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Author:

[Weintraub, Irwin](#), Library of Science and Medicine, Rutgers University

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Library of Science and Medicine, Rutgers University, P O Box 1029, Piscataway, New Jersey 08855-1029 USA. TEL: 908-932-3526

Abstract:

An annotated bibliography of English language materials on environmental discrimination against people of color and the poor

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FIGHTING ENVIRONMENTAL RACISM: A SELECTED ANNOTATED BIBLIOGRAPHY

Irwin Weintraub <weintraub@zodiac.rutgers.edu>

Library of Science and Medicine, Rutgers University, P O Box 1029, Piscataway, New Jersey 08855-1029
USA. TEL: 908-932-3526

Introduction

Environmental racism can be defined as the intentional siting of hazardous waste sites, landfills, incinerators, and polluting industries in communities inhabited mainly by African-American, Hispanics, Native Americans, Asians, migrant farm workers, and the working poor. Minorities are particularly vulnerable because they are perceived as weak and passive citizens who will not fight back against the poisoning of their neighborhoods in fear that it may jeopardize jobs and economic survival.

The landmark study, *Toxic Wastes and Race in the United States* (Commission for Racial Justice, United Church of Christ 1987), described the extent of environmental racism and the consequences for those who are victims of polluted environments. The study revealed that:

Race was the most significant variable associated with the location of hazardous waste sites.

The greatest number of commercial hazardous facilities were located in communities with the highest composition of racial and ethnic minorities.

The average minority population in communities with one commercial hazardous waste facility was twice the average minority percentage in communities without such facilities.

Although socioeconomic status was also an important variable in the location of these sites, race was the most significant even after controlling for urban and regional differences.

The report indicated that three out of every five Black and Hispanic Americans lived in communities with one or more toxic waste sites. Over 15 million African-American, over 8 million Hispanics, and about 50 percent of Asian/Pacific Islanders and Native Americans are living in communities with one or more abandoned or uncontrolled toxic waste sites.

Bullard (1993) points out that "many of the at-risk communities are victims of land-use decisionmaking that mirrors the power arrangements of the dominant society. Historically, exclusionary zoning has been a subtle form of using government authority and power to foster and perpetuate discriminatory practices."

A study by the Environmental Protection Agency concluded that socioeconomic conditions and race are the major factors determining environmental discrimination. Communities inhabited by poor whites are also vulnerable to toxic threats. In its two-volume report, *Environmental Equity* (1992), the Environmental Protection Agency alluded to the difficulties of assessing the impact of environmental hazards on low income and minority communities. While admitting that those communities suffer a disproportionate share of the

burden, there appears to be a general lack of data on the health effects of pollutants in those communities. The report asserts that environmental and health data are not routinely collected and analyzed by categories of income and race. Critics maintain that the information is available but the EPA considers it a public relations issue, not a civil rights issue, and, therefore, does not take the claims seriously enough to gather the necessary data by income and race. (U.S. Environmental Protection Agency 1992; Satchell 1992; Mohai and Bryant 1992.)

Some real life examples of hazards facing minority communities in the United States:

The largest hazardous waste landfill in the United States is located in Emelle, Alabama, a poor, predominantly African-American community. It receives toxic materials from forty-five states and several foreign countries.

Over 300,000 Hispanic farm workers and their families, including a large percentage of women of child-bearing age, are seriously affected by pesticide-related illnesses.

An industrial toxic waste site is located in a predominantly Hispanic neighborhood on the South Side of Tucson, Arizona. The air and water are polluted with toxic chemicals which have caused a high rate of cancer, birth defects, genetic mutations, and other illnesses among the inhabitants of the area. The community is tainted with twenty times the acceptable levels of trichloroethylene.

Waste disposal companies have been attempting to convince Native Americans to permit dumping on the reservations under the guise of improving the economic conditions. High rates of lung cancer and poisoned land have occurred on Navajo reservations as a result of uranium mining.

The South Side of Chicago, which is predominantly African-American and Hispanic, has the greatest concentration of hazardous waste sites in the nation.

Radiation exposure is a major health problem in the Marshall Islands, Bikini, and other Pacific Islands which have been used as test sites for nuclear and atomic weapons.

The portion of minorities living in communities with existing incinerators is 89 percent higher than the national average.

Pharmaceutical companies, oil refineries, and petrochemical plants are responsible for making Puerto Rico one of the world's most heavily polluted places.

Six of the eight municipal incinerators and five of the municipal landfills in Houston, Texas, are located in predominantly African American neighborhoods.

Communities where incinerators are proposed have minority populations 60 percent higher than the national average and property values 35 percent lower than the national average.

