

Dirty Discrimination: Big Oil's History of Environmental Racism

Special Report

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Note: American Petroleum Institute board members were identified based on the organization's [membership page](#).

Executive Summary

In 2017, the NAACP released a study finding that Black Americans face higher levels of oil-sourced pollution than white Americans – findings even later confirmed by the Trump administration’s Environmental Protection Agency (EPA).

Though it initially declined to comment, Big Oil’s premier special interest lobby, the American Petroleum Institute (API), eventually called the NAACP study an “attack” on the oil industry and instead blamed what it considered to be the real problem facing Black Americans: “genetics.”

The oil and gas industry claims to care about environmental justice and combating racism, but its actions and those of its industry-associated trade groups consistently undermine these claims as their work continues to harm Black and brown communities disproportionately.

Oil and gas giants have been significant sources of fossil fuel pollution that harms Black, brown, and Indigenous populations around the world. Yet, despite knowing the deadly risks of fossil fuel pollution, oil and gas companies continued to pursue industry activities in communities of color with unwavering support from trade groups.

People of color bear a disproportionate amount of the harm caused by oil and gas activities. The deadly pollution from oil and gas production is associated with higher risks of COVID-19, heart disease, cancer, and premature death. Additionally, oil spills and emissions jeopardize these communities’ food, water, jobs, and ecosystems. Oil and gas is also connected to increased violence against Native American women and children.

Oil and gas companies have disproportionately polluted the homes of Black, brown, and indigenous communities for decades and are continuing the pattern to this day. Current projects include:

- **Plains All American** pursued a pipeline through a Black neighborhood in Memphis, Tennessee, that a project associate called the “point of least resistance.”
- **Enbridge** moved forward with a pipeline that interfered with Native American treaty rights and was described by advisors as a “war on Black and brown people.”
- **Phillips 66** and **Enbridge** are affiliated with the Dakota Access Pipeline that would risk the Standing Rock Sioux’s water supply and sacred burial sites after being rerouted from a 90 percent white town.
- **ConocoPhillips** is moving forward with its Willow project in the National Petroleum Reserve-Alaska despite a judge throwing out the project’s approval, threatening the Native village of Nuiqsut that already endured oil and gas pollution in schools and homes.

Oil and gas companies have also set up refineries in communities of where Black, brown, and indigenous people live. These initiatives include:

- **Chevron, Phillips 66, and ConocoPhillips'** refineries in Richmond and Wilmington, CA – towns that are majority people of color – have coincided with disproportionate cancer, asthma, and death rates.
- **ExxonMobil's** Beaumont, TX refinery dumped hundreds of thousands of pounds of pollutants on a nearby town that is 95 percent Black.
- **Motiva's** Port Arthur, TX refinery has worsened the health of the area's disproportionately Black residents while taking in major tax breaks.

Outside of the United States, Big Oil has devastated areas around the Niger Delta, Indigenous peoples' homelands in multiple countries, and attempted to build more oil and gas infrastructure despite fierce opposition from local residents. In addition, TC Energy, Chevron, and Shell have used violent means to squash opposition to additional oil and gas activity that has already destroyed ecosystems, eliminated jobs, and worsened health.

Despite its public posturing to the contrary, this report demonstrates that the oil and gas industry's actions betray a callous disregard for Black, brown, and native communities, casting serious doubt on Big Oil's purported commitment to advancing environmental justice and combating racism.

Thematics

American Petroleum Institute & Environmental Racism

SUMMARY: The American Petroleum Institute has repeatedly said they care about equality, oppose racism, and prioritize environmental justice. However, the trade group represents a predominantly white industry that discriminates against Black workers and workers of color. Moreover, its few examples of environmental justice “success stories” are from companies that are actively polluting communities of color today.

While boasting about their alleged environmental justice and anti-racism credentials, API dismissed evidence that oil and gas pollution disproportionately harms Black people and people of color by blaming “genetics.”

The American Petroleum Institute Says It Cares About Environmental Justice, But Its Biggest Corporate Members Have A Consistent Record Of Devastation And Environmental Racism

The American Petroleum Institute Touts Its Record On Racism and Environmental Justice

API Touts Its “Environmental Justice Principles”

The American Petroleum Institute Claims To Care About Environmental Justice

The American Petroleum Institute’s Website Notes Their “Environmental Justice Principles That Aim To Treat People “Fairly, Regardless Of Race, Color, National Origin, Or Income.” “We believe that all people should be treated fairly, regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations and policies. API supports: Increased racial, national origin and socioeconomic diversity of all stakeholders involved in the environmental policy development process. [...] The development of improved decision-making tools, including EJSCREEN – an environmental justice mapping and screening tool that provides EPA with a nationally consistent dataset and approach for combining environmental and demographic indicators.” [API, Environmental Justice, accessed [06/22/21](#)]

But The Corporations It Holds Up As Examples Of Good Stewards Of Environmental Justice Have Records Of Harming Black, Brown, And Indigenous Communities Across The U.S.

Phillips 66 Was Highlighted On API’s Environmental Justice Page As It Continues To Pursue The Dakota Access Pipeline, A Project That Was Rerouted From A Majority White Town To Go Through Standing Rock Sioux Land Despite Intense Opposition From Native American Groups.

API’s Environmental Justice Page Highlights Phillips 66’s Meetings With Community Advisory Panels To Showcase Their Environmental Justice Efforts. “Phillips 66 has established and meets regularly with Community Advisory Panels (CAPs) at all of its facilities, consisting of community volunteers, to exchange

ideas about the company's presence, operations and initiatives and to address community concerns." [API, Environmental Justice, accessed [06/22/21](#)]

Phillips 66 Is Part Owner Of The Dakota Access Pipeline, A Project That's Received Heavy Opposition From Native American Groups. "Following the January ruling, a group of five Democratic lawmakers led by Rep. Nanette Diaz Barragán (D-Calif.) sent a letter imploring Biden to step in and immediately shut down the pipeline, whose ownership group includes Energy Transfer, Phillips 66, and Enbridge. On Thursday, 28 lawmakers from the House and Senate joined the pressure campaign as Indigenous youth rallied in support of the DAPL shutdown call near the White House." [Common Dreams, [4/2/21](#)]

The Dakota Access Pipeline Was Originally Proposed To Go Through Bismarck, North Dakota, Before Being Rerouted To The Standing Rock Sioux's Reservation. "A previously proposed route for the 1,172-mile pipeline had it crossing the Missouri River north of Bismarck, North Dakota, according to a document filed as part of the permitting process. The eventual route that was decided on, and is currently in construction, moved the water crossing of the crude oil pipeline south of the North Dakota capital, to just upstream of the Standing Rock Sioux tribe's reservation." [ABC News, [11/03/16](#)]

- **Bismarck, North Dakota, Is 90% White.** [US Census Bureau, Bismarck City, North Dakota, accessed [04/28/21](#)]

API's Environmental Justice Page Praised Chevron, A Company That Was Cited 150 Times For Environmental Violations In Just Five Years In A Town That's 82% People Of Color.

API's Environmental Justice Page Highlights Chevron's "Social Investments." "Chevron invested \$178 billion in global goods and services and \$1.2 billion in global social investments in the last six years." [API, Environmental Justice, accessed [06/22/21](#)]

Chevron's Richmond Refinery Has Been Cited For Environmental Violations 150 Times Since 2016 While Residents Suffer Air Pollution Worse Than 94% Of The Country. "Today the city, which is 82 percent non-white and home to large groups of migrants from Latin America and Southeast Asia, has worse air pollution than 94 percent of the country, according to data from the Environmental Protection Agency, which has cited the refinery for environmental violations roughly 150 times since 2016." [Grist, [06/01/21](#)]

- **Chevron Had An "Unplanned Upset" At Its Richmond Refinery, Sending Out A Large Plume Of Black Smoke Filled With Sulfur Dioxide.** "Flaring at the Chevron Refinery in Richmond Tuesday afternoon sent a large plume of black smoke into the sky that could be seen across the Bay Area. [...] In a report submitted to the state's Office of Emergency Services, the refinery said an "unplanned upset" occurred around 2:40 p.m., causing the release of sulfur dioxide." [KPIX, [08/10/21](#)]

Over 15% Of Richmond, CA's Residents Live In Poverty, And 82% Are People Of Color. "Despite its proximity to San Francisco and Silicon Valley's wealth, Richmond's median household income is below the California state average, with more than 15% of residents living in poverty. More than 80% of residents are people of colour." [The Guardian, [10/09/19](#)]

As API Uses Plains All American To Prove They Care About Environmental Justice, The Oil Company Is Building A Pipeline Through A Black Community In Memphis Because It's The "Point Of Least

Resistance.

API's Environmental Justice Page Highlights Plains All American's "Initiatives Addressing Local Need."

"In 2020, Plains and its subsidiaries invested over \$2.9 million in cash and in-kind donations towards projects and initiatives addressing local needs in the communities across their operating areas." [API, Environmental Justice, accessed [06/22/21](#)]

Plains All American Pursued A Pipeline In Tennessee That Would Disproportionately Harm Black And Low-Income Communities In Memphis. "The Memphis City Council yesterday stepped into the path of a proposed oil pipeline through the Tennessee city, casting its opposition as a fight against "environmental racism." [...] Several miles of the 49-mile pipeline would run through low-income, predominantly Black neighborhoods in South Memphis. Opponents say the area has already borne the burdens of too much pollution. They also say that a pipeline spill could damage the aquifer that Memphis and the surrounding region rely on for drinking water." [E&E News, [03/17/21](#)]

- **Plains All American Gave Up On The Byhalia Connection Pipeline In July 2021.** "The company planning to build the Byhalia Connection pipeline on Friday announced that it is abandoning the project, bringing a sudden end to one of the biggest environmental controversies in recent Memphis history." [Memphis Commercial Appeal, [07/02/21](#)]

The Land Agent For The Byhalia Project, Wyatt Price, Described The Pipeline's Path Through A Black Neighborhood As The "Point Of Least Resistance." "It's four words that Wyatt Price probably wishes he could take back. Explaining why a planned oil pipeline was taking a roundabout path around Memphis through a Black neighborhood, Price, a land agent for the Byhalia Connection pipeline, last year told a gathering it was the "point of least resistance." [...] Price, the Byhalia land agent, was speaking at a church in Boxtown in February 2020 when he made the "least resistance" comment." [E&E News, [06/07/21](#)]

Science Shows That Oil Industry Pollution Hurts Communities Of Color. Big Oil Calls The Science An "Attack" On The Oil Industry And Suggests The Numbers Could Be Explained By "Genetics"

Multiple Studies Show That Oil Industry Pollution Disproportionately Affects The Health Of Black People And Communities Of Color

NAACP, The Clean Air Task Force, And The Trump-Era EPA All Agree: Communities Of Color Bear The Brunt Of The Oil Industry's Pollution

A 2017 Study Showed That African Americans Faced A Disproportionate Health Risk From Oil Industry Pollution. "African-Americans face a disproportionate risk of health problems from pollution caused by the oil and gas industry, and the situation could worsen as President Donald Trump dismantles environmental regulations, according to a report issued on Tuesday by a pair of advocacy groups." [Reuters, [11/14/17](#)]

The Trump Administration's EPA Confirmed NAACP's Findings: Black Americans Face Higher Levels Of Oil-Sourced Pollutions Than White Americans.

In 2018, An EPA Study Found That Black Americans Are Exposed To More Air Pollution Than White People. “Black Americans are subjected to higher levels of air pollution than white Americans regardless of their wealth, researchers with the U.S. Environmental Protection Agency conclude. Researchers at the EPA’s National Center for Environmental Assessment looked at facilities emitting air pollution, as well as at the racial and economic profiles of surrounding communities.” [Inside Climate News, [03/02/18](#)]

- **EPA Identified Fossil Fuels As The Source Of Pollutants. And They Coincided With Lung Disease, Heart Disease, And Premature Death In Black Americans.** “They found that black Americans were exposed to significantly more of the small pollution particles known as PM 2.5, which have been associated with lung disease, heart disease, and premature death. Most such sooty pollution comes from burning fossil fuels. Blacks were exposed to 1.54 times more of this form of pollution—particles no larger than 2.5 microns, that lodge in lung tissue—than the population at large. Poor people were exposed to 1.35 times more, and all non-whites to 1.28 times more, according to the study, published in the American Journal of Public Health.” [Inside Climate News, [03/02/18](#)]

When Faced With Clear Scientific Evidence That The Oil Industry Hurt Communities Of Color, API Callously Blamed “Genetics”

API Initially Declined To Comment On The NAACP Study—Then Took Two Days To Decide To Call It An “Attack” On The Oil Industry. The Real Problem, API Contends, Is “Genetics.”

API Initially Declined To Comment On The NAACP Study. “Officials for the American Petroleum Institute and the American Fuel and Petrochemicals Manufacturers, which represent the country’s largest fossil fuels companies, did not immediately comment on the report.” [Reuters, [11/14/17](#)]

Two Days Later, API Characterized The NAACP Study As An “Attack” On “Our Industry.” “...But attacking our industry is the wrong approach and detracts from the real work that should be done to reduce disparately high rates of disease among African Americans. Let’s be clear – the natural gas and oil industry is: Committed to the health and safety of the communities where it operates and to its workers...” [American Petroleum Institute, [11/16/17](#)]

The American Petroleum Institute Dismissed The Findings, Blaming It On “Genetics.” “I’ve read an NAACP paper released this week that accuses the natural gas and oil industry of emissions that disproportionately burden African American communities. As a scientist, my overall observation is that the paper fails to demonstrate a causal relationship between natural gas activity and the health disparities, reported or predicted, within the African American community. Rather, scholarly research attributes those health disparities to other factors that have nothing to do with natural gas and oil operations – such as genetics, indoor allergens and unequal access to preventative care.” [American Petroleum Institute, [11/16/17](#)]

The Oil And Gas Industry Claim To Oppose Racism While Discriminating Against Workers Of Color.

The Oil Industry Claims To Oppose Racism...

The American Petroleum Institute Said It Condemns Racism, But Numbers Show The Oil Industry Isn't Doing Anything About It

After The Murder Of George Floyd, API And Many Of Its Members Released Statements “Condemning Racism.” “Many energy companies and industry organizations have made public gestures of support for the demonstrations sparked by a Minneapolis police officer’s killing of George Floyd. Oil giants like Exxon Mobil, Chevron, BP and the industry group American Petroleum Institute all came out with statements condemning racism, as did leaders of the wind and solar energy sectors.” [Politico, [06/14/20](#)]

- **The Oil Industry Is Struggling With Diversity Even Though It Is Wealthy And Has Operations All Over The World.** “The U.S. oil industry is trying to find a new generation of workers in a country that is becoming more diverse. But a history of sexism and racism is making that difficult. The oil industry has struggled to solve its diversity problem despite having some big advantages. It's a wealthy industry accustomed to taking on complicated challenges (think deep-water offshore drilling and fracking). And oil and gas companies already have decades of experience operating all over the world in various environments. Still, the diversity problem persists.” [NPR, [11/05/17](#)]

...But Hires Fewer Workers Of Color And When It Does Hire Them, Pays Them Less Than Their White Counterparts.

API's Own Numbers Show That The Oil Industry Is Predominantly White

API's Own Study Showed That The Oil Industry Is Predominantly White, Especially In Management. “But those statements came from leaders of an industry that is still predominantly white, especially in the highest management positions. In the oil and gas industry, nearly three-quarters of employees were white as of 2015, according to a 2016 study from the American Petroleum Institute.” [Politico, [06/14/20](#)]

- **And Only 9 Percent Of Jobs In The Oil Industry Are Held By Black Workers.** “In spite of well-publicized diversity campaigns and outreach efforts by the industry's largest companies and trade groups, black and African-American workers last year held only 9 percent of the jobs in oil and gas extraction, according to the Labor Department.” [US News & World Report, [08/24/18](#)]

And When People Of Color Do Get Hired In The Oil Industry, They're Paid Less Than White Workers

The Oil Industry Pays Black Workers 23 Percent Less Than Their White Counterparts. “Through the boom of the past decade, blacks never made up more than a tenth of the country's oil and gas workforce, and an analysis last year found they continue to be paid on average 23 percent less than their white counterparts.” [US News & World Report, [08/24/18](#)]

Disparate Impacts Of Fossil Fuel Pollution

SUMMARY: Oil and gas companies knew for decades that pollution from fossil fuels contributed to health problems and increased mortality. Armed with this knowledge, oil and gas companies and their proxies spread misinformation about the growing science on the dangers of fossil fuel pollution.

People of color, especially Black people, disproportionately bear the brunt of fossil fuel pollution and the increased risk of cancer, COVID-19, heart disease, asthma, premature death, and more that come with it.

Impacts Of Fossil Fuel Pollution Disproportionately Hurt Communities Of Color

Oil And Gas Companies Spent Decades Lying About The Health Risks From Fossil Fuel Pollution That Disproportionately Harm People Of Color

The Oil Industry Misled The Public About The Dangers Fossil Fuel Pollution Posed To Health For Decades.

The Oil Industry Knew Fossil Fuels Were Harmful To Health For At Least Fifty Years. “The oil industry knew at least 50 years ago that air pollution from burning fossil fuels posed serious risks to human health, only to spend decades aggressively lobbying against clean air regulations, a trove of internal documents seen by the Guardian reveal. The documents, which include internal memos and reports, show the industry was long aware that it created large amounts of air pollution, that pollutants could lodge deep in the lungs and be “real villains in health effects,” and even that its own workers may be experiencing birth defects among their children.” [*The Guardian*, [03/18/21](#)]

Oil And Gas Companies Actively Spread Doubts About The Science Linking Fossil Fuels To Health Problems And Increased Mortality. “But these concerns did little to stop oil and gas companies, and their proxies, spreading doubt about the growing body of science linking the burning of fossil fuels to an array of health problems that kill millions of people around the world each year. Echoing the fossil-fuel industry’s history of undermining of climate science, oil and gas interests released a torrent of material aimed at raising uncertainty over the harm caused by air pollution and used this to deter US lawmakers from placing further limits on pollutants.” [*The Guardian*, [03/18/21](#)]

People Of Color, Especially Black People, Are Disproportionately Harmed By Fossil Fuel Pollution.

People Of Color Are “Exposed To More Pollution From Nearly Every Source,” With Black Communities Enduring More Pollution Across The Board. “Black Americans are exposed to more pollution from every type of source, including industry, agriculture, all manner of vehicles, construction, residential sources and even emissions from restaurants. People of color more broadly, including Black and Hispanic people and Asian-Americans, are exposed to more pollution from nearly every source.” [*New York Times*, [04/28/21](#)]

Polluting Oil And Gas Facilities Are Disproportionately Located In Black Communities.

56% Of Dangerous Oil Refinery Emissions Harm People Of Color – Additionally, Black, Brown, And Indigenous Communities Endure 66% Of Manufacture Petrochemical Emissions. “About 56 percent of health-harming air emissions from oil refineries land hardest on people of color, even though minorities represent 39 percent of the overall population. For facilities that manufacture petrochemicals, 66 percent of the local pollution is borne by Black, brown, and Indigenous peoples, says the report “Fossil Fuel Racism” by Greenpeace and the Movement for Black Lives.” [Vice, [04/13/21](#)]

Over 1M African Americans Live Within Half A Mile Of An Oil And Gas Operation, While Over 6.7M Live In A County With A Refinery. “African-Americans face a disproportionate risk of health problems from pollution caused by the oil and gas industry. [...] The report, issued by the National Association for the Advancement of Colored People civil rights group and the Clean Air Task Force, said more than a million African-Americans live within half a mile (0.8 km) of an oil and gas operation, and more than 6.7 million live in a county that is home to a refinery.” [Reuters, [11/14/17](#)]

Fossil Fuel Pollution Is Linked To Higher Levels Of Deadly Diseases, Including Coronavirus.

This Pollution Contributes To Higher Levels Of Heart Disease, Stroke, Cancer, Diabetes, Asthma, And More. “That cost could include the higher levels of heart disease, strokes, lung cancer, diabetes, and other illnesses suffered by people of color who live near oil and gas infrastructure, the study argues. It might also include the 138,000 asthma attacks per year Black children experience from breathing in ozone from natural gas emissions, the NAACP has calculated.” [Vice, [04/13/21](#)]

Soot And Ozone Pollution From Industrial Facilities Has Been Linked With Increased COVID-19 Mortality. “The working paper by American University researchers found concentrations of soot and ozone rose in counties with more industrial facilities that report emissions to an EPA pollution database since the agency relaxed enforcement in late March. Overall, those counties had a 19% increase in daily death rates from COVID-19 from late March through most of May, compared to counties with fewer such facilities, the paper says. That increase was accompanied by an almost 39% jump in total cases of the disease caused by the coronavirus, with stronger results in areas with larger numbers of Black and unemployed residents, according to the research.” [E&E News, [07/17/20](#)]

Pipelines On Native American And Indigenous Lands

SUMMARY: Oil and gas companies have repeatedly sought to build projects on and through Native Americans' and Indigenous peoples' land. These projects threaten the health and safety of Native American and Indigenous peoples, their cultural sites, and food and water resources. These projects include:

- **Enbridge's** Line 3 and Line 5 cut to Native American reservations and territories in what one advising agency in Minnesota called a "war on Black and brown people."
- **Phillips 66** and **Enbridge's** Dakota Access Pipeline was rerouted from majority-white Bismarck, North Dakota, to cut through the Standing Rock Sioux's water supply.
- Multiple **Occidental Petroleum** projects outside of the U.S. have caused "egregious harm" to Indigenous Achuar people and have been heavily opposed by U'wa people in Peru and Columbia.
- **TC Energy's** Keystone XL pipeline that threatens 67 Native American communities while the company pursues projects in Canada and Mexico heavily opposed by Indigenous peoples.
- **ConocoPhillips** and **BP's** activity in the Arctic and Alaska have threatened the health, safety, and food of Alaska Native and Indigenous communities.

Enbridge's Line 3 And Line 5 Projects Have Continued Despite Fierce Opposition From Native Americans Whose Treaty Rights, Health, Safety, And Cultural Resources Are Threatened By The Oil And Gas Activity.

Enbridge Continued Operations Despite Opposition From Indigenous Populations In Minnesota And Michigan

White Earth Tribal Legal Counsel And Police Issued Cease-And-Desist Against Enbridge For Conducting Illegal Training Within Borders Of White Earth Reservation. "On October 8, White Earth tribal legal counsel and police issued a cease-and-desist order against Enbridge, a Canadian multinational energy transportation company, for conducting an illegal training within the borders of the White Earth Reservation. Tribal resolutions have barred Enbridge from conducting business on the northwestern Minnesota reservation without approval of the Tribal Historic Preservation Officer and Tribal officials. Now Enbridge, seeing more and more pressure to complete a highly contested pipeline, seems to be taking off the gloves and going on the offense against tribes. With rising costs in tar sands oil (\$82 a barrel, compared to \$43 in the Permian Basin) and more pressure on the company to perform, Enbridge is hopeful that it can secure a swifter archeological assessment for a newly proposed route that has not been fully reviewed." [Truthout, [10/22/19](#)]

- **White Earth Tribal Resolutions Barred Enbridge From Conducting Business On The Reservation Without Approval From Tribal Historic Preservation Officer And Tribal Officials.** "On October 8, White Earth tribal legal counsel and police issued a cease-and-desist order against Enbridge, a Canadian multinational energy transportation company, for conducting an illegal training within the borders of the White Earth Reservation. Tribal resolutions have barred Enbridge from conducting business on the northwestern Minnesota reservation without approval of the Tribal Historic

Preservation Officer and Tribal officials. Now Enbridge, seeing more and more pressure to complete a highly contested pipeline, seems to be taking off the gloves and going on the offense against tribes. With rising costs in tar sands oil (\$82 a barrel, compared to \$43 in the Permian Basin) and more pressure on the company to perform, Enbridge is hopeful that it can secure a swifter archeological assessment for a newly proposed route that has not been fully reviewed.” [Truthout, [10/22/19](#)]

- **Enbridge Conducted Para Archeology Certification Without Tribal Approval.** “To accommodate the part of the review involving environmental requirements, Enbridge needs to have field archeologists and a cultural review. Between October 7 and October 11, Enbridge attempted to complete a ‘Para Archeology Certification Training for Cultural Monitors’ in Mahnomen, which would create that field team. Most certifications would require years, but Enbridge remains hopeful that it can complete a new assessment in time for a summer push to secure final approvals, as the company projects completion of the project by the end of 2020. The Para Archeology Certification is being conducted by Enbridge and 7 Bison Cultural Consulting without tribal approval.” [Truthout, [10/22/19](#)]

Enbridge Continued Operations Through Line 5 Pipeline In Defiance Of Order From Gov Whitmer To Cease Operations. “In defiance of an order by Gov. Gretchen Whitmer to cease operations by Wednesday, Canadian oil transport giant Enbridge continued to flow 23 million gallons of crude oil and natural gas liquids through Line 5, its controversial, 68-year-old twin pipelines on the Straits of Mackinac lake bottom. [...] Among the opponents to Line 5's continued operation in the Straits are American Indian tribes in the region. On Monday, the Bay Mills Indian Community's Executive Council passed a resolution ‘banishing’ Enbridge and Line 5's dual pipeline from the tribe's reservation “and the lands and waters of their ceded territory, including the Straits of Mackinac. The tribe, based near Brimley, has more than 2,000 members, according to its website. The council noted that in the Treaty of 1836 with the U.S. government, it ‘reserved for all time the right to fish, hunt and gather in the ceded land and waters of the state of Michigan.’ ‘Enbridge's continued harm to our treaty rights, our environment, our history, our citizens and our culture is a prime example of how banishment should be used,’ said executive council president Whitney Gravelle.” [Detroit Free Press, [5/12/21](#)]

- **Opponents Of Line 5 Included The Bay Mills Indian Community, Whose Executive Council Passed Resolution Banishing Enbridge And Line 5’s Pipeline From The Reservation And Lands And Water Of Their Ceded Territory.** “In defiance of an order by Gov. Gretchen Whitmer to cease operations by Wednesday, Canadian oil transport giant Enbridge continued to flow 23 million gallons of crude oil and natural gas liquids through Line 5, its controversial, 68-year-old twin pipelines on the Straits of Mackinac lake bottom. [...] Among the opponents to Line 5's continued operation in the Straits are American Indian tribes in the region. On Monday, the Bay Mills Indian Community's Executive Council passed a resolution ‘banishing’ Enbridge and Line 5's dual pipeline from the tribe's reservation ‘and the lands and waters of their ceded territory, including the Straits of Mackinac. The tribe, based near Brimley, has more than 2,000 members, according to its website. The council noted that in the Treaty of 1836 with the U.S. government, it ‘reserved for all time the right to fish, hunt and gather in the ceded land and waters of the state of Michigan.’ ‘Enbridge's continued harm to our treaty rights, our environment, our history, our citizens and our culture is a prime example of how banishment should be used,’ said executive council president Whitney Gravelle.” [Detroit Free Press, [5/12/21](#)]

Enbridge Threatened To Continue Using Damaged Pipelines If Its Latest Permit For Line 3 Was Not Approved Despite Threats To Native American Communities And Nearby Waterways.

