



UNITED STATES ENVIRONMENTAL PROTECTION  
AGENCY

WASHINGTON, D C. 20460

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

July 17, 2023

**Return Receipt Requested**

Certified Mail No (b)(6) Privacy, (b)(7)(C) Enf. Privacy

**In Reply Refer to:**

EPA Complaint No. 01X-23-R8

(b)(6) Privacy, (b)(7)(C) Enf. Privacy

Olney Springs, CO 81062

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

Dear (b)(6) Privacy, (b)(7)(C) Enf. Privacy

This letter is to notify you that the U.S. Environmental Protection Agency (EPA), Office of Environmental Justice & External Civil Rights Compliance, Office of External Civil Rights Compliance (OECRC) received your correspondence on June 27, 2023, requesting assistance in acquiring certification in Heating, Ventilation, Air Condition (HVAC, specifically Section 608 certification and R-410A certification, HVAC refrigeration certification.

OECRC is responsible for processing complaints alleging that applicants for or recipients of EPA financial assistance have discriminated against individuals or communities under the federal nondiscrimination laws, including Title VI and EPA's nondiscrimination regulations found at 40 C.F.R. Parts 5 and 7. In addition, EPA's nondiscrimination regulations prohibit discrimination based, in part, on a person having exercised rights protected by Title VI. For the reasons described below, OECRC cannot accept this correspondence as a complaint for investigation. Accordingly, this matter is closed as of the date of this letter.

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.

Your correspondence does not meet the jurisdictional requirements of the EPA's nondiscrimination regulation at 40 CFR Part 7. Specifically, although your letter is a writing, it does not: 1) describe an act or omission that, if true, may violate Title VI or EPA's nondiscrimination regulation; 2) provide the date of the alleged discriminatory act for OECRC to determine whether the action or omission occurred within 180 days of your filing the complaint; and 3) describe a recipient of EPA financial assistance that is alleged responsible for the claimed discrimination. As a result, the OECRC must reject your complaint and close this case as of the

date of this letter.

If you have any questions about the status of this correspondence, please contact me by telephone at (202) 809-3297 or by email at [hoang.anhthu@epa.gov](mailto:hoang.anhthu@epa.gov).

Sincerely,

**ANHTHU  
HOANG**

Digitally signed by  
ANHTHU HOANG  
Date: 2023.07.17  
09:29 22 -04'00'

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

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

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

Kenneth C. Schefski  
Regional Counsel  
US EPA Region 8