Neal, Daria (CRT)

From: Johnson, Glenn [Johnsong@cau.edu]
Sent: Sunday, December 05, 2010 6:38 PM
To: Neal, Daria (CRT)
Subject: FW: For Daria Neal, Duty Chief Civil Rights Division at the US Department of Justice

Daria, here is a statement from [redacted]. I told her I would forward her statement to you.

Thanks
Dr. Johnson

From: [redacted]
Sent: Fri 12/3/2010 12:02 PM
To: Johnson, Glenn
Cc: [redacted]
Subject: For Daria Neal, Duty Chief Civil Rights Division at the US Department of Justice

TO: *Daria Neal, Duty Chief Civil Rights Division at the US Department of Justice*

FROM: [redacted], *Environmental Justice Advocate*

RE: *Department of Justice Listening Session Hosted by Clarke Atlanta University Environmental Justice Resource Center*

DATE: *December 3, 2010*

Dear Duty Chief Daria Neal:

The season opener of basketball for my Middle School daughter begins today which is also the scheduled time Dr. Bullard invited me to the listening session in Atlanta which you will be attending. Due to this scheduling conflict, I would like to submit these comments and requests with hope that you will consult with your distinguished colleagues gathered today and provide a prompt response:

Twelve years ago this month, my 4 year old son was diagnosed with [redacted] which is commonly known as [redacted]. In August of this year through EPA's Freedom of Information Act, I was finally able to reconstruct his prenatal and early childhood exposures. This has been overwhelming to learn for me as a mother and an environmental justice advocate. At the same time, to witness the record environmental catastrophes of the oil and gas industry of 2010 has allowed me to better understand why my family was allowed to suffer. It is not a pretty picture what this industry has done and been allowed to do in the destruction of so many lives.

No agency disclosure of the intense contamination occurring to my family was given to me though I requested it on numerous occasions. Two weeks after my son's diagnosis in early 1999 when we had our well water tested and the results indicated a toxic brew of industrial toxicants, I was intentionally misled by the agencies. I was told the benzene from nearby petroleum operations was not a source and the agencies were "looking in a different direction." This was entirely false as records now indicate. Our pediatric oncologist also informed EPA of his concerns in writing that possible benzene drainage was occurring shortly after my son's [redacted]. He was never properly addressed of the benzene that had been declared a major health hazard for years in

this area just eighteen months before my son's diagnosis. Had this information been freely shared with us, it would have changed the course of treatment for our son who experienced [redacted].

I regret to inform you that EPA Region IV and GA Environmental Protection Division were well aware that our residency was a receptor of nearby industrial hazardous waste from petroleum facilities. Our private well was known to exist in a pollution susceptibility zone yet the documented contamination and environmental violations allowed to continue for the six years we resided at this location. The EPA NPL determination report approving this migratory hazardous waste and not effectively remedying it before my son was diagnosed [redacted] thwarted environmental law. Is this considered negligence?

In these past twelve years I have also assisted other environmental justice communities. The same pattern is true. Known exposure data and environmental violations are not shared with the community due to legal entanglements. This has been evident in how the CDC Agency for Toxic Substances and Disease Registry (ATSDR) has addressed petitions through their Health Assessment program when sick communities contact them. Intentional faulty documents have been delivered in order to avoid full disclosure of exposure to communities. This pervasive and extensive environmental public health failure by ATSDR has been brought to light by a broader Congressional investigation after Katrina/Rita families were exposed to toxic levels of formaldehyde in FEMA trailers. In spite of databases, registries, subregistries, and well funded research and sponsorships of global gatherings on prenatal programming and toxicology addressing known harm, ATSDR has compounded and perpetuated this harm by authoring public health assessments and consultations of substandard quality. We also know from release of the Presidential Cancer Panel's report to President Obama this year that environmental etiologies of cancer have been grossly underestimated with children particularly vulnerable. What do you suggest that EPA can do to stop this treatment of withholding facts and complete disclosure to EJ communities to improve their environmental health?

In this redress of grievance that I am requesting to you, I would like the DOJ to complete an investigation as to why the hazardous waste contamination was allowed to continue at my former residency knowing the existence of my well. I would like to know why the responsible parties were not made to restore our groundwater and environment. Additionally, I would like, based on the documentation available through FOIA, for EPA to contact ATSDR and request a complete Public Health Assessment that was officially promised to me initially but reneged due to the legal challenges ATSDR would face in generating a truthful report.

I would like to meet locally here in Athens, GA with those agencies who did not fully disclose the full impact of the known health risks from the contaminants of concern that were responsible for my son's [redacted] I would like for EPA to lead the charge for this meeting. I want to ask that the EPA Office of Children's Health Protection become involved based upon their knowledge of exposures to toxicants at critical windows of development that were known at the time of my son's exposures which ATSDR denied to me.

I hope you will share this petition with other distinguished guests at the listening session today including: *Lisa P. Jackson, USEPA Regional Administrator , Gwen Keyes Fleming, Region 4 Administrator, Tom Perez, Attorney General's Office for Civil Rights, and Crystal Brown, Counsel Office of the Assistant Attorney General Environment and Natural Resources Division, United States Department of Justice.*

I thank you for this opportunity and look forward to hearing from you.

Sincerely,

[redacted]
P.O. Box 275
Winterville, GA 30683
[redacted]