News
EarthBeat



Members of Rise St. James conduct a livestream video on property owned by Formosa Plastics Group in St. James Parish, Louisiana, on March 11, 2020. (AP/Gerald Herbert)



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Environmental justice advocates in southern Louisiana declared victory last week after two decisions denied two major petrochemical complexes from moving forward in their community.

On Sept. 14, state district court Judge Trudy White released a decision that reversed and vacated 14 air regulations permits that the Louisiana Department of Environmental Quality (LDEQ) had issued for the proposed Formosa Plastics Group complex in the town of Welcome. The majority Black town is situated in a corridor of oil refineries and industrial plants between New Orleans and Baton Rouge often referred to as "Cancer Alley."

For years, local residents had opposed the massive plastics factory, a $9.4 billion project with 10 chemical manufacturing plants and other supporting facilities on 2,400 acres. Opponents argued that it would further exacerbate air quality — emitting as much as 800 tons of toxic pollution annually — and cause health risks, including high cancer rates, and represented a clear case of environmental racism.

> 'Stopping Formosa Plastics has been a fight for our lives, and today David has toppled Goliath.'
>
> —Sharon Lavigne
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One of the leading groups against the Formosa project was Rise St. James, a faith-based grassroots organization founded and led by Sharon Lavigne.

"Stopping Formosa Plastics has been a fight for our lives, and today David has toppled Goliath," Lavigne said in a statement. "The judge's decision sends a

message to polluters like Formosa that communities of color have a right to clean air, and we must not be sacrifice zones."

A Catholic and lifelong parishioner of St. James Catholic Church, Lavigne has been one of the leading figures in the fight against the Formosa plant. Her activism made her the 2021 North American recipient of the Goldman Environmental Prize, considered the "Green Nobel Prize." In May, the University of Notre Dame awarded Lavigne the Laetare Medal, viewed as one of the highest honors in the U.S. Catholic Church, and she spoke at commencement ceremonies at the South Bend, Indiana, campus.



Sharon Lavigne stands in front of a chemical plant near her home in St. James Civil Parish, Louisiana, March 13. (CNS/Courtesy University of Notre Dame/Barbara Johnston)

"I am overwhelmed with joy," Lavigne told EarthBeat, and she praised the judge for thoroughly reviewing the case and ultimately siding "with the people and not

industry."

Holy Cross Fr. John Jenkins, president of Notre Dame, in a statement to EarthBeat commended Lavigne's "inspiring work" and her "primary role" leading to the judicial decision that "is, as she put it, an environmental win for David over Goliath."

"We are proud to have bestowed last May our highest honor on a woman whose faith called her to become a courageous advocate for the people of her community," Jenkins said.

Days before the Formosa decision, Rise St. James and other community groups celebrated defeat of a second giant chemicals complex, when LDEQ withdrew an application review for air permits for a methanol production facility in St. James Parish after South Louisiana Methanol did not provide notice it remained committed to the project. That complex, whose location was planned between two historic Black neighborhoods, would have been the largest methanol production site in North America.

It was the proposal of the Formosa complex in April 2018 that activated the St. James community, with Rise St. James forming a few months later. It joined with other environmental and community organizations, including Louisiana Bucket Brigade and Healthy Gulf, along with the Sierra Club, Center for Biological Diversity and Earthjustice, which represented the community in court.

The Taiwan-based Formosa Plastics Group and its supporters said the complex would bring a significant economic impact to the area and result in 1,200 new jobs with average annual salaries eclipsing $80,000. The plant, which would be one of the largest chemical complexes in the world, would make chemicals used in products like plastic bottles, grocery bags, polyester clothing, antifreeze and playground equipment.

In a statement, Janile Parks, director of community and government relations for Formosa Plastics Group, said the company "respectfully disagrees" with the court decision. She said the permits were issued after a thorough analysis that found the proposed complex meeting state and federal health and safety standards.



The headquarters of Formosa Plastics Group in Taipei, Taiwan (Wikimedia Commons/ □□□)

Parks said Formosa Plastics will explore all legal options and continue to seek permits to move forward with construction of the complex.

In her decision, White ruled that the LDEQ violated the Clean Air Act by issuing the air permits even though Formosa Plastics Group's own air quality modeling showed emissions from the chemical complex, specifically particle pollution (PM2.5) and nitrogen dioxide (NO2), would exceed federal air standards. She added that "the constitutional public trust duty imposes an additional legal standard" on LDEQ "to

avoid potential environmental harm *to the maximum extent possible*."

