'We do ecology, not sociology': interactions among bureaucrats and the undermining of regulatory agencies' environmental justice efforts

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ABSTRACT

Environmental justice (EJ) scholars have argued that agencies' EJ efforts have done little to accomplish core goals of the EJ movement: democratizing decision-making and reducing environmental inequalities. Scholars explain that agencies' EJ efforts are undermined by industry and political elites hostile to environmental regulations, shortcomings of existing EJ policy, and limited technical tools. I augment these explanations by taking a constructionist approach, identifying interactions through which bureaucrats – with each other and with me – defend or contest their agency's EJ reform efforts. Drawing on interviews with agency staff and observations of agency meetings, I show that EJ staff – those tasked with leading their agencies' EJ efforts but wielding little authority over their colleagues – experience working in an environment in which colleagues can challenge and dismiss EJ and those who promote it. I thus argue that scholars aiming to explain why agencies' EJ efforts have failed to meet EJ advocates' expectations must attend not only to factors other scholars have rightly noted but also to interactions among staff through which some define EJ as anathema to agency practice and hence stifle proposed EJ reforms.

Introduction

The environmental justice (EJ) movement has fought against the disproportionate environmental burdens borne by communities of color, low-income communities, tribes, and other marginalized groups (Cole and Foster 2001; Mohai, Pellow, and Roberts 2009). In response to EJ advocacy, some environmental regulatory agencies have started to develop EJ policies, programs, and practices.

EJ scholars have argued that state and federal agencies' EJ efforts in the United States have done little to democratize decision-making or reduce environmental inequalities – key EJ activist priorities (Bullard et al. 2007; Eady 2003; Gerber 2002; Harrison 2015, 2016; Holifield 2004, 2012, 2014; Kohl 2015, 2016; Konisky 2015a; Lewis and Bennett 2013; Liévanos 2012; Liévanos, London, and Sze 2011; London, Sze, and Liévanos 2008; Payne-Sturges et al. 2012; Shilling, London, and Liévanos 2009; Targ 2005; Vajjhala 2010).

Critical analyses of these outcomes show that agencies' EJ efforts are undermined by industry and political elites hostile to new environmental regulations that EJ reforms could bring, weak EJ policy, and insufficient analytical tools needed to more thoroughly target and track environmental inequalities, explanations reflecting the United States' unique historical and current context. A few studies taking a constructionist approach show how the slow pace of agencies' EJ efforts stems also

from how actors frame agencies' EJ efforts as reasonable or not. They examine the discursive techniques through which industry and political elites (Liévanos 2012) and some leading EJ advocates (Harrison 2015) narrowly define the scope of what agencies' EJ efforts should entail and press agencies to design EJ programs accordingly. Here, I similarly investigate how agencies' minimal approaches to institutionalizing EJ principles come to be framed as reasonable. Whereas these other studies focused on actors external to the agencies, I follow the lead of organizational theorists who show that to understand organizations' outputs, we must also examine the everyday discursive and other interactions among staff within them (Lipsky 1980; Scott 2014).

Drawing on interviews with agency staff and observations of agency meetings, I show that EJ staff – those tasked with leading their agencies' EJ efforts – experience working in an environment in which colleagues can challenge and dismiss EJ staff and their recommendations. EJ staff describe how some colleagues undermine proposed EJ reforms by vocally declaring in meetings and private conversations that EJ violates the agency's purpose, racism is a thing of the past, and environmental problems are not serious; some managers threaten EJ staff; and colleagues widely ignore EJ staff members' recommendations. EJ staff also conveyed this point by speculating about how their colleagues' disciplinary training, ideas about expertise, life experiences, beliefs about

racism, and professional commitments might motivate those practices. I thus argue that scholars aiming to explain why agencies' EJ efforts have failed to meet EJ advocates' expectations must attend not only to industry pressure, formal policies, limited analytical tools, and other factors scholars have rightly noted but also to interactions among staff through which some undercut proposed EJ reforms.

Studies of agencies' EJ efforts

Political economic pressure, weak EJ policy, and insufficient tools

Scholars explaining agencies' disappointing integration of EJ principles into agency practice have shown that elected officials hostile to new regulatory restrictions those programs might bring have neutered EJ programs and restricted their funding (Eady 2003; Faber 2008; Gauna 2015; Gerber 2002; Liévanos 2012; Liévanos, London, and Sze 2011; Shilling, London, and Liévanos 2009). For example, Faber (2008, 134) argues that, shortly after President Clinton issued his 1994 Executive Order on EJ (EO 12898) directing each federal agency to make EJ part of its mission by reducing environmental problems disproportionately harming low-income and minority communities, industry and political elites immediately mobilized to undermine the Order by publicly protesting the US Environmental Protection Agency's (EPA) initial EJ guidance documents.[1] Gerber (2002) shows that the implementation of the Executive Order correlates with political elites' priorities. He tracked how frequently the Executive Order was cited in rulemaking and how substantively it shaped final rule content, concluding that this aspect of EJ policy implementation is shaped by the 'political climate federal agencies confront, as indicated by presidential preferences and the partisan composition of Congress' (56). Such explanations echo scholarship showing that the 'polluter-industrial complex' and its political supporters have achieved 35 years of neoliberal reforms weakening government protections for the environment, labor, and the poor (Faber 2008; Harvey 2005).

Other scholars highlight how weak EJ policy undermines agencies' EJ efforts. Konisky (2015b) and Noonan (2015) observe that whereas statutes *require* federal agencies to reduce aggregate pollution levels, EO 12898 only directs rulemakers to *consider* EJ concerns. Holifield (2004) demonstrated that the EJ efforts of the US EPA Region 4 office (covering the southeastern United States) neutered community opposition to EPA decisions and failed to redistribute material risk, outcomes he attributes to formal EJ policies and guidelines that framed EJ as securing community acceptance of EPA decisions. Holifield (2012) and others have argued that EPA's EJ efforts were undermined when the George W. Bush Administration stripped race and poverty out of federal EJ policy, redefining EJ as applying to 'all people

regardless of race, color, national origin, or income' (EPA (Environmental Protection Agency) 2016a, emphasis added). These scholars argue that this move implies that EJ does not require prioritizing stronger environmental protections in low-income and minority communities, in direct opposition to the language of the Executive Order. Gauna (2015) attributes EPA's failure to impose stronger permit conditions to reduce environmental inequalities and otherwise integrate EJ into permitting to the fact that statutes do not *explicitly* instruct EPA to adjust permits on EJ grounds (although she and others argue that the agencies are *implicitly* authorized to do so; Lazarus and Tai 1999).

Several scholars have also attributed agencies' disappointing EJ efforts to technical limitations. Some emphasize the inadequacy of EJ 'screening tools' – mapping programs that use environmental and demographic data to identify areas disproportionately burdened by environmental problems and disproportionately vulnerable to harm from those hazards due to racism, poverty, and other social factors (Eady 2003; Gauna 2015; Holifield 2012; Payne-Sturges et al. 2012; Shadbegian and Wolverton 2015). Holifield (2014) critically notes confusion over how agencies should use such analyses. Many highlight the need for cumulative impact analysis that could enable EPA to identify more accurately the full scope of hazards to which communities are exposed (e.g. Shadbegian and Wolverton 2015).

This scholarship informs my own analysis. Indeed, agency representatives I interviewed identify these same factors – pressure by industry and political elites supporting its interests, limitations of existing EJ policy, and underdeveloped technical tools – to explain the slow pace of agencies' EJ efforts.

A constructionist approach

The explanations described above reflect a realist orientation – identifying the economic, policy, geological, and other material factors that produce environmental problems. I augment these explanations with a constructionist approach, demonstrating how EJ staff frame the slow pace of agencies' EJ efforts as stemming also from ways their colleagues cast EJ as an unreasonable basis for revising regulatory practice. Constructionist analyses identify the discursive practices through which actors publicly maintain certain shared meanings of the world (which Patterson (2013) calls 'cultural knowledge') and how others challenge those meanings to try to institutionalize change (Hannigan 2006; Pellow 2000; White, Rudy, and Gareau 2016). Hannigan (2006) explains that constructionist research identifies the rhetorical techniques through which actors present claims to persuade their audience and 'the ability of a particular discourse (for example, sustainable development) to become hegemonic and, hence, stifle debate' (33).

As Hannigan implies, many constructionist analyses illuminate the intentional rhetorical strategies of political elites, industry actors, or social movement organizers to legitimize or delegitimize others' environmental concerns. For example, scholars have shown that EJ activists vocally highlight scientific data gaps, valorize residents' experiences of contamination, and employ rights-based discourse to recast private illnesses as public problems and demand regulatory and environmental movement attention to environmental inequalities (Bell 2016; Brown 2007; Capek 1993; Cole and Foster 2001; Harrison 2011; Pellow 2000; Sandler and Pezzulo 2007; Taylor 2000). Scholars also study everyday discursive practices through which people unintentionally reproduce environmental problems. For example, through ethnographic study of a small Norwegian town, Norgaard (2011) demonstrates how dominant norms of acceptable emotional expression and conversational practice, as well as popular claims about Norwegian national identity, prevent people from taking actions to fight climate change. Typically, constructionist approaches contextualize and critically evaluate competing narratives in light of other evidence and identify how they serve different actors' interests (White et al. 2016).

