

United States
Environmental Protection
Agency

Solid Waste and
Emergency Response

9378.0-03
EPA 540-K-96-010
PB96-963254
December 1996

 **Proceedings:**

Superfund Relocation Roundtable Meeting

Pensacola Civic Center
May 2-4, 1996
Pensacola, FL

Disclaimer:

The opinions expressed in this publication are solely the opinions of the individual participants who attended the Relocation Roundtable Meeting. They do not necessarily reflect the U.S. Environmental Protection Agency's position on the issues.

TABLE OF CONTENTS

THURSDAY, MAY 2, 1996	1
Site Tour of the Escambia and Agrico Superfund Sites	1
FRIDAY, MAY 3, 1996	3
Welcoming Remarks	3
Introductions	4
History, Purpose, and Goals of the Roundtable	4
Group Expectations and Desired Outcomes	6
Setting Ground Rules	7
Additional Welcome Address	7
Overview of the Case Studies	7
Set-Up For the Breakout Sessions	10
Living on the Fenceline: Negative Impacts on Families and Communities—Report Out	10
Group 1—Living on the Fenceline	10
Group 2—Living on the Fenceline	11
Group 3—Living on the Fenceline	11
Group 4—Living on the Fenceline	12
Group 5—Living on the Fenceline	12
Summarizing Comments	13
Sharing Our Stories	14
Marvin Crafter, Fort Valley, Georgia	14
Lois Gibbs, Love Canal, New York	14
Roy Malveaux, Corpus Christi/Beaumont, Texas	15
Summary of Existing Laws, Regulations Policies and Implementation	16
Overview of Superfund, JoAnn Griffith—U.S. EPA Office of Emergency and Remedial Response	16
Uniform Relocation Act, Robert Cribbin, U.S. Army Corps of Engineers	18
Discussion	19
Relocation: The Key Factors	19
Sharing Our Stories	22
Cassandra Roberts, Anniston, Alabama	22
Joseph Campbell, Prairie Island, Minnesota	22
Cynthia Babich, Del Amo Task Force, Torrance, California	23
Public Comment Period	24
Overview of the Public Comment Period Process	24
Roy Malveaux, Corpus Christi/Beaumont, Texas	24
Doris Bradshaw, Memphis, Tennessee	24
Kenneth Bradshaw, Memphis, Tennessee	25
David Clark, Pensacola, Florida	25
José Bravo, Southwest Network for Environmental Justice, San Diego, California ..	25
R.T. Conley, West Dallas, Texas	26
Cynthia Babich, Del Amo Task Force, Torrance, California	26
Marvin Crafter, Fort Valley, Georgia	26
Joseph Campbell, Prairie Island, Minnesota	27

SATURDAY, MAY 4, 1996	27
Summary Remarks	27
Triggers that Prompt a Relocation—Report Out	27
Group 1—Triggers	28
Group 2—Triggers	28
Group 3—Triggers	29
Group 4—Triggers	29
Group 5—Triggers	30
Summary and Discussion About Triggers That Prompt a Relocation	30
Sharing Our Stories	31
Delbert Dubois, Charleston, South Carolina	31
Zulene Mayfield, Chester, Pennsylvania	31
Jocelyn Cash, Lorain, Ohio	32
Cleo Askew, Federation of Southern Cooperatives, Epes, Alabama	33
Margaret Williams, Pensacola, Florida	33
R.T. Conley, West Dallas, Texas	35
Open Discussion	36
Relocation: The Best and Worst Parts of the Relocation Process and Being Relocated—	
Report Out	37
Group 1—The Worst Parts	37
Group 1—The Best Parts	37
Group 1—Complicating Factors	37
Group 2—The Best Parts	37
Group 2—The Worst Parts	38
Group 2—Things to be Incorporated into the Process	38
Group 3—Things to be Incorporated into the Process	38
Group 4—What Would Help Make Relocated People and Families Better Off?	38
Group 5—Things to be Incorporated into the Process	38
Summary and Discussion About Process and Effects	39
Sharing Our Stories	39
J.E. “Sonny” Fields, Texarkana, Texas	39
Rosa and Jack Martin, Morrisonville, Louisiana	40
Paul Nguyen, Westminster, California	41
Mary Washington and Terry Clark, Tifton, Georgia	41
Barbara Thompson, Dallas, Texas	42
Closing Session—Developing Roundtable Recommendations to NEJAC	42
 APPENDIX A: Relocation Roundtable Attendee List	 A-I
APPENDIX B: Relocation Roundtable Flip Chart Summary	B-I

SUPERFUND RELOCATION ROUNDTABLE MEETING
PENSACOLA CIVIC CENTER
MAY 2-4, 1996
PENSACOLA, FL

THURSDAY, MAY 2, 1996

Site Tour of the Escambia and Agrico Superfund Sites

On Thursday afternoon, meeting attendees at the Superfund Relocation Roundtable meeting went on a site tour of the Escambia Treating Company (otherwise known as Escambia) and Agrico Superfund sites and the neighborhoods adjacent to these sites. Carlean Wakefield and Doug Mundrick, U.S. Environmental Protection Agency (EPA)—Region 4, and Margaret Williams, Citizens Against Toxic Exposure (CATE)—Pensacola, Florida, led the site tour and gave attendees background information on the sites as well as information on EPA's proposed plan for relocation of the Escambia community. The media followed the group during this site tour; footage from the tour was shown on the local news in Pensacola.

The first stop on the tour was the Escambia site, a former wood treatment facility located in the north central portion of Pensacola. Mundrick identified the two excavation pits on the site, which are 40 feet deep and the size of approximately two football fields. He explained that the closest pit to the attendees was the location of the former Escambia plant. The plant was demolished through EPA's Removal Program three years ago and the excavated soil was piled up to form a large mound on the site next to the pits. This mound is called "Mount Dioxin" by local residents. Mundrick noted that the mound is covered by a black tarp and held down with ropes and concrete weights. A drainage canal around the mound was constructed to ensure that any runoff from the mound would drain into the pit, not to the outside, to ensure contamination containment.

Mundrick pointed out the fence surrounding the site, which separates the site from the Rosewood Terrace residential community. He noted that the Agrico site is located only a few miles from the Escambia site and is currently under remediation.

In response to a question on future plans for the Escambia site, Mundrick noted that EPA is in the middle of the Remedial Investigation and Feasibility Study (RI/FS) for the site and plans to focus its attention on the proposed relocation for the Rosewood Terrace Community. In response to a question on what responsibility Escambia has for the site, Mundrick said that the company went out of business many years ago and sold the property to a family called the Wickers. The Wickers, however, did not know about the contamination on the site and eventually had to file for bankruptcy. When the Wickers went bankrupt, all funds in their company's retirement program were depleted. R.T. Conley, West Dallas, Texas, noted that the owners of the site should have had an insurance policy that would cover them against liabilities; therefore, the "bankruptcy" status of the Wickers should not really protect them from future liability. Joel Hirshhorn, Technical Advisor for CATE, concurred, pointing out that it was the insurance policy that enabled the owners of the Agrico site to successfully sue the Escambia owners in the last year or two by successfully arguing that the contamination at Escambia had contributed to Agrico's contamination problem. He added that EPA did not bring suit against any of the PRPs of Escambia.

Zulene Mayfield, Chester, PA, asked what EPA has done to address criminal liability. Both Mundrick and Wakefield noted that EPA's Criminal Investigation Division could better address this question and agreed to get a contact name and phone number for Mayfield.

Roy Malveaux, Corpus Christi/Beaumont, Texas, asked if the state of Florida's regulatory agencies have a role to play in the cleanup of the sites. Mundrick noted that the state of Florida reviews all

documents that are developed for the Escambia and Agrico sites and is required under the law to pay for ten percent of the cleanup costs. Another attendee asked if the state of Florida ever cited the owners of Escambia with any violations. Mundrick said that it probably happened, but that he was not sure of the specifics.

Michael Lythcott, The Lythcott Company, Ltd., asked how the contamination from the Escambia site migrated to the community. Hirshhorn said that the contamination was spread through both air and surface water pathways. He then noted that the eventual cleanup of this site will be related to whether EPA relocates the entire community or just the residents of the 66 homes that are situated on the site side of Hickory Street. Hirshhorn noted that EPA currently is not planning to remove "Mount Dioxin," which leads him to believe that EPA wants to leave a toxic waste landfill on the site, even though homes are adjacent to the site. Lythcott asked if EPA has any plans for "Mount Dioxin." Mundrick said that no decisions have been made as of now.

One attendee asked why EPA did not make a decision on what to do with "Mount Dioxin" before it excavated the pits. Mundrick noted that EPA made the decision to excavate the area to remove the immediate threat to groundwater. Hirshhorn noted that this was a moot point since EPA ran out of money before it could excavate all of the contaminants from the pits. Delbert Dubois, Charleston, South Carolina, asked whether "Mount Dioxin" poses a greater threat or a lesser threat to the community since its creation. Mundrick said that EPA believes that it poses a lesser threat. Hirshhorn said that CATE disagrees, noting that the excavation, which was conducted without community notification, created airborne contamination that exposed the community to toxic chemicals. In addition, because not all contaminants were removed, contamination is still polluting the groundwater.

Hirshhorn said that in 1995, the owner of Precision Machining, a company located on the south side of the Escambia site, informed EPA-Region 4 that he and his workers could see the contamination leaving "Mount Dioxin" and migrating over to their property. The owner also complained that his workers were having health problems related to releases of chemicals from "Mount Dioxin." In April 1996, the owner claimed that he had never heard back from EPA-Region 4 on this matter. Hirshhorn said that CATE had not heard about Precision Machining's complaints until recently, but is now asking EPA to investigate. He added that Precision Machining's complaints could have helped CATE with their fight for relocation, since the complaints would not be coming only from African Americans, but also from a "fancy owner" of a company.

Wakefield informed attendees that the proposed plan for relocation of the Rosewood Terrace community was just released and is open for public comment. She encouraged everyone involved to take a look at it and make comments by the due date in order for EPA to address all concerns. She then noted that not all EPA staff members in attendance at the site tour are decisionmakers for the Escambia and Agrico sites; however, they will try their best to answer questions or to provide contact names and numbers of EPA employees who can address the attendees' concerns.

Next, the attendees traveled over to the Rosewood Terrace Neighborhood to see just how close the community is to the fenceline. Attendees were able to see that the backyards of houses closest to the site actually make up the fenceline and that EPA had posted "No Trespassing" signs on the residential side of the fence behind each house. Margaret Williams noted that residents have posted small white crosses in their front yards to denote how many family members have died since the excavation began at the site. Wakefield then noted that all 66 homes on the site side of Hickory Street have been proposed for relocation. Mayfield asked why EPA put "No Trespassing" signs in the backyards of those homes situated on the fenceline, noting that this seemed like a very insensitive thing to do. Wakefield said that this was done in response to an EPA requirement for all Superfund sites to post "No Trespassing" signs on the fenceline.

Next, the attendees traveled to the Agrico site. Isiah Hill, U.S. Army Corps of Engineers, provided information on the remediation activities. One attendee asked how many feet of soil are being excavated from the site. Hill said that it depends, because in some areas, contamination can be found deeper in the ground. For example, the holding pond will be excavated to ten feet, but other areas may be excavated to, at the deepest, 15 feet. He added that most of the contaminants found at the site are lead and arsenic.

Marvin Crafter, Fort Valley, Georgia, noted his concern that EPA's Project Manager was not available to answer questions on the site. In response, Hirshhorn offered to provide additional information on the Agrico site. He said that at Agrico, organic contamination was found, but EPA disregarded the organic contamination when setting cleanup levels for the site. When EPA announced the remedial design for the site, CATE found out that EPA had changed critical components of the proposed remedy that was in the Record of Decision (ROD) without informing the public. Supposedly, the Potentially Responsible Parties were able to do this through an Explanation of Significant Difference, for which they did not need to solicit public comment. However, CATE thought that EPA should have amended the ROD instead.

Hirshhorn said that the ROD called for a slurry wall to be built around the entire site. However, at some point, this changed and only a partial slurry wall was installed, with the justification by EPA that a partial slurry wall would be sufficient to deal with contaminated groundwater since groundwater comes into the site from only one direction. According to Hirshhorn, the real reason was to save DuPont money. He added that CATE thought that a slurry wall around the entire site was important since groundwater contamination comes in from all directions due to flooding, water infiltration, and other factors.

Hirshhorn also noted that requirements for the cap were changed. The ROD required a cap that would be constructed with several feet of compacted clay. However, according to Hirshhorn, during the remedial design phase, a decision was made to replace the compacted clay with a geosynthetic clay liner that was only a quarter-inch thick. After this decision was made, CATE found out that this decision would save the PRPs millions of dollars. Hirshhorn added that CATE has had little success with providing input about the cleanup decisions for the Agrico site. In addition, residents near the site have been complaining that clouds of dust and contaminated soil have been migrating off the site into their neighborhoods.

Hirshhorn noted that the ROD is an important legal document; the community should be able to rely on the decisions stated in it. He said that EPA broke its promise by allowing some of the ROD decisions to be changed and by not informing the community of these changes. Suzanne Wells, Director of EPA's Community Involvement and Outreach Center, noted that a public comment period is required whenever a ROD is amended. Hirshhorn said that this did not happen when changes were made for the cleanup at the Agrico site. Wells replied that EPA does not require a public comment period for Explanations of Significant Difference, but does require them for ROD amendments.

Hirshhorn said that CATE has concerns over the effectiveness of oversight activities at the Agrico site and noted that there always is a battle over getting information on the design and the cleanup. Hill noted that the Corps of Engineers has been providing the President of CATE weekly reports on the cleanup. Hirshhorn said that this began only a few weeks ago; before that, CATE had not been receiving any reports.

FRIDAY, MAY 3, 1996

Welcoming Remarks

Charles Lee, Relocation Roundtable Chairperson, welcomed all attendees to the Relocation Roundtable meeting. He explained that this meeting is being co-sponsored by the National Environmental Justice Advisory Committee (NEJAC) and the U.S. Environmental Protection Agency (EPA).

Introductions

Omowale Satterwhite, the facilitator for the meeting, asked each attendee to state their name, organization, community they are representing, and to briefly describe their experiences with relocation. For a list of attendees at the meeting, please see Appendix A.

History, Purpose, and Goals of the Roundtable

Stephen Luftig, Director of the EPA Office of Emergency and Remedial Response (OERR), thanked the planning committee for inviting him to the meeting and noted that relocation is a very important issue for EPA right now. He illustrated this commitment by noting that the federal government budget situation this year had forced EPA to cancel many meetings, but that both Elliott Laws, Assistant Administrator of OSWER, and Tim Fields, Deputy Assistant Administrator of OSWER, felt that this meeting was too important to cancel. Luftig then explained that EPA's primary responsibility during this meeting is to listen to the issues raised by meeting attendees in order to help EPA determine how relocation should be considered during any cleanup decision.

Luftig said that now is a very controversial time for EPA's Superfund Program. The Superfund law expired last year and the Superfund program is currently operating with non-replenishable funds that have not been renewed by Congress. Relocation rarely has been used as a remedy for EPA cleanup actions, and EPA has conducted only 14 permanent relocations. However, EPA wants to look more closely at relocation as part of its cleanup decisions in the future.

Luftig noted that he sees two kinds of relocations: engineering-reason relocations and health-reason relocations. An engineering-reason relocation could occur when a highway is being built and there is a need to purchase properties that are in the way of the highway. A health-reason relocation could occur when a community's health is jeopardized. Luftig then explained that health-relocation decisions are difficult to make, because the reasons for conducting one are a matter of judgement. However, to make these decisions, EPA examines cleanup standards of both state and federal governments, the cost of the site cleanup, what the community wants at the Superfund site, and what the state and local governments want. In addition, EPA tries to evaluate long-term health impacts from the cleanup and tries to involve other local and federal agencies. Luftig noted that EPA's objective at the Roundtable meeting is to hear from communities to develop additional criteria to be used when making relocation and cleanup decisions based on public health and the environment for contaminated sites.

Luftig thanked members of the planning committee who were in attendance at the meeting for their assistance in planning this meeting: Charles Lee, United Church of Christ Commission on Racial Justice; José Bravo, Southwest Network for Environmental and Economic Justice; Connie Tucker, Southern Organizing Committee for Economic and Social Justice; Grover Hankins, Thurgood Marshall School of Law; Margaret Williams, CATE; Omowale Satterwhite, the meeting facilitator from the Community Development Institute; and Michael Pierle, Monsanto Company. He also thanked members of EPA who helped the planning committee organize this meeting: Ursula Lennox, EPA-Region 6;

Andy Bain, EPA-Region 9; Vivian Malone-Jones, EPA-Region 4; and Steve Hess, Office of General Counsel.

Margaret Williams welcomed everyone to Pensacola on behalf of the members of CATE. She said that the goal of this meeting is to address environmental justice and to develop a viable product that will be used by EPA in developing a national policy for relocation. She explained that this meeting is being held to discuss the “whys, whats, whens, and wheres” of using health effects and risk assessments in the relocation process. She said that this meeting is not a “Public Relations Program;” it is a “Real People Program” where real issues and concerns will be expressed and utilized. She encouraged all meeting attendees to speak honestly about their thoughts and feelings related to relocation.

Williams said the Escambia community hopes that this meeting will help ensure that relocation decisions are made fairly, and that environmental justice will be served at all contaminated sites. She added that if the relocation of the Escambia community is not done well, it will destroy all future hopes for other communities that are affected by environmental justice, environmental racism, and environmental genocide.

