

Making Environmental Justice a National Priority

By Albert Huang, Dimple Chaudhary, and Patrice Simms, Natural Resources Defense Council

Environmental justice (EJ) is, in many ways, local in nature, but national environmental groups can make valuable contributions to ongoing EJ efforts if they approach this work with the appropriate respect for local organizations' and communities' goals and priorities. It is a movement which recognizes that communities of color and poor communities are disproportionately affected by toxic pollution in the places they live, work, play, and pray. EJ is realized when communities are empowered to achieve social change. In light of the tremendous need for additional resources for EJ struggles, and the shrinking pool of money available for community-based EJ efforts, national green groups must renew their commitment to working with local organizations and serving the communities that disproportionately bear the brunt of our nation's toxic pollution. Collaborative relationships with EJ communities will serve to strengthen national green groups, and provide opportunities for transformative alliances that connect with and are of service to a broader social movement.

National green group participation in EJ efforts, however, should move beyond the traditionally limited role of case-specific litigation support to reflect a longer-term commitment to EJ. National groups should offer a broader range of institutional resources to support EJ initiatives, including legal resources, policy advocacy, communications support, and scientific and technical expertise.

The Natural Resources Defense Council (NRDC), a 35-year-old national environmental organization with 1.2 million members and activists, is working to implement a sustainable partnership model for collaborating with local EJ advocates and community groups. Lessons learned from NRDC's partnership with community organizations in New Orleans have helped refine this partnership model, and may provide a useful case study to inform future EJ work.



Photo by Erik Olson, NRDC

Katrina: A Disaster of Unparalleled Proportion

Hurricane Katrina, and subsequent flooding in New Orleans and elsewhere, has been called the worst disaster in U.S. history. The storm displaced millions; left an entire city inundated with sewage, toxin-laced floodwaters, and contaminated sediment; and caused unhealthy levels of mold in hundreds of thousands of homes across the Gulf Coast.

In the wake of the storm, authorities received reports of some 575 oil and toxic chemical spills. Analysts conservatively estimate that the oil spills alone released more than 8 million gallons of harmful pollutants into the environment. Additionally, Hurricane Katrina was responsible for generating more than 100 million cubic yards of debris—enough to cover 1,000 football fields six stories high.

Hurricane Katrina disproportionately affected low-income communities and communities of color. As we approach the first anniversary of this tragic event, these communities are still carrying a disproportionate share of the long-term burden, including the weight of environmental and human health threats. Unfortunately, in the city's recovery process, EJ concerns have been neglected and even exacerbated.

Among other things, state and federal authorities have refused to clean up toxic sediments, or to even conduct a detailed analysis of the human health risks presented by these materials. In addition, state and local authorities have failed to aggressively pursue sustainable strategies for dealing with the enormous quantities of debris left behind by the storms. For example, they are rubber-stamping approvals for solid waste disposal landfills—including the Old Gentilly and Chef Menteur sites, which are ill-equipped to handle the wastes they are receiving and are located dangerously close to large populations and sensitive environmental areas.

Many other uncertainties remain, such as the quality of tap water, safety of school buildings in flood-affected areas, and the seriousness of localized contamination from isolated chemical spills and other toxic releases. In the meantime, Gulf Coast communities, especially low-income communities of color, continue to remain in harm's way from environmental threats that state and federal authorities could have eliminated or reduced.

The Call to Action in New Orleans

After the levees broke and the city of New Orleans flooded, NRDC moved quickly to establish contact with local groups, offer assistance, and learn about residents' needs on the ground. Local partner groups identified the issues that were of most concern to residents, provided a liaison with affected communities, and shared the historical and political context for the current environmental and public health crisis. Partners such as the Deep South Center for Environmental Justice, Advocates for Environmental Human Rights, Louisiana Environmental Action Network, the Holy Cross Neighborhood Association, Common Ground, All Congregations Together, the Louisiana Bucket Brigade, Louisiana Physicians for Social Responsibility, and the People's Hurricane Relief Fund identified mold, contaminated sediment, debris removal, and safe drinking water as issues requiring priority attention. NRDC supported these local priorities by providing environmental testing and data analysis, advocacy, media outreach, and direct financial support.

