

(b)(6) Privacy

Concerned Citizens of West Badin Community

(b) (6) - Privacy

March 28, 2018

U.S. EPA Office of General Counsel
External Civil Rights Compliance Office
Mail Code (2310A) 1200 Pennsylvania Ave., NW
Washington, D.C. 20460
Fax (202) 565-0196

Re: Complaint against the North Carolina Department of Environmental Quality under
Title VI of the Civil Rights Act of 1964

To Whom It May Concern:

I am filing a complaint on behalf of the Concerned Citizens of West Badin Community (CCWBC), under Title VI of the Civil Rights Act of 1964, against the North Carolina Department of Environmental Quality (DEQ) for issuing N.C. NPDES Permit No. 0004308 to Badin Business Park, LLC. DEQ discriminated in the use of federal funding by issuing the permit on September 29, 2017 for a stormwater system that serves as a key component of a monitored natural attenuation remediation scheme, in a way that has the effect of discriminating on the West Badin African American community and on people of color who swim, fish, and recreate in Badin Lake, and near the site. The Concerned Citizens of West Badin Community is a community association comprising a group of concerned residents and supporters of West Badin, a predominantly African-American community located in Stanly County, North Carolina. CCWBC advocates for community-wide healthy land and clean water in and around Badin. The group formed out of concern about the ongoing environmental degradation borne by the West Badin Community and the residents and visitors who use swim, fish, and hunt in and around Badin Lake.

A prehearing statement filed in the North Carolina Office of Administrative Hearings against the North Carolina Department of Environmental Quality includes the allegations that serve as the basis for this Title VI complaint. A copy of the Prehearing Statement is attached to the hard copy of this letter as Exhibit A, and is being delivered via UPS today. I am filing this complaint within 180-calendar days of the date the permit was issued. I am filing before the expiration of the statute of limitation to preserve any claims that may remain if the litigation is not resolved in a way that addresses CCWBC's concerns.

CCWBC understands that the External Office of Civil Rights may dismiss a complaint where the underlying basis for filing is an action that is being challenged in state or federal court. We ask that the Office of Civil Rights stay the administrative complaint, rather than dismiss it, while the state court litigation is pending.

I may be reached regarding your decision on my request for a stay at (b) (6) - Privacy. You may also contact me regarding this complaint, through CCWBC's attorney in the

pending state administrative challenge. We are represented in that challenge by Chandra T. Taylor. Her office address is 601 West Rosemary Street, Suite 220, Chapel Hill, North Carolina 27516. Her phone number is (919) 967-1450 and her email address is ctaylor@selcnc.org.

Respectfully,

(b)(6) Privacy

President
Concerned Citizens of West Baden
Community

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

Pat Dunlop

From:

(b)(6) Privacy

Sent:

Monday, March 26, 2018 12:31 PM

To:

Chapel Hill Administrative Staff

Subject:

Court Reporters for Depositions in Albemarle, here and Raleigh

I have depositions scheduled for next week. First depositions are in Albemarle, Monday April 2 and Tuesday, April 3, then here on Wednesday, April 4th and Raleigh on Monday April 9th. They may get rescheduled, but I want to make sure a court reporter is available on the days and in the cities listed above. Can I talk with someone who has recently made arrangements with court reporters?

*Industrious
Raleigh
Chapel*

SOUTHERN ENVIRONMENTAL LAW CENTER

Telephone 919-967-1450

601 WEST ROSEMARY STREET, SUITE 220
CHAPEL HILL, NC 27516-2356

Facsimile 919-929-9421

FAX TRANSMITTAL COVER SHEET

DATE:

3/28/18

Monique Portnoe

TO:

US EPA Office of General Counsel

202-565-0196

FROM:

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Total Pages Transmitted: 3, including cover sheet

COMMENTS:

Thank you!

Original to follow by mail: YES: ☒ NO: ☐

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