COMPLAINT FORM
COORDINATION AND REVIEW SECTION
CIVIL RIGHTS DIVISION
DEPARTMENT OF JUSTICE

The purpose of this form is to assist you in filing a complaint with the Coordination and Review Section. You are not required to use this form; a letter with the same information is sufficient. However, the information requested in the items marked with a star (*) must be provided, whether or not the form is used.

1.* State your name and address.

Name: __Minister Robert Lee Campbell_____

Address: ____[redacted] (b) (6) Privacy[redacted]_____

___Chapel Hill, North Carolina_____ Zip __27516__

Telephone No:
Home: __[redacted] (b) (6) Privacy [redacted]_ Work:[redacted] (b) (6) Privacy [redacted]_____

2.* Person(s) discriminated against, if different from above:

Names: __The residents, households, and congregation members of churches in the Rogers Road/Eubanks Road communities located in Chapel Hill, Carrboro, and Orange County, North Carolina (here and after referred to as "complainants")__

Address: Town of Chapel Hill, NC, Town of Carrboro, NC, and Orange County, NC

Zip _____N/A_____

Telephone No:
Home:(____)____N/A_____ Work:(____)_____N/A_____

Please explain your relationship to this person(s).

Minister Robert Lee Campbell is a resident of the Rogers Road/Eubanks Road communities and minister for the congregation of the Faith Tabernacle Oasis of Love Church (address: 8005 Rogers Road, Chapel Hill, NC 27516; Phone: 919-942-8472)

3.* Agency and department or program that discriminated including, but not limited to:

1) Orange County, NC:

a) The Orange County, NC Board of County Commissioners:

Address: 200 S. Cameron St; Hillsborough, NC 27278
Phone: (919) 245-2130, Fax: (919) 644-0246

b) The Orange County, NC Solid Waste Management Department:

Address: 1099 Martin Luther King Jr. Blvd., Chapel Hill, NC 27516
Phone: (919) 968-2788, Fax: (919) 932-2900

c) The Orange County, NC Environmental Health Services Division:

Address: Planning/Agriculture Environmental Complex (Carr), 306 Revere Road, Hillsborough, NC 27278
Phone: (919) 245-2360 Fax: (919) 644-3006

2) Town of Chapel Hill, NC:

Address: 405 Martin Luther King Jr. Blvd., Chapel Hill, NC 27514
Phone: (919) 968-2743, Fax: (919) 967-8406

3) Town of Carrboro, NC:

Address: 301 W. Main Street, Carrboro, NC 27510
Phone: (919) 942-8541, Fax: (919) 918-4456

4) Town of Hillsborough, NC:

Address: 101 East Orange Street, Hillsborough, NC 27278
Phone: (919) 732-1270

5) Orange Water and Sewer Authority (OWASA):

Address: 400 Jones Ferry Road, Carrboro, NC 27510
Phone: (919) 968-4421

6) North Carolina Department of Environment and Natural Resources (N.C.DENR):

a) North Carolina Division of Waste Management:

Address: 1646 Mail Service Center, Raleigh, NC 27699-1646
Phone: (919) 508-8400

b) North Carolina Division of Water Quality:

Address: 512 N. Salisbury St., Raleigh, NC 27604
Phone: (919) 733-7015

Any individual if known: _____N/A_____

Address: _____See above_____

_____See above_____ Zip ____See above_____

Telephone No:(____)_____See above_____

4A.* Non-employment: Does your complaint concern discrimination in the delivery of services or in other discriminatory actions of the department or agency in its treatment of you or others? If so, please indicate below the base(s) on which you believe these discriminatory actions were taken (e.g., "Race: African American" or "Sex: Female").

_X_ Race/Color: ___African-American_____

___ National origin: _____

___ Sex: _____

_X_ Religion: ____Full Gospel_____

_X_ Age: __Senior citizens, children, and young adults___

_X_ Disability: __Residents receiving disability assistance_____

4B.* Employment: Does your complaint concern discrimination in employment by the department or agency? If so, please indicate below the base(s) on which you believe these discriminatory actions were taken (e.g., "Race: African American" or "Sex: Female").

