

# Blacks and Latinos on the Frontline for Environmental Justice:

## Strengthening Alliances to Build Healthy and Sustainable Communities

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The environmental justice (EJ) framework defines “environment” as where we live, work, play, worship, go to school, as well as the physical and natural world. Environmental justice is built on the principle that all Americans have a right to equal protection of the nation’s environmental, health, housing, transportation, employment, and civil rights laws and regulations.<sup>1</sup> However, in the real world all communities are not created equal. In 1987, *Toxic Wastes and Race in the United States*, a seminal report by the United Church of Christ Commission for Racial Justice, documented that African American and Latino communities receive more than their fair share of toxic waste facilities.<sup>2</sup> Race and ethnicity map closely with the geography of environmental and health risk.<sup>3</sup>

On February 11, 1994, the issue of environmental justice reached the White House when President Clinton signed Executive Order 12898, “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations.”<sup>4</sup> The order mandated federal agencies to incorporate environmental justice into all their work and programs. Yet after nearly a decade and a half, the federal government has failed to implement the order. Low-income and minority populations remain under-protected and overexposed to unnecessary environmental and health threats, and the threats are growing.<sup>5</sup>

### Facts

#### Threats to Children

**Lead poisoning.** Lead poisoning is a major environmental health threat to children of color in the United States.<sup>6</sup> About 22 percent of African American children and 13 percent of Mexican American children living in pre-1946 housing are lead poisoned, compared with 6 percent of White children living in comparable housing. Lead burden is linked to lower IQ, lower high school graduation rates, and increased delinquency.<sup>7</sup>

**Toxic schools.** More than 600,000 students in Massachusetts, New York, New Jersey, Michigan and California attend nearly 1,200 public schools located within a half mile of federal Superfund or state-identified contaminated sites.<sup>8</sup> These young people are mostly low-income and students of color.

**Ozone pollution.** One of every four American children lives in an area that regularly exceeds federal ozone standards. Half the pediatric asthma population, two million children, live in these areas. More than 69.2 percent of Hispanic children, 61.3 percent of African American children, and 67.7 percent of Asian

American children live in areas that exceed the 0.08 ppm ozone standard, compared with 50.8 percent of White children. African American and Latino children are three to five times more likely than White children to die from asthma.

### **Toxic Threats Where We Live and Work**

**Toxic wastes and race.** According to the 2007 report *Toxic Wastes and Race at Twenty*, people of color make up 56 percent of residents living in neighborhoods within two miles of a commercial hazardous waste facility.<sup>9</sup> People of color also make up 69 percent of residents of neighborhoods with clustered facilities.

**Industrial pollution.** African Americans are 79 percent more likely than Whites to live in neighborhoods where industrial pollution is suspected of posing the greatest health danger.<sup>10</sup> Blacks in 19 states and Latinos in 12 states are more than twice as likely as Whites to live in neighborhoods where air pollution poses the greatest health danger.

**Toxic public housing.** More than 870,000 of the 1.9 million housing units for the poor, occupied mostly by Latino and Black people, sit within about a mile of factories that report toxic emissions to the U.S. Environmental Protection Agency (EPA).<sup>11</sup>

### **Threats in the Workplace**

**Job blackmail and worker safety.** Because of their legal status or the threat of unemployment, millions of people of color in low-wage jobs are forced to choose between unemployment and a job that may threaten their health, their family's health, and the health of their community. This practice amounts to "job blackmail."<sup>12</sup> Those most affected include migrant farm workers; sanitation workers; industrial contractors; hazardous waste clean-up crews; and workers in the hotel and restaurant, office and janitorial, and garment industries.

### **Air Pollution**

**Dirty cities.** African Americans and Latinos are concentrated in the nation's cities with the dirtiest air. More than 80 percent of Hispanics, 65 percent of African Americans, and 57 percent of Whites, live in 437 counties with substandard air quality.<sup>13</sup>

**Dirty power plants.** More than 68 percent of Blacks live within 30 miles of a coal-fired power plant—the distance within which the maximum effects of the smokestack plume are expected to occur. In comparison, 56 percent of Whites and 39 percent of Latinos live in such proximity to a coal-fired power plant.<sup>14</sup>

**Transportation-induced pollution.** People of color are least likely to own cars. Yet, they are more likely to breathe other people's exhaust fumes. Nationally, only 7 percent of White households do not own a car, compared with 24 percent of African American households, 17 percent of Latino households, and 13 percent of Asian-American households.<sup>15</sup> Motor vehicles account for nearly half of the smog-forming volatile organic compounds (VOCs), more than half of the nitrogen oxide (NOx), one-third of the carbon dioxide (CO<sub>2</sub>), and more than one-quarter of the greenhouse gases emitted in the United States.<sup>16</sup>

## Implications for Black and Brown Communities

**Abandoned Waste Sites.** The U.S. General Accounting Office estimates that 130,000 to 450,000 Brownfields, or abandoned hazardous waste sites, are scattered across the urban landscape. Most are located in or near low-income and working-class African American and Latino communities.<sup>17</sup> Cleanup and redevelopment of Brownfields can stimulate rebirth of once-decaying communities—making them both “clean” and “green.” With appropriate safeguards, displacement can be minimized—and residents can share in the benefits of jobs, businesses, housing, and residential amenities.

