OFFICE OF CIVIL RIGHTS ADMINISTRATIVE COMPLAINT

February 22, 2010

To: United States Environmental Protection Agency
Helena Wooden-Aguilar, Office of Civil Rights
Acting Assistant Director External Compliance and Complaints
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Re: **Violation of Federal Non Discrimination Regulations**

I hereby lodge an official discrimination complaint against the Louisiana Department of Environmental Quality, Office of Environmental Compliance Region 6 Administrator, Ms. Kitty Hebert-Jacob and office.

Nature of Complaints:

The Louisiana Department of Environmental Quality has violated the civil rights of the entire Harvey, Louisiana community located within a fifteen mile radius of the Grefer Street Tract. The LDEQ has withheld the fact that the Harvey, Louisiana community is unfit for human habitation. The LDEQ has known for several decades that our community is contaminated with naturally occurring radioactive material (NORM) or technologically enhanced radioactive material (TERM) pollutants. The LDEQ has displayed reckless disregard of the public safety by refusing to disclose the extent of the contamination. The LDEQ has also improperly removed radioactive contaminants from the Grefer Tract and placed our entire community at risk by violating the Clean Air & Water Act.

Most importantly, the entire Harvey, Louisiana community is claimants involved in settlement negotiations in the Dottie Adams ET AL, versus Retired Judge Joseph Grefer ET AL, case No#624-278, and sixty-five other defendants who is also responsible for contaminating our community with these harmful pollutants. The defendants include Exxon Mobil Corporation, Intracoastal Tubular Services, Inc., Alpha Technical Services, Conoco, Inc., Homeco, Inc., Philips Oil Company, Sexton Oil and Mineral Corporation Shell Offshore, Inc., Shell Western E&P, Inc., System Fuels, Inc., Texaco, Inc., Joseph Grefer and family and etc,. The 24th Judicial District Court, State of Louisiana has a status conference fixed for March 12,

2010 at 10:00 a.m. at the General Government building, Jefferson Parish Council Chambers, 200 Derbigny Street, 2nd floor, Gretna, Louisiana, in which Judge Brady Fitzsimmons will be presiding. The status Conference Order is for unrepresented plaintiffs who have filed petitions against the defendants, which includes my entire family. As a result of this impending court date, we need to confirm that the LDEQ is acting within the scope of the EPA's nondiscrimination administrative regulations. The LDEQ's failure to report that the Harvey, Louisiana community is contaminated and unfit for human habitation will allow the attorney's to walk away with millions of dollars in punitive damages for the diminution of property values, damages for the removal of contaminates from property and damages for relocation and purchase of new homes, and etc,.

More important, enclosed you will find documents, photographs and CD's attached to show as proof of how the LDEQ poorly maintained this highly toxic tort. The LDEQ's improper disposal of contamination shown on the photographs clearly indicate that the radioactive contaminates were drained into the canal water pipes and back into the neighboring communities. The LDEQ did not properly cover the Grefer Tract with tents during removal of the contaminates and you can see the radioactive chemicals was dispersed airborne. The LDEQ actually gave the oil companies permission to dig up and replace the streets in our community and worsened our exposure to the contaminates. Our formal attorney stated that the defendants were working very hard to cover up evidence, not to mention the fact that the streets have not been replaced in fifty plus years.

On the other hand, the LDEQ discriminated against the entire community in Harvey, Louisiana within a fifteen mile radius of the Grefer Tract because they took advantage of the handicapped, elderly, African American, mental retardation, poor, uneducated and chronic ill individuals. The LDEQ knew of the extent of the radiation contamination in Harvey, Louisiana and refused to protect the community from decades of the most deadliest substances known to man. The LDEQ was aware that Radium 226 has a half-life of 1,600 years and claims that this site used to clean, main and repair used oil field pipes and equipment is safe for our environment. The LDEQ is aware that as a result of the exposure caused by these contaminates it has caused and continue to cause cancer, still births, miscarriages, tumors, mental retardation, death and other health hazards. The LDEQ's failure to properly dispose of these contaminates has caused our land to become contaminated as well as the air, water, top soil, subsoil and planted foods.

