

# Tainted 'justice' at the EPA

**A proposed policy ignores pollution's effects on low-income and minority communities in deciding which areas need help.**

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**T**HE ENVIRONMENTAL Protection Agency quietly released a draft plan in July on "environmental justice" — how to deal equitably with the effects of environmental problems on communities of people. But, in fact, the proposed policy ignores race and income — two main factors — in identifying areas that need help. The EPA instead takes a sort of "colorblind" approach. That might not be an issue if all communities were equally affected. But they are not.

The disproportionate exposure of minority and low-income communities to environmental hazards has been amply documented, particularly in Southern California.

In Los Angeles County, for instance, a research team from Occidental College and UC Santa Cruz found that African Americans are about 1½ times more likely and Latinos twice as likely as whites to be living in neighborhoods near hazardous waste treatment, storage, transfer and disposal facilities. The pattern isn't simply a result of minorities and low-income residents choosing to move to cheaper, but higher-risk, neighborhoods. These researchers also found that such facilities were usually placed in neighborhoods already predominantly minority and working class.

**T**HE PATTERN of inequity holds for air pollution. In the five-county Southern California region, African Americans are a third more likely and Latinos are nearly twice as likely than whites to be living in a neighborhood containing a facility that emits what the EPA terms "high-priority pollutants."

And in a recent California-wide analysis that used EPA data, researchers from Occidental, UC Santa Cruz and Brown University found that California census tracts with the highest estimated cancer risk were about two-thirds racial or ethnic minorities.

The reasons for the disparity are complex, but one important factor is the lack of political power in many low-income and minority communities. Projects more environmentally damaging are often placed where they will meet the least resistance. Low-income communities are less likely to vote and less likely to know how to influence decision-makers.

A 1994 presidential executive order mandated action to address the inequities. Although progress was sometimes halting under the Clinton administration, environmental justice advocates generally felt they were at least given access to the policy-making process.

Environmental justice, however, seems to have stalled under the Bush administration. The EPA's inspector general issued a report last year criticizing the agency for failing to follow the intent of the 1994 executive order. The agency's advisory committee on environmental justice has not met in more than 18 months.

The draft plan seems to continue the EPA's recent move away from environmental justice. Meanwhile, the public review of the proposal appears to have been designed to minimize objections. A woefully inadequate 15-day public comment period — extended 12 days after protests by 70 congressional Democrats, among others — was provided, but no public hearings were held.

California, a state where "minorities" constitute a majority and where the data on environmental inequality by race and income is clear, has a special interest in persuading the EPA to rethink its approach. State officials have launched comprehensive efforts to further document disparities, calculate risks and find solutions. The South Coast Air Quality Management District has likewise adopted guidelines so that populations of color and low-income neighborhoods will not continue to be the dumping ground for a disproportionate amount of pollution.

The EPA's "colorblind," one-size-fits-all proposal would turn back the clock and threaten the substantial progress by state and local officials and community groups in California. The EPA's environmental justice responsibilities must include a proactive effort to address cumulative or multiple adverse effects on minority and low-income communities. The future of millions of our residents is at stake.

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