

Environmental Injustice:

Factors and Influences

Introduction

Communities across the country are objecting to the lack of equal environmental protection under the law. Many of these communities are predominantly African-American or Hispanic and predominantly low-income. They charge that race- and/or class-based discrimination, expressed explicitly or implicitly, has created for these groups spaces to live which are unhealthy, unsafe, and economically unviable. For these communities and their advocates and political supporters, *environmental injustice*, the inequitable distribution of environmental burdens on communities of color and poverty, is an authentic concern. Environmental injustice involves burdens begotten from air pollution, water quality, lead exposure, municipal and industrial landfills and incinerators, brownfields, substandard housing, and “dirty” industry.

But what does environmental injustice really mean? Is the placement of environmental hazards in minority and poor communities solely happenstance? Is there really an unequal distribution? If answers suggest that environmental injustice truly exists, does evidence support that it is based on race, socioeconomic class, or on a community’s lack of political mobilization and savvy? These are key questions to be answered in order to form the foundations for appropriate solutions. Unfortunately, these questions can not be easily answered. They involve a complex web of conflicting information, documentation, and studies. This issue brief presents an examination of the conflicting claims.

Does Environmental Injustice Really Exist?

There have been a number of studies and reports providing evidence of environmental injustice. The Council on Environmental Quality’s 1971 annual report to the President documented for the first time the correlation between toxic risk and income. The report stated that income disparities adversely affected the ability of the urban poor to elevate the quality of their environment. In 1983, the U.S. General Accounting Office conducted a study to determine if race was a factor in the siting of hazardous waste disposal facilities in EPA Region IV (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee). The study revealed that three out of the four landfills located in this region were sited near communities with high minority populations. The United Church of Christ Commission for Racial Justice in 1987 released a report entitled *Toxic Wastes and Race in the United States: A National Report on the Racial and Socio-economic Characteristics of Communities with Hazardous Waste Sites*. The report supported the argument that race is the most consistent factor correlated with hazardous waste facility siting. (Lester, Allen, and Hill: 2002)

In October of 1991, more than 500 activists convened at the First National People of Color Environmental Leadership Summit, resulting in the drafting and acceptance of an agenda governing the environmental justice movement. The attendees adopted seventeen *Principles of Environmental Justice* guided by a principle of equal protection of human health for members of all communities.

Federal government actions further acknowledge the existence of environmental injustice. In 1990, the Environmental Equity Workgroup was created by the US Environmental Protection Agency (EPA). A 1992 report conducted by the Workgroup, *Environmental Equity, Reducing Risk for all Communities*, concluded that minorities and those living in poverty are at a higher risk than other demographic groups to be exposed to hazardous waste and suffer more environmental costs than other groups. In the same year, the EPA created the Office of Environmental Justice, to oversee the Agency’s integration of environmental justice in its programs, policies, and regulations. In 1994, President Bill Clinton issued Executive Order 12898, mandating that federal agencies incorporate environmental justice in their missions.

There are many communities whose members see environmental injustice as a fact of life. These communities have been gaining media attention since the 1982 national protests against the siting of a toxic landfill in a small, low-income, predominantly African-American community in Warren County, North Carolina.



The Shintech case in Convent, Louisiana, located in St. James Parish, which served as the test case for Clinton’s Executive Order 12898, is an example of a community voicing its disapproval of an environmental injustice. Convent was the proposed site for a \$700 million chemical plant that would produce 1.1 billion pounds of polyvinyl chloride and be permitted to emit 611,700 pounds of toxic air contaminants each year, many of them known to be potent carcinogens. The proposed site was located within walking distance of homes and schools. At the time of the proposal, Convent was home to 2052 people, 80 percent African-American and 40 percent at or below the poverty level. According to EPA’s Title VI investigation, Shintech would expose the African-American population in St. James Parish to 71- 242 percent more airborne industrial toxins than the white population. Furthermore,

“in 1995, 10 facilities within 4.5 miles of the two elementary schools in Convent emitted over 16

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million pounds of toxic air pollutants, an average of 250,000 pounds of industrial poisons per square mile; the national average is 382 pounds per square mile. A recent study examining cancer deaths in St. James Parish found an excess mortality of 41% for whites and 59% for African-Americans for the years 1979-1992” (Cray and Harden:1998).

