

EPA File No: 19R-14-R1 (Mass. DEP)

Re: Administrative Closure of Complaint

To Files:

This letter to files is in response to an administrative complaint filed on October 29, 2014, alleging that the Massachusetts Department of Environmental Protection is not operating in a manner that improves access to person with Limited English Proficiency. After a careful review of the complaint, the OCR is rejecting the complaint for investigation because it does not meet all the jurisdictional requirements of EPA's nondiscrimination regulations.

Pursuant to EPA's nondiscrimination regulations, OCR conducts a preliminary review of complaints to determine acceptance, rejection, or referral. To be accepted for investigation, a complaint must meet the jurisdictional requirements described in EPA's nondiscrimination regulations. First, it must be in writing. Second, it must describe an alleged discriminatory act that, if true, would violate EPA's nondiscrimination regulations (*i.e.*, an alleged discriminatory act based on race, color, national origin, age, sex, or disability). Third, it must be filed within 180 days of the alleged discriminatory act. Finally, the complaint must be filed against an applicant for, or recipient of, EPA assistance that allegedly committed the discriminatory act.

The Complaint was received by email and did not contain a valid email return address, nor postal address, nor telephone contact number. OCR attempted to contact the Complainant including by internet search on several occasions, (October 30, 2014, November 5, 2014, March 3, 2015 and May 10, 2016), to discover return information to pursue the jurisdictional review without success. The allegation lacks sufficient detail (*i.e.*, who, what, where, when, how) for OCR to infer that the alleged discriminatory act, attributed to this EPA recipient, may have occurred or is occurring. OCR has not been able to contact the Complainant to ascertain that the complaint was filed within 180 days of the date of the alleged discriminatory act as required by OCR's Title VI implementing regulations.

The complaint is administratively closed as of the writing of this letter to files.

If there are any questions regarding this letter, please contact Samuel Peterson at (202) 564-5393 or by mail at the U.S. EPA Office of Civil Rights (Mail Code 1201A), 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20460-1000.