



OFFICE OF EXTERNAL CIVIL RIGHTS COMPLIANCE

WASHINGTON, D.C. 20460

INFORMAL RESOLUTION AGREEMENT

between

ROCKDALE COUNTY, GEORGIA

and

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

EPA COMPLAINT NO. 02R-22-R4

I. PURPOSE AND JURISDICTION

- A. Title VI of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d to 2000d-7 (Title VI) and other federal nondiscrimination laws, and United States Environmental Protection Agency's (EPA) implementing regulation at 40 C.F.R. Parts 5 and 7 prohibit discrimination on the basis of race, color, national origin, disability, sex, age, and retaliation in the programs and activities of applicants for or recipients of federal financial assistance.¹
- B. Rockdale County is a recipient of the Georgia Environmental Facilities Authority (GEFA) Clean Water State Revolving Loan Fund and therefore a recipient of federal financial assistance from the EPA. Rockdale County must ensure non-discrimination in programs and activities pursuant to the provisions of Title VI, the other federal non-discrimination laws and the EPA's implementing regulation.
- C. On August 12, 2022, EPA's Office of External Civil Rights (OECRC)² accepted for investigation an administrative complaint brought under Title VI and EPA's

¹ Title VI of the Civil Rights Act of 1964, 42 United States Code §§ 2000d to 2000d-7 (Title VI); Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 794; Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. §§ 1681 et seq.; Age Discrimination Act of 1975, 42 U.S.C. §§ 6101 et seq.; Federal Water Pollution Control Act Amendments of 1972, Pub. L. 92-500 § 13, 86 Stat. 903 (codified as amended at 33 U.S.C. § 1251 (1972)); 40 C.F.R. Parts 5 and 7.

² On September 24, 2022, EPA announced the establishment of the Office of Environmental Justice and External Civil Rights (OEJECR). OEJECR includes the External Civil Rights Compliance Office, which was renamed the Office of

implementing regulation at 40 C.F.R. Part 7, which alleged that Rockdale County engaged in discrimination based on race against residents of the predominantly Black community of Nob Hill, Conyers, GA. The complaint against Rockdale was assigned EPA Complaint No. 02R-22-R4.

- D. In response to the complaint, filed on October 8, 2021, OECRC accepted for investigation the following issues:
1. Whether Rockdale County's failure to address surface and drinking water concerns, particularly with respect to ongoing sanitary sewer overflow (SSO) events, have the effect of subjecting residents of the Nob Hill community to discrimination on the basis of race in violation of Title VI of the Civil Rights Act of 1964 and EPA's implementing regulation at 40 CFR Part 7; and
 2. Whether Rockdale County has and is implementing the procedural safeguards required under 40 C.F.R. Parts 5 and 7 that all recipients of federal financial assistance must have in place to comply with their general nondiscrimination obligations, including specific policies and procedures to ensure meaningful access to the Rockdale County services, programs, activities, for individuals with Limited English Proficiency (LEP) and individuals with disabilities, and whether Rockdale County has a public participation policy and process that is consistent with Title VI and the other federal civil rights laws, and EPA's implementing regulation at 40 C.F.R. Parts 5 and 7.
- E. During OECRC's investigation of Complaint No. 02R-22-R4, on November 28, 2022, Rockdale County agreed to engage in the voluntary Facilitated Informal Resolution Agreement (Agreement) process in order to resolve the complaint.
- F. This Agreement is entered into voluntarily by Rockdale County and EPA.
- G. This Agreement is entered into pursuant to the authority granted to the EPA under the federal civil rights laws, including Title VI of the Civil Rights Act of 1964, and the EPA's implementing regulations found at 40 C.F.R. Parts 5 and 7, and resolves Complaint No. 02R-22-R4.
- H. This Agreement does not constitute an admission by Rockdale County of a violation of, or a finding of compliance or noncompliance by the EPA with Title VI or 40 C.F.R. Parts 5 and 7.

External Civil Rights Compliance (OECRC). OECRC continues to enforce and ensure compliance with federal civil rights laws, which prohibit discrimination by applicants for and recipients of EPA financial assistance.

- I. Rockdale County is committed to carrying out its responsibilities in a nondiscriminatory manner, in accordance with the requirements of Title VI and other federal civil rights laws and the EPA regulations at 40 C.F.R. Parts 5 and 7. The activities detailed in Section III of this Agreement, which Rockdale County has voluntarily agreed to undertake and implement, are in furtherance of this ongoing commitment.