In communities with existing incinerators, the average income is 15 percent less than the national average and property values are 38 percent lower than the national average. (Commission on Racial Justice, United Church of Christ 1987; Lee 1990; De La Peña 1991; Satchell 1992; Lee 1993.)

Studies suggest clear relationships between a high concentration of minority populations, or low average incomes, with an unhealthy environment. Poor people do not have the economic means to leave their neighborhoods for resettlement elsewhere. Housing discrimination often makes it difficult to find alternative dwellings at affordable rates. Industries that pollute are attracted to poor neighborhoods because land values, incomes, and other costs of doing business are lower. The industries are drawn to poor neighborhoods where political power and community resources to fight back are weak or lacking. Higher income areas are usually more successful in preventing or controlling the entry of polluting industries to their communities. (Mohai and Bryant 1992.)

The effects of pollution and environmental hazards on people of color, the poor, and the working class have been overlooked by environmental policy makers because it was perceived that those communities were politically powerless and would not protest the siting of such facilities. African Americans, for example, were seen as "less informed, less aware and less concerned with environmental issues than whites" (Taylor 1989). However, recent studies indicate that poverty and lack of empowerment is a better indicator of environmental racism than race itself. These studies, which measured the broad environmental perspectives of African Americans, Hispanics, and Native Americans, showed that, when considered broadly, without specific emphasis on a particular environmental aspect, concern among racial minorities and the poor is as strong and active as in the larger population.

Structural barriers and lack of adequate resources within the communities account for the low level of activism by minority groups. When citizens in the contaminated communities are adequately informed about the hazards, their level of awareness and opposition to the toxic facilities results in active protest. (Ostheimer and Ritt 1976, Noe and Snow 1989, Caron 1989, Booth and Jacobs 1990, Mohai 1990.)

The mainstream environmental movement has been criticized for its glaring lack of minority representation. Critics claim that these organizations fail to recruit minority memberships and have not addressed the daily environmental hazards in minority communities. With the possible exception of organizations like Natural Resources Defense Council, Greenpeace, and Earth Island Institute, mainstream environmental organizations appear to be more interested in wilderness and wildlife preservation, resource conservation, and population control than in human environmental hazards. (Baugh 1990, Adams 1992.)

One of the first steps toward addressing the problem of environmental racism was the establishment of the Conference on Race and the Incidence of Environmental Hazards held at the University of Michigan in January 1990. This conference gave national visibility to the public debate on environmental racism and served as a catalyst for residents of polluted communities to organize. This is not a situation that lends itself to overnight solutions or simple policy formulations. As the papers at the conference illustrated, there are historical, economic, political, and ethical ramifications of environmental racism which require bold action and equitable environmental decisionmaking. Activists in communities around the country are using the strategies of the civil rights and antiwar movements of the 1960s and 1970s for the environmental struggles of the 1990s. The movement's goal is to remedy past injustices and promote fairness in local, national, and

international environmental decisionmaking (Bryant and Mohai 1992a, 1992b; Grossman 1992; Taylor 1992).

Citizens who are tired of being subjected to the dangers of pollution in their communities have been confronting the power structures through organized protest, legal actions, marches, civil disobedience, and other activities. Community newsletters, pamphlets, magazines, classes, lectures, and videocassettes have made it possible to recruit large numbers of people. In addition, minorities are using the power of the ballot and economic pressures to make their stands (Kuzmiak 1991). Minority voter blocs are forming around the country to exercise clout in many areas where their opinions are not usually sought. They have the strength in numbers and the activist skills to form effective coalitions with environmental organizations to promote effective change. In addition, the Black Congressional Caucus has a strong record of solid support for environmental issues. Mainstream organizations would benefit from the skills and savvy of the grassroots organizations by forming coalitions to press for establishment of desirable environmental agendas (Jordan and Snow 1992).

Carol Merchant (1992) sees this revitalized protest activity as an attempt to solve the human health and welfare problems which are rooted in the "malign side-effects of industrial capitalist development." The movement is attempting to resolve the contradictions between production of goods and reproduction of their daily lives in healthy neighborhoods with an acceptable standard of living through regulation of aspects of production or economic restructuring.

Snow (1992) appeals to the environmental nongovernmental organizations (NGOs) to recruit minorities into their ranks:

Efforts must be made to expand the national constituency for conservation through deliberate recruitment of leaders from minority and low income communities and through focused efforts to address environmental issues of particular concern to these communities. . . . This effort could be initiated through the development of a new conservation fellowship program designed to groom minority and low income students for positions of professional leadership among conservation NGOs. But the effort must go farther and must include the deliberate engagement of environmental issues of greatest concern to nonwhite citizens, coupled with recruitment of leaders from the communities that have traditionally been omitted from the conservation constituency.