One rhetorical technique through which actors delegitimize competing arguments is 'boundary work'. Gieryn (1983) showed that scientists actively draw boundaries between 'scientific' and 'nonscientific' knowledge claims to maintain their own persuasiveness and continually reestablish their intellectual authority. Many scholars have shown that scientists, regulatory officials, and industry actors dismiss calls for increased regulation of industry activity by drawing boundaries that cast EJ activists as unscientific, 'political', biased, irrational, or otherwise lacking authority (Allen 2003; Brown 2007). As I will show, some bureaucrats do boundary work to delegitimize proposed EJ reforms, while EJ staff engage in their own boundary work to explain their colleagues' resistance to EJ.

To my knowledge, two scholars have taken a constructionist approach to explaining agencies' disappointing EJ efforts. To explain why California EPA's (CalEPA) EJ efforts deviated substantially from the wishes of EJ advocates who fought for them, Liévanos (2012) observed CalEPA advisory committee and other public meetings and identified the discursive techniques through which powerful industry actors and their political allies narrowed the meaning of 'EJ' away from longstanding EJ advocate principles. He demonstrates that industry actors used narratives of 'sound science', procedural fairness, and 'balance' to insist that CalEPA should eliminate from its EJ documents any language of 'precaution', 'cumulative risk', and other practices EJ advocates have long insisted are essential for EJ policy implementation. Liévanos further showed that some political elites echoed these narratives publicly, and that CalEPA's limited EJ reforms ultimately dovetailed with these elites' claims.

To explain why agencies' EJ grant programs deviate from the EJ movement's longstanding pursuit of change through regulatory and policy protections and instead disproportionately fund voluntary, industry-friendly, and otherwise neoliberal projects, Harrison (2015) examines the rhetorical techniques through which key actors legitimize this pattern in agency practice. She shows how some leading EJ advocates who played key roles in guiding the design of agencies' EJ grant programs contested traditional EJ movement claims about appropriate solutions to environmental inequalities. Specifically, some leading EJ advocates characterized neoliberal projects as 'proactive' and 'propositional', led by the 'new guard', effective, and 'solutions-oriented', while characterizing projects focused on regulatory and policy reform as 'reactive' and 'oppositional', led by the 'old guard', ineffective, and lacking solutions. These framings helped legitimize the narrow scope of agencies' EJ grant programs.

As these previous studies demonstrate, the narratives of elites and leading activist stakeholders influence agencies' EJ efforts. Yet organizational theorists show that to fully understand organizations' outputs, we must also examine the everyday cultural politics within them – the discursive and other forms of interactional dynamics among agency staff. 'Street-level bureaucrats' (Lipsky 1980) often wield considerable discretion and can influence agency outcomes. Their efforts are shaped by organizations' complex institutional environments that impose material limits and institutional logics about 'how things are done' (Richard 2014).

Here, I follow organizational theorists' lead to provide another explanation for the disappointing extent to which agencies have integrated EJ principles into regulatory practice in ways that could reduce environmental inequalities and democratize decision-making. Drawing on interviews with agency staff and observations of agency meetings, I show that staff tasked with leading their agencies' EJ efforts regularly face resistance to nearly all of their proposed EJ reforms – not only from political and industry elites but also from their own colleagues. EJ staff experience a working environment in which coworkers are allowed to discursively and otherwise challenge proposed EJ reforms and those who promote them. Following Schwalbe et al. (2000), I make this case by identifying the types of rhetorical and other everyday interactions through which bureaucrats – with each other and with me – contest and delegitimize their agency's EJ reform efforts. Specifically, EJ staff describe how some colleagues undermine proposed EJ reforms by vocally declaring in meetings and private conversations that EJ violates the agency's purpose, racism is a thing of the past, and environmental problems are not serious;

some managers threaten EJ staff; and colleagues widely ignore EJ staff members' recommendations. EJ staff elaborated this sentiment by speculating about how their colleagues' disciplinary training, ideas about expertise, life experiences, beliefs about racism, and professional commitments might motivate those practices. These findings strengthen the extant scholarship by demonstrating that the disappointing pace of EJ policy implementation stems not only from the factors others have rightly noted but also from the discursive and other everyday practices through which agency staff and managers cast as unacceptable proposed EJ reforms that would prioritize reducing environmental hazards in the most overburdened and vulnerable communities and increase public influence over regulatory decision-making.

Contemporary racial ideology in the United States

As I will show, narratives about racism and racial inequality feature prominently in debates among agency staff about proposed EJ reforms. My analysis of these narratives is informed by critical race scholarship documenting these narratives in US society and specifying how they naturalize racial inequalities in wealth, government services, and other material resources.

The 'color-blind' and 'post-racial' narratives in my study reflect the dominant forms of racial ideology in the United States today. Bonilla-Silva (2014), Lipsitz (1995), and Omi and Winant (2015) show that popular narratives like 'I don't see race,' 'I didn't own any slaves,' and 'Things are different now' frame racism as limited to conscious prejudice and located in the past. Such narratives recast civil rights policy as 'reverse racism' – unfairly discriminating against and taking resources away from whites. They obscure and naturalize the 'racialized social system' (Bonilla-Silva 2014) in which industry practices and social democratic government reforms have systematically afforded material resources to whites and not to non-whites – including government urban 'renewal' programs, highway development, corporate tax abatements, hazardous facility siting decisions, uneven enforcement of environmental and civil rights laws, and neoliberal attacks on public education, welfare, affirmative action, and voter rights legislation (see also Mascarenhas 2016; Pulido 2000).

Others have emphasized the need to demonstrate empirical links between ideas and outcomes – the mechanisms through which color-blind racial narratives and symbols produce material racial inequalities (Hughey, Embrick, and "Woody" Doane 2015). Accordingly, in my findings below, I identify how post-racial and color-blind racial narratives, along with others, are used in ways that undermine proposed EJ reforms that could help agencies reduce environmental inequalities.

Study context

Environmental regulatory agencies are responsible for enforcing environmental laws. They design regulations establishing acceptable practices and pollution levels, assign permits to polluters to restrict their pollution, monitor regulated entities' compliance with permit conditions and regulations, and otherwise encourage environmentally beneficial practices. They have significantly reduced aggregate levels of many environmental hazards. However, they have not sought to reduce environmental inequalities, which are widespread (Bullard et al. 2007; Mohai, Pellow, and Timmons Roberts 2009) and contribute to health disparities along lines of race and class (Morello-Frosch et al. 2011).

In the past 20 years, some environmental regulatory agencies in the United States have started to adopt EJ policies, programs, and practices in response to the EJ movement's demands that the government democratizes environmental decision-making and reduces environmental inequalities disproportionately harming vulnerable communities. The US EPA has led such efforts, propelled by President Clinton's 1994 Executive Order on EJ. EPA provides EJ guidance to federal, state, and tribal agencies, many of which have started to integrate EJ principles into their own policies, programs, and practices (Bonorris 2010). Federal EJ efforts waned during the George W. Bush Administration, while the Obama Administration's first EPA Administrator, Lisa Jackson, put EJ on the agency's priorities and infused it with resources (Konisky 2015b, 247). Prospects look dim under the Trump Administration, which has proposed to slash EPA's 2018 budget by a third and eliminate its Office of EJ (Meyer 2017).

Agencies' EJ efforts are led by *EJ staff*, who propose EJ policies, programs, and reforms to regulatory practice, and solicit feedback about and support for those proposals from staff, managers, and agency leadership. EJ staff members' efforts are shaped by their subordinated structural position within the agencies. They do not possess authority to impose reforms; instead, they must educate their colleagues about EJ and convince them that EJ reforms are worth their support and cooperation. Additionally, EJ staff are few in number – out of hundreds or thousands of employees in any agency, only one or a few are formally assigned to EJ efforts – and have little funding to work with.

Most commonly, agencies undertaking EJ efforts have created formal EJ policies, convened community advisory groups to advise the agency on integrating EJ principles into agency practice, and developed EJ trainings for staff (Bonorris 2010; Konisky 2015a). Per EJ advocates' insistence that agencies make their

decision-making processes more democratic, many agencies have developed public participation guidelines to disseminate information more widely and solicit community input on regulatory decisions; agencies' EJ efforts to date have spent considerable effort on this (Bonorris 2010; London, Sze, and Liévanos 2008). Some have developed EJ screening tools to identify communities that are environmentally overburdened and socially vulnerable (Holifield 2012; 2014; Payne-Sturges et al. 2012; Shadbegian and Wolverton 2015). A few have created EJ grant programs allocating funds to community-based and tribal organizations aiming to reduce environmental inequalities (Harrison 2015; 2016; London, Sze, and Liévanos 2008; Vajjhala 2010). A few have started to develop EJ protocol for the core regulatory functions of permitting, enforcement, and rulemaking (Bonorris 2010; EPA 2016b). EJ advocates inform these processes through advisory committees and public meetings, and occasionally by being hired to administer EJ programs.

