



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

DEC 22 2007

OFFICE OF
CIVIL RIGHTS

Return Receipt Requested

Certified Mail #7004-2510-0004-2241-8385

In Reply refer to:

EPA File No. 10D-06-R1

[REDACTED]

Re: Rejection of Administrative Complaint

[REDACTED]

This letter is in response to your administrative complaint filed with the U.S. Environmental Protection Agency (EPA) Office of Civil Rights (OCR). Your complaint was received by EPA on August 8, 2006. You allege that the City of Stamford Solid Waste Department 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.

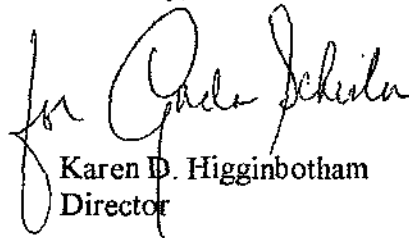
OCR is responsible for processing and investigating complaints of discrimination filed against programs or activities that receive financial assistance from EPA. Pursuant to EPA's nondiscrimination regulations, OCR conducts a preliminary review of discrimination complaints to determine acceptance, rejection, 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 Part 7 regulations. First, it must be in writing. Second, it must describe an alleged discriminatory act that, if true, would violate EPA's nondiscrimination regulations (*i.e.*, an alleged discriminatory act based on race, color, national origin, sex, or disability). Third, it must be filed within 180 days of the alleged discriminatory act. Finally, the complaint must be filed against an applicant for, or recipient of, EPA assistance that allegedly committed the discriminatory act. (A copy of EPA's nondiscrimination regulations is enclosed for your convenience.)

After careful consideration, OCR has concluded that it cannot accept the complaint for investigation because it does not meet the jurisdictional requirements described in EPA's nondiscrimination regulations. Therefore OCR must reject your complaint.

Your complaint alleges that the City of Stamford Solid Waste Department discriminated against you and terminated your employment due to your disability, age, and race. Title VI statutorily restricts claims of employment discrimination to instances where the "primary objective" of the financial assistance is to provide employment. 42 U.S.C. § 2000d-3. EPA's primary objective in providing financial assistance to the City of Stamford Solid Waste Department is not to promote employment. If the funds had been for providing employment, then the City of Stamford's employment practices would be subject to EPA review under Title VI. For example, EPA provided grants to the City of Stamford to aid in the Mill River Ecosystem Restoration, and to enhance the City of Stamford's Childhood Lead Poisoning Prevention Program. These grants were not issued to provide employment. Because the allegation in your complaint does not meet the jurisdictional requirements in EPA's nondiscrimination regulations, it cannot be accepted for investigation.

If you have questions regarding this letter, please contact Ericka Burwell of the OCR External Compliance Program at (202) 343-9224, via electronic mail at burwell.ericka@epa.gov, or by mail at U.S. EPA, Office of Civil Rights (Mail Code 1201A), 1200 Pennsylvania Avenue, NW, Washington, DC 20460-1000.

Sincerely,



Karen D. Higginbotham
Director

Enclosure

cc: Pam Hill, Title VI Coordinator
EPA Region 1

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