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Testimony of

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Environmental Justice

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Good afternoon. My name is Robert D. Bullard and I direct the Environmental Justice Resource Center at Clark Atlanta University in Atlanta, GA. Madam Chairwoman and members of the Subcommittee, I want to first thank you for the opportunity to appear before you today at this historic Senate Subcommittee Hearing on Environmental Justice and to share with you some of the recent research and policy work

my colleagues and I have completed on environmental justice, toxic wastes and race, and government response to the needs of low-income and people of color populations. For the past three decades I have researched, worked on, lectured about, testified at public hearings and in court, and written on environmental justice policy issues in the United States and abroad. I have traveled in hundreds of communities from New York to Alaska and seen with my own eyes and heard with my own ears enough environmental justice “horror” stories to fill a dozen of my books.¹

The environmental justice movement has come a long way from its humble beginnings in rural and mostly African American Warren County, North Carolina.² It has now been twenty-five years since the controversial 1982 decision to dump 40,000 cubic yards (or 60,000 tons) of soil in the mostly black county. The soil was

¹ See R.D. Bullard, *Invisible Houston: The Black Experience in Boom and Bust*. College Station: Texas A&M University Press, 1987; R.D. Bullard, *Dumping in Dixie: Race, Class and Environmental Quality*. 3rd ed., Boulder: Westview Press, (1990, 1994), 2000; R.D. Bullard, (ed.), *Confronting Environmental Racism: Voices From the Grassroots*. Boston: South End Press, 1993; R.D. Bullard, (ed.), Bullard, R.D., J. Eugene Grigsby, III, and Charles Lee, *Residential Apartheid: The American Legacy*. UCLA Center for African American Studies, 1994; *Unequal Protection: Environmental Justice and Communities of Color*. 2nd ed. San Francisco: Sierra Club Books, 1996; R.D. Bullard and G.S. Johnson, eds., *Just Transportation: Dismantling Race and Class Barriers to Mobility*. Gabriola Island, BC: New Society Publishers, 1997; R.D. Bullard, G.S. Johnson, and A.O. Torres, eds., *Sprawl City: Race, Politics and Planning in Atlanta*, Washington, DC: Island Press, 2000; J. Agyeman, Robert D. Bullard, and Bob Evans, *Just Sustainabilities: Development in an Unequal World*. MIT Press, 2003; R.D. Bullard, G.S. Johnson, and A.O. Torres, *Highway Robbery: Transportation Racism and New Routes to Equity*. Boston: South End Press, 2004; R.D. Bullard, (ed.), *The Quest for Environmental Justice: Human Rights and the Politics of Pollution*. Sierra Club Books, 2006; R.D. Bullard, *Growing Smarter: Achieving Livable Communities, Environmental Justice and Regional Equity*. MIT Press, 2007; and R.D. Bullard, *The Black Metropolis in the Twenty-First Century: Race, Power, and the Politics of Place*. Rowman & Littlefield, 2007.

² See R.D. Bullard, *Dumping in Dixie: Race, Class and Environmental Quality*. Boulder: Westview Press, 2000.

contaminated with the highly toxic polychlorinated biphenyls (PCB) illegally dumped along 210 miles of roadways in fourteen North Carolina counties in 1978. The roadways were cleaned up in 1982.

Warren County won the dubious prize of hosting the toxic dump. The landfill decision became the shot heard around the world and put environmental racism on the map and the catalyst for mass mobilization against environmental injustice. Over 500 protesters were arrested, marking the first time any Americans had been jailed protesting the placement of a waste facility.

After waiting more than two decades for justice, victory finally came to the residents of predominately black Warren County when detoxification work ended the latter part of December 2003. State and federal sources spent \$18 million to detoxify contaminated soil stored at the PCB landfill.

After mounting scientific evidence and much prodding from environmental justice advocates, the EPA created the Office of Environmental Justice in 1992 and produced its own study, *Environmental Equity: Reducing Risks for All Communities*, a report that finally acknowledging the fact that low-income and minority populations shouldered greater environmental health risks than others.³

In 1992, staff writers from the *National Law Journal* uncovered glaring inequities in the way the federal EPA enforces its laws. The authors found a “racial divide in the way the U.S. government cleans up toxic waste sites and punishes polluters. White communities see faster action, better results and stiffer penalties than communities where

³ United States Environmental Protection Agency. Release of Environmental Equity Report. Press Release. 1992, <http://www.epa.gov/history/topics/justice/01.htm>. (accessed 1/16/2007).

blacks, Hispanics and other minorities live. This unequal protection often occurs whether the community is wealthy or poor.”⁴ These findings suggest that unequal protection is placing communities of color at special risk and that their residents who are differentially impacted by industrial pollution can also expect different treatment from the government.

