

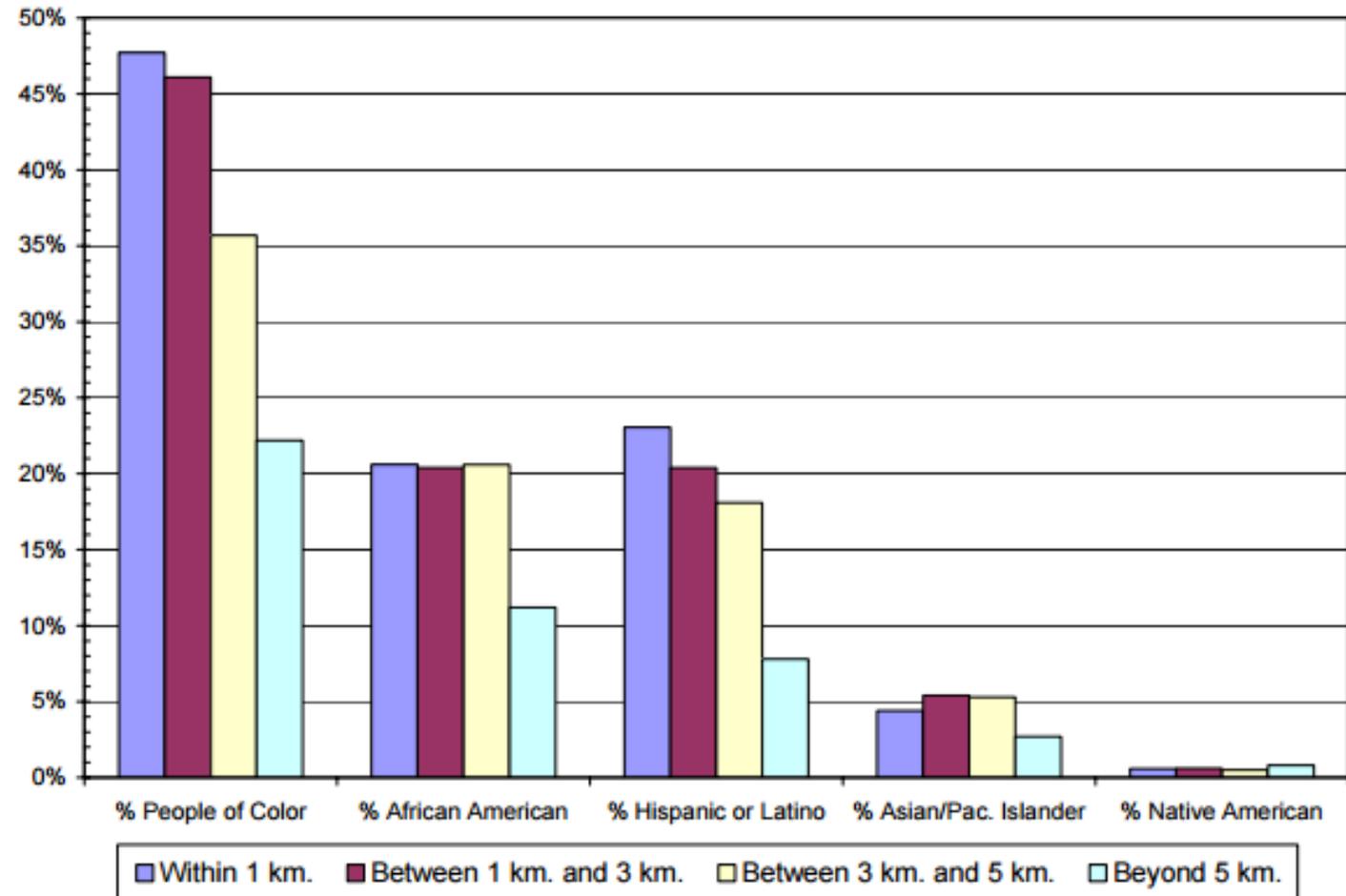
# Cumulative Impacts of Hazardous Waste Disposal