In this case, the local struggle against the siting of the plant drew national interest. After intense media attention and the involvement of EPA and other environmental groups, the company withdrew its proposal. (Cray and Harden:1998)

While much data and literature supports the significance of environmental injustice, there is some disagreement as to why and to what extent certain communities are affected, and whether in fact this phenomenon actually exists. Christopher Foreman, Jr. in *The Promise and Peril of Environmental Justice* recognizes that environmental decisions of businesses and government have potentially serious implications for social equity in minority and poor communities but argues against the current environmental justice movement. The author states what he believes to be five major shortcomings of the movement:

- 1) Empirical data is weaker than environmental justice advocates admit; this lack of supportive evidence will hinder justification for major future policy changes.
- 2) “Environmental justice is driven by aspirations for community empowerment, for social justice, and for public health”; the federal government cannot alleviate those concerns under the guise of environmental protection.
- 3) Environmental justice diverts community attention from more serious environmental risks and problems and may thereby cause more harm than good.
- 4) If pursued aggressively, environmental justice may “exacerbate aspects of environmental policymaking that have been widely” lamented (economic inefficiency, gap between public perception of risk and actual risk, local inflexibility in siting issues, and muddle policy priorities).
- 5) A federal government approach to environmental justice has many stumbling blocks (lack of congressional support, primacy of states and localities in siting issues, infeasibility of banning all new siting in or near minority or poor communities).

Foreman further critiques the movement by quoting legal activist Luke Cole, who contended that the intent of all environmental law is to protect the established classes of society at the expense of those less politically empowered. Through this analytical lens, Cole claimed that “the siting of unwanted facilities in neighborhoods where people of color live must not be seen as a *failure* of environmental law, but as a

success of environmental law. While we may decry the *outcome*, the laws are working as they were designed to work.” (Foreman: 1998)

Is Environmental Injustice Based on Race and Ethnicity, Socioeconomic Class, or Political Mobilization?

Race and Ethnicity

Is the inequitable distribution of environmental burdens and benefits influenced primarily by race and ethnicity? In other words, when all other factors are held constant, are race and ethnicity the most significant predictors of the presence of environmental burdens and absence of environmental benefits in a community? There is an increasing body of literature that reveals this relationship, as race has either been found to be a “significant” or the “most important” predictor of environmental siting in a number of studies (Lester, Allen, and Hill: 2001). In *Confronting Environmental Racism: Voices From the Grassroots*, Robert Bullard states, “people of color, however, face elevated toxic exposure levels even when social class variables (income, education, and occupational status) are held constant.” Based on “the predominant trend in research” there is a definitive correlation between the racial and ethnic composition of a community and its exposure to environmental hazards (Bullard:1993).

Lester, Allen, and Hill in their study found evidence of race-based environmental injustice in African American communities in 86 percent of their data. They conclude that race as a variable, particularly within African-American communities, is therefore a positive predictor of the presence of environmental hazards in a community. Additionally, there was evidence of environmental injustice affecting Hispanic communities in 50 percent of their data. This is especially true in poorer western counties where Hispanics were found to be most likely confronted with environmental injustice. The study concluded that race is indeed a factor that “point[s] to incidences of environmental injustice for African-American and Hispanic American” communities. (Lester, Allen, and Hill: 2001)



Socioeconomic Class

Is the unequal distribution of environmental burdens and benefits influenced primarily socioeconomic class? With all other factors held constant, is the combination of ethnic minority and lower-income the primary predictor of the presence of environmental burdens and absence of environmental benefits in a community?

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The study completed by Lester, Allen, and Hill produced mixed findings. While some of the data they collected provides support for class-based environmental injustice, other findings showed little or no relationship between class and the presence of environmental injustice. Without further evidence, socioeconomic class is less informative than race as an indicator of environmental injustice.

Political Mobilization

Is the uneven distribution of environmental burdens and benefits influenced primarily by political mobilization? With all other factors held constant, is the absence or presence of a public mobilized effort a predictor in the allocation of environmental burdens and environmental benefits in a community?

