Unit 3: Power

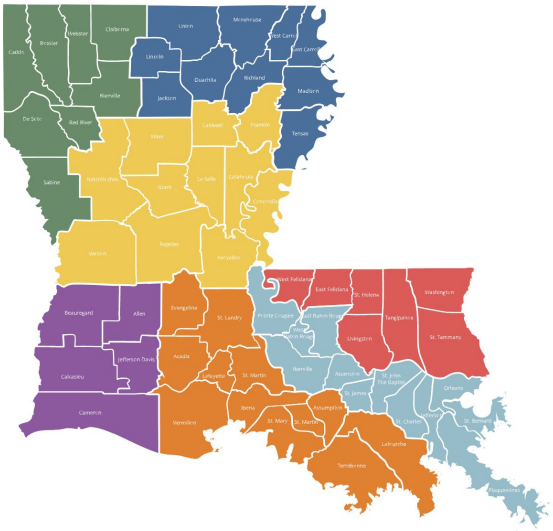
The people who live in places impacted by human-made decisions have the power to speak out against environmental injustice.

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?



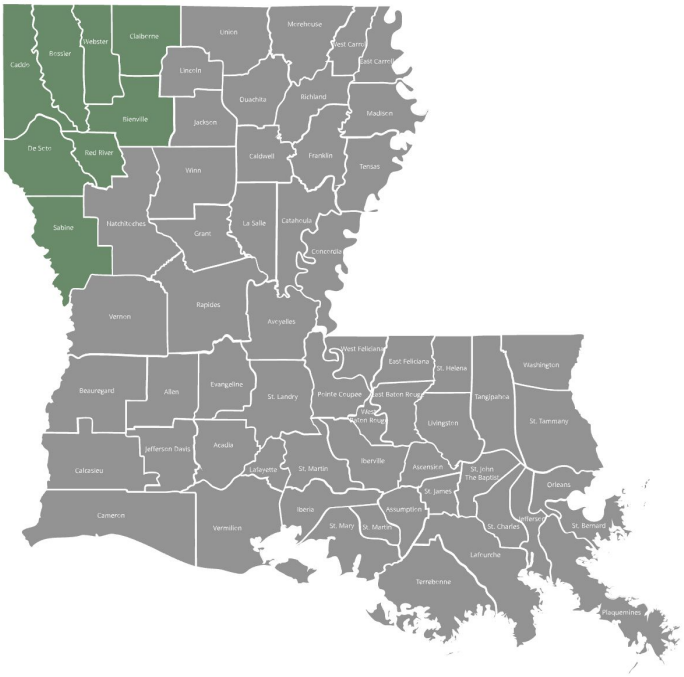
Unit 3: Power

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

Homer



LEAN Region 1

North Louisiana is home to clear water lakes and pine forests. Northwest Louisiana is also where you can find Mount Driskill, the highest point in the state as 535 feet. This region includes:

- Bienville Parish
- Bossier Parish
- Caddo Parish
- Claiborne Parish
- De Soto Parish
- Red River Parish
- Sabine Parish
- Webster Parish

About Homer:

In 1989, Louisiana Energy Services (LES) proposed building a uranium enrichment and nuclear waste facility in rural Claiborne Parish.The proposed site was adjacent to the predominantly African American communities of Center Springs and Forest Grove, approx. 5 miles from Homer, LA. Residents of the area organized a group called CANT (Citizen Against Nuclear Trash) to oppose the construction of the uranium facility in their community. CANT organized support from a wide coalition of local residents as well as national environmental groups. In 1997, an unprecedented legal ruling from the Nuclear Regulatory Commission (NRC) found that the siting of the plant constituted environmental racism. LES became the first license applicant before the NRC ever to be denied a license and they were denied on the grounds of environmental racism." The prevention of the construction of this facility was seen as a major environmental justice victory and a win for the community members who would be most affected by the potential pollution and risks created by the facility.