**Outdoor Apartheid and Green Access.** A growing body of research links the built environment and health.<sup>18</sup> Unequal access to high-quality recreation opportunities may explain the socioeconomic, racial, and ethnic variations in levels of physical activity. This inequity amounts to a form of “outdoor apartheid.”<sup>19</sup> A 2002 study of Los Angeles found that residential areas with higher proportions of Latinos, African Americans, and Asian Pacific Islanders have dramatically lower levels of access to parks than predominantly White areas.<sup>20</sup> The inner city, which is heavily populated by low-income communities of color, has about a third of an acre of parks per 1,000 residents, compared to 1.7 acres in disproportionately White and relatively wealthy parts of Los Angeles.<sup>21</sup>

**Transportation Emissions Reduction and Public Health.** Air pollution claims 70,000 lives a year, nearly twice the number killed in traffic accidents.<sup>22</sup> Reducing transportation pollution can save lives. High ozone levels cause more than 50,000 emergency room visits each year and result in 15,000 hospitalizations for respiratory illnesses. Air pollution exacerbates asthma and other respiratory illnesses.

Reduction in motor vehicle emissions can have marked health improvements. The U.S. Centers for Disease Control and Prevention reports that “when the Atlanta Olympic Games in 1996 brought about a reduction in auto use by 22.5 percent, asthma admissions to **ERs** and hospitals also decreased by 41.6 percent.”<sup>23</sup>

**Climate Change and Vulnerable Populations.** Climate justice looms as *the* major environmental justice issue of the twenty-first century. The most vulnerable populations will suffer the earliest and most damaging setbacks because of where they live, their limited income and economic means, and their lack of access to health care. Yet low-income people and people of color contribute least to global warming. For example, the average African American household emits 20 percent fewer greenhouse gases than its White counterpart.<sup>24</sup> Global warming is expected to double the number of cities that exceed air quality standards. It will also increase temperatures on hot summer days, potentially leading to more unhealthy “red alert” air pollution days.<sup>25</sup> A 2007 study of 50 cities in the United States found that future ozone concentrations and climate change could detrimentally affect air quality and thereby harm human health.<sup>26</sup> Global warming will increase heat-related deaths. During the 1995 Chicago heat wave, the death rate for African Americans was 1.5 times the rate for Whites.<sup>27</sup>

## **Environmental Justice Collaborative in Action**

***People of Color Environmental Leadership Summits.*** The Environmental Justice (EJ) Summit I (1991) and EJ Summit II (2002), convened under the auspices of the United Church of Christ (UCC) Commission for Racial Justice and the Justice and Witness Ministries, crystallized the need for people of color to speak for themselves and lead their own organizations, networks, and movement. Post-summit mobilization contributed to the signing of Executive Order 12898 and provided the impetus and frame for much subsequent national work on environmental justice.

***Transportation Equity Movement.*** This movement emerged in response to transportation racism and the quest for transportation justice—with the most visible struggle being that of the Los Angeles Bus Riders Union. The Transportation Equity Network (TEN) and its allies were instrumental in pushing environmental justice and equity initiatives under Executive Order 12898 within the U.S. Department of Transportation, metropolitan planning organizations, state transportation departments, and regional transit providers, with special emphasis on implementation via key federal transportation legislation: the Intermodal Surface Transportation Act (ISTEA), the Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21), and the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU).

***Environmental Health for Children.*** A national movement has emerged to protect children from environmental health hazards. The Children’s Environmental Health Network (CEHN), the Alliance for Healthy Homes (AHH), and other groups are working with community allies to end childhood lead poisoning, reduce child exposure to pesticides and other dangerous chemicals, and stimulate community-driven and people of color-centered asthma research, prevention, and intervention.

***Parks Justice and Green Access.*** Environmental and parks justice advocates are collaborating locally and nationally to get people of color equal access to the web of parks, rivers, beaches, mountains, forests, schools, and transit to trails that promotes health, a better environment, and economic vitality. The City Project, based in Los Angeles, has used research and GIS mapping to advance a local, regional, state, and national parks justice and “green access” agenda. The City Project brings African American and Latino groups together to get their fair share of parks and green access.

