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Gmail - EPA Case 1298294



Donald Burdick [REDACTED]

EPA Case 1298294

Donald Burdick [REDACTED]

Wed, Oct 20, 2021 at 8:57 PM

To: Esher.Diana@epa.gov, Nitsch.Chad@epa.gov, Melvin.Karen@epa.gov, mcmanus.catharine@epa.gov, leonard.paul@epa.gov, Libertz.Catherine@epa.gov, Kelley.Rosemarie@epa.gov, Koslow.Karin@epa.gov, mazakas.pam@epa.gov, barnet.henry@epa.gov, Taylor.Jessica@epa.gov, Canzler.Erica@epa.gov, Fisher.Mike@epa.gov, "Wall, Tom" <wall.tom@epa.gov>

Cc: OIG_Hotline@epa.gov, talbert-duarte.angelia@epa.gov, Goerke.Ariadne@epa.gov, Blake.Wendy@epa.gov, Youngblood.Charlotte@epa.gov, Schmidt.Lorie@epa.gov, Lewis.Jen@epa.gov, Neugeboren.Steven@epa.gov, Messier.Dawn@epa.gov, Jefferson.Tricia@epa.gov, Douchand.Larry@epa.gov, Stalcup.Dana@epa.gov, Hitchens.Lynnann@epa.gov, Helm.Arron@epa.gov, Regan.Michael@epa.gov, McCabe.Janet@epa.gov

Bcc: Gerald Bell [REDACTED]

To whom it may concern,

There was specific reasoning to include each of you on this email as I believe it pertains to your duties in one way or another. I request that each you take 30 minutes to read this email in full and obtain a copy of the FOIA appeal I filed with the EPA Region 3 office and carefully review both the report I provided and the accompanying exhibits. My FOIA case number is EPA-R3-2021-004696, and my FOIA appeal number EPA-HQ-Stilp.

I request that this email and minutes from any phone calls or meetings be attached to my EPA case 1298294.

First and foremost, I want each of you to understand that this EPA case surrounds three lawsuits, two of which settled for \$205,000,000 and a third suit that was settled for an undisclosed amount.

As such, there is obvious potential for enormous crimes to have been committed and, according to class counsel for the \$65,000,000 class action lawsuit, Chase Brockstedt, crimes were committed. It is not without possibility those crimes may have been committed with assistance of government actors. In fact, in one case government employees appear to have allowed Mountaire Farms to knowingly break the law. In the case of the Notice of Violation that instigated the class action lawsuit, again according to class counsel, DNREC issued a Consent Decree that would have let Mountaire Farms entirely off the hook.

Therefore, I request that the EPA consider the option that state actors may have included individuals at every level of government. Such cases have happened in the past. As such, it should not be the assumption that those expected to do their job are doing so. Someone is not addressing my incredibly serious concerns. I believe that is being done deliberately.

I have spoken with [REDACTED] of the EPA Region 3 office and believe she is honest and I am very confident do an excellent job in reviewing my FOIA request and the accompanying appeal. However, she is only one person and surely has other responsibilities. I am certain the federal government has other attorneys that can assist [REDACTED] to determine whether or not the potential for crimes has occurred, as I unquestionably believe they have.

I provided the EPA Region 3 Office vis-a-vis the FOIA office, the EPA Headquarters vis-a-vis the FOIA office, and the EPA Inspector General email address I was provided by Kristin Lang, with whom I have spoken at length, ample evidence suggesting human lives are being impacted, that my community's groundwater is being impacted, and the absolute fact that there is a failing wastewater facility less than one mile from my home that was implicated in the aforementioned lawsuits. That failing facility has been operating on an expired permit for over four years.

