Unit 3: Power

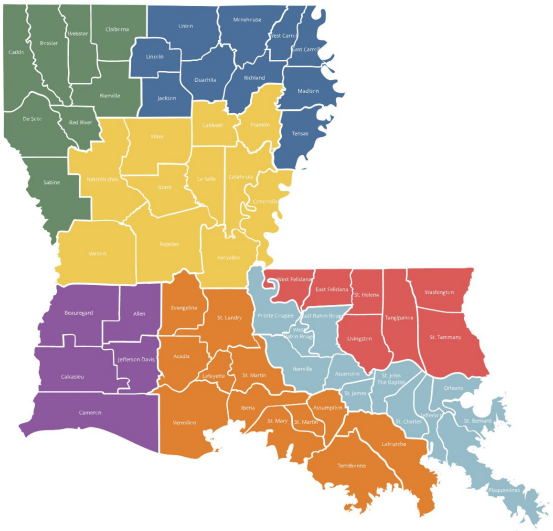
The people who live in places impacted by human-made decisions have the power to speak out against environmental injustice.

Even though the case studies from this unit can be implemented on their own, it is recommended that at least one activity from Unit 1 and/or Unit 2 be completed prior to beginning one of these case studies.

Note: *Each case study consists of a variety of resources - videos, newspaper articles, scholarly journal articles, scientific papers, etc. You do not need to use all of the resources included to complete the case study. There is a recommended reading assignment included that selects one or two sources from the list provided. The primary sources included in this curriculum are presented in their entirety, which may make some of them lengthy. At the teacher's discretion, you may choose to read only a section of a selected resource to allow for whatever time constraints are present in the context of your classroom.*

Each case study seeks to answer the following essential questions:

- Who is affected and how? Are they affected differently than other people?
- What is occurring in the environment that is causing this? What data do we need to understand?
- Who is in control of this situation? Who is making decisions and how?
- What power do the people most affected have? What actions were taken to address this problem?
- What are other actions we could take to solve problems like this? Are there solutions that would more equitably address this problem?
- How can I put what I've learned into action in my own life? What problems can I solve in my community?



Unit 3: Power

The following case study are selected from LEAN's way of separating the state into regions.

Case Study Community	**Region**
Alsen/ St. Irma Lee	**Region 6** (Pointe Coupee, East Baton Rouge, West Baton Rouge, Iberville, Ascension, St. James, St. John the Baptist, St. Charles, Jefferson, Orleans, St. Bernard, Plaquemines)
Colfax (The Rock)	**Region 3** (Vernon, Natchitoches, Winn, Grant, Rapides, Cladwell, La Salle, Avoyelles, Catahoula, Franklin, Concordia)
Grand Bois	**Region 5** (Evangeline, St. Landy, Acadia, Lafayette, Vermillion, St. Martin, Iberia, St. Mary, Assumption, Terrebonne, Lafourche)
Homer	**Region 1** (Caddo, Bossier, Webster, Claiborne, De Soto, Bienville, Red River, Sabine)
Mossville	**Region 4** (Beauregard, Allen, Jefferson Davis, Calcasieu, Cameron)
St. Joseph	**Region 2** (Lincoln, Union, Jackson, Ouachita, Morehouse, Richland, West Carroll, East Carroll, Madison, Tensas)
Mandeville	**Region 7** (East Feliciana, Livingston, St. Helena, St. Tammany, Tangipahoa, Washington, West Feliciana)

Unit 3: Power

Grand Bois

LEAN Region 5

Home to fertile bayous and prairies, this region is comprised mostly of Acadia - home to the Acadian people who settled here in the late 1700s. This area also covers multiple indigenous Tribal Lands. This region includes:

- Acadia Parish
- Assumption Parish
- Evangeline Parish
- Iberia Parish
- Lafayette Parish
- Lafourche Parish
- St. Landry Parish
- St. Martin Parish
- St. Mary Parish
- Terrebonne Parish
- Vermillion Parish

About Grand Bois:

Grand Bois is a predominantly Native American community adjacent to a 140-acre waste treatment facility that received millions of barrels of oil field waste including produced water, drill muds, E & P waste, washout water, crude oil spill clean-up waste. The oil field waste is considered “non-hazardous” due to a federal exemption for certain oil and gas production wastes. Some of this waste is processed in open-air pits that produce intense fumes along HWY 24, which runs through the center of the facility and the community of Grand Bois. Many of the residents have been unsatisfied with the LDEQ’s response to their complaints and feel that this facility and the waste it stores severely impact the health of the residents, as well as anyone who travels the highway on a daily basis.