Williams asked for attendees to focus on specific relocation issues related to health, welfare, economics, and non-health issues. She then read letters from Florida Congressman Joe Scarborough, Florida Governor Lawton Chiles, and the Mayor of Pensacola that expressed their support for the Relocation Roundtable and how it relates to the Escambia community relocation.

Charles Lee expressed his appreciation to Williams and other members of the Escambia community for hosting the Relocation Roundtable meeting in Pensacola. Lee said that the history of relocation is widespread and difficult to address. For example, in 1995, NEJAC’s Hazardous Waste and Facility Siting Subcommittee began to look at relocation and encouraged EPA to take it seriously as an important element in cleanup decisions. This led EPA to develop a relocation pilot program and made EPA focus on the need for the development of a national policy for relocation.

Lee said that a report documenting this meeting will be developed. In addition, a list of recommendations that are developed from this meeting will be forwarded to NEJAC for review. NEJAC will use these recommendations to develop formal recommendations to EPA. Lee then introduced members of NEJAC in attendance at the meeting: José Bravo; Robert Bullard, Clark-Atlanta University, Atlanta, Georgia; Connie Tucker; Beverly Wright, Deep South Center for Environmental Justice; and Michael Pierle.

Lee explained that this meeting was developed in partnership with the Superfund Relocation Roundtable Planning Committee and EPA. He thanked Suzanne Wells for her commitment and courage for holding this meeting. Lee added that relocation is a difficult issue to address and that it invites controversy, but told participants they should not be afraid of this. He then encouraged all community invitees to make sure that the media in their communities get involved in publicizing relocation issues in their communities.

Lee concluded by saying that the relocation of the Escambia community and other communities like it presents a moral challenge to the nation as a whole, and that EPA plays an important part. He added that the relocation of the Escambia community will set a precedent for all relocations that will follow, and that the moral challenge is to “do the right thing” for the people in protecting human health and the environment.

Connie Tucker explained that she would like to see EPA change its policy on relocation. But first, EPA will need to understand how to best address relocation as a part of a cleanup decision. From this

meeting, the planning committee hopes to surface community concerns and develop a tangible product that will serve real community concerns.

Tucker then informed attendees that the planning committee organized the agenda to focus on the discussion from attendees sitting at the Roundtable during the plenary sessions and to focus on everyone's comments during the breakout group sessions. She explained that the planning committee views the breakout sessions as the sessions that will surface the "real" issues. In addition, the planning committee has included on the agenda a public comment period that is designed to give everyone a chance to speak.

Tucker said that the goal of this meeting is to have detailed discussions to identify what drives relocation and to include the most important points from these discussions in recommendations that will be forwarded to NEJAC. Tucker noted that she had heard some negative criticism of the agenda, but assured the attendees that a lot of planning had taken place to develop the agenda to best assure that attendees would be given an opportunity to share their stories on relocation, as well as to develop recommendations to NEJAC on relocation. She added that the planning committee wanted to identify relocation issues in the breakout groups to get to the "nuts and bolts" of what drives relocation. She then noted that if the attendees do not feel they are surfacing the issues that are important during either the plenary or breakout sessions, the agenda can be changed. Everyone in attendance can be a changing agent and "the planning committee has not been co-opted by EPA or anyone else; the attendees at this meeting are not for sale."

Tucker then said that the attendees from the southeastern United States are dissatisfied with EPA-Region 4. However, she noted that this meeting should focus on national relocation issues; not issues specific to EPA-Region 4.

Group Expectations and Desired Outcomes

Satterwhite split the Roundtable participants into groups of two to discuss expectations for the meeting. The following comments were presented during this discussion:

- Ensure that people who have never lived in an impacted community will get the idea of what it is like to live "on the fenceline."
- Ensure that scientists and technicians alike understand the "non-parts-per-million impacts" that affect a community's family, fabric, and structure.
- Raise the level of consciousness of those living on the fenceline and recognize that the process needs to be improved.
- Ensure that law officials enforce policy in a timely manner.
- Ensure holistic inter-governmental rapid response.
- Look at problems globally; adopt the view that "my backyard is your backyard."
- Design policies that protect future generations.
- Consider entire cities Superfund sites if they have one contaminated site within the city limits.
- Develop policies that are consistent and implement them in a fair and just manner.
- Award TAG grants to communities before their sites become Superfund sites.
- Make health a primary indicator when making relocation decisions; shift the guilt and responsibility back on the polluter.
- Ensure that Congressional priorities do not move away from contaminated site cleanup.
- Ensure that polluters are prosecuted for breaking environmental laws; "three strikes you're out."
- Write regulations and policies in layman's terms so that they can be understood by the community.
- Make sure that communities are protected under the present law; inform them of changes that need to be made in order to ensure that health and safety of people is protected.

- Take into consideration the poor health of communities when making a relocation decision.
- Establish community clinics for residents of contaminated sites.
- Stop awarding housing grants for development on contaminated land.
- Address communities as a whole and take into consideration a community's health, welfare, social fabric, and economics.
- Discuss inter-governmental, inter-agency cooperation.
- Implement better communication mechanisms, especially those that will encourage better input by the community early on and throughout the process.
- Develop a model for EPA and communities to follow that takes into consideration all points brought up in this discussion; ensure that the product developed from this process will be user-friendly.
- Develop a policy that has "handles and triggers" that do not put the burden-of-proof on communities that are dying; attach a timeline to policies so communities don't have to suffer any further in trying to get relocated.
- Recognize the inconsistencies in the rules that already exist.
- Organize a meeting of this caliber with the decisionmakers.
- Recognize that humans are the one species that can take responsibility for other species that can't speak for themselves.

Setting Ground Rules

After some discussion on the ground rules, Satterwhite summarized the points agreed upon by the attendees: follow the ground rules; be an active participant; take care of yourself; don't take it personally; be focused; and watch the flip charts to ensure that all comments are being addressed.

Marvin Crafter said that he did not agree with the "don't take it personally" rule. He said that you can't help but to take it personally. People living in impacted communities don't have what it takes to not take it personally.

Additional Welcome Address

John Hankinson, Regional Administrator for EPA-Region 4, thanked Charles Lee and NEJAC members in attendance for inviting him to the meeting. He noted the importance of meeting in Pensacola, where EPA is attempting to do a national pilot on relocation and said he hopes that this meeting will conjure up new ideas and approaches for addressing relocation. The pilot relocation for Escambia will be an educational experience; EPA plans to give the project the latitude and freedom to try new things.

EPA will attempt to address health impacts in the community in a way that reflects the community's interest while also looking at good cleanup decisions from a technical and cost standpoint. EPA has made an interim decision to relocate 66 homes in the Carver Terrace neighborhood and will reevaluate the Superfund law and use other partnerships to address the additional relocation options for other residents.

EPA is committed to exploring partnerships with other local and federal agencies to address relocation. There is no road-map for this, but working with other agencies will help EPA explore the available tools that can help it relocate communities that sit along the fenceline of contaminated sites.

Charles Lee said that the issues presented by the African-American community located near the Escambia and Agrico Superfund sites represent a moral challenge to EPA and the nation "to do the

right thing.” He added that he was pleased to hear Hankinson say that the pilot is the opportunity to try new ways of doing things.

Overview of the Case Studies

Prior to discussing the case studies, Michael Lythcott, The Lythcott Co., Ltd., presented the following challenges to the attendees:

- 1) To community activists: Resist seeing this as an opportunity to give the same speech; try to discover a new approach.
- 2) To EPA and industry: I know you are tired of being guilty until proven innocent and painted with the same brush; listen with new ears and be willing to put up with a level of discomfort and hear the truth in what will be said.
- 3) To other attendees: Understand that it is your responsibility to speak your truth, but to say it in a way that can be heard.
- 4) To educators and experts: Do not use this meeting to validate what you wrote in your last paper or to prove that the book you published ten years ago is still valid; listen with new ears, extrapolate what you have learned in the past, listen again, and come up with your next book, not your last.
- 5) To residents of impacted communities: Avoid the tendency to feel that you don’t know enough; ask the questions and listen. Remember that the organization of the community in Pensacola was prompted by people who were tired of what was going on and who became organized, not by people with higher educational degrees. An effort like this takes common sense, effort, and guts.
- 6) To technical people: Remember that science changes and the data you have today may become obsolete tomorrow.

Next, Lythcott presented an overview of the five case studies that were developed by the planning committee:

- Koppers, Texarkana, Texas—an EPA permanent relocation;
- RSR Smelter, West Dallas, Texas—a community where relocation was considered but not implemented;
- Ralph Gray Trucking, Westminster, California; —an EPA temporary relocation;
- Morrisonville/Dow Chemical, Morrisonville, Louisiana—a permanent relocation that was implemented voluntarily by Dow Chemical; and
- Escambia Treating Company, Pensacola, Florida—an EPA pilot relocation.

Lythcott explained that, in developing these case studies, the planning committee set out to develop case studies on sites that represent a wide array of relocation experiences across the country. To do this, they targeted relocation sites with geographic dispersion, different types of relocations, and communities with different relocation experiences.

In response to a comment made by Lythcott, Margaret Williams noted that her community was not involved when the emergency cleanup started. In fact, the community did not get involved until after CATE got organized and demanded EPA to come to the community to discuss the cleanup for the Escambia Superfund site.

Beverly Wright added that it wasn’t until Dow Chemical was sued after an explosion occurred at their Morrisonville plant—which cost them millions of dollars—that it began to look at other potential problems. According to Wright, this is when Dow Chemical decided to offer the Morrisonville community a relocation.

Lois Gibbs, Citizen's Clearinghouse for Hazardous Waste, said that labeling the Morrisonville case study as a "voluntary" relocation is insensitive, given that the residents lived in the community prior to industry moving in. Rosa Martin, a community member from the Morrisonville community, said that "voluntary" refers to the plant's initiation of the project rather than the residents volunteering to relocate. Gibbs noted that people not knowledgeable of the site may not understand this. Grover Hankins noted that voluntary is a legal term and is being used appropriately for the Morrisonville/Dow Chemical case study.

Marvin Crafter noted his concern that the case study discussion was a waste of time, because everyone has already reviewed the case studies. He said the real issue at this meeting is to address corrective measures that communities can take in the future to address how communities will be involved in the relocation decision-making process. Lythcott noted that there will be time in the breakout sessions for everyone to discuss their experiences. Crafter then said that two days is not adequate to deal with all problems; "let's seize upon the opportunity to deal with the issues."

Crafter expressed his anger with EPA's dispute resolution process. He said that EPA has a tendency to disregard concerns that are expressed by Black communities in the dispute resolution process. EPA needs to understand that Black communities don't like this and will not continue to put up with it. EPA needs to redefine its definition of community to include "colored folk."

R.T. Conley noted that the case study for the RSR Smelter site mentioned a relocation of a housing project that appeared to have been relocated because of the contamination. However, this relocation was not conducted because of the contamination; it was conducted because the project housing was run down.

Lois Gibbs said that the case studies should have included questions to address the decisions that triggered relocation as well as reasons that relocation may not have been chosen as an option. Robert Bullard said that anytime the history of a site is reduced to three paragraphs, you lose vital information; the record needs to be accurate. Charles Lee noted that the planning committee had taken great precautions to make sure the case studies were accurate. He said, however, the case studies would be considered "draft" and the planning committee would make sure everyone has signed off on them before they are considered final.

Delbert Dubois noted that the case studies should include the most updated information for each site, information on how decisions were made for the sites, and whether communities were locked out of environmental and housing decision-making. He then noted that relocation of an African-American community is very different than a relocation of a White, middle income community; these differences should be addressed.

Marvin Crafter said there is a need to "identify the triggers that have prompted EPA to move White people out of contaminated communities but have not prompted it to move Black people off of toxic dumps." Charles Lee acknowledged Crafter's point and noted that issues of environmental racism need to be considered in the decision-making process for relocation. He added that there are examples of good relocations and that EPA needs to ask itself: "If relocation can be done right for some, why can't it be done right for others."

Margaret Williams asked what the triggers were for the 14 permanent relocations that EPA already has conducted and, out of those 14 communities, how many are Black and how many are White. Lois Gibbs noted that almost all of the 14 communities were White, but the reasons for their relocations differ. Joseph Campbell, Prairie Island, Minnesota, said that Native Americans have been relocated in this

country for the last 500 years by Whites who wanted to capitalize on the resources of the land for money.

Michael Lythcott then shared some of the “lessons learned” that interviewees of the case studies mentioned:

- Have a lawyer.
- Read everything.
- Understand everything before you accept, sign, or move.
- Have credible facts.
- Communicate, communicate, communicate; you cannot explain it enough.
- Take time to explain options and opportunities.
- Let people understand the relocation process entirely before they commit themselves.
- Help people with the search for a new home.
- Be flexible with deadlines.
- Have one source to go to for information.
- Give people the sense of the entire process before they start.
- Get to know the residents, their needs, and their histories; don’t treat them as a file or case number.
- In the case of temporary relocations, relocate residents to houses instead of hotels.
- Develop a guidance that has flexibility.

Set-Up For the Breakout Sessions

Michael Lythcott then talked about specific issues that may be discussed during the next breakout group discussion, “Living on the Fenceline: Negative Impacts on Families and Communities.” He asked everyone to present changes that occurred in their life once the community became aware of the contamination problem. For example, “Did residents become economically trapped in their communities,” and “How are contaminated home prices compared to similar homes in a non-contaminated area.” Lythcott said that people may not be aware that real estate values are subjective. For example, if the perception of risk from electromagnetic radiation causes lower property values, it may be the responsibility of the utility company to come up with the difference.

Living on the Fenceline: Negative Impacts on Families and Communities—Report Out

Following the lunch break, the group convened in plenary session to hear reports from the “Living on the Fenceline” breakout groups. This breakout session focused on participants’ involvement with relocation; changes that occurred in the community as a result of being close to a site; and identifying family, health, social, and economic impacts. Each of the groups approached this mandate in their own way; while some focused on identifying impacts in the various categories, others discussed how they had been affected by relocation and changes in the community. For a more comprehensive list of specific items discussed during the five breakout groups, please refer to the section on the “Negative Impacts on Families and Communities” in *Appendix B: Relocation Roundtable Flip Chart Summary*

Group 1—Living on the Fenceline

Doug Mundrick summed up the important issues brought up during this breakout session. Negative impacts on the community as a result of living on the fenceline catalogued by this group include:

- Economic Impacts
 - People move out of the neighborhood, but no one moves back in.
 - Rental units become vacant, owners are afraid of liability.
 - Others move in without knowledge of the problem and end up stuck there.
 - Homeowners insurance is difficult to obtain.
 - Mortgages are difficult or impossible to obtain.
 - Divisions within the community arise over economic issues (*e.g.*, the PRP offers money to a church, but not to residents; renters and owners are not treated equitably).

- Health Issues
 - Doctors don't know what they are dealing with or how to treat it.
 - People do not have the money for repeated visits to the doctor.
 - There is retaliation (*e.g.*, by PRP) against doctors who try to help.
 - ATSDR does not do a good job of educating the medical community about problems people face.
 - No one is integrating information from all the doctors who residents might see to get an overall picture of community problems.
 - ATSDR didn't answer the toll-free number set up to provide assistance to residents.
 - People can't grow gardens, restricting their access to fresh fruits and vegetables.

- Social Impacts
 - The stigma of the site results in psychological fear (*e.g.*, children are afraid their parents will die while they are away at school).
 - People stay closed up in their homes and do not get out to visit with neighbors.
 - Crime and drug abuse increase.
 - People in the community are used as guinea pigs for someone who wants to do research.

In summary, the group noted that each of these issues is enough to cause a serious problem, but the cumulative effect is much greater than the sum of the parts.

Group 2—Living on the Fenceline

Vivian Malone-Jones, EPA-Region 4, discussed how this breakout group looked at the question of how its participants were involved in relocation. Overall, participants felt they were not involved in decisions made about relocation. They also examined the health, social, and economic impacts in the community. These included:

- Health
 - Cancers.
 - Birth defects (*e.g.*, repeated across generations).
 - Skin problems, rashes.
 - Stress and mental anguish.
 - Fear (especially elderly and disabled residents).

- Social

- Division within the community (*e.g.*, how to deal with individual offers to community members, lack of availability of homes, moving communities as a whole).
- Churches (at Morrisonville, people go back to the old community to attend church).
- Families living for extended periods in temporary housing (*e.g.*, dealing with children in hotel rooms, no facilities to cook).
- Economics
 - Market value versus replacement value of homes (rarely are people able to go out and purchase a home for what they receive in a buy out).
 - Elderly people can't get extended mortgages, or any mortgage at all; sometimes they are asked to provide 30% down payment.
 - Renters can't afford to rent available alternative housing (*e.g.*, four times the rent), leading to homelessness.
 - Community members frequently don't work for the polluter or don't work at all (therefore, the PRP has not provided economic development, and job training programs may be needed).

