

An Environmental Justice Approach to Federal Facilities Cleanup

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INTRODUCTION

Environmental justice (EJ) is the fair treatment of people of all races, income, and culture with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. Fair treatment implies that no person or group of people should shoulder a disproportionate share of the negative environmental impacts resulting from the execution of this country's domestic and foreign policy programs. The term "EJ communities" is defined as communities of color, low-income communities, and American Indian tribes and Alaskan Native Villages. Sadly, environmental impacts do not fall equally on everyone in society.

Bureaucratic or institutional mechanisms can give rise to class, gender, and racial disparities in a range of actions and practices. Disproportionate exposure to hazardous conditions occurs in minority and low-income communities. Understanding the processes that give rise to environmental inequalities and finding and using practical means to overcome these inequities is a necessity for achieving the goal of a sustainable society.

Characterization of cleanup sites has proven to be time-consuming, costly, technically difficult, and fraught with uncertainty but is essential for sound risk assessment and effective, efficient cleanup decisions. A greater scientific understanding about the toxicity, health effects, and interaction of environmental contaminants known to exist at federal facilities is needed. The biological consequences of such multiple exposures may be very different from the effects of individual contaminants.

The term "federal facilities" is defined as sites that are currently or previously owned or operated by the federal government. The US General Accounting Office (GAO) estimates that over 15 million acres nationwide—including closing military installations, closed ranges on active military installations, and formerly used defense sites—are suspected, or known to be, contaminated with military munitions (1).

Between 1940-1992, inadequate record keeping of the kinds of radioactive and other hazardous materials that were dumped onto the ground or buried in shallow unlined pits at federal facilities occurred.

To date, technical difficulties of containment and remediation of contamination, especially in groundwater, still have not been solved.

DESCRIPTION OF ACTUAL WORK

The Federal Facilities Working Group (FFWG) of the National Environmental Justice Advisory Council (NEJAC) has worked to identify and evaluate key issues of concern to environmental justice communities regarding activities and operations at and around federal facilities and to formulate a set of national policy recommendations to address these concerns (2). The United States Environmental Protection Agency (EPA), through its Office of Solid Waste and Emergency Response's Federal Facilities Restoration and Reuse Office, supported the FFWG's efforts.

Those who commented at national NEJAC meetings were concerned about the following:

- lack of sufficient outreach efforts by federal facilities to inform and educate environmental justice
- communities about present and potential impacts of contamination from their sites to these communities;
- apparent disregard by federal facilities of community input related to contamination and its impact on the surrounding community;
- length of time taken and amount of analysis performed by federal agencies before health issues are acknowledged;
- lack of interim measures adopted by federal facilities to address the health effects on communities;
- lack of enforcement by federal agencies of environmental laws and regulations at their facilities; and
- limited funding and resources allocated to communities that are adversely affected by contamination at federal facilities.

The FFWG visited US Department of Energy facilities at Savannah River Site in Aiken, SC, and the Hanford site in Richland, WA; and US

Department of Defense facilities at Kelly Air Force Base in San Antonio, TX, the Defense Depot in Memphis, TN, and Fort Wingate (Army), in Gallup, NM. These site visit reports served as the basis for developing the findings and recommendations.

RESULTS

The recommendations include the following actions:

- Enhanced community assessments and communication methods are needed to improve cultural sensitivity for EJ communities;
- Access to adequate health services are needed;
- Additional resources are needed for capacity building;
- Improved and effective communication are needed between facility regulators and EJ communities; and
- New and consistent opportunities are needed to help EJ communities influence decisions.

CONCLUSION

Problem solving and negotiations at the local level provide the flexibility necessary for this approach to be successful. Local effort and expertise reduces costs as it increases efficiency. Stakeholders are able to work together more effectively to find or create solutions/make decisions that will satisfy the needs, concerns, and values of the community and

will promote outcomes that reflect the diverse interests of those responsible for or affected by federal facilities. Local authorities are able to act more quickly, responsively, and accurately to meet the needs and aspirations of the community, because the process allows for the vision and leadership of local communities to make things happen on the ground where it really matters. Improved processes enhance the accountability and transparency of decisions made and resources used and better involve the scrutiny process helping to clarify the reasons for decisions and the facts and analysis on which policy and actions are based. As more stakeholders become involved, support for decisions will be generated and implementation will be facilitated.

REFERENCES

1. US Government Accounting Office. Military Munitions: DOD Needs to Develop a Comprehensive Approach for Cleaning Up Contaminated Sites. GAO-04-147, (December 19, 2003). <http://www.gao.gov/cgi-bin/getrpt?GAO-04-147>
2. National Environmental Justice Advisory Council, Waste and Facility Siting Subcommittee, Federal Facilities Working Group. Environmental Justice and Federal Facilities: Recommendations for Improving Stakeholder Relations between Federal Facilities and Environmental Justice Communities. (March 2004)