

# Southwest Network for Environmental & Economic Justice

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Richard Moore

July 31, 1991

Honorable William K. Reilly, Administrator  
U.S. Environmental Protection Agency  
Washington, D.C. 20460

Dear Mr. Reilly:

We are writing you at a very critical time in history when we are facing an enormous national and global environmental crisis. We feel, as you no doubt will agree, that the United States Environmental Protection Agency must play a crucial role now and in the coming years to address this tremendous challenge. We are writing you in the sincere hope that we can work together to meet this challenge.

We are writing on behalf of the Southwest Network for Environmental and Economic Justice, a multi-cultural, multi-national organization representing hundreds of organizations and individuals throughout the southwestern United States. In taking this initiative, we believe that we speak to concerns which are shared by millions of people throughout the United States.

It has been well documented that people of color in the United States suffer disproportionately from toxic contamination. We are deliberately targeted through racism, sexism and a lack of economic and social justice. The result has been genocide of indigenous people and other people of color and the continued threatening of future generations. Children, the elderly and women - especially women of color - are the poorest of the poor and are paying the highest price from pollution with increased work and health problems and economic devastation.

The military, industry, agribusiness and governments (at all levels) are the major polluters in our communities. The severe economic impacts include loss of resources - clean water, land, air and our communities. We suffer deterioration of health related to workplace hazards and environmental degradation. In the Southwest, our lifestyles are in jeopardy; the water we use daily in our religious ceremonies and to water our crops is polluted. Our children are bearing the brunt of the poisoning of our communities. Some examples follow.

\* Children living around military installations have higher rates of cancer and other illnesses. In Albuquerque's inner Rio Grande valley, an infant almost died from drinking one

bottle of formula mixed with contaminated water from their well, downstream from Kirtland Air Force Base.

- \* Three out of five of the largest commercial hazardous waste landfills in the U.S., with numerous environmental violations, are located in communities of color, including the world's largest hazardous waste landfill at Emelle, Alabama.
- \* Navajo teenagers have organ cancer seventeen times the national average. Uranium spills on Navajo land have contaminated their water, air and soil. Little if any measures have been taken to determine the extent of contamination on the people and on the environment. They report instances of deformed livestock. The Havasupai, residents of the Grand Canyon, have been resisting the permitting of United Nuclear by the U.S. Forester General to mine uranium on their sacred lands.
- \* 50% of the children suffering from lead poisoning (resulting in low attention rates, limited vocabulary, behavioral problems and shortened lifespans) are African American. Although the dangers of lead poisoning are well documented, children in housing projects in Dallas and across the country still live with lead-based paint on their walls.
- \* Children of farmworkers have suffered birth defects due to the spraying of pesticides on their mothers during the early stages of pregnancy. Two year old Jose Luis Gonzalez of McFarland, California was born with cleft hands which has been attributed to pesticides being sprayed on grapes harvested by his mother.
- \* In and around farmworker communities, children with cancer are common. In Earlimart, California, the children are being afflicted at 12 times the expected rate. Last year three year old Jimmy Caudillo from Earlimart died from leukemia attributed to pesticide exposure. Says his mother, "we are surrounded by fields, we work on them, and the pesticides are harming our families."
- \* Children whose mothers have worked in high tech industry using dangerous chemicals have high rates of birth defects, are born prematurely and suffer lower birth weights. In Albuquerque, NM, children of women who unknowingly used dangerous chemicals at the GTE Lenkhurt facility have weighed only 20 to 22 pounds at 5 and 6 years of age.
- \* Children suffer loss of family due to the disablement or death of a parent due to work-related and community poisoning. A Chicana in Albuquerque working at a microelectronics plant was poisoned by deadly toxins, including plutonium. She has lost her health, her income, and her ability to raise her child. Her marriage has failed due to the stress of her illness and she

worries about her child's future. 16 women who were poisoned by GTE in Albuquerque have died; many more have suffered from cancers and central nervous system damage. Several women in Tucson, Arizona have died - leaving many orphans - due to groundwater contamination caused by Hughes Aircraft.

- \* Children suffer loss of basic human needs - decent shelter, nutritious food, health care, and a decent education when a polluting industry "runs away" from demands for decent and healthy jobs and a clean environment. In Las Vegas, New Mexico, 52 fiberboard workers were fired when they went on strike for a livable income, a healthy and safe workplace and a clean environment in their community downstream from the plant. The company is blackmailing the community, threatening to move elsewhere if the workers and residents demand higher wages and environmental regulation.

