



HUMAN
RIGHTS
WATCH

SUMMARY AND RECOMMENDATIONS

“We’re Dying Here”

The Fight for Life in a Louisiana Fossil Fuel Sacrifice Zone

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SUMMARY AND RECOMMENDATIONS

SUMMARY

Sharon Lavigne, 71, lives in the small community of Welcome in the state of Louisiana, United States. Like many of her neighbors, the retired special education teacher has placed a sign in her front yard which reads, “We live on death row.” It is a morbid twist on the nickname by which their region has come to be more broadly known: “Cancer Alley.”

“We’re dying from inhaling the industries’ pollution. I feel like it’s a death sentence. Like we are getting cremated, but not getting burnt.”

— SHARON LAVIGNE, 71, SAINT JAMES PARISH, JANUARY 2023.

Sharon Lavigne, founder of RISE St. James, non-profit environmental justice organization, at her home in Welcome, St. James Parish, in Louisiana’s Cancer Alley. “We’re dying from inhaling the industries’ pollution. I feel like it’s a death sentence. Like we are getting cremated, but not getting burnt,” she said. October 16, 2023.

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Welcome sits in St. James Parish in the heart of Cancer Alley, an approximately 85-mile stretch of communities along the banks of the Mississippi River between New Orleans and Baton Rouge where people live on the frontlines of some 200 fossil fuel and petrochemical operations — reportedly the largest concentration of such plants in the Western Hemisphere.

Residents of Cancer Alley are the victims of deadly environmental pollution from the fossil fuel and petrochemical industry. They face severe health harms including elevated burdens and risks of cancer, reproductive, maternal, and newborn health harms, and respiratory ailments. These harms are disproportionately borne by the area's Black residents.

State and federal authorities have failed to properly regulate the industry, and they have not made information about risks to human health readily available.

For decades, the state of Louisiana, and the Louisiana Department of Environmental Quality (LDEQ) in particular, has repeatedly failed to address the harms of fossil fuel and petrochemical operations, to enforce the minimum standards set by the federal government, and to protect the environment and human health. The US Environmental Protection Agency (EPA) has not adequately ensured that federal laws and mandates are enforced in Louisiana, and as such, is failing to protect the air, land, water, and health of Louisiana residents from harms caused by the fossil fuel and petrochemical industry.



Janice Ferchaud, a breast cancer survivor, at her home in St. James Parish, in Louisiana's Cancer Alley. She attributes her cancer and the illness and death of family and neighbors to the pollution from the approximately 200 fossil fuel and petrochemical plants that line Cancer Alley. October 17, 2023.

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Smoke rises from a plant in Louisiana's Cancer Alley. October 18, 2023.

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Smoke billows over the Mississippi River in Louisiana's Cancer Alley. October 15, 2023.

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The prevalence of harm from the fossil fuel and petrochemical industry in Louisiana indicates that both state and federal authorities are failing to respect, protect, and fulfil the human rights to life, health, access to information, and the right to freedom from discrimination on the basis of race.

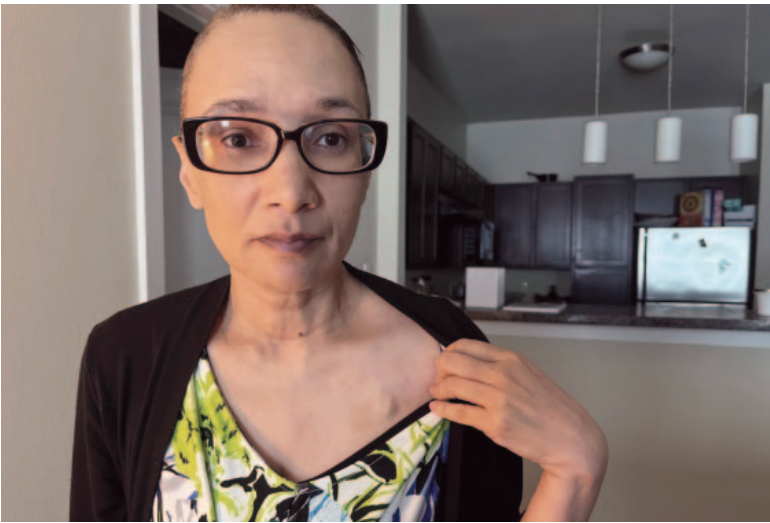
Not far from Lavigne's house, Janice Ferchaud, 66, sits in the trailer that has served as her home since her house was rendered uninhabitable by Hurricane Ida in August 2021. She wants the world to understand what is happening in Cancer Alley. She grows impatient with talking and aggressively pulls down the collar of her pink T-shirt to display her jagged mastectomy scars, the outcome of a surgery following a breast cancer diagnosis. Human Rights Watch interviewed many other Cancer Alley residents who also shared her frustration born of telling and retelling personal accounts of death, disease, and community-wide suffering and failing to see action.