***Brownfields Redevelopment, Worker Training, and Green Jobs.*** The EJ movement was instrumental in making the removal of health risks a priority and major goal of urban Brownfields cleanup and redevelopment action plans. EJ advocacy was also instrumental in getting environmental justice organizations involved in redevelopment and in integrating Brownfields priorities into long-range community and regional plans. Since 1995, the National Institute of Environmental Health Sciences (NIEHS) Minority Worker Training Program and the Brownfields Minority Worker Training Program (BMWTP) have evolved into comprehensive programs that create lifelong work experiences and jobs for African American and Latinos who have often been left behind economically.

***Green-Collar Jobs.*** Much attention has been given to the idea of “green jobs” for urban people of color communities.<sup>28</sup> What is green collar? Where will those jobs

come from? The Apollo Alliance and its allies define a green-collar job as a “well-paid, career track job that contributes directly to preserving or enhancing environmental quality.”<sup>29</sup> Communities across the United States are vying for green jobs as one way to revitalize neighborhoods, cities, and regions, while fighting poverty, pollution, and global warming. In December 2007, Congress passed the Green Jobs Act, authorizing \$125 million for green job training.

***Disaster Response, Reconstruction, and Recovery.*** Hurricane Katrina was a wake-up call for the nation. Racial disparities exist in the government response to the disaster, and in cleanup, rebuilding, reconstruction, and recovery. Race also plays out in disaster survivors’ ability to rebuild, replace infrastructure, obtain loans, and locate temporary and permanent housing—exposing a disproportionately large share of low-income and people of color to a second disaster that rivals the initial flood disaster.<sup>30</sup> Generally, low-income and people of color disaster victims have spent more time in temporary housing, shelters, trailers, mobile homes, and hotels—and are more vulnerable to permanent displacement—including job and small business displacement.

A number of coalitions are addressing these post-disaster inequities. Under the leadership of the Deep South Center for Environmental Justice at Dillard University, a multidisciplinary coalition emerged to address environmental justice, public health, flood protection, coastal restoration, waste management, cleanup, equitable development, reconstruction, and Gulf Coast recovery. A broad coalition of advocacy groups is calling for the creation of the Gulf Coast Civic Works Project to provide job training opportunities and increase employment to aid in the recovery of the region. Proposed by Scott Myers-Lipton, a sociology professor at San Jose State University in California, this project is a national effort to pass HR 4048: The Gulf Coast Civic Works Act, which would create 100,000 jobs for Gulf Coast residents and evacuees to rebuild their communities.

***Climate Justice.*** The Environmental Justice and Climate Change (EJCC) Initiative is the leading national people of color coalition addressing climate justice. In July 2008, EJCC released *A Climate of Change: African Americans, Global Warming, and a Just Climate Policy for the U.S.*<sup>31</sup> AB 32, the California Global Warming Solutions Act of 2006, is probably the most widely publicized state initiative and is being closely watched for how its environmental justice advisory committee’s work impacts climate justice concerns. In February 2008, a broad environmental justice coalition released a declaration against the use of carbon trading to address climate change. Dozens of individuals and groups from around the country have signed the declaration.

## POLICY SOLUTIONS

### **Recommendations of *Toxic Wastes at Twenty***

The Environmental Justice Resource Center at Clark Atlanta University took the lead in assembling a team of national EJ scholars to produce *Toxic Wastes and Race at Twenty*. More than 200 environmental justice, civil rights, human rights, and health leaders and advocates endorsed the policy recommendations. They include:

**Hold Congressional Hearings on the EPA Response to Contamination in EJ Communities.** Urge Congress to hold hearings on the EPA's response to toxic contamination in EJ communities, including post-Katrina New Orleans, the Dickson County (Tennessee) Landfill water contamination problem, and toxic contamination in low-income and people of color communities throughout the United States.

**Codify Environmental Justice Executive Order 12898.** To strengthen compliance and enforcement of environmental justice objectives at the federal level, ensure that discriminatory agency decisions and actions are addressed. To provide clear leadership to the states, Congress should codify into law Executive Order 12898.

**Fully Implement Environmental Justice Executive Order 12898.** The EPA, FEMA, Army Corps of Engineers, Department of Labor, U.S. Department of Housing and Urban Development (HUD), and other federal agencies need to fully implement the Environmental Justice Executive Order 12898 in the cleanup and rebuilding of the Gulf Coast region.

**Provide a Legislative "Fix" for Title VI of the Civil Rights Act of 1964.** Work toward a legislative "fix" of Title VI of the Civil Rights Act of 1964, which was gutted by the 2001 *Alexander v. Sandoval* U.S. Supreme Court decision that requires intent, rather than disparate impact, to prove discrimination.

