

# Relocation:

## Getting Organized and Getting Out (Go Go)



Center for Health, Environment & Justice  
P.O. Box 6806, Falls Church, VA 22040-6806  
703-237-2249 [chej@chej.org](mailto:chej@chej.org) [www.chej.org](http://www.chej.org)

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Center for Health, Environment & Justice

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# Center for Health, Environment & Justice

P.O. Box 6806 • Falls Church, VA 22040 • Phone: 703.237.2249 • Fax: 703.237.8389 • [www.chej.org](http://www.chej.org)

Mentoring a Movement

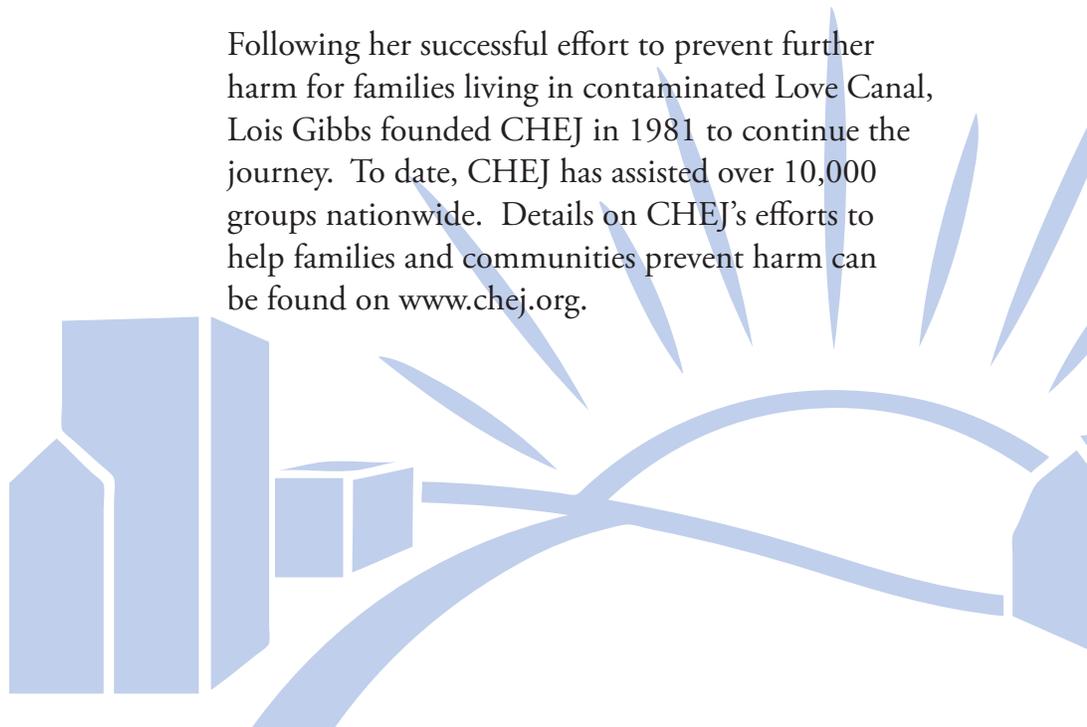
Empowering People

Preventing Harm

## **About the Center for Health, Environment & Justice**

CHEJ mentors the movement to build healthier communities by empowering people to prevent the harm caused by chemical and toxic threats. We accomplish our work by connecting local community groups to national initiatives and corporate campaigns. CHEJ works with communities to empower groups by providing the tools, strategic vision, and encouragement they need to advocate for human health and the prevention of harm.

Following her successful effort to prevent further harm for families living in contaminated Love Canal, Lois Gibbs founded CHEJ in 1981 to continue the journey. To date, CHEJ has assisted over 10,000 groups nationwide. Details on CHEJ's efforts to help families and communities prevent harm can be found on [www.chej.org](http://www.chej.org).



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# Chapter 1

## Poisoned Communities

Contamination Found in Communities Nationwide

Many communities across the United States have been relocated in whole or in part. Times Beach, Missouri and Love Canal, a neighborhood in Niagara Falls, New York, were relocated because of hazardous waste pollution. Other communities such as Savannah Place in Augusta, Georgia were relocated because of contamination from a solid waste dump site. Communities have even been relocated because of mining wastes and mine fires. In Centralia, Pennsylvania, for example, an underground coal mine fire burned for over twenty years before residents were given the option to move. Homes in Globe, Arizona and Libby, Montana were contaminated by asbestos as a result of mining, and residents of Tar Creek, Oklahoma were exposed to heavy metals such as lead from mining wastes.

History has shown us that it is possible to be relocated if you have the need and your community is willing to fight for it. Funding to make these relocations a reality comes from as many sources as there are types

of problems. Relocations have been paid for by the federal Environmental Protection Agency (EPA), local county governments, cities and states, the Federal Emergency Management Agency (FEMA), the Department of the Interior, and the companies responsible for the pollution.

Although relocations have occurred, obtaining relocation benefits is still anything but easy. Winning the evacuation of a community is a long, hard fight. It requires a great deal of planning and careful organizing to make it happen and to ensure you get what your community really needs.

The purpose of this guidebook is to show you how to win relocation for your community. It is intended to help community groups think through what they want. It helps leaders learn from other communities what obstacles they faced in their efforts and offers suggestions to overcome these obstacles. We hope that through this guidebook you can learn from others—making your own struggle a little easier.



## Chapter 2

# Community Profiles

### Communities Evacuated Because of Contamination

Many communities have been relocated because of environmental threats to the people who live there. Some homes became structurally unsound while others became poisonous vaults. The types of environmental problems that have caused relocations vary. Communities have been relocated as a result of solid and hazardous waste disposal, mining waste, an underground mine fire, application of waste oils on dirt roads, military dumps, industrial plant discharges and a quest for expansion of an existing solid waste landfill.

The method of relocation and type of compensation also vary from place to place. Some communities received money for their homes, while others were provided with new homes. In most communities, it was a long, hard struggle to finally win relocation. In one situation it was total chaos, as the residents were given only a few hours to gather their possessions and flee. Relocations have been paid for by almost every form of government, including federal, state, county and city levels. In several cases, the company responsible for the pollution paid the relocation costs.

This history of events reveals that anything is possible if people are willing to fight for what they want. There is no one agency, level of government, or set of rules that dictates the direction of relocation. The door to benefits and what you can receive is wide open. It is up to your community to decide what you want and how hard you will fight to get it.

The following case studies provide a brief profile of some of the relocations that have happened in the U.S. In many of the examples we don't have all of the information because of lawsuit secrecy or the lack of research time and money. However, the purpose of this chapter is not to give you extensive details, but rather to show you a range of relocated communities, the benefits they received, and how they won those benefits. If you would like further information on any of these cases, you can contact CHEJ and where possible, we will be happy to provide you with our local contacts who have had firsthand experience at these sites.

## Communities Relocated By State/ Local Government

### *Love Canal, Niagara Falls, New York*

In the 1940s and 1950s, Hooker Chemical and Plastics Corporation dumped hazardous waste into an old waterway called Love Canal and covered it with dirt. The community of Love Canal was then built next to the dumpsite. To the west of the canal was low-income rental housing and to the north and east were homeowners, two churches and a drug store. To top it off, there was an elementary school built on the edge of the covered canal. The entire community was plagued with illnesses, particularly the children and women, as a result of the wastes that leaked out of the dump and into the surrounding community.

The evacuation of Love Canal came in three waves. The first occurred in August 1978, which coincided with the reelection campaign of Governor Hugh Carey. The state agreed to purchase the homes of the 239 families that immediately surrounded the canal. The second action, in February 1979, was a partial evacuation of pregnant women and children under two years of age throughout the remaining community. On October 1, 1980 President Jimmy Carter appropriated the funds for a full relocation. Altogether, over 900 families were relocated. Renters received moving costs, utility hookups, rent and deposit differentials, appliances when necessary, and transportation costs to find new housing. Property owners received moving costs, interest differentials and a lump sum for their homes. Those who chose to remain in the community received significant tax breaks and security patrols.

### *Wagner's Point, Baltimore, Maryland*

The tiny South Baltimore neighborhood of Wagner's Point had long been a close-knit community that consisted of 270 residents. This highly industrialized

neighborhood, located on a peninsula that was once mostly residential, consisted of African-American and white families who were largely elderly or on fixed incomes. The community had become so depopulated because of industrialization that the city provided few services by the 1990s, and local government instead created a plan to attract industry. 300 families had already been moved in 1989 after a public housing complex was closed due to concern about chemical releases and residents' exposure; the 280 remaining residents all lived within 1500 feet of at least one of the 50 polluting facilities on the peninsula. Chemical plants and petroleum storage tanks surrounded the residential area.

The Fairfield and Wagner's Point Neighborhood Coalition became increasingly active in the late 1990s and began pushing for a buyout of their homes after the death of their community association president, a local leader. Furthering their concerns that the area was unsafe, there was a serious explosion and fire at Condea Vista's chemical plant in 1998. Many residents had stories of cancer that they linked to the local pollution, and the area was in the top 10 for chemical accident risk nationwide.

The debate here was not over whether to relocate the residents - the city wanted to exercise eminent domain to expand a sewage treatment plant where the homes stood. However, deciding on a fair price for the homes was difficult at best. The city's definition of fair market value did not mesh with what residents needed to find similar homes in a safe neighborhood, largely because their real estate values had dropped after industry moved in. The coalition requested around \$115,000 per homeowner, significantly more than the city's stated values of \$25,000 to \$50,000. Residents walked out of a negotiation meeting and the city later started withholding information on costs.

Neighborhood leaders decided to fill the gap between the city offer and their needs with money from the local chemical plants as well as the federal government.

In the end, companies such as Condea Vista offered additional funds for relocation, along with \$750,000 from the federal government and \$2 million from the state. By combining funds from different sources, the relocation of one community was a unique solution to difficulties with the city. All residents had been relocated by 2000, and many moved out of Baltimore altogether due to continued distrust over how the city handled the situation.

The residents of Wagner's Point were successful largely because they determined what amount homeowners and renters should receive and continued to fight for and defend these prices even when they were repeatedly given low offers by the city or told they were asking for too much. They used a political strategy to play the different sources of funding (city, state, federal, industry) off one another after the city refused to change their offer. This resulted in a fair buyout plan that probably would not have come from a single source.

### ***Buffalo, New York***

Citizens living in the Hickory Woods neighborhood of Buffalo, NY knew something wasn't right as soon as they started digging up black soot in their backyard gardens. After discovering that their homes sat atop an old steel mill site, the Hickory Woods Concerned Homeowners Association (HWCHA) was formed in 1999 to fight for relocation.

In the late 1980s, the city of Buffalo purchased the land from LTV Steel and rezoned the former heavy industrial site for residential housing. The city never told prospective homebuyers about the neighborhood's environmental contamination - in fact, the city itself may not have known about the contamination, because it never thoroughly assessed environmental risks when it redeveloped the property.

It wasn't until 1998, when developers were building a basement for a new home, that the extent of contamination was discovered. Construction workers found black coke waste, refractory bricks, and a black substance oozing from the soil. This discovery

prompted sampling, which revealed extremely high levels of polynuclear aromatic hydrocarbons (PAHs), some over 100,000 parts per million. Many PAHs are highly carcinogenic substances associated with steel manufacturing. The site was also highly contaminated with lead and arsenic. Since then, many residents have reported various forms of cancer, respiratory ailments and birth defects, which they attributed to the neighborhood's contamination and its proximity to the old steel mill site.

In December 1999, in response to requests from the HWCHA, the Buffalo Common Council passed a resolution calling for relocation of citizens who would like to leave, comprehensive remediation of the site, financial assistance to residents who have suffered economic losses, and comprehensive testing to address residents' health concerns. The City filed notice to sue LTV Steel to recover \$800,000 in cleanup costs. In 2006, after five years of pleading with city officials to make good on their promises, HWCHA finally convinced the city to buy the 60 homes located on this toxic site.

### ***Savannah, Georgia***

In 1988, two years after the closing of an illegally operated landfill, a developer bought the property in Savannah, Georgia and built a 44-home subdivision. This was a mixed low-income community of African-Americans and whites. In June of 1991, methane was discovered to be leaking into homes at levels high enough to cause asphyxiation or an explosion. In addition to the methane problem, some residents had issues associated with the sinking of their land.

