UNITED STATES COMMISSION ON CIVIL RIGHTS

624 NINTH STREET, NW, WASHINGTON, DC 20425

www.usccr.gov

RECEIVED 6/23/2004 mt

COMPLAINT REFERRAL

June 17, 2004

Environmental Protection Agency
Office of Civil Rights
1200 Pennsylvania Avenue, NW, room 2540
Washington, DC 20460

Dear Madam / Sir:

This office has received the enclosed complaint(s) from:

[redacted]

We have informed the complainant that we have referred the matter to your agency. Please correspond directly with the complainant, and notify us in writing as to all actions taken concerning this matter.

Sincerely,

Terri A. Dickerson

TERRI A. DICKERSON
Assistant Staff Director
of Civil Rights Evaluation

Enclosures

logged 5/24/04

Refer to: Environmental Protection Agency Office of Civil Rights

RECEIVED MAY 24 2004 OCR

FAX TRANSMISSION		
Classic PhoneTools BVRP software	**From:** [redacted]	200 Pennsylvania, NW, Room 2540 Wash., DC 20460 (RB, FP)
	Fax: [redacted]	**Phone:** 219-881-0125
	To:	Office of Civil Rights Evaluatio U.S. Commission on Civil Rights

Date : 5/23/2004 Time : 2:13 AM page(s) : 5

Message

URGENT

Ladies and Gentlemen @ U.S. Civil Rights Commission,

It is the 22 day of March in 2004, and sending you copies of all my current communications in an effort to attain Environmental Justice in Northwest Indiana the City of Gary with a request for a referral. A limited liability company is trying to Facilitate an Infectious Waste Facility in the heart of our already over burdened community. This is a cry for help!!!

Documents attached to this fax will explain in better detail
Please respond.

Thank you for your time May God Bless.
[redacted]

I have attached my Letter of Petition for Administrative Review and other communications to this Fax.

2034 Maryland St.
Gary Indiana
46407
UNITED STATES

The Office of Env. nmental Adjudication

Dear Candace Vogel and Annette Biesecker,

It is the 21 day of March in 2004, and sending you my petition for administrative review via Email and U.S. Postal Service. The IDEM did not send me personally the Notice of Decision concerning a permit for **Midwest Medical Solutions, (LLC) to construct and operate an** INFECTIOUS **Waste Processing Facility.** However I am responding to a letter sent to a friend that was post dated on the 10 day of March 2004. All citizens of Gary Indiana have a "Right to Know" and should have had full participation in the appeal process. We the citizens of Gary Indiana are appalled and disturbed about not having full participation in this appeal process. This letter of the recent IDEM decision was only sent to very few people in the Miller area of Gary Indiana. The Notice to petition for a administrative review said to CC our letters to John Hale @ Permits Branch, Office of Land Quality. If you could please explain in detail the purpose of this, because the letter does not go in enough detail.

Thank you for your time.
[redacted]

I have Attached my Letter of Petition to this email.
(See Attached File)

Permits Branch Office of Land Quality

Dear Melessia Hawkins and or John Hale

It is the 21 day of March in 2004, and sending you my petition for administrative review via Email and U.S. Postal Service. The IDEM did not send me personally the Notice of Decision concerning a permit for **Midwest Medical Solutions, (LLC) to construct and operate an** INFECTIOUS **Waste Processing Facility.** However I am responding to a letter sent to a friend that was post dated on the 10 day of March 2004. All citizens of Gary Indiana have a "Right to Know" and should have had full participation in the appeal process. We the citizens of Gary Indiana are appalled and disturbed about not having full participation in this appeal process. This letter of the recent IDEM decision was only sent to very few people in the Miller area of Gary Indiana. The Notice to petition for a administrative review said to CC our letters to John Hale @ Permits Branch, Office of Land Quality who covers the northeast area of Indiana and not the Northwest that concerns us. If you could please explain in detail the purpose of this, because the letter does not go in enough detail.