Standards:

English
Social Studies
Science

Unit 3: Power

Resource	Description
Louisiana Town Goes to Trial Over Waste Pit Source	A 1998 article from The New York Times, detailing the health concerns of the residents of Grand Bois.
Guardian of Grand Bois Source	A 2002 interview with Clarice Friloux, a Grand Bois resident for the Sierra Club magazine.
Grand Bois case changed the landscape of environmental battles (PDF) Source	A 2005 article from Houma Today about the impact of the Grand Bois lawsuit on national environmental justice litigation.
60 Minutes - Town Under Siege (alternate)	A 1997 60 Minutes investigation conducted by Ed Bradley in Grand Bois. Length, 45:58.
Residents of Grand Bois Fighting Hazardous Waste Dumping, LPB	LPB investigation into dumping of oil field waste in Grand Bois. Length, 11:32.

Extended Reading Activity:
Read and analyze *Guardian of Grand Bois* and *Grand Bois case changed the landscape of environmental battles*. Then discuss and answer the essential questions for this unit. Answers will vary, however, students should be able to grasp the basic power dynamics of the situation.

(Expansion) This can be transformed into a larger activity by reading and watching the previously listed texts and video, as well as watching 60 Minutes - Town Under Siege or Residents of Grand Bois fighting Hazardous Waste Dumping, LPB, then discussing and answering the essential questions.

Unit 3: Power

Essential Questions

1. Who is affected and how?

2. Are they affected differently from other people?

3. What is occurring in the environment that is causing this?

4. What data do we need to understand?

5. Who is in control of this situation?

6. Who is making decisions and how?

Essential Questions (cont.)

7. What power do the people most affected have?

8. What actions were taken to address this problem?

9. What are other actions we could take to solve problems like this?

10. Are there solutions that would more equitably address this problem?

11. How can I put what I've learned into action in my own life?

12. What problems can I solve in my community?

Unit 3: Power

Louisiana Town Goes to Trial Over Waste Pit
By Kevin Slack July 13, 1998 The New York Times

The people of Grand Bois say their symptoms began almost immediately that fay in March 1994 when eight tractor trailers loaded with oil field sludge rumbled past their tiny Acadian community and into an adjacent waste disposal site.

“When the trucks took the curve, the smell just took over the community,” said Clarice M. Friloux, a 32-year-old mother of two. “The kids were getting off the school bus with their shirts over their faces. They stayed sick with diarrhea and dizziness for several days. Our noses were burning, sore throats. You’d wake up with swollen, puffy eyes.”

For 10 days the convoys continued, 81 trucks in all, bringing waste laced with substances like benzene, xylene, hydrogen sulfide and arsenic from an Exxon petroleum treatment plant in Alabama. Men sheathed in white protective suits unloaded the waste into a giant earthen pit, just 333 feet from the tin-roofed home of Lyes L. Verdin.

Mr. Verdin is a charcoal-haired bantam of a man whose Cajun accent is as impenetrable as the humidity along Bayou LaFourche. He maintains that his 8-year-old daughter, Angel has suffered since that day from chronic headaches, rashes and diarrhea so severe that he must keep a bucket in his family car. As shipments have continued, residents across Grand Bois have blamed ailments from dizziness to chest pains on the chemicals.

On Monday, in a courtroom in nearby Thibodaux, Mr. Verdin and his neighbors in this settlement will seek their revenge. Led by a 33-year-old New Orleans lawyer who took the case two years out of law school, the first 11 of 301 plaintiffs – virtually the entire population of Grand Bois – will present their case against Exxon and the Campbell Wells Corporation, the former overs of the disposal site.

The trial pits the grandmamas and fishermen of Grand Bois against the most powerful industry in the state, an industry that won a Congressional exemption 18 years ago to allow it to dispose of oil field waste with virtually no regulation.

The residents are seeking at least $8 million in compensatory damages and unspecified punitive damages. Separate lawsuits have been filled in state and Federal courts seeking injunctions to shut down the waste disposal site.

The trial in Thibodaux, which is expected to last at least a month, will be watched closely by the oil industry, by Federal regulators and by the state government.

Unit 3: Power

Publicity about the problems in Grand Bois (pronounces Grand BWAH) has become an irritant for Gov. Mike Foster, who is distrusted by the residents and who, in turn, is deeply frustrated that the community has rejected the state's offers of medical and environmental testing.

Mr. Foster said that without the benefit of comprehensive testing, he remains unconvinced that the waste site is the source of the community's health problems. That is essentially the position taken by Exxon and Campbell Wells.
"We have not discovered a problem yet," said Mr. Foster, a first-term Republican who is considered friendly to business. "I mean, we can't identify a problem," Clearly exasperated, he said he empathized with the community but added: "I'm tired of it and I want to get it resolved. It is not good for the state of Louisiana to have these kind of allegations floating around out there."

Here along the murky bayous of southern Louisiana, there has long been an uneasy coexistence between the oil industry and the vibrant, insular culture of the Cajuns and Houma Indians. It is a place where gleaming silver petrochemical plants rise out of vast stands of sugar cane like Oz out of the poppy fields. The gentle breezes that sway beards of Spanish moss in the oaks may also carry odors of sulphur and diesel across the porches of Acadian cottages.