In addition, there is substantial evidence suggesting ongoing polluting in one of the parcels (234-21.00-138.00) the class action lawsuit settled on. It is curious to me that the class action lawsuit and the advertisement sent out by class counsel to prospective class members indicated this parcel given it had no connection to Mountaire Farms. He would not have known polluting occurred there without having been provided discovery. I provided evidence suggesting that state and county employees were aware of past polluting on multiple parcels, including possibly this parcel, and decided not to address the issue with their contacts at Mountaire Farms because it was a politically unsavvy move due to the ongoing litigation. I provided evidence proving at least some of the polluting was not done on the date the \$65,000,000 class action settlement document claims, but instead took place at roughly at the same time as the discussions between state and county officials. I provided evidence of different polluting on that same parcel at the time I opened my EPA case. As well, spray heads were recently installed on that same parcel where there are no permits to do so. I find it unlikely someone would spray fresh water deep in the woods simply to do so. I also have a

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signed affidavit from someone stating he used to hunt in those woods and was even brought into the woods while the illegal polluting took place by those doing the polluting.

The enormous dangerous and illegal landfill which initiated my EPA case and which I have thus far been unable to have anyone within the county, state, and federal governments to deal with has not been addressed. In that particular case I, along with [redacted] were told in a meeting that the Sussex County Planning and Zoning Director, Jamie Whitehouse, and the Sussex County Constable, Lester Shaffer, would not require removal of the landfill.

[redacted] and I opened two separate cases with the DNREC Environmental Crimes Unit regarding that parcel (234-21.00-138.00) who did not require its removal or even to shut it down. It is against both state and county code. In the case of the state code, it says that all law enforcement agencies of the state, including DNREC Environmental Crimes Unit, shall be required to enforce the law. Not should. Shall.

It is worth noting that there was recently an illegal concrete, asphalt, and cinderblock stone crushing business on that parcel. Those same materials are also found in the illegal landfill and also within the forested parcel directly adjacent to that parcel where the apparent past and ongoing polluting is taking place. If that were not enough, there is a current satellite image showing the dumping of liquid on that parcel (<https://goo.gl/maps/pttbZw7nUSHYbTnX7>). Again, I highly doubt someone would dump fresh water into a man-made trench that leads to a pond simply to do it. Especially in light of the fact that it was subsequently used to run an illegal business and an enormous illegal landfill.

[redacted] endless and ongoing extremely serious medical conditions as has their neighbor living across the street. They live at higher elevation from that apparent polluting and illegal landfill. One of the citizens, [redacted] has a creek bounding the rear of [redacted] property that is the lowest elevation in the area. The apparent ongoing polluting is on a ridge at the highest elevation in the area. [redacted] had a racoon emerge from the landfill and die in front of [redacted] and [redacted] both saw a different racoon emerge from the landfill struggling for life before reentering the woods. [redacted] found a dead cat in their yard. [redacted] had three pets die in [redacted] arms, and a fourth "ran away". [redacted] already owned a whole-home water treatment system, but [redacted] did not, so my husband and I purchased them one for fear of their lives.

If you would like to contact those individuals to verify those dead animals and that they have sustained serious and ongoing grave medical issues, they have authorized me to provide their contact information. It would best if only one of you did so.

[redacted]
[redacted]

[redacted] opened EPA cases separate from mine that were completely unaddressed. In [redacted] case [redacted] was told it was private property and therefore nothing could be done. In [redacted] case [redacted] was told they would inspect the landfill to ensure it was safe, only to never be seen again. In my case I was contacted by someone who said they worked for the EPA. When I explained what was happening I was told, "I don't deal with conspiracy theories" and summarily hung up on.

I believe there should be a mechanism within the EPA to respond to citizens with a report of what was done to address their concerns and for citizens to easily escalate their case if it is not dealt with.

[redacted] and I both opened cases with the DNREC Environmental Crimes Unit and met with the Sussex County Planning and Zoning Director and the County Constable and sent them emails to no avail. The Environmental Crimes Unit did not respond to me. In [redacted] case, again, they came and left and did nothing. In our meeting with the Director Whitehouse and Constable Shaffer, [redacted] asked if they would have the landfill removed and were told they would not. [redacted] sent both individuals an email the following day requesting the same and informing them of the county and state code requiring them to do so and received no reply.

