

Localism and Environmental Justice for All

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POSC 490: Senior Thesis
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Fall 2012

Abstract

Environmental justice (EJ), while a salient environmental issue in America, has received very little attention at the local level. This study focuses on how EJ is understood by local officials in a small municipality: Oneonta, NY. More specifically, interviews were conducted with Oneonta officials to address how EJ is defined and addressed at the local level. This exploratory study concludes that how we define EJ in the United States is problematic; the presumption is that the Environmental Protection Agency (EPA) definition is suitable because it brings the many components of EJ together. However, this assumption is incorrect and this paper argues that a more localized definition of EJ is necessary.

Environmental justice (EJ) has become one of the most salient issues in contemporary environmental politics. EJ first gained national attention in 1982 when Warren County, North Carolina, was chosen as the burial site for more than 32,000 cubic yards of contaminated soil (R. Bullard, 30). The decision to place the burial site in Warren County was not scientifically suitable (R. Bullard, 30). The community convened and protested the siting of the landfill, but the landfill was still built (R. Bullard, 30). Since the protests of Warren County, the EJ movement has grown exponentially in the United States (U.S.). Despite this growth in awareness, there has been little effort by scholars to understand EJ at the local level.

This study attempts to provide a better understanding of EJ at the local level by investigating the following: How is EJ defined and addressed at the local level? To address this question, Oneonta, New York, is used as a case study. Information obtained by interviewing members of the Oneonta Environmental Board and the Oneonta City Council is used to better understand EJ at the local level. While the existing literature discusses EJ at the national, state, and indigenous level, this literature does not adequately address EJ at the local level. As such, this case study bridges a gap in the literature by offering an exploratory study at the local level. Arguably, this study provides evidence necessitating changes in how EJ is defined and addressed locally.

An Examination of Literature

One of the most fundamental questions pertinent to this study is, how is EJ defined? In order to adequately examine EJ, the term first needs to be defined so that parameters and expectations are understood. This sentiment is affirmed by Ringquist and Clark who argue that: “If we knew for certain how the issue of environmental justice was defined at the state level, this information could help us model state policy choices in this area. Unfortunately, one of the

many questions surrounding state policy activity with respect to environmental justice is this issue definition (Issue Definition, 362).” Scholars have examined EJ through four different lenses: global, national, at the state level, and the indigenous level. Because this study focuses on the United States, the literature at the global level will not be analyzed.¹

The National Level

EJ is defined in a few different ways at the federal level. The first two definitions are put forth by government entities. First, the Environmental Protection Agency (EPA) defines environmental justice as, “the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.” Second, in 1994, President Bill Clinton passed Executive Order 12898, *Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations* (Clinton). This order made achieving EJ within Federal agencies a national priority. The EPA definition and Clinton’s definition of EJ are very similar. Clinton’s definition differs in only one way— it expresses that minority and low-income populations face, “disproportionately high and adverse human health or environmental effects” while the EPA just calls for “fair treatment” (Clinton).

The next two definitions are examples of definitions put forth by scholars. Zimmerman, in distinguishing between environmental equity and EJ, states that EJ “focuses more on

¹ Literature at the global level is extensive; it ranges from analyses of global movements to how EJ is a commonality for all nations. The following list is a sampling of global EJ studies:

Baber, Walter F., and Robert V. Bartlett. "Race, Poverty and the Environment: Toward a Global Perspective." *Public Administration Quarterly* 33.4 (2009): 457-80. Print.

Claudlo, Luz. "Standing on Principle: The Global Push for Environmental Justice." *Environmental Health Perspectives* 115.10 (2007): A500-503. Print.

Okereke, Chukwumerije. "Moral Foundations for Global Environmental and Climate Justice." *Royal Institute of Philosophy Supplement* 69 (2011): 117-35. Print.

Schlosberg, David. "Reconceiving Environmental Justice: Global Movements And Political Theories." *Environmental Politics* 13.3 (2004): 517-40. Print.

procedures to ensure fair distribution. Fairness refers to where one group or individual disproportionately bears the burdens of an action (Zimmerman, 1).” Stephen B. Huebner defines EJ as “a political and social movement that emerged in the 1980s with the goal of eliminating environmental inequity, a condition that causes minority and poor populations to bear a disproportionate burden of society's pollution (57).”

Out of all of these definitions, the EPA’s is the most widely used.² Fritz contends that the EPA definition is the “neutral” definition which is why it has become the definition of choice for many government bodies (Fritzs, 184). Neutrality is important at the federal level because it calls for the fair treatment of all, and does not call direct attention to those with less power within a society, such as minorities and low-income populations. At the federal level a lack of neutrality may be problematic because it predisposes EJ efforts to be directed at only three types of communities— those that are poor, those that are minority, and those that are both poor and minority. EJ must be addressed wherever it occurs, thus, keeping the definition open to various types of communities at the federal level is important.

Clinton’s definition acknowledges that minorities and low-income groups are more likely to face environmental injustices, making it a non-neutral definition. Zimmerman’s definition is modeled very closely after the EPA’s; it is neutral, and it stresses procedures and fairness. Huebner’s definition strays from the EPA’s as it is not neutral; it deliberately calls attention to minority and poor populations. While EJ is largely viewed in the context of poor and minority populations in the U.S., EJ does not exclusively apply to these communities; the Love Canal tragedy is a nationally acknowledged EJ event, but the community was neither poor nor

² The Centers for Disease Control and Preservation, The U.S. Department of Health and Human Services, Thomas Parris, Heather Dillingham, Roy Whitehead, and Richard Merritt, among various other organizations and scholars, all use the EPA definition of EJ in their work.

minority.³ This definition also explicitly points to pollution as the problem, while other EJ definitions tend to be broader. At the national level a broader definition is necessary because while pollution may be the problem adversely affecting a community in one part of the country, it may be something entirely different such as toxic waste, in another.