But rarely have the tensions been as exposed as in Grand Bois, a community of 94 houses, too small for the maps, where residents see the neighboring waste pits as a threat to a beloved way of life. Folks here inevitably describe their hamlet as a single extended family, where people trust one another enough to leave keys in their car ignitions and where special occasions are celebrated around kettles of boiling crawfish.

The people fish and crab and work in the shipyards and hospitals. Even if they wanted to move away from the 18 waste cells, which are contained by low levees, few could afford to do so without selling their homes. For the time being, that is impossible. Residents have lined the main road with homemade signs warning of toxic chemicals and depicting the Grim Reaper. The real estate market is, to say the least, depressed.

The community's emotions swing from anger to sadness and fear. "I've had my life," said Joyceline M. Dominique, a 58-year-old grandmother of 12 who has filled five composition books with a chronicle of her family's ailments. "If I go, so be it. But with the children, these are the best years of their lives."

The trial is certain to become a battle of experts, thick with testimony about chemical compounds and medical histories. A central piece of evidence will be the blood and urine testing conducted by Dr. Patricia M. Williams, director of the Occupational Toxicology Outreach Program at the Louisiana State University Medical Center in Shreveport.

A central piece of evidence will be the blood and urine testing conducted by Dr. Patricia M. Williams, director of the Occupational Toxicology Outreach Program at the Louisiana State University Medical Center in Shreveport.

She found that 74 percent of the 99 women and children tested had stippled red blood cells, a deformity typically caused by heavy metal poisoning or chemical exposure.

"Normally you would find zero," Dr. Williams said. "So when you see such a spectrum with all these different children from different households, you have to say there's an outside environmental reason."

The residents' case will not be easy to prove, and not only because of the circumstantial nature of the evidence.

In 1980, when memories of the 1979 gas shortage were still stark, Congress granted petroleum exploration and production companies an exemption from the hazardous waste disposal regulations that apply to most other industries.
Those who question the exemption, including Carol M. Browner, the Administrator of the Environmental Protection Agency, call it a sweetheart deal for an industry protected by powerful politicians.

Industry spokesmen, like Mark Rubin, the senior manager for exploration and production of the American Petroleum Institute, say the exemption was granted because only small amounts of the waste produced by oil drilling are toxic and because stricter rules would cost the industry more than $1 billion a year.

The exemption left the regulation of oil field waste disposal to the states. And in Louisiana, where the petroleum industry employed 79,000 people last year, oil field waste has been defined as non hazardous.

That leaves Gladstone Jones 3d, the confident young lawyer for the Grand Bois residents, to prove that Exxon and Campbell Wells were negligent in their handling of the waste, and to convince a jury that his negligence claim outweighs the protection afforded by the oil industry's regulatory exemption.

'They knew they had lots of hydrogen sulfide," Mr. Jones said. "They knew they had lots of benzene. And, nevertheless, because of this law saying it was nonhazardous, they sent it anyway." Both benzene and hydrogen sulfide are known toxins.

Lawyers for Exxon and Campbell Wells declined to comment. But it is clear from court documents and pretrial proceedings that they will argue that there is no scientific proof

of a link between the waste site and the community's health problems.

They are also expected to point out that there were no complaints from the community about similar wastes at the site in the decade before the Exxon shipment arrived. And they will maintain that the residents' ailments may be due to other health problems, like diabetes, and that any environmental toxins could have come from other nearby sites.

"There just are no such emissions from our site," said Jerry L. Brazzel, the division engineer for U.S. Liquids Inc., which bought the 120-acre site from Campbell Wells in 1996 and is named in a separate Grand Bois lawsuit. "Now the people may have some kind of infirmities but there is just no scientific basis for the claims they have made. If we had the kind of problems at our site that the plaintiffs contend, it seems to me our employees would be getting some of the same symptoms. And none of them have."

In 1997, State Senator Mike R. Robichaux, a physician who has championed the cause of his constituents in Grand Bois, proposed legislation that would have shut down the oil field waste pits. The measure failed.

But it succeeded in gaining attention for the problems in Grand Bois, and Governor Foster soon ordered state agencies to begin monitoring air and water quality in the area. In April, he ordered that oilfield wastes be tested across Louisiana to ultimately set new standards for acceptable levels of toxic material. He also invited the Agency for Toxic Substances and Disease Registry, a division of the Federal Centers for Disease Control and Prevention, to study health concerns in Grand Bois.

But residents remain skeptical, and unwilling to cooperate until the trial concludes. They argue that Mr. Foster has been slow to act and has generally sided with the oil industry. They also note that the Governor reported on state ethics forms that he earned more than $200,000 in Exxon oil lease royalties in 1997. Mr. Foster said it was "hogwash" to suggest that his views on Grand Bois were influenced by his investments.

Without more testing, Mr. Foster said, the only demonstrable fact is that the waste site leaves a bad odor in Grand Bois.

