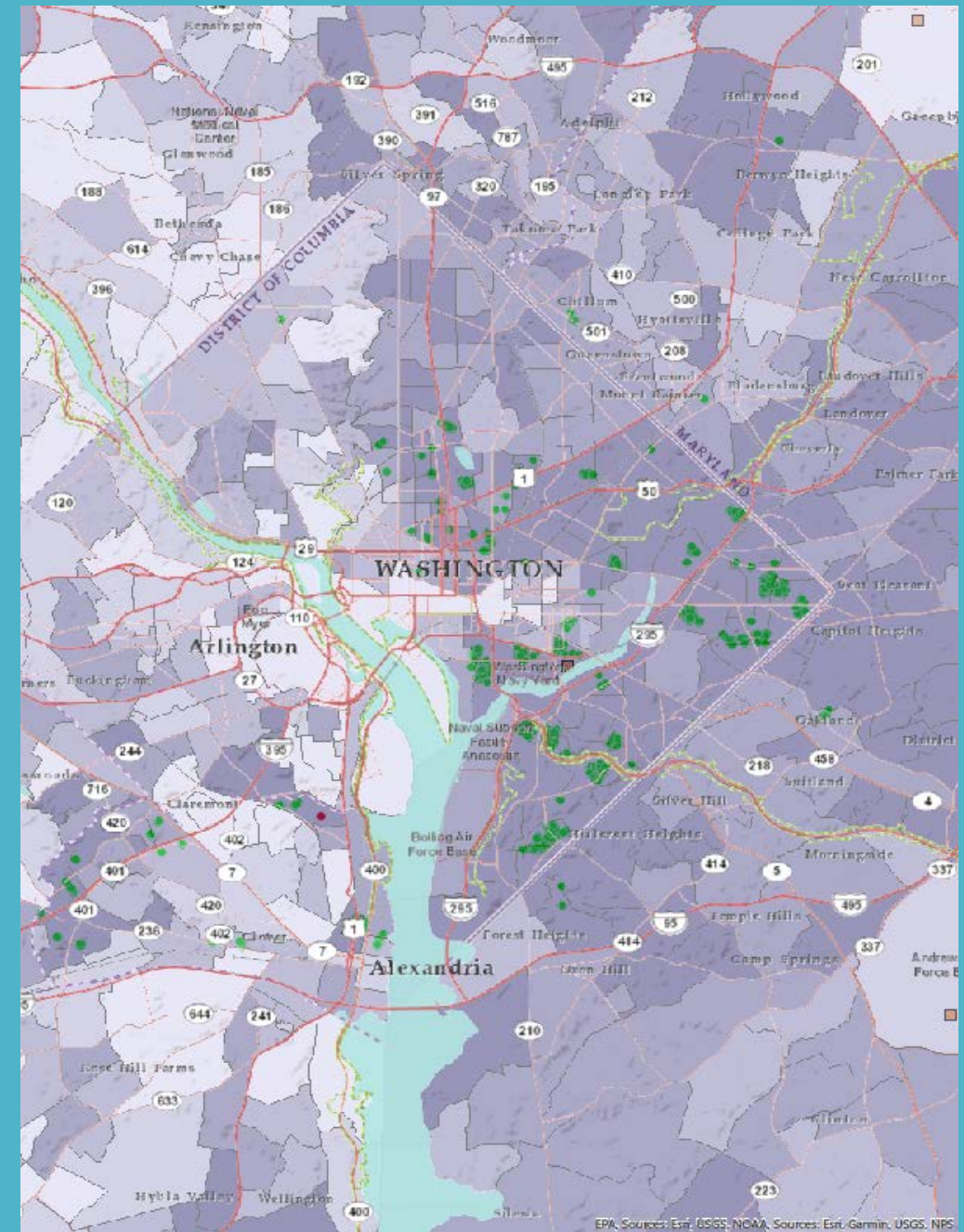


Environmental Justice Overview

Vernice Miller-Travis
Executive Vice President
Social Justice Lead, Metropolitan Group

Marna McDermott
Assistant General Counsel for Environmental Policy
Exelon

MD/DC Utilities Association
Environmental Conference
September 30, 2021



Sample map created with EJ Screen at: <https://ejscreen.epa.gov/mapper/>

What is Environmental Justice?

Why is there so much attention on Environmental Justice right now?

How does a utility company encounter Environmental Justice?

What is Environmental Justice?

