

## **IMMEDIATE MEDIA RELEASE**

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### **JUDGE RULES THAT APPROVAL OF ELEMENTARY AND MIDDLE SCHOOL ON HAZARDOUS WASTE SITE IN SOUTHEAST L.A. WAS UNLAWFUL**

On January 13, 2022, Los Angeles Superior Court Judge Mary H. Strobel ruled that the City of Cudahy, located in Southeast Los Angeles, violated California environmental law when it approved construction of KIPP Pueblo Unido, an elementary and middle school, on a hazardous waste site.

For almost 90 years, the proposed school site was used to manufacture metal using processes involving melting, casting, welding, and chemically finishing iron and steel. Initial environmental studies show “significant hazardous areas of concern” on the site which “pose a[n]... exposure and contact risk to the children and general public human health.” These include arsenic at 200 times the amount identified as safe by the state of California for school or residential areas, volatile organic compounds (“VOCs”), and potential lead and asbestos contamination. Despite evidence of toxins on site and the Cudahy Municipal Code’s explicit directive that the project is subject to the provisions of the California Environmental Quality Act (“CEQA”), the City of Cudahy and City Council for the City of Cudahy unlawfully exempted the school project from CEQA and approved it without any legally required environmental review.

In 2020, [Cudahy Alliance for Justice](#), a grassroots environmental justice group comprised of local educators and parents, as well as local activists and community leaders Susie de Santiago and Aydé Bravo Berrios, filed suit to stop the City of Cudahy from permitting KIPP SoCal Public Schools to build KIPP Pueblo Unido without environmental review and clean up pursuant to CEQA.

“This case raised important environmental justice issues,” said Elise Cossart-Daly, counsel for Cudahy Alliance for Justice, Ms. de Santiago, and Ms. Bravo Berrios. Cudahy is in the 97<sup>th</sup> percentile of communities most impacted by pollution in California. 26.2% of Cudahy residents live in poverty. 95 percent are Latinx. Though Cudahy is 1.2 square miles, it has 30 potentially hazardous sites, hazardous waste handlers, and hazardous clean-up sites. Of the five schools in Cudahy, two are built on or adjacent to hazardous waste sites. “Without judicial intervention,” explained Ms. Cossart-Daly, “KIPP Pueblo Unido could have become one of those sites. My clients and their community deserve better. This critical win is an important step in holding KIPP and the City of Cudahy accountable for protecting the environment, and ensuring the site is safe for students, educators, and community members.”

“CEQA requires environmental review prior to permitting discretionary projects. The city completely skipped this step and hastily approved a project that could harm children from the community it is here to serve,” said Jennifer Ganata, Senior Attorney with Communities for a Better Environment, who provided support on this case. “For many years, Park Avenue Elementary School, less than two miles away from the proposed school, was contaminated with petroleum and other carcinogenic chemicals. Cudahy’s failure to conduct review under CEQA threatened to perpetuate this legacy of environmental injustice.”

Judge Strobel’s ruling is a huge win for the Cudahy community. “KIPP’s tactics did not prevail over our strong, united community opposition. We will stand up against any corporation who tries to take advantage of our community, and we will continue to fight any environmental injustice,” said Cudahy Alliance for Justice member and Petitioner Susana de Santiago.

This fight, however, continues. Now, Cudahy Alliance for Justice and its allies must ensure that the City of Cudahy completes an Environmental Impact Report for the project, and require that KIPP Pueblo Unido properly clean up the site with oversight from the [Department of Toxic Substances Control \(“DTSC”\)](#), a state agency tasked with ensuring proper remediation for hazardous waste sites. Community members can join the [CAJ mailing list](#) for more information on how to support this important cause.

Cudahy Alliance for Justice, Ms. de Santiago, and Ms. Bravo Berrios are represented by Elise Cossart-Daly of [Cossart-Daly Law, A.P.C.](#), with support from Betty Johnson and Mona Abboud. Jennifer Ganata and Gabriel Greif of [Communities for a Better Environment](#), as well as Bill Parkin of [Wittwer Parkin, LLP](#) and John Given of [Law Office of John P. Given](#), provided support and advocacy throughout litigation.