



Environmental Justice Five-Year Implementation Plan Third and Fourth Annual Progress Reports



Message from Dave Geiser

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.

On February 11, 1994, President Clinton issued Executive Order (EO) 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, and he tasked each federal agency to make achieving EJ part of its mission. EO 12898 also states “each federal agency responsibility under this order shall apply equally to Native American programs.”

In 2008, the U.S. Department of Energy (DOE or Department) created an *Environmental Justice Strategy* (Strategy) based on EO 12898 that included the development of an *Environmental Justice Five-Year Implementation Plan* (Plan) and mandated annual reports on the progress of that Plan.

In August 2011, following a day-long symposium at the White House, 17 federal agencies signed a memorandum of understanding (MOU) on EJ that recommitted and prioritized EJ throughout the federal government.

The Department’s *Environmental Justice Five-Year Implementation Plan Third and Fourth Annual Progress Reports* (Implementation Plan Progress Reports) reflect a solid commitment to EO 12898, the EJ MOU, and to our Plan. The goals and activities included in the Implementation Plan Progress Reports are based on clear priorities and tangible benefits that consider programmatic, legislative, and regulatory responsibilities. They emphasize community participation and empowerment, and stakeholder involvement. In addition, they encourage new approaches to occupational and environmental science research for high-risk communities and workers, embrace interagency coordination to facilitate EJ, and heighten the sensitivity of managers and staff to EJ within the Department.

I am proud to present our Implementation Plan Progress Reports. The reports include activities for fiscal years (FY) 2011 and 2012 and span the full range of DOE’s mission and goals from basic science to clean energy, environmental stewardship, and nuclear security. I appreciate the contributions of the DOE programs and the many participating communities, tribal, non-governmental organizations, academic institutions, and private sector partners who have collaborated together to make the Department’s EJ efforts a success.

David W. Geiser



Director
Office of Legacy Management

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Foreword

DOE's Plan sets an ambitious Departmental agenda that will guide our EJ 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 EO 12898, and the Department's EJ Strategy.

So states the opening of our Plan that was announced at *The State of Environmental Justice In America 2008 Conference*. We knew this was a robust path, intentionally designed to integrate EJ throughout the Department. That was our intent in 2009 and it remains so today. This Plan provided the roadmap for DOE's integration of EJ throughout the Department.

The year 2011 marks year three and 2012 marks year four of the Plan. DOE's Implementation Plan Progress Reports serve as our third and fourth annual progress reports, respectively, on implementation of the Plan.

While we have made much progress, we will continue to build on lessons learned and the assessments we have conducted throughout the Department to broaden and expand the EJ Program. These efforts will contribute to meeting the goals, objectives, and principals of EJ; EO 12898; and DOE's Strategy.

In June 2013, DOE launched an EJ online training course for all federal and contractor personnel. Our EJ training is a model for the Interagency Working Group (IWG) on EJ. In addition to the training, DOE has integrated a number of new EJ commitments from various programs throughout the Department to further our implementation of the five-year Plan.

We are preparing a revised and updated Strategy to be shared with our stakeholders, as we have done in the past. We look forward to receiving your comments and input to finalize our Strategy and assist us with the development of the next five-year 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 with the many comments, some of which are reflected in the New Activities sections presented later in this report. As with the first and second reports, 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 and we remain committed to integrating and improving EJ throughout DOE.



Melinda Downing
Environmental Justice Program Manager

2011 New Activities

Los Alamos National Laboratory (LANL)/National Nuclear Security Administration (NNSA)

Partnership with the University of New Mexico (UNM)

NNSA provided \$50,000 to fund a partnership between LANL and UNM that provides scholarships for Native American high school students to attend a two-year degree program at UNM. Without this program, the students selected would not have the financial means to attend college.

During the summer, these students participated in the internship program at the LANL. In addition, the majority of the students increased their grade-point average, thereby qualifying them for the State of New Mexico college fund. This and other scholarship and internship programs funded by DOE, which are described in this report, help further the goals of EJ by educating minority and low-income populations, including tribal populations. DOE hopes that these students will one day be able to assist their communities with future environmental projects.

Los Alamos-Pueblo Project

NNSA and the DOE Office of Environmental Management (EM) jointly fund a program (\$2.1 million per year) that allows four tribal governments (Pueblos) to develop and maintain environmental monitoring programs specific to their respective communities and to provide technical input to NNSA decision-making processes. The subject Pueblos are located adjacent to LANL. The program also funds a community-based educational model (CBEM) initiative at Santa Fe Indian School (SFIS), an Indian-owned residence high school that incorporates community-based subject matter into a Science, Technology, Engineering, and Mathematics (STEM) curriculum. Over 35 SFIS students, most graduates of the CBEM program, have won Gates Millennium Scholarships.

Los Alamos National Security, LLC

Community Commitment Plan contractors who manage and operate NNSA sites, including LANL and Lawrence Livermore National Laboratory, are required to incorporate community commitment plans into their contracts.

Those commitments take different forms. At LANL, for example, the management and operating contractor commits at least \$3 million per year of its earned fee into three areas of outreach—education, economic development, and charitable giving. This generous reinvestment of fees, leverages federal funding in the same areas of concern, of minority and low-income populations, including tribal populations, who benefit from the outreach activities in many ways.

NNSA Pueblo Funding

As a result of Santa Clara Pueblo comments related to EJ that were submitted on the *Los Alamos National Laboratory Site-Wide Environmental Impact Statement* (SWEIS), NNSA provides funding to the Pueblo, a federally recognized tribe, for preparation of a proposal to conduct a Santa Clara-specific human health risk assessment. The action is being tracked as a requirement under the resulting SWEIS *Mitigation Action Plan*.

MOU on EJ

The Department was one of 17 signatory agencies that signed the MOU in August 2011. The MOU recommits the Administration to EJ and the IWG on EJ. The MOU's areas of focus include, but are not limited to: 1) implementation of the National Environmental Policy Act (NEPA); 2) implementation of Title VI of the Civil Rights Act of 1964, as amended; 3) impacts from climate change; and 4) impacts from commercial transportation and supporting infrastructure ("goods movement"). The Department's revised EJ Strategy will integrate these initiatives and the efforts will continue to include interagency collaboration.

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 human health and the 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 Three 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.

Activities:

Conduct EJ activity assessments. (Office of Legacy Management [LM])

A six-month study of the implementation of DOE's EJ Strategy, particularly its performance in implementing Goals 1 and 4, has been initiated. The assessments were conducted with four facilities, the Hanford Site (HAN) in Benton County, Washington; the Savannah River Site (SRS) in Aiken, South Carolina; LANL in New Mexico; and the Western Area Power Administration (WAPA) in Lakewood, Colorado. A set of general interview questions were developed for DOE officials and key stakeholders for consideration. Resource documents about each facility's EJ activities, the Department's *Environmental Justice Five-Year Implementation Plan Second Annual Progress Report*, and other materials were reviewed. NEPA policy and guidance, EO 12898, and other appropriate DOE policies, e.g., DOE Mission Statement and 2011 through 2020 *Strategic Plan*, were utilized in conducting the EJ assessment.

Evaluate Departmental 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. (LM)

The EJ Program is consistently monitoring Departmental activities to determine if they present a disproportionately high and adverse human health or environmental effect on minority and low-income populations, including tribal populations.

During FY 2010 and 2011, the EJ Program examined the process for integrating EJ considerations with the implementation of the NEPA process, e.g., Environmental Impact Statements (EIS). 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 included a finding that DOE incorporates EJ considerations into its NEPA analyses in a sufficient manner to assess whether there are disproportionately high or adverse human health or environmental impacts on minority and low-income populations, including tribal populations, and determine how to address the impacts, as appropriate. These discussions also found that most agencies do their EJ analyses and EISs in a very similar, if not identical, manner. The EJ Program assessments will support and advance our approach to protect the health and environment of minority and low-income populations, including tribal populations.

Fund the Emergency Preparedness Working Group (DOE-complex funded) for enhancing rural county emergency response capabilities. (NNSA)

An Emergency Management grant program was instituted in FY 2000 to fund the Emergency Preparedness Working Group to enhance rural county emergency response capabilities. 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. Nevada Division of Emergency Management administers the funding, which is distributed according to applications submitted by the counties. Funding is based on the amount of waste disposed of at the Nevada National Security Site (NNSS). Funds totaling \$883,127 were provided to enhance county emergency response capabilities in communities near the NNSS.

GOAL 1 (continued)

GOAL 1

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

In 2011, several WAPA EISs were conducted for individual construction, upgrades, or renewable energy projects. There were no disproportionately high adverse impacts on human health or environmental effects on minority and low-income populations, including tribal populations for these projects.¹ WAPA is refining criteria for identifying disproportionately high and adverse human health and environmental effects on minority and low-income populations, including tribal populations. This activity is ongoing.

Include and maintain environmental laws, regulations, EO_s, and guides that pertain to EJ in the Library of Environmental Laws, Regulations, and EO_s. Include and maintain guides in the Office of Health, Safety and Security (HSS) library. (HSS)

The following items in the HSS searchable library contain information on factoring EJ into decision making, thereby familiarizing DOE personnel with EJ and its objectives:

- Information Brief: *Consultation with Native Americans*
- Information Brief: *Use of Alternate Concentration Limits to Determine Cleanup or Regulatory Levels Under Resource Conservation and Recovery Act (RCRA) and Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)*
- Regulatory Bulletin: *RCRA Expanded Public Participation Final Rule Issued*
- Guidance Document: *Incorporating EJ Principles into the CERCLA Process*



Teachers, students, and community representatives participate in a Department of Energy Community Capacity Building Workshop.

¹ According to <http://energy.gov/nepa/>, in FY 2011, DOE completed approximately 11 EISs. Each of these documents explicitly evaluated potential EJ impacts. In each case, the alternative that DOE ultimately selected will result in no disproportionately high and adverse human health or environmental effects on minority populations, low-income populations, or Indian tribes.

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.