The Environmental Equity Workgroup of EPA offered several recommendations that would enable the Agency to deal more equitably with minorities and the poor in environmental decisionmaking. A summary of the recommendations follows (U.S. Environmental Protection Agency 1992):

Increase the priority given to issues of environmental equity.

Establish and maintain an effective database for assessing risks on the basis of income and race.

Improve the risk assessment procedures to ensure better characterization of risk across populations, communities, or geographic areas.

Create measures to reduce high concentrations of risk among specific population groups.

When making major decisions or promoting Agency initiatives, assess and consider the distribution of projected risk.

Integrate equity into EPA programs by addressing high risk communities in its permit, grant, monitoring, and enforcement procedures.

Increase efforts to communicate with racial minority and low income communities and involve them in environmental policymaking.

Establish mechanisms to include equity considerations in long term planning and agency operations.

This bibliography consists of selected resources describing the empowerment of racial minorities and the poor in their struggles for environmental justice. The items chosen for inclusion represent the variety of approaches being used by grassroots environmental groups to make their views known to those who make decisions that affect their lives. It is intended to offer readers an overview of the activities and orientations of those who are fighting environmental racism and to demonstrate the importance of citizen action in issues of public health and welfare. For citations to additional resources on environmental racism, see the bibliography by Link (1993).

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African-American

Baugh, Joyce A. "African-Americans and the Environment: A Review Essay." *Policy Studies Journal* 19 (2): 183-191, Spring 1991.

This review essay examines the reasons why Blacks have generally been absent from the environmental movement and the activism that is now emerging in the communities where they live. Baugh cites studies indicating that the primary activism against environmental racism emerges from local groups not from mainstream environmental organizations. Her examples include protests, demonstrations, lobbying, and lawsuits against companies in West Dallas, Texas; Institute, West Virginia; Alson, Louisiana; Emelle, Alabama; and Northwood Manor, West Virginia.

Beasley, Conger, Jr. "Of Pollution and Poverty: Part 2: Keeping Watch in Cancer Alley." *Buzzworm: The Environmental Journal* 2 (4): 38-45, July/August, 1990.

In the seventy-mile stretch between Baton Rouge and New Orleans known as "Cancer Alley" there are ninety-three oil refineries and chemical plants emitting toxins into the air and water. A nine and a half square mile stretch of the Mississippi River below Baton Rouge includes the predominantly Black small towns of Geismar, St. Gabriel, Reveilletown, and Alsen. The area has eighteen processing plants that convert chemicals into raw materials. These plants release 196 million pounds of pollutants into the air and water each year. Residents of the area suffer from miscarriages, cancer, massive tumors and other pollution related illnesses. Grassroots multiracial organizations have sprung up to initiate lawsuits and fight the polluters. Activists Amos Favorite and Helen Robinson carry out information campaigns to educate the residents about the environmental hazards wrought by the chemical companies. The Louisiana Environmental Action Network (LEAN) helps in this effort and has offered assistance in actions against the companies. LEAN was instrumental in getting the Air Toxic and Solid Waste Bills through the state legislature. The movement's leaders have lobbied legislators and are continuing legal fights against the intransigence of the chemical companies. Citizens of the Cancer Alley communities are also seeking compensation through lawsuits. In Reveilletown, for instance, the community filed suit against Georgia- Gulf after traces of vinyl chloride were found in the blood of local children.

Bullard, Robert D. *Dumping in Dixie: Race, Class, and Environmental Equity*. Boulder, CO: Westview Press, 1990. 165 p.

Dumping in Dixie is an in-depth study of environmental racism in black communities in the South. Bullard explores the barriers to environmental and social justice experienced by blacks and the factors that contribute to the conflicts, disparities, and the resultant growing militancy. He provides case studies of

strategies used by grassroots groups who wanted to take back their neighborhoods in Houston's Northwood Manor neighborhood; West Dallas, Texas; Institute, West Virginia; Alsen, Louisiana; and Emelle- Sumter County, Alabama.

In these predominantly Black communities, grass roots organizing was carried out to protest against landfills, incinerators, toxic waste, chemical industries, salvage yards, and garbage dumps. Strategies included demonstrations, public hearings, lawsuits, the election of supporters to state and local offices, meetings with company representatives, and other approaches designed to bring public awareness and accountability. Bullard offers action strategies and recommendations for greater mobilization and consensus building for the ensuing environmental equity struggles of the 1990s.

Grossman, Karl. "Environmental Racism." *Crisis* 98 (4): 14- 17, 31-32, April 1991.

Atgeld Gardens, a housing project on the Southeast Side of Chicago with 10,000 predominantly African-American residents, is surrounded by pollution. Chemical plants, a paint factory, two steel mills, and lagoons filled with contaminants emit 30,000 tons of toxic substances into the air each year. Environmentally caused diseases such as cancer, brain tumors, respiratory problems, birth deformities, blindness, and death are rampant. Grossman locates Atgeld Gardens in a historical continuum of incidents of environmental racism in the United States since the 1920s.