A COMMUNITY PERSPECTIVE

# Hazardous Waste and Race

- ▶ Strong correlation between proximity to hazardous waste facilities and race
- ▶ Race better indicator than any other factor

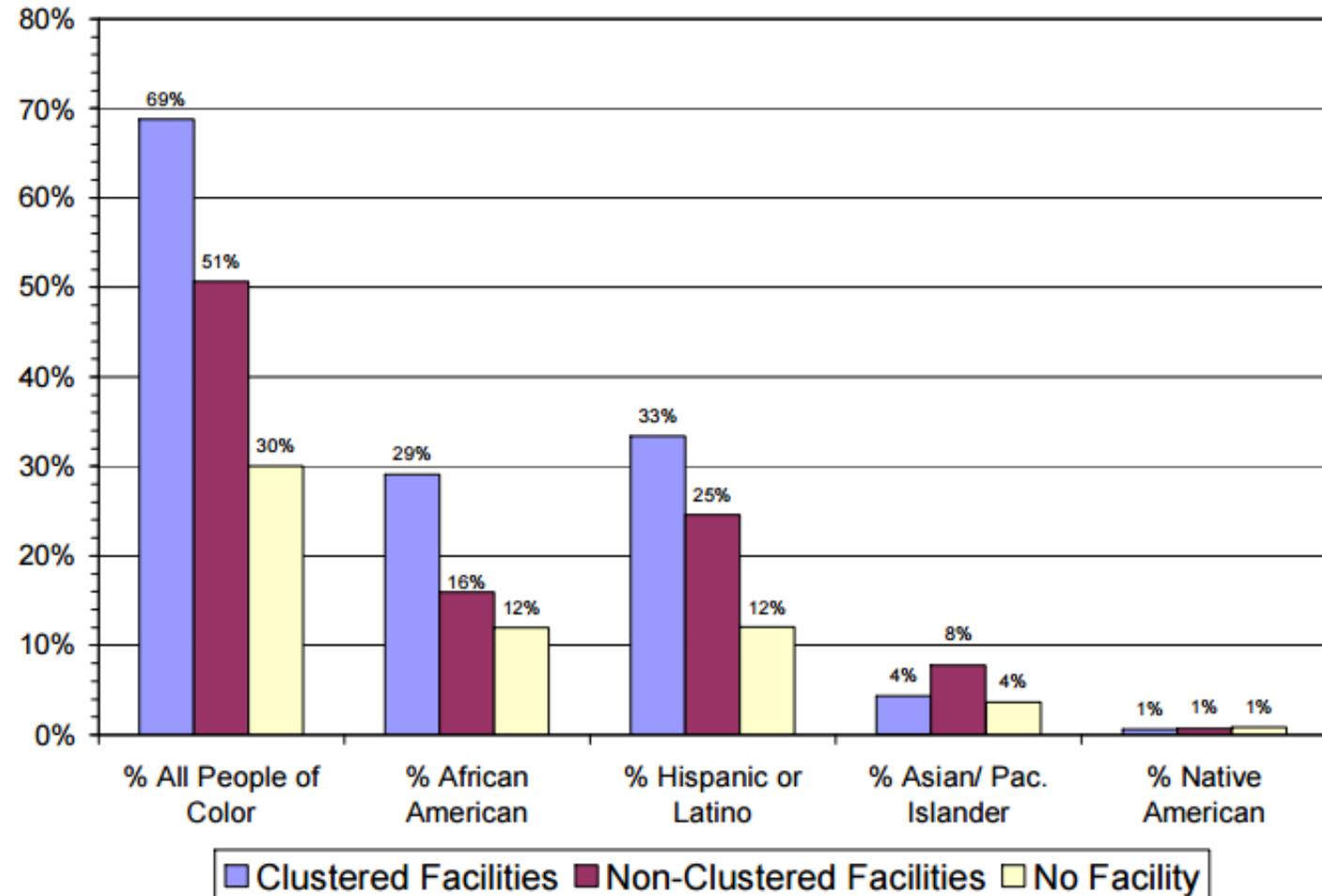
Figure 3.2 – Percent People of Color Living Near Hazardous Waste Facilities



