



# Department of Energy 2019 Environmental Justice Second Five-Year Implementation Plan

May 2019



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# Forward

The U.S. Department of Energy (DOE or Department) is proud to release our *2019 Environmental Justice Second Five-Year Implementation Plan* (Plan). A special thank you goes out to the DOE Environmental Justice Task Force and points of contact for their support and contributions in completing this Plan.

The Department continues to be committed to environmental justice (EJ). This second Plan demonstrates this commitment. EJ is a principle of American democracy that combines civil rights with environmental protection. It enables those who have historically been excluded from environmental decision making to have access to environmental decision makers, decision-making processes, and the ability to make contributions to the decision-making process. To be productive participants, all stakeholders must be versed in the subject matter and understand the rules of the process. When citizens have a working knowledge of the process and issues, they can better engage in the process to help make decisions.

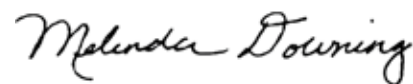
EJ means that all people who are impacted by a decision have an opportunity to participate in the process that concludes with a meaningful action. With more meaningful public involvement and opportunities for dialogue among parties, affected communities and agencies will be able to make more just and cost-effective decisions.

DOE is committed to EJ and continues to give community groups the tools they need to participate more effectively in environmental decision making. This Plan furthers the ambitious Departmental EJ agenda and guides our EJ activities for the next five years.

Many people in the Department contributed to this Plan. The work began in the fall of 2007 with the re-establishment of DOE's Task Force. The Task Force reviewed the original *Environmental Justice Strategy* developed in 1995 and revised and updated our second and third strategies in 2008 and 2017.

Completing the activities listed in the Plan will require the work of many people inside DOE. I look forward to working with my colleagues and stakeholders across the nation to complete these activities. Primary responsibility for accomplishing various tasks lies with specific program offices. Coordination of activities rests with the EJ Program Manager. The EJ Program is a Department-wide activity with leadership provided by the Office of Legacy Management. An annual *DOE Environmental Justice Progress Report* will track our success in completing our activities and meeting our goals in a timely fashion.

With this Plan in place, the next five years should be the most productive, creative, and exciting period for EJ as we obtain the goals and objectives we have established for ourselves.



Melinda Downing  
Environmental Justice Program Manager

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# Table of Contents

<b>1</b>	Forward
<b>3</b>	Introduction
<b>4</b>	Vision Statement
<b>4</b>	Environmental Justice Core Principles
<b>5</b>	Goal 1
<b>11</b>	Goal 2
<b>12</b>	Goal 3
<b>12</b>	Summary and Conclusion

# Introduction

In 2017, DOE released its third *Environmental Justice Strategy* (Strategy) to further the Department's commitment to comply with Executive Order 12898 (EO 12898), *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*. The full document can be found at <https://www.archives.gov/files/federal-register/executive-orders/pdf/12898.pdf>.

This DOE 2019 *Environmental Justice Second Five-Year Implementation Plan* (Plan) establishes the Department's EJ commitments and execution of the Strategy. The Plan contains DOE Program and Secretarial Office EJ commitments. Each commitment is associated with one or more of the three Goals and Objectives of the 2017 Strategy.

## DOE Environmental Justice Strategic Goals

### **GOAL 1: Fully implement Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations**

- Objective 1: Increase capacity within our communities to ensure their early and meaningful involvement
- Objective 2: Increase capacity within the Department of Energy to address environmental justice
- Objective 3: Continue integrating the efforts of federal agencies to achieve environmental justice
- Objective 4: Sustain a vibrant national dialogue on environmental justice

### **GOAL 2: Integrate Environmental Justice into the National Environmental Policy Act Process**

- Objective 1: Continue to update the National Environmental Policy Act guidance to enhance relevant environmental justice guidance and principles, as appropriate
- Objective 2: Strengthen federal efforts to integrate environmental justice and the National Environmental Policy Act

### **GOAL 3: Comply with Title VI of the Civil Rights Act of 1964**

- Objective 1: Ensure Department of Energy and financial assistance recipients comply with Title VI of the Civil Rights Act of 1964
- Objective 2: Develop and disseminate information and resources that highlight the relationship between Title VI and environmental justice
- Objective 3: Develop a Title VI Technical Assistance Compliance Program for Department of Energy staff and financial assistance recipients, to ensure they have the necessary knowledge on the relationship between Title VI and environmental justice
- Objective 4: Conduct educational outreach for communities and stakeholders





## Vision Statement

In accordance with Executive Order 12898, DOE will incorporate EJ into our management infrastructure to promote EJ through:

- Effective and efficient goals and strategies;
- Engaging public participation and trust; and
- Ensuring accountability through performance metrics.