The Chatham County Commission declared a state of emergency and ordered residents out within 30 days. At 5:00 p.m. on the 30th day, while electric company workers pulled meters off houses, and with the National Guard and local police on hand to ensure that all residents left, the County Commission Chair handed each homeowner a \$750 check to cover moving expenses. The County Commission also lobbied mortgage companies to suspend payments for six months. People were directed to the Salvation Army for temporary housing or told they could go



to their local church for help. Many people ended up sleeping on park benches.

Finally, the county allocated \$1.6 million to fund not the purchase of people's homes, but the building of a new development. People were given no choice but to move into this new development. The homes were not of equal or better quality than the homes they were forced out of and many families felt cheated.

### ***Ciudad Cristiana, Puerto Rico***

Ciudad Cristiana was founded in the late 1970s by an evangelical minister. The homes were subsidized so that low and moderate income families could afford to move to the 700-acre community in Humacao, a light industrial town of 50,000 about 35 miles from San Juan. It was to be a haven for good people to raise their families. Health problems surfaced within a year after the first families moved in.

Puerto Rican officials traced the illnesses to mercury dumped in Frontera Creek by Technicon and Squibb Pharmaceutical, two companies located just upstream from Ciudad Cristiana. The EPA initially denied that the levels of mercury found in Ciudad Cristiana were a threat and the Centers for Disease Control said there was no evidence to support evacuation. The federal government had not done any health testing. However, testing by the Environmental Quality Board of Puerto Rico showed significant levels of mercury in soil samples and in blood samples of Ciudad Cristiana residents. The President of Puerto Rico ordered relocation in February of 1985.

Residents were moved to government subsidized housing at no cost until the banks, courts and government resolved the financial issues. In the larger community of Ciudad Cristiana, "refugees" were treated like lepers by others who feared that their illnesses were contagious.

## **Communities Relocated by the Federal Government**

While different federal agencies can be involved in relocation, the Environmental Protection Agency (EPA) is the most common actor at the federal level since it administers the Superfund program, which encompasses many (but not all) toxic sites. The EPA's official policy on relocation at Superfund sites can be accessed at <http://www.epa.gov/superfund/community/relocation/intpol.pdf>. They prefer to clean up sites instead and generally do not consider relocation unless remediation is deemed impractical or if the houses need to be demolished in order to clean up the site. The Federal Emergency Management Agency (FEMA) may be involved in relocations where there is an immediate hazard or emergency. Relocations may also be funded through a mandate from Congress.

### ***Pensacola, Florida***

For almost 40 years, the Escambia Treating Company (ETC) operated in the heart of Pensacola, Florida, poisoning the nearby land with dioxins, arsenic, toluene, heavy metals, and countless other contaminants until 1982. In 1992, a decade after the plant closed, the EPA "cleaned up" the site - essentially dumping 200,000 cubic yards of toxic waste into one enormous on-site heap. Dubbed "Mount Dioxin" by locals for its sheer size, the 26-acre Superfund site contained some of the most hazardous substances known to science.

Not surprisingly, it wasn't long before residents began getting sick. Cases of cancer, respiratory disease, organ dysfunction, and other ailments began to surface. Desperate to protect their health, community members formed the group Citizens Against Toxic Exposure (CATE).

CATE's members organized their community, prompting nearly 100 written comments to the EPA demanding relocation. When the EPA announced

in 1996 that it planned to relocate a mere third of those who needed it most, CHEJ staffers joined CATE in Pensacola to fire up local opposition. Battling the suffocating August heat, members of CATE and CHEJ went door to door to talk with local citizens. Much to the surprise of EPA representatives facilitating the public comment meeting, over 350 citizens crammed into a local church to voice their opposition to the agency's inadequate plan.

The following October, CHEJ and others designed and underwrote an ad for *USA Today* that depicted children from the ETC site beside then-President Clinton's quote that "children should never have to live near a hazardous waste site." Two days later, the EPA granted relocation to all 358 residents.

Still, the EPA planned to remove only a limited amount of the dioxin contamination. This cleanup would have left a dioxin level of 1,000 parts per trillion (ppt) at the site. Thanks in part to CATE's organizing efforts, the EPA ultimately bowed to public pressure and agreed to instead use the much more protective standard of 30 ppt of dioxin. The revised cleanup standard removed as much as 150 times the dioxin as the original plan.

The victories won by this community are a perfect example of what can be accomplished when a community organizes tirelessly. In this case, persistence and diligence paid off, winning them both a thorough cleanup and relocation away from the contaminated site.

### ***Centralia, Pennsylvania***

In 1962, the Centralia town council set fire to an old dump, which in turn ignited the abandoned coal mines beneath the town. As the fire spread and grew, the buildup of carbon monoxide posed a major threat to members of the community. This deadly gas seeped up through the cracks in the foundations of their homes. It took 23 years for the government to finally act on behalf of the citizens of Centralia. By that time, the extent of the fire and the threat it posed to the neighborhood it burned beneath left

only one choice for the community: relocation. The local citizens group was instrumental in initiating the relocation plan and ensuring that it met the needs of all members of the community.

In 1984, Congress appropriated \$42 million and the state was responsible for a ten percent matching share to relocate 400 families, three churches, and eight businesses. Homeowners had almost a year to decide on a purchase offer, which was the higher of two appraisals. If unsatisfied with either appraisal, they were entitled to a hearing. Families could also sell their home to the redevelopment authority, put the money in a bank, and then rent back their home until they found a new place. Homeowners were given salvage rights for virtually anything they wanted to take from the homes such as lighting fixtures and appliances. It is estimated that the average amount received per family was \$44,000.

### ***Portsmouth, Virginia***

In 2000, residents of the Washington Park housing complex in Portsmouth, Virginia finally received a long-overdue relocation. Federal and local officials agreed to relocate all 160 families living in the predominantly African-American community.

The housing complex and surrounding area was declared a Superfund site in 1990 due to high levels of lead contamination left by Abex Corporation, a brass and bronze foundry that operated in the neighborhood for fifty years. Other contaminants present at the site included cadmium, chromium, silver, polynuclear aromatic hydrocarbons (PAHs), and polychlorinated biphenyls (PCBs).

Back in 1986, EPA testing revealed lead levels as high as 13,000 parts per million (ppm). That same year, Abex graded the site; surrounded it with fencing topped with barbed wire; covered much of the old landfill area with asphalt; and excavated some areas adjacent to the landfill and filled them in to try to limit exposures. However, much lead-contaminated soil remained.

Throughout the process of fighting for relocation from this neighborhood, local citizens and civic leaders expressed their concerns to the EPA at numerous public meetings and informal workshops. Even though blood lead testing in the 1990s did not show health impacts on residents, they continued to push for relocation out of concern for past and present health effects from the contamination. They also believed that the public housing complex was built on a contaminated site because only African-Americans were to live there; relocation to integrated housing came about through a civil rights settlement, which also prohibited future residential development at the site.

In addition to relocating residents, the EPA has removed 75,000 cubic yards of contaminated soil, cleaned lead dust out of furnaces and heating ducts in nearby homes, and demolished the remaining structures at the site. There is an ongoing investigation of groundwater contamination that was discovered in 2010.

### ***Libby, Montana***

For more than 65 years, residents of Libby, Montana were sickened by mining at the nearby W.R. Grace & Co. mine. The company was mining for vermiculite, a mineral used in insulation and other industrial applications. While in operation, the mine in Libby produced as much as 80% of the world's supply of vermiculite. Unfortunately, the vermiculite in the Libby mine was contaminated with a natural form of asbestos, which was released during the extraction of the mineral.

Grace closed the mine in 1992, leaving the contamination from its years of operation - and many gravely ill local residents - in its wake. All told, the town has suffered over 200 deaths and 1000 injuries as a result of this health hazard; in addition to occupational exposure to the asbestos, many residents were and are exposed to concentrations of asbestos particles in the air.

The community soon began exerting pressure on officials to clean up the site; an article in the *Seattle Post-Intelligencer* that reported on Libby's unusually high rates of asbestos-related illness added to the pressure. In response, the EPA began what would become a \$370 million cleanup and called Libby the worst case of community-wide exposure to a toxic substance in U.S. history. A public health emergency was declared by the EPA in 2009.

Today, many members of the community are being temporarily relocated while their homes and properties are cleaned up. Given that it has been years since the "temporary" relocation and cleanup began, it is unclear when and if the residents of Libby (and nearby Troy) will ever be able to return to either their hometown or a new residence. The EPA says they have cleaned up the major sources of contamination in the area, yet many smaller, private sources of vermiculite and asbestos remain. As of 2010, 825,000 cubic yards of contaminated soil have been removed, and the cleanup is still underway.

The EPA fined the polluters heavily for their contamination of this community. In 2006, the Supreme Court rejected Grace's appeal of the fines the EPA had levied against them.

### ***New Orleans, Louisiana***

The Agriculture Street neighborhood in New Orleans, built in the 1970s and 1980s, consisted of 390 residential units housing about 1,000 people; it was designed for African-American homeowners and families. The subdivision was built on a former 95-acre landfill site that accepted municipal garbage, construction and hurricane debris, and ash from incinerators and open burning for 50 years.

In the face of EPA assurances that the site was safe, local residents successfully petitioned for testing in 1993. When the EPA initially tested the area for contamination from the landfill, over 40 known cancer-causing substances were detected. The primary contaminants of concern were lead, arsenic, and carcinogenic polynuclear aromatic hydrocarbons

(PAHs). The government listed the area as a Superfund site in 1994 and began a removal of the contamination. Ultimately, nearly 70,000 tons of tainted soil were excavated from the site.

Community members formed the group Concerned Citizens of Agriculture Street Landfill (CCASL) and began working tirelessly to win justice for themselves and their neighbors in the form of a proper cleanup and compensation.

At first, the group launched a campaign to convince EPA to relocate them by writing letters and phoning the agency repeatedly. CCASL also went public with every problem that arose in the community, attracting local and national media, including the News Hour with Jim Lehrer. The community held numerous candlelight vigils and rallies, marched on Washington, DC, and participated in an environmental justice conference with the United Nations in Switzerland. Ultimately, CCASL filed lawsuits against the EPA and the City of New Orleans.

After Hurricane Katrina in 2006, there was widespread concern within the community that the intense winds and flood waters had further spread the contamination. Later that year, a Civil District Court judge ordered the city of New Orleans to compensate the residents surrounding the former Agriculture Street landfill for the “stress and reduction in property values” that resulted from living atop a toxic dump. In her 60-page decision, the judge chided local officials for standing by as Agriculture Street residents, largely poor and minority citizens, were exposed to these hazards. The city was ordered to pay individuals amounts ranging from \$7,000 to \$155,000, depending on residents’ proximity to the contaminants and their duration of exposure.

### ***Uniontown, Ohio***

The community of Uniontown (near Akron, OH) is located near a landfill operated by Industrial Excess. In 1983, residents formed the group Concerned Citizens of Lake Township (CCLT), which organized by holding countless public meetings and working with the media and politicians. First, the group

lobbied to get the landfill site onto the Superfund list, and once that was accomplished in 1984, they worked tirelessly to get testing to find out exactly what was buried at the site.

CCLT employed several technical experts to help them understand the science behind the site enough to fight for relocation. The group has the distinction of being the first community to receive one of the EPA’s Technical Assistance Grants (TAG), which provide up to \$50,000 to communities near Superfund sites to hire experts.

One key strategy the group used was focusing their efforts on raising awareness about methane gas migration from the landfill, a situation that risked a possible explosion and thus was not something that the EPA could ignore. Yet the group discovered that those who were sent in to help with this aspect of the health hazard were unable to assist with greater threats posed by the landfill, such as potential radioactive contamination.

CCLT’s organizing efforts finally paid off in 1989. The relocation of 32 residents by FEMA included only those in the most immediate proximity to the site—many of these residents were living with the landfill quite literally in their backyards. Families that lived across the street from the site, who were presumably also at a great health risk, did not receive a buyout; many of them still live there today.

Throughout the process, CCLT worked closely with U.S. Senator Howard Metzenbaum’s office, and with his help, pressure was placed on the EPA to take more action. When the EPA granted the community relocation but suggested low-ball financial compensation offers, it was Senator Metzenbaum who demanded fair prices be paid to the families.