Activities:

Enter into and/or maintain 15 technical assistance cooperative agreements with Tribal Nations. (EM)

EM maintained 15 cooperative agreements with specific tribes around EM sites/facilities and with tribes along routes used to transport EM wastes and materials. EM provided funding for the State and Tribal Government Working Group (STGWG) to hold two large national meetings in FY 2011, which included participation by the EM Assistant Secretary and other senior EM staff, 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 travel funding for all attending tribal members. This support is an indication of EM's commitment to the inclusion of tribes and the success of the technical assistance cooperative agreements.

Additionally, staff and program support assistance were provided through the efforts of the National Conference of State Legislators. EM provided substantial staff support to the Office of Indian Energy and Office of the Secretary for the DOE Secretary Tribal Summit held in May 2011. EM also provided support to the development of a DOE-Wide Tribal Guide and development of training for DOE employees.

Other cooperative agreement work performed by EM includes:

- Establishment of an environmental work program that resulted in continued, critical involvement of tribes in a wide range of EM decision-making and transportation-planning activities at HAN, LANL, 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.
- Hiring of scientific and tribal staff to examine site cleanup strategies and proposed work that may positively impact tribal rights, interests, and support formal consultations.
- Participation within the tribes Natural Resource Damages Assessment process.
- Performance of environmental monitoring activities and data collection on tribal lands to help determine impacts and supplement DOE data where applicable. This also achieves Goal 3.
- Fostering tribal transportation and emergency response programs.
- Maintaining cultural resources and properties on DOE sites as required by law.

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

EERE did not create the inter-agency and intra-agency partnerships in 2011.



EERE scholars with EERE Assistant Secretary, Daniel Danielson, and Scholar Coordinator, Lynda Woodson.

GOAL 2 (continued)

GOAL 2

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

In FY 2011, no support was provided for a research hub with HBCUs, TCUs, and MSIs. However, funds from EERE's Tribal Energy Program supported research and development projects and programs.

Since 2002, EERE's Tribal Energy Program has funded 159 tribal energy projects, investing more than \$36 million to allow tribes to assess their renewable energy resources, conduct feasibility studies, and implement clean energy projects. These projects allow tribes to learn about and implement the environmental and economic benefits of clean energy while building community awareness.

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

EERE placed 70 interns, volunteers, and fellows from high schools, universities, and special programs in 2011. Out of the 70 placements, 18 were from HBCUs, TCUs, and MSIs. The interns worked in communications and outreach, senior management offices, and EERE's technical program.

In FY 2011, EERE's Tribal Energy Program funded the American Indian Higher Education Consortium (AIHEC) to establish an AIHEC Energy Fellow program to recruit tribal college staff or faculty to support TCUs in strategic energy planning, green education, and training program development.



Mentors for Environmental Scholars intern collecting sediment samples for contaminant analysis from the Savannah River using a grab sampler.

GOAL 2 (continued)

GOAL 2

Recruit minority and tribal interns. Bonneville Power Administration. (BPA)

In FY 2011, a total of 50 students were hired from the Student Temporary Experience Program, and the Student Career Experience Program. Based on self-identification, 30 percent of those students were minorities, including:

- 10 percent African American
- 10 percent Asian
- 0 percent Hispanic/Latino
- 2 percent Native American
- 8 percent mixed race

In FY 2011, BPA also sponsored two work-experience opportunities for American Indian Science and Engineering Society (AISES) students. These students were extended opportunities to be employees, one in transmission services as an electrical engineer and the other in fish and wildlife as an environmental specialist.

In FY 2011, the Tribal Affairs organization supported 10 scholarships in the amount of \$2,500 for Native American students.



*Fifth Annual National Conference on Health Disparities,
Undergraduate and Graduate Student Forum Research Competition, Little Rock, Arkansas.*

GOAL 2 (continued)

GOAL 2

Recruit minority interns. (BPA)

In 2011, BPA had a total of 79 students on the rolls. Based on self-identification, 34 percent of those students were minorities, including:

- 10 percent African American
- 10 percent Asian
- 3 percent Hispanic/Latino
- 5 percent Native American
- 6 percent mixed race

The college recruiter created a recruitment plan in order to advertise student opportunities. The diversity and recruitment team also worked with various community partners (e.g., Black United College Fund, Urban League, Hispanic Chamber of Commerce, Native American Youth & Family Services, and Summer Youth Connect) to ensure that the community was informed of student opportunities. The diversity and recruitment team attended diversity-focused career events to share student opportunities (e.g., Hispanic Heritage Fair, Women in Trades, University of Texas El Paso event, Walla Walla University event, Howard University event, Pendleton Hispanic Youth Conference, Nixyaawii Tribe Career Fair, Hispanic Employment and Business Fair, United Way Diversity event, Salish Kootenai Career event). BPA partnered with other DOE resources such as internal resource groups, the Pluralism Council, and the Cross-Agency Diversity Work Team to assist in the search for a diverse student applicant pool. These groups provided representatives opportunities to attend diversity-focused conferences (AISES, National Society of Black Engineers, American Association of Blacks in Energy, Society of Hispanic Professional Engineers, Asian Bar Association, and Society of Women Engineers).

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 legacy environmental cleanup and long-term stewardship. (NNSA)

The Nevada Site Office (NSO) did not receive any applications from minorities (Native Americans, African Americans, Hispanics) to serve as members of the EM SSAB.



*EM SSAB meeting/tour,
Las Vegas, Nevada.*

GOAL 2 (continued)

GOAL 2

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)

More than 2,000 copies of the Trio activity book and 1,544 copies of the computer game were distributed. Distribution of these materials was made primarily via the Public Reading Room (adjacent to the National Atomic Testing Museum) in Las Vegas, Nevada.

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

NSO conducted 13 public meetings, one EM workshop (open house), and three two-day workshops with African American, Hispanic American, and Native American high school students planning to attend college and major in the STEM disciplines. More than 150 African American students attended the workshops, more than 70 Native American students and their families attended the Native American workshop, and 2,000 Hispanic students attended the Hispanic Youth Symposium. Based on the evaluation feedback, students' knowledge of the STEM disciplines was greatly enhanced. NSO was unable to provide a Spanish interpreter.



NNSA summer internship workshop.

GOAL 2 (continued)

GOAL 2

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

The overall goal of the TREAT Workshop is to educate teachers and local community leaders who reside near the SRS facility about radiation, sources of radiation, radioactive waste management, the effects of radiation on environmental health, and the negative impact of environmental radiation exposure to humans. This workshop is designed to educate teachers so that they can convey their radiation knowledge to students and ultimately to the community. During the 2011 TREAT Workshop, 25 kindergarten through 12th grade teachers from South Carolina and Georgia, and six summer interns were trained.



*Teaching Radiation, Energy and Technology Workshop –
DOE Savannah River Site and Savannah State University.*

GOAL 2 (continued)

GOAL 2

Provide tours for Savannah State University (SSU) interns. (SRS)

In FY 2011, there were two tours conducted at SRS for interns from SSU. After each tour, interns were required to present to their classes what they had learned about the site, opportunities for employment in the environmental fields, and the importance and diligence of safety in nuclear industries. All SSU interns submitted a written scientific report highlighting their research internship findings.

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

Three community outreach meetings were held in the surrounding SRS counties. Approximately 70 stakeholders attended each meeting. The SSU students presented research projects that focused on working with stakeholders to improve community environmental conditions.

Participate in the annual EJ Conference and a Community Leaders Institute (CLI). (SRS)

SRS representatives and SSU interns participated in the *State of Environmental Justice In America 2011 Conference*. Participants from federal agencies, academia, business and industry, nonprofit organizations, local community activists, and stakeholders convened to participate in a discussion on achieving environmental protection equality.

A CLI was held in Aiken, South Carolina. The purpose of the CLI was to focus on the unique relationship between environmental protection, human health, EJ, and economic development. Three additional CLIs were held in other states.

Develop an information brief. Include an HSS-developed information brief discussing EJ issues and concerns on the HSS website. (HSS)

The Environmental Guidance tab of the HSS website contains an HSS-developed *Information Brief on the Environmental Justice EO 12898*, which can be found at <http://www.hss.doe.gov/sepa/environment/envjustice>.

Assist DOE and contractor employees in participating in environmental decision making, such as siting a facility or disposal site that has the potential to impact minority and low-income populations, including tribal populations. (HSS)

EJ training was provided at the Joint DOE/DOE Contractor Environmental Attorneys' Training in October 2011. This training was provided to approximately 50 lawyers throughout the DOE complex who are in the position to advise decision makers on compliance with EO 12898.

GOAL 2 (continued)

GOAL 2

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

Four interns attended the 2011 Society of Environmental Toxicology and Chemistry (SETC) Conference. The SETC Conference offered networking and graduate school opportunities nationwide.

Provide opportunities to students for research internship training at SSU. (SRS)

As part of DOE's involvement in the United Negro College Fund Special Programs Corporation Mentorship for Environmental Scholars (MES) Program, interns received hands-on training for sample collection and processing; greenhouse studies; fish, plant, and soil/sediment sample extraction; and operation of professional instruments.

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

The Superfund Job Training Initiative partnership between DOE and EPA did not occur in 2011. This initiative will continue in FY 2012.

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

In FY 2011, DOE hired six MES student interns from SSU and mentored them on the activities at the SRS EJ Program.



Dr. Kenneth Sajwan and students conducting research at Savannah State University's state-of-art laboratory, open to middle- and high-school students for science projects and also for community education purposes.

GOAL 2 (continued)

GOAL 2

HAN utilizes its Federal Facility Agreement (FFA) known as the Tri-Party Agreement (TPA) to focus and ensure effectiveness of the site's environmental restoration and cleanup activities. 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 the involvement of minority and low-income populations, including tribal populations, in the TPA modification and decision-making processes. (HAN)

During FY 2011, the TPA continued to be regularly modified and updated with the consent of all parties and supported by public input received, principally through the TPA Community Relations Plan mechanisms. This ensured ongoing compliance with environmental laws and achievement of a variety of environmental restoration goals. As in 2010, many of the changes and updates made reflected a need to change cleanup priorities or direct resources toward activities that would yield the highest near-term results under the American Recovery and Reinvestment Act. Modifications were made to reflect changing priorities of regulatory agencies overseeing the HAN cleanup. In all cases, the views and values of minority and low-income populations, including tribal populations, were incorporated in the change process and decision making through the mechanisms of the TPA Community Relations Plan. In addition, HAN prepared NEPA documents following a process that: 1) incorporated public comment even when not required by the White House Council on Environmental Quality (CEQ) or DOE NEPA regulation, and 2) incorporated discussions of EJ ideals to consider the views and values of minority and low-income populations, including tribal populations.

