



The United Sludge-Free Alliance Recommended Reading

From the Environmental Justice Resource Center

Poisoned Communities Tell EPA to Address Legacy of Unequal Protection

To view media coverage of this event please click [HERE](#).

October 27, 2009, Atlanta, GA – In the first meeting of this type in Region 4 in more than a decade, environmental justice leaders representing more than a dozen environmentally impacted communities from six states (Alabama, Florida, Georgia, Mississippi, South Carolina, and Tennessee) met in Atlanta with [EPA Region 4](#) acting administrator A. Stanley Meiburg and senior staff to present documentation of environmental injustice, unequal protection, and failures on the part of the EPA and state environmental agencies to protect the health and environment of low-income and people of color communities.

The EPA meeting was held at the same time and just a few blocks away from the Centers for Disease Control and Prevention [National Environmental Public Health Conference](#)—where thousands of federal, state, tribal, and local public and environmental health professionals, academic researchers, physicians, nurses, and other healthcare professionals, representatives from communities and organizations, and policy and decision makers are “exploring new research and innovative practice in ecosystems and public health, healthy places and communities, sustainability, public health and chemical exposures,” according to CDC’s website. The CDC, with special emphasis on the Agency for Toxic Substances and Disease Registry ([ATSDR](#)) is the next target these environmentally impacted communities will turn their attention. Many environmental justice leaders view ATSR and EPA Region 4 as “evil twins” that have historically provided unequal protection and a “[Katrina response](#)” to toxic health threats to low-income and people color communities long before that deadly storm ravaged the Gulf Coast.

Leaders from poisoned communities hope to communicate to the new EPA administration the deadly impact of environmental racism and for it to make the elimination of environmental hazards in low-income and people of color communities a priority. The community leaders presented the Region 4 acting administration with their own written reports and conveyed personal “horror stories” that highlight the devastating impact of toxic contamination and EPA’s flawed protection model that appears to value good relations with state environmental regulators over enforcing the laws—allowing polluters to walk away in many cases unpunished. Some community leaders who were too sick to travel to Atlanta sent in written statements. All of the written reports have been be emailed to EPA Administrator [Lisa P. Jackson](#) in Washington.

The environmental justice leaders who came to Atlanta are part of the 36 environmental justice, civil rights, faith, academia, and legal groups from all eight Region 4 states that signed a letter to [Congressman John Lewis](#), longtime civil rights and environmental justice advocate, requesting him to call for an Inspector General ([OIG](#)) or U.S. General Accountability Office ([GAO](#)) investigation of EPA Region 4 given its poor track record on environmental justice.

The full letter can be found [HERE](#).

Environmental Justice Communities

ALABAMA

Anniston, Alabama---The community has concerns regarding the Lead Site Administrative Order of Consent (AOC). In their community the residents have two superfund caliber sites and a *polychlorinated biphenyl* (PCB) and Lead site. They have two governing orders to address these sites which are where the problem starts. These residents' concerns have been given to Region 4 EPA but have not been addressed to the community's satisfaction. They have a Consent Decree (CD) to address PCB's and an AOC to address lead in the community. The residents feel that the Lead AOC allowed the responsible parties (RP's) to get away with too much. Contact: David Baker, Executive Director, Community Against Pollution in Anniston, AL.

For full statement click [HERE](#).

Uniontown/Perry County, Alabama---The potential exposure of residents of Perry County to hazardous substances resulting from the disposal of metal-laden coal ash at the Perry County ("Arrowhead") Landfill is a critical issue in this community. The ongoing transport of millions of tons of coal ash from the Tennessee Valley Authority (TVA) Superfund site in Kingston, Tennessee to the Arrowhead Landfill threatens to place those living near the permanent coal ash disposal site at great risk. The current operating permit is deficient in critical areas, and these deficiencies potentially place the community at risk for air and water contamination. The residents have requested EPA's immediate attention to this matter and the amendment of the Agreement on Consent (AOC) to address these threats. Contact: Reverend James R. Murdock, President, Concerned Citizens of Perry County, Uniontown, Alabama, or Lisa Evans, Senior Administrative Counsel, Earthjustice, Marblehead, MA.