DOE will be viewed as a federal leader in environmental justice addressing the needs of energy and technology-directed work to improve the quality of life in communities and DOE facilities.

## Environmental Justice Core Principles

EJ works best when communities can care for themselves. A community that is environmentally aware and is an active participant in environmental decision making is the best source for environmental protection. In those cases, where the community lacks environmental knowledge or access to trusted technical assistance, the government may assist the community to acquire the knowledge and technical assistance to provide for its environmental protection. 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.













Traditionally, many minority, low income, American Indian, and Alaska Native communities have lacked access to the required information and technical advisers to be informed participants concerning various risks that accompany numerous environmental activities. To provide the necessary assistance to these communities, DOE has developed and conducts several capacity-building projects to help communities gain and sustain the necessary tools to achieve EJ for themselves.

Community capacity building is the process that gives local community groups the necessary tools they need for meaningful participation in agency decision making. Capacity-building programs help minority, low income, American Indian, and Alaska Native communities improve their ability to participate in environmental decision making. They encourage citizen involvement and provide the tools that enable that involvement. Capacity-building activities, such as training and technical assistance programs, improve the capability of stakeholders to participate in DOE decision making.

Because EJ means that no population suffers a disproportionate share of adverse environmental impacts, it logically follows that no population should experience less than its fair share of environmental benefits. As production possibilities turn to more environmentally friendly sources of energy from nontraditional sources, all populations, especially those who have suffered a disproportionate share of environmental burdens, should share the benefits of such options when supported by public funds.

# Goal 1 Fully implement Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations

## LEGEND

	<b>BPA</b>	Bonneville Power Administration		<b>LM</b>	Office of Legacy Management
	<b>ED</b>	Office of Economic Impact and Diversity		<b>NNSA</b>	National Nuclear Security Administration
	<b>EERE</b>	Office of Energy Efficiency and Renewable Energy		<b>ORO</b>	Oak Ridge Operations
	<b>EM</b>	Office of Environmental Management		<b>AU-21</b>	Office of Sustainable Environmental Stewardship
	<b>FE</b>	Office of Fossil Energy		<b>SRS</b>	Savannah River Site
	<b>HAN</b>	Hanford Site		<b>WAPA</b>	Western Area Power Administration

	ORG	2018	2019	2020	2021	2022
Commit through BPA's environmental fish and wildlife mitigation program to protect native fish and wildlife species and improve research and data collection methods relating to the Columbia Basin ecosystem, which is home to minority and low-income populations, including American Indian and Alaska Natives	BPA	✕	✕	✕	✕	✕
Continue the Pathways Program (intern) for students	BPA	✕	✕	✕	✕	✕
Promote Science, Technology, Engineering, and Mathematics (STEM) awareness and education with primary and middle school students	ED	✕	✕	✕	✕	✕
Promote investments in Minority Serving Institutions (MSIs) to include offering internships for MSI students	ED	✕	✕	✕	✕	✕
Extend work and learning experience to a diverse student community across the nation and Puerto Rico through internship participation	EERE	✕	✕	✕	✕	✕
Participate in numerous local, national, and international forums to promote equity, diversity, and inclusion	EERE	✕	✕	✕	✕	✕
Share, discuss, strategize, and work on STEM initiatives to promote diversity and inclusion through the DOE STEM Rising Community of Practice intra-agency working group	EERE	✕	✕	✕	✕	✕
Provide technical and career guidance to the District of Columbia Schools STEM program	EERE	✕	✕	✕	✕	✕
Provide technical support and resources regarding sustainability, energy efficiency, renewable energy, and weatherization to the Morgan Community Mile initiative	EERE	✕	✕	✕	✕	✕
Enter into and maintain 10 stakeholder participation/technical assistance cooperative agreements with tribal nations	EM	✕	✕	✕	✕	✕