Environmental Justice refers to those cultural norms and values, rules, regulations, behaviors, policies, and decisions to support sustainable communities where people can interact with confidence that their environment is safe, nurturing, and productive. Environmental Justice is served when people realize their highest potential without experiencing the "isms." Environmental Justice is supported by decent paying and safe jobs, quality schools and recreation, decent housing and adequate health care, democratic decision making and personal empowerment, and communities free of violence, drugs and poverty. These are communities where both cultural and biological diversity are respected and highly revered, and where distributed justice prevails.

From Dr. Bunyan Bryant, Environmental Advocacy: Working for Economic and Environmental Justice (2002)

Director Emeritus, Environmental Advocacy Program, Univ. of Michigan School of Environment and Sustainability

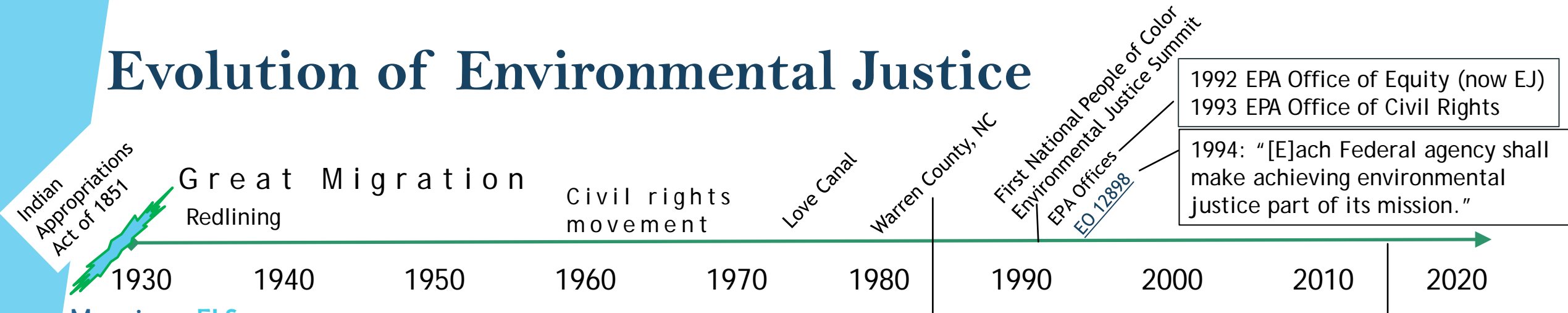
U.S. EPA
defines
Environmental
Justice
as:

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.

What is Environmental Equity?

Environmental Equity refers to the equal protection of environmental laws. For example, it has been shown that under the CERCLA Superfund cleanup program abandoned hazardous waste sites in communities of color take 20 percent longer to be placed on the national priorities list than those in white communities. It has also been shown that government fines are six times greater for companies in violation of RCRA in white communities than in black communities. This is unequal protection. Therefore, laws should be enforced equally to ensure proper siting, cleanup of hazardous wastes, and effective regulation of industrial pollution regardless of the racial and economic composition of the community.

Evolution of Environmental Justice



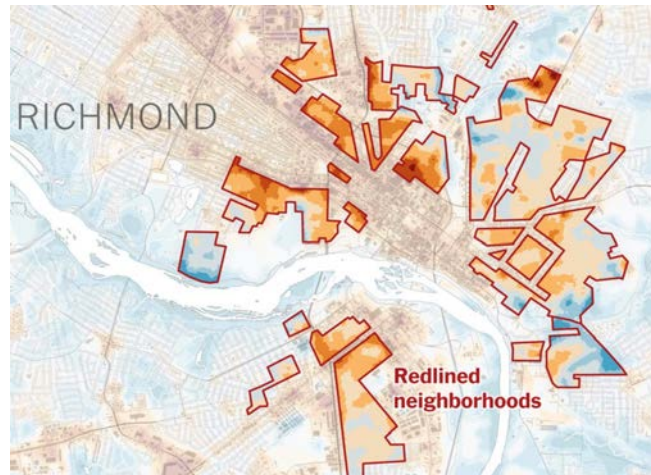
Mapping – EJ Screen

- ▶ Demographic information (race, poverty levels) with:
- ▶ Air pollution, unsafe drinking water, soil contamination;
- ▶ Proximity to refineries, power plants, chemical plants, waste facilities, traffic, trains; and
- ▶ Absence of green space and shade, distance from nature.

More mapping

- ▶ [Environmental Justice Mapping and Data Collection Act of 2021](#)
- ▶ [Mapping Inequality Project](#)
- ▶ [CalEnviroScreen4.0](#)

“[F]ormerly redlined neighborhoods are today 5 degrees hotter in summer, on average, than areas once favored for housing loans, with some cities seeing differences as large as 12 degrees.”
([N.Y. Times](#), 8/24/2020).