In the FOIA appeal report I sent the EPA Region 3 office I also mentioned [redacted] for whom I purchased a reverse osmosis machine, medicine, and probiotics because [redacted] health was failing, and a shower filter because [redacted] son experiences itching after showering. Initially the medicine was helping [redacted], which I explain in my FOIA appeal report. However, [redacted] just informed me that [redacted] health has again continued to decline. All of this started when [redacted] moved into [redacted] home.

In the FOIA appeal report I also discussed [redacted] who called me and was dying of MRCA, pleading with me to help [redacted] because [redacted] heard I was helping others in the community. [redacted] told me [redacted] once lived just south of the Inland Bays Regional Wastewater Facility. [redacted] I told [redacted] what happened at the wastewater facility, so [redacted] doctors tested [redacted] for toxins and treated [redacted]. When I last spoke to [redacted] said the sores had healed and [redacted] was going to live. I reached out to [redacted] this past Monday and was informed by [redacted] that [redacted] died two weeks ago.

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told me the sores would heal and return. We did not talk long. I do not know and only had a few conversations with . In addition, is grieving, so I did not feel it was appropriate to ask details. All said was that was out of town and returned to find in bed. I will be attending funeral service this Saturday.

Enough is enough.

The following is a short synopsis and highlights of the countless emails and phone calls I have made to have these problems addressed with the federal government. This does not include those I made throughout the county and state governments to no avail, which is why I reached out for the federal government's help.

On February 19, 2021, I attempted to open my case through the EPA ECHO system, but it would not allow me to. After four attempts I then called the hotline. The first phone call was made at 12:57 AM, on in which I spent 41 minutes explaining to the operator the nature of the apparent crimes that had occurred and what I had witnessed. The operator said he would not open a case and hung up on me. I immediately placed a second phone call at 1:39 AM. In that call, speaking to a different operator, I spent 63 minutes explaining the nature of the apparent crimes. I told her I had a satellite image of dumping in progress, which she said she could not view, and that she would not open a case, either. After literally begging and telling her that people in my community died and had gotten extremely sick likely because of past polluting, and were again getting sick and dying, she finally acquiesced and opened my EPA case.

At 7:11 AM that morning I received a phone call from a man regarding my case. When I explained to him the nature of my call I was told, "I don't deal with conspiracy theories" and hung up on. I called back immediately and asked if he was at least willing to look at satellite images and was told no and again hung up on. I called back a third time and left a voicemail message with information he would not let me talk to him on the phone. I never heard back and that phone number is now out of service. I provide evidence of those calls in my FOIA appeal report.

I recommend the EPA find a better way of handling situations like that because I found it incredibly frustrating. I also believe many people without my level of tenacity would simply walk away, which would defeat the purpose of the EPA hotline.

Prior and subsequent to that experience I tried relentlessly to get county and state employees to address my issues and have received endless runaround and non-returned phone calls and emails.

On April 12, 2021, I spoke with Tom Wall, Director of Watershed Restoration, Assessment, and Protection Division and told him in great detail what was happening in terms of what I believe to be BOTH environmental and white-collar crimes. Mr. Wall told me he had just read about the Mountaire Farms lawsuit settlement, so he was familiar with the situation. He seemed to believe me, so he provided me with a list of contacts who address the issues identified below.

On April 13, 2021, I spoke with Carol Amend within the EPA Region 3 office at length to discuss a number of issues. Ms. Amend took the issue very seriously and asked pertinent questions. Ms. Amend told me it would be a matter for her manager, Karen Melvin, to handle.

On April 14, 2021, I spoke with Rick Rogers of the EPA Region 3 office regarding the same issue. He likely called in response to a voicemail I left. Again, I spoke at length with him. Mr. Rogers said he would call me the following day and did not. Instead, he asked that I forward him my information, which I did. (I have much more evidence now.) He said he would look into it and get back with me in a couple of days. I told him I wanted to review the data with him on the phone so I could step him through it because it is very complex. I was not afforded that opportunity.

On April 22, 2021, after not hearing back from Mr. Rogers, I spoke with Mark Pollins, Director of the Water Enforcement Division. Mr. Pollins assured me I had the right two people to handle my issues and that I could stop my investigation. I provided Mr. Pollins my evidence and again requested to step him through the materials. In multiple emails I made that request to step them through the materials and was never afforded the opportunity to do so.

