(b) (6) Privacy, (b) (7)(C) Enforcement Privacy
[redacted]
Birmingham, Alabama 35228

July 11, 2009
Director of the Office of Civil Rights
U.S. Environmental Protection Agency
Mail Code 120A
1200 Pennsylvania Ave. NW
Washington, D.C. 20460

Dear Director.
The enclosed Title VI Civil Rights Compliant is being sent to your office for review, concerning the current air quality circumstances and situations in Birmingham, Alabama. As you are probably aware, Birmingham has been sited by the American Lung Association as having the fifth (5th) worst air quality of any city in America. I t has been decades that local governmental officials and federally funded agencies have refused to move forward to implement meaningful projects and programs to address Environmental Justice within minority communities. The City Government of Birmingham , Jefferson County Elected officials , Greater Birmingham Regional Planning Organization and the Alabama Department of Environmental (mis-) Management have all allowed the current adverse treatment (of socioeconomic groups) of blacks living in polluted areas of the urban core city –Birmingham. This causes Blacks to bear a disproportionate share of the negative environmental consequences these conditions exists because of the wanton, intentional neglect of those officials in the capacity to solve some of these air quality problems- not doing enough

This compliant is being filed against the following officials and agencies for their violations of **Title VI of the Civil Rights Act and violations of Executive Order 12898;**

- The City of Birmingham- Public Safety Chairman Councilor Joel Montgomery and Co-chair Councilor Valerie Abbott , member Jonathan F. Austin
- The Jefferson County Department of Environmental Services- Commissioner Jim Carns
- The Greater Birmingham Regional Planning Organization (RPC) and its sub-recipient Alabama Partners for Clean Air (APCA) and,
- The Alabama Department of Environmental Management (ADEM)

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The enclosed information will further explain why this compliant is being filed against the City of Birmingham, Jefferson County, RPC and ADEM. Let it also be known that, I am a trained automobile technician who has been excluded from the participation in all voluntary emission testing projects for almost five years because of my race and skin color. To my knowledge, neither the City of Birmingham, Jefferson County Commission, RPC nor the ADEM have a Title VI - Policy and Procedure in place. Moreover, each of the aforementioned agencies is federally funded...

Compliant #1

The City of Birmingham Public Safety Committee has not protected the public health and safety of the majority (75%) population of the city (Blacks) – **(this *is in violation of Executive order 12989)***

Compliant #2

The Greater Birmingham Regional Planning Organization and Alabama Partners for Clean Air are currently funding the non – profit WRATT ran by Danny Patterson who is currently redlining the urban core city of Birmingham by doing less than 15% of all voluntary emission testing in the most affected communities that are adversely effected by air pollution. RPC/APCA has excluded me from participation in their clean air projects although I am more qualified than Patterson who is white. - ***(This is in violation of Title VI)***

Compliant #3

The Alabama Department of Environmental Management has for years tried to remove Shelby County for the EPA non –attainment status yet this federally funded agency does little to solve the air quality problems here in Birmingham, Alabama. – (***This is in violation of Executive Order 12898- Environmental Justice)***

Compliant#4

The Jefferson County commission is operating without any concern about the air quality situation and does not have a Title VI Policy and Procedure in place

Recommendation #1

As a corrective measure I am recommending that members of the Birmingham City Council(Montgomery, Abbott and Austin) be reprimanded from signing federal grants and projects for non-performance until they take a serious position on local air quality and environmental justice matters (see attachments)

Recommendation #2

As a corrective measure the RPC and APCA should be force to put a Title VI policy in place for receiving EPA, FTA and other federal funding. The non –profit WRATT should be forced to change its board structure to reflect the community and not the coal industry (see attachments)

Recommendation #3
As a corrective measure the Alabama Department of Environmental Management should be force to put a Title VI Policy in place before receiving any further federal grants or funding: they should also be reprimanded for poor performance (see attachments)

Recommendation#4
Jefferson County Commissioner Jim Carns should be reprimanded for non- performance of meaningful air quality programs (see attachments)

Recommendation #5
The City of Birmingham, Alabama, Jefferson County, Alabama Department of Environmental Management and The Greater Birmingham Regional Planning Commission should all be made to enact a Title VI Policy and Procedure per U.S. law
Thank you for your consideration of this most urgent environmental matter.

Sincerely
(b) (6) Privacy, (b) (7)(C) Enforcement Privacy
[redacted]

Attachments