Create Control - Data Entry

Control Number: OCR-12-001-0278 **Alternate Number:**

Citizen Information

Citizen/Originator: 1)(b) (6) Privacy [redacted] Search Citizen

Constituent: Search Constituent

Committee:

Sub-Committee:

Control Information

Status: Pending *

Letter Date: Jun 6, 2012 * **Received Date:** Jun 15, 2012

Contact Type: LTR (Letter) * **Priority Code:** Normal *

Addressee: US/EPA Office of Civil Rights (+) **Addressee Org:** 1200 Penn Avenue, N.W.

File Code: 108-025-08_497_a Discrimination Complaints - External Record Copy *

Signature: (+)

CC: Search CC

Signature Date: Date

Primary Subject: Request to Reconsider. (+) *

Secondary Subject: (+)

Instructions: NRN-No Response Necessary (+) *

Instruction Notes:

General Notes: This control is assigned to title 6 for appropriate action.

*: Required field
(+): Lookup field, press space bar for complete list

Save Continue and Assign Cancel

6/5/2012

(b) (6) Privacy

Ms. Helena Wooden-Aguilar, Assistant Director
U. S. EPA Office of Civil Rights
1200 Pennsylvania Avenue, N. W. (Mail Code 1201A)
Washington, DC 20460

Re: Rejection/Referral of Title VI Administration Complaint
EPA File No. 08R-11-R4

Dear Ms Wooden-Aguilar

This is a request to reconsider the complaint based on the original information, along with the new information being provided.

First, the original complaint was in writing, second it described the discriminatory acts that violated EPA's nondiscrimination regulations (*i.e.,* an alleged discriminatory act based on race, color, national origin, sex or disability) because the substance of the complaint applies to discriminative acts on a predominately African American community without regards for EPA rules and regulations that should have been enforced under the agreement between the U. S. EPA and the Florida Department of Environmental Protection, to abide by federal laws, as well as, the laws of Florida. Keep in mind, ordinary citizens are not attorneys, and should not be forced to obtain an attorney only to quote the precise definitions of the laws, rather than describing the situation as it happened. I am sure that OCR has on its staff qualified individuals that can relate the violations as written to the applying regulations. In order to file a discriminatory complaint, you first must have knowledge of the discriminations, the EPA is taking the position that even though it is aware of Hernando County and the City of Brooksville, along with DER, and the FDEP concealing the information from the citizens, still want to hold the citizens to a 180 days cap. It is a federal violation to conceal the information from the public based on race, but the EPA seems to be allowing it to continue even in 2012. It has been publicly stated, that murder has no statute of limitation, and the actions by FDEP, Hernando County, and the City of Brooksville have cause many premature deaths because of exposure to high levels of contamination in the community.

In order for the EPA to render it decision to not investigation the complaint it is allowing the FDEP to violate a host of federals laws in lieu of hiding by behind Florida Laws and mere technicalities. According, to the understanding of the citizens, the U. S. EPA in most cases do not deal directly with small cities and counties, rather, the Agency deals directly with the Florida Department of Environmental Protection. Third, the EPA must consider the complaints filed with the Florida Department of Environmental protection that was filed within the 180 days period, because on several occasions when a complaint was filed with the U. S. EPA, the complaint was then referred back to the Florida Department of Environmental Protection by EPA.

The original complaint addressed and referred to the funds provided by the U. S. EPA to the Florida Department of Environmental Protection (FDEP), such as the Brownfield funds, and other clean-up funds awarded to the FDEP or made accessible to the FDEP that were discriminately used by Hernando County and the City of Brooksville, as you will see in the additional information included with this document. There are ***clean-up*** activities going on today in a most discriminative manner using funds provided by federal organizations. It appears that once the funds are in the hands of FDEP they no longer become funds provided by the federal government, if an African American community is the target area.