Enbridge Received Approval For The Line 3 Pipeline After Threatening To Use The Cracked And Corroded Pipeline For “At Least Another 11 Years” If The Update Was Rejected.

Enbridge Received Approval For Its Controversial Line 3 Pipeline In 2018. “Opponents of a new pipeline across northern Minnesota wasted little time encouraging resistance to the plan approved Thursday by state regulators. After the Minnesota Public Utilities Commission voted unanimously to allow Enbridge Energy to replace its aging Line 3 along a new corridor, they urged people to show up Friday morning near where the line will cross into Wisconsin.” [MPR News, [06/29/18](#)]

Enbridge’s Line 3 Pipeline Was Approved After Enbridge Insisted On Continuing To Use The Existing Cracked And Corroded Pipeline For Over A Decade Longer If The Plan Was Rejected. “That aging pipeline is corroding, and cracking. Commissioner Matt Schuerger said it was in “horrific condition.” But they don’t have authority to shut it down. And Enbridge had said it would continue to operate it for at least another 11 years if the state rejected its plan. So instead, commissioners approved a new, safer pipeline, but also one that will carry nearly twice as much oil along a new route across northern Minnesota.” [MPR News, [06/29/18](#)]

Commissioners Said The Line 3 Pipeline Would “Exacerbate Climate Change” And Provide Excess Oil.

Commissioners Approving The Pipeline Acknowledged That It Would Worsen Climate Change And Minnesota Did Not Need The Oil. “Lipschultz and other commissioners sympathized with the argument that approving the pipeline would exacerbate climate change. And they said Minnesota refineries didn’t need the oil.” [MPR News, [06/29/18](#)]

An Advisory Board To The Minnesota Pollution Control Agency Called The Pipeline A “War On Black And Brown People.”

Nearly All Members Of A Group That Advises The Minnesota Pollution Control Agency Resigned Over Line 3 Calling It A “War On Black And Brown People.” “Twelve of 17 members of a group that advises the Minnesota Pollution Control Agency on environmental justice issues have resigned over a permit for the controversial Enbridge Energy oil replacement project. The Environmental Justice Advisory Group delivered the letter Monday in protest of the agency’s approval last week of a key water quality permit for the Line 3 project. The group wrote they are submitting their “collective and public resignation” because they “cannot continue to legitimize and provide cover for the MPCA’s war on Black and brown people.” [AP, [11/17/20](#)]

The Line 3 Pipeline Threatens Native American Tribes’ Waterways And Food With A Form Of Oil Even More Difficult To Clean Up Than Others In The Event Of A Spill.

Line 3 Would Cut Across Streams And Wetlands Important For Food And Treaty Rights For Native American Tribes. “The new Line 3 would replace the original one built in the 1960s and would cross 337 miles of some of Minnesota’s most pristine streams and wetlands, where Houska and other activists say any spills would cause “irreparable” harm to bodies of water where local tribes fish, harvest wild rice and hold treaty rights.” [Inside Climate News, [02/16/21](#)]

The Tar Sand Oil That Would Run Through Over 800 Wetlands, And 200 Streams And Lakes Is More Difficult To Clean Up Than Other Forms Of Oil. “LaDuke and other activists say that even the threat of a pipeline oil spill is too much of a risk to water quality. Line 3 is set to run through over 800 wetlands and 200 streams and lakes, which concerns activists because this pipeline will transfer tar sands oil, an oil that is more difficult to clean up than others.” [MN Daily, [03/18/21](#)]

Officials Arrested 179 Protesters Fighting Enbridge Pipeline Replacement In A Single Day.

June 7, 2021: 179 Protesters Targeting Enbridge Line 3 Pipeline Were Arrested. “The Hubbard County Sheriff’s Office says nearly 180 protesters were arrested on Monday, noting that they caused an ‘extensive amount of damage’ to Enbridge Line 3 Pipeline equipment. Officers from 31 different law enforcement agencies assisted in the removal and arrest of the protesters. In total, 179 protesters were arrested and charged with trespassing, and 68 additional people were cited with public nuisance and unlawful assembly. [...] Protesters have been fighting the Canadian-based company’s push to replace an aging pipeline across the northern part of the state this summer as the Minnesota segment of the pipeline is about 60% complete as of Monday.” [KSTP, [6/7/21](#)]

- **The Protesters Had Been Fighting Enbridge’s Push To Replace A Pipeline Across Minnesota.** “The Hubbard County Sheriff’s Office says nearly 180 protesters were arrested on Monday, noting that they caused an ‘extensive amount of damage’ to Enbridge Line 3 Pipeline equipment. Officers from 31 different law enforcement agencies assisted in the removal and arrest of the protesters. In total, 179 protesters were arrested and charged with trespassing, and 68 additional people were cited with public nuisance and unlawful assembly. [...] Protesters have been fighting the Canadian-based company’s push to replace an aging pipeline across the northern part of the state this summer as the Minnesota segment of the pipeline is about 60% complete as of Monday.” [KSTP, [6/7/21](#)]

Enbridge Began Running Oil Through Line 3 In October 2021 Despite An Ongoing Lawsuit From The White Earth Band Of Ojibwe Attempting To Protect The Land.

Oil Began Flowing Through Line 3 In October 2021. “Oil started flowing through the newly built Line 3 pipeline in northern Minnesota on Friday, bringing closure to one chapter of the large and bitterly disputed construction project.” [Star Tribune, [10/04/21](#)]

The White Earth Band Of Ojibwe Is Pursuing A “Rights Of Nature” Claim Against Line 3, Arguing It Violates The Rights Of Manoomin To Exist, Flourish, And Restore Itself. “In a first-of-its-kind lawsuit from a tribal nation in the United States, the White Earth Band of Ojibwe is pursuing a “rights of nature” claim in tribal court to oppose a state approval of Enbridge Inc.’s Line 3 pipeline replacement. [...] The rights of manoomin hold that the grain has the right to exist and flourish within its habitat, and the crop has a right to be restored after destruction. White Earth says that because of Enbridge’s “construction dewatering,” the rice has been growing out of mud, making it inaccessible to be gathered from a canoe during the harvest season in August and September.” [E&E News, [11/18/21](#)]

Enbridge And Phillips 66 Are Involved In The Dakota Access Pipeline That Threatens The Water Supply And Sacred Burial Grounds For The Standing Rock Sioux.

Enbridge And Phillips 66 Are Involved In The Dakota Access Pipeline That Threatened The Standing Rock Sioux’s Water Supply After Being Rerouted From A 90%-White City

Enbridge Is Involved In The Contentious Dakota Access Pipeline. “Enbridge’s extensive infrastructure in the Bakken region makes it ideally situated to accommodate both current and planned growth. [...] The Bakken Pipeline System consists of both the Dakota Access Pipeline, which delivers Bakken production to the Patoka, Illinois hub, and the Energy Transfer Crude Oil Pipeline, which provides access to the USGC market.” [Enbridge, Bakken Infrastructure, accessed [04/01/21](#)]

Phillips 66 Was Part Of Dakota Access Pipeline’s Ownership Group. “Following the January ruling, a group of five Democratic lawmakers led by Rep. Nanette Diaz Barragán (D-Calif.) sent a letter imploring Biden to step in and immediately shut down the pipeline, whose ownership group includes Energy Transfer, Phillips 66, and Enbridge. On Thursday, 28 lawmakers from the House and Senate joined the pressure campaign as Indigenous youth rallied in support of the DAPL shutdown call near the White House.” [Common Dreams, [4/2/21](#)]

The Dakota Access Pipeline Runs Near The Standing Rock Sioux’s Reservation, Threatening A Sacred Burial Ground And The Tribe’s Sole Water Supply If A Spill Occurs.

The Dakota Access Pipeline Would Run Through The Standing Rock Sioux Tribe’s Only Water Source, Raising Concerns For The Reservation If A Spill Occurred. “Part of the pipeline would cross Sioux lands and run under the Missouri River, the tribe’s sole water source, drawing concerns from environmentalists and tribe leaders that a potential oil spill could devastate the reservation.” [ABC News, [09/13/16](#)]

The Pipeline Runs Through Sacred Burial Ground For The Standing Rock Sioux. “The Standing Rock Sioux also argue that the pipeline traverses a sacred burial ground.” [Time, [10/28/16](#)]

The Dakota Access Pipeline Was Originally Routed Through 90%-White Bismarck, North Dakota Before Moving Locations To One Near The Standing Rock Sioux Tribe’s Reservation.

The Dakota Access Pipeline Was Originally Proposed To Go Through Bismarck, North Dakota Before Being Rerouted To The Standing Rock Sioux’s Reservation. “A previously proposed route for the 1,172-mile pipeline had it crossing the Missouri River north of Bismarck, North Dakota, according to a document filed as part of the permitting process. The eventual route that was decided on, and is currently in construction, moved the water crossing of the crude oil pipeline south of the North Dakota capital, to just upstream of the Standing Rock Sioux tribe’s reservation.” [ABC News, [11/03/16](#)]

- **Bismarck, North Dakota, Is 90% White.** [US Census Bureau, Bismarck City, North Dakota, accessed [04/28/21](#)]

Occidental Petroleum Has Repeatedly Committed Environmental Injustices Against Indigenous Peoples In Columbia And Peru, Causing “Egregious Harm” Over Decades.

Occidental Petroleum Has A History Of Environmental Injustices Towards Indigenous Peoples, Including Trying To Extract On Traditional Land And Causing “Egregious Harm”

25 Indigenous Achuar People Sued Occidental For Causing “Egregious Harm” Over 30 Years.

Occidental Was Sued By Twenty-Five Indigenous Achuar Plaintiffs From The Peruvian Amazon Alleging Egregious Harm Caused By Occidental Over 30 Years Where Occidental Contaminated Rivers And Lands Of The Indigenous Communities, Causing Death, Poisoning And Destruction Of Their Way Of Life. “In 2007, EarthRights International brought suit on behalf of twenty-five indigenous Achuar plaintiffs from the Peruvian Amazon against Los Angeles-based Occidental Petroleum Corp. (Oxy), alleging egregious harm caused by Oxy over a thirty-year period in the Corrientes River basin during which Oxy contaminated the rivers and lands of the indigenous Achuar communities, causing death, widespread poisoning and destruction of their way of life. For several years, Oxy argued that the case should be litigated in Peru, rather than in California, under the doctrine of forum non conveniens. The Ninth Circuit Court of Appeals rejected Oxy’s arguments and ruled that the case should continue in the Achuar Plaintiffs’ chosen forum: Oxy’s home state of California. In 2015, ERI announced that the parties were pleased to confirm a mutual settlement of the claims in the litigation. Under the settlement, the terms of which are confidential, Oxy provides assistance to enable these five Achuar communities to carry out community development projects for their benefit. All parties are satisfied with the resolution of this dispute.” [EarthRights International, Accessed [6/17/21](#)]

- **2015: The Case Was Settled With Occidental Providing Assistance To Enable Five Achuar Communities Carry Out Community Development Projects.** “2015 ERI announced that the parties were pleased to confirm a mutual settlement of the claims in the litigation. Under the settlement, the terms of which are confidential, Oxy provides assistance to enable these five Achuar communities to carry out community development projects for their benefit. All parties are satisfied with the resolution of this dispute.” [EarthRights International, Accessed [6/17/21](#)]

U’wa People Were So Opposed To Occidental’s Attempted Extraction On Their Traditional Land They Took Legal Action And Threatened Protest By Suicide.

Occidental Was Granted A License For Oil Exploration On Traditional Land For The U’wa People, Who Took Legal Action To Fight Back And Threatened Protest By Suicide. “The U’wa people have practiced their traditional culture in the Northeast forests of the Colombian Andes since time immemorial. At the end of the 20th century, there were up to 5,000 people in U’wa communities. In the early 1990’s Occidental Petroleum (Oxy), a United States based corporation started negotiations with the Colombian government for oil exploration rights on U’wa traditional lands. Colombia had recently reformed its Constitution to guarantee indigenous administration of indigenous territories and land ownership. However, by 1995, the government (largely the Ministry of Mines and Energy and the Ministry of the Environment) granted Occidental of Colombia, a subsidiary of Oxy, a license for oil exploration on the Samore block, a significant traditional land for the U’wa. For the U’wa, the land is sacred, and oil is the blood of Mother Earth. The planned oil development was an affront to their culture and indigenous sovereignty. The U’wa first sought legal council; government agencies were supposed to have U’wa consent before issuing such licenses. In October 1995, a tribunal ruled in favor of the U’wa, but the Supreme Court overturned the decision. Legal decisions would henceforth be riddled with contradiction: while there were legal avenues that should have protected the U’wa, reports claim that the proposed oil development would earn the Colombian government up to \$14 billion in revenues. In response, the Werhayas, or spiritual leaders of the U’wa, along with other U’wa, threatened to commit suicide in protest. The threat echoed the history of the U’wa; it is told that a community of U’wa peoples jumped to their death from a local cliff in resistance to Spanish colonization in the 17th century. The modern U’wa threatened to walk en masse off the same cliff.” [Global Nonviolent Action Database, [14/5/11](#)]

- **2001: Occidental Announced It Would Abandon Plans To Drill In The Region (Samore Block And Gibraltar I Site) After Successful Protests By The U'wa People.** "In June 1997, amid growing international pressure, the Colombian government requested an intervention of the Organization of American States (OAS) to study the conflict and make recommendations. The findings were published several months later. The report urged for the oil company to immediately suspend oil exploration activities in the Samore block in order to establish more legitimate consultation processes with the U'wa. The report was viewed as a setback for Oxy. However, it became known that Oxy was looking into alternative oil sites, namely, the Gibraltar I site, which was virtually on U'wa land. In October 1997, U'wa leader Robert Cobaria and founder of the U'wa Defense Project Terence Freitas joined others in a protest demonstration in Los Angeles. Later that month, at a press conference, Robert Cobaria recounted an incident where he was abducted and beaten, his abductors threatening his life, if he didn't sign an 'authorization agreement' regarding oil development. In January 1998, RAN released an 'action alert' on the Internet targeting Shell for its financial participation in oil development on U'wa land. After receiving thousands of letters, and hoping to avoid bad publicity, Shell withdrew from the Samore project in February. One year later, three US environmentalist coalition members were killed by FARC, the largest guerrilla group in Colombia, while organizing with U'wa. In August 1999, Colombia granted U'wa a title for a unified reservation, something the U'wa had advocated for independently of the Oxy ordeal. The title conspicuously excluded the latest area where drilling was proposed. In mid-November 1999, over 200 U'wa and farmers from Sarare occupied the Gibraltar I drill site. Soon after, Colombian police attacked protesters with tear gas and pushed some U'wa into a nearby river. Three children died in the assault. Many adults were injured and some went missing. In January 2000, all occupiers were removed by thousands of Colombian troops. Soon after being evicted from the Gibraltar I site, U'wa called three peasant strikes, which brought the local economy to a halt and stalled communication and transportation. In May 2000, a U'wa petition challenging Oxy's oil license was rejected. A renewed direct action campaign began, with actions conducted by community members (details unknown). Peasants from Arauca blocked roads and U'wa set up road blockades to prevent trucks from reaching the Oxy drill site. At the May 2001 shareholders meeting, Oxy announced that it would abandon all plans to drill in the region. They claimed the reason was because they had not found sufficient oil. However, the fact that subsequent test wells were not drilled (standard industry practice) indicates other factors might have been at play." [Global Nonviolent Action Database, [14/5/11](#)]

While TC Energy Pursued The Heavily-Opposed Keystone XL Pipeline That Cut Through 67 Native American Communities, The Pipeline Company Was Also Pursuing Projects In Canada And Mexico That Would Jeopardize The Health, Safety, And Land Of Indigenous Peoples.

Despite Already Spilling Hundreds Of Thousands Of Gallons Of Oil And Opposition From Native Americans Concerned About Their Health, Safety, And Land, TC Energy Continued To Pursue The Keystone XL Pipeline.

TC Energy Owns The Keystone Pipeline System. "The Keystone Pipeline System, stretching 4,324 km (2,687 miles) in length, plays a key role in delivering Canadian and U.S. crude oil supplies to markets around North America." [TC Energy, Operations, accessed [04/05/21](#)]

TC Energy's Keystone XL Pipeline Runs Along 67 Native American Communities, With Much Of It Cutting Through Culturally Significant Land.

The Keystone XL Route Runs Along 67 Native American Communities With Much Of It On Culturally Significant Land. “The assessment said the State Department reached out to all 67 tribes along the proposed route to include their perspectives. [...] Much of the land along the Keystone XL proposed route through holds cultural significance to tribal members, but there’s no way for them to measure that in a way the federal government will recognize.” [Gizmodo, [08/01/18](#)]

The Keystone Pipeline Spilled Over 790,000 Gallons Of Oil In 2017 And 2019.

The Keystone Pipeline Spilled Over 383,000 Of Gallons Of Oil In October 2019, Polluting Nearly Five Acres Of Wetlands. “An update on the clean-up efforts going on in Walsh County, after the Keystone pipeline spilled hundreds of thousands of gallons of oil near Edinburg in late October. [...] More than 383,000 gallons spilled from the pipeline impacting a wetland area a little less than five acres in size.” [KXNET, [12/17/19](#)]

In 2017, The Keystone Pipeline Spilled 407,000 Gallons Of Oil On Farmlands In South Dakota. “A crude oil spill from the Keystone Pipeline in South Dakota last November has turned out to be nearly twice as big as first reported. Around 407,000 gallons spilled onto farmland when the pipeline broke near Amherst in Marshall County on Nov. 16, a spokeswoman for pipeline owner TransCanada Corp., told the Aberdeen American News. TransCanada had originally put the spill at 210,000 gallons.” [Argus Leader, [04/07/18](#)]

A Judge Paused Keystone XL In 2018, Echoing With Native American Groups In The Suit That Adverse Impacts To Cultural Resources And The Environment Were Not Properly Considered.

Native American Groups Sued To Halt The Keystone XL Pipeline, Stating Alternatives And Adverse Impacts Were Not Properly Considered. “The suit filed by the Native American groups also challenges the State Department’s environmental impact statement. They argue it fails to adequately justify the project and analyze reasonable alternatives, adverse impacts and mitigation measures.” [Inside Climate News, [03/30/17](#)]

- **A Judge Stopped The Pipeline In 2018, Arguing The State Department’s Analysis Of Keystone’s Environmental Effects Did Not Adequately Consider The Cumulative Effects Of Greenhouse Gas Emissions, Oil Spills, And Threats To Cultural Resources.** “In Thursday’s ruling, Morris wrote that the State Department’s analysis of potential environmental effects fell short of a “hard look” on the effects of current oil prices on the viability of Keystone, cumulative effects of greenhouse gas emissions, cultural resources and potential oil spills.” [NPR, [11/09/18](#)]

Native American Tribes Attempted To Stop The Pipeline Again In 2020 Over The Increased Threat Of COVID-19 From Transient Pipeline Workers.

Native American Tribes Again Sought To Stop The Pipeline In 2020 Due To Concerns Over Construction Works Bringing Coronavirus Into Their Already-Vulnerable Communities. “Native American tribes and environmental groups pressured a federal judge on Thursday to shut down work on the disputed Keystone XL pipeline from Canada to Nebraska, citing fears that workers could spread the coronavirus and construction could damage land.” [AP, [04/16/20](#)]

Native American Women And Girls Have Experienced Increased Violence Coinciding With Increases Of Oil And Gas Workers In The Region.

Native American Communities Have Experienced Increase Rates Of Human Trafficking, Missing, And Murdered Indigenous Women Since The Bakken Oil Boom, Commonly Attributed To The Increase Of Oil And Gas Workers In The Region. “In 2000, Native women experienced sexual assault at a rate seven times higher than white women and there is no indication that this disparity has narrowed in the past nineteen years.[1] Since the Bakken oil boom, Native American communities have reported increased rates of human trafficking, specifically sex trafficking, and missing and murdered indigenous women in their communities. Native communities, service providers, media and policy-makers alike have attributed this increase to the large increase of well-paid oil and gas workers who flocked to the region, setting up man camps in largely rural areas with little infrastructure to support such a population boom, however temporary.” [University Of Colorado Boulder, [03/14/19](#)]

TC Energy Only Canceled The Keystone XL Pipeline After President Biden Revoked A Necessary Permit For The Project.

The Keystone XL Pipeline Was Only Canceled After President Biden Revoked Its Necessary Cross-County Permit. “Canada’s TC Energy Corp. TRP +0.11% and the Albertan provincial government said Wednesday they would scuttle the Keystone XL oil pipeline project, bringing to an end a yearslong controversy over an effort to pipe more Canadian crude to the U.S. The decision had been expected after President Biden used his first day in office to revoke a key permit for the pipeline to cross the country’s northern border, shutting down construction. [...] It alluded to Mr. Biden’s decision and said it had completed a comprehensive review of its options before making the final decision to terminate the project.” [Wall Street Journal, [06/09/21](#)]

TC Energy Is Building The Coastal GasLink Pipeline Through Wet’suwet’en Land In Canada Despite Longstanding Opposition From The Wet’suwet’en Nation Over Threats To Ecosystems, Culturally Significant Sites, Safety, And Land Rights.

TC Energy Is Responsible For The Coastal GasLink, A Pipeline Cutting Through Wet’suwet’en Land In Canada. “The “why” question boils down to a pipeline company’s request to a judge. Coastal GasLink—a subsidiary of TC Energy or TransCanada, which also owns the Keystone pipeline and other big oil infrastructure—has a plan to build a natural gas pipeline from northeastern B.C. to the coast, which crosses through Wet’suwet’en land.” [Vice, [02/21/20](#)]

Wet’suwet’en Nation Leaders Have Opposed To Coastal GasLink Over Threats To Culturally Significant Sites And Ecosystems.

Leaders In The Wet’suwet’en Nation Have Opposed The Coastal GasLink Since 2012, Arguing It Threatens “Vital Ecosystems And Culturally Significant Sites.” “The Wet’suwet’en Nation is a 22,000-square-kilometre stretch of land that has been inhabited by the Wet’suwet’en people for thousands of years. [...] Since 2012 most of these leaders have opposed Coastal GasLink and other pipelines through their territory, on the grounds that these projects will disturb vital ecosystems and culturally significant sites.” [Vice, [02/21/20](#)]

TC Energy’s Coastal GasLink Cuts Through Wet’suwet’en Land That Was Not Ceded To The Canadian Government And Therefore Still Under Wet’suwet’en Control.

The Wet'suwet'en Hereditary Chief Has Asserted Authority Over The Land The Coastal GasLink Would Pass Through That Has Not Been Ceded To The Canadian Government. "The \$6-billion, 670-kilometre Coastal GasLink pipeline has received approval from the province, and 20 First Nations band councils have signed agreements in support of the project, including five of the six band councils in the Wet'suwet'en nation. However, the Wet'suwet'en hereditary chiefs say those band councils are only responsible for the territory within their individual reserves because their authority comes only from the Indian Act. The hereditary chiefs — who are the leaders of the nation's governance system in place before the imposition of the Indian Act — assert authority over 22,000 square kilometres of the nation's traditional territory, an area recognized as unceded by the Supreme Court of Canada in a 1997 decision." [CBC News, [02/05/20](#)]

The Coastal GasLink Project Continued During COVID-19, Posing Increased Health Threats To Indigenous Communities As Transient Workers Brought In The Virus.

The Coastal GasLink Project Brought In Transient Workers During The COVID-19 Pandemic, Placing Nearby Indigenous People At A Higher Risk Of Catching COVID-19. "Such critics point out that industrial projects bring hundreds — even thousands — of transient workers from across Canada into remote communities, where they typically live in shared accommodations. Meanwhile, Indigenous workers on such projects often go home to their families. [...] And, as predicted, there have been several outbreaks at industrial work sites across Canada, including at two Coastal GasLink camps. Some have spread to the Indigenous communities nearby" [The Narwhal, [03/19/21](#)]

- **The Increased Exposure To COVID-19 Is Exacerbated By Long Standing Health Inequalities And Increased Pollution Exposure For Indigenous People.** "This has all put Indigenous people at higher risk of catching COVID-19 when they're already more vulnerable to the disease due to long-standing health inequities, including disproportionate exposure to polluting industries and lack of access to health care.." [The Narwhal, [03/19/21](#)]

The UN Committee On The Elimination Of Racial Discrimination Called For Work On The Pipeline To Stop Until Indigenous Peoples Provided "Free, Prior And Informed Consent."

The UN Committee On The Elimination Of Racial Discrimination Called On Canada To Stop Work On The Coast GasLink Pipeline Until It Receives "Free, Prior And Informed Consent From Indigenous Peoples." "It's also a violation of international human rights law, according to watchdogs. In December 2019, the United Nations Committee on the Elimination of Racial Discrimination called on Canada to halt work on the Coastal GasLink pipeline — as well as two other industrial projects in B.C. — until it receives free, prior, and informed consent from Indigenous Peoples. It also urged the country to stop removing Wet'suwet'en people from their lands and start removing police and security forces." [The Narwhal, [03/19/21](#)]

TC Energy Fought To Bar Anti-Pipeline Protests In 2019, Leading To Police Raids On Protesters In Early 2020.

TC Energy Filed An Injunction In December 2019 To Attempt To Stop Anti-Pipeline Protests. "It filed an injunction to prevent anti-pipeline roadblocks, and a B.C. Supreme Court judge granted it in December." [Vice, [02/21/20](#)]

The Royal Canadian Mounted Police Conducted Multiple Raids Of Wet'suwet'en Protests. "While the pipeline has the backing of 20 elected First Nations councils, including Wet'suwet'en municipal leadership,

the Wet'suwet'en hereditary chiefs—the stewards of the land who say they have final title rights—have not given their consent to the project. In January, the Royal Canadian Mounted Police (RCMP) conducted a raid to break up the encampments the Wet'suwet'en had set up to block pipeline workers from the land. And earlier this month, law enforcement conducted more raids, making 28 arrests over a five day period.” [The New Republic, [02/17/20](#)]

Also, In Canada, Plains All American's Negligence Was Responsible For And Worsened A 28,000 Barrel Oil Spill Near The Northern Alberta Native Community Of Little Buffalo

In 2011, Plains All American Caused A 28,000 Barrel Oil Spill Near The Northern Alberta Native Community Of Little Buffalo After Employees Ignored Leak Alarms And Restarted The Leaking Pipeline, Worsening The Spill. “Employees at Plains All American Pipeline LP’s Canadian unit disregarded leak alarms and restarted a ruptured oil pipeline as they caused one of the worst oil spills in Alberta’s history, a report issued by the province’s pipeline regulator found. [...] The spill on the pipeline released 28,000 barrels of crude oil in a wilderness area near the northern Alberta native community of Little Buffalo.” [Reuters, [02/26/13](#)]

TC Energy Has Pursued Two Projects In Mexico That Indigenous Peoples Have Opposed Over Rushed Approvals, Lack Of Consultation, And TC Energy’s Lack Of Awareness Of Indigenous Cultures, Sacred Sites, And People’s Safety.