On February 11, 1994, environmental justice reached the White House when President Clinton signed Executive Order 12898, “*Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations.*”⁵ The EPA defines environmental justice as: “The fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations and policies. Fair treatment means that no group of people, including racial, ethnic, or socio-economic groups should bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations or the execution of federal, state, local, and tribal programs and policies.”⁶

Numerous studies have documented that people of color in the United States are disproportionately impacted by environmental hazards in their homes, neighborhoods, and workplace. A 1999 Institute of Medicine study, *Toward Environmental Justice: Research, Education, and Health Policy Needs*, concluded that low-income and people of color communities are exposed to higher levels of pollution than the rest of the nation and

⁴ Marianne Lavelle and Marcia Coyle, "Unequal Protection," *National Law Journal*, September 21, 1992, pp. S1-S2.

⁵ Presidential Memorandum (William J. Clinton) Accompanying Executive Order 12898 (February 11, 1994).

⁶ U. S. Environmental Protection Agency. *Guidance for Incorporating Environmental Justice in EPA's NEPA Compliance Analysis*. Washington, DC: USEPA, 1998.

that these same populations experience certain diseases in greater number than more affluent white communities.⁷

A 2000 study by *The Dallas Morning News* and the University of Texas-Dallas found that 870,000 of the 1.9 million (46 percent) housing units for the poor, mostly minorities, sit within about a mile of factories that reported toxic emissions to the U.S. Environmental Protection Agency.⁸

Even schools are not safe from environmental assaults. A 2001 Center for Health, Environment, and Justice study, *Poisoned Schools: Invisible Threats, Visible Action*, reports that more than 600,000 students in Massachusetts, New York, New Jersey, Michigan and California were attending nearly 1,200 public schools, mostly populated by low-income and people of color students, that are located within a half mile of federal Superfund or state-identified contaminated sites.⁹

EPA Response to Environmental Justice Needs

Thirteen years after the signing of Executive Order 12898, environmental justice still eludes many communities across this nation. In its 2003 report, *Not in My Backyard: Executive Order and Title VI as Tools for Achieving Environmental Justice*, the U.S. Commission on Civil Rights (USCCR) concluded that “Minority and low-income communities are most often exposed to multiple pollutants and from multiple sources. . . . There is no presumption of adverse health risk from multiple exposures, and

⁷ Institute of Medicine, *Toward Environmental Justice: Research, Education, and Health Policy Needs*. Washington, DC: National Academy of Sciences, 1999, Chapter 1.

⁸ See “Study: Public Housing is Too Often Located Near Toxic Sites.” *Dallas Morning News*, October 3, 2000.

⁹ See the Center for Health, Environment, and Justice, *Poisoned Schools* report (2001) found at http://www.bredl.org/press/2001/poisoned_schools.htm.

no policy on cumulative risk assessment that considers the roles of social, economic and behavioral factors when assessing risk.”¹⁰

A March 2004 EPA Inspector General report, *EPA Needs to Conduct Environmental Justice Reviews of Its Programs, Policies, and Activities*, concluded that the agency "has not developed a clear vision or a comprehensive strategic plan, and has not established values, goals, expectations, and performance measurements" for integrating environmental justice into its day-to-day operations.¹¹

In July 2005, the U.S. Government Accountability Office (GAO) criticized EPA for its handling of environmental justice issues when drafting clean air rules. That same month, EPA proposed major changes to its Environmental Justice Strategic Plan. This proposal outraged EJ leaders from coast to coast. The agency’s Environmental Justice Strategic Plan was described as a "giant step backward."¹² The changes would clearly allow EPA to shirk its responsibility for addressing environmental justice problems in minority populations and low-income populations and divert resources away from implementing Executive Order 12898.

The agency then attacked community right-to-know by announcing plans to modify the Toxic Release Inventory (TRI) program—widely credited with reducing toxic

¹⁰ U.S. Commission on Civil Rights, *Not in My Backyard: Executive Order 12898 and Title VI as Tools for Achieving Environmental Justice*. Washington, DC: U.S. Commission on Civil Rights, 2003, p. 27.

¹¹ U.S. EPA Office of Inspector General, *EPA Needs to Consistently Implement the Intent of the Executive Order on Environmental Justice*. Washington, DC: GAO, September 18, 2006.