Group 3—Living on the Fenceline

Zulene Mayfield, Chester, PA, discussed how this group focused largely on physical and psychological impacts on children. Examples included children who have become accustomed to chemicals in the air, so that they immediately go into the house when they smell something, and one community in which seven-year-olds do not believe they will live to be 20. Other issues raised are listed below:

- Health Effects
 - Asthma problems and deaths from asthma.
 - Impotency.
 - Rashes, nosebleeds.
 - Kidney problems.
 - High instances of generally poor health, or decline in overall general health.
 - Anxiety of knowing that you are being impacted by the site; stress level.
 - Inability to garden.
- Social/Economic Effects
 - Homeowners don't want to victimize someone else by selling.
 - Things frequently considered nuisances (dust, noise, hours of operation) can negatively impact the community.
 - Redlining in the community, decrease in property values, inability to get insurance and mortgages.
 - What is going to happen to the property when we're gone (will the land serve as a buffer zone, or will it be redeveloped)?
 - Economic and psychological effects also have an impact on socialization skills learned in the community. We can't designate one portion (psychological, physical, economic) as more important than another, because it all goes hand-in-hand.

Group 4—Living on the Fenceline

Kenneth Bradshaw, Memphis, TN, discussed how this group focused on the process of relocation. They identified four steps: 1) identification of sickness in the community; 2) recognition of the problem of chemical contamination; 3) relocation; and 4) dealing with money issues.

Bradshaw noted that people in affected communities assume they are sick because something is wrong with them; maybe something wrong genetically. This frequently leads to feelings of hopelessness and can cause other mental health effects. Bradshaw explained that it's not just individual sickness; the whole community has been poisoned. From a psychological point of view, residents wonder why they have been singled out and find it difficult to ignore the racial issues and historic problems associated with their community. Community members wonder what's wrong with them and their kids. It affects the whole family. When they learn that they're living next to buried wastes, residents feel not only frustration, but anger.

- Social/Economic effects identified by the group included:
 - Destruction of the heritage of the community. Your self identity is tied up with your community.
 - There is no follow-up study to track relocated residents' health after relocation.
 - Neighborhoods are more than just homes. It's hard for people to readjust and start over.
 - Treating people differently (with regard to offers of money) causes a lot of division in the community.
 - It seems like the White people are trying to kill all the Black people. You can always find the Black community, just look for the smokestacks. They put all our schools and all our communities right around these poisonous dumps.

Group 5—Living on the Fenceline

Cynthia Babich, Del Amo Task Force, Torrance, CA, summarized this group's findings during its breakout session. This group discussed the importance of making this meeting meaningful. Among the problems identified, the group discussed the fact that the affected residents do not have a process to follow and do not have the tools to fight back. The group noted the importance of support from other community groups in order to network with others and share ideas.

The group agreed that people work very hard to care for their property, and often the property has been handed down over a period of time. They have made many sacrifices to own this property and are proud of their efforts and what they have. The group also agreed that EPA needs to understand how difficult it is to be relocated; this is a sensitive issue and needs to be treated as such.

On one hand, a lot of people in EPA are committed and want to do the right thing for impacted communities. On the other, some people in EPA are insulting to community members and do not listen. Others seem to not want to deal with the community. Community members in this situation want immediate action, not more talking and delays.

The group identified the need for residents to have legal guidance to help them during the relocation process. They also identified stress as one of the biggest problems, noting that stress comes from realizing that one's health is threatened and having to live with that realization every day. One member from the group noted that there are special issues with Native American rights. For example, if Native Americans move off their land, even temporarily, they lose all inherited rights associated with the property.

The group agreed that a lot of empowerment has been taken away from the people at risk. The American Constitution provides a guarantee of the pursuit of happiness. But if you have had your home taken away, you have been denied that pursuit. Florida law states that individuals are entitled to quiet and peaceful enjoyment of their property. If this is taken away by pollution, the residents have a right to restitution. Also, because innocent homeowners have been affected, they have a right to restitution that is comparable to standards set for all, not just restoring what they had.

Summarizing Comments

Charles Lee said that in looking at the impact of living on the fenceline, we have to look at the total community impact. These are distinct, cross-cutting, and cumulative issues. These issues may or may not be quantifiable, but they all have to be considered when talking about relocation policy. All breakout groups talked about the impact on physical health, mental health, economic impacts, and the impact on the social fabric of the community. When you have a community on the fenceline, people move out and no one moves in. That means that you are condemning a community to death.

Lee said this meeting is focusing on relocation and environmental justice in a society where racism is still a major issue. Racism has everything to do with all aspects of the relocation process; from the point of view of institutional racism and the views of individual decisionmakers. Differentials in valuation of property also come into play. There also are special considerations, such as those relevant to Native American communities.

Lee noted that relocation inevitably leads to divisions in the community. EPA needs to figure out how it can actively avoid these divisions and this decision needs to be linked to how the community feels about these divisions. When talking about total community impacts and a commitment to the community (a living neighborhood), there should be an acknowledgment that it is wrong to divide the communities, whether this decision is made consciously or unconsciously.

Lee then noted that there is a tremendous need for technical assistance—for education and networking among communities that deal with relocation issues. Stress is a real thing; it is much more complicated because of the social context that is at play, and it must be recognized.

Lee said that with regard to a mission, we at this meeting should send a powerful statement. “I believe that the challenges we are dealing with here represent a moral challenge, not only to EPA, but to the entire nation. It is a statement that should go to the White House.”

Sharing Our Stories

Marvin Crafter, Fort Valley, Georgia

Marvin Crafter opened his presentation by noting his observation that the “fenceline” seems to be moving. He feels that cleanup to industrial re-use levels, “Brownfields,” and similar innovative redevelopment initiatives serve to reduce protection of the public and dilute cleanup standards. He said that EPA’s job is to clean it up or see that the PRP does so. Otherwise, people living farther away from the site will be on the new fenceline, and will still have problems to deal with.

Crafter also commented that EPA is not dealing appropriately with multiple contaminants. At the Woolfolk site, arsenic is driving cleanup by the PRP, but there are as many as 48 contaminants he feels should be addressed. The site covers 18 acres in the middle of Fort Valley. He said EPA focused on the dominant presence of arsenic, and set a cleanup level of 30 ppm. Among the contaminants that have been identified are: lead at 151,000 ppm; high levels of chlordane; and dioxins at greater than 37,000 ppm. He believes that arsenic was selected as the contaminant of concern because it was a heavy metal that could be assumed not to have moved far from the source. According to Crafter, EPA said that the arsenic was not spread by the wind, but sample data show higher levels of arsenic farther from the site, rather than closer. Dust samples from the attics of homes show high levels of arsenic inside homes. This contamination is not being addressed in the cleanup.

Crafter said that site characterization data are inadequate, in his opinion, because not enough sampling was done, not all contaminants were tested for, and the effect of severe storms in spreading contamination has not been adequately considered. The community feels they have been betrayed by EPA because the responsible party is not being made to do a better job. "All we want is for EPA to do its job. How much more of this do you expect us to take?"

At the Woolfolk site, the PRP bought a number of houses directly across the street from the facility and relocated the residents. The PRPs plan to build a library on the property. However, the African-American community is concerned that the property is contaminated with dioxins that haven't been tested for. Crafter said EPA also had a meeting and press conference to discuss the new library, but did not invite the community group to participate.

Crafter feels that the PRP is trying to divide the community along racial and economic lines. He noted that the Mayor of Fort Valley had died only two days ago at the age of 47, and said that this is an example of how contaminants have killed poor Blacks, Whites, and others in the community.

Lois Gibbs, Love Canal, New York

Because she felt that the audience was familiar with the story of Love Canal, Gibbs' presentation focused on the decisions made at Love Canal and what she perceived as the reasons these decisions were made. In 1976, studies by Occidental Petroleum showed that there were 20,000 tons of chemical contamination in the center of the community. A cost-benefit analysis showed that it would cost \$20 million to clean up the contamination. Therefore, a decision was made not to clean it up. Instead, it was recommended that residents place a fan in their basements to vent chemical vapors to the outside. This did not take into consideration the temperatures residents face in winter.

Gibbs found out about this in 1978. By that time, her children were very sick, as were many of the neighbors. She almost lost her infant daughter to a disease similar to leukemia. Her best friend lost her seven-year-old son to dioxin poisoning. According to Gibbs, there were many people in industry and government who knew about this, but they did nothing.

The Love Canal community consisted of 700 private properties. Most people worked in the chemical industry. To the west of Love Canal were 240 federally-subsided housing units. When the community first got organized to get testing done, they found that the homes closest to the dump site had levels of chemicals above workplace standards. The community worked to have those families moved, but the state of New York decided that it would only move pregnant women and infants under two-years-old from the 239 homes along the fence line. Gibbs said this was when the community thought they could demonstrate an effect on residents' health that would prompt the government to do something. However, they found that the only way to get relocation is to cause a stir and threaten political officials with their limited chances for reelection. As a result, the community decided to "dog" Governor Hugh Carey across the state during his reelection campaign. Finally, he asked what he had to do to stop them. According to Gibbs, this led to evacuation of the 239 families.

Gibbs said the rest of the community remained behind. Fifty-six percent of children were born with birth defects including: three ears, double rows of teeth, extra fingers and toes, and mental retardation. During one study period, 22 women were pregnant and only 4 babies were born without any birth defects. When this was presented to the state of New York and the federal government, the community was told that the residents were a clustering of genetically-defective people. Miscarriages were interpreted as illegal abortions by women who didn't want to tell their husbands. Residents fought hard in the political arena, and they finally began to see results. As far as relocation, the residents were told

that if they could get a doctor to certify that the health effects were the result of contamination, they would be relocated, but this was very hard to do.

Gibbs' family was finally relocated, but only temporarily; four of them lived in one room in a Howard Johnson's hotel. After temporary relocation, residents returned to their homes and continued to fight for permanent relocation. They lobbied Jimmy Carter, who was running for reelection at the time. They held a couple of EPA officials hostage. The residents did this because if EPA felt it was safe for residents to live in Love Canal, then it shouldn't harm EPA officials either.

Gibbs advised people against this form of action because a SWAT team came out along with the news media. But finally, Jimmy Carter decided he had to do something. Eventually, all residents were temporarily relocated, and, later, permanently relocated. However, those were different times and the community was White. Gibbs said that if she tried this today, or if she had been a minority, she thinks she would be in jail.

Gibbs explained that relocation at Love Canal did not occur because residents were sick, there were birth defects in children, or there was contamination. In her opinion, the reason residents were relocated is because they created the political climate for the politicians to do what they should have done automatically. The rationale for the first relocation in 1978 was remedial construction because of the noise and the nuisance. The second relocation was done because of psychological problems and anguish. Gibbs said that none of the triggers or documents had anything to do with the fact that families were dying. It was a political decision based on the political climate the residents were able to create.

Roy Malveaux, Corpus Christi/Beaumont, Texas

Roy Malveaux noted that he is the Executive Director of People Against Contaminated Environments (PACE), which was established in Corpus Christi, Texas, and has filed a number of lawsuits related to contamination in Corpus Christi. In one of these lawsuits, PACE was originally offered \$1M to settle and then \$30M. But, according to Malveaux, the group has yet to settle, and is concerned about the amount of money from any potential settlement that will go to the attorneys. PACE is currently working with the Thurgood Marshall School of Law in filing a civil rights administrative complaint. Malveaux also mentioned that PACE has filed complaints against local officials for negligence, trespassing, and malfeasance. The idea of all this is to get the attention of government officials and let them know the citizens mean business.

Malveaux then went on to talk about his experiences with a community in Beaumont, Texas, that wants an emergency relocation. The community is surrounded by a railroad that is hauling toxic chemicals throughout the community. There is a public housing project, a school, and a nursery that have been closed because of contamination. Adjacent to the neighborhood are a wood chip factory, a grain elevator, a closed asphalt factory, a number of abandoned petrochemical plants, a shipyard, an asbestos factory, operating refineries, and chemical plants. The city has also approved a hazardous waste truck route that will run directly through the community. A major problem is that if there were a chemical emergency, the residents would be completely cutoff by the railroad and would not be able to evacuate the community.

In addition, Habitat for Humanity, the Southeast Community Development Corporation, and the city have built a number of residential units in the community. Malveaux noted that if this doesn't qualify for emergency action, "it's hard to see what would." According to Malveaux, the entire community consists of "Dead Men Walking." He asked, "What do we need to do to ask for help?" Children in the community cannot defend themselves. The local government has taken it upon themselves to exploit the citizens. They have created geographical segregation. Generations from now we will have a problem if

we don't do something about it now. He said: "What's it going to take? What do you have to do? How long?"

Summary of Existing Laws, Regulations Policies and Implementation

Suzanne Wells opened this session by calling attention to a document prepared by EPA for the meeting, "Questions and Answers on Superfund Relocation." The document addresses issues related to the history of relocations in the Superfund Program, The Oil Pollution Act and relocation, and community involvement in relocations. She noted that the Relocation Roundtable meeting has been very helpful to EPA, as the Agency has not had an overall policy on relocation. A list of 14 sites where Superfund has done permanent relocations also was made available, and Wells noted that EPA has done a large number of temporary relocations as well.

Overview of Superfund, JoAnn Griffith—U.S. EPA Office of Emergency and Remedial Response

JoAnn Griffith provided an overview of the Superfund Program and its authorities for relocating community residents. She explained that Superfund is the Comprehensive Environmental Response, Compensation, and Liability Act (or CERCLA), which grants EPA authority to conduct cleanup actions. These actions are regulated under the National Contingency Plan (NCP), which lays out the framework on how to conduct these actions. EPA's mandate under the law is to select remedies that are protective of human health and the environment, which also will be cost-effective.

Under the law and the regulation, EPA conducts response actions (or cleanups) to protect human health and the environment. There are two categories of response actions: removal actions and remedial actions.

Under the NCP, a remedial action can be funded by the Superfund only if a site is listed on the National Priorities List, which currently lists 1,300 sites. Response actions only can be taken when there is a threat to human health, welfare, or the environment caused by the site. Risk assessment procedures focus on the site, not necessarily multiple sites.

Relocation is a response action. For remedial actions, the state must cost-share in the remediation, from 10% to 50% depending on the circumstances. Also, the state must agree to take title to any property from EPA when the cleanup is completed.

A risk assessment is completed to determine what the risks are and how people are being exposed at the site. EPA then develops a range of cleanup options. The NCP requires that each option protect human health for the reasonably anticipated land use at the site. Cleanup options are then compared based on the nine criteria to look at the advantages and disadvantages of each option. The nine criteria include:

- 1) protection of human health and the environment;
- 2) compliance with other federal and state laws;
- 3) long-term effectiveness;
- 4) short-term effectiveness;
- 5) reduction of toxicity, mobility, or volume;
- 6) implementability;
- 7) cost;
- 8) state acceptance; and
- 9) community acceptance.

Griffith said that “cost-effective” does not necessarily mean the cheapest (or most expensive) remedy. There is a preference for permanent solutions to the greatest extent possible, and a preference to treat contaminated waste if possible. EPA does not want to keep creating more and more landfills. It wants to take care of the problem and be done with it.

Temporary relocation can be selected as a cleanup action. It is generally selected in conjunction with another response, *i.e.*, removal or treatment of the contamination. Risk or threat is the primary factor in selecting temporary relocation. Other factors include the feasibility of engineering controls to reduce risk to residents, and the possibility of physical danger as a result of construction. The overall goal is to restore the property and bring the people back.

Permanent relocation can be selected in a limited number of cases. The NCP requires that cleanups be protective for the anticipated land use. Thus, if EPA cleans up to residential standards, there may be no cost-benefit in permanent relocation. Given these legal parameters, permanent relocation has occurred under limited conditions. Situations where permanent relocation has occurred include:

- An immediate risk exists that could not otherwise be addressed (*e.g.*, Forest Glen).
- Cleanup is difficult or impossible because homes are in the way (*e.g.*, Glenridge/Montclair).
- Houses were contaminated and EPA couldn't decontaminate them (*e.g.*, Austin Avenue).

Griffith explained that EPA's mandate under the law is to clean up sites to protect human health. EPA cleans up a large number of residential areas (*e.g.*, 70 major residential cleanups, such as Bunker Hill Mining, MT—1,000 homes; and National Zinc, ID—2,000 homes). In addition, EPA has conducted numerous temporary relocations during excavation (*e.g.*, Lorraine County, OH; Glen Ridge/Montclair, NJ; and United Creosote, TX). EPA has conducted only 14 permanent relocations, and the rationale for these has depended on the facts of each case.

EPA needs to develop a relocation policy in order to define when relocation can be used and what EPA can do. Past misunderstandings led some people to the interpretation that relocation is not possible. One reason a relocation pilot has been designated is to help define these issues for the future.

Griffith said that EPA is trying, in addition to what is included in Superfund, to determine what other options exist, perhaps in other agencies such as HUD and FEMA. EPA also is looking into how local land-use decisions are made. EPA has developed Land-Use Guidance that might allow land that will likely be used for industry to be cleaned up more inexpensively, therefore providing more flexibility in relocation. This is a change in the way EPA has done business before.

Uniform Relocation Act, Robert Cribbin, U.S. Army Corps of Engineers

Robert Cribbin noted that after EPA decides to relocate people and acquire property, the U.S. Army Corps of Engineers (USACE) becomes involved to assist in the relocation. The Fifth Amendment to the Constitution says that private property will not be taken for public use without just compensation. The courts have determined this to be “fair market value.” Under section 104(j) of CERCLA, EPA has the authority to acquire real property in connection with remedial actions at Superfund sites. Before EPA can acquire property, the state must provide assurances that it will accept the transfer of the property once the remediation is completed.

Since 1971, property acquisitions have been guided by the Uniform Relocation Assistance and Real Property Acquisitions Policy Act, a government-wide rule under Title 49 of the Code of Federal Regulations, Part 24. This regulation, issued by the Department of Transportation, sets forth policy and procedures for government relocations.

