



## OFFICE OF EXTERNAL CIVIL RIGHTS COMPLIANCE

WASHINGTON, D.C. 20460

February 13, 2025

**In Reply Refer to:**

EPA Complaint No: 02R-22-R4

Mrs. Janice Van Ness, Chairwoman  
Board of Commissioners for Rockdale County  
962 Milstead Avenue  
Conyers, GA 30012  
JaNice.VanNess@rockdalecountyga.gov

**Re: Resolution of EPA Complaint No. 02R-22-R4**

Dear Chairwoman Van Ness:

This letter is to notify you that the U.S. Environmental Protection Agency (“EPA”), Office of Environmental Justice & External Civil Rights (“OEJECR”), Office of External Civil Rights Compliance (“OECRC”), has resolved EPA Complaint No. 02R-22-R4 based on the Informal Resolution Agreement (“IRA” or “Agreement”), which is entered into between EPA and Rockdale County, Georgia (“Rockdale County”).

On August 12, 2022, EPA accepted for investigation a complaint filed against Rockdale County alleging discrimination on the basis of race in violation of Title VI of the Civil Rights Act of 1964 (“Title VI”) and EPA’s nondiscrimination regulation, at 40 C.F.R. Parts 5 and 7. Specifically, EPA 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 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 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's services, programs, and activities, for individuals with limited English proficiency ("LEP") and individuals with disabilities, and whether the 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.<sup>1</sup>

In an effort to better understand the allegations raised in the complaint and to inform the IRA negotiations, OECRC conducted initial fact-finding, which included issuance of a Request for Information to Rockdale County on October 4, 2022 and an on-site visit to Conyers, Georgia from August 14-17, 2023. During the visit, OECRC staff members interviewed Rockdale County residents and gathered information relevant to the issues accepted for investigation. We thank community members and Rockdale County for their participation in the investigation process.

On November 28, 2022, Rockdale County agreed to enter into the IRA process in order to resolve EPA Complaint No. 02R-22-R4. The Agreement, which was fully executed on January 8, 2025, is the product of that IRA process, and is entered into by EPA pursuant to the authority granted to EPA under the federal nondiscrimination laws, including Title VI and 40 C.F.R. Parts 5 and 7. EPA and Rockdale County understand that the Agreement does not constitute an admission by Rockdale County of any violation or a finding by EPA of compliance or noncompliance with applicable federal non-discrimination laws and regulation.

The Agreement does not affect Rockdale County's continuing responsibility under Title VI, 40C.F.R. Parts 5 and 7, and other federal nondiscrimination laws, nor does it affect OECRC's investigation of any Title VI or other federal civil rights complaints or address any other matter not covered by this Agreement. This letter sets forth EPA's disposition of the complaint. This letter is not a formal statement of EPA policy and should not be relied upon, cited, or construed as such.

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<sup>1</sup> See Title VI, 42 U.S.C. 2000(d) *et seq.*; Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 794; *Lau v. Nichols*, 414 U.S. 563, 568-69 (1974) (finding that the government properly required language services to be provided under a recipient's Title VI obligations not to discriminate based on national origin); 40 C.F.R. § 7.35(a). See also U.S. EPA, Guidance to Environmental Protection Agency Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons. 69 FR 35602 (June 25, 2004) (available at [https://www.epa.gov/sites/production/files/2020-02/documents/title\\_vi\\_lep\\_guidance\\_for\\_epa\\_recipients\\_2004.06.25.pdf](https://www.epa.gov/sites/production/files/2020-02/documents/title_vi_lep_guidance_for_epa_recipients_2004.06.25.pdf)); U.S. EPA, Title VI Public Involvement Guidance for EPA Assistance Recipients Administering Environmental Permitting Programs, 71 FR 14207 (March 21, 2006) (available at [https://www.epa.gov/sites/production/files/2020-02/documents/title\\_vi\\_public\\_involvement\\_guidance\\_for\\_epa\\_recipients\\_2006.03.21.pdf](https://www.epa.gov/sites/production/files/2020-02/documents/title_vi_public_involvement_guidance_for_epa_recipients_2006.03.21.pdf)); U.S. EPA, Procedural Safeguards Checklist for Recipients, at [https://www.epa.gov/sites/production/files/2020-02/documents/procedural\\_safeguards\\_checklist\\_for\\_recipients\\_2020.01.pdf](https://www.epa.gov/sites/production/files/2020-02/documents/procedural_safeguards_checklist_for_recipients_2020.01.pdf) (rev. Jan. 2020) (which provides a more detailed explanation of nondiscrimination obligations and best practices); U.S. EPA, Disability Nondiscrimination Plan Sample, at <https://www.epa.gov/system/files/documents/2023-04/Disability%20Nondiscrimination%20Sample%20TA%20Policy.pdf> (2022).

If you have any questions regarding this letter and the Agreement between EPA and Rockdale County, please contact me at (202) 564-8796 or by e-mail at [hoang.anhthu@epa.gov](mailto:hoang.anhthu@epa.gov).

Sincerely



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Office of Environmental Justice and External Civil Rights

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