

	<p>the area near the waterfront that's where you'll see all of the industry and the noxious stuff that's down there. ... and you can see the haziness in the air from the effluent that's coming out of the incinerator.</p> <p>Mike Ewall -- Just imagine what half of the toilets flushing in the county would smell like if you're on the receiving end of it. That might give you some idea. Not to mention the stuff you can't necessarily smell like the toxic chemicals that come off of the incineration</p> <p>Diane Sicotte--People who live there have multiple assaults on their health. Because a lot of them are poor. And then when you factor in a polluted environment it's sort of like a triple or quadruple whammy every single day of your life.</p> <p>Zulene Mayfield --We used to say oh we have a cancer gene and we never factored into things that were impacting us but environmentally by being next to these plants. and you just never made a correlation because it was never taught to you...</p> <p><i>---dip to black---</i></p>
	<p>Zulene Mayfield --I have very fond memories of Chester growing up. My family home was in between two tracks CSX trains ran on both tracks. They carried everything from bikes to all sorts of goods, TVs everything, but also they carried chemicals. All we know is the train would go to the tracks and it would be a white powder or green powder or some time blue powder and we literally would actually go up and play in it throw it at each other. We had no idea what it was. In hindsight we know that was some pretty nasty stuff.</p>
<p>“What Chester Makes, Makes Chester.”</p>	<p>VO: Historically, Chester’s location along the Delaware River made it an ideal place to make and ship goods. Once a prosperous and wealthy community with shipbuilding, textile and machinery industries-- it was a major manufacturing center during the first and second world wars.</p>
	<p>Diane Sicotte--But then after 1970 when deindustrialization took hold Chester lost a lot of its industrial base and at that time most of the white people in Chester moved out. So Chester became a predominantly black economically disadvantaged place. It's sort of like a chain reaction economically and the options of getting out of that spiral down are less and less. Community leaders get desperate and they look for whatever alternatives they can find. And sometimes that includes an incinerator project.</p>
<p>Westinghouse</p>	<p>VO: In 1988 Westinghouse requested a permit from the Pennsylvania Department of Environmental Protection to cite a</p>

“Trash to Steam” incinerator in Chester. When it opened in 1992 it was one of the largest in the country. Not only did it burn all of Delaware County’s waste, the incinerator drew trash from surrounding states including Delaware, New Jersey, New York and Ohio.

Diane Sicotte--It's sort of open the floodgates and all of a sudden it seemed like the go to place for all waste disposal

Zulene Mayfield --They told us it was a trash to steam plant. It will create jobs that would create money. ... It was something that we really really needed because Chester desperately needed jobs.

Rev. Strand--I noticed a lot of trash and debris that was always in front of my property and not knowing where it was coming from. You know we just cleaned up as well went along but one day I had a flyer come into my doorway about a community meeting making complaints about the same things. They did not take into consideration the effect they would have on the residents with hundreds of trucks invading their community on a daily basis. All they could see is truck traffic and smoke and smell the stench of burning waste...

VO: Residents had a lengthy list of complaints. Heavy traffic cracked the foundations of their homes, loud noises kept people up all hours of the night, thick black smoke was polluting the air. They urged Westinghouse management and city officials to hold a public meeting to hear their concerns.

Zulene Mayfield -I lived directly across the street from the incinerator. But my mother who lived 12, 13 blocks away from me received a flyer her in the mail about a meeting. So when she showed me the flyer I'm like well how did you get just mom and I didn't get one. And I'm directly across the street. So after talking to my neighbors none of us have received a flyer. So that's what made me really want to go to the meeting.

VO: Industry and government officials assured residents that the facility met all federal and state regulations. They denied the incinerator posed any risk to the community.

Zulene Mayfield -So I stood up. I said you know you as educated. You've been probably been if you can't tell a better lie to us than that, then you shouldn't even be here. And I was incensed and I walked out in a meeting. I said this is a bunch of B.S. and I'm not gonna sit here and listen to it. And that's how we got started.