Cribbin said that the first step in acquiring property is to obtain an appraisal of the fair market value of the property. An appraiser will visit and use standard procedures regarding all factors that will affect the value, including contamination. However, if the government stuck to this provision when negotiating voluntary purchases, it would not buy very much property. EPA typically determines fair market value, with considerations for value lost due to contamination, on a site-by-site basis.

The next step is negotiations. The government will provide a written offer to property owners and will explain its policy and procedures in writing. The landowner receives a certain amount of time to consider the offer, and may submit a counter offer. When an agreement is reached, there will be a written document describing what was agreed upon. At closing, USACE will pay off any loans, reimburse homeowners for closing costs, prepayment penalties, or other fees, and pay the balance to the homeowner.

Cribbin said the government cannot take possession until everything has been paid and everyone has received 90 days notice. If no agreement is reached, the government will institute formal condemnation proceedings. Legal fees for property-owner representation will not be compensated.

USACE also provides relocation assistance that is separate from "just compensation," and includes a replacement housing supplement, moving costs, and relocation advisory service. The replacement housing supplement is different for homeowners and renters, and takes into account the length of time individuals have been in their homes:

- A purchase supplement of up to \$22,500 can be provided to owner/occupants who have been in their homes 180 days or longer. This is applied to closing costs, mortgage differential, and replacement costs.
- Rental assistance for owner/occupants and tenants of 90 days or more is available up to \$5,250 over a 42 month period.
- Owner/occupants of 90-179 days and tenants of 90 days or more also may receive downpayment assistance of up to \$5,250 toward the purchase of a new home.

In rare cases, the government has authority to go beyond these limits to provide housing as a last resort. It also may make direct loans, and either build or modify a home to ensure a comparable dwelling.

Moving costs can be reimbursed in two ways: reimbursement of actual reasonable moving expenses; or reimbursement based on a fixed moving cost schedule. The government also will pay for utility hookups and other incidentals. Relocation advisory assistance is available to minimize the hardship of relocation. If people think they've been treated unfairly, they can appeal to the government or sue in court.

Discussion

Steve Luftig noted that the Uniform Relocation Act was written for the purpose of buying houses in order to build highways. EPA is trying to adapt that law to a very different situation. Unfortunately, it is a cumbersome procedure and frequently an adversarial one. He suggested that the group may want to make recommendations as to how these procedures can be modified. Conley asked how these procedures apply to owners of housing projects. Cribbin responded that there are other benefits and procedures for businesses, which include owners of housing projects.

Michael Lythcott noted that people who are being relocated are not interested in a handout from the government; they want to be able to replace their homes with as little disruption as possible. Margaret

Williams asked how this affects social security or welfare payments. Cribbin responded that relocation payments are not considered taxable income, and should not affect either welfare or social security benefits; although some housing assistance payments may be affected. Specific advice would be needed from a relocation advisor in this case. For private company buyouts, payments may be taxable.

Zulene Mayfield pointed out that there are other problems beyond past pollution problems that will affect the future of communities. She wanted the group to address stopping pollution problems before serious health effects have resulted. Steve Luftig responded that this is a difficult issue. EPA has a mandate to deal with sites on the NPL. In some bills now before Congress, EPA would not even be able to propose sites for the NPL unless requested to do so by a state governor.

Joseph Campbell asked how EPA could ensure tribal rights at Superfund sites on tribal lands. Steve Luftig said that the Superfund law says tribes generally must be treated the same as states; this means that tribal governments are allowed to set their own cleanup standards. Campbell then asked about the government's role in restoring environmental damage made on tribal lands. Luftig said that he was not sure how to answer this question.

Relocation: The Key Factors

General Discussion

Deeohn Ferris, Washington Office of Environmental Justice, Washington, DC, commented that the issue of future land use and lower standards for cleanup is a "slippery slope." Shen asked: "What is the extent to which the Agency actually factors in the fact that land-use decisions are not participatory?" She said that basing decisions upon future land use is basically basing decisions on present land use, which perpetuates the cycle of problems that exist in mixed land-use communities. It also ignores the consequences of years and years of contamination. The environmental justice community has been talking with EPA for a number of years to try to get multiple pollution sources considered, as well as problems with determining land use. Ferris noted that she is not certain that a lot of progress is being made.

Ferris then said that cumulative risks are an increasingly larger concern for EPA, but EPA has limited authority to make land use decisions. She noted that EPA may have jurisdiction to call to task local land-use decisions and rescind discriminatory land use. She added that Title 6 and Title 8 can be used to force state and local governments to address this.

Steve Luftig noted that recommendations like Ferris's would need to be considered and discussed by this forum. New ways of looking at how remedies are selected at sites, and how land use factors into remedy selection are needed, as well as consideration of the history of misuse of the land, inappropriate zoning, and multiple exposures.

Beverly Wright noted that a lot of community members have a problem with the idea that "it is not cost-effective to relocate people if EPA has to clean up to residential standards." While this may sound good, and implies that the government is saving money, from a community's point of view it makes no sense. It is extremely insensitive to the pain and suffering that is going on. Once your community is "zoned toxic," you have numerous other toxic facilities moving in. It also does not address the psychological damage or the socioeconomic effect that exists because of the stigma of living in a contaminated community. This kind of argument does not "hold water" when you are talking about real people and real situations. Very little has been done for environmental justice communities while, at the same time, White communities have been relocated. This is an injustice.

Robert Bullard said “the laws and regulations have been written in the context that all communities are created equal. However in the society in which we live, that is just a dream and a theory.” Current laws do not take into account institutionalized discrimination in housing, transportation, land use, and industrial facility siting. In almost all cases, we are not looking at a single site to be cleaned up, but at a host of contaminants that have been sanctioned at the local and state levels. Cleanup needs to be addressed in this context. Local practices have allowed some populations to be more vulnerable. Current EPA procedures perpetuate this.

Marvin Crafter asked: “What happens if you have a Superfund site, and all evidence indicates that the community should be relocated, but the responsible party refuses to do it?” JoAnne Griffith said that the appropriate response would be an administrative order from EPA. If the PRP failed to comply with the order, EPA would do the relocation and then recover costs from the PRP. Crafter then asked when EPA was going to start enforcing the law. He said that in his community, an order required the PRP to take action if contaminants exceeded a certain level, but adequate sampling had not been done. Where contamination had been found, the PRP had not complied with the order. He further commented that the group has spent a lot of time talking about this, and questioned when the group would see something come from it.

Michael Lythcott and Connie Tucker drew the group’s attention back to the purpose of the meeting. Lythcott said he wanted to make sure that participants understood that the presentation on laws and regulations was meant to serve as a platform for further discussion. Tucker noted that the group represents residents at non-Superfund sites as well, and wanted to make sure that these communities’ concerns were included in discussion.

Charles Lee noted that the meeting was not intended to solve problems at specific sites, but to discover participants’ experiences for the benefit of themselves and EPA policy makers. He noted that Steve Luftig was available to answer questions. The group then posed a number of questions to Luftig:

- How does EPA conduct risk assessments and how does the Agency deal with multiple contaminants at a site?

Luftig explained that risk assessment has two parts: 1) an assessment to determine how toxic a chemical is; and 2) an assessment to determine how a chemical affects residents. Something can be very toxic, but if it is buried somewhere in the middle of the desert, and no one is exposed to it, it doesn't pose a great risk to a person. Toxicity assessment addresses the issue of how dangerous a contaminant is. Exposure assessment addresses the issue of how one is exposed to the substance—did the person drink it, breathe it, how did it come in contact with their body? When we hear that dioxin is a problem at 1 ppb in residential areas, what does that mean? If people have contamination at 1 ppb in their yard, the risk assessors and the health assessors have told us that is a level of concern. That means we should look further and determine how we can separate the people from the contaminant.

Luftig said that different chemicals pose different problems. Depending on what is located on a site, a risk assessor might try to conduct an assessment of each chemical that is present. Not every chemical causes cancer, but some may cause other problems (*e.g.*, skin burns or rashes). A risk assessor looks at the risk from all contaminants of concern. If a site contains lead, for example, EPA looks at other possible effects (*e.g.*, learning disabilities or birth defects). EPA also considers additive and synergistic interactions among chemicals. Risk assessments are done by EPA with assistance from ATSDR, state health departments, and others.

- How and when does relocation take place under the law?

Luftig said that the Superfund law is pretty clear. It gives EPA the authority to respond to what it calls a release of a hazardous substance. EPA takes removal and remedial actions to address both short-term and long-term threats.

For a remedial action, the Agency goes through a process that leads to a formal Record of Decision to determine what the long-term solution should be. EPA is looking for recommendations on how to bring human criteria and cumulative risk issues at NPL sites to the table in order to make relocation decisions.

Luftig said that the Superfund reauthorization bills that are now under consideration in Congress “are a long way from relocation.” One theme that is being discussed is “exposure control,” *i.e.*, not cleaning up, but putting up a fence that says no trespassing. The group should not lose site of the fact that EPA is opposed to much of what is being proposed.

- Are there other Relocation Pilots?

Luftig explained that although each Region was asked to nominate a pilot, the Escambia site is the only one at this time.

- Are Community Advisory Groups (CAGs) being implemented?

Connie Tucker noted that EPA's CAG guidance is something the environmental justice community fought for. Although it has been issued, she doesn't believe the EPA Regional Offices are implementing the guidance. Luftig was not given time to address this question.

Margaret Williams emphasized that the law focuses on the protection of human health. If there is an immediate threat, people need to be separated from the threat; but the criteria seem to be applied unevenly. The laws proposed in Congress that EPA is upset about are the same things the African-American communities have been dealing with all along. If there is an emergency level or a public health hazard, the people need to be relocated. If there is an intermediate health threat, then EPA needs to do more research. Williams asked JoAnne Griffith to explain how EPA has decided on emergency relocations in the past. Griffith noted that EPA has conducted emergency relocations in the past when it received a disassociation request or an ATSDR finding that the people were at risk now and needed to be relocated immediately. This was the case at Forest Glen. According to Lois Gibbs, the state was responsible for the relocation at Love Canal. At Times Beach, people were evacuated because 1 ppb of dioxin were found at the site. Gibbs then noted that at Forest Glen, people were relocated because ATSDR said the hazard was so immense that the people had to be moved immediately. In addition, it was determined that it would take years to address the contamination problem, making it more cost-effective to relocate residents.

Gibbs also pointed out that EPA's position at the Escambia site was contradictory. EPA's position in the past has been that dioxin is extremely hazardous even at very low levels and that it causes health problems other than cancer at even lower levels. However, EPA did not determine Escambia, which has higher levels of dioxin than found at Forest Glen, to be an emergency relocation situation. Gibbs noted that there seems to be a difference between policy and implementation.

Sharing Our Stories

Cassandra Roberts, Anniston, Alabama

Roberts began her remarks with a story about a newspaper article she had read about two years ago. It was about a man who decided to test the fish in a stream about 15 miles from Roberts's home. He found that the fish were contaminated with PCBs. Two years later, she and her family heard from the Monsanto Company. They wanted to test residential property for PCB contamination. The company found contamination in her neighborhood and made a buy-out offer two months later.

Roberts said that she has learned a lot at this meeting. Monsanto's original offer was similar to the government standards described in the last presentation. She said her mother had lived in her home in Anniston for 40 years. Her father died; he had always done a lot of outdoor work and had rashes on all parts of his skin that were exposed. However, Monsanto didn't address health issues. They offered "fair market value" for the homes, but this value was not nearly enough money to move and was not close to what the value should be. Also, some of the residents were relocated and others were not; this has caused much division in the community and has led to resentment and distrust among neighbors. This division is so great that the two groups of residents each have separate legal representation.

The bank will not offer loans to upgrade homes now. Residents had only three months to make a decision about relocating, which was not enough time. Residents were not given enough information on the effects of the contamination to make an educated decision about relocation. Roberts suggested that the relocation policy be revised to provide more support for the community.

Joseph Campbell, Prairie Island, Minnesota

Joseph Campbell discussed his experience with having a nuclear power plant near his reservation. In 1968, the Army built the plant on a sandbar in the Mississippi river only three blocks from the reservation. The power plant began operating in 1973, and the only access to the plant is through the reservation. Plant workers had to pass by homes on the reservation each day on their way to work. Speeding was always a problem and two of his neighbors were killed in traffic accidents by speeding workers, but no charges were levied against the perpetrators.

Campbell noted that he examined the original environmental impact statement for the power plant and learned that the plant was allowed to discharge nuclear wastes into the Mississippi River. The standards were developed by industry and approved by the Nuclear Regulatory Commission. However, the reservation's residents were never consulted about this. As time went on, the plant had to change its way of disposing of spent fuel rods because they ran out of storage space below ground. They needed additional storage capacity, probably because the plant was running at a much higher production than was ever planned. The plant began storing spent fuel rods in dry casks above ground with inadequate shielding. Northern State Power operates the plant, and has sued Westinghouse, the builder of the casks, because of failing generators and fractured cooling tubes.

Prairie Island's Coalition is a citizens' group that has been investigating problems at a number of Northern State Power plants over the past few years. Campbell noted that Hazel O'Leary, the current Secretary of Energy, is a former vice-president of Northern State Power.

Cynthia Babich, Del Amo Task Force, Torrance, California

Cynthia Babich described the health problems she and her husband have experienced—including respiratory problems, skin rashes, serious gastro-intestinal problems, and other problems requiring

major surgery. She cannot have children. She believes many of these problems came from being outside her home during the excavation at the Del Amo site. She and a friend wanted to videotape the excavation of their back yards to show what was happening. No one warned them away, or attempted to help them in any way. They were told the chemical of concern was DDT, but were not told about volatile organics that were in the air during the operation.

Her family has been temporarily relocated for two years. ATSDR has established a pilot program for medical assistance and a clinic for those who have been exposed. Although additional programs for the community were proposed, Newt Gingrich and the Republicans eliminated funding.

Babich noted that relocation is critically important and that people have to be moved immediately when there is a threat to the community. It is not possible to take the chemicals out of their bodies once they have been exposed. Medical science isn't yet able to deal with health problems that result from exposure from contaminants at chemical waste sites; scientists have no idea how to deal with problems caused by multiple chemical exposure.

Torrance, California, is located in the Los Angeles County Strip area. It is a racially mixed community. Babich noted that some previous enjoyable outdoor activities shared by the community were barbecues, kids playing and laughing, sitting outside with neighbors engaging in small talk, gardening, and raising chickens for eggs and enjoyment. It was a very relaxed neighborhood of hard working, low-income families. Now stress is evident everywhere. Early death is something the residents deal with every day.

Babich explained that the responsible parties at the Del Amo site are the U.S. government, Shell Chemical, Dow Chemical, and others. The Montrose Chemical Superfund site is a quarter of a mile away. Responsible parties there are Montrose, Stauffer Chemical, 3-M Company (Minnesota Mining and Manufacturing), and Chris Craft Industries. The main chemicals of concern are the "combination of chemical soups" in the waste pits and the combined groundwater plumes from all the sites. Benzene, toluene, lindane, DDT, chlorobenzene, and naphthalene are contained in an untested metal slag area, which also is an area of concern. Both sites operated from the 1940's to the 1980's with blatant disregard for the neighboring community.

Residents have complained about health problems for years. There are ongoing legal battles. There was one out-of-court settlement for health issues 10 years ago. Residents received about \$2,000 each. Close to 40% of homeowners moved out at that time and began renting their homes, because they couldn't sell them. Two law suits are pending, with demands for a buy out, health compensation, and lifetime health monitoring for cancers. EPA is participating in a mediation hearing with the community and the responsible parties.

Babich said that the community would like to establish partnerships with agencies and other communities. "We don't want any more decisions made without our input. This mess was created and dumped on us, and it's our problem now. We want honesty from our government. We want to be able to trust the agencies that are supposed to be protecting us." According to Babich, a first step would be for EPA and ATSDR to redefine their commitment to the people.

Public Comment Period

Overview of the Public Comment Period Process

Omowale Satterwhite reviewed the ground rules for the public comment period. To ensure that all communities would be heard during the comment period, Satterwhite explained that the planning committee would rotate the community presentations, allowing a maximum of two people per

community to speak back-to-back. Each speaker would be allowed a five-minute period to make their comments. A timing light would be provided to let all speakers know when their five-minute time limit is up. After all communities would be heard, presentations would be received on a first-come-first-served basis.

Satterwhite asked for anyone wishing to speak during the public comment period to let him know at the front-end of the process so that the session will not linger on. He then explained that questions will not be entertained between comments; however, if there is time after everyone has presented, questions will be received. He also noted that anyone not wishing to make public comments orally, can submit comments in writing.

Roy Malveaux, Corpus Christi/Beaumont, Texas

Roy Malveaux discussed the national problem of environmental poison. He said that “we all share a deep concern for what is going to be called in the future a historical moment.” He noted that there is a certain segment of the community that takes the largest burden from environmental poison that results from industrial activity and that the government can no longer continue to just slap wrists of the polluters; stiffer penalties need to be enforced. The local governments should be held accountable because they are the ones who allow industry to consistently operate in the same communities as well as receive substantial tax revenue from the polluters. Unfortunately, these communities seem to be the ideal location to let industry operate because these areas have the least political interests and do not have representatives on the city council. In addition, residents of these communities may not even be informed voters and often put up the least resistance to environmental poison.