In sum, at the national level the definition of EJ requires broadness and neutrality. The EPA definition is most frequently utilized because it incorporates both of these characteristics.

The State Level

Many states utilize the EPA's definition to address EJ at the state level. However, other states such as California have developed their own definitions. California was one of the first states to react to EJ concerns with respect to policymaking (Peter, 529). In 1999, the first bill enacting an EJ policy into California's statutes was signed (Peter, 529). In this bill, a definition of EJ was provided: EJ is, "the fair treatment of people of all races, cultures, and incomes with respect to development, adoption, implementation, and enforcement of environmental laws, regulations, and policies (Peter, 529)." The EJ task forces in other states such as Oregon, Massachusetts, and New Mexico have also put forth definitions of EJ, which are similar to both the California and EPA definition.⁴

The rest of the state level EJ research has few commonalities, but it all generally attempts to explore what states have done in response to EJ and why they have done so. Ringquist and

³ Love Canal is a neighborhood in Niagara Falls, New York. The Hooker Chemical Company was in operation in Love Canal until 1953 when they sold their land to the Niagara Falls City School District (Blum, 22). The company was responsible for severely contaminating the soil of Love Canal. In the 1970's residents began to unravel the causation between high levels of severe health defects affecting residents and the soil contamination. In 1978, United States President Jimmy Carter announced Love Canal as a federal health emergency (Blum, 28).

⁴ EJ definitions for these states can be found at the following websites:
 Oregon: http://www.oregon.gov/Gov/Pages/gnro/environmental_justice.aspx
 Massachusetts: http://www.mass.gov/envir/smart_growth_toolkit/pages/mod-ej.html
 New Mexico: <http://nmeic.org/index.php/site/issues-enviro>

Clark contend that whether environmental justice is treated and defined as a protective regulatory policy or as a redistributive policy affect how EJ policy adoption takes place (Issue Definition).⁵

In another study, Ringquist and Clark looked into different parameters to determine what factors would most likely result in state level responses to an EJ issue (Local Risks, States' Rights, and Federal Mandates). Among the top factors were the characteristic of the state government (whether the government is liberal, conservative or other), and the level of racial diversity within the state (the more diversity the more likely policy adoption is to occur) (86). Severities of the EJ problem and government capacity were not linked with higher rates of policy adoption. While Ringquist and Clark focus on policy definition and factors that influence action, the American Bar Association (ABA) reviews the various approaches of the fifty states in advancing EJ by looking at their programs and committees, and by interviewing officials.

In the past three years the ABA has noted a large growth in the acceptance of EJ as an issue, especially in broadening the scope of EJ to beyond the issue of facility siting and permitting (iv). Thus, while Ringquist and Clark illuminate the ways in which advancing EJ at the state level has been limited, the ABA has noticed a general trend of progress. The ABA however, does not summarize their findings in a general fashion (a breakdown of how many states are actively pursuing environmental injustices versus those whom are not). Eight years prior to the ABA's study, however, Ringquist and Clark conducted this type of research and presented generalized findings. They noted that state actions can fall into one of five categories:

First, states can do nothing. Fourteen states fall in this category [four more states than in 2007]. Second, states can evaluate the degree to which environmental inequities pose a problem in the state [12 states]. Third, states can create advisory boards or commissions charged with counseling state policymakers and

⁵ Protective regulatory policies are those programs which are designed to protect the public by setting conditions that allow for various private actions to be initiated. Redistributive policies are intended to reallocate a valued item among social classes or racial groups.

administrators on environmental justice matters [2 states]. Fourth, following the lead of the federal EPA, states can amend the organizational structure of their environmental agencies to institutionalize expressed concerns over environmental justice [8 states]. Finally, states can pass legislation or enact rules that specifically change standard operating procedures in environmental policy to remedy environmental inequities (4 states). States may pursue any or all of these last four options (Local Risks, States' Rights, and Federal Mandates, 82).

This breakdown by category helps to illuminate the status of EJ in the U.S. at the time the study was conducted; 28% of states chose to do nothing, while 72% of states made some efforts.

In summary, the commonalities between state EJ research are few; states have several options in how to address EJ and they are much more likely to pursue addressing issues if the state government is liberal and the state racial diversity is high, however, the general trend is in the direction of improvement, likely because of the increasing levels of citizen awareness and the growing salience of the issue.

The Indigenous Level

Citizen and scholar awareness is also increasing on the subject of EJ at the indigenous level. It is agreed upon by scholars that EJ has different components to it at the indigenous level.

The indigenous level and people are defined within the following description:

Indigenous communities, peoples and nations are those which, having a historical continuity with pre-invasion and pre-colonial societies that developed on their territories, consider themselves distinct from other sectors of the societies now prevailing on those territories, or parts of them. They form at present non-dominant sectors of society and are determined to preserve, develop and transmit to future generations their ancestral territories, and their ethnic identity, as the basis of their continued existence as peoples, in accordance with their own cultural patterns, social institutions and legal system (United Nations).

