

Chapter 9: Environmental Justice

In a detailed study of hazardous waste risks in Michigan, a researcher found that neighborhoods with low-value houses and low-levels of collective action were exposed to significantly greater risk.⁸¹ The researcher felt his findings suggested “*that polluters consider these characteristics when making their siting decisions.*” In other words, impoverished neighborhoods where people tend not to organize against threats are more likely to become the location of hazardous waste sites.

The environmental justice movement arose out of precisely this type of discrimination. To find out how your community stacks up with respect to exposure to hazardous waste and other threats visit the Environmental Defense Fund [Scorecard website](#)⁸².

Both the [Council on Environmental Quality](#)⁸³ (CEQ) and the [U.S. Environmental Protection Agency](#)⁸⁴ (EPA) have adopted guidance documents on preventing an environmental injustice through actions regulated under the National Environmental Policy Act (NEPA). Most other federal agencies have also developed environmental justice regulations and guidance documents, such as those on the [Federal Highway Administration’s EJ website](#).⁸⁵

Before any action can be taken which:

- involves the use of federal funds,
- requires a federal permit, or
- some other direct federal involvement

it must be screened for any factor which may cause undue impact to minorities or low-income populations. Specifically, a determination must be made of whether a significant minority or low-income population exists within the impact zone and, if so, whether the action would affect these people differently from the general population. If the analysis shows such an impact then all reasonable alternatives must be considered for resolving adverse effects.

⁸¹ Neighborhood Demographics and the Distribution of Hazardous Waste Risks: An Instrumental Variables Estimation, by Ted Gayer, *Journal of Regulatory Economics*; 17(2):131-155, 2000

⁸² <http://www.scorecard.org/>

⁸³ http://www.epa.gov/compliance/resources/policies/ej/ej_guidance_nepa_ceq1297.pdf

⁸⁴ http://www.epa.gov/compliance/resources/policies/ej/ej_guidance_nepa_epa0498.pdf

⁸⁵ <http://www.fhwa.dot.gov/environment/ej2.htm>

An excellent resource on the environmental justice aspects of roads, transit and related facilities is [*Environmental Justice & Transportation: A Citizen's Handbook*](#)⁸⁶ published by the University of California Institute of Transportation Studies. Another excellent resource is the [Environmental Justice Resource Center at Clark Atlanta University website](#).⁸⁷ A number of state agencies have also developed environmental justice programs.

⁸⁶ <http://www.its.berkeley.edu/publications/ejhandbook/ejhandbook.html>

⁸⁷ <http://www.ejrc.cau.edu/Welcome.html>