____ Race/Color: _____N/A_____

____ National origin: _____

____ Sex: _____

____ Religion: _____

____ Age: _____

____ Disability: _____

5. What is the most convenient time and place for us to contact you about this complaint?

__From July-August 12, 2007 at Phone: (b) (6) Privacy ; After August 12, 2007 at Phone: (b) (6) Privacy _____

6. If we will not be able to reach you directly, you may wish to give us the name and phone number of a person who can tell us how to reach you and/or provide information about your complaint:

Name: _____N/A_____

Telephone No:(____)_____N/A_____

7. If you have an attorney representing you concerning the matters raised in this complaint, please provide the following:

Name: _____N/A_____

Address: _____N/A_____

_____N/A_____ Zip _____N/A_____

Telephone No: (____)____N/A_____

8.* To your best recollection, on what date(s) did the alleged discrimination take place?

Earliest date of discrimination: ___1972_____

Most recent date of discrimination: ___June 27, 2007 and on-going_____

9. Complaints of discrimination must generally be filed within 180 days of the alleged discrimination. If the most recent date of discrimination, listed above, is more than 180 days ago, you may request a waiver of the filing requirement. If you wish to request a waiver, please explain why you waited until now to file your complaint.

The agencies and municipalities listed above have a record of historical and on-going discrimination against the residents of the Rogers Road/Eubanks Road communities (of which Minister Robert Lee Campbell is a resident). The Rogers Road/Eubanks Road communities are predominantly African-American and low-income communities located in Orange County, NC, Chapel Hill, NC, and Carrboro, NC. The Rogers Road/Eubanks Road communities are split between the zoning, planning, and services jurisdictions of the Town of Chapel Hill, NC, the Town of Carrboro, NC, the Town of Hillsborough, and Orange County, NC. Portions of the communities are located in planning zones known as the extraterritorial jurisdiction (ETJ). Complainants maintain that discrimination occurred within the past 180 days. To the extent that the allegation of historical and on-going discrimination is contested and to the extent that the discrimination did not happen in the past 180 days, the complainants reserve the right to request a waiver of the filing requirement.

10.* Please explain as clearly as possible what happened, why you believe it happened, and how you were discriminated against. Indicate who was involved. Be sure to include how other persons were treated differently from you. (Please use additional sheets if necessary and attach a copy of written materials pertaining to your case.)

The residents of the predominantly African-American and low-income Rogers Road/Eubanks Road communities have made repeated requests and petitions before the Town of Chapel Hill, NC, the Town of Carrboro, NC, the Town of Hillsborough, NC, and Orange County, NC to seek solutions to and to address the following discriminatory activities; including, but not limited to:

1) **The disproportionate and adverse impact of the siting and operation of the Orange County, NC landfill (Orange County Landfill) on the complainants;**

2) **The disproportionate and adverse impact of the current plans to approve a permit for and siting of a regional solid waste transfer station on the complainants without the meaningful public participation, input, or compensation of the complainants (see newspapers articles in Appendix I.A.);**

3) **Complainants concerns about the public health risks and health related quality of life effects [including, but not limited to: increased vehicular and truck traffic, foul smell and malodor, surface and groundwater**

contamination, animal vector carcasses and waste (e.g., feral cats and dogs, rats, and swarms of buzzards)] as a result of the siting, operation, and daily activities of the Orange County, NC landfill and future siting, operation, and daily activities of the proposed Orange County, NC regional solid waste transfer station;

4) **The disproportionate and adverse impact of contamination of groundwater, household well water supplies (see Appendix V. for well water testing records), and air on the complainants due to the siting and operation of the Orange County, NC solid waste landfill (which is located in the complainants communities) and the future siting, operation, and daily activities of the proposed Orange County, NC regional solid waste transfer station in the complainants' communities;**