Residents of Cancer Alley face significant risks of cancer and other severe health ailments as a result of emissions from fossil fuel and petrochemical plants, according to Human Rights Watch research, including an analysis of EPA data. The area with the highest risk of cancer from industrial air pollution in the US — more than seven times the national average — is located in Cancer Alley where Robert Taylor lives. Taylor, 83, described the cases of dozens of family members and neighbors who have died or been diagnosed with cancer, including both his mother and wife. The Lavignes and Ferchauds are Black, like nearly 90 percent of their neighbors in Welcome, as are Taylor and 60 percent of his neighbors in St. John, compared to 13.6 and 33 percent of the populations of the US and Louisiana, respectively.

Throughout Cancer Alley, there is clear evidence of a disproportionate burden of harms placed on the area's Black and low income residents from the polluting emissions of fossil fuel and petrochemical operations, including elevated cancer rates, among many other health problems.

Smoke billows over the Mississippi River in Louisiana's Cancer Alley. October 15, 2023.

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Raven Taylor, daughter of Robert Taylor, shows a port where she receives weekly infusions of medication into her heart. Taylor grew up in Reserve, in Cancer Alley. She attributes her serious health difficulties to the industry's pollution. New Orleans, Louisiana, March 29, 2023.

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Between September 2022 and January 2024, Human Rights Watch interviewed 70 people, including 37 Cancer Alley residents, and current and former officials of EPA, US Centers for Disease Control and Prevention (CDC), physicians, academics, lawyers, health care providers, advocates, and representatives of nongovernmental organizations (NGOs) in the region. In addition, Human Rights Watch examined scientific literature on health harms reported in Cancer Alley.

Human Rights Watch visited the nine Cancer Alley parishes: Ascension, East Baton Rouge, Iberville, Jefferson, Orleans, St. Charles, St. James, St. John the Baptist, and West Baton Rouge. Human Rights Watch observed fossil fuel and petrochemical plants located alongside or nearby playgrounds, schools, senior centers, homes, farms, and businesses. These operations were observed regularly and routinely emitting large burning flares, releasing plumes of black and brown polluting smoke, displaying stains from crude oil spilled from massive storage tanks, and releasing noxious smelling fumes. At least a dozen facilities reported to EPA their release of toxic pollution in amounts that exceeded federal legal limits established to protect public health and the environment.

In line with existing evidence linking fossil fuel and petrochemical pollution with increased risk of severe health harms, Cancer Alley residents shared with Human Rights Watch accounts of cancer diagnoses, including

Kaitlyn Joshua with her daughter, Lauryn, age 5, outside their home in Geismar, Ascension Parish, in Louisiana's Cancer Alley. Joshua, a chronic asthma sufferer since childhood, said her physician told her, "Kaitlyn, it's where you live. It's the air quality. You're going to have to move out of there." October 20, 2023.

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Geraldine Watkins at her home in LaPlace, St. John the Baptist Parish, in Louisiana's Cancer Alley. A longtime organizer and activist, she blames the fossil fuel and petrochemical industry for death and disease in her community. October 20, 2023.
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breast, prostate, and liver cancers. Women discussed personal stories of maternal, reproductive, and newborn health harms, as well as those of immediate family members, friends, or neighbors, including low-birth weight, preterm birth, miscarriage, stillbirths, high risk pregnancy and birth, and infertility.

New research presented for the first time in this report and currently under peer review for publication in *Environmental Research: Health* journal finds that people living in those areas with the worst air pollution in Louisiana, which includes many parts of Cancer Alley, had rates of low birthweight as high as 27 percent, more than double the state average (11.3 percent) and more than triple the US average (8.5 percent). Preterm births were as high as 25.3 percent, nearly double the state average (13 percent) and nearly two-and-a-half times the US average (10.5 percent).

Severe respiratory ailments were also extremely common among those Cancer Alley residents Human Rights Watch interviewed, including chronic asthma, bronchitis and coughs, childhood asthma, and persistent sinus infections. Residents said these ailments added stress to already at-risk pregnancies, resulted in children being rushed to emergency rooms and kept inside to avoid polluted air, missed days of work and school, sleepless nights due to wracking coughs, and the deaths of family members and friends.



