

“...to educate and enlist humanity to protect and restore the quality of the natural and human environment...”

EJ TIMES

The Environmental Justice Newsletter from Sierra Club
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Welcome!

Greetings to all, and thank you for lending us your time once again. There is much to share with you today, let's begin with the most exciting.

Congratulations to the Mackinac Chapter on their recent (first week of August!) hiring of Rhonda Anderson as the newest Environmental Justice Grassroots Organizer! Our thanks to everyone involved and our best wishes to the Chapter and the communities of Detroit as they embark together on this new and exciting adventure.

The EJ Committee met, as scheduled, on the last weekend of June. With the shores of Lake Michigan as a backdrop, the committee went through a planning process that resulted in, among other things, a plan to make all of the committee members proficient in workshop facilitation as a way to enhance the work of our organizers; a process to ensure EJ is a part of all of the Club's campaigns, policies, and decision-making processes; and an outreach effort to support activists at all levels of the Club who are involved in environmental justice. The Committee gratefully acknowledges the participation of Robbie Cox, Club President; Ross Vincent, Chair of EQST; John McCown, EJ Organizer extraordinaire; and Andy Bessler, Arizona EPEC Organizer for the "Save the Peaks Campaign". Their insight and experience generated a level of thoughtful conversation we would not have had otherwise. Thank you! Stay tuned for more details resulting from this gathering.

In our next issue we will take a closer look at the relationship between labor and environmental justice. After the Seattle/WTO and IMF/World Bank demonstrations, the world is waking up to the call for a just and sustainable global village.

Now to what you hold in your hands. This issue focuses on the destructive impacts of persistent organic pollutants - commonly called POPs. Within a few generations' time, the industrialized world has managed to contaminate virtually every acre of land and sea with these chemicals. Their inability to break down, coupled with their affinity for accumulation, guarantees trouble.

Much of the suffering that results from these chemicals is endured by communities that engage in subsistence lifestyles - particularly fishing.

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The Environmental Justice Committee and its liaisons comprise the Editorial Board of the EJ Times. As this newsletter is intended to provide a forum for a wide range of contributors, including non-members of Sierra Club, views expressed in these articles may not represent Sierra Club policy or opinion.

Guest Commentary

*by Marti Sinclair, Vice-Chair
Environmental Quality Strategy Team*

Sierra Club activists have been working for many years on a campaign to Phase Out Planetary Poisons. The work has included both grassroots activists and national Club leaders, and it is producing some significant victories for the planet. Here are a few of our most recent successes:

* The Club's Community Health Committee has fought for the public's right-to-know about persistent pollutants. This year, for the first time, industry must report dioxin emissions in the annual federal Toxics Release Inventory. In addition, the threshold amounts which trigger reporting requirements have been lowered by orders of magnitude for many persistent, bioaccumulative toxins including mercury and many pesticides. The access to this information provides a terrific tool for activists.

* Because incineration only partially destroys persistent pollutants, creates dangerous toxic by-products, and disperses pollutants into the environment, the Club's Air Committee and Waste Committee have fought for the development and testing of alternative waste disposal technologies which fully destroy persistent pollutants. The Department of Defense recently released a report based on that testing which supported several of these alternatives. And over the summer, we learned that our efforts to promote these alternatives for other waste were paying off because the government is now considering alternative technologies for managing waste from contaminated properties and industrial processes. This marriage of winning technologies and winning waste policies is a big step in the right direction.

* The Club's Environmental Justice Committee has worked with dozens of activists within the Club to draft and gain acceptance of Sierra Club Environmental Justice Principles. These Principles have provided a "guiding light" to national pollution activists as they have committed to protecting the fundamental right of future generations to enjoy the benefits of natural resources including "an uncontaminated food chain and to receive as their heritage wilderness and a functioning global ecosystem with all species naturally present."

* The Club's Community Health Committee and the International Committee have worked together to push for a big step in Phasing Out Planetary Poisons through negotiations organized by the United Nations on an International POPs (persistent, organic pollutants) treaty. Our Sierra Club representative, Michael Gregory, will travel to Johannesburg in December for the next round of talks. He will be carrying the torch for the Club by promoting the right of the global community to know about the manufacture and use of POPs, the extent of stockpiled waste POPs, and the human health and environmental effects of toxic chemicals. The

Club is also pushing for the U.S. and other nations to assist with the deployment of non-incineration disposal technologies to other nations which have waste stockpiles. Deployment of these alternative technologies would assist developing nations in managing their chemical wastes and would reduce the transporting of wastes by ship, a practice which endangers our oceans due to the risk of spills and endangers U.S. communities targeted by the shipments because they host incinerators. The Sierra Club's efforts are directed to protecting both our oceans and our communities.

We hope that the articles provided in this issue of EJ Times will inform you, inspire you, and motivate you to join in these efforts to phase out planetary pollutants.

Environmental Justice and POPs

by Marti Sinclair

What are POPs?

Persistent organic pollutants (POPs) are toxic chemicals which threaten ecosystem function, the utility of our natural resources as they contaminate our fisheries and farmland, and, in a very direct way, our families and communities. In on-going United Nations negotiations, nations are considering the virtual elimination of twelve POPs, known as the "Dirty Dozen". Included in this group are such well-known chemicals as DDT, PCBs, dioxin, and chlordane. Unfortunately, the U.S. is not fully supporting the elimination of these POPs in the negotiations, preferring to talk about various "management strategies". The Sierra Club has been working very hard to get the U.S. back on track.