Rev. Strand--They were being talked down to by the industry and by the city council. If what they were saying wasn't real they were just exaggerating the situation. And it I was horrified to see how they were responded to because I knew that the issues that they were raising were real and legitimate. And we realized that in order for us to get the attention we need it we need to organize so at that point I came up with the idea of Chester residents concerned for Quality Living. Circle.

VO: Chester Residents Concerned for Quality Living also known as "Circle" took direct action. On a cold day in December 1992 they held their first protest against one of the most visible invasions into their city—the trucks carrying waste to the Westinghouse incinerator.

Rev. Strand--We called it the Christmas massacre because it was in December that we did it right before Christmas. And that was our Christmas gift to the trash facility and to the county and to the city that we were going to show them that they were not welcome here. We put our bodies on the line in front of the trucks. And then when we did that then they began to pay attention to us

VO: As a result of the protest Westinghouse agreed to relocate the entrance to the plant to reduce truck traffic. Although it was a victory, there were more battles to come.

Zulene Mayfield --There was rumors that there were other companies that were coming. it was like OK we're going to hit this community with everything all at one time there's no way that they can fight us.

VO: Between 1986 and 1996 The PA Department of Environmental Protection issued 7 permits for commercial waste facilities in Delaware County. Five were in Chester.

Zulene Mayfield --Chester's 4.8 miles long, highly condensed everything is compacted in close proximity to each other. There should have been some scientist somewhere and said wait a minute the cumulative effects that should have been paused because they were not permitting facilities and other communities even though at times there have been applications the permits were denied. But they saw fit to issue permit after permit a primitive permit after a permit in little old Chester. Why? Is there a beacon or something what's drawing these companies here. They were being drawn here because-they felt as though this was the path of least resistance.

Because the way that people view communities of color. Point blank period.

In the 1990's landmark toxic waste and race studies were conducted in the U.S. The term Environmental Justice began to surface.

Michael Heiman--Environmental justice refers to the ability of people regardless of their race or income or nationality to participate ... in decision making of environmental regulations that affect their lives. In particular the citing of what would be considered locally unwanted land uses but also protection from pollution protection from environmental insults. ...

Zulene Mayfield --The strategy was that we were going to scream at the top of our heads until we could find a way to stop them.

SOT "Laid to Waste" protest scene

Zulene Mayfield --Bring the media. Bring the press. Bring the noise. This is who we are. This is why we're doing this. This is what this is about this what this represents to us. We're in a fight for our lives. At one point one at one of the companies that sent their entire workforce up to our office I guess to intimidate us and to intimidate me personally. There were also threats being given to the neighbors about what they were going to do to me. They started a fire at my house. My car tires were always slashed. Windows were always busted out at my house and my car. They broke into the office they were trash the office they wrote KKK on the office.

Zulene Mayfield --In looking back there were a lot of reasons why I should have been afraid. I wasn't scared. Pissed because you have a position, I have a position. I'm not coming over here burning up your plant. Why are you so afraid. Because I'm not afraid of you . You got millions of dollars an army of lawyers security workers but you so scared of little me?!

Zulene Mayfield --I don't think I was an agitator. I think I was a person who has a right to stand up for themselves. This was a very personal fight for me. People didn't understand because I could rattle off names of people in my family who had died from cancer. So it's like OK who's the next obituary are we going to read.