These are a few of many examples of the environmental racism which we face on a daily basis in the Southwest and throughout the United States.

Since the inception of the United States Environmental Protection Agency, we have requested assistance from the Agency to alleviate these disproportionate impacts from which we suffer. To the discredit of the EPA, we have seen many requests and pleas fall on deaf ears. Moreover, we have seen the EPA pursue policies which themselves have been detrimental to us and to communities of people of color in general.

The following are a few examples of the lack of accountability on the part of the EPA towards communities of color:

- \* Despite the fact that for years it was known that lead poisoning inordinately impacts inner-city youth - primarily youth of color - no action was taken by the EPA until studies confirmed that suburban children were impacted by lower levels of the same poison. Prior to the EPA's finally taking action on this issue in 1984, the Agency went so far as to side with oil refiners when they attempted in court to roll back restrictions on the lead content of gasoline. The court, to its credit, argued that the restrictions already in place were not strong enough.
- \* In 1982 a top Agency administrator halted an EPA lawsuit against Dixie Smelter in south Dallas after it was determined that a settlement would hinder efforts of the Reagan Administration to limit restrictions on gasoline lead content. The permanent severe disablement of African American and Chicano children in the area has been widely attributed to lead emissions from the facility. The EPA went on to instruct affected residents to grow grass (in order to keep dust levels down) and to simply stay indoors.

- \* When it was determined that residents of the predominantly white Times Beach and Love Canal communities were walking on low levels of dioxins which were contaminating the soil (with corresponding cancer risks ranging from one in one million to one in one billion), the EPA, to its credit, moved quickly to buy out these communities and relocate residents. The Agency successfully sued the responsible parties - Syntex and Occidental Petroleum - for hundreds of millions of dollars. However, when so-called "subsistence populations downstream" (read communities of color) are poisoned by eating local fish contaminated with high levels of dioxins from nearby bleached paper mills (with unheard of cancer risks of two in ten), the EPA response has been simply "don't eat the fish".
- \* In 1982, the EPA fought against civil rights organizations in Warren County, North Carolina who contested the disposal of PCB-contaminated road surface soil near local African American communities (as opposed to a location near a predominantly middle class section of Charlotte). This disposal served to destroy land values in the nearby communities. The EPA went beyond merely failing to address the racist nature of the siting of the landfill - it actually argued in court that, even if such sites are in communities of color, it is not in the statutes to be taken under consideration.
- \* From 1979 until the present the EPA has consistently sandbagged farmworkers, farmworker communities and the general public by failing to develop comprehensive pesticide regulations. The EPA has claimed that it has inadequate information regarding the health and environmental impacts of pesticide spraying. However, the Agency has never requested funding for adequate epidemiological studies which would provide it with such information. EPA has been promising these regulations to the public for over twelve years. Meanwhile, EPA has only 4 staffpersons working on pesticide regulation development and enforcement as these relate to farmworkers (we would argue that 400 or more are needed), compared with over 50 working to protect predominantly middle-class single family homeowners from radon contamination. EPA has capitulated to agribusiness in the course of developing the regulations. By placing enforcement authority at the state level (often state agricultural departments or agencies controlled by growers), the final regulations may not be enforced at all.
- \* Despite a staff recommendation in 1988 to ban parathion from use as a pesticide, the EPA sat on the issue through that election year, and is only now taking steps to end parathion use. Meanwhile, four farmworkers have allegedly died from exposure to the chemical.