Grassroots citizens' groups have been established in Atgeld Gardens and other communities to fight pollution and protect the health and safety of the inhabitants. Door-to- door organizing and voter registration efforts have resulted in large numbers of people participating in the protests. Active organizations like the Gulf Coast Tenants Association in New Orleans; West Harlem Environmental Action in New York; Center for Environment, Commerce, and Energy in Atlanta; Native Americans for a Clean Environment in northeast Oklahoma; Southwest Organizing Project in Albuquerque; Asian American Woman Advocates in Oakland, California; and Blacks Against Nukes in Washington, D.C., are using education campaigns in their communities and strategies of the civil rights movement to confront those who make the environmental decisions. Greenpeace, Earth Island Institute, and the National Toxic Campaign have assisted in some of the neighborhood actions.

Hispanics

Bennet, James. "Hispanic voters and the Politics of Sludge." *New York Times*, 5 March 1993, B1.

Hispanic voters in the Sunset Park section of Brooklyn, New York, pressed the mayor and other city officials to withdraw plans for a sludge composting plant in their neighborhood. The plant was designed to transform sludge into fertilizer and other products. Several citizen groups and individuals, including the Brooklyn Borough president and a Hispanic appointee to the City Planning Commission, were instrumental in persuading the mayor to block the plan. Hispanic voters reminded city officials that they accounted for 13 percent of ballots cast in the 1989 mayoral campaign and those votes were vital for the mayor's narrow victory. Asian Americans who live in the area put pressure on an Asian member of the Planning Commission to oppose the plan because it was a choice made on the basis of race and class.

Native Americans

Ambler, Marjane. 1991 (November). "On the Reservations: No Haste, No Waste." *Planning* 57 (11): 26-29.

The dumping of wastes on Indian reservations has been determined in the past by state and federal regulations which did not take into account the wishes of the tribes. In the late 1980s Congress gave Native Americans the authority to adopt their own standards and regulations and to make contracts with the EPA controlling waste dumping on Indian lands. Many tribes around the country are now involved in controlling environmental decisions on the reservations. Tribes such as the Umatilla in Oregon, the Sioux in South Dakota, the Kaibab-Paiute in Arizona, the Kaw in Oklahoma, and the Choctaw in Mississippi have rejected proposals to place solid and hazardous waste landfills on the reservations. Their ability to regulate the use of reservation lands has enabled them to work with county planning boards and state and federal agencies to influence environmental decisions which benefit the tribes.

Beasley, Conger, Jr. "Of Pollution and Poverty. Part 3: Deadly Threat on Native Lands." *Buzzworm: The Environmental Journal* 2 (5): 39-45, September/October 1990.

The Navajo Reservation, which spans the New Mexico- Arizona border, was polluted in 1979 when an accident at the United Nuclear Corporation's Church Rock Mill near Gallup, New Mexico released 94 million gallons of radioactive waste into the Puerco River. The river winds through the reservation and the communities of Manuelito and Lupton. Since the river is still polluted, the 10,000 Navajos who live along the Puerco River must use shallow wells and springs to draw water for their livestock and personal needs. The spill, which was not publicized in the press and was not taken seriously by the tribe due to lack of information about its dangers, caused a dramatic rise in animal deformities and cancer-related deaths in the communities along the river.

The Southwest Research and Information Center in Albuquerque initiated a program in 1986 called the Puerco River Education Project (PREP) to enable affected communities to develop their own water resources with sovereign authority over all Indian waters. The Southwest Organizing Project (SWOP) has helped local activists develop strategies for empowerment. SWOP also assisted Hispanics in northwest Albuquerque in protests against a particle board company which ultimately invested US\$2 million to reduce air and noise contaminants. Through voter registration and candidate accountability forums, SWOP has made it possible for local grassroots groups to confront the polluters and demand compliance with environmental laws.

Ruben, Barbara. "Grave Reservations: Waste Company Proposals Targeting Native American Lands are Meeting with A Growing Pattern of Resistance." *Environmental Action* 23 (1): 12-15, July/August 1991.

Native Americans around the country are organizing to resist the siting of hazardous waste sites on reservations. Over 42 of the 360 tribes in the United States have been approached by waste disposal companies and 30 have rejected the proposals.

