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Toxic Communities

Instructor's Guide

From St. Louis to New Orleans, from Baltimore to Oklahoma City, there are poor and minority neighborhoods so beset by pollution that just living in them can be hazardous to your health. Due to entrenched segregation, zoning ordinances that privilege wealthier communities, or because businesses have found the 'paths of least resistance,' there are many hazardous waste and toxic facilities in these communities, leading residents to experience health and wellness problems on top of the race and class discrimination most already experience. Taking stock of the recent environmental justice scholarship, *Toxic Communities* examines the connections among residential segregation, zoning, and exposure to environmental hazards. Renowned environmental sociologist Dorceta Taylor focuses on the locations of hazardous facilities in low-income and minority communities and shows how they have been dumped on, contaminated and exposed.

Drawing on an array of historical and contemporary case studies from across the country, Taylor explores controversies over racially-motivated decisions in zoning laws, eminent domain, government regulation (or lack thereof), and urban renewal. She provides a comprehensive overview of the debate over whether or not there is a link between environmental transgressions and discrimination, drawing a clear picture of the state of the environmental justice field today and where it is going. In doing so, she introduces new concepts and theories for understanding environmental racism that will be essential for environmental justice scholars. A fascinating landmark study, *Toxic Communities* greatly contributes to the study of race, the environment, and space in the contemporary United States.

Introduction (pages 1-5)

The introduction begins by identifying two of the most controversial claims of the environmental justice movement (EJM): that hazardous facilities are concentrated in minority and low-income communities, and that these communities are thus exposed to extensive environmental hazards. The movement is traced back through the 1960s and 1970s, where minority activists began to link environment with racial and social inequalities and advocate rights to safe and healthy environments. There are many reasons why these occupants don't simply move, as some skeptics have questioned. In addition to the pain of leaving one's homeland where one has deep roots in the culture, the language, and the way of life, there are also the financial challenges of relocating. This book aims to analyze the underlying assumption behind this situation as well as forces that constrain, compel or encourage minorities to move. It will focus specifically on exposure to environmental hazards and industrial activities in these communities, with three key questions in mind:

1. Why do minorities live adjacent to hazardous facilities or become exposed to environmental hazards?
2. Why do they not move?
3. Who or what keeps them from moving?

By reviewing the research in the field as well as current theories and evidence, the book will explore the above relationship between community and environment. EJ researchers are urged to pay more attention to both rural and urban EJ issues and refine methods to account for complexity of these issues. And while EJ issues may seem to pale in importance to larger economic and civil liberty issues, the book shows that EJ issues are extremely important for minorities, who are deeply engaged with the matter.

CHAPTER 1, “Toxic Exposure” | Pages 6 - 32***Landmark Cases in the South and the Rise of Environmental Justice Activism*****SUMMARY**

This chapter details several cases in which communities faced environmental hazards linked to industrial activities in the region and the response from all parties. Two events led to increased consideration of broader implications of communities living in close proximity to hazardous industrial facilities: pesticide contamination of waterways around Triana, Alabama and the siting of a hazardous landfill in Warren County, North Carolina. Residents of Triana suffered poisoning from a chemical known as DDT for years before testing was done to determine they were affected. While the chemical company, the army, and the Public Health Service were all aware of the DDT contamination during the early '60s, the local residents (primarily black) were not made aware until years later. The overall lack of concern shown for local residents led to several lawsuits, which were eventually settled for more than \$80 million. In Warren County, residents voiced strong concern about plans to bury chemical waste at a landfill in the nearby area. Yet despite opposition to the landfill, Governor Hunt framed the siting as a “public good” and assured citizens of their safety. Lawsuits followed, and activists organized an EJ group to protest by lying across the road to block dump trucks carrying PCP-laced dirt, which garnered national media attention. Activists claimed the site was chosen because the area was predominantly Black. This led to a wider consideration of the relationship between race, class, and the siting of hazardous facilities. The chapter also mentions an area of Louisiana known as “Cancer Valley” due to the high density of petrochemical plants in the vicinity, where the population is primarily Black and low income. Residents in one community, Diamond, wanted to relocate and asked that Shell Oil to purchase all of their homes in a collective buyout. Yet in court, Shell’s lawyers argued that further proof of danger to residents was needed, and the jury voted against residents. The chapter details numerous other cases in which residents attempted to organize and fight the hazardous environmental issues in their community.

REFLECTION QUESTIONS

1. Why were residents in Triana, Alabama not notified about DDT contamination, according to former mayor Clyde Foster?
2. What were the significant outcomes of the Warren County landfill case for EJ activists?

