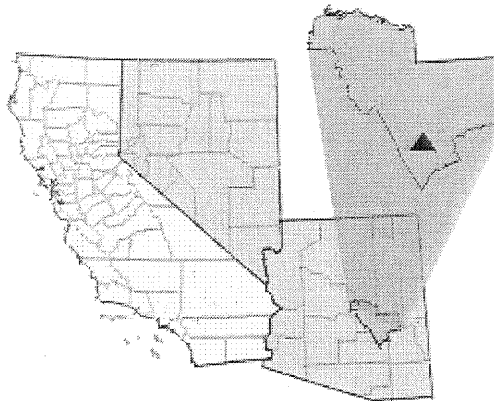




Updated: June 9, 2003

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MOUNTAIN VIEW MOBILE HOME ESTATES

ARIZONA**EPA ID#****AZD980735724**[Click here for interactive site area map](#)

EPA Region 9

**City: 2 miles from
Globe****County: Gila****Other Names: Globe
Site**

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▼SITE DESCRIPTION AND HISTORY

Description: The 17-acre Mountain View Mobile Homes site was developed in 1973 on the site of

the former Metate Asbestos Corporation's chrysotile asbestos mill. In 1979, asbestos contamination at the site was discovered by local health officials inspecting the waste disposal system. Small piles of asbestos mill tailings were found against the abandoned mill structures and the adjacent railroad tracks. Before 1973, three mills in the area processed chrysotile asbestos ore from nearby mines. Because they failed to meet new EPA standards for emissions, two of the mills were ordered closed by the County in 1973. Before closing, however, the owner of one of the mill sites obtained a permit to rezone the property into a residential subdivision and continued operations for several weeks while residents were moving into the mobile home community. Asbestos mill tailings were used as primary landfill material before the site was partially covered with topsoil. The mill buildings and asbestos-laden equipment remained standing in the middle of the mobile homes. The third mill, with its large pile of asbestos mill tailings, continued to operate a few hundred yards from the mobile homes. Approximately 100 to 130 people lived in the mobile home park. The Town of Globe has a population of 8,000, and the adjacent Town of Miami has 3,000 residents.

Site Responsibility:	NPL LISTING HISTORY
This site was addressed through Federal and State actions.	Proposed Date: 12/30/1982
	Final Date: 09/08/1983
	Deleted Date: 04/18/1988

▼THREATS AND CONTAMINANTS



The air and soils on the site were contaminated with asbestos. Prior to site cleanup, area residents who came in direct contact with or accidentally ingested the asbestos-containing soil may have been at risk. In addition, inhaling asbestos fibers posed a potential for adverse health effects.

▼CLEANUP APPROACH

▼Response Action Status



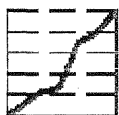
Initial Actions: In 1980, the State provided temporary housing for the residents while the site was being decontaminated. The old mill buildings were demolished, and topsoil was used to cover the contaminated soil. Wind, water, and public activity soon eroded the soil covering, which again exposed the asbestos tailings.



Entire Site: In 1983, the EPA selected a remedy to clean up the site that included: permanently relocating the mobile home residents; cleaning the site and demolishing and burying on site all the homes and sewage treatment plant; closing the site by covering it with either clay or a synthetic material, and placing clean soil on top of the site; fencing the area; and periodically inspecting and maintaining the site. Permanent relocation of all residents was completed in 1985, and ownership of the purchased property was transferred to the State. Following relocation of the residents, the site was cleaned up. The homes and other structures were crushed and buried on site in two natural depressions. Drainage culverts and enclosed pipes were installed to reduce the potential for erosion of the cover soils. A filter fabric was placed over the entire site to act as a physical barrier to upward movement of asbestos fibers and to prevent erosion. Clean soil was placed over the filter fabric, and compacted and crushed rock was added to complete the cover. The site was fenced to protect the integrity of the cover. The State has agreed to maintain the site for a minimum of 20 years. The EPA and the State determined that the remedial action is protective of public health and the environment and that no further cleanup is required. The site was deleted from the National Priorities List (NPL) in 1988. A five-year review, conducted in 1991, confirmed the effectiveness of the remedy and ensured the safety of the site. A second five-year review, signed 12/10/99, confirmed that the remedy continues to be effective in meeting objectives and remains protective of human health and the environment.

Site Facts: The Metate Asbestos mill was ordered closed by the Gila County Air Quality Control District in 1973.

▼ ENVIRONMENTAL PROGRESS



The numerous cleanup and relocation activities described above have eliminated the potential for exposure to asbestos-laden materials at the Mountain View Mobile Homes site. Area residents have been permanently relocated, and cleanup actions have successfully controlled site contamination. The EPA and the State have determined that the site is now safe for nearby residents and the environment and deleted it from the NPL in 1988.

▼POTENTIALLY RESPONSIBLE PARTIES

Potentially responsible parties (PRPs) refers to companies that are potentially responsible for generating, transporting, or disposing of the hazardous waste found at the site.

On-line information about the PRPs for the site is not yet available.

▼SITE DOCUMENTS AND REPORTS

Administrative Records: On-line versions not yet available

Records of Decision: On-line versions not yet available

Technical Documents:

▼COMMUNITY INVOLVEMENT

Public Meetings:

Newsletters and Fact Sheets: On-line versions not yet available

▼SITE REPOSITORIES/LIBRARY SOURCES



The public information repositories for the site are at the following locations:

The most complete collection of documents is the official EPA site file, maintained at the following location:

Superfund Records Center
Mail Stop SFD-7C
95 Hawthorne Street, Room 403
San Francisco, CA 94105
(415) 536-2000

Enter main lobby of 75 Hawthorne street, go to 4th floor of South Wing Annex.

