

U.S. Environmental Protection Agency
Office for Civil Rights, EPA
1200 Pennsylvania Avenue, NW, Room 2540
Washington, DC 20460
(January 7, 2012)

Mailing Address:
U.S. Environmental Protection Agency
Office of Civil Rights
1200 Pennsylvania Avenue, NW, Room 2540
Washington, DC 20460

I. Complaint's Name , Phone & Address

[Redacted Name and Address]

E-mail [Redacted Email]

Best Time to be reached 8am – 5pm Monday- Friday

Who else can we call if we cannot reach you?

[Redacted Name and Address]

Best Time to be reached 8am – 5pm Monday - Friday

JAN 13 2012

II. Enter complaint information

1. What happened to you? How were you discriminated against? For example: were you refused an opportunity to rent or buy housing? Denied a loan? Told that housing was not available when in fact it was? Treated differently from others seeking housing? State briefly what happened

.... *Please Statement of Particulars*

2. Why do you believe you are being discriminated against?

It is a violation of the law to deny you your housing rights for any of the following factors:
- race - color - religion - sex - national origin - familial status (families with children under 18) - disability.

For example: were you denied housing because of your race? Were you denied a mortgage loan because of your religion? Or turned down for an apartment because you have children? Were you harassed because you assisted someone in obtaining their fair housing rights? Briefly explain why you think your housing rights were denied because of any the factors listed above.

.... *Please Statement of Particulars*

3. Who do you believe discriminated against you? Was it a landlord, owner, bank, real estate agent, broker, company, or organization?

Alabama Department of Finance

("State Government Agency")

*Ms. Marquita Davis, Director
Alabama State Capital
600 Dexter Ave, Suite N-150
Montgomery, AL 36130*

Alabama Department of Public Health ("ADPH")

("State Government Agency")

[REDACTED] MD

*The RSA Tower
201 Monroe Street
Montgomery, Alabama 36104*

Alabama Department of Economic and Community Affairs ("ADECA")

("State Government Agency")

*Ms. Jim Byard, Jr., Director
P.O. Box 5690
Montgomery, AL 36103-5690*

Alabama Department of Human Services ("DHS")

("State Government Agency")

*Ms. Nancy Buckner, Commissioner
Center for Communications
Gordon Persons Building, Suite 2104
50 North Ripley Street
Montgomery, AL 36130*

Alabama State Personnel Department ("SPD")

("State Government Agency")

*Ms. Jackie Graham, Director
P. O Box 304100
300 Folsom Administrative Building
Montgomery, AL 36130-4100
Telephone #334-242-8000*

Alabama Public Service Commission ("PSC")

("State Government Agency")

*Mr. John Garner, Chief Legal Counsel
100 North Union Street
RSA Union - Suite 836
Montgomery, AL 36104
Telephone #334-242-8000*

Alabama Department of Transportation ("ALDOT")

("State Government Agency")

*Mr. John Copper, ALDOT Director
1409 Coliseum Blvd
Montgomery, AL 36110
Telephone #334-242-8000*

4. Where did the alleged act of discrimination occur? Provide the address. For example:
Was it at a rental unit? Single family home? Public or Assisted Housing? A Mobile
Home? Did it occur at a bank or other lending institution?

.... Please Statement of Particulars

5. When did the last act of discrimination occur?
Is the alleged discrimination continuous or on going?

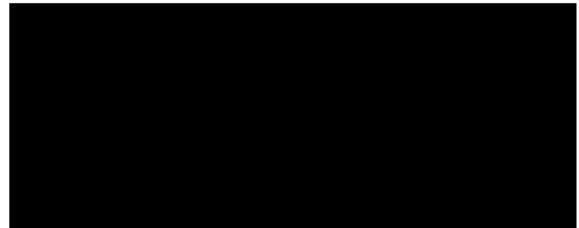
.... Please Statement of Particulars

6. Pleases sign and date this complaint

1-7-2012

(Date)

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1-7-2012

Supplement Statement of Particulars

January 7, 2012

My name is [REDACTED] I am a fifty-five ("55") year old, elderly, disabled, homeless and unemployed non-white male engineer. I graduated from Auburn University in 1979 with an Electrical Engineering Degree and I also earned a MBA Degree from Troy University in 1990 I have more than 20 years of experience in the field of engineering. On or about April 15, 2008 is the established date of my disabilities as documented by my physician and March 19, 2009 is SSA's (*Social Security Administration*) onset date for my disabilities. SSA lists the following "severe disabilities" such as [REDACTED]
[REDACTED]
[REDACTED]

Missions of EPA & ARRA

The Environmental Protection Agency ("EPA") per the 2009 American Recovery and Reinvestment Act ("ARRA"), has awarded approximately \$3,560,542,151 to the State of Alabama for Environment Projected. According to Federal Law, the "EPA" provides financial assistance to state and local governments, tribal governments, and local education programs (this means any educational program or activity, not only those conducted by a formal educational institution) that deal, among others, with:

- *pollution control and prevention;*
- *the development of municipal wastewater treatment facilities;*
- *the removal of asbestos from schools; or*
- *hazardous waste site identification, health risk assessment, and cleanup*

The "ARRA", or the "Economic Stimulus Bill," authorized nearly \$800 billion in federal spending to stimulate the economy and create jobs. To safeguard these funds, ARRA includes robust whistleblower laws to ensure that employees of private contractors and state and local governments can disclose: (1) gross mismanagement, (2) waste and fraud, (3) abuse of stimulus funds and (4) for fulfilling a statutory obligation such as reporting "Christian terrorists" and other "white collar crime activities" without fear of reprisal

The ARRA Act of 2009 allotted \$200 million from the Leaking Underground Storage Tank ("LUST") Fund to EPA for cleaning up releases from underground storage tanks throughout the country. The State of Alabama is receiving \$4,086,000 to address releases from underground storage tank systems within our state. These releases are at sites that do not have a viable responsible party identified. The Alabama Department of Environmental Management ("ADEM") will be utilizing existing LUST Trust Fund contracts for the initial work performed under the ARRA funding.