"That's not unusual anywhere in south Louisiana," he said. "We've got chemical plants over here and when the wind's right, you're going to smell them. You have a paper mill anywhere around and you're going to smell it. That's not to say it's desirable, but it's not a major health emergency -- usually."

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Guardian of Grand Bois
Clarice Friloux – homemaker, arm wrestler, sludge fighter

By Janisse Ray

South of New Orleans, in the black-marsh country of the Louisiana delta, lies a town called Grand Bois, too small for most maps. About 250 people, mainly of Native American and Cajun descent, live in modest aluminum-sided houses along State Route 24, which connects Bourg, 3 miles west, to Larose, 13 miles east. The town straddles two parishes, Lafourche and Terrebonne, where churches have names like Our Lady of Prompt Succor, and Mardi Gras parades are staggered so parishioners can attend more of them. Murky bayous teem with alligators, catfish, and crawfish, and the immense live oak trees, cloaked thickly with Spanish moss, are a sight to see.

Grand Bois, anyone will tell you, has no crime. Occasionally a wildlife officer will cite one of the kids for going over his limit duck-hunting. Yet an immense crime has taken place here.

One day in March 1994, eight tractor-trailers loaded with hazardous waste streamed into town. They were headed for a treatment facility on land leased to Campbell Wells Corporation (now U.S. Liquids), which consisted of 16 open pits dug to process toxic sludge from oil fields. They were the first of an army of trucks that came and went, while contract employees stirred the sludge back and forth with gigantic egg beaters until it evaporated or leached into the ground. Employees called what they did to the waste "working it over."

Seven years later, I meet Clarice Friloux for breakfast in Houma, Louisiana, a nearby town large enough to have a motel. Clarice, 35, was born in Grand Bois. Shy and quiet, she spent most of her time keeping house for her husband, Danny, a ship repairman, and their two children-until the day those tractor-trailers came to town and changed her life forever. Since then she has been fighting for her community. She walks into the restaurant looking just as I imagined-purposeful, eager, hopeful. She is not a tall woman, but looks very strong; she wears simple walking boots with blue jeans and a brown V-necked sweater.

How was the motel? she wants to know. Did I find my way from New Orleans without getting lost? Did I sleep well? She is warm and gracious, not what I'd expect from someone I've heard is a tri-state arm-wrestling champion. Danny, now on disability income because of lower-back deterioration, accompanies Clarice. He speaks in a thick Cajun accent, and despite his pain, smiles as readily as does she.

I ask him if everybody in Grand Bois has an accent like his, and he ducks his head, "I don't know nobody in Grand Bois got an accent," he says with a grin. "But I do have a problem with people understanding me."

Clarice tells me what happened to her community. "Everybody got sick after '94," she says. When the convoy descended on Grand Bois, so did a chartful of health problems. "It was like an invasion," Clarice recalls. At the facility, men in "moonsuits" scurried around, dumping truckloads of sludge, until a stench that seemed a combination of diesel, mildew, and rotten egg permeated the tiny town. "The smell was piercing, like it would tear the insides of your nose out," Clarice says. "The children got off the school bus with their shirts over their faces."
Clarice's brother, R. J. Molinere, was driving his family to a boxing match in Larose one afternoon during the March dumping. As they passed the facility his children threatened to vomit, and he hurriedly pulled off the road, only to be accosted by vapors that took their breath away and left their eyes swollen and teary. That night, he laid towels across door-cracks to keep out the fumes, and made rounds in his dark house, putting his ear to the children's mouths to make sure they were still breathing.

For ten days 81 trucks bearing waste laced with substances like benzene, toluene, hydrogen sulfide, and arsenic roared into Grand Bois. They came from an Exxon petroleum-treatment plant in Alabama.

"That spring was mild," Clarice says, "and there was no wind blowing in. So the stink wasn't coming from somewhere else. We could smell the chemicals on our clothes. The school bus was turning around right in front of the facility, so we were gassing our children." Because the facility was on the St. Louis Canal, a bayou dug decades ago to haul cypress out to the Intracoastal Waterway, wastes arrived by barge as well as by truck. "They could come in the middle of the night and just poison us," Clarice says. Frightened neighbors began to discuss what might be done. Clarice called her parish council member, who advised her to start a petition. For 17 straight days she and others stood by the highway, waving a hand-lettered placard asking passersby to sign the petition to shut down the facility. Finally they had 5,000 signatures. These in hand, Clarice appeared at the parish council meetings, first in Lafourche and then in Terrebonne.

"Before that, we had no idea who was the parish president, who was senator, who was governor," Clarice says. And why should she, since she is Houma Indian, a people without a history of respect from the government? Clarice's great-grandfather had raised cattle south of Grand Bois, until the hurricane of 1915 destroyed everything he had and he migrated north. His children, who were full-blooded Native American although they bore the French surname given to the family by early settlers, grew up in Grand Bois.