CHAPTER 2, “Disproportionate Siting” | Pages 33 - 46
*Claims of Racism and Discrimination***SUMMARY**

This chapter introduces the first thesis used to explain common claims made in EJ cases. The Disproportionate Siting and Discrimination Thesis argues that hazardous facilities are disproportionately located in minority and low-income areas, a pattern resulting from discrimination. One of the most contentious theories connected with this issue, this thesis is supported by a wide array of evidence but faces challenges from scholars on its underlying assumptions, such as the idea that minorities were in these communities before the hazardous facilities were built. Many scholars argue that demographic analyses of the areas should be from the time of the siting, or as close as possible. The more researchers investigate, the more they uncover complexities of this situation; for example, the racial disparities among siting patterns of specific kinds of facilities. Many studies provide partial support for claims on either side of the issue. Scholars also disagree on the unit of analysis that should be used. The author points out that analyzing the impact of hazardous facilities also requires an assessment of the varying levels of toxicity of these facilities, not just the people affected. Overall, the field of study is becoming more sensitive to these nuances and are asking more questions and employing new methods of study in order to understand the factors that explain the siting of hazardous facilities.

REFLECTION QUESTIONS

1. What are the main arguments behind the Disproportionate Siting and Discrimination Thesis?
2. Why do some scholars find zip code analysis a problematic way of analyzing data around hazardous facilities?
3. What are the main points of disagreement between scholars on this issue?

CHAPTER 3, “Internal Colonialism” | Pages 47 - 68
*Native American Communities in the West***SUMMARY**

This chapter explores a second major theory related to the siting of hazardous facilities: Internal Colonialism. This is the idea that certain parts of the country are seen and treated as internal colonies when it comes to the extraction and processing of hazardous materials — specifically the South, Southwest, and Native American reservations. The natural resources and cheap labor available in these lower-income and low employment areas are exploited by the peripheral and Northern areas of the country. This chapter mainly focuses on Native American reservations and how occupants of these lands have suffered from the siting of hazardous facilities on their lands. One issue is that minority elites often act in concert with or are manipulated by corporate interests rather than their community residents. Another is that in the energy industry, Native Americans are paid less than non-Native American workers, who mainly occupy managerial and supervisory jobs. Native American reservations are heavily courted to host nuclear waste sites because of their remoteness. Problems that arise for Native Americans include toxic contamination, relict waste, low wages, deplorable working conditions, and health problems.

REFLECTION QUESTIONS

1. Why do Native Americans stay on their reservations despite proximity to hazardous waste sites?

CHAPTER 4, “Market Dynamics” | Pages 69 - 97
*Residential Mobility, or Who Moves and Who Stays***SUMMARY**

This chapter covers several theses under a broad heading of “market dynamics,” which focuses on the economic behavior of residents and corporate players. Some argue, for example, that there is economic rationality for placement of hazardous facilities in that a company is naturally driven to control costs and would therefore look for the cheapest place to build a facility. They argue that polluters are drawn to low-cost land for the same reason as poor people. Another point of discussion is white flight, the situation where white residents move out of racially mixed neighborhoods. Research found that racial composition of a neighborhood becomes a much bigger factor when whites are deciding whether to move into a neighborhood, rather than when they are moving out. However, 85% of whites agreed that they were more concerned with neighbors sharing a similar income and education than race. They also voiced concerns about property values dropped when blacks moved into the neighborhood. Evidence shows that hazardous facilities cause nearby property values to drop, and cleanup of such sites leads to property values rising again. Other researchers have theorized that due to increased opposition to hazardous facilities invading communities, companies have started to seek out the path of less resistance, which is generally in low-income and minority neighborhoods where residents are the least likely or able to resist. This usually involves communities where there is little organized political power, social capital, or community efficacy. Ethnic churning, a situation where one ethnic group replaces another in a neighborhood, is seen as another process that may make some communities more vulnerable and less able to organize against the siting of hazardous facilities. Others forward the “chicken and egg” question of which came first: the facilities or the people? In addition to discussing gentrification, the chapter also touches on the issue of relict waste and communities that are unaware of the dangerous toxins under their earth or in their waters. The section on vulnerability discusses factors that make people or places more vulnerable to hazards.

REFLECTION QUESTIONS

1. What is the underlying assumption behind the theory of ethnic churning?
2. What recommendations does the author give for future research on race and gentrification?
3. What is the “treadmill of destruction” argument?
4. Discuss what is meant by “hazard potential.”