As is true in many relocation victories, the EPA never actually admitted that the community was being evacuated for health reasons. Their official rationale was that it was necessary to cover the landfill with a cap and that the homes on the site prevented that action. Ironically enough, following the relocation, local industry succeeded in convincing the EPA that the cap was unnecessary; the site remains uncovered today.

### ***Southington, Connecticut***

Residents of Southington, Connecticut were also victims of a health hazard that necessitated a relocation. The nearby Old Southington Landfill operated for approximately 47 years, from 1920 to 1967. The dumping of liquid, solid and hazardous wastes began in 1950. Open burning of wastes and spontaneous chemical fires occurred for an unknown period of time prior to 1964. In 1967, the landfill was closed and the property was subdivided and developed into residential and commercial properties. The site was added to the Superfund list in 1984.

Health hazards at the site included PAHs, metals, methane, PCBs, pesticides, and volatile organic compounds (VOCs). The contamination from the landfill was so bad that capping was necessary to protect the community. Ironically, the very houses that were exposing residents to contamination were preventing proper capping.

Residents complained of illnesses resulting from breathing contaminated air and also feared health effects from exposures while swimming or fishing in a nearby pond. Members of this community appeared to suffer from bladder and testicular cancer at higher rates than would be expected for a clean neighborhood.

Standing up for their rights, local residents attended several public meetings held by the EPA over the course of four years in order to express their concerns. In response, the EPA relocated 7 families away from the site in 1993, and in 1997 the agency announced plans to relocate more residents to facilitate the cleanup.

### ***Hoboken, New Jersey***

Following a swift and effective organizing effort, residents of the 722 Grand Street apartments in Hoboken won relocation for all residents in 1998.

For 40 years, General Electric and Cooper-Hewlett Electric Company made industrial mercury vapor lighting in the building, which was later converted

to apartments. During renovations of the apartment building in 1995, workers discovered pools of mercury - contamination left over from the building's former life as an industrial site. Officials tested all residents and found that 20 of the 29, including 6 children, had extremely high levels of mercury in their urine.

This prompted the community to act. Ultimately, the residents and local officials were able to convince the EPA to declare the building "unfit for habitation."

When the EPA came to investigate the building in greater detail, they found mercury at unsafe levels in beams, woodwork, bricks, and air in 13 of 16 apartment units. The EPA measured mercury levels in the air that were 1,000 times greater than safe levels, and they also found mercury in the soil surrounding the building. These findings led the EPA to declare the building a Superfund site and recommend that it be demolished and the residents relocated.

### ***Times Beach, Missouri***

The small town of Times Beach was found to be highly contaminated with dioxin in 1982. The contamination resulted from waste oil used to control the dust on many dirt roads in the town in the 1970s. When the dangerously high levels of dioxin were discovered, animal deaths, illnesses, miscarriages, and other health effects were attributed to the contaminant. In 1982, EPA and state health officials tested soil samples and found levels of dioxin that were 120 times the safe exposure standard established by the Centers for Disease Control. In the same year, a terrible flood forced 2,240 residents to evacuate their homes. After the flood, soil tests showed the levels of contamination to be even higher than before. In 1983, the EPA announced a buyout of the town for \$32 million. The town was completely relocated in 1985, with all but one household moving to new communities.

The relocation was authorized by EPA Administrator Ann Gorsuch, who at the time was being charged with mismanagement of Superfund and about to be

sent to jail. Many believe that her decision at Times Beach had more to do with improving her political image than true concern for the community.

### ***Forest Glen, Niagara Falls, New York***

In the late 1970s, the U.S. Campsite Corporation began to sell lots in Forest Glen, a community at the edge of Niagara Falls and just a few miles away from Love Canal. Low and moderate income families were attracted to the housing development by inexpensive land and low taxes. It was an opportunity for young families and seniors on fixed incomes to buy their own homes. Unfortunately, as residents soon learned, the community was sitting on top of an old hazardous waste dump site. Evidence of chemical waste and contamination cropped up throughout the short life of the community, but it wasn't until July of 1989, with pressure from Forest Glen residents, that the situation was declared an emergency and the community made eligible for relocation funding.

FEMA took the lead role at Forest Glen, because the EPA and the Agency for Toxic Substances and Disease Registry (ATSDR) declared the area an imminent health hazard.

Following the emergency declaration, many families moved to temporary housing and began to struggle with FEMA. Initially, the community remained united around the goal of moving en masse. A poll of the community showed that 38 of the 52 households in Forest Glen wanted to stay together. A plan was developed and proposed to FEMA for a new community, but was never given consideration. FEMA officials kept meeting with individual families and refused to meet with the community as a whole. By holding individual meetings with families, FEMA created confusion and mistrust among the residents.

Another divide grew between those who wanted out as fast as possible and those who wanted to stay or felt they couldn't afford to leave. Many of the younger families who had lived in Forest Glen for only a short time felt the most important thing was to get their children out. On the other side of the divide were

the residents who had lived in Forest Glen for some time, often older residents and poorer families whose physical and financial ability to move was far more limited. FEMA skillfully played these families off one another, fostering infighting and additional mistrust among community members who were struggling for a fair assessment of the value of their homes. In the end, each household was on its own to fight FEMA, which meant that many residents received an unfair relocation deal. 153 people were ultimately relocated between 1990 and 1992.

### ***Globe, Arizona***

In 1973, Mountain View Estates, a 15-acre mobile home park, was built on property formerly occupied by the Metate Asbestos Corporation. The park was built despite warnings of environmental problems from the county air quality control director. In 1979, state health officials discovered high levels of asbestos in the community. This discovery led the governor to declare a state of emergency at the site and for the 120 residents who lived there. The governor asked the EPA to get involved immediately to clean up the site. The EPA declared the area a Superfund Site and devised a \$4.4 million cleanup plan that included \$1.6 million in property compensation for residents.

The cleanup plan involved burying the mobile homes and covering them with two feet of sand and gravel following the evacuation of all residents. The EPA selected the total evacuation plan from three proposed cleanup options. The other two plans involved the temporary relocation of residents during rehabilitation of the area. The selected plan was chosen because it was the cheapest, not because it best suited the needs of the residents.

Asbestos was quite familiar to the people of Globe, where it had been mined for some time. There is a local myth that the low-iron asbestos, chrysotile, mined in Globe does not pose the same health hazard as the high-iron asbestos mined in South America and Africa. This myth fueled rumors in nearby communities that the residents of the Mountain View

Estates went for “deep pockets.” Such rumors are unfounded when you consider the loss of your home, your health, and the health of your family for a total compensation of \$13,000- this is hardly holding out for “deep pockets.”

### ***Texarkana, Texas***

When the neighborhood was built in 1964, Carver Terrace was seen as an opportunity for African-American families to purchase mid-priced homes in a stable community. It was the only place with the amenities typical of suburbs, which made it attractive to upwardly mobile blacks. It was strictly a middle class community until the late 1960s when low income housing was built.

The 79 homes and one church were built on top of a hazardous waste site. The land had been used by Koppers Chemical Company for a wood preservative plant. Testing in 1980 by state and federal officials uncovered extremely high levels of toxic chemicals in the soil. The site was put on the Superfund list in 1984 but the EPA consistently denied and downplayed the dangers the contamination posed to the community.

It wasn't until the late 1980s that awareness in the community had developed to the point that people felt they needed to organize to seek action. The Carver Terrace Community Action Group formed and started fighting for a health survey and the relocation of the 252 people of Carver Terrace. The EPA refused to conduct health studies or test the inside of homes for pollutants. An independent health study clearly demonstrated what Carver Terrace residents had known for years: their health and the health of their families had been seriously affected by toxic contamination in their community.

In 1992 and after years of struggle, the EPA finally began to relocate the community. Then U.S. Congressman Jim Chapman, who sat on the House Appropriations Committee, was persuaded by Carver Terrace residents to add \$5 million to the EPA budget specifically for the evacuation of their community. It

is estimated that residents were offered \$30,000 to \$35,000 for their homes.

The residents of Texarkana do not believe they've been dealt with fairly. The buyout offer did not account for the deterioration of homes due to the waste site. It also did not guarantee that residents would have the ability to find equal or better housing. Furthermore, the EPA adopted the negotiating tactics typically used by polluters to divide and conquer well-organized communities. By meeting individually with each homeowner, they worked to cultivate secrecy around the deals negotiated, which fostered animosity between neighbors.

The approximately 15 renters were given \$5,000 for moving expenses, a one year rent supplement for housing of equal quality, and were compensated for any difference in security deposits. Ultimately, all residents were relocated.

### ***Tar Creek, Ottawa County, Oklahoma***

The Tar Creek Superfund site was the location of a former mining operation, which polluted the surrounding land, surface water, and groundwater with lead, cadmium, and zinc. The communities of Picher, Cardin, and Hockerville were all affected by the contamination from the Tar Creek Superfund site.

In 2006, the U.S. Army Corps of Engineers concluded that the towns were situated on abandoned mines that were at risk of collapsing. When tested, children in the area had dangerously high blood lead levels, which can result in learning disabilities and other health issues. The Lead-Impacted Communities Relocation Assistance Trust worked with the community in the debate to relocate the residents. In 2005, the state bought the homes of 52 families from Picher and Cardin who had children ages six and younger.

In 2008, the Army Corps of Engineers along with the Trust developed a relocation plan. Federal funds were transferred to the Department of Environmental Quality of Oklahoma, and were used to purchase the homes of approximately 75% of the population.

In total, 878 offers were presented to homeowners and business owners. The buyout cost approximately \$46 million, and the demolition of buildings cost an additional \$1.7 million.

## **Communities Relocated by Industry/ Companies**

The owner of the facility responsible for the pollution generally will not claim responsibility for health effects from contamination, but recently there have been more companies seeking to buy out residents to create a “buffer zone” around their facility to reduce future liability.

### ***Norco, Louisiana***

One unique way in which some communities receive relocation is when a local polluter buys out their community to facilitate the company’s expansion (or to ensure the facility can exist without protest). Since the 1950s, Shell Chemical has operated a plant in the heart of Diamond, a primarily African-American neighborhood of four streets in Norco. Members of this community have been forced to live with the Shell plant - along with the frequent fires, explosions, and chemical spills - for all these years. Following one such explosion in 1988, Shell paid \$43 million in liability.

In response to this health threat, residents formed the group Concerned Citizens of Norco to fight for a relocation and buyout of their community. For years, residents had complained of higher rates of cancer, emphysema, liver disorders, and other health ailments. In 2000, a criminal investigation by the EPA confirmed many of the community’s fears.

Over the course of about 25 years, Shell slowly bought out property in Diamond on a piecemeal basis. Finally, in 2002, Concerned Citizens of Norco won what they had been fighting for all along: a complete buyout of the Diamond neighborhood by Shell.

Throughout the process, the company used common tactics to prevent the community from getting what it needed. Shell repeatedly refused to have open meetings with the community about the relocation, even turning community members away at the door of several discussions that were “invitation only.” The company also repeatedly missed its own deadlines - such as when relocation prices would be proposed - allowing Shell to stall while residents continued to live in this unhealthy neighborhood.

While some residents were eager to escape the widespread pollution, many had lived in this community for their entire lives and were deeply saddened to leave. Furthermore, the years of pollution at the site had weakened property values throughout Diamond, leading to buyouts that were not in line with pre-Shell property values.

### ***Ponca City, Oklahoma***

Residents of this small town in Oklahoma had been engaged for decades in conflicts with Conoco over a refinery in the town and its potentially harmful effects. However, the mid-1980s brought a new sense of urgency after many contaminants (due to spills or seepage from storage tanks) were brought to the surface by heavy rains.

Local people organized and formed Ponca City Toxic Concerned Citizens to fight back against the orange sludge many were finding in their basements. The group first camped out for three months on the lawn of the state capitol to demand relocation. Their next move was to sue Conoco over the contamination of their groundwater from the company’s refinery wastes. Private testing had found more than 20 harmful chemicals, including arsenic and benzene, in area water, and there were concerns about cancer rates in the area near the refinery.

The lawsuit was settled in July of 1990. Under the terms of the settlement, Conoco paid \$5 million in damages to a group of 1,000 residents and was required to buy the homes of 400 residents at a cost of \$18 million.