On April 29, 2021, Mr. Pollins copied Mr. Rogers on an email to me stating the two had reviewed my information and forwarded it to the appropriate federal officials and requested I provide them more information if I had it. I replied to that email asking which federal officials Mr. Pollins had forwarded the information to as well as the contact information for the attorney Mr. Rogers told me was assigned to my case. I received an autoreply from Mr. Rogers stating he was on vacation and Mr. Pollins did not reply. I was left in the dark once again, just as I have been with the county and state.

In each conversation with the above individuals, we discussed the following:

without including anyone in between the chain of command.

- 1) The recently settled Mountaire Farms class action lawsuit, Delaware Superior Court Case C.A. No. S18C-06-009, and how I believe it to be fraudulent for numerous reasons.
- 2) Parcel 234-21.00-138.00, which was implicated in the aforementioned lawsuit.

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We discussed that I discovered the dumping of large amounts of liquid deep within that forested lot.

Note: That same area was subsequently cleaned up, but recently I inspected it again and discovered spray heads set up in the exact same location that had been cleaned up.

We also discussed how I had seen evidence suggesting a large amount of solid waste dumping occurred. I did not tell them this, but to me it appeared to have been within the last couple of years based on the size of the trees growing there. That is not what class members were told by class counsel.

Note: In my last inspection the trees were much larger, which indicates my assumption of when the dumping occurred was likely correct.

3) Parcel 234-21.00-139.00, which is directly adjacent to parcel 234-21.00-138.00.

On this parcel there is a satellite view of three trucks, one of which is dumping liquid into a trench. That parcel now has an enormous illegal landfill approximately 25' tall, 50' wide, and 400' long. Both state and county employees have been out to that property and refuse to have the illegal landfill removed, even though it is against state and county code. In fact, they do not even acknowledge that it exists.

██████████ told me a racoon emerged from that property and died right in front of ██████████. ██████████ took pictures of it as it died. Three days later there was a dead cat in ██████████ yard. ██████████ wanted to know the color the cat was because ██████████ has had three pets die in ██████████ arms and a fourth that had run away.

██████████ and ██████████ family and ██████████ have all sustained very serious medical conditions. I provided the contact information for both of those individuals to Mr. Pollins so he could contact them to verify I was telling the truth. I also provided their contact information above.

4) Inland Bays Regional Wastewater Facility.

This human waste treatment facility was implicated in the Mountaire Farms civil class action lawsuit. It is located less than one mile away, upstream of my home. As soon as I found that out at the final Fairness Hearing, I inspected the facility and saw that it was obviously failing in numerous ways. This was highly alarming given the number of people throughout the community I had spoken with who were sick and dying and because of the alarming levels of nitrates in my water.

I told all of those federal government employees about the conditions of the facility, which includes massive ponding, erosion, and runoff, and about the health conditions of citizens.

Note: Subsequently, via FOIA request, I received a copy of the monitoring well data for the period 2015-2020. The data show nitrate and pH levels are consistently out of range, sometimes egregiously so. In addition, the specific conductivity numbers are astronomically high, indicating a large amount of pollution.

The Mountaire Farms disaster occurred in 2017. By now the nitrates would have made its way through the groundwater. Yet, they remain high in the monitoring well data and the nitrate levels in my groundwater have increased 11% since then.

I then issued a FOIA request of all reports since 2015. DNREC at first would not release the requested reports to me stating they were not the owners of those documents. Ultimately, after great effort on my part, I was provided the information. DNREC was the owner of the withheld documents as they were the organization who performed inspections and wrote the reports. What I received included multiple letters sent from DNREC scientists to Sussex County officials identifying the high nitrate levels. Ultimately, on December 27, 2018, Sussex County Town Manager, Todd Lawson, was sent a formal Notice of Non-Compliance.

Sussex County engineer, Hans Medlarz, applied for a permit to operate the facility with DNREC employee Jack Hayes in February 2017. The permit was not granted, and the state has knowingly allowed the failing facility to operate on an expired permit for four and one-half years.