Despite the determined efforts of EJ staff and advocates, agencies' EJ efforts have been criticized for failing to democratize decision-making or reduce hazards in poor communities and communities of color (Bullard et al. 2007; Eady 2003; Gerber 2002; Harrison 2015; 2016; Holifield 2004; 2012; 2014; Kohl 2015; 2016; Konisky 2015a; Lewis and Bennett 2013; Liévanos 2012; Liévanos, London, and Sze 2011; London, Sze, and Liévanos 2008; NEJAC 2011; Payne-Sturges et al. 2012; Shilling, London, and Liévanos 2009; Targ 2005; Vajjhala 2010). Most agencies have no EJ policy (Bonorris 2010), and those that do exist are of ambiguous legal status relative to other laws and regulations. EJ advisory groups and other public engagement efforts invite community members to invest significant time but rarely help reduce environmental hazards in overburdened communities (Holifield 2004; Kohl 2016; Liévanos 2012; Liévanos, London, and Sze 2011; London, Sze, and Liévanos 2008; NEJAC (National Environmental Justice Advisory Council) 2011). Agencies' EJ grant programs tend to emphasize and fund projects pursuing change through voluntary, market-based, and industry-friendly collaborative measures, despite EJ advocates' longstanding emphasis on reducing environmental hazards through regulatory and policy protections (Harrison 2015; 2016).

Significantly, aside from strengthening opportunities for public comment, no agency in the United States has integrated EJ principles into core regulatory work in ways that could reduce hazards in the most overburdened and vulnerable communities. Agencies could promulgate stronger regulations to decrease permissible pollution levels or impose stronger pollution permit conditions on facilities in overburdened communities to reduce the cumulative impacts they experience. Legal scholars have shown that EPA has

not used its authority to do so (Gauna 2015; Lazarus and Tai 1999). Additionally, agencies could prioritize their enforcement and compliance efforts in overburdened and susceptible communities but display little progress in doing so (Konisky and Reenock 2015). EJ advocates have long insisted that agencies make these practices mandatory and create accountability measures to track their progress (NEJAC (National Environmental Justice Advisory Council) 2011). In sum, agencies' EJ efforts create the appearance of change and ways for people in overburdened and marginalized communities to invest more time but have required no concessions from industries that profits off of hazards and little meaningful change to the regulatory practices that authorize them to do so. In other words, while starting to redress *inequality* in how state actors interact with different stakeholders, agencies' EJ efforts have done little to improve material *equity* through prioritizing the reduction of hazards in the most overburdened and vulnerable communities.

Methods

To help explain the slow pace of agencies' EJ efforts, I conducted confidential, semi-structured interviews with staff from environmental regulatory agencies and ethnographic observation at agency meetings in the United States. Ethnographic observation and interviews help illuminate how staff interpret and react to new programs, variations in these interpretations and reactions, and the cognitive 'logics' that predominate the agencies (Emerson, Fretz, and Shaw 1995). The semi-structured nature of the interviews allowed me to pursue certain themes of interest while also allowing the participants to narrate and interpret their experiences, and to develop the rapport necessary to discuss politically controversial issues. Confidential interviews and internal (i.e. not public) meetings gave staff the space to express beliefs they do not (and cannot) express in formal agency documents or public events.

Central to this paper are interviews I conducted since 2012 with 73 current and former agency representatives who helped design and/or administer agency EJ programs or closely observed their administration. I used snowball and purposive sampling to recruit such staff, seeking variation in institutional affiliation, race, gender, tenure at the agency, level of authority within the agency, and degree of apparent enthusiasm for agency EJ programs (based on coworkers' characterizations). I formally interviewed 10 of these representatives a second time because we were unable to cover all key questions in the first interview. I had follow-up email or phone correspondence with many participants to clarify particular points from the interview. Interview participants

included representatives from US EPA (including EPA headquarters, eight regional offices, and one other satellite office), two other federal agencies, seven state-level agencies, and substate agencies in three states. These agencies vary in how longstanding, well developed, and publicized their EJ efforts are; the number of appointed EJ staff; and whether they have a formal EJ policy endorsed by agency leadership or the legislature. Of the 73 interview participants, I identified 28 as men and 45 as women. I identified 36 as white, 22 as black, 8 as Latino/a, 5 as Asian American, and 2 as Native American.

I recruited most participants by contacting them directly; in several cases, interview participants recruited coworkers for me to interview. I asked them to describe their involvement with agency EJ efforts, which EJ reforms they view as important, which challenges face agency EJ efforts, and how their coworkers react to proposed EJ reforms. I conducted interviews at locations chosen by each participant (their office, a meeting room at work, or a restaurant), except for 14 interviews conducted by telephone. Each interview lasted up to 2 h and was audio recorded, except for 16 participants who did not give permission to be recorded or of whom I did not request such permission. I wrote fieldnotes for all interviews and transcribed the recorded interviews.

I observed numerous agency meetings relating to their EJ efforts, including two public informational sessions about EJ grant programs (one teleconference and the other in person), four public agency-convened EJ advisory committee meetings, one public participation event about an EJ controversy, four internal (not public) EJ planning meetings, and one internal EJ training session for staff. These varied from 90 min to two full days. I observed these events, taking extensive notes during the event of actors' claims and nonverbal behavior, and I wrote fieldnotes afterward. Generally, my participation was limited to introducing myself and my research interests when asked, and chatting casually with other participants before and after the meetings. The exceptions were two of the internal EJ planning meetings, where I was invited to guide discussion for about 30 min; I invited the group to share their opinions about what agency EJ efforts should entail and took notes about their responses.

To analyze the interview and observational data, I read and coded my transcripts and fieldnotes. Some codes emerged from the literature: their claims about what their agencies' EJ efforts should include, and about political economic, EJ policy, and analytical technological factors they identified as constraining their work. Several themes emerged unexpectedly in interviews with EJ staff: their stories about colleagues' practices that undermine their EJ efforts, their claims about the associated consequences, and the boundaries they drew to distinguish themselves from staff less

supportive of EJ. With other staff, several themes emerged unexpectedly, including discursive techniques through which they deride proposed EJ reforms. I then recoded transcripts and fieldnotes for these emergent themes. I use secondary data to help explain my findings and triangulate bureaucrats' claims.

All uncited quotations are from my own interviews or observations. Because staff I interviewed expressed acute, repeated concerns about the need to maintain internal confidentiality (Tolich 2004), I use pseudonyms and obscure identifying characteristics.

A few notes on terminology: Environmental regulatory agencies are arranged hierarchically, with staff reporting to 'managers', who report to 'senior management' (which includes political appointees and senior-level 'career' managers). I use the term 'staff' generically to refer to any agency representative; I specify some individuals as 'managers' when that status is relevant to the discussion. I use the term 'EJ staff' to refer to those who actively work on their agency's EJ efforts and are committed to a vision of EJ that generally aligns with the movement; most were formally appointed to work on the agencies' EJ programs, while some elected to be involved. I refer to other agency representatives as 'colleagues', 'coworkers', or 'other staff and managers'. Where I use the term 'bureaucrat,' following Lipsky (1980) and others, I do so non-pejoratively.

Findings and analysis: bureaucrats' explanations for the shape of EJ programs

In this section, I show how bureaucrats tasked with implementing their agencies' EJ reforms describe how some colleagues undermine their EJ efforts. I analyze the stories staff tell me about their interactions with each other in relation to proposed EJ reforms, and my own observations of such interactions in agency meetings.

The standard narrative: industry hostility, weak EJ policy, and analytical limitations

When I asked staff to identify the factors limiting agencies' EJ efforts, all initially noted one or more of the material factors scholars of EJ policy implementation have emphasized: pressure by industry and political elites hostile to environmental regulations, shortcomings of existing EJ policy, and limited technical tools. I call this 'the standard narrative' because some version of it appeared in all of my interviews.

Many expressed this narrative regretfully, noting they would like to change environmental regulatory practice and laws to better support EJ principles. Regardless, this framing implies that staff members' hands are tied and that the slow pace of EJ policy implementation stems from factors beyond their control. Most managers I interviewed stated this matter-

of-factly and expressed no interest in discussing the issue further, thereby establishing this official narrative with authority. Yet I show below that nearly all EJ staff subsequently complicated this story in ways that cast agency staff and managers' behaviors as partially responsible for the slow pace of agencies' EJ efforts.

EJ staff members' stories about regulatory cultural challenges to EJ

EJ staff concur that agencies' EJ efforts are limited in part by the material factors identified above, and they fully acknowledge that their colleagues face dwindling resources and increasing workloads. Yet EJ staff also describe all of their EJ proposals as undermined by things some colleagues say and do. Indeed, the only type of agency EJ effort that EJ staff did not mention experiencing significant resistance to is EJ grant programs, which give funding to community groups and require no change from the agency.