To help develop their response to community demands, Conoco had hired the New York consulting firm Moran, Stahl & Boyer, who have worked with other corporations such as Dow Chemical, on their relocation projects. The viewpoint they took is that relocation can be beneficial as it moves people out of the way of potential harm to avoid future lawsuits resulting from accidents.

### ***Morrisonville, Louisiana***

The “Morrisonville Project” is one of a new kind of proactive relocations. In 1988, Dow Chemical opened a relocation office in this community of 110 homes. Founded after the Civil War by freed slaves, Morrisonville is an African-American, low-income community of 200 acres sitting on the east border of Dow’s third largest (1,800 acres) chemical plant. Dow worked with Moran, Stahl & Boyer, the consulting firm that assisted Conoco in developing its settlement in Ponca City, Oklahoma.

Ninety-eight percent of the 250 residents of Morrisonville accepted Dow’s offer to buy them out. If all 110 households, businesses, and the community’s church had decided to participate in the buyout, it would have cost an estimated \$10 million.

On average, the town’s 87 property owners who sold to Dow received \$50,000 to \$60,000 for their lots and homes, and renters who agreed to move were offered a minimum of \$10,000 in compensation. All households were given \$4,000 for moving expenses and, for those who signed up early, a \$3,000 bonus. If the home was moveable and the homeowner wanted it moved, Dow returned ownership of the home after the sale was completed. In addition, Dow hired a developer to build a new subdivision, Morrisonville Estates, to give residents the option to remain together as a community. Twelve families chose to do so.

### ***Reveilletown, Louisiana***

Like nearby Morrisonville, this community was established by freed slaves. Also like Morrisonville, this tiny town of 6-1/2 acres borders a giant polluting facility, the 950-acre chemical plant of Georgia Gulf Corporation. All but one of Reveilletown’s approximately 50 families has now moved. Families accepted buyout offers from Georgia Gulf as part of an out-of-court settlement of a lawsuit for health and property damage brought against the company in 1987 by approximately 30 of the town’s residents. In 1988, thirteen families agreed to sell their homes and 20 other families soon followed.

There is little specific information on this relocation because it cannot be discussed under the terms of the settlement agreement. However, we do know a few facts about this relocation. The 20 families in the second wave of relocations agreed to a total of \$1.2 million or approximately \$60,000 per household. Homeowners were required to move within 35 days after the sale and renters received only a “token sum” and were left to find a new place to live on their own. In addition, Georgia Gulf hired a contractor to build a subdivision two miles north of Reveilletown, near Morrisonville Estates, in what appears to be a house-for-house agreement. The development is called New Reveilletown.

### ***Baton Rouge, Louisiana***

Exxon has been buying homes and commercial properties bordering its refinery and chemical complex in Baton Rouge for years.

This buyout came after the rupture of a natural gas line at the facility in 1989 that set several large storage tanks on fire and led to 8,000 private damage claims. Exxon insists that the buyout is part of an ongoing project to beautify the area surrounding its plant - an area they have called a slum - and is not a reaction to the explosion. The so-called slum is a community - a neighborhood that organized to ensure residents received a fair price for their homes and businesses and compensation for their relocation.

Exxon negotiated with community members individually. Most were given a \$20,000 take-it-or-leave-it offer that did not take into consideration the devaluation of property due to pollution. The Garden City Community Alliance (GCCA), formed in 1991, developed a “Fair Replacement Value” proposal based on the Dow Morrisonville model to ensure that those who chose to leave would get a fair deal, and that those who chose to stay were protected from further pollution and a potential increase in crime brought on by vacant lots.

The GCCA plan called for renters to receive \$6,000 for relocation expenses and \$4,000 for moving expenses per household. Homeowners were to receive a lump sum of \$10,000 in addition to \$35,000 for relocation, \$4,000 to cover moving expenses, and \$37 per square foot of their homes (\$60 per square foot for residents who work out of their homes). Exxon refused to consider the proposal and continued to approach individuals to accept its cheaper offer.

GCCA had strong support from then-Senator Cleo Fields (D) and a few city council members. Fields even proposed legislation to guarantee communities a fair value for their homes in the event of relocation. In addition, GCCA was working to stop Exxon from expanding its facility. Many residents suspected the buyout to be part of a \$155 million expansion plan for the plant.

### ***Jacksonville, Florida***

Jacksonville is another example of a community divided. This time, Waste Management Inc. (WMI) was the responsible party that used divisive tactics. The community’s water supply was contaminated by a hazardous waste landfill that was operated by Waste Control (later bought out by WMI) and used for the disposal of waste produced by nearby Department of Defense and Naval facilities.

The affected community included 60 households. WMI approached only the seven households that were built wholly or in part on top of the landfill.

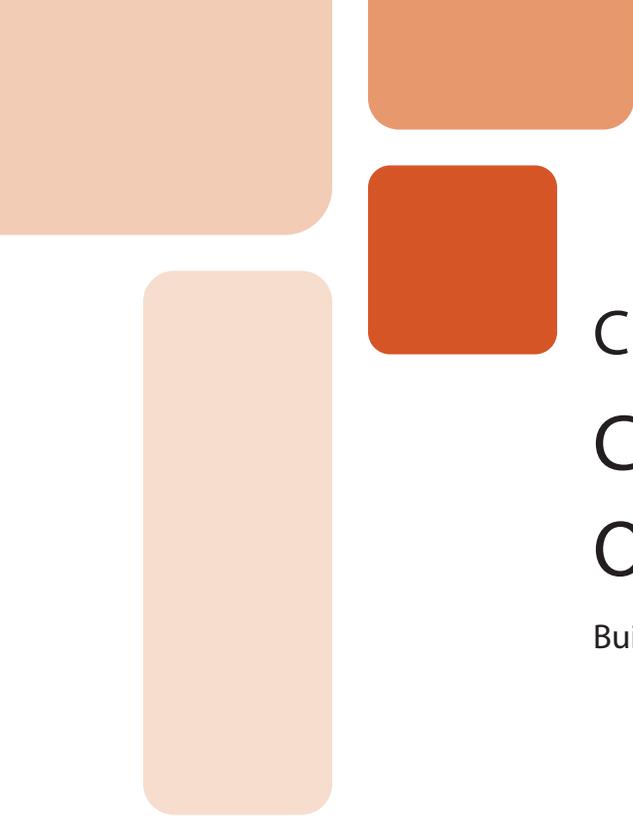
They negotiated deals with those homeowners for unknown amounts in 1987. Once these residents were out, the houses were demolished and the landfill was sealed with dirt.

No compensation was given to businesses or other institutions. The town paid to hook up a new water supply for those who chose to stay. These residents had to cover the cost of pipes and meters to gain access to the clean water.

## **Closing Thoughts**

The success of these communities demonstrate that winning relocation away from an unhealthy neighborhood can be achieved. Just like you, the residents of these contaminated communities had never before found themselves in such terrifying and uncharted territory. And, just like you, many of them had never organized their community around an issue of this magnitude.

Ultimately, each of these struggles and victories came as a result of citizens taking action on their own behalf and standing up for what they knew was right. Your group needs to decide if it is willing to do what it takes to win relocation. We hope the answer is yes!



## Chapter 3

# Community Organizing

### Building a Community Group to Win Relocation

The goal of relocation can be a great unifying or dividing force within the community. If you are to successfully relocate a community and win benefits for everyone who lives, works and plays there, you need to have a unified community and a strong community organization.

Community organizing is essential to enable a community not only to successfully obtain relocation for those who wish to leave and compensation for those who remain, but to fight for environmental justice. There is little point in trying to achieve your goals before you begin organizing your community. The following sections look at steps to establish and operate a solid community organization.

This chapter outlines a process for organizing your community that has proven to be successful in winning relocation. It is important to read through all the steps, even if you have already begun to organize or have an existing group. Not only will this be a good review, but it will allow you to evaluate and check off those steps you've already successfully completed.

As unfortunate as it might be, the fact that people are being poisoned by chemicals from the local toxic dump is not enough to win relocation. If it was as

simple as proving you're being poisoned, many more communities across the nation would have been relocated by now.

Most relocations have come about as a result of political pressure. Few have resulted from those in power wanting to protect the people in a contaminated neighborhood. A small group of dedicated people is not enough to win relocation benefits or a permanent cleanup of the contamination. It takes an immense amount of political pressure to force government agencies or the responsible parties to spend the millions of dollars you are requesting for compensation of your neighborhood. Since this is a long fight, it is important to build your organization for the long haul. When people join together, speak out for justice, and apply enough pressure on those who hold the power, people can win.

If you take a look at Love Canal, New York, and Times Beach, Missouri, you'll see that this was the case. At Love Canal, there were two large relocations of families living in that neighborhood. The first relocation of 239 families came in August 1978. That was three months before then-Governor Hugh Carey

was hoping to be re-elected to office. Residents of Love Canal put tremendous public pressure on the governor during his re-election campaign. It was that pressure, not the health problems, that pushed the governor to move the suffering families. The second relocation of 700 additional families came in October 1980 when President Jimmy Carter was running for re-election.

Even though conditions at Love Canal were quite dangerous, delays in relocation still happened. Fifty-six percent of the children born in Love Canal suffered from birth defects. There was a high rate of other reproductive problems, skin rashes, urinary diseases, cancer and other diseases. The chemicals found at Love Canal were some of the most toxic chemicals known to humans, including dioxin, benzene, DDT, lindane, PCBs and over 200 others.

In spite of the danger, New York state officials intentionally delayed relocating Love Canal because they believed it would set a precedent and create a snow-ball effect of other communities demanding relocation. The state had already listed over 200 other leaking dump sites in Niagara County alone. At the federal level there were over 30,000 estimated dump sites listed. Consequently, the relocation of Love Canal residents posed a major financial threat to the state and federal governments. Potentially, billions of dollars would need to be spent on the thousands of other contaminated communities that dot our nation. Love Canal residents figured out the politicians' fears and motivations and realized the main factors to move them were money and votes. As a result, the Love Canal Homeowners Association (LCHA) organized politically and channeled their energies into affecting elected representatives' campaigns. Politicians were moved into action because they needed to ensure their re-election.

The Times Beach situation was similar. They too were relocated because of political reasons, even though they were exposed to very high levels of dioxin - the most toxic chemical known to humans. At the same time that Times Beach residents were demanding relocation, the EPA was being

investigated for improper channeling of funds. The EPA Administrator at the time, Ann Gorsuch, and then - Superfund Program Director, Rita Lavelle, both had their heads on the chopping block. They were accused of politically maneuvering the Superfund money to protect the responsible parties for their wrongdoing and to help candidates in the Republican party get elected to office.

Both the EPA and the Republican Party were getting ripped to shreds in the media, and officials decided that something had to be done to make themselves look good - so they relocated the people of Times Beach. This relocation was front page news and put the EPA administrators back into the limelight with a positive image. The "let's do something" attitude was very evident in the way the EPA announced the relocation. Administrator Gorsuch made the announcement in the coldest, cruelest way. She held a press conference in a closed, locked room without giving the community direct access to the announcement event. The residents were forced to stand outside the room with their faces pressed against the glass to see and hear what decisions were being made about their lives and their homes. There was no opportunity for residents to ask Administrator Gorsuch a question or to react in any fashion.

These two events taught us a crucial lesson. **The way to succeed at obtaining relocation is to apply pressure to those in power - elected representatives, administrators of government agencies and CEOs of corporations.** You need the facts to back up your demands, but the true thrust of your efforts is best spent organizing a strong, vocal community group rather than gathering more evidence of harm.

The following sections of this guidebook are designed to help you organize your community to form a strong, democratically run grassroots group. With such a group you will - no matter how large or small your numbers - have the best chance of winning justice for all families in your community. Many of the steps suggested are activities you have never done before and may seem impossible or frightening.

Others had those same feelings, but have taken a deep breath and then gone out and successfully accomplished the task. You too must have the courage to take the risks, because what you are faced with if you don't is far more frightening.

There are eight steps outlined in this guidebook. We start at the beginning with the basic steps of organizing. These can be applied to any situation whether you have already begun organizing your community or not, or if you are wondering where to begin. If you take each step and adjust it for your community and your culture, you have a good chance of winning fair relocation.