- \* To its credit, the EPA Superfund Program seeks to involve those affected by contamination in the process through public hearings, technical assistance funding and the promotion of local community organizations. However, the Program presupposes that affected communities automatically have access to the lawyers and other professionals needed to effectively implement the Program. Moreover, the Technical Assistance Grant program of Superfund often requires state and local matching fund requirements which can be used against communities of color, depending on the politics of the state and area in question and the amounts of matching money and inkind resources needed.
- \* The McFarland, California Childhood Cancer Cluster is an area where farmworker families live in a federally-funded housing tract, built right on top of a highly contaminated site previously used as a pesticide dump. Despite this, EPA has taken no steps to relocate residents from the area. In fact, the Agency has failed to release results of tests made in 1989 to residents in the affected area.
- \* In Kettleman City, California, EPA has just approved a permit to expand the Chem Waste Management hazardous waste landfill. This toxic dump is the largest such facility in the western United States, and is located in a Latino farmworker community. No hearing was held in the community on the permit proposal. The Agency has also encouraged CWM to pursue a hazardous waste incinerator application in Kettleman, over the strenuous objections of the community, which has been systematically excluded from real participation in the permitting process.
- \* Mexican and Mexican American communities along the Mexico-U.S. border have been burdened by pollution from maquiladora and agricultural sources for many years. The growth of communities caused by the development of the maquiladoras over the past twenty-five years has not been accompanied by basic infrastructural development in many areas, leading to Third World health conditions and high rates of gastrointestinal and other diseases. Petrochemical, microelectronic and other industries carry with them the potential for catastrophic accidents in nearby communities, in addition to ongoing workplace hazards. In spite of this, it was only when the Bush Administration began to push for a free trade agreement with Mexico that EPA did anything to study and address the poisoning of communities in the border region.
- \* EPA has taken it upon itself to lobby for U.S. government financial subsidy of so-called "debt for nature swaps". These are exchanges where Third World countries sign over lands to conservation groups in exchange for creditor agreements to erase a portion of that country's debt. In other cases the debt is purchased at reduced rates; the creditors can then write it off.

This action by the Agency legitimizes the Third World "debt" and furthers the continued expropriation of resources from Third World countries to the United States. "Debt for nature" erodes the basic sovereignty rights of people in these countries, especially those of indigenous peoples living on land involved in the "swaps." The "swaps" turn conservation groups into creditors to people of color abroad. They further help to let off the hook those U.S. financial institutions which created the "debt" in the first place and which continue to profit from it; in some cases banks are prime beneficiaries in these "swaps."

- \* The EPA is pursuing significant efforts to address severe environmental degradation problems in Eastern Europe. While this appears to be a noble gesture, the Agency is neglecting similar problems caused by multinational corporations and other U.S. entities in the Third World, in addition to failing to deal with those which impact people of color at home.

These policies and practices are not only unacceptable, but are contributing to environmental degradation, illness and death in our communities.

According to the EPA Journal, the "EPA is charged by Congress to protect the Nation's land, air and water systems. Under a mandate of national environmental laws focused on air and water quality, solid waste management and the control of toxic substances, pesticides, noise and radiation, the Agency strives to formulate and implement actions which lead to a compatible balance between human activities and the ability of natural systems to support and nurture life."

The EPA is not living up to its mandate. EPA activities, or lack thereof, show that the Agency is unable or unwilling to formulate and implement actions which support and nurture the lives and livelihoods of people of color. Clearly, institutional racism runs rampant at the Environmental Protection Agency.

We are aware of the very recent initiatives which the EPA has been forced to take to address its discriminatory policies in the field such as the Environmental Equity Workgroup, the Urban Environmental Initiative and the financial support being given to academic institutions serving people of color. However, the Environmental Equity Workgroup does not even appear in the Agency's budget and Strategic Plans. The Workgroup has only one paid staffperson working quarter-time nationally; EPA regional staff have been asked to volunteer their time towards the pursuit of the Workgroup's stated mission. Furthermore, all of these initiatives emphasize the study of these issues, when action could be readily taken through regular Agency channels to address and alleviate many aspects of the poisoning of communities of color. We consider these initiatives to be token gestures at best, designed for maximum public consumption.

We are also aware, Mr. Reilly, of public statements you have made on these issues, such as your speech on the occasion of Martin Luther King Day this year in Atlanta, at which you planted a tree "...as a reminder of our obligation to work for environmental equity." There, you stated "I have a dream that one day the poor and disadvantaged will be assured the same protection from lead poisoning and hazardous waste and pesticide contamination as are this country's more fortunate citizens...that one day America will truly be for all people a land of 'beautiful for spacious skies...from sea to shining sea.'"

Mr. Reilly, we are asking you to wake up. The track record of the EPA towards people of color speaks for itself; the cases discussed herein are but a few of hundreds of examples of the unequal protection and selective enforcement practices of the Agency. We conclude that both you, the EPA and President Bush are promoting environmental racism in the United States through the environmental and economic policies which you pursue.

