



**OFFICE OF EXTERNAL CIVIL RIGHTS COMPLIANCE**

WASHINGTON, D.C. 20460

May 15, 2025

**In Reply Refer to:**

EPA Complaint Nos 03R-15-R4 and 08R-15-R4

David Hicks, DO, MPH, FAAFP  
Jefferson County Department of Health  
Environmental Health  
1400 Sixth Avenue South  
Birmingham, Alabama 35233

**Re: Closure of Monitoring - EPA Complaint Nos 03R-15-R4 and 08R-15-R4**

Dear Dr. Hicks:

This letter is to notify you that the U.S. Environmental Protection Agency (EPA) Office of External Civil Rights Compliance (OECRC) has determined that the Jefferson County Department of Health (JCDH) has fully complied with the enclosed Informal Resolution Agreement (Agreement), dated July 2, 2019, between EPA and the JCDH, relating to EPA Complaint Nos. 03R-15-R4 and 08R-15-R4, respectively. Accordingly, OECRC is closing the monitoring of the Agreement and the Complaints as of the date of this letter.

During the course of EPA's investigation, JCDH agreed to enter into an Informal Resolution Agreement in order to resolve EPA Complaint Nos. 03R-15-R4 and 08R-15-R4. The enclosed Agreement is entered into by EPA pursuant to authority granted to EPA under the federal nondiscrimination laws, including Title VI and EPA's nondiscrimination regulation at 40 C.F.R. Parts 5 and 7. It resolves EPA Complaint Nos. 03R-15-R4 and 08R-15-R4. It is understood that the Agreement does not constitute an admission by JCDH of any violation or a finding by EPA of compliance or noncompliance with applicable federal non-discrimination laws and regulation, including 40 C.F.R. Parts 5 and 7.

Pursuant to Section III of the Agreement, JCDH agreed to implement enhancements to its public participation plan and accessibility. JCDH has submitted, and OECRC has reviewed, reports demonstrating completion of deliverables to include a public participation plan that is available to all persons regardless of race, color, national origin (including regarding language access),

disability, sex, and age and at least two (2) community meetings directed at the residents of Collegeville, Harriman Park, and Tarrant area. JCDH disseminated information about the community meetings through its website, emails, and postal service mailings pursuant to the Agreement.

As specified in the Agreement, JCDH undertook efforts to make all permit documents available to the public and JCDH's current and ongoing practice, continues to ensure that the following ABC Coke's and Walter Coke's permit documents are made available to the public by posting on the JCDH website, and/or making the documents available in the JCDH office, and/or in a manner consistent with state and federal regulations pursuant to Section III.E:


- permit applications;
- work practice plans;
- results from source emissions tests; and
- applications for approval of alternative operating scenarios.

Pursuant to Section III.G, JCDH will continue to make the ABC Coke and Walter Coke facility semi-annual monitoring reports from January 31<sup>st</sup> and July 31<sup>st</sup> and the compliance certifications publicly available. With the completion of second Public Information Meeting on December 3, 2024, JCDH has now fulfilled its commitments as set forth in Section V of the Agreement.

Neither the closure of the monitoring or closure of the Complaint affects JCDH's continuing responsibility under Title VI, 40 C.F.R. Parts 5 and 7, and, as applicable, other federal nondiscrimination laws,<sup>1</sup> nor does it affect EPA's investigation of any Title VI or other federal civil rights complaint or address any other matter not covered by the closure. This letter is not a formal statement of EPA policy and should not be relied upon, cited, or construed as such.

If you have any questions, please contact Senior Advisor Kurt Temple by telephone at (202) 564-7299 or by email at [temple.kurt@epa.gov](mailto:temple.kurt@epa.gov).

Sincerely,



Theresa Segovia  
Principal Deputy Assistant Administrator  
Office of Environmental Justice and External Civil Rights

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<sup>1</sup> See Title VI of the Civil Rights Act of 1964, 42 United States Code §§ 2000d to 2000d-7 (Title VI); Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 794; Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. §§ 1681 *et seq.*; Age Discrimination Act of 1975, 42 U.S.C. §§ 6101 *et seq.*; Federal Water Pollution Control Act Amendments of 1972, Pub. L. 92-500 § 13, 86 Stat. 903 (codified as amended at 33 U.S.C. § 1251 (1972)); 40 C.F.R. Parts 5 and 7.

cc: Wade C. Merritt  
Spain & Gillon, LLC

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