Our work relies heavily on strong ties to local communities. These relationships make it possible to implement the following guiding principles. EJ initiatives

- > must derive from and be accountable to the local community groups with which we collaborate;
- > should involve multidisciplinary support, incorporating an array of NRDC expertise and resources;
- > should include a commitment to build short- and long-term institutional capacities within local and regional organizations, so that EJ initiatives can become self-sustaining; and

> should be considered part of a larger movement, and adhere to the movement's established principles ("Principles of Environmental Justice," adopted during The First National People of Color Environmental Leadership Summit in 1991).

Ultimately, relationships with local community and EJ partners will complement and strengthen the local groups, and create new opportunities for national green groups to address important environmental and human health issues in communities that bear the brunt of the nation's toxic pollution.

NRDC tried to apply these guiding principles in our post-Katrina work in the New Orleans region. Working collaboratively with our local partners, we developed "Rebuilding New Orleans: A 10-Point Plan of Action."¹ This community-driven plan continues to serve as the guiding document for ongoing EJ work in the region. In order to immediately fund the work, NRDC committed institutional funds and reached out to individual donors for additional gifts. Some of the funding helped to support local groups as they struggled to recover from the flooding of their own offices.

National green group participation in environmental justice (EJ) efforts, however, should move beyond the traditional to reflect a longer-term commitment to EJ.

As the floodwaters receded, NRDC added its voice to a chorus of local groups advocating for the right of residents to return to safe and healthy communities. We also provided scientific, legal, policy, and communications support for efforts to prod government agencies to perform comprehensive testing for toxic contaminants in drinking water, sediments, soil, and air (both indoors and outdoors), and to clean up where necessary to protect returning residents.

At the request of our local partners, NRDC completed independent scientific testing to evaluate and document the scope of post-Katrina environmental contamination. In the testing process, community members played a central role in determining where to test and what to test for. They then worked side-by-side with NRDC scientists to carry out the testing in their backyards, streets, and homes.

Over the last 10 months, our coalition has completed the following work:

1. Protecting returning residents from toxic hazards in sediment and soil

Last fall we conducted tests of toxic sediments left behind by the flooding. Results showed "hot spots" of contamination at sampling locations chosen based on the extensive knowledge and experience of our local partners. The Environmental Protection Agency (EPA) also conducted tests, and posted its results in an almost incomprehensible format on its Web site. At the request of New Orleans community groups, NRDC analyzed EPA's testing data, issued a report on the contamination, and made the testing data and analysis immediately available in a user-friendly format on our Web site last February.² The report, co-released with our community partners, documented the high levels of contamination in the sediment blanketing much of New Orleans and urged state and federal authorities to clean up the contamination before residents, particularly children and the elderly, returned in significant numbers. NRDC worked closely with our community partners on joint press releases and press conferences to publicize the report.

We followed up the report by issuing a public health advisory on how residents and cleanup workers can protect themselves from the environmental contamination. We also organized a coalition of more than a dozen civil rights, religious, and environmental justice groups to petition EPA, the Agency for Toxic Substances and Disease Registry, the Centers for Disease Control and Prevention, and the Federal Emergency Management Administration to take immediate action to clean up the toxic contamination. Five months later, we have not received a formal response.

The Deep South Center for Environmental Justice and the United Steelworkers Union used the results of our sediment analysis and created the "Safe Way Back Home" project, in which they highlighted the failure of government agencies to clean up the contaminated sediment, and led an ambitious and highly successful volunteer-based cleanup effort in the community of New Orleans East.

2. Restoring safe, clean drinking water

Katrina's impact on drinking water systems was profound. At least 2.4 million people were without access to safe drinking water in the immediate aftermath of the

storm. Even now, it is unclear if tap water in the region is safe to drink. The city has recently lifted all water advisories and declared the water safe for consumption, without providing access to its data on water quality.

At the request of our local partners, NRDC will conduct independent drinking water tests in the coming months. We will continue the collaborative approach used during the sediment testing and publish the results, along with an accessible interpretation, as quickly as possible. If the results demonstrate a potential threat to human health, we will work with our local partners to develop a strategic action plan to press federal and state authorities to take appropriate action. In addition, as before, we will issue a public health advisory that makes recommendations on how residents can protect themselves.