In the years prior to the court awarding Judge Joseph Grefer 1.06 billion dollars in punitive damages, our residents were suffering from numerous health ailments. Not to mention the fact that local schools were performing numerous Individual Evaluation Integrated Reports (IEP) on the children in our community. My siblings [redacted] had the IEP test performed on 4/24/1981, and my brother [redacted] had his IEP test performed on 5/29/1981. The school performed my IEP test on 12/10/1981 and confirmed we all suffered from [redacted] had their IEP taken, but the attorney's involved in this case brought the Jefferson Parish School Board to court and they refused to release anymore IEP reports to the public. Then as claimants began inquiring about copies of their children's IEP's, the office caught fire and lost pertinent documents. I have enclosed copies of the IEP's collected on our behalf. Also during a community meeting held years ago at the Martin Luther King gymnasium the attorney's asked claimants who suffered from [redacted] or attended special education classes to raise their hand and nearly everyone seated held their hands up in response. Not to mention, asthma, cancer and anemia were also known factors amongst claimants.

It was on March 25,1998, when my mother [redacted] consented for access to have her property at [redacted]; [redacted] tested for the West Bank Asbestos Abatement site for removal by the EPA. The technicians showed up completely covered in white space suits and mask. The EPA covered our home completely with tents locking our family inside. They used mechanical devices which calibrated the toxic level amounts. Upon completion of the test, my mother [redacted] inquired about the test performed and was informed by the EPA that the test was for Asbestos only. But later during her investigation, she was informed by an environmentalist that the test performed was for.Radiation, not Asbestos. The environmentalist informed my mother that high levels of Radiation and Asbestos was found on her property. The test concluded that one house on each street be tested for Asbestos and Radiation and our home was the only home picked on the street. The EPA has since denied finding Radiation on our property, and my mother assumed it was because they would be responsible for the lives that have been affected as a result of this deadly substance.

Therefore, we firmly believe that the LDEQ has been covering up for years the actual truth about the extinct of contamination. The Harvey, Louisiana community has lost over one thousand three hundred claimants, as a result of the radioactive contamination. The documents provided will give a more precise in depth look into these allegations. The truth of the matter is the entire Harvey, Louisiana community within a fifteen mile radius of the Grefer Tract is unfit for human habitation. The lawyers involved in this matter are working to manipulate the claimants into signing away millions of dollars in punitive damages with their Matrix contracts. The LDEQ and the lawyers are committing genocide against a community of innocent men, women and children. We have a right to live in a place that is free from pollution and harm. We are seeking to expose the predators who seek to destroy lives for their own financial gain.

Furthermore, we would like your assistance in relocating the entire Harvey, Louisiana community and to condemn this radioactive contamination from harming anymore innocent people. This case crosses discrimination and environmental boundaries. Our family has literally exacerbated all our efforts in exposing the truth about our community. It is my sincere prayer that you would investigate the nature of these allegations and give our community the dignity and respect we rightfully deserve.

Respectfully,

[redacted]

Fax Cover Sheet

To: Helena Wooden-Aguilar From: [redacted]

Fax: 202 501 1836 Pages: , includes cover sheet

Phone: Date: 3-1-10

Re: Civil Complaint CC:

☒ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

Comments:

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OFFICE OF CIVIL RIGHTS ADMINISTRATIVE COMPLAINT

March 1, 2010

To: United States Environmental Protection Agency
Helena Wooden-Aguilar, Office of Civil Rights
Acting Assistant Director External Compliance and Complaints
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Re: Harvey Litigation Civil Complaint List

Please be advised that enclosed you will find documents pertaining to several complaints filed by my twin sister [redacted] against [redacted] [redacted] with the Louisiana Attorney Disciplinary Board. We are unrepresented clients seeking to finalize settlement negotiations against the oil industry giants that dumped hazardous waste in our community for nearly five decades. I would like to address several issues that have developed during the tenure of this case.