In my FOIA appeal report I documented those items in great detail and also other issues, as well as what appear to be numerous crimes. There are other apparent non-environmental crimes I discovered as well, but that is not the point of this email or the purview of the EPA.

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On May 20, 2021, after contacting everyone Mr. Wall recommended and receiving no action, I sent him an email telling him I had failed to have the issues addressed. Mr. Wall replied that evening providing several people within the EPA criminal division I could contact.

On June 2, 2021, after playing a ridiculous and possibly deadly game of cat-and-mouse with the county, state, and federal government, I issued a FOIA request regarding my EPA case and two other cases opened by [REDACTED] parcels with the apparent active polluting and the illegal landfill.

I left messages with Pam Mazakas, Jessica Taylor, and Karin Koslow. Ms. Mazakas and Ms. Taylor did not return my messages.

On July 9, 2021, I received a return call from Karin Koslow, Deputy Office Director, OCE. I spoke to her for just under an hour and told her what had transpired. She told me she is confident Mr. Pollins is the correct person to deal with my issues. I told her I did not trust Mr. Pollins because I had already spoken with him and emailed him numerous times and gotten nowhere. If it was Mr. Pollins job to do so he did not because all of the issues remain unaddressed and no one has contacted me with an update on how they plan on being dealt with.

On August 23, 2021, two- and one-half months after my FOIA request was filed, and also 17 days after the extension I granted the Region 3 office had expired, I received a response. The data I received were incomplete. Yet, even with the minimal data provided it was clear to me that no one had addressed any of the above issues. This indicates to me that the evidence I supplied to Mr. Rogers and Mr. Pollins was buried. Also, the lawsuit discussed was not mine even though I specified which case in which I am a class member. I also feel I was characterized by Mr. Rogers as though I have mental illness, which I do not. In one email, Mr. Rogers talked about me in a way that, even if he is not guilty of a crime, he should be provided extensive sensitivity training. The unmitigated gall to refer to a citizen who was poisoned by a ruthless corporation possibly in collusion with the state as "this guy" and saying I "bent his ear" and that he "might subject himself to calling me" is unbelievable and was possibly said that way with motive. That he did not return my call as he promised he would, in my opinion, is extremely damning.

In a June 9, 2021, email sent from Mr. Rogers to [REDACTED] Mr. Rogers stated, "he does not trust anyone at the state level and refuses to talk with them". The first phrase in that sentence is true. I do not trust the state for obvious reasons. The second phrase is false. Up to that point I had attempted to have my issues resolved by everyone I could think of in the local, county, and state government and was consistently denied the opportunity to do so. At one point I even attempted to meet the State Treasurer because there was an illegal business involved which would involve tax evasion, and also because her biography on the state website makes it appear as though she is concerned about both the environment and health. I made my exhaustive search for help perfectly clear to Mr. Rogers in our initial conversation. I also mentioned the specific individuals who are responsible for dealing with the issues in emails I sent to him on April 23, April 26, and April 30, 2021. At this point I have attempted to contact via email and phone or directly spoken to well over 100 people at the local, county, state, and federal level, yet the issues remain unaddressed.

As you will read if you acquire a copy of my FOIA appeal report, when I asked Naida Graves of the Delaware Department of Environmental Health which areas were impacted by the issue at Mountaire Farms I was asked in an accusatory tone, "Who sent you here? The attorneys?" Ms. Graves then proceeded to give me only half of my water test kit, omitting the bottle that tests for nitrates, a chemical at the heart of the Mountaire Farms disaster. Because of that unbelievable experience, once I suspected settlement was fraudulent, I kept notes of all of the phone calls I made as well as my phone records. I have not had the time to assemble them because I have been busy contacting endless government employees begging for help, providing medicine and water treatment to community members, writing countless reports, and assisting the four appellants who appealed the case. Even though I am not an attorney and never claimed to be, my work resulted in them settling their appeal with class counsel on the side because I outsmarted them.