The 2009 ARRA Act allotted \$300 million for the establishment of Clean Diesel Programs throughout the country. All 50 states received a portion of this funding. The State of Alabama, through the Alabama Department of Environmental Management ("ADEM"), received \$1,730,000. ADEM's Air Division will be working with the Alabama Department of Transportation ("ALDOT") to install emission reduction devices on ALDOT's state-wide diesel vehicle and equipment fleet. Priority will be given to those areas that are currently exceeding the National Ambient Air Quality Standards and areas that are approaching the standards.

Statute of Limitation & Sovereignty Immunity Rights

*Under the 2009 Federal Stimulus EPA Provisions, there is also "no statute of limitation" and corrupted State and Local Officials cannot use their "sovereignty immunity rights" to protest them from claims of wrongdoings and "wantonly conspiring" in an array of Title VII and Title V I violations against the Federal EPA Laws and Statutes such as *Clean Air, Clean Water and Safe Drinking Water acts and federal solid and hazardous waste laws.**

Additional in the 2009 Stimulus Statutes, States receiving any Federal funds will now surrender its "Sovereignty Rights" under this act. Surrendering Sovereign Immunity allows states to be sued by anyone recognized by the Federal Government.

*Under the Stimulus Provisions, Section 1553 expressly protects "duty speech" or whistle-blowing such as disclosures made in the ordinary course of performing one's job duties can constitute protected conduct. *Section 553 has "No Statute of Limitation ("SOL")," but a four (4) year catchall SOL may apply.* An employee must also file complaints of discrimination and/or retaliation with the EPA's or other federal agencies Inspector General Office.*

False Claims & Duty of Care Standards

*Congress has enhanced the retaliation provision of the FCA under the Fraud Enforcement Recovery Act ("FERA") by expanding the scope of coverage to expressly protect independent contractors, and expanded the scope of protected conduct to cover "efforts to stop one (1) or more violations of the False Claim Acts ("FCA") Provisions. *Under FCA Anti-retaliation Provisions*, this act provides robust protection to any employee, contractor, or agent who is *discharged, demoted, suspended, threatened, harassed, or in any other manner discriminated against.**

*Under the "Duty of Care Standards" and "Federal False Claims" Provisions, it also seems that I was retaliated against for protesting against State Officials "knowingly conspired" in "acts of gross negligent" and a pattern of "wantonness failures" to adhere to recognized industry standards of care regulations and professional codes of ethics. For a number of years, State Officials and Personnel Officers have "knowingly allowed" accountants, auditors, bookkeepers, and others to engaged in fraudulent activities such as *making pattern of "false professional claims," and "illegally posing themselves as college degreed engineers and highly trained scientists.**

Missions of ADEM

The Mission of ADEM Mission includes the responsibly adoption and the fair enforce of rules and regulations consistent with the statutory authority granted to the Alabama Environmental Management Commission (AEMC) and the Alabama Department of Environmental Management (ADEM) to protect and improve the quality of Alabama's environment and the health of all its citizens. Monitor environmental conditions in Alabama and recommend changes in state law or revise regulations as needed to respond appropriately to changing environmental conditions.

Under the State Environmental Laws, a comprehensive program of environmental management for the state was established in 1982 with the passage by the Alabama Legislature of the Alabama Environmental Management Act. The law created the Alabama Environmental Management Commission and established the Alabama Department of Environmental Management, which absorbed several commissions, agencies, programs and staffs that had been responsible for implementing environmental laws.

Under Federal and State Laws, Alabama is an "authorized" state, meaning that it is authorized by the EPA to administer state environmental law in lieu of most federal environmental laws. This is consistent with Alabama statutes that created ADEM, and which express legislative intent to have federal environmental laws administered at the state level.

Under the EPA -ARRA Acts, it appears that I was subjected to a pattern of discriminatory and retaliatory acts for whistle-blowing about ADEM and State Officials "***knowingly defying***" the Federal Laws in favor of State and Local laws. It also seems that ADEM and State Officials are "***willingly engaging***" in Environmental Racism because ADEM and the State's lax Environmental Laws leaves many non-white, poor communities and Democratic Party Districts very vulnerable to industrial pollution, sewage, leaking underground storage tank and muddy construction runoff.

Under AMEM's Lax Environmental Rules and Racist Policies, it appears that ADEM and State Officials are "***willingly favoring and catering***" to the "**public views and values**" of elite white Christian males of the Republican Party and "***wantonly ignoring and disfavoring***" the "public views and values" of poor non-white individuals of the Democratic Party.

On April 9, 2009, under ARRA and an array of EPA and Safety Whistle-blower's Statues, I was fired for whistle-blowing about ***a pattern of wrongdoings*** in the State's Energy, Environment and Transportation Agencies. On numerous occasions, State Officials "***falsely stated***" and "***fraudulently claimed***" that I was ***disruptive and displayed "gross misconduct"*** because I was engaging in "**duty speech**" or "***whistle blowing activities***" about serious workplace abuses and a policy and practice of "**purposely defying**" Federal Laws in favor of State and local laws.

EPA & Title VI Laws

The Supreme Court has ruled that *Title VI authorizes federal agencies, including EPA*, to adopt implementing regulations that prohibit discriminatory effects as well as intentional discrimination. Frequently, discrimination results from policies and practices that are neutral on their face, *but have the effect of discriminating*. Facially-neutral policies or practices that result in discriminatory effects violate EPA's Title VI regulations unless it is shown that they are justified and that there is no less discriminatory alternative..

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that "no person in the United States shall, *on the ground of race, color, or national origin*, be excluded from participation in, be denied the benefits of, *or be subjected to discrimination under any program or activity receiving Federal financial assistance*."

Under Title VI Anti-Discriminatory Employment and Work Practices, many white employees have refused to stay in their own lanes or career paths as accountants, auditors and bookkeepers. They have successfully and illegally petition State Officials in personnel offices to have their job titles and job descriptions changed and upgraded to qualify for jobs in the Energy and the Green Job Technology Professions.

