



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

EXTERNAL CIVIL RIGHTS COMPLIANCE OFFICE
OFFICE OF GENERAL COUNSEL

May 3, 2022

In Reply Refer to:

EPA File No: 01RNO-22-R1

Carissa Richard
Secretary of the Board
Providence Water Supply Board
125 Dupont Drive
Providence, RI 02907
carissar@provwater.com

Re: Informal Resolution/Tolling of Preliminary Findings Timeframe

Dear Secretary Richard:

This letter concerns EPA Complaint No. 01RNO-22-R1 against the Providence Water Supply Board (Providence Water), which was accepted for investigation on February 10, 2022. The External Civil Rights Compliance Office (ECRCO) is required by regulation to seek cooperation with recipients in securing compliance with 40 C.F.R. Parts 5 and 7 through informal and voluntary means.¹ On March 4, 2022, ECRCO met with Aaron Weisman, who represents Providence Water, to explain the available options for informal resolution, including the Informal Resolution Agreement (IRA) process. On March 18, 2022, ECRCO received correspondence from Mr. Weisman informing our office that Providence Water has agreed to engage in negotiations toward the execution of an IRA. Accordingly, as of March 18, 2022, ECRCO and Providence Water have commenced informal resolution agreement discussions. ECRCO, therefore, will suspend its 180-day timeframe for issuing Preliminary Findings (40 C.F.R. § 7.115(c)(1)) for the duration of the IRA process. ECRCO will ensure that this process occurs without undue delay.

The goal of the IRA negotiation process is to reach an agreement between Providence Water and ECRCO that resolves the issues accepted for investigation. If Providence Water and ECRCO fail to reach an informal resolution agreement, ECRCO will notify Providence Water and the Complainant of that fact and resume the process for issuing preliminary findings.² To facilitate the informal resolution agreement process, we will continue to engage with you, as well as the

¹ See 40 C.F.R. § 7.105 (EPA “shall seek the cooperation of applicants and recipients in securing compliance with” 40 C.F.R. Part 7); and 7.120(d)(2) (EPA “shall attempt to resolve complaints informally whenever possible.”).

² See 40 C.F.R. § 7.115(c). In the event ECRCO and EGLE cannot reach an Informal Resolution Agreement, ECRCO will resume the process for issuing preliminary findings within 180 days of the start of the investigation – excluding the period spent in the informal resolution agreement process.

Complainants, to gather the necessary facts and information so that we may provide you with a draft IRA as soon as possible for your consideration. Engagement during the IRA negotiation process may also include EPA facilitated meetings between Providence Water and the Complainants.

If you have questions about this letter, please feel free to contact me by email at dorka.lilian@epa.gov, or Zahra Khan, Case Manager by email at khan.zahra@epa.gov

Sincerely,



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

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