If I am provided some sort of feeling they will be reviewed, I will assemble those notes, because in my opinion this is an enormous set of crimes that should be tried by the Department of Justice as well as the EPA because they are not simply environmental crimes. I intend on supplying all of the attorneys who hopefully end up prosecuting these alleged crimes with the vast evidence I have gathered. This is not how I anticipated spending my retirement, but I believe it is important to do so, just as I felt my work at the Department of Defense was important during my career.

In his June 8, 2021, email to [REDACTED] Mr. Rogers also stated, "I'll contact him and let him know we can't do anything unless we have more evidence of direct impacts to public health." Mr. Rogers did not contact me. Had he done so I would have immediately provided him my medical records showing the numerous health impacts I have and will continue to endure because they are permanent. That said, in my FOIA appeal report I provided affidavits of two of my neighbors and photographs showing the impact our contaminated water is having on them.

On July 13, 2021, I sent an email to Mr. Pollins, copying the EPA Inspector General email address, whom I am also copying on this email, outlining a number of issues. In that email I discussed the aforementioned issues as well as a

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series of other issues I had uncovered via satellite imagery and by personal inspection. I specifically told Mr. Pollins that I was removing Mr. Rogers from the email chain because I no longer trusted him to do his job. I also included attachments providing more evidence I had received.

None of the emails I sent to Mr. Rogers or Mr. Pollins were provided in my FOIA request. Mr. Pollins specifically requested I provide him additional information if I had it, which I did. To both Mr. Rogers and Mr. Pollins I said I wanted my emails attached to my case. I refuse to believe that if they were requested to provide that information as part of my FOIA request that they had simply forgotten to do so.

On July 16, 2021, I held a one- and one-half hour phone call with Mr. Rogers discussing the incredible frustration I had in dealing with these issues. In that call, Mr. Rogers told me these issues were for Ms. Amend to handle. I already had spoken with Ms. Amend in the very beginning. If it were her job he should have told me to contact her then.

Later that evening I received an email from Mr. Rogers stating he was unable to reach Ms. Amend nor anyone else regarding the "Solid Waste requirements" and requested a call the following week. That is not true. In addition to being over three months since our initial conversation in which he had ample time to contact Ms. Amend, he did in fact send two emails to her on April 23, 2021, ten days after she sent him the notes she had taken during our April 13, 2021, phone call. He should have had Ms. Amend reach out to me if it was her responsibility to handle.

Mr. Rogers also requested that I send him the my water test results and that of at least one other person stating that he and his staff may be able to help using the Safe Drinking Water Act. If that is the case, he should have told me that on the first day we spoke.

I have simply been too busy addressing these colossal disasters with suffering citizens and have not had the time to send them to him. Not only did it take time to gather those tests, I had to write the 70-page appeal of my FOIA request and develop the accompanying 250 exhibits that indicate a number of potential environmental and public trust crimes that have occurred throughout Sussex County. There is at least one instance where it appears to cross state lines (parcel 532-18.00-44.00), which I told Mr. Rogers about because I believed that would be a justifiable reason for federal government intervention.

Nevertheless, those water tests were provided in my FOIA appeal report in Exhibit A-17 (attached). I have since spoken with three EPA employees, none of whom have read that document I worked tirelessly to produce in the 30-day time period the public is provided to respond. I find that timeline to be unnecessarily short, especially given the EPA responded to my FOIA request late even after the extension I provided the EPA Region 3 office. There is a reason FOIA request timelines are short for the government. It prevents employees from burying and manipulating evidence and conjuring up schemes to avoid corruption being uncovered. That short of a deadline should not apply to citizens or should be extended to something far more reasonable. Especially in circumstances such as these. There are any number of reasons that timeline is too short. For example, what if I had caught COVID-19?

I request that one of the people I have addressed in this email use those documents supplied in Exhibit A-17 of my FOIA appeal and address the failing, non-permitted Inland Bays Regional Wastewater Facility using the Safe Drinking Water Act or whatever Acts there are that prevent the government from poisoning people, and to address the facility's failings immediately before winter crops are sown such that another wave of pollution does not come through my community. In addition, I request that the EPA alert the public to this situation via reputable news sources so that citizens can be appropriately warned that their water may be non-potable. I have tried to contact the media in vain, and I routinely meet people who are unaware of its failings since the only place it is mentioned is buried in a single sentence on page 119 of the civil class action settlement document.

