB	Oak Ridge Site Specific Advisory Board
EPA	U.S. Environmental Protection Agency	Plan	Five-Year Implementation Plan
FE	DOE Office of Fossil Energy	RCRA	Resource Conservation and Recovery Act
FFA	Federal Facility Agreement	SAN	Sustainability Assistance Network
Forum	2010 Learning and Workforce Development Forum	SEPs	Supplemental Environmental Projects
FY	Fiscal Year	SETAC	Society of Environmental Toxicology and Chemistry
GRE	Graduate Record Examination	SJTI	Superfund Job Training Initiative
HAB	Hanford Advisory Board	SRS	Savannah River Site
HAN	Hanford (Richland Operations Office)	Strategy	Environmental Justice Strategy
HC	DOE Office of Human Capital	TCUs	Tribal Colleges and Universities
HS-21	Office of Sustainability Support	TPA	Tri-Party Agreement
		TREAT	Teaching Radiation, Technology and Energy
		Trio	Operation Clean Desert Learning Trio
		WAPA	Western Area Power Administration

Environmental Justice Five-Year Implementation Plan Second Annual Progress Report