Standards:

English
Social Studies
Science

Unit 3: Power

Resource	Description
Uranium Plant Poses Test for Industry, Senator Source	A 1990 Washington Post article about the proposed uranium enrichment plant in Homer.
Honoring a Landmark Environmental Justice Victory in Louisiana Source	A write up of the Homer, Louisiana case by the Nuclear Information and Resource Service.
Louisiana Energy Services: Uranium and Environmental Racism Source	Excerpts from the legal decision that stopped LES from building in Homer, that point to how the case is an instance of environmental racism.
CANT battles Uranium Enrichment plant in Homer, LA	Short documentary on proposed uranium enrichment plant in Homer, LA and the communities resistance and organizing. Length, 4:45.
Citizens Against Nuclear Trash Stop Uranium Enrichment Plant in Claiborne Parish	The environmental group Citizens Against Nuclear Trash Battled with DEQ to keep uranium enrichment plant out of Claiborne parish. The first circuit court of appeals ruled that DEQ did not do an adequate job and denied the permit. Length, 2:04.

Extended Reading Activity:
Read and analyze *Uranium Plant Poses Test for Industry, Senator* and *Louisiana Energy Services: Uranium and Environmental Racism*. Then discuss and answer the essential questions for this unit. Answers will vary to the questions, however students should be able to grasp the basic power dynamics of the situation.

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

Uranium Plant Poses Test for Industry, Senator
By Thomas W. Lippman March 5, 1990

An attempt by three electric utilities and two giant corporations to build the nation's first privately owned uranium enrichment plant in rural Louisiana is developing into a test of public sentiment about nuclear power and of the political clout of Senate Energy and Natural Resources Committee Chairman J. Bennett Johnston (D-La.).

Johnston, an ardent supporter of the $750 million project, has been telling skeptical constituents that the plant would be safe, environmentally benign and economically beneficial. "I stake my political life on it, my integrity," he told a Shreveport television interviewer. "This is not a subject on which reasonable minds can disagree."

Some grass-roots opposition to the plant has developed in northwestern Louisiana and southern Arkansas. Johnston, who is up for reelection this year, said in a brief interview that the political danger to him is minimal. He said there is "no question" about the safety of the plant, which he said would triple the tax base of Claiborne Parish, near Shreveport, and he accused opponents of stirring false fears among low-income black residents of the area that their well water may be poisoned. "It's just not true," he said.

But the comments of opponents at community meetings have demonstrated once again the political volatility of anything related to nuclear power. To the chagrin of the battered nuclear industry, which would welcome any major investment as a sign of confidence, residents have peppered company officials with questions about the Soviet nuclear reactor at Chernobyl and the possible consequences of an accident -- even though an enrichment plant is not a reactor and there is no scientific basis for such comparisons.

"If we can't get a site for a facility like this, an enrichment facility, how are we ever going to get a site for another reactor?" said Edward Davis, president of the American Nuclear Energy Council, lobbying arm of the industry.

"It's just a factory," he said. "If we can't make a convincing case on this, then we'll have our work cut out for us on future power plants. We'd have to question our whole future."

Uranium enrichment is the process that converts natural uranium into fissionable fuel for reactors. At present, all enrichment plants in this country are owned by the U.S. Department of Energy. Promoters of the Louisiana facility say they expect to capture about 15 percent of the domestic market.

Their plant would require a license from the U.S. Nuclear Regulatory Commission. Johnston pushed through the Senate a measure that would compress and simplify the

licensing requirements, but his bill faces an uncertain future in the House. A House Interior and Insular Affairs subcommittee is scheduled to hold a hearing on it Tuesday.

"We're prepared to go forward either way," said Howard Arnold, president of Louisiana Energy Services, the company set up by the five backers of the project to obtain the license and run the
plant. "All our planning and scheduling is based on the current regulations." But he said the plant's backers would prefer enactment of Johnston's bill, which would in effect assure them that once a construction license was issued, they could build and operate the plant without fear of the last-minute licensing disputes that have prevented the operation of fully constructed nuclear power plants.