The Rosebud Reservation in South Dakota is organizing resistance to the building of a 5,700 acre landfill underneath the reservation and surrounding lands. The Kaw Tribe in northern Oklahoma rejected a \$100 million hazardous waste disposal plant on a 5,000-acre tract owned by five tribes, to have included a combined landfill, tire recycling facility, and toxic waste injection well. A Native American activist in the area founded the Campaign for Sovereignty to preserve the independence and autonomy of the tribes and to regulate the decision making process. The Oglala Lakota Sioux in Pine Ridge, South Dakota, refused to allow

a garbage sludge and incinerator ash dump on the reservation. The Los Coyotes Reservation in the mountains east of San Diego revoked permission for the building of a landfill. The Paiutes in Kaibab, Arizona, rejected plans to build an incinerator with a capacity to burn up to 100,000 tons of hazardous waste. The Choctaw Tribal Council in Choctaw, Mississippi, rejected a hazardous waste site after a joint protest of Native Americans and non-Indians.

A 1990 conference on the environmental threat to tribal lands was held in South Dakota. The conference offered workshops on grassroots organizing and methods of dealing with waste and developing environmentally sound economic alternatives. The Toxics on Indian Land Network in Ontario, Canada, is organizing activists from the United States and Canada to focus on issues of environmental justice for Native Americans.

Farmworkers

"Battling Toxic Racism: El Pueblo Para El Aire y Agua Limpio." In: *Street, Richard Steven and Samuel Orozco, Organizing for Our Lives: New Voices from Rural Communities*. Portland, Oregon: NewSage Press and California Rural Legal Assistance, 1992. 20-32.

Mexican farmworkers in Kettleman City, California, organized a multi-ethnic coalition, El Pueblo Para El Aire y Agua Limpio (People for Clean Air and Water), to oppose the building of a toxic waste incinerator in the area. The company, Chem Waste, had built a toxic landfill in Kettleman City in 1979 which has contaminated the area with odors and illnesses from the more than 200,000 tons of poisons dumped at the site each year. Latino farm managers, migrant farmworkers, and Anglo residents who operate large farms in the area lobbied, marched, and gained national attention.

California Rural Legal Assistance filed a lawsuit against Chem Waste claiming that environmental racism played a role in their decision to choose Kettleman City. County supervisors were charged with running discriminatory public participation proceedings by holding public hearings thirty five miles from Kettleman City so that farmworkers would not be able to attend. Meetings were conducted in English and critical documents were not translated to Spanish. Many farmworkers who attended could not understand the proceedings. Civil rights organizations, environmental activists, politicians, and organizations like Greenpeace and the Sierra Club joined the protests. After a three year struggle, the state superior court ruled that Chem Waste failed to provide adequate information regarding the incinerator's environmental impact and was ordered to prepare and translate a Spanish-language version of the impact report. Bids by the company were rejected twice in 1992 and construction is years behind schedule.

Beasley, Conger, Jr. "Of Pollution and Poverty. Part 1: Reaping America's Unseemly Harvest." *Buzzworm: The Environmental Journal* 2 (3): 40-47, May/June 1990.

Migrant farmworkers in the fruit and vegetable growing areas of the San Joaquin Valley of California suffer from pesticide related illnesses due to the uncontrolled use of dangerous pesticides. The predominantly Hispanic farmworkers suffer from cancer, birth defects, headaches, dizziness, skin rashes, cardiac arrest, and death from pesticides. Pesticide regulations are not enforced and enforcement agencies ignore the farmworkers' complaints. Air and water in the nearby town of McFarland is seriously polluted from the pesticide drift which enters the town.

The late Cesar Chavez, president of the United Farm Workers (UFW), led protests in the state capital and marches in the San Joaquin Valley to protest the unregulated use of pesticides on produce grown in the area. UFW is calling for a ban on the most dangerous pesticides and enforcement of pesticide use regulations. Organizing efforts are underway by the UFW to unite farmworkers in a common cause for labor contracts and environmental justice.

Truax, Hawley. "Untold Suffering." *Environmental Action* 24 (3): 14-17, Fall, 1992.

Over 300,000 farmworkers suffer from the effects of pesticide-related illnesses each year. Children are also exposed to pesticide poisoning because they accompany their parents to the fields. Migrant labor camps are contaminated by pesticide drift from adjacent fields and lack appropriate running water and washing facilities.

The Farm Labor Organizing Committee (FLOC) in Michigan and Ohio has achieved a variety of gains against Campbell Soup and Heinz after years of strikes and boycotts. Negotiations with these companies resulted in a more equitable wage system, compliance with basic field sanitation requirements such as running water and toilets, and a requirement that farmworkers be notified prior to any pesticide spraying. These agreements have allowed farmers and farmworkers to interact as parties with common interests.

Multi-Ethnic

Bullard, Robert D., ed. *Confronting Environmental Racism: Voices from the Grassroots*. Boston: South End Press, 1993. 259 p.

