

6/3/22, 6:42 PM

Gmail - Re: Mountaire Farms



Donald Burdick [redacted]

Re: Mountaire Farms

1 message

Chase T. Brockstedt <chase@bmbde.com>

Mon, Apr 4, 2022 at 1:54 PM

To: Donald Burdick [redacted]

Cc: [redacted], "attorney.general@delaware.gov" <attorney.general@delaware.gov>

Thank you for your email Donald. Our prosecution of Mountaire was a civil case based on nitrates in the groundwater and hydrogen sulfide in the air. The only state agency that we communicated with regarding the allegations in the complaint was DNREC. We did not evaluate any potential criminal case against Mountaire as that is not what we do and is not what our case was about. With regard to the disposal of sludge, the information primarily came from responses to FOIA requests from the EPA and the State, and information we learned through the discovery process. We did not investigate or research the Inland Bays facility. Finally, there is a court approved confidentiality agreement in place that applies to nearly all of the discovery, expert reports, etc.

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Lewes, Delaware 19958
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On Apr 4, 2022, at 9:23 AM, Donald Burdick <dtburdick@gmail.com> wrote:

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Chase,

→ Before the lawsuit was filed.

How did you come to find out dumping took place in the northernmost area of the settlement document on parcel 234-21.00-138.00 before the lawsuit was filed? It is not mentioned in the Notice of Violation and there was no permit for them to do so. That area is identified as "Sludge last applied in 2006" on the map shown on page 167 of the settlement document.

For your reference:

<https://www.mountairesettlement.com/pdf/Cuppels-v-Mountaire-Mtn-for-Final-with-ex.pdf>

It is shown in the advertisement you sent to prospective class members before the suit was filed, identified as "Areas known to be affected by Mountaire's Pollution", and was also filed as as part of the lawsuit as a map found in Exhibit A before discovery was granted.

Did you alert the government of that crime? If so, I would like to know who you alerted and would like a copy of that correspondence.

In my last email to you I stated that I would like to know who you told in the government about the illegal dumping Mountaire Farms did on Inland Bays Regional Wastewater Facility. I also requested that you provide me that correspondence. Telling me "DNREC" is not an adequate answer to those questions.

That facility was issued a Notice of Non-Compliance on December 27, 2018 and was in failure for years afterward according to the monitoring well data I received. As far as I know, the public was never warned about that failure.

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I have experienced a complete lack of accountability from all three levels and all three branches of government as I have attempted to have the failed Inland Bays Regional Wastewater Facility addressed. Because of that, I have been running around town for over a year warning citizens and providing them with whole home water treatment systems, reverse osmosis machines, shower filters, medicine, probiotics, bottled water, and water test kits. I found many citizens who were and are sick and was even called by one who was dying begging for my help because she heard I was helping others. That citizen lived directly down-gradient and 1.3 miles from the failed human waste treatment facility.

In a previous email to me you stated that you cannot provide me with either the four reports Dr. Cohen authored or the records that indicated Mountaire Farms dumped sludge on the Inland Bays Regional Wastewater Facility because you have a myriad of non-disclosure agreements with Mountaire Farms. Please confirm that statement.

Last, in the over four years it took to reach settlement, did anyone from class counsel ever look into the astounding levels of fecal coliform bacteria found in Mountaire Farms' monitoring well data?

Those levels can be found in the Notice of Violation on page 8, item 5.

<http://www.dnrec.delaware.gov/Admin/Documents/dnrec-hearings/2020-P-W-0014/2017%2011%2002%20Mountaire%20NOV.pdf>

I do not understand how the wastewater treatment system could have such alarming levels of bacteria. The word on the street is that their septic system failed. If what I heard is true, I hope that was addressed in the federal suit.

Please reply-all to this message.

Thank you,

Don
