

July 25, 2007
How Has Environmental Justice Impacted the Superfund Program
Harold Mitchell, Congressional Testimony

Introduction

Good Afternoon Chairman Clinton, Sen. Craig, ranking member of this sub-committee and all the sub committee members. I would like to thank you for this historic opportunity to talk about environmental justice in Spartanburg, SC.

I questioned the sickness and mortality in my neighborhood of the 2 Superfunds sites and 6 Brownfields sites, the Arkwright/Forest Park neighborhoods in Spartanburg, South Carolina. The property line of the home I grew up in was directly adjacent to the abandoned IMC Global Fertilizer facility, the world's largest producer and supplier of concentrated phosphates and potash fertilizers. This facility closed in 1986, and was given a "Clean Closure". We found later that toxic furnace dust from Georgia was sent to this facility for disposal and was used as filler for the fertilizer. The facility never passed its stack emissions test but did take responsibility for replacing metal products in the neighborhood, including my parents' car and re-painted other automobiles. .

Located in the rear of the property was the old City of Spartanburg landfill, which according to the State Dept of Health and Environmental Control, did not exist. Later, we found that 99.9% of all medical, auto, and industrial waste was dumped here. To the left and rear, was an operating chemical facility which was supposed to have been developed into an apartment complex. Due to no zoning in Spartanburg County, it was sold to a developer who turned it into a chemical storage facility and later it became what is now a full blown operating chemical plant.

I am convinced that the early deaths of my sister and father were connected to the inhalation of the contaminated dust that came from the plant.

1998 - I formed an organization called Regensis to address the environmental conditions in 3 neighborhoods surrounding the fertilizer plant. These abandoned sites became incubators for illegal activity. The social and economic deterioration of this community and chronic health problems were overwhelming. US EPA Region 4 conducted a community workshop to look at the clean up and re-use of the contaminated sites. This is where I saw the opportunity to regain what was lost during the urban renewal programs when 60 black-owned businesses left the Southside. This was a pivotal point in the process for our community because of earlier efforts in the environmental justice movement that made sure communities became equal stakeholders in the public participation process.

I attended my first NEJAC meeting here in Washington, and found other impacted communities around the country with similar testimonies. It was helpful, at this point, to hear the lessons learned, good and bad, from other impacted communities across the country. And it was then that I learned about the Executive Order 12898 on Environmental Justice by Pres. Clinton. The perception that the EO had teeth got the attention of city and county officials. Your former colleague and my former US Senator, Earnest Hollings, gave us support on the Hill which also

grabbed the attention of local leaders. Like most communities, funding is the greatest challenge we face, along with the struggle to build capacity and sustainability in our organizations.

In 2000, US EPA Region 4 awarded ReGenesis a \$20,000 grant to help build capacity and the community partnerships. This grant allowed us to bring in city and county officials to look at additional grant opportunities, such as the Superfund ReDevelopment Initiative and the Brownfields Assessment Grant. After creating the vehicle everyone wanted to stay away from now we were organizing regular meetings and forums to address not only the environmental problems but also the solutions for social and economic challenges we face. I traveled to several meetings where other Federal agencies were addressing environmental justice issues. I began to see initiatives that could fit our project in Spartanburg from US HHS with the Community Health Center Initiative; US HUD, US Federal Highway, US Dept of Justice, and US Department of Energy. This is where US EPA's presence in the Federal Inter-Agency Work Group on Environmental Justice paved the way for leveraging additional funding and building the partnerships necessary to address our project.

All of these efforts have resulted in Regenesis leveraging over \$167 million since 1998. We are addressing -- through citizen involvement -- housing, public safety/crime, transportation, job-training and creation, community health, and entrepreneurial opportunities in the Southside of Spartanburg and the project area -- Arkwright/Forest Park. *Please see attached ReGenesis Leverage Report.*

The 2007 SC Environmental Justice Law charges SC DHEC to study and consider the practices of SC state agencies as they are related to economic development and revitalization. This resolution will provide the vehicle for communities, like my own, to investigate and revitalize their blighted communities.

A national, comprehensive environmental policy should foster the “unique relationship between environmental protection, human health, and economic well-being. At the same time, such policy will assure that its benefits—and risks—accrue to all people.”

It provides an opportunity for reuse of Superfund and Brownfields sites. For example, in Charleston, a \$26 million cleanup investment by SCE&G and the City of Charleston resulted in recouping their investment within 5 years and now they generate over \$9 million a year in net profit.”

Developing Successful Strategies for Integrating Environmental Justice and Sustainable Communities

Regenesis revitalization efforts have become recognized as a national model and its Revitalization Project and celebrated its progress with a full day of activities on June 14. This included the premiering of the U.S. Environmental Protection Agency documentary, *The Power of Partnerships, the Collaborative Problem Solving Model at Work in Spartanburg.*