Framing EJ as contrary to the agency's mission or identity

Many EJ staff stated that their EJ reforms are stymied by colleagues' assertions that EJ proposals violate the mission or identity of the agency. Regarding the possibility of designing regulations to reduce pollution specifically in overburdened communities, Heather asserted that some of her colleagues would object by vocally asserting that the agency's responsibility is not to reduce inequalities but to reduce hazards in an aggregated sense: 'The skepticism there would be, "Well, we are reducing burden for everyone. Why should we specifically focus on low-income and minority [communities]? They are also seeing a reduction in the burden"'. Such narratives dismiss environmental *inequalities* as unproblematic and imply that proposed EJ reforms that would prioritize environmental improvements in overburdened communities are unjustified. Heather disagreed with this perspective, arguing that the agency's mission should be to create more equal environmental conditions.

Other EJ staff described how some colleagues situate EJ beyond the scope of the agency's work by drawing disciplinary boundaries between EJ staff and the rest of the agency. In separate interviews, two staff at one agency noted that someone wrote a (now famous) memo to an EJ staff person rejecting their EJ recommendations by asserting, '[This agency] does ecology, not sociology'. Such narratives echo the boundaries between 'politics' and 'science' that other scholars have observed scientists use to cast EJ politics beyond the realm of agency responsibility (Holifield 2004, 295; Ottinger 2013). Although my data do not enable me to state how prevalent these practices are within these agencies, EJ staff describe them as sufficiently common to stall their EJ efforts,

and I did observe staff doing exactly what these EJ staff describe. For example, in the middle of an EJ training for a team of staff, the team's manager, Bob, interrupted the training immediately after a short video that argued that poverty stems not from an individual's work ethic but largely from racism, residential segregation, funding for local public education, and other social structural factors. Visibly upset, Bob stridently instructed the EJ staff leading the training to 'be careful' with how they present the material, proclaiming that 'there aren't any data to back up those stats' shown in the video (about average salary varying by educational attainment) and asserting twice, 'You're talking to scientists'. By asserting the professional status of himself and his staff, Bob authorizes himself to discredit the arguments made in the EJ training video, despite the fact that the topic was beyond his realm of expertise. As the senior person in the room, he thus implicitly authorized his staff to challenge or ignore the EJ training material and made it difficult for them to defend it. Managers' practices matter considerably, because they have the authority to require EJ practices of their staff – and also the discretion to not do so.

Numerous times in other agency meetings and in interviews, I witnessed staff protest proposed EJ reforms on the grounds that they violate the agency's mission. For example, Richard was active in his agency's EJ efforts but stridently opposed most of the EJ staff members' EJ reform proposals. In our interview, he explained that the proposed EJ reforms violate the agency's responsibility to ensure a 'level playing field' for industry:

> It would be very unfair of any government agency to go out to this area and say, just because you [facility] are in an industrial area, and just because there is a socioeconomic problem, if you will call it a problem, whereby the poor have to live in your area because that is all they can afford – We can't enforce a stricter set of standards on them based on [compared to] somebody [another facility] that is not in that area. Because that does not create a level playing field, from a business standpoint. [It is] unethical, in my opinion, for us to do something like that.

Throughout our interview, he reiterated this insistence that the agency must maintain a 'level playing field' for industry and thus should not take community context into account when determining a facility's permit conditions, identifying enforcement priorities, or other regulatory work. Doing so would violate his commitment to this sense of fairness. He disparaged as unfair EJ staff members' proposals that the agency make an extra effort to reduce environmental hazards in low-income communities, communities of color, or environmentally overburdened communities, because they would require concessions from polluters in those areas and not others. I attended multiple EJ meetings at his

agency and personally observed him and others stridently reject all but the most minimal EJ efforts proposed in their meetings by proclaiming the need to 'maintain a level playing field' for industry. EJ staff there told me that such denouncements have stymied their efforts to design and implement EJ programs. Staff, like Richard, who lack formal authority over EJ staff can nonetheless undermine proposed EJ reforms by stonewalling, especially because agencies usually develop EJ reforms through consensus-based decision-making.

Denying the severity of environmental problems

Many EJ staff stated that their colleagues regularly challenge EJ proposals by denying the severity of environmental inequalities. For example, Jamie, a black EJ staff person, noted that, when he first started working on his agency's EJ efforts, managers would belittle EJ concerns:

> I remember very vividly people saying that environmental equity, and then it became environmental justice, was not a real issue. That there was no way that in our country that these types of things could actually be happening. That these folks were exaggerating the impacts that were happening inside their communities.

Although Jamie insisted that this is less common today, Paul, a white EJ staff person in that same agency, stated that permitting staff still vocally rebuke his proposed EJ programs by denying the existence of environmental inequalities.

> They say, 'I already do EJ. I give everybody the same opportunity.' Many agency staff don't believe it is really an issue anyway. … [They say,] 'We treat everyone equally. We write permits that protect everyone the same.' … It is the assertion that everybody benefits equally. The problem is that that perspective doesn't look at disproportionate impacts on certain communities.

John, a black EJ staff person, related that his colleagues regularly reject his proposed EJ reforms as unnecessary by denying environmental inequalities in their geographic region. He said that they assert 'that we are different here, that we don't have the same issues as other regions', and thus that proposed EJ reforms are unnecessary. He disputes this: 'But we do have these issues'. Although not necessarily intending to undermine EJ proposals, such claims effectively do.

One variation on this narrative is that proposed EJ reforms are unnecessary because the agency already protects the environment. Sara described how her colleague Tim, a manager who volunteered to help steer the agency's EJ efforts, often used this narrative to reject EJ reforms mandating changes to regulatory practice. For example, Sara told me about Tim's livid reaction to the agency's new public participation policy that adds some requirements over and above the agency's (rather vague) EJ policy:

> He was furious about it…. He said, 'We have staff who spend thousands of hours putting together a community meeting where no community shows up. Is that because of a lack of methodology on our part or strategy on our part? No. (*voice rises*) *That's because the community trusts us to do our job.*' … To say that that means we are doing a great job and people trust us I think is a little bit of a jump. He was *really* enraged about this [public participation] policy! [He said,] 'This is exactly why I hate this stuff. I thought we agreed on this comprehensive [EJ] policy. I read it, and the reason I signed on to it is because you were leaving flexibility, and there was going to be a guidance document, but it wasn't going to be heavy-handed and tell us what we have to do'.

To Sara, Tim's narratives that the agency is effectively doing its job consistently undermined her EJ efforts. Indeed, in an email to me, Tim rejected the need for new EJ rules: 'We know (and believe) that our regulatory programs, when properly complied with, will protect people and the environment'. Thus, proposed EJ reforms are unnecessary. Tim's actions matter: he was often the highest ranking person on the agency's EJ steering committee, thus functioning as a de facto gatekeeper. Other committee members may have felt persuaded to defer to his opinion, and he could instruct his own staff to not implement proposed EJ reforms. Indeed, the agency's EJ policy is still only a set of voluntary guidances. Sara explained: 'We intentionally had to make the policy broad and flexible to get it passed. It was the only way it was going to happen'. Yet, this flexibility also means that staff do not need to comply with it. The narrative that agencies already protect the environment is widespread within them; in interviews with me, regulatory staff emphasize that they take great pride in being environmental stewards and in having improved environmental conditions over time. While true, this narrative obscures problematic environmental inequalities that still exist.

Managers at numerous agencies expressed this narrative to me to reject proposed EJ programs. Lucy, a white senior manager, asserted stridently, 'We *do not need* a statute directing us to protect environmental justice or to advance environmental justice, because protecting human health applies to everybody…. We protect public health'. She asserted repeatedly that communities' concerns about toxic hot spots are 'usually' unwarranted. To make this case, she used a hypothetical scenario of a facility that, to comply with regulations, must keep its air emissions below 'seven' units (e.g. parts per billion).

> Seven is probably the right number in real life, because we protect human health. … But how can we help the community *feel* safer? By letting them know what's out there. They may see that there is actually a problem, or (*voice rises*) *they may see it's actually okay!* That the facility can be trusted. They actually are usually at five, or *four!, which is usually the case.* … So then they'll see that things are actually okay.

