



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

AUG 27 2015

Return Receipt Requested

Certified Mail#:7009 2820 0002 1759 1162

In Reply Refer to:

EPA File No 21U-15-R4

OFFICE OF
CIVIL RIGHTS

Mr. Michael Alston
Director, Office of Civil Rights
Office of Justice Programs
U.S. Department of Justice
810 Seventh Street, N.W.
Washington, D.C. 20531-3718

Re: Referral of Administrative Complaint EPA File Number 21U-15-R4


Dear Mr. Alston:

This letter is to notify you that the U.S. Environmental Protection Agency (EPA), Office of Civil Rights (OCR), is referring the subject complaint that we received on July 21, 2015 from an inmate in Limestone Correctional Facility to your office due to its lack of jurisdiction. The Complainant alleged that Alabama Department of Corrections employees at Limestone (ADOC) are not enforcing the Alabama Clean Indoor Air Act, ALA Code § 22-15A-1 *et seq.* However, since neither the Limestone Correctional Facility nor the Alabama Department of Corrections is an applicant for, or recipient of, EPA financial assistance, the inmate's complaint does not fall within the OCR's jurisdiction, and the OCR must reject it for investigation. Additionally, the Complainant does not allege a discriminatory act that may violate EPA's nondiscrimination regulations. The OCR has notified the Complainant that his complaint has been forwarded to your office and provided your contact information.

The OCR also notes that the subject complaint is similar to a former administrative complaint filed on January 26, 2015 (EPA File No. 01R-15-R4). In that administrative complaint, the Complainant also alleged that ADOC was not enforcing the Alabama Clean Indoor Air Act. Since the OCR rejected and referred that complaint to your office for lack of jurisdiction, we are also rejecting and referring this amended complaint.

If you have any questions, please contact William Yon at (202) 564-5617, at yon.william@epa.gov, or at U.S. EPA, Office of Civil Rights (Mail Code 1201A), 1200 Pennsylvania Avenue, N.W., Washington, D.C., 20460.

Sincerely,


Velveta Golightly-Howell
Director
Office of Civil Rights

Enclosure

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

Vickie Tellis
Acting Assistant Regional Administrator, U.S. EPA Region IV
(MC 9T25)

(b)(6) Privacy, (b)(7)(C) Enf. Privacy

Limestone Correctional Facility
(b)(6) Privacy, (b)(7)(C) Enf. Privacy

Harvest, Alabama 35749