



OFFICE OF EXTERNAL CIVIL RIGHTS COMPLIANCE

WASHINGTON, D.C. 20460

May 20, 2025

In Reply Refer to:

EPA Complaint No: 03X-25-R2

Ms. Sarah Merrick, Commissioner
Onondaga County Department of Social Services
421 Montgomery Street, Syracuse, NY 13202
sarah.merrick@dfa.state.ny.us

RE: Acknowledgement and Rejection of Administrative Complaint

Dear Commissioner Merrick:

This letter serves to notify you that the U.S. Environmental Protection Agency (EPA), Office of Environmental Justice and External Civil Rights, Office of External Civil Rights Compliance (OECRC), received an administrative complaint involving Onondaga County Social Services on October 20, 2024 (Complaint), from certain residents in Onondaga County (Complainants). The Complaint alleges that Onondaga County Social Services discriminated against the residents on the basis of disability in violation of Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 794, and 40 C.F.R. Part 7, by failing to properly respond after a third-party contractor damaged the main water pipeline of the residents' home. For the reasons described below, OECRC is rejecting the Complaint and administratively closing this matter as of the date of this letter.

Pursuant to EPA's nondiscrimination regulation, OECRC conducts a preliminary review of administrative complaints to determine acceptance, rejection, or referral to the appropriate Federal agency. See 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 regulation. First, the complaint must be in writing. See 40 C.F.R. § 7.120(b)(1). Second, it must describe an alleged discriminatory act that, if true, may violate EPA's nondiscrimination regulation (*i.e.*, an alleged discriminatory act based on race, color, national origin, sex, age, or disability). *Id.* Third, it must be filed within 180 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 recipient of, EPA financial assistance that allegedly committed the discriminatory act. See 40 C.F.R. § 7.15.


Commissioner Merrick

OECRC has concluded that it cannot accept this Complaint for investigation because it does not meet one of the above jurisdictional requirements described in EPA's nondiscrimination regulation. Specifically, Onondaga County Social Services is not an applicant for or recipient of EPA financial assistance. Accordingly, OECRC is rejecting this Complaint and closing this matter as of the date of this letter.

EPA's regulation prohibits applicants, recipients, and other persons from intimidating, threatening, coercing, or engaging in other discriminatory conduct against anyone because they have either acted or participated in an action to secure rights protected by the civil rights requirements that we enforce. *See* 40 C.F.R. § 7.100. Any individual alleging such harassment or intimidation may file a complaint with OECRC.

If you have any questions, please feel free to contact Kurt Temple, Senior Advisor, by email at temple.kurt@epa.gov.

Sincerely,

A handwritten signature in blue ink that reads "Theresa Segovia". The signature is written in a cursive style with a large, looped "T" and "S".

Theresa Segovia
Acting Assistant Administrator
Office of Environmental Justice and External Civil Rights

cc: Alyssa Arcaya
Deputy Regional Administrator
Deputy Civil Rights Official
U.S. EPA Region 2

Paul Simon
Regional Counsel
U.S. EPA Region 2