UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

EXTERNAL CIVIL RIGHTS COMPLIANCE OFFICE
OFFICE OF GENERAL COUNSEL

June 19, 2017

Return Receipt Requested
Certified Mail #: (b) (6) Privacy

In Reply Refer to:
EPA File No. 19X-17-R7

(b) (6) - Privacy

Re: Closure of Administrative Correspondence

Dear (b) (6) - Privacy

On May 16, 2017, the U.S. Environmental Protection Agency's (EPA) External Civil Rights Compliance Office (ECRCO) received your correspondence as a referral from the U.S. Department of Justice. Your correspondence generally alleges that the Miller County Department of Health and the courts were unable to prosecute your neighbor for failing to maintain a private, residential septic system which has reportedly impacted your property. As discussed below, ECRCO does not have the required jurisdiction to accept your correspondence as a complaint for investigation. Accordingly, this matter is closed as of the date of this letter.

Pursuant to the EPA's nondiscrimination regulation, ECRCO conducts a preliminary review of discrimination complaints for acceptance, rejection, or referral. See 40 C.F.R. § 7.120(d)(l). To be accepted for investigation, a complaint must meet the jurisdictional requirements described in the EPA's nondiscrimination regulation. First, it must be in writing. Second, it must describe an alleged discriminatory act that, if true, may violate the EPA's nondiscrimination regulation (i.e., an alleged discriminatory act based on race, color, national origin, sex, age, or disability). Third, it must be filed within 180 calendar days of the alleged discriminatory act. See 40 C.F.R. § 7.120(b). Finally, the complaint must be filed against an applicant for, or a recipient of EPA assistance that allegedly committed the discriminatory act. See 40 C.F.R. § 7.15.

ECRCO contacted you on June 8, 2017, to obtain additional information related to your concerns. As discussed, your concerns do not describe an alleged discriminatory act that, if true, could violate the EPA's nondiscrimination regulations and you stated that it is not your intent to file a discrimination complaint. After careful review, the ECRCO is rejecting your complaint for investigation as it does not meet the jurisdictional requirements in EPA's nondiscrimination regulations. This matter is closed as of the date of this letter.

If you have questions about this letter, please feel free to contact Jeryl Covington, Case Manager, at 202-564-7713 (covington.jeryl@epa.gov).

Sincerely,

Lilian S. Dorka
Director, External Civil Rights Compliance Office
Office of General Counsel

cc: Kenneth Redden
Acting Associate General Counsel
Civil Rights & Finance Law Office

Mike Brinck
Assistant Regional Administrator
Deputy Civil Rights Official
EPA Region 7