**Reinstate the Superfund Tax.** The new Congress needs to act immediately to reinstate the Superfund Tax, re-examine the National Priorities List (NPL) hazardous site ranking system and reinvigorate Federal Relocation Policy implementation in communities of color to move those communities that are directly in harm's way.

**Enact Legislation Promoting Clean Production and Waste Reduction.** Require industry to use clean production technologies and support necessary research and development for toxic use reduction and closed loop production systems. Create incentives and buy-back programs to achieve full recovery, reuse, and recycling of waste and product design that enhances waste material recovery and reduction. Policies must include material restrictions for highly toxic and carcinogenic materials.

**Protect Community Right to Know.** Reinstate emissions reporting to the Toxic Release Inventory (TRI) database on an annual basis to protect communities' right to know. Reinstate reporting lower emission thresholds to the TRI.

**Require Cumulative Risk Assessments in Facility Permitting.** EPA should require assessments of multiple, cumulative, and synergistic exposures; unique exposure pathways; and impacts to sensitive populations in issuing environmental permits and regulations under the Resource Conservation and Recovery Act (RCRA), the Clean Air Act (CAA), the Clean Water Act (CWA), and other federal laws. Similar considerations should be made in establishing site-specific cleanup standards under Superfund and Brownfields programs.

**Establish Tax Increment Finance Funds to Promote Environmental Justice-Driven Community Development.** Environmental justice organizations should become involved in redevelopment processes in their neighborhoods to

integrate Brownfields priorities into long-range neighborhood plans. This would allow for the use of Tax Increment Finance (TIF) funds to pay for the cleanup and redevelopment of Brownfields sites for community-determined uses.

***Adopt Green Procurement Policies and Clean Production Tax Policies.***

State and local governments can show leadership in reducing the demand for products made using unsustainable technologies that harm human health and the environment. Government must use its buying power and tax dollars ethically by supporting clean production systems. Ecological tax reform can assure that public money goes to safer materials and promotes pollution prevention.

## **Climate Change Recommendations**

The Environmental Justice and Climate Change Initiative (EJCC) offers a “Climate Asset Plan” that includes a number of policy recommendations, including a polluter-pays fee, tax, or allowance auction; substantial investments in energy efficiency; low-income offsets through a mix of income-support, energy assistance, and energy-efficiency programs; revenue recycling through taxes and transfers or high-value public investment such as schools; and leakage/job-loss prevention measures for electricity and energy-intensive goods.<sup>32</sup>

Other climate justice advocates are recommending policy initiatives to both stop and adapt to global climate warming while sustainably improving the economic, social, and health positions of African Americans, Latinos, and other people of color. These policies include: establish mandatory limits on U.S. greenhouse gas emissions; recycle revenues from emissions reduction programs to offset the economic burden of higher energy processes; deploy existing energy-efficiency technology (light bulbs, appliances, weather proofing) to reduce energy use and household bills; provide incentives for research, development, and the deployment of low-carbon energy technologies; promote community health programs; develop disaster preparedness plans; and wider deployment of public transportation infrastructure.<sup>33</sup>

## **Green Jobs and Opportunity**

It is imperative that safeguards and provisions are in place to ensure that African American and Latino organizations and institutions receive their fair of economic benefits and business opportunities from the green economy, including a fair share of the five million new green jobs that are in the pipeline.

## **CONCLUSION**

Over the past 25 years, African Americans and Latinos have played essential roles in creating collaborations across a wide range of issues areas and diverse movements to address environmental and economic justice, civil and human rights, and health disparities. The current environmental protection apparatus is broken and needs to be fixed. It fails to provide equal protection to people of color and low-income communities. Various levels of government have been slow to respond to health threats from pollution in communities of color.

It is doubtful that a vision of sustainable communities can be achieved without addressing race and social equity, especially in the central cities and metropolitan regions where African Americans and Latinos represent a large share of the population. The fate of many of our metropolitan regions is intricately tied to how

the issues of environmental and economic justice are handled. Race still underlies and interpenetrates with other factors in explaining much of the location of environmental degradation and the socio-spatial layout of residential amenities in most of our metropolitan regions, including the quality of schools, the location of job centers, housing patterns, streets and highway configuration, and commercial development. People of color organizations are beginning to take proactive steps to address environmental racism, poverty, spatial mismatch (access to jobs), transportation, affordable housing, predatory lending, poverty, redlining, gentrification and displacement, urban-suburban school disparities, land use, parks and green space, Brownfields redevelopment, green jobs, community economic development, and related concerns.

## Notes

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- <sup>12</sup> Robert D. Bullard, *Dumping in Dixie*.
- <sup>13</sup> D. R. Wernett, D. R. & L. A. Nieves. Breathing Polluted air: Minorities are Disproportionately Exposed. *EPA Journal*, 18: 16-17. 1992.
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