"I was this little Indian girl," she says. "We weren't even allowed to attend school in Bourg. They shipped us to the next parish over to go to school." Her childhood was spent swimming in the bayous, fishing for catfish, feeding the chickens, and riding horses. Danny was a local, too. "Half of the community is his family, the other half is mine," Clarice says.

Determined to protect her relations, Clarice formed a committee that consisted of her closest supporters, including her husband, brother R. J., his wife, and any others eager to work. The council members to whom she had appealed said that they couldn't close the facility, but one of them contacted an attorney.

Enter Gladstone Jones III, a Mississippi-born lawyer who stands almost seven feet tall, son and stepson of attorneys. Barely two years out of Tulane's law school and three months into his own practice, Jones was eager for a challenge. By April, he would set up shop on a picnic table in Clarice's yard while the community gathered around him.

"It didn't take much investigation to find the Exxon loads were full of hydrogen sulfide and benzene at high levels of toxicity," Jones says. The benzene was at levels 150 times those allowable by occupational law. "We decided to bring suit against Campbell Wells, the operator in control, and Exxon, who had dumped that particular waste, on the grounds of exposure as a result of negligence." The community couldn't afford Jones, nor the legal acrobatics necessary to shut down the facility, but within days a wealthy Houston attorney who heard about the case on the news rang Jones's telephone and offered to be his backer.

What Clarice refers to as "the Cause" quickly gave her an education in the seamy side of politics. She learned that any other state in the Union would have required the facility to label the wastes as hazardous and handle them accordingly. Not Louisiana. In 1980 the U.S. Congress granted oversight to the states to determine how they regulated hazardous wastes. By 1981 Louisiana, where some have suggested the Texaco star be placed atop the capitol, passed a law allowing wastes generated by the oil and gas industries to be classified as non hazardous, although specific components, such as benzene, toluene, and heavy metals like lead and arsenic, are known health hazards. "The minute it crosses the state line it's not a hazardous material," says Clarice.

Meanwhile, convoys continued to arrive and unload their sludge. Residents began to frequent doctors with upper respiratory ailments, headaches, nosebleeds, blurred vision, and nausea. One man, Lyes Verdin, lived near the facility with his wife and three-year-old daughter, who developed leg welts, involuntary blinking, severe diarrhea, and then asthma. Verdin sent his family to live with relatives in a nearby town.

The next six years would involve meeting after meeting, candlelight vigils, pickets, and innumerable trips to Baton Rouge, two hours away, where the community demonstrated at the capitol and in front of the governor's mansion. Clarice was asked to join the board of the Louisiana Environmental Action Network. She was called on to testify in legislative hearings. In fact, those six years would involve more speeches than Clarice cares to remember.

Twice, state senator Mike Robichaux introduced bills that would have required a 2,000-foot-wide buffer between the facility now owned by U.S. Liquids and the community. A physician, he examined Verdin's child. "There's no question that she will suffer lifelong consequences," he says. "It was unbelievable what these people went through."

Each of his bills failed. "In the legislature, everything Dr. Mike tried to do for us was shot down," Clarice says. "Anybody who helped him, their bills were shot down."

The community begged for an official study. Finally in 1997 toxicologist Patricia Williams of the Louisiana State University Toxicology Outreach Program received funds to study the health of the now high-profile Grand Bois. For an entire year Williams collected blood and urine samples, first from women and children, then from men. What she found was sobering. Three out of four residents showed evidence of having stippled cells, damaged red blood cells in the body known to be caused only three ways-two of them genetic diseases not associated with the Cajun or Native American populations. The third cause of stippled cells is heavy-metal poisoning. Clarice's blood showed up with stippled cells.

Heavy-metal poisoning, while treatable, can cause hearing loss, kidney damage, miscarriage, and mental retardation in offspring. Symptoms of exposure to arsenic and lead include nausea, vomiting, abdominal pain, and blood-tinged diarrhea; chronic exposure results in more serious illness. Other studies, also funded by the state, found no evidence that the water, air, and soil around Grand Bois were contaminated enough to pose a threat. The community did not believe these studies. To attract attention, its members gathered to paint gruesome signs: "Warning: Airborne Chemicals Ahead," one of them read, and "If You Can Read This Sign, You Are Being Exposed to Toxic Chemicals." And another: "Send us your toxins/Your heavy metals and sludge/We'll mix it with dirt/And call it Cajun fudge." At first the only way anyone could contact Clarice was by her home telephone. After it began to ring constantly-Glad, as she calls the attorney, needed her for this or that-Clarice saw her private, quiet life in the sleepy little town slipping away. Some days she would try to escape, often to visit her grandmother, who had no telephone. She wouldn't be there long before a neighbor's car would pull up: Glad wants you to call him, the neighbor would say. It's important. Some days Clarice's caller-identification listed the maximum 74 calls, where it stopped counting.

I want to know how Clarice kept going, how she kept her family together. "Meetings were held at our house," she says. "On pickets, our kids were with us. Our kids lived this." Part of her determination came from the knowledge that she was fighting for others, too. One day on talk radio (the other guest was a representative of U.S. Liquids) Clarice was accused of acting singly. "I may be alone here today," she replied, "but I know I have the support of my family, my friends, my community."

