

EPA investigating discrimination complaint lodged against ADEM

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By **Thomas Spencer -- The Birmingham News**



This aerial view shows the scale of the Arrowhead landfill in Perry County, where TVA coal ash is being disposed.

The U.S. Environmental Protection Agency will investigate a **complaint that the Alabama Department of Environmental Management discriminated against black residents of Perry County by granting permits to operate and expand the Arrowhead landfill in Uniontown.**

The landfill, which opened in 2007, is authorized to accept waste from 33 states. The complaint points out that the racial composition of that service area is predominantly white, but the portions of Perry County receiving the waste are 87 to 100 percent black.

Located in one of Alabama's poorest counties, Arrowhead's creation originally was championed by the majority-black Perry County Commission as a jobs generator.

But the landfill has been the subject of a steady barrage of complaints from neighbors who say offensive odors, heavy traffic, noise and dust is harming their health and decreasing their property values.

The landfill was thrust into the public eye when it was selected to receive trainloads of **coal ash** cleaned up from the 2008 spill at a Tennessee Valley Authority holding pond in Kingston, Tenn.

Attorney David Ludder of Tallahassee, Fla., represents the Perry County residents who live near the Arrowhead landfill. He filed the environmental justice complaint with the EPA's office of civil rights, which now has notified Ludder that an investigation of the complaint will proceed.

ADEM spokesman Scott Hughes said in a statement that the department had not received an official copy of the EPA response. "However, we have an excellent working relationship with EPA and are prepared to provide any information that they may need related to this issue," Hughes said. "We are fully confident that our decision making processes are not discriminatory and are consistent with the laws and statutes that govern our agency."