II. BACKGROUND

- A. Rockdale County Implemented the position of Utility Education Specialist for Stormwater and Rockdale Water Resources to provide education and outreach to explain to the public its water and sewer maintenance capabilities, including information sessions, online videos tutorials, website materials, and print materials.

Rockdale County currently implements Equal Employment Opportunity (EEO) policies and non-environmental grievance policies and procedures or mechanisms (*e.g.*, an investigation manual) to ensure that all discrimination complaints filed with Rockdale County under federal civil rights law and EPA's nondiscrimination regulations are processed promptly and appropriately. Rockdale County has provided assurance that intimidation and retaliation are prohibited and that claims of intimidation and retaliation will be handled promptly if it occurs. Rockdale County has zero tolerance guidelines within the policies and procedures.

- B. OECRC acknowledges that Rockdale County has in place and implements some of the procedural safeguards required under 40 C.F.R. Parts 5 and 7, aspects of policies and procedures to ensure meaningful access to Rockdale County's programs and activities, for individuals with LEP and to provide individuals with disabilities equal opportunity to participate in or benefit from its programs and activities, and aspects of a public participation policy and process that is consistent with Title VI and the other federal civil rights laws, and EPA's implementing regulations, including;
1. A Strategic Plan demonstrating that Rockdale County collects and maintains demographic data in accordance with [40 CFR 7.85\(a\)\(2\)](#);
 2. A Calendar webpage identifying the location of where public meetings will be held; and
 3. An automatic translation function for Rockdale County's webpages that provides some access for persons with limited English proficiency.

Rockdale agrees to implement further commitments relative to the procedural safeguards requirements of 40 C.F.R. Parts 5 and 7 in Section III below.

III. SPECIFIC ROCKDALE COUNTY COMMITMENTS

A. Notice of Nondiscrimination³

1. Rockdale County will post a notice of nondiscrimination (Notice) prominently on Rockdale County's website homepage, in all Rockdale County's offices and facilities, and in its general publications that are distributed to the public (*e.g.*, public outreach materials, such as brochures, notices, fact sheets or other information on rights and services; applications or forms to participate in or access Rockdale County's programs, services, and activities).
2. Rockdale County will ensure that its Notice, including as posted on its website homepage, is accessible to individuals with disabilities.
3. Rockdale County will ensure that the notice is available, where appropriate, to individuals with limited-English proficiency (LEP).
4. The Notice will contain, at a minimum, the following text:

Rockdale County does not discriminate on the basis of race, color, national origin (including limited English proficiency), disability, age, or sex in administration of its programs, services, and activities. Rockdale County does not intimidate or retaliate against any individual or group because they have exercised their rights to participate in or oppose actions protected/prohibited by 40 C.F.R. Parts 5 and 7, or for the purpose of interfering with such rights.

The Title VI coordinator is responsible for coordination of compliance efforts and receipt of inquiries concerning non-discrimination requirements implemented by 40 C.F.R. Parts 5 and 7 (Non-Discrimination in Programs or Activities Receiving Federal Assistance from the Environmental Protection Agency), including Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975; Title IX of the Education Amendments of 1972; and Section 13 of the Federal Water Pollution Control Act Amendments of 1972 (hereinafter referred to collectively as the federal non-discrimination laws).

³ 40 C.F.R. § 7.95.

If you have any questions about this notice or any of Rockdale County's non-discrimination programs, policies, or procedures, you may contact:

Keisha Green

Title VI Coordinator/ Employee Relations Manager

Rockdale County Government, Department of Talent Management

958 Milstead Avenue, Conyers, GA

770-278-7571 Keisha.Green@rockdalecountyga.gov

If you believe that you have been discriminated against with respect to Rockdale County's programs or activities, you may contact the Title VI Coordinator identified above or visit our website at rockdalecountyga.gov to learn how and where to file a complaint of discrimination.

2. Within 60 days after the effective date of this Agreement, Rockdale County will submit to OECRC for review a draft copy of its Notice. OECRC will review the draft Notice and provide any comments within 30 days. Rockdale County will address OECRC's comments within 30 days of receiving them. If necessary, OECRC and Rockdale County will meet to discuss OECRC's comments. Within 30 days of addressing OECRC's comments, Rockdale County will prominently publish in print and on its website homepage the final Notice.

