



Alabama Environmental Management Commission

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ROBERT J. BENTLEY
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H. LANIER BROWN, II, ESQ.
CHAIR

W. SCOTT PHILLIPS
VICE CHAIR

August 12, 2013

By E-Mail and U.S. Mail

David A. Ludder, Esq.
9150 McDougal Court
Tallahassee, Florida 32312-4208
DavidALudder@enviro-lawyer.com

Re: *Public Comment Period Request from David A. Ludder, Esq.*
SUBJECT: *Title VI Compliance at the Alabama Department of Environmental Management*

Dear Mr. Ludder:

I've reconsidered my decision to recommend to the Commission that you be allowed to address the Commission during the Public Comment Period at the August 16 meeting. Simply put, I believe it is inappropriate for you to make a presentation to the Commission entitled "Title VI Compliance at the Alabama Department of Environmental Management" when you have filed a Title VI Complaint with the EPA on this very issue. Certainly, neither Commission nor ADEM will discuss matters that are the subject of a pending action. Accordingly, as Chair, I will recommend the Commission deny your request to address the Commission on this topic. A majority of the Commissioners may feel differently and vote to allow your presentation. All Commissioners have seen your power point presentation and Complaint and are aware of your concerns.

Sincerely,

H. Lanier Brown, II
dst

H. Lanier Brown, II
Chair

HLB/dst

cc: AEMC Members (by e-mail)
Robert D. Tambling, AEMC Counsel (by e-mail)
Lance R. LeFleur, ADEM Director (by e-mail and hand delivery)

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