Support the information repositories to give the public, including low-income and minority populations, access to information on TPA and other environmental activities, such as RCRA, CERCLA, and NEPA public participation. The information repositories are housed in public buildings and libraries with the objective of benefiting underprivileged, low-income, and minority populations by providing access to computers, written information, and guidance for users of the facility to offer their opinions in meaningful, environmental processes. (HAN)

HAN continued its performance of annual audits in FY 2011 to assure completeness of the content of the TPA repositories, as well as their effectiveness in meeting user expectations and needs. The content of the repositories was verified complete and up to date. Multiple computers are available at each repository so that users have ready access to the TPA-searchable automated database.

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 FY 2011, HAN continued operation of the TPA-enhanced database search engine in order to simplify public access to cleanup and other information. Effectiveness of improved access to information was evaluated by operational assessments conducted at selected TPA Public Information Repository locations; experience of users was determined to be positive.

GOAL 2 (continued)

GOAL 2

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

During FY 2011, the Richland Operations Office continued to support the operations of the HAB. A wide variety of briefings on HAN cleanup and operations activities were provided to HAB members at each of their regular meetings and subcommittee meetings. Advice was received from the HAB, evaluated, and factored into DOE decision making at HAN.

HAB membership continues to be monitored to assure that it reflects diverse viewpoints in the affected community and region. HAB membership includes people who are affected by DOE site cleanup activities, including minorities and members of tribal nations.

Thirteen consensus advice letters were issued from HAB to DOE in FY 2011. Those letters dealt with a broad variety of topics, including the DOE *Open Government Plan* and the *Hanford Community Relations Plan*; “Preservation of Historic Properties and Artifacts;” “Cleanup Budget Priorities for Fiscal Year 2012, 2013” and ensuing years; and improving the *Hanford Public Involvement Plan*.

Continue publication and distribution of HAN Public Involvement activities and the HAN events calendar

(http://www.hanford.gov/files.cfm/TPA_PI_Calendar_FY_2012_September_2012.pdf). (HAN)

TPA public involvement activities continued in FY 2011. The event calendar and documents continued to be published on the HAB website. The objective of publishing this information continues to be to inform the public of opportunities to interact with DOE in environmental restoration decision making at HAN.

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

Since moving to the Office of Communications and External Affairs in FY 2010, HAN's Tribal Affairs Program and the Cultural Resources Program have continued to achieve greater effectiveness. During FY 2011, the programs enjoyed enhanced direct interaction with, and more direct involvement from, the Native American tribal nations in cultural resources protection.

Support the DOE HAN Cultural and Historic Resources Program review of project activities to determine the impacts projects may have on cultural and historic properties at HAN. (HAN)

During FY 2011, the HAN Cultural and Historic Resources Program continued to work with tribes who have traditional ties to the area. Meetings were held to discuss projects that could impact culturally sensitive areas or traditional cultural properties. Tribes were invited to attend field walk downs and participate in monitoring of HAN project activities and field surveys. HAN's oversight program vigorously assessed contractor conformance with cultural and historic resource protection requirements.

GOAL 2 (continued)

GOAL 2

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

During FY 2011, no incidents occurred that required formulation of a SEP. Should the development of a SEP become necessary, EJ considerations will be included.

Participate in the identification of federal actions through NEPA and address potential EJ impacts. (Office of Fossil Energy [FE])

FE continues to use 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.

In FY 2011, DOE prepared an EIS (DOE/EIS-0444) to assess the potential environmental impacts associated with the Texas Clean Energy Project, a project designed, constructed, and operated by Summit Texas Clean Energy, LLC (STCE). The plant will be located on a 600-acre oil field site in Ector County, Texas, north of the community of Penwell, and will continue in commercial operation for 30 to 50 years. The project will demonstrate advanced power systems using integrated gasification combined-cycle technology to generate 400 megawatts (gross) of electric power from coal, and will put 130 to 213 megawatts on the power grid while capturing approximately 90 percent of its carbon dioxide emissions.

On June 17, 2010, as part of the NEPA process and in support of FE's ongoing efforts to enhance credibility and public trust through public participation, DOE held a public scoping meeting in Odessa, Texas. The Department considered all of the comments received on the scope of the EIS and addressed them in the draft EIS.

DOE published a "Notice of Availability of the Draft EIS" in the *Federal Register* (FR) (76 FR 15968) on March 22, 2011, and announced that a public hearing would be held in Odessa on April 5, 2011. Comments were solicited at the public hearing and throughout the 45-day public comment period, which ended May 2, 2011.

In the final EIS, DOE considered and, as appropriate, responded to comments on the draft EIS. EPA published a "Notice of Availability for the EIS" in the FR (76 FR 47579) on August 5, 2011. The Department published a Record of Decision (76 FR 25070) on September 29, 2011, announcing that DOE will provide, through a cooperative agreement with STCE, \$450 million in cost-shared funding—approximately 26 percent of the project's total capital cost of \$1.73 billion (2009 dollars). It was determined that construction and operation of the proposed project are not anticipated to have disproportionately high and adverse impacts on minority and low-income populations, including tribal populations in the area around the project.

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 each 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 were chosen to reflect the gender, race, occupation, and interests of persons living near the Oak Ridge Reservation (ORR) and are appointed by DOE to serve on a voluntary basis.

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. (ORO) (continued)

Among the more notable achievements are the following:

- Each year, the ORSSAB surveys the residents in communities adjacent to the ORR 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, 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 a newsletter, the *Public Environmental Survey*, *Public Involvement News*, *Environmental Cleanup Progress Review*, and the *Annual Site Environmental Report*.
- The Tennessee Oversight Inter-Local Agreement's Board of Mayors/Executives was recently founded to promote intergovernmental cooperation on environmental and emergency management issues. The organization provides a new opportunity for local government to receive information and to provide input into DOE processes, further improving external communication and public participation.
- ORO instituted an Annual Public Budget Workshop whereby DOE presents its priorities for future work to support an upcoming budget request. The public has the opportunity to provide input into what the public perceives the priorities should be for environmental cleanup in the future. The workshop provides an excellent opportunity for the public to participate in the planning of DOE's future environmental remedial projects, and has been received very well by the community.
- ORO and Oak Ridge National Laboratory (ORNL) have programs with students and faculty from at least 30 HBCUs/MSIs. These programs assist in the development of and education on minority subcontracting opportunities, summer research opportunities, and laboratory work experience. ORNL has also initiated mentor/protégé agreements with several HBCUs.



Public Participation and Community Outreach Workshop.

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

Activities:

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

Through BPA's environment, fish, and wildlife mitigation and recovery programs, BPA is committed to improving research and data collection methods relating to the Columbia Basin ecosystem, 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. Direct funding to tribes from the BPA fish and wildlife program increased to \$107 million in 2011. Since 2004, BPA-funded work by tribes has treated over 10,000 acres of habitat and provided access to 930 miles of habitat for fish.

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

In FY 2011, EERE discontinued retention of services from HBCUs and other minority organizations that provided sampling and environmental analysis.

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

NNSA provided \$7.9 million in funding to MSIs to advance scientific research, student internships, faculty fellowships, and curriculum development.

Approximately 155 minority students majoring in the STEM disciplines participated in summer internships around the NNSA complex and with NNSA site contractors and small businesses. Twelve percent of the students who interned in 2010, received internships again in 2011.



Diversity in STEM.

Support the Community Environmental Monitoring Program. (NNSA)

This is an ongoing activity.

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

In FY 2011, WAPA conducted over 70 public and 25 tribal meetings through the NEPA process. A section of each meeting is dedicated to identifying minority and low-income populations, including 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.

Activities:

Assist the Department in collecting EJ information necessary to respond to inquiries of the EPA and the White House CEQ. (HSS)

HSS assisted the Department in collecting EJ information by participating in all EJ meetings conducted by EPA and CEQ. HSS also collected input on questions raised by EPA and CEQ on EJ issues from Sustainability Assistance Network (SAN) coordinators across the Department.

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

In lieu of face-to-face training, DOE created a cost-saving EJ Online Training Program.

Partner with the Congressional Black Caucus (CBC) EJ Braintrust. (LM)

EJ participated in the CBC Braintrust held on September 21, 2011, in Washington, DC. The theme was “Reducing America’s Dependence on Foreign Fuel.”

Continue to address EJ through the 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 FY 2011, several EISs were conducted for proposed individual construction, upgrade, or renewable energy projects. There were no disproportionately high adverse impacts on human health or environmental effects on minority and low-income populations, including 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 and low-income populations, including tribal populations.

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

One of the activities at the ORR 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 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 and low-income populations, including tribal populations.

GOAL 4 (continued)

GOAL 4

Participate in the annual EJ conference. (HSS)

HSS participated in the annual 2011 EJ conference.

Incorporate EJ concerns and issues into the Office of Sustainability Support (HS-21) training on greenhouse gas emission reductions and sustainability to demonstrate the relationship of EJ with DOE operations. (HSS)

The training is under development; opportunities to incorporate EJ are being explored.

Provide EJ awareness, training, and information on EJ conferences and supplemental training opportunities to DOE Headquarters, field office personnel, and contractor employees who participate in the scheduled outreach conference calls conducted by HS-21. (HSS)

An introduction to and descriptions of EO 12898 and the Department's Plan were presented to the participants of the March 2011 SAN conference call. SAN participants include site personnel with responsibilities in sustainability, environmental compliance and protection, and related areas. The minutes of the March SAN call expanded upon the presented EJ information and were provided to those on the SAN distribution list. SAN participants were also notified of the annual EJ conference, held in April 2011, in Washington, DC. Opportunities for additional training were available at the conference and on conference calls.