# Hazardous Waste & Race

- ▶ Higher percentages of people of color when more facilities clustered

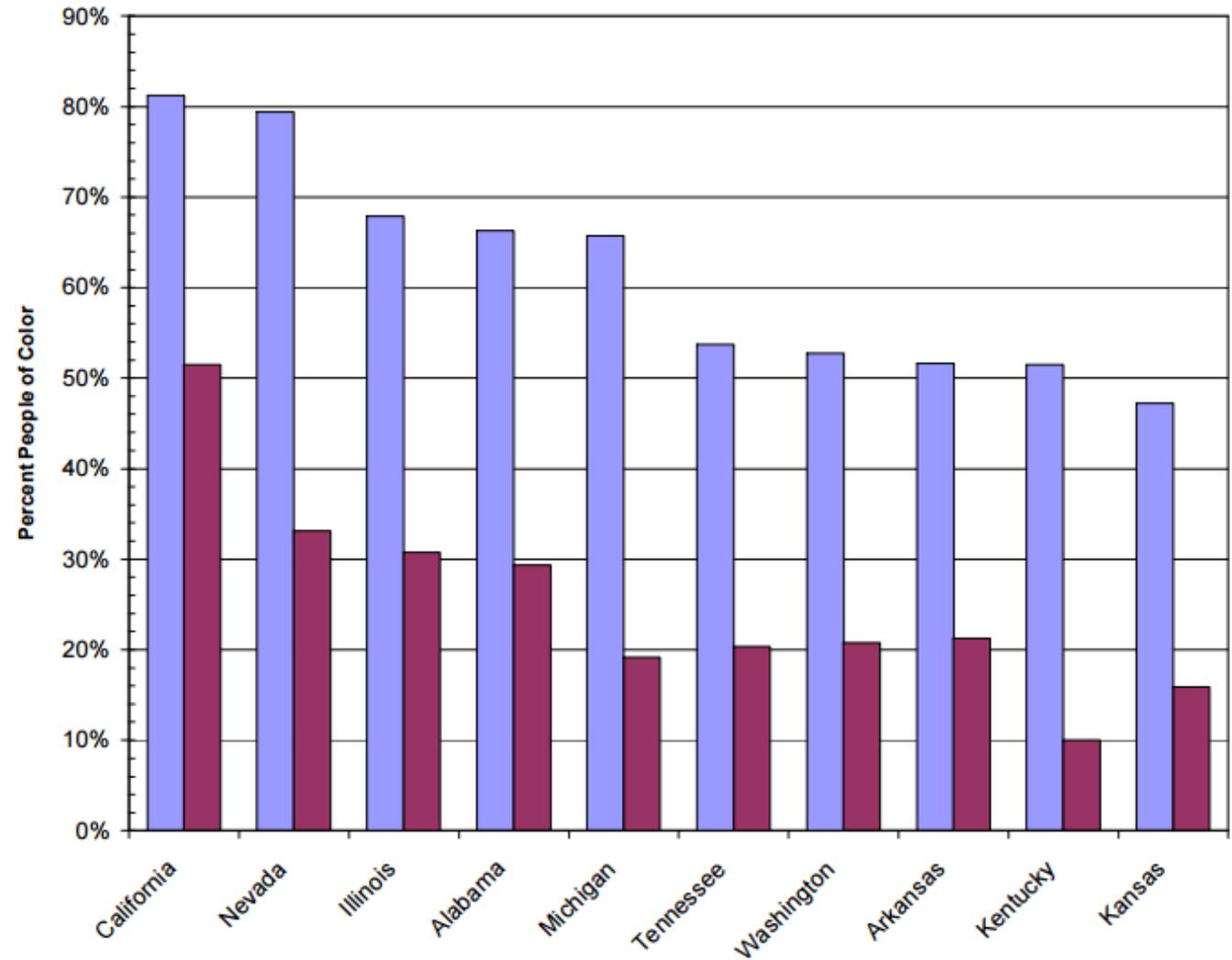
**Figure 4.1 – People of Color Percentages in Neighborhoods with Clustered Facilities, Non-Clustered Facilities and No Facility**



# Hazardous Waste and Race

- ▶ California rank # 1 in percentage of people of color living in close proximity to haz waste sites
- ▶ In top 10 in difference between total residents of color and residents of color living in proximity to haz waste facility.