TC Energy Has Faced Similar Critiques Over Two Projects In Mexico. “A look at the conflict in Mexico reveals a case strikingly similar to the one in Canada, but with two critical distinctions: it is the Mexican government itself that has been critical of TC Energy’s insensitivity to Indigenous concerns; and it is the Mexican government that’s put the brakes on one of TC Energy’s Mexican projects.” [Canada’s National Observer, [03/09/20](#)]

Indigenous People, Including The Nahua, Totonaca, Otomí, And Tepehua, Have Opposed TC Energy’s Projects, Citing Rushed Approvals And A Lack Of Consultations. “The Nahua, Totonaca, Otomí and Tepehua, among other indigenous people, have stood together to voice concern over these two projects. They claim the approval process was hurried, and without sufficient consultation as a result of TC Energy’s eagerness to profit from Mexico’s growing natural gas market” [Canada’s National Observer, [03/09/20](#)]

Critics Of TC Energy’s Actions Noted A Lack Of Awareness Of Indigenous Cultures, Sacred Sites, Disruption To Local Populations, And Threats To The Safety Of Indigenous Women. “Criticism included TC Energy’s lack of awareness of Indigenous culture — specifically in the context of sacred sites and traditional plants and medicines — poor identification of relevant stakeholders, and inadequate communication with government agencies. There was concern for the security of Indigenous women and girls due to the influx of male labourers unknown to the communities. Physical disruption to the local populations was also a worry, given that many people lived in proximity to the pipeline.” [Canada’s National Observer, [03/09/20](#)]

ConocoPhillips And BP Rank At The Bottom Half Of Extractive Companies Over Their Treatment Of Indigenous Peoples’ Rights, Yet ConocoPhillips Has Still Pursued A New Project In Alaska That Threatened The Alaska Native Village Of Nuiqsut.

ConocoPhillips Is Pursuing The Willow Oil Project In The National Petroleum Reserve-Alaska That Alaska Native Groups Have Sued To Stop In Addition To Their Preexisting Extractive Activities In The Area.

ConocoPhillips's Willow Project Would Drill Into The National Petroleum Reserve-Alaska. "The Willow project would expand ConocoPhillips' drilling plans on Alaska's North Slope. Willow would move drilling deeper into the National Petroleum Reserve-Alaska in the direction of currently protected habitat." [E&E News, [05/07/20](#)]

- **Alaska Native Groups And Environmental Groups Sued To Stop The Willow Project For Failing To Abide By Environmental Laws.** "Sovereign Iñupiat for a Living Arctic, the Center for Biological Diversity, Friends of the Earth and other groups sued last fall to stop the project, not just in winter, but altogether. They argue that federal agencies under the former Trump administration did not follow environmental laws before approving the project." [Anchorage Daily News, [02/14/21](#)]

ConocoPhillips Already Pumps Tens Of Thousands Of Barrels Of Oil Next To Homes, Schools, And Businesses Of The Alaska Native Village Of Nuiqsut

ConocoPhillips Pumps Over 50,000 Barrels Of Oil Daily Only Eight Miles From Nuiqsut Homes, Schools, And Businesses Without The Willow Project. "Nuiqsut is the only town planted in the midst of Alaska's most prolific oil region on the state's North Slope, which today is poised for another drilling boom. Just eight miles from the grid of single family homes, government offices, a grocery store, and schools, more than 50,000 barrels of oil—or roughly a tenth of the state's oil production—is pumped each day from oil fields owned by ConocoPhillips." [Inside Climate News, [08/02/18](#)]

ConocoPhillips's Willow Project Would Worsen Climate Change, Threaten Food Sources And The Health Of Nuiqsut Villagers.

The Willow Project Would Worsen Climate Change, Threaten Wildlife, And Hinder Subsistence Hunters From The Alaska Native Village of Nuiqsut. "Project opponents have argued that development will threaten imperiled polar bears, caribou and other wildlife, hinder subsistence hunters from the nearby village of Nuiqsut and lead to the production of more climate-warming greenhouse gases. Siquñiq Maupin, director of Sovereign Iñupiat for a Living Arctic, said in a statement on Wednesday that the Biden administration is failing to stop a project that will harm people on the North Slope." [Anchorage Daily News,]

Alaska Natives Are At Higher Risk Of Death From Air Pollution Such As The Black Carbon That's Created By Fossil Fuel Extraction.

Alaska Natives Experience Higher Risk Of Harm, Including Death, From Air Pollution. "Studies show that Hispanics, Asians, American Indians/Alaska Natives and especially African Americans experience higher risks of harm (including premature death) from air pollution. Approximately 74 million people of color, or 57%, live in counties with at least one failing grade for ozone and/or particle pollution, compared with 38% of whites." [The Guardian, [06/28/20](#)]

Black Carbon From Fossil Fuel Pollution Exacerbates Global Warming That Threatens The Arctic And Is A Main Ingredient In Fine Particulate Matter That Cause Poor Health And Premature Death. "Emissions

of black carbon, a short-lived climate pollutant from fossil fuel production, accelerate the crisis, not just by exacerbating warming worldwide, but also by darkening the surface of Arctic sea ice, causing it to melt faster. Black carbon brings health consequences of its own. It's a main ingredient in fine particulate matter, among the leading environmental causes of poor health and premature death." [Inside Climate News, [08/02/18](#)]

ConocoPhillips Ranked 12 Out Of 18 Possible Ranks On Study Ranking Arctic Extractive Companies On Indigenous Rights. [Indra Overland -- Study: "Ranking Oil, Gas and Mining Companies on Indigenous Rights in the Arctic" – Table 1, [December 2016](#)]

Despite A Court Overturning Approval Of The Willow Project, ConocoPhillips Plans To Continue Its Development Efforts.

ConocoPhillips Plans To Continue Developing Its Willow Project Despite A Court Ruling Overturning Its Approval. "American oil major ConocoPhillips has announced it will be continuing with its Willow development project, despite a recent court ruling that overturned approval for the project originally granted under the Trump administration." [Offshore Technology, [11/18/21](#)]

BP Ranked Close To Last Is Issues Related To Indigenous Peoples' Rights In The Arctic In A Study Of Arctic Extractive Companies

BP Ranked 15 Out Of 18 Possible Ranks On Study Ranking Arctic Extractive Companies On Indigenous Rights. [Indra Overland -- Study: "Ranking Oil, Gas and Mining Companies on Indigenous Rights in the Arctic" – Table 1, [December 2016](#)]

Ranking Was Based On 20 Criteria Related To Indigenous Rights, Including Commitments To International Standards, Presence Of Organizational Units Dedicated To Handling Indigenous Rights, Competent Staffing, Track Records On Indigenous Issues, Transparency, And Consulting With Indigenous Peoples. "The ranking covers 92 oil, gas and mining companies involved in onshore resource extraction above the Arctic Circle. Each company is assessed according to 20 criteria related to indigenous rights. The criteria were selected by evaluating the main guidelines and legal instruments related to resource extraction and indigenous rights in the Arctic. These criteria include commitments to international standards, the presence of organisational units dedicated to handling indigenous rights, competent staffing, track records on indigenous issues, transparency, and procedures for consulting with indigenous peoples." [Indra Overland -- Study: "Ranking Oil, Gas and Mining Companies on Indigenous Rights in the Arctic," [December 2016](#)]

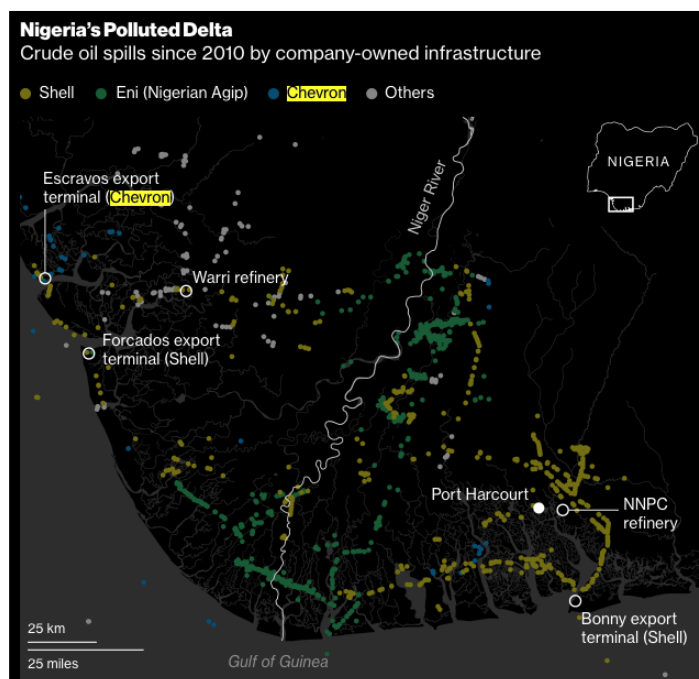
Harm And Human Rights Abuses In The Niger Delta

SUMMARY: Shell and Chevron have devastated jobs, ecosystems, and the health of people living along the Niger Delta in Nigeria. The oil giants have been responsible for millions of gallons of oil spilling from their pipeline and polluting the region. To allow their destructive practices to continue, the companies have allegedly committed human rights abuses, including “inhumane treatment” of workers and collaborating with the Nigerian government or police to murder opponents.

Shell And Chevron’s Oil And Gas Activity On The Niger Delta Has Devastated Ecosystems, Eliminated Jobs, And Worsened Health For Nigerians In The Region.

Chevron And Shell Have Contributed To Myriad Oil Spills Along The Niger Delta That Have Devastated The Livelihoods For Residents And Destroyed Local Ecosystems.

Shell And Chevron Operate In The Niger Delta In Nigeria, Where They Have Been Responsible For Numerous Oil Spills.



[Bloomberg, [06/01/20](#)]

Shell And Chevron’s Oil And Gas Spills In Nigeria Have Caused Health Problems, Destroyed Safe Drinking Water, And Eviscerated The Fishing Industry.

Oil Spills Along The Niger Delta Have Harmed People's Livelihoods, Health, And Local Ecosystems. "The destruction of the once fertile Niger Delta and the negative impacts of oil exploitation on people's livelihood system are at the root of restiveness in the region. [...] Different communities in the region have over the years expressed anger and resentment over the degradation of their ecosystem. [...] What that means is that for that length of time, means of livelihood is not assured, the health implications are enormous and foreign fishing trawlers are compounding the problem by fishing illegally in the region without permission." [*The Guardian*, [03/19/21](#)]

- **Oil And Gas Spills Have Resulted In Health Problems, Lack Of Safe Drinking Water, And Reduce Opportunities To Earn A Living In The Ogoni Communities In Nigeria.** "Over five decades, oil and gas extraction have caused large-scale, continued contamination of the water and soil in Ogoni communities. The continued and systematic failure of oil companies and government to clean up have left hundreds of thousands of Ogoni people facing serious health risks, struggling to access safe drinking water, and unable to earn a living." [Amnesty International, [06/18/20](#)]

Shell's Oil Spill Destroyed The Fishing Industry And Water In Bodo, Nigeria That Employed 80% Of Locals. "Chief James, assistant secretary to the Bodo council of chiefs and elders, said every family had been affected by the disaster. [...] "This has caused serious poverty to everyone. Nearly 80% of people here are fishermen or they depend on the water. They have lost their livelihoods. People are leaving the community in their hundreds to search for greener pastures. We used to live beautifully. People caught so much fish we could sell it to the cities. Now we have no hope," he said." [*The Guardian*, [08/03/11](#)]

Chevron Spilled Oil In Nigeria As Recently As February 2021 And Has Ignored Calls From Locals To Clean Up The Oil Companies Mess Leading To Protests From Local Fisherwomen.

A Chevron Pipeline Dumped Oil In Nigeria As Recently As February 18, 2021. "The spill occurred on the night of February 18 at the Abiteye flow station pipeline belonging to Chevron Nigeria Limited." [*The Guardian*, [03/19/21](#)]

A Chevron Pipe In Gbaramatu, Nigeria Is Believed To Have Leaked Oil Into The Niger Delta, Killing Off Fish Local Fisherwomen Rely On. "When the tide rose under the rickety wooden house-on-stilts of Onitsha Joseph, a fisherwoman who lives above the twisting rivers of the Niger Delta in southern Nigeria, it brought a slick of crude oil. [...] Far below her snaked a pipe. The American oil giant Chevron laid that pipe 46 years before, according to many neighbors of Ms. Joseph who were there at the time, and now, they said, it was leaking. So began a battle between Chevron and hundreds of fisherwomen in the Niger Delta. Chevron denies that oil was spilling from its pipes. But the women insisted that this was just another instance of oil companies refusing to take responsibility, and decided to take the fight to the oil company's doors. [...] Soon, black oil stained the roots of the mangroves — saltwater-loving trees that act as nurseries for fish and shellfish." [*New York Times*, [07/25/21](#)]

The Spill In Gbaramatu Led To A Fisherwomen-Led Occupation Of Chevron Facilities. "The fisherwomen decided it was time to occupy Chevron. Hundreds of women from 18 communities, including Ms. Joseph, arrived at three Chevron facilities on March 26. [...] They vowed to occupy the facilities until Chevron did a proper investigation into the spill's cause." [*New York Times*, [07/25/21](#)]

Chevron Ignored Calls From Locals And Continued To Pump Oil After Being Alerted Of The Leak. "When they found the ominous bubbling, the fisherwomen alerted local leaders, who informed Chevron's

Nigerian subsidiary. At first, Chevron ignored them, the local leaders said, and oil continued to flow through the line.” [New York Times, [07/25/21](#)]

Chevron Facilities Near The Niger Delta Hoard Resources, Producing Electricity They Don’t Share With Neighboring Villages.

At Least Three Chevron Facilities Around The Gbaramatu Region Produce Their Own Electricity But Refuse To Share It With Local Communities, Creating “Small Cities” Next To Struggling Villages. “Hundreds of women from 18 communities, including Ms. Joseph, arrived at three Chevron facilities on March 26. [...] For years, the women had felt cheated by Chevron, the dominant oil company in their immediate area. Their villages were poor. Houses of zinc and wood barely kept out the elements. Bathrooms were flimsy shacks over the river. By contrast, the Chevron facilities they were occupying were like small cities. They even produced electricity, though they didn’t share it.” [New York Times, [07/25/21](#)]

Shell Has Been Responsible For Pipeline Leaks In Nigeria, Spilling Millions Of Gallons Of Oil In The Niger Delta Throughout Just The Last Twenty Years.

Shell Was Responsible For Pipeline Leaks In Oruma And Goi, Nigeria. “Shell Nigeria is liable for damages from pipeline leaks in the Villages of Oruma and Goi, the Hague Court of Appeals said in a ruling Friday.” [Bloomberg, [01/29/21](#)]

- **The Courts Ruled That Shell Must Compensate Victims And Install Leak Detection Equipment On The Oruma I And II Pipelines.** “The amount of compensation will be decided later. [...] The Nigerian unit and Shell are liable to pay 100,000 euros (\$121,000) each day if they fail to install the leak detection systems on the Oruma I and II pipelines a year after the order, the court said, to prevent similar leaks from happening in the future.” [Bloomberg, [01/29/21](#)]

In 2020, Shell Was Ordered To Pay \$1.92B To Compensate Victims Of A 2019 Oil Spill In The Ejialawa Community In Nigeria. “The energy giant is challenging a November 2020 judgment in favor of community members claiming a leak from a company pipeline damaged their land and waterways. A federal court of appeal in the city of Owerri is scheduled to consider applications from both sides on Jan. 25, according to a lawyer for the plaintiffs. Farmers from the Ejialawa community in the southern Rivers state sued Shell and its joint venture partner, the state-owned Nigerian National Petroleum Co., in January 2020. A federal judge accepted that an abandoned flow line operated by Shell began spilling a “large volume of crude oil” in September 2019 that damaged the surrounding environment. The court said the 88 plaintiffs were entitled to 800 billion naira (\$1.92 billion) in compensation, and it ordered Shell to clean up.” [Bloomberg, [01/20/22](#)]

In 2021, Shell Was Found Responsible For Two Pipeline Spills On The Niger Delta From 2004 To 2005 And Was Required To Compensate Affected Farmers. “Royal Dutch Shell has been ordered to pay damages to farmers after an appeals court in The Hague found the energy major’s Nigerian subsidiary liable for oil spills in the Niger Delta more than a decade ago. [...] The judge held Shell Nigeria liable for two pipeline spills that took place in the villages of Oruma and Goi between 2004 and 2005. The court has yet to make a decision on a third in 2007 from a wellhead, and has requested more evidence on the extent of the leak and clean-up.” [Financial Times, [01/29/21](#)]

- **Shell Paid \$83.2M To Compensate Community Members For The Spill.** “In 2015, after many years of battles with campaigners, Shell announced it would pay out \$83.2m in compensation for the spill. This was split up among the community. Most families received about 600,000 naira (\$3,000).” [Al Jazeera, [07/28/17](#)]

A Shell Pipeline Spilled 600,000 Barrels Of Oil Into The Creeks Surrounding The Niger Delta. “In 2008 and 2009, a 55-year-old pipeline owned by Shell ruptured twice, throwing up 600,000 barrels, according to UK court claims, of crude oil into the surrounding creeks of the Niger Delta. [...] Yet after more than eight years that have passed, the community is still waiting desperately for the cleanup efforts promised to them. The creeks and shores of this once thriving fishing community remain decimated by the oil damage.” [Al Jazeera, [07/28/17](#)]

In 2020, Shell Caused The Worst Oil Spill In Nigeria In A Decade, Polluting The Surrounding Area With 1.68M Gallons Of Oil.

In 2020, Shell Caused Nigeria’s Worst Oil Spill In A Decade, Dumping 1.68M Gallons Of Oil. “Oil from a Royal Dutch Shell offshore spill has spread to nearly 100 nautical miles after a leak occurred while loading a tanker Wednesday, resulting in what may be Nigeria's worst spill in a decade. Shell estimates the Bonga spill to be around 40,000 barrels or 1.68 million gallons of oil, becoming the second major oil spill since Mobil's slip-up in 1998.” [Energy Digital, [05/17/20](#)]

By 2011, Over 1,000 Spill Cases Had Been Filed Against Shell For Polluting The Niger Delta – Not Including The Various Fines The Company Had Incurred For Pollution Incidents In The Same Time Period.

Over 1,000 Spill Cases Had By Filed Against Shell For Polluting The Niger Delta By 2011. “More than 1,000 spill cases have been filed against Shell alone, but while the company has been fined many times by courts in Nigeria for pollution incidents, appeals can take years and communities complain that proper clean-ups and compensation money never reaches them.” [The Guardian, [08/03/11](#)]

As Of January 2021, Shell In Still Facing Litigation Over Another Oil Spill In Nigeria As Thousands Of Nigerians Seek To Sue The Company For Damages To The Niger Delta.

Shell Is Also Embroiled In Another Case After Their Pipeline Leaked Oil Into The Village Of Ikot Ada Udo In Nigeria. “The court also said that a case over whether Shell was liable for an oil leak in the village of Ikot Ada Udo would continue. The court established that the spill was a result of sabotage, but it’s seeking to determine whether the pollution has spread and if it still needs to be cleaned.” [Bloomberg, [01/2921](#)]

- **Thousands Of Nigerians Are Asking The U.K. To Allow Them To Sue Shell For Environmental Damages To The Niger Delta.** “While in the U.K., thousands of Nigerians are asking British legal authorities for permission to sue the company or environmental damages caused in the Niger Delta.” [Bloomberg, [01/2921](#)]

Shell And Chevron Have Been Accused Of Human Rights Abuses In Nigeria, Murdering Opponents And Inhumanely Treating Workers.

To Continue Its Destructive Practices In The 1990s, Shell Collaborated With The Nigerian Military And Government To Suppress Peaceful Protests, Raid Villages, And Murder Ogoni Tribe Leaders.

Shell Collaborated With The Nigerian Military And Police To Suppress Anti-Extraction Protests, Paying The Military To Stop Peaceful Opposition And Raid Villages. “Court documents now reveal that in the 1990s Shell routinely worked with Nigeria's military and mobile police to suppress resistance to its oil activities, often from activists in Ogoniland, in the delta region. Confidential memos, faxes, witness statements and other documents, released in 2009, show the company regularly paid the military to stop the peaceful protest movement against the pollution, even helping to plan raids on villages suspected of opposing the company.” [*The Guardian*, [10/02/11](#)]

Shell Collaborated With The State To Execute Ogoni Tribe Leaders, Later Paying \$15.5M In Compensation To Families For Their Actions. “Shell had been accused of collaborating with the state in the execution in 1995 of writer Ken Saro-Wiwa and other leaders of the Ogoni tribe. Instead, Shell paid \$15.5m (£9.6m) to the eight families in settlement.” [*The Guardian*, [10/02/11](#)]

Chevron Was Accused Of Inhumane Treatment Of Workers In Nigeria.

Two Oil Unions In Nigeria Have Threatened To Strike Over Chevron’s “Inhumane” Treatment Of Workers. “The Nigeria Union of Petroleum and Natural Gas Workers (NUPENG) and the Petroleum and Natural Gas Senior Staff Association of Nigeria (PENGASSAN) have threatened to shut down the country’s oil and gas industry over what they claimed as Chevron Nigeria Limited (CNL)’s anti-labour practices. [...] According to the unions, while the notice had expired, CNL and the contractors had refused to reinstate the workers as demanded. It stated that the inhumane treatment meted out to the affected Nigerian workers was antithetical to all applicable laws of the country as well as other international laws that guide employment and the protection of rights of workers.” [*Today*, [06/17/21](#)]

Chevron Dismissed A Lawsuit Against Them Over Their Murder Of Nigerian Protestors As “The Ultimate Nigerian Scam.”

Chevron Paid Police To Shoot Nigerian Protestors On An Oil Platform In 1998. “Others recalled how Chevron paid soldiers and police to shoot Nigerian protesters on Chevron’s oil platform in 1998, and also spilled 18 billion gallons of toxic wastewater in Ecuador, poisoning local residents.” [*Mother Jones*, [06/18/20](#)]

Chevron Called The Lawsuit Against Them By Nigerian Villagers “The Ultimate Nigerian Scam.” “Nigerian villagers can go to trial in San Francisco in a lawsuit that seeks to hold Chevron Corp. responsible for military attacks that killed and wounded protesters at oil company facilities in 1998 and 1999, a federal judge has ruled. [...] Chevron said in a statement that it is confident a jury will “reject this ultimate Nigerian scam.”” [*SFGate*, [08/15/07](#)]

Regional Impacts: Texas

SUMMARY: Disproportionately Black towns in Texas have endured air and water pollution that has threatened residents' health and safety while failing to provide jobs or money to the towns.

ExxonMobil's Beaumont, TX refinery has dumped hundreds of thousands of pounds of pollution on the nearby majority-Black town whose residents complained of "severe air pollution."

Motiva's Port Arthur, TX refinery has brought high rates of cancer, asthma, and premature death to the disproportionately Black residents as it leaks hundreds of thousands of pounds of emission into the air.

ExxonMobil's Beaumont, Texas Refinery Has Dumped Hundreds Of Thousands Of Pounds Of Pollutants On A Nearby Black Community.

ExxonMobil's Beaumont Refinery Polluted An African-American Community For Years

ExxonMobil Oil Refinery In Beaumont, Texas, Was Located Next To A 95% African-American Community Which Complained About Severe Air Pollution. "Neil Carman of the Sierra Club Lone Star Chapter told Common Dreams that the ExxonMobil oil refinery in Beaumont, Texas is right next to a 95 percent African-American community that has been complaining about severe air pollution. 'In 2000 a complaint was submitted to the EPA about a permit, granted by the Texas Commission on Environmental Quality, that allowed an increase in hydrogen sulfide, a toxic gas,' explained Carman. 'The only thing the EPA did was write a response letter within a year or two saying they were going to accept part of the complaint. But since then we haven't heard from the EPA again.'" [Facing South, [7/16/15](#)]

ExxonMobile's Beaumont Refinery Emitted 675,000 Pounds Of Pollutants During Unpermitted Events In 2016. "Exxon Mobil is not the only company that gets away with violating its permits. And though it emitted 675,000 pounds of pollutants during unpermitted events last year, it's not the worst offender. The Beaumont refinery ranks second among Texas industrial facilities in terms of how much benzene it emitted above the limit, and fourth in terms of VOCs. But Exxon Mobil's vast size and wealth compared to the relatively piddling size of the penalties make the company particularly insensitive to the fines. Consider an enforcement action the state issued in May over Exxon Mobil's unpermitted release in April 2016 of nearly 2,125 pounds of carbon monoxide, sulfur oxide, nitrogen dioxide, hydrogen sulfide, and VOCs. The plant not only emitted the chemicals, it failed to report the emissions within 24 hours, as the law requires. The fine for both violations was \$7,001, an amount unlikely to deter a company valued at \$343 billion." [The Intercept, [8/13/17](#)]

After 17 Years, EPA Declared The Case Over The Refinery Pollution Closed And Proposed Two Community Meetings And A Single Air Monitor To Be Placed More Than A Mile Away From The Plant. "Between 2000 and 2016, while the people who live next to the plant waited for an investigation, the refinery emitted more than 400 million pounds of pollution into the air. Yet in all those years, the EPA never once consulted the people who were most affected. In May, 17 years after the initial complaint, the EPA finally issued a letter declaring the case over the refinery pollution resolved, with only small changes to be implemented. Many people I spoke with in Charlton-Pollard found the agency's proposed fixes —

two community meetings and a single air monitor to be placed more than a mile away from the plant — more insulting than having been ignored for 17 years.” [The Intercept, [8/13/17](#)]

Motiva’s Port Arthur, TX Plant Pollutes A City With Three Times As Many Black People As The Rest Of The State With Deadly Chemicals While Failing To Raise Wages Or Combat Unemployment

Motiva’s Refineries In The Black And Low Income Port Arthur, Texas, Are Some Of The Top Polluters In The Area, Contributing To A Higher Risk Of COVID-19, Asthma, And Death.

Two Motiva Refineries Are Among The Top Emitters Of Toxic Chemicals In Port Arthur, With The Environmental Protection Agency Calling Of The Refineries A “Significant Noncomplier” After Its Most Recent Inspection.

Motiva’s Port Arthur Refinery Is The Largest Oil Refinery On The Continent. “In fact, when Laura made landfall in southeast Texas, a report by the Texas Commission on Environmental Quality showed that Motiva’s Port Arthur refinery, the largest oil refinery on the continent, had a chemical leak on a process line during the shutdown.” [Grist, [08/29/20](#)]

Motiva’s Port Arthur Refinery Had A “High Priority Violation” And Was Deemed A “Significant Noncomplier” By The Environmental Protection Agency Following 2019 And 2020 Inspections.