5) **The disproportionate and adverse impact of a lack of basic amenities in the complainants' communities; including, but not limited to the lack of:**

    a. **public, regulated drinking water service,**
    b. **public, regulated sewer service,**
    c. **paved roads and streets,**
    d. **safe traffic flow (e.g. traffic ingress/egress)**
    e. **stormwater drains,**
    f. **street curbs and gutters,**
    g. **street lights,**
    h. **sidewalks,**
    i. **covered bus-stops,**
    j. **connector bus route (regular bus service),**
    k. **adequate law enforcement to enforce traffic laws,**
    l. **fire and emergency services,**
    m. **voting rights to choose representation of officials responsible for decision-making in complainant's communities.**

6) **The disproportionate and adverse impact of zoning, services planning, and development activities performed by the Town of Chapel Hill, NC, the Town of Carrboro, NC, the Town of Hillsborough, NC, Orange County, NC, the Orange Water and Sewer Authority, and the North Carolina Department of Environment and Natural Resources; including, but not limited to the siting and operation the Orange County, NC solid waste landfill and future plans to site and operate the Orange County, NC regional solid waste transfer station in the complainant's community.**

The residents of the Rogers Road/Eubanks Road communities are predominantly African-American and low-income (for more historical information and background on the Rogers Road/Eubanks Road communities see the attached copies of supporting documents in Appendix I.A.-I.E.). The residents of the Rogers Road/Eubanks Road communities have not been compensated for the

disproportionate and adverse impact of the Orange County land fill and are opposed to the expansion of solid waste landfill operations in their community; including, but not limited to the siting of a regional solid waste transfer station in the Rogers Road/Eubanks Road communities.

Discriminatory practices were employed in the site selection process for the Orange County, NC solid waste landfill and continue to be used now in the site selection process for the proposed Orange County, NC regional solid waste transfer station. The Solid Waste Advisory Board (SWAB), made up of representatives from Town of Chapel Hill, the Town of Carrboro, Town of Hillsborough, NC, and Orange County, NC, and staff members from the Solid Waste Management Department, did not consider alternate sites for the Orange County, NC regional solid waste transfer station until after the Eubanks Road site had already been recommended by the group (See Appendix II.A. SWAB meeting minutes on February 2, 2006 starting on p. 5). SWAB heard site recommendations from a consultant's feasibility study and alternatives to the Eubanks Road site for the regional solid waste transfer station were not presented or considered as legitimate alternative sites outside of the complainants communities. The procedural site selection process did not meaningfully involve the residents of the complainants' communities. Their concerns were not considered or acted upon by the discriminating municipalities in a timely manner to allow for full consideration of alternate sites for the Orange County, NC regional solid waste transfer station. Alternate sites were considered only at the last minute and siting decisions were made without full consideration of alternate sites (See Appendix II.A. SWAB meeting minutes September 7, 2006; See Appendix III.F. "A Resolution Accepting the Report on Siting the Orange County Solid Waste Transfer Station" February 8, 2007.)

The complainants' concerns and public comments were voiced but ignored during the Orange County, NC regional transfer station siting process. (See Appendix II.B.1. Orange County Board of Commissioners meeting minutes March 13, 2007 starting at marked section "9. Items for Decision—Regular Agenda b. Orange County Transfer Station"; Appendix II.B.2. Orange County Board of Commissioners meeting minutes March 27, 2007 starting at marked section "9. Items for Decision—Regular Agenda a. Orange County Transfer Station"; Appendix II.C. Summary Minutes of a Business Meeting of the Chapel Hill Town Council, February 12, 2007 starting at marked section "4.b. Petitions by citizens on items on the agenda"; Appendix II.D. Carrboro Board of Alderman meeting minutes February 20, 2007 starting at p. 8 "Discussion of Solid Waste Transfer Station")