Schlosberg contends that, “the environmental justice struggles of indigenous peoples reveal a

broad, integrated, and pluralistic discourse of justice— one that can incorporate a range of demands for equity, recognition, participation, and other capabilities into a concern for the basic functioning of nature, culture, and communities (12-13).” By looking at two case studies, one in northern Arizona and the other in southern Chile, Schlosberg confirms that indigenous EJ demands have added components beyond distribution equity which is emphasized with EJ concerns in other communities. EJ at the indigenous level is rooted in “broader struggles to preserve identity, community, and traditional ways of life (Schlosberg, 13).” Schlosberg also notes that EJ is not just an individual experience, it is rooted in community. Communities are victims of inequity as much as individuals are. Bryant agrees with Schlosberg that EJ is broader than just distributional equity— his definition of EJ includes many different conceptions of justice:

Environmental justice refers to those cultural norms and values, rules, regulations, behaviors, policies, and decisions to support sustainable communities, where people can interact with confidence that their environment is safe, nurturing, and productive. Environmental justice is served when people can realize their highest potential, without experiencing the “isms.” Environmental justice is supported by decent paying and safe jobs; quality schools and recreation; decent housing and adequate health care; democratic decision-making and personal empowerment; and communities free of violence, drugs, and poverty. These are communities where both cultural and biological diversity are respected and highly revered and where distributed justice prevails (6).

Zaferatos concurs with Schlosberg and Bryant, stating that EJ is broader for indigenous people; she looks at the experience of the Swinomish tribe in Washington State to determine this.

O’Neill also acknowledges that tribes are sovereign nations which mean they have a unique legal and political status that makes them different from other EJ communities. O’Neill contends that the EPA must look at EJ in the tribal context when dealing with indigenous communities in order

to adequately resolve a problem, as injustices will affect indigenous people in different ways. In summary, scholars agree that at the indigenous level, the definition of EJ must involve a much broader conception of justice.

Through an examination of the literature it becomes evident that the EPA definition of EJ is the most predominately used definition, except at the indigenous level where the definition is much more inclusive in its conception of justice. However, inherent in each definition is the notion of safety and freedom from adverse and disproportionate environmental effects. One way to measure these unequal effects, and thus, determine communities that may be facing environmental injustices is through the examination of Superfund site placements.⁶

An Example of EJ: Superfund

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as Superfund, was passed in 1980 in part to clean up the United States' abandoned hazardous waste sites (EPA). The question then becomes: how is Superfund part of EJ? Petrie explains this by analyzing some of the first critiques of the Superfund program. For example, penalties for industries which committed environmental violations were greater in white communities (Petrie, 473). Cleanup of Superfund sites began later in minority areas and sites in minority areas took longer to be places on the National Priority List (NPL) or to be officially made a Superfund site (Petrie, 473). Minority communities also received the least desirable method of cleanup— capping a hazardous site (Petrie, 473). Hird also looks into how Superfund is related to EJ and finds that the beneficiaries of the Superfund program live in wealthier and more educated communities (323). However, communities with more minorities have the most NPL sites compared to all other communities (Hird, 331). Dissimilar to Hird,

⁶ “Superfund is the federal government's program to clean up the nation's uncontrolled hazardous waste sites (EPA).”

Stretesky and Hogan determine that in the state of Florida, while Blacks and Hispanics are more likely to live near Superfund sites, income is not an indicator of such sites (268). In summary, Superfund is part of EJ because it can be used as a measure of exposure to hazardous waste and of how much action is being taken to correct environmental injustices.

Something New

Low income communities are generally associated with EJ (even though the existing literature has some discrepancies in whether income is a factor in the location and number of Superfund sites). Otsego County is one of the poorest counties in New York State which makes Oneonta the perfect location for a local case study. Data from the US Bureau of Economic Analysis shows that in 2009 Otsego County ranked 48th out of 62 New York State Counties for average per capita personal income, with number 62 being the most poor (D. Bullard). Because EJ affects not just individuals, but also the community within which individuals live, local studies are imperative to the understanding of EJ; EJ issues are inherently community issues.

As the existing literature shows, unless examined through the indigenous perspective, all existing definitions of EJ are very similar to the definition provided by the EPA. The presumption is that the EPA definition brings together all of the components of EJ at the national, state, and indigenous level, making it a suitable definition to address injustices. Because this definition is the most widely accepted definition of EJ, it will be used throughout the course of this study to examine EJ. This national definition is the most appropriate existing definition for a local study as it is comprehensive (it does not just stress one particular procedural equity; it accounts for development, implementation, and enforcement) but it is also broad enough to allow for differences in localities (not all communities are the same, and thus, EJ will mean varying things to different communities). For example, the Huebner definition which

specifically cites “pollution” as the problem would not be adequate, because while pollution may be the problem in one locality, this may not be the case in another.

EJ is a field that has yielded diverse research among scholars— there has been a lack of cohesion among studies, including at the local level. For example, Capek uses Texarkana, Texas, as a case study to evaluate how mobilization of residents is related to localities developing an “EJ frame”. In turn, is the study conducted by Baden and Coursey which focuses on the analysis of “when a facility was sited, when people migrated to that area, and when the facility was discovered to be dangerous (83)” in evaluating EJ in Chicago, Illinois. Mix’s research is also an example of a unique local EJ study. Mix examines the experience of EJ activists with local-level coalition building as a deliberate organizational form. While it is significant that local EJ research has been done, the lack of cohesion in the field is problematic. This study serves to examine the basics of local EJ (how is it defined and addressed) which will help to better structure local EJ research in the future.

Methods

In order to make conclusions about EJ at the local level, this research uses a case study approach. Case studies are often utilized when a ‘how’ or ‘why’ question is being asked about a contemporary event, over which the researcher has virtually no control; they involve “direct observation of the events being studied and interviews of the persons involved in the events (Yin, 9-11).”