A book of essays addressing all aspects of environmental racism and the victimization of people of color in urban and rural areas. The contributing authors are academicians and activists who are prominent in the movement for environmental justice. Toxic wastes, siting of waste facilities, urban industrial pollution, childhood lead poisoning, farmworkers and pesticides, land rights, sustainable development, global threats due to export of toxic and other issues affecting African Americans, Latinos, Asians, Pacific Islanders, and Native Americans are covered by the contributing authors.

The essays present case studies and strategies used by the emerging grassroots environmental movement to empower people of color to confront government agencies, industries, nongovernmental organizations, and international organizations on behalf of serious change, social justice, and mutual respect in environmental decision making. Demonstrations, legal actions, political action, union organizing, clearinghouses and public education, public forums, and demands for accountability from elected officials are among the strategies used.

Colquette, Kelly Michele, and Elizabeth A. Henry Robertson. "Environmental Racism: The Causes, Consequences, and Commendations." *Tulane Environmental Law Journal* 5 (1): 153- 207, December 1, 1991.

This detailed discussion of environmental racism examines the factors that influence siting of toxic waste sites. Examples are provided of siting decisions, regulations, and consequences for various communities in Massachusetts, Rhode Island, Wisconsin, Louisiana, Texas, and several Indian reservations. Methods of protest by grassroots organizations representing African Americans, Hispanic Americans, and Native

Americans are described. Strategies for opposing the sites included protests, demonstrations, picketing, political pressure, and litigation.

The authors conclude that "government officials and agencies have exercised their power to exploit the less politically influential, the less informed and the poorer members of society. Rather than receiving protection from a democratic system designed to protect the minority voice, the ethnic and racial minority communities became a convenient scapegoat for difficult political decisions." As public awareness grows, minority opposition to environmental racism will continue until the neighborhoods in which they live are no longer treated as safe places for polluters.

Dowie, Mark. "The New Environmentalism." *Utne Reader*, no. 52:104-111, July/August, 1992.

Dowie analyzes the growth of grassroots community organizations that are emerging around the country to demand participation in environmental decision making. He points out that mainstream environmental organizations have failed to attract minorities and the poor. Grassroots activists perceive these organizations as arrogant and elitist, more concerned with wilderness, wildlife, and natural resource conservation than with the environmental damage to low income communities around the country.

The grassroots environmental movement involves women, the poor, and people of color confronting environmental hazards in their neighborhoods. Examples include a toxic waste dump in rural Arkansas, an ocean incinerator off the Texas coast, a pesticide sprayer in the Central Valley of California, a refinery in New Jersey, and shipments of nuclear waste through small towns in Wyoming. Affected groups have been successful in bringing changes to the environmental agenda through demonstrations, consumer boycotts, shareholder suits, and nonviolent protests.

Dowie urges the American environmental movement to develop into "a broad-based, multi-ethnic movement that takes a long term global view, challenges prevailing economic assumptions, promotes environmental protection as an extension of human rights, and engages in direct action when necessary." If it pursues this goal, the movement can forge a new society.

Godsil, Rachel D. "Remedying Environmental Racism." *Michigan Law Review* 90 (2): 394-427, November, 1991.

Godsil examines equity issues that arise in the placement of commercial hazardous waste facilities. Since affluent communities oppose hazardous waste facilities in their neighborhoods, developers often place these facilities in predominantly poor and minority communities. Consequently, minorities are unfairly bearing an excessive burden of environmental hazards while the benefits of production that result in hazardous wastes are dispersed among the larger society. The nature and causes of the disproportionate burden of hazardous waste are described.

Godsil presents current state and federal hazardous waste legislation and its failure to address issues of environmental racism. She recommends that constitutional remedies such as the Equal Protection Clause of the Fourteenth Amendment be invoked to challenge environmental disparities and proposes federal legislation to ameliorate the burden of waste siting in minority communities. The proposed act would allow minority communities to argue that there is a disparate impact. It would permit definition of the population

that would be physically or financially harmed by the sites. Plaintiffs would have to prove that there is a disparate impact on the minority community relative to the affluent community. Legislation at the state level should permit the relevant state agency to take the race and socioeconomic status of a community into account when considering the potential hazards of such sites.

Godsil provides examples of court cases in which race and class played a role in decisions concerning environmental equity.

Hayes, Arthur S. "New Specialty Helps Poor Fight Pollution." *Wall Street Journal*, 3 October 1991, 3.

A new legal specialty called Environmental Poverty Law helps minorities and the poor fight their environmental battles in the courts. The Environmental Poverty Law working group was formed to serve as a clearinghouse for poverty lawyers who handle environmental cases. Legal strategies pursued by this "new breed" of lawyers are designed to get government agencies to release data, forcing municipalities to hold public hearings on projects that may pose health hazards, and filing lawsuits against companies and government agencies who use racial or ethnic bias in pollution projects.