Finally, these steps are drawn from the successful work done by many community groups. They have been tested and proven to be effective by people just like you. If your group gets stuck or you need help facilitating or building skills, call or email CHEJ. We'll be happy to assist you.

## Step One: Identify Who Lives And Works In The Community.

This first step can be done initially with your core group of people. Then you need to do it again with others, after you have organized enough people to come to your meeting. Since your core group will be asking others to come and join the group, this step will help these leaders identify how and what to ask their neighbors as they approach them.

When you identify your goal of relocation, you need to think about the implications of such a dramatic step on your community. Ask yourselves the following questions.

- Who lives in the community?
- Does everyone want relocation or do some people want to remain there despite the risks?
- Where do you draw the line that defines who leaves and who stays?
- What about the churches and businesses that depend on the community for financial support?
- How should each sector of the community be compensated?

These are questions you need to thoroughly think through before you go public with your demands. Why? Because these are precisely the issues your opponents will use to divide and conquer your community.

The question of who lives and works in your community should be the first question you address. One of the best ways to tackle this is to analyze a map of your community. You can either use Google Maps or an online version of an official map that lays out the community in parcels of land. If this is not available through your county's website, your county tax assessor should be able to provide you with such a map.

Lay the map out on a large table or hang it on a wall. Now mark up the map with everything you know about the area. Include the schools, churches, small businesses, homes, housing developments,

playgrounds, cemeteries and so forth. Next, draw a circle around the source of pollution. When the map is filled, you will be able to identify types and locations of housing and businesses in your community in relation to the pollution.

Now find a volunteer from your core group to write down everything you put on your map. List the names of the stores, churches, community centers, fire stations, apartment complexes and so on. This list will be used later and should include all the markings on the map that indicate places where people live, work and play.

### *Where Do You Draw the Line?*

The most difficult question to address is where to draw the boundaries. How far do you think the relocation should go? Why do you need to answer this? Because the first response you're likely to get from your opponents is, "Do we relocate everyone within ten miles? Where do we stop?" There is always a house just beyond the line unless, of course, there are natural boundaries.

Communities have answered this question in many ways: You relocate until you can assure us there is no problem. Or relocate homes until you reach an area where your tests come back clean. Another response is "yes, everyone who wants to leave should be able to leave whether one mile or ten miles from the site. If the homes are safe, you'll have no problem reselling them."

At Love Canal, the LCHA decided the line would be drawn where people stopped asking for evacuation. On all but one side of the neighborhood there were natural boundaries: a creek to the north, a river to the south and an open field to the east. However, on the western side there were blocks of homes. The western line was drawn at 93rd Street because the group couldn't identify people involved beyond that area. The LCHA never said it was necessary to draw the line there. They just stopped pushing for further relocations once 93rd Street was included.

It makes sense for you to sit with as many group members as possible to discuss where you plan to draw the line. It can be very divisive if you don't have a clear plan from the start.

### ***Who's Staying and Who's Leaving?***

When looking at your map, remember one very simple fact: Not everyone will want to leave. There has not been a community relocation that CHEJ has worked with where everyone in the community wanted to leave. There are always a number of families who want to stay. This issue can divide your community. To deal with this problem, talk openly with community residents about both options and never pass judgment on their personal decisions.

People are often concerned about providing for the needs of those who do not want to move. Leaders often fear that working with these residents would give mixed messages to their opponents. But providing for those who want to stay is actually very beneficial. Not only is it an issue of fairness for everyone, it can unify the community. We live in a democratic system and your group should be democratic as well, giving people the right to choose. If people choose to remain behind, then they too should be compensated for their suffering and be represented in the community's efforts.

The decision some families make about staying may be one of the most difficult decisions for many to understand. It is also easy for people actively trying to get out of the area to become angry at those who want to remain. If leaders express that anger it will only hurt and divide your community and weaken your chances for success.

People want to remain in these neighborhoods for many reasons. Who are we to judge them? Seniors are probably the hardest hit in communities seeking relocation. Many have lived there all their lives. They've finally paid off their mortgage and were looking forward to a quiet retirement and life in their community.

Where would they go and who would give a senior a loan at the age of sixty-five? Show some compassion for those who want to remain. Some may be scared, insecure, and unable to make the major change in their lives that relocation would involve.

There are ways to compensate those who decide not to leave. At Love Canal, LCHA won tax breaks for those who chose to remain. It worked on a sliding scale over five years. In fighting for the tax breaks, people who might have otherwise not supported the group could see a clear self-interest in helping instead of opposing the effort.

You must also address concerns for the businesses and churches that depend on the community for their survival. With your list from the mapping exercise think about what businesses, churches, and other institutions might want. Then go and talk with them one-on-one and pose these questions: If we were to win a relocation of the community, what can we do for you? What would you want so that you won't go bankrupt or suffer further from this problem? Taking this proactive approach will help to get more people working with you, joining your group and increasing your group's power.

At Love Canal, the churches were the most difficult to help as they do not "live there" nor do they pay taxes. Despite that, the local Methodist Church was extremely helpful to LCHA in providing space and assistance. They were genuinely concerned about their members attending services in the neighborhood.

So how do you go about identifying other specific concerns members of your community may have? You can begin in your core group meeting by posing the following three questions and then making lists of the responses.

- 1) *If you want relocation, what would you like in that package? Make two lists - one for property owners and one for renters.*
- 2) *If you want to remain in the community, what would you want? Again, make two lists - one for property owners and one for renters.*

3) *If you are a business or other institution, what would you need?*

Some likely responses by property owners who want to evacuate are as follows: We want full market value for our homes (value of the home without the source of pollution); we want “sweat equity”—money for improvements we made to our homes; we don’t want to pay today’s market price for interest on our new mortgages; we want another home built for us outside the contaminated area; we want salvage rights to remove fixtures, windows, etc. Both property owners and renters seeking relocation will probably want reimbursement for moving expenses and utility hookup costs. Many may want their children to finish out the school year in the same school with some transportation provided. Some residents will want some time to move, maybe a year, so they can leave when they are ready. In addition, renters may want a lump sum to help find new housing they can afford.

People who want to remain in the community after the relocation may want a break on their property taxes; assurances of security patrols and maintenance of the community since parts of the neighborhood will be empty and ripe for vandals; and to be allowed input on future planning and development of the neighborhood. They may demand a permanent total cleanup of the community and complete environmental testing to determine the extent of the problem, ongoing monitoring to determine the effectiveness of cleanup and remediation, and health monitoring for themselves and their children. Those who stay might also want their health and life insurance benefits paid in full.

Businesses may want to be bought out or provided with low interest money to begin somewhere else. They may want a break on property taxes and money to advertise to find new customers and clients.

## Step Two: Identify The Problem

You think there’s a toxics problem in your community. Usually, people express their first observations as:

- 1) *“We’ve been seeing (or smelling) strange things.” People describe odd colored run-off from a site, a cloud coming from a suspected polluter, an oil slick, strange odors in the air, bad tastes in their drinking water.*
- 2) *“There are a lot of illnesses in our community whenever Chemikill Industries is operating.” People will describe symptoms experienced by themselves, their children, other family members or even pets or livestock.*
- 3) *“We have a cluster of illnesses (or deaths).” People talk about the number of people in their community who have died recently or who have become gravely ill.*

These types of concerns often motivate people to become involved in the group’s efforts. Most feel that if they can prove that the pollution is hurting people they can make the polluter stop, or at least get the residents moved out of the area. People are emotionally compelled to find out why people have died or become ill or to collect data to prove contamination in hopes that those in power will then do the right thing. Collecting information is a good beginning. You can begin by identifying the polluting sites in your community.

You can discover more about your local pollution sources by checking the websites of or going in person to your local planning board, city or town hall, fire department, county health department and local newspaper’s archives. Through the town or county government (Registrar of Deeds Office), for example, you can usually find out who owns the property where you suspect there might be contamination. Sometimes you can tell from the deed how the land was used. The local planning office can tell you what licenses or zoning permits were issued for the property. The local health department might be able to tell you if they’ve received any complaints or issued any citations. It is possible that your town or county



might even have an official or office specifically responsible for dealing with environmental problems. Your state environmental agency may also provide relevant information from their files.

If you are concerned about plant emissions and discharges, you may want to contact your state or local Emergency Planning Committee. They collect discharge, disposal and storage information from industries as required under the Community Right-To-Know Law. This law was added to the federal Superfund law in 1986 after people like you lobbied Congress for it. The Toxics Release Inventory (TRI) database (available through the EPA's website) also provides data on chemical releases from thousands of facilities in the US. Only certain chemicals and industries are included in the TRI, but the data can help you flag certain types of polluting facilities since the information is easily accessible to the public.

Your elected representatives at the city, state and federal levels should respond to any inquires. All senators and representatives have staff people whose job is to provide constituent services, including helping citizens in their districts find this kind of information. These officials can provide key information as well as the names of other people in relevant agencies that you should contact. They also have the telephone number and address of the Right-To-Know Committee chairperson if you cannot find them yourself.

By contacting your elected officials, you can accomplish two important things. You get valuable information and let them know that you're concerned.

Be specific. Whenever you ask anyone to help you, be clear about what you want and establish a "verbal contract" in which you reach a mutual agreement about when (two weeks, one month, etc.) you can expect action. Follow up verbal conversations with a letter or email saying, "I'm following up on our phone conversation of [date] where I asked for [what] and you agreed you'd have a response by [when]." This way you have a record of the conversation to remind them of their promise and to make it clear that you're serious.

This is the informal process for acquiring information from government agencies. This process is preferred over the formal process, which is to use either your state's "open records" law (nearly every state has one) or the federal "Freedom of Information Act" which applies to U.S. government agencies. It's preferred because the informal approach is usually faster. However, you should not hesitate to use either the state open records law or the federal Freedom of Information Act on any agency that does not respond to your informal requests.

These laws give you very specific rights to information. The federal law and most of the state laws define what types of information you are legally entitled to receive, how quickly the agency must respond, and the rules for making you pay for the information (if the agency decides to charge you in order to fulfill your request).

Generally, you can assume you have a legal (if not moral) right to any information except trade secret information that violates confidentiality or information relating to personnel matters or ongoing law enforcement investigations. Most freedom of information/open records laws require a response within ten days. The catch is, at least with the federal law, the "response" could be as useless as a postcard from the agency that says, "We received your request and we'll get to it when we can." Most of these laws require the agencies to pass along to you all reasonable costs for finding, copying and mailing the information, but these laws also give the agencies the discretion to waive any costs.

Nowadays, you can request information using the Freedom of Information Act through the US Department of Justice's website if the information (agency record) that you need is not already there. If you do not want to use email, a Department of Justice web form, or fax, many agencies and non-profit groups can give you a standard fill-in-the-blanks form letter to implement the Freedom of Information Act. These can be very handy. The easiest way you can exercise your rights is with a simple letter or email that says, "Dear Mr. or Ms....: I am requesting under

the Freedom of Information Act all correspondence, memorandums, reports, soil, air, and water tests and analysis...” Include your name, address and phone number in the request so they know where to send the information and who to call if they have any questions. All requests must be submitted in writing.

Once you have collected enough convincing information to show that there really is a problem in the community, stop researching. Leave the remaining research for others who join the group later. Too often, grassroots leaders get so hung up on doing the research that they start saying, “I don’t have enough information yet. I must get more facts before I can talk with my neighbors, before we start organizing and certainly before we start to take action.” Some concerned citizens never get past the fact-finding stage and turn into what is affectionately called a “data fanatic.” At CHEJ, we have known people who have taken this mania to such an extreme that they have actually had to build additions to their homes to store all the information they’ve collected. Others drag around a truckload filled with information everywhere they go.

If you expect to find all the facts before you act, you will never act. When you fight for environmental justice, you need enough information at the beginning to feel secure about your ability to discuss your concerns. As your fight continues and expands, there will be more information to collect. You can establish fact-finding as a job within your organization to give new members something meaningful to do. You can use this task as a way to build commitment among new recruits who are interested in investigating the problem.

### **Step Three: Building People Power**

Organizing a community around relocation is not as difficult as you might think. Virtually all community members are affected by the problem. Their health may be at risk, their drinking water poisoned, their property worthless, or their business damaged. Your concerns can also be translated into a taxpayer issue. People get involved in an organization when they see that they have a self-interest in getting involved and by getting involved there is hope of addressing that self-interest.