<p>1994 EPA Study</p>	<p>VO: In 1994 President Bill Clinton issued an Executive Order on Environmental Justice. Soon after, Chester was chosen as subject for 6 month health risk study by the U.S. Environmental Protection Agency.</p> <p>Mike Ewall--They found that 90 percent of all toxic releases in Delaware County were from Chester area sources. that Chester has the highest infant mortality rate in the state more than double out of the county. The mortality rate the general death rate and lung cancer mortality rate was 60 percent higher of the rest of the county.</p> <p>Diane Sicotte--It's really difficult to link environmental injustice to human health because there are so many intervening factors and also because the really toxic stuff tends to go in into or around communities that are very poor and there are so many different things that can impact the health of poor people. But there is a health connection. There's also a justice and equity aspect to environmental injustice. ... it impacts the value of their homes and it impacts their quality of life. It impacts their children's education. It impacts everything about their life in a way that's really unjust.</p>
	<p>VO: The PA Department of Environmental Protection met with Chester residents about various facility citings and permits.</p> <p>Carol Collier--When I came onboard the situation in Chester was already growing. And so when it came to have permits from DEP, we quickly realized that there was a lot more going on in Chester that we needed to look at. ... this truthfully really bothered me because we were part of an administration that really wanted to have the environmental process with neighborhoods help them understand things.</p> <p>Carol Collier--And so it was obvious here that our permitting process didn't take into account really social and nuisance issues in the neighborhood. ... the permitting process was one facility at a time but it was at that time that things were changing on the federal level. They were saying for federal projects you really need to look at cumulative impact.</p> <p>Carol Collier--We did a lot of outreach with the neighbors and with the city officials. They were difficult meetings because it was really difficult to explain to the neighbors why we were looking at the facility the way we were and couldn't take into account that the trucks were lining up in front of their houses at 4:00 a.m. I think the hardest one that I had was going down to tell the city that we were</p>

	<p>going to issue the permit and that was a very difficult meeting. it was what using the rules on the books. It's what we had to do.</p>
<p>Thermal Pure</p>	<p>In 1995 Thermal Pure opened a medical waste treatment facility directly across the street from Zulene's home.</p> <p>Zulene Mayfield--Thermal pure is no longer in existence. Because of circle. Because so Chester residents concerned while living. thermal pure dealt with chemo-therapeutic infectious medical waste that's anything in a hospital blood and body parts aborted fetuses, needles. Particularly nasty nasty nasty facility. They basically told us were here we're coming and there's nothing you can do about it ever. We have a permit.</p> <p>With the help of environmental attorney Jerome Balter and the Public Interest Law Center of Philadelphia, CRCQL filed a lawsuit against Thermal Pure claiming their permit was granted illegally.</p> <p>Zulene Mayfield--Jerry Balter there was nobody like him ever fearless. He knew that they could help us that they could give us legal standing on legal backing that we needed because we were without an attorney. He said well-I think you all have a valid point and we can show them where they're violating the law. And we were like oh great we welcome you please. We need your help.</p> <p>Mike Churchill--He was. Enormously inventive in finding ways to stop polluting facilities that other people had not succeeded. Part of it was because he delighted to work with community-based citizen groups. And part of it was because he knew the mechanics of how most of these polluting operations existed and therefore knew how to stop them.</p> <p>VO: The court ruled that Thermal Pure's permit was indeed granted illegally and the plant was ordered to shut down.</p>
<p>Soil Remediation Services & Title 6</p>	<p>VO: In late 1994 CRCQL became aware of yet another potential hazard targeting their community. Soil Remediation Services filed a permit application with DEP to construct a contaminated soil incineration facility. Once again, the community mobilized—this time by filing a lawsuit accusing DEP of discrimination. The suit alleged that DEP's permitting process violated Title VI of the Civil Rights Act of 1964 because it disproportionately impacted the predominately African-American residents of Chester.</p>