For full statement click [HERE](#). (To view the statement attachments' please see [Attachment 1](#), [Attachment 2](#), [Attachment 3](#), and [Attachment 4](#)). Barbara Evans, WildLaw, Burkville, AL. For full statement click [HERE](#).

McIntosh County, Alabama---The community submitted a complaint to the United States Environmental Protection Agency requesting an investigation into the abuse by Olin Corporation mining and manufacturing operations in McIntosh, Alabama. The residents requested that a criminal investigation and prosecution be brought against Olin for its alleged criminal violation of environmental laws. As concerns of criminal liability, the Olin McIntosh Facility was designated as a Superfund site and placed on U.S.EPA's National Priority List in 1984. As a listed Superfund site Olin was required by law to abide by certain cleanup and operational procedures. According to Olin's soil sample analysis and test report, 10 of the 13 soil samples exceeded 37 parts per million (ppm) total mercury and six of the samples exceeded 130 ppm total mercury. The residents in the community feel that the EPA Region 4 has failed in the last ten years to enforce federal laws or provide equal protection under the law to minority property owners and taxpayers residing in McIntosh, Alabama. Contact Rodney Jones, Washington County Project in Mobile, Alabama. (To view the statement attachments' please see [Olin Test Report](#), [Kleppinger Report](#), [Boston Chemical Report](#), [McFadding Report](#), and [Environmental Sciences Report](#)).

For full statement click [HERE](#).

FLORIDA

Fort Lauderdale Florida---EPA Region 4 on many accounts failed the community and its residents regarding the cleanup of the Wingate Superfund site in Fort Lauderdale Florida. The EPA site analysis was incomplete. The EPA did not require large corporations to provide adequate information as to the extent of their role in disposal of waste at the site—legal or

otherwise. EPA failed to gather large revenue from the companies that could have been used in the cleanup of the Wingate site. According to the residents, the underlying injustice here is that no one or agency was willing to spend money on the community. Contact: Deatra J. McCoy, Legal Environmental Social Justice, Fort Lauderdale.

For full statement click [HERE](#).

Pensacola, Florida---The Pensacola, Florida area is plagued with many environmental disasters. The two Superfund sites (Escambia Treating Company and Agrico Chemical Company) that led to the eventual relocation of over 300 families still present problems in the Pensacola area. In addition, there are other industries (Gulf Power-Crist Plant, Solutia Inc., International Paper, Reichhold Inc., and Arizona Chemical Co.) still in operation that have proven not to be very good neighbors. Pensacola residents are left wondering how they may have been exposed to hazardous chemicals and why their health is deteriorating and the EPA seems unwilling to bring any enforcement actions to protect public health and the environment. Contact: Francine D. Ishmael, Executive Director, Citizens Against Toxic Exposure, Inc., Pensacola, FL.

For full statement click [HERE](#).

Lake Apopka, Florida---In this community over the years, clean-up efforts on Lake Apopka have focused on the phosphorous content of the lake. The algae blooms from phosphorous excesses were only the most visible of the lake's problems. There are two Superfund sites located in the vicinity of Lake Apopka. The Tower Chemical Company Superfund site is notoriously known for a chemical spill in 1979 that released DDT into a tributary draining into the lake. Also, The Drum Chemical Company Superfund site is a site of chemical contamination, resulting from the commercial operations of the cleaning of pesticide drum containers. Currently, both sites have been only partially remediated and are being periodically monitored by the EPA. Contact: Jeannie Economos, Farmworker Association of Florida, Apopka, FL.

For full statement click [HERE](#).

Tallevast, Florida--- In 2003, the residents of Tallevast, Florida, a small, and historic community just north of Sarasota, discovered that their groundwater had been contaminated. The plant site was a precision weapons manufacturing facility, which changed hands throughout the years, but is currently owned by Lockheed Martin. So far, Lockheed Martin and the Florida Department of Environmental Protection (FDEP) have identified ten chemicals that have leaked into the groundwater of the community. Lockheed had known for almost three years about the contamination and had done nothing to warn the community. Currently, after six years, they are on the third version of the Remedial Action Plan (RAP). This version shows little improvement over the first two RAPs. The current RAP projects a 50-100 year clean-up time frame. That is after a 3-5 year build out of the remedial system. It fails to utilize the most efficient clean-up methods and neglects to consider the people that will have to live in close proximity to an active remediation site. The residents of Tallevast have continually appealed to the EPA to assist them in their plight. All such requests have fallen on deaf ears and have been met with silence. Contact: Sarah Schwemin, staff attorney, WildLaw St. Petersburg, FL.