¹² Robert D. Bullard. EPA's Draft Environmental Justice Strategic Plan -- A "Giant Step Backward." (7/15/2005). *Environmental Justice Resource Center*, <http://www.ejrc.cau.edu/BullardDraftEJStrat.html>.

chemical releases by 65 percent.¹³ In December 2006, the EPA announced final rules that undermine this critical program by eliminating detailed reports from more than 5,000 facilities that release up to 2,000 pounds of chemicals every year; and eliminating detailed reports from nearly 2,000 facilities that manage up to 500 pounds of chemicals known to pose some of the worst threats to human health, including lead and mercury.

In September 2006, EPA's Inspector General issued another report chastising the agency for failing to "conduct environmental justice reviews of its programs, policies, and activities."¹⁴

And in June 2007, the U.S. General Accountability Office (GAO) issued yet another report, *Hurricane Katrina: EPA's Current and Future Environmental Protection Efforts Could Be Enhanced by Addressing Issues and Challenges Faced on the Gulf Coast*, that criticized EPA's handling of contamination in post-Katrina New Orleans and the Gulf Coast.¹⁵ The GAO found inadequate monitoring for asbestos around demolition and renovation sites. Additionally, the GAO investigation uncovered that "key" information released to the public about environmental contamination was neither timely nor adequate, and in some cases, easily misinterpreted to the public's detriment."

In December 2005, the Associated Press released results from its study, *More Blacks Live with Pollution*, showing African Americans are 79 percent more likely than

¹³ OMB Watch. Changing the "Right to Know" to the Right to Guess: EPA's Plans to Modify Toxics Release Inventory Reporting. (No Date), <http://www.ombwatch.org/tricenter/TRIpress.html>.

¹⁴ Office of the Inspector General, *Evaluation Report: EPA Needs to Conduct Environmental Justice Reviews of Its Programs, Policies, and Activities*. Washington, DC: US Environmental Protection Agency. Report No. 2006-P-00034, 2006, p. 7.

¹⁵ U.S. General Accountability Office, *Hurricane Katrina: EPA's Current and Future Environmental Protection Efforts Could Be Enhanced by Addressing Issues and Challenges Faced on the Gulf Coast*. Washington, DC: GAO Report to Congressional committees, June 2007.

whites to live in neighborhoods where industrial pollution is suspected of posing the greatest health danger.¹⁶ Using EPA's own data and government scientists, the AP study found blacks in 19 states were more than twice as likely as whites to live in neighborhoods with high pollution; a similar pattern was discovered for Hispanics in 12 states and Asians in seven states.

The AP analyzed the health risk posed by industrial air pollution using toxic chemical air releases reported by factories to calculate a health risk score for each square kilometer of the United States. The scores can be used to compare risks from long-term exposure to factory pollution from one area to another. The scores are based on the amount of toxic pollution released by each factory, the path the pollution takes as it spreads through the air, the level of danger to humans posed by each different chemical released, and the number of males and females of different ages who live in the exposure paths.

Toxic Wastes and Race at Twenty

This year represents the twentieth anniversary of *Toxic Wastes and Race*. To commemorate this milestone, the United Church of Christ (UCC) asked me to assemble a team of researchers to complete a new study, *Toxic Wastes and Race at Twenty 1987-2007*.¹⁷ The Executive Summary of the new study was released at the 2007 American Association for the Advancement of Science (AAAS) in San Francisco. I have attached a copy of the summary to my testimony. The full report was released in March 2007 at the

¹⁶ Pace, David. 2005. "AP: More Blacks Live with Pollution," *ABC News*, December 13, 2005, available at <http://abcnews.go.com/Health/wireStory?id=1403682&CMP=OTC-RSSFeeds0312>.

¹⁷ R.D. Bullard, P. Mohai, R. Saha, and B. Wright, *Toxic Wastes and Race at Twenty: 1987-2007*. Cleveland, OH: United Church of Christ Witness & Justice Ministries, March 2007. The full report is available at <http://www.ejrc.cau.edu/TWART-light.pdf>.

National Press Club in Washington, DC. In addition to myself, the principal authors of new UCC report are Professors Paul Mohai (University of Michigan), Beverly Wright (Dillard University of New Orleans), and Robin Saha (University of Montana).

Toxic Wastes and Race at Twenty is the first national-level study to employ 2000 Census data and distance-based methods to a current database of commercial hazardous waste facilities to assess the extent of racial and socioeconomic disparities in facility locations. Disparities are examined by region and state, and separate analyses are conducted for metropolitan areas, where most hazardous waste facilities are located.

