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

APR 25 2013

OFFICE OF
CIVIL RIGHTS

Return Receipt Requested
Certified Mail#: 7004-1160-0002-3622-7823

In Reply Refer to:
EPA File No.: 19R-12-R9

Director Michael Alston
Office of Civil Rights
Office of Justice Programs
U.S. Department of Justice
810 Seventh St. NW
Washington, DC 20531-3718

Re: Referral of Administrative Complaint

Dear Director Alston:

On September 19, 2012, the U.S. Environmental Protection Agency (EPA), Office of Civil Rights (OCR), received correspondence from an inmate at the California Men's Colony State Prison. The letter alleged that the California Men's Colony State Prison Administration is "acting with deliberate indifference by purposefully and intentionally exposing prisoners to asbestos in their cells."[1]

California Men's Colony State Prison is not a recipient of EPA financial assistance. Therefore, the complaint is not within EPA OCR jurisdiction to investigate, and OCR must reject the complaint for investigation. Because the U.S. Department of Justice (DOJ) may have subject matter expertise over the allegations in this complaint and the California Men's Colony State Prison may be a recipient of DOJ, the complaint is being referred to DOJ to review and investigate as you deem appropriate.

We have notified the complainant that his complaint has been forwarded to DOJ and provided him with your contact information. If you have any questions about this correspondence, please contact Helena Wooden-Aguilar at (202) 564-0792, via e-mail at

[1] Letter from [redacted] to Lisa Jackson, EPA, "Notice of Hazardous Condition." (September 13, 2012).

wooden-aguilar.helena@epa.gov, or via mail at U.S. EPA, Office of Civil Rights, (Mail Code 1201A), 1200 Pennsylvania Avenue, N.W., Washington, D.C., 20460.

Sincerely,

Vicki Simons
Acting Director

Enclosure(s)

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

Gina Edwards, EEO Officer
USEPA REGION 9
75 Hawthorne Street
Mail Code: ORA-1
San Francisco, CA 94105-3920

Elvin Valenzuela, Warden (A)
California Men's Colony State Prison
P.O. Box 8101
San Luis Obispo, CA 93409-8101