The importance of the licensing issue to the project is reflected in the fact that Arnold's office is in Washington, not in Homer, La., site of the planned enrichment plant.

The five members of the consortium -- all financial contributors to Johnston's campaigns -- are Duke Power Co., Northern States Power Co., Louisiana Power and Light, Fluor-Daniel Inc., a construction and engineering company, and Urenco Inc., a German company that operates three enrichment plants in Europe using the innovative gas centrifuge technology that would be used in Louisiana. That process -- in which the uranium is heated into a gas and spun through connected centrifuges to separate fissionable Uranium 235 atoms from heavier atoms -- is said to be much more efficient than the older gaseous diffusion process used in the government-owned plants.

This efficiency, Arnold said, would enable Louisiana Energy to penetrate the market, despite the current worldwide glut of nuclear fuel. "Our share of the market will depend on our price, not on the capacity of the industry," he said.

Johnston sought the plant for Louisiana and made the announcement last fall that it was coming to Homer, in Claiborne Parish. In a speech on the steps of the parish courthouse, he called it "a monumental victory for our competition for high-technology industry," and said it could add $1 billion a year to the economy of northwestern Louisiana.

But according to Tony Johnson, a Homer real estate agent who says he organized Citizens Against Nuclear Trash (CANT), Johnston and Louisiana Energy officials have not been truthful with the citizenry about radiation and chemical pollution hazards inherent in the processing of uranium hexafluoride.

"We're against it because at every site where there's an enrichment plant, they've polluted the water table," he said. "It's dangerous."

He said that Johnston "does not tell the truth. He said our property tax revenue would go up by 12 times, but this company is getting two five-year exemptions. They won't pay any property taxes."

CANT and its allies have heckled company officials and staged walkouts from town meetings, prompting a backlash from the local business and political establishment, which supports the Venture.

An advertisement in the Homer Guardian-Journal on Jan. 11 warned that if the plant is not built, "other major industries now considering locating here will go elsewhere," planned road improvements will be scrapped, young people will leave and "we will lose our vo-tech school in a matter of months." The ad was signed by 17 leaders of the Claiborne Parish establishment, including Homer Mayor Joe Michael, Homer National Bank President Loy Weaver and Claiborne Parish Sheriff J.R. "Snap" Oakes.

"That whole thing is a pack of lies," said CANT's Johnson. "The vo-tech won't close. This intimidation has made people very angry."

Works Cited

Lippman, T. W. (1990, March 5). Uranium Plant Poses Test for Industry, Senator. Retrieved from The Washington Post: https://www.washingtonpost.com/archive/politics/1990/03/05/uranium-plant-poses-test-for-industry-senator/1b2d495c-0ab9-412d-ace7-2ce87667a5ec/

Unit 3: Power

Honoring a Landmark Environmental Justice Victory in Louisiana
June 17, 2022

Today, we celebrate the story of Homer, Louisiana — a community that defeated a proposed uranium enrichment plant in 1997, one the first environmental justice victories! This weekend, we commemorate and celebrate Juneteenth, honoring the struggle for Black liberation in the US. Officially proclaimed a federal holiday last year by Congress, Juneteenth is named for the date—June 19th, 1865—when word of their liberation finally reached enslaved people in Texas. They were the last to be told of their freedom, their oppressors having kept them in bondage more than two months after the confederacy's army surrendered.

Juneteenth is time to reflect upon and dedicate ourselves to collective liberation. Juneteenth matters because it marks when the last were emancipated, not the first. It marks the fulfillment of freedom and equality, not promises. In our national culture, we have a tendency to celebrate the birth of democratic ideals, rather than their deliverance. Juneteenth signifies that we cannot be free until all are freed.

Juneteenth also reminds us that freedom isn't free. Rights and liberties are hard-fought in the US, and we cannot take them for granted. Holding and expanding freedom requires constant maintenance and organizing. Though the campaign for freedom never ends, we still must celebrate our victories, our communities, and our joys.