This statement asserts that regulatory standards are properly set to protect public health and thus that proposed EJ reforms that would increase restrictions

on hazardous activities in overburdened communities are unnecessary, despite extensive evidence of human exposure to harmful levels of environmental chemicals (Morello-Frosch et al. 2011; WHO 2016) and critiques of existing environmental regulatory standards (Brown 2007; Vogel 2009). Additionally, although she acknowledges the possibility that monitoring may show that the facility's emissions exceed a regulatory standard, she insists that this is unlikely – despite evidence that facilities often violate regulatory standards (EPA 2016c). Indeed, Lucy repeatedly stated that existing regulatory standards are effective, communities' concerns about cumulative risks are unfounded, and the only action needed to address communities' concerns is informing them about how safe things actually are. She elaborated that the 'real problem' is that residents and industry don't 'trust each other' and just need to talk:

> The businesses are as afraid of the communities as the communities are afraid of them. We can see you guys just want the same thing! Can you just talk to each other? … (Gleefully) *Communicate communicate communicate communicate!* It's the answer to so many things!… Those kinds of good neighbor principles [are] what we are *strongly* encouraging facilities to adopt…. Let's get to the problem *where it actually is.*

Claiming that residents and industry simply need to communicate ignores environmental inequalities, and she used these framings to dismiss EJ staff members' and EJ advocates' calls for stronger regulations in overburdened communities. Through these rhetorical practices, Lucy defines increased public outreach as the only legitimate EJ reform to regulatory practice and all other proposed EJ reforms as unwarranted. She referenced an agency EJ document advocating more communication between permitted facilities and concerned community members, stating, 'That's what I talk from. That's where my passion is. I really don't think law is the answer'. In contrast, EJ staff and advocates view increased public participation as an *initial* step in EJ policy implementation, but that meaningfully doing EJ requires the agency to promulgate stronger regulations and impose stronger permit conditions on facilities in overburdened areas. Lucy related that she voluntarily joined the agency's EJ efforts despite it being beyond her realm of expertise and that she regularly makes these arguments to her colleagues to shape her agency's EJ efforts. Lucy's actions warrant special attention given the powerful position she holds. She is able to authorize or terminate EJ programs in her agency in ways that EJ staff cannot. EJ efforts are vulnerable to such cooptation, because EJ staff generally accept the participation of anyone interested – for better or worse – to maximize staff involvement in EJ efforts that receive few resources.

Post-racial and color-blind narratives

EJ staff at all agencies in my study described how some colleagues vocally denounce and discredit proposed EJ reforms by using the widespread post-racial narratives critical race scholars have problematized and with the same effect of legitimizing existing regulatory practice that ignores environmental inequalities (Bonilla-Silva 2014; Lipsitz 1995; Omi and Winant 2015). Brian asserted:

> The bureaucrats say, 'Oh, and EJ's important now again…. Here we go again.' … It will take a long time to change. We have so many of these people who've been around here for years…. Layer after layer of people who are just gatekeepers and do not think that racism exists [or that the] color of your skin has anything to do with anything, that that's all back in the '60s, [that] we shouldn't be worried about that stuff, and you should speak English. Not in leadership, but in the ranks, and the ranks control a lot of stuff. … They call themselves the 'we-bes': 'We be here before you; we be here after you.' … They say, 'We'll wait out this administration. We'll wait out the legislators. Let's just wait them out. They're going to be turned out in a year. We'll just punt it'.

Brian's account describes colleagues using such narratives against EJ generally – i.e. not strictly against one or more specific EJ reform proposals. This was common in my interviews with EJ staff. Similarly, Malcolm, a black EJ staff person, described how his colleagues react to his EJ proposals: 'People will say: "…We haven't done anything wrong. There aren't any EJ issues, because we didn't do anything wrong. We are not treating them differently." … A lot of people obviously equate it with something akin to affirmative action and those types of things – privileges'. Such statements frame 'justice' in terms of treating everyone the same and in so doing ignore what EJ staff and EJ advocates see as a more important task: reducing material inequalities. Indeed, EJ staff of color and white EJ staff alike noted that colleagues frame racism and other forms of inequality as limited to discriminatory *treatment* to denounce as unwarranted EJ reforms that are race-conscious or otherwise strive to reduce *material* inequalities. Framing 'equality' in this way – as treating everyone the same – ignores what EJ advocates see as a more important task: reducing unequal material conditions that disproportionately harm low-income communities and communities of color.

To illustrate such rhetoric, one EJ staff person who has led video-guided EJ trainings for staff showed me the following anonymous feedback from a colleague who used strident post-racial arguments to reject the training and other proposed EJ reforms that seek to reduce racial environmental inequalities:

> The whole idea of this thing is based on a lie. There are many people that I have spoken to about this training that fundamentally disagree with what EJ purports to do. In the minds of many common sense folk this is nothing but propaganda. The lady in the video basically eludes that everything we do is racist, whether that's in the work environment, during our leisure

time, or just as individuals. Not true at all. … The training also concludes that when in doubt just blame a white person for your life circumstances if they are bad. I think that is the most racist thing I've seen in a long time. What I would change would [be] to have this training be taken out of the department. Having it be mandatory is the type of social engineering BS that the department and country does not want. It's Hitler-eske. … Working hard and getting ahead in life is color-blind and not racist, just like the vast vast majority of people in this country.

EJ staff explained that colleagues rarely express such beliefs beyond the setting of a private conversation. Elizabeth, a woman of color, stated that 'some staff and managers' disparage proposed EJ reforms by characterizing them as

reverse racism. [They say,] 'Why should those communities of color get this extra treatment? We need to protect that middle-class white community too.' … I have heard people make these kinds of statements in meetings and in one-on-one conversations, [but] behind closed doors, people will be much more frank than in a meeting.

I asked her to recommend a colleague who expresses such claims and would talk with me about them. She paused, considered a few possibilities, and decided she couldn't: 'They know to avoid saying those things to you'. Elizabeth's statements characterize her workplace as one in which colleagues use color-blind racial narratives to discredit proposed EJ reforms, but that they would rarely express these ideas in settings researchers might be able to observe. Thus, EJ staff members' own accounts provide crucial insights into their experiences of trying to do EJ work in agencies, which cannot easily be observed by outside researchers.

Bullying EJ staff of color

When I asked EJ staff to describe what it is like to work on EJ in their agency, a few told me stories of racist mistreatment and stated that staff of color are retaliated against and threatened for working on EJ efforts. In a pained conversation with me, Michael explained that this is both frequent and increasingly difficult to prove:

There are plenty of examples, … instances in which I know persons have said that a manager has told them, 'Don't work on EJ because that may affect your career.' … People have been called 'troublemakers'…. When you have a manager that just says it when you are walking down the hall and you haven't talked to that manager in weeks, you don't follow up with them to say, 'Why would you say something like that?' They don't say, 'Still causing trouble in that particular project?' No! He just says, 'Still causing trouble?' … They weren't precise when they said it. That's how most discrimination occurs. That's why you can't prove it. It's because when someone does something that is discriminatory, they are not trying to be obvious about it…. They

don't want to give you an obvious red flag by where you would record and document what they did. It could be written off as, 'Well, maybe he didn't mean anything by it.' Or, 'Maybe you're just interpreting it the wrong way. I wouldn't think anything of it.' Or they'll just get dismissive: 'Don't worry about it. Maybe he was having a bad day.' But he said it. Most of the time is has been in the context of EJ…. You have to consider the timing, whether it happened in the 1980s or 1990s. Persons became a little more savvy in terms of how they would cover their stripes around the mid-1990s.

He explained that these aggressions undermine EJ policy implementation by compelling staff who would otherwise champion EJ efforts to find other assignments in the agency or find other employment: 'People leave. It gets grinding. People burn out…. Those who are trying to focus on EJ feel a pervasive sense of tension, friction, of personalities clashing. Some of those people have moved on. Some stayed and didn't make any headway. It is a huge emotional drain'.

Only black EJ staff shared such stories with me (and, to be clear, not all expressed such experiences). In contrast, white EJ staff expressed frustration and disappointment at the slow pace of their agencies' EJ efforts, but none noted being bullied or threatened for their EJ work. These observations suggest that the experience of working on agencies' EJ efforts varies along racial lines, where black EJ staff experience more hostility than their white colleagues do. This could stem from discrimination directed at black staff members because of their own racial identity, from colleagues' post-racial resentment of race-conscious proposed EJ reforms, both, and/or other factors. I elaborate on staff members' speculations about the roots of their colleagues' hostility to EJ proposals later in this article.

Ignoring EJ

All EJ staff I interviewed asserted that their colleagues often ignore EJ staff and EJ reforms. John asserted that managers intentionally shut EJ staff out of conversations and investigations in which, in his opinion, they should clearly be involved. EJ staff are intentionally 'not integrated. [Managers] are not using that expertise'. Although 'they use my face' to 'build cache with' community groups, they involve him only superficially. During a recent regulatory violation investigation, he told management that he and other EJ staff 'have information that could be germane'. Management rebuffed him, saying, 'We will manage this from up here'. This exclusion prevents EJ staff – who work more closely with communities than other staff – from being able to share community input relevant to cases.

Michael asserted that managers ignore EJ when setting budget priorities: 'Mid-level managers … didn't speak up when [EJ] programs were at risk [of being defunded]…. They are willing to just let

certain things just die on the vine.' Like other EJ staff I interviewed, he feels that this forgetting of EJ is intentional: 'Pushback … expresses itself through institutional inertia'. Janine lamented, 'EJ policy is ignored by most people'. Where agency leadership has publicly endorsed EJ, it may not be acceptable for staff or managers to vocally oppose that directive. Yet, the ambiguous legal status of EJ policies enables staff who disagree with them to quietly ignore them.

