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‘This is environmental racism’

How a protest in a North Carolina farming town sparked a national movement

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WARREN COUNTY, N.C. — Ben Chavis was driving on a lonely road through rolling tobacco fields when he looked in his rearview mirror and saw the state trooper.

Chavis knew he was a marked man. Protests had erupted over North Carolina’s decision to dump 40,000 cubic yards of soil contaminated with cancer-causing chemicals in a poor Black farming community in Warren County, and Chavis was a leader of the revolt. The trooper pulled him over.

“What did I do, officer?” Chavis asked that day in 1982. The answer shocked him.

“He told me that I was driving too slow.”

Chavis was arrested and thrown in jail. When the cell door slammed shut, he gripped the metal bars and declared: “This is racism. This is environmental racism.”

The term stuck, and now — nearly 40 years after Chavis spoke the words that have come to define decisions by governments and corporations to place toxic pollution in communities of color — the issue has risen from the fringes of the American conservation movement to the heart of President Biden’s environmental agenda.

One week after his inauguration, Biden signed an executive order vowing to steer clean energy investments to minority communities battling pollution, placing environmental justice at the core of his plan to fight climate change. He named a Native American, an African American and a Latina to powerful environmental posts.

And last week, he tapped more than two dozen advocates from around the country to counsel his administration — “for the first time ever, bringing the voices, perspectives, and expertise of environmental justice communities into a formal advisory role at the White House,” said Cecilia Martinez, a Biden appointee on the issue.

Systemic racism has long influenced where major sources of pollution are located within communities. In the early 20th century, White government planners in many municipalities drew redlining maps that identified Black and Latino neighborhoods as undesirable and unworthy of housing loans. Heavy industry was permitted to cluster in those places, adding a toxic dimension that persists today.

Given little support by White philanthropists, environmental justice groups run by Black, Latino, Native American and Alaskan Native advocates historically have been as impoverished as the communities they represent. While White environmental groups tended to focus on wilderness and wildlife, activists fighting everything from toxic dumps in Alabama to massive oil and gas refineries in California have largely worked in the shadows.

Ben Chavis

His words defined a movement

Today, Black people are nearly four times more likely to die from exposure to pollution than White people. According to “Fumes Across the Fence-Line,” a recent study by the Clean Air Task Force, African Americans are exposed to 38 percent more polluted air than White Americans, and they are 75 percent more likely to live in communities that border a plant or factory.

During the coronavirus pandemic, the consequences have proved particularly deadly. More than half of all in-hospital deaths from the start of the U.S. outbreak through July 2020 were of Black and Latino patients, according to researchers at Stanford and Duke universities. Black patients were far more likely to require ventilation.

“If your Zip code is buried with garbage, chemical plants, pollution ... you’ll find there are more people that are sick, more diabetes and heart disease,” said Robert Bullard, a professor at Texas Southern University and the author of “[Dumping in Dixie: Race, Class and Environmental Quality](#).” “Covid is like a heat-seeking missile zeroing in on the most vulnerable communities.”

Though the cry “I can’t breathe” has come to define today’s Black Lives Matter movement, Chavis, now 73, said it echoes generations of environmental activists of color, including those who fought the toxic waste dump in North Carolina in 1982.

“There were public outcries of ‘We can’t breathe’ and ‘I can’t breathe,’” Chavis said, “by African American environmental justice protesters in Warren County.”

‘The injustice in it all’

The protests in Warren County didn't halt a toxic dump. But they fueled a national movement.

Even before the protests, the federal government had recognized the danger PCBs posed to human life.

Short for polychlorinated biphenyls, PCBs were widely used in paints, plastics and adhesives, and as industrial coolants. Then scientists discovered that, if inhaled or absorbed through the skin, the chemicals can cause birth defects, cancer and other disorders in multiple human organs.

In 1977, the U.S. Environmental Protection Agency moved to ban their domestic production.

Enter Robert Burns, the owner of a New York trucking company, who hatched a plan to become America's "PCB king" by amassing discarded PCBs and selling them to companies that still needed the chemical, court records show. Burns approached a friend, Robert Ward Jr., owner of the Ward Transformer Co., which had stored thousands of gallons of PCB-laden oil in a warehouse near Raleigh.

The plan, however, was a disaster. The high cost of driving hundreds of 55-gallon drums of toxic liquid to a storage facility in Pennsylvania made the operation financially untenable. So Burns “devised a scheme, for which he sought Ward’s approval,” court records said. He would dump the chemicals instead.

