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Flint residents file civil rights complaint over asphalt plant approval

Asphalt plant will dump air pollution in a Black community unrecovered from lead poisoning

Flint, Michigan—Today, residents of Genesee County filed a civil rights complaint with the U.S. Department of Housing and Urban Development over the local approval of a polluting hot-mix asphalt plant. The complaint said that Genesee Township’s approval of the Ajax asphalt plant violates Title VI of the Civil Rights Act, the Fair Housing Act, and the Housing and Community Development Act, as it is part of a pattern of discrimination. Groups are represented by the National Housing Law Project, Earthjustice, and the Great Lakes Environmental Law Center.

The asphalt plant, which will emit many air contaminants – including lead – will be sited less than 1600 feet from public housing in a low-income Black neighborhood that is already overwhelmed by high levels of air toxics and particulate matter from industrial activity. Genesee Township is nearly 90% white, and almost all of its elected leaders are white. Yet, those living within one mile of the Ajax plant are predominantly communities of color. Residents living close to this industrial area are 77% Black and 10% Hispanic or Latinx. Genesee Township has historically permitted industry where communities of color live, and where federally assisted low-income housing is sited.

None of the predominantly white areas of the township’s [zoning map are zoned for heavy industry](#). The complaint requests that the federal government step in and stop Genesee Township’s policies and conduct, including requiring Genesee Township to revoke its issuance of building permits to Ajax and the approval of its site plan, that discriminate against Black and Latinx residents.

“Genesee Township’s approval of yet another industrial plant is clear discrimination and fails a community that is still reeling from lead poisoning,” said **Kate Walz, senior attorney, National Housing Law Project**. “Local leaders perpetuated a longstanding pattern of polluting Black communities and ignored residents who raised serious civil rights and public health concerns.” The Complaint seeks the enforcement of civil rights laws including an injunction that would halt the Genesee Township decisions that permit the construction and operation of the asphalt plant.

“This is an important case at the intersection of housing and environmental justice,” said **Earthjustice attorney Debbie Chizewer**. “Everyone deserves to use and enjoy their homes and not worry about whether it is safe to play or picnic outside.”

The asphalt plant got the final permit it needed from the Michigan Department of Environment, Great Lakes, and Energy, or EGLE, on November 15. Flint groups say that neither EGLE nor Genesee Township undertook a proper analysis of the impacts that this asphalt plant will have on the community. Nearly 3,000 people live within a mile from the plant.

“The decision to allow this plant in our neighborhood reflects a continuation of the racist systems and history that shape people’s lives and land use in Flint and Genesee Township,” said **Mona Munroe-Younis, executive director, Environmental Transformation Movement of Flint**.

“The people in this community don’t have a bank or a grocery store to walk to but have a robust industrial park within walking distance. This fight is much bigger than just about this specific asphalt plant. It is about doing better for this community,” said **Debra Hawley, executive director, St. Francis Prayer Center**.

“The fact that this plant has received all approvals necessary to be sited in this community shows Genesee Township’s rejection of a commitment to equity and environmental justice. While this might be unsurprising given the history of environmental racism in Flint, it is still perpetuating community trauma for generations to come,” said **Nayyirah Shariff, director, Flint Rising**.