At NIRS, Juneteenth means breaking the chains of extractive and unjust industries like nuclear. It means speaking the truth about nuclear dangers, threats, and wastes in the face of propaganda about the false promise of nuclear energy. It means telling the fraught and violent history of the nuclear industry and celebrating the communities that have stood up against the nuclear state to protect their own safety and survival. Today, we celebrate the story of Homer, Louisiana – a community that defeated a proposed uranium enrichment plant in the name of environmental justice.

A Landmark Environmental Justice Victory in Louisiana
Environmental justice is a key principle in the fight against dirty energy because it recognizes the disproportionate impact of environmental harms – from the disasters of changing climate to the site selection of polluting industries – on Black, Indigenous, People of Color and low-wealth communities.

Environmental injustice is rampant in the nuclear industry. Uranium mines, nuclear waste dumps, toxic incinerators, atomic reactors and other such facilities typically are located where there is cheap land, cheap facilities and little organized opposition. Too often, this has been in Black, Indigenous, People of Color and low-wealth communities that,

because of entrenched structural oppression, have less political power to oppose corporate giants, covert military projects, and the like.

In February 1994, President Clinton issued Executive Order 12898, requiring federal agencies to consider environmental justice issues when issuing permits for new polluting facilities. Although the Nuclear Regulatory Commission was exempt from that order due to the agency being independent, then-Chairman Ivan Selin committed the NRC to implement the order. The issue of environmental justice in the nuclear industry would soon be put to the test.

The story begins with Louisiana Energy Services (LES), a multinational consortium, that began searching for a site to build a private uranium enrichment plant in the United States. Uranium "enrichment" is a key step in making nuclear power and weapons fuel – it concentrates uranium-235 atoms leaving other uranium atoms as long-lasting, dangerous waste.

In 1989, LES announced that it had selected a 442-acre site in Claiborne Parish, Louisiana and applied to the NRC for a 30-year license to operate their enrichment plant. The company claimed no one lived there but the proposed site was immediately adjacent to and between the unincorporated African American communities of Center Springs and Forest Grove, about 5 miles from the town of Homer, Louisiana.

In the court decision years later, the NRC described these communities:
"The community of Forest Grown was founded by freed slaves at the close of the Civil War and has a population of about 150. Center Springs was founded around the turn of the century and has a population of about 100. The populations of Forest Grove and Center Springs are about 97% African American. Many of the residents are descendants of the original settlers and a large portion of the landholdings remain with the same families that founded the communities. Aside from Parish Road 39 and State Road 9, the roads in Center Springs or Forest Grove are either unpaved or poorly maintained. There are no stores, schools, medical clinics, or businesses in Center Springs or Forest Grove."

In addition, the NRC explains that the schools in the area are racially segregated and that many residents remain unconnected to the public water supply. The communities are "part of a population that is among the poorest and most disadvantaged in the United States." It soon became clear that the site was explicitly selected to take advantage of these communities under the assumption that the disadvantaged and disenfranchised would be unable to mount resistance against LES.

But, as word of this proposed uranium enrichment plant spread to the residents of Claiborne Parish, concern and opposition grew. The residents formed a local group called

Citizens Against Nuclear Trash (CANT) and began organizing their resistance. They recruited assistance from others in the anti-nuclear movement including folks at NIRS, IEER, Harmon and Curran, and Earthjustice to file an objection with the NRC and rallied a tremendous grassroots campaign to block LES from building the plant.

According to an Earthjustice blog, CANT "sent busloads of residents every day the 50 miles from Homer to Shreveport, where the hearings were being held, to observe. They organized support among the congressional Black Caucus and 182 environmental organization from 18 countries. "Among the expert witnesses was Dr. Robert Bullard, the father of environmental justice, who testified during the NRX proceedings and the formal hearing on why the LES siting decision constituted environmental racism.