Sara reported that permitting staff decide whether a permit they are working on needs extra EJ review without actually doing the EJ analysis specified by EJ staff. Indeed, many EJ staff asserted that their colleagues view EJ as 'a box to check' and follow EJ procedures unevenly and superficially. My interviews with staff not assigned to lead EJ efforts further suggest that this is common. For example, Hank, a recently retired senior manager with 30 years of experience at his agency, matter-of-factly stated that nearly everyone in his office viewed EJ as a pointless box to check and did required EJ measures (specifically, holding extra public hearings in enforcement cases located in communities with EJ concerns) with no intention of changing anything about their plan based on what the public said:

> There was just an attitude … of people treating the public hearing step as a box to check. 'Before I get to my endpoint, which is then something that counts for me and my performance, I have to have a public hearing.' … My perception of quite a few people was that a public hearing was something they had to put on, they had to endure, and then they had to write a document related to the comments. But I never got much of a sense from a lot of the technical folks that they truly would consider what was said.

I asked how staff express this. He replied:

> Private employee-to-employee grumbling in the way they describe [needing to hold a public hearing in] the upcoming year. Certainly not at the hearing. The hearing would say the things the hearings are supposed to say: we are here to hear, we love to hear. Just talking amongst themselves.

He added that staff comment to each other that once the hearing is over, they can continue on with their work and express sympathy and agreement by rolling their eyes and saying, 'Oh yeah'. That is, staff undermine agency EJ efforts by ignoring and verbally dismissing proposed EJ procedures.

I witnessed this as well. For example, in the EJ training I described above in which the manager, Bob, protested training content that he found unscientific, my fieldnotes reveal how staff clearly displayed disinterest in EJ: 'Attention was really wavering throughout and the group seemed only moderately engaged – lots of yawning, staring off into space, one person fell asleep, and two stepped out of the room briefly'. Bob did not correct that behavior. Subsequently, the EJ staff person asked the group to suggest how they could apply the video's lessons to their own work. Immediately, Bob asserted firmly: 'We already do it,' explaining that they meet directly with regulated entities at their site and hire bilingual interpreters when working with regulated entities who are not native English speakers. This assertion implies to his staff that they can ignore the training – that it does not apply to them. None of the staff who subsequently spoke disputed Bob's point, and most reiterated it. One asserted, 'We are an organization that already does this work. We just need to acknowledge our successes'. Such narratives imply that this team does not need to change its practices in any way to support EJ and discourage other staff from brainstorming ways they could do so.

In sum, EJ staff describe colleagues' hostility to EJ reforms and those who promote them in various ways: vocally disparaging proposed EJ reforms as wrong, unwarranted, or unnecessary; intimidating EJ staff; and ignoring EJ staff and their recommendations. Their point was not that all colleagues behaved in all of these ways, but that these practices were common enough to derail their EJ efforts. There were a few exceptions. Several EJ staff asserted that there was no staff resistance to EJ. This divergence from other EJ staff could stem from self-protection: my research participants' acute, repeated concerns about confidentiality suggest that a few would be reticent to speak critically of colleagues or otherwise divulge information that could get them into trouble. This divergence could also stem from racial and professional identity. All of these exceptions have advanced degrees in law, engineering, or economics, and all but one are white. Their professional status likely confers respectful treatment from colleagues. Those who are white do not experience the micro-aggressions and other pushback staff of color experience and thus are less likely than staff of color to see broader patterns of discrimination and indifference to inequality.

Explaining colleagues' resistance to EJ

EJ staff further convey this sense of working in an environment in which bureaucrats can challenge EJ and those who promote it by speculating about reasons for their colleagues' hostility to EJ, explanations they expressed with a mix of frustration and empathy.

Many EJ staff drew boundaries along lines of disciplinary training to explain colleagues' rejections of proposed EJ reforms. EJ staff often noted that most of their colleagues are engineers, economists, and lawyers and thus aren't trained in environmental inequalities, their structural roots, and how EJ reforms could ameliorate them. EJ staff also explained that proposed EJ reforms threaten their colleagues' sense of professional authority. For example, Janine noted that staff

often balk at EJ reforms requiring them to solicit public opinion. They say, 'Why should I solicit input from the public when I was hired to make these decisions myself?', insulted by the notion that the perspectives of community members lacking their professional training could trump their own. This shows that some proposed EJ reforms – such as soliciting public input on regulatory decisions – contradict some standards of professionalism.

EJ staff often drew boundaries along lines of life experience to explain colleagues' resistance to EJ. Most EJ staff (irrespective of racial identity) noted that most of their colleagues are from predominantly white, middle-, or upper middle class neighborhoods. Many EJ staff revealed their own personal experience of racial oppression, living in overburdened communities, or having a diverse social network, speculating that staff without such life experience are less likely to perceive proposed EJ reforms as urgent or even necessary. Cheryl, a black EJ staff person, reflected about her colleagues:

> A lot of them just don't have the cultural experience…. If you have never lived there and don't understand the lives of those that would be impacted, how can you write a rule that is sympathetic to the lifestyles of those who live there? … If you don't leave where you live and you are comfortable where you are, then you won't see it. But for African Americans, this is an everyday thing. If you don't have that lens and you don't pay attention and you don't see that privileged lifestyle that you live, then you won't understand EJ.

Sam, a black EJ staff person, echoed this sentiment. After I noted that EJ staff often told me that many of their colleagues do not support EJ proposals, I asked Sam why this might be. He answered that the agency is 'the great plantation. Their record in diversity is not that good'.

Many EJ staff attributed colleagues' resistance to EJ to post-racial or color-blind racial ideology, asserting that many colleagues believe racism is a thing of the past or limited to conscious, intentional discrimination and thus that proposed EJ efforts are unnecessary and inappropriate.[2] For example, Barbara, a black EJ staff person, commented that colleagues reject the EJ proposal that the agency reduce emissions from existing facilities in overburdened communities, resistance she attributes to post-racial ideology:

> There is a core group of people who have spent most of their careers learning environmental programs, doing environmental programs, and they feel that we should not be focusing on EJ, that we should just implement the [existing regulatory] programs. Even within the government, there is racism. A lot of people believe that we shouldn't be doing anything out of the ordinary to address environmental injustice…. They really do it color-blind…. They think everything is equal, that none of this is necessary…. When we say

'EJ', they think they [communities targeted in EJ efforts] are getting something that they don't deserve.

Like other EJ staff, Barbara distinguishes herself from her colleagues in terms of their beliefs about whether racism is a contemporary phenomenon and the existence and relative seriousness of racial environmental inequalities. To EJ staff, these produce differing beliefs about the fairness of existing regulatory practice and thus divergent support for proposed EJ programs that explicitly strive to reduce racial environmental inequalities.

Some EJ staff attribute their colleagues' resistance to proposed EJ reforms to different professional commitments. EJ staff expressed strong commitments to serving marginalized and overburdened communities and asserted that their colleagues do not. Paul noted, 'For me, our client is the community. That is not how most people here see it'. Others asserted that their colleagues' commitment is to 'the environment' but not public health. Other EJ staff emphasized that their colleagues resist proposed EJ reforms because their commitments are to industry, whose practices would be more closely scrutinized, questioned, and regulated by proposed EJ reforms.[3] Sara noted that her colleagues identify and consult with industry as the agency's legitimate 'stakeholders' and as a result reject as unnecessary her new guidelines for expanding public participation:

> All of them [regulators] see 'stakeholders' and 'community' as almost synonyms…. [Because they believe] 'community' equals 'stakeholders' equals 'regulated entities', I can also see some divisions saying, 'Well, we do [public participation] all the time. That is our status quo. Before we change any regulation, we [already] have to have stakeholder meetings'.

In sum, when talking with me, EJ staff draw boundaries between themselves and their colleagues in various ways – along lines of disciplinary training and professional authority, life experience, racial ideology, and professional commitments – to provide some logic to their colleagues' behaviors that undermine proposed EJ reforms. These explanations contribute to EJ staff members' depiction of working in environments in which bureaucrats can and often do challenge and ignore EJ staff and the reforms they propose.

Conclusion

EJ staff members' stories about their colleagues' practices that undermine their EJ efforts, and their musings about why their colleagues' views on EJ differ from their own, convey their feeling that the slow pace of EJ policy implementation stems in part from some colleagues' resentment of EJ, the discursive and other practices through which they express it, and that such behavior is condoned in the agency by peers and supervisors. Through describing their work in these ways, EJ staff

challenge their colleagues' behavior and defend proposed EJ reforms. To be clear, some EJ staff assert that regulatory cultural change is happening – slowly. For example, John noted that some colleagues, especially younger ones, 'are becoming more willing to push the envelope on EJ', a sentiment others echoed. Yet, their narratives suggest that staff and managers who defend EJ reforms are still few and far between.

These findings contribute new insights to scholarship on EJ policy implementation. Other scholars' explanations for the slow pace of EJ policy implementation cohere with the standard narrative circulating within regulatory agencies and insisted upon by those in positions of authority: that their agencies' EJ efforts are limited by industry pushback, weak EJ policy, and insufficient analytical tools – factors beyond the control of agency staff and managers. EJ staff complicate this narrative. By describing discursive and other practices through which staff and managers reject and delegitimize proposed EJ programs, they cast their colleagues' behaviors and views as partially responsible for the slow pace of EJ policy implementation.

