



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

Return Receipt Requested

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In Reply Refer to:

EPA File No. 02R-15-R3 OFFICE OF
CIVIL RIGHTS

Edward C. Adams, Jr., Director
County Office Building
111 West Chesapeake Avenue
Baltimore, Maryland 21204

Re: Rejection of Administrative Complaint

Dear Director Adams:

This letter is to notify you that the U.S. Environmental Protection Agency (EPA), Office of Civil Rights (OCR), has reviewed electronic correspondence from a resident of Baltimore County dated January 23, 2015. Because the OCR is responsible for processing complaints alleging a violation of Title VI of the Civil Rights Act of 1961, as amended (Title VI), 42 U.S.C. §§2000d, *et. seq.*, and its implementing regulations, 40 Code of Federal Regulations (C.F.R.) Part 7, the OCR is treating the correspondence as a complaint for purposes of assessing Title VI jurisdiction. The correspondence contains allegations that the Department of Public Works (DPW) of Baltimore County, Maryland, discriminated against African Americans by failing to provide them with adequate curbing and sewer infrastructure, as compared to residents of a nearby Caucasian neighborhood.

Pursuant to the EPA's nondiscrimination administrative regulations, the OCR conducts a preliminary review of administrative complaints for acceptance, rejection, or referral to the appropriate Agency. *See* 40 C.F.R. § 7.120(d)(1). For a complaint to be accepted for investigation, the complaint must meet the jurisdictional requirements described in the EPA's nondiscrimination regulations. First, the complaint must be in writing. *See* 40 C.F.R. § 7.120(b)(1). Second, the complaint must describe an alleged discriminatory act that, if true, would violate the EPA's nondiscrimination regulations (*i.e.*, an alleged discriminatory act based on race, color, national origin, sex, age, or disability). *See* 40 C.F.R. § 7.120(b)(1). Third, the complaint must be filed within 180 calendar days of the alleged discriminatory act. *See* 40 C.F.R. § 7.120(b)(2). Finally, the complaint must be filed against an applicant for, or a recipient of, EPA financial assistance that allegedly committed the discriminatory act. *See* 40 C.F.R. § 7.15. For your reference, we have enclosed a copy of the EPA's nondiscrimination regulations.

After careful review, the OCR is rejecting the resident's complaint because the allegations described therein do not meet the EPA's jurisdictional requirements. That is to be accepted for investigation, the complaint must be filed against a recipient of the

EPA's financial assistance that allegedly committed the discriminatory act(s). The DPW is not a current recipient of EPA financial assistance. Therefore, the OCR finds that it lacks jurisdiction to investigate this complaint and accordingly must reject it.

If you have questions about this letter, please contact Samuel Peterson at (202) 564-5393 or via electronic mail at peterson.samuel@epa.gov.

Sincerely,

Velveta Golightly-Howell
Director

Enclosure (1)

cc: Elise Packard
Associate General Counsel
Civil Rights and Finance Law Office
(MC 2399A)

William Early
Deputy Civil Rights Official,
U.S. EPA Region 3
(MC 3DA00)