Conduct an EJ national conference. (LM)

As with previous years, *The State of Environmental Justice in America 2011 Conference* brought together participants from federal agencies, academia, business and industry, non-profit organizations, local community activists, and citizens to dialogue on achieving equality of environmental protection.

The Department, along with the U.S. Department of Agriculture (USDA), the U.S. Department of the Interior (DOI), EPA, the National Small Town Alliance, the Howard University School of Law, and others, sponsored *The State of Environmental Justice in America 2011 Conference* in Washington, DC. The conference theme was "Building the Clean Energy Economy with Equity," and focused on climate change, green jobs, and equity for minority and low-income populations, including tribal populations. The goal is to continue bringing together participants from federal agencies, academia, business and industry, nonprofit organizations, faith-based organizations, and local communities to participate in dialogue on achieving equality of environmental protection.

The Department's then Associate Deputy Secretary, Melvin G. Williams, Jr., delivered opening remarks on the second day of the conference. Other speakers included Nancy Sutley, chair of the White House CEQ and principal adviser to the President; Harris Sherman, the Under Secretary for Natural Resources and Environment, USDA; Congresswoman Donna M. Christensen; Mathy Stanislaus, Assistant Administrator, Office of Solid Waste and Emergency Response, EPA; Robert Stanton, Senior Advisor to the Secretary, DOI; and Ignacia Moreno, Assistant Attorney General, Environment and Natural Resources Division, U.S. Department of Justice.

The conference was held April 27 through 29, 2011, at the Washington Marriott at Metro Center in Washington, DC. Conference participants were provided best-practice examples of approaches that produce positive results through innovation and collaboration. The conference highlighted programs and collaborations that work, as well as initiatives that were not successful.

GOAL 4 (continued)

GOAL 4

Develop a Department-wide EJ Training Program. (LM)

LM, in partnership with the Office of the Chief Human Capital Officer, developed EJ Online Training Program for DOE federal personnel. The training is accessible through the Online Training Center. The online class was designed to increase EJ awareness across the Department and supplements classroom training and individual program assistance to fully integrate EJ throughout DOE.

Expand the MES Program. (LM)

LM implemented a Native American Tribal Internship to the MES Program. Students were recruited from TCUs. Three students were selected to intern at the LM Grand Junction, Colorado, office.

Form a partnership with George Washington University's (GWU) Environmental Resource Policy Graduate Program Capstone Project – Environmental Justice for Graduate Students. (LM)

The Capstone Project is a partnership between the Department and GWU. The project provides students in the Environmental Resource Policy Graduate Program hands-on experience analyzing current environmental and energy issues and identifying recommendations or strategies for the Department. The students earn three credits for their participation in a successful project.



GWU students—site tour and research project at LM's Grand Junction, Colorado, site.

Initiate the EJ Dialogue for the purpose of increasing the discussion of environmental and EJ issues between federal decision makers and nongovernmental stakeholders in Washington, DC. (LM)

Although the dialogue did not take place in FY 2011 as expected, the dialogue will be completed in FY 2012.

2011 Associated Initiatives

Title VI and stakeholder engagement. (Office of Economic Impact and Diversity [ED])

Beginning in FY 2011, ED hosted and participated in several stakeholder outreach meetings across the country. These sessions are intended to allow stakeholders to raise concerns with the Department before they rise to the level of a formal complaint. They are also intended to provide meaningful access to the Department and its Program Offices to EJ communities.

Increase tribal involvement and awareness. (ED)

ED is committed to increasing tribal involvement and influence in Departmental activities. To that end, ED co-hosted a breakout session on Education and Economic Development Opportunities during the 2011 DOE Tribal Summit to provide guidance for tribal-owned small businesses, tribal-owned financial institutions, tribal colleges and universities, and others seeking to work with the Department. ED staff also regularly reaches out to tribal organizations and Summit attendees to share information on contracting opportunities for tribal-owned businesses and Alaska Native corporations. To increase awareness within the Department, ED partnered with the Office of Indian Energy Policy and Programs to host tribal training at the Joint DOE/DOE Contractor Environmental Attorneys' Training. Additionally, ED developed a class titled "Energy Development in Indian Country" that was offered to DOE employees as part of DOE's Native American Heritage Month programming.

ED played an important role in forming a pilot program intended to recruit American Indian students to join alumni and faculty teams that will engage in community energy projects on tribal lands with the mentorship and technological capability of the Department's national laboratories.

2011 Acronym List

AIHEC	American Indian Higher Education Consortium
AISES	American Indian Science and Engineering Society
BPA	Bonneville Power Administration
CBC	Congressional Black Caucus
CBEM	Community Based Educational Model
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CEQ	Council on Environmental Quality
CLI	Community Leaders Institute
DOE or Department	U.S. Department of Energy
DOI	U.S. Department of Interior
ED	Office of Economic Impact and Diversity
EERE	Office of Energy Efficiency and Renewable Energy
EIS	Environmental Impact Statement
EJ	Environmental Justice
EM	Office of Environmental Management
EM SSAB	Nevada Site-Specific Advisory Board (formerly known as the Community Advisory Board for Nevada Test Site Programs)
EO	Executive Order
EPA	U.S. Environmental Protection Agency
FE	Office of Fossil Energy
FFA	Federal Facility Agreement
FR	<i>Federal Register</i>
FY	Fiscal Year
GWU	George Washington University
HAB	Hanford Advisory Board
HAN	Hanford Site
HBCUs	Historically Black Colleges and Universities
HS-21	Office of Sustainability Support
HSS	Office of Health, Safety and Security

2011 Acronym List (continued)

Implementation Plan	<i>Environmental Justice Five-Year Implementation Plan</i>
Progress Reports	<i>Third and Fourth Annual Progress Reports</i>
IWG	Interagency Working Group
LANL	Los Alamos National Laboratory
LM	Office of Legacy Management
MES	Mentorship for Environmental Scholars
MOU	Memorandum of Understanding
MSIs	Minority-Serving Institutions
NEPA	National Environmental Policy Act
NNSA	National Nuclear Security Administration
NNSS	Nevada National Security Site
NPL	National Priority List
NSO	Nevada Site Office
ORNL	Oak Ridge National Laboratory
ORO	Oak Ridge Operations
ORR	Oak Ridge Reservation
ORSSAB	Oak Ridge Site Specific Advisory Board
Plan	<i>Environmental Justice Five-Year Implementation Plan</i>
RCRA	Resource Conservation and Recovery Act
SAN	Sustainability Assistance Network
SEPs	Supplemental Environmental Projects
SETC	Society of Environmental Toxicology and Chemistry
SFIS	Santa Fe Indian School
SRS	Savannah River Site
SSU	Savannah State University
STCE	Summit Texas Clean Energy, LLC
STEM	Science, Technology, Engineering, and Mathematics
Strategy	<i>Environmental Justice Strategy</i>
STGWG	State and Tribal Government Working Group

2011 Acronym List (continued)

SWEIS	<i>Los Alamos National Laboratory Site-Wide Environmental Impact Statement</i>
TCUs	Tribal Colleges and Universities
TPA	Tri-Party Agreement
TREAT	Teaching Radiation, Energy and Technology
Trio	Operation Clean Desert Learning Trio
UNM	University of New Mexico
USDA	U.S. Department of Agriculture
WAPA	Western Area Power Administration



Environmental Justice

Five-Year Implementation Plan Fourth Annual Progress Report

2012 New Activities

U.S. Department of Energy (DOE or Department) Office of Energy Efficiency and Renewable Energy (EERE)

EERE was responsible for creating the National Training and Education Resource and contributed to the development of an interagency Environmental Justice (EJ) training module.

National Nuclear Security Administration (NNSA)

Formal Assessment – Implementation of DOE EJ Program Assessment

Los Alamos National Laboratory (LANL) was selected as one of four DOE sites that were formally assessed for their implementation of the Department's EJ Program in fiscal year (FY) 2012. LANL and NNSA EJ practitioners, community stakeholders, and others were interviewed, and evidence documents were reviewed during the assessment. A favorable final report was published that includes scores of activities being conducted by LANL, laboratory programs, and NNSA—many of which aren't referred to as EJ activities but support the intent of Executive Order (EO) 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*.

Contracting with Small and Minority-Owned Businesses

Los Alamos National Security (LANS), L.L.P., the LANL Management and Operating Contractor, far exceeded its negotiated FY 2012 goals for contracting with small and minority businesses. This performance is exceptional and has been sustained over the past several years, most recently in a constrained federal budget environment.



Celebrating the 1,000th shipment of Transuranic Waste from LANL to the Waste Isolation Pilot Plant with New Mexico Governor, Susana Martinez, and Community Leaders, including Governor Terry Aguilar of Pueblo de San Ildefonso, June 2012.

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 human health and the 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 Four 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.

Activities:

Include and maintain environmental laws, regulations, EOs, and guides that pertain EJ in the Library of Environmental Laws, Regulations, and EO and guides in the DOE Office of Health, Safety and Security (HSS) library. (HSS)

HSS developed a publicly available EJ webpage that contains active links to EO 12898, the Department's *Environmental Justice Strategy* (Strategy) and its *Five-Year Implementation Plan* (Plan), and the Memorandum of Understanding (MOU) on EO 12898. The HSS EJ website also contains links to the White House Council on Environmental Quality (CEQ) guidance on EJ and the National Environmental Policy Act (NEPA), and five EJ compliance tools developed by the U.S. Environmental Protection Agency (EPA). The HSS searchable library includes guidance documents on topics such as cleanup and remediation under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and the Resource Conservation and Recovery Act (RCRA), which can have implications for minority and low-income populations, including tribal populations.