The reason "management" is a losing strategy is that POPs do not lose their ability to reach toxic levels in the environment even when the usual pollution management strategy of dilution and dispersal is applied. In part, that is because POPs resist chemical, microbial, and physical decomposition in the environment, sometimes persisting for decades. POPs also reaccumulate in the environment via two mechanisms. First, they have the ability to "geoaccumulate" by repeatedly volatilizing and then being swept up into the prevailing global air currents, which transport them to the poles. Once POPs reach the colder climes, such as the Great Lakes and the Arctic, they tend to stay put, and the environmental levels climb. Second, POPs bioaccumulate through the food chain to levels that are toxic to humans and to animals near the top. Human exposure to these

chemicals has been documented; studies have shown that people around the world carry these chemicals in their fat, blood, and milk. So, due to the ability of these chemicals to persist and to accumulate to toxic levels in the environment, POPs elimination is the only effective solution to this type of pollution.

What do POPs do?

The health and environmental effects of these chemicals are wide-ranging. Mutagenic POPs operate at the molecular level, damaging DNA, the chromosomal material that serves as the blueprint for life. Some act at the cellular level. Dioxin, for example, broadly promotes cancers at the cellular level. Many POPs afflict certain organ systems, causing specific types of cancer; disrupting the nervous system which leads to behavioral and cognitive abnormalities; disrupting the endocrine system which leads to behavioral, developmental, and reproductive dysfunction; or damaging the immune system which weakens the ability of organisms to withstand infection. When the reproductive and immune systems of animals are impaired, the ability of their populations to survive becomes threatened. Additionally, because POPs like dioxin can affect such a broad range of populations, from fish, frogs, and birds to polar bears and humans, the stability of the entire ecosystem is threatened by the ubiquitous presence and pervasive toxicity of these poisons. Thus, every living system, from the molecular level to the ecological, is threatened by POPs. They profoundly degrade the environment on a planetary scale and pose a threat to the survival of most species.

POPs also profoundly change the fundamental elements of the human life. During the first stage of life, gestation, the umbilical cord supplies nutrients and serves as the connection between this generation

(EJ & POPs, continued on p.4)

(*EJ & POPS, from p.3*)

and the next. Scientists now examine cord blood to assess the levels of contamination being delivered from mother to the exquisitely sensitive developing systems of the human fetus. Recent studies have also shown that the placental fluid is now contaminated with toxic man-made chemicals. And that living elixir of human love and bonding, mother's milk, now imparts poison along with protein to the newborn. POPs threaten the ability of the human body to engender and nurture future generations by transforming the physical link between generations into a toxic conduit.

Environmental Justice

The POPs issue challenges some fundamental assumptions which support much of the environmental justice movement. In very narrow terms, environmental justice has generally been understood to be concerned with ensuring that no community bears a disproportionate impact from the degradation of our commonly-held natural resources, the global commons, like our air, our water, and our land. POPs do pose a disproportionate threat to communities which depend upon local fish and wildlife for sustenance and subsistence. The health effects upon some communities and the cultural effects on indigenous people who may abandon their life ways to avoid contamination are profound enough to be considered genocidal. But equitable distribution of the risks posed by POPs would not achieve justice; it would instead lead to the debasement of humanity.

POPs do not only degrade these global commons, the profoundly degrade the human body and the human condition. As environmentalists, we must not allow to go unchallenged the premise that each of our bodies is now a part of the public waste bin. Justice will not be attained when we share equally in the distribution

of chemical wastes in our bodies, but only when everybody and every body is protected from pollutants. The contamination of the human body and of our food chain with toxic chemicals is a violation of our basic human rights. So, we must view POPs contamination as both unjust and immoral.

Governments, however, operate under the premise that the human body is a commonly-held natural resource; that premise serves as the basis of military drafts as well as laws abridging reproductive rights. As environmentalists, we must draw the line at the government's right to continue to regulate the degradation of the human body as it regulates the degradation of our air, our water, and our land. Currently, U.S. regulators promulgate regulatory limits for these toxins based upon "No Observable Effects Levels" (NOEL), the levels at which scientists are unable to detect or do not report (some of the research is done by industry itself) statistically significant degradation in exposed human and experimental animal populations. But, each day more detailed studies of the effects of POPs result in the publication of additional and more profound health effects at lower levels than previously suspected. Clearly, the "NOEL" is a regulatory fig leaf meant to hide the government's policy of permitting people to be poisoned.

In conclusion, it is important to recognize the public health and cultural emergency that is occurring within the communities of Native Peoples and the failure of our own government to respond to this emergency by preventing the release of additional contamination. However, it is also important to recognize that all of our bodies have become receptacles for industrial waste, and that all of us have been debased and degraded by this crime of industry and government against humankind.

(*welcome, from p.1*)

However, with fishing advisories in the vast majority of states, where does that leave these communities? To go hungry? Or eat contaminated food? As Marti Sinclair puts it so well in her article *Environmental Justice and POPS*, "Justice will not be attained when we share equally in the distribution of chemical wastes in our bodies, but only when everybody and every *body* is protected

from pollutants." To learn more about what the Club is doing to phase out these poisons, and to learn how you may be able to assist in these efforts, please contact Marti Sinclair <mjsinclair@prodigy.net>.

