



OFFICE OF CIVIL RIGHTS AND ADJUDICATION

WASHINGTON, D.C. 20460

December 22, 2025

Katie Scharf Dykes, Commissioner
Connecticut Department of Energy & Environmental Protection
79 Elm Street
Hartford, CT 06106-5127
via email: katie.dykes@ct.gov

RE: Acknowledgement and Acceptance of EPA Complaint No. 03RNOr-24-R1

Dear Commissioner Katie Dykes:

This letter is to notify you that the U.S. Environmental Protection Agency (EPA), Office of Civil Rights and Adjudication, External Civil Rights Division (ECRD) has received and accepted an external civil rights complaint filed against the Connecticut Department of Energy and Environmental Protection (CT DEEP).

The complaint alleges that after filing a separate external civil rights complaint with ECRD, CT DEEP retaliated against the Complainant. Specifically, the Complainant alleges that CT DEEP stole their flood control proposal and disbursed funding for said proposal to a separate entity.

Pursuant to EPA's nondiscrimination regulation, ECRD conducts a preliminary jurisdictional review of administrative complaints. *See 40 C.F.R. § 7.120(d)(1)*. For ECRD to accept the complaint for investigation, the complaint must meet the jurisdictional requirements described in EPA's nondiscrimination regulation.

First, the complainant must submit a complaint in writing. *See 40 C.F.R. § 7.120(b)(1)*. Second, the entity that the complainant identifies as allegedly engaging in discrimination must be an applicant for, or recipient of, EPA financial assistance. *See 40 C.F.R. § 7.15*.

Third, the complainant must describe an alleged discriminatory act that, if true, may violate EPA's nondiscrimination regulation. *See 40 C.F.R. § 7.120(b)(1)*. An alleged discriminatory act is one based on race, color, national origin, sex, age, or disability. EPA's regulations also prohibit an applicant for, or recipient of, EPA financial assistance from intimidating, threatening, coercing, or discriminating against any individual or group. *See 40 C.F.R. § 7.100*.

Fourth, a complainant must file the complaint within 180 days of the alleged discriminatory act. *See 40 C.F.R. § 7.120(b)(2).* This complaint meets the four jurisdictional requirements.

First, the Complainant submitted a complaint in writing. Second, the entity, CT DEEP, is a recipient of EPA financial assistance.

Third, the Complainant alleges a discriminatory act that, if true, may violate federal external civil rights laws over which EPA has jurisdiction. Specifically, the complaint alleges that CT DEEP stole their flood control proposal and disbursed funds to another entity to perform the work because the Complainant had filed a prior external civil rights complaint with ECRD. Fourth, the complaint was filed within 180 days of the allegedly discriminatory act.

ECRD will investigate the following claim:

Whether CT DEEP retaliated against Complainant, in violation of the Civil Rights Act of 1964, 42 U.S.C. § 2000d *et seq.*, and EPA's nondiscrimination regulation, 40 C.F.R. Part 7, by stealing Complainant's flood control proposal and disbursing funding to another entity using the Complainant's flood control proposal because Complainant filed a prior discrimination complaint.

EPA's initiation of an investigation of the allegation above is not a decision on the merits. ECRD is a neutral fact finder. It will gather relevant information, discuss the matter with recipient, and determine next steps utilizing ECRD's internal procedures.

At this time, ECRD is providing CT DEEP with an opportunity to respond, rebut, or deny in writing the allegation ECRD has accepted for investigation. The response is due thirty calendar days from when ECRD notified CT DEEP that ECRD accepted the complaint, which is the date of this letter. *See 40 C.F.R. § 7.120(d)(1)(ii-iii).*

EPA's nondiscrimination regulation provides that ECRD attempt to resolve complaints informally whenever possible. *See 40 C.F.R. § 7.120(d)(2).* Accordingly, ECRD will contact CT DEEP within ten days of the date of this letter to provide information about ECRD's complaint process and to offer and discuss mediation and the informal resolution agreement processes as potential options for resolution of this complaint.

ECRD is required to issue preliminary findings within 180 days of accepting this complaint. However, if CT DEEP agrees to engage in either of the potential resolution processes, ECRD will suspend the timeframe for issuing preliminary findings.

If resolution efforts fail to result in a resolution of the complaint, ECRD will notify CT DEEP that ECRD will resume its investigation. ECRD will complete its investigation and issue preliminary findings in accordance with its regulatory obligations. *See 40 C.F.R. § 7.115(c).*

In accordance with 40 C.F.R. § 7.120(e), ECRD is providing a copy of this complaint to CT DEEP. ECRD is releasing the complaint with appropriate redactions consistent with the Freedom of Information Act and the Privacy Act and will only release identifying information to the extent necessary to comply with 40 C.F.R. Parts 5 and 7.¹

Finally, EPA's nondiscrimination regulation prohibits applicants, recipients, and other persons from intimidating, threatening, coercing, or engaging in other discriminatory conduct against anyone because they have acted or participated in an action to secure rights protected by the civil rights requirements EPA enforces. *See 40 C.F.R. § 7.100.* Any individual that opines a recipient has engaged in such misconduct can file a complaint with EPA.

If you have any questions, please contact Case Manager Ashley Acosta-Fox by email at acostafox.ashley@epa.gov and/or Case Manager Isabel Geisler by email at geisler.isabel@epa.gov.

Sincerely,



JuanCarlos M. Hunt, Director
U.S. EPA, Office of Civil Rights and Adjudication

cc: Karen McGuire Deputy Regional Administrator/Deputy Civil Rights Official
Cindy Lewis, Acting Regional Counsel
U.S. EPA, Region 1

¹ Freedom of Information Act, 5 U.S.C. § 552(b)(6) and (7)(c) and the Privacy Act of 1974, 5 U.S.C. § 552a.