



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D C. 20460

Office of Environmental Justice and External Civil Rights  
Office of External Civil Rights Compliance

October 3, 2022

**In Reply Refer to:**

EPA Complaint No. 02X-22-R8

Timothy Lang  
Warden  
Wyoming Women's Center  
1000 West Griffin  
Lusk, WY 82225  
tim.lang@wyo.gov

**Re: Rejection and Referral of Administrative Complaint**

Dear Warden Lang:

This letter responds to the referenced administrative complaint which U.S. Environmental Protection Agency (EPA), Office of External Civil Rights Compliance (OECRC) received on August 23, 2022. The complaint was filed on behalf of individuals incarcerated at the Wyoming Women's Center alleging violations of the Eighth Amendment and other rights under the United States Constitution.

After careful review, OECRC has determined that OECRC is rejecting the complaint for investigation because it does not meet the jurisdictional requirements described in the EPA's nondiscrimination regulation.

Pursuant to EPA's nondiscrimination regulation, OECRC conducts a preliminary review of administrative complaints to determine acceptance, rejection, or referral to the 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 the EPA's nondiscrimination regulation. First, the complaint must be in writing. *See* 40 C.F.R. § 7.120(b)(1). Second, it must describe an alleged discriminatory act that, if true, may violate the EPA's nondiscrimination regulation (i.e., an alleged discriminatory act based on race, color, national origin, sex, age, or disability). *Id.* Third, it must be filed within 180 days of the alleged discriminatory act. *See* 40 C.F.R. § 7.120(b)(2). Finally, the complaint must be filed against an applicant for, or recipient of, EPA financial assistance that allegedly committed the discriminatory act. *See* 40 C.F.R. § 7.15.

The correspondence does not meet the jurisdictional requirements of the EPA's nondiscrimination

regulation at 40 CFR Part 7. Specifically, the Wyoming Women's Center is not a recipient of EPA financial assistance, and the constitutional violations alleged are beyond OECRC's jurisdictional authorities. As a result, the OECRC must reject your complaint and close this case as of the date of this letter.

OECRC notes that, according to the complaint letter, complainant has concurrently filed a complaint with the U.S. Department of Justice (DOJ). Therefore, we are copying Steven Rosenbaum of the U.S. Department of Justice, Special Litigation Section, Civil Rights Division, 950 Pennsylvania Avenue, N.W., Washington D.C. 20530 ([steven.rosenbaum@usdoj.gov](mailto:steven.rosenbaum@usdoj.gov)) on this rejection letter.

If you have any questions about this correspondence, please contact Anhtu Hoang, Acting Director, at (212) 637-5033, by e-mail at [hoang.anhtu@epa.gov](mailto:hoang.anhtu@epa.gov) or by mail at U.S. EPA Office of External Civil Rights Compliance, (Mail Code 2310A), 1200 Pennsylvania Avenue, NW, Washington, DC 20460.

Sincerely,

Anhtu Hoang, Acting Director  
Office of External Civil Rights Compliance  
Office of Environmental Justice and  
External Civil Rights

cc:

Ariadne Goerke  
Deputy Associate General Counsel  
Civil Rights & Finance Law Office

Debra H. Thomas  
Deputy Regional Administrator  
Deputy Civil Rights Official  
US EPA Region 8

Kenneth C. Schefski  
Regional Counsel

Steven Rosenbaum  
U.S. Department of Justice  
Special Litigation Section  
Civil Rights Division