Case Selection

To determine whether Oneonta would be a good case selection, the six steps in the EPA’s *Guidelines for Conducting Environmental Justice Analyses* were followed (EPA):

1. delineate the boundaries of the community of concern (COC) and conduct, as appropriate, a preliminary environmental burden analysis;

2. compare the demographics of the community to an appropriate statistical reference;
3. determine whether the community is either minority or low income;
4. develop a comprehensive environmental load profile (ELP) for any community that is either minority or low income;
5. assess whether the burden is disproportionately high and adverse; and
6. summarize and report the results.

To complete this process, a variety of documents were examined that relate to the EJ analysis of Oneonta, including census data and records of various locations where environmental concerns were noted (the results of these steps can be seen in Figure 2). The results show that while Oneonta classifies as a low-income community, and while there are manifestations of EJ within Oneonta, the burden is not adverse and disproportionate, thus, Oneonta is not an EJ community. However, Oneonta is on the brink of being classified an EJ community. These results make Oneonta a great case study selection. Most cities have remained off the national EJ radar (even though examples of EJ exist within their borders), thus, in selecting a case study city, the chosen city should also have received little EJ attention— this will make the analysis applicable to other localities. Oneonta, NY, also serves as an important case study of EJ because it is a small city (4.36 square miles, with approximately 13,843 people (U.S. Census Bureau)). Most local EJ studies have focused on larger cities, thus, examining a small city will allow for a new area of exploration.⁷

⁷ The following are a sampling of studies which focus on EJ in large cities:

Focusing on New York City, New York:

Maroko, Andrew R., "Using Air Dispersion Modeling And Proximity Analysis To Assess Chronic Exposure To Fine Particulate Matter And Environmental Justice in New York City." *Applied Geography* (2010): 533-547. Print.

Focusing on Los Angeles, California:

Su, Jason G., Rachel Morello-Frosch, Bill M. Jesdale, Amy D. Kyle, Bhavna Shamasunder, and Michael Jerrett. "An Index for Assessing Demographic Inequalities in Cumulative Environmental Hazards with Application to Los Angeles, California." *Environmental Science & Technology* 43.20 (2009): 7626-634. Print.

Focusing on Houston, Texas:

Linder, Stephen H., Dritana Marko, and Ken Sexton. "Cumulative Cancer Risk from Air Pollution in Houston: Disparities in Risk Burden and Social Disadvantage." *Environmental Science & Technology* 42.12 (2008): 4312-322. Print.

The results from the EPA's Guidelines show that Oneonta is a prime example of a city with EJ results that will likely be applicable to other localities. While little attention was received on the issue, Oneonta was home to a Superfund site (a direct indicator of EJ) between the years of 2004 and 2007. More specifically, the Oneonta manufactured gas plant (MGP) site was located in what is now Neahwa Park (NYSEG). The plant operated for approximately seventy years (from the late 1880's to the early 1950's) producing gas by using coal, oil, and water (NYSEG). By 1956, most of the plant was demolished, and the site was sold to the City of Oneonta in 1966 (NYSEG). The site was classified as a Superfund in 2004 and was remediated from 2005 to 2007 (NYSEG). Several factors contributed to the listing as Superfund, including that the soil was contaminated with volatile organic compounds (VOCs) and semi-volatile organic compounds (SVOCs) which necessitated remediation (NYSEG). The former western plant area is now a parking lot for an adjacent baseball field, and the former eastern plant area is now a lawn and part of James Georgeson Avenue (NYSEG). The existence of this site is an example of how, while Oneonta does not classify as an EJ community, there are examples of EJ within its borders.

An important part of EJ at the local level is city official awareness. Thus, local officials (members of the Oneonta City Council and of the Oneonta Environmental Board) are interviewed for this study; three out of eight members of the Environmental Board are interviewed individually, and seven out of eleven members of the City Council are interviewed in a focus group due to constraints of time and availability.⁸ A focus group “consists of a small number of individuals (about twenty, say) who meet in a single location and discuss with a

⁸ The Council, presided by the Mayor, consists of eight Council Members and two Council Support Staff; “each Council Member represents the ward in which they reside for a four year term (City of Oneonta).” The Environmental Board “consists of at least 5, but not more than 7, members each appointed by the Mayor, with approval from the Common Council, for a three year term of office. The Board is responsible for the preservation and improvement of environmental quality within the City of Oneonta (City of Oneonta).”

leader [the interviewer] a topic of research stimulus (Johnson, Buttolph, and Reynolds, 2000).” If EJ is to be adequately defined and addressed for a specific locality, it will be necessary for the local officials in the community to have a certain level of knowledge on the topic of EJ. Interviewee responses will help to determine the status of EJ in Oneonta (See Appendix for a copy of interview questions).

Frame Analysis

To better understand the responses of interviewees, and to detect themes across the interviews, frame analysis will be utilized. Frame analysis is an interpretive process which requires scholars to consider social interactions of persons in order to comprehend societal issues (Lewicki, Gray, and Elliott). Frame analysis originated in 1974 by Erving Goffman whom regarded frame analysis as the organization of social experiences that governs the meaning of social events (Goffman). It is a way of making sense of a complex reality.

This paper will use frame analysis to lead to a meaningful understanding of interviewee’s responses. Due to an inductive examination of the interview results, three frames were apparent in this research. The three frames include: awareness, economic, and expectations. The *Awareness Frame* documents the understanding or the lack thereof that local officials have about EJ. This frame was naturally inherent in the interviews, as each individual had a different level of awareness from the onset. Thus, the awareness frame was used by all interviewees in interpreting and answering the questions. The *Economic Frame* helps to understand how various officials define and interpret local EJ; this frame provides an understanding of environmental justice with a focus on economics. Last, the *Expectations Frame* identifies interviewee’s expectations for the future of EJ while also detailing their understanding of its progress.