While LDEQ and Formosa Plastics Group said any potential violations from the plant were not located near residential properties or public areas, White disagreed, saying the mapped area of air violations bordered several residential areas, and that the environmental quality department ignored the public health impact of short-term exposure to the pollutants.

Data from a study by ProPublica showed the area near the proposed site was already among the country's industrialized areas most exposed to toxic cancer-causing chemicals. Along with PM2.5 and NO2, the plant would also produce ethylene oxide and benzene, pollutants known to cause cancer, and the permit would allow the facility to become the second-largest source of both pollutants in the state.

"A plant worker on her shift, an elderly person and grandkids spending an afternoon fishing from the road next door, or someone who visits an area experiencing violations all could suffer harmful health impacts from these exposures," White wrote.

She continued, "Simply out, LDEQ failed to address the core problem posed by [Formosa Plastics'] model, the only record evidence on point: people working, living, traveling, or recreating in St. James Parish could suffer serious health consequences from breathing this air, even from short-term exposure."

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White added that "environmental justice issues are at the very heart of this case," and that data from the U.S Environmental Protection Agency showed the area as "one of the most burdened communities in the United States." According to EPA data, Welcome is in the 86th percentile for air pollution-related cancer risk in Louisiana, and in the 95th to 100th percentile nationwide.

White also agreed with petitioners who said that LDEQ failed to weigh the impact of the plant's greenhouse gas emissions on climate change, estimated the equivalent of three and a half coal-fired power plants. "LDEQ must take special care to consider the impact of climate-driven disasters fueled by greenhouse gases on environmental justice communities and their ability to recover," she said.

Beyond the impact on air and public health, White acknowledged that Lavigne and other residents consider the area "sacred lands" where descendants of slaves sought to farm and preserve the land for future generations to cultivate.

"The blood, sweat and tears of their Ancestors is tied to the land," White wrote, adding, "Their Ancestors worked the land with the hope and dream of passing down productive agricultural untainted land along the Mississippi [River]" to their families.



Catholic environmental justice activist Sharon Lavigne at a burial site for enslaved Black people in Louisiana, on the property that Formosa Plastics Group bought to build a petrochemical complex (Courtesy of Goldman Environmental Prize)

Beverly Wright, founder and executive director of the Deep South Center for Environmental Justice, told EarthBeat in an email that the court decision "correctly prioritizes people over business profits that make billions for shareholders, but leave neighborhoods polluted and poisoned."

"For generations, Cancer Alley communities have been fighting for their right to live, breathe clean air and drink clean water. Too many people get seriously ill or die from

unchecked pollution that has wreaked havoc for poor and predominantly Black communities," she said. Empowering people in Cancer Alley to fight in the courts and legislature, Wright added, "can create new and environmentally healthy opportunities for residents disproportionately impacted by historic environmental injustice."

As Lavigne helped lead opposition against the petrochemical plants in her community, she frequently turned to her Catholic faith, quoting Scripture and partnering with religious leaders. Along with recognition from Notre Dame, she has consulted with Catholic Climate Covenant and spoken at various Catholic events and webinars.

"We are heartened and inspired by the courageous advocacy that Sharon and her allies have undertaken for so many years with so much sacrifice, that has led to this victory for environmental justice," Jose Aguto, Catholic Climate Covenant executive director, said.

> 'We have been blessed and highly favored by Jesus. He doesn't want his Earth to be all messed up.'
>
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Michele Dunne, executive director of Franciscan Action Network, told EarthBeat the victories for St. James Parish were "long overdue."

"Franciscans always are in solidarity with the impoverished and marginalized, and that certainly includes communities disproportionately affected by environmental degradation and climate change," she said in an email.

Earlier in September, Franciscan Action Network teamed with fellow Franciscan partners to launch an online series on environmental racism. The Oct. 13 webinar will focus on the petrochemical industry in Louisiana and will include a documentary that features Lavigne as well as a discussion with fellow environmental justice advocate Jo Banner of The Descendants Project.

Beverly Alexander, a St. James resident who was the original plaintiff in the lawsuit against Formosa, told EarthBeat that two recent days of clear blue skies had her "singing Gospel songs all day." She hopes the plastics complex will never be built and that attention instead will turn to meeting the community's needs.

"We have been blessed and highly favored by Jesus," Alexander said. "He doesn't want his Earth to be all messed up."

[Claire Schaeffer-Duffy contributed to this report.]

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