Thank you, please stay in touch.
Kirstin L. Replogle

The Fox River's Toxic Legacy

by Eric Uram

New Settlers in the Region

The Fox River feeds into Lake Michigan's Green Bay in Northeastern Wisconsin and is the lake's largest tributary. Even today, fish spawn here, waterfowl nest here, and wildlife breed here, all in bountiful numbers.

The first people to travel to the Fox River recognized the wealth. The Oneida, Menominee and Chippewa all had tribal sites on and along the river's system. Establishing places where they hunted, trapped and fished the legacy of the Fox River.

Most recently, for Southeast Asians relocating to Wisconsin, the Fox River looked like a perfect place to call home. Removed from water-rich lands carved by rivers and streams, the Hmong, Laotian and Vietnamese refugees had long relied on rivers for food – catching fish and harvesting waterfowl from them.

Unknown to the newest arrivals, the Fox River now had another legacy, one that couldn't be seen as they looked at the river and its abundant fish and wildlife populations - a legacy of ignorance and poison.

The Toxic Legacy

From the 1950's until they were banned from use in the early 70's, PCBs (or polychlorinated biphenyls) had built up in the sediments lining the bottom of the Fox River. Poor recycling practices by several papermakers caused large amounts of pollution to be flushed into the river. This pollution tainted the fish and wildlife that lived and swam there.

Estimates put the amounts of PCBs released since the time the operations were underway at 125 tons. Currently, about 40 of those tons remain in the Fox River sediments where they can be easily retrieved.

But every year, the river flow washes 600 additional pounds of PCBs into Green Bay and Lake Michigan. Enough PCBs to contaminate 750,000 lbs. of fish fillets beyond the level of edibility.

The Fox River contains some of the most heavily PCB-contaminated areas in our country. These highly contaminated areas continue to foul the fish so badly that even bluegill and perch are toxic.

Remediating the 39-mile stretch of Fox River presents the best opportunity to deal with the problem before it is lost to the larger Great Lakes ecosystem. If nothing is done to clean these PCBs up, estimates put the time until fish are safe to eat at 200 years – with cleanup, only 20 yrs.

What is a PCB?

Long suspected of causing cancer, the highly persistent and durable chemicals called PCBs are made up from a family of 209 chemicals with similar structure, persistence and toxicity. Industrial uses and applications ranged from electrical transformers to coolants for machine shops to carbonless office papers. Soon after their ban, Wisconsin's Department of Health began issuing warnings for eating fish and waterfowl from the Fox River and Green Bay.

PCBs are now classified as a known human carcinogen.

Researchers realized additional health problems when studies done in Michigan showed children of mothers who ate above average amounts of Great Lakes fish, prior to or during pregnancy, were learning deficient and behaviorally challenged. By age twelve, these children were two grades behind in math and reading comprehension and 6 to 10 IQ points less intelligent than their classmates.

The lingering pollution threatens not only those most highly exposed individuals, but is now implicated in additional widespread health issues. Research into chemicals called "endocrine disruptors" include PCBs and PCB-like chemicals. The effects range from subtle behavioral problems to life-threatening chemical imbalances.

Eskimo populations are being shown to have highly elevated levels of chemicals such as PCBs. Fish and wildlife in waters with no known source of PCBs are showing alarming levels in their fat and blood.

(Fox River, continued on p.7)

Advanced Technology Deployment Presents Opportunities for Communities

*by Jane Williams
Chair, Sierra Club National Waste Committee*

Environmental remediation problems present both challenges and opportunities for local communities. Choosing environmental remediation technologies are usually the sole responsibility of the regulatory agency or the entity that polluted the site. And the technology available to cleanup dangerous non-metal chemicals (strangely called "organic chemicals") have been limited to incineration, a technology not in favor with communities because of the dangerous air emissions emitted.

Happily this situation has changed. Through an innovative program mandated by Congress, the Assembled Chemical Weapons Assessment (ACWA) program, with input from affected communities, EPA, the Department of Defense, and affected states, has identified six non-incineration treatment technologies for the destruction of organic chemicals and chemical weapons. Each of these technologies work in very different ways to destroy chemicals, and some have been field tested more than others, but all are now non-incineration options for the destruction of organic chemicals such as PCBs, dioxins, chlorinated solvents, pesticides, and a myriad of other environmental contaminants.

Finding the technology that suits the needs of your community may seem like a daunting task, especially if you do not feel comfortable with very technical data or if exposure to this type of data seems overwhelming. But take heart, advocates involved in advanced technology deployment are hard at work developing tools for communities to help them in their decision-making process.

The first step in advanced technology deployment is to gather affected members of the community together and talk about what attributes are important to the community for any technology they deploy in their community. A list of these attributes might include limits on the types of air and water emissions coming from the technology, energy consumption, waste generation, lighting requirements, hours of

operation, noise generated, the destruction efficiency of the technology, the risk of catastrophic upset, the compliance history of the company deploying the technology, the qualifications of the operators, the operational history of the technology at other sites, the maturity of the technology (how many other places it has been used successfully), and many other factors that are important to the local community.

After this list of attributes is generated comes the next step: matching the available technologies to the list. This is where the community might want to request help from one of the national experts familiar with the different technologies, or if you have confidence in your state or federal regulatory agency ask them for input. It is important to understand that you may not find a technology that matches every one of your listed attributes, but that you may have to rank the attributes most important to you.

