

September 3, 2024

(b) (6) Privacy, (b) (7)(C) Enforcement Privacy

(b) (6) Privacy, (b) (7)(C) Enforcement Privacy Arvada, CO 80005

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Violation: [Title VI of the Civil Rights Act of 1964 \(pdf\)](#), which prohibits recipients of federal financial assistance from discriminating on the basis of race, color, or national origin

Synopsis: Colorado Department of Health & Environment (CDPHE) discriminated against African American (Black) and Latino Immigrants that are certified contractors by applying the rules of CDPHE Regulation 8 to said parties and not applying the rules to White contractors and official representatives in clear violation of the regulations as written. This complaint to the EPA External Civil Rights Division will bring to light three specific incidents that are recorded on tape and verifiable.

Incident I (b) (6) Privacy, (b) (7)(C) Enforcement Privacy (b) (6) Privacy, (b) (7)(C) Enforcement Privacy were contracted by (b) (6) Privacy, (b) (7)(C) Enforcement Privacy (b) (6) Privacy, (b) (7)(C) Enforcement Privacy to remove asbestos tile. The school had knowledge of ACM mastic under the tile for over three years. (b) (6) Privacy Did not notify the contractors of the hazard per EPA AHERA Regulations and CDPHE Regulation 8 statutes, as the Learning Education Authority (LEA), until after the initial work was completed. CDPHE refused to investigate or even inquire as to whether or not the LEA was in violation. Furthermore – the LEA refused to provide the necessary documentation to support their position. Producing the EPA required documentation would have and still would exonerate the contractors. CDPHE stated on tape the school did take advantage of the contractors. CDPHE stated on tape they would not even call to inquire about the records the LEA was and is required to keep for 30 yrs. Their statement on tape was “That would be too hard.”.

The contractors were fined over \$100k and forced to pay expenses to the school. Furthermore – the contractors lost millions of dollars in work due to the penalties given by CDPHE.

The officials of the school/LEA were not fined or penalized. All school officials were Caucasian/White.

Incident II (b) (6) Privacy, (b) (7)(C) Enforcement Privacy (b) (6) Privacy, (b) (7)(C) Enforcement Privacy was advising (b)(6) Privacy, (b)(7)(C) Enf. Privacy (Latino Immigrant and Woman Owned GAC) and a General Construction Contractor (GC) on asbestos removal that occurred under permit on a Federal Housing Site in Denver, CO. (b) (6) Privacy removed the asbestos per the issued permit. Due to insufficient inspection by a Caucasian owned Consulting Firm – the GC improperly removed asbestos not covered under the permit. CDPHE

investigated and stated in a meeting all parties would not be fined or penalized due to conditions beyond their control. (b) (6) Privacy, (b) (7)(C) Enforcement Privacy, (b) (6) Privacy, the GC, the consultant of record, and Denver Environmental officials were present and on site for the meeting. CDPHE sent out official statements of their conclusions.

Three months later – CDPHE came back and wrongly accused (b) (6) Privacy of removing asbestos improperly. (b) (6) Privacy was not on site post the permitted work, yet CDPHE pursued them for improper removal. CDPHE denied their own statements that (b) (6) Privacy was not in violation previously. (b) (6) Privacy, (b) (7)(C) Enforcement Privacy was not allowed to be at this second meeting/hearing. (b) (6) Privacy would have verified CDPHE's original exoneration of (b) (6) Privacy, (b) (7)(C) Enf. Privacy. This second hearing/meeting was recorded by CDPHE. During the second hearing – (b) (6) Privacy made CDPHE aware the first meeting was recorded by them. Immediately – CDPHE retracted their claims and the meeting came to a close.

Again – CDPHE came after (b) (6) Privacy, (b) (7)(C) Enf. Privacy the next day, stating they had improperly advised the Construction Contractor. (b) (6) Privacy, (b) (7)(C) Enf. Privacy was fined over \$110K and their license was not renewed for several months causing them to lose millions of dollars in business.

The consultant of record was never fined or penalized for lack of work and advisement on the project. Proper consulting would have negated the need for any questionable removal. The consulting firm of record for the project was Caucasian/White.

Incident III – Currently: CDPHE is prosecuting (b) (6) Privacy, (b) (7)(C) Enforcement Privacy for improper removal of asbestos. State Certified Insurance Adjusters asserted in person and in writing, the residence in question had been tested for asbestos. All parties are White/Caucasian except (b) (6) Privacy.

(b) (6) Privacy, (b) (7)(C) Enforcement Privacy is beseeching the EPA External Civil Rights Department to intervene on its behalf and stop the pattern of tyranny being used against law abiding citizens of Colorado. (b) (6) Privacy projects where people of color had been victimized by the lack of environmental representation. (b) (6) Privacy, (b) (7)(C) Enforcement Privacy, am being terrorized by CDPHE. It's all documented, witnessed, and on tape.

Please help ASAP. I have sought help from DOJ, the (b) (6) Privacy, (b) (7)(C) Enf. Privacy, and the (b) (6) Privacy, (b) (7)(C) Enforcement Privacy, to no avail. I was given your contact information by the EPA Environmental Justice Division – Mr. Richard Archuleta (Archuleta.richard@epa.gov, 303-312-6054, 720-253-3590).

Please help!