Create Control - Data Entry

Control Number: OCR-17-000-8822 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: Feb 15, 2017 * Received Date: May 16, 2017

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

Addressee: (+) Addressee Org:

File Code: *

Signature: (+)

CC: Search CC

Signature Date: Date

Primary Subject: Correspondence received from DOJ regarding raw sewage back up to due to broken sewer system (+) *

Secondary Subject: (+)

Instructions: (+) *

Instruction Notes:

General Notes:

*: Required field

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

Save Continue and Assign Cancel

586893

DEPARTMENT OF JUSTICE
Civil Rights Division
Disability Rights Section
Correspondence Tracking System

Complaint #: (b) (6) - Privacy

Srcr # : 17-2BHBO-6TJ4
Issue : OTHR
Filed : Yes
Effort : No

Section : DRS
Discrimination : 09/02/2016
Complaint Received : CTSOWN - 02/15/2017
Filed Organization : Department of Justice

MAY 16 2017
PCOA

204-45-0

DEPARTMENT OF JUSTICE
FEB 15 2017
RECORD
CIVIL RIGHTS DIVISION
DISABILITY RIGHTS SECTION

Complaint : We are buying 10+ acres that we are presently living on at (b) (6) - Privacy [redacted] we made the purchase in October of 2011 and will be paid in full in two years. Our property consists of tracts 3, 4 and 5 and each tract is approximately 3 1/3 + acres and a small tract on the other side of (b) (6) - Privacy Tract two is owned by our neighbor at (b) (6) - Privacy and is a one acre tract with a house. Three years ago we notice a very bright green grassy area that was wet around our neighbors septic tank and latteral lines and a distinct sewer smell. My husband told our neighbor that it was probably time to have her septic system pumped. The neighbor replied that she believed the smell was coming from our chicken coop and not her sewer. Approximately a year later I had our neighbor follow me to her lateral lines so I could show her she was having a problem with her septic. At this point Ms. Rademann became aware that she did have a septic leak. The Spring of 2016 the sewage became very saturated in the ground and was laying upon the ground and had crossed onto our property above ground. We informed our neighbor, and in June or July she called a sewer tank pump service to come out and pump out her tank. My husband and I were present when the serviceman explained to our neighbor that she might as well wait to have it pumped after she had her system replaced as the current system was now completely full and packed because of not being maintained and her lateral lines were to short and she now needed a different kind of system. By September 02 the raw sewage had crossed onto our property all the way to our house foundation, a lenghth of about 90 feet and about 50 feet from our well. On this day we filed a complaint with the health department and spoke with the Health Department Director. Immediately in the conversation he told us, "we do not like to be consider as sewer gods at the health department, we dont want to kick poor people out of their homes because they cant afford to fix their sewers". The director repeated this statement or something similar 2-3 times. We explained that we both had autoimmune diseases and that i had lost 19 lymph nodes two years ago from breast cancer and that we were more suceptable to viruses, bacteria and diseases.h An environmental inspector from that department came out to the property the following week and after observation of standing water and blood worms determined the septic system was not maintaining her sewage properly. WE explained our health situation to the inspector whose name was Brad Carter. A day or so later we were told by the inspector that he had a notice sent to our neighbor giving her 45 days to have the system replaced or repaired. The 45th day was October 26 and there has been no attempt to have the septic system fixed by our neighbor and the health department extended her time an additional 15 business days, which would be the end of November. At that point the case would be turned over to the prosecuting attorney of Miller County and however criminal charges will not be brought by the prosecutor told me, " he was apologetic but did not have the manpower to prosecute such cases. According to Assistant to the State of Missouri attorney General, Laura Elsbury, the Miller County Prosecutor is the only person with any authority to do something about this issue. I do not remember if i told the prosecutor about our health situations on that day. With all of this said we are nearly half way through our story. The bottom line is every agency or person of authority in the State of Missouri and a few at the Federal level did not perform their duties as the state statues and Federal Law requires nor at any time was any consideration given for our health situations or the health of the people who have wells on the same water table that this sewage has been seeping into the ground for over three years. We are still trying to get the sewage stopped

DEPARTMENT OF JUSTICE
Civil Rights Division
Disability Rights Section
Correspondence Tracking System

Person #: 200045535
Type : CW - Correspondent/Writer
Title :
Name : (b) (6) - Privacy
Address : [redacted]
Organization :
Contact By : PHON
Disability : OTHR
Phone : (b) (6) - Privacy
E-Mail : [redacted]

200045536
Type : RS - Respondent/Subject
Title :
Name :
Address : 2125 Hwy 52
Tuscumbia MO ,65082
Organization : Miller County Health Department and others
Contact By : PHON
Disability :
Phone : 573-369-2359 (O)
E-Mail : n/a

U.S. Department
of Justice

Disability Rights Section - NYA
950 Pennsylvania Avenue, NW

APR 1 4 2017

Notice of Referral of Complaint for Appropriate Action

To: Mr. Rafael DeLeon,
Director, Office of Civil Rights
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, NW
Room 2450
Washington, D.C. 20460

(b) (6) - Privacy

From: Disability Rights Section, Civil Rights Division, U.S. Department of Justice

Reference: CTS# 586893; regarding MIller County Health Department and Others, Tuscumbia, MO; received by DOJ on Feb 15, 2017

The Disability Rights Section has reviewed the enclosed complaint and determined that it raises issues that are more appropriately addressed by the U.S. Environmental Protection Agency. We, therefore, are referring this complaint to that agency for appropriate action. This letter serves to notify that agency and the complainant of this referral. The Disability Rights Section will take no further action on this matter.

To check the status of the complaint, or to submit additional information, the complainant may contact the referral agency at the address above or at the following telephone number(s):

(202) 564-7272

If the agency has any questions or concerns about this referral or believes that it raises issues outside the agency's jurisdiction, please do not hesitate to contact the Department of Justice at the address and phone number attached hereto

DJ# 204-43-0

Rec'd by R. DELEON
ON MAY 16, 2017