If you are prepared to discuss “pocketbook” issues and “nuisance” problems, as well as health and environmental concerns, you should be able to appeal to everyone’s self-interest, giving them a reason to get involved. If you haven’t done step one with your core group yet you might want to take the time to go back and do so. This way you have some insight into what might motivate people in your community. It is important to get people involved if you plan on pulling together a large enough group to achieve relocation of the community.

#### ***First Steps in Organizing***

The first step in organizing is to educate the community about the problem. There are several ways to accomplish this task. Contact your local newspaper, TV and radio stations and tell the environmental reporter what you have found. Invite the reporters to your house to show them the documents you have collected. In some company town communities where the polluters own the media, it may not be possible to obtain favorable media coverage. Yet it is always worth a try because any type of coverage will assist community involvement. There is a saying that if it’s written in the paper or announced on TV, people will generally take it as fact. If you have a clear message that speaks to people and is easy to remember, media coverage can be especially effective.

If you already have a blog, you can also promote your cause with a post or a series of posts. If you don't have a blog or don't have many readers, see if you can write a guest blog post on a popular site. You can also use Twitter to share news and events with your community and to raise general awareness.

A media and messaging toolkit, including tips on online organizing, is available for free on CHEJ's website:

(<http://chej.org/assistance/organizing/organizing-media-outreach/> or search "Media Toolkit" on chej.org).

Once you have created a community group, you can also set up a facebook page to keep members and other interested people updated on your fight for relocation. There are many ways that you can use social media to bring in new members and keep current members informed. Blog and Twitter posts can also get the attention of media outlets and local politicians.

Next, prepare a fact sheet. When writing this fact sheet remember that you now know more than anyone else in the community. Therefore, don't assume that people already know about the problem. A simple, one-page fact sheet will serve the purpose. Include the following information in the flyer: your name, address and telephone number; the location of the source of pollution; what chemicals people are being exposed to and at what exposure level; how the chemicals are getting into the community (air, water, surface contact); what types of health effects may result from exposure to these chemicals; who owns or originally caused the contamination; and the effects on property values and businesses in this area. You may also want to mention nuisance issues such as noise, odors or traffic. Finally, state that some families want to be relocated and are looking for fair market value of their homes, while others want to remain but want a tax break because of the decreased value of the homes until cleanup is completed. Also include that businesses are concerned about lost customers and want funds to move and advertise for new customers.

The purpose of a fact sheet is to both educate the community about the problem and tie the problem to the personal lives of residents. If community members think they are directly affected, they will likely join you in your efforts to push for action on the problem. The way to ensure community involvement is to present the problem broadly so it applies to everyone. Remember, not everyone cares about health effects. People may only care about property values, nuisance issues, relocation benefits or compensation of some sort.

Another interesting way to help people see how they are affected is to pass out a map with a bulls-eye target on it. You can either draw a rough sketch of the neighborhood or obtain a map from the city or county government. The center of the bulls-eye is the pollution source. From there, draw circles around the areas thought to be affected by the problem in reference to health effects, environmental degradation, property values and nuisance issues.

Now, you must be wondering how to distribute these fact sheets. You can either distribute them before you go door-to-door or actually hand them out as you speak with your neighbors. The advantage of distributing them before you go door-to-door is that your neighbors will have had an opportunity to think about the problem and digest the information you gave them. If you decide to use this method it is best to distribute the fact sheets a week or two before visiting them at the door. As a result, the issues will be fresh in people's minds and they will be more interested in listening to you. It will help to mention your door knocking plans in the fact sheet and suggest that they think about questions they may have for you when you arrive.

### ***Door Knocking***

There is no substitute for door-to-door contact with people. This type of contact is a basic building block of organizing. You can write all the fact sheets you want and call all the elected officials in government, but it is the face-to-face contact with people in

the community that will be your biggest payoff in organizing a strong community organization. It will also be good experience for you since you'll have to go door-to-door or somehow talk with people later when you begin to collect the information on what residents want in a relocation package.

Knocking on strangers' doors is always a bit frightening at first, but once you have knocked on a few doors it becomes easier. Similar thoughts race through everyone's head. Will they slam the door in my face? Will they think that I am crazy or causing trouble? In preparing to go door-to-door, there are several things you need to think about that will make this task easier.

First, organize what you are going to say. You need to put together a "rap" to use at the door. Successful professionals who canvass for money start their rap with, "I am... We are... This is... We want..."

Second, bring a notebook to record information gathered during your door knocking. It makes sense to write down all the information volunteered by your neighbors to avoid future confusion over who said what.

Here's how you can use the same approach. "I am [your name]. We are a small group of families concerned about... This is a fact sheet about... We want you to attend a small meeting next Tuesday at our local fire hall to discuss our concerns about this problem and see what we can do together as a community. One issue families want to discuss is that some people want to be relocated, others want to stay, and the businesses are worried about customers. We need to figure out a way to help all of these people so no one loses."

Once you have memorized your "rap," practice it in front of a mirror or try it on your family and friends. As you go door-to-door, people will give you a lot of information. You will get a good idea of the magnitude of the problem in the community. You will also develop name and face recognition with your neighbors and begin to build trust between you and the community.

Third, before going door knocking, select a date and find a place to meet with neighbors who want to discuss the problem. You can create a flyer listing the time and place of a meeting, or simply add the information to your fact sheet.

Fourth, you can circulate a petition in your door-knocking activities. You don't need a lawyer to write the petition, you just need to write something simple. "We the undersigned residents of Our Town, USA, petition the local/state government body to... [do something...]" - to test the area or do whatever you want. Circulating a petition has two purposes. It will give you the names and addresses of people in the community whom you can later contact, and it will show the powers-that-be that there are many voters concerned about this issue.

You can also create a short, anonymous questionnaire to distribute when going door-to-door to collect information on how many residents want to relocate and what they are looking for in a relocation. This will also get people interested in the issue and help motivate them to come to your meetings. If no one is home, you can also leave a cover sheet with the questionnaire asking residents to call you to answer the questions over the phone. A questionnaire similar to what residents of Wagner's Point, MD used to begin organizing their community is included at the end of this guidebook.

## Step Four: Building People Power

So far, you have put together a fact sheet and gone door-to-door and talked with your neighbors. You are now ready for the next big step - holding a community meeting.

The first two things to think about when setting up this meeting are the location and the date. Not many people will attend your meeting if it conflicts with another big event in your town or with the highest rated TV show or if it occurs during the World Series. Check with others to find out what else is happening on the selected date. Choosing a location close to people will bring a larger audience. A neighborhood school, library, church, or community center are good choices. These institutions are also less likely to charge you for renting the space. If you expect only a small number of people to attend, the meeting can be held in someone's house or yard.

### *Prepare an Agenda*

After you decide the time and location, it's time to prepare an agenda. The agenda should cover pertinent issues and give the meeting substance and direction. The agenda could include an introduction of yourself and background information on the problem. Then, open the floor for discussion and questions. After some general discussion, you need to move to the next step. Find out what people want to do. Do they want to set up a community group? What does the group want to accomplish?

Don't try to do everything at this first meeting. It won't work and everyone will leave confused and frustrated. Instead, plan a two-hour meeting during which you define what the next meeting will cover. It is important for people to know where the group is going and when the group will talk about particular issues.

### Meeting Checklist

- Find a nearby location
- Prepare an agenda beforehand
- Post agenda at meeting
- Identify volunteers for sign-in sheet and to give out information
- Start and end on time
- Review decisions made

### *The Meeting*

Before the meeting starts, post the agenda on a large piece of paper at the front of the room. It is also helpful to have other large sheets of paper and markers available for use during the meeting.

Have a volunteer sit just outside the door to pass out fact sheets and agendas and to make sure people sign in before entering the room. You want to collect a list of names to refer to for future meetings.

The meeting date has arrived, and here you are standing with a few friends in front of 15, 25, or 100 people. Before you bolt from the room with fear, remember these are your friends and neighbors who share your concerns. They are there because they want to hear what you have to say.

Open the meeting by introducing yourself and others who are working with you. Explain to the group what you are working on and what you have discovered

so far. It is important to start from the assumption that people know little about the situation so that everyone will be brought up to the same level of understanding and feel comfortable participating at the meeting. Keep your presentation simple and short.

Then open the meeting for general discussion by asking if anyone has any questions or other information to present. General discussion is important to give people a chance to speak and feel part of the meeting. This discussion can go on for as long as it is productive. Be sure to address what people want to do about the problem. Do they want to start an organization? If so, take a vote to establish a group. People are also likely to express what they want, either relocation or cleanup of the contamination so they can remain in the community. You won't be able to address all of the goals at this time but the discussion will give you a good idea of what people may want.

It is important to start the meeting on time. If you begin the meeting late, people will come late to future meetings. If the meetings are too long people will hesitate to come back. You will not be able to fully establish an organization at the first meeting, so don't push to accomplish that task. At the end of the meeting, you might want to go over what you did accomplish. "We have all discussed the problems and now have a better understanding of the issues. We have decided to establish a group to fight for action on this site. And we have agreed to meet again next... I really feel good about what we have done this evening." This summary will give people a sense of accomplishment and empowerment, and will encourage them to come back.

Since it is impossible to do everything at one meeting, hold several meetings. Ask for volunteers to work on certain tasks for the next meeting, such as thinking up some options for a group name or distributing flyers to homes in their section of the community. Two important decisions the newly formed organization will need to make are 1) what the group will call itself and 2) what its goals are. A name is important for

identification. If you are a group with a name, you are more powerful than an ad hoc group of individuals. Determining the group's goals is probably the most important decision. The goals of the group will determine who joins and who doesn't.

### Step Five: Set Goals

Setting goals is critical to a group and must be done by as many people as possible. The community group's goals should never be set by a small number of core leaders. When core leaders make these decisions without others, the rest of the community never really feels like they had a part in the decision making and are less likely to participate in the activities of the group. You can do the following exercise at a community meeting to help your group decide its goals.

- 1) *Ask people to tell you what they think the goals of the organization should be.*
- 2) *On a large sheet of paper at the front of the room, list suggestions and goals from the people at the meeting.*
- 3) *Then ask the group to rank the goals listed. What are your top ten goals? Top five? You could end up with 50 goals to sort through including everything from working for world peace to getting the community relocated. One way to make this ranking task easier is to hand out small sheets of paper and ask folks to write down their top five goals and then have volunteers collect and count them. Or if your meeting isn't too large, you can break people up into small groups and ask them to decide and report their top five list back to the larger group.*
- 4) *Next the group needs to decide how to handle these goals. For example, you might decide to work on the first five goals and, as the goals are won, move down the list. The reason behind ranking is to keep the group focused. If goal #29 is to rid the world of caterpillars, you really do not want to establish a committee now to spend time studying the caterpillar population.*

It's important for everyone to define and agree on the organizational goals. The beauty of this exercise is that the craziest goal will fall to the bottom without making the person who suggested it feel left out. You will also obtain insight as to what people care about to help you later when formulating group activities.

### Step Six: Set Up The Organization

Now that you are clear about what you want, you need to establish a working organization. This is a very important section, even if you already have an organization started. The points discussed here will be valuable in guiding the continued operation of your group.

Begin by identifying more people in the community who are willing to become directly involved. Getting people involved and keeping them involved is not difficult if you set up an organization in which they feel they have a significant part. Furthermore, you will need a good number of people involved to accomplish the goal of relocation. It takes quite a bit of time and a large number of people to convince government officials or the responsible party to spend the amount of money you'll need to relocate all those who wish to leave and to compensate those who choose to remain.

There are three typical formats for structuring a community organization. The most common organizational design is the pyramid. This style consists of one person at the top, usually the founder of the group. Under that person are several others, usually 5 to 10 people, who are mainly friends or a "clique" within the group. At the bottom of the pyramid is the rest of the community. Generally, the "clique" and the leader/founder make all the decisions, do all the work and complain all the time about how no one else in the community will get involved. Leaders get burnt out pretty fast in this style of organization.

The second type of organizational design is the consensus group, sometimes referred to as the blob. There are no leaders, and everyone must agree or reach consensus before any action is taken. As

a result, these groups take forever to accomplish anything. People generally become very frustrated attending meeting after meeting with no concrete decisions being made. This group is also the easiest for your opponents to infiltrate and control. All the infiltrator has to do is disagree, and all decisions are halted.