Attorneys involved in environmental poverty law have been successful in delaying construction of incinerators, cleaning up abandoned factories and warehouses, gaining access to information on hazardous projects and other issues.

Mann, Eric. *L.A.'s Lethal Air: New Strategies for Policy, Organizing and Action*. Los Angeles Labor/Community Strategy Center, 1991. 80 p.

A detailed report on the toxic air and water in Los Angeles and its detrimental effects on the health and well being of the citizens of the city.

Industries in the Los Angeles area emit great amounts of nitrogen oxides, organic gases, and dangerous toxins into the air, water, and workplaces. Working class people, the poor, and people of color are most vulnerable because the polluting industries are located mainly in their neighborhoods. However, the toxins are present throughout Los Angeles and affect all citizens.

Failure of the regulatory agencies to control the pollution and enforce the law made it necessary for the citizens of Los Angeles to act. A multi-ethnic coalition of workers, minorities, labor unions, and environmental groups formed an organization called Labor/Community Watchdog to confront the polluters and demand a clean up of L.A.'s air. Public education campaigns, lawsuits, protest rallies, and other active strategies will be used to monitor and pressure the existing regulatory agencies and provide a watchdog strategy to confront corporate polluters. Using strategies of the civil rights movement and labor struggles, Watchdog plans to fight in the courts, legislatures, workplaces, the media, and the marketplace. Face-to-face negotiations with executives of polluting companies and concrete demands will be part of the strategy. This coalition comprises workers, high school and college students, women, Latinos, African Americans, Asian Americans, white working people, farmworkers, and inner-city residents who are victims of air pollution, waste incineration, and groundwater contamination.

Labor/Community Watchdog has been instrumental in gaining dialogue with polluters and forcing regulatory agencies to monitor the industries. Watchdog is demanding that corporations which profit from pollution be required to pay for clean up. Many more successful strategies are being planned as the organization grows.

Perkins, Jane. "Recognizing and Attacking Environmental Racism." *Clearinghouse Review* 26 (4): 389-397, August 1992.

Perkins discusses legal strategies for addressing environmental racism involving location of hazardous waste sites and exposure of children to toxic lead.

Title VI of the Civil Rights Act prohibits discrimination on grounds of race, color, or national origin in programs or activities receiving federal funds. Perkins points out that local and state environmental and health programs and activities often receive federal funds and must abide by Article VI. She recommends using this as a legal remedy when the siting of toxic waste sites will have a discriminatory effect on minority groups. Other remedies include public hearings when companies apply for permits and compliance with state and federal environmental impact provisions. Citizens should attend those hearings and demand that state and federal authorities enforce environmental laws.

Lead poisoning can be attributed to paint, gasoline, solder, food, soil, water, and air. Parents in East Baton Rouge, Louisiana, formed an organization called Parents and Teachers Organized to Prevent Lead Poisoning. In New York, the Coalition to End Lead Poisoning sued the city for protection from lead based paint in public housing. People United for a Better Oakland (PUEBLO), a community based group in Oakland, California, filed a class action lawsuit to force the state to comply with state statutes and Health Care Enforcement Administration guidelines to require testing children for lead levels in the blood. Citizens can also sue for enforcement of the Lead Contamination Control Act of 1988 to eliminate lead contaminated drinking water in public and private schools and day care centers. For protection from lead poisoning in paint, citizens should demand enforcement of the Lead Based Paint Poisoning Prevention Act of 1971.

Prout, Linda R. "The Toxic Avengers." *EPA Journal* 18 (1): 48-49, March/April 1992.

Latino and African American students in the Williamsburg section of Brooklyn, New York, are fighting environmental racism in their neighborhood. Eight activists, ranging in age from sixteen to twenty, have lectured, marched, and organized rallies against the Radiac Research Corporation, which stores and transports toxic waste and low-level radioactive and flammable materials. They object to its location next to a public school playground.

A study by Hunter College found twenty-eight facilities in the Williamsburg-Greenpoint area which stored large amounts of toxic waste. Eleven of those sites contained substances classified as extremely dangerous by the EPA and exceeding government recommendations.

The Toxic Avengers have started a recycling program in the neighborhood and workshops for inner city youth around the country. The group has received public service awards and gained the attention of state legislators.

Russell, Dick. "Environmental Racism: Minority Communities and their Battle Against Toxic." *Amicus Journal* 11 (2): 22- 32, Spring 1989.

Russell describes the activities of MELA, Mothers of East Los Angeles, a predominantly Hispanic organization established in 1985 by Lucille Roybal-Allard (who was elected a state assemblywoman in 1987) to fight the construction of an incinerator in a Hispanic community. A predominantly Black coalition, Concerned Citizens of Central Los Angeles (CCSLA), which succeeded in stopping a plan to build a large garbage incinerator in a predominantly Black neighborhood, joined MELA in its efforts.

