



## People Organized in Defense of Earth and her Resources

February 8<sup>th</sup>, 2022

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

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

RE: Austin, Texas Community Testimony & Support for Environmental Justice for All Act (H.R. 2021)

Dear Chairman Grijalva and Ranking Member Westerman:

In 1928, the City of Austin's Master Plan set the stage for the relocation of African American and Mexican American population along with unwanted industry to East Austin.

East Austin residents have endured a legacy of racism. This legacy of racism includes cumulative and disproportionate chemical hazards that have impacted low-income and communities of color health and environment in East Austin.

For more than 35 years, East Austin residents had lived next to several bulk fuel storage tank facilities ("Tank Farm") that devastated the land and our community. The tank farm was in a predominately Latino and African American neighborhood. Millions of gallons of petroleum products were stored at the Tank Farm. The Tank Farm was a 52-acre site with above ground fuel storage tanks owned by six major oil companies. Even though these six oil corporations were located next to each other, their permits at the state level were approved as if there was just one corporation located on the 52-acre site. Cumulative impacts were not considered. In 1992, PODER discovered that the companies had violated air emissions and had contaminated the groundwater. There were numerous health problems in the community.

The City of Austin's Holly Power Plant (HPP) located within feet of East Austin residents had noise levels that exceed the Housing, Urban, and Development (HUD) federal standards for residential areas, and elevated EMF (electromagnetic fields). The HPP was the largest stationary source of nitrogen oxide which contributes to ozone. Several fires at the site raised additional public health and safety concerns.

BFI, a multinational waste management company, was contracted by the City of Austin to collect recyclables such as plastics, glass, cans, and newspapers of over 350,000 households. BFI was in a community of color neighborhood. The site became a "mini" landfill causing an infestation of rats, alarming residents' public health concerns. Industrial pollution from the large trucks delivering recyclables to the plant, devastated the residents. A five alarm fire at the site raised additional public health and safety concerns.

Pure Castings uses numerous toxic metals. The Pure Castings industrial metal foundry located across from Zavala Elementary School and in a residential area. PODER has been working with City Council members, health officials and other regulatory agencies to protect the health of the children and the community.

PODER has demanded solutions to these injustices and harms, not just for our communities but for communities throughout the United States and the world.

PODER strongly supports the central elements in the Environmental Justice for All Act, which are important steps toward remedying a long legacy of harm and ensuring the fair treatment and meaningful involvement of all people regardless of color, culture, national origin, or income – with respect to the development, implementation, and enforcement of health and environmental laws, regulations, and policies.

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

Respectfully submitted by:

*Susana Almanza*

Susana Almanza, Director  
PODER