UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

DEC 30 2008

OFFICE OF
CIVIL RIGHTS

Return Receipt Requested
Certified Mail #7004-1160-0002-3622-9292

In Reply Refer to:
EPA File No. 5R-04-R5

[redacted]

Re: Dismissal of Title VI Complaint

Dear [redacted]

The purpose of this letter is to notify you that the U.S. Environmental Protection Agency (EPA) Office of Civil Rights (OCR) is dismissing, pursuant to EPA's regulations implementing Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. §§ 2000d *et seq.*, the administrative complaint filed with the United States Commission on Civil Rights (USCCR) on May 24, 2007, against the Indiana Department of Environmental Management (IDEM). This complaint was subsequently referred by the USCCR to EPA, by letter dated June 17, 2004.

Attached is the Investigative Report. This Investigative Report constitutes OCR's findings under Title VI and 40 C.F.R. Part 7 and dismissal of the complaint (EPA Complaint Number 05R-04-R5) pursuant to 40 C.F.R. § 7.120(g). OCR finds no violations of EPA's Title VI regulations and concludes that the facts do not establish that IDEM intentionally discriminated on the basis of race in providing copies of the notice of decision regarding the Midwest Medical Solutions facility to the African American community in Gary, Indiana.

If you have any questions or need clarification regarding this letter and its contents, please contact Helena Wooden-Aguilar, Assistant Director of the OCR External Compliance and Complaints Program via telephone number 202-564-0792. She may also be reached via electronic mail at Wooden-Aguilar.Helena@epa.gov, or by mail at: U.S. EPA, Office of Civil Rights (Mail Code 1201A), 1200 Pennsylvania Ave., N.W., Washington, D.C. 20460-1000.

Sincerely,

Rafael DeLeon
Director

Enclosures

cc: Stephen G. Pressman, Associate General Counsel
Civil Rights and Finance Law Office (2399A)

Diana Embil, EPA Region 5

Thomas Easterly, Commissioner
Indiana Department of Environmental Management
100 N. Senate Ave.
Mail Code 50-01
Indianapolis, IN 46204-2251

Gerald A. Reynolds, Chairman
United States Commission on Civil Rights