

EPA agrees to investigate issuance of landfill expansion permit to Dothan

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The Environmental Protection Agency has agreed to look into the complaints of local residents who believe the Alabama Department of Environmental Management acted in a discriminatory manner when it awarded a permit to allow the City of Dothan to expand the city landfill at its current location.

A group of local black residents filed a civil rights complaint last month, claiming that the decision to award Dothan a permit to expand the landfill at its current site in east Dothan was unfair because African Americans comprise 89 percent of the population within 1 mile of the proposed expansion and 79 percent of the population within 1.5 miles.

The complaint claims the city's stated purpose of disposing its garbage could have been fulfilled by other alternatives.

The complaint is made against ADEM because ADEM issued the permit to the city and receives financial assistance from the EPA.

Specifically, the EPA has agreed to look into two matters, according to the EPA's response:

» "Whether ADEM discriminated against African-American residents in the surrounding community on the basis of race/color through the modification of the solid waste disposal permit number 35-06 and authorization to the City of Dothan to expand the City of Dothan Sanitary Landfill in violation of Title VI of the Civil Rights Act of 1964 and EPA's implementing regulation."

» "Whether ADEM is complying with the procedural safeguard provision delineated in 40 C.F.R. Part 7 Subpart D, which require recipients of EPA financial assistance to have specific policies and procedures in place to comply with their affirmative non-discrimination obligations."

The EPA's agreement to look into the matter is not a decision on the merits of the complaint. ADEM has 30 days to respond to the complaint now that it has been accepted by the EPA.

The complaint was filed on behalf of the residents, who have not been named, by Florida environmental attorney David Ludder.