Protests over siting of PCB disposal facility prompted multiple studies that concluded race was most significant factor in siting hazardous waste.

Environmental Movement looks inward
People of color are:

- 36% of U.S. population,
- 29% of science, engineering workforce,
- Only 12% of environmental NGO staff.
([2014 Report](#), Green 2.0)

[Environmental Protection Agency Office of Environmental Justice](#)

“For over 25 years, OEJ has worked to address the disproportionately adverse human health and environmental impacts in overburdened Communities.”

- Grants and Technical Assistance for communities.
- Engagement and Partnership.

[Civil Rights Act of 1964](#) / [EPA Civil Rights Compliance Office](#)

“No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” (42 U.S.C § 2000d)

Exposure Disparities

In 1983, GAO published [Siting of Hazardous Waste Landfills and Their Correlation With Racial and Economic Status of Surrounding Communities](#)

at the request of DC Del. Walter Fauntroy after his involvement in the Warren County protests.

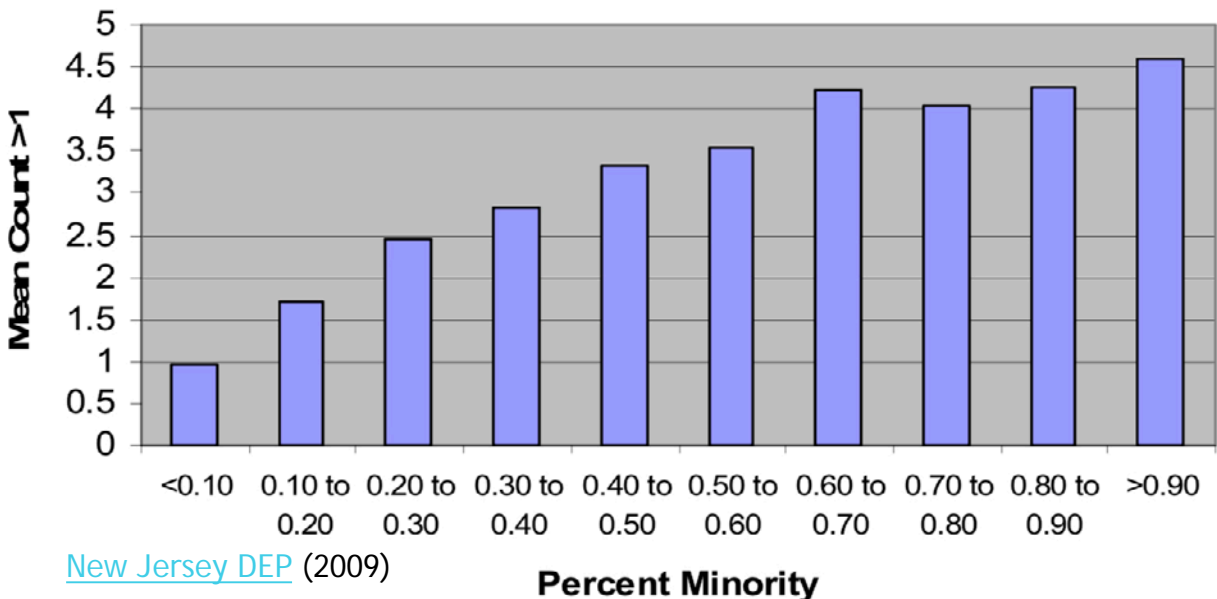
Chemical Waste Management
1980 Census Data

Location	Population		Mean family income		Population below poverty level		
	Number	Percent Black	All races	Blacks	Number	Percent	Percent Black
Alabama	3,893,888	26	\$19,199	\$12,655	719,905	19	52
Sumter Co.	16,908	69	16,573	11,015	5,508	33	93
Area A	626	90	11,198	10,752	265	42	100
Area B	1,335	84	12,025	9,375	620	46	96
Mississippi	2,520,638	35	17,722	11,424	587,217	24	65
Kemper Co.	10,148	54	13,418	9,428	3,757	37	80
Area C	1,060	69	14,257	9,041	532		

Note: Areas represent subdivisions designated by census

African-Americans are 75% more likely than others to live near facilities that produce hazardous waste. (N.Y. Times, 7/28/2020)