The first location was a range at Fort Bragg, but the soil there failed to absorb the liquid. So Burns told Ward that his sons, Randall and Timothy, would spray the oil along rural North Carolina roads.

For more than three months, driving under cover of darkness, they poisoned an area spanning 14 counties with 30,000 gallons of PCBs, government records show.

It didn’t take long for state officials to notice the 211-mile stain. The men, all White, were convicted of committing an environmental crime. Burns pleaded guilty to federal criminal charges and was sentenced to a year in prison. Ward was acquitted of state charges but convicted in federal court, where he was sentenced to two years in prison.

North Carolina was left to clean up the mess.

Gov. James B. Hunt Jr. (D) first proposed to treat the PCB-contaminated soil where it lay, but the EPA nixed that plan. So Hunt pursued another option: dumping 10,000 truckloads of contaminated dirt in a soybean field in rural Warren County, a largely poor area that was nearly 60 percent Black.

There, in a modest ranch house off Tower Road, lived a young, Black mother of two named Dollie Burwell. Barely 30, she was already a fierce civil rights activist, raised by sharecroppers who had instilled in her an unwavering sense of right and wrong.

Dollie Burwell

Fought to protect her community

Her parents had hammered home a Bible verse that Burwell still quotes by heart: “And what does the Lord require of you but to do justice, and to love kindness, and to walk humbly with your God?”

Burwell said her mother “always made us believe we were the hands, the eyes, the feet of God on Earth.” It wasn’t enough to believe in justice; the scripture said to fight for it.

So Burwell assembled a small group of Black women to fight against the dump. They feared it would contaminate groundwater, and make their community a magnet for future toxic waste disposal.

During a recent interview not far from the protest site, Burwell said her community was an easy target: “We were poor, we were Black and we were politically impotent.”

But they were not silent.

The women organized gatherings at Coley Springs Baptist Church, a large brick and stained-glass building near the township of Afton. They “did the cooking and feeding the protesters and doing the fliers and passing out fliers and calling people to make sure we had people to participate,” Burwell recalled.

As a member of the Southern Christian Leadership Conference founded by Martin Luther King Jr., Burwell “had the ability to call on people to come and march and go to jail with us.” Civil rights titans came: the Rev. Joseph Lowery of the SCLC in Atlanta, and his wife, Evelyn; Walter Fauntroy, the delegate representing Washington, D.C., in Congress; and the Rev. Leon White, a field director for the United Church of Christ racial justice commission.

Charles Lee

Studied the scourge of pollution

White also called Chavis, a member of the Wilmington 10 — nine Black men and a White woman wrongly convicted of a 1971 firebombing at a grocery store in Wilmington, N.C. After they spent years behind bars, their sentences were commuted in 1978. Years later, Gov. Bev Perdue (D) would pardon the group, saying the trial was infected by “naked racism.” Investigators uncovered notes by the prosecutor showing he preferred jurors who were Ku Klux Klan members and that he described a Black juror as an “Uncle Tom type.”

Just three years out of prison, Chavis believed he was still being closely watched by the state. He worried about being locked away again.

But the women of Warren County had his back.

Over the six-week protest, women lay in the path of massive dump trucks beside men. Children often protested with their parents. More than 500 people were arrested, including Burwell, who was hauled away five times.

“A couple of times, I didn’t even intend to get arrested,” she said. “But you just saw the injustice in it all, and the next thing you know, you were blocking the trucks.”

The struggle took a toll not only on Burwell, but also her 8-year-old daughter, who attended some of the protests. One day, “just as I was being put in the paddy wagon, I saw all the reporters around her,” Burwell recalled. Bound in handcuffs, she saw her daughter in tears. “It just tore me up.”

The protests failed to stop the landfill. On Sept. 15, 1982, the state began piling contaminated dirt into a 22-acre dump carved out of farmland.

Hunt vowed to oppose future landfills in the county and to detoxify the site as soon as technology to eliminate PCBs became available. But that would take decades.

In Warren County, a battle had been lost. But across America, the larger fight was just beginning.

‘Toxic Wastes and Race’

Activists waged a lengthy battle to shut down an aging Pacific Gas and Electric Co. power plant in the Hunters Point area of San Francisco. It closed in 2006.

National television networks and major newspapers had covered the Warren County demonstration, a first for a Black environmental protest. Activists as far away as Alaska were paying attention.