B. Grievance Procedures⁴

1. Rockdale County will ensure that it has prominently published online its grievance procedures to process discrimination complaints received from the public filed under federal non-discrimination laws and the EPA's implementing regulations at 40 C.F.R. Parts 5 and 7. Rockdale County will review the grievance procedures on an annual basis, and revise as necessary, to allow for prompt and fair resolution of discrimination complaints.
2. The grievance procedures will, at a minimum, address the following:

⁴ 40 C.F.R. § 7.90; 40 C.F.R. § 5.135(b).

- a. Identify by name the Non-Discrimination Coordinator, including contact information;
 - b. Explain the role of the Non-Discrimination Coordinator relative to the coordination and oversight of the grievance procedures;
 - c. State who may file a complaint under the procedures;
 - d. Describe the appropriate bases for filing a complaint;
 - e. Describe the processes available for complaint resolution, and how complainants can pursue each resolution option;
 - f. State that the preponderance of the evidence standard will be applied during analysis of the complaint;
 - g. Contain assurances that intimidation and retaliation⁵ are prohibited and that claims of intimidation and retaliation will be handled promptly and fairly pursuant to your grievance procedures in the same manner as other claims of discrimination;
 - h. Assure the prompt and fair resolution of complaints that allege violations of federal non-discrimination laws;
 - i. State that written notice will be promptly provided about the outcome of the investigation, including whether discrimination is found and the description of the investigation process.
 - j. As part of its grievance procedures, Rockdale County will include a complaint form that can be used by the public to file complaints of discrimination with Rockdale County.
3. Within 60 days after the effective date of this Agreement, Rockdale County will submit to OECRC a copy of its grievance procedures. OECRC will provide its comments within 30 days. Rockdale County will address OECRC's comments within 30 days of receiving them. If necessary, OECRC and Rockdale County will meet to discuss OECRC's comments.
 4. Within 60 days of addressing OECRC's comments on Rockdale County's grievance procedures, Rockdale County will translate the Grievance

⁵ See 40 C.F.R. § 7.100.

Procedures in appropriate languages,⁶ and post its Grievance Procedures in English and in the other appropriate languages on its website.

C. Designation of Nondiscrimination Coordinator⁷

1. Rockdale County will designate at least one Nondiscrimination Coordinator by January 6, 2025 to ensure compliance with 40 C.F.R. Parts 5 and 7, and the related federal civil rights laws, including Title VI, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, Section 13 of Federal Water Pollution Control Act of 1972, and Title IX of the Education Amendments of 1972.
2. The Coordinator who will:
 - a. Provide information to individuals internally and externally that Rockdale County does not discriminate on the basis of race, color, national origin, disability, age, or sex in the administration of Rockdale County's programs, services, and activities, and that Rockdale County does not intimidate or retaliate against any individual or group because they have exercised their rights to participate in or oppose actions protected/prohibited by 40 C.F.R. Parts 5 and 7, or for the purpose of interfering with such rights;
 - b. Provide notice of the Rockdale County's grievance processes and the ability to file a discrimination complaint;
 - c. Establish a mechanism (*e.g.*, an investigation manual) for implementation of Rockdale County's Grievance Procedures to ensure that all discrimination complaints filed with Rockdale County under federal non-discrimination laws and the EPA implementing regulations 40 C.F.R. Parts 5 and 7 are processed promptly and fairly. One element of any policy and procedure or mechanism must include providing meaningful access for individuals with limited English proficiency and individuals with disabilities to Rockdale County's programs, services, and activities;
 - d. Track all complaints filed with Rockdale County under federal non-discrimination laws through a Complaint Tracking System, in order to identify any patterns or systemic problems;

⁶U.S. EPA's Office of External Civil Rights Compliance, Civil Rights Guidance on Procedural Safeguards: Requirements and Best Practices, at <https://www.epa.gov/system/files/documents/2024-08/civil-rights-guidance-on-procedural-safeguards-august-2024.pdf> (rev. Aug 12, 2024), p.10.

⁷ 40 C.F.R. § 7.85(g); 40 C.F.R. § 5.135(a).