The following is a brief timeline of regional solid waste disposal activities that have disproportionately and adversely impacted the Rogers Road/Eubanks Road communities (for more information See Appendix I.A.-I.D.). In 1970 the University of North Carolina at Chapel Hill (UNC-CH) announced it would close its landfill within two years. At this time the Town of Town of Chapel Hill and the Town of Carrboro were using the landfill which was operated by UNC-CH for solid waste

disposal. At this time the Town of Chapel Hill, NC, the Town of Carrboro, NC, Town of Hillsborough, NC and Orange County, NC needed to find a new site for solid waste disposal. No other neighborhoods in Chapel Hill, NC, Carrboro, NC, Hillsborough, NC and Orange County, NC would let the municipalities site a landfill in or near their community. At this time the mayor of Chapel Hill, NC (Howard Lee) and members of the Chapel Hill, NC Town Council had a meeting with the residents of the Rogers Road/Eubanks Road communities to discuss compensation for siting the solid waste landfill in their predominantly African-American and low-income communities. Mayor Howard Lee promised the complainants that the landfill would only be temporary and that no other landfill would be located near them after that time. Compensation at that time was said to include conversion of the proposed landfill to a community park after 10 years of operation (See Appendix I.A. p. 23). In 1972 the Town of Chapel Hill, NC, the Town of Carrboro, NC, and Orange County, NC bought land in the predominantly African-American and low-income Rogers Road/Eubanks Road communities and opened the Orange Regional Landfill located on the north side of Eubanks Road. In 1986 the Landfill Owners Group, a formalized group of elected officials with membership from Carrboro, NC, Chapel Hill, NC, and Orange County, NC, was created to manage and operate solid waste disposal services. In 1999 the Orange County Government took sole control of solid waste management from the Landfill Owners Group. By 2000 the last of four lined cells was opened on the south side of the Orange County Landfill. In 2002 Orange County, NC purchased and developed a new 14-acre construction and demolition landfill in the Rogers Road/Eubanks Road communities and instituted a disposal ban on clean wood waste and scrap metal. The Orange County, NC Solid Waste Department projects that by 2009 the lined Orange County, NC solid waste landfill will be full and therefore the municipalities will need to transfer regional solid waste out of Orange County, NC for disposal (See Appendix I.B. "Timeline"). Plans are being made to transfer solid waste out of Orange County, NC by means of a solid waste transfer station.

The siting process by the Orange County, NC Board of County Commissioners did not include the meaningful involvement or public participation of the complainants. On March 13, 2007 complainants publicly voiced concerns regarding problems with the site selection process for the solid waste transfer station at the Orange County, NC Board of County Commissioners meeting (See Appendix II.B.1. meeting minutes of the Orange County, NC Board of County Commissioners). On March 27, 2007 the Orange County, NC Board of County Commissioners responded to the complainants concerns inadequately and unanimously voted to approve the solid waste transfer station site on Eubanks Road in the complainants' community (See Appendix II.B.2. meeting minutes of the Orange County, NC Board of County Commissioners).

From 1972 through June 25, 2007 the promises of the Town of Chapel Hill, NC, the Town of Carrboro, NC, the Town of Hillsborough, NC, and Orange County, NC for compensation of the residents of the Rogers Road/Eubanks Road communities have not been met or addressed. Residents of the Rogers Road/Eubanks Road

communities are concerned that the collection and disposal of mixed waste, construction and demolition waste, clean wood waste, stumps and land clearing waste, vegetative yard waste, tires (any size), appliances (white goods), scrap metal, and recycling will continue in their communities. The proposed Orange County Regional solid waste transfer station will add to the burden and the struggle of the residents of the predominantly African-American and low-income Rogers Road/Eubanks Road communities and continue the legacy of no true compensation (including, but not limited to: the lack of provision of public, regulated water and sewer services, and other basic amenities) for residents in the Rogers Road/Eubanks Road communities living with the daily activities of the solid waste disposal site.

11. The laws we enforce prohibit recipients of Department of Justice funds from intimidating or retaliating against anyone because he or she has either taken action or participated in action to secure rights protected by these laws. If you believe that you have been retaliated against (separate from the discrimination alleged in #10), please explain the circumstances below. Be sure to explain what actions you took which you believe were the basis for the alleged retaliation.