Some communities are very sensitive about air emissions, but less so about water emissions if those emissions can be treated properly. Some communities do not care about noise or lighting, but some feel that this affects the quality of life in the community adversely. Some communities may not be as sensitive to destruction efficiencies as others. All of the attributes identified by the community need to be considered for the process to work well.

Some communities have found that the model for involvement of affected entities followed by the ACWA process is very helpful in achieving consensus on a technology. ACWA involved community representatives, affected states, the EPA, and the Department of Defense in a consensus-based process to choose technologies to demonstrate. They first developed a list of attributes, then jointly issued a request for proposals to technology vendors, reviewed the technologies carefully through a carefully chosen technical team, with input from the technical team rejected technologies that did not meet the attribute list, and proceeded into the demonstration of the technologies.

Communities seeking to deploy advanced technologies in California followed a similar process involving their relevant state agencies, the EPA, local government, and the community. They held a series of forums, sponsored first by the community, then EPA, and then the state to draw up their list of

attributes, and to cast the net for suitable technologies. They called upon both EPA experts at the Technology Innovation Office in Washington DC, and the community advocates that had been involved in the ACWA process for technical help.

All those involved have applauded this successful process, and the task of selecting an advanced technology is well underway. Information on some of the technologies available and the process communities are using for technology deployment can be found on the website www.alttech.org. The site is currently under construction, but soon it should serve as a valuable tool for communities facing the challenging opportunity of choosing a remediation technology that they can live with.



(Fox River, from p.5)

The Fundamental Answer

Studies done in Great Lakes communities by the Agency for Toxic Studies and Disease Registry and the U.S. Public Health Service asking about fish and waterfowl contamination showed only about half of Great Lake's residents knew of the problem and even fewer non-English speaking peoples comprehended it.

The Clean Water = Safe Fish Campaign, begun in 1996 by the Sierra Club Great Lakes Program, set out to change this. Activists and health officials were beginning to call for better education and warning of at-risk populations. These warnings, however, were never written in any language but English, and never posted at areas where people fished or hunted.

The Clean Water = Safe Fish Program has helped groups in Wisconsin and other areas around the Great Lakes to increase awareness of this health threat and call attention to the legacy of poisons that need cleanup. Creating coalitions with religious, cultural and public health-oriented groups, the Campaign works to see the state agencies follow through on efforts to protect the public's health.

In Wisconsin, in conjunction with Sierra Club, public health officials along with University specialists

have developed materials for the Southeast Asians in the Fox Valley and continue to develop Hispanic-friendly materials for other minority populations in Milwaukee and Racine. To get additional information and materials about the Clean Water = Safe Fish Program call Eric Uram.

Industries' efforts hamper cleanup efforts throughout the country as they work to postpone, delay or prevent cost-effective, health-protective measures. These efforts complicate cleanup with needless litigation and delays causing the problem to become even more widespread.

Currently, two pilot projects are underway to test the feasibility of cleaning up the Fox River. Early analysis shows that current technology is able to get the tainted sediments from the river. Unfortunately, they are being dumped into landfills where another generation will have to deal with them and the ability of responsible industries to pay for dealing with them may no longer exist.

The Great Lakes Program's Contaminated Sediments Specialist continues to work for a comprehensive cleanup plan for problem areas around the Great Lakes.

If you know of contaminated sediment problems in your area, call Jennifer Feyerherm and see what is being done and how you can help.

All people should be able to practice lifeways in a manner that doesn't threaten their health. Pollution, like the Fox River PCB problem, threatens Native Americans, subsistence anglers, along with everyone else and should be dealt with immediately.

For more information on the Clean Water = Safe Fish Program and how you can spread the word,

Call Jennifer or Eric at the
Sierra Club's Great Lakes Program at:
(608) 257-4994, or write:

Sierra Club Great Lakes Program
214 North Henry Street
Suite 203
Madison, WI 53703-2200.

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We continue with our series of articles profiling the Club's Environmental Justice Grassroots Organizers.

Profile: Rita Harris

Rita was the first new organizer hired after the Club received its Environmental Justice Grassroots Organizing project grant. She lives and works in Memphis, Tennessee.

What events in your life drew you to community activism?

It's hard to pinpoint one thing that drew me to community activism. Ever since I was a small child I've wanted to help others. I used to pretend I was a social worker with my dolls. Later in life, after marriage and a daughter, I became a Girl Scout volunteer, helping to develop the consciousness of little girls and training adult volunteers. I also worked with the American Business Women's Association, whose goals and objectives included promoting the professional and personal development of women. My work and involvement has always sought to bring social change to a broad segment of society. For example, to change the way society generally feels and relates to women and girls. To increase individual self-confidence, as well as societal respect.

Although I never formally participated in the civil rights movement, I hold the precepts sacred, Seeing injustice and oppression all over the world, I was drawn to supporting the anti-apartheid movement of South Africa. My activism continually grew to highlight other injustices. I have always believed that when you increase community awareness, you activate concern and a greater potential for community pressure.

Before being hired as a Sierra Club EJ Organizer, what were your community involvements?