- e. Assign each complaint a tracking number or complaint ID number that will give complainants access to the following information:
 - i. The date that the complaint was filed;
 - ii. The location of the complaint;
 - iii. The status of the complaint, to include if the complaint has been opened into a case, combined into an existing case, or rejected;
 - iv. How the complaint is being resolved or investigated; and
 - v. The Rockdale County staff member addressing the complaint;
 - f. Conduct semiannual reviews/analysis of all complaints filed with Rockdale County under the federal civil rights laws, identified in 40 C.F.R. Parts 5 and 7 and/or any other discrimination complaints independently investigated by Rockdale County covering these laws, to identify and address any patterns, systematic problems or any trends identified;
 - g. Ensure that appropriate training is provided for Rockdale County staff in the processes available to resolve complaints filed with Rockdale County under federal non-discrimination laws, on Rockdale County's non-discrimination policies and procedures, including grievance procedures, as well as the nature of Rockdale County's obligation to comply with federal civil rights laws;
 - h. Ensure that complainants are updated on the progress of their complaints filed with Rockdale County under federal civil rights laws and are promptly informed as to any determinations Rockdale County has made;
 - i. Undertake periodic evaluations of the efficacy of Rockdale County's efforts to provide services, aids, benefits, and participation in any of Rockdale County's programs, services, and activities without regard to race, color, national origin, disability, age, sex or prior exercise of rights or opposition to actions protected under federal civil rights laws.
2. The Nondiscrimination Coordinator will not have other responsibilities that create a conflict of interest (e.g., serving as the Rockdale County's Nondiscrimination Coordinator as well as its legal advisor or representative on civil rights issues).

3. Within 90 days of appointment of a Nondiscrimination Coordinator, Rockdale County will forward to OECRC proof that the responsibilities have been included in the incumbent's statement of duties and that the incumbent has accepted the duties.

D. Public Participation

1. Rockdale County will draft a Public Participation Plan (PPP) that will:
 - a. Ensure its public involvement process is available to all persons regardless of race, color, national origin (including limited-English proficiency), age, disability, sex, or prior exercise of rights or opposition to actions prohibited under federal non-discrimination laws;
 - b. Ensure that the factors used to determine the time, place, location, duration, and security at public meetings are developed and applied in a non-discriminatory manner;
 - c. Develop, publicize, and implement written public participation procedures (consistent with the federal civil rights laws and the EPA's Public Involvement Guidance),⁸ that include implementation of the following steps for effective public participation that is accessible to all persons regardless of race, color, national origin (including LEP), disability, age, and sex each time Rockdale County engages in a public participation process:
 - i. Develop a description of the relevant/community affected by the project undergoing public participation (including demographics, history, and background, for example/such as, percentage of the service area that is minority, has less than a high school education, has members of households who speak a language other than English and/or speak English less than very well, has a history of filing complaints, has an inability to access traditional communication channels, internet, etc.);
 - ii. Provide a contact list for relevant staff members on Rockdale County's website, including phone numbers and email addresses, to allow the public to communicate via phone or internet;

⁸ 71 F.R. 14207, 14210-11 (March 21, 2006) (located at <https://www.govinfo.gov/content/pkg/FR-2006-03-21/pdf/06-2691.pdf>).

- iii. Develop a list of past and present discrimination concerns raised by the public (e.g., complaints filed under the federal nondiscrimination laws), and actions undertaken in response to such concerns;
 - iv. Develop and implement a detailed plan of action (including outreach activities) Rockdale County will take to address concerns raised by the public;
 - v. Develop and implement a contingency plan for unexpected events that may impact public meetings or other public participation avenues;
 - vi. Identify location(s) where public meetings will be held (considering the availability and schedules of public transportation), and ensure that the location(s) will allow for meaningful participation/involvement by individuals with LEP and individuals with disabilities;
 - vii. Develop and maintain a list of appropriate local media contacts (based on the cultural and linguistic needs of the community);
 - viii. Provide the central location for the information repository where individuals can request public records; and
 - ix. Develop a process by which Rockdale County will, at the close of any public comment period or public hearing, provide responsiveness summaries to the public that will:
 - i. Summarize major public comments received; and
 - ii. Document Rockdale County's response to the public comment and concisely explain Rockdale County's reasoning for the response.
2. Within 180 days of the effective date of this Agreement, Rockdale County will post its draft Public Participation Plan, including a translated draft Public Participation Plan in all appropriate languages, for public comment for 30 days.
 3. Within 30 days of the end of the public comment period Rockdale County will review, address, and incorporate, as appropriate, public comment, and submit a draft of its Public Participation Plan to OECRC for review.