N/A

12. Please list below any persons (witnesses, fellow employees, supervisors, or others), if known, whom we may contact for additional information to support or clarify your complaint.

Name	Address	Area Code/Telephone Numbers
(b) (6) Privacy, (b) (7)(C) Enforcement Privacy [redacted]		

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

[redacted]

13. Do you have any other information that you think is relevant to our investigation of your allegations?

Yes. Please see the following supporting documents in Appendices I-V:

I. Background and History of the Rogers Road/Eubanks Road Community and Information reflecting the Disproportionate and Adverse Impact of Solid Waste Disposal Activities and Government Agency Decision-Making on the Complainants:

A. Book Chapter "And Justice for All" from Socially Responsible Engineering, D.A. Vallero and P.A. Vesilind, 2006
B. Orange County, NC Solid Waste Management Department "History and Timeline" http://www.co.orange.nc.us/recycling/history.asp
C. "Summary of a Unified Public Hearing on Landfill Matters June 19, 1996"
D. Newspaper Articles
E. Orange County Coalition for Environmental Justice Fact Sheet No. 1, April, 30, 2000

II. Meeting Minutes:

A. Solid Waste Advisory Board (SWAB), Orange County, NC
B. Board of County Commissioners for Orange County, NC
  1. March 13, 2007
  2. March 27, 2007
C. Town of Chapel Hill, NC
D. Town of Carrboro, NC

III. Memoranda:

A. April 18, 1996 Memorandum to Landfill Owners Group, NC
B. September 18, 1997 Report of Landfill Owners Group/Landfill Neighbors Working Group
C. March 2, 2006 Memorandum from the Orange County Solid Waste Advisory Board
D. June 25, 2007 Meeting Notes from the Historic Rogers Road Community Enhancement Plan Development and Monitoring Task Force
E. June 27, 2007 Memorandum from Roger L. Stancil, Chapel Hill Town Manager to the Chapel Hill Mayor and Town Council

F. February 8, 2007 A Resolution Accepting the Report on Siting the Orange County Solid Waste Transfer Station by the Carrboro, NC Board of Alderman

IV. NC and U.S. EPA Solid Waste Regulations, Statutes, and Guidelines

V. North Carolina Department of Environment and Natural Resources (DENR) Division of Water Quality (DWQ) Monitoring Well Test Results for the Orange County, NC Landfill

14. What remedy are you seeking for the alleged discrimination?

The complainants seek remedies including, but not limited to the following:

1) **The Town of Chapel Hill, NC, Town of Carrboro, NC, Town of Hillsborough, NC, Orange County, NC, and the North Carolina Department of Environment and Natural Resources should not site, permit, or place the proposed solid waste transfer station in the complainants' community;**

2) **The Town of Chapel Hill, NC, Town of Carrboro, NC, Town of Hillsborough, NC, Orange County, NC, and the Department of Environment and Natural Resources should conduct a lawful and thorough site selection process for another site for the solid waste transfer station;**

3) **The Orange County, NC solid waste landfill should be closed immediately and the site remediated to address issues including, but not limited to groundwater contamination and malodor air quality problems in the complainants' community;**

4) **Remedies under Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d et seq. and Executive Order 12898 of 1994 (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations) to address the discriminatory activities of the Town of Chapel Hill, NC, Town of Carrboro, NC, Town of Hillsborough, NC, Orange County, NC, and the Orange Water and Sewer Authority the North Carolina Department of Environment and Natural Resources;**

5) **Compliance with and enforcement of the following environmental laws:**

   a) **Safe Drinking Water Act,**
   b) **Clean Water Act,**
   c) **Clean Air Act,**
   d) **Solid Waste Disposal Act,**
   e) **Toxic Substances Control Act**

to protect the public health of the complainants.