Figure 1: Relationship Between Cumulative Impact and Percent Minority



- ▶ 1993 [Harvard Six Cities](#) study established robust association between air pollution and mortality.
- ▶ PM2.5 exposure is a major health risk factor in the United States, responsible for 63% of deaths from environmental causes and 3% of deaths from all causes. ([Institute for Health metrics](#))
- ▶ Those in poverty have a 1.35 times higher PM 2.5 burden than the overall population, and non-Whites had 1.28 times higher burden. Blacks, specifically, had 1.54 times higher burden than did the overall population. These disparities held not only nationally but within most states and counties. ([Am J Public Health](#))

EJ Today

"[E]nvironmental justice is not merely a box to be checked . . . failure to consider the disproportionate impact on those closest to the compressor station resulted in a flawed analysis." *Friends of Buckingham v. Air Pollution Control Bd* (4th Cir. 2020)

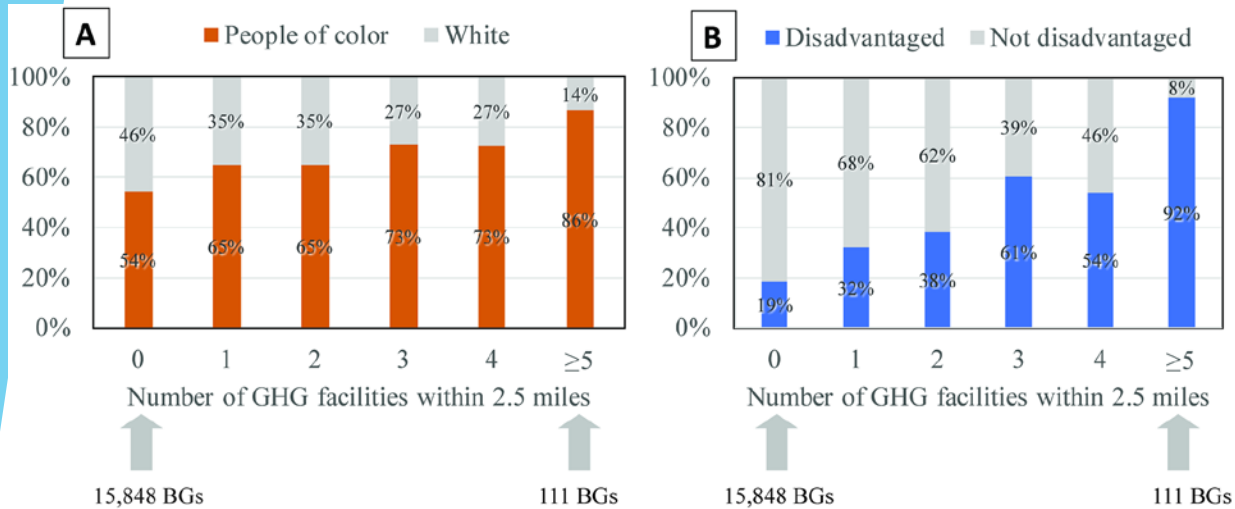


Figure from "[Carbon trading, co-pollutants, and environmental equity](#)."

COVID-19

- Higher historical PM2.5 exposures are positively associated with higher county-level COVID-19 mortality rates. ([Air pollution and COVID-19 mortality in the United States](#))
- Black people have died at 3.6 times the rate of white people, and Latinos at 2.5 times the rate of white people. ([Brookings Institute](#))

Energy Burden

- Across all metro areas, low-income, Black, Hispanic, and Native American households had proportionally higher energy costs than the average household.
- Median energy burden of Black households in DC and Chicago is ~70% higher than that of non-Hispanic white households. ([ACEEE](#))

Climate Change

- Extreme weather;
- Sea-level rise;
- Heat stress;
- Disease vectors.



Lower Ninth Ward
August 2005,
Associated Press

Just Transition

Colorado established an "[Office of Just Transition](#)" in 2019 "to assist workers and communities that will be adversely affected by the loss of jobs and revenues due to the closure of coal mines and coal-fired power plants."



Pipelines

- Atlantic Coast
- Keystone XL
- Dakota Access

[Photo from Reuters](#)



Biden Administration

Tackling the Climate Crisis at Home and Abroad (EO 14008, 1/27/21)

“turning disadvantaged communities—historically marginalized and overburdened—into healthy, thriving communities . . . to secure environmental justice and spur economic opportunity for disadvantaged communities that have been historically marginalized and overburdened by pollution and underinvestment in housing, transportation, water and wastewater infrastructure, and health care.”

- “Environmental justice” appears 24 times, twice as often as “emissions.”
- Climate and Economic Justice Screening Tool and interactive maps highlighting disadvantaged communities published annually (CEQ)
- \$\$\$: [Justice40 Initiative](#) (CEQ, OMB, Climate Advisor)
- Council to create “clear performance metrics” and publish a scorecard.