And they won in 1997. An unprecedented legal ruling from the NRC found that the siting of the plant constituted environmental racism. LES became the first license applicant before the NRC ever to be denied a license and they were denied on the ground of environmental racism. Years of organizing ultimately prevailed before a Nuclear Regulatory Commission Atomic Safety and Licensing Board (ASLB) and CANT won one of the nation's first courtroom verdicts on environmental justice.

…

But the victory at Claiborne Parish, Louisiana did not end LES's efforts. LES continued searching for a site to build the dirty uranium enrichment plant. And the environmental justice precedent set by CANT's victory threatened the nuclear industry's business-as-usual practice of environmental racism. Reeling from this blow – after all, one denial in 45,000 applications might indicate a trend – the nuclear industry suggested to the NRC that it remove environmental justice from further licensing consideration.

Freedom, liberty, and justice aren't free. These rights are not easily won nor are they guaranteed. President Clinton's Executive Order on Environmental Justice is a major milestone, one that paved the way for communities to prevail against entities like LES, but it is not the finish line.

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Works Cited

Nuclear Information and Resource Service. (2022, June 17). Honoring a Landmark Environmental Justice Victory in Louisiana. Retrieved from NIRS: https://www.nirs.org/juneteenth-honoring-a-landmark-environmental-justice-victory-in-louisiana/

Unit 3: Power

Louisiana Energy Services: Uranium and Environmental Racism

In the early 1990s, Louisiana Energy Services (LES) tried to build a uranium enrichment plant. Ma very rural, extremely poor, 97% black community between the small towns of Forest Grove and Center Springs in Claiborne Parish, Louisiana. They were stopped in 1997 after a local group – Citizens Against Nuclear Trash (CANT) – fought them and won the only court victory where a polluter's license was denied on the basis of environmental racism.

LES tried again in Tennessee and was kicked out of one community, then another. They ultimately got licensed and started construction in New Mexico, over the legal protests and interventions by the Nuclear Information and Resource Service (NIRS). The facility was built and started up in 2009, 5 miles from the city of Eunice in Lea County, New Mexico. Following the nuclear industry's awful trend of disproportionately harming communities of color, 39.6% of Eunice and 45.6% of Lea County is Hispanic/Latino (the national average is 14.7%). 14.2% of Eunice families and 13.9% of Lea county families live below the poverty level (national average is 9.8%).

Below are quotes from the groundbreaking legal decision, In the Matter of Louisiana Energy Services, L.P., that stopped LES in Louisiana. Except for the bracketed notes, there are the words of the U.S. Nuclear Regulatory Commission's Atomic Safety and Licensing Board in 1997.

P391: [CEC = Claiborne Enrichment Center, the name of the proposed LES facility. Racial discrimination in the facility site selection process cannot be uncovered with only a cursory review of the description of that process appearing in a applicant's environmental report. If it were so easily detected, racial discrimination would not be such a persistent and enduring problem in American society. Racial discrimination is rarely, if ever, admitted. Instead, it is often rationalized under some other seemingly racially neutral guise, making it difficult to ferret out. Moreover, direct evidence of racial discrimination is seldom found. Therefore, under the circumstances presented by this licensing action, is the President's nondiscrimination directive is to have nay meaning a much more thorough investigation must be conducted by the Staff to determine whether racial discrimination played a role in the CEC site selection process.

Before turning to a discussion of the evidence in this proceeding, we wish to emphasize that our determination that the Staff's limited review of the description of the siting process set out in the Environmental Report was inadequate and that the Staff now must undertake a thorough investigation, is not intended as a criticism of the Staff. The obligations imposed upon the Staff by the Commission's commitment to the President to implement the provisions of the Executive Order are new to the agency. Because this

agency's primary responsibilities historically have dealt with technical concerns, investigating whether racial discrimination played a part in a facility siting decision is far afield from the Staff's past activities. Indeed, because racial discrimination questions have not previously been involved in agency licensing activities, this is an area in which the Staff has little experience or expertise. Nevertheless, if the President's directive is to have any meaning in this particular licensing action, the Staff must conduct an objective, thorough, and professional investigation that looks beneath the surface of the description of the site selection process in the Environmental Report. In other words, the Staff must lift some rocks and look under them.