I have always taken volunteerism seriously and have attempted to help however I can. Former and some current organizational affiliations: Tennesseans for Fair Taxation, Mississippi River Basin Alliance (founding steering committee member), NAACP, Public Issues Forum (founding member), Mid-South Peace & Justice Center (program coordinator and former Executive Director), Southeast Watershed Forum, Tennessee Clean Water Coalition, African

American Environmental Justice Network, League of Women Voters, etc.

You have been a member of NEJAC. Would you explain what this body is, and your perspective on its impact?

At the end of 1995, EPA Administrator Carole Browner appointed me to a three year term on EPA's National Environmental Justice Advisory Council (NEJAC) as a member of the Enforcement Subcommittee. My term ends in December, 2000. The NEJAC is a federal advisory committee designed to advise and make recommendations to the EPA. All members have three-year terms, and it is composed of approximately 24 executive council members, as well as eight subcommittees. I believe over the years the NEJAC has amplified the voices of suffering communities across the country. It has brought diverse groups of stakeholders to the table to examine issues and possible solutions. Its effectiveness depends on who you ask. Being a volunteer advisory body with only the power to make recommendations does not allow the NEJAC to radically influence legislation or give it policy-making authority. However, NEJAC regularly reviews, comments, and advises EPA on its programs, policies, and practices.

Considering the criticisms of Sierra Club regarding EJ work, why did you want to work for the Club? Why should the Club be involved in EJ at all?

Actually, I was once a critic of the Sierra Club. From the outside it appeared the Club was more concerned about traditional conservation issues than environmental issues that adversely affected poor communities, such as toxics, hazardous waste, etc. I wanted to see the Club work on environmental problems that directly impacted the day-to-day life of poor people which are the hardest hit by pollution-related problems EJ work will result in a more sustainable environment for us all.

The Club faces several challenges in its ability to "do EJ" effectively. What do you think is our greatest challenge?

I believe a couple of the Sierra Club's main challenges as it embarks farther on EJ work are:
1) getting Club members to accept EJ, and expanding outreach methods and efforts to embrace these non-traditional partners. The combination of environmen-



The Sierra Club EJ Organizing Program Staff (l to r): Jim Price, Program Director, and Organizers Julie Eisenhardt (DC), Rita Harris (Memphis), Jessy Cadenas (LA), and John McCown (Atlanta). Photo by Kirstin Replogle.

tal activism and social justice advocacy is a more wholistic approach to environmental sustainability. 2) and, working in coalition and partnership with EJ communities; assisting existing leaders and grooming and nurturing new ones. Also, allowing community leaders to take credit for successes and increasing the capacity of small EJ groups.

More importantly, what benefits do you believe will be realized, both by the Club and by the communities with whom we partner?

I believe several benefits will result from our partnership with EJ communities:

- 1) Stronger, more effective neighborhood groups;
 - a. groups that are more visible and respected, their views valued;
 - b. groups empowered to speak for them selves;
 - c. groups comfortable and capable of being effective in discussions and negotiations, and acquiring media coverage;
 - d. groups that are proud they have a hand in managing their community.
- 2) In the long run, the Sierra Club will certainly gain members because of its partnerships with a whole new circle of people. And, as we continue to celebrate successes, the Sierra Club will be respected and appreciated for taking on EJ in the face of

criticism and doubt.

In your vision of the future, where are we in 10 years?

Although the current desire is to incorporate EJ into all program areas of the Club, hopefully, in ten years EJ will have become one of the National Priority Campaign issues. A campaign that has its own staff dedicated to it and an EJ organizer in every state. I would also like to see a highly respected internship partnership with Historical Black Colleges & Universities (HBCU) to promote careers in the areas of science and environment. Also, on the administrative level, I'd expect to see more POC (People Of Color) in executive positions within the Sierra Club.

Any favorite quotes to share?

"Remember to keep the main thing the main thing!" I have this quote framed in my office. Of course, I'm always asked what the main thing is. The answer is simple, everyone has their own main thing. My main thing is EJ and creating a better quality of life and health for poor and minority people-of-color communities. If we stay focused on our main objective, we will not get sidetracked!

Thanks, Rita! Next up... Jessy Cadenas!
-klr

Excerpt from:

“INDIGENOUS PEOPLES AND POPS

**Briefing Paper in Preparation for the
UNEP POPs Intergovernmental Negotiating
Committee (INC4) Meeting,
in Bonn, Germany, 20-25 March 2000
Prepared by the
Indigenous Environmental Network
February 2000”**

*To view the entire document and related information,
please visit the Indigenous Environmental Network at
<<http://oraibi.alphacdc.com/ien/>>*

ARTICLE:

POPs and Its Affect on Indigenous Peoples

The widespread proliferation of POPS in the atmosphere and ecosystems presents a particularly critical threat to Indigenous Peoples, whose survival, health and well being depends on their traditional relationships with the land, and the food that comes from the land which has sustained them since time immemorial. Subsistence ways of life such as hunting, fishing, gathering and traditional farming provides the cultural, spiritual, social and economic foundation for Indigenous Peoples throughout the world.

Water and wind currents, and migratory patterns of birds, fish and sea mammals tend to move POPs to the colder regions of the world. Some of the best-documented cases of highly exposed populations are Indigenous peoples living in Polar Regions far distant from most POPs sources. For example, the Inuit living on Baffin Island carry seven times more PCBs in their body than people living in lower latitudes. The Canadian Arctic Contaminants Assessment Report prepared by all eight Arctic nations showed that levels of POPs in some Inuit is ten to twenty times greater than those tested in warmer temperate regions. Residues of POPs, such as PCBs, DDT, and dioxins were found in blood, fat and mother's breast milk.

