



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

OFFICE OF
CIVIL RIGHTS

APR 22 2015

RETURN RECEIPT REQUESTED

Cert. No. 7009 2820 0002 1759 1506

In Reply Refer To:

EPA File No: 17R-13-R4

Mayor Darlene Spivey
Town of Trenton
P.O. Box 399
119 West Jones Street
Trenton, North Carolina 28585

Re: Rejection of Administrative Complaint

Dear Ms. Spivey:

This letter is in response to an administrative complaint filed with the U.S. Environmental Protection Agency (EPA) Office of Civil Rights (OCR) on November 22, 2013. The complaint alleges that the Town of Trenton, discriminated against the African American community of Trenton, North Carolina, in violation of Title VI of the Civil Rights Act of 1964 and the EPA's nondiscrimination regulations found at 40 Code of Federal Regulations (C.F.R.) Part 7.

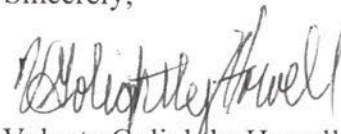
Pursuant to the EPA's nondiscrimination administrative regulations, the OCR conducts a preliminary review of administrative complaints for acceptance, rejection, or referral to the appropriate Agency. (See 40 C.F.R. § 7.120(d)(1).) For a complaint to be accepted for investigation, the complaint must 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, may 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 EPA has determined it cannot accept the subject complaint for investigation. A complaint must be filed against an applicant for, or a recipient of, EPA financial assistance that allegedly committed the discriminatory act,

and the EPA only has the authority to investigate allegations of discriminatory conduct by programs or activities that receive financial assistance from EPA. The EPA has determined that the Town of Trenton has not been a recipient of EPA funding since 1998. Therefore, the EPA currently does not have jurisdiction to investigate complaints of discrimination regarding this entity. In addition, a complaint must be filed within 180 calendar days of the alleged discriminatory act and any new complaint raising issues related to the 1991 revised 201 Facilities Plan is untimely.

If you have any questions, please contact Samuel Peterson of OCR's External Compliance Program by telephone at (202) 564-5393, or via e-mail at peterson.samuel@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Velveta Golightly-Howell", written over a horizontal line.

Velveta Golightly-Howell
Director

Enclosure

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

Samuel Coleman
Deputy Civil Rights Official
U.S. EPA Region 6
(MC 6RA)