Robichaux, who is married to the Houma Indian tribal leader, explains Clarice's role in a historical context. "The Houma is a matriarchal tribe," he says. "Clarice is a natural leader. It's part of her bloodline. Both instinctively and by consent Clarice represents what's in the minds and lives of the people in her community. She's their mouthpiece." Then he offers an even wider view. "In the plight of Native Americans-five hundred years of tears-this is not even a chapter," he says. "It's a couple of pages in the history of abuse."

Clarice, Danny, and I have been sitting at the breakfast table in the winter sunshine for hours. I want to see Grand Bois, and the facility. Driving out of Houma, we pass Marie, Clarice's mother, at the farmers' market, selling oranges straight off her son's trees. In the fight to stop the facility, Marie has done her part, attending meetings, marching, or babysitting; often for gatherings she cooked up huge batches of gumbo, shrimp spaghetti, and jambalaya. By evening, she runs Marie's Bar, one of the few business establishments in Grand Bois, where she has kept things in line for the past 25 years. "You come back on a Friday and we'll take you dancing zydeco," she says. I buy five pounds of fruit.

Grand Bois is more nondescript than I thought. It is not even a town, really. It doesn't have a post office or a grocery store or a school. It has a church and a bar, a welding shop, and a small ironworks that manufactures bits for oil drilling. Clarice guides me through the streets, and then beyond: She shows me bayous and marshes, killdeer and great egrets, shrimp boats and local seafood restaurants whose walls are covered with photos of phenomenal fishermen.

The highway bisects the waste disposal site. Lines of trees and pampas grass hide the operation from the road, and except for the stench and the high chain-link fence, crushed in places by dead trees, a traveler would never suspect what hazards lie within. The lawsuit was a lengthy and costly affair (an estimated $1.8 million) that involved a six-week court trial in 1998 and an appeal resolved in 2000. Clarice's deposition at the trial took 16 hours. At the last minute, the evidence of Patricia Williams was ruled "incomplete," and also that of a Colorado toxicologist who had examined eight of the plaintiffs and found they had all been exposed to toxic chemicals. Dr. James Kornberg, an occupational medicine specialist, testified that the Grand Bois residents stand an increased chance of contracting cancer.

During the fifth week, U.S. Liquids, which now owns the waste site, offered to settle out of court. That night, Clarice paced the floor. About two in the morning, she called Robichaux, whom she trusted implicitly, and asked his advice. "Take the settlement," he said. U.S. Liquids agreed to expand the buffer along its western boundary, toward Grand Bois, and build a 20-foot-high soil berm, a levee against flood and hurricane spillage. Four pits closest to town would be closed, cleaned and filled with dirt. Lyes Verdin, who lived 300 feet away, would be awarded an undisclosed settlement. The house he had lived in, found to be contaminated with barium, would be destroyed. The community agreed to take down its signs.

Meanwhile, the trial continued, focused on Exxon. One week later the Louisiana jury decided that only 4 of the 11 plaintiffs could solidly link their suffering to the facility, and awarded them a total of $35,000. The plaintiffs appealed and forced Exxon to pay an additional undisclosed amount in 2000.

Today, all 16 pits are still open, Clarice says, and the berm has not been constructed, although the majority of the waste is now going to other facilities. "Ours was not a terribly apparent victory," says Robichaux. "But things are a lot better off." Attorney Jones echoes those thoughts: "None of the oil companies want to send waste there anymore. It's a totally different facility than it was in '94. What Clarice accomplished for her community and family was nothing short of amazing."
In the late afternoon we visit with R. J. and his wife. A motorcycle is parked in their den, one wall of which is lined with trophies and medals. R. J., a lithe, handsome man, with his hair shaved over the ears and hanging long and silky in the back, is a national arm-wrestling champion, too. R. J.'s accent is even stronger than Danny's. He sounds like this: Dey figgered de people don hear won say nuttin. "That's the thing about Cajun people," he says. "You push them around too long and they fight back."

Though the case has been legally settled, it still riles R. J. "The government wasn't worried about people," he says. "It was worried about strangling oil and gas." He turns away, his voice tight with emotion. "We're not trying to stop oil and gas. We're trying to save our community." "With all our proof, we should have shut this place down five times," R. J. says. Like the rest of the residents, he knows the implications of staying may be grave, for him and for his children: greater health risks, threat of fatal disease, shortened life spans. But to leave, his family would have to walk away from their property. It would never sell, since a bank would not loan money to anyone to buy it. Nor do any of them want to leave this land they love. "There are beautiful places in this world," R. J. says. "None like this place here."

Clarice agrees. "Our roots have been here for the last hundred years," she says, throwing her hands into the air as if to embrace heaven.

"We belong here. It's not finished for me, no matter what. I still have to shut down the waste site."

