

The Evidence of Environmental Injustice

By Clifford Rechtschaffen

Hazardous Waste Facilities

1. What happened in Warren County, North Carolina?
2. What did the subsequent GAO investigation conclude?
3. What did the United Church of Christ's Commission for Racial Injustice (CRJ) conclude in 1987?
4. What were the conclusions of the 1994 SADRI report?
5. What are some of the reasons for the differences between the SADRI report and the CRJ report?
6. What did the Been and Gupta study and the study of TSDFs in LA County conclude?
7. Do the poorest neighborhoods attract hazardous waste facilities?
8. What does the evidence suggest regarding race and income in areas where there are NPL sites?

Intentional Siting vs. "Market Dynamics" or "Minority Move-In"

9. Describe Been's argument regarding demographic shifts where LULUs are sited.
10. Does the empirical research support this Market Dynamics theory?

Other Environmental Harms

11. What was the Mohai and Bryant review of studies and what did it conclude?
12. What was the Goldman review and what did it conclude?
13. What was the EPA review and what did it conclude?
14. What was the Hird and Reese study and what did it conclude?
15. What was the Ringquist study and what did it conclude?
16. What were the results of the study that evaluated academic performance and environmental risks?
17. What do the studies show regarding pesticides in the workplace?

Methodological Concerns and Critiques

18. Respond to this argument: Some of the studies only have evaluated proximity to polluting facilities; this does not equate with actual exposure or elevated risk levels in host communities.

Disparities in Environmental Benefits

19. Summarize Robert Garcia's findings regarding parks in LA.
20. Summarize Robert Garcia's findings regarding unequal transportation funding in LA.

Conclusion

21. According to the author, the clear weight of the evidence supports what?
22. What did the Institute of Medicine's Committee on Environmental Justice conclude?
23. What is Christopher Foreman's conclusion?

**Disparate Impact Lawsuits Under Title VI, Section 602:
Can a Legal Tool Build Environmental Justice?
by Julia Latham Worsham**

24. Section I.B.1. What are the significant drawbacks to seeking environmental justice under federal and state environmental statutes?
25. Section I.B.2. What are the barriers to minority communities seeking relief under tort law?
26. Section I.B.3. Why is it difficult to assert an environmental justice claim under the Equal Protection Clause of the Constitution?
27. Section II.A. What does Section 601 of Title VI state? Why are Title VI, Section 601 challenges difficult to prove?
28. Section II.A. What does Title VI, Section 602 mandate?
29. Section II.B. Why did the EPA avoid enforcement of Title VI until 1993?
30. Section II.B. What was Executive Order 12898? Did the Executive Order provide significant enforcement mechanisms?
31. Section III.C, last paragraph. Is there any precedent for challenging disparate effects against federally funded permitting agencies under Title VI? Is there adequate judicial guidance regarding disparate impact claims for discriminatory facility siting?
32. Conclusion. Summarize the last two paragraphs of the conclusion section.