For full statement click [HERE](#). Wanda Washington, Tallevast resident. For full statement click [HERE](#).

GEORGIA

Athens, Georgia---Pittard Road was given a cancer cluster investigation from 2003-2006 without DuPont/InVista's numerous environmental violations being documented or investigated by local, state, and federal authorities. They recently petitioned the Agency for Toxic Substance & Disease

Registry (ATSDR) for another investigation in light of these significant violations. ATSDR denied the investigation. ATSDR was found guilty of extensive environmental public health failures by a House hearing on 12th March 2009 so they do not have trust in their cooperative findings with the State of Georgia. They remain convinced because of these violations and from documents they have obtained through Freedom of Information Act (FOIA) that Pittard Road was victimized by this industry. Jill McElheny, Vice Chair, Northeast GA Children's Environmental Health Coalition in support of Dunlap and Pittard Road Communities.

For full statement click [HERE](#). Charles Nash, Concerned Citizens of Dunlap Road (Athens, GA). For full statement click [HERE](#).

Brunswick, Georgia---Toxaphene, which is a banned pesticide, was manufactured in Brunswick, Georgia, from 1948 to 1980 and disposed of in several landfills, and in the estuary. This toxic waste is spread throughout their community which includes two Superfund Sites, where one of sites is located next to Altama Elementary School that is located in a low-income minority neighborhood. The community wants EPA to test the area appropriately around the Altama Elementary school and neighborhoods to ensure that the children and families in the community are safe. Contact: Daniel Parshley, Glynn Environmental Coalition, Brunswick, GA.

For full statement click [HERE](#).

Early County, Georgia---Environmental Protection Division (EPD) has failed to consider the disproportionate impacts on low-income and minority communities of the Longleaf Energy Station, a proposed coal-fired plant to be located in Early County, Georgia. While air pollution affects us all, communities of color and low income communities suffer a disproportionate burden of poor air quality. Sixty-eight percent of African Americans live within thirty miles of a coal-fired power plant – which means living near dangerous emissions of particulate matter, sulfur dioxide, nitrogen oxides, mercury and other pollutants. The EPD publicly announced that it has considered the pollution facts that impact the general population. As EPA is the agency responsible for overseeing that EPD carries out its delegated authority appropriately, EPA should require that EPA evaluate possible disparate impacts in issuing air quality permits. EPA should require that all states amend their state implementation plans to include consideration of disparate impacts on communities of color and low-income communities in air quality permitting decisions. EPA must have a mechanism in place to address the disparate burden of pollution that these communities face. Contact: Ela Ornstein, staff attorney, GreenLaw Inc. (Atlanta, A).

For full statement click [HERE](#).

MISSISSIPPI

Columbus, Mississippi---Maranatha Faith Center was impacted by Creosote Contamination in ongoing releases since August 1999. A construction project began by Rev. Jamison in August discovered Creosote in a live stream running through Maranatha Faith Center Property. Mississippi Department of Environmental Quality (MDEQ) responded and requested that Kerr McGee Columbus sample and provide a report. Kerr McGee sampled, MDEQ sampled and the results did not match. MDEQ informed Kerr McGee that Toxicity Characteristic Leaching Procedure (TCLP) methodology was not appropriate for determining if Maranatha Faith Center required a cleanup. MDEQ requested a cleanup plan from Kerr McGee in 2000. Maranatha Faith Center is still waiting for a cleanup plan. A groundwater assessment plan was requested from Kerr McGee by EPA Region 4 in 2000 to date no groundwater assessment plan has been presented. There is a major discrepancy between what is in the files and what Kerr McGee aka Tronox and EPA Region 4 can document. Contact: Rev. Steve Jamison, Pastor, Maranatha Faith Center (Columbus, MS).

For full statement click [HERE](#).