“Consistent findings indicate that there was either no relationship between political mobilization and environmental harms or that the relationship was opposite to the initial hypothesis. This finding stands in stark contrast to the idea that politically mobilized communities capture the attention of decisionmakers and, thus, increased political mobilization has the effect of minimizing environmental harms.” (Lester, Allen, and Hill: 2001) Only a few studies in the Lester, Allen, and Hill review confirmed that political mobilization yielded decreased risk or likelihood of a community’s exposure to environmental hazards. Given these findings, political mobilization is not highly informative as an indicator of environ-

Hurricane Katrina and Environmental Justice

The lingering effects of Hurricane Katrina have brought national attention to issues of environmental injustice. While the storm significantly disrupted all New Orleans residents, poor African-Americans were disproportionately affected.

The hurricane brought high winds, heavy rains and a storm surge that overwhelmed New Orleans’ outdated and poorly maintained infrastructure, including levees, flooding many communities. News reports focused on the extensive destruction in the Lower Ninth Ward, a neighborhood of working class African-Americans. Television images of refugees in the Superdome allowed audiences worldwide to watch those who were unable to escape as Katrina approached, and it appeared that those seeking shelter were disproportionately African-American. To what extent did these images reflect reality? Did Hurricane Katrina cause significant environmental injustices to occur? Did it expose already existing weaknesses within a system unwilling or unable to aid those most vulnerable to natural disaster?

In an article written for Grist Magazine two weeks after Katrina, Liza Featherstone summarized the feelings of many: “For years ... advocates have been telling anyone who’d listen that blacks in New Orleans were far more affected by environmental problems than the white folks in, say, the Garden District -- and would be far more vulnerable in a disaster.” A 2006 Kaiser Family Foundation survey, describing the continued effects of Katrina on New Orleans residents,



confirmed this opinion. It found that there was a “big racial divide in experiences and views ... [particularly] in the way that African-Americans and whites in the New Orleans area experienced the storm and perceive the recovery efforts.”

The pre-storm vulnerability of minority residents is evident: the survey found that 58% of African-Americans in Orleans Parish lived in areas that experienced heavy flooding, compared to only 34% of whites. In the widest racial disparity found by the survey, 72% of African-Americans were having difficulties accessing health care a year after the storm, compared to only 32% of whites. They found 59% of African-Americans felt their lives were still “very” or “somewhat” disrupted, compared to 29% of whites. In Kaiser’s follow-up survey in 2008, those percentages had improved, but disparity remained (50% of African-Americans versus 26% of white residents). These numbers indicate a continuing and significant racial disparity in the provision of social resources both before and after Katrina.

Cleanup efforts have likewise affected different races and classes disproportionately. According to Bullard and Wright (2009), “communities least affected by the storm tend to have larger percentages of white residents. ... While these areas received less damage, they have also benefited the most from federal dollars for recovery. Flood insurance claims were larger, leading to a large concentration of hazardous mitigation dollars flowing into these areas.” Meanwhile, services such as streetlights, public education and grocery stores are not yet completely restored in areas like the Lower 9th Ward and New Orleans East (Bullard & Wright, 2009). Further, much of the storm related debris, which could exceed 100 million cubic yards, is being removed to a re-opened, unlined landfill in New Orleans East, where the population is majority African-American. This hazardous waste includes fuel tanks, petrochemicals, cars and demolition debris, but is treated as ordinary household waste, leading to concern about potential toxic chemicals leeching into their neighborhoods (Bullard, 2007).

The future of New Orleans and the demographic makeup of the rebuilt city are uncertain. As the city evaluates its vision for the future, it will face the difficult task of balancing the desires of an underserved community wanting to rebuild their own neighborhood and the ecological realities of the flood-prone Ninth Ward.

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mental injustice.

Conclusion

The evidence immediately presented does not definitively conclude that inequities in the distribution of environmental benefits and burdens are the result of intentional racist business practices or political decisions. However, the findings do demonstrate that the distribution of environmental benefits and burdens are disproportionate between groups. Of the three examined factors, race and ethnicity are the strongest predictors of environmental injustice, while socioeconomic class and political mobilization are less informative. But, whether burdens have a greater effect on minority groups or those living in poverty, the costs are most often endured by the poorest members (socially, economically, politically) of our society.

Resources

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