Enforcement and Compliance Summary

Statute	Insp (5 Years)	Date of Last Inspection	Compliance Status	Qtrs with NC (of 12)	Qtrs with Significant Violation	Informal Enforcement Actions (5 years)	Formal Enforcement Actions (5 years)	Penalties from Formal Enforcement Actions (5 years)	EPA Cases (5 years)	Penalties from EPA Cases (5 years)
CAA	2	02/19/2020	High Priority Violation	12	12	5	8	\$508,566	1	\$56,000
CWA	2	12/11/2018	No Violation Identified	0	0	--	--	--	1	\$36,431
RCRA	2	11/05/2019	Significant Noncomplier	12	12	3	1	\$0	--	--

[EPA, Detailed Facility Report, accessed [06/14/21](#)]

Fossil Fuel Pollution, Including Toxic Chemical Releases, Are Connected To Increased Risk Of Cancer, Reproductive And Respiratory Problems, COVID-19, Premature Death, And More.

The Environmental Protection Agency’s List Of Potential Health Effects From Toxic Releases In Port Arthur, Texas, Include, Cancer, Reproductive, Respiratory, Neurological Problems, And More. [EPA, Toxic Release Inventory, accessed [06/15/21](#)]

- **Fossil Fuel Pollution Is Responsible For Over 8M Deaths Annually Worldwide In Addition To Increasing Risk Of Heart Disease, Asthma, And COVID-19.** “More than 8 million people around the world die each year as a result of breathing polluted air that contains particles from fossil fuels, a new study has found. [...] Small enough to penetrate deep into the lungs, these particles can aggravate respiratory conditions like asthma and can lead to lung cancer, coronary heart disease, strokes, and early death. Research has also found a link between higher levels of long-term pollution and more deaths from Covid-19.” [CNN, [02/9/21](#)]

Port Arthur Has Over Three Times As Many Black People, Twice The Unemployment, And “Well Below Average” Median Income Compared To Texas Overall.

According To The 2020 Census, 38.2% Of Port Arthur’s Residents Are Black, Nearly Three Times More Than Texas Overall.

Race and Hispanic Origin ▲	Q Texas X	Q Port Arthur city, Texas X
Population estimates, July 1, 2019, (V2019)	28,995,881	54,280
PEOPLE		
Race and Hispanic Origin		
White alone, percent	78.7%	50.0%
Black or African American alone, percent (a)	12.9%	38.2%
American Indian and Alaska Native alone, percent (a)	1.0%	0.6%
Asian alone, percent (a)	5.2%	7.3%
Native Hawaiian and Other Pacific Islander alone, percent (a)	0.1%	0.1%
Two or More Races, percent	2.1%	1.6%
Hispanic or Latino, percent (b)	39.7%	34.5%
White alone, not Hispanic or Latino, percent	41.2%	18.7%

[US Census Bureau, QuickFacts, accessed [06/14/21](#)]

Despite Port Arthur’s Multiple Refineries, The Unemployment Rate Is Over Twice That Rate For Texas Overall, And The Median Household Income Hovers “Well Below The Average For Texas” Due In Part To Automation At Refineries. “The refineries employ fewer workers than they once did, and those they do hire come from all over. The city’s unemployment rate stood near 8 percent in November, more than twice that of the state, and the median household income is \$33,000 a year, well below the average for Texas. [...] Change also swept the refineries. Though they expanded, jobs became automated and companies tightened employee background checks.” [*Houston Chronicle*, [01/17/19](#)]

- **Motiva Paid No Taxes On A \$3.5B Expansion Project For Three Years And Benefits From Nine Years Of Property Tax Breaks From Jefferson County, Texas.** “The city of Port Arthur has at least 28 tax-abatement deals with refineries and chemical plants. Surrounding Jefferson County has at least six, including with Motiva, Total, and Valero, which will pay no property taxes for the first two years of a nine-year contract, and then pay 10 percent of the taxes it would owe for the next seven. Motiva will pay no taxes on a \$3.5 billion expansion project for the next three years.” [*NBC News*, [10/23/07](#)]

Already Devastating Natural Disasters In Port Arthur Have Been Worsened By Massive Chemical Leaks And Emission Releases From Motiva.

Towns Near Oil And Gas Refineries Face Additional Threats During Natural Disasters Like Hurricanes As Oil And Gas Facilities Flare Off Excess Chemicals Into The Air. “In Texas, refineries were rushing to shut down as Laura came barreling toward the coast. But shuttering these plants actually involves releasing millions of pounds of additional pollution. As part of shutdown procedures, these facilities often need to release and burn off (or flare) various unprocessed chemicals and gases.” [*Grist*, [08/29/20](#)]

Motiva's Port Arthur Refinery Had A Chemical Leak During The Shutdown Process As Hurricane Laura Made Landfall In Texas In 2020.

Motiva's Port Arthur Refinery Had A Chemical Leak During Hurricane Laura In 2020. "In fact, when Laura made landfall in southeast Texas, a report by the Texas Commission on Environmental Quality showed that Motiva's Port Arthur refinery, the largest oil refinery on the continent, had a chemical leak on a process line during the shutdown." [Grist, [08/29/20](#)]

Motiva's Port Arthur Refinery Dumped Three Times More Emissions During The Texas Blackout Than Their Entire Excess Emissions In 2019.

Motiva Released 118,100 Pounds Of Emissions From Its Port Arthur, TX Refinery During The State's Winter Blackout, Three Times More Than Its Excess Emissions In All Of 2019. "The largest U.S. oil refiners released tons of air pollutants into the skies over Texas this past week, according to figures provided to the state, as refineries and petrochemical plants in the region scrambled to shut production during frigid weather. [...] The 118,100 pounds of emissions from Motiva's Port Arthur refinery from Monday to Thursday were more than three times the excess emissions that it declared to the U.S. Environmental Protection Agency for the whole of 2019." [Reuters, [02/21/21](#)]

Regional Impacts: California

SUMMARY: Wilmington and Richmond, California, are towns where over 80% of residents are people of color. Those residents are then subjected to pollution and exceptionally high rates of illness like cancer and asthma, thanks in part to the Chevron, Phillips 66, and ConocoPhillips refineries in their towns.

These refineries have polluted the air and water, had myriad environmental violations, and worsened the health of residents while “making excuses to avoid oversight.”

Richmond, CA Residents, A Majority Of Whom Are People Of Color, Have Suffer From Disproportionately High Rates Of Asthma And Cancer Due In Part To The Local Violations-Ridden Chevron Refinery

Chevron’s Richmond, CA Refinery Has Been Responsible For Massive Oil Spills, Explosions, Excessive Flaring, And Fires That Have Contributed To Disproportionate Rates Of Respiratory Disease, Cardiovascular Disease, And Cancer In The Town That’s 82% People Of Color.

Chevron’s Richmond Refinery Has Been Cited 150 Times For Environmental Violations Since 2016, Including A 600,000 Gallon Oil Spill As Recently As February 2021.

Chevron’s Richmond Refinery Has Been Cited For Environmental Violations 150 Times Since 2016 While Residents Suffer Air Pollution Worse Than 94% Of The Country. “Today the city, which is 82 percent non-white and home to large groups of migrants from Latin America and Southeast Asia, has worse air pollution than 94 percent of the country, according to data from the Environmental Protection Agency, which has cited the refinery for environmental violations roughly 150 times since 2016.” [Grist, [06/01/21](#)]

- **ConocoPhillips, BP, And Shell Also Operate Refineries Near Richmond, CA.** “More than 80 percent of the county's releases come from its four oil refineries within 20 miles of Richmond -- Chevron; Tesoro Refining and Marketing Co. and Shell Oil Products in Martinez, and ConocoPhillips Refinery in Rodeo. [...] All five refineries near Richmond, including ConocoPhillips and BP Richmond, reported discharging a total of 14 tons of benzene in 2010.” [Scientific American, [06/04/12](#)]

Chevron Spilled 600,000 Gallons Of Oil Near Its Richmond Refinery In February 2021. “The Chevron refinery in Richmond is investigating an oil spill Tuesday afternoon, according to city and county officials. [...] Contra Costa County Supervisor John Gioia says “close to 600 gallons” flowed into the Bay during that time.” [ABC News, [02/10/21](#)]

Chevron’s Richmond, CA Refinery Flared More Often In 2018 Than Any Other Year.

Chevron’s Richmond, CA Refinery Flared More In 2018 Than Any Other Year As Of October 2019. “The refinery processes nearly 250,000 barrels of crude oil each day. When it “flares,” as it did more often in

2018 than in any other year over the past decade, dark smoke spirals up and across town in the bay breeze.” [The Guardian, [10/09/19](#)]

Three Explosions Have Occurred At Chevron’s Richmond, California, Refinery, In Addition To A Fire That Sent 15,000 People To The Hospital For Respiratory Problems.

The Richmond Refinery Exploded Three Times From 1989 And 2012. “When it explodes, like it did in 1989, 1999 and 2012, the thick cloud is visible across the bay and beyond, a blot against the sky that ascends before falling and settling on everything within a multi-mile vicinity that is not covered, closed or sealed up.” [The Guardian, [10/09/19](#)]

A 2012 Fire At The Richmond Refinery Sent Over 15,000 To The Hospital For Respiratory Distress. “A fire on 6 August 2012 sent more than 15,000 people to seek treatment for respiratory distress at local hospitals.” [The Guardian, [10/09/19](#)]

In August 2021, Chevron’s Richmond Refinery Released A Large Plume Of Sulfur Dioxide In An “Unplanned Upset.”

Chevron Had An “Unplanned Upset” At Its Richmond Refinery, Sending Out A Large Plume Of Black Smoke Filled With Sulfur Dioxide. “Flaring at the Chevron Refinery in Richmond Tuesday afternoon sent a large plume of black smoke into the sky that could be seen across the Bay Area. [...] In a report submitted to the state’s Office of Emergency Services, the refinery said an “unplanned upset” occurred around 2:40 p.m., causing the release of sulfur dioxide.” [KPIX, [08/10/21](#)]

Richmond, California, Has Disproportionately High Rates Of Asthma, Cancer, And Cardiovascular Disease That Affects Its Residents, 15% Of Whom Live In Poverty And 82% Of Whom Are People Of Color.

Over 15% Of Richmond, CA’s Residents Live In Poverty, And 82% Are People Of Color. “Despite its proximity to San Francisco and Silicon Valley’s wealth, Richmond’s median household income is below the California state average, with more than 15% of residents living in poverty. More than 80% of residents are people of colour.” [The Guardian, [10/09/19](#)]

Richmond, CA Children Have Twice The Rate Of Asthma Than The Rest Of The Country, And The Population Overall Has Disproportionately High Rates Of Cardiovascular Disease And Cancer. “And Richmond children have roughly twice the rate of asthma as their neighbours countywide. [...] The population in closest proximity to the refinery has disproportionately high rates of cardiovascular disease and cancer. Data from the California Environmental Protection Agency places every community bordering the Chevron facility in the 99th centile for asthma.” [The Guardian, [10/09/19](#)]

ConocoPhillips And Phillips 66 Operate Refineries In Wilmington, CA, Where The Majority Of Residents Are People Of Color That Suffer Disparate Health Impacts, While Companies Like Phillips 66 “Avoid Oversight.”

ConocoPhillips Operates A Refinery In Wilmington, CA, A Town That's 97% Of People Of Color And Whose Residents Suffer From Lung And Throat Cancer At Three Times The Rate Of Surrounding Areas.

ConocoPhillips Operates A Refinery In Wilmington, CA. “These refineries — owned by BP, ConocoPhillips, Tesoro and Valero — have helped turn my home into “Cancer Alley.”” [*High Country News*, [09/11/20](#)]

Wilmington, California, Is 97% People Of Color. “Wilmington doesn’t have a single five-star resort, but my city, with a population that is 97% people of color, has five local refineries, the largest concentration in all of California.” [*High Country News*, [09/11/20](#)]

Wilmington Residents Die Of Lung And Throat Cancer At Three Times Higher Of A Rate Than Surrounding Areas. “Young children and adults here die of lung and throat cancer at a rate up to three times higher than the surrounding areas, according to a report by Communities for a Better Environment.” [*High Country News*, [09/11/20](#)]

Phillips 66 Was Sued For Repeated Violations Of The Clean Air Act While “Making Excuses To Avoid Oversight.”

Earthjustice Announced It Would Be Suing Phillips 66 For Its Repeated And Ongoing Violations Of The Clean Air Act. “While COVID-19 has caused incredible change and upheaval in our communities, the central problem that we experience on a daily basis from the Phillips 66 refineries in Wilmington and Carson remains the same. These refineries, which are just two of the many refineries in our communities, continue to place the burden of breathing pollution on us while making excuses to avoid oversight. The health impacts of this ‘toxic business as usual’ approach are well-known among our families and friends: cancer, respiratory illness, and cardiovascular disease. These devastating health impacts are compounded during the current public health crisis. That is why Earthjustice and East Yard Communities for Environmental Justice recently notified the U.S. Environmental Protection Agency, the South Coast Air Quality Management District (AQMD), and Phillips 66 that we intend to file a lawsuit against Phillips 66 for its repeated and ongoing violations of the Clean Air Act.” [EarthJustice, [5/13/20](#)]

Phillips 66 Refineries In Wilmington And Carson Were Accused Of Placing The Burden Of Breathing Pollution On Surrounding Communities While “Making Excuses To Avoid Oversight.” “While COVID-19 has caused incredible change and upheaval in our communities, the central problem that we experience on a daily basis from the Phillips 66 refineries in Wilmington and Carson remains the same. These refineries, which are just two of the many refineries in our communities, continue to place the burden of breathing pollution on us while making excuses to avoid oversight. The health impacts of this ‘toxic business as usual’ approach are well-known among our families and friends: cancer, respiratory illness, and cardiovascular disease. These devastating health impacts are compounded during the current public health crisis. That is why Earthjustice and East Yard Communities for Environmental Justice recently notified the U.S. Environmental Protection Agency, the South Coast Air Quality Management District (AQMD), and Phillips 66 that we intend to file a lawsuit against Phillips 66 for its repeated and ongoing violations of the Clean Air Act.” [EarthJustice, [5/13/20](#)]

- **Oil Refineries In Wilmington Were Responsible For The Underlying Health Problems In Marginalized Black And Brown Communities In California.** “Environmental racism is both a serious climate and racial problem affecting black and brown communities throughout California.

The extensive freeway system that hovers predominantly Latinx and Black neighborhoods in Los Angeles and the oil refineries built in Wilmington and the surrounding area are responsible for the underlying health problems in these marginalized groups.” [California's Problem with Environmental Racism, [4/9/21](#)]

Oil And Gas Company Profiles

Chevron

SUMMARY: In June 2020, Chevron tweeted “Black Lives Matter” as protests spread across the country, ignoring the harm its own fossil fuel activity has on Black communities and communities of color in the U.S. and abroad.

One of Chevron’s largest refineries sits in Richmond, CA, a town that is 82% people of color. Richmond, CA residents suffer disproportionate rates of respiratory disease, cancer, and cardiovascular disease due in no small part to Chevron’s refinery. In Richmond, Chevron has been responsible for explosions, fires, and massive oil spills while adding to air pollution that is 94% worse than the rest of the country.

Beyond the U.S., Chevron has contributed to ecological devastation in Nigeria and Ecuador, spilling oil along the Niger Delta as recently as February 2021. In addition, Chevron has been accused of inhuman treatment of workers in Nigeria and human rights abuses, the latter of which it dismissed with a racist trope.

Chevron Claims “Black Lives Matter” While Its Richmond, California Refinery Contributes To Asthma, Cancer, And Cardiovascular Disease In A Community That’s Majority People Of Color.

Chevron Tweeted “Black Lives Matter” In June 2020...

Chevron Tweeted “Black Lives Matter” Along With A Statement Condemning Racism And Committing To A Diverse Workplace In June 2020. “That dissonance was highlighted last week when Chevron made an oily splash on Twitter by stating that “racism has no place in America.” The tweet linked to statements from company leaders committing to a more diverse workplace, something that civil rights leaders have been asking the oil and gas industry to do.” [Mother Jones, [06/18/20](#)]

...Despite 70% Of The Deadly Pollution Caused By Chevron’s Refineries Falling On People Of Color.

74% Of Chevron’s Air Pollution Is Dumped On People Of Color. “About 70 percent of Exxon’s air pollution is dumped on people who aren’t white, for example, according to University of Massachusetts Amherst calculations. For Chevron, it’s 74 percent.” [Vice, [04/13/21](#)]

Fossil Fuel Pollution Contributes To Higher Levels Of Heart Disease, Cancer, Respiratory Problems, And More.

Fossil Fuel Pollution Contributes To Higher Levels Of Heart Disease, Stroke, Cancer, Diabetes, Asthma, And More. “That cost could include the higher levels of heart disease, strokes, lung cancer, diabetes, and other illnesses suffered by people of color who live near oil and gas infrastructure, the study argues. It might also include the 138,000 asthma attacks per year Black children experience from breathing in ozone from natural gas emissions, the NAACP has calculated.” [Vice, [04/13/21](#)]

Chevron's Richmond, CA Refinery Has Been Responsible For Massive Oil Spills, Explosions, Excessive Flaring, And Fires That Have Contributed To Disproportionate Rates Of Respiratory Disease, Cardiovascular Disease, And Cancer In The Town That's 82% People Of Color.

Chevron's Richmond Refinery Has Been Cited 150 Times For Environmental Violations Since 2016, Including A 600,000 Gallon Oil Spill As Recently As February 2021.

Chevron's Richmond Refinery Has Been Cited For Environmental Violations 150 Times Since 2016 While Residents Suffer Air Pollution Worse Than 94% Of The Country. "Today the city, which is 82 percent non-white and home to large groups of migrants from Latin America and Southeast Asia, has worse air pollution than 94 percent of the country, according to data from the Environmental Protection Agency, which has cited the refinery for environmental violations roughly 150 times since 2016." [Grist, [06/01/21](#)]

- **ConocoPhillips, BP, And Shell Also Operate Refineries Near Richmond, CA.** "More than 80 percent of the county's releases come from its four oil refineries within 20 miles of Richmond -- Chevron; Tesoro Refining and Marketing Co. and Shell Oil Products in Martinez, and ConocoPhillips Refinery in Rodeo. [...] All five refineries near Richmond, including ConocoPhillips and BP Richmond, reported discharging a total of 14 tons of benzene in 2010." [Scientific American, [06/04/12](#)]

Chevron Spilled 600,000 Gallons Of Oil Near Its Richmond Refinery In February 2021. "The Chevron refinery in Richmond is investigating an oil spill Tuesday afternoon, according to city and county officials. [...] Contra Costa County Supervisor John Gioia says "close to 600 gallons" flowed into the Bay during that time." [ABC News, [02/10/21](#)]

Chevron's Richmond, CA Refinery Flared More Often In 2018 Than Any Other Year.

Chevron's Richmond, CA Refinery Flared More In 2018 Than Any Other Year As Of October 2019. "The refinery processes nearly 250,000 barrels of crude oil each day. When it "flares," as it did more often in 2018 than in any other year over the past decade, dark smoke spirals up and across town in the bay breeze." [The Guardian, [10/09/19](#)]

In August 2021, Chevron's Richmond Refinery Released A Large Plume Of Sulfur Dioxide In An "Unplanned Upset."

Chevron Had An "Unplanned Upset" At Its Richmond Refinery, Sending Out A Large Plume Of Black Smoke Filled With Sulfur Dioxide. "Flaring at the Chevron Refinery in Richmond Tuesday afternoon sent a large plume of black smoke into the sky that could be seen across the Bay Area. [...] In a report submitted to the state's Office of Emergency Services, the refinery said an "unplanned upset" occurred around 2:40 p.m., causing the release of sulfur dioxide." [KPIX, [08/10/21](#)]

Three Explosions Have Occurred At Chevron's Richmond, California, Refinery, In Addition To A Fire That Sent 15,000 People To The Hospital For Respiratory Problems.

The Richmond Refinery Exploded Three Times From 1989 And 2012. "When it explodes, like it did in 1989, 1999 and 2012, the thick cloud is visible across the bay and beyond, a blot against the sky that

ascends before falling and settling on everything within a multi-mile vicinity that is not covered, closed or sealed up.” [The Guardian, [10/09/19](#)]

A 2012 Fire At The Richmond Refinery Sent Over 15,000 To The Hospital For Respiratory Distress. “A fire on 6 August 2012 sent more than 15,000 people to seek treatment for respiratory distress at local hospitals.” [The Guardian, [10/09/19](#)]

Richmond, California, Has Disproportionately High Rates Of Asthma, Cancer, And Cardiovascular Disease That Affects Its Residents, 15% Of Whom Live In Poverty And 82% Of Whom Are People Of Color.

Over 15% Of Richmond, CA’s Residents Live In Poverty, And 82% Are People Of Color. “Despite its proximity to San Francisco and Silicon Valley’s wealth, Richmond’s median household income is below the California state average, with more than 15% of residents living in poverty. More than 80% of residents are people of colour.” [The Guardian, [10/09/19](#)]

Richmond, CA Children Have Twice The Rate Of Asthma Than The Rest Of The Country, And The Population Overall Has Disproportionately High Rates Of Cardiovascular Disease And Cancer. “And Richmond children have roughly twice the rate of asthma as their neighbours countywide. [...] The population in closest proximity to the refinery has disproportionately high rates of cardiovascular disease and cancer. Data from the California Environmental Protection Agency places every community bordering the Chevron facility in the 99th centile for asthma.” [The Guardian, [10/09/19](#)]

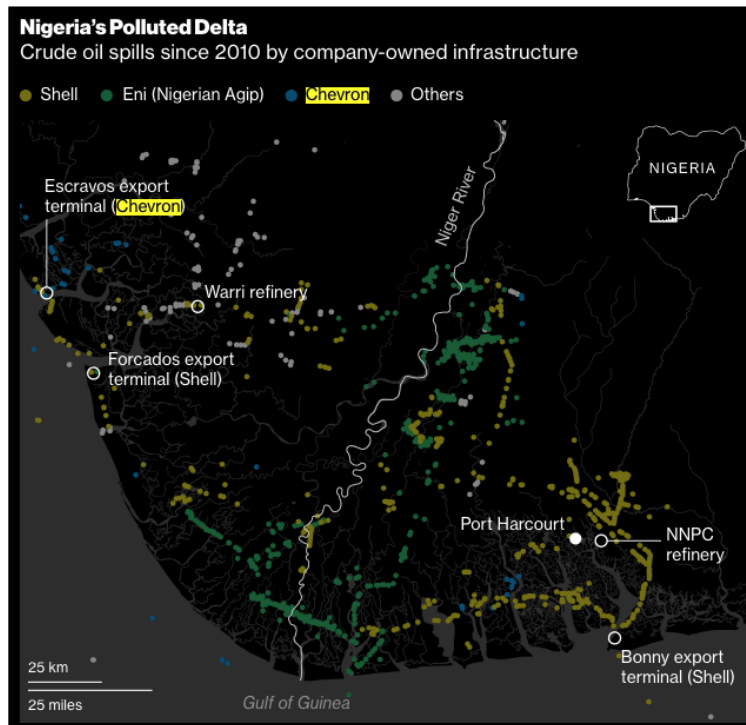
Chevron Is Being Sued By Richmond For The Harm It's Caused Residents And The Misinformation It Has Spread.

Chevron Is Being Sued By Richmond Over Misleading The Public About The True Harms From Fossil Fuels, Negligence, And Being A Public Nuisance. “In January 2018, Richmond followed the lead of seven other California municipalities in filing a suit against Chevron and a further 28 fossil fuel companies, alleging public nuisance and negligence, and seeking the funds necessary to adapt to a climate-changed future. [...] The lawsuits contend the fossil fuel industry misled the public about the true impact of their products.” [The Guardian, [10/09/19](#)]

Chevron Is Responsible For Billions Of Gallons Of Oil Spills In Nigeria And Ecuador And Used A Racist Trope To Dismiss Claims Of Human Rights Abuses.

Chevron Has Contributed To Myriad Oil Spills Along The Niger Delta That Have Devastated The Livelihoods For Residents And Destroyed Local Ecosystems.

Chevron Operates In The Niger Delta In Nigeria, Where It Has Been Responsible For Numerous Oil Spills.



[Bloomberg, [06/01/20](#)]

- **A Chevron Pipeline Dumped Oil In Nigeria As Recently As February 18, 2021.** “The spill occurred on the night of February 18 at the Abiteye flow station pipeline belonging to Chevron Nigeria Limited.” [The Guardian, [03/19/21](#)]
- **Oil Spills Along The Niger Delta Have Harmed People’s Livelihoods, Health, And Local Ecosystems.** “The destruction of the once fertile Niger Delta and the negative impacts of oil exploitation on people’s livelihood system are at the root of restiveness in the region. [...] Different communities in the region have over the years expressed anger and resentment over the degradation of their ecosystem. [...] What that means is that for that length of time, means of livelihood is not assured, the health implications are enormous and foreign fishing trawlers are compounding the problem by fishing illegally in the region without permission.” [The Guardian, [03/19/21](#)]

Chevron Ignored Calls From Locals To Clean Up An Oil Spill From Their Pipeline That Was Devastating Fisherwomen, Leading To Protests At Multiple Chevron Facilities Calling For The Oil Giant To Investigate The Spill.

A Chevron Pipe In Gbaramatu, Nigeria Is Believed To Have Leaked Oil Into The Niger Delta, Killing Off Fish Local Fisherwomen Rely On. “When the tide rose under the rickety wooden house-on-stilts of Onitsha Joseph, a fisherwoman who lives above the twisting rivers of the Niger Delta in southern Nigeria, it brought a slick of crude oil. [...] Far below her snaked a pipe. The American oil giant Chevron laid that pipe 46 years before, according to many neighbors of Ms. Joseph who were there at the time, and now, they said, it was leaking. So began a battle between Chevron and hundreds of fisherwomen in the Niger

Delta. Chevron denies that oil was spilling from its pipes. But the women insisted that this was just another instance of oil companies refusing to take responsibility, and decided to take the fight to the oil company's doors. [...] Soon, black oil stained the roots of the mangroves — saltwater-loving trees that act as nurseries for fish and shellfish." [New York Times, [07/25/21](#)]

The Spill In Gbaramatu Led To A Fisherwomen-Led Occupation Of Chevron Facilities. "The fisherwomen decided it was time to occupy Chevron. Hundreds of women from 18 communities, including Ms. Joseph, arrived at three Chevron facilities on March 26. [...] They vowed to occupy the facilities until Chevron did a proper investigation into the spill's cause." [New York Times, [07/25/21](#)]

Chevron Ignored Calls From Locals And Continued To Pump Oil After Being Alerted Of The Leak. "When they found the ominous bubbling, the fisherwomen alerted local leaders, who informed Chevron's Nigerian subsidiary. At first, Chevron ignored them, the local leaders said, and oil continued to flow through the line." [New York Times, [07/25/21](#)]

Chevron Was Accused Of Inhumane Treatment Of Workers In Nigeria...