In Mr. Rogers July 16, 2021, email, he stated that solid waste is an issue for the state to handle. That may be true, however, they are not returning any of my emails or phone calls. If that is the case, then he should have reached out to Ms. Amend and had her contact them. Instead, in Mr. Rogers' June 2, 2021, email sent to [REDACTED], he specifically stated that he reached out to the person in charge of wastewater in Delaware. I do not know what they discussed, but whatever it was it did not result in any action on the part of the state. I believe EPA employees should be required to follow up with state employees even if it is they cannot force them to resolve issues. Particularly in cases that are or could possibly affect human health.

In addition, citizens living next to that illegal landfill and abandoned dump site have sustained grave and ongoing injuries. I have been told repeatedly by EPA employees, including Mr. Rogers, that the only way the federal government can get involved is if human health is at risk, which it is.

I have spoken to countless members of my community, some of whom are sick and dying or have died, or have bumps and lesions on their body, and many who itch after bathing. Even with water treatment systems and shower filters my and [REDACTED] skin itch after we shower. If anyone reading this would take the time to read my FOIA appeal report, you will see that [REDACTED] also bleeds all over [REDACTED] body from the sores the itching causes. Another neighbor also explains how [REDACTED] water has deleteriously affected [REDACTED] and [REDACTED] granddaughter's health.

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Another elderly neighbor downstream of me lost [REDACTED] several years ago. [REDACTED] developed a sore on [REDACTED] leg and within six weeks the cancer ate up [REDACTED] body and [REDACTED] died. Two years later [REDACTED] met a [REDACTED] became engaged. This past February, [REDACTED] developed a racing heartbeat, something I had for years before getting my water treated. [REDACTED] told him to go to the hospital, but [REDACTED] decided to lay down. A while later [REDACTED] checked on [REDACTED] and [REDACTED] had passed away. [REDACTED] water tests have come back fine, but [REDACTED] still itched after bathing until I purchased [REDACTED] a shower filter. Not believing the results of [REDACTED] water test, [REDACTED] had it tested again and it came back fine. [REDACTED] said, "There is something else in this water."

On October 13, 2021, I called Ms. Amend and held a 29-minute phone call. I told her that Mr. Rogers indicated that it was her responsibility to deal with these issues. She said she did not believe it was and that it was something for Mr. Rogers to handle. I asked if she had mentioned it to her manager, Karen Melvin, when I first spoke to her. She said she could not recall if she did. I asked her to reach out to Ms. Melvin. I did not hear back from Ms. Melvin.

On October 18, 2021, I called Ms. Amend again and she told me she had forgotten to contact Ms. Melvin but would reach out to her. I still have not heard back from Ms. Melvin.

If, and hopefully when, someone in the EPA reads my FOIA appeal report, they will see that Inland Bays Regional Wastewater Facility is not the only questionable wastewater facility. Piney Neck Regional Wastewater Facility is also operating on an expired permit and has a mysterious pond in the woods behind it unrelated to the operation of the facility according to the Sussex County engineer, Hans Medlarz, and it has no permit according to Sussex County Planning and Zoning employee, Ann Lepore. The only way to that pond, which was installed at the same time as the facility and is of a similar design, is via a makeshift path leading from the facility. This facility is also operating on an expired permit.

The Georgetown Wastewater Reclamation Facility is conducting non-permitted and seemingly illegal activities as well, which includes spraying something that smells egregiously of feces and chemicals. Recently, I have started noticing Inland Bays Regional Wastewater Facility also sprays something that smells like chemicals. A man I met who lives on the property adjacent to that facility says he has seen brown liquid sprayed onto the fields. I have signed affidavits from two citizens who also smell chemicals. Mr. Medlarz said the chemical they use is called sodium hypochlorite. There is no reason for them to be using so much of that chemical that I could smell it. In addition, it is against their permit to do so as odors are not to extend beyond the facility.

