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Environmental Justice: U.S. Department of Justice and Alabama Department of Health Enter into Interim Resolution Agreement

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The United States Department of Justice and United States Department of Health and Human Services (collectively “DOJ”) announced on May 4th they have entered into an Interim Resolution Agreement (“IRA”) with the Alabama Department of Public Health addressing their environmental justice investigation into Alabama and Lowndes County Health Department (collectively “ADPH”).

DOJ initiated an investigation in November 2021 into whether ADPH’s conduct violates Title VI of the Civil Rights Act and Section 1557 of the Affordable Care Act.

Title VI prohibits recipients of federal funds from discriminating on the basis of race, color, or national origin in their federally funded programs and activities.

Earthjustice had filed in 2018 a civil rights Complaint against Lowndes County and the State of Alabama. The Complaint had alleged that the ADPH discriminated against black residents by mismanaging their sewage disposal program.

The IRA requires that ADPH take certain actions to address public health in Lowndes County which include:

- Suspending criminal penalties and liens against county residents who lack the means to purchase functioning septic systems
- Examining public health risks within Lowndes County
- Launching a public health awareness campaign
- Providing public health educational materials for Lowndes County healthcare providers
- Conducting assessments to determine appropriate septic and wastewater management systems
- Creating a sustainable and equitable public health and infrastructure improvement plan
- Consistently engaging with the community in carrying out aspects of the IRA

ADPH’s willingness to enter into the IRA requires that DOJ suspend their investigation.

A copy of the IRA can be downloaded [here](#).