6) **Meaningful involvement and public participation of complainants to participate in decision-making and planning processes for the siting, permitting, and operation of Orange County, NC solid waste disposal activities including but not limited to the Orange County, NC landfill and the proposed Orange County, NC regional solid waste transfer station.**

15. Have you (or the person discriminated against) filed the same or any other complaints with other offices of the Department of Justice (including the Office of Justice Programs, Federal Bureau of Investigation, etc.)?

Yes ____ No __X__

If so, do you remember the Complaint Number?

_____N/A_____

Against what agency and department or program was it filed?

_____N/A_____

Address: _____ N/A _____

_____ N/A _____ Zip _____ N/A _____

Telephone No: (____)_____N/A _____

Date of Filing: ____ N/A _____ DOJ Agency:_____ N/A _____

Briefly, what was the complaint about?

_____ N/A _____

What was the result?

_____ N/A _____

16. Have you filed or do you intend to file a charge or complaint concerning the matters raised in this complaint with any of the following?

At this time the complainants have not filed a charge or complaint concerning the matters raised in this complaint with any of the following. However, it is a possibility that the complainants would consider filing a complaint with one of the following in the future.

_____ U.S. Equal Employment Opportunity Commission

__X__ Federal or State Court

__X__ Your State or local Human Relations/Rights Commission

__X__ Grievance or complaint office

17. If you have already filed a charge or complaint with an agency indicated in #16, above, please provide the following information (attach additional pages if necessary):

Agency: _____ N/A _____

Date filed: _____ N/A _____

Case or Docket Number: _____ N/A _____

Date of Trial/Hearing: _____ N/A _____

Location of Agency/Court: _____ N/A _____

Name of Investigator: _____ N/A _____

Status of Case: _____ N/A _____

_____

Comments: _____ N/A _____

18. While it is not necessary for you to know about aid that the agency or institution you are filing against receives from the Federal government, if you know of any Department of Justice funds or assistance received by the program or department in which the alleged discrimination occurred, please provide that information below.

Complainants allege that the government entities of the Town of Chapel Hill, Town of Carrboro, Town of Hillsborough, Orange County, NC, the North Carolina

Department of Environment and Natural Resources, and the Orange Water and Sewer Authority are receiving federal funds for activities including, but not limited to solid waste disposal, public health protection, waste water collection and treatment services, drinking water treatment and distribution services, source water protection, stormwater management, transportation, communications outreach, law enforcement, and emergency services.

19.* We cannot accept a complaint if it has not been signed. Please sign and date this complaint form below.

(b) (6) Privacy, (b) (7)(C) Enforcement Privacy

[redacted] 06-29-07

(Signature) (Date)

Please feel free to add additional sheets to explain the present situation to us.

We will need your consent to disclose your name, if necessary, in the course of any investigation. Therefore, we will need a signed Consent Form from you. (If you are filing this complaint for a person whom you allege has been discriminated against, we will in most instances need a signed Consent Form from that person.) See the "Notice about Investigatory Uses of Personal Information" for information about the Consent Form. Please mail the completed, signed Discrimination Complaint Form and the signed Consent Form (please make one copy of each for your records) to:

United States Department of Justice
Civil Rights Division
Coordination and Review Section - NWB
950 Pennsylvania Avenue NW
Washington, D.C. 20530

Toll-free Voice and TDD: (888) 848-5306
Voice: (202) 307-2222
TDD: (202) 307-2678

20. How did you learn that you could file this complaint?

The complainants learned that they could file this complaint through training sessions involving Omega R. Wilson, President of the West End Revitalization Association (206 Moore Rd, Mebane, NC 27302; Phone: 919-321-1296; Fax: 919-338-2445) and Gary R. Grant, Executive Director of the North Carolina Environmental Justice Network (P.O. Box 61, Tillery, NC; Phone: 252-826-3017; Fax: 252-826-3244) held at the Faith Tabernacle Oasis of Love Church at 8005 Rogers Road, Chapel Hill, NC 27516 on April 14, 2007 and May 19, 2007. The West