

February 14, 2022

The Honorable Raul Grijalva
Chairman
Natural Resources Committee
United States House of Representatives
Washington, DC 20515

The Honorable Bruce Westerman
Ranking Member
Natural Resources Committee
United States House of Representatives
Washington, DC 20515

Dear Chairman Grijalva and Ranking Member Westerman:

The undersigned organizations write to offer our strong support for the Environmental Justice for All Act (H.R. 2021). We urge committee members to advance this important legislation quickly to begin remedying the long history of environmental racism and injustice, and cumulative and disproportionate health and environmental impacts, that affects communities across the country.

The undersigned organizations work together as members and allies of the Coming Clean collaborative network to reform the industrial chemical and fossil fuel industries so they are no longer a source of harm and to secure systemic changes that allow a safe chemical and clean energy economy to flourish. We are working toward a world where no community's health, safety, or well-being is considered an 'acceptable' sacrifice to develop energy or to create and dispose of products. We know we can build a world where our climate and economy are nontoxic, sustainable, and just for all—and we're working to make this vision a reality.

Our work together is guided by the Louisville Charter for Safer Chemicals: A Platform for Creating a Safe and Healthy Environment Through Innovation, a vision and set of principles to guide transformation of the chemical industry, backed by policy recommendations. The very beginning of the Charter recognizes that: *Justice is overdue for people of color, low-income people, Tribes and Native/Indigenous communities, women, children and farmworkers, who experience disproportionate impacts from cumulative sources. This chemical burden is unprecedented in human history and represents a major failure of the current chemical management system.*

The urgent need to address disproportionate and cumulative impacts is a central tenet of the Louisville Charter (endorsed by over 100 diverse organizations across the country). One of the ten foundational principles of the Charter reads:

Prevent Disproportionate Exposures and Hazards, and Reduce Cumulative Impacts on Environmental Justice Communities.

Adopt policies and practices that remedy the disproportionate chemical hazards and exposures faced by communities of color, Tribes and Native/Indigenous communities, and low-income communities, and that address combined burdens of multiple pollutants, multiple sources, and accumulation over time with vulnerabilities that exist in a community. Break down and end discriminatory practices and policies that result in disproportionate and cumulative impacts in these communities. To this end, grassroots, fenceline and environmental justice communities must be at the table when developing and advancing chemical policies at all levels.

Other core Charter principles include the need to act with foresight to protect health and prevent pollution; take immediate action to protect, restore, and strengthen communities; and ensure the public and workers fully have the right to know, participate, and decide. The full Louisville Charter for Safer Chemicals, and a list of endorsing organizations, can be found at www.louisvillecharter.org.

As the Committee likely knows well, given the extensive process of research and public input that supported development of the Act, the history of cumulative and disproportionate chemical hazards and impacts imposed on communities of color, low-income communities, and Native/Indigenous communities is very well documented. Decades of research and evidence were supplemented by a year-long public input process through which disproportionately impacted communities and constituencies detailed the harms and impacts that they experience, and the solutions and remedies that would be most beneficial to them, producing legislation uniquely influenced by the people and communities it seeks to help.

Research supporting by Coming Clean network members and allies which supports the need for the Act, and the policy solutions it contains, include:

Who's in Danger? Race, Poverty, and Chemical Disasters: A Demographic Analysis of Chemical Disaster Vulnerability Zones (published by the Environmental Justice Health Alliance for Chemical Policy Reform, or EJHA) documented that the percentage of Blacks living in fenceline zones near 3,433 high-risk chemical facilities is 75% greater than for the U.S. as a whole, and the percentage of Latinos is 60% greater. The poverty rate in these areas is 50% higher than for the U.S. as a whole.

Life at the Fenceline: Understanding Cumulative Health Hazards in Environmental Justice Communities (EJHA, Coming Clean, Campaign for Healthier Solutions) found that in several communities that host clusters of hazardous facilities, the fenceline zones near these facilities are disproportionately Black, Latino, and low income, and face multiple health hazards and risks. In addition, the most vulnerable neighborhoods near these facilities (those that are both low income and have low access to healthy foods) are even more heavily and disproportionately impacted.

Watered Down Justice (Natural Resources Defense Council, Coming Clean, and EJHA) found that the rate of violations of the Safe Drinking Water Act increased in communities of color, low-

income communities, and areas with more non-native English speakers. The analysis also found that water systems that serve these communities also stayed in violation for longer periods of time, for more violations, for more contaminants.

Environmental Justice for Delaware (EJHA, Delaware Concerned Residents for Environmental Justice, Coming Clean, et al) found that people in seven communities along the industrial corridor in the northern portion of Delaware's New Castle County face a substantial potential cumulative health risk from (1) exposure to toxic air pollution, (2) their proximity to polluting industrial facilities and hazardous chemical facilities, and (3) proximity to contaminated waste sites. These health risks are substantially greater than those of residents of a wealthier and predominantly White community in Delaware, and for Delaware as a whole.

Our organizations strongly support the Act's central elements, which are important steps toward remedying a long legacy of harm, and ensuring the fair treatment and meaningful involvement of all people - regardless of color, culture, national origin, or income - with respect to the development, implementation, and enforcement of health and environmental laws, regulations, and policies. These urgently needed policy improvements include:

- Requiring federal agencies to consider cumulative health impacts under the Clean Air Act and Clean Water Act in making permitting decisions, and ensuring that permits will not be issued if projects cannot demonstrate a reasonable certainty of no harm to human health;
- Providing \$75 million in annual grants for research and program development to reduce health disparities; and improve public health in environmental justice communities;
- Strengthening the Civil Rights Act to permit private citizens and organizations facing discrimination to seek legal remedies;
- Creating an energy transition economic development assistance fund – paid for through new fees on oil, gas and coal companies – to support communities and workers as they transition away from greenhouse gas-dependent economies;
- Strengthening the National Environmental Policy Act to ensure that communities have a meaningful opportunity to engage in NEPA processes that will impact them.

The Environmental Justice for All Act is a long overdue correction to our nation's failed chemical management policies, and the cumulative hazards and disproportionate harms that have resulted for communities of color, low-income communities, and Native/Indigenous communities. We urge the Committee, and any other committees with jurisdiction over this legislation, to begin to correct these injustices and address this legacy of harm, by promptly passing the bill out of Committee and sending it on to the full House of Representatives.

Respectfully submitted by:

Center for Progressive Reform
National

Clean and Healthy New York
Albany, NY

Clean Power Lake County
Waukegan, IL

CleanAirNowKC
Kansas City

Health Professionals for a Healthy Climate
Minneapolis, Minnesota

Lake James Environmental Association
Nebo, North Carolina

Locust Point Community Garden
Baltimore MD

Mother's of Diversity America
Dunbar, WV

National Family Farm Coalition
Washington, D.C.

National Women's Health Network
National

Oregon Physicians for Social Responsibility
Oregon

Our Future WV
Charleston, WV

Pennsylvania Council of Churches
Harrisburg, PA

Pesticide Action Network
National

PODER
Austin, TX

River Network
National

Texas Campaign for the Environment
Texas

Toxic Free NC
Durham, North Carolina

Upstream
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UrbanPromise Ministries
Camden, New Jersey

Waterway Advocates
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Wisconsin's Green Fire
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Women's Voices for the Earth
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