This past weekend I spoke to citizens who live by the Laurel Regional Wastewater Facility and was told they also sometimes smell feces. One of them told me it can be smelled at the Seaford facility as well.

Let me do the math for you. Mountaire Farms was cited for contaminating our groundwater with massive amounts of fecal coliform bacteria levels exceeding the permitted allowance of 200 mg/L, reaching as high as 1,100,000 mg/L. There are no livestock or people living on those spray fields.

What I have been told by a number of locals, some of whom worked at Mountaire Farms, is that Mountaire Farms' septic system was failing long ago. While I cannot prove that Mountaire Farms is disposing of their waste on public waste treatment facilities, it would certainly explain the excessive smell of feces. Where else would they be disposing of it? Regardless, it is against the facility permits, revolting, and likely unhealthy to have the odor of feces and/or chemicals extend beyond the facilities for local residents to breathe. I assume it is also illegal to operate human waste treatment facilities without a permit, especially if they are contaminating groundwater and likely impacting human health.

No one in the county or state responsible for dealing with the waste treatment facilities will do so. No one in the federal government will address the issues. The federal government employees I have spoken to, aside from two phone calls, one of which was held with the Department of Justice Environmental Crimes prosecuting attorney who is not assigned to my EPA case, have not had time to talk because they are always heading into meetings. I request the opportunity to hold a meeting with one of them to discuss the matters entirely. It will take several hours to do so at a minimum. I am retired, and will make my schedule available.

All of this said, at some point it is time for the EPA to do its job and protect citizens and the environment.

What if it is the case that the people whose job it is to handle these issues have, for whatever reason, simply decided not to? What should a citizen do then? I have been told by everyone so far that it is not their job. It's great that this is in the hands of a criminal investigator to work on, but that does not address the environmental issues. Fire departments do not work up a perfect case for an arsonist before putting out fires. How is this any different?

Perhaps it is simply the same scenario as has played out within Delaware in which DNREC has not authorized a permit for Sussex County to operate two wastewater treatment facilities but has knowingly allowed them to continue to allow them to operate. By now I am quite certain the state knows I am aware of that. I suspect that is why I am being treated like Kryptonite. They are called public trust crimes for a reason.

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If I am correct in my assumptions, the evidence I have gathered appear to implicate the county, state, and federal government of numerous extremely serious crimes, possibly in collusion with a major corporation with a track record of polluting.

It should never have been my job to investigate all of this. Nonetheless, I did. Though it has pushed me to the brink of complete exhaustion working approximately 60-70 hours seven days per week, sleeping at most five hours per night, I am thankful and proud that I did because I think I did a better job than the government would have. Honestly, that is a simple statement of fact, because the government has not done a single thing to address my concerns.

I am not trying to be rude or trite, but at least have the common sense to use the information I provided in my FOIA appeal report and act on it and ensure the personnel whose job it is to address these issues does so. The entire purpose of the Inspector General is to hold their feet to the fire and to prevent waste, fraud, and abuse, all of which appear to apply in this scenario.

I have a great deal more information and evidence to supply beyond the information provided in my FOIA appeal report, as well as the countless emails I have sent, the endless phone calls I have made, the ongoing dialog I have had with others, as well as my paper notes, photographs, satellite imagery, and affidavits. I would appreciate taking a short break before doing so.

I request that EPA officials forward this email and my FOIA appeal report to the appropriate Department of Justice offices and have them contact me. I do not simply mean the Environmental Crimes division. These are potential public trust and white-collar crimes which would be out of the purview of environmental crimes attorneys. I simply have not had the time to navigate the entire federal government to deal with these issues, nor is it my expertise or job to do so. As I stated in my FOIA appeal, I cannot even find an attorney who will take on this case.


I am once again finding myself begging to exercise my First Amendment right to redress my government for grievances. Up to this point I have not been afforded that opportunity.

As I have stated repeatedly to government employees, I believe the lives and health of Delawareans is at risk. Please show some mercy and help.

If anyone has any questions, I can be reached at [REDACTED]

Thank you for your assistance in this extremely important matter,

Don

 Exhibit A-17.pdf
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