▼CONTACTS

EPA SITE MANAGER: Sean Hogan/R9/USEPA/US

ADDRESS:

PHONE NUMBER: (415) 972-3261

E-MAIL ADDRESS:

**EPA COMMUNITY
INVOLVEMENT COORDINATOR:**

ADDRESS:

PHONE NUMBER: 1-800-231-3075

E-MAIL ADDRESS:

**PUBLIC INFORMATION
CENTER:** (415) 947-8701

E-MAIL ADDRESS: r9.info@epamail.epa.gov

STATE CONTACT:

ADDRESS:

PHONE NUMBER:

PRP CONTACT:

ADDRESS:

PHONE NUMBER:

COMMUNITY CONTACT:

ADDRESS:

PHONE NUMBER:

After Hours (Emergency Response)**State Environmental Protection Agency
(800) 852-7550****US Environmental Protection Agency
(800) 424-8802****▼ MISCELLANEOUS INFORMATION****STATE:** AZ**CONGRESSIONAL DISTRICT:** 04**EPA ORGANIZATION:** SFD-7-1

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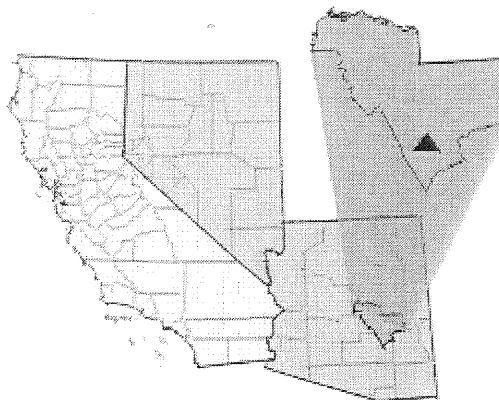


Region 9: Superfund

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MOUNTAIN VIEW MOBILE HOME ESTATES

Arizona
EPA ID#
AZD980735724



EPA Region 9
City: 2 miles from
Globe
County: Gila
Other Names: Globe
Site

[Click here for interactive site area map](#)

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▼Site Description and History

Description: The 17-acre Mountain View Mobile Homes site was developed in 1973 on the site of the former Metate Asbestos Corporation's chrysotile asbestos mill. In 1979, asbestos contamination at the site was discovered by local health officials inspecting the waste disposal system. Small piles of asbestos mill tailings were found against the abandoned mill structures and the adjacent railroad tracks. Before 1973, three mills in the area processed chrysotile asbestos ore from nearby mines. Because they failed to meet new EPA standards for emissions, two of the mills were ordered closed by the County in 1973. Before closing, however, the owner of one of the mill sites obtained a permit to rezone the property into a residential subdivision and continued operations for several weeks while residents were moving into the mobile home community. Asbestos mill tailings were used as primary landfill material before the site was partially covered with topsoil. The mill buildings and asbestos-laden equipment remained standing in the middle of the mobile homes. The third mill, with its large pile of asbestos mill tailings, continued to operate a few hundred yards from the mobile homes. Approximately 100 to 130 people lived in the mobile home park. The Town of Globe has a population of 8,000, and the adjacent Town of Miami has 3,000 residents.

Site Responsibility

This site was addressed through Federal and State actions.

Proposed Date:

12/30/1982

Final Date: 09/08/1983

Deleted Date:

04/18/1988

▼Threats and Contaminants



The air and soils on the site were contaminated with asbestos. Prior to site cleanup, area residents who came in direct contact with or accidentally ingested the asbestos-containing soil may have been at risk. In addition, inhaling asbestos fibers posed a potential for adverse health effects.

▼Cleanup Approach

▼Response Action Status



Initial Actions: In 1980, the State provided temporary housing for the residents while the site was being decontaminated. The old mill buildings were demolished, and topsoil was used to cover the contaminated soil. Wind, water, and public activity soon eroded the soil covering, which again exposed the asbestos tailings.

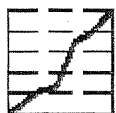


Entire Site: In 1983, the EPA selected a remedy to clean up the site that included: permanently relocating the mobile home residents; cleaning the site and demolishing and burying on site all the homes and sewage treatment plant; closing the site by covering it with either clay or a synthetic material, and placing clean soil on top of the site; fencing the area; and periodically inspecting and maintaining the site. Permanent relocation of all residents was completed in 1985, and ownership of the purchased property was transferred to the State. Following relocation of the residents, the site was cleaned up. The homes and other structures were crushed and buried on site in two natural depressions. Drainage culverts and enclosed pipes were installed to reduce the potential for erosion of the cover soils. A filter fabric was placed over the entire site to act as a physical barrier to upward movement of asbestos fibers and to prevent erosion. Clean soil was placed over the filter fabric, and compacted and crushed rock was added to complete the cover. The site was fenced to protect the integrity of the cover. The State has agreed to maintain the

site for a minimum of 20 years. The EPA and the State determined that the remedial action is protective of public health and the environment and that no further cleanup is required. The site was deleted from the National Priorities List (NPL) in 1988. A five-year review, conducted in 1991, confirmed the effectiveness of the remedy and ensured the safety of the site. A second five-year review, signed 12/10/99, confirmed that the remedy continues to be effective in meeting objectives and remains protective of human health and the environment.

Site Facts: The Metate Asbestos mill was ordered closed by the Gila County Air Quality Control District in 1973.

▼ Environmental Progress



The numerous cleanup and relocation activities described above have eliminated the potential for exposure to asbestos-laden materials at the Mountain View Mobile Homes site. Area residents have been permanently relocated, and cleanup actions have successfully controlled site contamination. The EPA and the State have determined that the site is now safe for nearby residents and the environment and deleted it from the NPL in 1988.

▼ Potentially Responsible Parties

Potentially responsible parties (PRPs) refers to companies that are potentially responsible for generating, transporting, or disposing of the hazardous waste found at the site.

On-line information about the PRPs for the site is not yet available.

▼ Site Documents and Reports

Administrative Records: On-line versions not yet available

Records of Decision: On-line versions not yet available

▼ Community Involvement

Public Meetings:

Newsletters and Fact Sheets: On-line versions not yet available

▼ Site Repositories/Library Sources



The public information repositories for the site are at the following locations:

The most complete collection of documents is the official EPA site file, maintained at the following location:

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95 Hawthorne Street, Room 403
San Francisco, CA 94105
(415) 536-2000

Enter main lobby of 75 Hawthorne street, go to 4th floor of South Wing Annex.