However while doing Accounting and Finance Job Assignments in which they have "*formal training and education*," these same employees touted their accounting abilities and auditing skills during the financial boom from 1995-2002 now they claim they have state-of-the-art scientific and engineering skills to be leaders and managers and supervisors in the new Green Job Technology Industry

Under the Title VI and Disability Laws, I have "repeatedly warned" State Officials about "engineering fear firing against disabled individuals" by "willingly circulating" fraudulent information and "knowingly engaging" in racist propaganda tactics against several groups of protected individuals, *non-whites, older, disabled, perceived non-Christians and Democratic Party members*, to discourage and deny these persons employment, education and training opportunities in the new Green Job Careers. These corrupted State Officials are adept at "*undermining tricks*" and providing "*false claims*" concerning compliance with federal laws.

Under discriminatory policies and rules, State Officials have used bias 1901 State Laws that allow ADEM and other State Agencies to deny me benefits, education and employment opportunities as a qualified disabled and non-white Democratic Party Member for events that occurred more than fifteen (15) years ago. I was also wrongly dismissed for alleged wrongdoings that occurred in 1993 and 1995 while I was employed with a non-state engineering firm.

Fair & Equitable Distribution of Federal Funds

Under Federal Title VI Stimulus Laws and Provisions, government agencies (Federal, State and/or Local) **"must"** distribute funding from the *American Recovery and Reinvestment Act of 2009* ("ARRA" *or* "Recovery Act") in an **"all nondiscrimination manner"** and equal opportunity statutes, regulations and **all Executive Orders** that apply to the distribution of funds under the Recovery Act.

Under the Recipient and Sub-recipient Obligations, recipients and sub-recipients of Recovery Act funds or other Federal financial assistance must comply with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, the Age Discrimination Act of 1975, and a variety of program-specific statutes with nondiscrimination requirements.

Under an array of Civil Rights Laws and federally funded EPA Programs, for engaging in "Duty Speech Activities," and for *Whistleblowing against "gross mismanagement", "gross waste of stimulus" and for protesting against a "pattern of harm "* caused by lax environment compliance laws and regulations , I have ben subjected to a pattern of ongoing g acts of retaliation. *Under an array of Civil Rights Laws and EPA Whistleblowers' Laws*, these laws apply to all environmental services agencies receiving funds from the U.S. EPA which enforces the following federal laws"

1. EPA WIA Jobs & Education Training Non Compliance Abuses
2. Environment Justice ("EJ") E. O. 12898 & Genocide Accountability Act ("GAA")
3. Asbestos Hazard Emergency Response Act ("AHEAR")
4. Safe Drinking Water Act ("SDWA") & Food Safety Modernization Act ("FSMA")
5. Clean Air Act ("CAA"), Clean Water Act ("CWA") Provisions
6. Toxic Sustenance Control Act ("TSCA") & Solid Waste Disposal Act ("SWDA")
7. Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), or "Superfund
8. Energy Recovery Act ("ERA") & Nuclear Safety Laws
9. Clean Vessel Act ("CVA") & Vehicle Technologies Programs ("VTP")
10. Section 508 & 504 Disability Accessibility Violation
11. ADA-AA & Communications Video Accessibility Act ("CVAA") Disability Laws
12. Age & ADEA Discrimination
13. National Original ID & Executive Order 13166
14. EPA No-FERA Statute

1. EPA WIA Jobs & Education Training Non Compliance Abuses

*The Environmental Protection Agency ("EPA") provides funds to eligible entities, including nonprofit organizations, to deliver environmental workforce development and job training programs or **Workforce Investment Act ("WIA")** focused on hazardous and solid waste management, assessment, and cleanup associated activities. **Environmental Workforce Development and Job Training ("EWDJT") grants** are provided to recruit, train, and place, unemployed and underemployed, predominantly low-income and minority, residents historically affected by hazardous and solid waste sites and facilities with the skills needed to secure full-time, sustainable employment in the **Environmental and Green Jobs Industries**.*

Since 1998, EPA has awarded more than **\$35 million under the EWDJT Program**. Formerly referred to as the "Brownfields Job Training Grants Program," the "EWDJT s Program" supports expanded environmental training outside the traditional scope of just brownfields

*Under **WIA Brownfield Employment and Stimulus Grant Provisions**, it appears that ADEM and State Officials also **"knowingly conspired"** in a **pattern of "false claims," "fraudulent statements" and "dishonest assurances"** under the Stimulus Civil Rights Laws Compliance Provisions. It seems that these dishonest assurances were **"purposely made" to extort federal grants and funds** under the Stimulus Programs such as the (1) **Clean Diesel Programs**, (2) **Brownfield Rehabilitation Projects**, (3) **Leaking Underground Storage ("LUST" Programs and other EPA Stimulus Projects because in the twenty year (20) history of ADEM the staff and management at ADEM has "never reflected or represent" the racial, ethnic and gender makeup of the state.***

*Under the **Workforce Investment Act ("WIA") Statute**, this act bans discriminate or retaliate against individuals on the following basis:*

- **Against any individual in the United States, on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and***

*Against any beneficiary of programs financially assisted under Title I of the **Workforce Investment Act of 1998 (WIA)**, on the basis of the beneficiary's **citizenship status** as a lawfully admitted immigrant authorized to work in the United States, or his or her participation in any **WIA Title I - financially assisted program or activity'***

*Under the **Workforce Investment Act ("WIA") Provisions**, for protesting against systemically acts of discrimination and political retaliation against the poor, elderly, disabled, less affluent, immigrants, non-white individuals, and non-Evangelical Christian members of the Democratic Party, I have been wrongly **blacklisted from the engineering profession, and illegally stereotyped as an insane non-Christian Atheists.***

2. Environment Justice ("EJ") E. O. 12898 & Genocide Accountability Act ("GAA")
Statutes prohibits environmental policies or practices which have an adverse impact on minority or low income communities

In the United States people of color and racial and ethnic minorities disproportionately live near toxic waste sites. They are also more likely to live in areas of high industrialization, air and water pollution, and work in environments that expose them to cancer causing toxicants. Moreover, this same group of people has a higher rate of exposure and usage of insecticides and pesticides through agriculture work or use in the home. This results in a higher cancer risks then other segments of the population,

