

Title VI Complaint 13R-10-R5

FACT SHEET

Title VI of the Civil Rights Act of 1964	<p>Title VI of the Civil Rights Act of 1964 and implementing regulations prohibit recipients of Federal financial assistance from discriminating on the basis of race, color or national origin – both intentional discrimination and discriminatory effects from neutral policies.</p> <p>Federal regulations allow filing of complaints alleging discrimination and place investigative responsibility on the relevant federal agency. EPA's Title VI implementing regulations are codified at 40 C.F.R. Part 7. EPA's Office of Civil Rights (OCR) processes these complaints in accordance with 40 C.F.R. Part 7, Subpart E (§§ 7.105-7.135).</p>
Evaluation and Resolution of Title VI Complaints	<p>OCR first conducts a jurisdictional review to determine whether a complaint meets the regulatory requirements to be accepted for investigation. If so, an investigation of the accepted allegations is conducted. After evaluating the evidence gathered, EPA must determine whether it is sufficient to preliminarily conclude that a violation of Title VI has occurred, e.g., because of intentional discrimination or an unintentional adverse disparate impact. If EPA concludes there is not sufficient evidence of intentional discrimination or an adverse disparate impact, a complaint is dismissed. If EPA concludes that there is sufficient evidence, EPA discusses its preliminary findings with the recipient in an attempt to address the issues. EPA's Title VI implementing regulations (40 C.F.R. Part 7) state that it is EPA's policy to seek informal resolution of Title VI complaints whenever possible. If attempts to seek informal resolution or achieve voluntary compliance fail, EPA may seek court action to achieve compliance, or initiate a process to withhold Federal financial assistance from a recipient.</p>
Complaint 13R-10-R5	<p>Complaint 13R-10-R5 was filed in May 2010, by Keith Harley on behalf of South Suburban Citizens Opposed to Polluting our Environment (SS-COPE). OCR accepted the SS-COPE complaint for investigation on July 23, 2010. OCR investigated an allegation of whether IEPA intentionally discriminated against the African American residents of Ford Heights, Illinois, by not providing an opportunity for meaningful involvement in the decision making process when IEPA issued two construction permits.</p>
Evaluation of Complaint 13R-10-R5	<p>OCR investigated the allegation by sending out requests for information and conducting interviews with representatives for both the Complainant and Recipient parties. In 2011, OCR began the process to informally settle with the Recipient in to make improvements to IEPA's public outreach efforts.</p>
Dismissal of the complaint	<p>OCR informally resolved complaint no. 13R-10-R5 through a settlement agreement with the IEPA. Through the Agreement with EPA, IEPA has agreed to fulfill a number of commitments, including: 1) expanding the scope of its Environmental Justice Public Participation Policy (EJ PPP); 2) revising its EJ PPP so that permitting activities in areas identified as potential EJ communities</p>

will be given an appropriate level of outreach; 3) posting information on its website concerning grievances received pursuant to IEPA's EJ Grievance Procedure and the IEPA's response; 4) redesigning its online permit tracking system webpage to further facilitate the implementation of the EJ PPP; and 5) creating a system that will identify all projects in potential EJ communities and notifying IEPA's EJ Officer who will determine the appropriate outreach activities

**More
Information**

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