Ashley Gaignard with her grandson at her home in Donaldsonville in Ascension Parish, in Louisiana's Cancer Alley. She wants the local school billboard to record daily pollution emissions to help parents protect their children from the fossil fuel and petrochemical pollution in their community. October 19, 2023.
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Tish and Robert Taylor – daughter and father – at Tish's home in La Place, Saint John the Baptist Parish, in Louisiana's Cancer Alley. "We're a sacrifice zone," Tish said. October 17, 2023.

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Local human rights advocates and global institutions, including United Nations officials, have condemned the abuses and injustices perpetrated by the fossil fuel and petrochemical industry in Cancer Alley and other similarly impacted parts of Louisiana for more than two decades and have called on local, state, and national authorities for remedy. The pressure has contributed to some policy changes, but far greater action is required by all levels of US government today.

In 2022, the UN Special Rapporteur on Human Rights and the Environment identified Cancer Alley as one of several global “sacrifice zones,” among the most polluted and hazardous places on earth, illustrating egregious human rights violations. “The continued existence of sacrifice zones is a stain upon the collective conscience of humanity,” the special rapporteur wrote, representing “the worst imaginable dereliction of a State’s obligation to respect, protect and fulfill the right to a clean, healthy and sustainable environment.”

The United States has one of the most regulated fossil fuel and petrochemical industries in the world, but for a variety of reasons documented in this report, these regulations have been insufficient and poorly enforced. Yet expansion is underway with at least 19 new fossil fuel and petrochemical plants planned for Cancer Alley, including within many of the same areas of poverty and high concentrations of people of color, and near the homes of residents including Sharon Lavigne and Janice Ferchaud. New facilities are also planned for other areas of the state already heavily burdened by the industry, including five in Calcasieu Parish. In total, 10 are already being prepared for construction.

In 2020, 66 percent of Louisiana’s reported annual greenhouse gas emissions were produced by some 150 industrial facilities in Cancer Alley, virtually all of which are fossil fuel and petrochemical operations. These same facilities released 522 million metric tons of carbon dioxide emissions from 2016 to 2021, or the equivalent of the annual releases of 140 coal-fired power plants.

Myrtle Felton, Gail LeBoeuf, and Barbara Washington of Inclusive. LeBoeuf was diagnosed with liver cancer in January 2023. In Convent, St. James Parish, in Louisiana’s Cancer Alley. March 28, 2023.

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Fossil fuels are the primary driver of the climate crisis. The US is the world's largest oil and gas producer and accounts for the greatest share—more than one-third—of all planned global oil and gas expansion through 2050, totaling nearly 73 gigatons of CO₂, the equivalent of 454 new coal plants. The largest buildout of fossil fuel and petrochemical operations in the US is taking place in Louisiana and neighboring Texas.

The International Energy Agency has warned against any new fossil fuel projects if countries are to meet existing climate targets and avert the worst consequences of the climate crisis. The Intergovernmental Panel on Climate Change (IPCC), the world's leading authority on climate science, has called on governments to scale up renewable energy, and prioritize equity, climate justice, social justice, and inclusion to ensure that a just, rights-respecting transition is achieved.

In Cancer Alley and wherever these operations continue, local, state, and federal authorities should support moratoria on new or expanded fossil fuel and petrochemical operations. They should limit the areas where these operations can take place and require and ensure that operators implement practices and procedures that protect the human rights of frontline communities, including by enacting and effectively enforcing regulations and taking immediate and comprehensive action to deter and remedy violations.

In Louisiana, the Department of Environmental Quality (DEQ) should deny permits in already overburdened communities. The EPA should use its authority under the Clean Air Act to order fossil fuel and petrochemical facilities posing an imminent and substantial endangerment to human health and the environment to immediately pause all operations until they can operate in accordance with the law, object to permits which would result in a disproportionate burden of harm in already overburdened communities, and initiate an investigation into withdrawal of state authorization for Louisiana's Clean Air Act program.

Jo and Joy Banner, twins and co-founders of the Descendants Project, a non-profit environmental justice organization, at their home in the historic Black community of Wallace on the last remaining 11 miles on the Mississippi River in St. John Parish free of fossil fuel and petrochemical plants. They are organizing to keep it that way. October 17, 2023.

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Children at play near the home of Robert Taylor in Reserve, Saint John the Baptist Parish, in Louisiana's Cancer Alley and the census tract with the highest risk of cancer from industrial air pollution in the United States. October 17, 2023
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To uphold their human rights obligations, all governments should rapidly phase out fossil fuels.