OEERC will provide comments within 30 days of receipt of the draft Public Participation Plan.

4. Within 30 days of receiving and addressing OEERC's comments, Rockdale County will publish the final Public Participation Plan, translated in all appropriate languages, on the Rockdale County website and in print. Rockdale County will inform OEERC of the publicly accessible location of the Public Participation Plan, such as an office and/or a link to its website, once the final Public Participation Plan is posted.

E. Public Education Meeting regarding Rockdale County Authority and Responsibilities

1. Rockdale County commits to holding a public meeting in which the County will explain information about Rockdale County's roles and responsibilities. Rockdale County will ensure that information about Rockdale County's roles and responsibilities will be publicly available and easily accessible, including on its website and in any published documents as appropriate. This information will include:
 - a) Rockdale County's responsibilities with respect to stormwater management and the specific locations in the County where Rockdale County is responsible for stormwater issues that arise;
 - b) The process by which unincorporated land in Rockdale County can be annexed by a municipality within Rockdale County, and what methods, if any, a Rockdale County citizen can follow to object to the annexation;
 - c) The functions and limitations of the Conyers-Rockdale Planning Commission, particularly with respect to rezoning decisions and the methods by which Rockdale County citizens can object to a decision, including formal methods, such as appealing a decision; and
 - d) Rockdale County's management of wastewater infrastructure, including the capacity of wastewater infrastructure, in the County and the ways that Rockdale County addresses SSO events, including addressing complaints of SSO events. Rockdale County will consider the appropriate time intervals at which to hold a public meeting on Rockdale County's roles and responsibilities, if necessary to hold this meeting at regular intervals.

2. Rockdale County will ensure that its public meeting and information about the County's roles and responsibilities are available to all persons regardless of race, color, national origin (including limited-English proficiency), age, disability, and sex.
3. Within 180 days of the effective date of this Agreement, Rockdale County will submit to OECRC its plans for holding a public meeting on Rockdale County's roles and responsibilities. Rockdale County will provide copies of published documents and the link to the website page where Rockdale County has posted information about its roles and responsibilities, in English and translated in the prominent LEP languages identified within the Language Access Plan, to be developed per section F below.

F. Rockdale County's Language Access Plan (LAP) to Provide Meaningful Access for Persons with Limited English Proficiency (LEP)

1. Rockdale County will conduct an appropriate analysis⁹ to identify the appropriate language groups in the areas within Rockdale County's service area that may need language services and determine what language services or mix of language services Rockdale County needs to provide (e.g., qualified interpreters and translators), to ensure that individuals with LEP can meaningfully participate in Rockdale County's programs, services, and activities.
2. Rockdale County will review, revise, publicize, and implement its written Language Access Plan (LAP) to ensure meaningful access to all Rockdale County's programs, services, and activities for individuals with LEP, at no cost to those individuals. As part of this plan, Rockdale County will:
 - a. Translate vital documents¹⁰ of general interest into the appropriate languages as identified through the process described

⁹ U.S. EPA's Office of External Civil Rights Compliance, Civil Rights Guidance on Procedural Safeguards: Requirements and Best Practices, at <https://www.epa.gov/system/files/documents/2024-08/civil-rights-guidance-on-procedural-safeguards-august-2024.pdf> (rev. Aug 12, 2024). See also Guidance to Environmental Protection Agency Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 69 F.R. 35602, <https://www.govinfo.gov/content/pkg/FR-2004-06-25/pdf/04-14464.pdf>.

¹⁰ Whether or not a document (or the information it disseminates or solicits) is "vital" may depend upon the importance of the program, information, encounter, or service involved, and the consequence to the LEP person if the information in question is not provided accurate or in a timely fashion. See EPA's 2004 Guidance to Environmental Protection Agency Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, available at

in F.1. above, for individuals with LEP who are served by or likely to be encountered by Rockdale County's programs, services, and activities, including any public notices regarding drinking water concerns or other public health and/or environmental notices and violations;