The new report also includes two detailed case studies: one on environmental cleanup in post-Katrina New Orleans and the other on toxic contamination in the mostly African American Eno Road community in Dickson, Tennessee.

Study Findings

- People of color make up the majority (56%) of those living in neighborhoods within 3 kilometers (1.8 miles) of the nation's commercial hazardous waste facilities, nearly double the percentage in areas beyond 3 kilometers (30%).
- People of color make up a much larger (over two-thirds) majority (69%) in neighborhoods with clustered facilities.
- Percentages of African Americans, Hispanics/Latinos, and Asians/Pacific Islanders in host neighborhoods are 1.7, 2.3, and 1.8 times greater in host neighborhoods than non-host areas (20% vs. 12%, 27% vs. 12%, and 6.7% vs. 3.6%), respectively.
- 9 out of 10 EPA regions have racial disparities in the location of hazardous waste sites.

- Forty of 44 states (90%) with hazardous waste facilities have disproportionately high percentages of people of color in host neighborhoods– on average about two times greater than the percentages in non-host areas (44% vs. 23%).
- Host neighborhoods in an overwhelming majority of the 44 states with hazardous waste sites have disproportionately high percentages of Hispanics (35 states), African Americans (38 states), and Asians/Pacific Islanders (27 states).
- Host neighborhoods of 105 of 149 metropolitan areas with hazardous waste sites (70%) have disproportionately high percentages of people of color, and 46 of these metro areas (31%) have majority people of color host neighborhoods.

Study Conclusions

- Environmental injustice in people of color communities is as much or more prevalent today than two decades ago.
- Racial and socioeconomic disparities in the location of the nation’s hazardous waste facilities are geographically widespread throughout the country.
- People of color are concentrated in neighborhoods and communities with the greatest number of facilities; and people of color in 2007 are more concentrated in areas with commercial hazardous sites than in 1987.
- Race continues to be a significant independent predictor of commercial hazardous waste facility locations when socioeconomic and other non-racial factors are taken into account.

Toxic Cases on the Fenceline

Clearly, low-income and communities of color continue to be disproportionately and adversely impacted by environmental toxins. Residents in fenceline communities comprise

a special needs population that deserves special attention. Toxic chemical assaults are not new for many Americans who are forced to live adjacent to and often on the fence line with chemical industries that spew their poisons into the air, water, and ground.¹⁸ When (not if) chemical accidents occur, government and industry officials often instruct the fence-line community residents to "shelter in place." In reality, locked doors and closed windows do not block the chemical assault on the nearby communities, nor do they remove the cause of the anxiety and fear of the unknown health problems that may not show up for decades.

TCE Contamination in Dickson, Tennessee

This case is about slow government response to toxic contamination in a mostly black enclave on Eno Road in Dickson, Tennessee, small town located about 35 miles west of Nashville. Harry Holt and his family owned 150-acres farm in Dickson County's segregated African American Eno Road community for more than five generations. The Holt family wells were poisoned by the leaky Dickson County Landfill, located just 54 feet from their property line.

According to government records, Scovill-Shrader and several other local industries, buried drums of industrial waste solvents at "open dump" landfill site in 1968.¹⁹ Contaminated waste material was even cleaned up from other areas in this mostly white county and trucked to the landfill in the mostly black Eno Road community. For example, Ebbtide Corporation (Winner Boats) removed material from

¹⁸ Robert D. Bullard, *The Quest for Environmental Justice: Human Rights and the Politics of Pollution*. San Francisco: Sierra club Books, 2005.

¹⁹ Tetra Tech EM, Inc., *Dickson County Landfill Reassessment Report. A Report Prepared for the U.S. EPA, Region IV*. Atlanta: March 4, 2004.

an on-site dump and transferred it to the Dickson County Landfill for disposal.²⁰ The company disposed of drummed wastes every week for 3 to 4 years.

Scovill-Shrader Automotive manufacturing plant buried drums of industrial waste solvents at the landfill. The company's wastes were known to have contained acetone and paint thinner.²¹ A 1991 EPA Site Inspection Report notes that soil containing benzene, toluene, ethylbenzene, xylenes, and petroleum hydrocarbons from underground storage tank cleanups were brought to the landfill. In 1988, the Dickson County Landfill accepted 275 to 300 cubic yards of solid waste from the CSX White Bluff derailment cleanup.²²

Government officials first learned of the trichloroethylene (TCE) contamination in the Holt family wells as far back as 1988—but assured the black family their wells were safe. TCE is a suspected carcinogen. The wells were not safe. Three generations of Holts are now sick after drinking contaminated well water up until 2000. The family was placed on the city tap water system—after drinking TCE-contaminated water for twelve years—from 1988 to 2000. In 2003, the Holt family sued the city, county, and Schrader. The case is still pending.