Conduct EJ activity assessments. (Office of Legacy Management [LM])

A six-month study of the implementation of DOE's EJ Strategy, Goals 1 and 4, has been completed. The assessments were conducted at four facilities: Hanford Site (HAN) in Benton County, Washington; the Savannah River Site (SRS) in Aiken, South Carolina; LANL in Los Alamos, New Mexico; and the Western Area Power Administration (WAPA) in Lakewood, Colorado. A set of general interview questions were developed for DOE officials and key stakeholders for consideration. Resource documents about each facility's EJ activities, the Department's *Environmental Justice Five-Year Implementation Plan Second Annual Progress Report*, and other materials were reviewed. Managers, EJ coordinators, state and local government representatives, and community representatives took part in interviews pertaining to each site's assessment. NEPA policy and guidance; EO 12898 and other appropriate DOE policies, e.g., DOE mission statement and the *2011 Through 2020 Strategic Plan* were utilized in conducting the EJ assessment.



Dr. Mildred McClain, Citizens for Environmental Justice – Community and Youth Leadership Forum.

GOAL 1 (continued)

GOAL 1

Evaluate Departmental 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. (LM)

The EJ Program is consistently monitoring Departmental activities to determine if they present disproportionately high and adverse human health or environmental effects on minority and low-income populations, including tribal populations.

LM conducted an independent assessment on DOE's EJ Program activities at four major sites. As a result of the last audit, the Program concluded that there were no disproportionately high or adverse human health or environmental effects on minority and low-income populations, including tribal populations, at these sites. Recommendations from the assessments are included in the executive summary and full report.

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

In FY 2012, two Environmental Impact Statements (EISs)—*Quartzite Solar* (co-lead with Bureau of Land Management [BLM]) and *Searchlight Wind Farm Project* (co-lead with BLM)—were conducted for individual construction, upgrades, or renewable energy projects. There were no disproportionately high adverse impacts on human health or environmental effects on minority and low-income populations, including tribal populations, for these projects. WAPA continues to use NEPA criteria for identifying disproportionately high and adverse human health or environmental effects on minority and low-income populations, including tribal populations. This activity is ongoing.



Review of proposed individual construction, upgrade, or renewable energy projects.

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.

Activities:

Recruit minority, low-income, and tribal interns. (Bonneville Power Administration [BPA])

The recruitment of minority, low-income, and tribal interns 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. This is the same rationale for all student programs described below.

In FY 2012, a total of 50 students were hired from the Student Temporary Experience Program (STEP) and the Student Career Experience Program. Based on self-identification, 30 percent of those students were minorities, including:

- 10 percent African American
- 10 percent Asian
- 0 percent Hispanic/Latino
- 2 percent Native American
- 8 percent mixed race

In FY 2012, the agency also sponsored two work-experience opportunities for American Indian Science and Engineering Society (AISES) students. Both students were extended opportunities to work through STEP, one student in transmission services as an electrical engineer and the other in fish and wildlife as an environmental specialist.

In FY 2012, the Tribal Affairs organization supported ten \$2,500-scholarships to Native American students.

Recruit minority students. (BPA)

In FY 2012, BPA had a total of 79 students on the rolls. Based on self-identification, 34 percent of those students were minorities, including:

- 10 percent African American
- 10 percent Asian
- 3 percent Hispanic/Latino
- 5 percent Native American
- 6 percent mixed race

GOAL 2 (continued)

GOAL 2

Recruit minority students. (BPA) (continued)

The college recruiter created a recruitment plan in order to advertise student opportunities. The diversity and recruitment team also worked with various community partners (e.g., Black United College Fund, Urban League, Hispanic Chamber of Commerce, Native American Youth and Family Services, and Summer Youth Connect) to ensure that the community is informed of student opportunities. The diversity and recruitment team attended diversity-focused career events to share student opportunities (Hispanic Heritage Fair, Women in Trades, University of Texas El Paso event, Walla Walla University event, Howard University event, Pendleton Hispanic Youth Conference, Nixyaawii Tribe Career Fair, Hispanic Employment and Business Fair, United Way Diversity event, Salish Kootenai Career event). 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. These groups provided opportunities for representatives to attend diversity-focused conferences, e.g., AISES, National Society of Black Engineers, American Association of Blacks in Energy, Society of Hispanic Professional Engineers, Asian Bar Association, and Society of Women Engineers.

Promote the inclusion of diverse stakeholder engagement and tribal consultation in DOE's Asset Revitalization Initiative. (Office of Economic Impact and Diversity [ED])

ED made two presentations highlighting the best practices of DOE sites in carrying out "Tribal Consultation" and "Public Participation with Diverse Stakeholders" at the 2012 Asset Revitalization Initiative workshop hosted at Oak Ridge, Tennessee, which gathered DOE employees across the complex that are involved in carrying out the beneficial reuse of DOE sites and facilities.

Public dissemination of EJ-related initiatives. (ED)

Economic development opportunities for a community can improve the quality of the community's environment and reduce impacts on minority and low-income populations, including tribal populations. Educational opportunities can benefit the communities as described earlier in this report with respect to internship programs. ED distributed information about economic development opportunities and Science, Technology, Engineering, and Mathematics (STEM) education to minority and low-income populations, including tribal populations, in 2012 through the Department's website (www.diversity.energy.gov), ED's e-mail list with over 47,000 subscribers, official DOE social media accounts, and outside publications. Through news columns and guest articles in publications such as *Huffington Post*, the *Legislator*, *Federal News*, radio, *Politic 365*, *Indian Country Today*, and *U.S. Black Engineer Magazine*, ED reached over 43 million readers.

Engage Indian Country in contracting and economic development discussions related to the Department. (ED)

ED leadership and staff participated in the Department's State and Tribal Government Working Group (STGWG) Tribal Leaders Dialogue hosted by DOE Office of Environmental Management (EM), to ascertain the interest and needs of STGWG tribes to participate in contracting and other economic development opportunities. ED staff presented at the *2012 Reservation Economic Summit* about the opportunities that exist in Energy Services Contracting areas.

GOAL 2 (continued)

GOAL 2

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

EERE continues to fund STEM initiatives by supporting primary investment objectives—learning; engagement; pre- and in-service educator/education leader performance; postsecondary STEM degrees; STEM careers; institutional capacity; STEM system reform; and education research and development. The Web link below provides detailed information on EERE's investment commitments for STEM.

<http://www.whitehouse.gov/sites/default/files/microsites/ostp/2010%20Federal%20STEM%20Education%20Inventory%20Data%20Set.xls>

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

EERE continues to aggressively support the placement of interns and volunteers. In FY 2012, EERE placed eight Minority Educational Institution Student Partnership Program interns and 20 volunteers from HBCUs, TCUs, and MSIs. The program was significantly enhanced by providing students with more opportunities to network within and outside of EERE by participating and attending hearings on Capitol Hill, training, conferences/meetings, networking opportunities within the Department and other federal agencies, as well as presenting briefings on their accomplishments and experience at EERE. Students were provided with clear direction and expectations that provided them with the necessary tools to be competitive in the workforce. EERE's Tribal Energy Program, through Sandia National Laboratories (SNL), has offered summer internships to Native American college students as a means of providing opportunities to conduct research, participate in a cross-disciplinary team, and provide hands-on experience working on tribal energy projects. Since 2002, 27 students have participated in the program, including five interns during the summer of 2012.

Enter into and/or maintain 15 technical assistance cooperative agreements with Tribal Nations. (EM)

EM maintained 15 cooperative agreements with specific tribes located around EM sites and facilities and along routes used to transport EM wastes and materials. EM provided funding for the STGWG to hold two large, national meetings with EM senior management in FY 2012 to discuss and address various issues of concern including those of tribes.

The support included costs associated with conducting the meetings themselves, but also the travel expenses for tribal representatives and their staff, further evidence of EM's commitment to support tribal efforts in meeting to resolve various issues of concern. Additionally, staff and program support were paid for and provided through the efforts of the National Conference of State Legislators. EM also provided substantial staff support to the Office of Indian Energy and its Indian Country Energy Infrastructure Working Group.

In FY 2012, EM convened two *Tribal Leader Dialogues*, which brought together elected leaders of Tribal Nations surrounding EM sites to meet with senior DOE officials and site managers. These unprecedented events marked the largest gathering of tribal leaders and DOE officials for high-level discussions that focused on enhancing tribal involvement in EM's cleanup mission and the future of its sites, including economic development and federal contracting opportunities. The inspiration for the EM *Tribal Leader Dialogues* grew out of the DOE *Tribal Summit* hosted by Dr. Steven Chu (then Secretary of Energy) in May 2011.

GOAL 2 (continued)

GOAL 2

Enter into and/or maintain 15 technical assistance cooperative agreements with Tribal Nations. (EM) (continued)

Examples of work performed through EM cooperative agreements with Tribal Nations:

- Continuation of tribal capacity building and environmental program work with all cooperative tribal agreements in FY 2012, resulting in continued critical involvement of tribes in a wide range of EM decision-making and transportation-planning activities at HAN, LANL, 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.
- Utilization of scientific and tribal staff to examine site cleanup strategies; and proposed work that may positively impact tribal rights, interests, and support formal consultations.
- Feedback to site and contractor staff on impacts from DOE sites to tribal lands including participation in the Natural Resource Damages Assessment process.
- Performance of environmental monitoring activities and data collection on tribal lands to help determine impacts and supplement DOE data where applicable. This also achieves Goal 3.
- Establishment and maintenance of tribal transportation and emergency response programs.
- Assistance provided to DOE for performing work to preserve and protect cultural resources and properties on DOE sites, as required by EM, with the assistance of tribes. EM made sound decisions that impact tribal interests, and ensured that its compliance obligations were met.

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

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

In FY 2012, there were no final EISs or Records of Decisions issued. However, there are several EISs in progress, each in different stages of the NEPA process. These projects are ongoing and include the DOE/EIS-0431 Hydrogen Energy California Integrated Gasification Combined-Cycle Project, DOE/EIS-0473 W.A. Parish Post-Combustion CO₂ Capture and Sequestration Project, DOE/EIS-0464 Lake Charles Carbon Capture and Storage Project, and DOE/EIS-0460 and FutureGen 2.0 Oxy-Combustion Large-Scale Test. For all projects, NEPA analyses addressed activities that integrate EJ with activities and processes related to human health and the environment.