Malveaux said that women bear the greatest burden from environmental poison, such as from miscarriages, and the children, who know the least about environmental poison, suffer a great part of the burden. It is time we begin to hold the polluters accountable. From this day forward, we must agree that “there is some environmental poisoning going on.”

Doris Bradshaw, Memphis, Tennessee

Doris Bradshaw discussed her problems with living in a fenceline community at the Defense Depot, which has been formerly called the Army Defense Depot, in Memphis. The site is contaminated with World War II mustard gas bombs and other unknown agents and there is evidence that the contamination has spread beyond the fenceline. Neither EPA nor DOD have posted signs to warn the community of the danger. Community residents have been wanting EPA and DOD to discuss the contamination problem at the Defense Depot with them, but both agencies have been unreceptive. In addition, Bradshaw has been trying to set-up a meeting with ATSDR since November; ATSDR has not returned her phone calls.

Bradshaw explained that it has been difficult for her to communicate with her community that it is in danger. “EPA has not faced up to its responsibility in the neighborhood,” she said, but she hopes that someone will hear her plea at this meeting and come to Memphis to address her community’s problem.

Kenneth Bradshaw, Memphis, Tennessee

Next, Kenneth Bradshaw discussed environmental racism at the Defense Depot. The Defense Depot began operation in 1942 and it was not until the site was declared a Superfund site that residents knew they had hazardous waste and chemical warfare waste in their backyard. According to Bradshaw, the city of Memphis had to have known that the Defense Depot was a toxic dump, because it issued permits to the Defense Depot for hazardous waste dumping without informing the community. There are seven

schools surrounding the Defense Depot in each direction; all of which are built over drainage ditches and creeks that receive run-off from the Defense Depot.

White people have acknowledged that the hazardous waste dumping at the Defense Depot is a bad thing, but have said that when they permitted the dumping, they did not know the effect it was going to have. Bradshaw said: "I would like to believe that White people don't hate Black people so much to try to destroy them, but when I look at how close the schools are to the sewer systems, I have my doubts."

Bradshaw noted that the community has looked to the government, and even to the President, to see what they can do about their situation. However, the President is considering neutralizing the very agencies that have been established to protect us; it is a government that does not have an interest in the community. "What they are doing to Black people throughout the South is wrong. We have open ditches full of chemicals in Georgia, Tennessee, and Mississippi. This is happening to our community because we are poor, Black, and uneducated. It is time for people who really have the power to stand up and stop EPA from mistreating us."

David Clark, Pensacola, Florida

David Clark, an impacted resident from Pensacola, FL, said that "it is good to be able to say something on a thing of this nature... and tell the truth about it." Clark bought his house 25 years ago and six months later, he could not see out the windows because they were completely covered with contaminants. On January 12, 1974, he bought a car. The next day, it was covered with contaminants that would not wash off. He talked with the superintendent at the industrial plant near his home about his car, but the superintendent told him to talk with his boss. The only reply from the boss was that he should build a shed.

Clark planted a garden, which he said was beautiful, but one day, the contaminants fell again and the leaves of his turnips twisted up like a cigar; making him wonder "what would these contaminants do to you." "I have a cold and a runny nose, but nothing helps me. My neighborhood is a very bad area to live in and I thank god that I am not living there anymore; but I am also not as healthy as I would like to be."

José Bravo, Southwest Network for Environmental Justice, San Diego, California

José Bravo opened his comments by describing a conversation he had with Charles Lee at a past meeting in Oakland, California. He said that Lee was being asked "How clean is clean?" and Lee was responding with data numbers. Bravo then told Lee that "the best way to figure out how clean is clean is to take data from the sites that have been previously cleaned and take the most expensive cleanup and the one where the most White people live. This is how clean you want your site." (Lee noted that he did not remember this conversation.)

Bravo then discussed zoning regulations. He noted that he lives in San Diego, CA. In his neighborhood, from 1946-57, deeds to houses were required to include statements that homeowners could not sell their homes to Latinos or African Americans. The only homes in San Diego during that time that Latinos or African Americans could buy were in south San Diego, which is also the only area in San Diego where mixed residential/industrial zoning is allowed and where most industry in San Diego is located. He explained that many of the small polluting businesses, like metal plating shops, were owned by residents, which made it difficult for the community to fight against polluting industry. They did not want to be poisoned, but also did not want to go up against their neighbors. Bravo urged EPA to consider zoning regulations when relocating residents and to make sure that relocated residents are not moved into areas where mixed residential/industrial zoning is allowed.

R.T. Conley, West Dallas, Texas

R.T. Conley expressed his concern that attendees are confused; EPA is not really the enemy. He explained that he used to be known as the “cussing preacher” because he spent so much time cussing out EPA. But once he got involved and began searching out information for his community, he realized that EPA is not the enemy. In fact, EPA does try to be on the community’s side. He acknowledged that EPA is not perfect, but if a bill is passed that cuts off funding for the EPA, the communities will miss the Agency and realize just how much EPA is needed to help address contaminated sites in residential neighborhoods.

Conley then encouraged everyone “to go rub shoulders” with their city councilmen and other local and state government officials, because they are the ones who know that communities in their jurisdictions are being dumped on. In fact, they are collecting fees from polluters; but these fees are not being passed on to the communities that are receiving the burden from pollution. He added that many communities feel that they should leave and raise hell elsewhere, but this hell-raising should be done at the local level. And if the commotion doesn’t get action, vote the local government officials out of office and vote someone else in who will work for the people and address the pollution going on at these sites.

Cynthia Babich, Del Amo Task Force, Torrance, California

Cynthia Babich talked about responsible consumerism. She noted that habits often drive pollution and that we need to change our habits to reduce pollution in our neighborhoods. For example, many people have cars that they drive every day to get to places they could reach with public transportation. But it is these same people who get angry when industry wants to build a petroleum refinery in their neighborhood. To really make an impact, “we need to change our lifestyles. We cannot continue with the lifestyles that we have today.”

Babich then said that “this is not a color issue,” but an issue of the people driving the industry to make products that pollute. She then said that she worries about the future when she sees our children filled with so much prejudice. She said she is more afraid of the views of some people; not the color of their skin. She encouraged everyone to keep in contact with each other, give each other a hand, and go out there and try to help. “We are in it together and we need to focus on who the enemy is.”

Marvin Crafter, Fort Valley, Georgia

Marvin Crafter noted that his community chose to work with EPA instead of the PRP in Fort Valley, Georgia, but at first it “appeared that EPA stabbed the community in the back.” However, as the community became more aware of what went on, “it now appears that EPA got scared and ran the other direction.” Crafter noted that “whatever scared EPA the first time, the community will have something bigger to reverse it” to get EPA to address the community. Crafter said that the bottom line is that the chemical companies, gas companies, and other polluters who poison us will not be able to operate their plants in our communities if we keep our money in our pockets, let our dollars get bigger, and don’t let them come into our communities.

Joseph Campbell, Prairie Island, Minnesota

Joseph Campbell discussed the potential relocation of his community. He explained that Northern State Power (NSP), which operates a nuclear power plant near the Indian reservation on Prairie Island, offered the reservation \$22 million to relocate off the island. In light of this offer, the tribal environmental council conducted a survey of the Prairie Island community four different times to see

how people felt. The result of the survey was that as long as NSP attempts to store dry casks of nuclear waste near the reservation, the reservation would continue to fight against NSP. However, the city of Redwing and the county of Goodwin disagreed with the reservation. They wanted the dry casks to be stored in the county because they were receiving large revenues from NSP by allowing NSP to store the casks in the county.

A legislative session was held to discuss this issue, which resulted in a ruling that 17 nuclear dry casks could be stored in the county “since the city of Redwing and the county of Goodwin want this stuff in their backyard,” but no more than five casks could be stored on Prairie Island at any given time. NSP began site characterization work in the county to determine where they could store the additional 12 casks and from these studies, found that Florence Township would be an ideal storage location. The township, however, disagreed with this decision and expressed that the casks should “remain at the reservation where the Indians are.” In fact, the township even threatened to secede from the county to avoid having the casks stored in their community. Because of these disagreements, a final decision has been tabled until the next legislative session.

SATURDAY, MAY 4, 1996

Summary Remarks

Omowale Satterwhite reviewed the discussions and presentations from Friday, May 3, 1996. He also reviewed the ground rules and asked new meeting attendees to introduce themselves.

Tim Fields, the Deputy Assistant Administrator for EPA’s Office of Solid Waste and Emergency Response (OSWER), made some introductory comments. He emphasized the importance and timeliness of the meeting and thanked the planning committee for organizing and planning the meeting. He also thanked EPA-Region 4 for nominating the Escambia site as the National Relocation Pilot site and Margaret Williams and CATE for hosting the meeting. He told Williams that EPA was not yet done at Escambia; the proposed plan is only an initial step. In this proposed plan, EPA recommended relocating the 66 homes closest to the fenceline. EPA plans to work with other federal and state agencies to determine if others can be relocated. This effort is scheduled to be completed by June 30, 1996.

Triggers that Prompt a Relocation—Report Out

An individual from each of the breakout groups that discussed “Triggers that Prompt a Relocation” presented a brief summary of their group’s discussions. During the breakout session, participants were asked to focus on identifying specific events or issues that would trigger the relocation of a community. Provided below is a summary of the breakout group discussions, as presented by a representative of each group. For a more comprehensive list of specific items discussed during the five breakout groups, please refer to the section on “Triggers that Prompt a Relocation” in *Appendix B: Relocation Roundtable Flip Chart Summary*.

Group 1—Triggers

Doug Mundrick summarized the discussions of Group 1. The Group tried to identify the relocation triggers; however, it was unable to distill the list of triggers. It also did not make a distinction between permanent and temporary relocation. The primary factor is protecting human health. The difficulty is determining when a relocation should or should not be done. A complicating factor is that Congress has not given EPA unlimited authority to conduct relocations. This issue may need to be addressed through

legislation. Another problem in making a decision about relocation is the risk assessment process. Now, EPA considers each chemical separately. Instead, it needs to consider the synergistic effects of multiple chemicals. Also, instead of focusing on risk numbers, EPA should focus on the effects of chemicals on communities, particularly if scientific documentation is not available. This may require documenting cases of the impact of contamination on communities and conducting more health assessments.

The group also raised several other related issues. Several people in the group thought that communities are blamed for health problems that stem from hazardous waste sites. Other people discussed delegation of Superfund to the states. They opposed this idea, primarily because they do not trust state governments. Some in the group thought that communities need independent assistance from people trusted both by the community and EPA. Such people could help document health effects and identify “real” facts (not emotional) that everybody can accept. This would serve as a relocation trigger. The group also discussed contamination outside the fence line.

When a community will be relocated, residents should be able to choose the location of their new home. They also should be assured that the new location is safe. Everybody in the group agreed that the existing process takes too much time and that enforceable timelines are needed.

Group 2—Triggers

Maureen Litchveld, ATSDR, presented the summary for Group 2. This group identified the following relocation triggers:

- Quality of life, which is the overarching factor. It includes the destruction or death of wildlife (birds) and vegetation (trees). The stress from living near a contaminated site is a key health factor.
- Known exposures that are harmful.
- Health threats from exposures, even when scientific documentation is unknown or unavailable.
- Temporary relocations that may last longer than six months should end up being permanent relocations. People should not be moved back in such cases.
- Exposure to more than two chemicals when data is undocumented.
- The presence of multiple sites, which is not limited to just Superfund sites, but any hazardous waste facility.
- The site cannot be cleaned up.
- Clinical evaluations that confirm chemical exposures in blood or tissues.

The group developed two specific recommendations: 1) Since relocations are situation-specific, the relocation process should be flexible; and 2) The community should participate in the decision-making process, both in permanent and temporary relocations. Litchveld concluded by promising three people that ATSDR staff would contact them to discuss their sites.

Group 3—Triggers

Doris Bradshaw, Memphis, Tennessee, presented Group 3’s list of specific triggers for both temporary and permanent relocations. For temporary relocations, the triggers include:

- Health and sickness.
- Emergency spills.
- Emergency or improper operations that result in a release from a plant.
- Cleanup of the site is possible and community wants to return.
- As soon as contamination is discovered, “get people out.”
- The exposure pathway is downwind from a site.

- When the contaminant is unknown or undefined, move people and then study the situation to determine what the problem is.
- Plant evacuation plans should cover temporary relocation plans/criteria.
- Notify communities immediately when there is a release by using sirens or other devices.

For permanent relocations, the group identified the following triggers:

- Cumulative health threats.
- Comprehensive health surveys show that the community suffers from poor health.
- Contaminants exceed federal standards in body, soil, air, and water.
- Animals, including pets, and plants are dying.
- The water supply is contaminated and alternative ways of supplying clean water are unreasonable.
- Residents cannot breathe clean air while facilities continue to operate, except with extreme measures, such as wearing masks or placing furnace filters in windows.
- Diminished property values because of proximity to contaminated site.
- Contaminants are found beyond the fenceline.
- Communities are unable to socialize because of contamination. For example, residents cannot garden, hang out clothes, or talk outside, and kids cannot play outside.
- Residents' anxiety level increases to the point that communities may become violent.
- When a community's overall "health" dramatically changes because of the site.

Bradshaw appealed to EPA to listen to the community. She said the community knows what is happening. She added that ten years of study is too much time; the community cannot wait that long.

Group 4—Triggers

Roy Malveaux, Corpus Christi/Beaumont, TX, presented the summary on behalf of Group 4. This group identified relocation triggers for any location, not just for Superfund sites. Some of the issues or triggers the Group identified include the following.

- Do not wait for citizen action or for people to get mad. Routine tests of areas near plants need to be performed to determine if people are being exposed.
- Track non-compliance fines/warnings as an indicator of locations where people may be at risk.
- Move people out of the area as soon as contamination is confirmed (do not wait 2 years).
- Move communities that are segregated through barriers and boundaries.
- Relocate people who live in areas where multiple sources/exposures put people at risk.
- Monitor enforcement actions. In locations where there are multiple fines, people should be moved. In Corpus Christi, there have been five explosions. This is an indication that it is time to move people.
- Recognize that multiple birth defects or illnesses in children is a trigger.
- Relocate people when the majority of industry is located in one place. The burden needs to be shared.
- Move people when the ratio of industry to residents reaches a certain point.
- In cases where there is comprehensive monitoring because of the presence of multiple facilities, move people.
- Where there is a lack of "environmental protection," move people.
- Consider relocation when zoning regulations are changed to permit industry to move into residential areas.
- Determine the impact on the food chain when assessing health risk.
- Relocate people when industry refuses to fully disclose hazards and contaminants.

Group 5—Triggers

Yolanda Ting, EPA's Community Involvement and Outreach Center, presented the summary of Group 5's discussions. This group made a distinction between relocation triggers for private industry and the public sector. The major trigger is the health of community residents. If three or more people in a community have the same health condition, it is an indication that something must be wrong. In addition to considering people with health problems or symptoms of exposure, people who appear to be unaffected need to be addressed. People without symptoms may have problems later. When residents have been relocated, follow-up health studies should be conducted. Furthermore, the burden of proof for health effects from contamination should not be placed on the community. Health effects should not be blamed on other factors, such as diet. The site should be considered the "culprit," not the community. In addition to human health, the impact of contamination on wildlife and vegetation needs to be considered. When animals and plants are dying from chemical exposure, there is a problem. Another trigger is industry recognition of the problem. A related trigger is when the source of contamination can be traced to a particular company.

One member of the group provided an example of a relocation in Hoboken, New Jersey. The site was contaminated with "pools" of mercury. When mercury was detected, some people were moved out. Also at this site, ATSDR provided psychological counseling to affected residents. Another group member stated that it is difficult to come to these types of meetings and tell emotional personal stories and then never see any action; EPA needs to start acting. One woman explained that she lived near a plant and never put "two and two together." Now, she understands that the plant is responsible for the health problems in the community. Several group members added that buffer zones are needed to separate industry from residential housing to protect people from chemical exposures. In addition to being concerned about exposures, EPA also should consider the impact of fires, explosions, and sudden releases.

Summary and Discussion About Triggers That Prompt a Relocation

Charles Lee synthesized the information the groups presented. He identified three categories: 1) Factors, 2) Process for Deciding, and 3) Special Issues. For Factors, Lee noted Group 2's report. Group 2 identified concrete factors, of which some need to be emphasized, such as health effects and the risk assessment process. Risk assessment needs to be expanded to account for synergistic and cumulative effects of multiple chemicals. Furthermore, it is necessary to gain a better understanding of what is meant by "quality of life."

For the second category, Process for Deciding, Lee said enforceable timeframes are needed. If clinical evidence of health effects exists, regardless of whether cause and effect is determined, people should be moved. The process needs to be flexible because each situation is unique and different processes exist, depending upon the agency or company involved. The third category, Special Issues, captures other important issues, such as zoning and land-use practices. For various reasons, industry has been allowed to locate plants and other hazardous waste facilities near residential communities. EPA needs to consider and understand these issues. In addition, a better understanding of emergency and temporary relocation is needed.

Grover Hankins asked whether EPA can use relocation authorities from other federal agencies, such as Housing and Urban Development (HUD), the Federal Emergency Management Agency (FEMA), the Public Health Service, and Health and Human Services, instead of relying solely on Superfund. Tim Fields replied that EPA, as part of the Relocation Pilot, is trying to determine if other federal agencies have statutory authority to relocate people. This effort will be completed by the end of summer. Fields indicated that he expects that other federal agencies do have such authority. Lee said this is an

important issue. The problems of communities need to be addressed, if not by Superfund, then by others.