We respectfully request that:

- \* within sixty (60) days a meeting between yourself and our representatives take place in the Southwest at a mutually agreeable location where we will discuss the points raised herein and concrete, decisive and adequately-resourced measures which the Agency will take to address these concerns, and;
- \* the Agency deliver to us within thirty (30) days a concise description of the process in which decisions are made to act to address and alleviate environmental degradation in communities composed of people of color, and;
- \* the Agency deliver to us within thirty (30) days a concise description of actions being taken to address and alleviate specific cases of environmental degradation in communities composed of people of color, including but certainly not limited to all information pertaining to the Environmental Equity Workgroup, and;
- \* the Agency deliver to us within thirty (30) days a concrete listing of all specific cases in which the Agency has chosen not to take action to address and alleviate environmental degradation in communities composed of people of color, and the rationale for doing so, and;
- \* the Agency deliver to us within thirty (30) days a concrete listing of all specific cases in which the Agency has used its own funds to clean up contamination when industrial, military, agricultural or other responsible polluters could have paid the bill, and the rationale for doing so, and;

\* within six (6) months the EPA develop and implement policies which will guarantee the full, ongoing and meaningful participation of those directly affected by environmental degradation in any and all workgroups designed to address discriminatory EPA policies in the field, and that these participants be chosen by those directly affected, their organizations and communities.

In closing, we look forward to working together to assure that the U.S. Environmental Protection Agency carries out its mandate and obligation to treat people of color equally as provided by law, and to be accountable to those communities most directly affected by toxic poisoning. Like you, Mr. Reilly, we have a dream, and await your prompt reply.

Sincerely,

  
Richard Moore, Co-Chair  
Albuquerque, New Mexico

  
Ruben Solis, Co-Chair  
San Antonio, Texas

  
Rose Augustine  
Tucson, Arizona

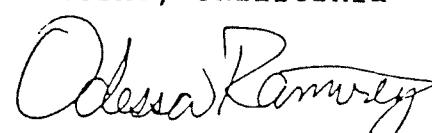
  
Cynthia Hamilton, Ph.D.  
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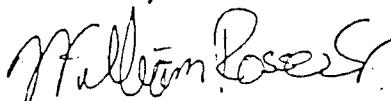
  
Marta Salinas  
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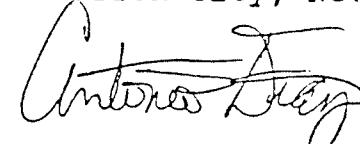
  
Ernie Witt  
Richmond, California

  
Mike Maes  
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xc: President George Bush  
Daniel W. McGovern, Administrator, EPA Region 9  
James J. Scherer, Administrator, EPA Region 8  
Robert E. Layton, Administrator, EPA Region 6  
Hon. Jaime B. Fuster, Chairman, Congressional Hispanic Caucus  
Hon. Ronald V. Dellums, Chairman, Congressional Black Caucus  
Senator Daniel K. Inouye, Chairman, Senate Select Committee on  
Indian Affairs

\*Hon. Toney Anaya, Former Governor, State of New Mexico  
Juan Mirelez, National Chairman, American GI Forum  
Peggy Saika, Director, Asian American Law Caucus  
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Judy Canales, President, Mexican-American National Women's Association  
\*Gail Small, Esq., Executive Director, Native American Action  
Dr. Benjamin Hooks, Executive Director, National Association for the Advancement of Colored People  
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Tom Gomez, President, National Image, Inc.  
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\*Syngman Rhee, President, National Council of Churches  
Barbara Thompson, General Secretary, General Commission on Religion and Race of the United Methodist Church  
Jaydee Hanson, Associate General Secretary for Ministry of God's Creation, General Board of Church and Society of the United Methodist Church  
\*The Rev. Dr. Benjamin Chavis, Executive Director, United Church of Christ Commission on Racial Justice  
William Somplatsky-Jarman, Co-Chair, Eco-Justice Working Group of the National Council of Churches  
The Rev. James Bell, Executive Director, Interfaith Impact for Justice and Peace

\* Listed in their capacities both as leaders of the accompanying institutions and organizations, and as Co-Chairs of the National Advisory Committee for the First National People of Color Environmental Leadership Summit.