CHAPTER 5, “Enforcing Environmental Protections” |**Pages 98 - 122*****The Legal, Regulatory, and Administrative Contexts*****SUMMARY**

This chapter opens with a discussion of the commerce clause and the protection it has given to waste management companies, who have invoked the clause to avoid bans of their manufacturing, processing, or disposal of hazardous materials. Courts have argued that the good of the nation is paramount to local concerns about health and environmental risks, and that the safe disposal of hazardous wastes is a “national interest.” Therefore, low-income and minority communities bear these risks for the good of the nation without the regulations that could protect and compensate residents. The chapter also presents investigations of fines for violating environmental laws in conjunction with various other factors, including racial characteristics and level of affluence of the communities. The chapter presents four high-profile EJ Fourteenth Amendment cases to show that discriminatory intent is incredibly hard to prove, and discusses the struggles EJ activists have faced when using Title VI to address racial discrimination in siting of hazardous facilities.

REFLECTION QUESTIONS

1. What are the three theoretical models Daley and Layton considered to understand the administrative process behind remediation of Superfund sites, and what did they find?
2. How could underrepresented citizens (ethnic minorities and the poor) be given a more active role in the planning and regulatory process?
3. Explain how courts have distinguished between discriminatory intent and disproportionate impact in EJ lawsuits.

CHAPTER 6, “The Siting Process” | Pages 123 - 145
*Manipulation, Environmental Blackmail, and Enticement***SUMMARY**

This chapter examines more factors related to the prevalence of hazardous facilities in minority communities:

- Unique physical characteristics of the landscape of host communities
 - Companies often argue that sites were chosen because of geological formations, rather than the racial composition of the communities
- Manipulation of residents of host communities / Environmental blackmail
 - Black communities were coerced into making trade-offs between health risks, jobs and other economic incentives like better schools and recreational amenities when choosing to host hazardous facilities. Companies stress economic benefits such as jobs and increased tax revenues when dealing with low-income and minority communities.
- Enticement of host communities
 - Often challenging for these residents - one cannot fully negotiate compensation if one does not know what can be negotiated for and with whom to negotiate
 - Discussion of compensation only scratches the surface of what should be discussed for these communities (health care, housing and property values, environmental protection, etc.)
- Host communities inviting hazardous facilities in
 - The exception rather than the rule, but it has happened

REFLECTION QUESTIONS

1. How did the National Solid Wastes Management Association and WMX respond to Alabama’s argument that it shouldn’t be dealing with the risks of transporting hazardous wastes from out-of-state?
2. Why were Black residents hesitant to oppose the Emelle facility?
3. What characteristics of Selma were attractive to waste company executives, according to the Unique Physical Characteristics Thesis?
4. How were residents enticed and manipulated into welcoming hazardous facilities into their communities?

CHAPTER 7, “The Rise of Racial Zoning” | Pages 147 - 191

Residential Segregation

SUMMARY

This chapter opens by moving past the “chicken or egg” question of whether the people or the hazardous facilities came first to ask instead, Who or what keeps people living adjacent to noxious facilities and undesirable land uses? As Figure 7.1 indicates, there is not one primary answer, as there are numerous players in the siting of hazardous facilities that interact with and influence each other in complex ways. Residential segregation is still a major reality in American neighborhoods, and is consistent regardless of incomes. Research has found that high incomes do not protect Blacks from exposure to pollution either. While the Chinese were the first targets of racially restrictive housing ordinances, Blacks were the most frequent targets. The growth of the Black population in southern cities alarmed Whites and sparked a number of intimidation tactics and other practices to restrict and enforce control over where Blacks could live. The chapter briefly discusses housing segregation practices and reactions from citizens in several major US cities, including Baltimore, Dallas, and New Orleans. While civic leaders believed zoning restrictions were acceptable and equal to both races, the least desirable and most hazard-prone land was zoned for Black residents. Bombings and other fear tactics were utilized by White supremacists to protest Blacks who tried to move into neighborhoods zoned for Whites. While racially restrictive zoning laws have all but disappeared, modern zoning can still be used in indirect ways to promote residential segregation. Research shows that minority and low-income neighborhoods have been rezoned to accommodate unwanted land uses and environmental hazards, known as “expulsive zoning” because it drives out both residents and land uses that can afford to move. These communities are also more subject to intensive zoning (industrial and commercial) than areas that were high income and had low concentrations of minorities.

REFLECTION QUESTIONS

1. Discuss theories for why segregated housing patterns are still so pervasive in America, regardless of income level.
2. How are zoning laws, both historically and today, used to promote and enforce segregation in America?
3. How did proponents of the Baltimore housing ordinance reason that segregation did not stem from segregation?
4. What is meant by the term “blockbusting”?