Analysis of Interviews

As noted, the interview data collected for this project is examined using frame analysis. To delve deeper, the frames help to understand what EJ means to the local community of Oneonta, NY from the perspectives of elected leaders.

Awareness

To begin, the awareness frame is important in order to understand to what extent local officials recognize and comprehend issues associated with EJ, and to what extent they believe the public recognizes and comprehends issues associated with EJ as well. Several questions were asked such as, “have you heard of the term environmental justice?” and, “are you familiar with Superfund?” that elucidates the level of the awareness of local officials. Seven out of eleven city council members were present at the conducted focus group. Three out of eight members of the environmental board were individually interviewed. Most city council members had not heard of the term “environmental justice” and only one environmental board member had a solid understanding of the term. One council member pointed to Erin Brokovich as an example of EJ, another pointed to “oil and what people are arguing about” and another spoke of “reparations.” One environmental board member said they had not heard of the term EJ, another stated it was “weighing out the value of the environment versus development,” and another explained that “it became clear very early on that the people suffering from environmental degradation were poor people.” The comment of “reparations” while vague is linked to EJ, and thus, it is assumed that this council member had an understanding of EJ. In sum, one out of seven council members had some understanding of the term EJ, and one out of three members of the environmental board (the individual whom spoke of poor people suffering) had some understanding of the term EJ.

After the interviewees offered their own definitions of EJ, I read the EPA's definition of EJ to the interviewees.⁹ After providing the interviewees with this definition, there seemed to be some confusion among city council members and the environmental board. For example, one environmental board member, prior to hearing the EPA's definition, incorrectly defined EJ as "weighing out the value of the environment versus development." Upon hearing the correct definition of EJ this environmental board member continued to answer EJ questions with his or her definition driving his or her responses; presumably this individual found the EPA's definition too confusing to utilize in answering the rest of the questions.

However, one alderperson thoroughly understood the definition and explained that, "when we see injustice or environmental degradation we see it in communities that don't have a voice – companies like Monsanto – terribly impact individuals, people that don't have the power to fight back." Only three city council members believed that there were examples of environmental injustices in Oneonta. Most people agreed that Oneonta is a "pretty open community." No environmental board member thought that there were modern examples of EJ in Oneonta. One member stated that, "I find that there isn't any strict class segregation, or any people ending up living next to the incinerator or anything, but I experienced that when I lived in various other places."

Six out of the seven council members, and all three environmental board members were aware of what Superfund is. Most of the interviewees were aware that Neahwa Park had been treated as a Superfund site— yet, no one pointed to this as a recent example of an environmental injustice in Oneonta.

⁹ The definition provided to the interviewees: "According to the EPA, environmental justice is defined as, 'the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.'"

Yet, all Alderperson's were in agreement that the general public does not know the history of this site. One Alderperson stated, "I am the public and I don't know [the history]." Others explained various factors that contributed to why the public was unaware of this site: because there were no ill effects from the site the public had less of a stake in the matter, today's people are reading less papers and paying less attention to local news, environmental issues have not always received a lot of attention (as they are receiving now), and there was no NIMBY (not in my back yard phenomenon).¹⁰ Thus, according to the alderpeople the awareness on behalf of the public was incredibly low. Two out of three environmental board members, on the other hand, spoke adamantly about how the public *was* aware of the site: "There was an open bidder for several months and it was in the paper. There was a lot of information in the paper—the people certainly knew it was happening, even if they didn't know it was classified as Superfund." Another member stated, "Yes the people knew about the site- the remediation went on for well over a year. It's next to the ballpark downtown, people go there all the time, you couldn't miss the fumes and noise coming out of that place, and the truck traffic." The third environmental board member was not as familiar with the site. Thus, there is a huge disparity in opinion between the council and environmental board members regarding whether or not the public is aware of this site.

However, an area of agreement between the council and environmental board members is that there are differences between EJ at the local, national, and global level. All interviewee's accept for one (an environmental board member) believed that there were differences at these various levels. This one environmental board member was not sure how to answer the question—he or she did not have a definitive opinion one way or another. One comment

¹⁰ NIMBY explains that residents oppose placement of local development projects that are necessary to society (waste treatment plants, wind farms, power plants, etc.) within their community.

regarding the variances at the different levels was, “the closer it gets to home, the more real it becomes, when the issue gets closer to home, it becomes more germane to your experience.” This statement suggests that awareness and concern increases in the public as the injustices become more local (NIMBYism is a factor).

In sum, the vast majority of environmental board and city council members were *unaware* of the term EJ, and the EPA definition caused confusion, but most all members were aware of Superfund— one of the manifestations of EJ. There is also a disagreement among city council and environmental board members regarding whether the public is aware of the previous Superfund site in Oneonta, with the city council believing the public does not know, and the environmental board believing they do. No interviewee pointed to the Superfund site as a recent example of EJ in Oneonta.

Economic

Another frame that manifested in the interviews was the economic frame. The economic frame is the perception in which individuals approached the questions from an economic standpoint. This frame is particularly important to understand obstacles to EJ, as economic concerns are often cited as the reason for not pursuing environmental improvements. No specific economic questions were asked during the interviews and focus group; the economically minded responses were expressed by the interviewee’s on their own, with no prompting.

A city council member responded to the EPA’s definition of EJ by stating, ‘it goes without saying – the presumption is the case whether it be environmental or economic justice – the presumption is not necessarily consistent with reality.’ This council member suggests that economic and environmental concerns are two distinctly separate concerns; is it possible to have both types of justice at the same time? This council member suggests that it is not. This

comment also brings up the question of whether or not economics *should* be part of the EJ definition, as, economics inevitably affect environmental changes and regulations.