GOAL 2 (continued)

GOAL 2

HAN utilizes its Federal Facility Agreement (FFA) known as the Tri-Party Agreement (TPA) to focus and ensure effectiveness of the site's environmental restoration and cleanup activities. 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. (Hanford Site [HAN])

During FY 2012, the TPA continued to be modified and updated when necessary. HAN remained focused on assuring that public input was solicited and incorporated into the changes that were made, and that the views and values of Tribal Nation representatives, and minority and low-income populations, including tribal populations, were incorporated into HAN's decision-making processes.

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

In FY 2012, HAN continued its performance of annual audits to assure completeness of the content of the TPA repositories. HAN also continued to evaluate adopting an all-electronic, i.e., paperless, access system with attendant enhancement of data terminals and other access hardware.

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

HAN continued operation of the TPA-enhanced database and search engine in FY 2012 to assure the public ongoing and effective access to cleanup and operations information. The effectiveness of the improved access system was evaluated by operational assessments conducted at remaining TPA Public Information Repository locations not previously covered. Operational assessment inquiries were expanded to explore new approaches to enhancing information access for users of the repositories.

Continue publication and distribution of HAN Site Public Involvement activities (<http://www.hanford.gov/page.cfm?page=463>) and the HAN events calendar <http://www.hanford.gov/PageAction.cfm/calendar>. (HAN)

HAN continued its commitment to operation of a robust public involvement program in FY 2012. Publication of important and relevant information continued on the Hanford Advisory Board (HAB) website, and was updated throughout the year. As part of DOE's contractor oversight program, effectiveness of public involvement activities and systems at DOE's public reading rooms was assessed and confirmed to be highly successful.

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

During FY 2012, the Tribal Nations Program Coordinator within the Office of Communications and External Affairs remained responsible for implementing DOE's American Indian Policy at HAN. The Cultural Resources Program Manager continued protecting physical items and real property that were deemed important to the social, religious, and cultural values of the Native American people.

GOAL 2 (continued)

GOAL 2

Support the DOE HAN Cultural and Historic Resources Program review of project activities to determine the impacts projects may have on cultural and historic properties at HAN. (HAN)

During FY 2012, the HAN Cultural and Historic Resources Program continued to work with tribes to enhance their involvement in cultural resources protection. Meetings were conducted to discuss projects that could impact culturally sensitive areas or traditional cultural properties. Tribes were invited to attend field walk downs and participate in monitoring of project activities and field surveys. HAN's oversight program continued assessments of contractor conformance with cultural and historic resource protection requirements, focusing on correcting any deficiencies found.

Support the HAB. (HAN)

HAN continued supporting HAB operations during FY 2012, and continued to provide the HAB with briefings on site cleanup and operations activities. HAN also continued to solicit and receive advice that was factored into government decision making at HAN. HAN continued its efforts to ensure that the board's membership reflects diverse viewpoints in the affected community and region. Board participation includes members of minority and low-income populations, including tribal populations, who are affected by DOE site cleanup activities.

Include EJ in any supplemental environmental projects (SEPs). (HAN)

During FY 2012, no incidents occurred that required formulation of an SEP.

Develop an information brief. Include an HSS-developed information brief discussing EJ issues and concerns on the HSS website. (HSS)

The EJ Information Brief was updated and posted on the EJ webpage at
http://hss.doe.gov/sefa/environment/guidance/justice/envjustice_11_2012.pdf.

Assist DOE and contractor employees in participating in environmental decision making, such as siting a facility or disposal site that may impact minority and low-income populations, including tribal populations. (HSS)

The Joint DOE/DOE Contractor Environmental Attorneys' Training, held in October 2012, included training on EJ. This training was provided to 45 lawyers throughout the DOE complex who are in the position to advise decision makers on compliance with EO 12898.

GOAL 2 (continued)

GOAL 2

Fund the Emergency Preparedness Working Group (DOE-complex funded) for enhancing rural county emergency response capabilities that include minority and low-income populations, including tribal populations. (NNSA)

An Emergency Management grant program was instituted in FY 2000 to fund the Emergency Preparedness Working Group (DOE-complex funded) to enhance rural county emergency response capabilities. To fund this grant, approved waste generators are charged an additional \$.50 per cubic foot for disposal of low-level and mixed-level waste. Nevada Division of Emergency Management administers the funding, which is distributed according to applications submitted by the counties. The amount of funds is based on the amount of waste disposed of at the Nevada National Security Site (NNSS). Funds totaling \$413,554 were provided to enhance county emergency response capabilities in communities near the NNSS.

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 legacy environmental cleanup and long-term stewardship. (NNSA)

A variety of approaches were taken to heighten awareness of the EM SSAB in Nevada among disparate communities, target distinct audiences and population groups (particularly rural residents and minorities), and encourage participation in the application process. Recruitment and outreach efforts included:

- Direct mailing to more than 18,000 rural southern Nevada mail recipients
- Membership announcements were made and applications provided at regularly scheduled public meetings, rural town board meetings, and community environmental organizations meetings
- Announcements and applications on the EM SSAB in Nevada webpage
- Electronic newsflash to Nevada Site Office (NSO) mailing list
- News releases and public service announcements to Clark and rural counties
- Membership recruitment announcements to local municipalities and civic, environmental, professional, and volunteer organizations
- Display advertisements placed in local and statewide newspapers
- *Las Vegas Review-Journal* – statewide newspaper, four runs (circulation of 150,000 daily)
- *Rebel Yell* – University of Nevada, Las Vegas, student newspaper (circulation of 5,000 bi-weekly)
- *El Tiempo* – Hispanic newspaper, one run (circulation of 35,000 weekly)
- *Lincoln County Record* – rural community newspaper, two runs (circulation of 1,800 weekly)
- Tonopah Times-Bonanza and Goldfield News – rural community newspaper, two runs (circulation of 2,200 weekly)
- *Pahrump Valley Times* – rural community newspaper, four runs (circulation 6,500 bi-weekly)
- *Ely Times* – rural community newspaper, three runs (circulation of 2,400 weekly)
- American Institute of Mining, Metallurgical, and Petroleum Engineers
- Association of Environmental and Engineering Geologists

GOAL 2 (continued)

GOAL 2

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 legacy environmental cleanup and long-term stewardship. (NNSA) (continued)

- City Clerk's Office (Henderson, Las Vegas, North Las Vegas) – volunteer opportunities
- College of Southern Nevada
- Latin Chamber of Commerce
- Las Vegas Asian Chamber of Commerce
- League of Women Voters of Las Vegas (Clark County)
- Las Vegas Realtors Association
- National Groundwater Association
- Nature Conservancy
- Nevada Test Site Historical Society
- Radiological Society of North America
- Women in Business
- Urban Chamber of Commerce Promoting African American Businesses in the Las Vegas Community
- Women's Chamber of Commerce of Nevada
- Women's Club of Summerlin
- Letters, phone calls, and in-person meetings to targeted organizations in Clark County

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

In FY 2012, the following items were distributed: 2,384 activity books, 826 computer game CDs, 67 teacher's guides, and 605 student worksheets.

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

NSO conducted seven public meetings and two EM workshops (open houses). NSO was unable to provide a Spanish interpreter.

GOAL 2 (continued)

GOAL 2

Partner with the University of New Mexico (UNM). (NNSA)

NNSA provided \$50,000 to fund a partnership between LANL and UNM-Los Alamos (UNM-LA) to provide scholarships for Native American high school students to attend a two-year degree program at UNM-LA. Without this program, the students selected would not have the financial means to attend college. The majority of the students increased their grade point average, thereby qualifying them for the State of New Mexico college fund. During the summer, these students participated in the LANL internship programs.



*LANL Native American Heritage Month
celebration on the UNM-LA Campus,
President Cedric Page, Don Ami, and
Pueblo of Taos Lt. Governor, Gilbert Suazo,
November 2012.*

LANS Community Commitment Plan. (NNSA)

The LANS, L.L.P. Board of Governors extended the LANL Community Commitment Plan for five more years. The plan invests about \$3 million per year of LANS "at-risk" fee into regional community outreach activities. The areas of outreach include education, economic development, and community giving. Seven northern New Mexico counties, most of which include minority and low-income populations, including tribal populations, make up the northern New Mexico region of impact.

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 each 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.

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. (ORO) (continued)

The ORSSAB is premised on public participation. The 20 current members were chosen to reflect the gender, race, occupation, and interests of persons living near the Oak Ridge Reservation (ORR) and are appointed by DOE to serve on a voluntary basis. Notable achievements include:

- The Tennessee Oversight Inter-Local Agreement's Board of Mayors/Executives was founded to promote intergovernmental cooperation on environmental and emergency management issues. The organization provides a new opportunity for local government to receive information and to provide input into DOE processes, further improving external communication and public participation.
- ORR instituted an Annual Public Budget Workshop at which DOE presents its priorities for future work, to support an upcoming budget request. The public has an opportunity to provide input into what it perceives the priorities should be for environmental cleanup in the future. The workshop provides an excellent opportunity for the public to participate in the planning of DOE's future environmental, remedial projects, and has been well received by the community.
- ORO and Oak Ridge National Laboratory (ORNL) have programs with students and faculty from at least 30 HBCUs/Minority Educational Institutions. These programs assist in the development of and education on minority subcontracting opportunities, summer research opportunities, and laboratory work. ORNL has also initiated mentor/protégé agreements with several HBCUs.
- Each year, the ORSSAB surveys the residents in communities adjacent to the ORR 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, 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 a newsletter, and the Public Environmental Survey, *Public Involvement News*, *Environmental Cleanup Progress Review*, and the *Annual Site Environmental Report*.

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

The overall goal of the TREAT Workshop is to educate middle school math and science 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 the negative impact of environmental radiation exposure to humans. This workshop is designed to educate the teachers so that they can take the radiation education message to their students and ultimately to the community. During the 2012 TREAT Workshop, 28 teachers and local community members from South Carolina and Georgia and five summer interns were trained.