	<p>Mike Ewall--It got national attention because it was the first major case to use the Civil Rights Act for environmental racism issues to really show that permitting polluters can be a violation of the Civil Rights Act</p> <p>Mike Churchill--So environmental lawyers and organizations around the country were watching what happened in this case with great interest and it became a model of sorts for challenging or permitting process in other states.</p> <p>VO: For two years the case slowly wound its way through the system and eventually reached the U.S. Supreme Court which in the end declared the case moot.</p> <p>They ruled that the <u>specific</u> reason for the suit--the state's granting permission to Soil Remediation Services to construct and begin business in Chester--was a dead issue because the company's operations permit was denied while the case was on appeal.</p> <p>Mike Churchill--They had not won the legal battle because when a case becomes moot all of the opinions in the case become of no consequence. But for the community it was a great victory.</p> <p>Zulene Mayfield--Oh it was absolutely a victory. Just because they had said we had no standing even bringing the suit. But the courts disagreed with them.</p>
<p>Creation of DEP's Office of EJ</p>	<p>Zulene Mayfield--I kept the battle going on for ten years ten years of sleeping probably three four hours a night for me personally. I reached saturation point say you know what either one or two things is going to happen. I'm going to fall out from exhaustion and be dead or I need a break. When I took a break I took a clean break. So I think you just you. You get overwhelmed.</p> <p>VO: When Zulene stepped down CRCQL would soon disband.</p> <p>However, in 1999 as a direct result of Zulene's tireless efforts and moving testimony, DEP developed a statewide Environmental Justice Work Group.</p> <p>Alisa Harris—I mean you're talking about organic Zulene spoke from the heart. She spoke from experience and she was relentless. It woke a lot of us up</p> <p>Jim Seif--Diesel trucks and noise and the stuff that came out of a diesel stack at that time, those were things that weren't even in the permit criteria. That was a cumulative effect of a pollutant that</p>

	<p>wasn't listed as a pollutant in terms of somebody trying to write a permit for the facility. That that really opened up the dialogue.</p> <p>Jim Seif--With respect to enforcement of existing permits a perfect permit isn't any good if you're can violate it with impunity. when we when we started tinkering with how to get these different viewpoints harmonized into if not a permit that everybody loved a process that everybody had confidence in. ... we did create the position of environmental justice coordinator</p> <p>Alisa Harris--we thought let's bring everyone to the table and try to find a way to make this more understandable within the agency... just making sure that we kept a pulse of how our policies and procedures impacted all communities especially communities of color or low income communities. a big piece of environmental justice ... is just making sure people have a level playing field that they have an equal opportunity for good health for quality of life. And I think a number of our recommendations did that.</p> <p>Rev. Strand--Now we have environmentalists sitting on a board to view and oversee things that the DEP is doing and to advise the secretary concerning issues that affect the environmental justice community. Now if somebody wants to come into our community to open a facility they have to come the community first before they even go to the DEP to get a permit. So the community has been empowered.</p>
Legacy/CLOSE	<p>Mike Churchill--One of the one of the problems with environmental laws and permitting is it requires constant monitoring and attention. And so unless the community and the enforcement agencies stay vigilant you will find these problems happening again and again.</p>
	<p>Rev. Strand-- If you do not protect and monitor what's going on in your community you will be a victim. When your government has meetings when the zoning board meets be present. That is where the decisions are made. Make sure that there are people on these boards that are environmentally friendly that will not sell the community down the drain for a few pennies for a few dollars. The local municipality controls the whole environmental justice issue.</p>
	<p>Diane Sicotte--Every citizen of Pennsylvania has certain rights to a clean, safe, healthy environment. And that's just as true if you're wealthy as it is if you're poor.</p>

Zulene Mayfield--I'm proud because what we did. The map that we laid in Chester was mimicked in Wilmington Delaware in Harrisburg Pennsylvania in Louisiana in Maryland. We assisted a lot of groups in their battle and we went up against billion-dollar corporations with nothing but determination.

I can't tell you what pierced my heart and say get up and you get involved. I just believe that God raises up leaders for his purpose at that particular time and that's what happened to me. We have the right to defend our lives. We have a right to make sure that our children are safe.

We have an obligation to pass the baton and to advance the next generation. That's what we're put here to do. Be determined. Be resilient and be fearless.