Approximate Accident Dates: 6/2007 & 10/31/2007

1). My mother [redacted] and I, experienced several unethical incidences while viewing the contaminated Grefer Street Tract. They were told by the company working for the EPA to clean the site to get off the property, or else they would call the police. This company also stated they had an attorney and could not answer any questions.

2). When my mother and I proceeded to leave the Grefer Tract, they noticed two men following them while heading home. The men was actually driving an EPA company truck and when we realized they was following us, we pulled over to the side of the road. When we began slowing down to perhaps write down the license plate number, the van turned around and sped off.

3). The company working for the EPA's office installed cameras on the Grefer Tract. We complained to them about the disposal trucks traveling at high rates of speed through the neighborhood with radioactive dirt particles flying airborne.

4). The residents complained about particles flying airborne that landed on their homes, vehicles, and yards during the cleanup of the contaminates. This white particle covered your vehicles and homes. Many residents had to pressure wash their property every six months just to remove this stuff.

5). [redacted] home backs up to the Grefer Tract and she witnessed two men recently dressed in white OSHA biohazard suits collecting samples of dirt from the site. She actually approached them and asked why they were collecting samples of dirt for a case that has already been settled. The men did not state who they worked for or the nature of their business. She grabbed a sample of dirt out of the workers hand and placed it in a plastic bag.

6). The contaminates were improperly removed from the Grefer Tract because the EPA workers did not cover the site during cleanup. The contaminates was actually drained into a drainage ditch that went into the neighboring communities.

7). We have over 3000 people who did not sign those attorney Matrix contracts.

8). I belong to a group of individuals that filed Petitions for Intervention for Monetary Compensation, with the Jefferson Parish 24th Judicial District Court. My families petitions was signed by Judge Ellen Kovach on 1/20/2009, and was delivered to [redacted] office by Deputy Sheriff Richard Spindel on 4/6/2009. The service information confirms that George Riess was served, but as of this date the court nor the attorney has replied.

9). Our former attorney [redacted] threatened us by stating if we refuse to accept the deal, then we get nothing. He stated that no other attorney would represent us and that we better go ahead and accept this deal or get nothing. We have consulted with eleven attorneys and not one would accept this case. This is the reason why many of us have filed our own petitions to fight.

10). Our family has submitted medical records to Attorney Roland Vandenweghe, Jr., counsel for the defendant Exxon Mobil. Enclosed you will find two letters, dated 12/2/2008 and 1/4/2009 sent to Roland Vandenweghe, Jr. because we had been communicating with him directly during the settlement negotiations process. Unfortunately, upon receipt of my families medical records, Roland Vandenweghe informed my mother

[redacted] that since none of us had cancer, we get the same 968.00 offered to everyone else. Our family had no idea until we appeared in court on 1/27/2009, that we were still represented by attorney [redacted]. It was then that we realized that Roland Vandenweghe, Jr. violated the Louisiana Rule LRPC 1.8 Conflicts of Interest, which forbids a lawyer from settling malpractice claims with represented clients.

11). Adams & Reese Attorney Roland Vandenweghe, Jr. has scheduled numerous conference dates in Judge Ellen Kovach's court that has been later cancelled or postponed. After numerous postponed court dates my mother brought the letter to the court house to confirm if the court dates were actually legitimate. She was told by the clerk that the date posted on the certified letter was never scheduled on the court house docket. Enclosed you will find copies of the letters we were mailed via return receipt.

12). Our former attorney [redacted] did not file a Motion of petitioners counsel to withdraw from representation of Intervenors until April 2,2009, after he was served our petitions. Attorney, [redacted] has since denied receipt of the petitions even though I have a copy of the courts service confirmation order.

I am sure the United States Environmental Protection Agency, Civil Rights Office will find these issues worthy of investigating, and I look forward to hearing from you as to the disposition of this matter. Please do not hesitate to contact me if you require additional information or have any questions.

Respectfully,

[redacted]