In 1970, the Environmental Protection Agency (EPA) was developed to ensure environmental protection; and in 1994 Presidential Order 12898 was enacted to develop environmental justice policies in the EPA. In 2000, the government established the ***National Center on Minority Health and Health Disparities ("NCMHD"), a branch of the National Institute of Health ("NIH"),*** and passed the Minority Health and Health Disparities Act, which defined health disparities as "differences in the incidence, prevalence, mortality, and burden of diseases and other adverse health conditions that exist among specific population groups in the United States

Under the Environmental Justice ("EJ") Laws, all kids deserve the right to learn in a safe and clean environment. ***Poor indoor air quality ("IAQ")*** in schools can lead to lower academic scores and increased absences. Kids are the ones who suffer the most from unhealthy indoor environments and kids need clean air and a stable indoor temperature where they live, learn and play. The EJ Laws were enacted to ensure that everyone in the U.S. enjoys the **"same degree of protection"** from **"health hazards"** and **"equal access"** to the policy-making process to have a clean and healthy environment. ***Under Environmental Protection Agency ("EPA ") rules,*** I was **"wrongly fired"** from state service for protesting against a **"pattern of Environmental Justice acts"** by Government Officials.

According to the National Resources Defense Council ("NRDC"), a child riding inside a school bus may be exposed to as much as four times the amount of toxic diesel fumes as someone riding in a car directly ahead of it. ***EPA classifies diesel emissions as a "likely carcinogen."*** Retrofitting old buses with pollution control equipment involves installing emissions filters. Diesel particulate filters, which cost around \$700 each, can cut tailpipe emissions by a whopping 85 percent.

Under the Clean Air Act ("CAA"), Clean Water Act ("CWA"), the Toxic Substances Control Act ("TSCA ") and Asbestos Hazard Emergency Response Act ("AHERA ") and Asbestos Technical Assistance Programs ("TAP") Laws, these act requires EPA to develop and enforce rules to protect the general public from exposure to airborne contaminants that are known to be hazardous to human health. ***In the State of Alabama,*** the Alabama Department of Environmental Management ("ADEM") is responsible for implementing all major federal and state environmental rules and regulations with regards to the safe ***removal of asbestos materials and other toxic molds.***

Under the CAA, CWA, TSCA and AHERA Laws, I was "wrongly fired" from state services for whistle-blowing about "lax accountability and monitoring rules" and "no real effective oversight policies" concerning the safe transportation and removal of the toxic waste materials and poisons such as asbestos, black mold and diesel emissions in schools and other government facilities.

Under the Clean Air and Clean Water laws, and Toxic Material Laws, it appears that State Officials are "knowingly defying" the Federal Environmental Laws in favor of State and local laws, and it seems that I was "purposely blacklisted" for the engineering profession and schools of higher learning for protesting against a pattern of wrongdoings and sever abuses under the EPA's regulations.

On December 21, 2007, President Bush signed the 2007 Genocide Accountability Act ("GAA") into law. The bill had broad bipartisan support. The GAA Act expands the jurisdictional bases of the U.S. law criminalizing genocide to allow prosecution of any perpetrator of genocide found in the U.S.

Under the EJ and GAA Provisions, I have been retaliated against and subjected to a "pattern of abuse" for protecting against "hate crimes" and "genocide conspiracy schemes." I have also been harassed for "repeatedly refusing" to participate in environmental and genocide crimes against poor and non-white citizens. Genocide is not something which happens all at once; it can be extremely gradual but still aimed at the end goal of total annihilation. This can make genocide "difficult to identify at times," because it may be well advanced by the time outside observers realize what is happening. Research has shown that the poor and people of color were first the victims of physical and mental genocide and later the targets of a slow and toxic genocide

*On [REDACTED], by a legal filing, I "warned" State Officials about the rise in "Racism, Nazism," and "Fascism" in government services. *On or about May 21, 2010,* I have also "advised" State Officials about state workers participating in "KKK activities" and becoming Klansmen's associates and sympathizers, and "willingly conspiring" in discriminatory acts *such as environmental and hate crimes and genocide conspiracy schemes.**

Under the EPA and Department of Transportation ("DOT") No-FERA Act, I have also "cautioned" State Officials about "harboring", "tolerating", "conspiring to giving material support" and establishing state government as the "preferred government contractor" and the "employer of last resort" for white Christian terrorists.

3. Asbestos Hazard Emergency Response Act ("AHERA")

According to ADEM about "50% of the Montgomery County's public schools contain asbestos, "and the list slated for asbestos abatement is currently incomplete. Starting in 1985 Federal Loans and Grants were given each year to aid *Local Education Agencies ("LEAs")* in conducting asbestos abatement projects. Under a new era of segregation in Montgomery's Public Schools, Montgomery County's population is about 53% black, 42% white, and Montgomery Public Schools reports a 78%black, 15% white student ratio.

Under the Asbestos AHERA and TAP Provisions, it seems that I was retaliated against for whistleblowing about "***gross mismanagement" and a pattern of environmental discrimination.*** These EPA's provisions requires: (1) *LEAs to inspect their schools for asbestos containing building materials ("ACBM")*, (2) *prepare management action plans and (3) provide public notices* which recommend the best way to reduce the asbestos hazard.

These plans must be developed by accredited management planners and approved by Government Environmental Official's, it seems that the "***repeated omissions and failures to notify***" parents, teachers, family members and community leaders have caused alarm and anxiety in the community because it seems that Government Official shave "***knowingly conspired" in a policy and practice of "gross apathy"***" concerning protecting the health and welfare rights of young non-white children in State's Public School Systems.