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Grand Bois case changed the landscape of environmental battles
Kimberly Solet April 19, 2005 Houma Today

BOURG -- Grand Bois is not the only small-town minority community to battle a giant corporation in the name of environmental justice.

The landscape at the lower end of the Mississippi River is dotted with more than 2,000 oilfield-waste pits, hazardous-waste sites, injection wells and other toxic-storage facilities in an 11-parish area, environmental researchers have found.

Before 1980, these facilities were not monitored or regulated. Industries were allowed to dispose of waste containing oil and toxic chemicals as they saw fit.

For many companies, this meant dumping hazardous waste into wetlands and marshes and contaminating the Mississippi River delta.

But, to some extent, the Grand Bois case changed the way state agencies handle offshore drilling mud and waste, said Gary Snellgrove, an environmental consultant from the state's Department of Natural Resources' Office of Conservation. Snellgrove's agency oversees oilfield-waste disposal.

The Grand Bois case also triggered improvements in testing and analyzing oilfield waste. It led to some regulatory changes, as state environmental-quality workers began testing the air surrounding the U.S. Liquids site and doctors studied its potential health effects on residents.

Much of the state's modern oilfield waste-testing program can be traced to the Grand Bois case, which dates back to March 1994 when Exxon Corp. shipped truckloads of sludge from its gas plant in south Alabama to the Lafourche Parish oilfield waste-disposal site then known as Campbell Wells.

The success of the class-action lawsuit Grand Bois residents brought against Exxon and Campbell Wells made former Gov. Mike Foster direct three state agencies to do specific things:

The Department of Environmental Quality was directed to establish an air-monitoring station next to the oilfield-waste dump.

The Department of Health and Hospitals was ordered to conduct a comprehensive health assessment of the Grand Bois area.

The Office of Conservation was ordered to take a new look at how oilfield waste was being regulated and to amend regulations accordingly.

But perhaps the most lasting impact of the Grand Bois case, said Snellgrove, was that it raised awareness that a considerable distance must separate people from the open waste pits used to store offshore mud.

Under state rules, homes must not be located within 500 feet of oilfield waste cells.

"The case led us to go back and look at the waste-testing criteria and that sort of thing," said Snellgrove. "It also brought up the issue of siting criteria, of the distance from cells and houses. I would say the case did change some things."

While the Grand Bois case helped changed the state's mindset regarding oilfield waste, environmentalists argue that it had a more important purpose in the broader context of Louisiana's environmental-justice movement.

A 1997 CBS television documentary on Grand Bois' battle against U.S. Liquids brought national attention to the small-town community's struggle against the state's oil-and-gas industry.

The case became a public-relations nightmare that attracted media attention to Louisiana's chemical corridor, or "cancer alley," the phrase often attached to the strip of land between New Orleans and Baton Rouge where more than 100 petrochemical plants are located.

Grand Bois also inspired the environmental community to take a closer look at poor and Native American communities that have oilfield-waste dumps and chemical plants in their backyards, said Darryl Malek-Wiley, head of the Sierra Club's Delta Chapter.

"Grand Bois really raised everyone's antenna," said Wiley.

Gladstone Jones, the New Orleans attorney who represents Grand Bois, said the case helped articulate the message of environmental justices.

"The case did have a huge impact on the environmental regulations in Louisiana," said Jones.

Activists and lawyers who defend communities based on environmental-justice claim that poor individuals and people of color have been excluded from conversations and decisions impacting their towns, health and families.

They believe what Jones argued in the Grand Bois case, that the siting process oilfield-waste dumps and chemical plants use is unfair because the poor communities that host these companies also suffer the most from their presence.

With this theme in mind, Grand Bois helped accelerate the environmental-justice movement among African American, ex-slave communities along River Road, where chemical plants have located dangerously close to low-income communities because the land there is cheap and plentiful.

Grand Bois also has become a national inspiration, particularly among indigenous American Indian tribes that want to prevent urban sprawl from encroaching upon their federally protected land, said Tom Goldtooth, director of Indigenous Environmental Network, an activist alliance founded in 1990 to help American Indian tribes address economic-justice issues.

"This is a trend we're seeing all across the country, companies establishing in native communities and taking advantage of their resources," said Goldtooth.

The tribal activist said he has long worked with Beverly Wright, who heads the Deep South Center for Environmental Justice at Xavier University, to help African-American communities battle industries along the Mississippi River chemical corridor.

"The same issue has emerged time and time again," said Goldtooth. "In south Louisiana and Mississippi, with the people of color, companies come in and make promises. If there's any state I think the (federal Environmental Protection Agency) has the right to yank their delegated authority to institute environmental laws, it's Louisiana. The state is in the pocketbooks of industry."

American Indian tribes across the country have found themselves in predicaments similar to Grand Bois, a rural, close-knit community that lacked the political organization and economic clout to prevent an oil business from taking over prized and preserved forests, said Goldtooth.