Sharing Our Stories

Delbert Dubois, Charleston, South Carolina

Delbert Dubois began his presentation with the comment, "I was born into a society of synergism and moved into a community of genocide." Charleston is home to many pollution-producing facilities, including: one Superfund site; two RCRA facilities; nine CERCLA facilities; 15 hazardous waste generating facilities; seven waste-water discharging facilities; 13 air emitting facilities; two landfills; and 18 other various facilities. Also, within Charleston are 26 sites with hazardous materials concerns, 68 known contaminated sites, and 23 leaking underground storage tanks. The substances affecting the community include PAHs, PCBs, PCPs, VOCs, lead, arsenic, copper, dioxin, and others. According to Dubois, Charleston is a beautiful city; however, his neighborhood is ugly. High concentrations of lead and chromium have been found in the neighborhood. Unfortunately, the levels are not high enough for EPA to get involved. Neighborhood children are taking the drug Ritalin to counter the effects of lead poisoning.

In Dubois' present job, he tracks the infant mortality rate in Charleston. Charleston's rates are equal to a Third World country and the worst infant mortality rate in Charleston is found in his neighborhood. Children's eyelids get stuck from excessive mucous and the elderly are going blind. Alzheimers disease also is prevalent in the neighborhood. The children have been targeted for testing. Complicating everything else is a high unemployment rate. People have resorted to alcohol and drugs.

When Dubois was in the military, he was in great physical shape and felt good. Since he has returned to Charleston, he does not feel as good. He attributes this to living in a "toxic soup." He noted that state and federal laws permit the government to seize property of drug offenders. He wondered why EPA cannot do the same thing for environmental polluters.

Zulene Mayfield, Chester, Pennsylvania

Zulene Mayfield said Chester is located approximately 15 miles south of Philadelphia. She added she has "been designated for death because of polluters." On average, in the past several years, one new industrial facility has been built in Chester. The largest incinerator in the nation and the largest medical waste facility are located in Chester. Several refineries and other polluting facilities also are located there. Chester is the most densely populated city in Pennsylvania and is primarily inhabited by African-Americans. There is not a single public swimming pool or recreation center in the town.

The Westinghouse incinerator is located in the middle of a residential neighborhood. The trees surrounding the plant continually die. Thus far, the facility has replaced nine sets of trees. Despite this, EPA has said that it cannot do anything. According to Mayfield, the Director of the Pennsylvania Department of Environmental Resources said, in answer to a question as to why so many facilities are being located in Chester, "Where else would you put them?" Mayfield said this is a serious matter. This is "oppression." This is "environmental racism." This is "environmental genocide." "The residents of Chester are in danger."

Mayfield showed several color slides of her neighborhood and of Chester. One picture of the incinerator showed that the fence surrounding the facility is topped with razor wire. She wondered why the facility felt a need to protect the garbage in the facility. Her house is located only 80 feet from the fenceline of the incinerator. In her words, "It ain't fun." She also showed pictures of the medical waste

facility, refineries, and other facilities. The community is sandwiched among all of these facilities. A new soil incinerator will be built in Chester. It recently received a permit, despite a new zoning ordinance that requires new facilities to show that they will produce no new pollution.

The community filed suit against one company, Thermal Pure System. This facility had changed names several times, which made it difficult to determine who the owners were. The facility was supposed to close down, but it initially did not. Eventually, it did close, but it filed suit to remain open. The case was decided by the Pennsylvania Supreme Court.

Mayfield concluded her presentation with the comment that it is not good enough to just live, the residents of Chester want "quality living." Charles Lee said that he has visited Chester. He is aware that the Superfund program cannot relocate people in Chester; however, the community needs other agencies to come together to provide assistance and address Chester's problem. "This represents a moral challenge to the country."

Jocelyn Cash, Lorain, Ohio

Jocelyn Cash described her experiences with EPA and her community. When EPA learned of problems in Lorain, it moved efficiently, quickly, and responsively. Cash explained that a man used Agent Orange as a pesticide in over 200 homes in Lorain, including her home. Agent Orange affects the central nervous system; the long-term effects are unknown. All of her children experienced health problems: her 19-year-old son had difficulty breathing; her ten-year-old son had such a severe case of eczema that medication was not working; and her eight-year-old daughter had sinus problems.

Cash said that the residents in her community were not able to put two and two together until one resident noticed, after his house was sprayed, that squirrels were dying and leaves were turning brown. This prompted EPA and the Health Department to investigate and they found that Agent Orange had been used as a pesticide. Notices were placed throughout the city to tell people to contact the Health Department if their house had been sprayed. After calling the Health Department, people were relocated immediately. People were given the options of staying at a hotel or an apartment. She chose to stay at a hotel. While living elsewhere, EPA completely cleaned up her house by stripping the walls, flooring, and baseboards, cleaning them. Once the cleanup was completed, EPA tested for the chemical again to ensure the house was safe.

Cash and her family were allowed to return to their home after seven weeks of living in a hotel. During this time, they received assistance for food. Cash explained that she tried to maintain a routine while living in the hotel, although it was difficult. "Experiencing something like this is hard, but it is bearable as long as you are safe."

Cash said she appreciated what was done for her. EPA was quick and efficient and the people she dealt with were human and caring. She added that the person who did the spraying only had a third grade education. He currently is in jail and is dying of cancer. He obtained the Agent Orange from a garage sale. Cash concluded her comments by saying that when she returns home after this meeting, she is going to request a follow-up health study for residents of Lorain who had their homes sprayed.

Terry Clark, Tifton, Georgia, responded to Cash's presentation. He said this is the first time he had ever heard EPA be complemented. He asked Cash how she knew that EPA actually did what it had claimed to do. He added he is sick of people taking the side of EPA and testifying on EPA's behalf. He said to Cash: "they just snowed you."

Cash replied that she knows EPA cleaned her house and made it safe because she and her family feel better and are not experiencing health problems any more.

Cleo Askew, Federation of Southern Cooperatives, Epes, Alabama

Cleo Askew said that he has been with the Federation of Southern Cooperatives for 18 years. He then described his experience with a chemical waste facility in Epes, Alabama. When he first moved to Epes, he saw a large building being constructed. He was told it was a brick factory. However, he and the townspeople came to learn that it was not a brick factory, but rather the largest chemical waste facility in the world whose construction was negotiated by local politicians. Askew explained that ownership of the facility has since changed hands and is now owned by a private company called Chem Waste. Consequently, it has the ability to do things that public facilities cannot do, such as freely hiring and firing people.

When the facility first opened, Askew explained, it was well received by the community. At the time, there was low employment and the community was poorly educated. People were not concerned about environmental issues. Then, people, like himself, began to question whether the incinerator was what the community really wanted.

Askew noted that Chem Waste is very powerful and generates considerable tax revenues for the state and county. In response to this, the state of Alabama improved the infrastructure for the Chem Waste trucks. But then the state increased taxes for Chem Waste. Chem Waste responded by diverting chemical wastes elsewhere and processing less waste at the Alabama facility. Consequently, tax revenues have decreased and Chem Waste has laid off people. Now, even local politicians are beginning to say negative things about Chem Waste.

According to Askew, if Chem Waste moves, it will leave barrels of waste in the community. The facility managers claim that the facility was located in the community because of the local geology. They claim the chemical waste will never leak into the community. However, shortly after the facility opened, all of the local private wells were converted to the town's water system. Askew believes another reason the facility was located in Epes is because it is a Black community.

In his job, Askew is a housing specialist. In this capacity, he represents a community in Columbia, Mississippi. He was amazed at the conditions of homes in this community. A public housing building was located next to a Superfund site. The community is trying to get relocated. Askew concluded his remarks by stating he is glad this meeting is being held and has learned from the meeting discussions.

José Bravo said that economic concerns usually are more important than the environmental concerns. In his words, "people are more interested in eating than the environment." He added that the environment includes welfare, crime, and eating. These issues also need to be addressed.

Margaret Williams, Pensacola, Florida

Margaret Williams said "I have heard so many sad stories." The same thing is happening in Pensacola and now is the time to do something about it. Communities should not have to prove things all of the time. At Escambia, EPA conducted an "Accelerated Cleanup," which they say was an emergency cleanup. When asked by the community what the emergency was, EPA said the groundwater was being contaminated. EPA excavated 250,000 cubic yards of contaminated soil and covered it with plastic. However, this pile of dirt is still there and the groundwater has not been remediated, even after EPA has spent \$7 million to "clean up" the site. Under this early action, EPA did not remove the contaminants, they just contained the hazardous waste. At the Agrico site, which is located less than $\frac{3}{4}$

of a mile from Escambia, EPA is conducting the cleanup through the regular Superfund process. At both sites, people are still being exposed and are suffering.

Williams wondered why EPA did not provide bottled water or permanently or temporarily relocate the community. She said if these things had been done, "we would not have these problems." She also wondered why EPA does things a particular way, as opposed to the "right way." Under the emergency action, EPA did not involve the community. At the Agrico site, EPA claims the community should be involved, but has never done anything to involve the community. It disturbs her when the Remedial Project Manager says there is no threat and when ATSDR uses EPA data to conduct a health assessment. She is further disturbed when the RPM says that, in his personal opinion, health effects are not attributed to the site. She wondered whether the decision to relocate people is a personal decision. Since EPA excavated the soil, over 40 people have died in the community.

Williams said that now is the time to join forces; what happens at Escambia will serve as the basis for decisions at similar sites in the future. One trigger for relocation is health effects. Welfare also can be a trigger. Williams wondered how much more the Escambia community has to prove to EPA to get relocated. Why, as African-Americans, "do we have to show a threat to health and welfare. How many studies must be done?"

Williams informed the group that the proposed plan for Escambia relocation was just released. According to her, this plan will divide the community because only some of the community's residents will be relocated. The community has been told that more health studies are needed. However, other relocated communities did not have health studies performed. ATSDR claims that CATE did not want a health study performed. This is not true. CATE is concerned about the quality of the health study. The protocol for the study is designed to undermine CATE's position. It is designed to be inconclusive. EPA has said that the contamination has been contained and monitoring shows no evidence of exposure. Williams is shocked EPA said this, noting that "whatever happens here will set a precedent for future relocations." The precedent should be to do something for African Americans. The community should not have to fight to get EPA to do its job. "We are not going to keep paying you to kill us." Williams suggested EPA live up to its name, "Environmental Protection Agency," or change its name. CATE is serious about this problem and wants the people moved. CATE will not give up and will not allow EPA to split up the community.

EPA has documented proof that some contaminants at Escambia migrated to the Agrico site. In fact, the PRP at Agrico sued Escambia for damages and won. In December, EPA told the community that the area was contaminated. EPA discussed three options, each of which included temporary or permanent relocation. Subsequently, EPA identified more options. One was permanent relocation for some and another was temporary relocation as an interim action, during which people would be relocated and EPA would clean the site to industrial standards. Then EPA would move people back and develop a cleanup plan. For the final cleanup, people would be temporarily moved again. "We have got to do something, people. Why is it that they find it so convenient to place these contaminants in our communities. Why is it so difficult for EPA to do something?" CATE has provided documentation for everything EPA has requested. CATE has proved the health and welfare effects. The only thing "we have not been able to do is change the color of our skin."

Williams cited the contaminant levels for both the Escambia and Agrico sites. All of these levels exceed safe levels as defined by EPA. For example, the safe level for dioxin is 3 parts per trillion (ppt). At Escambia, the level is 2,589 ppt and at Agrico, it is 125 ppt. The safe level for arsenic is 370 parts per billion (ppb). The measured levels at Agrico is 48,000 ppb and at Escambia, it is 9,400 ppb. Williams then noted that she overheard a conversation of an Agrico employee, who said "the more we dig, the more we find."

Williams asked EPA, "What are you going to do?" The community has been telling the same story since 1992; now is the time for action. EPA has the right answers and knows what should be done; however, some people are standing in the way. CATE offered EPA the opportunity to live in a vacant house in the neighborhood. EPA refused. EPA needs project officers with a heart; someone who is not so enamored with engineering and technical perspectives. She asked somebody to explain the rationale for digging up the contaminated dirt and just piling it up. EPA is not doing its job when Escambia residents have showed EPA they are suffering and EPA blatantly responds that nothing is wrong. The money for cleanup is available. If EPA cleans up communities, it can go the Congress and show it is doing its job and get more money. Williams implored everybody to work together; to relocate one community and then move on to the next community.

R.T. Conley, West Dallas, Texas

R.T. Conley talked about his experiences in West Dallas and with the RSR Smelter site. The "New Start" program has been established to give hope back to the people of West Dallas. West Dallas is the "same old cake, same old icing. We have the same problems." In 1959, Conley told the city something was wrong. The city waited until 1965 to admit it. All of his six children had problems. One son was born with a tumor. He took his youngest daughter to the doctor with skin problems. The doctor said she had "acid coming out of her skin." Other neighborhood children have had cramps, nose bleeds, and rashes. Most of the time, the doctors could not explain the illnesses. He added that there are more one-legged people in his neighborhood than anywhere. The community has been told, "it's not that bad." He wonders, "what the hell is bad?"

Conley said he used to complain about EPA and criticize EPA for not doing anything. Then, he found out that EPA was not the enemy. He added that it is very important to know who your enemies are. It is also important to know what happens once a site is designated as a Superfund site. Basically, money will not be available to the community and businesses will not locate there. It is important to understand why nobody wants to come into your neighborhood.

Conley said that EPA plans to demolish the smelter smokestack at a cost of \$50 million. Meanwhile, the homes across the street from the smelter have never been cleaned up. He was told by EPA that "EPA is not in the business of relocating people. We don't do that." He would love to see EPA use the \$50 million to relocate another community than waste it on tearing down a smokestack. According to Conley, everybody at the meeting needs to go back to their community and get the local officials involved. He added, "we need to go to Congress and take the noose from around EPA's neck and let them do their job." He suggested that if people really want to do something good, they should go Washington, DC, and lobby for more money so that EPA can do its job.

According to Conley, even though the West Dallas community complained to the city and protested against the city, the city never did anything. Nothing ever happened until EPA became involved. People are sick and dying in West Dallas. The problem is that EPA needs more authority to do what is right. Even though EPA staff have lied to him, he does not hold it against them. And when EPA staff tell the truth, he does not want them to get fired. Conley concluded his comments by suggesting everybody go back to their own cities and tell their local elected officials to address the problems or they will be voted out of office. This will work.

Open Discussion

Charles Lee reminded everybody that Escambia is a national pilot; "it will affect all of us." He also reminded everybody that NEJAC is not EPA and hopes that NEJAC will have some input into the pilot project. Lee then said that, with regard to West Dallas, the RPM said, in response to a question for the

case study, that only a small, disaffected group wanted to be bought out. Lee said that he thought this was obnoxious and asked the group if it wanted to address this. Conley said the West Dallas community is planning major demonstrations. He plans to ask EPA for a health study on all West Dallas residents. He has seen the health affects for generations; the damage has shown up in the children. He also said that follow-up medical studies should be required when doing a relocation in order to see how generations are impacted in the future from what happens in their communities today.

Marvin Crafter said that after the protests are held in Dallas, everyone needs to go to Washington and let Congress see the pain and suffering communities go through. He added that to have NEJAC represent all of us is not enough.

Deeohn Ferris said: "When we talk about relocation, we are talking about damage that already has been done. We are talking about unequal environmental protection. African-American communities are exposed where they live, work, and play. This only is part of the problem. There are serious problems with implementation of Superfund and enforcement."

Ferris said we need to recognize that minority and poor White communities are being targeted for contamination. When communities are finally cleaned up, people have already had multiple exposures for years. The communities did not cause the problems or the pollution. She encouraged everyone to recognize that, at these sites, it is a tough decision for people to leave their homes, community, and their history. Thus, if a community wants to be relocated, EPA should show a certain amount of deference, respect, and sensitivity for that decision.

Connie Tucker said institutional racism resides in EPA. Environmental Justice groups have a particular problem with EPA-Region 4 and EPA-Region 6. EPA-Region 4 has the money and authority to move the residents of Escambia; however, they choose not to. The communities across the South are committed to supporting Escambia. "It is time for some personnel changes in EPA-Region 4." Tucker noted that in one of the breakout groups, an EPA employee actually said the contaminant levels at Escambia and Agrico are about the same as most places. For her and others at the meeting, this is a matter of life and death. It is time for action. "Those people whose job it is to protect our health need to start doing their job. Stop trying to neutralize the process."

Tucker said her organization, the Southern Organizing Committee for Economic and Social Justice, has a relationship with EPA-Region 4 that is filled with tension and conflict. The organization has worked with very good people in the Regional Office and appreciate their efforts, but this does not negate problems caused by EPA-Region 4. She agreed with Conley's comment that "you need to know who your enemies are." Tucker believes the enemies are the multi-national corporations that are poisoning people. She suggested that these companies, and the agencies that support them, need to be targeted by the people. This is the tension she has with EPA. EPA has made some serious mistakes. She advised EPA to "stop straddling the line." She explained that straddling the line makes EPA lose the support of the people. Tucker appreciates those people in EPA who rise above politics. She said: "We have to work together. The people at this meeting have a right to be emotional and to make their message heard." Tucker recognizes that this is an inopportune time to be talking about relocation since Congress is trying to cut EPA's budget. Because of this, it is even more important to "get up and work." If EPA will work with the people, "we can change the world."