When asked to provide examples of environmental injustices in Oneonta, one council member responded: “a decision that favored one group over another – let me give you the reverse, the city last year passed an ordinance banning hydro fracking –that might have had a negative consequence for people economically– but is this an injustice?” Unlike the previous statement, this one suggests that environmental and economic justices are very much intertwined. In this case, the injustice would be economically driven, which is interesting given the topic of the focus group being EJ. Again, perhaps for this locality, as a low-income community, economics is more germane to the definition of EJ.

One alderperson responded to the question “Are there differences between environmental justice at the global level, national level and local level?” by stating, “globally, many up and coming countries are polluting a lot, but from a business perspective they are not responding to this. China, India, places that are seeing economic gains, but globally it is definitely different.” This statement brings up questions of entitlements, because big industry has money they are able to get away with polluting. In this regard, again, economics and EJ are very much linked.

When asked about improvement in EJ overtime, an alderperson stated, “I don’t know if there is a class issue in terms of lead paint, I was thinking that the distribution of income is just as much in old houses, in lower income houses, in Oneonta.” In response to this statement, another alderperson replied, “if you have a higher income, you can fix the problem, people don’t have the means to fix the issue; it definitely does impact lower income populations with lead paint.” Thus, the second alderperson acknowledges that even if wealthy and non-wealthy individuals are affected by environmental injustices at the same rate, the wealthy individual is

more likely to be able to fix the problem due to their expendable income. In this way, environmental injustices do in fact, adversely affect indigent individuals and families.

In parting comments one alderperson stated, “the term of environmental justice is way too squishy— there isn’t a lack of commitment, the issue is economics and this doesn’t have so much to do with justice, the question is finding the balance...” This statement reaffirms that the lack of EJ attention at the local level can be problematic. Because the EPA definition is “squishy” as in, it is too broad and does not use concrete language, EJ is difficult to understand. If each locality came up with their own EJ definition, as it applies to their unique situation, the term would become less “squishy.” The rest of the alderpersons comment is interesting as well, implying that EJ can only be meaningful if it is balanced with economic interests.

This frame allows the varying opinions of how economics and the environment are and should be balanced to come to light. In particular, it is made clear that regardless of what the relationship is between the two, a relationship exists none the less. It is also noteworthy that all economic comments came from council members; no environmental board member brought up how economics may affect EJ. This is a reflection of the differences between the two groups; the common council deals with many city functions, while the sole function of the environmental board is “the preservation and improvement of environmental quality (City of Oneonta).” Thus, the council members are more likely to be conscious of monetary constraints.

Expectations

The expectations frame is used when interviewee’s examine their expectations for the future of EJ while also detailing their understanding of its progress. The question arises, how can the interviewee’s comment on progress or expectations if the majority of them did not know what EJ is? Because the EPA definition of EJ was provided, and as time progressed in the

interviews and focus group a better understanding of the term emerged, the interviewees were able to comment on progress and expectations in terms of how they understood the EPA definition and how they applied it to the real-world. Questions such as, “Environmental justice is still a fairly recent concept and term— over the course of your life have you noticed any changes in how it is defined? In how it is addressed? Has it improved/worsened/unsure?” were asked to illustrate how the city officials viewed the progress of EJ over time. No specific questions were asked regarding the expectations of future EJ work; the comments on future expectations were made by interviewee’s on their own, with no prompting.

When asked if there have been improvements in EJ over time, everyone (except for one environmental board member who did not answer the question) answered in the affirmative. One alderperson explained that they have “seen some improvement in how we use chemicals, fertilizer, pesticides in the park, we don’t always do this, but there’s a strong feeling that we should move in this direction.” Thus, both the public and industries have made changes overtime accommodating for new environmental health discoveries. The expectation is that communities will continue to improve the way in which they use chemicals.

One alderperson stated:

the change has been enormous— no doubt that companies try to be sensitive of what is going into the ground and river, the awareness such as roundup and casually spraying to get rid of weeds, things you just wouldn’t do today. The older you are the harder it is address to these trends. Younger people recycle.

An interesting aspect of this statement is the comment on age. Another alderperson commented on age as a factor of progress as well, stating, “if our students care, if there’s a problem, then they will take care of it down the road, they seem motivated.” This statement begs the question, than what about the present? Is age an inherent factor in EJ? The county is now recycling all

plastics, as one alderperson pointed out, but will only the youth become part of this new recycling initiative? The expectation of this council member is that the youth will be a driving force in EJ and other environmental initiatives.

Environmental board members did not comment on age as a factor in progress and in their expectations. One environmental board member explained that EJ is:

much more open now. The EPA has regulations and public hearings. Oh yes, there has been a hell of a lot of stuff like federal legislation, that requires more openness. Businesses ran scott free before. EJ has improved in a large part, depending on who is in the administration. This goes for the state too, as well as the federal. The local people are now taking more responsibility in realizing that 'hey, it's me that has to do something'— they can't depend on Albany or Washington to do something.

Thus, in this locality, from the perspective of those interviewed, EJ has progressed in terms of openness and transparency, and unlike some alderpeople this environmental board member believes that all citizens, regardless of age, are taking on more responsibility when it comes to care for the environment. They expect EJ to remain open, transparent, and for all community members to continue making positive changes.

Another environmental board member states that EJ is “an interesting local issue, and the environment is the issue when we evaluate the opportunity when we look at the quality of life in that area, and personally I don't want to go back to a life with a lifespan of forty years, and cut more wood.” This statement is interesting as it expresses that perhaps by reconciling environmental injustices the nation will take a step back in overall progress. The expectation of this member is to continue progressing as a society and not to be held back by environmental factors.

