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Title VI Civil Rights Act/Environmental Justice: Earthjustice January 20th Letter to the U.S. Environmental Protection Agency Alleging Violations by Louisiana Department of Environmental Quality/Department of Health

01/25/2022

Earthjustice sent a January 20th letter to the United States Environmental Protection Agency (“EPA”) alleging violations of Title VI of the Civil Rights Act of 1964 by the Louisiana Department of Environmental Quality and Louisiana Department of Health.

The other organizations signing the letter include:

- Lawyers’ Committee for Civil Rights Under Law
- Concerned Citizens of St. John
- Sierra Club

The letter alleges the two Louisiana agencies have subjected:

. . . Black residents of St. John the Baptist Parish to disproportionate air pollution and related harms from various facilities, including ethylene oxide from various sources and chloroprene from a neoprene production facility.

Title VI prohibits entities receiving federal assistance from engaging in activities that subject individuals to discrimination on the basis of race, color, or national origin.

The Louisiana Department of Environmental Quality has allegedly violated Title VI by:

1. failing to review the permit renewal applications submitted by the neoprene production facility (Denka Performance Elastomer LLC or “Denka”) and to determine whether to renew and strengthen those permits;
2. failing to conduct the public notice and comment process required by Louisiana and federal law for permit renewal applications; and

3. failing to control hazardous air pollution from Denka and other air toxics sources as needed to protect St. John residents from disproportionate, adverse impacts from this pollution.

The Louisiana Department of Health has allegedly violated Title VI by:

1. failing to provide the public with necessary information on the health threats of air pollution from Denka and nearby sources, and
2. failing to make necessary recommendations to all relevant government agencies and communities on ways to reduce and prevent exposure to hazardous chemicals from these sources, such as recommending the relocation of students at the disproportionately Black Fifth Ward Elementary School.

The complaint asks that the two Louisiana agencies be “brought into full compliance” and asks that specific actions be taken in regards to various permitting/enforcement activities.

A copy of the January 20th letter can be found [here](#).