Contacts

Position	Name	Address	Phone Number	Email
EPA Site Manager	Sean Hogan		(415) 972-3261	
EPA Community Involvement Coordinator			1-800-231-3075	
Public Information Center			(415) 947-8701	r9.info@epamail.epa.gov
State Contact				
PRP Contact				
Community Contact				

After Hours (Emergency Response)

State Environmental Protection Agency	US Environmental Protection Agency
(800) 852-7550	(800) 424-8802

Miscellaneous Information

State: AZ
Pacific Island(s):
Congressional District: 04
EPA Organization:
SFD-7-1



National Priorities List (NPL)

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NPL Site Narrative for Mountain View Mobile Home Estates

MOUNTAIN VIEW MOBILE HOME ESTATES Globe, Arizona

Federal Register Notice: September 8, 1983

Conditions at proposal (July 23, 1982): Mountain View Mobile Home Estates is located 75 miles east of Phoenix, in Globe, Arizona. The 17-acre site is divided into 55 lots, 47 of which are occupied by about 130 residents. The subdivision was developed in 1973 on the site of Metate Asbestos Corp.'s chrysotile asbestos mill after the Gila County Air Quality Control District ordered the mill to close. Contaminated soil was used to level the site, which is directly adjacent to the active Jaquays Mining & Equipment Corp. asbestos mill.

This site, once listed as "Globe," is the top priority site in Arizona.

In October 1979, State and local health officials discovered that soil in the mobile home subdivision was contaminated with asbestos. The Governor declared an emergency at the site in January 1980 and temporarily relocated residents while the site was partially covered and the homes were decontaminated. Wind, water, and human activity have subsequently eroded the 6-inch soil cover.

Status (September 8, 1983): In April 1983, EPA initiated a remedial investigation/feasibility study (RI/FS) to determine the type and extent of contamination at the site and identify alternatives for remedial action. A report published in May 1983 found that subdivision residents were being exposed to significant quantities of asbestos fibers from contaminated soil on-site and airborne fibers from the nearby mill. During the RI/FS, EPA and the Federal Emergency Management Agency offered to temporarily relocate residents on a voluntary basis pending a decision on a permanent remedy. Most residents accepted the offer. In June 1983, EPA selected the remedial alternative as permanent relocation of the residents with subsequent site closure, capping, and maintenance.

Status (April 18, 1988): All residents were permanently relocated by March 1985. The homes and other structures were crushed and buried on-site in two natural depressions. Drainage culverts and enclosed pipes were installed to reduce the potential for erosion of the cover. A nonwoven filter fabric was placed over the entire site. A 21-inch layer of uncontaminated soil was placed over the fabric and compacted; 3 inches of crushed rocks were added to complete the cover. The site was fenced.

EPA analysis of 132 soil samples from the site cover detected no asbestos or only traces (less than 1 percent), which is consistent with background readings. Physical inspection of the site found only minor settling and erosion.

CERCLA funds were used to purchase the property, which was transferred to the State. Arizona

will maintain the site for a minimum of 20 years. Permanent land-use restrictions have been written into the property title.

This site is being deleted from the NPL because EPA, in consultation with the State of Arizona, has determined that all appropriate Superfund-financed response under CERCLA has been implemented, and that no further response by responsible parties is appropriate.

For more information about the hazardous substances identified in this narrative summary, including general information regarding the effects of exposure to these substances on human health, please see the Agency for Toxic Substances and Disease Registry (ATSDR) ToxFAQs. ATSDR ToxFAQs can be found on the Internet at <http://www.atsdr.cdc.gov/toxfaq.html> or by telephone at 1-888-42-ATSDR or 1-888-422-8737.

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Black, brown, red, and poisoned - environmental racism

Regina Austin

People of color throughout the United States are receiving more than their fair share of the poisonous fruits of industrial production. They live cheek by jowl with waste dumps, incinerators, landfills, smelters, factories, chemical plants, and oil refineries whose operations make them sick and kill them young. They are poisoned by the air they breathe, the water they drink, the fish they catch, the vegetables they grow, and, in the case of children, the very ground they play on. Even the residents of some of the most remote rural hamlets of the South and Southwest suffer from the ill effects of toxins.

The disproportionate location of sources of toxic pollution in communities of color is the result of various development patterns. In some cases, the residential communities where people of color now live were originally the homes of whites who worked in the facilities that generate toxic emissions. The housing and the industry sprang up roughly simultaneously. Whites vacated the housing (but not necessarily the jobs) for better shelter as their socioeconomic status improved, and poorer black and brown folks who enjoy much less residential mobility took their place. In other cases, housing for African-Americans and Latino Americans was built in the vicinity of existing industrial operations because the land was cheap and the people were poor. For example, Richmond, California, developed downwind from a Chevron oil refinery when African-Americans migrated to the area to work in shipyards during World War II.

In yet a third pattern, sources of toxic pollution were placed in existing minority communities. The explanations for such sitings are numerous; some reflect the impact of racial and ethnic discrimination. The impact, of course, may be attenuated and less than obvious. The most neutral basis for a siting choice is probably the natural characteristics of the land, such as mineral content of the soil. Low population density would appear to be a similar criterion. It has been argued, however, that in the South, a sparse concentration of inhabitants is correlated with poverty, which is, in turn, correlated with race. As Conner Bailey and Charles Faupel have noted in the Proceedings of the Michigan Conference on Race and the Incidence of Environmental Hazards: "It follows that criteria for siting hazardous waste facilities which include density of population will have the effect of targeting rural black communities that have high rates of poverty."

Likewise, the compatibility of pollution with preexisting uses might conceivably make some sites more suitable than others for polluting operations. Pollution tends to attract other sources of pollutants, particularly those associated with toxic disposal. For example, Chemical Waste Management, Inc., has proposed the construction of a toxic waste incinerator outside of Kettleman City, California, a community composed largely of Latino farm workers. Chem Waste also has proposed to build a hazardous waste incinerator in Emelle, a predominantly African-American community located in the heart of Alabama's "black belt." The company already has hazardous waste landfills in Emelle and Kettleman City.