In sum, local officials in Oneonta believe that EJ has progressed in terms of openness and pellucidity. There is disagreement between environmental board and city council members regarding the expectations they have for various age groups: should the youth be held more responsible than the older generation in confronting and addressing EJ issues? More generally, these officials expect EJ to remain open and most all members expect for the field to progress.

Discussion and Implications

While this study is exploratory in nature, there are important findings that provide practical implications. The first implication of these results links back to the point made by Ringquist and Clark that if definitions of EJ existed at the state level it would be easier to make state policy choices. This sentiment holds true for definitions at the local level as well. How can environmental injustices be adequately addressed if the officials of a locality do not fully understand the term? This is not to put blame on city officials, but to reveal the need of local EJ definitions. The interviews with city officials from Oneonta exposed some problems with the EPA definition of EJ: it is too “squishy” and difficult to understand. Considering Oneonta is on the brink of being an “EJ community” by the EPA’s standard, it is imperative for a general knowledge of environmental justice to exist so that the town does not slip into official “EJ community” status. A lack of awareness from citizens and city officials contributes to the likelihood of a municipality being classified as an EJ community because it is less likely for adequate preventative and active measures to be taken.

Most all officials were familiar with Superfund, a manifestation of EJ. Perhaps this can explain why so many officials did not believe, in their opinions, that Oneonta had examples of EJ— they did not understand the term, but knew that something, like Superfund, was improving environmental problems. Thus, currently EJ problems are being addressed without any

recognition that the problem is actually related to EJ. Fixing this gap in awareness —making more people aware of the term and concept of EJ— would make addressing any present and future problems easier.

Economics were mentioned a lot in the focus group, yet, the EPA definition only mentions “income” in their definition, with nothing more related to economics. Perhaps this is an important factor to the town of Oneonta which would become part of its official EJ definition, which would then help to guide further EJ actions. While the neutrality and broadness of the federal definition may work at the national level, because it must apply to the entirety of the country, a much more specific and unique definition would better suit localities.

Embedded in this implication is that there is a lack of dialogue regarding EJ among localities in general. In the case of Oneonta there were a couple of instances where the environmental board and the council members held strongly polar opinions (the public awareness of the Superfund site, and the role of economics, for example). It is inefficient for two organizations which should work together on topics such as EJ to have an absence of communication. As can be seen through the *Expectations* frame, Oneonta city officials view the future of EJ drastically differently. While varying opinions on political topics is inherent, and often necessary in a constituency, such a wide spectrum of opinions on the topic of EJ will likely be detrimental to its progress (for example, the environmental board member who does not want environmental improvements to impede on the development and progress of society versus those whom believe addressing environmental concerns to be more important).

The second implication is that unless environmental injustices happen, individuals do not recognize EJ. This was made apparent by the large disparity between people who know the term EJ versus the people who knew the term Superfund. People are aware that things such as

Superfund exist to rectify environmental grievances, yet, they are not aware that this is a manifestation of EJ. This finding was also made clear by the comments on NIMBYism. Several interviewees mentioned that the closer an issue is to home the more salient the concern becomes. Thus, people are more cognizant of environmental injustices when they are directly affected by them. As stated in the case selection section, most cities have not received large quantities of EJ attention, thus, the assumption is that, in turn, most localities do not have city officials who are very familiar with EJ. The problem with this finding is that it requires an injustice to happen in order for action to be taken; no preemptive measures are taken to minimize the chances for injustices to occur. This phenomenon is also apparent through an analysis of the existing literature— there is a plethora of studies on Love Canal, Warren County, and other prominent EJ examples, but there is very little research on non-EJ communities. If more localities made preventative EJ measures a priority, focusing events would appear far more seldom in the media.

The final implication is that economics and industry will often be weighed against the environment. This is a reality that most all environmental topics must face, and this study made apparent that EJ is not an exception. As the economic frame makes discernable several comments were made by council members regarding the balancing of economic and environmental interests. Monetary constraints are a very real and important factor to be considered in EJ. As stated by Ringquist and Clark in the state level literature analysis, there are five different courses of action that states can take with respect to EJ; 14 states choose to do nothing, while other states choose different options. It is likely that the option chosen is largely economically driven. This realization is important as it is a realistic obstacle to EJ, which localities should address in their unique EJ definitions.

Conclusion

This exploratory study has exemplified the importance of defining EJ at the local level; it can be used as a stepping-stone for future research on local EJ definitions and initiatives. As such, scholars should build upon this research by widening the scope of analysis to other localities; the six steps in the EPA's Guidelines can be used to determine appropriate localities.

This study reveals two main problems in the field of EJ. First, the EPA definition of EJ is too broad. And second, no one knows what EJ is until it happens. Ideally, this study will mobilize city officials to examine EJ within their constituencies; local definitions must be made, and preemptive EJ actions must be taken. Increasing awareness among both city officials and community members on the subject of EJ will bolster its salience in localities. EJ must be on community agendas. Whether existing environmental boards dedicate part of their time to understanding EJ in their locality, or new EJ specific boards are designed, does not matter. What does matter is that a group of people in each community devote their time to understanding local EJ, starting by providing a local EJ definition.

Since EJ remains a prominent issue in national environmental politics, the continued study of EJ is necessary as a way to evaluate the obstacles and progresses made in the field. However, progress cannot be made if the EPA definition continues to be utilized. The EPA definition is the most widely used, but as the interviews with Oneonta local officials illuminated, this definition is not understood. The idea that the EPA definition brings together all of the components from the national, state, and indigenous level is only true in that its broadness allows for these vast interpretations.