Two Oil Unions In Nigeria Have Threatened To Strike Over Chevron's "Inhumane" Treatment Of Workers. "The Nigeria Union of Petroleum and Natural Gas Workers (NUPENG) and the Petroleum and Natural Gas Senior Staff Association of Nigeria (PENGASSAN) have threatened to shut down the country's oil and gas industry over what they claimed as Chevron Nigeria Limited (CNL)'s anti-labour practices. [...] According to the unions, while the notice had expired, CNL and the contractors had refused to reinstate the workers as demanded. It stated that the inhumane treatment meted out to the affected Nigerian workers was antithetical to all applicable laws of the country as well as other international laws that guide employment and the protection of rights of workers." [Today, [06/17/21](#)]

...And Supported Nestlé In A Case Barring Mali Citizens From Suing The Company For Allegedly Forcing Children Into Slave Labor.

Chevron Wrote A "Friend Of The Court" Brief On Behalf Of Nestlé In A Recent Supreme Court Case Over Nestlé's Human Rights Abuses. "The challengers sued the companies under the Alien Tort Statute (ATS), which allows foreigners to bring lawsuits in U.S. courts for serious violations of international law. [...] Nestlé attracted attention from Chevron Corp., a California-based oil and gas company with operations in dozens of other countries including Australia, Angola, and Nigeria. "Because of its affiliates' and subsidiaries' worldwide operations, Chevron has a strong interest in the proper interpretation of the Alien Tort Statute," Chevron attorneys wrote in a "friend of the court" brief on behalf of Nestlé and Cargill." [E&E News, [06/21/21](#)]

- **Nestlé Was Being Sued By Six Mali Citizens Over The Company's Alleged Practice Of Forcing Children Into Slave Labor.** "The Supreme Court's ruling last week in a child slavery case could make it harder to sue oil and gas companies over alleged human rights abuses in other countries, legal experts say. The high court on Thursday issued an 8-1 ruling in Nestlé USA Inc. v. Doe, a case brought by six adult citizens of Mali against the food giants Nestlé and Cargill. The Mali citizens alleged that the companies knowingly bought cocoa beans from plantations in Africa where they were forced into slave labor as children." [E&E News, [06/21/21](#)]

Chevron Dismissed A Lawsuit Against Them Over Their Murder Of Nigerian Protestors As “The Ultimate Nigerian Scam.”

Chevron Paid Police To Shoot Nigerian Protestors On An Oil Platform In 1998. “Others recalled how Chevron paid soldiers and police to shoot Nigerian protesters on Chevron’s oil platform in 1998, and also spilled 18 billion gallons of toxic wastewater in Ecuador, poisoning local residents.” [*Mother Jones*, [06/18/20](#)]

- **Chevron Called The Lawsuit Against Them By Nigerian Villagers “The Ultimate Nigerian Scam.”** “Nigerian villagers can go to trial in San Francisco in a lawsuit that seeks to hold Chevron Corp. responsible for military attacks that killed and wounded protesters at oil company facilities in 1998 and 1999, a federal judge has ruled. [...] Chevron said in a statement that it is confident a jury will “reject this ultimate Nigerian scam.”” [*SFGate*, [08/15/07](#)]

Chevron Dumped 18B Gallons Of Toxic Wastewater In Ecuador.

Chevron Spilled 18B Gallons Of Toxic Wastewater In Ecuador, Poisoning Residents. “Others recalled how Chevron paid soldiers and police to shoot Nigerian protesters on Chevron’s oil platform in 1998, and also spilled 18 billion gallons of toxic wastewater in Ecuador, poisoning local residents.” [*Mother Jones*, [06/18/20](#)]

Enbridge

SUMMARY: Enbridge faced opposition from state authorities and indigenous populations in Minnesota and Michigan. In Minnesota, White Earth Tribal Legal Counsel and Police issued cease and desist against Enbridge for conducting illegal training within the borders of their reservation. And in June 2021, 179 protesters fighting Enbridge's push to replace aging pipeline infrastructure in northern Minnesota were arrested.

In Michigan, Gov. Gretchen Whitmer ordered Enbridge to cease operations of their line 5 dual pipeline, which they ignored. The Bay Mills Indian Community also banished Enbridge and line 5 from their reservation and ceded tribal lands.

Enbridge has continued its efforts to replace the Line 3 pipeline despite threatening the food and treaty rights of Native American tribes nearby. Approval of the pipeline repairs that advisors called "a war on Black and brown people" came after Enbridge threatened to continue to use the corroded and cracked pipeline for over a decade no matter what the state decided.

Enbridge Has Continued To Pursue Multiple Pipelines Despite Fierce Opposition From Impacted Native American Communities

Enbridge Continued Operations Despite Opposition From Indigenous Populations In Minnesota And Michigan

White Earth Tribal Legal Counsel And Police Issued Cease-And-Desist Against Enbridge For Conducting Illegal Training Within Borders Of White Earth Reservation. "On October 8, White Earth tribal legal counsel and police issued a cease-and-desist order against Enbridge, a Canadian multinational energy transportation company, for conducting an illegal training within the borders of the White Earth Reservation. Tribal resolutions have barred Enbridge from conducting business on the northwestern Minnesota reservation without approval of the Tribal Historic Preservation Officer and Tribal officials. Now Enbridge, seeing more and more pressure to complete a highly contested pipeline, seems to be taking off the gloves and going on the offense against tribes. With rising costs in tar sands oil (\$82 a barrel, compared to \$43 in the Permian Basin) and more pressure on the company to perform, Enbridge is hopeful that it can secure a swifter archeological assessment for a newly proposed route that has not been fully reviewed." [Truthout, [10/22/19](#)]

- **White Earth Tribal Resolutions Barred Enbridge From Conducting Business On The Reservation Without Approval From Tribal Historic Preservation Officer And Tribal Officials.** "On October 8, White Earth tribal legal counsel and police issued a cease-and-desist order against Enbridge, a Canadian multinational energy transportation company, for conducting an illegal training within the borders of the White Earth Reservation. Tribal resolutions have barred Enbridge from conducting business on the northwestern Minnesota reservation without approval of the Tribal Historic Preservation Officer and Tribal officials. Now Enbridge, seeing more and more pressure to complete a highly contested pipeline, seems to be taking off the gloves and going on the offense against tribes. With rising costs in tar sands oil (\$82 a barrel, compared to \$43 in the Permian Basin) and more

pressure on the company to perform, Enbridge is hopeful that it can secure a swifter archeological assessment for a newly proposed route that has not been fully reviewed.” [Truthout, [10/22/19](#)]

- **Enbridge Conducted Para Archeology Certification Without Tribal Approval.** “To accommodate the part of the review involving environmental requirements, Enbridge needs to have field archeologists and a cultural review. Between October 7 and October 11, Enbridge attempted to complete a ‘Para Archeology Certification Training for Cultural Monitors’ in Mahanomen, which would create that field team. Most certifications would require years, but Enbridge remains hopeful that it can complete a new assessment in time for a summer push to secure final approvals, as the company projects completion of the project by the end of 2020. The Para Archeology Certification is being conducted by Enbridge and 7 Bison Cultural Consulting without tribal approval.” [Truthout, [10/22/19](#)]

Enbridge Continued Operations Through Line 5 Pipeline In Defiance Of Order From Gov Whitmer To Cease Operations. “In defiance of an order by Gov. Gretchen Whitmer to cease operations by Wednesday, Canadian oil transport giant Enbridge continued to flow 23 million gallons of crude oil and natural gas liquids through Line 5, its controversial, 68-year-old twin pipelines on the Straits of Mackinac lake bottom. [...] Among the opponents to Line 5's continued operation in the Straits are American Indian tribes in the region. On Monday, the Bay Mills Indian Community's Executive Council passed a resolution ‘banishing’ Enbridge and Line 5's dual pipeline from the tribe's reservation “and the lands and waters of their ceded territory, including the Straits of Mackinac. The tribe, based near Brimley, has more than 2,000 members, according to its website. The council noted that in the Treaty of 1836 with the U.S. government, it ‘reserved for all time the right to fish, hunt and gather in the ceded land and waters of the state of Michigan.’ ‘Enbridge's continued harm to our treaty rights, our environment, our history, our citizens and our culture is a prime example of how banishment should be used,’ said executive council president Whitney Gravelle.” [Detroit Free Press, [5/12/21](#)]

- **Opponents Of Line 5 Included The Bay Mills Indian Community, Whose Executive Council Passed Resolution Banishing Enbridge And Line 5’s Pipeline From The Reservation And Lands And Water Of Their Ceded Territory.** “In defiance of an order by Gov. Gretchen Whitmer to cease operations by Wednesday, Canadian oil transport giant Enbridge continued to flow 23 million gallons of crude oil and natural gas liquids through Line 5, its controversial, 68-year-old twin pipelines on the Straits of Mackinac lake bottom. [...] Among the opponents to Line 5's continued operation in the Straits are American Indian tribes in the region. On Monday, the Bay Mills Indian Community's Executive Council passed a resolution ‘banishing’ Enbridge and Line 5's dual pipeline from the tribe's reservation ‘and the lands and waters of their ceded territory, including the Straits of Mackinac. The tribe, based near Brimley, has more than 2,000 members, according to its website. The council noted that in the Treaty of 1836 with the U.S. government, it ‘reserved for all time the right to fish, hunt and gather in the ceded land and waters of the state of Michigan.’ ‘Enbridge's continued harm to our treaty rights, our environment, our history, our citizens and our culture is a prime example of how banishment should be used,’ said executive council president Whitney Gravelle.” [Detroit Free Press, [5/12/21](#)]

Enbridge Threatened To Continue Using Damaged Pipelines If Its Latest Permit For Line 3 Was Not Approved Despite Threats To Native American Communities And Nearby Waterways.

Enbridge Received Approval For The Line 3 Pipeline After Threatening To Use The Cracked And Corroded Pipeline For “At Least Another 11 Years” If The Update Was Rejected.

Enbridge Received Approval For Its Controversial Line 3 Pipeline In 2018. “Opponents of a new pipeline across northern Minnesota wasted little time encouraging resistance to the plan approved Thursday by state regulators. After the Minnesota Public Utilities Commission voted unanimously to allow Enbridge Energy to replace its aging Line 3 along a new corridor, they urged people to show up Friday morning near where the line will cross into Wisconsin.” [MPR News, [06/29/18](#)]

Enbridge’s Line 3 Pipeline Was Approved After Enbridge Insisted On Continuing To Use The Existing Cracked And Corroded Pipeline For Over A Decade Longer If The Plan Was Rejected. “That aging pipeline is corroding, and cracking. Commissioner Matt Schuerger said it was in “horrific condition.” But they don’t have authority to shut it down. And Enbridge had said it would continue to operate it for at least another 11 years if the state rejected its plan. So instead, commissioners approved a new, safer pipeline, but also one that will carry nearly twice as much oil along a new route across northern Minnesota.” [MPR News, [06/29/18](#)]

Commissioners Said The Line 3 Pipeline Would “Exacerbate Climate Change” And Provide Excess Oil.

Commissioners Approving The Pipeline Acknowledged That It Would Worsen Climate Change And Minnesota Did Not Need The Oil. “Lipschultz and other commissioners sympathized with the argument that approving the pipeline would exacerbate climate change. And they said Minnesota refineries didn’t need the oil.” [MPR News, [06/29/18](#)]

An Advisory Board To The Minnesota Pollution Control Agency Called The Pipeline A “War On Black And Brown People.”

Nearly All Members Of A Group That Advises The Minnesota Pollution Control Agency Resigned Over Line 3 Calling It A “War On Black And Brown People.” “Twelve of 17 members of a group that advises the Minnesota Pollution Control Agency on environmental justice issues have resigned over a permit for the controversial Enbridge Energy oil replacement project. The Environmental Justice Advisory Group delivered the letter Monday in protest of the agency’s approval last week of a key water quality permit for the Line 3 project. The group wrote they are submitting their “collective and public resignation” because they “cannot continue to legitimize and provide cover for the MPCA’s war on Black and brown people.”” [AP, [11/17/20](#)]

The Line 3 Pipeline Threatens Native American Tribes’ Waterways And Food With A Form Of Oil Even More Difficult To Clean Up Than Others In The Event Of A Spill.

Line 3 Would Cut Across Streams And Wetlands Important For Food And Treaty Rights For Native American Tribes. “The new Line 3 would replace the original one built in the 1960s and would cross 337 miles of some of Minnesota’s most pristine streams and wetlands, where Houska and other activists say any spills would cause “irreparable” harm to bodies of water where local tribes fish, harvest wild rice and hold treaty rights.” [Inside Climate News, [02/16/21](#)]

The Tar Sand Oil That Would Run Through Over 800 Wetlands, And 200 Streams And Lakes Is More Difficult To Clean Up Than Other Forms Of Oil. “LaDuke and other activists say that even the threat of a pipeline oil spill is too much of a risk to water quality. Line 3 is set to run through over 800 wetlands and

200 streams and lakes, which concerns activists because this pipeline will transfer tar sands oil, an oil that is more difficult to clean up than others.” [MN Daily, [03/18/21](#)]

Officials Arrested 179 Protesters Fighting Enbridge Pipeline Replacement In A Single Day.

June 7, 2021: 179 Protesters Targeting Enbridge Line 3 Pipeline Were Arrested. “The Hubbard County Sheriff's Office says nearly 180 protesters were arrested on Monday, noting that they caused an ‘extensive amount of damage’ to Enbridge Line 3 Pipeline equipment. Officers from 31 different law enforcement agencies assisted in the removal and arrest of the protesters. In total, 179 protesters were arrested and charged with trespassing, and 68 additional people were cited with public nuisance and unlawful assembly. [...] Protesters have been fighting the Canadian-based company's push to replace an aging pipeline across the northern part of the state this summer as the Minnesota segment of the pipeline is about 60% complete as of Monday.” [KSTP, [6/7/21](#)]

- **The Protesters Had Been Fighting Enbridge’s Push To Replace A Pipeline Across Minnesota.** “The Hubbard County Sheriff's Office says nearly 180 protesters were arrested on Monday, noting that they caused an ‘extensive amount of damage’ to Enbridge Line 3 Pipeline equipment. Officers from 31 different law enforcement agencies assisted in the removal and arrest of the protesters. In total, 179 protesters were arrested and charged with trespassing, and 68 additional people were cited with public nuisance and unlawful assembly. [...] Protesters have been fighting the Canadian-based company's push to replace an aging pipeline across the northern part of the state this summer as the Minnesota segment of the pipeline is about 60% complete as of Monday.” [KSTP, [6/7/21](#)]

Enbridge Began Running Oil Through Line 3 In October 2021 Despite An Ongoing Lawsuit From The White Earth Band Of Ojibwe Attempting To Protect The Land.

Oil Began Flowing Through Line 3 In October 2021. “Oil started flowing through the newly built Line 3 pipeline in northern Minnesota on Friday, bringing closure to one chapter of the large and bitterly disputed construction project.” [Star Tribune, [10/04/21](#)]

The White Earth Band Of Ojibwe Is Pursuing A “Rights Of Nature” Claim Against Line 3, Arguing It Violates The Rights Of Manoomin To Exist, Flourish, And Restore Itself. “In a first-of-its-kind lawsuit from a tribal nation in the United States, the White Earth Band of Ojibwe is pursuing a “rights of nature” claim in tribal court to oppose a state approval of Enbridge Inc.'s Line 3 pipeline replacement. [...] The rights of manoomin hold that the grain has the right to exist and flourish within its habitat, and the crop has a right to be restored after destruction. White Earth says that because of Enbridge's “construction dewatering,” the rice has been growing out of mud, making it inaccessible to be gathered from a canoe during the harvest season in August and September.” [E&E News, [11/18/21](#)]

Enbridge Is Involved In The Dakota Access Pipeline That Threatened The Standing Rock Sioux’s Water Supply After Being Rerouted From A 90%-White City

Enbridge Is Involved In The Contentious Dakota Access Pipeline. “Enbridge’s extensive infrastructure in the Bakken region makes it ideally situated to accommodate both current and planned growth. [...] The Bakken Pipeline System consists of both the Dakota Access Pipeline, which delivers Bakken production to the Patoka, Illinois hub, and the Energy Transfer Crude Oil Pipeline, which provides access to the USGC market.” [Enbridge, Bakken Infrastructure, accessed [04/01/21](#)]

The Dakota Access Pipeline Runs Near The Standing Rock Sioux's Reservation, Threatening A Sacred Burial Ground And The Tribe's Sole Water Supply If A Spill Occurs.

The Dakota Access Pipeline Would Run Through The Standing Rock Sioux Tribe's Only Water Source, Raising Concerns For The Reservation If A Spill Occurred. "Part of the pipeline would cross Sioux lands and run under the Missouri River, the tribe's sole water source, drawing concerns from environmentalists and tribe leaders that a potential oil spill could devastate the reservation." [ABC News, [09/13/16](#)]

The Pipeline Runs Through Sacred Burial Ground For The Standing Rock Sioux. "The Standing Rock Sioux also argue that the pipeline traverses a sacred burial ground." [Time, [10/28/16](#)]

The Dakota Access Pipeline Was Originally Routed Through 90%-White Bismarck, North Dakota Before Moving Locations To One Near The Standing Rock Sioux Tribe's Reservation.

The Dakota Access Pipeline Was Originally Proposed To Go Through Bismarck, North Dakota Before Being Rerouted To The Standing Rock Sioux's Reservation. "A previously proposed route for the 1,172-mile pipeline had it crossing the Missouri River north of Bismarck, North Dakota, according to a document filed as part of the permitting process. The eventual route that was decided on, and is currently in construction, moved the water crossing of the crude oil pipeline south of the North Dakota capital, to just upstream of the Standing Rock Sioux tribe's reservation." [ABC News, [11/03/16](#)]

- **Bismarck, North Dakota, Is 90% White.** [US Census Bureau, Bismarck City, North Dakota, accessed [04/28/21](#)]

The Pipeline And Hazardous Materials Safety Administration Has Reported Over 3,300 Incidents Of Leaks And Ruptures In Oil And Gas Pipelines Since 2010. "The Pipeline and Hazardous Materials Safety Administration (PHMSA) has reported more than 3,300 incidents of leaks and ruptures at oil and gas pipelines since 2010. And even the smallest spill could damage the tribe's water supply." [Time, [10/28/16](#)]

Occidental Petroleum

SUMMARY: In 2007, Occidental Petroleum was sued by 25 indigenous Achuar plaintiffs from the Peruvian Amazon for allegedly contaminating the rivers and lands of the indigenous Achuar communities, causing death, poisoning and destruction of their way of life. In 2015, Occidental settled and agreed to provide assistance to enable five Achuar communities to carry out community development projects.

In the 1990s, Occidental of Colombia was granted oil exploration rights on traditional U'wa land. After a series of protests by the U'wa, Occidental eventually abandoned plans to drill in the region.

Occidental Had History Of Environmental Injustice With Regards To Indigenous Populations

Occidental Petroleum Has A History Of Environmental Injustices Towards Indigenous Peoples, Including Trying To Extract ON Traditional Land And Causing “Egregious Harm”

25 Indigenous Achuar People Sued Occidental For Causing “Egregious Harm” Over 30 Years.

Occidental Was Sued By Twenty-Five Indigenous Achuar Plaintiffs From The Peruvian Amazon Alleging Egregious Harm Caused By Occidental Over 30 Years Where Occidental Contaminated Rivers And Lands Of The Indigenous Communities, Causing Death, Poisoning And Destruction Of Their Way Of Life. “In 2007, EarthRights International brought suit on behalf of twenty-five indigenous Achuar plaintiffs from the Peruvian Amazon against Los Angeles-based Occidental Petroleum Corp. (Oxy), alleging egregious harm caused by Oxy over a thirty-year period in the Corrientes River basin during which Oxy contaminated the rivers and lands of the indigenous Achuar communities, causing death, widespread poisoning and destruction of their way of life. For several years, Oxy argued that the case should be litigated in Peru, rather than in California, under the doctrine of forum non conveniens. The Ninth Circuit Court of Appeals rejected Oxy’s arguments and ruled that the case should continue in the Achuar Plaintiffs’ chosen forum: Oxy’s home state of California. In 2015, ERI announced that the parties were pleased to confirm a mutual settlement of the claims in the litigation. Under the settlement, the terms of which are confidential, Oxy provides assistance to enable these five Achuar communities to carry out community development projects for their benefit. All parties are satisfied with the resolution of this dispute.” [EarthRights International, Accessed [6/17/21](#)]

- **2015: The Case Was Settled With Occidental Providing Assistance To Enable Five Achuar Communities Carry Out Community Development Projects.** “2015 ERI announced that the parties were pleased to confirm a mutual settlement of the claims in the litigation. Under the settlement, the terms of which are confidential, Oxy provides assistance to enable these five Achuar communities to carry out community development projects for their benefit. All parties are satisfied with the resolution of this dispute.” [EarthRights International, Accessed [6/17/21](#)]

U'wa People Were So Opposed To Occidental's Attempted Extraction On Their Traditional Land They Took Legal Action And Threatened Protest By Suicide.

Occidental Was Granted A License For Oil Exploration On Traditional Land For The U'wa People, Who Took Legal Action To Fight Back And Threatened Protest By Suicide. "The U'wa people have practiced their traditional culture in the Northeast forests of the Colombian Andes since time immemorial. At the end of the 20th century, there were up to 5,000 people in U'wa communities. In the early 1990's Occidental Petroleum (Oxy), a United States based corporation started negotiations with the Colombian government for oil exploration rights on U'wa traditional lands. Colombia had recently reformed its Constitution to guarantee indigenous administration of indigenous territories and land ownership. However, by 1995, the government (largely the Ministry of Mines and Energy and the Ministry of the Environment) granted Occidental of Colombia, a subsidiary of Oxy, a license for oil exploration on the Samore block, a significant traditional land for the U'wa. For the U'wa, the land is sacred, and oil is the blood of Mother Earth. The planned oil development was an affront to their culture and indigenous sovereignty. The U'wa first sought legal council; government agencies were supposed to have U'wa consent before issuing such licenses. In October 1995, a tribunal ruled in favor of the U'wa, but the Supreme Court overturned the decision. Legal decisions would henceforth be riddled with contradiction: while there were legal avenues that should have protected the U'wa, reports claim that the proposed oil development would earn the Colombian government up to \$14 billion in revenues. In response, the Werhayas, or spiritual leaders of the U'wa, along with other U'wa, threatened to commit suicide in protest. The threat echoed the history of the U'wa; it is told that a community of U'wa peoples jumped to their death from a local cliff in resistance to Spanish colonization in the 17th century. The modern U'wa threatened to walk en masse off the same cliff." [Global Nonviolent Action Database, [14/5/11](#)]

- **2001: Occidental Announced It Would Abandon Plans To Drill In The Region (Samore Block And Gibraltar I Site) After Successful Protests By The U'wa People.** "In June 1997, amid growing international pressure, the Colombian government requested an intervention of the Organization of American States (OAS) to study the conflict and make recommendations. The findings were published several months later. The report urged for the oil company to immediately suspend oil exploration activities in the Samore block in order to establish more legitimate consultation processes with the U'wa. The report was viewed as a setback for Oxy. However, it became known that Oxy was looking into alternative oil sites, namely, the Gibraltar I site, which was virtually on U'wa land. In October 1997, U'wa leader Robert Cobaria and founder of the U'wa Defense Project Terence Freitas joined others in a protest demonstration in Los Angeles. Later that month, at a press conference, Robert Cobaria recounted an incident where he was abducted and beaten, his abductors threatening his life, if he didn't sign an 'authorization agreement' regarding oil development. In January 1998, RAN released an 'action alert' on the Internet targeting Shell for its financial participation in oil development on U'wa land. After receiving thousands of letters, and hoping to avoid bad publicity, Shell withdrew from the Samore project in February. One year later, three US environmentalist coalition members were killed by FARC, the largest guerrilla group in Colombia, while organizing with U'wa. In August 1999, Colombia granted U'wa a title for a unified reservation, something the U'wa had advocated for independently of the Oxy ordeal. The title conspicuously excluded the latest area where drilling was proposed. In mid-November 1999, over 200 U'wa and farmers from Sarare occupied the Gibraltar I drill site. Soon after, Colombian police attacked protesters with tear gas and pushed some U'wa into a nearby river. Three children died in the assault. Many adults were injured and some went missing. In January 2000, all occupiers were removed by thousands of Colombian troops. Soon after being evicted from the Gibraltar I site, U'wa called three peasant strikes, which brought the local economy to a halt and stalled communication and transportation. In May 2000, a U'wa petition challenging Oxy's oil license was rejected. A renewed direct action campaign began, with actions conducted by community members (details unknown). Peasants from Arauca blocked roads and U'wa set up road blockades to prevent trucks from reaching the Oxy drill site. At the May

2001 shareholders meeting, Oxy announced that it would abandon all plans to drill in the region. They claimed the reason was because they had not found sufficient oil. However, the fact that subsequent test wells were not drilled (standard industry practice) indicates other factors might have been at play.” [Global Nonviolent Action Database, [14/5/11](#)]

TC Energy

SUMMARY: TC Energy has repeatedly pursued pipeline projects that threaten Native American and Indigenous communities while aggressively seeking to crack down on those same communities' abilities to protest.

During the same period, TC Energy pursued the Keystone XL pipeline, Coastal GasLink pipeline, and two pipelines in Mexico that posed a serious threat to the health and safety of Native American and Indigenous peoples while violating Indigenous communities' rights over their own land and cultural sites. In all cases, TC Energy failed to properly consult with or consider the threat they posed to Native American and Indigenous communities.

TC Energy Attempted To Install The Keystone XL Pipeline Through 67 Native American Communities And Cultural Sites Despite The Threat It Posed To Community Members' Health, Safety, And Resources While Attempting To Stomp Out Protests

TC Energy Continued To Pushed For Its Keystone XL Pipeline That Would Threaten 67 Native American Tribes Even After The Pipeline Spilled Hundreds Of Thousands Of Gallons Of Oil.

TC Energy Owns The Keystone Pipeline System. "The Keystone Pipeline System, stretching 4,324 km (2,687 miles) in length, plays a key role in delivering Canadian and U.S. crude oil supplies to markets around North America." [TC Energy, Operations, accessed [04/05/21](#)]

TC Energy's Keystone XL Pipeline Runs Along 67 Native American Communities, With Much Of It Cutting Through Culturally Significant Land.

The Keystone XL Route Runs Along 67 Native American Communities With Much Of It On Culturally Significant Land. "The assessment said the State Department reached out to all 67 tribes along the proposed route to include their perspectives. [...] Much of the land along the Keystone XL proposed route through holds cultural significance to tribal members, but there's no way for them to measure that in a way the federal government will recognize." [Gizmodo, [08/01/18](#)]

The Keystone Pipeline Spilled Over 790,000 Gallons Of Oil In 2017 And 2019.