CHAPTER 8, “The Rise of Racially Restrictive Covenants”

| Pages 192 - 227

*Guarding Against Infiltration***SUMMARY**

This chapter explores the use of racially restrictive covenants to prohibit Blacks, other ethnic minorities, Jews, and eastern Europeans from moving into certain areas of the cities in order to create and maintain racially homogeneous neighborhoods. The US Commission on Civil Rights argues that real estate companies, builders, and financial institutions act in ways that translate the prejudice of property owners into discriminatory action. The chapter discusses the history of racially restrictive covenants among several major US cities and shows that even today these covenants exist. Restrictive covenants, the author concludes, are one of the most under researched and under theorized aspects of EJ research.

REFLECTION QUESTIONS

1. How did Whites protest neighborhood integration? In what ways did Blacks try to make a stand for their civil and property rights?
2. How has the US Supreme Court ruled on restrictive agreements?

CHAPTER 9, “Racializing Blight” | Pages 228 - 261

Urban Renewal, Eminent Domain, and Expulsive Zoning

SUMMARY

Use of eminent domain can result in the expulsion of minorities and low-income residents from communities and has great implications for EJ research and activism. Urban renewal projects have targeted many minority and poor communities labeled as “slums” to make way for commercial development, upscale residences, and public housing. Historically, Black communities have often been described as “slums” regardless of housing quality. The chapter discusses several federal actions that encouraged public acquisition of lands in blighted areas for clearance and resale to private developers. The Home Owners’ Loan Corporation was created to invigorate the housing market. The HOLC developed a point system to decide the creditworthiness of mortgage seekers that reserved the lowest category for all-Black, high crime, or old and dilapidated neighborhoods. Neighborhoods with Blacks or perceived to be at risk of becoming racially mixed were marked red regardless of home quality. This system resulted in a systematic institutionalized devaluation of Black, racially mixed, or old inner-city neighborhoods. Public housing has been another instrument used to dictate where Blacks and other minorities could live in cities; the chapter explores limited-dividend public housing and separate and unequal public housing. Research is relatively new on the link between residential segregation and health outcomes. One finding is that Blacks are more likely than Whites to be living in census tracts with higher concentrations of air toxins. The end of the chapter details other findings in research on the link between segregation and health in communities.

REFLECTION QUESTIONS

1. How has the perception of Black housing as “slums” or “blighted” led to the displacement of large numbers of Blacks and other minorities?
2. How did Hoover’s Limited Dividend Housing Program attempt to address the course of urban decay apparent in many US cities? How effective was this program and others like it?
3. What was the goal of the HOLC’s four-point classification system? What result did it have for Black, racially mixed, and old inner-city neighborhoods?
4. What recommendations does the author make to researchers of segregation and health outcomes?

CHAPTER 10, “Contemporary Housing Discrimination”**| Pages 262 - 278***Does It Still Happen?***SUMMARY**

This chapter asks the question, has the level of residential segregation changed? While segregation levels dropped overall, several factors affected this percentage across the nation, including region and size of metro area. White-Black segregation levels are slowly declining, but Hispanic and Asian populations are as segregated as they were 30 years ago. Racial segregation is still a strong predictor of unequal neighborhoods. Affluent Blacks and Hispanics live in neighborhoods with fewer resources than poor Whites have; higher incomes do not often translate into residential mobility. Many researchers argue that residential segregation is a matter of skin color, not income, occupation, or education. Discrimination is still a reality in the US housing market, with research showing that White home buyers are more likely than Black home buyers to be shown and recommended homes in predominantly White neighborhoods. Discrimination against Hispanic home buyers has increased since 1989. The chapter details other recent research indicating discrimination in the modern housing market. While housing discrimination, including redlining, was outlawed by the Fair Housing Act of 1968, reverse redlining is practiced today by financial institutions. Black homeownership dropped significantly between 2005 and 2008. While some argue that gentrification is beneficial to minorities, this does not seem to be a widespread phenomenon. Access to these neighborhoods isn't as easy for Black and Hispanic home buyers as it is for White home buyers.

REFLECTION QUESTIONS

1. What relationship does research show between race and loans given to homeowners?
2. What is reverse redlining?
3. Explain Oliver and Shapiro's sedimentation thesis

CONCLUSION | Pages 279 - 281*Future Directions of Environmental Justice Research***SUMMARY**

In this final chapter, the author gives several points of direction to EJ researchers. Her recommendations include moving beyond spatial analyses, paying more attention to relative dangers of facilities, investigating impacts of smaller facilities, paying more attention to urban planning research and other research areas that may not be as obviously relevant, and becoming more theoretically focused.