The third organizational design requires more energy to enact but is ultimately much more effective. This design is called the wheel. Everyone's skills and talents are used and it works very simply. At the center of the wheel is a hub, and from the hub comes many different spokes. Each spoke on the wheel represents a standing committee. Sample committees include outreach, health information, fundraising, and action.

Each committee elects its own chairperson and co-chair. The committees call their own meetings and decide their course of action. Then all of the committees come together to present their ideas to the entire group.

The chair and co-chair of each committee report to the hub the specifics of what they want to do, what they are already doing and the results of their activities thus far. This way, everyone can both share and coordinate the activities of the organization. For example, if the action committee was going to plan a protest, they would need to coordinate that event with the media, allies, and education committees.

The wheel also attracts people because they work on what they think will win rather than having to agree on one specific approach. The "spokes" give people diverse groups to join. If someone only wants to protest, then he or she can join the action committee. But if someone thinks protesting is a terrible and frightening thing, then he or she can help with the educational or fundraising activities. At large group community meetings, the chair of each committee or "spokes" person gives a brief description of what his or her committee is doing and asks for votes when necessary. He or she also encourages people to join in to help and asks for other ideas.

## Step Seven: Focus On Getting The Community Relocated

Now that you have a name, a group of interested people, an organizational structure and some general goals, it makes sense to focus one of your group meetings on the specific goal of relocation. In this exercise you need to repeat what you did as a small group in step one. Ask the group three questions:

- 1) What would they want if they were relocated?
- 2) What would they want if they stayed?
- 3) What would businesses, churches, or other institutions want?

You can do this with the large group the same way you did with your small group. Post several pieces of paper at the front of the room and make the lists. (It's always interesting to see how similar your small group's list is to the larger group's list.)

Secondly, the group must decide where it wants to move to, and how to make this happen. Local groups must decide what type of relocation they want. Do people want to be given money to move anywhere they choose? Do families want to build a development of homes somewhere and move the entire community there? Some communities, like Centralia, Pennsylvania, chose to move the entire community to "New Centralia." In Ciudad Christiana, Puerto Rico and at Savannah Place, Georgia, the government built new communities and, unlike in Centralia, these families had no choice but to move into these new communities. They were never given the option to receive cash for their homes. At Love Canal, in Jacksonville, Florida, and at several other sites, families were offered compensation for their contaminated homes and could move anywhere they wanted.

Your group may choose compensation and a new development. For the people who want to stay together, it might make sense to build a small community of homes and essentially trade houses - one bad for one good. For the people who don't want to stay together, the group could work for the option

of receiving money for their homes and moving somewhere else. Either way, your group should decide early on or you might be forced to move into a "new neighborhood home" instead of receiving compensation for your home.

In several communities the residents wanted to hire local people to build the new homes, making the relocation an economic benefit as well as a safety issue. Your group may want to discuss this option at some point.

## Issues For People Who Are Relocating

There are many costs involved when you move from one place to another. These costs are quite high and should not be your responsibility to pay. After all, you didn't create the problem that caused the need for relocation. It is not unreasonable for your group to negotiate these costs with those who have agreed to move you. (You can probably think of other costs not discussed here.) In most states, the Department of Transportation pays these same costs when they move people for road construction or other development projects.

### Moving Costs

It is expensive to move an entire household of furnishings. This becomes a real hardship for seniors or those who are physically unable to move themselves. Ask for compensation to pay for professional movers to assist families who want this type of help. They could give you a set amount of money to either rent a truck and do it yourself, or hire someone to do it for you.

### Utility Deposits

It is expensive to pay for turning on utilities and putting down deposits. The telephone company and the gas company both charge to come out to turn on your service. These costs are even more of a hardship for families on fixed incomes.



**Interest Differentials**

If you are currently paying six percent interest on your mortgage and a new mortgage costs ten percent, your monthly mortgage payment will be significantly higher. This additional amount could make it impossible for you to finance a home of equal value to your old home. In your relocation negotiations, be sure that interest differentials are covered.

Watch what happens to the price of new housing when sellers hear about the relocation of an entire neighborhood. Sellers and realtors know you need a place to live and, because these stories are well covered in the media, they know about how much money you'll receive for your old home. Because of this, the housing market may jump in price in the immediate area. Not all realtors are evil; it's the seller who suggests the first price for his or her home. But it might make sense to rent temporarily until the market settles down.

**Transportation Costs**

Unless you are moving the entire community to another location, families must look for a new place to live. This is a hardship for many people.

Parents (especially single parents) may need help with child care so they can spend time looking for a new home. Funds should be available for those people who need help. If you are unable to secure the funds, then maybe your group could help by transporting those in need and providing child care through volunteers in the community.

**Appliances**

If your existing home has built-in appliances and your new home does not, money to buy new appliances should be included. This is especially important for renting families because they cannot take the appliances with them and not all rental properties come with appliances.

**Schools**

Your children may not be able to attend the same school as when you lived in the contaminated neighborhood. This can pose a problem for some families. Children in junior high or high school often don't want to leave their school; they want to graduate with their friends. You may want to ask the school board if an arrangement could be made for these young people.

If something can be arranged, remember that many school districts require students enrolled from outside the school's defined district to pay tuition. Also, you'll have to work out how to get the children from their new homes to school. These obstacles can be overcome, but it will be easier if you inquire about them from the beginning of your fight.

Younger children may have difficulty adjusting to their new school. You could ask for special counseling to help them adjust to their new school and surroundings. School systems generally have counselors on staff to help with such problems. Remember, the problem of poisons in your community is difficult for you to grasp. Think of the difficulty young children may have.

**Cemeteries**

Cemeteries were an important issue in Centralia, Pennsylvania. People did not want to leave their loved ones in an unsafe area where it would be difficult to visit the graves. If this becomes an issue, graves can be moved to another site.

**Issues for Renters**

Renters who are relocated have additional needs. For example, they must pay a security deposit on their new place and may have difficulty doing so, especially if it is higher than the deposit they get back from their contaminated home. This difference should be covered.

### **Affordable housing**

Safe, affordable housing can be hard to find. What happens when the entire community is in need of low income housing? This critical issue must be thrown back at the agencies that are dealing with the problem. These families cannot fall between the cracks. In Forest Glen, New York, a family renting a home in the neighborhood was told to evacuate because of contamination. Investigating agencies found serious problems in the community and were concerned for the health of young children living there. The parents tried desperately to move their five children to protect them, but no one would rent them a place. Their income was too low or they had too many children. To ensure that this doesn't happen to anyone in your community, negotiate supplemental financial compensation for families with special circumstances.

## **Issues for People Who Decide to Stay**

### **Tax Breaks**

This is generally an easy issue to win for those who choose to stay. Since people are evacuating the neighborhood, there is clear evidence that the homes are not worth what they once were. At Love Canal the residents won tax breaks for those who stayed behind. It worked in increments. The first year they didn't pay any property taxes. The second year they paid 20 percent; the third year, 40 percent; the fourth year, 60 percent and 80 percent the fifth year. The planners assumed that within five years the canal would be cleaned up and the properties would return to their original value. The state reimbursed the city for the lost taxes. In reality, the canal neighborhood did not come back in five years, so residents who remained continued to fight for an extension of the tax breaks. Try to include a provision to extend tax breaks until the cleanup is complete.

### **Security**

Vacant homes stand as an invitation to vandals, arsonists and others. It is not unreasonable to ask for 24-hour security patrols. A fire in an abandoned house could be very dangerous to neighbors. Groups of young people loitering in vacant houses may also make residents uncomfortable. Without some type of security, you're likely to find burned out homes, graffiti, street gangs and other unpleasant visitors in your once peaceful neighborhood.

### **Neighborhood Upkeep**

It is important to hire someone to keep up the community, especially the vacant areas. Overgrown grass and vegetation is ugly and garbage left behind or dumped invites rats and other vermin.

### **Future Development**

It is not unreasonable to insist that people who have chosen to stay must be a part of any future planning for development of their neighborhood. They should have a vote in what happens there.

## **Issues for Businesses, Churches and Other Institutions**

### **Buyout**

Many businesspeople are nervous about moving their businesses. They have people who have bought goods or used their services for years and they are afraid to lose this connection with folks. Although moving a business is not easy, it may be their only course of action. When asking for a buyout, consider that this sometimes means not just purchasing the building but in some cases purchasing the goods as well. People may not want to buy products that have been moved from a contaminated neighborhood. Depending on the type of contamination, it's not unreasonable for potential customers to fear that the goods have become tainted as well.

### ***Low-Interest Small Business Loans***

Many businesses will need money to begin somewhere else. They need to conduct a market survey to identify a new location that has a need for their products or services. They then need to advertise, purchase equipment, etc. Therefore, it is reasonable to ask for low interest loans for the businesses or institutions.

### **Step Eight: Identify Your Targets**

Now that you know what you want, you have to figure out who can give it to you and how your group can make them do that. After establishing your organization and setting goals, it is time to identify your targets. Again, making a list helps. There are three key questions to ask the group:

- 1) Who is responsible for the situation?
- 2) Who can give us what we want?
- 3) How can we make he/she/them give it to us?

The first question will lead to a list of industry polluters and the government agencies that have given them “a permit to pollute.” The second question will generate a list of government officials ranging from local officials to the President of the United States. These two lists will overlap at times because often those responsible can also provide the solutions.

The next step in this exercise is to figure out how these people, agencies and corporations are vulnerable. What would make them do what you want them to do? One likely answer for all groups is public opinion. Industry hates bad publicity and elected officials are concerned about their image with the voters. You can also get the attention of customers and stockholders by filing personal injury suits against the company.

Your group might want to consider the EPA as a target; they have developed a program with the sole purpose of relocating residents that need to be removed from remediation sites. The Comprehensive Environmental Response, Compensation, and

Liability Act (CERCLA), which established the Superfund Program, gives the EPA the authority to permanently relocate residents and businesses as part of remedial action. The policy for the Superfund Relocation Program was drafted in 1999 with hopes of developing a final policy, but this was never completed. The EPA still follows the guidelines of the interim policy, also called the Permanent Relocation Guidance. EPA prefers effective cleanup methods and temporary relocation over permanent relocation of residents, but will relocate residents if necessary. The EPA will permanently relocate citizens if there are imminent human health risks or the homes and buildings prevent the cleanup from being implemented. The agency is also susceptible to organized public pressure.

When relocation is determined to be necessary, the EPA develops criteria that are specific to the site. The relocation of one’s home is not up to the resident; it must fit into the given criteria. The Superfund site in question does not have to be on the National Priority List to be considered for relocation. The EPA will acquire the property through CERCLA funding, with the state taking over ownership of the property when the remediation of the area is complete. The Permanent Relocation Guidance requires the EPA to inform the community members as soon as they begin working on a site, and to allow the community to become involved. The EPA’s Technical Assistance Grant (TAG) program is a good program for residents to use. This program provides grants of up to \$50,000 to communities so they may hire a relocation expert or other independent advisors to assist in the decision to relocate as well as the process.

### **Choosing Strategies and Tactics**

Communities generally use three kinds of strategies (or a combination of them) when faced with an environmental problem. People usually fight legally, scientifically, and/or politically. Although few communities look at all three as complementary strategies, together they are very powerful. Here we outline the benefits and limitations of each strategy.

### **Legal Strategies**

Community groups that use a legal approach need plenty of money and time. In order to fight legally, you must first prove that the chemicals you are being exposed to have harmed or will harm you in some way. When you find an attorney who is willing to help you and file a suit, two things will occur. First, you'll lose members who now believe that the lawyer will save the day. The fight has moved from the community to the courts. Second, you stop receiving information and testing results from your opponents because of your pending litigation.

Investigating routes of exposure (how the contamination got from the dump or plant to you) for your legal case may cost several million dollars. Even if you establish a route of exposure, it is nearly impossible to prove that your problems are a direct result of chemical exposures and are not caused by something else.

However, the largest limitation to the legal fight is that it is not illegal to pollute. Industry is actually given permits to pollute by state and federal governments. In cases where there are no standards for pollution levels, such as in residential exposures, the chemicals are seen as innocent while you are guilty of hysteria.