To facilitate the transition away from these operations, Human Rights Watch recommends a Federal Fossil Fuel and Petrochemical Remediation and Relocation Plan (modeled on the 2022 Inflation Reduction Act programs) whereby companies operating in Cancer Alley and across Louisiana would work with community-based organizations to employ local workers and provide decommissioning and remediation services for the safe and efficient phase-out of fossil fuels. Under the plan, companies working jointly with the state and federal government would also support residents who want to leave by providing them with buyouts and relocations following all international human rights norms and best practices for relocation.

To reinforce the commitment that federal, state, and local government will respect, protect, and fulfil the human rights of Cancer Alley and all US residents, the US Congress should ratify the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child, and the Convention on the Rights of Persons with Disabilities.

Achieving the recommendations detailed in this report requires the ongoing support of frontline communities. The same Louisiana communities that have been on the frontlines of fossil fuel operations the longest have also spent decades resisting and devising not only alternatives, but also paths to deliver them. Louisiana in general and Cancer Alley in particular have been home to key community-based leaders and developments in the US and global environmental and climate justice movements. They have modeled leadership and local, national, and international coalition building. But additional support is sorely needed — to uplift their efforts, facilitate their access to policymakers and the public, enable their long-term sustainability, and help them to access and use resources for effective advocacy.

“I’ve been told to sit down and stop fussing,” breast cancer survivor Genevieve Butler, 66, of St. James Parish, told Human Rights Watch. “But I’m not going to sit down because there’s too much at stake.”

RECOMMENDATIONS

TO THE US FEDERAL GOVERNMENT AND THE STATE OF LOUISIANA

- Implement moratoria on new or expanded fossil fuel and petrochemical operations and begin phase-out of existing operations.
- Support a fair and equitable transition for workers, communities, and industry away from fossil fuels and petrochemicals toward a renewable green economy.
- Work with businesses that shut down to jointly pay for local workers to remediate sites, restore waterways and lands, and foster greater community resilience by building localized small-scale renewable energy sources.
- Allocate funding to community-based organizations for public and health care provider awareness and outreach campaigns on the health harms of exposure to fossil fuel and petrochemical operations, including maternal, reproductive, and newborn health, cancers, and respiratory ailments.
- Enact federal and state legislation (or amend the state constitution) to recognize the right to a clean, healthy, and sustainable environment.

TO THE US PRESIDENT

- Direct all relevant federal agencies to develop and implement a Federal Fossil Fuel and Petrochemical Remediation and Relocation Plan modeled on Inflation Reduction Act programs. The plan should create incentives for companies to work with community-based organizations to employ local workers to decommission and remediate operations and support relocation of those residents who desire to do so. Any relocation under the plan should follow international human rights norms and best practices.
- Direct all relevant agencies to reject federal permits for new or expanded fossil fuel projects.
- Submit the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child, and the Convention on the Rights of Persons with Disabilities to the Senate for its advice and consent to ratification.

TO THE US SENATE

- Consent to ratification of the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child, and the Convention on the Rights of Persons with Disabilities.

TO THE US ENVIRONMENTAL PROTECTION AGENCY

- Object to permits for fossil fuel and petrochemical operations that would result in a disproportionate burden of harm in already “overburdened communities,” defined by the EPA as those already experiencing disproportionate environmental harms and risks due to exposures or cumulative impacts or greater vulnerability to environmental hazards.
- Order fossil fuel and petrochemical operations that pose an imminent and substantial endangerment to human health and the environment to immediately pause all operations until they operate in accordance with the law.
- Implement periodic review periods of delegations of power to state agencies to better enforce implementation of federal standards.

- Update the Clean Air Act National Emissions Standards for Hazardous Air Pollutants by mandating that all petrochemical and fossil fuel operations have fence-line air monitors and make data immediately publicly available, install leak detection systems which alert the public, limit excessive flaring, and take immediate and comprehensive action against violators.
- Update the Clean Water Act Effluent Limitation Guidelines to place stronger limits and controls on pollution from fossil fuel and petrochemical operations.
- Fully enforce all federal environmental laws in Louisiana with increased monitoring, investigation, oversight, and appropriate actions to compel compliance, including through the Office of External Civil Rights Compliance and by referring criminal violations to the US Attorney for prosecution.
- Initiate an investigation into withdrawal of state authorization for Louisiana’s Clean Air Act program under the Louisiana Department of Environmental Quality.
- Initiate a renewed investigation into statewide failure to enforce Title VI of the Civil Rights Act of 1964 and other federal nondiscrimination laws by the Louisiana Departments of Environmental Quality and Health.
- With the US Centers for Disease Control and Prevention (CDC) and the US Department of Health and Human Services (HHS), fund a community-led participatory comprehensive door-to-door epidemiological health survey of census tracts where residents face the highest pollution burdens in Louisiana, including Cancer Alley, focused on proximity to polluting operations.