# Goal 1 Fully implement Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations

	ORG	2018	2019	2020	2021	2022
Support the Environmental Management Tribal Leader Dialogue	EM	X	X	X	X	X
Support the State and Tribal Working Group (issues include long-term stewardship and natural resources damages)	EM	X	X	X	X	X
Support the Tribal Radioactive Transportation Committee	EM	X	X	X	X	X
Use the Hanford Speakers Bureau to educate area schools with high minority area students about Hanford history, challenges, opportunities, and participation in decision making (information provided in both English and Spanish)	HAN	X	X	X	X	X
Encourage continued tribal participation and increase recruitment of low income and minority residents to serve on the Hanford Advisory Board	HAN	X	X	X	X	X
Provide outreach to state and local minority organizations in colleges and high schools with the goal of increasing Hanford workforce diversity through internships and career information	HAN	X	X	X	X	X
Abide by commitments made to area tribes and meet regularly with tribal representatives to discuss protection of traditional property and resources on the Hanford site	HAN	X	X	X	X	X
Facilitate the Hanford Federal Facility Agreement and Consent Order (Tri-Party Agreement Administrative Record and Public Information Repository [TPA]) for achieving compliance with the Comprehensive Environmental Response Compensation and Liability Act (CERCLA) remedial action provision and the Resource Conservation and Recovery Act (RCRA) treatment, storage, and disposal unit regulation and corrective action provisions, including the Community Relations Plan	HAN	X	X	X	X	X
Support the Public Information Repositories to give the public access to information on TPA activities and provide documents for public comment	HAN	X	X	X	X	X
Support the TPA-Searchable automated database found at the internet website: Tri-Party Agreement Administrative Record and Public Information Repository ( <a href="https://pdw.hanford.gov/arpir/">https://pdw.hanford.gov/arpir/</a> ).	HAN	X	X	X	X	X
In consultation with area tribes, revise the <i>2003 Hanford Cultural Resources Management Plan</i>	HAN	X	X	X	X	X



# Goal 1 Fully implement Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations

	ORG	2018	2019	2020	2021	2022
Continue to assess and determine whether EJ principles are incorporated into Departmental activities	LM	X	X	X	X	X
Conduct a series of Community Leaders Institutes and Technical Assistance Workshops	LM	X	X	X	X	X
Schedule Department-wide EJ and tribal training at headquarters and field offices, as requested	LM	X	X	X	X	X
Continue to incorporate EJ into mission statements and strategic plans	LM	X	X	X	X	X
Provide leadership and co-sponsor of the Annual National Environmental Justice Conference and Training Program	LM	X	X	X	X	X
Enhance the Department’s Mentors for Environmental Scholars Program to ensure students continue to receive the highest level of exposure and training from DOE national laboratory experts	LM	X	X	X	X	X
Build on the DOE and Allen University Environmental Justice Institute to train, educate, and sustain environmentally healthy communities. Continued development and implementation of the EJ Institute will lead to a community sustainable resource center for rural and economically challenged minority and low-income populations around DOE communities.	LM	X	X	X	X	X
Utilize the DOE partnership with Tennessee State University, <i>Community Capacity Building Through Technology</i> , to: 1) give communities access to federal agencies and a wide range of environmental information on the internet; 2) conduct training programs that include computer-based and internet tools, toxic release, chemical and risk assessment information, and community economics; 3) supervise community use of the training and tools received; 4) create and implement youth participation programs; 5) provide economic development tools, entrepreneurship training, and other resources such as proposal writing and grants management to make the centers economically self-sufficient; 6) provide continuous technical assistance from Historically Black Colleges and Universities, Tribal Colleges, Hispanic Serving Institutions, and Minority Serving Institutions; and 7) conduct research projects to evaluate results and examine implications for program modification and replication	LM	X	X	X	X	X

