

December 8, 2014

Director of the Office of Civil Rights
U.S. Environmental Protection Agency
Mail Code 1201A
1200 Pennsylvania Ave NW
Washington, D.C. 20460

Re: Title VI Complaint - Guam Environmental Protection Agency, Hazardous Waste Management Program

Dear Sir:

This complaint is filed pursuant to Title VI of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d to 2000-7, and 40 C.F.R. Part 7.

Complainant

(b) (6) Privacy, (b) (7)(C) Enforcement Privacy
Barrigada, Guam 96921
(b) (6) Privacy, (b) (7)(C) Enforcement Privacy

Violator

The alleged violators are Mr. Michael Mann, Guam Program Manager, Pacific Islands Office, United States Environmental Protection Agency (USEPA), Region IX and USEPA Region IX. The alleged violators are grantors of financial assistance from the USEPA to Guam Environmental Protection Agency (Guam EPA) RCRA I (Underground Storage Tank) Program at the time of the alleged discriminatory act.

Discriminatory Act

The alleged discriminatory is the issuance of a Programmatic Condition included in the USEPA Cooperative Agreement, Grant Number (FAIN) 00906314, Section P5. Program Income.

Whereas, no states or tribes who responded to the Association of State and Territorial Solid Waste Management Official (ASTSWMO) survey are required by their EPA RCRA I Grant Program Officer to obtain approval from him/her on all expenditures from

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State's from locally generated fund to include but not limited to off-island travel for training and conferences.

Whereas, no states or tribes specifically under USEPA Region IX have a programmatic conditions that requires them to obtain approval to use their locally generated funds from their RCRA I Grant Program Officer.

Disparate Impact

The adverse impacts described above and as indicated on the ASTSWMO survey falls disparately upon members of the Pacific Islanders more specifically Guam. The ASTSWMO survey included Hawaii, California, Georgia, Nebraska, Connecticut, Montana, Ohio, South Carolina, Kentucky, Florida, Arkansas, USEPA Region VIII, and USEPA Region II that includes the Virgin Islands and Puerto Rico.

Request

Based upon the foregoing complaint requests that the Office of Civil Rights conduct an investigation to determine whether the Programmatic Conditions included in the USEPA Cooperative Agreement, Grant Number (FAIN) 00906314, Section P5. Program Income violated Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d to 2000d-7, and 40 C.F.R. Part 7 requiring Guam EPA to obtain approval from Mr. Michael Mann to use locally generated fund.

kindest Regards,

(b) (6) Privacy, (b) (7)(C) Enforcement Privacy

A large black rectangular redaction box covers the signature area of the complainant.

Complainant

Enclosures: USEPA Cooperative Agreement FY 2013 – FY 2018
Statute – Chapter 76, Underground Storage of Regulated Substances Act
Emails Response – ASTSWMO Survey