Under the National Emission Standards for Hazardous Air Pollutants ("NESHAP") Provisions, it also seem that I was retaliated against for whistleblowing about chronic and dangerous non-compliance acts. ***On March 31, 1971***, the EPA identified asbestos as a hazardous pollutant and asbestos was one of the first hazardous air pollutants regulated under the CAA Provisions. ***The air pollution control government agencies "must be notified" before demolishing or renovating any facilities. Under the Asbestos Regulations, owner/operator must adequately wet and carefully remove the asbestos components and keep this material wet until collected for disposal.***

Under the Removal of Asbestos Containing Material ("RACM") Provisions, people who plan to renovate or remove asbestos from a building of a certain size, or who plan to demolish any building, are required to notify the appropriate federal, state and local agencies, and to follow all federal, state, -and local requirements for removal and disposal of regulated asbestos-containing material. All employees, "especially school maintenance and housekeeping personnel," must be "***properly and continuously trained and educated***" concerning removing and handling of asbestos materials

Under the Toxic Waste Transport and Disposal Accountability Laws, it seem that I have been subjected to a pattern of harassment and abuse for voicing my concerns about acts of environmental mismanagement Vehicles used to transport ACM must be marked according to new guidelines during loading and unloading. Labels indicating the name of the waste generator and the location where the waste was generated must be placed on containers of RACM. Owners of disposal sites must record on the deed to the disposal site that the property has been used for ACM disposal.

Under the EJ Statutes, it seems that Government Officials are "willingly violating" EPA rules and "wantonly conspiring" in slow deliberate "environmental hate crimes" and "genocide conspiracy schemes" against non-white school age children by not protesting their rights under EPA's laws such as (1) toxic material and poison laws, (2) clean air and clean water statutes and (3) toxic abatement provisions. Under the 1979 Asbestos TAP Programs, school districts are encouraged to consult with EPA Regional Asbestos Coordinators

4. Safe Drinking Water Act ("SDWA") & Food Safety Modernization Act ("FSMA")

Under the state's inept Environmental and lax Food Safety Rules, school age children, especially poor and non-white children, face a "clear and present" danger from waterborne and foodborne diseases such as (1) Salmonella, (2) Norovirus, (3) Campylobacter, (4) Toxoplasma, (5) E. coli, (6) Listeria and (7) Clostridium Perfringens. The Centers for Disease Control and Prevention ("CDC") estimates that 48 million waterborne and foodborne illness and sickness cases occur in the U. S. every year. At least 128,000 Americans are hospitalized, and 3,000 die after drinking and eating contaminated water and food. Many of these victims are school age children.

Under the FDA Food Safety Modernization Act ("FSMA") statutes, it seems that I was "willingly discriminated and retaliated" against based on my race, gender, color, and family's medical history and, State Officials have "willfully engaged" in a policy and practice of harassment activities against me for work that I had done to protect individuals from "toxic materials", "hazardous emissions", "foodborne illness" and "waterborne diseases.

Under the FSMA Whistleblower Provisions, I have 'warned' State Officials about "gross non-compliance acts" such as "knowingly serving" food and water that has come in contact with "contaminated elements" and "sick individuals" and about not providing "timely education", "ongoing training opportunities" and "compliance information" to School Management and Cafes Officials and other Public Eateries to "prevent and halt" outbreaks of waterborne diseases and foodborne illnesses.

Under the EPA and OSHA Health, Safety and Welfare Provisions, I was "wrongly punished" by State Officials for protesting about "lax accountability rules" and "inept monitoring policies" and against "no real effective oversight and compliance procedures" concerning toxic materials in school and government facilities such as asbestos, black mold, lead, PVC, PCBs and Diesel and Carbon Emissions. Under FDA's Health, Safety and Welfare Statutes, it seems that I was also subjected to a "pattern of abuse" for protesting against health hazardous and unsanitary policies in the state's federally funded school lunch programs.

5. Clean Air Act ("CAA"), Clean Water Act ("CWA") Provisions & Clean Vessel Act ("CVA") Provision

According to the author of *"Dumping in Dixie,"* the smell of industrial operations *was promoted as economic "progress."* What civic-minded individual would advocate against economic progress? For example, a paper mill spewing its "stench" and "poison" in one of Alabama's poverty-ridden black-belt counties led Governor George Wallace to declare:

- *"Yeah, that's the smell of prosperity. Sho' does smell sweet, don't it."* Similar views have been reported of public officials in West Virginia's, Louisiana's and Texas' "chemical corridor."

On [REDACTED], under the Clean Air and Water and Toxic Material Laws, I was [REDACTED] from state services for protesting against *"Environmental Racism"* and refusing to conspire in *"acts of environmental genocide"* and *"crimes of spontaneous abortion"* against poor and non-white citizens of Alabama.

Spontaneous "abortion" is defined as the loss of a fetus weighing less than 500 grams before 20 weeks gestation counted from the first day of the last menstrual period. The term "genocide" is used to refer to a planned, systematic, and deliberate destruction of a particular cultural, ethnic, political, religious, or racial group. Genocide is the deliberate undermining of quality of life for a group of individuals and, genocide will slowly but steadily ensure that the group is stamped out.

On January 2, 2011 the US EPA will start enforcing a *new regulatory system that requires special permits for new facilities or ones significantly improved.* These permits *severely restrict greenhouse gas emissions ("GHG")* and the main GHG that is being regulated appears to be carbon dioxide emissions. *On or about March 3, 2011,* the EPA released a report that said cutting pollution under the Clean Air Act will *save \$20 trillion by 2020 in health costs and prevented about 230,000 premature deaths annually from heart attacks, and other health problems from smokestack pollutants.*

In February 2010, Alabama, along with Texas and Virginia, sued the Environmental Protection Agency ("EPA") for declaring carbon dioxide an *"endangerment to human health,"* giving the agency the authority to regulate carbon dioxide emissions. *Under Solid and Hazardous Waste Accountability and Oversight Rules in 1993,* ADEM's waste programs received final authorization from the EPA to implement its AHWMA corrective action program in lieu of the *federal RCRA/HSWA program.* ADEM by this act can regulate all aspects of the state hazardous waste program in lieu of the federal program

On [REDACTED], I was [REDACTED] from state services for protesting and voicing by concerns about *"Institutional and Environment Racism"* in state service. The State of Alabama and State's Energy and Environment Officials making a *pattern of "false claims," "fraudulent statements" and "outrageous lies" and "disingenuous assurances" about "Clean Coal*

Technology. I was also whistle-blowing about State's Energy and Environment Officials *"knowingly defying"* the Federal Environment Laws in favor of State and local Environment Laws under the EPA's Clean Air Act ("CAA") and Clean Water Act ("CWA") Provisions.