# Goal 1 Fully implement Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations

	ORG	2018	2019	2020	2021	2022
Adhere to the Memorandum of Understanding (MOU) between the U.S. Environmental Protection Agency (EPA) and DOE. The purpose of this MOU is to foster collaboration between the partners in addressing EJ and economic development issues in accordance with the National Environmental Policy Act (NEPA) and the mandate of EO 12898.	LM	X	X	X	X	X
Support the College/Underserved Community Partnership Program (CUPP). CUPP is designed to promote interagency collaboration (federal, state, local, and tribal) with emphasis on community engagement, as well as to facilitate public-private partnerships between schools, communities, the private sector, and nonprofit organizations. Through CUPP, DOE and the IWG members will provide a creative approach to partnering and delivering technical assistance to small, underserved communities from local colleges and universities. Communities benefit from the investment of innovative technical assistance provided by students attending nearby academic institutions.	LM	X	X	X	X	X
Support the Arizona State University Interagency Working Group on EJ Communities for a Better Environment (CBE) — Understanding the engineering, scientific, and technical needs of environmental climate and energy justice community groups in the United States to create structural technical interventions that recognize the scale of justice challenges across the United States. The biggest asset the CBE has is its technical experts. Synergies with the DOE EJ Strategy include: 1) creating methods to “increase capacity within our communities” to ensure their early and meaningful involvement related specifically to defining engineering and scientific agenda; 2) providing a new set of grassroots and technical data to “increase capacity within DOE and address EJ;” 3) broadening a “vibrant national dialogue on EJ” by incorporating the voices of technical research and development agendas; and 4) gathering data on technical needs that helps to identify projects that, if completed, can develop appropriate environmental change prevention, adaptation, and resilience.	LM	X	X	X	X	X
Continue to participate in the Navajo Nation Five-Year Plan, <i>Federal Actions to Address Impacts of Uranium Contamination in the Navajo Nation</i>	LM	X	X	X	X	X

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	ORG	2018	2019	2020	2021	2022
Support the NNSA MSI programs and other DOE-sponsored MSI internships and educational outreach efforts for low-income communities	NNSA	✘	✘	✘	✘	✘
Implement community outreach requirements under a revised LANL Management and Operating Contract, including provisions for technical assistance, educational outreach, regional purchasing, economic development, small and disadvantaged purchasing programs, diversity, and advanced notice of transportation and detonation schedules	NNSA	✘	✘	✘	✘	✘
Involve minority and low-income communities in emergency management planning, training, and potential cross-agency support	NNSA	✘	✘	✘	✘	✘
Develop a communication and outreach plan for the Environmental Management Disposal Facility. Oak Ridge Office of Environmental Management (OREM) will host multiple community meetings when the proposed plan for the new disposal facility is released.	ORO	✘				
Continue hosting annual community budget workshops to present OREM's budget request and share its near-term cleanup priorities. Residents can provide input into what they perceive as the highest short-term cleanup priorities for Oak Ridge.	ORO	✘	✘	✘	✘	✘
Work with EPA and the Tennessee Department of Environment and Conservation to update the Public Involvement Plan every three years. The document provides contacts and describes all the methods available to residents and stakeholders about where to submit comments and participate on CERCLA cleanup project decisions.	ORO		✘			✘
Continue the Oak Ridge Site-Specific Advisory Board monthly board meetings to discuss environmental cleanup activities and issues of concern from the public. The 22 board members are chosen to reflect the gender, race, occupation, and interests of people living near DOE's Oak Ridge Reservation. All meetings are open to the public and include a public comment period.	ORO	✘	✘	✘	✘	✘
Provide EJ awareness, training, supplemental training opportunities, and information on the National Annual Environmental Justice Conference and Training Program to DOE Headquarters, field office personnel, and contractor employees who participate in the scheduled outreach conference calls conducted by AU-21	AU-21	✘	✘	✘	✘	✘

