From:	Marianne Engelman-Lado
To:	Biffl, Betsy; Dorka, Lilian
Cc:	Leah Aden; Temple, Kurt; Stein, Jonathan; Covington, Jeryl; Goerke, Ariadne; Yumehiko Hoshijima; Ama Francis; Suzanne Novak; Jonathan J. Smith
Subject:	Re: Tallassee
Date:	Friday, April 28, 2017 2:57:44 PM
Attachments:	2017-04-18 Letter Brief to ADEM .pdf

Dear Ms. Biffl and Director Dorka,

In follow up to our January, 2017 phone call regarding the status of the investigation into the Tallassee complaint, Leah Aden and I sought more information and time to provide additional evidence on behalf of the Complainant Ashurst Bar/Smith Community Organization. In the absence of more information, we initiated an investigation into the factual and legal issues raised by our discussion. We had hoped to receive information from public disclosure requests we submitted in the state of Alabama and supplement the record.

Given your email (below), we are submitting the attached letter brief and complaint today, rather than waiting until we have the full set of materials. We ask that you consider these materials and investigate the new allegations submitted by the Ashurst Bar/Smith Community Organization (ABSCO). The letter brief aims to clarify issues presented during our January 19, 2017 phone call. We also raise a new allegation under Title VI and EPA regulations regarding ADEM's February 10, 2017 decision to permit Stone's Throw Landfill.

Given the expedited nature of this submission, we plan to supplement it with attachments and forward the new allegations to ADEM next week. The new allegations meet EPA's jurisdictional requirements for a complaint under Title VI of the Civil Rights Act of 1964 and EPA regulations.

We ask that you postpone closure of the file to consider these materials.

I will be traveling this afternoon but can be reached later today or tonight by cell: (b) (6) Privacy (b) (6) Privacy our clients would like to set up a time to talk next week, as Ms. Biffl suggested. Please let us know your availability.

Sincerely,

Marianne

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On Apr 28, 2017, at 11:15 AM, Biffl, Betsy <Biffl.Betsy@epa.gov> wrote:

Marianne and Leah,

I'm reaching out to let you know that ECRCO will be issuing a closure letter on the Tallassee complaint today. You will have the letter by COB. If you want to talk briefly today, Lilian and I are available this afternoon. If you would like to talk after you receive the letter and have a chance to coordinate with your clients, we can set up a call for next week.

Best regards,

Betsy Biffl

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