Provide tours for Savannah State University (SSU) interns. (SRS)

In FY 2012 there was one tour conducted at SRS for interns from SSU. After the tour, the interns were required to give presentations to the class regarding what they learned about the site, opportunities for employment in the environmental fields, and the importance of diligence and safety in nuclear industries. All SSU interns submitted a written scientific report highlighting their research internship findings.

GOAL 2

GOAL 2 (continued)

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

Four community outreach meetings were held in the surrounding SRS counties in FY 2012. Approximately 65 to 70 stakeholders attended each meeting. The SSU interns presented research projects that focused on working with stakeholders for improved community environmental conditions.

Participate in the annual National Environmental Justice Conference and Training Program and a Community Leaders Institute (CLI). (SRS)

SRS representatives and SSU interns participated in the 2012 EJ conference. The conference convened participants from federal agencies, academia, business and industry, nonprofit organizations, local community activists, and stakeholders to dialogue on achieving environmental protection equality.

A CLI was held in Denmark, South Carolina. The purpose of the CLI was to focus on the unique relationship between environmental protection, human health, EJ, and economic development.

Mentor and nurture SSU interns toward graduate school opportunities in environmental science, environmental engineering, and environmental health-related disciplines. (SRS)

Three interns attended the 2012 Society of Environmental Toxicology and Chemistry (SETC) Conference. The SETC Conference offered networking and graduate school opportunities nationwide.

Provide opportunities to students for research internship training at SSU. (SRS)

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 members of minority, low-income, and tribal populations to participate in employment and entrepreneurial activities at Superfund sites. (SRS)

The Superfund job training partnership with DOE and EPA training did not occur in FY 2012.

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

In FY 2012, five DOE United Negro College Fund MES interns from SSU were hired and mentored on the activities at the SRS EJ Program.

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

WAPA provided technical assistance to tribes located within WAPA's service area on interconnection processes, OATT procedures, small- and large-generation issues, NEPA information, cultural resources issues, permitting, and probable cost. WAPA hosted a series of tribal webinars dealing with development of renewable energy projects on tribal lands to help improve the possibilities for tribal economic development.

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

Activities:

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

Through BPA's environment, fish, and wildlife mitigation and recovery programs, BPA is committed to improving research and data collection methods relating to the Columbia Basin ecosystem, 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. Direct funding to tribes from the BPA fish and wildlife program increased to \$107 million in 2011. Since FY 2004, BPA-funded work by tribes has treated over 10,000 acres of habitat and provided access to 930 miles of habitat for fish.

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

EERE's Tribal Energy Program, through SNL, has offered summer internships to Native American college students as a means of providing opportunities to conduct research, participate in a cross-disciplinary team, and provide hands-on experience working on tribal energy projects. Since FY 2002, 27 students have participated in the program, including five interns during the summer of 2012. Of the five internships in FY 2012, three were funded through the EERE Tribal Energy Program and two through DOE's Office of Indian Energy Policy and Programs.

Since FY 2002, EERE's Tribal Energy Program has funded 175 tribal energy projects investing more than \$41.8 million to allow tribes to assess their renewable energy resources, conduct feasibility studies and implement clean energy projects. Projects such as these allow tribes to learn about and implement the environmental and economic benefits of clean energy, in lieu of other energy projects that could have disproportionate adverse human health and environmental effects, while building community awareness.

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

NNSA provided \$8.4 million in funding to MSIs to advance scientific research, student internships, faculty fellowships, and curriculum development. Of the total \$8.4 million awarded, \$4.4 million was awarded to the MSI program, which includes support to DOE'S Dr. Samuel P. Massie Chairs of Excellence Program; and grants that support Native American and Hispanic academic development and advancement in STEM. The remaining \$4 million was used to initiate our new MSI Partnership Program in which the objective is to build a sustainable educational pipeline in STEM. The program allows specific HBCUs the opportunity to collaborate with national laboratories around specific topical areas of interest to NNSA and also in a consortium capacity. Eight consortium grants were funded with the award monies.

Approximately 171 minority students majoring in the STEM disciplines participated in summer internships around the NNSA complex and with NNSA site contractors and small businesses. To address recruiting and hiring difficulties experienced by students and recent graduates, President Obama signed EO 13562 "Recruiting and Hiring Students and Recent Graduates," on December 27, 2010.

EO 13562 established two new programs and modified another. They are the internship programs for current students; the recent graduates program for people who have recently graduated from qualifying educational institutions or programs (two years from the date the graduate completed an academic course of study); and the reinvigorated Presidential Management Fellows Program for people who obtained an advanced degree (e.g., graduate or professional degree) within the preceding two years. These programs, collectively the Pathways Programs, are streamlined developmental programs tailored to promote employment opportunities for students and recent graduates in the federal workforce.

GOAL 3

GOAL 3 (continued)

Support the Community Environmental Monitoring Program. (NNSA)

This is an ongoing activity.

Provide funding that allows four tribal governments (Pueblos) to develop and maintain environmental monitoring programs. (NNSA) (EM)

NNSA and EM jointly fund a program (\$2.1 million per year) that allows four tribal governments (Pueblos) to develop and maintain environmental monitoring programs specific to their respective communities, and to provide technical input to NNSA decision-making processes. The subject Pueblo Tribes are located adjacent to LANL. The program also funds a community-based educational model (CBEM) initiative at Santa Fe Indian School (SFIS), an Indian-owned residence high school that incorporates community-based subject matter into STEM curriculum. Over 35 SFIS students, most graduates of the CBEM program, have won Gates Millennium Scholarships.

Provide funding to the Pueblo to prepare a proposal to conduct a Santa Clara-specific human health risk assessment. (NNSA)

As a result of Santa Clara Pueblo comments related to EJ that were submitted on the 2008 *Los Alamos National Laboratory Site-Wide Environmental Impact Statement* (SWEIS), NNSA provides funding to the Pueblo, a federally recognized tribe, to prepare a proposal to conduct a Santa Clara-specific human health risk assessment. The action is being tracked as a NEPA requirement under the resulting SWEIS Mitigation Action Plan.

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

In FY 2012, WAPA conducted over 50 public and 25 tribal meetings through the NEPA process. A section of each meeting is dedicated to identifying minority and low-income populations, including 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.



WAPA conducts public and tribal meetings through the NEPA process.

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.

Activities:

Participation in the Joint DOE/DOE Contractor Environmental Attorneys' Training. (ED)

ED presented a session on the environmental and cultural protection provisions of the United Nation's Declaration on the Rights of Indigenous Peoples recently adopted by the United States at the Joint DOE/DOE Contractor Environmental Attorneys' Training at DOE Headquarters. Attorneys across the complex were able to participate via video-conferencing.

Sponsorship of the sixth annual *State of Environmental Justice in America Conference*. (ED)

ED sponsored the April 3 through 5, EJ 2012 Conference. Sponsorship included ED's participation in a panel discussion and a research forum. ED and other DOE program offices (EM, Office of Nuclear Energy, EERE, and Office of Electricity Delivery and Energy Reliability) presented on the Department's activities surrounding EJ and opportunities for MSIs to increase interactions with the Department during the "HBCUs and Other MSIs Alternative and Renewable Energy and Environmental Justice Research Forum." An attorney advisor from ED participated in Title VI complaints panel discussion alongside his colleagues at the Fish and Wildlife Service.

Promoting diversity and inclusion awareness within DOE, which allows the Department to better serve our diverse stakeholder communities. (ED)

In FY 2012, ED accomplished this through the development of a DOE-Wide Diversity and Inclusion Strategic Plan, which provides guidance to program and site offices on establishing program and site-specific plans. Additionally, ED established a Diversity and Inclusion Council, headed by the Associate Deputy Secretary and comprised of members from all programs and sites, that provides regular briefings to senior leadership.

ED regularly informs DOE employees and the general public on the intersection between underserved communities and DOE programs and activities through <http://energy.gov> and DOE social media. For instance, on a weekly basis, blog posts highlighting work that the Department conducts with minority and tribal communities are published.

Partner with the Congressional Black Caucus (CBC) EJ Braintrust. (LM)

The EJ Program participated in the CBC EJ Braintrust held September 21, 2012, in Washington, DC. The theme was "Social Determinants and Environmental Justice."

Conduct an annual EJ conference. (LM)

The *2012 National Environmental Justice Conference and Training Program* brought together leaders from various sectors to engage in three days of free exchange of new ideas and new approaches to EJ. This interactive training session featured voices of experience, research, discussions, and thought-provoking dialogue. The program format featured needs and challenges of communities, governments, municipalities, tribes, faith-based organizations, and others with an interest in environmental matters and EJ. The conference highlighted programs and collaborations that work, as well as initiatives that were not successful. Program speakers featured representatives from federal and state agencies, local governments, tribes, grass roots organizations, community groups, business and industry, public interest groups, academia, and other entities. DOE, EPA, U.S. Department of Agriculture, U.S. Department of the Interior, U.S. Fish and Wildlife, and the Howard University School of Law teamed with others to sponsor this year's conference. The theme was "Enhancing Communities through Capacity Building and Technical Assistance."

GOAL 4

GOAL 4 (continued)

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

In lieu of face-to-face training, DOE created a cost-saving EJ Online Training Program module.

Expand the Mentorship for Environmental Scholars (MES) Program. (LM)

LM continued its expansion of the MES program in FY 2012 to recruit Native American students from TCUs.

Form a partnership with the George Washington University (GWU) Environmental Resource Policy Graduate Program Capstone Project – Environmental Justice for Graduate Students. (LM)

LM continues to partner with GWU's Capstone Project graduate students. The FY 2012 research project was completed and students made final presentations on their findings to LM and faculty of GWU.

Initiate the EJ Dialogue for the purpose of increasing the discussion of environmental and EJ issues between federal decision makers and nongovernmental stakeholders in Washington, DC. (LM)

In FY 2012, DOE and members of the EJ Interagency Working Group (IWG) held monthly planning meetings to brainstorm on plans for the annual EJ conference and efforts to better integrate discussions regarding EJ between agencies and communities.