Poisoned Wells in an East Texas Oilfield

A 2007 *New York Times* article, “Texas Lawsuit Includes a Mix of Race and Water,” detailed a Texas family who is struggling for environmental in the East Texas oilfields.²³ Frank and Earnestene Roberson and their relatives who live on County Road

²⁰ Ibid., p. 17.

²¹ Ibid., p. 31.

²² Ibid., p. 17.

²³ Ralph Blumenthal, “Texas Lawsuit Includes a Mix of Race and Water,” *The New York Times*, July 9, 2006.

329, a historically black enclave in the oilfields of DeBerry, Texas, wells were poisoned by a deep injection well for saltwater wastes from drilling operations that began around 1980. The Roberson family is the descendants of a black settler, George Adams, who bought 40 acres and a mule there in 1911. Oil was discovered in the area in the 1920s.

The Roberson family first complained to the Texas Railroad Commission back in 1987—the same year the UCC *Toxic Wastes and Race* issued its report. Nearly a decade later, in 1996, the railroad commission took samples and found "no contamination in the Robersons' household water supply that can be attributed to oilfield sources." Because of the contamination, the family had to drive 23 miles to a Wal-Mart near Shreveport for clean water.

In 2003, the railroad commission tests found benzene, barium, arsenic, cadmium, lead and mercury in the families' wells at concentrations exceeding primary drinking water standards. Still, no government cleanup actions were taken to protect the Robersons and other black families in the community.

In June 2006, the Roberson family filed suit in federal court, accusing the Texas Railroad Commission, which regulates the state's oil and gas industry, of failing to enforce safety regulations and of "intentionally giving citizens false information based on their race and economic status." The Robersons point to the slow government response to the toxic contamination in their mostly black community and the rapid clean-up response last summer by the railroad commission in Manvel, a largely white suburb of Houston.

Incineration of VX Gas Wastewater in Port Arthur, Texas.

The incineration of the deadly nerve agent VX waste water in Port Arthur, Texas typifies the environmental justice challenges facing African Americans. About 60 percent of the city's population is African American. Veolia Environmental Services of Lombard, Ill. won a \$49 million contract from the U.S. Army to incinerate 1.8 million gallons of caustic VX hydrolysate waste water near Port Arthur's Carver Terrace housing project. Army and city officials did not announce the project until the deal was sealed. Residents in New Jersey and Ohio fought off plans to incinerate the waste there. It is ironic that the first batch of VX hydrolysate was incinerated in Port Arthur on April 22, 2007—Earth Day.

Jim Crow segregation forced Port Arthur's African Americans to the west part of town. There the city built the Carver Terrace housing development for low income blacks. Port Arthur is encircled by major refineries and chemical plants operated by such companies as Motiva, Chevron Phillips, Valero and BASF. Residents whose homes are located at the fence line are riddled with cancer, asthma, and liver and kidney disease that some blame on the pollution from nearby industries.

The Carver Terrace housing project abuts the Motiva oil refinery. Jefferson County, where Port Arthur is located, is home to one of the country's largest chemical-industrial complexes and is consistently ranked among the top 10 percent of America's dirtiest counties. In June 2007, the U.S. Army temporarily suspended the shipments of a former nerve gas agent, now in the form of caustic wastewater, from Indiana while the

federal court in Terre Haute, Ind. sets a date for a preliminary injunction hearing on the matter.²⁴

PCB Contamination in Anniston, Alabama

The Sweet Valley/Cobb Town neighborhood in Anniston, Alabama typifies the toxic chemical assault on a fenceline community. The mostly black neighborhood was contaminated by Solutia, Inc., a spin-off company of the giant Monsanto chemical company. The Sweet Valley/Cobb Town neighborhood residents organized themselves into a task force and filed a class action lawsuit against Monsanto for contaminating their community with polychlorinated biphenyls (PCBs). Monsanto manufactured PCBs from 1927 thru 1972 for use as insulation in electrical equipment including transformers. The EPA banned PCB production in the late 1970s amid questions of health risks.

