

FORMAL LEGAL 60 DAY NOTICE BEFORE FILING LAWSUIT
IN FEDERAL COURT

Enforcement Division
Attention: Adrienne Abate
Houston Laboratory
10625 Fallstone Road
Houston, Texas 77009

September 15, 2016

As a corporate entity Perry, Lee Oil & Gas Company, and as a citizen of the United States of America:

I came to the EPA enforcement division to file a complaint in May of 2016 reporting violations of the Safe Drinking Water Act by the Railroad Commission of Texas, and several oil and gas companies that are made a part of a federal lawsuit no. 15-51042 that is currently in the 5th Circuit Court of Appeals.

It is clear from the accepted science water tests, USGS reports, and their own letters (on Railroad Commission of Texas letterhead) placed on file in various County Courthouses that the Railroad Commission of Texas under the color of state was and currently is in violation of criminal violations of Safe Drinking Water Act Mandates, and Homeland Security Patriot Act of 2001. (Federal definition of "Act of Terrorism (1) is in violation of state or federal law, and (2) represent a threat of injury to the public health. Both of those prerequisites are met in each of the wells that are included in my lawsuit.

My constitutional rights were violated as if nobody cares for placing \$25,000.00 cash on file to either fix the contaminating wells or plug them. I was denied access to the wells by the oil companies in the lawsuit. Some with armed gate guards. They had superior knowledge of the violations of the subject laws and failed to act. I have a personal loss of \$25,000.00 cash and the wells that I planned to fix, and make economically feasible. I requested a hearing with the Railroad Commission before taking legal action. I have been denied a hearing and due process which is a constitutional right. I may have to live with that, but when I became one of only 10 people in the United States of America that was chosen to take water samples for twelve consecutive months to test the quality of drinking water from the top ten largest cities in the United States in 1974 after passage of the Safe Drinking Water Act. (My city was Houston, Texas. I took samples from Peach Creek, Caney Creek, and Lake Houston, and prepared them for shipment to the National Testing Lab) It became my duty to report any violations of that Act of Congress which represent a threat of injury to the public health. It is the duty of every state, company, and citizen to report violations.

I still have evidence in each well file that I have not been notified at all about. I left a copy of my brief with Adrienne Abate. I have not heard anything at all from your agency. I came to your enforcement division to see if there could be some sort of action taken by this government agency to enforce the ambiguous intent of Congress. It appears that you are in agreement with the defendants in my lawsuit.

The citizens of Chasewood and surrounding communities are filing a class action lawsuit against the Railroad Commission and several oil companies for the many citizens that have been exposed to contamination of their drinking water.

I was a speaker at the Railroad Commission of Texas Sunset Commission hearing in Austin, Texas August 22, 2016. I have a CD of the hearing where one of the Commissioners Craddick says that there are over 7,000 Priority 1 wells (currently leaking into the public drinking water system) in Texas, and in the same breath said that the oil & gas companies should not have to pay to fix or plug them. In the meanwhile you have more U.S citizens dyeing while somebody tries to figure out what to do. We as citizens have a constitutional right to be protected by our government agencies

It is very simple. Your agency should take action to do the duty you were mandated to do by an Act of the United States Congress.

I am requesting that you file an Amicus brief on my behalf as you know that I am correct, or file some legal action against the defendants.

If no action is taken then this is my 60 day notice that I will be filing another federal lawsuit against this agency, and it will be class action.

Respectfully submitted


Lee Perry Certified Environmental Auditor

Cc: EPA Region 6 Main Office
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202

EPA Office of Enforcement and Compliance Assurance (OECA)
1200 Pennsylvania Ave.
Washington, D.C. 20460