

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



EXTERNAL CIVIL RIGHTS COMPLIANCE OFFICE
OFFICE OF GENERAL COUNSEL

February 19, 2021

Emailed to:

In Reply Refer to:

EPA Case No. 01RNO-21-R5

John J. Kim
Director
Illinois Environmental Protection Agency
1021 North Grand Ave. East
P.O. Box 19276
Springfield, IL 62794-9276
John.j.kim@illinois.gov

Re: Informal Resolution/Tolling of Investigative Timeframe

Dear Director Kim:

This letter concerns EPA Complaint No. 01RNO-21-R5, which was accepted for investigation on January 25, 2021. The U.S. Environmental Protection Agency's (EPA) 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 The process of developing and executing an Informal Resolution Agreement (IRA) was described to you and Illinois EPA representatives (IL EPA), during a telephone conversation on February 11, 2021. ECRCO received correspondence from you on February 11, 2021, informing our office that the IL EPA has agreed to engage in negotiations toward the execution of an IRA. Accordingly, as of February 11, 2021, ECRCO and the IL EPA have commenced informal resolution agreement discussions. ECRCO, therefore, will suspend its investigation and toll the 180-day investigation timeframe in 40 C.F.R. § 7.115(c)(1) for the duration of the informal resolution agreement process. ECRCO will ensure that this process occurs without undue delay.

If the informal resolution process fails to result in an IRA between ECRCO and the IL EPA, ECRCO will notify the IL EPA that ECRCO has resumed its investigation and will issue preliminary findings within 180 days of the start of the investigation – excluding any days spent in the informal resolution agreement process.² To facilitate the informal resolution agreement process, we will soon be providing you with a draft IRA for review and consideration.

If you have questions about this letter, please feel free to contact me at (202)564-9649, or by email at dorka.lilian@epa.gov, or Brittany Robinson, ECRCO Case Manager, at (202)564-0727

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).

by email at robinson.brittany@epa.gov.

Sincerely,



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

cc: Angelia Talbert-Duarte
Associate General Counsel
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