That is, the delegitimation of proposed EJ reforms is done not only by industry and political elites but also by bureaucrats whose discursive and other practices frame EJ as an unreasonable basis for regulatory reform and anathema to agency responsibilities. EJ staff describe how their colleagues undermine their EJ efforts by vocally declaring in meetings and private conversations that EJ violates the agency's purpose, racism is a thing of the past, and environmental problems are not serious; occasionally threatening EJ staff; and widely ignoring their recommendations. EJ staff also speculated about how their colleagues' disciplinary training, ideas about expertise, life experiences, beliefs about racism, and professional commitments might motivate those practices. These factors I have identified function together with the material factors other scholars have emphasized. Bureaucrats' discursive and other practices that undercut EJ staff are acceptable in a context in which agencies are vulnerable to industry lawsuits and conservative politicians' budget cuts. Moreover, given the ambiguous legal status of the Executive Order on EJ, EJ policy implementation will depend on how committed staff and managers are to EJ, how they interpret EJ, and how actively they support it among each other.

Given that these findings are influenced by the unique historical and current political, cultural, and legal contexts of the United States, future research could investigate the shape of agencies' EJ efforts elsewhere (see Bulkeley and Walker 2005; Scandrett 2007) and the factors constraining them. Future research could also examine EJ staff members' efforts to challenge these aspects of regulatory culture (see Kohl 2015). Some recruit EJ advocates into the agencies as fellow 'institutional activists' (Santoro and McGuire 1997). Others mentor junior colleagues who

express interest in and support for EJ, creating what Katzenstein (1999) called 'habitats' – safe spaces that activists build or find within mainstream institutions. Other EJ staff help their colleagues visit overburdened and susceptible communities to better understand and support EJ reforms designed to redress environmental inequalities.

More broadly, these findings suggest that environmental sociologists should heed Coleman's (2016) call for acknowledging the 'pervasively uneventful' nature of state power and studying it 'as a mode of slow, chronic killing' rather than 'catastrophic' exercise. Bureaucrats' narratives and other actions that individually might seem unremarkable add up in ways that allow the persistence of environmental inequalities that contribute to disproportionate illness, suffering, and premature death in low-income communities and communities of color.

Finally, these findings illustrate the value of breaking open the black box of environmental regulatory agencies – a dimension of the state to which environmental sociologists have paid relatively little attention. As Frickel (2004), Moore (2008), Scarce (2000), and others have done within other conventional institutions relating to the environment, environmental sociologists can illuminate factors underlying environmental problems by describing norms, common interactions, presumptions, and other aspects of regulatory culture. Additionally, acknowledging the diversity of thought within government agencies helps locate resistance to change and the opportunities, champions, and techniques for transformation.

Notes

1. In the United States, Executive Orders are issued by Presidents to direct the actions of federal agencies and officers. They have the full force of the law, provided they do not violate legislative statute or the Constitution.
2. Some US EPA Region 4 staff quoted in Holifield (2004, 293, 295) employ a color-blind racial ideology.
3. This parallels Liévanos' (2012) observations of California EPA elites insisting that agency actions were permissible only if they balance environmental protections and economic growth.

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References

Allen, B. 2003. *Uneasy Alchemy: Citizens and Experts in Louisiana's Chemical Corridor Disputes*. Cambridge, MA: MIT Press.

Bell, S. E. 2016. *Fighting King Coal: The Challenges to Micromobilization in Central Appalachia*. Cambridge, MA: MIT Press.

Bonilla-Silva, E. 2014. *Racism without Racists: Color-Blind Racism and the Persistence of Racial Inequality in America*. 4th ed. Lanham, MD: Rowman and Littlefield.

Bonorris, S., ed. 2010. *Environmental Justice for All: A Fifty State Survey of Legislation, Policies and Cases*. 4th ed. Berkeley, CA: Hastings College of the Law.

Brown, P. 2007. *Toxic Exposures: Contested Illnesses and the Environmental Health Movement*. New York, NY: Columbia University Press.

Bulkeley, H., and G. Walker. 2005. "Environmental Justice: A New Agenda for the UK." *Local Environment* 10 (4): 329–332. doi:10.1080/13549830500160818.

Bullard, R. D., P. Mohai, R. Saha, and B. Wright. 2007. *Toxic Wastes and Race at Twenty 1987-2007*. Cleveland, OH: United Church of Christ Justice and Witness Ministries.

Capek, S. 1993. "The "Environmental Justice" Frame: A Conceptual Discussion and an Application." *Social Problems* 40 (1): 5–24. doi:10.1525/sp.1993.40.1.03x0069q.

Cole, L. W., and S. R. Foster. 2001. *From the Ground Up: Environmental Racism and the Rise of the Environmental Justice Movement*. New York: New York University Press.

Coleman, M. 2016. "State Power in Blue." *Political Geography* 51: 76–86. doi:10.1016/j.polgeo.2016.01.008.

Eady, V. 2003. "Environmental Justice in State Policy Decisions." In *Just Sustainabilities: Development in an Unequal World*, edited by J. Agyeman, R. D. Bullard, and B. Evans, 168–182. Cambridge, MA: MIT Press.

Emerson, R. M., R. I. Fretz, and L. L. Shaw. 1995. *Writing Ethnographic Fieldnotes*. Chicago: University of Chicago Press.

EPA (Environmental Protection Agency). 2016b. *Plan EJ 2014*. Washington, DC: U.S. Environmental Protection Agency. Accessed 6 January 2016. https://www.epa.gov/environmentaljustice/plan-ej-2014

EPA (Environmental Protection Agency). 2016c. Enforcement and Compliance History Online (ECHO) Database. Accessed 6 January 2016. https://echo.epa.gov/

Faber, D. R. 2008. *Capitalizing on Environmental Injustice: The Polluter-Industrial Complex in the Age of Globalization*. Lanham, MD: Rowman and Littlefield.

Frickel, S. 2004. *Chemical Consequences: Environmental Mutagens, Scientist Activism, and the Rise of Genetic Toxicology*. New Brunswick: Rutgers University Press.

Gauna, E. 2015. "Federal Environmental Justice Policy in Permitting." In *Failed Promises: Evaluating the Federal Government's Response to Environmental Justice*, edited by D. M. Konisky, 57–83. Cambridge, MA: MIT Press.

Gerber, B. J. 2002. "Administering Environmental Justice: Examining the Impact of Executive Order 12898." *Policy and Management Review* 2 (1): 41–61.

Gieryn, T. 1983. "Boundary-Work and the Demarcation of Science from Non-Science: Strains and Interests in Professional Ideologies of Scientists." *American Sociological Review* 48: 781–795. doi:10.2307/2095325.

Hannigan, J. 2006. *Environmental Sociology*. 2nd ed. London: Routledge.

Harrison, J. L. 2011. *Pesticide Drift and the Pursuit of Environmental Justice*. Cambridge, MA: MIT Press.

Harrison, J. L. 2015. "Coopted Environmental Justice? Activists' Roles in Shaping EJ Policy Implementation." *Environmental Sociology* 1 (4): 241–255. doi:10.1080/23251042.2015.1084682.

Harrison, J. L. 2016. "Bureaucrats' Tacit Understandings and Social Movement Policy Implementation: Unpacking the Deviation of Agency Environmental Justice Programs from EJ Movement Priorities." *Social Problems* 63 (4): 534–553. doi:10.1093/socpro/spw024.

Harvey, D. 2005. *A Brief History of Neoliberalism*. New York: Oxford University Press.

Holifield, R. 2004. "Neoliberalism and Environmental Justice in the United States Environmental Protection Agency: Translating Policy into Managerial Practice in Hazardous Waste Remediation." *Geoforum* 35: 285–297. doi:10.1016/j.geoforum.2003.11.003.

Holifield, R. 2012. "The Elusive Environmental Justice Area: Three Waves of Policy in the U.S. Environmental Protection Agency." *Environmental Justice* 5 (6): 293–297. doi:10.1089/env.2012.0029.

Holifield, R. 2014. "Accounting for Diversity in Environmental Justice Screening Tools: Toward Multiple Indices of Disproportionate Impact." *Environmental Practice* 16: 77–86. doi:10.1017/S1466046613000574.

Hughey, M. W., D. G. Embrick, and A. "Woody" Doane. 2015. "Paving the Way for Future Race Research: Exploring the Racial Mechanisms within a Color-Blind, Racialized Social System." *American Behavioral Scientist* 59 (11): 1347–1357. doi:10.1177/0002764215591033.

Katzenstein, M. F. 1999. *Faithful and Fearless: Moving Feminist Protest inside the Church and Military*. Princeton, NJ: Princeton University Press.

