

Justice40 Initiative Environmental Justice Fact Sheet



U.S. DEPARTMENT OF

ENERGY

Office of Economic
Impact and Diversity

The Justice40 Initiative provides a once-in-a-generation opportunity to transform communities that, for far too long, have faced disproportionate exposure to environmental hazards and harms, been excluded from access to Federal funding, and have been locked out of the decisions that shape their communities.



THE JUSTICE40 INITIATIVE

Created under the Biden-Harris Administration, **Justice40** establishes the goal that **40% of the overall benefits of certain federal investments flow to disadvantaged communities (DACs)**. The Justice40 Initiative applies to over 145 Department of Energy (DOE) programs and to much of the \$62 billion investment in DOE under the Bipartisan Infrastructure Law.

TRANSFORMING COMMUNITIES USING PRINCIPLES OF ENVIRONMENTAL JUSTICE

The transition of the energy system to one that relies on clean energy will require the development of new energy projects where people, live, play, and work.

Underlying structural inequalities and structural racism historically have resulted in development projects that **disproportionately and inequitably** harm low-income communities and communities of color.

To ensure an **equitable** transition to clean energy, and to avoid further harm to communities with environmental justice concerns, DOE is laser-focused on ensuring that every project that receives funding through a DOE Justice40 Covered Program adheres to the principles of **environmental justice**.

WHAT IS ENVIRONMENTAL JUSTICE?

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

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

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

HOW WILL DOE ENSURE THAT PROJECTS DO NOT CREATE OR EXACERBATE HARM?

Environmental justice stakeholders have raised concerns about the potential harms of some of the technologies covered by Justice40, including carbon management and hydrogen. DOE is committed to ensuring that every single DOE Justice40 Covered Program **maximizes benefits** to communities while also **identifying and addressing the potential harm** to communities that may result from DOE-funded projects. Where such activities are allowed by law, grant recipients shall incorporate the following elements of energy and environmental justice into project design.

PROCEDURAL JUSTICE

Procedural justice and meaningful participation in decision making. Solicit stakeholder input to inform project design and create meaning opportunities for routine stakeholder engagement throughout the project lifecycle. ²

DISTRIBUTIVE JUSTICE

Distributive justice and ensuring the benefits and burdens of DOE-funded projects are equitably distributed. Develop a community benefits plan, in partnership with community stakeholders, that describes in detail how the project will deliver tangible benefits to communities throughout the project lifecycle. ³

RECOGNITION JUSTICE

Recognition justice and understanding the history and context of DOE-funded project development. Conduct a baseline analysis of existing environmental burdens, hazards, and harms within the proposed project area and determine whether the proposed project would create additional social or environmental impacts within the local community such that the project location, size, or scale should be reconsidered. ⁴

RESTORATIVE JUSTICE

Restorative justice and facilitating healing and harmony through DOE-funded activity. Create opportunities to improve environmental and social conditions within communities, including job and enterprise creation, as well as remediation of legacy pollution. ⁵

DOE leadership is working actively with each program office to ensure these elements are incorporated into relevant program guidance and funding opportunities.

THE TRANSFORMATIVE POTENTIAL OF THE JUSTICE40 INITIATIVE

The Justice40 Initiative provides an opportunity for communities with environmental justice concerns to reap long-overdue development benefits; participate in the decision-making processes that directly impact them; and participate in the clean energy economy through workforce development programs and contracting opportunities. The agency is committed to working closely with DOE stakeholders to realize the transformative potential of Justice40.



Find more information on current Justice40 Covered programs and the agency's implementation process at [the Office of Economic Impact and Diversity's DOE Justice40 Covered Programs](#) page or by scanning this QR code.

¹ Environmental Protection Agency (2021). Learn About Environmental Justice. For more information on environmental justice, see <https://www.epa.gov/environmentaljustice/learn-about-environmental-justice>.

² Walker, G., & Day, R. (2012). Fuel poverty as injustice: Integrating Distribution, Recognition and Procedure in the Struggle fo Affordable Warmth. *Energy Policy*, 49, 69-75. <https://doi.org/10.1016/j.enpol.2012.01.044>.

³ Baker, S., DeVar, S., & Prakash, S. (2019). *The Energy Justice Workbook* [Ebook]. Initiative for Energy Justice. Available at <https://iejusa.org/workbook/>.

⁴ Ruano-Chamorro, C., Gurney, G., & Cinner, J. (2021). Advancing procedural justice in conservation. *Conservation Letters*, 15(3). <https://doi.org/10.1111/conl.12861>

⁵ Hazrati, M., & Heffron, R. (2021). Conceptualising restorative justice in the energy Transition: Changing the perspectives of fossil fuels. *Energy Research & Social Science*, 78, 102115. <https://doi.org/10.1016/j.erss.2021.102115>