Under EPA's ("CAA") and (CWA") Provisions, I was subjected to a pattern of retribution and ongoing acts of abuse for protesting about lax compliance and oversight policies and the State's Energy and Environmental Officials willingly engaging in "gross mismanagement", "gross abuse of stimulus funds" and "wantonly and "purposely" conspiring in acts of Environmental Racism. In Alabama, the caretaker of this vital public trust is the state's environmental agency, the Alabama Department of Environmental Management ("ADEM"). However, far too many citizens can testify that the agency's twenty year (20) history clearly demonstrates that ADEM Management and lax Environmental rules are in serious need of fundamental reform.

On or about April 28, 2011, the Sierra Club shifted its focus toward replacing the nation's existing coal plants with clean energy sources. On an interactive map, *the state's E.G. Gaston, Miller and Gorgas Power Plants were listed among the worst abusers of the EPA's Laws. Green County Plant was also listed as a big mercury toxic polluter and* Farley Nuclear Plant represents a threat because of lax safety and environmental rules and policies. **By State Regulatory Officials,** I was subjected to a pattern of retaliation for voicing my concern about the state's lax environment and safety laws.

Under the CAA Provisions, I was subjected to a severe acts of reprisal for whistle-blowing about State Officials *"knowingly hiring", "willingly assigning" and "purposely retaining"* unfit and incompetence employees to provide oversight, accountability and technical responsibility over the state's Natural Gas and Hazardous Materials transportation programs because some of these employees are *"severely incompetent" and others are "chronic substance abusers."*

6. Toxic Substance Control Act ("TSCA") & Solid Waste Disposal Act ("SWDA")

Under an Anti- Environment Agenda, most of the state's toxic landfill sites are located in Black-belt Communities such as Perry and Lowndes Counties and poor non-white Democratic cities and towns like Emelle and Uniontown. Emelle is home to the largest toxic waste dump in the U. S, called the *"Cadillac of Landfills."* Non-white workers of the Democratic Party health and quality of life have been sacrificed for low skilled jobs in a toxic laboring industry.

Under EPA's Solid Waste, Clean Air and Water laws, Alabama is the only state that **"does not regulate"** *coal ash or dry coal particulate matter as a solid waste.* In Alabama, coal ash is dumped in any field without restrictions. In a recent protest to State lawmakers, residents of Perry County told committee members that a new state bill cornering coal ash dumping in their community and state does not go far enough and *that coal ash should be labeled as a toxic waste.*

Under the Hazardous Materials Transportation Act ("HMTA"), the US Department of Transportation ("DOT"), regulates the transportation of hazardous materials in the United States. Internationally, air and vessel transport are regulated by the International Civil Aviation Organization and the International Maritime Organization.

Both the US DOT and ICAO require periodic training for individuals *involved in any aspect of the transportation of hazardous materials*. Companies involved in Haz-Mat transportation need to be sure that their employees have the skills necessary to ensure that hazardous materials are properly packaged, marked and labeled to avoid accidents and costly enforcement and litigation.

Under the Solid Waste Accountability Policies, it appears that I have been retaliation against for protesting about "*gross mismanagement*" and "*gross non-complaints acts*" such as lax bookkeeping and reporting records on generators, transporters, and operators of treatment, storage and disposal facilities handling hazardous waste.

Under *EPA's Solid Waste, Clean Air and Water Whistleblowers' Statutes*, it also appears that I have been retaliated against *for opposing the state's pro-business community* who support lax environment laws for the Oil, Gas, Coal and Utility industries *and for opposing GOP conservatives* in state services who have also been "*carpet bombing*" the environmental laws. *Under racist rhetoric*, the GOP claims that the Oil, Gas and Coal jobs, the white man and the Christian Religion are the values that make this county great.

7. Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), or "Superfund"

The Resource Conservation and Recovery Act ("RCRA") is the principal Federal law governing the disposal of solid waste and hazardous waste and HSWA refers to the Hazardous and Solid Waste Amendments. The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), or "Superfund," was enacted to address the problem of remediating abandoned hazardous waste sites, by establishing legal liability, as well as a trust fund for cleanup activities. In general CERCLA applies to contaminated sites, while RCRA's focus is on controlling the ongoing generation and management of particular waste streams. RCRA and CERCLA have provisions to require cleanup of contaminated sites that occurred in the past.

Under *EPA's Superfund Whistleblowers' Statutes*, it appears that I have been retaliated against *for opposing the state's pro-business community*, and for voicing my concerning about "*gross mismanagement*", "*gross waste of federal funds*", "*gross apathy*" concerning compliance with the federal environment laws and for protesting against a "*pattern of harm*" caused to the citizens of Alabama because of lax environment rules and regulations.

8. Energy Recovery Act ("ERA") & Nuclear Safety Laws

On or about [REDACTED], I was also [REDACTED] and [REDACTED] by State Officials for protesting about *lax Environmental, Health and Safety rules* at the State's Power Generating Plants and in the State's Pipeline Safety Inspection Programs. It also appears that State Officials are "*knowingly defying*" the Federal Environment, Safety, Nuclear and Energy Laws in favor of State and local laws which present a "*clear and present danger*" to all Alabama citizens. .

Under the Nuclear and Energy Reorganization Act ("ERA") Whistle-blower's Provisions, it seems that I was also retaliated against and blackballed for the engineering profession by State Officials for "*publicly and professionally supporting*" a *nuclear whistle-blower at Farley Nuclear Plant*". In a letter on May 1, 2008, I was also told by State Officials that:

- "*There is no Merit System requirement that an employee be supervised by someone in the same field of study, nor is there a management or human resources problem with this type of supervisory alignment.*"

Under the Environmental, Energy and Transportation Laws and IEEE's Codes, I have filed several complaints about public employees making a pattern of "*false claims*" and "*dishonest assurances*" that they have the technical training and engineering experience to be engineers and technical supervisors

9. Clean Vessel Act ("CVA") & Vehicle Technologies Programs ("VTP")

Large ships such as container ships, oil tankers, bulk carriers, cruise ships, and Lakers are significant contributors to air pollution in many of our nation's cities and ports because of their diesel engines and toxic diesel emissions. New marine diesel engines must meet increasingly stringent emissions requirements, yet these engines continue to emit significant amounts of nitrogen oxides ("Nox") and particulate matter ("PM"), both of which contribute to serious public health problems. Ocean-going vessels have long been a leading source of air pollution due in large part to the widespread use of low-grade bunker fuel.

