



U.S. Department of Justice

Civil Rights Division

civilrights.justice.gov



U.S. Department of

Health and Human Services

Office for Civil Rights

hhs.gov/ocr

United States and Alabama Department of Public Health Interim Resolution Agreement

Fact Sheet*

On May 3, 2023, the United States and the Alabama Department of Public Health (ADPH) entered into an Interim Resolution Agreement. The Agreement requires ADPH to take many steps to improve public health for Lowndes County residents who lack the means to install/repair functioning septic systems. The requirements fall into three major categories:

1. **Suspending criminal penalties and liens related to possible violations of sanitation laws;**
2. **Planning equitable onsite wastewater (septic) solutions with community input;**
3. **Expanding public health information and awareness.**

Background

- The U.S. Department of Justice, Civil Rights Division (DOJ) and U.S. Department of Health and Human Services, Office for Civil Rights (HHS) opened an investigation of ADPH in November 2021.
- The investigation looked into ADPH's onsite wastewater and infectious diseases and outbreaks programs. These programs oversee septic systems and address public health issues, like sicknesses that spread through raw sewage. Our investigation focused on the question: **Do ADPH's programs unlawfully harm Black residents of Lowndes County?**
- As a result of the Agreement, DOJ and HHS have paused the investigation.

If you have any questions, concerns, or information that you think may be relevant to this Agreement or to the United States' investigation of ADPH, please contact the Department of Justice's email address or phone line:

AL.Lowndes.EJ@usdoj.gov or 1-833-739-2103

* This Fact Sheet is not intended to be a full summary. For more information, including a copy of the Final Agreement, please visit: <https://www.justice.gov/opa/pr/departments-justice-and-health-and-human-services-announce-interim-resolution-agreement>

What does this Agreement mean for YOU?



No fines, fees, penalties, or property loss from the sanitation conditions (septic, straightpiping, etc.) at your home.

ADPH will not refer any Lowndes County residents for criminal prosecution for violations of state sanitation laws if you do not have the means to install / repair an ADPH-permitted system **AND** you:

- (a) Provide information in response to an ADPH survey about how you dispose of your wastewater; and/or
- (b) Apply for an onsite wastewater system through ADPH and confine any sewage to your own property.

ADPH also will not take any actions which could lead to liens (property loss).



What information will I need to share with ADPH?

In the coming months, ADPH will work with (1) the U.S. Centers for Disease Control and Prevention to measure health risks from raw sewage exposure, and (2) a third-party organization to collect information needed before an onsite wastewater / septic system can be installed at a particular home, such as soil type, property size, and ownership.

ADPH cannot use this information to refer someone for criminal prosecution.

ADPH is required to submit the survey and outreach materials to the United States for approval.

Your answers matter – please participate!

