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/