The advantage of a lawsuit is the possibility of winning compensation (money) for your suffering or lost property values. The operating facility may be shut down if it is in violation of the law. Often, the best use of a lawsuit is to stall actions by the government and polluters while you organize.

### **Scientific Strategies**

Fighting scientifically also has its limitations because only a small amount of scientific data is useful for your purpose. Very little is known about what happens to people who are exposed to low level mixtures of chemicals. Scientists have barely scratched the surface of understanding how chemicals harm people. They know even less about

how multiple chemicals interact to make cumulative exposures far worse than the sum of the hazards of the individual chemicals.

Fighting scientifically essentially means looking for the “magic fact” that just does not exist. No matter how compelling the data, science alone will not win a victory for your community. In community after community, people have documented startling health problems. In San Jose, California, a high rate of birth defects was found among children, and at Love Canal, 56 percent of the children were born with birth defects. Women living at Love Canal also experienced a high rate of other reproductive problems. In Woburn, Massachusetts, there was a high rate of childhood leukemia. In Brownsville, Texas, there was a cluster of children with brain cancer. None of these terrible findings alone moved the polluters of these communities into doing the right thing.

Communities that fight primarily using scientific facts often suffer from “dueling experts” syndrome. For example, the community brings in one scientist who says they have a problem. Then the government or industry brings in two other experts who say there is no problem and no cause for alarm. People at the group's meetings become confused because they don't understand the technical arguments or jargon used. They either doze off during the meetings or stop coming altogether. They have no role and no say since the battleground is now within the circle of science, which many community members will feel is well beyond their expertise. The discussions and debates are above their heads and they can't understand the arguments. If your group falls apart because of this, you will have little power to effect change.

It is quite normal to feel that if you prove there is a health problem or an environmental threat in your community, “they” will do something. Although this appears to be common sense, it is a bit naive and simply untrue. If a problem is identified, the solution will cost millions of dollars. Neither the government nor the polluting industry wants to spend that amount of money to fix it unless the public demands action.

If communities are not well organized, they often lose this scientific fight. Their scientists are labeled as biased or as radicals, never as mainstream scientists, despite the fact that they do sound scientific work. Amusingly, scientists who work for the government or industry are seen as credible, despite the fact that they too are biased (many sit on government committees). The arguments you face here are the same arguments you will face in trying to prove cause and effect through the legal approach.

On the other hand, there are several advantages of using science in your fight. First, the information provided by your scientists gives your group credibility. Their studies can show that you are not just making up these horrible stories. Second, scientific information gives people some information on the types of health problems in the community so they can make decisions. For example, if the information indicates a high possibility of having children with birth defects, community members may want to have testing done during pregnancy to check on development, or pregnant women may want to stay at a relative's home in another area until the problem is resolved.

### **Political Strategies**

A political strategy means exercising your constitutional rights through democratic action. This strategy involves the most people and enables the public to hold public officials and corporations accountable. The focus is on those who hold elected positions. Proof becomes much less of a burden, because you are trying to change public opinion rather than proving your case “beyond the shadow of a doubt.” Reaching an elected representative or corporate executive is a much more achievable goal than presenting doubt-free scientific evidence. Public officials have local offices or homes somewhere in your state. Political fights also cost less than legal or scientific fights.

History has shown us that relocating a community, cleaning up a dumpsite, or forcing an existing

industry to clean up its discharges is best accomplished through political channels. For example, the first relocation at Love Canal came as a result of the pressure from Love Canal residents while Governor Carey was running for re-election. Love Canal residents followed him everywhere, including to black-tie fundraisers. They carried signs and distributed fact sheets and press statements at all of the governor's events. Residents held the governor personally responsible for the Love Canal situation.

In Times Beach, Missouri, residents were relocated at a time when high-level EPA officials were embroiled in a scandal. Rita Lavelle, head of the federal Superfund program and Ann Gorsuch, the EPA Administrator, were about to be thrown out of office, and the EPA was being criticized in every news media in the country. The EPA needed to do something big that would draw a lot of attention and make them look good to the public. Thus, the EPA approved the relocation of the Times Beach residents.

Legal and scientific information and tactics can support political strategies. For example, you can use the scientific information you have gathered to put pressure on the governor by saying, “Fifty-six percent of our children have been born with birth defects. How many more will you, Governor, allow to be subjected to these poisons? How many more children must be born deformed before you act to protect them?”

Citizens who are backed with sound scientific data and are ready to take action have historically proven to be most successful in forcing politicians to act.

### **What is Your Plan of Action?**

There are many options open to an organization that wants to apply pressure, educate the public, or relieve tension within a community. However, you must be careful not to overuse or burn out members through too many activities. Each action must be carefully calculated. Ask yourselves these questions: What do we want to accomplish with this action? Who is our target? Should we take this action now or wait for a better opportunity?

Carefully plan these activities for times when things can be accomplished. If your action is successful, people are likely to come out for the next one. They will feel good about the group and about themselves.

### **An Action is Useless if Nobody Knows About It**

Media coverage is critically important for an action to be successful. Be sure to notify the media in advance with a news advisory or press release and have someone make follow-up telephone calls the day of the action. If you use signs at your event, make them large enough that the cameras can capture the message. Be sure to keep your signs simple and your statements concise. Talk and write in everyday language that anyone can understand.

There are many techniques for calling attention to your organization or cause. Be creative and develop your own ideas. Below are some actions that have been used across the country.

#### **Rally**

A rally is a one-day event for the purpose of bringing attention to your issue, educating new people about the problem, and motivating people in the fight for justice. It serves as a good forum for bringing large numbers of people together, especially if it includes a speaker, entertainment or something else that will attract a crowd. You can use this opportunity to allow the elected officials who support you to speak.

#### **Walk of Concern**

Religious leaders or a youth organization such as the Boy Scouts can accompany your organization on this walk. You can walk towards an elected official's office, in front of the polluter's facility, or around the site. A news conference and presentation of some sort is helpful.

#### **Symbolic Coffin or Motorcade**

You can have an actual funeral march to your target, presenting him or her with a coffin as a symbol of the effects of deadly poisons in your community. Motorcading is most effective during rush hour when you can tie up traffic and make a visible statement to many people.

#### **Picketing**

This form of protest is practiced by almost every organization. People carry picket signs outside a designated place. You might want to get a permit for this action, although most people don't. Generally, if you keep moving, even if it's in a circle, you will not get in trouble with the law. The advantage of picketing is that it can be done anywhere—city hall, around the dump, at the plant site, at the steps of the capitol, or even at the home of the president of the corporation. Having fact sheets available for passing cars and pedestrians is also helpful.

#### **Prayer Vigil**

A church near the site can hold this event. It is a good action for seniors and others who physically cannot participate in some of the other activities or feel safer protesting this way.

#### **Talking Outhouse or Doghouse**

This action helps educate the public and obtain media attention. Build an outhouse frame or a doghouse. Place a speaker inside the structure and provide someone nearby with a wireless microphone who can be the voice for the house. When people walk by the house, a voice can talk to them about your issue.

For example, the house could say to a passerby, "Did you know that Governor \_\_\_\_\_ is in the doghouse? He is allowing the people in Our Town, USA, to be exposed to poisons that are making them sick. I am asking you for help. Could you take the flyer from the

person behind you and call the governor's office and ask him to help our community? His number is on the flyer." People actually carry on conversations with these houses. First they think it is a candid camera type of show. They always become amused.

Use your imagination when thinking about actions. Grassroots groups always seem to have plenty of creativity.

### Fund Raising

Part of organizing and maintaining a community group is raising money. You can do a lot with little or no money, but you will need to pay the phone bill and printing costs out of the organization's funds at some point. Most people pay for these expenses out of their own pocket during the early stages of their group. But soon the pennies will add up, as will the stress on the family budget. This is unnecessary. If you really have a community organization, you should be able to raise enough money to cover your costs. You must think about the funds you will need and raise the money in advance. Here are some ideas on how to raise money for your group.

- Pass the hat at your meetings. Churches do this every week.
- Have a 50/50 drawing. Sell tickets at the door for maybe \$1.00. At the end of the meeting have a drawing. The winner splits the money with the organization.
- Sell T-shirts with the group's name and message on them. The profit on T-shirts is not much, but you can make a profit. More importantly, the design will spread your message. Actions look great when everyone is wearing the same shirt with the same message. It clearly says, "We are together and united in this struggle."
- Ask local businesses for a donation of money or goods. If a supermarket gives your group a side of beef and an electronics store donates a TV, raffle them off. Raffles can raise a few thousand dollars for the group.

- Plan a fundraising dinner/dance. You'll make more money if the hall and food are donated. Otherwise, it might be a low profit event but good for morale and spirit building. This event could be a great opportunity to give awards or certificates of appreciation to your hardest working people.

Once again, use your imagination when thinking about fundraisers. Talk with other groups in the community and ask them how they raise money. It doesn't take a professional to raise funds for a group. Good fundraisers have these three ingredients: They are fun, simple and cost the group as little as possible.

For more information on fundraising for your group, read CHEJ's publication "Beyond Bake Sales & Car Washes: Raising Money for Your Group," available at [chej.org](http://chej.org).



## Chapter 4

# Conclusion

For many communities facing a grave environmental health hazard, relocation is the only safe option. However, evacuation of a community has its drawbacks as well. Relocating away from a toxic threat does not reverse the damage to residents' health that has already occurred. And while winning relocation may ease residents' minds, many people feel they lose their families' roots - and indeed a part of themselves - when they leave the community.

As you fight for justice, it is important to keep the future in mind. When you are relocated to a safe community, try not to forget what has happened to you. Others facing environmental health threats will need your help in changing the way corporations do business and holding our elected officials accountable.

Your experiences - both the hardships and victories - place you in a unique position to help others that find themselves in similar situations.

The strategies described in this guidebook for organizing a community to take action against health threats and to protect public health have been proven to work in hundreds of communities across the country. Many of these approaches have also been used by other public interest groups to stop unnecessary highway construction, improve public transportation, and challenge discriminatory practices. Never overlook the value of community organizing around any problem. The power of citizens to assert their influence is the ultimate defense for protecting our families, our homes, and our health.



# Appendix

## Sample Questionnaire For Evaluating Your Relocation Needs

A. If you are a homeowner, what would you want before agreeing to sell your home?

Issues to consider:

- Size of family in home
- Size of home (square feet or number of rooms)
- Do you have a mortgage on your home?
- How long have you lived here?

If you are given a fair price for your property, would you be willing to move from this home?

What is the range of prices you think would be fair?

Would you need a low-interest mortgage rate to move into another home? (i.e., current mortgage rate may be 6.8%)

Do you think there should be an extended period of time set to make a decision on moving? (For example, families have one or two years to decide if they will move.)

Would you want the moving costs that would be covered to be a set amount in which you could choose to hire a moving company or move yourself?

Would you be willing to come to a meeting to talk about these issues with your neighbors?

B. If you are a rental family what would you want before agreeing to move from this neighborhood?

Comparable housing—

Size

Type of neighborhood

Access to public transportation

Monthly rental costs

How long have you lived here?

Moving costs —

Utility hook up (turn on fees)

Moving costs for movers or renting a truck yourself

Money to purchase appliances if new location doesn't have them

Options—

Would you be willing to move temporarily into another apartment (one year) at the same rental costs you pay now—while a new apartment complex is being built for you and others who are living in this complex?

Would you be willing to help identify an acceptable place to build a new complex if we could convince the government to purchase these polluted buildings?

Would you rather live here, with the existing environmental problems, while a new building is being constructed?

Would you be willing to come to a meeting to talk about these issues with your neighbors?

*(Written by the residents of Wagner's Point, Maryland)*

“CHEJ is the strongest environmental organization today – the one that is making the greatest impact on changing the way our society does business.”

*Ralph Nader*

“CHEJ has been a pioneer nationally in alerting parents to the environmental hazards that can affect the health of their children.”

*New York, New York*

“Again, thank you for all that you do for us out here. I would have given up a long time ago if I had not connected with CHEJ!”

*Claremont, New Hampshire*



Center for Health, Environment & Justice  
P.O. Box 6806, Falls Church, VA 22040-6806  
703-237-2249 [chej@chej.org](mailto:chej@chej.org) [www.chej.org](http://www.chej.org)

