

EPA investigating Arrowhead Landfill

Black property owners claim state's largest landfill violates their civil rights

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Officials from the federal Environmental Protection Agency are in Uniontown this week investigating claims that Arrowhead landfill — the largest landfill in the state — violates the civil rights of surrounding black property owners.

Arrowhead, located in Perry County, accepts more than

15,000 tons of waste per day, accepting garbage from 33 states across the U.S., according to the EPA.

The official complaint, which is made against the Alabama Department of Environmental Management, alleges that Title VI of the Civil Rights Act of 1964 was violated in 2011 when ADEM reissued the landfill's permit, and again in 2012 when it approved the modification of the permit, allowing the landfill to expand by 169



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acres.

According to the complaint, the landfill has caused an increase in unpleasant odors, noise, dust, and birds and flies that could be carriers of disease and parasites — thus negatively impacting the quality of life in the area and reducing property values.

The landfill is also an environmental concern, said Adam Johnston, alliance coordinator with the Alabama Rivers Alliance. In 2013, arsenic was documented in runoff waste that was leaking from the landfill site into a neighbor's property and into the Chilatchee Creek, a tributary of the Alabama River, Johnston said. There are also groundwater issues, he said.

“The state has the responsibility to protect all people, regardless of race or class,” Johnston said. “ADEM has a duty to protect all people, and we are not seeing that done for our poor and minority community members.”

Uniontown, in the Black Belt, has approximately

1,600 residents and an average household income of \$12,500. The areas immediately surrounding the landfill are between 86 percent to

100 percent black.

It's not the first time that the Arrowhead has been in the news. In 2009, an estimated 3.9 million tons of coal ash was dumped at the landfill. It was brought in after a Tennessee Valley Authority dam breached in east Tennessee, spilling toxic ash into a river and damaging about

300 acres. To date, it's the largest coal ash spill in U.S. history.

Much of that ash ended up being dumped at the landfill in Perry County, which in return received an estimated \$4.1 million.

Since 2003, the EPA has accepted for investigation only eight out of more than 100 complaints that its Civil Rights Office has received. The investigation will take time, said Jennifer Colaizzi, spokeswoman for the EPA.

“The EPA is committed to thoroughly evaluating all allegations accepted for investigation,” Colaizzi said. “While in Perry County, the investigators will interview the complainants and other witnesses, and inspect the community allegedly impacted by the landfill.”

Information has also been requested from ADEM.

“The department has a good working relationship with EPA, and they did inform us of their visit to Uniontown this week,” said Scott Hughes, spokesman for ADEM. “We have already provided them with significant information relating to our permitting and inspection and enforcement activities in the Uniontown area, and we will continue to provide them information as requested by the EPA.”

Attorneys from Earth-

justice, an environmental, nonprofit law firm based in San Francisco, are representing the Perry County complainants. Community residents feel that the landfill and the coal ash and the impact on the community should never have happened and that the landfill should never have been there, said Marianne Engelman Lado, managing attorney for Earthjustice.

“If the landfill is here, it's up to the state to protect people,” she said.

But that's not happening, Engelman Lado said. Instead, residents of the impoverished community feel “dumped on,” she said.

“There are people living right across the street from the landfill,” Engelman Lado

said. "It's a huge mountain, with people literally living in the shadow in this mountain of waste, and they feel they are being poisoned."

Investigators from the EPA arrived in Uniontown on Tuesday and are expected to continue their local interviews through today.

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