According to the company's spokesperson, quoted in the Los Angeles Times for February 24, 1991, Chem Waste placed the landfill in Kettleman City "because of the area's geological features. Because the landfill handles toxic waste ... it is an ideal spot for the incinerator"; the tons of toxic waste ash that the incinerator will generate can be "contained and disposed of at the installation's landfill." Residents of Kettleman City face a "triple whammy" of threats from pesticides in the fields, the nearby hazardous waste landfill, and a proposed hazardous waste incinerator. This case is not unique.

After reviewing the literature on hazardous waste incineration, Harvey White has concluded in the Proceedings of the Michigan Conference that "minority communities represent a 'least cost' option for waste incineration ... because much of the waste to be incinerated is already in these communities." Despite its apparent neutrality, then siting based upon compatibility may be related to racial and ethnic discrimination, particularly if such discrimination influenced the siting of preexisting sources of pollution.

Polluters know that communities of low-income and working-class people with no more than a high-school education are not as effective at marshaling opposition as communities of middle-or upper-income people. People of color in the United States have

traditionally had less clout with which to check legislative and executive abuse or to challenge regulatory laxity. Private corporations, moreover, can have a powerful effect on the behavior of public officials. Poor minority people wind up the losers to them both.

People of color are more likely than whites to be economically impoverished, and economic vulnerability makes impoverished communities of color prime targets for "risky" technologies. Historically, these communities are more likely than others to tolerate pollution-generating commercial development in the hope that economic benefits will inure to the community in the form of jobs, increased taxes, and civic improvements. Once the benefits start to flow, the community may be reluctant to forgo them even when they are accompanied by poisonous spills or emissions. According to Robert D. Bullard in his book *Dumping in Dixie: Race, Class, and Environmental Luality*, this was the case in Emelle, in Sumter County, Alabama, site of the nation's largest hazardous waste landfill.

Sumter County's population is roughly 70 percent African-American, and 30 percent of its inhabitants fall below the poverty line. Although the landfill was apparently leaking, it was difficult to rally support against the plant among African-American politicians because its operations contributed an estimated \$15.9 million to the local economy in the form of wages, local purchases of goods and services, and per-ton landfill user fees.

Of course, benefits do not always materialize after the polluter begins operations. For example, West Harlem was supposed to receive, as a trade-off for accepting New York City's largest sewage treatment plant, an elaborate state park to be built on the roof of the facility. The plant is functioning, fouling the air with emissions of hydrogen sulfide and promoting an infestation of rats and mosquitoes. The park, however, has yet to be completed, the tennis courts have been removed from the plan completely, and the "first-rate" restaurant has been scaled down to a pizza parlor.

In other cases, there is no net profit to distribute among the people. Dana Alston, in the Panos Institute report *Taking Back Our Lives*, observes that new jobs created by the poisonous enterprises are "filled by highly skilled labor from outside the community," while the increased tax revenues go not to "social services or other community development projects, but ... toward expanding the infrastructure to better serve the industry."

Once a polluter has begun operations, the victims' options are limited. Mobilizing a community against an existing polluter is more difficult than organizing opposition to a proposed toxic-waste-producing activity. Resignation sets in, and the resources for attacking ongoing pollution are not as numerous, and the tactics not as potent, as those available during the proposal stage. Furthermore, though some individuals are able to escape toxic poisoning by moving out of the area, the flight of others will be blocked by limited incomes, housing discrimination, and restrictive land-use regulations.

Threat to Barrios, Ghettos, and Reservations

Pollution is no longer accepted as an unalterable consequence of living in the "bottom" (the least pleasant, poorest area minorities can occupy) by those on the bottom of the status hierarchy. Like anybody else, people of color are distressed by accidental toxic spills, explosions, and inexplicable patterns of miscarriages and cancers--and they are beginning to fight back, from Maine to Alaska.

To be sure, people of color face some fairly high barriers to effective mobilization against toxic threats, such as limited time and money; lack of access to technical, medical, and legal expertise; relatively weak influence in political and media circles; and ideological conflicts that pit jobs against the environment. Limited fluency in English and fear of immigration authorities will keep some of those affected, especially Latinos, quiescent. Yet despite the odds, poor minority people are responding to their poisoning with a grass-roots movement of their own.

Activist groups of color are waging grass-roots environmental campaigns all over the country. Although they are informally connected, these campaigns reflect shared characteristics and goals. The activity of these groups is indicative of a grass-roots movement that occupies a distinctive position relative to both the mainstream movement and the white grass-roots environmental movement. The environmental justice movement is anti-elitist and anti-racist. It capitalizes on the social and cultural differences of people of color as it cautiously builds alliances with whites and persons of the middle class. It is both fiercely environmental and

conscious of the need for economic development in economically disenfranchised communities. Most distinctive of all, this movement has been extremely outspoken in challenging the integrity and bona fides of mainstream establishment environmental organizations.

People of color have not been mobilized to join grass-roots environmental campaigns because of their general concern for the environment. Characterizing a problem as being "environmental" may carry weight in some circles, but it has much less impact among poor minority people. It is not that people of color are uninterested in the environment--a suggestion the grass-roots activists find insulting. In fact, they are more likely to be concerned about pollution than are people who are wealthier and white. Rather, in the view of many people of color, environmentalism is associated with the preservation of wildlife and wilderness, which simply is not more important than the survival of people and the communities in which they live; thus, the mainstream movement has its priorities skewed.

The mainstream movement, so the critique goes, embodies white, bourgeois values--values that are foreign to African-Americans, Latino Americans, Asian Americans, and Native Americans. Environmental sociologist Dorceta Taylor has characterized the motivations of those who make donations to mainstream organizations as follows:

[In part, the] motivation to contribute is derived from traditional Romantic and Transcendental ideas--the idea of helping to conserve or preserve land and nature for one's own present and future use, or for future generations. Such use involves the ability to get away from it all; to transcend earthly worries, to escape, to commune with nature. The possibility of having a transcendental experience is strongly linked to the desire to save the places where such experiences are likely to occur.