From the deserts of the southwest to the rich soils of Alaska, indigenous people across the United States have suffered the deleterious effects of pollutants, toxics and deforestation. That is because there is a general opinion among companies doing work in Indian country that tribes can be taken advantage of, Goldtooth said.

"As a result of colonial exploitation, our native people have had their identity taken away, their language lost, their culture fragmented," said Goldtooth. "They have been assimilated, acculturated and they suffer from internalized oppression, all symptoms of

colonization. From this perspective, it's a wonder we have any Indians left."

Goldtooth said he views the Grand Bois community's ongoing struggle with the waste-disposal company next door as a form of cultural survival.

Banding together as a community helps perpetuate social bonds, even if fears of corporate abuse are unfounded or undocumented, as U.S. Liquids officials insist.

"For a tribal community to start to ask questions about their survival is something we recognize," Goldtooth said. "This is empowering for them, and it links them with othergroups. It becomes a whole social network. It becomes a human-rights issue, the right not to live next to hazardous material."

Officials from U.S. Liquids deny that oilfield waste dumped at the site has contaminated the Grand Bois people. The air might smell like rotten eggs, but there has been no evidence found that the disposal site has made citizens sick, said William Werdenberg, president of U.S. Liquids of Louisiana.

"We have conducted air samples ad nauseam," Werdenberg said. "Soil samples have been taken from every agency that visited that facility and they never found anything wrong in that place. The allegations made against us are extremely incorrect. I don't know what else can be done to show how safe we are."

Maybe nothing else can be done.

Even if tests never link oilfield waste and cancer in Grand Bois, some residents said the company's presence in their town would never be accepted.

"We want them out; that's our bottom line," said R.J. Molinere, a lifelong Grand Bois resident. "We won't ever sleep well until they're gone."

Works Cited

Solet, K. (2005, April 19). Grand Bois case changed the landscape of environmental battles. Retrieved from houmatoday: https://www.houmatoday.com/story/news/2005/04/19/grand-bois-case-changed-the-landscape-of-environmental-battles/26832652007/

Unit 3: Power

Grand Bois: English Standards

Grade 6	Grade 7	Grade 8
CCSS-RI.3.6 Analyze in detail how a key individual, event, or idea is introduced, illustrated, and elaborated in a text (e.g., through examples or anecdotes). **CCSS-RI.6.6** Determine an author's point of view or purpose in a text and explain how it is conveyed in the text.	**CCSS-RI.3.7** Analyze the interactions between individuals, events, and ideas in a text (e.g., how ideas influence individuals or events, or how individuals influence ideas or events). **CCSS-RI.6.7** Determine an author's point of view or purpose in a text and analyze how the author distinguishes his or her position from that of others.	**CCSS-RI.3.8** Analyze how a text makes connections among and distinctions between individuals, ideas, or events (e.g., through comparisons, analogies, or categories). **CCSS-RI.6.8** Determine an author's point of view or purpose in a text and analyze how the author acknowledges and responds to conflicting evidence or viewpoints.

Grade 9-10	Grade 11-12
CCSS-RI.6.9-10 Determine an author's point of view or purpose in a text and analyze how an author uses rhetoric to advance that point of view or purpose. **CCSS-RI.7.9-10** Analyze various accounts of a subject told in different mediums (e.g., a person's life story in both print and multimedia), determining which details are emphasized in each account.	**CCSS-RI.6.11-12** Determine an author's point of view or purpose in a text in which the rhetoric is considered particularly effective, analyzing how style and content contribute to the student interpretation of power, persuasiveness, or beauty of the text. **CCSS-RI.7.11-12** Integrate and evaluate multiple sources of information presented in different media or formats (e.g., visually, quantitatively) as well as in words in order to address a question or solve a problem.

Unit 3: Power

Grand Bois: Social Studies Standards

Civics	World History	World Geography
C.9 Analyze the structure, roles, responsibilities, powers, and functions of government in the United States. **C.11** Analyze political processes and the role of public participation in the United States.	**WH.6** Evaluate the influence of science, technology, innovations, and explain how these developments have altered societies in the world from 1300 to 2010. **WH.20** Describe the causes of trade, commerce, and industrialization and how they affected governments and societies from 1300 to 2010. **WH.24** Analyze the effect that humans have had on the environment in terms of resources, migration patterns, and global environmental issues.	**WG.7** Analyze how governments and political boundaries affect people and places.

Unit 3: Power

Grand Bois: Science Standards

Grade 8	Earth Science	Life Science	Environmental Science
8-MS-ESS3-3 Apply scientific principles to design a method for monitoring and minimizing human impact on the environment.	**HS-ESS3-4** Evaluate or refine a technological solution that reduces impacts of human activities on natural systems.	**HS-LS2-7** Design, evaluate, and refine a solution for reducing the impacts of human activities on the environment and biodiversity.	**HS-ESS3-4** Evaluate or refine a technological solution that reduces impacts of human activities on natural systems.