The Keystone Pipeline Spilled Over 383,000 Of Gallons Of Oil In October 2019, Polluting Nearly Five Acres Of Wetlands. "An update on the clean-up efforts going on in Walsh County, after the Keystone pipeline spilled hundreds of thousands of gallons of oil near Edinburg in late October. [...] More than 383,000 gallons spilled from the pipeline impacting a wetland area a little less than five acres in size." [KXNET, [12/17/19](#)]

In 2017, The Keystone Pipeline Spilled 407,000 Gallons Of Oil On Farmlands In South Dakota. "A crude oil spill from the Keystone Pipeline in South Dakota last November has turned out to be nearly twice as big as first reported. Around 407,000 gallons spilled onto farmland when the pipeline broke near Amherst in Marshall County on Nov. 16, a spokeswoman for pipeline owner TransCanada Corp., told the Aberdeen

American News. TransCanada had originally put the spill at 210,000 gallons.” [Argus Leader, [04/07/18](#)]

The Pipeline And Its Construction Posed An Increased Threat Of Violence, Illness, And Destruction Of The Cultural Sites And The Environment.

A Judge Paused Keystone XL In 2018, Echoing With Native American Groups In The Suit That Adverse Impacts To Cultural Resources And The Environment Were Not Properly Considered.

Native American Groups Sued To Halt The Keystone XL Pipeline, Stating Alternatives And Adverse Impacts Were Not Properly Considered. “The suit filed by the Native American groups also challenges the State Department’s environmental impact statement. They argue it fails to adequately justify the project and analyze reasonable alternatives, adverse impacts and mitigation measures.” [Inside Climate News, [03/30/17](#)]

- **A Judge Stopped The Pipeline In 2018, Arguing The State Department’s Analysis Of Keystone’s Environmental Effects Did Not Adequately Consider The Cumulative Effects Of Greenhouse Gas Emissions, Oil Spills, And Threats To Cultural Resources.** “In Thursday’s ruling, Morris wrote that the State Department’s analysis of potential environmental effects fell short of a “hard look” on the effects of current oil prices on the viability of Keystone, cumulative effects of greenhouse gas emissions, cultural resources and potential oil spills.” [NPR, [11/09/18](#)]

Native American Tribes Attempted To Stop The Pipeline Again In 2020 Over The Increased Threat Of COVID-19 From Transient Pipeline Workers.

Native American Tribes Again Sought To Stop The Pipeline In 2020 Due To Concerns Over Construction Works Bringing Coronavirus Into Their Already-Vulnerable Communities. “Native American tribes and environmental groups pressured a federal judge on Thursday to shut down work on the disputed Keystone XL pipeline from Canada to Nebraska, citing fears that workers could spread the coronavirus and construction could damage land.” [AP, [04/16/20](#)]

Native American Women And Girls Have Experienced Increased Violence Coinciding With Increases Of Oil And Gas Workers In The Region.

Native American Communities Have Experienced Increase Rates Of Human Trafficking, Missing, And Murdered Indigenous Women Since The Bakken Oil Boom, Commonly Attributed To The Increase Of Oil And Gas Workers In The Region. “In 2000, Native women experienced sexual assault at a rate seven times higher than white women and there is no indication that this disparity has narrowed in the past nineteen years.[1] Since the Bakken oil boom, Native American communities have reported increased rates of human trafficking, specifically sex trafficking, and missing and murdered indigenous women in their communities. Native communities, service providers, media and policy-makers alike have attributed this increase to the large increase of well-paid oil and gas workers who flocked to the region, setting up man camps in largely rural areas with little infrastructure to support such a population boom, however temporary.” [University Of Colorado Boulder, [03/14/19](#)]

TC Energy Only Canceled The Keystone XL Pipeline After President Biden Revoked A Necessary Permit For The Project.

The Keystone XL Pipeline Was Only Canceled After President Biden Revoked Its Necessary Cross-County Permit. “Canada’s TC Energy Corp. TRP +0.11% and the Albertan provincial government said Wednesday they would scuttle the Keystone XL oil pipeline project, bringing to an end a yearslong controversy over an effort to pipe more Canadian crude to the U.S. The decision had been expected after President Biden used his first day in office to revoke a key permit for the pipeline to cross the country’s northern border, shutting down construction. [...] It alluded to Mr. Biden’s decision and said it had completed a comprehensive review of its options before making the final decision to terminate the project.” [*Wall Street Journal*, [06/09/21](#)]

TC Energy Helped Author Anti-Protest Laws In South Dakota To Punish And Silence Pipeline Opponents.

TC Energy Helped Draft Anti-Protest Laws In South Dakota. “South Dakota’s pair of anti-protest laws strays from ALEC’s model legislation. They are meant to represent “the next generation model of funding pipeline construction,” according to the testimony of a lobbyist from Gov. Kristi Noem’s office. [...] The law was passed in anticipation of massive protests against the Keystone XL tar sands oil pipeline, which tribes and environmental organizations are in the midst of fighting in court. Noem’s office drafted it in consultation with KXL parent company TransCanada (recently re-named TC Energy), in an effort to manage the burden of expected protest costs.” [*The Intercept*, [05/23/19](#)]

- **The Anti-Protest Laws Created New Civil Penalties Against Protestors And Boosted Law Enforcement Funds To Quash Protests.** “One of the two laws creates new civil penalties for “riot boosting,” which apply to anyone who “directs, advises, encourages, or solicits other persons participating in the riot.” The second law creates a new fund for law enforcement and emergency managers to pay the costs of policing pipeline protests. The riot-boosting penalties go into the fund, along with up to \$20 million in additional cash from the pipeline owner.” [*The Intercept*, [05/23/19](#)]

TC Energy Continues To Pursue The Coast GasLink Pipeline Despite Threats To Indigenous Communities And Lack Of Consent To Encroach On Indigenous Land.

TC Energy Is Building The Coastal GasLink Pipeline Through Wet’suwet’en Land In Canada Despite Longstanding Opposition From The Wet’suwet’en Nation Over Threats To Ecosystems, Culturally Significant Sites, Safety, And Land Rights.

TC Energy Is Responsible For The Coastal GasLink, A Pipeline Cutting Through Wet’suwet’en Land In Canada. “The “why” question boils down to a pipeline company’s request to a judge. Coastal GasLink—a subsidiary of TC Energy or TransCanada, which also owns the Keystone pipeline and other big oil infrastructure—has a plan to build a natural gas pipeline from northeastern B.C. to the coast, which crosses through Wet’suwet’en land.” [*Vice*, [02/21/20](#)]

Wet’suwet’en Nation Leaders Have Opposed To Coastal GasLink Over Threats To Culturally Significant Sites And Ecosystems.

Leaders In The Wet’suwet’en Nation Have Opposed The Coastal GasLink Since 2012, Arguing It Threatens “Vital Ecosystems And Culturally Significant Sites.” “The Wet’suwet’en Nation is a 22,000-

square-kilometre stretch of land that has been inhabited by the Wet'suwet'en people for thousands of years. [...] Since 2012 most of these leaders have opposed Coastal GasLink and other pipelines through their territory, on the grounds that these projects will disturb vital ecosystems and culturally significant sites." [Vice, [02/21/20](#)]

TC Energy's Coastal GasLink Cuts Through Wet'suwet'en Land That Was Not Ceded To The Canadian Government And Therefore Still Under Wet'suwet'en Control.

The Wet'suwet'en Hereditary Chief Has Asserted Authority Over The Land The Coastal GasLink Would Pass Through That Has Not Been Ceded To The Canadian Government. "The \$6-billion, 670-kilometre Coastal GasLink pipeline has received approval from the province, and 20 First Nations band councils have signed agreements in support of the project, including five of the six band councils in the Wet'suwet'en nation. However, the Wet'suwet'en hereditary chiefs say those band councils are only responsible for the territory within their individual reserves because their authority comes only from the Indian Act. The hereditary chiefs — who are the leaders of the nation's governance system in place before the imposition of the Indian Act — assert authority over 22,000 square kilometres of the nation's traditional territory, an area recognized as unceded by the Supreme Court of Canada in a 1997 decision." [CBC News, [02/05/20](#)]

The Coastal GasLink Project Continued During COVID-19, Posing Increased Health Threats To Indigenous Communities As Transient Workers Brought In The Virus.

The Coastal GasLink Project Brought In Transient Workers During The COVID-19 Pandemic, Placing Nearby Indigenous People At A Higher Risk Of Catching COVID-19. "Such critics point out that industrial projects bring hundreds — even thousands — of transient workers from across Canada into remote communities, where they typically live in shared accommodations. Meanwhile, Indigenous workers on such projects often go home to their families. [...] And, as predicted, there have been several outbreaks at industrial work sites across Canada, including at two Coastal GasLink camps. Some have spread to the Indigenous communities nearby" [The Narwhal, [03/19/21](#)]

- **The Increased Exposure To COVID-19 Is Exacerbated By Long Standing Health Inequalities And Increased Pollution Exposure For Indigenous People.** "This has all put Indigenous people at higher risk of catching COVID-19 when they're already more vulnerable to the disease due to long-standing health inequities, including disproportionate exposure to polluting industries and lack of access to health care.." [The Narwhal, [03/19/21](#)]

The UN Committee On The Elimination Of Racial Discrimination Called For Work On The Pipeline To Stop Until Indigenous Peoples Provided "Free, Prior And Informed Consent."

The UN Committee On The Elimination Of Racial Discrimination Called On Canada To Stop Work On The Coast GasLink Pipeline Until It Receives "Free, Prior And Informed Consent From Indigenous Peoples." "It's also a violation of international human rights law, according to watchdogs. In December 2019, the United Nations Committee on the Elimination of Racial Discrimination called on Canada to halt work on the Coastal GasLink pipeline — as well as two other industrial projects in B.C. — until it receives free, prior, and informed consent from Indigenous Peoples. It also urged the country to stop removing Wet'suwet'en people from their lands and start removing police and security forces." [The Narwhal, [03/19/21](#)]

TC Energy Fought To Bar Anti-Pipeline Protests In 2019, Leading To Police Raids On Protesters In Early 2020.

TC Energy Filed An Injunction In December 2019 To Attempt To Stop Anti-Pipeline Protests. “It filed an injunction to prevent anti-pipeline roadblocks, and a B.C. Supreme Court judge granted it in December.” [Vice, [02/21/20](#)]

The Royal Canadian Mounted Police Conducted Multiple Raids Of Wet’suwet’en Protests. “While the pipeline has the backing of 20 elected First Nations councils, including Wet’suwet’en municipal leadership, the Wet’suwet’en hereditary chiefs—the stewards of the land who say they have final title rights—have not given their consent to the project. In January, the Royal Canadian Mounted Police (RCMP) conducted a raid to break up the encampments the Wet’suwet’en had set up to block pipeline workers from the land. And earlier this month, law enforcement conducted more raids, making 28 arrests over a five day period.” [The New Republic, [02/17/20](#)]

TC Energy Has Received Similar Criticisms From Indigenous Peoples In Mexico, Failing To Properly Consult Or Consider Indigenous Populations In Its Rushed Pursuit Of Permits.

TC Energy Has Pursued Two Projects In Mexico That Indigenous Peoples Have Opposed Over Rushed Approvals, Lack Of Consultation, And TC Energy’s Lack Of Awareness Of Indigenous Cultures, Sacred Sites, And People’s Safety.

TC Energy Has Faced Similar Critiques Over Two Projects In Mexico. “A look at the conflict in Mexico reveals a case strikingly similar to the one in Canada, but with two critical distinctions: it is the Mexican government itself that has been critical of TC Energy’s insensitivity to Indigenous concerns; and it is the Mexican government that’s put the brakes on one of TC Energy’s Mexican projects.” [Canada’s National Observer, [03/09/20](#)]

Indigenous People Including, The Nahua, Totonaca, Otomí, And Tepehua, Have Opposed TC Energy’s Projects, Citing Rushed Approvals And A Lack Of Consultations. “The Nahua, Totonaca, Otomí and Tepehua, among other indigenous people, have stood together to voice concern over these two projects. They claim the approval process was hurried, and without sufficient consultation as a result of TC Energy’s eagerness to profit from Mexico’s growing natural gas market” [Canada’s National Observer, [03/09/20](#)]

Critics Of TC Energy’s Actions Noted A Lack Of Awareness Of Indigenous Cultures, Sacred Sites, Disruption To Local Populations, And Threats To The Safety Of Indigenous Women. “Criticism included TC Energy’s lack of awareness of Indigenous culture — specifically in the context of sacred sites and traditional plants and medicines — poor identification of relevant stakeholders, and inadequate communication with government agencies. There was concern for the security of Indigenous women and girls due to the influx of male labourers unknown to the communities. Physical disruption to the local populations was also a worry, given that many people lived in proximity to the pipeline.” [Canada’s National Observer, [03/09/20](#)]

ConocoPhillips

SUMMARY: ConocoPhillips has refineries in Wilmington and Richmond, California - towns that are majority people of color – and projects in the Alaska Native village of Nuiqsut that threaten residents' health. On top of these damaging projects, ConocoPhillips is pursuing the Willow project in the National Petroleum Reserve-Alaska, which further threatens the food and health of Nuiqsut villagers and worsens climate change.

In Addition To ConocoPhillips's Preexisting Oil Extraction In Alaska, Its Willow Project Further Threatens The Food And Health Of Alaska Native In The Nearby Village Of Nuiqsut.

ConocoPhillips Is Pursuing The Willow Oil Project In The National Petroleum Reserve-Alaska That Alaska Native Groups Have Sued To Stop In Addition To Their Preexisting Extractive Activities In The Area.

ConocoPhillips's Willow Project Would Drill Into The National Petroleum Reserve-Alaska. "The Willow project would expand ConocoPhillips' drilling plans on Alaska's North Slope. Willow would move drilling deeper into the National Petroleum Reserve-Alaska in the direction of currently protected habitat." [E&E News, [05/07/20](#)]

- **Alaska Native Groups And Environmental Groups Sued To Stop The Willow Project For Failing To Abide By Environmental Laws.** "Sovereign Iñupiat for a Living Arctic, the Center for Biological Diversity, Friends of the Earth and other groups sued last fall to stop the project, not just in winter, but altogether. They argue that federal agencies under the former Trump administration did not follow environmental laws before approving the project." [Anchorage Daily News, [02/14/21](#)]

ConocoPhillips Already Pumps Tens Of Thousands Of Barrels Of Oil Next To Homes, Schools, And Businesses Of The Alaska Native Village Of Nuiqsut

ConocoPhillips Pumps Over 50,000 Barrels Of Oil Daily Only Eight Miles From Nuiqsut Homes, Schools, And Businesses Without The Willow Project. "Nuiqsut is the only town planted in the midst of Alaska's most prolific oil region on the state's North Slope, which today is poised for another drilling boom. Just eight miles from the grid of single family homes, government offices, a grocery store, and schools, more than 50,000 barrels of oil—or roughly a tenth of the state's oil production—is pumped each day from oil fields owned by ConocoPhillips." [Inside Climate News, [08/02/18](#)]

Despite A Court Overturning Approval Of The Willow Project, ConocoPhillips Plans To Continue Its Development Efforts.

ConocoPhillips Plans To Continue Developing Its Willow Project Despite A Court Ruling Overturning Its Approval. "American oil major ConocoPhillips has announced it will be continuing with its Willow development project, despite a recent court ruling that overturned approval for the project originally granted under the Trump administration." [Offshore Technology, [11/18/21](#)]

ConocoPhillips's Willow Project Would Worsen Climate Change, Threaten Food Sources And The Health Of Nuiqsut Villagers.

The Willow Project Would Worsen Climate Change, Threaten Wildlife, And Hinder Subsistence Hunters From The Alaska Native Village of Nuiqsut. "Project opponents have argued that development will threaten imperiled polar bears, caribou and other wildlife, hinder subsistence hunters from the nearby village of Nuiqsut and lead to the production of more climate-warming greenhouse gases. Siquñiq Maupin, director of Sovereign Iñupiat for a Living Arctic, said in a statement on Wednesday that the Biden administration is failing to stop a project that will harm people on the North Slope." [*Anchorage Daily News*,]

Alaska Natives Are At Higher Risk Of Death From Air Pollution Such As The Black Carbon That's Created By Fossil Fuel Extraction.

Alaska Natives Experience Higher Risk Of Harm, Including Death, From Air Pollution. "Studies show that Hispanics, Asians, American Indians/Alaska Natives and especially African Americans experience higher risks of harm (including premature death) from air pollution. Approximately 74 million people of color, or 57%, live in counties with at least one failing grade for ozone and/or particle pollution, compared with 38% of whites." [*The Guardian*, [06/28/20](#)]

Black Carbon From Fossil Fuel Pollution Exacerbates Global Warming That Threatens The Arctic And Is A Main Ingredient In Fine Particulate Matter That Cause Poor Health And Premature Death. "Emissions of black carbon, a short-lived climate pollutant from fossil fuel production, accelerate the crisis, not just by exacerbating warming worldwide, but also by darkening the surface of Arctic sea ice, causing it to melt faster. Black carbon brings health consequences of its own. It's a main ingredient in fine particulate matter, among the leading environmental causes of poor health and premature death." [*Inside Climate News*, [08/02/18](#)]

ConocoPhillips Operates Refineries In Towns That Are Majority People Of Color Who Then Suffer Disproportionate Health Problems, Including Cancer.

82% Of Richmond, CA's Residence Are People Of Color That Are Subject To Disproportionately High Rates Of Asthma, Cardiovascular Disease, And Cancer, Thanks In Part To A Nearby ConocoPhillips Refinery.

ConocoPhillips Operates A Refinery Near Richmond, CA. "More than 80 percent of the county's releases come from its four oil refineries within 20 miles of Richmond -- Chevron; Tesoro Refining and Marketing Co. and Shell Oil Products in Martinez, and ConocoPhillips Refinery in Rodeo. [...] All five refineries near Richmond, including ConocoPhillips and BP Richmond, reported discharging a total of 14 tons of benzene in 2010." [*Scientific American*, [06/04/12](#)]

Over 15% Of Richmond, CA's Residents Live In Poverty, And 82% Are People Of Color. "Despite its proximity to San Francisco and Silicon Valley's wealth, Richmond's median household income is below the California state average, with more than 15% of residents living in poverty. More than 80% of residents are people of colour." [*The Guardian*, [10/09/19](#)]

Richmond, CA Children Have Twice The Rate Of Asthma Than The Rest Of The Country, And The

Population Overall Has Disproportionately High Rates Of Cardiovascular Disease And Cancer. “And Richmond children have roughly twice the rate of asthma as their neighbours countywide. [...] The population in closest proximity to the refinery has disproportionately high rates of cardiovascular disease and cancer. Data from the California Environmental Protection Agency places every community bordering the Chevron facility in the 99th centile for asthma.” [*The Guardian*, [10/09/19](#)]

ConocoPhillips Operates A Refinery In Wilmington, California, A Town That’s 97% People Of Color And Whose Residents Suffer From Lung And Throat Cancer At Three Times The Rate Of Surrounding Areas.

ConocoPhillips Operates A Refinery In Wilmington, California. “These refineries — owned by BP, ConocoPhillips, Tesoro and Valero — have helped turn my home into “Cancer Alley.”” [*High Country News*, [09/11/20](#)]

Wilmington, California, Is 97% People Of Color. “Wilmington doesn’t have a single five-star resort, but my city, with a population that is 97% people of color, has five local refineries, the largest concentration in all of California.” [*High Country News*, [09/11/20](#)]

Wilmington Residents Die Of Lung And Throat Cancer At Three Times Higher Of A Rate Than Surrounding Areas. “Young children and adults here die of lung and throat cancer at a rate up to three times higher than the surrounding areas, according to a report by Communities for a Better Environment.”” [*High Country News*, [09/11/20](#)]

BP

SUMMARY: BP’s CEO Bernard Looney condemned racial injustice in all its forms and claimed that BP backed several efforts aimed at trying to get to the root of deep inequities that exist in our society. He noted that BP was a major contributor to the building of the MLK Jr Memorial in Washington DC.

In contrast, BP has a history of environmental injustice and racism, including providing fuel for the South African military and police amid apartheid and its handling of the Deepwater Horizons disaster. In addition, the disaster itself significantly impacted black communities in the Gulf and the BP Waste Management Plan, which was described as turning low-income and people of color communities in the Gulf into “dumping grounds” for BP oil waste.

BP was also accused of being part of a network that generally kept African American entrepreneurs out of its distribution networks. Black employees were underrepresented and undercompensated for their work in the fossil fuel industry, comprising just 7% of the fossil fuel workforce and earning 23% less than white workers in comparable roles on average.

In a study ranking arctic extractive companies on Indigenous Rights, BP ranked 15 out of 18 possible ranks.

Additionally, BP was accused of contributing to state racism in Mauritania after overlooking black students for study abroad scholarships.

BP CEO Condemned Racial Injustice In All Forms Despite BP’s Own Racist History

BP CEO Condemned Racial Injustice And Claimed BP Backed Efforts Aimed At Trying To Get To The Root Of Deep Societal Inequities

BP CEO Bernard Looney Condemned Racial Injustice In All Forms. “Bernard Looney, named CEO of the multinational fossil fuel conglomerate BP last fall, has one or two things he’d like you to know. ‘I hope it goes without saying, I absolutely condemn racial injustice in all forms,’ Looney wrote in an email sent out to the company’s global team and then, on June 1, posted—like all heartfelt messages of solidarity—to LinkedIn. ‘Many of you are probably not aware,’ he continued, that BP was a ‘major contributor’ to the building of the Martin Luther King Jr. memorial in Washington, D.C. BP, he says, backs a number of efforts ‘aimed at trying to get to the root of deep inequities that exist in our society. If we could address some of the basics—like access to education—we might find ways to help heal some of these deep divisions once and for all. I want bp to be right there in the mix—trying to help where we can. It is who we are, and part of our history.’” [New Republic, [6/6/20](#)]

Looney Claimed BP Was A “Major Contributor” to The Building Of The Martin Luther King Jr Memorial In Washington DC. “Bernard Looney, named CEO of the multinational fossil fuel conglomerate BP last fall, has one or two things he’d like you to know. ‘I hope it goes without saying, I absolutely condemn racial injustice in all forms,’ Looney wrote in an email sent out to the company’s global team and then, on June 1, posted—like all heartfelt messages of solidarity—to LinkedIn. ‘Many of you are probably not aware,’ he

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Looney Claimed BP Backed Several Efforts Aimed At Trying To Get To The Root Of Deep Inequities That Exist In Our Society. “Bernard Looney, named CEO of the multinational fossil fuel conglomerate BP last fall, has one or two things he’d like you to know. ‘I hope it goes without saying, I absolutely condemn racial injustice in all forms,’ Looney wrote in an email sent out to the company’s global team and then, on June 1, posted—like all heartfelt messages of solidarity—to LinkedIn. ‘Many of you are probably not aware,’ he continued, that BP was a ‘major contributor’ to the building of the Martin Luther King Jr. memorial in Washington, D.C. BP, he says, backs a number of efforts ‘aimed at trying to get to the root of deep inequities that exist in our society. If we could address some of the basics—like access to education—we might find ways to help heal some of these deep divisions once and for all. I want bp to be right there in the mix—trying to help where we can. It is who we are, and part of our history.’” [New Republic, [6/6/20](#)]

BP Was Part Of Industry Which Had Underrepresentation Of Black Employees

BP Was Part Of A Network That Generally Kept African- American Entrepreneurs Out of Its Distribution Networks. “BP is part of a tight-knit network that has generally kept African-American entrepreneurs out of its distribution networks.” [South Florida Times -- Opinion, [6/18/10](#)]

Black Employees Were Underrepresented in the Fossil Fuel Industry, Comprising 7% Of Fossil Fuel Workforce And Earning 23% Less Than White Workers In Comparable Roles On Average. “Black employees are underrepresented in the industry—in 2019, they represented 7 percent of fossil fuel workers, compared to 12 percent of the national workforce—and those it does employ earn, on average, 23 percent less than white workers in comparable roles.” [Mother Jones, [6/18/20](#)]

BP “Literally Helped Fuel Apartheid”

New Republic: “BP Quite Literally Helped Fuel Apartheid By Selling Diesel Fuel, Gasoline, Aviation Gasoline, Bunker Fuel, And Lubricants To South Africa’s Military And Police Force.” “BP’s racist legacy reaches well beyond Iran. In calling out racism among BP managers in 1988, U.S. refinery workers with the Oil, Chemical, and Atomic Workers International Union penned a report connecting the company managers’ racism stateside with its support for South Africa’s apartheid regime abroad, where it was “one of the largest industrial concerns” in that country. As a major oil importer, BP quite literally helped fuel apartheid by selling diesel fuel, gasoline, aviation gasoline, bunker fuel, and lubricants to South Africa’s military and police force.” [New Republic, [6/6/20](#)]

BP Executive Was Allegedly Fired After Overtly Racial Complaints

BP Allegedly Fired A Top Executive Of Nearly 10 Years After A Series Of Overtly Racial Complaints. “BP fired a top executive after warning her that braiding her hair and wearing dashikis made her colleagues ‘uncomfortable,’ and that she should do so only ‘during ‘culture day’ [or] black history month,’ the former West Coast CFO claims in court. Melphine Evans sued BP West Coast Products, BP Products North America and nine people, in Orange County Superior Court. Evans claims she was fired after nearly 10 years with

British Petroleum Oil Co. and replaced with a younger white male, after a series of overtly racial complaints. Evans began working for BP in early 2001 as vice president of North America's Western Region, and was CFO BP West Coast Products in La Palma, Calif. when she was fired, according to her 24-page lawsuit." [Courthouse News Service, [12/5/13](#)]

BP Was Accused Of Racism In Mauritania After Overlooking Black Students For Scholarship

Middle East Eye HEADLINE: Oil Giant BP Accused Of Racism In Mauritania After Overlooking Black Students [Middle East Eye, [2/18/20](#)]

BP Was Accused Of Contributing To State Racism In Mauritania After Awarding 9 Of 10 Scholarships To Students From Country's Minority Arab-Berber Group, With None Going Toward Majority Black Population. "BP has been accused of contributing to 'state racism' in Mauritania after awarding at least nine out of ten study abroad scholarships to students drawn from the country's minority Arab-Berber group, with none appearing to go to the majority black population. The London-based oil giant, which has stepped up its investments in the West African country in recent years, also came under fire for the few women awarded the scholarship. However, it insists the students were chosen on merit." [Middle East Eye, [2/18/20](#)]

BP Deepwater Horizon Disaster And Cleanup Was Significant For Black Communities, Followed "Haunting Pattern Of Environmental Racism"

BP Deepwater Horizon Spill Had A Significant For Black Community In Gulf Of Mexico

