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

OFFICE OF
CIVIL RIGHTS

May 5, 2016

Return Receipt Requested
Certified Mail#: 7015 1520 0002 0019 2434

In Reply Refer to:
EPA File No.: 11R-14-R4

Marianne Engleman Lado
and Jocelyn D'Ambrosio
Earthjustice
48 Wall Street, 19th Floor
New York, New York 10005

Re: **Reinitiation of Investigation**

Dear Ms. Lado and Ms. D'Ambrosio:

On March 7, 2016, you informed the Office of Civil Rights (OCR) that the Alternative Dispute Resolution mediation process between the North Carolina Department of Environmental Quality (NC DEQ), formerly the North Carolina Department of Environment and Natural Resources (NC DENR), and the Complainants in the above referenced complaint (the North Carolina Environmental Justice Network, Rural Empowerment Association for Community Help ("REACH"), and Waterkeeper Alliance, Inc.) has concluded without resolution. Therefore, consistent with OCR procedures, OCR has reinitiated its investigation into:

> Whether the North Carolina DENR's regulation of swine feeding operations discriminates against African Americans, Latinos, and Native Americans on the basis of race and national origin in neighboring communities and violates Title VI of the Civil Rights Act of 1964 and the Environmental Protection Agency's (EPA) implementing regulations.

Please note that OCR has acknowledged receipt of your email and an interview with Dr. Wing has been scheduled for May 13, 2016, at 10:00 a.m. OCR has also scheduled an interview with Dr. Jill Johnston on May 11, 2016, at 3:00 p.m.

Also, we would like to remind you that no applicant, recipient or other may intimidate, threaten, coerce, or engage in other discriminatory conduct against anyone because he or she has either taken action or participated in an action to secure rights protected by the non-discrimination statutes OCR enforces. 40 C.F.R. § 7.100. Any individual alleging such harassment or intimidation may file a complaint with OCR. OCR would investigate such a complaint if the situation warranted.

Internet Address (URL) • http://www.epa.gov
Recycled/Recyclable • Printed with Vegetable Oil Based Inks on 100% Postconsumer, Process Chlorine Free Recycled Paper

If you have any questions, please feel free to contact Ericka Farrell, Case Manager, at (202) 564-0717, or by e-mail at farrell.ericka@epa.gov, or U.S. mail at U.S. EPA, Office of Civil Rights (Mail Code 1201A), 1200 Pennsylvania Avenue, N.W., Washington, D.C., 20460-1000, or me at (202) 564-9649, or by e-mail at dorka.lilian@epa.gov.

Sincerely,

Lilian S. Dorka
Deputy Director
Office of Civil Rights

cc: Elise Packard
Associate General Counsel
Civil Rights & Finance Law Office

Ken Lapierre
Assistant Regional Administrator
Deputy Civil Rights Official, Region 4