EJ a priority at all levels, agencies.

- White House Environmental Justice Interagency Council
- White House Environmental Justice Advisory Council
- HHS Office of Climate Change and Health Equity
- Working Group on Coal and Power Plant Communities
- CEQ Senior Director for Environmental Justice
- New FERC EJ position
- EPA EJ Enforcement Policy



"You all will hear from me frequently that we do need or will need additional resources if we are to commit to solving environmental justice and equity issues."

-Michael Regan



Climate Change and Social Vulnerability in the United States: A Focus on Six Impacts

Disclosure of Environmental, Social, Governance (ESG) Factors

- The Global Reporting Initiative (GRI)
- The Sustainability accounting Standards Board (SASB)
- The Task Force on Climate-Related Disclosure (TCFD)
- The EEI / AGA ESG Template
- United Nations Sustainable Development Goals (UN SDGs)
- International Integrated Reporting Council (IIRC)



Can we measure the degree to which a corporation is socially and environmentally responsible?

Can we measure the degree to which such responsibility reduces risk?

The degree to which it increases value?

ESG Reporting Sample 2019

Company Name	GRI	SASB	TCFD	EEI / AGA	UN SDG	Integrated Report
AES	Yes	No	Yes	n/a	No	No
PG&E	Yes	Yes	No	Yes	No	No
DTE	Yes	No	No	Yes	No	No
Pinnacle West	No	No	No	Yes	No	No
Sempra Energy	Yes	Yes	Yes	Yes	Yes	No
Duke Energy	Yes	Yes	Yes	Yes	Yes	No
AEP	Yes	Yes	Yes	Yes	Yes	Yes
Exelon	Yes	No	Yes	Yes	Yes	No
Ameren	Yes	No	Yes	Yes	No	No
Xcel	Yes	Yes	Yes	Yes	No	No
WEC.	Yes	No	No	Yes	Yes	No
PPL	Yes	Yes	Yes	Yes	Yes	No
NRG	Yes	Yes	Yes	n/a	Yes	No
Entergy	Yes	Yes	Yes	Yes	Yes	Yes
PSEG	Yes	Yes	Yes	Yes	Yes	No
FirstEnergy	Yes	Yes	Yes	Yes	Yes	No
Dominion	Yes	Yes	No	Yes	Yes	No
Southern	Yes	Yes	Yes	Yes	No	No
NextEra	Yes	Yes	No	Yes	No	No

A Values Statement can be a good starting place

“At Exelon, our values demand a commitment to ethical behavior that goes beyond the letter of the law, and includes respecting our diverse and inclusive stakeholders, promoting a culture of safety, respecting the environment, and avoiding any business activity that could tarnish the company’s reputation. Living this commitment, living our values, is how we will achieve our vision.”

The Exelon Corporation Code of Business Conduct, page 78.

“We seek to promote diversity, equity and inclusion across Exelon and the communities we serve through our philanthropy and supplier diversity efforts, by making good-paying jobs more broadly available and providing access to clean energy. We work to ensure that all employees, customers, community members and business partners are able to fully and equitably participate in social, environmental and economic progress, especially employment opportunities.”

Exelon [2021 ESG Report](#), Slide 17

Where do Utilities Encounter Environmental Justice?

EJ element	Intersects with . . .
Engagement	Permitting, siting, public affairs, marketing, LMI programs, physical operations, energy efficiency, etc.
Community support	Volunteerism, philanthropy, community DER, energy efficiency, workforce development, STEM pipeline and other education related efforts, etc.
Policy Positions	Advocacy at the federal, state, and local level; regulatory filings; positions on non-energy social issues such as racial equity, etc.
Service and Infrastructure	Equity in service, maintenance, and improvements; locations for DER, resilience hubs, charging infrastructure; impact of transportation patterns, etc.
Spending	Suppliers and supply chain policies; business partners and contracting policies; diverse spend; local spend, etc.
Internal DEI	HR, hiring and workforce development policies; retention and promotion; training and awareness; employee support systems; affinity groups, etc.

Energy Justice Elements

Affordability



Internal structure



Analytics



Personalization

Equity



Energy Insecurity



Diversity & Inclusion



Universal Service Model

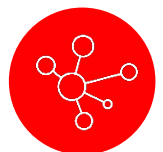
Economic Empowerment



Workforce Development



Economic Transformation



STEM Education /Job Training

Environmental and Public Health



Carbon Emissions



Path to Clean



Fleet Electrification

Thank you!

Questions?