On a recent Clear Air Quality federal ruling, for non-road diesel emissions, data shows that oceangoing vessels traveling "*within 24 nautical miles of the California coast*" spew about *15 tons of diesel PM per day, as well as 157tons of NOx and 117tons of sulfur oxides*. Under EPA rules for non-road diesel vehicles, the new clean vessel laws and clean vessel fuel acts are expected to significantly reduce PM and NOx emissions, and "*should prevent*" between 2009 and 2015, *approximately 3,500 premature deaths, 100,000 asthma attacks, and also reduce cancer risks.*

Under the Federal Clean Vessel Act ("CVA"), Clean Air Act ("CA"), and Clean Water Act ("CWA") Statutes, it appears that Coastal States such as Alabama can require ships to use cleaner fuels "within 24 miles of their coast" they move through the state's ports and docks areas. The CVA is intended to lessen water pollution by reducing the overboard discharge of vessel sewage.

While the CAA and CWA Statutes seek to prevent premature deaths and chronic health issues from air and water pollution problems. *Under the Stimulus Anti-Retaliation Provisions, it seems that State Officials have "deliberately conspired" in "blacklisting discrimination acts" because of my whistleblowing about lax environmental compliance rules and regulations.*

Under the CVA, CA and CWA Provisions, it seems that the Alabama Department Environment Management ("ADEM") provides oversight and accountability duties under these federal maritime environmental and safety laws within 24 nautical miles of the Alabama coast. Under an array of Federal Transportation, Health, and Safety Statutes, it also seems that I was "retaliated against" for protesting against State Officials "willingly hiring, " negligently assigning" and "carelessly retaining" unqualified and unfit employees in the transit, environmental and energy classifications.

Sponsored by the *U.S. Department of Energy's ("DOE") Vehicle Technologies Program ("VTP"), the Clean Cities Program* is a government-industry partnership designed to *reduce petroleum consumption in the transportation sector*. Clean Cities contribute to the energy, environmental, and economic security of the U. S by supporting local decisions to reduce our dependence on imported petroleum. The partnership provides tools and resources for voluntary, community-centered programs to reduce consumption of petroleum-based fuels.

On April 22, 2009, under the Clean Cities and Stimulus Job's Provisions, the Federal Government announced \$300 million in funding for state and local governments and transit authorities to expand the nation's fleet of clean, sustainable vehicles and the fueling infrastructure necessary to support them. Clean Cities projects also support refueling infrastructure for alternative fuels. Other efforts eligible for funds include public awareness campaigns and "training programs" on alternative fuel and advanced technology vehicles and infrastructure.

*On June 14, 2007, Gov. Riley signed House Bill No. 123 creating the "Alabama Center of Alternative Fuels." This legislation received overwhelming support in both houses. In addition to the act's key directive creating the Center for Alternative Fuels, this act also directs the Center to serve as a "clearinghouse for federal grants," to help protect Alabama consumers by setting quality standards for alternative fuels sold in the state. *Under Section No (b)(1) of this clean fuels law, this act also contains an "equal employment opportunity provision" as stated below:**

- There is established within the Department of Agriculture and Industrial, the Center for Alternative Fuels. The Commission of the department shall appoint a director of the center. To the extent possible, the staff shall represent the racial, ethnic and gender makeup of the state*

Under Federal and State Laws, it appears that State Officials in the Energy and Transportation and Environment Agencies have "**knowingly conspired**" in a pattern of "**false claims**," "**fraudulent statements**" and "**dishonest assurances**" under the Stimulus Civil Rights Laws Compliance Provisions. It also seems that these "**bogus laws and sham statutes**" were created to aid and abet State Officials in their **extorting of federal grants, loans, subsidies and other financial aid** under the Stimulus Provisions, and DOE's VTP and Clean Cities programs.

Under the EPA, Stimulus and FERA Whistleblowers' for protesting against a **pattern of "false claims", "false statements" and "dishonest acts,"** I have been subjected to a pattern of ongoing acts of intimidation and retaliations by State Officials. I have been denied medical and health cover for my physical and mental disabilities. State Officials have also denied me other family assistance such as **Education Assistance, Food Stamps and Medicaid Services.**

10 Sections 508 and 504 of the Rehabilitation Statutes: *This law protects qualified people from discrimination because of their disabilities. It protects them while they are applying for or receiving health care, social and employment services. The law applies to employers and organizations receiving federal funds.*

Under Section 504 on Sign Language Interpreters , sometimes state agencies **such as ADEM and ALDOT "wantonly fail" or "deliberately refuse"** to provide "**qualified sign language interpreters**" to their patients who are deaf or hard of hearing and need an interpreter to communicate. When this happens, the medical and health provider **illegally discriminate against these persons.** Under the Rehabilitations Laws, I have been subjected to a pattern of retaliation for protesting against discriminatory conduct and a pattern of noncompliance activities by the State Officials.

Under the Section 508 of Rehabilitation and Disability Cyberspace Statutes, these acts require that all Web Site, Hypertext Document pages, Hypertext link Documents to be equally accessible to people with disabilities. This applies to Web applications, Web pages and all attached e-text files. It applies to intranet as well as public-facing Web pages.

