

Environmental Justice

For State Officials



What is Environmental Justice?

Environmental Justice (EJ) is based on the principle that all people have a right to be protected from environmental pollution and to live in and enjoy a clean and healthful environment.

What is the history of EJ?

Environmental Justice (EJ), as a social movement has grown rapidly since the Warren County Landfill Protest movement in the early 1980s. The EJ movement began in order to address concerns about disproportionate environmental burdens in poor, minority communities. In the case of the Warren County protests, controversy arose in 1982 when a landfill was sited in Warren County, a community that was black, poor, rural and politically powerless. This landfill was designated as a place to dump toxic, contaminated soil.

What is an example of EJ?

According to the EPA, “one of the most appalling environmental tragedies in American history” was the Love Canal disaster in Niagara Falls, New York. Hazardous materials, waste, and land mismanagement in the area impacted the health of more than 6,000 residents. For over 30 years, the canal was a dump site for a chemical company. Not long after the company was sold to the city, officials began to build schools, homes and low-income housing on the former landfill. In the years following, wet winters and springs caused the water table to rise and toxins to seep in residents’ backyards. As a result of the groundwater contamination, early surveys conducted by residents illustrated that 56 percent of the children born in the neighborhood had birth defects such as deformed teeth, anemia, ADHD and auto immune diseases, while mothers had a 300 percent jump in miscarriages.

Why is EJ important to Maryland State Agencies?

Explicitly, some state agencies are required by statute to be mindful of EJ issues with regard to their work. But many, if not all, state agencies are at least implicitly tied to EJ. Any State agency that receives federal assistance is required to be in compliance with Title VI of the Civil Rights Act of 1964. Title VI prohibits discrimination on the basis of race, color, or national origin, in programs or activities receiving federal financial assistance.

Collectively, Maryland State Agencies influence a significant portion of people’s lives. For instance, what permits are issued and what modes of transportation are available are at least partially determined by state agencies. These choices ultimately impact certain communities more so than others. It is therefore the responsibility of state agencies to ensure that the burden associated with choices like the ones listed above are evenly and fairly distributed, rather than becoming the burden of a small group of communities or a sole group of people.

Which communities are most vulnerable to EJ issues?

Low-income and minority communities are most vulnerable to EJ issues. Often these communities do not have an organized community group that can serve as a point of contact. As a result, these communities may house a disproportionate amount of polluting facilities putting residents at a much higher risk for health problems from environmental exposures. Any community can be subject to the effects of EJ issues if their citizens are not informed and able to be involved in the local land use decision-making process.

State Agency involvement in implementing EJ in Maryland

MDE is working on EJ initiatives to improve the quality of life in communities through a vision of partnerships and collaborations. In order to fulfill this goal, other state agencies must be committed to the following:

Identification

- Identify what your agency is required to do by statute and or regulation with regard to EJ.

Proactive engagement

- Fulfill whatever legal obligations your agency might have concerning EJ and go beyond those obligations whenever feasible.
- Efficiently build a network of people who are knowledgeable about the issues of concern to share expertise and advance the EJ agenda in Maryland. This includes reaching out to local businesses, legislators, planning and community organizations, and the academic community.

Recognize Environmental Justice concerns with collaborative approaches

- Work together with MDE and other state agencies to address EJ issues.
- Communicate with the Commission on Environmental Justice and Sustainable Communities (CEJSC), whom are responsible for advising state agencies on the adequacy of current laws, regulations, and statutes to achieve environmental justice, while ensuring all Maryland communities are healthy, safe, economically vibrant, and environmentally sound.

Offer Solutions

- Optimize state resources. Solutions could appear in the form of increased public participation and education, public-private partnerships, innovative outreach advertising (social media, newspapers, press releases, outdoor signs), and strategic enforcement.

Maryland Environmental Justice Resources

The Commission of Environmental Justice and Sustainable Communities:

The Commission of Environmental Justice and Sustainable Communities is tasked with advising State government agencies on environmental justice and analyzing the effectiveness of State and local government laws and policies to address issues of environmental justice and sustainable communities.

Website: http://www.mde.state.md.us/programs/CrossMedia/EnvironmentalJustice/EJImplementationinMaryland/Pages/programs/multimedialograms/environmental_justice/implementation/details.aspx

The Maryland Department of the Environment:

The Maryland Department of Environment focuses on encouraging environmental protection and economic development in Maryland that takes into account public and ecological health, sustainability issues, and community participation.

Website: <http://www.mde.state.md.us/programs/CrossMedia/EnvironmentalJustice>

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