



Executive Order 12898 Federal Actions to Address Environmental Justice in Minority and Low-Income Populations



SYNOPSIS

Executive Order (E.O.) 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, directs each Federal agency to “make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations,” including tribal populations.

The Department of Energy (DOE) developed environmental justice goals and metrics and annually measures its progress in achieving those goals and metrics. DOE includes an environmental justice analysis in documents prepared pursuant to the National Environmental Policy Act.

This Information Brief provides background information on the E.O. as well as DOE’s environmental justice goals, strategy, and implementation.

What is environmental justice?

Environmental justice is defined as the “fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. Fair treatment means that no group of people, including racial, ethnic, or socioeconomic groups should bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations or the execution of Federal, State, local, and tribal programs and policies.”¹

DOE describes the fundamental principle of environmental justice as the opportunity for stakeholders to have “meaningful and informed participation in all aspects of environmental decision making that could affect their community.”²

What is the basis for integrating environmental justice in Federal agency mission performance?

Executive Order (E.O.) 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, was issued in February 1994. In August 2011, DOE, along with other Federal agencies, signed the *Memorandum of Understanding on Environmental Justice and Executive Order 12898*, which reinforces the Federal government’s commitment in pursuing environmental justice in agency actions.

What does E.O. 12898 require?

The E.O. requires Federal agencies, to the greatest extent practicable and permitted by law, to identify and address, as appropriate, any disproportionately high and adverse human or environmental effects of their programs, policies, and activities on minority populations and low-income populations. Through this process, achieving environmental justice is to become part of an agency’s mission.

Agencies are required to develop an Environmental Justice Strategy and conduct internal reviews or other necessary steps to monitor and report on their compliance with the E.O. The E.O. requires Federal agencies to ensure that the public is provided with meaningful opportunities to submit comments and recommendations on agencies’ Environmental Justice Strategies, their annual implementation progress reports, and ongoing efforts to incorporate environmental justice principles into agency programs, policies, and activities.

What is DOE’s strategy for complying with E.O. 12898?

The Department issued its first Environmental Justice Strategy in 1995; the most recent Strategy was issued in 2008. The vision statement supporting the current [Environmental Justice Strategy](#)³ states that DOE will incorporate environmental justice in its management structure and promote it through:

- Developing effective goals and strategies;
- Engaging public participation and trust; and
- Ensuring accountability through performance metrics.

The Strategy establishes the following environmental justice goals:

- Identify and address programs, policies, and activities of the Department that have disproportionately high and adverse human health or environmental effects on minority and low-income populations.
- Enhance the credibility and public trust of the Department by making public participation a fundamental component of all program operations, planning activities, and decision making.
- Improve research and data collection methods relating to human health and the environment of minority and low-income populations by incorporating full characterizations of risks, including the identification of differential patterns of consumption of natural resources among such populations.
- Further Departmental leadership by integrating environmental justice criteria, as appropriate, with activities and processes related to human health or the environment.

Each year, DOE reviews its established performance metrics, which include public participation activities, to gauge its compliance with the E.O. and its achievement of its environmental justice goals. The Office of Legacy Management (LM) is responsible for managing the DOE Environmental Justice Program.

How is DOE implementing E.O. 12898?

DOE sites, program offices, power administrations, and the National Nuclear Security Administration submitted their actions to integrate environmental justice into their operations to the DOE Headquarters Environmental Justice Program Manager within LM. These submissions were linked to the corresponding environmental justice goals and became DOE's metrics for measuring its progress in integrating environmental justice in operations. These metrics are recorded in the [Environmental Justice Five-Year Implementation Plan](#). Each year, DOE prepares and issues an annual report assessing the progress made on achieving each metric.

The Department also implements the E.O. by including environmental justice analyses in documents prepared pursuant to the National Environmental Policy Act (NEPA). NEPA documents prepared for DOE's major actions significantly affecting the human environment include an environmental justice analysis to determine if minority populations or low-income populations are subject to high and adverse human health or

environmental effects of the proposed action. If such effects are found, the NEPA document will describe measures designed to mitigate them.

Why is this information important to DOE sites and operations?

The DOE Environmental Justice Strategy puts an emphasis on partnering which calls for including the general public, affected communities, and Federal, State, local, and tribal governments in the early stages of planning. A key part of this approach is providing stakeholders with the information and opportunities to assist DOE in identifying issues and evaluating alternatives and incorporating public concerns and input into decision making.

How can I learn more about environmental justice?

Federal employees can take the one-hour Environmental Justice training class through the DOE Online Learning Center. For additional information on the Environmental Justice training, contact Melinda Downing, DOE Headquarters Environmental Justice Program Manager, Office of Legacy Management, at (202) 586-7703 or melinda.downing@hq.doe.gov.

¹ U.S. Environmental Protection Agency, *Final Guidance for Incorporating Environmental Justice Concerns in EPA's NEPA Compliance Analyses*, April 1998, page 2.

² U.S. Department of Energy, *Environmental Justice Strategy*, May 2008, DOE/LM-1460, page 2.

³ U.S. Department of Energy, *Environmental Justice Strategy*, May 2008, DOE/LM-1460.

The Office of Sustainability Support provides assistance to DOE elements on implementation of sustainable compliance matters. Please refer any questions and requests for assistance concerning the subject material covered in this Information Brief to:

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