Michael Lythcott said to EPA, "if you are tired of being painted with the same brush, you can change your image by your actions. EPA is under siege by Congress. If EPA wants our support in Congress, it needs to find a way to help us and we will help you."

Relocation: The Best and Worst Parts of the Relocation Process and Being Relocated—Report Out

The workgroups identified and discussed the best and worst parts of the relocation process and their experiences having been relocated. Since each group identified the same core issues during their discussions, each group took a different approach to the issues in the reports, as reflected in the headings below. For a more comprehensive list of specific items discussed during all five breakout groups, please refer to the section on the “Best and Worst Parts of the Relocation Process and Being Relocated” in *Appendix B: Relocation Roundtable Flip Chart Summary*

Group 1—The Worst Parts

- Justifying the need for relocation.
- The flow of information was very slow.
- Information was not shared freely.
- The community was divided by the process when it should have been united.
- Officials were not truthful and did not involve the community early enough in the process.
- Policies were not explained such that the community knew the options and what to expect.
- Better risk communication was needed.
- The process for each relocation needs to be tailored to the needs of each community.
- If the relocation is private, EPA or some other agency needs to oversee the process.
- Relocation policies should be consistent across agencies.
- Renters should be relocated as owners whenever possible.
- If health reviews are part of the process, the community should have an opportunity to direct them.
- Environmental Impact Statements should be done.
- Statutes of Limitations should not apply to cases of environmental contamination.

Group 1—The Best Parts

- Residents can get out quickly.
- Specific manuals on the process are available.
- Relocation counseling was provided .
- Residents moved to a new and better place to live.

Group 1—Complicating Factors

- Not enough money offered for relocation.
- Packing, unpacking, and leaving some things behind.
- Few opportunities for old neighbors to get back together.
- Follow-up studies on the health of relocated individuals.

Group 2—The Best Parts

- Residents moved away from contamination; children were protected from the dangers of excavation.
- “If something has been done to us, we should be better off on the other side.”

Group 2—The Worst Parts

- The possibility of creating homelessness after the money from the settlement runs out.
- Psychological effects of being taken away from your home.

- Individuals hired with TAG funds should be able to serve as a local liaison (Community Project Manager) rather than paid only to interpret technical data.
- Being uprooted as the result of a political process.

Group 2—Things to be Incorporated into the Process

- The relocation process should not discriminate in any way and be class-blind as well as color-blind.
- The process should be monitored longer (extending beyond the relocation of residents) to ensure that people do not wind up on the street.
- Programs to track the long-term health of residents should be established.

Group 3—Things to be Incorporated into the Process

- Comparable housing should be available.
- The relocation should cover all increased expenses (moving costs, tax differentials).
- Health care should be continued after relocation with long-term follow-up.
- Funding from the U.S. Department of Health and Human Services should be available.
- The Medicare program should be modified so that parents can stay in their jobs when children require special medical services as the result of contamination.
- Nutrition support should be available for exposed populations.
- Low-birth-weight babies should be used as an indicator of the overall health of a community.
- Health services should include mental health.
- Real estate counseling and consulting should be available.
- Existing community groups need to be involved from the outset of the process.
- Industry guidelines on relocation should be adopted across the board.
- The quality of education in communities where people are relocated should be maintained or improved.
- The communities to which people are relocated should be free from contamination.
- A grievance process should be established that allows community panels to act on issues during and after the process as an alternative to the present process that pits individuals against the system.
- Communities should be kept together when possible.

Group 4—What Would Help Make Relocated People and Families Better Off?

- Communities could be moved as a group when possible.
- Relocation counseling is needed to help families understand the costs of housing construction, etc. Counselors should be people who are trusted by the community.
- Psychological and family counseling also should be available.
- Long-term health monitoring is needed.

Group 5—Things to be Incorporated into the Process

- Community needs to be advised at every step of the process.
- Continuing health studies are needed.
- Individual and group counseling is needed.
- Process should recognize and address special problems for children—changing school systems, etc.
- Public transportation should be available for senior citizens.
- EPA needs to tell the truth.
- People should not be relocated to contaminated areas.
- Confidence needs to be maintained and people should always be treated with respect.
- Other sources of federal and state assistance should be integrated into a single program.

- Federal job programs should target relocated communities.
- Properties seized by the government could be used for relocating people.
- Medical follow-up activities should include access to federal clinics and hospitals (Defense Department, VA hospitals, etc.).
- For private relocations, there should be an oversight panel that includes the community, industry, EPA, and an impartial mediator.
- Meetings should be held weekly to discuss what is happening and to receive feedback.

Summary and Discussion About Process and Effects

Charles Lee synthesized the information the Groups presented and identified some key issues.

- Nationally consistent policies and procedures should be developed based on the fact that all relocations involve human beings in difficult situations.
- The present system does not deal adequately with links between environmental contamination and race.
- The system also needs to address health issues during and after the relocation process, with long-term health monitoring of people who have been exposed to environmental hazards.
- Property valuation approaches should be developed that stress replacement costs over fair market value-based approaches, since there is no fair way to appraise the value of properties that are situated on top of or near toxic hazards.
- Policies and procedures should also account for discrimination in housing markets.
- Alternatives to consider in each situation include group relocation, relocation of businesses in the community, and job prospects for residents in their new communities.
- The Escambia site relocation should be a case study for the development of a national model.
- The process should recognize that there is nothing wrong with leaving relocated families in a better home or otherwise better off at the end of the process.
- There are examples of how to do relocations right. If relocations can be successful for some people, they should be successful for all people.

Sharing Our Stories

J.E. “Sonny” Fields, Texarkana, Texas

Fields opened his story by mentioning that he was once asked “where was the man when he jumped off the bridge?” Fields said he would answer the question later.

Fields said he had heard a lot of things at this meeting that had brought back some unpleasant memories. He said that “ATSDR is a big joke,” noting that it took him, as president of the neighborhood association in his community (the former Carver Terrace), 18 months to obtain a copy of an ATSDR health assessment report which, according to Fields, included falsified findings. He testified to this at a Congressional hearing. Fields said that people should not knock EPA for the job it does. The people who work for EPA have a job to do and a boss like anyone else. He said that you have to look to God for all of the help you are going to get.

Fields noted that construction in Carver Terrace had begun in 1964, and between that time and 1992, when the last resident moved out, there were 35 deaths attributable to the fact that the community was built on top of a toxic waste site. Since then, the number has risen to about 40, including Fields’s late wife, which points up the need for long-term health monitoring for former residents of communities that have been relocated. Fields himself has a condition that doctors cannot explain, and he said that people living on Superfund sites, in general, have no idea what health problems they could have. In

Carver Terrace there were 14 named contaminants, but there was no information on the harmful effects of them. Health testing should not stop after five years but should last for a lifetime, since most of the harmful effects will only become apparent after several years. The state of Texas came into Carver Terrace to do an environmental health survey, but no one ever saw the results.

Fields said that he felt this was the reason why he had been invited to this meeting was to tell people that although Carver Terrace had a total buyout, and everyone had moved out, the problems were not over. Moving out does not solve everything. Long-term health follow-ups are the most important thing that can be done to help people.

In closing, Fields answered the riddle he set out at the beginning: "Where was the man when he jumped off the bridge?" There are two answers: on the bridge and in the air. On the bridge before (when) he jumped; in the air after (when) he jumped.

Rosa and Jack Martin, Morrisonville, Louisiana

The Martins are a married couple who each shared their experiences relocating from Morrisonville. Rosa Martin spoke first, and said the conference had been very helpful, noting that she could see that people in other parts of the country were having the same problems as people in her former community. Morrisonville is located on the banks of the Mississippi River southwest of Baton Rouge. The town is a former plantation that had been settled by freed slaves around 1870. In 1931, USACE moved the town two miles south as part of a flood control program.

In 1958, the new plantation owner came on the scene in the form of Dow Chemical. According to Rosa Martin, everywhere there is a Black community, it seems the corporations come in and try to take the land. Over time, Dow did manage to acquire property until its land surrounded the community. Dow also operated a dump on the site, and people in Morrisonville had to learn to live with the emergencies, chlorine releases, smoke stacks, and other features of living next to a chemical plant. In 1989, a plan to relocate local residents was announced by Dow.

Jack Martin continued the story, describing the water system that had to be built in 1974 as a result of local groundwater contamination from plant activities. He added that what Dow did right eventually was to hire Michael Lythcott to help with the relocation. The relocation had many good features, but relocations as a rule are difficult. They tend to divide communities, which weakens the position of the community in the relocation process. Many of the people in the community had little experience in the housing market and jumped at the first offer to get out. People who waited and negotiated received more: the key was to get a decent appraisal of your property, which could take a few tries. The Martins had five appraisals done before they were satisfied.

Martin concluded by saying that the most difficult task for people in communities that are being relocated is to remain united and come to a consensus agreement that will satisfy as many residents as possible. When money is dangled out in front of people, it changes a lot of attitudes and feelings, and will divide a community when it needs to remain together. Lythcott followed up by encouraging residents to get a commercial/industrial appraisal of the value of their property, since future land use at that time will be uncertain.

Paul Nguyen, Westminster, California

Paul Nguyen discussed the temporary relocation of residents in his community, where homes were built on top of land that was owned by a former trucking business that buried petroleum waste under ground. He and his neighbors were told "your houses are on top of a petroleum dump." Black tar was bubbling

up from the ground in peoples' yards and through floors in some housing additions. The government said "don't touch anything."

In 1992, the site, otherwise known as the Ralph Gray Trucking site, was placed on the NPL, and in 1994 his family was temporarily relocated to a hotel. At the time, he was told he would be able to move back after three months. After three months, he was told it would be three more months. After six months, he figured out it would be at least six more months. Finally, after one year and three months, his family was allowed to move back.

Nguyen said he was very happy about the things EPA has done for his community. From the time the idea of relocation was introduced, EPA explained the process and answered questions through public meetings and direct personal contact. There were plenty of meetings and discussions, and information was available. He said that in Vietnam, where he is from, the government would have simply put people out of their homes. In the U.S., everyone was very helpful and nice to him, which he found very confusing.

Mary Washington and Terry Clark, Tifton, Georgia

Mary Washington spoke briefly to say that she and her neighbors, as a community, are very disgruntled with EPA and other government officials, in particular with the misinformation being passed along and the "subversive, divide-and-conquer tactics" employed to divide their community. Washington said that EPA did not initially test for dioxin in her community, but dioxin was discovered later. Now that dioxin has been found in her community, EPA is trying to rush people out of their homes. She and her neighbors are very confused and uncertain of what will happen. This has caused people to become very emotional and very stressed. She then introduced Terry Clark.

Clark opened by apologizing to Jocelyn Cash for interrupting her talk earlier in the meeting, but said that he and others in Tifton are tired of hearing EPA say that there is nothing wrong and then holding closed, private meetings without allowing the community in to know what's going on. Clark said it was time to "shake the pepper out of the salt shaker" and "turn out" EPA staffers who are turning against their own people. EPA is making decisions without an adequate understanding of the contamination problem. EPA does nothing but "snow" local residents about real problems. For example, there is a K061 dust problem in Tifton that violates RCRA, but nothing is being done. EPA tries to pacify local residents because it knows "poor Black people will let their community be destroyed for a dime." He said that on-site and off-site remedies were created to divide the community, and noted that EPA improperly averages the contaminant levels from various samples. He further noted that the information repositories in Tifton and at EPA's Regional office in Atlanta contain different data for the same site.

Clark said that if he sounded militant, that was just the chemicals in his system talking. He said EPA can't do anything locally without the backing of the local government and that it was time for local residents to take back their communities from the PRPs. The White politicians and Black preachers have been secretly bought off with money under the table. EPA uses the PRPs to create confusion over the identity of the enemy. "According to EPA, the wind stops blowing and the water stops flowing at the edge of Black neighborhoods. Somehow, according to EPA, the contamination surrounds the Black community, but is not in the Black community." Clark said the burden of proof lies with the PRPs, and EPA should enforce the laws against the big companies that are getting away with murder, rather than spend its time pitting Black people against Black people.

Barbara Thompson, Dallas, Texas

Thompson spoke briefly, stating that she was outraged when she read the comments made by EPA's RPM that were included in the RSR Smelter site case study. She assured the audience that West Dallas is not a slum full of poor, "raggedy" folks out to get as much money as possible for themselves. She said she is a business owner who may have to move out of her great big house if it turns out her property is contaminated, regardless of what EPA says. She said she is "boiling mad" and is prepared to question the RPM on his comments when she returns home.

Closing Session—Developing Roundtable Recommendations to NEJAC

Charles Lee reiterated the purposes and objectives of this meeting before opening the session on developing recommendations to the National Environmental Justice Advisory Committee (NEJAC). He noted that these are not meant to be, and will not be presented as, consensus recommendations. Rather, the objective was to get all of the issues on the table, where they could be discussed and clarified. The discussion was to be in two parts: a discussion of the process by which Roundtable recommendations will be taken up by NEJAC and EPA; and development of key recommendations.

Lee outlined the process. Out of this meeting a report documenting the meeting and reflecting all recommendations raised in the course of the plenary sessions and breakout groups will be developed. The report and recommendations then will be presented at an open meeting of NEJAC in Detroit, Michigan, on May 29-31, 1996. Lee said this will represent only the initial set of recommendations, noting that the process will be continuous and subject to amendment and changes in direction as relocation issues mature. On the question of how far up the chain (within the government) to take this effort, Lee said he believed the issues need to go all the way up the chain to the highest levels of the public and private agencies involved in relocation, since the issues addressed affect, both directly and indirectly, the fundamental sense of fairness and justice within American society.

Lee asked whether it was possible for EPA to commit to sending Margaret Williams to the meeting in Detroit. Tim Fields said EPA will do so, and further committed EPA to responding to all issues raised in today's session. Fields assured the attendees that if they were willing to take it upon themselves to participate in this dialogue, EPA will respond to the issues raised. He also outlined EPA Headquarters' schedule for developing EPA policy and guidance on relocation by the end of the year. Fields said the process requires a mechanism to foster collaboration, and said the Escambia pilot is a key site for the number of special issues raised.

Marvin Crafter said that the relationship between EPA and NEJAC is suspect, no matter how it is explained. He then asked Lee and Fields what assurances they can provide to ensure that there is accountability throughout the process. Crafter said a mechanism is needed to keep tabs on NEJAC and ensure that community representatives are not endorsing a process that proves to be unsatisfactory. Fields said it was a fair question shared by many in the room. Many people involved in NEJAC have lent their credibility to the process. A lot of people in the room are members of NEJAC, and together, these members bear a responsibility to the Council to keep it effective. Fields said EPA is committed to working with NEJAC, and relies on it and other advisory committees as "reality checks" for its policies. EPA needs feedback that holds it accountable and EPA must always rise to the occasion. Fields said the lesson he had learned from this meeting was that distrust is rampant and EPA still has a long way to go. Today was another wake-up call.

Fields said that EPA Headquarters has scheduled a follow-up meeting next week to ensure that other EPA Headquarters and Regional offices receive the message from this meeting and are "on the beam" when it comes to relocation. He said that follow-up activities that get to the other side of these issues will be the test to measure the success of this meeting. For its part, EPA will work internally to be more

effective in responding to community needs and work with other federal agencies, using whatever tools EPA has at its disposal to get them on board.

José Bravo asked whether EPA Headquarters had considered developing a grievance process that would allow citizens to cite improper conduct by individual EPA staff. Fields identified the Superfund Ombudsman initiative in the Regions, and said the Agency will examine the possibility of including that process as part of the Ombudsman initiative's mission. Crafter said there are too many credibility problems associated with EPA-Region 4 and asked Fields to consider initiating a relocation pilot at a site other than Escambia in another Region. Fields said EPA Headquarters does not and will not manage individual sites. That responsibility lies in the Region. However, since Escambia is a national pilot, it will receive Headquarters' attention.

Deeohn Ferris reminded the attendees that NEJAC came up through the grassroots movement and was not EPA's idea. She said that by working through NEJAC, the Roundtable "was not putting all of its eggs in one basket." She also noted that the terms of all of the Black members of NEJAC are expiring this year. She said she hoped the Committee would be able to find solid people to fill the vacancies, but at this point she could only hope. She said her office (the Washington Office for Environmental Justice) will continue to oversee the efforts of the Committee and serve as a "check" on the process.

Charles Lee then listed the key recommendations to be presented at the NEJAC meeting:

- 1) People and communities need to be included at the very beginning of the relocation process; the integrity of a community needs to be considered when discussing relocation.
- 2) Quality-of-life, health, and social welfare need to be addressed in their totality when discussing relocation.
- 3) Public participation needs to be meaningful and empowering.
- 4) The relocation effort requires the inclusion of other agencies.
- 5) There needs to be an understanding of how issues of race and lack of equal protection contribute to conditions leading to a relocation.
- 6) Relocation is an issue that should be addressed by the Federal Interagency Working Group on Environmental Justice.
- 7) The effort made during the Relocation Roundtable meeting will lead to nothing if it only results in "talk," not action.
- 8) EPA must do things right during the Pensacola relocation process. Pensacola should be used as a testing ground to implement the recommendations made during the Relocation Roundtable meeting.

Lee closed the session by noting that what happens at Escambia will affect national policy, rather than the other way around. He reiterated that the issues raised here represent tough challenges, but above all, everyone needs to see this as a moral challenge for the United States to overcome centuries of injustice.

Margaret Williams thanked everyone for coming to Pensacola and supporting CATE's work at Escambia. She then brought forward all of the members of CATE in attendance to each say a few words. R.T. Conley closed the meeting with a prayer.