Even the more engaged environmentalists--those whose involvement includes participation in demonstrations and boycotts--are thought to be imbued with romantic and transcendental notions that favor nature over society and the individual's experience of the natural realm over the collective experience.

There are a number of reasons why people of color might not share such feelings. Their prospects for transcendental communion with nature are restricted. Parks and recreational areas have been closed to them because of discrimination, inaccessibility, cost, their lack of specialized skills or equipment, and residence requirements for admission. They must find their recreation close to home. Harm to the environment caused by industrial development is not really their responsibility because they have relatively little economic power or control over the exploitation of natural resources. Since rich white people messed it up, rich white people ought to clean it up. In any event, emphasis on the environment in the abstract diverts attention and resources from the pressing, concrete problems that people of color--especially those with little or no income--confront every day.

Nonetheless, communities of color have addressed environmental problems that directly threaten them on their own terms. The narrowness of the mainstream movement, which appears to be more interested in endangered nonhuman species and pristine, undeveloped land than at-risk humans, makes poor minority people think that their concerns are not "environmental." Cognizant of this misconception and eschewing terminology that artificially compartmentalizes people's troubles, minority grass-roots environmental activists take a multidimensional approach to pollution problems. Thus, the sickening, poisonous odors emitted by landfills and sewage plants are considered matters of public health or government accountability, while workplace contamination is a labor issue, and lead-based paint in public-housing projects is a landlord-tenant problem.

The very names of some of the organizations and the goals they espouse belie the primacy of environmental concerns. The Southwest Organizing Project of Albuquerque has been very successful in mobilizing people around issues of water pollution and workplace contamination. For example, SWOP fought for the rollback of charges levied against a group of home owners who were forced to hook up with a municipal water system because nitroglycerine had contaminated private wells. SWOP then campaigned to make the federal government assume responsibility for the pollution, which was attributed to operations at a nearby military installation. Yet in a briefing paper entitled "Major National Environmental Organizations and the Problem of the 'Environmental Movement,'" SWOP describes itself as follows:

SWOP does not consider itself an "environmental" organization but, rather, a community-based organization which addresses toxics issues as part of a broader agenda of action to realize social, racial, and economic justice. We do not single out the

environment as necessarily having a special place above all other issues; rather, we recognize that issues of toxic contamination fit within an agenda which can (and in our practical day-to-day work does) include employment, education, housing, health care, and other issues of social, racial, and economic justice.

In some ways, minority grass-roots environmentalism reflects the interrelationship among various forms of subordination, about which Daniel Zwerdling wrote in the *Progressive* (January 1973), in an early attack on the parochialism of the mainstream environmental movement:

Pollution, poverty, and worker security reflect three different ways that American corporations express themselves as they exploit people and resources for maximum profits. When corporations need raw materials, they strip them from public lands as cheaply as possible and leave behind great scars on the earth. When they need labor, they hire workers as cheaply as possible and leave behind women and men broken by industrial injuries, diseases, and debt. When corporations produce their goods they use the cheapest and fastest methods available and leave behind vast quantities of waste. The corporations dump the wastes in the poorest and most powerless parts of town. And when they earn their profits, the corporations divide them up among company executives and investors, leaving behind poor people who cannot afford medical care or food or decent homes.

Ordinary, plain-speaking people who are the casualties of toxic poisoning articulate the critique somewhat more pointedly. As Cancer Alley resident Amos Favorite put it:

We are the victims.... Not just blacks. Whites are in this thing, too. We're all victimized by a system that puts the dollar before everything else. That's the way it was in the old days when the dogs and whips were masters, and that's the way it is today when we got stuff in the water and the air we can't even see that can kill us deadlier than we ever thought we could die.

In the estimation of the grass-roots folks, however, race and ethnicity surpass class as explanations for the undue toxic burden heaped on people of color. Activists see these environmental inequities as unfair and unjust--practices that many feel should be illegal. Of course, it is hard to prove that racial discrimination is responsible for siting choices and government inaction in the environmental area, particularly in a court of law. One need only point to the examples of *Bean v. Southwestern Waste Management* (Houston, Texas), *Bordeaux Action Committee v. Metropolitan Nashville* (Nashville, Tennessee), and *RISE v. Kay* (King and Queen counties, Virginia) to see the limited utility of current antidiscrimination doctrine in redressing the plight of poisoned communities of color.

Environmental activists of color draw a good deal of their inspiration from the modern civil-rights movement of the 1960s. That movement was advanced by hardwon Supreme Court decisions. These organizers hope that a civil-rights victory in the environmental area will validate their charges of environmental racism, help to flesh out the concept of environmental equity, serve as a catalyst for further activism, and, just possibly, force polluters to reconsider siting in poor minority communities.

Capitalizing on the Resources of Common Culture

For people of color, social and cultural difficulties such as language are not handicaps but the communal resources that facilitate mobilization around issues like toxic poisoning. As members of the same race, ethnicity, gender, and even age cadre, would-be participants share cultural traditions, modes, and mores that encourage cooperation and unity. People of color may be more responsive to organizing efforts than whites because they already have experience with collective action through community groups and institutions such as churches, parent-teacher associations, and town watches or informal social networks. Shared criticisms of racism, a distrust of corporate power, and little expectation that government will be responsive to their complaints are common sentiments in communities of color and support the call to action around environmental concerns.

Grass-roots environmentalism is also fostered by notions that might be considered feminist or womanist. Acting on a realization that toxic poisoning is a threat to home and family, poor minority women have moved into the public realm to confront corporate and government officials whose modes of analysis reflect patriarchy, white supremacy, and class and scientific elitism. There are numerous examples of women of color whose strengths and talents have made them leaders of grass-roots environmental efforts.

The organization Mothers of East Los Angeles illustrates the link between group culture and mobilization in the ethnic grass-roots

environmental movement. Persistent efforts by MELA defeated proposals for constructing a state prison and a toxic waste incinerator in the group's mostly Latin American neighborhood in East Los Angeles.