In poor, racially segregated communities across the country, people had been quietly fighting pollution from rail yards, coal-fired power plants, sewage treatment facilities, oil and gas refineries, and concrete batch mills. They saw their own stories playing out in Warren County.

Charles Lee, a Chinese American researcher, traveled there from New Jersey. Later, he read a 1983 federal report commissioned by Fauntroy that showed that 3 out of 4 major landfills in the South were surrounded by Black communities. Lee suspected that environmental racism was more widespread.

“I said, ‘We need to replicate this on a national scale,’” Lee recalled. With the backing of the United Church of Christ, he began to assemble the first major study of the environmental justice era, “Toxic Wastes and Race in the United States.”

Published in 1987, the study found that “communities with greater minority percentages of the population are more likely to be the sites of commercial hazardous waste facilities.” But the report does not use the term “environmental racism.”

“The conversation we started having was about ‘environmental racism,’” recalled Vernice Miller-Travis, who worked with Lee. “Because everybody was uncomfortable with racism, we called it ‘environmental justice.’ It’s not accidental. It’s all intentional.”

For the report, Lee networked with hundreds of local activists. One was Richard Moore, a Latino man in New Mexico. Moore was frustrated that mainstream, mostly White environmental groups were not fighting environmental racism, focusing instead on land use, climate change, general air quality and wildlife protections.

Vernice Miller-Travis

Helped shaped a pivotal summit in Washington

Several green groups were established by white supremacists. Sierra Club founder John Muir once described African Americans as lazy “Sambos” and Native Americans as “dirty.” Madison Grant, a prominent early conservationist, argued for white supremacy in his book “The Passing of the Great Race, or The Racial Basis of European History” — a tome Adolf Hitler called “my bible.”

In March 1990, Moore and 90 activists fired off a letter to the National Wildlife Federation calling for more diversity.

“Although environmental organizations calling themselves the ‘Group of Ten’ often claim to represent our interests, in observing your activities it has become clear to us that your organizations play an equal role in the disruption of our communities,” Moore wrote.

Once again, Lee saw an opportunity.

“Let’s do something that really kind of makes a statement about the leadership that already exists in people across color communities on these environmental issues ... and use it as a way to coalesce a movement,” he recalled thinking.

Lee pitched the idea for the First National People of Color Environmental Leadership Summit. If 300 people showed up, organizers thought, it would be a success.

When the summit began on Oct. 24, 1991, at the Washington Court Hotel on Capitol Hill, about 1,000 people flooded into Washington.

“We sold out the hotel,” Lee said.

‘Taking charge of their destiny’

They came from Prince William Sound, Alaska, where the Exxon Valdez oil spill had ruined Native American fisheries; from Albuquerque, where open uranium mines were emitting high levels of radiation; from Chicago, where power plant pollution had dirtied neighborhoods. They came from Houston, where garbage dumps were located next to Black communities.

Some of their homes had terrible names, such as the strand of tiny towns between New Orleans and Baton Rouge known as Cancer Alley.

On opening day, only organizations with people of color in executive positions were allowed to participate. Over the four-day summit, activists prayed into microphones in English and Sioux, Korean and Spanish, long prayers seeking deliverance from suffering.

“The summit was about people of color taking charge of their destiny,” said Bullard, who had published “Dumping in Dixie,” his groundbreaking book about the siting of toxic facilities in the South, a year earlier.

Among the attendees was civil rights legend Jesse Jackson, a gifted orator who had made remarkable runs as the first Black presidential nominee in 1984 and 1988. Jackson had not been deeply involved with the environmental justice movement. After sitting quietly and listening for much of the summit, Jackson finally spoke.

“Your challenge to the anemic character and the exclusivity and the elite policies of the essentially White environmental movement is right on time,” Jackson said. “There can be no elite environmental movement. There must be a universal movement.”

The roar that followed sounded like a battle cry.

At his home near Logan Circle, Lee keeps a 234-page synopsis of the conference proceedings, including 17 principles of environmental justice, which instructed participants “to carry back home and institute in all of our communities.” The principles demand “respect and justice without discrimination,” an end to the placement of polluting industries and toxic waste sites in communities of color, and accountability for polluters.

After the summit, activists saw some progress in Washington. In 1992, President George H.W. Bush established the first EPA Office of Environmental Justice. Two years later, President Bill Clinton signed an executive order creating an environmental justice working group.