**Figure 4.3 – States with the 10 Largest Differences in People of Color Percentages between Host Neighborhoods and Non-Host Areas**





# The Cerrell Report

- ▶ “With virtually no public interest in waste management, there was not much incentive for government and industry officials to regulate waste management procedures, nor was there much incentive to devise efficient and safe waste management alternatives.”
- ▶ “All socioeconomic groupings tend to resent the nearby siting of major facilities, but the middle and upper-socioeconomic strata possess better resources to effectuate their opposition. Middle and higher-socioeconomic strata neighborhoods should not fall at least within the one-mile and five-mile radii of the proposed site.”
- ▶ “the Environmental Protection Agency also found that a low-profile approach to the siting of a hazardous waste facility is warranted under ideal siting conditions.”
- ▶ “Project proponents are placed in a paternalistic position known as “decide-announce-defend” (DAD), and will not welcome public input at the hearings, discussing mainly technical issues.”

# Impacts of Living Near Hazardous Waste Facilities

- ▶ Physical Impacts
  - ▶ low birth weight, birth defects, infant mortality, various types of cancers, cardiac anomalies, seizures, learning problems, hyperactivity, eye and skin irritation, digestive problems, respiratory problems, liver and kidney problems, and chromosomal changes
- ▶ Psychological Impacts
  - ▶ Feelings of loss of control, stress, anxiety, depression, dread, suspicion, hyper-vigilance, hostility, and paranoia
- ▶ Economic Impacts
  - ▶ Property values decreased, increased blight, increased incompatible land uses, loss of community

# CA Government Code, Section 11135

- ▶ No person in the State of California shall, on the basis of race, color, ancestry, national origin, [or] ethnic group identification, be unlawfully denied full and equal access to the benefits of, or be unlawfully subjected to discrimination under, any program or activity that is conducted, operated, or administered by the state or by any state agency, is funded directly by the state, or receives any financial assistance from the state.
- ▶ A recipient of state funds may not: (i) to utilize criteria or methods of administration that “perpetuate discrimination by another recipient on the basis of ethnic group identification, religion, age, sex, color, or a physical or mental disability.” (2 CCR 11154.)
- ▶ A recipient of state funds may not: “make or permit selections of sites or locations of facilities that have the purpose or effect of excluding persons from, denying them the benefits of, or otherwise subjecting them to discrimination under any program or activity.” (2 CCR 11154)

# Tensions in California's Hazardous Waste Management

- ▶ **Capacity v. Permitting v. Enforcement**

- ▶ Is DTSC's role to "make compliance easy and economic"?

- ▶ **In state v. out of state disposal**

- ▶ What is CA's responsibility to dispose and manage its own waste?

- ▶ **Host communities v. non-host communities**

- ▶ Should California permit new facilities to reduce transportation and disposal burdens on existing host communities?

- ▶ **Host communities v. clean-up communities**

- ▶ Should reduction of hazardous waste generation focus on contaminated soil?

# Principles to Reduce Impacts on Vulnerable Communities

- ▶ California has a duty to remedy past processes that resulted from racial animus or poor land-use planning.
  - ▶ E.g. Cerrell report, zoning restrictions, incompatible land-uses, moving to hazard.
- ▶ Local decision-making bodies lack expertise, are too political, or have conflicts of interest which may prevent them from adequately protecting vulnerable communities.
- ▶ Certain locations are inappropriate for hazardous waste disposal based on community proximity, community vulnerability, and/or facility type and history.
  - ▶ This includes some existing facilities.
- ▶ SB 673 rulemaking should address when additional conditions are required and when facility not appropriate.
- ▶ California needs a statewide hazardous waste management plan.