

Environmental Protection Agency

§ 7.25

Subpart F—Discrimination Prohibited on the Basis of Age

- 7.140 General prohibition.
- 7.145 Specific prohibitions.
- 7.150 Exceptions to the rules against age discrimination—normal operation or statutory objective of any program or activity.
- 7.155 Exceptions to the rules against age discrimination—reasonable factors other than age.
- 7.160 Burden of proof.
- 7.165 Special benefits for children and the elderly.
- 7.170 Alternative funds disbursement procedures.
- 7.175 Exhaustion of administrative remedy.
- 7.180 Mediation of age discrimination complaints.

APPENDIX A TO PART 7—TYPES OF EPA ASSISTANCE AS LISTED IN THE ‘‘CATALOG OF FEDERAL DOMESTIC ASSISTANCE’’

AUTHORITY: 42 U.S.C. 2000d to 2000d-7 and 6101 *et seq.*; 29 U.S.C. 794; 33 U.S.C. 1251nt.

SOURCE: 49 FR 1659, Jan. 12, 1984, unless otherwise noted.

Subpart A—General

§ 7.10 Purpose of this part.

This part implements: Title VI of the Civil Rights Act of 1964, as amended; section 504 of the Rehabilitation Act of 1973, as amended; the Age Discrimination Act of 1975, as amended; and section 13 of the Federal Water Pollution Control Act Amendments of 1972, Public Law 92-500, (collectively, the Acts).

[75 FR 31707, June 4, 2010]

§ 7.15 Applicability.

This part applies to all applicants for, and recipients of, EPA assistance in the operation of programs or activities receiving such assistance beginning February 13, 1984. New construction (§ 7.70) for which design was initiated prior to February 13, 1984, shall comply with the accessibility requirements in the Department of Health, Education and Welfare (now the Department of Health and Human Services) nondiscrimination regulation, 45 CFR 84.23, issued June 3, 1977, or with equivalent standards that ensure the facility is readily accessible to and usable by handicapped persons. Such assistance includes but is not limited to that which is listed in the *Catalogue of*

Federal Domestic Assistance under the 66.000 series. It supersedes the provisions of former 40 CFR parts 7 and 12.

§ 7.20 Responsible agency officers.

(a) The EPA Office of Civil Rights (OCR) is responsible for developing and administering EPA's means of ensuring compliance under the Acts.

(b) EPA's Project Officers will, to the extent possible, be available to explain to each recipient its obligations under this part and to provide recipients with technical assistance or guidance upon request.

[49 FR 1659, Jan. 12, 1984, as amended at 68 FR 51372, Aug. 26, 2003]

§ 7.25 Definitions.

As used in this part:

Action, for purposes of subpart F of this part, means any act, activity, policy, rule, standard, or method of administration; or the use of any policy, rule, standard, or method of administration.

Administrator means the Administrator of EPA. It includes any other agency official authorized to act on his or her behalf, unless explicitly stated otherwise.

Age, for purposes of subpart F of this part, means how old a person is, or the number of elapsed years from the date of a person's birth.

Age distinction, for purposes of subpart F of this part, means any action using age or an age-related term.

Age-related term, for purposes of subpart F of this part, means a word or words which necessarily imply a particular age or range of ages (for example; ‘‘children,’’ ‘‘adult,’’ ‘‘older persons,’’ but not ‘‘student’’ or ‘‘grade’’).

Alcohol abuse means any misuse of alcohol which demonstrably interferes with a person's health, interpersonal relations or working ability.

Applicant means any entity that files an application or unsolicited proposal or otherwise requests EPA assistance (see definition for *EPA assistance*).

Assistant Attorney General is the head of the Civil Rights Division, U.S. Department of Justice.

Award Official means the EPA official with the authority to approve and execute assistance agreements and to take