Similarly, the Lumbee Indians of Robeson County, North Carolina, who attached spiritual significance to a river that would have been polluted by a hazardous waste facility proposed by the GSX Corporation, waged a campaign against the facility on the grounds of cultural genocide. Throughout the campaign, as Richard Regan and M. Legerton report in the anthology *Communities in Economic Crisis: Appalachia and the South*, "Native American dance, music, and regalia were used at every major public hearing. Local Lumbee churches provided convenient meeting locations for GSX planning sessions. Leaflet distribution at these churches reached significant minority populations in every pocket of the county's nearly 1,000 square miles."

Concerned Citizens of Choctaw defeated a plan to locate a hazardous waste facility on their lands in Philadelphia, Mississippi. The Good Road Coalition, a grass-roots Native American group based on the Rosebud Reservation in South Dakota, defeated plans by a Connecticut-based company to build a 6,000-acre garbage landfill on the Rosebud. Local residents initiated a recall election, defeating several tribal council leaders and the landfill proposal. The project, dubbed "dances with garbage," typifies the lengths that the Lakota people and other Native Americans will go to preserve their land, which is an essential part of their religion and culture.

Consider, finally, the Toxic Avengers of El Puente, a group of environmental organizers based in the Williamsburg section of Brooklyn, New York. (Their name is taken from the title of a popular, low-budget horror movie.) The group attacks not only environmental racism but also "adultism"--adult superiority and privilege. The members, whose ages range from nine to 28, combine their activism with programs to educate themselves and others about the science of toxic hazards.

The importance of culture in the environmental justice movement seems not to have produced the kind of distrust and misgivings that might impede interaction with white working-class and middle-class groups engaged in grass-roots environmental activism. There are numerous examples of ethnic-based associations working in coalitions with organizations from the mainstream. There are also localities in which the antagonism and suspicion that are the legacy of white racism have kept whites and African-Americans from uniting against a common toxic enemy. The link between the minority groups and the majority groups seems grounded in material exchange, not ideological fellowship. The white groups attacking toxins at the grass-roots level have been useful sources of financial assistance and information about tactics and goals.

The Primacy of Hands-on Tactics

Participation through direct action is crucial to the grass-roots environmental movement, just as it is for its white counterpart. Direct action includes a panoply of legal and extralegal activities such as circulating petitions; holding demonstrations, marches, and sit-ins; conducting candidate and agency accountability sessions during which panels of prepared community members conduct the quizzes; and picketing shareholders' meetings. The commitment to maximum participation may, of course, represent a matter of necessity for persons without disposable income, but it also seems to be a matter of belief. Again, as stated by Amos Favorite: "The ordinary person who works the fields and walks the streets, who has to live everyday with this mess, he's the warrior of the future. He's got the power to save the world. He's the real environmentalist."

Legal expertise is decidedly de-emphasized. The grass-roots folk spend a good deal of their time battling experts--bureaucrats, engineers, epidemiologists, lawyers--in an effort to make questions of risk distribution not simply a matter of science and technology but also a matter of politics and social responsibility. They have reason to be wary of undue reliance on their own experts. The stress placed on direct action means that the law and access to legal forums are more important to grass-roots environmentalists than are lawyers themselves.

Regulation of toxic producers is quite varied and extensive. The permits, licenses, zoning variances, and reporting requirements demanded of polluting concerns all represent openings for activism; lawyers are not invariably required for aggrieved people to take advantage of them. Lawyers still have a role to play, however. They facilitate the release of demonstrators from police custody; secure protection of protestors' First Amendment rights; represent complainants before regulatory agencies; and accompany activists to meetings and conferences at which the other side is sure to be represented by legal counsel. Lawyers clarify

the power of government agencies to do what the activists are demanding and assist in the assessment of available strategies to determine which will have the most impact on the polluter.

Both community organizers and lawyers have a certain skepticism about the efficacy of litigation in advancing the goals of minority grass-roots environmentalism, but citizen suits and tort actions are not wholly missing from the list of tactics employed by those involved in the minority grass-roots environmental movement. Plaintiffs do sometimes prevail, and even when they do not, their suits at least perform an educational function. They serve notice to the larger community that there is a problem and that people are upset about it. At the same time, however, litigation requires resources and takes a long time to complete. Losses in court can be demoralizing if too much hope is pinned on achieving legal victories. As activist Richard Moore contends, the judicial system is, after all, not "ours." According to Moore, keeping an organization going for the extended campaigns needed to produce results requires a creative mixing of means and methods.

Direct action tactics can work. How poor minority people come to be powerful is not entirely clear. According to activist Ellie Goodwin, minority grass-roots groups win concessions when they have a clear agenda, dogged determination, and a stubborn resistance to buy-offs and side deals that spell cooptation. The extension of voting rights has increased the number of local and state public officials who are from minority groups or who are responsive to complaints coming from poor minority citizens. The grass-roots movement is also riding on the coattails of the mainstream movement's triumph. The general interest in environmental problems makes industry susceptible to embarrassment and makes government authorities shy about ignoring environmental complaints. Although the media are generally accused of paying too little attention to protests in low-income minority communities, environmentalism there, as elsewhere, is attracting a readership.

Roadblocks to Relief

The success of grass-roots approaches to environmental problems should be judged by whether they produce the desired remedial results. The aspirations of the participants in the minority grass-roots environmental movement parallel those of whites: compensation; restoration of the land, water, or air; inspection of the polluter's facilities; and pollution reduction and prevention. People of color, however, must grapple with circumstances that make the achievement of their goals either more difficult or more imperative.

Limited power can turn victories into disappointments. For example, grass-roots environmentalists in general seem to agree that one of the most desirable concessions they can extract from a polluter is the right to inspect its facility and to monitor its operations. Inspections require direct participation and may result in a reduction of pollution or of the risk of harm. It interjects the community into the company's business. At least two of the attempts poor minority communities have made to undertake inspections have been frustrated. After agreeing to an inspection in the wake of a chemical spill at its inner-city Philadelphia plant, the Welsh Chemical Company reneged because no accommodation could be reached regarding distribution of the information that would have been acquired. Similarly, Chevron attempted to turn an inspection of one of its Richmond, California, facilities into a one-day "tour." Nonetheless, with the assistance of an industrial hygienist, the inspection team produced a list of concerns and released the information to the media. The company objected and broke off dialogue with the community. In these cases, citizens apparently lacked sufficient clout with which to demand greater access. The right to inspect is clearly an area in which policy reform is needed.

