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Water Drainage/Nuisance: Pro se Plaintiff Files United States District Court Action Against Construction Company and National Store Chain Relating to Drew County, Arkansas, Project

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Pro se Plaintiff Cornelius Brooks (“Brooks”) filed a June 10th Complaint in the United States District Court for the Eastern District of Arkansas against Dolgen Corp., LLC, d/b/a Dollar General (“Dollar General”), and Rozier Construction Company (“Rozier”) alleging damages related to a construction project in Drew County, Arkansas.

The Complaint also names as defendants:

- Arkansas Department of Transportation (“ADOT”)
- Environmental Protection Agency (“EPA”)

The Complaint alleges that Dollar General began on April 12, 2024, construction of a store in Drew County, Arkansas, using Rozier. It is further alleged that the construction damaged certain natural and/or manmade water drainage routes which resulted in damage to the local topography and caused stagnation and erosion which:

... has, or will, likely affect the local waterways to the detriment of the ecology of the area and to the quality of the water and environment of the area.

Brooks states that a formal complaint was filed on May 8, 2024, with the following:

- National Response Center
- Arkansas Energy Environment Offices

The Complaint further alleges that four previous projects undertaken by Dollar General and Rozier did not comply with regulations to protect the “environmental assets of the area.”

Rozier is alleged to have released gasoline, diesel fuels, and petroleum onto the ground in the areas which caused adverse effects.

EPA and ADOT are stated to have inspected the Drew County project that is the subject of this Complaint but took no action.

The Complaint requests relief which includes:

- Order and direct Dollar General to cease, desist, and discontinue its construction pending abatement of the alleged nuisance.
- Rozier be directed, ordered, and monitored to cease, desist, and discontinue any construction efforts pending abatement of the alleged nuisance.
- ADOT be directed, ordered, and monitored to require Dollar General and Rozier to cease, desist, and discontinue any construction efforts pending abatement of the alleged nuisance.
- EPA be ordered to require Dollar General and Rozier to abate the alleged nuisance, order oil and water samples for all adjacent property.
- Defendants joint and severally be ordered to pay the costs, fees, and damages, including applicable monetary damages, associated with Brooks bringing of the action.

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