- b. Translate vital documents of individual interest to a particular individual with LEP or group individuals with LEP (e.g., an individual with LEP wishing to file a grievance);
 - c. Provide for simultaneous oral interpretation by qualified interpreters of live proceedings (e.g., town hall meetings and public hearings) and programs, services, and activities in prominent and other requested languages, and the ability for individuals with LEP to participate in those proceedings to the same extent as persons with English proficiency can participate (e.g., accommodate LEP individuals wishing to provide comments during meetings, hearings, proceedings, programs, services, and activities hosted by Rockdale County);
 - d. Create a mechanism to allow the public, to provide feedback on the accuracy and quality of Rockdale County's language assistance services, including what documents should be considered vital.
 - e. Utilize Rockdale County's social media platforms to provide translated vital information and increase messaging to populations with LEP.
3. Within 180 days of the effective date of this Agreement, Rockdale County will submit its draft LAP, including a translated LAP in all appropriate languages, for public comment for 30 days. After the public comment period ends, Rockdale County will review, address, and incorporate, as appropriate, public comment, and submit a draft of its LAP to OECRC for review. OECRC will provide comments within 30 days of receipt of the draft LAP. Within 30 days of receiving OECRC's comments, Rockdale County will incorporate OECRC's comments and will publish the final LAP, translated in all appropriate languages, on its website and in print.

G. Rockdale County's Plan to Provide Persons with Disabilities Equal Opportunity to Participate in and Benefit from Programs, Services, and Activities

<https://www.federalregister.gov/documents/2004/06/25/04-14464/guidance-to-environmental-protection-agency-financial-assistance-recipients-regarding-title-vi>).

1. Rockdale County will develop, publicize, and implement a Disability Access Plan to provide persons with disabilities equal opportunity to participate in and benefit from all Rockdale County programs, services and activities for individuals with disabilities.¹¹ As part of this Plan's development, Rockdale County will solicit and consider public input into the above elements of the Disability Access Plan.
2. Rockdale County will provide, at no cost, auxiliary aids and services to individuals with disabilities, (including, but not limited to, for example, qualified interpreters to individuals who are deaf or hard of hearing, and to other individuals, as necessary), to ensure effective communication and an equal opportunity to participate fully in benefits, activities, programs, and services provided by Rockdale County in a timely manner in such a way as to protect the privacy and independence of the individual.
3. Rockdale County will ensure that its facilities and other facilities utilized by Rockdale County (e.g., if Rockdale County holds a public hearing at a school or recreational center) are physically accessible to, individuals with disabilities. Rockdale County will also ensure that its virtual public hearings are made accessible to individuals with disabilities in the same manner as provisions for in-person hearings (including, but not limited to, for example, by having qualified interpreters on virtual hearings for individuals who are deaf or hard of hearing, as necessary).
4. Within 180 days of the effective date of this Agreement, Rockdale County will post a draft of the Disability Access Plan (DAP) for a 30-day public comment period, for the public and stakeholders to provide comments and suggestions. Rockdale County will ensure that the draft DAP is accessible to individuals with disabilities. Rockdale County will also take reasonable steps to ensure that the draft DAP is available to persons with limited English proficiency and that the notice requesting public comment is also translated into the appropriate non-English languages and provides a contact person(s) the public may reach if they have questions about Rockdale County's language access services.
5. Within 30 days following the end of the 30-day public comment period, Rockdale County will submit a final draft DAP, incorporating, as appropriate, any changes in response to public comment and a summary

¹¹ See Disability Nondiscrimination Plan Sample, available at <https://www.epa.gov/system/files/documents/2023-04/Disability%20Nondiscrimination%20Sample%20TA%20Policy.pdf>.

of the public comments received, to OECRC. OECRC will review the final draft DAP and provide comments to Rockdale County within 30 days of its receipt of the final draft Plan. Within 120 days of receiving and addressing OECRC's comments and plan approval, Rockdale County will prominently publish in print and on its website the final DAP in English and translated in the appropriate LEP languages identified within the LAP developed above in Section F.

H. Training

1. Within 180 days of the effective date of this Agreement, Rockdale County will develop a draft plan that ensures all its staff and contractors have been appropriately trained on federal non-discrimination obligations, including retaliation and intimidation training, anti-bias and cultural competency training, and all plans, policies and procedures created and implemented as part of this Agreement. Rockdale County will ensure that such training is a routine part of the on-boarding process and given as refresher training for all employees. Rockdale County will issue the staff training plan for public comment for at least 30 days.
 - a. Rockdale County may request assistance from OECRC for any of the training required in this Agreement.
 - b. Rockdale County will use best efforts to engage representatives of communities with environmental justice (EJ) concerns to participate in staff training events and programs. Such EJ communities can be identified using EJSscreen or equivalent platforms.
2. Within 30 days of the end of the public comment period, Rockdale County will forward a copy of its draft training plan to OECRC for review. OECRC will review the draft training plan and provide any comments to Rockdale County within 30 days of receipt of the draft training plan. Rockdale County will respond to OECRC's comments and discuss with OECRC any concerns if necessary.