Through public hearings, petitions and public information campaigns, CCSLA and MELA fought successfully to prohibit the building of incinerators in minority areas. On short notice, MELA could muster 400 volunteers to make announcements at churches, place bilingual advertisements about hearings and marches in neighborhood newspapers, and distribute updates and flyers. As public outcries intensified, CCSLA and MELA gained additional support from Greenpeace, Citizens for a Better Environment (Oakland, California), National Health Law Program, Center for Law in the Public Interest, and the Institute for Local Self Reliance. Additional alliances were formed with two groups that advocate slow growth, Not Yet New York and the California Alliance in Defense of Residential Environments.

These protests against incinerators and toxic industries in minority neighborhoods have forged a powerful coalition that has gained many important victories through local protests and marches, lawsuits, attendance at hearings, notification of voters, demonstrations, and picketing.

Suro, Roberto. "Pollution-Weary Minorities Try Civil Rights Tack." *New York Times*, 11 January 1993, A1.

Grassroots protests by Black, Hispanic, Asian, and American Indian groups are battling pollution hazards in their communities using a variety of strategies.

A report from the Environmental Protection Agency revealed that racial and ethnic minorities suffer disproportionate exposure to dust, soot, carbon monoxide, ozone, sulfur, sulfur dioxide, lead, and emissions from hazardous waste dumps. An environmental justice movement has developed out of many local protests. These groups are using the strategies of the civil rights movement to battle environment racism around the country.

The West Dallas Coalition for Environmental Justice has filed lawsuits against local, state, and federal agencies to fight for the cleanup of contaminated soil from a lead smelter that closed in 1984. Black residents of Wallace, Louisiana, helped to defeat plans to build a \$700 million wood pulp and rayon plant on one of the remaining nonindustrial stretches of the Mississippi River between New Orleans and Baton Rouge. With assistance from the Natural Resources Defense Council, several Harlem groups filed suit against a sewage treatment plant that produces odors offensive to the community. The suit contends the site was chosen because it was perceived as a poor community that lacked the political clout to oppose the plant.

Grassroots groups have formed alliances with established civil rights and environmental organizations such as the American Civil Liberties Union, the NAACP Legal Defense and Education Fund, and the Sierra Club Legal Defense Fund to support their legal struggles.

Tsao, Naiking. "Ameliorating Environmental Racism: A Citizens' Guide to Combatting The Discriminatory Siting of Toxic Waste Dumps." *New York University Law Review* 67 (2): 366-418, May 1992.

Tsao provides a comprehensive analysis of state and federal legal options for opposing discriminatory hazardous waste siting procedures based upon race, class, and resource allocation. He discusses state and local hazardous waste siting procedures currently in use; state statutory, common law and constitutional options for litigants affected by the discriminatory sitings; and the relevance of the equal protection clause of the U.S. Constitution for issues of environmental justice.

Tsao finds that states have tended to interpret constitutional equity provisions more broadly than has the U.S. Supreme Court. He recommends, therefore, that litigants pursue state law options first; federal claims should be made only after evaluating the effectiveness of state law.

Webster, Donovan. "Sweet Home Arkansas." *Utne Reader*, no. 52: 112-116, July/August 1992.

The Environmental Congress of Arkansas (ECA), representing sixteen grassroots environmental organizations, gathered to discuss strategies to reclaim Arkansas, the third most polluted state in the country.

Examples of some of the successes of local groups include Citizens Against Polluted Streams, which received court awarded damages from Tyson Chicken for dumping chicken feces and scraps into local waterways. Friends United for a Safe Environment successfully fought against an overstuffed landfill.

ECA led successful protests against an incinerator in Jacksonville, Arkansas, which was permitted to burn dioxins. The incinerator was built on a site which was used to dispose of 28,300 barrels of toxic waste, 140 vats of heavy chemicals and over 100 acres of contaminated soil which has accumulated at the site since the 1960s. ECA strategies included protests at the state capitol, media attention, and press releases. Citizen protests and class action lawsuits caused the company to file for bankruptcy, pay a fine, shut down the operation in Jacksonville and relocate to Memphis, Tennessee. (This success was short lived. The EPA and the Arkansas Department of Pollution Control and Ecology granted the company a license on 2 January 1992 to burn toxic waste in the Jacksonville incinerator).

Other protests have been undertaken against a hazardous waste incinerator in El Dorado which resulted in a \$500,000 fine for noncompliance with the Clean Air Act. Protests in Camden, Arkansas, resulted in the relocation of a 300 acre landfill. ECA has gained credibility with the state Attorney General and the Pollution Control Department, further enhancing the organization's visibility and empowerment.