**APPENDIX A:
Relocation Roundtable Attendee List**

Superfund Relocation Roundtable

Attendee List

<u>Name</u>	<u>Organization</u>
Karl Alvarez	Office of Solid Waste and Emergency Response U.S. EPA Headquarters Washington, DC
John Armstead	Deputy Director U.S. EPA-Region 3
Cleo Askew	Federation of Southern Cooperatives Epes, AL
Cynthia Babich	Del Amo Task Force Torrance, CA
Andy Bain	Community Involvement Coordinator–Del Amo Site U.S. EPA-Region 9 San Francisco, CA
Bill Becker	Golden Field Office U.S. Department of Energy Golden, CO
Gershon Bergeisen	Office of Emergency and Remedial Response U.S. EPA Headquarters Washington, DC
Eric Bolling	Pensacola, FL
Doris Bradshaw	DDMTCCC Memphis, TN
Kenneth Bradshaw	DDMTCCC Memphis, TN
José Bravo	Southwest Network for Environmental and Economic Justice San Diego, CA
Dana Brewington	Office of Solid Waste and Emergency Response U.S. EPA Headquarters Washington, DC
Robert Bullard	Environmental Justice Resource Center Clark-Atlanta University Atlanta, GA
Tanya Calamoneri	Washington, DC

<u>Name</u>	<u>Organization</u>
Joseph Campbell	Welch, MN
Jocelyn Cash	Lorain, OH
R.T. Conley	New Start for the Environment Dallas, TX
Susan Cook	Florida Dept. of Community Affairs Tallahassee, FL
Steven Couch	Pennsylvania State University–Schuylkill Campus Schuylkill Haven, PA
Marvin Crafter	WCRG Fort Valley, GA
Gregg Crystall	U.S. EPA-Region 3 Philadelphia, PA
Robert Cribbin	U.S. Army Corps of Engineers Washington, DC
Delbert Dubois	Charleston, SC
Jason El-Zein	Response Section 1 U.S. EPA Grosse Isle, MI
Dwayne Escobedo	Pensacola News Journal Pensacola, FL
Cherry Fairley	Pensacola, FL
Clarence Featherson	Office of Site Remediation Enforcement U.S. EPA Headquarters Washington, DC
Deeohn Ferris	Washington Office on Environmental Justice Washington, DC
J.E. (Sonny) Fields	Nash, TX
Tim Fields	Principal Deputy Assistant Administrator Office of Solid Waste and Emergency Response U.S. EPA Headquarters Washington, DC

<u>Name</u>	<u>Organization</u>
Lois Gibbs	Citizens' Clearinghouse for Hazardous Waste Falls Church, VA
Dick Green	U.S. EPA-Region 4 Atlanta, GA
JoAnn Griffith	Office of Emergency and Remedial Response U.S. EPA Headquarters Washington, DC
Ida Guest	Pensacola, FL
Grover Hankins	Thurgood Marshall School of Law Texas Southern University Houston, TX
John Hankinson	Regional Administrator U.S. EPA-Region 4 Atlanta, GA 30365
Jeff Harrison, Jr.	Pensacola, FL
Steve Hess	Office of General Counsel U.S. EPA Headquarters Washington, DC
Joel Hirschhorn	Hirschhorn Associates Wheaton, MD
Nen Hoang	Westminster, CA
Terri Johnson	Office of Emergency and Remedial Response U.S. EPA Headquarters Washington, DC
Sammie Lee Jones	Pensacola, FL
Charles Lee	United Church of Christ–Commission for Racial Justice New York, NY
Ursula Lennox	Remedial Project Manager–Koppers/Texarkana Site U.S. EPA-Region 6 Dallas, TX
Maureen Litchfeld	Division of Health Education Agency for Toxic Substances and Disease Registry Atlanta, GA

<u>Name</u>	<u>Organization</u>
Stephen Luftig	Director Office of Emergency and Remedial Response U.S. EPA Headquarters Washington, DC
Michael Lythcott	The Lythcott Company Oak Bluffs, MA
Vivian Malone-Jones	Environmental Justice Coordinator U.S. EPA-Region 4 Atlanta, GA
Reverend Malveaux	Beaumont, TX
Bob Martin	Office of Solid Waste and Emergency Response U.S. EPA Headquarters Washington, DC
Jack and Rosa Martin	Brusly, LA
Zulene Mayfield	Chester, PA
James McArthur	Pensacola, FL
Ollie McWaine	Pensacola, FL
Jimmy Lee McWaine	Pensacola, FL
Stennie Meadors	Pollution Clean-Up Division Texas Natural Resources Conservation Commission Austin, TX
Selena Mendy	Lawyer's Committee for Human Rights Washington, DC
Roxanna Mero	Office of Emergency and Remedial Response U.S. EPA Headquarters Washington, DC
B.J. More	Dallas, TX
Yvonne Moris	Pensacola, FL
Doug Mundrick	Branch Chief South Superfund Remedial Branch U.S. EPA-Region 4 Atlanta, GA
Paul Nguyen	Westminster, CA
Deanne Ottaviano	ARENT FOX

<u>Name</u>	<u>Organization</u>
	Washington, DC
Frank Pickett	Pensacola, FL
Michael Pierle	Monsanto Company St. Louis, MO
Daniel Poe	Pensacola, FL
Frances Quinham	Gulf Breeze, FL
Cassandra Roberts	Sweet Valley/Cobb Town Environmental Justice Task Force Bynum, AL
Jerry Roberts	Bynum, AL
James Robinson	Pensacola, FL
Pat Seppi	U.S. EPA-Region 2 New York, NY
David Stallworth	Pensacola, FL
William Straw	Federal Emergency Management Agency–Region 4 Atlanta, GA
Barbara Thompson	Dallas, TX
Hagan Thompson	U.S. EPA-Region 4 Atlanta, GA
Yolanda Ting	Office of Emergency and Remedial Response U.S. EPA Headquarters Washington, DC
Connie Tucker	Southern Organizing Committee for Economic and Social Justice Atlanta, GA
Samantha Urquhart-Foster	On-Scene Coordinator–Woolfolk Site U.S. EPA-Region 4 Atlanta, GA
Dick Vesperman	Remedial Project Manager–Ralph Gray Trucking Site U.S. EPA-Region 9 San Francisco, CA
Carlean Wakefield	Community Involvement Coordinator–Escambia Woodtreating Site U.S. EPA-Region 4 Atlanta, GA
Freddie Weatherspoon	Pensacola, FL

Name

Organization

Suzanne Wells

Office of Emergency and Remedial Response
U.S. EPA Headquarters
Washington, DC

Margaret Williams

Citizens Against Toxic Exposure
Pensacola, FL

Beverly Wright

Deep South Center for Environmental Justice
Xavier University
New Orleans, LA

Jan Young

Office of Solid Waste and Emergency Response
U.S. EPA Headquarters
Washington, DC

Patricia Young-Harrison

Pensacola, FL

**APPENDIX B:
Relocation Roundtable Flip Chart Summary**

RELOCATION ROUNDTABLE FLIP CHART SUMMARY

(NOTE: The numbers in parentheses denote the number of times the comment was made during the breakout discussions.)

TRIGGERS THAT PROMPT A RELOCATION

COMMUNITY EFFECTS:

Economy	Consider relocation when there is a large percentage of businesses that are leaving the area (1)
Elderly	Provide for the elderlies' needs and understand that many elderly residents are afraid to move (1)
Exposure	Relocate communities that are being exposed to toxins from a contaminated site (1)
Involvement	Encourage and respect community involvement and input (3)
Community Division	Do not divide communities; offering relocation to some and not to others is unfair (1) Relocate communities when they are locked-out or separated from the rest of the community by the plants that are operating in their backyards (1)
Safety	Relocate residents when the plants operating in their neighborhoods provide an unsafe environment (2) Develop mechanisms to ensure communities that a cleaned-up site truly is safe (3)
Quality-of-Life	Take action when a community's quality-of-life is jeopardized by industry contamination (2)

HEALTH EFFECTS:

Advisor	Provide community with access to independent advisors to do health assessments, give advice, and communicate risk in layman's terms (2)
Contamination	Consider how contamination through various pathways threatens a community's health (9)
Effects	Consider health effects on humans as well as pets, wildlife, and vegetation (9) Don't blame communities for not linking health problems to the environment; take suffering by communities seriously (2) Conduct research on declining health trends over extended periods of time and compare these trends to non-contaminated areas (13)
Exposure	Educate and inform residents about exposure to potential contamination and ways to protect themselves as soon as possible (4) Find alternatives for water and food supply for impacted communities (2) Research long-term effects from exposure to contaminants (3) Research the causes of both direct and indirect exposure to contaminants (7)
Medical	Ensure that residents have access to specialists in the medical field (1)
Protection	Provide adequate protection to residents (3)
Relocation	Relocate residents at the first sign of threat to their health (8)
Remedy	Implement effective long-term clean-up remedies (3)
Research	Provide follow-up studies after relocation (1)
Risk Assessment	Conduct comprehensive risk assessments (10)

Social	Consider the social effects on a community, such as residents not being able to interact with each other outside and not being able to garden in their yards anymore (1)
Trust	Gain the community's trust through open and honest communication (3)

RELOCATION PROCESS:

Advisor	Provide access to independent advisors (2)
Financial	Consider permanent relocation costs vs. temporary costs (2) Impose fines on polluters who are breaking the law (2)
Liability	Ensure that the PRP is being equitable to residents living on their fence line who they are trying to relocate (6)
Policy	Determine a reasonable timeframe for relocation and decide on temporary versus permanent relocation based on how long the relocation will take and the risk posed by the site (2) Educate the community (as well as EPA employees) on the laws and residents' rights (7) Develop relocation criteria that will be applied to all communities equally (1)
Relocation	Have discussions with other federal agencies to examine their laws and regulations that could expedite a relocation (1) Ensure that rural and urban communities are treated equally (1) Evaluate the criteria for permanent vs. temporary relocation and justify the decision for either of these relocations on established criteria (1) Expedite relocation as fast as possible when it is determined necessary (1) Provide a flexible process to conform to communities' needs (5) Provide alternatives to relocation (2) Set criteria for relocation (8) Relocate residents who live in areas with more than one polluting facility (1)
Risk Assessment	Perform risk assessments in an efficient and timely manner (4)
Trust	Gain the trust of the community (1)

PSYCHOLOGICAL EFFECTS:

Anxiety	Avoid increasing community anxiety caused by insults to residents and untimely clean-up actions (1)
Effects	Consider psychological effects on communities that are caused by stress and fears (2)
Remedy	Expedite relocation action; don't just talk about it (1)

REAL ESTATE EFFECTS:

Balance	Ensure that there is a balance between industrial and residential zoning in all neighborhoods regardless of economics, color, or creed (3)
Policy	Examine fair share laws and other real estate policies to facilitate the relocation process (4) Hold real estate companies accountable when they withhold information about a property that is up for sale (1)
Value	Address declining property values that are caused by contamination (1)

NEGATIVE IMPACTS ON FAMILIES

COMMUNITY EFFECTS:

Communication	Explain to residents what is going on in their community and listen to their concerns (6)
Division	Help communities work together to avoid division of their community after relocation (3) Give communities the option to stay together, split up, or not move (5)
Economics	Recognize that contamination in communities causes economic decline (2)
Education	Consider the effects that contamination has on schools (2)
Employment	Address concerns that residents have with plants operating in their communities (1) Address community concerns about increasing unemployment in contaminated areas (2)
Food	Address the fact the impacted residents can no longer garden in their yards and fish in local streams or lakes (2)
Justice	Address environmental justice issues related to relocation (8)
Organization	Encourage communities to organize and network with other communities (1)
Recreation	Recognize that contamination keeps the community from engaging in outdoor “neighborly” activities (1)
Sentimental	Consider the sentimental impact of moving on the community (4)
Social	Consider social impact on community (5)
Stability	Maintain stability in community (5) Provide arbitrator to settle disputes or encourage community to organize (4)
Trust	Involve communities from the start of the clean-up process and be honest with them on all issues (1)

HEALTH EFFECTS:

Education	Educate the community on health impacts from contamination and provide them with facts (4) Educate community on the results of health studies conducted in the neighborhood and on the contaminated site (2)
Effects	Consider health effects on communities, <i>i.e.</i> digestive problems, tumors, nose bleeds, impotence, and allergies (42)
Exposure	Consider the impacts of exposure to chemicals by both humans and animals (11)
Gardening	Consider impacts of exposure from gardening by residents (3)
Health Care	Provide all residents with financial assistance for medical bills (6) Provide access to doctors specialized in environmental health (3)
Recreation	Provide alternative solutions for outdoor recreation (3)
Research	Increase laboratory testing and research related to exposure by contaminants (2) Study past health assessments in order to look for possible patterns of disease in contaminated communities (2)

RELOCATION PROCESS:

Communication	Communicate and work together with both the state and the community (5)
---------------	---

	Provide communities with access to independent advisors (1)
Involvement	Be involved and consider community input (5)
Justice	Treat everyone fairly (1) Treat the community with respect and consideration (6)
Options	Provide the community with viable relocation options (2)
Policy	Develop defined EPA policies and guidelines (8)
Relocation	Consider the effects of relocating on the community (2) Give residents a choice in relocation housing (4) Provide a long-term relocation strategy (3)
Trust	Regain a community's trust by telling the truth and involving the community in the very beginning of the process (8)

PSYCHOLOGICAL EFFECTS:

Counseling	Provide group, family, and individual counseling and therapy sessions (16)
Employment	Provide career counseling to residents (1)
Justice	Ensure that environmental justice is served in impacted communities (2)
Stress	Provide solutions to deal with the stress associated with relocating (4)

REAL ESTATE EFFECTS:

Commercial	Provide relocation assistance to both residents and business owners who are impacted (3)
Exposure	Ensure that there is not continued exposure to contamination after cleanup (3)
Financial	Provide financial assistance to relocated residents (3) Make sure that real estate builders will not be able to build residential properties on previously contaminated land (1)
Housing	Keep housing and conditions comparable or better after relocation (2)
Mortgage	Ensure that residents have access to real estate and mortgage advisors to help them in the relocation process (5)
Value	Address decline in property values of homes caused by contamination or stigma (12)

BEST AND WORST PARTS OF BEING RELOCATED

COMMUNITY EFFECTS:

Education	Ensure quality of schools after relocation (1) Consider whether children will be able to go to the same school, and how they will get there, after relocation (1) Provide information on the location where people are being relocated to (1)
Leadership	Hire or train a project manager from the community (3)
Relocation Options	Be consistent in relocating a community (1) Give communities the option to stay together, split-up, or not move (13) Provide a smooth relocation transition and ensure the least disruption as possible (1) Tailor relocation procedures to meet each community's specific needs (2)
Community Goals	Help communities establish a defined goal for relocation (1)
Recreation	Ensure that parks and recreational facilities for children accessible in the new communities where residents are relocated to (2)
Retirement	Ensure that retired residents' needs are taken care of during the relocation process and ensure that when they are relocated that they will not have to dip into their retirement savings to pay for their relocation (2)
Stability	Provide a relocation experience that will enable residents to achieve or maintain their original quality of life (3)

HEALTH EFFECTS:

Education	Educate community on preventative health care (2) Educate community on the results of health studies taken in their communities and at the site (1)
Financial	Provide assistance with health care costs to all residents (3)
Medical Benefits	Continue medical benefits for all residents after relocation (1)
Research	Provide research and follow-up studies on health effects (8)
Safety	Ensure that the new community where people are being relocated to is not contaminated (3) Provide protection to the community that lives along the fence line of the contaminated site (3)

RELOCATION PROCESS:

Advisors	Ensure that the community has an expert mediator to work on their behalf during a relocation that is being conducted by private industry (1) Provide an independent advisor to work with community (2)
Communication	Involve community from the start and be honest with them (12) Provide communities with information on the relocation process and facts on and access to independent advisors (11)
Employment	Provide employment information (1)
Financial	Provide financial assistance and advisors (8)
Housing	Provide financial assistance for housing (1)
Justice	Ensure that the process is equal and fair to all (1)

Options	Provide a flexible process that will meet the needs of all residents, including the elderly and the handicapped (4) Provide information and counseling to residents to empower them to make educated choices about relocation (1)
Policy	Develop defined EPA policy and guidelines for relocation (8) Incorporate communities' experiences and advice when developing relocation guidelines (2) Incorporate other agencies' and private sectors' relocation policies into EPA's policy (5)

PSYCHOLOGICAL EFFECTS:

Counseling	Provide group, family, and individual counseling and therapy sessions before, during, and after the relocation process (8)
Effects	Consider the psychological effects that relocation has on communities, families, and individuals (8)
Trust	Be honest with community (1)

REAL ESTATE EFFECTS:

Advisor	Provide real estate advisors to help communities make decisions about where they would like to be relocated to (6)
Financial	Provide a financial advisor to help residents understand how relocation may affect their finances (5)
Housing	Give residents a choice in relocation housing (2) Ensure that housing conditions will be comparable or better than where residents currently live (6)
Income	Consider the needs of those residents who are living on a fixed income, <i>i.e.</i> welfare or retirement (1)
New Location	Ensure that the new location is not contaminated and that living conditions are better (4) Give residents a choice on where they will live after relocation (1)
Value	Make sure the real estate appraisal process is fair and equitable and that real estate assessments are based on comparable houses that are located in non-contaminated areas (9)