I would like to bring to the attention of Ms. Wooden-Aguilar the U. S. EPA Atlanta's office should have on file, complaints filed with that office throughout the 1990's and early 2000's. Ms Wooden-Aguilar should focus on the complaints filed in 1994, and the complaint filed while George Bush was President. I was told by an EPA investigator processing my complaint out the Atlanta Office in a telephone conversation, that even though violations were apparent, the pictures were gross and supported by the complaint, the U. S. EPA would not consider processing the case because the Governor of Florida was the President's brother, Jeb Bush. The decision by the EPA's Atlanta office left the South Brooksville community in a bad way, and, provided an avenue from FDEP, Hernando County and the City of Brooksville to act without any regards for federal or state laws.

Ms. Wooden-Aguilar, you must review your own files for complaints that were filed in a timely manner, but still rejected by EPA in lieu of transferring the cases back to the main perpetrator. In addition, there were timely complaints that were filed with the Department of Environmental Regulation (DER). The agency that replaced DER was the Florida Department of Environmental Protection in order to avoid the gross racial discriminate practices of the DER. The first director of the DER was a Hernando County resident, with a long history of practicing racism against the African American citizens of South Brooksville. When the environmental violations allowed by DER in Hernando County and other counties reach the level of statewide shame, the Florida Legislature mere changed the name of DER to the Florida Department of Environmental Protection, and basically disregarded all of the complaints that were filed with DER.

U. S. EPA failures to insure that FDEP follows both federal and state laws has put an entire community in jeopardy of dying out at an early age because of the massive levels of contaminates they were exposed too because of the total disregard for their community at the hands of Hernando County and the City of Brooksville

Ms. Wooden-Aguilar, George Bush is not the President today, and Jeb Bush is not the Governor of Florida, so what is the problem now? It is the belief of all that contributed to this complaint that if the actions as described in the original complaints were conducted in an all white neighborhood, the U. S. Environmental Protection Agency would have no problem addressing the matter.

The U. S. EPA in addressing the scope of the discrimination as defined in the original complaints must look back and answer why the EPA did not act upon these complaints which were filed in a timely manner, only to be referred FDEP, seemly, routine practice as an alert, since the FDEP routinely dismisses the complaints without conducting any investigation of its own. The EPA must have the complaints on filed, or the files have been wrongfully misplaced or destroyed.

According to the list of enclosures, the U. S. EPA has had direct contact with the City of Brooksville Attorney. This explains why the City of Brooksville has engaged in a series of actions designed to cover-up any evidence that support the complaint filed. If the City of Brooksville Attorney is privilege with knowledge, then I should have privilege to the City of Brooksville Attorney response. It appears that your office is working behinds the doors, and with close doors, which is allowing the City of Brooksville to cover-up all of the allegations listed in the complaint. This could be miscued as a violation of one Civil Rights also, because my family and I have become a target of the City of Brooksville as a result of OCR's secret contacts with those the complaint is alleged.

I am requesting as a public records request any and all information provided to the U. S. EPA in reference to the complaint.

Enclosures

cc: **The Current President of the United States**

(b) (6) Privacy

6/4/2012

U.S. Environmental Protection Agency
Office of Civil Rights
Mail Code 1201A
1200 Pennsylvania Ave NW
Washington, D.C. 20460

Hunting F. Deutsch, Executive Director
Department of Economic Opportunity
107 East Madison Street
Caldwell Building
Tallahassee, Florida 32399-4120

Eric H. Holder, Jr., Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Shaun Donovan, Secretary
U.S. Department of Housing and Urban Development
451 7th Street S.W.
Washington, DC 20410

Title VI, 42 U.S.C. § 2000d et seq., was enacted as part of the landmark Civil Rights Act of 1964. It prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance. As President John F. Kennedy said in 1963:

This is a Supplement to the complaint already filed under Title VI of Civil Rights Act of 1964, 42 U.S.C. 2000d to 200d-7.

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All Citizens of South Brooksville (34601)

The allegation to support the violations of **Title VI of Civil Rights Act of 1964, 42 U.S.C. 2000d to 200d-7, are included in this document as a form of Power Point presentations**

- Environmental Injustice Presentation One
- Environmental Injustice Presentation Two
- Environmental Injustice Presentation Final
- City of Brooksville Presentation
- Easy Street Presentation
- Railroad Place Presentation
- Presentation One, Two, and Three
- Hugh Rodrigues Thornton Laboratories, Inc.