May 23, 2005

David Hudson Jr.
Family Area Ministry & Education
290 County Road 329
DeBerry, Texas 75639

U.S. Environmental Protection Agency
Office of Civil Rights
1200 Pennsylvania Ave., NW, Room 2540
Washington, D.C. 20460

Dear Sir/Madam:

This discrimination complaint is against the Texas Railroad Commission based on a Feb. 28, 2005, a show-cause ruling. It's based on case No. 06-029907 filed in 2004.

The Texas Railroad Commission discriminated against a small African-American community off County Road 329 in DeBerry, Texas, in the following actions:

A. A saltwater disposal company (Basic Energy Service L.P.), prior to plugging the Class II disposal well, operated with a pit with large cracks in the pit and no catch-basin to collect waste from loading and unloading waste disposal for years. Heavy rains over the years caused overflowing of contaminants into our surface and groundwater. Contaminants include: Chromium, Mercury, Ethylbenzene, Lead, Toluene, M-and P-Xylene, o-Xylene, Barium, Cadmium, Arsenic, Naphthalene, tert-Butylbenzene, sec_Butylbenzene, p-Isopropyltoluene, Methylene Chloride, Naphthalene, n-Propylbenzene, 1,2,4, Trimethylbenzene, Acetone, Xylene, Chrysene, Anthracene, Phenanthrene, Fluorene, Pro-tech MPA-9015, Gulfco Xclay, Methyl Alcohol, Phosphonate, Organic Acid and Quaternary Amine. Many other contaminants related to volatile hydrocarbons (BTEX) and Total hydrocarbons (THC) are still present. We also are plagued with a non-point source pollution problem (NPS). The source of this problem is at the drilling site of each well, where BES had a contract to dispose of reserve pit contaminants and saltwater for the state of Louisiana. The heavy concentration of lead and arsenic in our groundwater, with underground disposal pipelines as a contributing factor, demonstrates a discriminating factor by the Texas Railroad Commission, which allowed BASIC to leave the pipeline underground.

B. We have other abandoned oil-and-gas wells in our community. We could not get remediation of these wells from the Texas Railroad Commission. This is also a contributing factor to our pollution problem. The Railroad Commission did not enforce the laws in regard to spills cause by negligence of BASIC. The spills occurred at the wellhead of the disposal well and contaminated the surface water of [redacted] and [redacted]. These pollutants cause heart troubles. We know that ozone levels are strongly associated with cardiac arrest, heart attack and angina. The Railroad Commission has addressed similar issues in non-African-American communities.

D. The environmental cleanup of the area is only a window dressing by BASIC, and the RRC is allowing this action.

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E. No medical examinations for County Road 329 residents and subsequent health care to all residents negatively affected by their operation have been ordered.

F. There is a lackadaisical approach to the remediation and other relief to restore the environmental conditions and residential health of CR 329.

I believe the claims in this complaint have been identified. Please notify me, in writing, within 10 calendar days of your disposition of this complaint.

Sincerely,

David Hudson
Family Area Ministry & Education
Director/Minister