The BP Deepwater Horizon Oil Spill Disaster Created An "Environmental Nightmare" On The US Gulf Coast, As The Disaster Killed 11 Workers And Spilled Millions Of Gallons Of Oil Into The Gulf Of Mexico. "It has been one year since the massive BP Deepwater Horizon oil spill disaster created an environmental nightmare on the U.S. Gulf Coast. The oil disaster killed 11 workers. And for three months the nation watched and held its breath as the busted BP well spewed millions of gallons of oil into the Gulf of Mexico. Government officials estimate the ruptured well leaked nearly 200 million gallons of oil in all. The spill fouled 120 miles of U.S. coastline, imperiled multibillion-dollar fishing and tourism industries, and killed birds, sea turtles and dolphins." [Facing South, [4/26/11](#)]

BP's Oil Disastrous Spill In The Gulf Of Mexico Was Uniquely Significant For The Black Community Given In The Gulf Region, Many African Americans Made Their Livelihood From Fishing And Tourism. "British Petroleum (BP) has been letting millions of gallons of oil flow into the Gulf of Mexico for over a month now. Many are calling this a spill. I think of a spill as something that happens in my kitchen, with milk, maybe a gallon of it. But millions of gallons of crude spewing from the belly of the earth into the Gulf, that starts to hit the level of disaster. This disaster has significance for the black community in a number of ways. In the Gulf region, many African Americans make their livelihood from fishing and tourism. In the state of Louisiana, 12 percent of all business are black-owned. In Baton Rouge, 17 percent of all businesses are black-owned. In Mobile, Alabama 14.8 percent of businesses are black-owned, compared to 8 percent for the entire state of Alabama. Many of these small, family-owned businesses are in danger of going under for good. BP has also been cited for a pattern of discrimination in communities of color. BP is part of a tight-knit network that has generally kept African-American entrepreneurs out of its distribution networks. Finally, low-income communities of color are the most vulnerable when it comes to the fluctuations of the price of energy. African Americans are also more likely to live in energy-inefficient

homes. All of this is hitting African-American households. With everything else being equal, African Americans spend more on fuel and utilities in comparison to other populations. As is often the case, African Americans may be disproportionately impacted by the disaster in the Gulf. This disaster compounds another disaster in the Gulf (Hurricane Katrina) along with the disaster that is the economic conditions within our communities.” [South Florida Times -- Opinion, [6/18/10](#)]

BP Cleanup Plan Followed “Haunting Pattern Of Environmental Racism”

Environmental Justice Leaders Questioned BP’s Waste Management Plan Following Deepwater Horizon Disaster, Approved On June 13, 2010, Which Would Turn Low-Income And People Of Color Communities In The Gulf Into “Dumping Grounds” For BP Oil Waste. “It has been one year since the massive BP Deepwater Horizon oil spill disaster created an environmental nightmare on the U.S. Gulf Coast. The oil disaster killed 11 workers. And for three months the nation watched and held its breath as the busted BP well spewed millions of gallons of oil into the Gulf of Mexico. Government officials estimate the ruptured well leaked nearly 200 million gallons of oil in all. The spill fouled 120 miles of U.S. coastline, imperiled multibillion-dollar fishing and tourism industries, and killed birds, sea turtles and dolphins. The full health, environmental and economic impact of this catastrophe may not become clear for decades. While the media devoted round-the-clock coverage to the well capping and cleanup efforts, not much attention was given to where BP oil spill waste was being disposed. Environmental justice leaders were the first to raise concerns about BP’s waste management plan that was approved on June 13, 2010. They questioned a plan that would turn low-income and people of color communities in the Gulf Region into the “dumping grounds” for BP oil waste.” [Facing South, [4/26/11](#)]

- **Color Lines: “BP’s Colorfully Advertised Waste Management Plan Appears To Follow A Haunting Pattern Of Environmental Racism.”** “More than one hundred days into the BP disaster, folks are wondering where all the oil has gone—much of it seems to have crept under the water’s surface, or maybe evaporated into thin air. But, as officials scramble to assess the pending damage, we do know the destination of around 40,000 tons of the spill waste: it’s headed for the families that have been getting dumped on for years. In what may be yet another calm before the storm, BP’s colorfully advertised waste management plan appears to follow a haunting pattern of environmental racism.” [Color Lines, [8/3/10](#)]

BP Ranked 15 Of 18 In Study Ranking Arctic Extractive Companies On Indigenous Rights

BP Ranked 15 Out Of 18 Possible Ranks In Study Ranking Arctic Extractive Companies On Indigenous Rights. [Indra Overland -- Study: “Ranking Oil, Gas and Mining Companies on Indigenous Rights in the Arctic” – Table 1, [December 2016](#)]

- **Ranking Was Based On 20 Criteria Related To Indigenous Rights, Including Commitments To International Standards, Presence Of Organizational Units Dedicated To Handling Indigenous Rights, Competent Staffing, Track Records On Indigenous Issues, Transparency, And Consulting With Indigenous Peoples.** “The ranking covers 92 oil, gas and mining companies involved in onshore resource extraction above the Arctic Circle. Each company is assessed according to 20 criteria related to indigenous rights. The criteria were selected by evaluating the main guidelines and legal instruments related to resource extraction and indigenous rights in the Arctic. These criteria include commitments to international standards, the presence of organisational units dedicated to handling indigenous rights, competent staffing, track records on indigenous issues, transparency, and

procedures for consulting with indigenous peoples.” [Indra Overland -- Study: “Ranking Oil, Gas and Mining Companies on Indigenous Rights in the Arctic,” [December 2016](#)]

SUMMARY: Shell claims to have turned a new leaf of racial inequity and system injustices after years of withholding information on fossil fuel pollution that disproportionately harms communities of color.

This alleged change coincides with pollution and destruction of the Niger Delta and neighboring communities in Nigeria that has been occurring for decades. In 2020, Shell was responsible for a 1.68M gallon spill that was the worst Nigeria had incurred in a decade. This incident was after years of oil spills that have harmed water, health, and industries along the Niger Delta and Shell's active collaboration with the Nigerian government and military to violently suppress and execute those opposing the oil giant's dangerous practices.

Shell Claims To Be Addressing Systemic Injustices After Years Of Hiding Evidence That Fossil Fuel Air Pollution Cause Major Health Risks – A Problem That Disproportionately Harms Communities Of Color, Especially Black Communities.

Despite Claims That It Is “Working To Address Racial Inequity,” Shell Has Continued To Contribute To Fossil Fuel Pollution That Disproportionately Harms Communities Of Color.

Shell's Website Notes That The Company Is “Working To Address Racial Inequity.”

Shell Claims To Be Working To Address Issues Around Diversity, Inclusion, And Systemic Injustices. “We are working to address racial inequity and create an inclusive work environment where everyone feels valued. [...] Protests during 2020 in the USA and other parts of the world have caused everyone to think more deeply about what diversity and inclusion means at work. Within Shell, we have had many conversations on race and equity, how we can help address systemic injustice or other societal issues, and what we can do to contribute to eliminating barriers to inclusion.” [Shell, Race And Equity, accessed [06/09/21](#)]

Shell Knew About The Health Risk From Fossil Fuel Pollution For Decades – A Problem That Disproportionately Harms Communities Of Color – And Did Nothing To Help The Problem.

Shell Has Been Aware Of The Health Risks Of Fossil Fuel-Related Air Pollution Since As Early As 1968. “In an internal technical report in 1968, Shell went further, warning that air pollution “may, in extreme situations, be deleterious to health” and acknowledging the oil industry “reluctantly” must accept that cars “are by far the greatest sources of air pollution”. [...] Small particles given off by fossil fuels, meanwhile, are the “real villains in health effects,” the Shell report admits, as they can bring toxins, including carcinogens, “deep into the lungs which would otherwise be removed in the throat.”” [The Guardian, [03/18/21](#)]

- **People Of Color Are “Exposed To More Pollution From Nearly Every Source,” With Black Communities Enduring More Pollution Across The Board.** “Black Americans are exposed to more pollution from every type of source, including industry, agriculture, all manner of vehicles, construction, residential sources and even emissions from restaurants. People of color more

broadly, including Black and Hispanic people and Asian-Americans, are exposed to more pollution from nearly every source.” [New York Times, [04/28/21](#)]

- **This Pollution Contributes To Higher Levels Of Heart Disease, Stroke, Cancer, Diabetes, Asthma, And More.** “That cost could include the higher levels of heart disease, strokes, lung cancer, diabetes, and other illnesses suffered by people of color who live near oil and gas infrastructure, the study argues. It might also include the 138,000 asthma attacks per year Black children experience from breathing in ozone from natural gas emissions, the NAACP has calculated.” [Vice, [04/13/21](#)]

Oil And Gas Companies Continued Their Behavior Despite Knowing The Health Risks. “But these concerns did little to stop oil and gas companies, and their proxies, spreading doubt about the growing body of science linking the burning of fossil fuels to an array of health problems that kill millions of people around the world each year.” [The Guardian, [03/18/21](#)]

In Addition To Being Responsible For Millions Of Gallons Of Oil Spills Across The Niger Delta That Have Destroyed Food, Water, And Jobs, Shell Actively Collaborated With The Nigerian Government To Suppress And Murder Locals.

Shell Has Been Responsible For Pipeline Leaks In Nigeria, Spilling Millions Of Gallons Of Oil In The Niger Delta Throughout Just The Last Twenty Years.

Shell Was Responsible For Pipeline Leaks In Oruma And Goi, Nigeria. “Shell Nigeria is liable for damages from pipeline leaks in the Villages of Oruma and Goi, the Hague Court of Appeals said in a ruling Friday.” [Bloomberg, [01/29/21](#)]

- **The Courts Ruled That Shell Must Compensate Victims And Install Leak Detection Equipment On The Oruma I And II Pipelines.** “The amount of compensation will be decided later. [...] The Nigerian unit and Shell are liable to pay 100,000 euros (\$121,000) each day if they fail to install the leak detection systems on the Oruma I and II pipelines a year after the order, the court said, to prevent similar leaks from happening in the future.” [Bloomberg, [01/29/21](#)]

In 2021, Shell Was Found Responsible For Two Pipeline Spills On The Niger Delta From 2004 To 2005 And Required To Compensate Affected Farmers. “Royal Dutch Shell has been ordered to pay damages to farmers after an appeals court in The Hague found the energy major’s Nigerian subsidiary liable for oil spills in the Niger Delta more than a decade ago. [...] The judge held Shell Nigeria liable for two pipeline spills that took place in the villages of Oruma and Goi between 2004 and 2005. The court has yet to make a decision on a third in 2007 from a wellhead, and has requested more evidence on the extent of the leak and clean-up.” [Financial Times, [01/29/21](#)]

- **Shell Paid \$83.2M To Compensate Community Members For The Spill.** “In 2015, after many years of battles with campaigners, Shell announced it would pay out \$83.2m in compensation for the spill. This was split up among the community. Most families received about 600,000 naira (\$3,000).” [Al Jazeera, [07/28/17](#)]

A Shell Pipeline Spilled 600,000 Barrels Of Oil Into The Creeks Surrounding The Niger Delta. “In 2008 and 2009, a 55-year-old pipeline owned by Shell ruptured twice, throwing up 600,000 barrels, according to UK

court claims, of crude oil into the surrounding creeks of the Niger Delta. [...] Yet after more than eight years that have passed, the community is still waiting desperately for the cleanup efforts promised to them. The creeks and shores of this once thriving fishing community remain decimated by the oil damage.” [Al Jazeera, [07/28/17](#)]

In 2020, Shell Caused The Worst Oil Spill In Nigeria In A Decade, Polluting The Surrounding Area With 1.68M Gallons Of Oil.

In 2020, Shell Caused Nigeria’s Worst Oil Spill In A Decade, Dumping 1.68M Gallons Of Oil. “Oil from a Royal Dutch Shell offshore spill has spread to nearly 100 nautical miles after a leak occurred while loading a tanker Wednesday, resulting in what may be Nigeria's worst spill in a decade. Shell estimates the Bonga spill to be around 40,000 barrels or 1.68 million gallons of oil, becoming the second major oil spill since Mobil's slip-up in 1998.” [Energy Digital, [05/17/20](#)]

By 2011, Over 1,000 Spill Cases Had Been Filed Against Shell For Polluting The Niger Delta – Not Including The Various Fines The Company Had Incurred For Pollution Incidents In The Same Time Period.

Over 1,000 Spill Cases Had By Filed Against Shell For Polluting The Niger Delta By 2011. “More than 1,000 spill cases have been filed against Shell alone, but while the company has been fined many times by courts in Nigeria for pollution incidents, appeals can take years and communities complain that proper clean-ups and compensation money never reaches them.” [The Guardian, [08/03/11](#)]

As Of January 2021, Shell In Still Facing Litigation Over Another Oil Spill In Nigeria As Thousands Of Nigerians Seek To Sue The Company For Damages To The Niger Delta.

Shell Is Additionally Embroiled In Another Case After Their Pipeline Leaked Oil Into The Village Of Ikot Ada Udo In Nigeria. “The court also said that a case over whether Shell was liable for an oil leak in the village of Ikot Ada Udo would continue. The court established that the spill was a result of sabotage, but it's seeking to determine whether the pollution has spread and if it still needs to be cleaned.” [Bloomberg, [01/2921](#)]

Thousands Of Nigerians Are Asking The U.K. To Allow Them To Sue Shell For Environmental Damages To The Niger Delta. “While in the U.K., thousands of Nigerians are asking British legal authorities for permission to sue the company or environmental damages caused in the Niger Delta.” [Bloomberg, [01/2921](#)]

Shell’s Oil And Gas Spills In Nigeria Has Caused Health Problems, Destroyed Safe Drinking Water, And Eviscerated The Fishing Industry.

Oil And Gas Spills Have Resulted In Health Problems, Lack Of Safe Drinking Water, And Reduce Opportunities To Earn A Living In The Ogoni Communities In Nigeria. “Over five decades, oil and gas extraction have caused large-scale, continued contamination of the water and soil in Ogoni communities. The continued and systematic failure of oil companies and government to clean up have left hundreds of thousands of Ogoni people facing serious health risks, struggling to access safe drinking water, and unable to earn a living.” [Amnesty International, [06/18/20](#)]

Shell's Oil Spill Destroyed The Fishing Industry And Water In Bodo, Nigeria That Employed 80% Of Locals.

"Chief James, assistant secretary to the Bodo council of chiefs and elders, said every family had been affected by the disaster. [...] "This has caused serious poverty to everyone. Nearly 80% of people here are fishermen or they depend on the water. They have lost their livelihoods. People are leaving the community in their hundreds to search for greener pastures. We used to live beautifully. People caught so much fish we could sell it to the cities. Now we have no hope," he said." [*The Guardian*, [08/03/11](#)]

To Continue Its Destructive Practices In The 1990s, Shell Collaborated With The Nigerian Military And Government To Suppress Peaceful Protests, Raid Villages, And Murder Ogoni Tribe Leaders.

Shell Collaborated With The Nigerian Military And Police To Suppress Anti-Extraction Protests, Paying The Military To Stop Peaceful Opposition And Raid Villages. "Court documents now reveal that in the 1990s Shell routinely worked with Nigeria's military and mobile police to suppress resistance to its oil activities, often from activists in Ogoniland, in the delta region. Confidential memos, faxes, witness statements and other documents, released in 2009, show the company regularly paid the military to stop the peaceful protest movement against the pollution, even helping to plan raids on villages suspected of opposing the company." [*The Guardian*, [10/02/11](#)]

Shell Collaborated With The State To Execute Ogoni Tribe Leaders, Later Paying \$15.5M In Compensation To Families For Their Actions. "Shell had been accused of collaborating with the state in the execution in 1995 of writer Ken Saro-Wiwa and other leaders of the Ogoni tribe. Instead, Shell paid \$15.5m (£9.6m) to the eight families in settlement." [*The Guardian*, [10/02/11](#)]

Phillips 66

SUMMARY: Phillips 66 refineries in Wilmington and Carson in California faced criticism for their role in polluting surrounding black and brown communities. Earthjustice and East Yard Communities for Environmental Justice announced they would be filing a lawsuit against Phillips 66 for its repeated and ongoing violations of the Clean Air Act.

Phillips 66 is one of the oil and gas companies involved in the Dakota Access Pipeline. Dakota Access has been heavily opposed by the Standing Rock Sioux tribe, whose land, resources, and cultural sites would be threatened by the pipeline.

Phillips 66 Made “Excuses To Avoid Oversight” While It Polluted Black And Brown Communities.

Phillips 66 Was Sued For Repeated Violations Of The Clean Air Act While “Making Excuses To Avoid Oversight.”

Earthjustice Announced It Would Be Suing Phillips 66 For Its Repeated And Ongoing Violations Of The Clean Air Act. “While COVID-19 has caused incredible change and upheaval in our communities, the central problem that we experience on a daily basis from the Phillips 66 refineries in Wilmington and Carson remains the same. These refineries, which are just two of the many refineries in our communities, continue to place the burden of breathing pollution on us while making excuses to avoid oversight. The health impacts of this ‘toxic business as usual’ approach are well-known among our families and friends: cancer, respiratory illness, and cardiovascular disease. These devastating health impacts are compounded during the current public health crisis. That is why Earthjustice and East Yard Communities for Environmental Justice recently notified the U.S. Environmental Protection Agency, the South Coast Air Quality Management District (AQMD), and Phillips 66 that we intend to file a lawsuit against Phillips 66 for its repeated and ongoing violations of the Clean Air Act.” [EarthJustice, [5/13/20](#)]

Phillips 66 Refineries In Wilmington And Carson Were Accused Of Placing The Burden Of Breathing Pollution On Surrounding Communities While “Making Excuses To Avoid Oversight.” “While COVID-19 has caused incredible change and upheaval in our communities, the central problem that we experience on a daily basis from the Phillips 66 refineries in Wilmington and Carson remains the same. These refineries, which are just two of the many refineries in our communities, continue to place the burden of breathing pollution on us while making excuses to avoid oversight. The health impacts of this ‘toxic business as usual’ approach are well-known among our families and friends: cancer, respiratory illness, and cardiovascular disease. These devastating health impacts are compounded during the current public health crisis. That is why Earthjustice and East Yard Communities for Environmental Justice recently notified the U.S. Environmental Protection Agency, the South Coast Air Quality Management District (AQMD), and Phillips 66 that we intend to file a lawsuit against Phillips 66 for its repeated and ongoing violations of the Clean Air Act.” [EarthJustice, [5/13/20](#)]

- **Oil Refineries In Wilmington Were Responsible For The Underlying Health Problems In Marginalized Black And Brown Communities In California.** “Environmental racism is both a serious climate and

racial problem affecting black and brown communities throughout California. The extensive freeway system that hovers predominantly Latinx and Black neighborhoods in Los Angeles and the oil refineries built in Wilmington and the surrounding area are responsible for the underlying health problems in these marginalized groups.” [California's Problem with Environmental Racism, [4/9/21](#)]

Phillips 66 Is A Co-Owner Of The Dakota Access Pipeline, A Controversial Pipeline That Was Rerouted From Predominantly-White Bismarck, North Dakota, To Standing Rock Sioux Land.

Phillips 66 Is Involved In The Dakota Access Pipeline That Threatened The Standing Rock Sioux's Water Supply After Being Rerouted From A 90%-White City

Phillips 66 Was Part Of Dakota Access Pipeline's Ownership Group. “Following the January ruling, a group of five Democratic lawmakers led by Rep. Nanette Diaz Barragán (D-Calif.) sent a letter imploring Biden to step in and immediately shut down the pipeline, whose ownership group includes Energy Transfer, Phillips 66, and Enbridge. On Thursday, 28 lawmakers from the House and Senate joined the pressure campaign as Indigenous youth rallied in support of the DAPL shutdown call near the White House.” [Common Dreams, [4/2/21](#)]

The Dakota Access Pipeline Runs Near The Standing Rock Sioux's Reservation, Threatening A Sacred Burial Ground And The Tribe's Sole Water Supply If A Spill Occurs.

The Dakota Access Pipeline Would Run Through The Standing Rock Sioux Tribe's Only Water Source, Raising Concerns For The Reservation If A Spill Occurred. “Part of the pipeline would cross Sioux lands and run under the Missouri River, the tribe's sole water source, drawing concerns from environmentalists and tribe leaders that a potential oil spill could devastate the reservation.” [ABC News, [09/13/16](#)]

The Pipeline Runs Through Sacred Burial Ground For The Standing Rock Sioux. “The Standing Rock Sioux also argue that the pipeline traverses a sacred burial ground.” [Time, [10/28/16](#)]

The Dakota Access Pipeline Was Originally Routed Through 90%-White Bismarck, North Dakota Before Moving Locations To One Near The Standing Rock Sioux Tribe's Reservation.

The Dakota Access Pipeline Was Originally Proposed To Go Through Bismarck, North Dakota Before Being Rerouted To The Standing Rock Sioux's Reservation. “A previously proposed route for the 1,172-mile pipeline had it crossing the Missouri River north of Bismarck, North Dakota, according to a document filed as part of the permitting process. The eventual route that was decided on, and is currently in construction, moved the water crossing of the crude oil pipeline south of the North Dakota capital, to just upstream of the Standing Rock Sioux tribe's reservation.” [ABC News, [11/03/16](#)]

- **Bismarck, North Dakota, Is 90% White.** [US Census Bureau, Bismarck City, North Dakota, accessed [04/28/21](#)]

The Pipeline And Hazardous Materials Safety Administration Has Reported Over 3,300 Incidents Of Leaks And Ruptures In Oil And Gas Pipelines Since 2010. “The Pipeline and Hazardous Materials Safety Administration (PHMSA) has reported more than 3,300 incidents of leaks and ruptures at oil and gas pipelines since 2010. And even the smallest spill could damage the tribe's water supply.” [Time, [10/28/16](#)]

The Dakota Access Pipeline Had To Be Halted For Violating Environmental And Historic Preservation Statutes.

U.S. Army Corps Of Engineers Was Sued For Violating National Historic Preservation Act And Other Laws After Issuing Final Permits For The Dakota Access Pipeline, Lawsuit Alleged Corps Violated Environmental And Historic Preservation Statutes. “The Standing Rock Sioux Tribe, represented by Earthjustice, filed a lawsuit on July 27, 2016, against the U.S. Army Corps of Engineers for violating the National Historic Preservation Act and other laws, after the agency issued final permits for a massive crude oil pipeline stretching from North Dakota to Illinois. The complaint, filed in federal court in Washington D.C., claimed that the Corps violated multiple environmental and historic preservation statutes, focusing on the decision to reroute the pipeline from Bismarck, North Dakota to the doorstep of the Standing Rock reservation without an adequate environmental analysis and consultation. The Corps granted permits for the pipeline in July 2016 under a highly streamlined approval process known as Nationwide Permitting. The process circumvents any kind of close environmental review and public process. The Lake Oahe crossing requires an additional approval—known as an easement—because it crosses federally owned land on either side of the Missouri River. It was this easement that the government confirmed would not be granted. The Dakota Access Pipeline project, also known as Bakken Oil Pipeline, would extend 1,168 miles across North Dakota, South Dakota, Iowa, and Illinois, crossing through communities, farms, tribal land, sensitive natural areas, and wildlife habitat. The pipeline would carry crude oil from the Bakken oil fields in North Dakota to Illinois where it will link with another pipeline that will transport the oil to terminals and refineries along the Gulf of Mexico.” [EarthJustice, Accessed [4/6/21](#)]

Motiva

SUMMARY: Motiva operates the largest refinery in North America in Port Arthur, TX. Rather than benefit financially from the chemical plants and refineries, the city of Port Arthur has struggled as Motiva gets billions in tax breaks while residents suffer through unemployment rates twice as high as the rest of the state and a significantly lower median income of only \$33,000. Port Arthur residents – 38% of whom are Black – are then left to deal with the fossil fuel pollution and toxic chemical from Motiva that contribute to a higher risk of cancer, COVID-19, early death, and more.

Motiva's Port Arthur, Texas, Plant Pollutes A City With Three Times As Many Black People As The Rest Of The State With Deadly Chemicals While Failing To Raise Wages Or Combat Unemployment.

Motiva's Refineries In The Black And Low Income Port Arthur, Texas, Are Some Of The Top Polluters In The Area, Contributing To A Higher Risk Of COVID-19, Asthma, And Death.

Two Motiva Refineries Are Among The Top Emitters Of Toxic Chemicals In Port Arthur, With The Environmental Protection Agency Calling Of The Refineries A "Significant Noncomplier" After Its Most Recent Inspection.

Motiva's Port Arthur Refinery Is The Largest Oil Refinery On The Continent. "In fact, when Laura made landfall in southeast Texas, a report by the Texas Commission on Environmental Quality showed that Motiva's Port Arthur refinery, the largest oil refinery on the continent, had a chemical leak on a process line during the shutdown." [Grist, [08/29/20](#)]

Two Motiva Refineries In Port Arthur Are The Third And Seventh Highest Releasers Of Toxic Chemicals In Port Arthur. [EPA, Toxic Release Inventory, accessed [06/15/21](#)]

- **Motiva's Port Arthur Refinery Had A "High Priority Violation" And Was Deemed A "Significant Noncomplier" By The Environmental Protection Agency Following 2019 And 2020 Inspections.**

Enforcement and Compliance Summary

Statute	Insp (5 Years)	Date of Last Inspection	Compliance Status	Qtrs with NC (of 12)	Qtrs with Significant Violation	Informal Enforcement Actions (5 years)	Formal Enforcement Actions (5 years)	Penalties from Formal Enforcement Actions (5 years)	EPA Cases (5 years)	Penalties from EPA Cases (5 years)
CAA	2	02/19/2020	High Priority Violation	12	12	5	8	\$508,566	1	\$56,000
CWA	2	12/11/2018	No Violation Identified	0	0	--	--	--	1	\$36,431
RCRA	2	11/05/2019	Significant Noncomplier	12	12	3	1	\$0	--	--

[EPA, Detailed Facility Report, accessed [06/14/21](#)]

Fossil Fuel Pollution, Including Toxic Chemical Releases, Are Connected To Increased Risk Of Cancer, Reproductive And Respiratory Problems, COVID-19, Premature Death, And More.

The Environmental Protection Agency’s List Of Potential Health Effects From Toxic Releases In Port Arthur, Texas, Include Cancer, Reproductive, Respiratory, Neurological Problems, And More. [EPA, Toxic Release Inventory, accessed [06/15/21](#)]

- **Fossil Fuel Pollution Is Responsible For Over 8M Deaths Annually Worldwide In Addition To Increasing Risk Of Heart Disease, Asthma, And COVID-19.** “More than 8 million people around the world die each year as a result of breathing polluted air that contains particles from fossil fuels, a new study has found. [...] Small enough to penetrate deep into the lungs, these particles can aggravate respiratory conditions like asthma and can lead to lung cancer, coronary heart disease, strokes, and early death. Research has also found a link between higher levels of long-term pollution and more deaths from Covid-19.” [CNN, [02/9/21](#)]

Port Arthur Has Over Three Times As Many Black People, Twice The Unemployment, And “Well Below Average” Median Income Compared To Texas Overall.