# Goal 1 Fully implement Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations

	ORG	2018	2019	2020	2021	2022
Assist DOE and contractor employees with participation in environmental decision making that meets the EJ definition of requiring fair treatment and meaningful involvement of all people concerning the implementation of environmental activities, by incorporating EJ into Office of Sustainability Support AU-21 training	AU-21	✘	✘	✘	✘	✘
Assist the Department in collecting EJ information necessary to respond to inquiries to the EPA and the White House Council on Environmental Quality (CEQ), as well as other agencies	AU-21	✘	✘	✘	✘	✘
Maintain and update the AU-21 publicly available EJ webpage that contains brief descriptions of EO 12898, and the MOU on EJ, CEQ guidance on EJ, and the link to an EJ information brief prepared by the predecessor to AU-21	AU-21	✘	✘	✘	✘	✘
Through the partnership with Savannah State University and DOE-Savannah River Site (SRS), two community outreach meetings and two Teaching Radiation, Energy, and Technology (TREAT) workshops will be held within a 50-mile radius of the SRS. These meetings have two main objectives: education and community outreach. The DOE-SRS meeting strategy is to provide an opportunity to capitalize on building stronger networks with the same stakeholders that live right next door, as well as downstream, to the SRS.	SRS	✘	✘	✘	✘	✘
Continue to utilize the modern environmental analytical laboratory with the latest equipment available for students' hands-on laboratory exercises and research by DOE-SRS. The contemporary equipment enhances the environmental sciences curriculum and has profound effects on student accomplishments. The expansion of the Environmental Studies Program will allow a technically qualified applicant pool to assist DOE-SRS in the future, as it faces challenging employee attrition of the aging workforce.	SRS	✘	✘	✘	✘	✘
Continue to provide technical assistance such as Open Access Transmission Tariff procedures to tribes as requested	WAPA	✘	✘	✘	✘	✘



# Goal 2 Integrate Environmental Justice into the National Environmental Policy Act Process

	ORG	2018	2019	2020	2021	2022
Continue to integrate EJ into environmental reviews under NEPA	EERE	✘	✘	✘	✘	✘
Participate in the identification of federal actions through NEPA and address resulting potential EJ concerns	FE	✘	✘	✘	✘	✘
Continue long-term surveillance and maintenance on LM sites as a post-NEPA action	LM	✘	✘	✘	✘	✘
Implement a site procedure to engage tribes on NEPA processes such as early notice, informal briefings, and extended opportunities to participate in the formal hearing	NNSA	✘	✘	✘	✘	✘
Apply and implement EJ principals in the analysis of NEPA, CERCLA, and related environmental statute documentation	ORO	✘	✘	✘	✘	✘
Develop coaching and mentoring opportunities for community partnerships to train and empower other organizations in EJ communities to work with SRS on issues and concerns related to NEPA. This opportunity builds stakeholder capacity to have direct public participation and meaningful involvement.	SRS	✘	✘	✘	✘	✘
Highlight EJ in the WAPA NEPA Desk Guide	WAPA	✘	✘	✘	✘	✘
Provide consultation with tribes and collect public input for proposed WAPA projects	WAPA	✘	✘	✘	✘	✘
Continue addressing EJ through WAPA's NEPA process	WAPA	✘	✘	✘	✘	✘





# Goal 3 Comply with Title VI of the Civil Rights Act of 1964

	ORG	2018	2019	2020	2021	2022
Process Title VI complaints and engage in proactive compliance in-line with Department priorities	ED					
Continue to conduct and participate in open houses throughout the Navajo Nation in coordination with federal agencies	LM					
Continue to implement provisions of four DOE Secretarial Level Intergovernmental Accords with four federally recognized tribes, and DOE Order 144.1	NNSA					
Continue releasing the Annual Cleanup Progress Report. This document provides an overview of all the cleanup projects that are underway or were recently completed across Oak Ridge Reservation each year.	ORO					
Continue the Oak Ridge EM-funded annual grant with Clinch River Environmental Studies Organization, a local organization that promotes environmental literacy in middle school, high school, and undergraduate students through field research and learning experiences	ORO					
Ensure WAPA and financial assistance recipients comply with Title VI of the Civil Rights Act of 1964	WAPA					

## Summary and Conclusion

The DOE EJ Program is proceeding with its Plan to better define how we integrate EJ into the fabric of our programs, policies, and activities. The activities of this Plan are straightforward, measurable, and will be implemented over the next five years. The ultimate measure of performance is the reduction or elimination of disproportionately high and adverse human health or environmental effects on minority populations, low-income populations, American Indian Tribes, and Alaska Natives. Activities in some of the areas are ongoing and will continue throughout the Plan years. Our goals will be reached incrementally over time. However, all the pieces and all the people are in place to make achieving EJ for all a reality in DOE.

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