



UNITED STATES ENVIRONMENTAL PROTECTION
AGENCY

WASHINGTON, D C. 20460

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

February 2, 2023

In Reply Refer to:

EPA Complaint No. 03X-23-R9

(b)(6) Privacy, (b)(7)(C) Enf. Privacy
[Redacted]

Re: Acknowledgement and Rejection Administrative Complaint

(b)(6) Privacy, (b)(7)(C) Enf. Privacy
[Redacted]

This letter is to notify you that the U.S. Environmental Protection Agency (EPA), the Office of External Civil Rights Compliance in the Office of Environmental Justice & External Civil Rights Compliance (OECRC),¹ received your correspondence on January 24, 2023, requesting EPA to enforce the United States code and United States federal laws, detect fraud, and prosecute all concealment of fraud. Because OECRC is responsible for processing civil rights complaints alleging discrimination by recipients of EPA financial assistance, we have interpreted and will evaluate your correspondence as a complaint under filed under 40 C.F.R. Part 7 (Part 7). After careful review, OECRC is rejecting the complaint because it lacks jurisdiction.

Pursuant to EPA's nondiscrimination regulation, ECRCO 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 complaint does not meet the requirement under the EPA's nondiscrimination regulation at Part 7 for consideration as a complaint, because it does not describe a discriminatory act that would violate Part 7. Additionally, it does not identify any recipient of EPA financial assistance as having taken any discriminatory action. As a result, the OECRC must reject your complaint and close this matter as of the date of this letter. Please see the CRM for more details:

https://www.epa.gov/sites/default/files/2021-01/documents/2021.1.5_final_case_resolution_manual_.pdf.

¹ On September 24, 2022, EPA announced the establishment of the [Office of Environmental Justice and External Civil Rights](#) (OEJECR). The new Office includes the External Civil Rights Compliance Office, which was renamed the [Office of External Civil Rights Compliance](#) (OECRC). [OECRC](#) continues to enforce and ensure compliance with federal civil rights laws, which prohibit discrimination by applicants for and recipients of EPA financial assistance. OECRC accomplishes in accordance with the procedure described in the [Case Resolution Manual](#).

If you have any questions about this correspondence, please contact Anhthu Hoang, Acting Director, at (202) 809-3297, by e-mail at hoang.anhthu@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,

ANHTHU
HOANG

Digitally signed by
ANHTHU HOANG
Date: 2023.02 02
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Anhthu 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

Deborah Jordan
Deputy Regional Administrator
Deputy Civil Rights Official
US EPA Region 9

Sylvia Quast
Regional Counsel