In April 2001, a group of 1,500 Sweet Valley/Cobb Town plaintiffs reached a \$42.8 million out-of-court settlement with Monsanto in the federal District Court of the Northern District of Alabama. In August 2003, a \$700 million settlement of two separate trials, involving more than 20,000 plaintiffs, was reached with Monsanto and Solutia.²⁵

Policy Recommendations

The *Toxic Wastes and Race at Twenty* report gives more than three dozen recommendations for action at the Congressional, state and local levels to help eliminate the disparities. The report also makes recommendations for nongovernmental agencies and the commercial hazardous waste industry. Base on these findings, I along with my

²⁴ Mary Meux, "Veolia to Temporarily Stop Receiving VX Wastewater," *Port Arthur News*, June 18, 2007.

²⁵ Jessica Star, "Sweeter Home Alabama: Alabama PCB Suits End in \$700 Million Settlement," *Anniston Star*, August 21, 2003.

colleagues and more than a hundred environmental justice, civil rights and human rights, and health allies are calling for steps to reverse this downward spiral. The sign-on letter and the organizations are also attached to my testimony. We recommend the following policy actions:

1. **Hold Congressional Hearings on EPA Response to Contamination in EJ Communities.** We urge the U.S. Congress to hold hearings on the U.S. Environmental Protection Agency's (EPA's) response to toxic contamination in EJ communities, including post-Katrina New Orleans, the Dickson County (Tennessee) Landfill water contamination problem and similar problems throughout the United States.
2. **Pass a *National Environmental Justice Act Codifying the Environmental Justice Executive Order 12898*.** Executive Order 12898 "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations" provides significant impetus to advance environmental justice at the federal level and in the states. Congress should codify Executive Order 12898 into law. Congress will thereby establish an unequivocal legal mandate and impose federal responsibility in ways that advance equal protection under law in communities of color and low-income communities.
3. **Provide a Legislative "Fix" for Title VI of the Civil Rights Act of 1964.** Work toward a legislative "fix" of Title VI of the Civil Rights Act of 1964 that was gutted by the 2001 *Alexander v. Sandoval* U.S. Supreme Court decision that requires intent, rather than disparate impact, to prove discrimination. Congress should act to reestablish that there is a private right of action for disparate impact discrimination under Title VI.
4. **Require Assessments of Cumulative Pollution Burdens in Facility Permitting.** EPA should require assessments of multiple, cumulative and synergistic exposures, unique exposure pathways, and impacts to sensitive populations in issuing environmental permits and regulations.
5. **Require Safety Buffers in Facility Permitting.** The EPA (states and local governments too) should adopt site location standards requiring a safe distance between a residential population and an industrial facility. It should also require locally administered Fenceline Community Performance Bonds to provide for the recovery of residents impacted by chemical accidents.
6. **Protect and Enhance Community and Worker Right-to-Know.** Reinstate the reporting of emissions and lower reporting thresholds to the Toxic Release Inventory (TRI) database on an annual basis to protect communities' right to know.
7. **Enact Legislation Promoting Clean Production and Waste Reduction.** State and local governments can show leadership in reducing the demand for products produced using unsustainable technologies that harm human health and the environment. Government must use its buying power and tax dollars ethically by supporting clean production systems.

8. **Adopt Green Procurement Policies and Clean Production Tax Policies.** Require industry to use clean production technologies and support necessary R&D for toxic use reduction and closed loop production systems. Create incentives and buy-back programs to achieve full recovery, reuse and recycling of waste and product design that enhances waste material recovery and reduction.
9. **Reinstate the Superfund Tax.** Congress should act immediately to re-instate the Superfund Tax, re-examine the National Priorities List (NPL) hazardous site ranking system and reinvigorate Federal Relocation Policy in communities of color to move those communities that are directly in harms way.
10. **Establish Tax Increment Finance (TIP) Funds to Promote Environmental Justice-Driven Community Development.** Environmental justice organizations should become involved in redevelopment processes in their neighborhoods to integrate brownfields priorities into long-range neighborhood redevelopment plans. This will allow for the use of Tax Increment Finance funds for cleanup and redevelopment of brownfields sites expressly for community-determined uses.

Getting government to respond to the environmental and health concerns of low-income and people of color communities has been an uphill struggle long before the world witnessed the disastrous Hurricane Katrina response nearly two years ago. The time to act is now. Our communities cannot wait another twenty years. Achieving environmental justice for all makes us a much healthier, stronger, and more secure nation as a whole.