



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

AUG 13 2010

OFFICE OF  
CIVIL RIGHTS

**Return Receipt Requested**

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

**In Reply Refer To:**

EPA File No: 10D-10-R3

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

Union City, PA 16438

**Re: Acceptance of Administrative Complaint**

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

This is to notify you that the U.S. Environmental Protection Agency (EPA) Office of Civil Rights (OCR) has accepted for investigation the administrative complaint you filed against the Pennsylvania Department of Environmental Protection (PDEP). Your complaint concerns PDEP's denial of handicapped privileges to you on March 2, 2010. Specifically, you requested that PDEP grant you a handicap-accessible permit to repair an existing handicap-accessible boat dock and sea wall on your property. EPA received your complaint on April 21, 2010. On May 12, 2010, OCR sent you a letter requesting clarification of your complaint. OCR received your responses on May 22, 2010 and June 7, 2010. Your complaint alleges violations of Title VI of the Civil Rights Act of 1964, as amended (Title VI), 42 U.S.C. §§ 2000d *et seq.*, EPA's regulations implementing Title VI at 40 C.F.R. Part 7, and Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 701 *et seq.*

Pursuant to EPA's nondiscrimination regulations, OCR conducts a preliminary review of administrative complaints for acceptance, rejection, or referral. 40 C.F.R. § 7.120(d)(1). To be accepted for investigation, a complaint must meet the jurisdictional requirements described in EPA's nondiscrimination regulations. First, it must be in writing. Second, it must describe an alleged discriminatory act that violates EPA's Title VI regulations (*i.e.*, an alleged discriminatory act based on race, color, or national origin). Third, it must be filed within 180 calendar days of the alleged discriminatory act. 40 C.F.R. § 7.120. Finally, the complaint must be against an

applicant for, or recipient of, EPA assistance that allegedly committed the discriminatory act. 40 C.F.R. § 7.15.

OCR is accepting the following allegation for investigation:

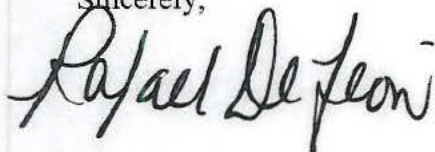
The Pennsylvania Department of Environmental Protection discriminated against you by denying you handicapped privileges for a handicap-accessible permit to repair an existing handicap-accessible boat dock and sea wall on your property at Canadohta Lake in Union City, Pennsylvania.

This allegation is accepted for investigation because it meets EPA's four jurisdictional requirements. First, the complaint is in writing. Second, the complaint describes an alleged discriminatory act that may violate EPA's nondiscrimination regulations (e.g., denial of benefits). Third, the alleged discriminatory act occurred within 180 days of the filing of the complaint. And finally, the complaint was filed against PDEP, a recipient of EPA assistance.

Pursuant to EPA's nondiscrimination regulations, PDEP is being notified of the acceptance of this complaint. PDEP may respond to the notice of complaint within 30 calendar days of receiving it. Additionally, EPA's nondiscrimination regulations provide that OCR must attempt to resolve complaints informally whenever possible. 40 C.F.R. § 7.120(d)(2). Accordingly, OCR may discuss, at any point during the process, offers to informally resolve the complaint, and may, to the extent appropriate, facilitate an informal resolution process with the involvement of affected stakeholders.

If you have any questions, please contact Karen Randolph of the OCR External Compliance Program by telephone at (202)343-9679, via electronic mail at [Randolph.Karen@epa.gov](mailto:Randolph.Karen@epa.gov), or by mail at: US EPA, Office of Civil Rights (Mail Code 1201A), 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20460-1000.

Sincerely,

A handwritten signature in black ink that reads "Rafael DeLeon". The signature is written in a cursive, flowing style.

Rafael DeLeon  
Acting Director



cc: John Hanger, Secretary  
Pennsylvania Department of Environmental Protection

Stephen G. Pressman, Associate General Counsel  
Civil Rights Finance & Law Office (MC 2399A)

Daniel Isales, Title VI Coordinator  
EPA Region 3