Message

From: Trivedi, Adrienne [Trivedi.Adrienne@epa.gov]
Sent: 3/10/2017 4:21:17 PM
To: Miller, Amy [Miller.Amy@epa.gov]
CC: McWhorter, Scott [mcwhorter.scott@epa.gov]; Cobb, Christina [cobb.christina@epa.gov]
Subject: FW: Earthjustice Complaint Against Hawaii Department of Agriculture (HDOA), and the Hawaii Agribusiness Development Corporation (ADC)

Just fyi

Adrienne Trivedi
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Office of Civil Enforcement
U.S. Environmental Protection Agency
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From: Lott, Don
Sent: Friday, March 10, 2017 8:36 AM
To: Trivedi, Adrienne <Trivedi.Adrienne@epa.gov>; Miles, James <miles.james@epa.gov>
Subject: RE: Earthjustice Complaint Against Hawaii Department of Agriculture (HDOA), and the Hawaii Agribusiness Development Corporation (ADC)

Thanks, Adrienne,

I believe the last Title VI matter relating to the pesticides program was also a WPS matter and was filed against one of the Region 6 states, possibly Arkansas, several years ago, possibly 7-8 years back. I don't remember all of the issues, but essentially it alleged discrimination based on the fact that the farm workers couldn't speak English and the state investigators couldn't speak the workers' language and had no translators or translation services available in order to properly interview the workers when investigating WPS complaints. As I recall, the state did not prevail and EPA took some steps to make translator services more readily available to state programs, even though we already had such services in place…I think we also strengthened our inspection guidance to states regarding steps that should be taken to interview and obtain statements from workers who may not speak English as their primary language.

Should be interesting to see how this plays out…especially as it relates to our case.

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Donald J Lott, Associate Director
Waste & Chemical Enforcement Division
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From: Trivedi, Adrienne
Sent: Friday, March 10, 2017 8:17 AM
To: Lott, Don <Lott.Don@epa.gov>; Miles, James <miles.james@epa.gov>

Subject: FW: Earthjustice Complaint Against Hawaii Department of Agriculture (HDOA), and the Hawaii Agribusiness Development Corporation (ADC)

FYI attached are the letters acknowledging the Earthjustice complaint.

"This letter is to notify you that the U.S. Environmental Protection Agency (EPA), External Civil Rights Compliance Office (ECRCO), is accepting for investigation an administrative complaint filed by Earthjustice on behalf of the Moms on a Mission Hui and Po' ai Wai Ola/West Kaua' I Watershed Alliance against the Hawaii Department of Agriculture (HDOA), and the Hawaii Agribusiness Development Corporation (ADC). The complaint alleges that HDOA and ADC discriminated against farm workers and residents in West Kaua'i and on Moloka'i, on the basis of race and/or national origin with respect to the administration of the pesticides program and the leasing and licensing of the state land program, in violation of Title VI of the Civil Rights Act of 1964, as amended, 42 United States Code 2000d et seq., the EPA's nondiscrimination regulation found at 40 Code of Federal Regulations (C.F.R.) Part 7. In addition, the complaint alleges that HDOA and ADC lack a Title VI compliance program as required by EPA's nondiscrimination regulation."

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From: Miller, Amy
Sent: Thursday, March 09, 2017 5:56 PM
To: Trivedi, Adrienne <Trivedi.Adrienne@epa.gov>; Cobb, Christina <cobb.christina@epa.gov>; McWhorter, Scott <mcwhorter.scott@epa.gov>
Subject: FYI: Earthjustice Complaint Against Hawaii Department of Agriculture (HDOA), and the Hawaii Agribusiness Development Corporation (ADC)

FYI. We are getting media inquiry....

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From: Miller, Amy
Sent: Thursday, March 9, 2017 9:46 AM
To: Strauss, Alexis <Strauss.Alexis@epa.gov>; Jordan, Deborah <Jordan.Deborah@epa.gov>; Jeff Scott <Scott.Jeff@epa.gov>; Kathleen Johnson <Johnson.Kathleen@epa.gov>; Taylor, Katherine <Taylor.Katherine@epa.gov>; Berg, Elizabeth <Berg.Elizabeth@epa.gov>
Subject: FW: Earthjustice Complaint Against Hawaii Department of Agriculture (HDOA), and the Hawaii Agribusiness Development Corporation (ADC)

Both letters

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