POPs also pass through the mother's placenta to her unborn child. Research on children and women who

regularly eat large amounts of POPs - contaminated fish from Lake Michigan of the Great Lakes of North America resulting from dumping of industrial wastes, found observable and measurable behavioral effects and learning deficits passed on from one generation to the next. The integrity of the next generation, and the generations to come, is under serious threat. In the United States and Canada, Mohawk Indians are being exposed to industrial emissions such as PCBs through consuming contaminated fish and wildlife, drinking water sources, soil, dermal contact from swimming, and consumption of breast milk by infants. The Mohawk women carry PCBs in their bodies that are passed on to their future generations in the womb and through breast milk.

The Commission of the Convention on the Rights of the Child, article 24, recognizes the right of children to the enjoyment of the highest standard of health and mandates that state parties, "shall pursue full implementation of this right and take appropriate measures to combat disease and malnutrition ... taking into consideration the dangers and risks of environmental pollution."

Indigenous children are being poisoned and/or rendered unable to reproduce and/or suffering from severe learning disabilities. Case studies demonstrate that Indigenous children suffer greatly, as toxic exposure to POPs during fetal development, infancy (through breast milk) and childhood increase susceptibility to cancers, immune disorders, learning disabilities (as recognized by the World Health Organization) and later, reproductive disease. These effects may be seen at extraordinarily low levels of exposure, and that young children and developing fetuses are most at risk,

In the warmer climates of Mexico and Central America, DDT and other hazardous commercial pesticides banned for use in northern industrialized countries are still being imported and used in agricultural practices, which in many countries still include aerial spraying. Farm workers, many times Indigenous Peoples who seek employment on farms and plantations, are usually not provided with warnings or protective gear when they are given pesticide tanks to carry on their backs for spraying crops.

In 1997 in Sonora, Mexico, a scientific study was

conducted in the homelands of the Yaqui Indians, an area targeted by the so-called "green revolution" policies of the Mexican Rural Bank for high pesticide and chemical fertilizer use since the late 1940's. Once again, children were the most seriously affected. This study detected high levels of multiple pesticides in the cord blood of newborns and in mothers' milk. The study found severe learning and development disabilities in Yaqui children living in farming areas where years of high pesticide use contaminated water and soil. In contrast, children from the hillside areas that used traditional farming practices instead of pesticides scored significantly higher on neurological and behavioral tests.

POPs in the form of commercial pesticides and dioxin contaminate the natural water and irrigation sources on which Indigenous farmers and communities depend on for their livelihood. Additionally, POPs also contaminate the traditional fish, game and livestock that provide essential food sources for the survival of Indigenous Peoples.

There is a spiritual, cultural and economic basis for Indigenous Peoples' reliance on their traditional fish, game, livestock and agricultural products. [United Nations Working Group on Indigenous Peoples, Declaration on the Rights of Indigenous Peoples] Agenda 21, paragraph 26.3 (i) urges that governments recognize and that: "traditional and direct dependence on renewable resources and ecosystems, including sustainable harvesting, continues to be essential to the cultural, economic and physical well-being of Indigenous Peoples and their communities;"

Stockpiles of PCB chemicals are found from the Pacific Islands, Alaska and other regions near Indigenous Peoples' communities and food sources. The United States Umat Air Force Site, a former used defense site, along the Colville River, levels of PCBs ranged up to 240,000 ppb. PCBs have been detected in broad whitefish and burbot of the Colville River. At the Clark Air Base, a former United States military airbase in the Philippines, near the residential area of Mabalacat, leaking PCB transformers have contaminated the soils with PCBs containing up to 18 times higher than levels considered safe for residential areas. Many of these stockpiles are at military bases and abandoned military defense facilities that are leaking chemical substances into

the environment.

In the United States, treaties were negotiated between Indigenous tribal nations and the United States government during the past 200 years. Many of these treaties reserved rights for Indigenous tribes to fish, gather and hunt in traditional and reserved lands. In the United States Indigenous tribes have been informed by the Environmental Protection Agency that the fish they have always eaten are no longer safe to eat due to POPs contamination. Indigenous Peoples are presented with a forced choice between abandoning their traditional means of subsistence, or continuing to eat it and be poisoned. Indigenous Peoples legal rights to fish and game expressed through treaties with States are rendered useless when these same State governments advise the tribes that the fish and game are too contaminated with POPs to eat.

Given the immense stakes, swift and strong action is needed to eliminate the use and production of chemicals known or suspected to have significant health impacts on human life and the environment. Responsibility rests with the corporations, which produce and use POPs and other toxics, and with the governments responsible for monitoring and issuing permits for their production and use, to first insure that they pose no threat to human health or the environment. Corporations must also be held responsible for contamination of the environment and human health. Polluter pays principles must be upheld.

The current process of "risk assessment" proscribes waiting until health problems arise and "proof" of the dangers can be documented through extensive studies, usually long after a substance has been in use for years. The current concept of "acceptable" risk employed by industry and governments is based on decisions as to what level of environmental contamination and how many human deaths are "acceptable", as compared with the potential "benefits" of a chemical or compound. Neither human rights nor the principle of informed prior consent have any place in this model.

