



OFFICE OF CIVIL RIGHTS AND ADJUDICATION

WASHINGTON, D.C. 20460

March 18, 2026

Alexis A. Lambert, Secretary
Florida Department of Environmental Protection
3900 Commonwealth Blvd M.S. 49
Tallahassee, FL 32399
via email: Alexis.Lambert@FloridaDEP.gov

RE: Rejection and Referral of EPA Complaint No. 18-26-R4

Dear Secretary Lambert:

As you are aware, the U.S. Environmental Protection Agency (EPA), Office of Civil Rights and Adjudication (OCRA), External Civil Rights Division (ECRD) received the above-referenced complaint against Florida Department of Environmental Protection (DEP) on February 11, 2026. The complaint raises allegations of discrimination by DEP on the basis of race through employment discrimination by denial of promotional opportunities, depletion of annual and sick leave, and damage to her personal property.

This letter serves to notify you that ECRD is rejecting and referring the complaint.

Pursuant to EPA's nondiscrimination regulation, ECRD must conduct a preliminary jurisdictional review of administrative complaints to determine whether to accept, reject, or refer it to an appropriate federal agency. *See* 40 C.F.R. § 7.120(d)(1). To be accepted for investigation, a complaint must meet the jurisdictional requirements described in EPA's nondiscrimination regulation.

First, the complainant must submit a complaint in writing. *See* 40 C.F.R. § 7.120(b)(1). Second, the entity that the complainant identifies as allegedly engaging in discrimination must be an applicant for, or recipient of, EPA financial assistance. *See* 40 C.F.R. § 7.15.

Third, the complainant must describe an alleged discriminatory act that, if true, may violate EPA's nondiscrimination regulation. *See* 40 C.F.R. § 7.120(b)(1). An alleged discriminatory act is one based on race, color, national origin, sex, age, or disability. Fourth, a complainant must file the complaint within 180 days of the alleged discriminatory act. *See* 40 C.F.R. § 7.120(b)(2).

ECRD must reject this complaint because the complaint does not allege a discriminatory act, that if true, violates 40 C.F.R. Part 7. Furthermore, ECRD's employment jurisdiction is limited to alleged discrimination in any program or activity whose purpose is to create employment; or, by means of employment discrimination, deny intended beneficiaries the benefits of EPA assistance, or subject the beneficiaries to prohibited discrimination. See 40 C.F.R. 7.35(a)(6).

Pursuant to EPA's nondiscrimination regulations at 40 C.F.R. § 7.120(d), and due to the subject matter of the allegations, the claim may fall under the jurisdiction of the U.S. Equal Employment Opportunity Commission (EEOC). Therefore, ECRD is referring the complaint to EEOC for it to make a determination regarding EEOC's jurisdiction.

Below is EEOC's Tampa Field Office's contact information:

U.S. Equal Employment Opportunity Commission
Tampa Field Office
501 East Polk Street, Suite 1000
Tampa, FL 33602

Finally, EPA's nondiscrimination regulation prohibits applicants, recipients, and other persons from intimidating, threatening, coercing, or engaging in other discriminatory conduct against any individual because they have acted or participated in an action to secure rights protected by the civil rights requirements that EPA enforces. See 40 C.F.R. § 7.100. Any individual that opines a recipient has engaged in such misconduct can file a complaint with EPA.

If you have any questions, please contact Case Manager Al Sweeney by email at sweeney.alfred@epa.gov.

Sincerely,



JuanCarlos M. Hunt, Director
U.S. EPA, Office of Civil Rights and Adjudication

cc: Jeaneanne Gettle, Deputy Regional Administrator/Deputy Civil Rights Official
Suzanne Rubini, Acting Regional Counsel
U.S. EPA, Region 4