Headway in the field of EJ will be limited until more meaningful and specific definitions arise. Through community efforts and further studies, the definition of EJ can progressively become less “squishy,” and we can strive to achieve environmental justice for all.

Appendix

Interview Questions

You are being asked to participate in a research project conducted by Nicole Daniels, a student from Hartwick College. This project has been approved by the Institutional Review Board and my thesis advisor, Dr. Sara Rinfret. The purpose of this research project is to examine environmental policy issues at the local level. Information provided in this interview will be used for background research. If I am interested in quoting you, I will ask you for your permission. Names of those interviewed will otherwise remain confidential. Is it okay to move forward with this interview?

1. To begin, what is your official job title?
2. How long have you worked in this position?
3. The focus for this project is to examine environmental issues at the local level. To begin, have you heard of the term environmental justice?

[If they say yes] How do you define environmental justice?

[If no] According to the EPA, environmental justice is defined as the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.

Based upon this definition, what are your thoughts?

- 4a. In your opinion, are there examples of environmental injustice in Oneonta? If yes, can you please explain these examples?
- 4b. What is being done to improve these injustices?
- 4c. In your opinion, is it working?

5a. Environmental justice is still a fairly recent concept and term- over the course of your life have you noticed any changes in how it is defined?

5b In how it is addressed?

5c. Has it improved/worsened/unsure?

Now I am going to move onto some more specific questions:

6. Are you familiar with Superfund? If yes, in your opinion does Oneonta have any Superfund sites or has it in the recent past?

6a. [If not mentioned] Between the years of 2005 and 2007 Neahwa Park was treated as a Superfund site due to contamination from the Oneonta Manufactured Gas Plant which was previously located there. In your opinion, why do more people not know about the history of this site?

7. Are there differences between environmental justice at the global level, national level and local level? If so, what are some of these differences?

This concludes my interview questions. Before we depart, is there anything else you would like to offer that I did not ask today?

Thank you for your time today. If you would like, I can provide a copy of my thesis to you upon completion or you can contact my thesis advisor, Dr. Sara Rinfret with any questions or concerns.

Figure 1: Boundaries of Oneonta, NY

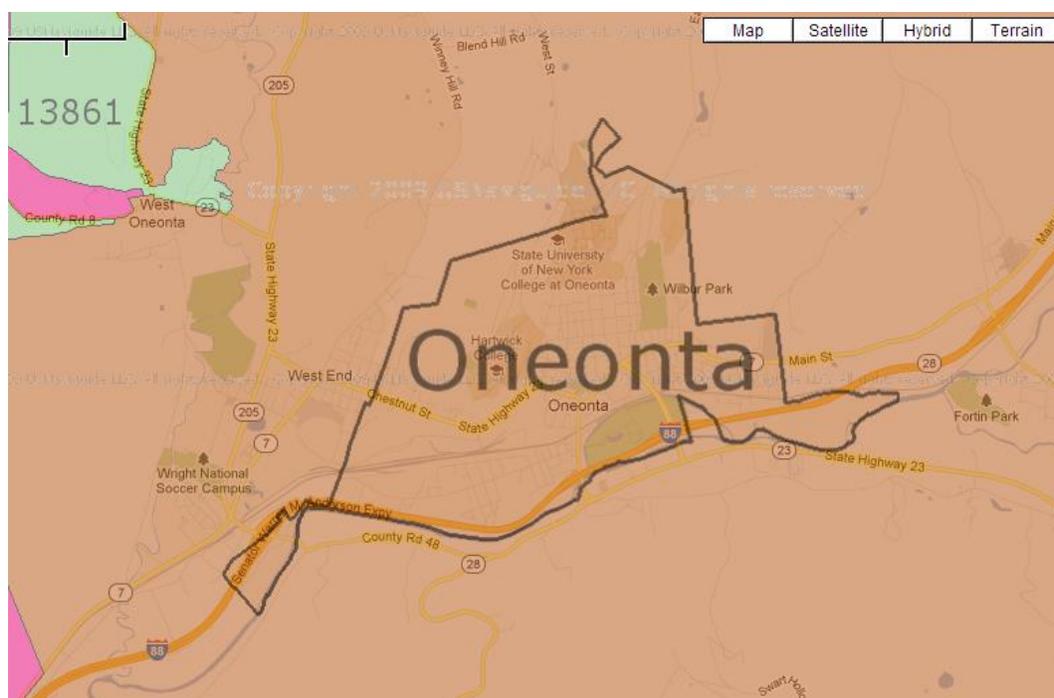


Figure 2: EPA's Guidelines for Conducting Environmental Justice Analyses	
Guideline	Analysis
delineate the boundaries of the community of concern (COC) and conduct, as appropriate, a preliminary environmental burden analysis	<ul style="list-style-type: none"> • City lines of Oneonta define the boundaries (see Figure 1) • Remediated Superfund site and various Brownfield sites
compare the demographics of the community to an appropriate statistical reference	<ul style="list-style-type: none"> • New York State: 65.7% white persons • Oneonta, NY: 89.6% white persons • New York State: 14.2% below the poverty level • Oneonta, NY: 25.4% below the poverty level
determine whether the community is either minority or low income	Oneonta is low income
develop a comprehensive environmental load profile (ELP) for any community that is either minority or low income	<ul style="list-style-type: none"> • Better than average air quality • Higher than average persons per square mile • Superfund and Brownfields
assess whether the burden is disproportionately high and adverse	Not disproportionately high and adverse
summarize and report the results	Not an EJ community

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