TO THE GOVERNMENT OF LOUISIANA

- Support a fossil fuel phase-out.
- Support local demands for parish-wide moratoria on new or expanded industrial operations, including all fossil fuel and petrochemical operations.
- Deny permits for fossil fuel and petrochemical operations that would result in a disproportionate burden of harm in already overburdened communities.
- Require all petrochemical and fossil fuel facilities to have fence-line air monitors and make data immediately publicly available, install leak detection systems which alert the public, limit excessive flaring, and take immediate and comprehensive action against violators.
- Install community air monitors for all six National Ambient Air Quality Standard criteria pollutants throughout areas in which residents face the highest pollution burdens, make data immediately publicly available.

TO FOSSIL FUEL AND PETROCHEMICAL COMPANIES OPERATING IN LOUISIANA

- Operate within all local, state, and federal laws, including those related to pollutant emissions.
- With local community-based organizations and federal agencies, support residents with buyouts and relocations following all international human rights norms and best practices; provide decommissioning and remediation services for a safe and efficient phase out of fossil fuels.

TO PUBLIC AND PRIVATE HEALTHCARE INSTITUTIONS AND PROVIDERS

- Educate providers and resource patients about the health risks associated with exposure to fossil fuel and petrochemicals, including maternal, reproductive, and newborn health, cancer, and respiratory ailments.
- Provide accessible and affordable health services to treat specific health harms associated with fossil fuels and petrochemicals throughout Cancer Alley and Louisiana.
- Adopt US Department of Health and Human Services’ Health Sector Climate Pledge to achieve net zero emissions by 2050 and increase climate resilience.

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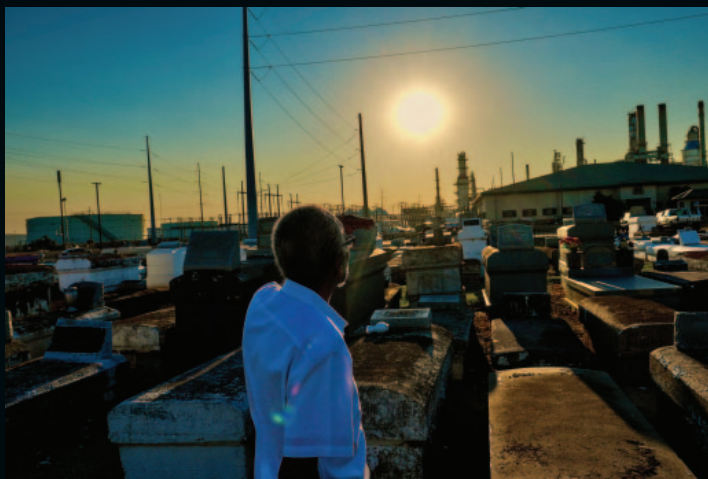
“We’re Dying Here”

The Fight for Life in a Louisiana Fossil Fuel Sacrifice Zone

“Cancer Alley” refers to an approximately 85-mile stretch of communities along the banks of the Mississippi River in Louisiana between New Orleans and Baton Rouge where communities exist side-by-side with some 200 fossil fuel and petrochemical operations.

“We’re Dying Here”: The Fight for Life in a Louisiana Fossil Fuel Sacrifice Zone documents the impact of extreme pollution from the fossil fuel and petrochemical industry on residents of Cancer Alley. They face severely elevated burdens and risks of cancer, reproductive, maternal, and newborn health harms, as well as respiratory ailments. These harms are disproportionately borne by the area’s Black residents. The report finds that authorities at both the state and federal levels are failing to respect, protect, and fulfil the rights to life, health, freedom from racial discrimination, and access to information.

The report calls on local, state, and federal authorities to support moratoria on new or expanded fossil fuel and petrochemical operations in Cancer Alley, increase and enforce existing regulations on current operators, and support a transition away from (and phase-out) of fossil fuels. The Louisiana Department of Environmental Quality should not grant permits in already overburdened communities. The United States Environmental Protection Agency should initiate an investigation into the withdrawal of state authorization for Louisiana’s Clean Air Act program.



(cover) **Robert Taylor in Reserve,
in Louisiana’s Cancer Alley.**

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