Under Section 508 and 504 of Disability Laws for protesting against a **pattern of noncompliance acts**, I have been subjected to a **pattern of ongoing acts of harassment and retaliation.** On numerous occasions, I have sent "**e-mails**" and "**certified letters**" to **stop and halt** these **harassing and discriminatory policies and practices.**

11 ADA-AA & Communications Video Accessibility Act ("CVAA") Disability

Laws: *This law protects qualified people from discrimination based on their disabilities. It protects applicants and clients. It applies to state and local governments receiving federal or state funds.*

Under the Disability and Accessibility Laws, for workers with diabetes and high blood pressure, employment discrimination can take many forms, but typically includes a failure to hire or promote you because of your diabetes and high blood, termination due to your diabetes and high blood, or a failure to provide you with "reasonable accommodations" or "reasonable adjustments" that help you do your job. Employment discrimination is any adverse employment action because of a person's diabetes and other physical and mental disabilities. This means that your employer cannot discriminate in hiring, firing, discipline, pay, promotion, job training, fringe benefits, or in any other term or condition of your employment. Your employer also may not retaliate against you for asserting your rights

Under the 21st Century Communications and Video Accessibility Act ("CVAA") Provisions, it also seems that I was subjected to acts of retaliation for protesting against non-compliance acts. This Federal Law will make it easier for people who are deaf, blind or live with a visual impairment to do what many of us take for granted -- from navigating a TV or DVD menu to sending an email on a smart phone. The 21st Century Communications and Video Accessibility Statutes set "new standards" so that disabled persons can take advantage of the technology our economy depends on. And, the Federal Disability Laws and Section 255 of the 1996 Telecommunications Act requires communications products and services to be "accessible to all individuals with disabilities."

Under ADA-AA and CVAA Provisions, I have been subjected to reprisal acts for protesting against "diabetes" and an array of other noncompliance acts. Under Discriminatory Policy and Practices, it appears that State Officials are "wantonly defying" the new Federal Disability Laws in "willing favoring" of State and Local Officials Laws what constituted a disability. On numerous occasions, I was subjected to a "pattern of retaliation" for protesting against gross abuses of the federal disability laws.

12 Age or ADEA Discrimination Act prohibits discrimination on the basis of age in programs and activities receiving federal financial assistance.

Under the Age Discrimination in Employment Act ("ADEA") Laws and Statutes, it is unlawful to discriminate against a person because of his/her age with respect to any term, condition, or privilege of employment, including hiring, firing, promotion, layoff, compensation, benefits, job assignments, and training. It is also unlawful to retaliate against an individual for opposing employment practices that discriminate based on age or for filing an age discrimination charge, testifying, or participating in any way in an investigation, proceeding, or litigation under the ADEA.

Under ADEA Laws, I have been subjected to reprisal acts for protesting against noncompliance acts, and it also seems that I was retaliated against for filing a federal law suit concerning age discrimination in state services. *Under the Federal Anti-Retaliation Laws*, it appears that State Environmental and Transportation Officials are **“knowingly conspiring”** with other State Officials in ongoing acts of reprisal and intimidation.

13. National Original ID & Executive Order 13166: requires equal services to persons with Limited English Proficiency (LEP).

Under National Original Identity Statutes, State Officials have **“wrongly fired”** and **“wantonly banned from government facilities”** the homeless, the mentally ill, and poor individuals because of their so-called **“undesirable dress”** and **“unwanted behavior”** while **“willingly hiring and employing”** Caucasian male workers who are **“habitually drunk and smelly”** with **“more messy and unkempt appearances”** in state service.

Blacks have also been **“wrongly punished”** for refusing to remove African -Muslim Jewelry and Clothing because these items are a matter of **great principle and identity** as far as their **African Heritage and Afro-American culture** and these rights are protected under Constitution Laws. While white individuals of the Republican Party are **“not penalized or fired”** for their European Heritage or Neo-Confederate Identity or Radical Biblical Law views.

Under Title VI and the EPA National Original Provisions, recipients are required to provide LEP individuals with meaningful access to their programs and services. Providing “meaningful access” **will generally involve some combination of oral interpretation services and written translation of vital documents.**

Under National Original and LEP Civil Rights Laws, for protesting against a **pattern of systemically acts of discrimination and non-compliance with federal law**, I have been subjected to ongoing **“acts of retaliation”** and a **“pattern of intimidation.”** During my employment in state services, I was vilified and bullied because I **“knowingly refused”** to violated the Federal Environmental Statutes and Civil Rights Laws.

14. EPA No-FERA Statute, EO # 12898 & Hostile Environment: “Leadership in Environmental, Energy, Transportation and Economic Performance”

Under the Federal “No- FEAR Act,” on numerous occasions, I was told by racist State Officials that black men and women scientists and engineers have *“unwanted and disruptive conduct”* for protesting against acts of environmental racism

Under Executive Orders (“EO”, #13423 and #12898), it seems that I also subjected to a pattern of retaliation on and ongoing acts of harassment and abuse for supporting news laws and legislations. EO # 12898 focused on Leadership in Environmental, Energy, Transportation and Economic Performance. *Under the Federal “No FEAR Act,”* as reprisal for *“standing-up”* and *“calling -out”* intimidation, harassment and discrimination against disabled, elderly and non-white Democratic Party Members, I have been subjected to a “pattern of abuse” by State Environmental and Transportation Agencies.

Under the Federal ARRA No-FEAR Act and False Claims Provisions, it also seems that State Officials are *“willingly conspiring”* in *“gross negligent acts”* and *“gross mismanagement”* by *“wantonly failing”* to take “legitimate claims” of civil rights abuses such as retaliation, intimidations, harassment and terror acts when employees complaint about extreme violations of the Federal Environment Laws and Civil Rights Regulations.

Under the Federal No- FEAR Act, I have been retaliated against for protesting against *Disability and limited English Proficiency (“LEP”) discriminatory acts* , it also seems that State Officials are *“willfully conspiring”* in an array of *Environmental Justice (“EJ”) Abuses and a pattern of EPA- ARRA Civil Rights non-compliance activities.*

Closing Statement

As a formal non-white Engineer in the State's Energy and Transportation Section, I have endured *constant insults, racist threats, privacy rights abuses and discrimination acts.* I was restricted from meeting and isolated in the workplace for voicing my concern about *discriminatory acts in the State's Energy and Transportation Sections.* I was given *inferior office equipment, and constantly harassed* and *“treated like a second class citizen.”* For years, I tolerated insults and threats, and terrorist and sabotaging tactics because I wanted to keep my job and stay in the engineering profession.

Unless someone outside of state service or someone with no involvement with these racist and corrupted State Officials intercedes, *these egregious abuses* of *“Federal Environment”* and *“Civil Rights Laws”* will continue and nothing meaningful will change for disabled, immigrant, the elderly, the poor or non-politically connected individuals in the State of Alabama.