Taking precautionary action on POPs before there is full scientific certainty is justified under the Rio Declaration (1992) definition because, due to the very persistent nature of POPs, "there are threats of serious or irreversible damage." There is enough

(Indigenous, continued on p.12)

(Indigenous, from p.11)

scientific evidence that POPs and other toxic substances that bioaccumulate pose great threats of damage to human health and the environment. There is need to embrace the precautionary principle to prevent more damage before it escalates, and not wait for full scientific certainty about the levels that are likely to cause effects.

Conclusion

Indigenous Peoples will continue to participate in the INC process to express their concerns for safeguarding the environment and traditional subsistence resources, and to call for consideration of fundamental principles of human rights in this process. Clearly, the impacts of the continued production and proliferation of POPs prevent Indigenous Peoples from the full enjoyment of the highest attainable human rights standards as recognized by existing international instruments.

From Ross Vincent, Chair of the Sierra Club Environmental Quality Strategy Team:

"Inside EPA", an influential, "inside-the-beltway" newsletter, reports in its July 7th issue that a draft EPA report, due to be finalized sometime this summer, concludes that less-polluting alternatives to incineration work. The "alternative" technologies that Club activists and others have been advocating for chemical weapons disposal for a decade will work for other hazardous waste applications (e.g., Superfund sites, RCRA cleanups & industrial waste treatment), according to the draft report. We are witnessing another major leap down the road toward ending the use of incineration for hazardous waste disposal, and ultimately for municipal and other wastes as well.

Congratulations to everyone involved in this struggle! Keep up the great work!



Group photo from the Environmental Justice In-Gathering at the Highlander Research and Education Center, April 2000. Back row (l to r): Dick Mochow, Gwyn Jones, Mondell Williams, Joy Oakes, John Barry, James Williams, Dave Wells, Jim Blomquist, Larry Wilson (in the hat), Charles Simmons, Danilo Pelletiere, Kirstin Replogle, John McCown. Front row; Julie Eisenhardt, Phaedra Pezzullo, Jessy Cadenas, Joan Holtz, Sue Williams, Rita Harris, Anna Holden, Alison Horton, Ruth Johnson Wade, Barbara Vincent, and Jim Price. Photo by Shelia Wilson. What a crowd!

FROM MARY BETH DOYLE AT THE ECOLOGY CENTER OF ANN ARBOR (MI):

The Ann Arbor City Council passed an ordinance in July banning the retail sale, importation and manufacture of mercury fever thermometers within the city limits. Ann Arbor is the first city in Michigan, and the second in the Great Lakes basin to enact such an ordinance. The city of Duluth, Minnesota and the city and county of San Francisco passed similar measures earlier this spring.

"We commend the City Council for taking this important step," said Mary Beth Doyle of the Ecology Center. "Mercury thermometers pose an unnecessary risk to our environment and our children. Accurate and affordable non-mercury thermometers are readily available."

The City of Ann Arbor hosted a mercury thermometer collection and exchange in conjunction with Council's passage of the ordinance. Area residents were able to bring mercury fever thermometers to City Hall and receive a free, non-mercury thermometer in exchange. The program has resulted in the collection of over 300 mercury thermometers. This program was made possible with assistance from Washtenaw County Solid Waste Department and the Department of Environmental Quality, and was co-sponsored by the Ecology Center and the Sierra Club--Huron Valley Group.

Resources for further exploration on the issue of POPs:

Sierra Club Toxics page:

<<http://www.sierraclub.org/toxics/>>

United Nations Environment Programme, POPs negotiations information:

<<http://irptc.unep.ch/pops/>>

Indigenous Environmental Network POPs Program:

<http://www.alphacdc.com/ien/pops_threat-p1.html>

Environment Health Information Service:

<<http://ehis.niehs.nih.gov/topic/pop.html>>

World Wildlife Fund Global Toxics Initiative:

<<http://www.worldwildlife.org/toxics/globaltoxics/index.htm>>

Women's Environment and Development Organization (WEDO):

<<http://www.wedo.org/ehealth/popsprimer.htm>>

Pesticide Action Network North America:

<<http://www.panna.org/resources/pops.html>>

Rachel's Environment & Health Biweekly:

<<http://www.rachel.org>>

Their most recent issues, titled "Modern Environmental Protection, Parts 1 & 2," focus on chlorine compounds. The issue numbers are #704 & #705.

THE SIERRA CLUB

PRINCIPLES OF ENVIRONMENTAL JUSTICE

Preamble: “EVERYBODY NEEDS BEAUTY AS WELL AS BREAD, places to play in and pray in, where nature may heal and give strength to body and soul alike.” Sierra Club founder John Muir, 1912.

I. THE SIERRA CLUB’S PURPOSE is to explore, enjoy, and protect the wild places of the earth; to practice and promote the responsible use of the earth’s ecosystems and resources; and to educate and enlist humanity to protect and restore the quality of the natural and human environment; and to use all lawful means to carry out these objectives.

II. WE SUPPORT THE RIGHT TO A CLEAN AND HEALTHFUL ENVIRONMENT FOR ALL PEOPLE

II. A. *The Right to Democracy:* We support government by the people. Corporate influence over governments must be constrained to stop the erosion of the peoples’ right to govern themselves and governments’ ability to establish justice and to promote the general welfare.

