



## **CHEJ Unequal Response Unequal Protection Meeting Notes- March 11, 2021**

### **Attendees:**

- Phyllis Glazer
- Becky Ammon
- Lee Ann Smith
- Lou Zeller
- Yomi Noibi
- Darryl Malek-Wiley
- Rebecca Jim
- Karen Nickel
- Melissa Mays
- Michael Hansen
- Pam Miller
- Hilton Kelley
- (Various CHEJ Staff)

### **Questions and Comments During Presentation**

- Where do non-profits fit in for the 50% community members? (Darryl Malek-Wiley) The other 50% of the community leadership team will be people with scientific, political/governmental expertise to help guide these decisions. People like us (CHEJ) may be a part of the other interested parties that the community members will engage but won't be a part of the team specifically. Overall, it will be up to the community members on who they want to include.
- Is the Response Team initiated CHEJ? (Lee Ann Smith) No, this is the response center.
- We were told by ATSDR that they would also pick the 50% community members. Community members should pick their own representatives (Phyllis Glazer).
- We need to get senators/congressmen in this that might have an interest (Phyllis Glazer). Stephen agrees, will mention this in the Next Steps/wrap up portion.
- If facilities are required to pay an upfront specified amount into a fund, would that give them more free range to pollute even more than they normally would? (Karen Nickel)

- I agree with just about everything everyone has said. My take is that this is good enough for me for now — I'm a big fan of the "building the plan while you fly it" approach to things like this (Michael Hansen).

### Focused Discussion:

#### **Funding**

- How are we going to fund this? Would it be through a governmental program? Some of the roles in the process are a lot of work → are like paying jobs. (Lee Ann Smith) It would be a new, independently funded program. Good idea: why isn't there funds paid to the local community organization to pay for the process? We should add something like this to the process.
- When a facility is getting their permits together, they should set aside money for the community (medical care, etc.) in order for them to have their own science advisors. This should not be funded by taxpayers! (Phyllis Glazer)
- We have to prove we have an issue. Need to eliminate the burden on the community members to prove exposure. There should be a fund by the facility to protect the community when they're harmed (Hilton).
- Should have an ongoing revenue source like what Superfund did. Need to make sure that there's some kind of supplemental fund/donation to the families so that they're paid for their time (Darryl Malek-Wiley).
- Community member work should be compensated like professionals. This will value community knowledge on par with any type of academic/technical expertise (Pam).

#### **Risk Assessment**

- Risk assessment doesn't work for communities (Teresa Mills).
- Put together a report about the shortcomings of risk assessment (Phyllis Glazer and Lou Zeller). Stephen agrees, says EPA only looks at risk assessment and doesn't look into realty/real exposures. Phyllis says they're corrupting the young people who learn from them.
- ATSDR's approach is based primarily on risk assessment. It's time to expose this in our own critique (Pam).
- We know the risk assessment won't help us. Government body suppressed local data. I really value the work that's been done already on this document. I feel like possibilities are opening up. We're powerful when we stand together (Rebecca Jim).

## **External Influence**

- We need to have perimeter air monitoring that cannot be manipulated by the company. It has to be completely out of the company's hands so they cannot alter it in any way (Phyllis Glazer).
- We need to get senators/congressmen in this that might have an interest (Phyllis Glazer). Stephen agrees, will mention this in the Next Steps/wrap up portion
- What mechanisms can we implement to hold agencies accountable? (Pam)
- We need something right from the start (congressmen/senators) who will work with us to establish some protection (Phyllis Glazer).
- One of the thorniest problems: how to prevent this new entity from being coopted/undermined/taken over? Suggestion: no matter where the first project(s) is established, have to and can beforehand have as bulletproof as possible a technical and scientific argument for what's happening. If we have an argument like this, it would prepare and support the community leadership team. Have as much detail as one would want. Our new entity needs to have all the ducks in a row straight in the beginning. If not done yet, should be done right away (Lou Zeller).
- We all want an independent toxic chemical response team so it doesn't become corrupted. In demanding this, it gets government support. Build a legislative demand. Going from this angle, we can do a lot of things. In order to have the power we want, it has to be done from a legislative level. How can the report be translated into a machine that people cannot refuse? (Yomi Noibi)

## **Community Control**

- If they eliminate citizens and tell us that they don't have to tell us why, we could NOT allow that to happen. If they think they can't go forward, they have to tell us why. This has to be in the process (Teresa Mills).
- We should be careful about determining the community group so there aren't fake groups. Also, supplemental environmental projects need to be determined by the community (Teresa Mills).
- Look into who's doing the work on the ground and who's being silent (Hilton).
- Community member work should be compensated like professionals. This will value community knowledge on par with any type of academic/technical expertise (Pam).
- We should have the ability when a facility is in the permit process, before they come in, to have a meeting with the government/community to see what we could be exposed to. We should be able to refuse it from the beginning! Or should have the choice to be bought out at a fair market value (Phyllis Glazer).
  - Not sure if this can be covered separately from a health investigation (Teresa Mills).

- We have to be strategic in our approach. Community must define who is involved, because when polluters decide, they choose people who serve their interest/look like the people impacted (Hilton).
- Communities must determine the focus of the data. Make sure the government doesn't suppress the data nor change the focus of the data (Melissa Mays).
  - Broaden demographics for particular contaminant research (ex. Lead-illustrate harmful impacts for adults as well as children)

## Resources

- UN special repertoire for human rights has a protocol for investigation at the request of communities. We could learn something from this/the methods. They did it in a way that was respectful and did it in a way that worked for the communities (Pam).
  - Please put this UN report out into your own communities if you can! It provides additional credibility for human rights violation charges (Teresa Mills).
  - United Nations experts condemn pollution of Cancer Alley as environmental racism  
<https://lailluminator.com/2021/03/05/united-nations-condemn-pollution-of-cancer-alley/?eType=EmailBlastContent&eld=419431f3-a5fd-4bf3-9f7a-dbb62b7599ed> & <https://news.un.org/en/story/2021/03/1086172> (Darryl Malek-Wiley)
- Valuable publication: "Late lessons from early warnings: The precautionary principle 1896-2000" by the European Union (Yomi Noibi).