

July 15, 2022

U.S. Environmental Protection Agency  
External Civil Right Compliance Office  
Office of General Counsel  
Mail Code 2310A  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

Subject: Environmental Justice Complaint

Dear Sirs:

We, the undersigned, are residents of Pettis County, Missouri. We wish to file a Complaint against the Missouri Department of Natural Resources (MoDNR).

The basis for our Complaint is that MoDNR is discriminating on the basis of race, color, and/or national origin (including persons with limited English proficiency (LEP)) in violation of the Civil Rights Act of 1964 and EPA's nondiscrimination regulation, 40 CFR Part 7, in connection with MoDNR's review and potential approval of a permit for the construction and operation of a sanitary landfill and appurtenant activities at: (1) the Pettis County Environmental Material Management Park (PCEMMP) operated by Pettis County Development Co., and (2) the Mid-Missouri Waste Systems landfill, both located near the towns of LaMonte, Missouri and Dresden, Missouri, Pettis County, Missouri.

In this regard, MoDNR has not complied with these Federal nondiscrimination requirements because MoDNR has never implemented a nondiscrimination program including procedural safeguards required by 40 CFR Parts 5 and 7. In addition, MoDNR has not provided meaningful access for persons with LEP during the review process for this sanitary landfill permit application.

Students living in the vicinity of these proposed landfills attend schools located in either the LaMonte R-IV School District or the Pettis County R-XII School District. Information available for the LaMonte R-IV School District indicates:

- For the 2021-22 school year, there are 2 public schools serving 356 students in La Monte R-IV School District. This district's average testing ranking is 2/10, which is in the bottom 50% of public schools in Missouri.
- Public Schools in La Monte R-IV School District have an average math proficiency score of 27% (versus the Missouri public school average of 42%), and reading proficiency score of 37% (versus the 49% statewide average).
- Minority enrollment is 47% of the student body (majority Hispanic), which is more than the Missouri public school average of 29% (majority Black).
- La Monte R-IV School District, which is ranked within the bottom 50% of all 555 school districts in Missouri (based off of combined math and reading proficiency testing data) for the 2018-2019 school year.

Source: <https://www.publicschoolreview.com/missouri/la-monte-r-iv-school-district/2916920-school-district>.

In addition, 57% of students receive free or reduced-price lunches under the National School Lunch Act. Source: <https://www.usnews.com/education/best-high-schools/missouri/districts/la-monte-r-iv/la-monte-high-11716>.

The Pettis County R-XII School District operates the Pettis County Elementary School located in Dresden, Missouri. Information available for the school district indicates:

- For the 2021-22 school year, there is 1 public school serving 126 students in Pettis County R-XII School District.
- Minority enrollment is 32% of the student body (majority Hispanic), which is more than the Missouri public school average of 29% (majority Black).

Source: <https://www.publicschoolreview.com/missouri/pe-ttis-county-r-xii-school-district/2924690-school-district>.

Further,

- The student body at the schools served by Pettis Co. R-Xii is 72.9% White, 3.2% Black, 1.3% Asian or Asian/Pacific Islander, 14.2% Hispanic/Latino, 0% American Indian or Alaska Native, and 0% Native Hawaiian or other Pacific Islander. In addition, 8.4% of students are two or more races.
- At schools in Pettis Co. R-Xii, 98.1% of students are eligible to participate in the federal free and reduced price meal program and 13.6% of students are English language learners.

Source: <https://www.usnews.com/education/k12/missouri/districts/pe-ttis-co-r-xii-116806>.

Based on the demographic information shown in the USEPA EJSCREEN and the information relating to the LaMonte R-IV School District and Pettis County R-XII School District, it is apparent: (i) there is a significant Hispanic population residing in the area around these proposed landfills, (ii) a significant percentage of this Hispanic population are persons with LEP, and (iii) there is a significant percentage of persons residing in the area near these proposed landfills who are elderly, low income, and economically disadvantaged.

Despite the foregoing, MoDNR has not conducted any meaningful activities to involve and provide access to the minority and low income population in terms of public awareness, public information, and public meetings regarding these landfills. Also, MoDNR has not taken any meaningful action to consider the potential impacts of these landfills on the minority and low income population who live, work, and attend school in the area surrounding these facilities

USEPA ECRCO  
July 15, 2022  
Page Three

As a result, we ask that you please conduct an investigation into this matter. Our childrens' health is at stake.

Sincerely,

**(b) (6) Privacy, (b) (7)(C) Personal Privacy**



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USEPA ECRCO  
July 15, 2022  
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