II. B. *The Right to Participate:* People have the right to participate in the development of rules, regulations, plans, and evaluation criteria and at every level of decisionmaking. Environmental decisionmaking must include the full range of alternatives to a proposed action or plan, including rejection of the proposed action or plan. Barriers to participation (cultural, linguistic, geographic, economic, other) should be addressed.

II. C. *The Right to Equal Protection:* Laws, policies, rules, regulations, and evaluation criteria should be applied in a nondiscriminatory manner. Laws, policies, regulations, or criteria which result in disproportionate impact are discriminatory, whether or not such a result was intended, and should be corrected. We support environmental restoration and the redressing of environmental inequities.

II. D. *The Right to Know:* People have a right to know the information necessary for informed environmental decisionmaking.

II. E. *The Right to Sustainable Environmental Benefits:* People are entitled to enjoy the sustainable aesthetic, recreational, cultural, historical, scientific, educational, religious, sacred, sustenance, subsistence, cultural, and other environmental benefits of natural resources. However, actions which tend to ruin the integrity, stability, and beauty of the biotic community are unethical.

II. F. *The Right to Equity:* Environmentally degrading land uses should be avoided, but when such uses occur, they should be equitably sited taking into account all environmental and community impacts including the cumulative and synergistic ecological and health effects of multiple facilities. All people have the right to a safe and healthful work and home environment.

II. G. *The Right to Generational Equity:* Future generations have a fundamental right to enjoy the benefits of natural resources including clean air, water, and land and an uncontaminated food chain and to receive as their heritage wilderness and a functioning global ecosystem with all species naturally present.

II. H. *The Rights of Native People:* We oppose efforts to dispossess indigenous peoples of their lands, their cultures, and their right to self-determination. We support Native Americans’ wielding of their sovereign powers to protect the environment and to establish environmental justice.

III. WE SUPPORT AN END TO POLLUTION:

The long-range policy goal priorities for environmental protection must be:

- 1) to aim to end the production of polluting substances and waste through elimination, replacement, redesign, reduction, and reuse (zero waste),
- 2) to prevent any release of polluting substances (zero emissions, zero discharge),
- 3) to prevent any exposure of plants, animals, or humans to polluting substances, and
- 4) to remediate the effects of any such exposure.

IV. WE SUPPORT THE PRECAUTIONARY PRINCIPLE: When an activity potentially threatens human health or the environment, the proponent of the activity, rather than the public, should bear the burden of proof as to the harmlessness of the activity. Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing measures to prevent environmental degradation.

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When reproducing these Principles, please always include the references; much of this document has been taken from other sources and they must be credited.

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Preamble: Muir. .

I. The Sierra Club, Lee

II. Bullard

II.A. Lee, U.S. Constitution

II.B. Lee

II.C. Bullard

II.D. Lee

II.E. Lee, Leopold, Sierra Club, Wingspread

II.F. Bullard, Lee

II.G. Sierra Club, Lee

II.H.. Lee

III. Bullard, Lee, Sierra Club

IV. Bullard, Lee, Wingspread

Another note from the EJ Organizing Program...

In addition to hiring the four new organizers, the grant designated a small pot of money as a special projects fund. These funds are intended to be distributed to regions of the country that are without the benefit of the new organizers, as a way to foster relationships directly between Sierra Club members and communities suffering from environmental injustice. The goal is to provide small grants to Sierra Club entities who are working in partnership with impacted communities on issues that the community has determined to be relevant to their lives. It is important for applicants to show that there is an established relationship between Club volunteers and the community, and also to show that the community has been an equal partner in the campaign planning and implementa-

tion processes.

Other details include: the proposals must conform to 501(c3) guidelines; grants can only be made to Sierra Club entities; these grants are for reimbursement only; and the work funded by these proposals must be completed by November 30, 2000, with a report on the campaign’s results due in December.

If you are involved in a campaign that you feel may qualify, and would like to apply for funds, please contact Kirstin Replogle (contact information on page 2) or Jim Price, EJ Program Director <jim.price@sierraclub.org> for more information, or contact Gayle Sheehan, <gayle.sheehan@sierraclub.org>, to request an EPEC Special Projects Grant application.

From the National Academy of Sciences:

EPA's Methylmercury Guideline Is Scientifically Justifiable For Protecting Most Americans, But Some May Be at Risk

While the U.S. Environmental Protection Agency's guideline for protecting the public from a toxic form of mercury is justifiable based on the latest scientific evidence, some children of women who consume large amounts of fish and seafood during pregnancy may be at special risk of neurological problems, says a new report from the National Academies' National Research Council. Congress requested that the Research Council provide independent, scientific advice in establishing appropriate exposure limits for methylmercury.

Fish and other seafood products are the main source of methylmercury in the human diet. Fetuses are particularly vulnerable to methylmercury because of their rapid brain development, and some may currently be receiving exposures at levels that cause observable adverse neurological effects.

"Although we believe EPA's guideline on methylmercury is generally adequate to protect most people, more must be done to gain a better understanding of various risk factors for the U.S. population," said Robert A. Goyer, chair of the committee that wrote the report and professor emeritus at the University of Western Ontario, who now resides in Chapel Hill, N.C. "Trends in methylmercury exposure, including regional differences, should be analyzed, as should subpopulations whose diets are high in fish and seafood. And we need to better understand how this chemical affects brain development in fetuses and children."

The National Academy of Science's report on Methylmercury is available on their website at <http://www.nas.edu>.