Within 30 days of receiving and addressing OECRC's comments, Rockdale County will forward a final copy of the training plan to OECRC and implement the above plan.

IV. GENERAL

- A. In consideration of Rockdale County's implementation of its obligations described in Section III of this Agreement, OECRC will end its investigation of EPA File No. 02R-22-R4 and not issue a decision containing findings on the merits of the complaint.

- B. OECRC will monitor the implementation of the obligations in Section III of this Agreement to ensure they are fully implemented. Once the obligations of this Agreement are satisfied, OECRC will issue a letter documenting closure of its monitoring actions in EPA File No. 02R-22-R4 and closure of the complaint as of the date of that letter.
- C. OECRC will review and provide feedback about any documentation submitted by Rockdale County demonstrating completion of each obligation and will provide an assessment as to whether the documentation satisfies the obligations within 30 days of receipt of each such submission.
- D. OECRC will, upon request, provide technical assistance to Rockdale County regarding any of the civil rights obligations previously referenced.

V. COMPUTATION OF TIME AND NOTICE

- A. As used in this Agreement, “day” will mean a calendar day. In computing any period of time under this Agreement, where the last day would fall on a Saturday, Sunday, or federal holiday, the period will run until the close of business of the next working day.
- B. Service of any documents required by this Agreement will be made personally via electronic mail as outlined below. Documents forwarded by email for review are to be sent in native format for draft documents and PDF format for documents intended to be final.
- C. Electronic documents submitted by Rockdale County to OECRC via email will be sent to the following email address: OECRC_IRA@epa.gov .
- D. Documents submitted by OECRC will be sent to the following email address(es): keisha.green@rockdalecountyga.gov and hr.records@rockdalecountyga.gov. Documents mailed by OECRC will be mailed to attn: Keisha Green, Employee Relations Manager/Title VI Coordinator, PO Box 289, Conyers, GA 30012.

VI. EFFECT OF THE AGREEMENT

- A. Rockdale County understands that, if necessary, OECRC may visit Rockdale County, interview staff, and request such additional reports or data as are necessary for OECRC to determine whether Rockdale County has fulfilled the terms of this Agreement.
- B. Rockdale County understands that the OECRC will not close its monitoring of this Agreement until OECRC determines that Rockdale County has fully implemented this Agreement and that a failure to satisfy any term in this agreement may result in the EPA re-opening an investigation.

- C. If either Party desires to modify any portion of this Agreement because of changed conditions making performance impractical or impossible, or due to material change to Rockdale County's program or authorities, or for other good cause, the Party seeking a modification will promptly notify the other in writing, setting forth the facts and circumstances justifying the proposed modification. Any modification(s) to this Agreement will take effect only upon written agreement by the Chairman of Rockdale County and the Acting Director of OECRC, or their designees.
- D. This Agreement constitutes the entire Agreement between Rockdale County and the EPA regarding the matters addressed herein, and no other statement, promise, or agreement, made by any other person will be construed to change any commitment or term of this Agreement, except as specifically agreed to by Rockdale County and the EPA in accordance with the provisions of Section VI(C) above.
- E. This Agreement does not affect Rockdale County's continuing responsibility to comply with Title VI or other federal nondiscrimination laws and the EPA's regulations at 40 C.F.R. Parts 5 and 7, nor does it affect OECRC's investigation of any other Title VI or other federal civil rights complaints or address any other matter not covered by this Agreement.
- F. The effective date of this Agreement is the date by which both Parties have signed the Agreement. This Agreement may be signed in counterparts. The Chairman, in their capacity as an official of Rockdale County, has the authority to enter into this Agreement for purposes of carrying out the activities listed in these paragraphs. The Acting Director of OECRC has the authority to enter into this Agreement.

On behalf of Rockdale County:



Osborn Nesbitt, Chairman

(Date)

Rockdale County Board of Commissioners

On behalf of the U.S. Environmental Protection Agency:



Anhthu Hoang, Acting Director

(Date)

Office of External Civil Rights Compliance

Office of Environmental Justice and External Civil Rights