Thank you for your time.
[redacted]

I have Attached my Letter of Petition to this email.
(See Attached File)

The Power of Knowledge changes Perceptions Thus will unlock the chains of extremism, hate and oppression and will spiritually Free all whom are bound.
God Bless our World

Governor Joseph Kernan (D-IN)

Dear Governor Joseph Kernan,

I am sending you this email requesting any help you can offer us in the Northwest Indiana area. We believe we are being undermined by the Mayor of the City of Gary and the Office of IDEM. They have secretly given a permit to an **Infectious Waste Facility** to Construct and operate in this middle of the Emerson School community, and they have neglected us all our "Right to know" and the opportunity to a valid appeals process. From the research done on this corporation, Principal Ruben Williams of Roosevelt High school found that this company has previous environmental violations in their history. In addition, the information on the "Notice of Decision" sent to only a few people in the Miller area of Gary contains confusing and misleading information on how to appeal to the State. The areas that would be directly affected by the negligent historic behavior of this company did not receive a "Notice of Decision from the IDEM.

Please help us. Our children and our environment deserves better. We are already over burdened with pollutants and we don't need Infectious Waste being processed by a Limited Liability Co. We need Environmental Justice...

I beg you to help in any way you can.

Sincerely,

[redacted] Substitute Teacher @ Gary Community School Corp.

I have attached to this Fax some of my communications thus far that will explain in more detail what is happening.

_ etition for Administrative Revi

May 21, 2004

Petitioner
Name: [redacted]
Address: [redacted]

OEA
To: Office of Environmental Adjudication
C/O Melessia Hawkins. Permits Branch, Office of Land Quality
100 N Senate Avenue,
P.O.Box 60514
Indianaplis, IN 46206

NOT IN MY BACK YARD

We the citizens of Gary Indiana are appalled and disturbed about not having full participation in this appeal process. This letter of the recent IDEM decision was only sent to very few citizens in the Miller area of Gary Indiana and contains misleading information on the deadline to appeal and the staff location for the Permits Branch, Office of Land Quality for us to contact. The IDEM "Notice of Decision" was not sent to the areas that would be directly affected by this decision to issue a permit to **Midwest Medical Solutions (LLC). We cannot have a Limited Liability Co. to construct and operate an** INFECTIOUS **Waste Processing Facility in the heart of our already over burdened City.** Federal agencies must make early, meaningful and relevant public participation in sitting and permitting decisions a reality for overburdened communities of color and poor communities. This may be facilitated by making resources available to communities for outreach workers, according to the Civil Right Commission: Washington DC.

Executive Order 12,898 Title VI as Tools for Achieving Environmental Justice, pursuant to Public Law 103-419 these principles of environmental justice have not been incorporated in this decision-making and present a seriously dangerous problem for our community, which is now already over burdened. IDEM has not considered this. The lack of incorporating Executive Order 12,898 and Title VI as Tools for Achieving Environmental Justice, pursuant to Public Law 103-419 insures shortcomings to remain in IDEM's Practices. Our communities do not have full participants in environmental decision-making, and there is still inadequate scientific and technical literature on the relationship between environmental pollutants and human health status, no history of previous violations of environmental codes as it relates to Midwest Medical Solution. Which we now know exists. This negligent practice by IDEM also applies to other projects in the Midwest. IDEM: An agency that receives federal funds has neither fully incorporated environmental justice into their core missions nor established accountability and performance outcomes for programs and activities, and our families deserve better.

Federal agencies and agencies that receive federal funds must more fully integrate environmental justice into their core missions and put in place evaluation criteria and accountability measures to assess policies and programs. Without a more concerted effort on the part of these agencies to promote and ensure environmental justice, minority, and low-income communities all across this nation will continue to bear the unfair risk of exposure to environmental hazards.

As a concerned family member and productive member of this society, I wish to request a **"stay"** (halt the construction and operations of this Infectious Waste Facility according to Executive Order 12,898 and Title VI as Tools for Achieving Environmental Justice, pursuant to Public Law 103-419.)

Sincerely [redacted]
dh/cc