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## BRIEFING PAPER ON ENVIRONMENTAL EQUITY

### I. Topic: Environmental Equity.

In recent years, it has become increasingly apparent that environmental problems disproportionately affect racial minority and low income communities. These severe impacts, whether resulting from lead paint residues, high urban carbon monoxide and smog levels, toxic emissions from industrial plants, the siting of solid and hazardous waste landfills in or near low income communities, or other sources, may help explain clear differences between racial groups in disease and death rates. The issues involved in addressing these impacts collectively have come to be known as environmental equity.

The Clinton-Gore campaign has already made it clear that environmental protection and economic growth are not contradictory, but go hand-in-hand. Nowhere is this more true than in the need to achieve environmental equity. Environmental problems in poor communities should be addressed like other environmental problems: as matters of public health. Improving the quality of life and reducing the adverse health impacts associated with environmental problems in low income communities will contribute to greater productivity and economic growth.

### II. History of Problem.

Factories and waste facilities have long been sited in areas where land is relatively inexpensive. Poor people, often minority poor people, live in or near these areas. Studies now show that they have suffered higher exposures to pollutants, and therefore more adverse health effects, than other populations. In addition, as the interstate highway system was expanded in the 1960s and 1970s, routing went through the center of many minority communities, creating automotive-based pollution and breaking the communities apart. As environmental laws became more prevalent in the 1970's and 1980's, industry portrayed compliance as so expensive that it forced the closing of plants, particularly older, inner-city plants. The jobs that were lost were often those held by people of color, who consequently came to regard the environmental laws as at odds with their interests. Minorities therefore suffer the inequities of poor health from location near plants and hazardous waste facilities, and perceive that they have lost jobs because of environmental laws.

### III. Current Status/Recent Developments.

Attention is finally being paid to issues of environmental equity. On July 22, 1992, EPA issued a report entitled Reducing Risk: Setting Priorities and Strategies for Environmental Protection. EPA Administrator Reilly established an Environmental Equity Cluster and an Environmental Equity Office to elevate the importance of the issue.

As part of its Centennial Celebration in May, 1992, the Sierra Club stressed a focus on how minority interests will be incorporated into the environmental movement. A Committee of the American Bar Association held a conference in May, 1992 on the role of the organized bar in issues of environmental racism and equity. The National Lawyers Committee For Civil Rights Under Law has initiated a program on environmental equity, to address the intersection of civil rights and environmental laws. In 1991, the First People of Color Environmental Leadership Summit was held.

The issue of environmental equity and racism is referred to in Vice-Presidential candidate Gore's book, Earth in the Balance (p. 179-80, and 290-91). Senator Gore has also sponsored (along with Representative John Lewis in the House) the Environmental Justice Act of 1992, intended primarily to collect data on the inequitable impacts of environmental pollution, and to begin to address those impacts.

#### IV. Major Predictable Events in Next Few Weeks/Months.

As a result of the above-noted EPA Report, the Administration may begin to publicize its concerns about environmental equity. EPA announced, at the time the report was issued, that it is establishing an Environmental Equity Cluster of senior staff people to develop agency policies to address differential risk and a long-term agenda for action; forming an Environmental Equity Office to deal with environmental impacts on racial minority and low income communities; and continuing to run a Minority Academic Institutions program. In certain places, the potential of these programs will be stressed.

The Lawyers' Committee will over the next two months hire a director to form and press its program. That program may begin to catalyze action throughout the country.

#### V. Key Issues and Analysis.

The general problem of environmental equity has now been identified. The key issues are to develop specific approaches to address the concerns, such as considering the problems in the permitting process for building new landfills and factories. At the same time, concerns of both the majority and minority communities that environmentalism means loss of jobs need to be addressed. In addition, the use of important national resources like National Parks, and the importance of the environment to the world community, should be included in the definition of the issue.

The issues can most effectively be addressed with specific ideas for a program. Importantly, Clinton/Gore are far more credible, both on environmental issues, and on concern about people of color and the poor, than the current EPA. An effective

program to achieve environmental equity and justice, and eliminate environmental racism, can include:

- Specific support for the Environmental Justice Act of 1992, co-sponsored by Senator Gore.

- Helping minority and poor persons to become politically empowered so that we will "empower new environmental stewards in areas where they are needed the most." (Gore, Earth in the Balance, at 179-80). Steps include making available technical support and lawyers to enable citizens to evaluate and participate in decision-making affecting their health and environment; providing education to citizens about environment and health; and developing non-adversary approaches to environmental protection.

- Implementing environmental protection programs so that they create jobs, and filling such jobs with persons from low income communities.

- Cooperating with state and local communities to develop guidelines for and approaches to siting of hazardous waste and similar facilities outside of minority communities, and to move or close those facilities that create nuisances and health hazards. This goal can be achieved in part by pollution prevention to reduce and eliminate environmental hazards.

- Developing strict standards, and giving special attention to enforcing those standards, for pollution problems that particularly affect people of color and the poor, such as lead emissions.

- Incorporating environmental equity in risk assessment activities undertaken pursuant to every environmental statute (Clean Air Act, Clean Water Act, Resource Conservation and Recovery Act, Comprehensive Environmental Response, Compensation and Liability Act, etc.).

- Emphasizing the environmental interrelatedness of the world community, including developing nations.

- Including people of color in appointments to environmental agencies.

#### VI. Administration Policy.

EPA has issued a report identifying problems of environmental equity, and established two staff working groups to seek solutions (see above, Par. IV). However, no specific steps are proposed to address the recognized problems. Moreover, even if there were such proposals, the Competitiveness Council has

blocked regulations that could benefit people in low income communities, such as rules restricting lead emissions. Administrator Reilly's statement of concern is also seriously weakened by the Administration's generally poor performance in the areas of the environment and civil rights.

VII. Likely Questions and Draft Answers.

Q. People of color need jobs. Won't an emphasis on environmental regulations eliminate jobs?

A. Environmental protection creates many new jobs, as, for example, development and manufacture of pollution control equipment. In addition, we may seek to develop a modern version of the Civilian Conservation Corps, that sent our young people into the National Parks to maintain the parks and build trails and other facilities there.

Q. Hazardous waste sites have to go somewhere. If you move them from minority communities, where will they go?

A. The obligation to address environmental problems must be shared by all our people. Moreover, reducing waste, and the need for sites, is a component of a sound environmental program. Through pollution prevention programs, the need for such facilities may be reduced and we all benefit.

Q. Since the Administration has recognized the problem, what additional efforts can Clinton-Gore make to solving it, and at what cost?

A. Recognition of the problem has been extremely slow, and no affirmative steps have been proposed to address it. Senator Gore has already demonstrated his commitment to this issue through the introduction of his legislation. A greater involvement of minorities in environmental protection -- both in private organizations and the government -- will help to bring a higher profile to this issue. There are no government costs in elevating this issue to the importance it deserves -- as a component of all decisions affecting the environment.