3. Monitoring air quality

In close collaboration with our community partners, NRDC also conducted mold sampling in various parts of New Orleans last fall. We discovered that the levels of mold spores in the outdoor air in New Orleans were high enough to pose a serious health threat, especially for people with mold allergies or weakened respiratory systems.

We also found dangerously high levels of mold spores inside homes, and discovered that simply washing walls with bleach (as many residents were being told to do) did not solve the problem. We published the test results on our Web site, conducted public presentations, and generated extensive national and local news coverage. We also issued an advisory that made specific recommendations on how returning residents can safely remove mold from their homes.

4. Demolition and debris disposal

As the city of New Orleans and other Gulf Coast communities continue their efforts to recover and rebuild, one of the most daunting challenges will be dealing with the mountain of solid waste left behind by the storm. The debris includes vegetation, ruined structures, vehicles, household items (including toxic wastes), commercial waste, and numerous other materials.

Of particular concern over the coming months will be the fate of the thousands of residential and commercial structures that need to be demolished and disposed of to make way for reconstruction. Many of these buildings may contain hazardous materials, such as asbestos and household waste. Gulf Coast officials have disproportionately depended on landfills as a means of managing post-Katrina



debris. The state of Louisiana also expressed an interest in relying on open burning as one means of disposing of demolition waste. Our coalition is concerned about the potential for serious short- and long-term public health problems that would likely result from these practices.

We have been working with local experts and advocates to support efforts to ensure that debris is managed and disposed of in a manner that is consistent with the long-term health of local communities and the principles of environmental justice. Among other things, we advocated for integrating recycling and reuse efforts in debris management planning, and for appropriately handling and disposing of any waste containing hazardous materials.

We will continue to call for proper debris disposal and support local community projects. We will also continue to work to ensure that waste management decisions are made with full public participation. Debris management decisions should not add to the human health threats and environmental injustices already suffered by many low-income and people of color communities.

The Future of NRDC's EJ Work

NRDC is committed to continuing to work with local partners to address the public health threats triggered by Hurricane Katrina and ensure that the rebuilding process embraces full community involvement, is environmentally safe and equitable, and will create a secure future for returning residents. As cities in Louisiana, Mississippi, and Texas rebuild after Hurricanes Katrina and Rita, it is critical that local citizens be fully informed about the risks they face and lead the cleanup and rebuilding decision-making process. To this end, NRDC remains committed to seeing through the rebuilding process and continually providing scientific, legal, policy, and communications assistance, as necessary, to support communities.

As part of a deepening commitment to EJ that will expand to encompass critical EJ efforts elsewhere around the country, NRDC is currently engaged in more aggressive planning to expand and duplicate this Katrina model for our EJ work throughout our organization. In addition, we look forward to forging more transformative alliances with other communities engaged in EJ struggles around the country. As the influential essay "The Soul of Environmentalism" stated, mainstream environmentalism has a soul that is "deeply tied to human rights and social justice, and this tie has been nurtured by the environmental justice movement." NRDC looks forward to further nurturing the "soul of environmentalism" through our continued EJ work.

Albert Huang and Patrice Simms are attorneys at NRDC. Dimple Chaudhary is an Urban Fellow at NRDC.

NOTES

1. Available on the Web at www.nrdc.org/health/effects/katrinadata/contents.asp.
2. See www.nrdc.org/health/effects/katrinadata/contents.asp.

About NRDC: Over the past three decades, NRDC has been a catalyst for improving environmental policy in the United States. Our vision is one of a sustainable world where human communities can be maintained indefinitely without causing the degradation of the biosphere. NRDC pursues this vision by designing policy solutions for genuine, lasting change—such as reducing or eliminating toxic chemicals at the source—and putting them into place through advocacy, litigation and direct negotiations. Although NRDC remains engaged in changing national environmental policy, we have become increasingly focused on the importance of local, community-based work. In particular, it has become clear that a national organization such as NRDC has useful tools to offer to local community groups; in turn, local struggles can build critical momentum and awareness that ultimately can change national policy.