But there was no action from Congress. Later, President George W. Bush weakened the office, proclaiming that it should advocate for all Americans rather than concentrating on racial minorities disproportionately affected by pollution.

In 2004, the EPA inspector general took issue with Bush's stance, and also found that the EPA had failed to incorporate environmental justice into its day-to-day decision-making. "It has not developed a clear vision or a comprehensive strategic plan," the inspector general said.

Beverly Wright

Took on polluters in "Cancer Alley"

In 2008, President Barack Obama revived the office's original mission and put renewed focus on affected communities, though some activists argued the administration should have been more aggressive. President Donald Trump later tried to zero out the office's budget.

And then, in 2020, came a racial reckoning.

A Minneapolis police officer knelt on George Floyd's neck for more than eight minutes as onlookers recorded his last moments.

A global pandemic preyed on Black, Latino and Indigenous people in polluted communities.

And a presidential candidate who spoke passionately about environmental injustice started to rise in the polls.

A daunting problem

The water crisis in Flint, Mich., which exposed a mostly minority city of nearly 100,000 to tainted water, reminded the nation of the ongoing burden of pollution.

It happened a lifetime ago, but Joe Biden still talks about it.

When he was 10 years old, Biden's family lived in the shadow of an oil refinery in Claymont, Del. On the ride to school, his mother, Catherine, sometimes switched on the windshield wipers "and there would be a slick in the window."

"That's why so many people in my state were dying and getting cancer," Biden recalled while campaigning last year. "The fact is, those front-line communities, it doesn't matter what you're paying them. It matters how you keep them safe."

As president, Biden has vowed to funnel 40 percent of relevant climate investments to disadvantaged communities. He has promised to weave environmental justice considerations into virtually every federal agency, and to issue a yearly scorecard that measures progress.

What will success look like? So far, the administration has not set clear goals.

In a recent interview, White House domestic climate czar Gina McCarthy promised to make environmental justice activists "part of the decision-making." And EPA Administrator Michael Regan, a former North Carolina official who established the state's first environmental justice and inequity advisory board, has called the issue "near and dear to my heart."

"We have a lot of ground to make up, and I'm sure that I will be back before this committee asking for additional resources in this area to be sure that all Americans have access to clean air and clean water," Regan said during his confirmation hearing.

Activists are withholding judgment until they see results.

"You've got to make a commitment that you are going to clean up X number of landfills, and you are going to reduce pollution in X number of communities," said Peggy Shepard, co-founder and executive director of We Act for Environmental Justice in New York. "I'm impressed that these first steps have been out of the ordinary. But there are high hopes and high expectations."

Christy Goldfuss, a senior vice president for energy and environmental policy at the Center for American Progress, said Biden should emulate states like California, where officials have targeted communities most in need of funding. "When you look at the fossil fuel infrastructure across the country," she said, "it becomes more obvious which communities bear the brunt of this industry."

Certain places stand out. The 85-mile chemical corridor along the Mississippi River between Baton Rouge and New Orleans — home to 14 major manufacturing companies, including DuPont and Shell Chemical — is one example. The town of St. Gabriel alone is surrounded by 30 petrochemical plants, according to one analysis.

Another study, conducted the year of the Warren County protest, found that people who lived within a mile of factories in the corridor were more than four times more likely than the average American to develop lung cancer.

Peggy Shepard

Led protests for clean air in Harlem

Miller-Travis hopes Biden can secure additional federal funding for environmental justice issues, so activists today won't have to endure the intimidation she felt as a Black woman asking White philanthropists for help in the late 1980s. She likened the experience to "taking an elevator to heaven to talk to God."

Some advocates worry that federal dollars could be diverted by less-committed officials at the state and local level. Mustafa Ali, who directed the environmental justice office in Obama's EPA, said, "It's going to take folks in the press watching and trying to hold people accountable."

Back in Warren County, a historical marker commemorating the protest that "sparked [the] environmental justice movement" now stands along the lonely stretch of road where Chavis was arrested.

On a recent afternoon, Burwell stood near the aging toxic waste site. "It was the first time that environmental issues had been looked at through the lens of civil rights," she said.

The marker doesn't tell the whole story. Warren County residents never stopped fighting the landfill. State and federal officials eventually spent more than \$17 million on detoxification.

In 2004, more than 20 years after the protests started, Warren County finally was declared clean.

CLOSING PHOTO