According To The 2020 Census, 38.2% Of Port Arthur’s Residents Are Black, Nearly Three Times More Than Texas Overall.

Race and Hispanic Origin ▲	Q Texas X	Q Port Arthur city, Texas X
Population estimates, July 1, 2019, (V2019)	28,995,881	54,280
PEOPLE		
Race and Hispanic Origin		
White alone, percent	78.7%	50.0%
Black or African American alone, percent (a)	12.9%	38.2%
American Indian and Alaska Native alone, percent (a)	1.0%	0.6%
Asian alone, percent (a)	5.2%	7.3%
Native Hawaiian and Other Pacific Islander alone, percent (a)	0.1%	0.1%
Two or More Races, percent	2.1%	1.6%
Hispanic or Latino, percent (b)	39.7%	34.5%
White alone, not Hispanic or Latino, percent	41.2%	18.7%

[US Census Bureau, QuickFacts, accessed [06/14/21](#)]

Despite Port Arthur’s Multiple Refineries, The Unemployment Rate Is Over Twice That Rate For Texas Overall, And The Median Household Income Hovers “Well Below The Average For Texas” Due In Part To Automation At Refineries. “The refineries employ fewer workers than they once did, and those they do hire come from all over. The city’s unemployment rate stood near 8 percent in November, more than twice that of the state, and the median household income is \$33,000 a year, well below the average for Texas. [...] Change also swept the refineries. Though they expanded, jobs became automated and companies tightened employee background checks.” [Houston Chronicle, [01/17/19](#)]

Already Devastating Natural Disasters In Port Arthur Have Been Worsened By Massive Chemical Leaks And Emission Releases From Motiva.

Towns Near Oil And Gas Refineries Face Additional Threats During Natural Disasters Like Hurricanes As

Oil And Gas Facilities Flare Off Excess Chemicals Into The Air. “In Texas, refineries were rushing to shut down as Laura came barreling toward the coast. But shuttering these plants actually involves releasing millions of pounds of additional pollution. As part of shutdown procedures, these facilities often need to release and burn off (or flare) various unprocessed chemicals and gases.” [Grist, [08/29/20](#)]

Motiva’s Port Arthur Refinery Had A Chemical Leak During The Shutdown Process As Hurricane Laura Made Landfall In Texas In 2020.

Motiva’s Port Arthur Refinery Had A Chemical Leak During Hurricane Laura In 2020. “In fact, when Laura made landfall in southeast Texas, a report by the Texas Commission on Environmental Quality showed that Motiva’s Port Arthur refinery, the largest oil refinery on the continent, had a chemical leak on a process line during the shutdown.” [Grist, [08/29/20](#)]

Motiva’s Port Arthur Refinery Dumped Three Times More Emissions During The Texas Blackout Than Their Entire Excess Emissions In 2019.

Motiva Released 118,100 Pounds Of Emissions From Its Port Arthur, TX Refinery During The State’s Winter Blackout, Three Times More Than Its Excess Emissions In All Of 2019. “The largest U.S. oil refiners released tons of air pollutants into the skies over Texas this past week, according to figures provided to the state, as refineries and petrochemical plants in the region scrambled to shut production during frigid weather. [...] The 118,100 pounds of emissions from Motiva’s Port Arthur refinery from Monday to Thursday were more than three times the excess emissions that it declared to the U.S. Environmental Protection Agency for the whole of 2019.” [Reuters, [02/21/21](#)]

While Big Oil Gets Government Handouts And Tax Breaks, Port Arthur Residents Are Facing High Unemployment And Low Wages.

The Trump Administration Gave Almost \$4B To Oil And Gas Facilities Affected By Hurricane Harvey.

The Trump Administration Fast-Trackd Nearly \$4B To Protect Oil And Gas Facilities During Hurricane Harvey While Nearby Black Neighborhoods Continued To Lack Funding For Basic Infrastructure. “After Harvey flooded Motiva and other refineries, the Trump administration fast-tracked almost \$4 billion to build storm barriers specifically to protect oil and gas facilities. But the predominantly Black Houston neighborhoods flooded by Harvey can't even get the government funding to upgrade their storm drains.” [CNN, 02:39, [05/29/19](#)]

Motiva Received Major Tax Breaks From Jefferson County For Its Facilities.

Motiva Paid No Taxes On A \$3.5B Expansion Project For Three Years And Benefits From Nine Years Of Property Tax Breaks From Jefferson County, Texas. “The city of Port Arthur has at least 28 tax-abatement deals with refineries and chemical plants. Surrounding Jefferson County has at least six, including with Motiva, Total, and Valero, which will pay no property taxes for the first two years of a nine-year contract, and then pay 10 percent of the taxes it would owe for the next seven. Motiva will pay no taxes on a \$3.5 billion expansion project for the next three years.” [NBC News, [10/23/07](#)]

- **Port Arthur Is In Jefferson County, Texas.** “Port Arthur, city, Jefferson county, southeastern Texas, U.S., 90 miles (145 km) east of Houston.” [Britannica, accessed [06/16/21](#)]

Port Arthur’s Unemployment Rate Is Twice That Of Texas Overall With Median Incomes “Well Below The Average For Texas” Despite The Many Refineries.

Despite Port Arthur’s Multiple Refineries, The Unemployment Rate Is Over Twice That Rate For Texas Overall, And The Median Household Income Hovers “Well Below The Average For Texas” Due In Part To Automation At Refineries. “The refineries employ fewer workers than they once did, and those they do hire come from all over. The city’s unemployment rate stood near 8 percent in November, more than twice that of the state, and the median household income is \$33,000 a year, well below the average for Texas. [...] Change also swept the refineries. Though they expanded, jobs became automated and companies tightened employee background checks.” [*Houston Chronicle*, [01/17/19](#)]

Plains All American

SUMMARY: Plains All American is currently pursuing the Byhalia pipeline through the predominantly Black Boxtown neighborhood in Memphis, Tennessee. Boxtown has a history of racially-motivated neglect, further showcased by the Byhalia land agent describing the decision to run the pipeline through Boxtown as the “point of least resistance.”

The Byhalia project is just another case of environmental racism and discrimination from Plains All American. In addition to a 2011 oil spill in the Alberta native community of Little Buffalo, Plains All American has been sued by multiple employees for racial discrimination and retaliation against harassment victims.

Plains All American Is Pursuing A Pipeline Through A Predominantly Black Community With A History Of Racial Neglect, Describing The Neighborhood As The “Path Of Least Resistance.”

Plains All American Pushed For A Pipeline Through Black And Low-Income Communities It Described As The “Point Of Least Resistance.”

The Byhalia Connection From Plains All American Would Disproportionately Harm Black And Low-Income Communities In Memphis, Including Those With Long Histories Of Environmental Racism.

Plains All American Is Currently Pursuing A Pipeline In Tennessee That Would Disproportionately Harm Black And Low-Income Communities In Memphis. “The Memphis City Council yesterday stepped into the path of a proposed oil pipeline through the Tennessee city, casting its opposition as a fight against “environmental racism.” [...] Several miles of the 49-mile pipeline would run through low-income, predominantly Black neighborhoods in South Memphis. Opponents say the area has already borne the burdens of too much pollution. They also say that a pipeline spill could damage the aquifer that Memphis and the surrounding region rely on for drinking water.” [E&E News, [03/17/21](#)]

- **The Boxtown Neighborhood At Risk From The Pipeline Has A History Of Racially-Motivated Neglect, Lacking Running Water Or Electricity As Recently As The 1970s.** “They say Boxtown, where homes had no running water or electricity as recently as the 1970s, was chosen because residents are Black and low income.” [AP, [03/07/21](#)]

Plains All American Canceled The Byhalia Connection On July 2, 2021. “Pipeline opponents; environmental groups; and Memphis, Tenn., activists celebrated over the holiday weekend after the developers of the Byhalia Connection crude oil pipeline abruptly dropped the project. Plains All American Pipeline LP officials made the announcement late Friday, citing market factors for the cancellation.” [E&E News, [07/06/21](#)]

The Byhalia Connection From Plains All American Would Threaten Waterways And The Memphis Sand Aquifer.

The Byhalia Connection Pipeline Endangers Waterways, Including The Memphis Sand Aquifer. “Some fear a spill would endanger waterways and seep contaminants into the Memphis Sand Aquifer, which gives Memphis its slightly sweet-tasting drinking water. The pipeline connector would traverse well fields that pump water from the aquifer into the water system.” [AP, [03/07/21](#)]

The Byhalia Connection Land Agent Called The Decision To Cut Through Boxtown The “Point Of Least Resistance.” A Statement The Company Tried To Walk Back By Saying The New Pipeline Would Have The “Least Community Impact” In The Predominantly Black Neighborhood.

The Land Agent For The Byhalia Project, Wyatt Price, Described The Pipeline’s Path Through A Black Neighborhood As The “Point Of Least Resistance.” “It’s four words that Wyatt Price probably wishes he could take back. Explaining why a planned oil pipeline was taking a roundabout path around Memphis through a Black neighborhood, Price, a land agent for the Byhalia Connection pipeline, last year told a gathering it was the “point of least resistance.” [...] Price, the Byhalia land agent, was speaking at a church in Boxtown in February 2020 when he made the “least resistance” comment.” [E&E News, [06/07/21](#)]

Plains All American Attempted To Adjust Price’s Statement, Saying He Meant To Say The Pipeline Path Was Chosen Because It Has The “Least Community Impacts.” “The company has disowned the remarks of Price, a Byhalia contractor who could not be reached for comment. At a meeting in the southwest Memphis community last fall, Plains spokesperson Katie Martin said he should have explained that the company had picked a path with the “least community impacts.”” [E&E News, [06/07/21](#)]

Plains All American Dropped Plans For The Pipeline In July 2021.

Plains All American Gave Up On The Byhalia Connection Pipeline In July 2021. “The company planning to build the Byhalia Connection pipeline on Friday announced that it is abandoning the project, bringing a sudden end to one of the biggest environmental controversies in recent Memphis history.” [Memphis Commercial Appeal, [07/02/21](#)]

Plains All American Stated They Cannot Guarantee Against Leaks Or Full Regulatory Compliance.

Plains All American Stated They Are Unable To Provide Assurances That Their Pipelines Will Not Leak Or Fully Comply With Regulations. “In addition, despite our pipeline and facility integrity management efforts, we can provide no assurance that our pipelines and facilities will not experience leaks or releases or that we will be able to fully comply with all of the federal, state and local laws and regulations applicable to the operation of our pipelines or facilities; any such leaks or releases could be material and could have a significant adverse impact on our reputation, financial position, cash flows and ability to pay or increase distributions to our unitholders.” [SEC EDGAR, Form 10-K, [03/01/21](#)]

Plains All American’s Negligence Was Responsible For And Worsened A 28,000 Barrel Oil Spill Near The Northern Alberta Native Community Of Little Buffalo

In 2011, Plains All American Caused A 28,000 Barrel Oil Spill Near The Northern Alberta Native Community Of Little Buffalo After Employees Ignored Leak Alarms And Restarted The Leaking Pipeline, Worsening The Spill. “Employees at Plains All American Pipeline LP’s Canadian unit disregarded leak alarms and restarted a ruptured oil pipeline as they caused one of the worst oil spills in Alberta’s history,

a report issued by the province's pipeline regulator found. [...] The spill on the pipeline released 28,000 barrels of crude oil in a wilderness area near the northern Alberta native community of Little Buffalo." [Reuters, [02/26/13](#)]

Plains All American Sought To Build A Pipeline Through Africatown, The Historic Mobile, AL Neighborhood Built By Descendants Of Survivors From The Last Slave Ship.

Plains All American Was Responsible For A Pipeline Through The Historic Africatown Neighborhood In Mobile, AL. "The \$14.4 million investment by Plains Mobile Inc., a subsidiary of Plains All-American, replaces a 40-year-old existing pipeline. [...] For some of these Africatown residents, though, the pipeline is a concern." [AL, [02/07/14](#)]

Africatown Was Founded By The Descendants Of Some Enslaved People From The Last Slave Ship. "The Clotilda was a two-masted wooden ship owned by steamboat captain and shipbuilder Timothy Meaher. [...] Africatown was founded by descendants of some of the enslaved people aboard the Clotilda, and it was the home to some of the last survivors of the transatlantic slave trade in the United States. [...] Many of the residents of Africatown are descendants of the Africans who were trafficked to Alabama on the Clotilda and have preserved the memory of its history." [National Museum Of African American History & Culture, accessed [06/14/21](#)]

The Plains Pipeline Was Criticized Over Its Risk To Schools and Businesses, Its Right To Traverse Through A National Register Of Historic Places Location, And Failure To Properly Consider Environmental Impacts. "Others questioned the risks associated with the pipeline to neighboring businesses and schools, whether the pipeline can traverse through an area designated on the National Register of Historic Places, and why environmental matters are not taken into consideration in determining whether industry would be advanced with a pipeline project." [AL, [10/28/13](#)]

Plains All American Has Faced Multiple Lawsuits Over Discrimination, Harassment, And Retaliation Against Employees That Complain.

Plains All American Claims To Value Diversity And Treat Employees With Respect...

Plains All American Claims To Treat Employees With "Dignity And Respect" And Embrace Diversity. "Our employees are our most valuable asset. Employees are treated fairly, with dignity and respect, and diversity in the workplace is embraced. [...] We consider diverse perspectives and backgrounds to be a competitive advantage and are focused on creating a community at Plains that promotes diversity and inclusion." [Plains All American, Employees, accessed [06/10/21](#)]

...But Has Been Sued Multiple Times For Race And Sex-Based Discrimination And Retaliation Against Employees That Speak Up.

Plains All American Was Sued In 2015 For Discrimination And Retaliation Against Employees. "This is an employment discrimination lawsuit between Plaintiff, Anthony Moore, and his former employer, Defendant, Plains All American GP, LLC. Plaintiff asserts claims for race discrimination, religious discrimination and retaliation, in violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e, et seq., and 42 U.S.C. § 1981." [Case text, *Moore v Plains All Am GP LLC*, No. 14-4666, [09/17/15](#)]

Plains All American Was Sued By Employees Over Sex And Race-Based Harassment And Retaliation Against Complainants. “The EEOC sued Plains Pipeline, Plains All American, Plains Marketing and Copperhead Pipeline and Construction, the joint employers of six complainants and other male oil pipeline workers in southeastern New Mexico. Companies allegedly subjected men to harassment based on race, national origin, and/or sex, retaliated against them for complaining [...] When employees complained to Plains and Copperhead about conduct, employers failed to take preventive or corrective actions and instead fired the employees as retaliation, according to lawsuit” [Bloomberg, [09/30/19](#)]

Marathon Petroleum

SUMMARY: Marathon Petroleum had a history of air pollution violations that impacted low-income black and brown communities. According to Greenpeace, “many of Marathon's refineries have notably high indicators for environmental justice indexes, signifying high levels of air pollution among minority and at-risk groups.”

In Detroit, Marathon had to pay over \$360,000 in fines and community investments in Southwest Detroit under a consent order over air quality violations. Marathon’s petroleum refinery was located in the predominantly black zip code of 48217, an area that was known as the most polluted area in Michigan. In 2012, to make way for an expansion, Marathon offered above-market prices for homes in a white neighborhood in the 48217 zip code but did not offer the same opportunity to a predominantly black neighborhood in the same zip code.

Marathon Refineries Had History Of Air Pollution Violations Impacting Low-Income Black And Brown Communities

Marathon Petroleum Had History Of Air Pollution Violations Impacting Low-Income Black And Brown Communities. “Fossil fuel companies have reaped millions of dollars in benefits from a stimulus package intended to help struggling Americans and the economy. Among these is Marathon Petroleum, the largest oil refiner in the country, which has a history of air pollution violations impacting low-income and Black and Brown communities.” [Greenpeace, [7/20/20](#)]

63% Of Marathon Petroleum’s Emissions Specifically Harm Communities Of Color. “Not only is this pattern repeated across Marathon’s U.S. operations—63 percent of whose toxic air is inhaled by minority communities—it is also representative of the oil and gas industry as a whole.” [Vice, [04/13/21](#)]

Greenpeace: “Many Of Marathon's Refineries Have Notably High Indicators For Environmental Justice Indexes, Signifying High Levels Of Air Pollution Among Minority And At-Risk Groups.” “Many of Marathon's refineries have notably high indicators for Environmental Justice Indexes, signifying high levels of air pollution among minority and at-risk groups. For the 1-mile radius surrounding the Detroit, Michigan refinery, the surrounding communities score above the state 90th percentile for diesel particulate matter, air toxics cancer risk, and respiratory hazard index. The Canton, Ohio refinery additionally scores around the 75th percentile in these indexes. The Garyville, Louisiana refinery — located in Louisiana's infamous “Cancer Alley” — scores in the 99th percentile country-wide for air toxics cancer risk. The Political Economy Research Institute lists Marathon as the 33rd worst air polluter in the nation, with an Environmental Justice Minority Share of 59%, meaning that its refineries disproportionately impact communities of color.” [Greenpeace, [7/20/20](#)]

Marathon Petroleum Had To Pay Over \$360,000 In Fines And Community Investments In Southwest Detroit Under Consent Order Over Air Quality Violations In 48217. “Marathon Petroleum Co. will cough up more than \$360,000 in fines and community investments in Southwest Detroit under a consent order with state environmental regulators over air quality violations. The tentative agreement with the Michigan Department of Environment, Great Lakes, and Energy (EGLE) requires the oil giant to pay

\$282,000 to install an air filtration system at Mark T[w]ain Schools for Scholars and provide real-time data on air quality around the sprawling, 250-acre refinery.” [...] Marathon is among numerous chemical-spewing facilities in 48217, the most polluted ZIP code in Michigan, which Metro Times featured in a cover story about environmental racism in January.” [Metro Times, [7/28/20](#)]

Marathon Also Had To Pay Nearly \$82,000 In Fines For A Gas Flare Malfunction That Released Hydrogen Sulfide And Mercaptan Vapor In 48217. “Marathon must also pay nearly \$82,000 in fines for violations that include a gas flare malfunction that released hydrogen sulfide and mercaptan vapor that blanketed the area in a nauseating stench. At the time, residents complained of vomiting, troubled or labored breathing, and irritated eyes and throats. [...] Marathon is among numerous chemical-spewing facilities in 48217, the most polluted ZIP code in Michigan, which Metro Times featured in a cover story about environmental racism in January.” [Metro Times, [7/28/20](#)]

Greenpeace: “In Southwest Detroit, The Predominantly Black Zip Code 48217, The Most Polluted Area In Michigan, Is Home To Dozens Of Polluting Facilities, Including The Marathon Petroleum Refinery.” “Despite the 2016 EPA settlement, communities living nearby to the refineries continue to face environmental injustices and deadly air pollution. In Southwest Detroit, the predominantly Black zip code 48217, the most polluted area in Michigan, is home to dozens of polluting facilities, including the Marathon Petroleum refinery. This residential area experiences higher rates of asthma and cancer than the rest of the country due to toxic pollution. Community organizers and environmental justice groups have protested the Marathon refinery over the past decade, calling for accountability from the oil giant and buy-outs for their now devalued property.” [Greenpeace, [7/20/20](#)]

Marathon Offered To Buy Homes At Above Market Prices In A White Neighborhood To Make Way For Expansion, Excluded Black Neighborhood

2012: Marathon Offered Above-Market Prices To Buy Homes In A Mostly White Neighborhood To Make Way For An Expansion But Did Not Offer The Same To A Predominantly Black Neighborhood In The 48217 Zip Code. “In 2012, Marathon offered above-market prices to buy homes in the mostly white neighborhood of Oakwood Heights in northern 48217 to make way for an expansion. But the same offer wasn't extended to Boynton, the predominantly Black neighborhood in southern 48217. Residents protested in 2017, holding signs that read, ‘Buy more homes.’ But Marathon didn't budge. Marathon has a history of noncompliance and excessive emissions. The refinery failed three EPA inspections since 2016 and received nine environmental violations from the state in 2018. In 2019, the Michigan Department of Environment, Great Lakes and Energy (EGLE) issued at least nine violations to Marathon for noxious odors and exceeding legal limits on toxic emissions.” [Metro Times, [1/8/20](#)]

ExxonMobil

SUMMARY: According to emails from Exxon’s own scientists, the company had been aware of climate change since as early as 1981. According to Greenpeace, Exxon went on to spend \$30 million over the next 27 years to promote climate denial.

ExxonMobil's Beaumont refinery in Texas produced hundreds of thousands of pollutants during unpermitted events in 2016 alone, polluting a majority African-American community that had been complaining about pollution for 17 years.

ExxonMobil Spent Years Denying Climate Change And Dumping Its Pollution On People Of Color, Including Black Communities In Beaumont, Texas.

Exxon Was Aware Of Climate Change As Early As 1981 But Continued To Spend Millions Promoting Climate Denial Over Next Decades

Exxon Was Aware Of Climate Change As Early As 1981 According To Email From An Exxon Scientist.

“ExxonMobil, the world’s biggest oil company, knew as early as 1981 of climate change – seven years before it became a public issue, according to a newly discovered email from one of the firm’s own scientists. Despite this the firm spent millions over the next 27 years to promote climate denial. The email from Exxon’s in-house climate expert provides evidence the company was aware of the connection between fossil fuels and climate change, and the potential for carbon-cutting regulations that could hurt its bottom line, over a generation ago – factoring that knowledge into its decision about an enormous gas field in south-east Asia. The field, off the coast of Indonesia, would have been the single largest source of global warming pollution at the time.” [The Guardian, [7/8/21](#)]

Exxon Spent \$30 Million Over Subsequent Decades On Think Tanks And Researchers To Promote Climate Denial. “ExxonMobil, the world’s biggest oil company, knew as early as 1981 of climate change – seven years before it became a public issue, according to a newly discovered email from one of the firm’s own scientists. Despite this the firm spent millions over the next 27 years to promote climate denial. The email from Exxon’s in-house climate expert provides evidence the company was aware of the connection between fossil fuels and climate change, and the potential for carbon-cutting regulations that could hurt its bottom line, over a generation ago – factoring that knowledge into its decision about an enormous gas field in south-east Asia. The field, off the coast of Indonesia, would have been the single largest source of global warming pollution at the time. [...] However, Exxon’s public position was marked by continued refusal to acknowledge the dangers of climate change, even in response to appeals from the Rockefellers, its founding family, and its continued financial support for climate denial. Over the years, Exxon spent more than \$30m on think tanks and researchers that promoted climate denial, according to Greenpeace.” [The Guardian, [7/8/21](#)]

70% Of Exxon’s Air Pollution Is Dumped On People Of Color.

70% Of Exxon's Air Pollution Is Dumped People Of Color. "About 70 percent of Exxon's air pollution is dumped on people who aren't white, for example, according to University of Massachusetts Amherst calculations. For Chevron, it's 74 percent." [Vice, [04/13/21](#)]

ExxonMobil's Beaumont Refinery Polluted An African-American Community For Years

ExxonMobil Oil Refinery In Beaumont, Texas, Was Located Next To A 95% African-American Community Which Complained About Severe Air Pollution. "Neil Carman of the Sierra Club Lone Star Chapter told Common Dreams that the ExxonMobil oil refinery in Beaumont, Texas is right next to a 95 percent African-American community that has been complaining about severe air pollution. 'In 2000 a complaint was submitted to the EPA about a permit, granted by the Texas Commission on Environmental Quality, that allowed an increase in hydrogen sulfide, a toxic gas,' explained Carman. 'The only thing the EPA did was write a response letter within a year or two saying they were going to accept part of the complaint. But since then we haven't heard from the EPA again.'" [Facing South, [7/16/15](#)]

ExxonMobile's Beaumont Refinery Emitted 675,000 Pounds Of Pollutants During Unpermitted Events In 2016. "Exxon Mobil is not the only company that gets away with violating its permits. And though it emitted 675,000 pounds of pollutants during unpermitted events last year, it's not the worst offender. The Beaumont refinery ranks second among Texas industrial facilities in terms of how much benzene it emitted above the limit, and fourth in terms of VOCs. But Exxon Mobil's vast size and wealth compared to the relatively piddling size of the penalties make the company particularly insensitive to the fines. Consider an enforcement action the state issued in May over Exxon Mobil's unpermitted release in April 2016 of nearly 2,125 pounds of carbon monoxide, sulfur oxide, nitrogen dioxide, hydrogen sulfide, and VOCs. The plant not only emitted the chemicals, it failed to report the emissions within 24 hours, as the law requires. The fine for both violations was \$7,001, an amount unlikely to deter a company valued at \$343 billion." [The Intercept, [8/13/17](#)]

After 17 Years, EPA Declared The Case Over The Refinery Pollution Closed And Proposed Two Community Meetings And A Single Air Monitor To Be Placed More Than A Mile Away From The Plant. "Between 2000 and 2016, while the people who live next to the plant waited for an investigation, the refinery emitted more than 400 million pounds of pollution into the air. Yet in all those years, the EPA never once consulted the people who were most affected. In May, 17 years after the initial complaint, the EPA finally issued a letter declaring the case over the refinery pollution resolved, with only small changes to be implemented. Many people I spoke with in Charlton-Pollard found the agency's proposed fixes — two community meetings and a single air monitor to be placed more than a mile away from the plant — more insulting than having been ignored for 17 years." [The Intercept, [8/13/17](#)]

ExxonMobil Promoted And Sold Hazardous Substances In Puerto Rico, Knowing It Would Pollute Drinking Water In The Territory.

ExxonMobil Was Part Of An Agreement To Pay \$25M After Promoting, Marketing, And Selling Hazardous Substances That They Knew Would Pollute The Environment In Puerto Rico. "Exxon Mobil Corp. and Esso Standard Oil Co. will pay \$25 million to settle Puerto Rico's allegations that they contaminated the territory's water supplies with gasoline additives, according to an agreement in federal district court. The companies allegedly promoted, marketed, and sold products with the hazardous substances when they knew, or should have known, that they would pollute the environment through leaks and spills in gasoline delivery systems, Puerto Rico said." [Bloomberg, [07/22/21](#)]

- **Puerto Has Made The Same Claims Against Shell And Chevron.** “The territory also brought the same claims against other companies in the petroleum industry, including Shell Oil Co., Chevron USA Inc., and Sunoco Inc.” [Bloomberg, [07/22/21](#)]

Exxon’s Chemical Use Created “An Unparalleled Threat” To Water In Puerto Rico, Including Ruining Public And Private Drinking Water. “Exxon and Esso’s use of methyl tertiary butyl ether, or MTBE, “has created an unparalleled threat to both the surface and ground waters of the Commonwealth, including public and private drinking water supplies,” Puerto Rico’s complaint said. MTBE spreads quickly and is difficult to remove and treat, making it a “grave threat” to the territory’s waters, the complaint said. The substance can also make water supplies undrinkable due to its odor and taste, and is classified as a possible carcinogen by the Environmental Protection Agency.” [Bloomberg, [07/22/21](#)]