VOLUNTARY COMPLIANCE AGREEMENT
between the
MISSOURI DEPARTMENT OF NATURAL RESOURCES
and the
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
EPA Complaint No. 01RNO-20-R7

I. PURPOSE AND JURISDICTION

A. Title VI of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d to 2000d-7 (Title VI), and other federal nondiscrimination laws, and United States Environmental Protection Agency's (EPA) implementing regulations at 40 C.F.R. Parts 5 and 7, prohibit discrimination on the basis of race, color, national origin, disability, sex and age in the programs or activities of applicants for or recipients of federal financial assistance.[1]

B. The External Civil Rights Compliance Office (ECRCO) is responsible for enforcing several federal civil rights laws that prohibit discrimination on the bases of race, color, national origin [including limited-English proficiency (LEP)], disability, sex, and age in programs or activities that receive federal financial assistance from the EPA.

C. The EPA published *Guidance to Environmental Protection Agency Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons* (Guidance).[2] This Guidance provides a general framework that recipients of EPA financial assistance may use to provide meaningful access to limited English proficient persons.

D. The Missouri Department of Natural Resources (MoDNR) receives financial assistance from EPA and, therefore, must ensure nondiscrimination in programs and activities pursuant to the provisions of Title VI, and other federal nondiscrimination laws, and EPA's implementing regulations.

E. This Voluntary Compliance Agreement (VCA or Agreement) is entered into by MoDNR and EPA.

F. This Agreement is entered into pursuant to the authority granted to EPA under the federal nondiscrimination laws, including 40 C.F.R. Parts 5 and 7, and resolves Issue #2 of EPA Complaint No. 01RNO-20-R7.

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[1] Title VI of the Civil Rights Act of 1964, 42 United U.S.C. §§ 2000d to 2000d-7 (Title VI); Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 794; Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. § 1681 et seq.; Age Discrimination Act of 1975, 42 U.S.C. § 6101 et seq.; Federal Water Pollution Control Act Amendments of 1972, Pub. L. 92-500 § 13, 86 Stat. 903 (codified as amended at 33 U.S.C. § 1251 (1972)); 40 C.F.R. Parts 5.

[2] 69 FR 35602 (June 25, 2004). *See* https://www.epa.gov/sites/default/files/2020-02/documents/title_vi_lep_guidance_for_epa_recipients_2004.06.25.pdf.

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(b)(7)(A) Enforcement

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conditions making performance impractical or impossible, or due to material change to the MoDNR's program or authorities, or for other good cause, the Party seeking a modification will promptly notify the other in writing, setting forth the facts and circumstances justifying the proposed modification. Any modification(s) to this Agreement will take effect only upon written agreement by the Director of the MoDNR and the Director of ECRCO.

D. This Agreement constitutes the entire Agreement between the MoDNR and the EPA regarding the matters addressed herein, and no other statement, promise, or agreement, made by any other person will be construed to change any commitment or term of this Agreement, except as specifically agreed to by the MoDNR and the EPA in accordance with the provisions of Section III.C. above.

E. The Agreement does not resolve the additional issues raised in EPA Complaint No. 01RNO-20-R7.

F. This Agreement does not affect the MoDNR's continuing responsibility to comply with Title VI or other federal nondiscrimination laws and the EPA's regulations at 40 C.F.R. Parts 5 and 7, nor does it affect the EPA's investigation of any other Title VI or other federal civil rights complaints or address any other matter not covered by this Agreement.

G. The effective date of this Agreement is the date by which both Parties have signed the Agreement. This Agreement may be signed in counterparts. The Director, in their capacity as an official of the MoDNR, has the authority to enter into this Agreement for purposes of carrying out the activities listed in these paragraphs. The Director of

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ECRCO has the authority to enter into this Agreement.

On behalf of the Missouri Department of Natural Resources:

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Dru Buntin, Director (Date)

On behalf of the External Civil Rights Compliance Office, Office of General Counsel, U.S. Environmental Protection Agency:

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Lilian S. Dorka, Director (Date)

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