Kohl, E. 2015. "'People Think We're EPA, We Can Do Whatever We Have the Will to Do:' Negotiating Expectations of Environmental Justice Policies." In *Paper presented at the annual meeting of the Association of American Geographers*. Chicago IL. April.

Kohl, E. 2016. "The Performance of Environmental Justice: The Environmental Protection Agency's Collaborative Problem Solving Model as Cooption." In *Paper presented at the annual meeting of the Association of American Geographers*. San Francisco CA. April.

Konisky, D. M., ed. 2015a. *Failed Promises: Evaluating the Federal Government's Response to Environmental Justice*. Cambridge, MA: MIT Press.

Konisky, D. M. 2015b. "Federal Environmental Justice Policy: Lessons Learned." In *Failed Promises: Evaluating the Federal Government's Response to Environmental Justice*, edited by D. M. Konisky, 233–257. Cambridge, MA: MIT Press.

Konisky, D. M., and C. Reenock. 2015. "Evaluating Fairness in Environmental Regulatory Enforcement." In *Failed Promises: Evaluating the Federal Government's Response to Environmental Justice*, edited by D. M. Konisky, 173–203. Cambridge, MA: MIT Press.

Lazarus, R. J., and S. Tai. 1999. "Integrating Environmental Justice into EPA Permitting Authority." *Ecology Law Quarterly* 26: 617–678.

Lewis, T., and S. Bennett. 2013. "Environmental Justice, the Demographic Threshold, and the Exclusion Factor: Are Benefits Reaching Communities at Risk?" *Environmental Justice* 6: 213–218. doi:10.1089/env.2013.0031.

Liévanos, R. 2012. "Certainty, Fairness, and Balance: State Resonance and Environmental Justice Policy Implementation." *Sociological Forum* 27 (2): 481–503. doi:10.1111/j.1573-7861.2012.01327.x.

Liévanos, R. S., J. K. London, and J. Sze. 2011. "Uneven Transformations and Environmental Justice: Regulatory Science, Street Science, and Pesticide Regulation in California." In *Technoscience and Environmental Justice: Expert Cultures in a Grassroots Movement*, edited by G. Ottinger and B. R. Cohen, 201–228. Cambridge, MA: MIT Press.

Lipsitz, G. 1995. "The Possessive Investment in Whiteness: Racialized Social Democracy and the 'White' Problem in American Studies." *American Quarterly* 47 (3): 369–387. doi:10.2307/2713291.

Lipsky, M. 1980. *Street-Level Bureaucracy: Dilemmas of the Individual in Public Services*. New York: Russell Sage Foundation.

London, J. K., J. Sze, and R. S. Liévanos. 2008. "Problems, Promise, Progress, and Perils: Critical Reflections on Environmental Justice Policy Implementation in California." *UCLA Journal of Environmental Law & Policy* 26 (2): 255–289.

Mascarenhas, M. J. 2016. "Where the Waters Divide: Neoliberal Racism, White Privilege and Environmental Injustice." *Race, Gender, and Class* 23: 6–25.

Meyer, R. 2017. "What Does Trump's Budget Mean for the Environment?" *The Atlantic*, May 24. Accessed 6 January 2017. https://www.theatlantic.com/science/archive/2017/05/trump-epa-budget-noaa-climate-change/527814/

Mohai, P., D. Pellow, and J. Timmons Roberts. 2009. "Environmental Justice." *Annual Review of Environment and Resources* 34: 405–430. doi:10.1146/annurev-environ-082508-094348.

Moore, K. 2008. *Disrupting Science: Social Movements, American Scientists, and the Politics of the Military, 1945-1975*. Princeton, NJ: Princeton University Press.

Morello-Frosch, R., M. Zuk, M. Jerrett, B. Shamasunder, and A. D. Kyle. 2011. "Understanding the Cumulative Impacts of Inequalities in Environmental Health: Implications for Policy." *Health Affairs* 30 (5): 879–887. doi:10.1377/hlthaff.2011.0153.

NEJAC (National Environmental Justice Advisory Council). 2011. *NEJAC Comments to EPA Plan EJ 2014*. Washington, DC: U.S. Environmental Protection Agency.

Noonan, D. S. 2015. "Assessing the EPA's Experience with Equity in Standard Setting." In *Failed Promises: Evaluating the Federal Government's Response to Environmental Justice*, edited by D. M. Konisky, 85–116. Cambridge, MA: MIT Press.

Norgaard, K. M. 2011. *Living in Denial: Climate Change, Emotions, and Everyday Life*. Cambridge, MA: MIT Press.

Omi, M., and H. Winant. 2015. *Racial Formation in the United States*. 3rd ed. New York: Routledge.

Ottinger, G. 2013. *Refining Expertise: How Responsible Engineers Subvert Environmental Justice Challenges*. New York: NYU Press.

Patterson, O. 2013. "Making Sense of Culture." *Annual Review of Sociology* 40: 1–30. doi:10.1146/annurev-soc-071913-043123.

Payne-Sturges, D., A. Turner, J. Wignall, A. Rosenbaum, E. Dederick, and H. Dantzker. 2012. "A Review of State-Level Analytical Approaches for Evaluating Disproportionate Environmental Health Impacts." *Environmental Justice* 5 (4): 173–187. doi:10.1089/env.2012.0008.

Pellow, D. N. 2000. "Environmental Inequality Formation: Toward a Theory of Environmental Injustice." *American Behavioral Scientist* 43 (4): 581–601.

Pulido, L. 2000. "Rethinking Environmental Racism: White Privilege and Urban Development in Southern California." *Annals of the Association of American Geographers* 90 (1): 12–40. doi:10.1111/0004-5608.00182.

Richard, S. W. 2014. *Institutions and Organizations: Ideas, Interests, and Identities*. Los Angeles, CA: Sage.

Sandler, R., and P. C. Pezzullo. 2007. *Environmental Justice and Environmentalism: The Social Justice Challenge to the Environmental Movement*. Cambridge, MA: MIT Press.

Santoro, W. A., and G. M. McGuire. 1997. "Social Movement Insiders: The Impact of Institutional Activists on Affirmative Action and Comparable Worth Policies." *Social Problems* 44 (4): 503–519. doi:10.2307/3097220.

Scandrett, E. 2007. "Environmental Justice in Scotland: Policy, Pedagogy and Praxis." *Environmental Research Letters* 2: 4. doi:10.1088/1748-9326/2/4/045002.

Scarce, R. 2000. *Fishy Business: Salmon, Biology, and the Social Construction of Nature*. Philadelphia, PA: Temple University Press.

Schwalbe, M., S. Godwin, D. Holden, D. Schrock, S. Thompson, and M. Wolkomir. 2000. "Generic Processes in the Reproduction of Inequality: An Interactionist Analysis." *Social Forces* 79 (2): 419–452. doi:10.2307/2675505.

Shadbegian, R. J., and A. Wolverton. 2015. "Evaluating Environmental Justice: Analytic Lessons from the Academic Literature and in Practice." In *Failed Promises: Evaluating the Federal Government's Response to Environmental Justice*, edited by D. M. Konisky, 117–142. Cambridge, MA: MIT Press.

Shilling, F. M., J. K. London, and R. S. Liévanos. 2009. "Marginalization by Collaboration: Environmental Justice as a Third Party in and beyond Calfed." *Environmental Science and Policy* 12 (6): 694–709. doi:10.1016/j.envsci.2009.03.003.

Targ, N. 2005. "The States' Comprehensive Approach to Environmental Justice." In *Power, Justice, and the Environment: A Critical Appraisal of the Environmental Justice Movement*, edited by D. N. Pellow and R. J. Brulle, 171–184. Cambridge, MA: MIT Press.

Taylor, D. E. 2000. "The Rise of the Environmental Justice Paradigm." *American Behavioral Scientist* 43 (4): 508–580.

Tolich, M. 2004. "Internal Confidentiality: When Confidentiality Assurances Fail Relational Informants." *Qualitative Sociology* 27 (1): 101–106. doi:10.1023/B:QUAS.0000015546.20441.4a.

EPA (Environmental Protection Agency). 2016a. *Environmental Justice*. Washington, DC: U.S. Environmental Protection Agency. Accessed 6 January 2016. https://www.epa.gov/environmentaljustice

Vajjhala, S. P. 2010. "Building Community Capacity? Mapping the Scope and Impacts of EPA's Environmental Justice Small Grants Program." In *Environment and Social Justice: An International Perspective (Research in Social Problems and Public Policy 18)*, edited by D. E. Taylor, 353–381. Bingley, UK: Emerald Group.

Vogel, S. A. 2009. "'The Politics of Plastics: The Making and Unmaking of Bisphenol A 'Safety'." *American Journal of Public Health* 99 (S3): S559–S566. doi:10.2105/AJPH.2008.159228.

White, D. F., A. P. Rudy, and B. J. Gareau. 2016. *Environments, Natures and Social Theory*. London: Palgrave.

WHO (World Health Organization). 2016. *The Public Health Impact of Chemicals: Knowns and Unknowns*. International Programme on Chemical Safety, World Health Organization, Geneva, Switzerland.