People of color have also been handicapped in redressing their pollution-related injuries through tort actions. People whose land and water have been contaminated and whose health has been impaired by toxic poisoning want to be compensated for the harm that has been done to them. Compensation is one goal as to which race, ethnicity, and class clearly do matter. Toxic tort litigation can be quite costly, and poor minority people may encounter difficulties finding and negotiating a deal with attorneys who are both experienced in handling toxic tort cases and capable of advancing the necessary expenses.

Establishing a claim or entitlement depends on documenting the harm the claimants have experienced or proving a link between the polluter's toxic emissions and the symptoms about which the complaint is made. People of color may be at a disadvantage in this regard because their access to medical care is often limited. Building a record may even be difficult when victims are organized, health complaints are ongoing, and medical intervention is timely. For example, within days of a sooty, foul-smelling

spill at a chemical plant in the Kensington/ Richmond section of Philadelphia, some of the residents and an environmental organizer who worked with them suffered extensive skin rashes. Residents held a sit-in at the health commissioner's office and demanded clinical monitoring to determine the source of the problem. Certain hours were set aside at a public clinic outside the community for investigation of the problem, and arrangements were made to get people there. But the logistics proved to be too onerous, and some residents thought that they had accomplished as much as they could, so the scheme broke down.

The life-styles of people of color may affect their ability to link their health problems to toxin exposure and may also provide a defense against their claims. Many consume diets consisting mainly of junk food, soul food, or processed food--all of which are cheap but high in fat, salt, and sugar. Minorities' consumption of cigarettes, alcoholic beverages, and illicit drugs tends either to be greater than that of the white population or to have more serious health consequences. To compound the causation puzzle, available statistics indicate that poor minority workers are disproportionately exposed to toxins on the job. All of these activities are correlated with the same sorts of disorders (cancer and heart and lung diseases) that environmental pollutants promote.

In a few cases, monetary settlements in the millions of dollars have been awarded to poor minority victims of toxic poisoning. The aftermath of such settlements has not really been explored. There is a tendency to underestimate the competence of poor minority people to make financial decision or to handle substantial sums of money like those involved in court settlements. At the same time, it is likely that poor minority people have fewer local financial institutions or private service organizations (banks, rehabilitation facilities, training programs) interested in meeting their needs. The post-settlement experience needs systematic study and is an area with which lawyers should be concerned.

Compensation may be paid in lieu of restoration of the land and prevention of future harm. For those hard-pressed by immediate perils, restoration and prevention--which require a longer time frame--may be impossible goals. Some poor people may have such strong social or cultural reasons for wanting to preserve the integrity of their communities that they are prepared to hold on and hold out, but it seems likely that resolve is related to resources.

To create a buffer zone around a petrochemical plant, Dow Chemical bought the town of Morrisonville, Louisiana, by offering landowners \$20,000 per acre, home owners between \$50,000 and \$200,000, and tenants \$10,000 for resettlement. According to a November 28, 1990, report in the New York Times, Dow "built a subdivision four miles down river where some of Morrisonville's families could move into new brick homes and establish another community." Georgia Gulf has done the same thing in Reveilletown, Louisiana. These buyout programs have been attacked by environmentalists because buffer zones do not decrease accidents or pollution, though the buffer zones may reduce the direct harm toxins will cause. This criticism seems more justified when directed at the companies responsible for the pollution than at the residents who accept the companies' buyout offers. It is difficult to criticize the compromises people make when they have spent their lives in toxic danger and have few financial resources.

Compensation can have a more disruptive effect on communal life than other forms of relief. Individual monetary settlements can threaten communal solidarity, and there is no precedent for pursuing claims of harm to an entire group or for treating compensation payments as a group asset to be invested for the benefit of the group. These are matters that will likely be of concern to environmental justice activists of color.

The breakdown in the communitarian ethos with regard to compensation is very likely attributable to dichotomies in the law. In the environmental area, there is a real separation between common law and statutory law, between equitable relief and legal remedies, between suits brought by organized groups and class actions initiated by representative individuals, and even between toxic tort litigators and environmental regulatory attorneys. For example, a common-law nuisance is easy for ordinary people to detect and prove, and plaintiffs are not obligated to notify the polluter prior to bringing suit. Unfortunately, there is no provision in the common law for attorneys' fees; restoration and rehabilitation of the environment may be unavailable options unless they are cheaper than compensation; and the deterrent effect of damages is attenuated.

Actions based on public law tend not to have such limitations, but there is generally no provision in the statutes for recovery of damages. Legal policy analysts should consider whether it is possible to combine in one cause of action the strengths of both common law and statutory claims. Furthermore, there should be further inquiry into the viability of communal rights of action.

Bridging the Justice-Environment Gap

At the same time that environmental justice activists are battling polluters, some are engaged on another front in a struggle against the elitism and racism that exist within the mainstream environmental movement. There are several substantive points of disagreement between grass-roots groups of color and mainstream environmental organizations. First, communities of color are tired of shouldering the fallout from environmental regulation. A letter sent to ten of the establishment environmental organizations by the Southwest Organizing Project and numerous activists of color engaged in the grass-roots environmental struggle illustrates the level of exasperation:

Your organizations continue to support and promote policies which emphasize the clean-up and preservation of the environment on the backs of working people in general and people of color in particular. In the name of eliminating environmental hazards at any cost, across the country industrial and other economic activities which employ us are being shut down, curtailed, or prevented while our survival needs and cultures are ignored. We suffer the end results of these actions, but are never full participants in the decision-making which leads to them.