P392: [As the company narrowed down the sites it considered, the target communities became more and more black.]
Of the remaining seventy-eight proposed sites, however, the Intervenor's analysis reveals that the aggregate average percentage of black population within a 1–mile radius of each of the sites across sixteen parishes is 28.35%. After the initial site cuts reduced the list to thirty-seven sites in nine parishes, including the sites in Claiborne Parish, the aggregate percentage of black population rose to 36.78%. Then, when the search narrowed to the six sites in Claiborne Parish, the aggregate average percent of black population increased to 64.74%. Ultimately, the process culminated in a chosen site with a black population of 97.1% within a 1–mile radius of the LeSage site, which is the site with the highest percent black population of all seventy-eight examined sites.

P393:
As we have already observed, we would not expect instances of racial discrimination to be admitted. Instances of racial bias are often rationalized in ways that avoid the question, so that a person can state, with conviction, that he or she did not discriminate even when objective evidence suggests otherwise. In so stating, it is not our intent to impugn the integrity of the Applicant's witnesses. Rather, our point is simply that this and similar testimony of the Applicant's witnesses does not adequately rebut the Intervenor's statistical evidence.

P395: [Mr. Engwall worked on facility siting for LES.]
At his deposition, Mr. Engwall no less than seven times testified under oath that he performed his evaluation of the population of the LeSage and Emerson sites by driving through the area and performing a visual or "eyeball" assessment. Indeed, he even asked his questioner, Intervenor's counsel, "How else are you going to do it?" and indicated that, in his site selection training prior to his work on the CEC project, he learned to evaluate population by driving around and looking.

Works Cited
Louisiana Energy Services: Uranium and Environmental Racism. (n.d.). Retrieved from EJnet.org: Web Resources for Environmental Justice Activists: https://www.ejnet.org/ej/les.html

Unit 3: Power

Homer: English Standards

Grade 8	Grade 9-10	Grade 11-12
CCSS-RI.1-8 Cite the relevant textual evidence that most strongly supports an analysis of what the text says explicitly as well as inferences drawn from the text. **CCSS-RI.2-8** Determine a central idea of a text and analyze its development over the course of the text, including its relationship to supporting ideas; provide an objective summary of the text. **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.	**CCSS-RI.1-9.10** Cite relevant and thorough textual evidence to support analysis of what the text says explicitly as well as inferences drawn from the text. **CC-RI.2-9.10** Determine a central idea of a text and analyze its development over the course of the text, including how it emerges and is shaped and refined by specific details; provide an objective summary of the text. **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.	**CCS-RI.1-11.12** Cite strong, thorough, and relevant textual evidence to support analysis of what the text says explicitly as well as inferences drawn from the text, including determining where the text leaves matters uncertain. **CC-RI.2-11.12** Determine two or more central ideas of a text and analyze their development over the course of the text, including how they interact and build on one another to provide a complex analysis; provide an objective summary of the text. **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.

Unit 3: Power

Homer: Social Studies Standards

Civics	World History	World Geography
C.13f Explain ways in which competition, free enterprise, and government regulation influence what is produced and allocated in an economy, including national and global consequences.	**WH.20** Describe the causes of trade, commerce, and industrialization and how they affected governments and societies from 1300 to 2010 **WH.22** Analyze trends of increasing economic interdependence and interconnectedness in world history 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.6a** Explain the spatial patterns of industrial production and development. **WG.6e** Explain how economic interdependence and globalization affect countries and their populations. **WG.8c** Analyze causes and effects of local, national, regional, and global environmental issues

Unit 3: Power

Homer: 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.