



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

JAN 15 2009

OFFICE OF
CIVIL RIGHTS

Return Receipt Requested

Certified Mail #7004-1160-0002-3622-6598

In Reply Refer to:

EPA File No. 04R-07-R6

Errol Summerlin, Esq.
Texas Rio Grande Legal Aid, Inc.
102 Pueblo Street
Corpus Christi, TX 78405

Re: Dismissal of Administrative Complaint

Dear Mr. Summerlin:

This is to notify you that the U.S. Environmental Protection Agency (EPA) Office of Civil Rights (OCR) is dismissing the administrative complaint filed by the Center on Race, Poverty, and the Environment (CRPE) on behalf of the Hillcrest Residents Association (HRA). The complaint, filed on April 9, 2007, alleges that the City of Corpus Christi violated Title VI of the Civil Rights Act of 1964, as amended (Title VI), 42 U.S.C. § 2000d *et seq.*, and EPA's nondiscrimination regulations found at 40 C.F.R. Part 7.

Specifically, the complaint alleges that the City of Corpus Christi City Council's decision-making process, that resulted in the approval to site a new sewage treatment facility in the Northside and Hillcrest neighborhoods, created a disparate impact on the African American and Hispanic American residents in those communities.¹

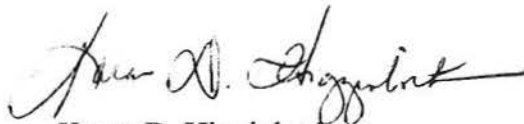
On August 15, 2008, HRA's counsel sent OCR an electronic mail notifying OCR that the parties had reached an agreement resolving the matters raised in the complaint discussed above. The e-mail included a "Request to Withdraw Complaint" and a copy of the Agreement between HRA and the City of Corpus Christi that resolved the complaint. While CRPE filed the complaint on behalf of HRA, the Texas Rio Grande Legal Aid, Inc. represented HRA during settlement negotiations and ultimately signed the request to withdraw the administrative complaint as Counsel for HRA. This dismissal formally closes the file on the entire complaint (EPA File No.04R-07-R6).

¹ Letter from Karen D. Higginbotham, Director, Office of Civil Rights, US EPA to Marybelle Nzegwu, Center on Race, Poverty, and the Environment regarding Acceptance of Administrative Complaint. (November 21, 2007)

Under the Freedom of Information Act (FOIA), 5 U.S.C. § 552, it may be necessary to release this information, and any related correspondence and records upon request. Should we receive such a request, we will seek to protect, to the extent provided by law, personal information which, if released, could constitute an unwarranted invasion of privacy.

If you have any questions regarding this complaint, please contact Yasmin Yorker, Assistant Director of the OCR External Compliance Program at (202) 343-9682, via e-mail at yorker.yasmin@epa.gov, or via mail at: U.S. EPA, Office of Civil Rights (Mail Code 1201A), 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20460.

Sincerely,



Karen D. Higginbotham
Director

cc: Mayor Henry Garrett
City of Corpus Christi
P.O. Box 9277
Corpus Christi, TX 78469-9277

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EPA Region 6