Although the indictment, standing alone, seems fairly broad, it is backed up with specific illustrations of the adverse impact mainstream environmentalism has had on poor minority people. In response to pressure from environmentalists concerned about saving wildlife and protecting the health of the general population, pesticides of great persistence but low acute toxicity--such as DDT and chlordane--have been restricted or banned. They have been replaced by pesticides that degrade rapidly but are more acutely toxic, such as parathion. The substitutes, of course, pose a greater risk to farm workers and their children, who are for the most part people of color. Baldemar Velasquez of the Farm Labor Organizing Committee characterizes the mainstream's failings in regard to pesticides as follows:

The environmental groups are not responding to try to right the wrongs and change the motivation of industry, which is greed and profit at the expense of everyone. When you start dealing with that issue, you're dealing with structural change in terms of how decisions are made and who benefits from them. The agenda of the environmental movement seems to be focused on getting rid of a particular chemical. This is not enough, because they'll replace it with something else that's worse.

Another threat to communities of color is the growing popularity of NIMBY (not in my backyard) groups. People of color have much to fear from these groups because their communities are the ones most likely to lose the contests to keep the toxins out. The grass-roots environmentalists argue that, rather than trying to bar polluters who will simply locate elsewhere, energies should be directed at bringing the amount of pollution down to zero. In lieu of NIMBY, mainstream environmentalists should be preaching NIABY (not in anyone's backyard).

Finally, conservation organizations are making "debt-for-nature" swaps throughout the so-called Third World. Through swaps, conservation organizations procure ownership of foreign indebtedness (either by gift or by purchase at a reduced rate) and negotiate with foreign governments for reduction of the debt in exchange for land. Grass-roots environmental activists of color complain that these deals--which turn conservation organizations into creditors of so-called Third World peoples--legitimate the debt and the exploitation on which it is based.

The positions staked out by environmental justice activists regarding fallout from environmental regulation are consistent with the values that are ingrained in the rest of the movement's activities. The fallout critique is not opposed to environmentalism or environmental regulation. In attacking the political conservatism of the mainstream, the grass-roots environmentalists are not themselves lapsing into environmental conservatism. In fact, the fallout from which communities of color suffer can be cured with more, not less, environmentalism, provided it is anti-elitist, anti-racist, sensitive to the cultural norms and mores of people of color, mindful of the impact of domestic regulation on brothers and sisters abroad, and cognizant of the substantial need for economic development in disenfranchised countries.

Unlike those in the mainstream organizations, people involved in the environmental justice movement cannot afford to lose sight of the material circumstances of the black, brown, red, and yellow folks who are their compatriots and constituents. Nor do the grass-roots activists intend to abandon their environmental agenda. The "eco" in eco-justice stands as much for "economic" as for

"ecological." For many communities of color, it is too late for NIMBY. They already have a dump, an incinerator, a smelter, a petrochemical plant, or a military base in their neighborhood. And according to one environmental-justice advocate (quoted by Conger Beasley in the July/August 1990 issue of Buzzworm), they do not necessarily want the polluters "to pack up and move away. That's not what we're asking for. We just want them to clean up the mess they've made. They can do it. It's only fair." What they do want is accountability from existing polluters.

The dual environmental-economic agenda of the minority grass-roots movement is reflected in two items of the Bill of Rights drafted by the Southwest Organizing Project's Community Environmental Program:

Right to Clean Industry: We have the right to clean industry; industry that will contribute to the economic development of our communities and that will enhance the environment and beauty of our landscape. We have the right to say "No" to industries that we feel will be polluters and disrupt our life-styles and traditions. We have the right to choose which industries we feel will benefit our communities most, and we have the right to public notice and public hearings to allow us to make these decisions.

Right to Prevention: We have the right to participate in the formulation of public policy that prevents toxic pollution from entering our communities. We support technologies that will provide jobs, business opportunities, and conservation of valuable resources. As residents and workers, we have the right to safe equipment and safety measures to prevent our exposure in the community and the workplace.

Prevention of toxic accidents and communal participation in risk-allocation decisions should be the key components of future negotiations regarding industrial sites in poor minority communities. It is hard to envision a world without trade-offs, and it is too soon to tell what sort of compromises enlightened minority communities might be willing to make (or, more likely, might feel compelled to make) when presented with proposals from industries that are mostly clean but a little bit dirty. They might be willing to accept some exposure in exchange not for cash or credit but for control. To the extent that communities do not create and carry out their own plans for economic development, their right to reject poisonous enterprises will be limited. Therein lies the next hurdle for environmental activists of color.

The struggle to contain the poisoning of poor minority communities requires resources which the grass-roots environmentalists do not have and the mainstream environmentalists do. Environmental justice advocates reject the romantic view of the mainstream and stress that its power is material, not transcendental. As Vernice Miller, cofounder of West Harlem Environmental Action put it: "They're going to have to get off the stick of preserving birds and trees and seals and things like that and talk about what's affecting real people..... Organizations of color are forcing the issue."

In addition to challenging some of the goals of the mainstream movement, environmental justice activists are going after the mainstream for failing to integrate their staffs and boards, for failing to enlarge their agendas to include the concerns of poor minority communities, and for failing to share their bountiful resources with poorer grass-roots groups. These challenges strike a nerve in organizations that view themselves as being faithful to the liberalism of the 1960s. Whether their guilt, concern, or embarrassment will translate into greater cooperation between minority environmental groups and the mainstream or the integration of the organizations' bureaucracies remains to be seen. The grass-roots folks seem to think that, if they achieve the second goal, they will be closer to achieving the first. They may be fooling themselves. Some consideration should be given to devices for ensuring the accountability of people of color who find positions in mainstream organizations as a result of complaints from the grass-roots.

People of color have provided the crucial leadership for the growing environmental justice movement in the United States. This movement, in all aspects of its operations, is anti-elitist, anti-racist, class conscious, populist, and participatory. It attacks environmental problems as being intertwined with other pressing economic, social, and political ills. It capitalizes on the social and cultural strengths of people of color and demands in turn that their life-styles, traditions, and values be respected by polluters and mainstream environmental organizations alike.

The environmental justice movement is still in its embryonic stages. Its ideology has yet to be fully developed, let alone tested. Moreover, it is too easy for outsiders to criticize the trade-offs and compromises poor people and people of color bearing toxic

burdens have made. It is important to understand the movement on its own terms if one hopes to make policy proposals that will be of use to those struggling to save themselves. Grass-roots people have proven that they are capable of leading, speaking, and doing for themselves.

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