Hattiesburg, Mississippi--- A human health risk assessment was completed by Kerr-McGee and reviewed by EPA and Mississippi Department of Environmental Quality (MDEQ) staff to evaluate "baseline" risk if the site (Gordon's Creek Site) was cleaned up and continued to be used as it is today. The assessment evaluated the potential risks to humans through several risk exposure pathways at the site. The reviewed health assessment on file in the Hattiesburg Public Library recommended removing the residents from the contaminated areas. The MDEQ fully intended to implement this part of the health assessment until the settlement lawyers informed MDEQ that they would work that out. The Work out left the residents in harm's way. Lawyers were allowed to modify MDEQ policy and procedures. Concentrations of naphthalene in the groundwater beneath the old "process" area and south of the Southern Railroad exceed the acceptable level for drinking water. The residents have requested assistance from City, County, State and Federal Elected Officials. They have met with MDEQ Director Trudy Fisher and we have contacted EPA Region 4 officials. Contact: Sherri Jones, Founder and Organizer, Forrest County Environmental Support Team, Tennie White, President, Environmental Consultant Trouble Shooters, Inc. (Jackson, MS).

For full statement click [HERE](#).

SOUTH CAROLINA

Williston, South Carolina---There is a water contamination problem in this small rural community of Williston, South Carolina. The residents would call the South Carolina Department of Health and Environmental Control (DHEC) and they would tell them to go to the EPA Project Manager, which in this case was the beginning of horrors. While documents were placed in the small community library, there were not enough community meetings to break down the information in understandable chunks for the average citizen to understand. What was needed and desired, was enhanced community outreach techniques that would allow community residents the opportunity to learn what was going on, ask questions and participate in a dignified manner. The highly technical documents that were placed in the library only led to even more confusion and questions. And, needless to say the lack of or infrequency of community forums and meetings only added to the speculation and rumors that spread across the community like wildfire. Although, some residents finally reached an end result that some of them were happy with, it was due to much wrangling, coercing, complaining and even a big protest that largely should have been an embarrassment to EPA Region IV. Contact: Rita Harris, Environmental Justice Coordinator, Sierra Club, Memphis, TN, representing an environmentally impacted community in South Carolina, Williston, SC.

For full statement click [HERE](#).

TENNESSEE

Dickson, Tennessee---White residents are told that water wells might be contaminated with trichloroethylene or TCE, "a likely carcinogen," black families were not notified, and are now suffering and dying from cancer. Government officials, including the EPA Region 4, County and City of Dickson, and the Tennessee Department of Environment and Conservation, debated about the safety of the Harry Holy family well water and the nearby leaky Dickson County Landfill. Contact: Sheila Holt Orsted, Tennessee resident and plaintiff in civil rights and environmental lawsuits to cleanup TCE contamination in Dickson, Tennessee.

For full statement click [HERE](#).

Fayette County, Tennessee---Residents in and around the Tennessee Valley Authority (TVA) "proposed" megasite, which includes the historically African American Fredonia community, have requested EPA Region 4 enforce NEPA guidelines and participation in a meaningful environmental study and analysis from TVA and the State of Tennessee at all levels but have been rebuffed and/or ignored at all phases of this huge designated industrial site including the most important phase, during planning and before decisionmaking. The residents ask only that this NEPA process be done in the order in which NEPA mandates—before major decisions and actions are taken. Gary Bullwinkel, Citizens Against the Haywood/Hatchie Megasite.

For full statement click [HERE](#).

Oak Ridge, Tennessee---The Scarboro community in Oak Ridge was exposed to multiple contaminants at any given time, which makes for increased health concerns. It has been noted that most contaminants can take up to 25-30 years to show up in your body. There are several characteristics that make the evaluation of the potential off-site health effects from the Oak Ridge Reservation (ORR) very complex and very challenging. In terms of variety and complexity of past operations and materials used (radionuclides and chemicals), the ORR is among the most complex sites in the world. The settings of the three main ORR (the plant sites code-named K-25, X-10, and Y-12), in a complex ridge-and-valley terrain, lead to some particularly complex effluent transport patterns and pathways for public exposure. The potential importance of Oak Ridge releases is heightened by the fact that there are no other communities closer to key production areas than at any other U.S. Department of Energy (DOE) site in the country. One way to fix our problem is to restore or buy-out the community/property and/or relocate them to up-to-date and safer housing (at the option of the family members).Contact: Margaret L. Jones, Scarboro community Resident, Oak Ridge, TN.

For full statement click [HERE](#).

http://www.ejrc.cau.edu/PressConf_10_27_09.html