Continue partnership with LM in support of EJ learning and development programs for the purpose of increasing EJ awareness across the Department as well as enhancing workforce competencies. (Office of the Chief Human Capital Officer [HC])

HC will continue to provide a trusted advisor to LM for training and technical assistance programs by supporting the following LM/EJ initiatives: the Plan; National EJ Conference and Training Program; EJ Task Force; the EJ Online Training Program; IWG collaboration; technical support for EJ training module development for use by federal agencies, as directed by the MOU signed by agency heads and CEQ.

Provide EJ awareness, training, and information on EJ conferences and supplemental training opportunities to DOE Headquarters, field office personnel, and contractor employees who participate in the scheduled outreach conference calls conducted by HS-21. (HSS)

Participants in the July 2012 Sustainability Assistance Network (SAN) conference call conducted by HS-21 were provided with the history of EJ and given EJ updates. Particular emphasis was placed on introducing the SAN participants to the EJ Online Training Program that assists DOE employees in gaining a greater awareness of EJ and the strategies for incorporating EJ into DOE policies, decisions, and daily operations. SAN participants are drawn from program offices and sites throughout the DOE complex.

GOAL 4 (continued)

GOAL 4

Incorporate EJ concerns and issues into HS-21 training. (HSS)

HSS reviews the applicability of EJ when developing the contents of training courses and guidance documents.

Participate in National Environmental Justice Conference and Training Program. (HSS)

HS-21 participated in the annual 2012 EJ conference and moderated a session at the conference.

Assist the Department in collecting EJ information necessary to respond to inquiries of the EPA and the White House CEQ. (HSS)

HSS and HS-21 continued to assist the Department in remaining cognizant of emerging EJ trends and issues by participating in all EJ meetings conducted by EPA and CEQ. The office coordinated the collection of EJ-related information from SAN contributors across the Department on questions raised by EPA and CEQ on EJ issues.

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

One of the activities at the ORR 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 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 and low-income populations, including tribal populations. DOE has established an annual grant with the Clinch River Environmental Studies Organization (CRESO), which promotes environmental literacy in middle, high school, and undergraduate students through field research and learning experiences. Additionally, CRESO recently received \$150,000 to construct artificial wetlands in support of educating students on the value of wetlands in their area. DOE is continuing to value local environmental improvements as opportunities to educate the next generation of environmental scientists from Anderson County.

Continue to address EJ through the NEPA process. For all projects, NEPA analysis addressed activities that integrate EJ with activities and processes related to human health and the environment. (WAPA)

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

2012 Associated Initiatives

The following activities support the STEM capacity building of minority and low-income populations, including tribal populations, which are key to enabling these groups to play an active role in achieving EJ within their communities.

Speaking engagements and event attendance to promote STEM education in diverse communities. (ED)

To promote public participation in the ED economic development, STEM education, and research and development programs, ED leadership and staff participated in over 75 public events across the country in 2012. These events included keynote addresses, leading workshops, speaking on panels, booths at conferences, remarks at public forums. The majority of these events focused on minority and tribal students.

American Indian Research and Education Initiative (AIREI). (ED)

In FY 2012 ED, along with the Office of Science, funded AIREI which is a partnership between DOE, the American Indian Higher Education Consortium, and the AISES to bring STEM research and education funding to our nation's tribal colleges and universities and other universities around the country. This program funded student and faculty teams at six schools—three tribal colleges and mainstream universities—to bring energy projects to tribal land.

The Minority Educational Institution Student Partnership Program (MEISPP). (ED)

This program offers talented students summer internship positions with DOE and its national laboratories. Positions involve scientific research or a focus on policy, business, and government relations. Students receive an intensive 10-week assignment to start their careers and develop their potential for future opportunities within the Federal Government. Program participants work side by side with leading scientists, engineers, lawyers, and other top professionals to develop professional skills and enhance their leadership capabilities. In FY 2012, 54 students participated in the program.

Atlanta University Consortium Sustainable Campus Community Initiative (AUCSCCI). (ED)

DOE's award to Clark Atlanta University also includes sub-awards to Spelman College, Morehouse College, Santa Fe Community College, Guam Community College, and Haskell Indian Nations University; and provides capacity building in the areas of alternative, renewable, and green energy technologies. AUCSCCI will groom a future generation of energy-conscious leaders by training and educating high school and college students through a solid curriculum in energy and science disciplines by addressing clean, green, alternative, and renewable energy technologies; and energy conservation and weatherization.

Scholarships. (ED)

In FY 2012, ED provided over \$300,000 in scholarship awards to students through various partnerships with non-profit organizations and universities including the Thurgood Marshall College Fund, the National Action Council on Minorities in Engineering, the University of Maryland–Baltimore County, Fisk University, and Spelman College.

Pre-college programs. (ED)

ED supports pre-college STEM programs at MSIs, including Hampton University and the UNM–Main Campus. The programs prepare high school students for college and stimulate their interest in STEM disciplines through hands-on enrichment activities. ED provided over \$100,000 in support for pre-college STEM programs in 2012.

2012 Associated Initiatives (continued)

The following activities promote access for minority and low-income populations, including tribal populations, that may have been impacted by DOE site activities to participate fully in the many economic development opportunities that flow from the Department.

Present at United South and Eastern Tribes Semi-Annual Meeting. (ED)

ED staff presented at the semiannual meeting of the United South and Eastern Tribes, which is an inter-tribal council representing 26 federally recognized tribes located in states along the eastern seaboard and into Texas. ED shared information on DOE contracting opportunities with a focus on energy services and the “greening” of federal buildings including those opportunities that will result through complex-wide efforts such as DOE’s Asset Revitalization Initiative. Information on DOE’s Tribal Energy Preference Provision was also shared and is intended to promote awarding site renewable energy procurement contracts to majority-owned tribal businesses.

Identify barriers to minority, disadvantaged, and tribal businesses to contract with DOE and promote contracting opportunities to communities. (ED)

In FY 2012 ED’s Office of Small and Disadvantaged Business Utilization (OSDBU) hosted seven events at DOE sites across the country to promote the utilization of 8(a), disadvantaged, women-owned, Historically Underutilized Business Zone Program, and tribal-owned small businesses in the contracting work of the Department. These events included small business summits where matchmaking sessions occurred between businesses and DOE contracting officers as well as small business roundtable discussions intended to uncover challenges that minority, disadvantaged, and tribal businesses face in competing for DOE contracts so that OSDBU can work to remove these barriers.

Summary and Conclusion

This report combines accomplishments made during the third and fourth year of our implementation of the EJ Plan. The plan contained a number of activities that were 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 the third and fourth years and the number of new activities that are being discussed. Program offices are eagerly responding to requests to get involved in EJ. Even more 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 third and fourth years of the plan, we look forward to achieving even more during year five of the plan. We are proud and excited for these accomplishments, but we must continue to collaborate and look for every opportunity to fully integrate EJ throughout the Department.



Savannah State University students conducting environmental scientific research.



Teachers, community members, and students during Teaching Radiation, Energy and Technology Workshop – Aiken, South Carolina.

2012 Acronym List

AIREI	American Indian Research and Education Initiative
AISES	American Indian Science and Engineering Society
AUCSCCI	Atlanta University Consortium Sustainable Campus Community Initiative
BLM	Bureau of Land Management
BPA	Bonneville Power Administration
CBC	Congressional Black Caucus
CBEM	Community Based Educational Model
CEQ	Council on Environmental Quality
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CLI	Community Leaders Institute
CRESO	Clinch River Environmental Studies Organization
DOE or Department	U.S. Department of Energy
ED	Office of Economic Impact and Diversity
EERE	Office of Energy Efficiency and Renewable Energy
EIS	Environmental Impact Statement
EJ	Environmental Justice
EM	Office of Environmental Management
EM SSAB	Nevada Site-Specific Advisory Board (formerly known as the Community Advisory Board for Nevada Test Site Programs)
EO	Executive Order
EPA	U.S. Environmental Protection Agency
FE	Office of Fossil Energy
FFA	Federal Facility Agreement
FY	Fiscal Year
GWU	George Washington University
HAB	Hanford Advisory Board
HAN	Hanford Site

2012 Acronym List (continued)

HBCUs	Historically Black Colleges and Universities
HC	Office of the Chief Human Capital Officer
HS-21	Office of Sustainability Support
HSS	Office of Health, Safety and Security
IWG	Interagency Working Group
LANL	Los Alamos National Laboratory
LANS	Los Alamos National Security
LM	Office of Legacy Management
MEISPP	Minority Educational Institution Student Partnership Program
MES	Mentorship for Environmental Scholars
MOU	Memorandum of Understanding
MSIs	Minority-Serving Institutions
NEPA	National Environmental Policy Act
NNSA	National Nuclear Security Administration
NNSS	Nevada National Security Site
NPL	National Priority List
NSO	Nevada Site Office
OATT	Open Access Transmission Tariff
ORO	Oak Ridge Operations
ORSSAB	Oak Ridge Site-Specific Advisory Board
Plan	<i>Environmental Justice Five-Year Implementation Plan</i>
ORNL	Oak Ridge National Laboratory
ORR	Oak Ridge Reservation
OSDBU	Office of Small and Disadvantaged Business Utilization
RCRA	Resource Conservation and Recovery Act
SAN	Sustainability Assistance Network

2012 Acronym List (continued)

SEPs	Supplemental Environmental Projects
SETC	Society of Environmental Toxicology and Chemistry
SFIS	Santa Fe Indian School
SNL	Sandia National Laboratories
SRS	Savannah River Site
SSU	Savannah State University
STEM	Science, Technology, Engineering, and Mathematics
STEP	Student Temporary Experience Program
STGWG	State and Tribal Government Working Group
Strategy	<i>Environmental Justice Strategy</i>
SWEIS	Site-Wide Environmental Impact Statement
TCUs	Tribal Colleges and Universities
TPA	Tri-Party Agreement
TREAT	Teaching Radiation, Energy and Technology
Trio	Operation Clean Desert Learning Trio
UNM	University of New Mexico
UNM-LA	UNM-Los Alamos
WAPA	Western Area Power Administration



Environmental Justice

Five-Year Implementation Plan

Third and Fourth Annual Progress Reports