



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
CIVIL RIGHTS

FEB 11 2016

Return Receipt Requested

Certified Mail #: 7009 2820 0002 1764 0594

In Reply Refer to:

EPA File No. 12NOD-14-R6

Mr. Mark Waite, Legal Department
Lyondell Chemical Company
1221 McKinney St, Suite 700
Houston, Texas. 77010

Re: Rejection of Administrative Complaint

Dear Mr. Waite:

This letter is to notify you that the U.S. Environmental Protection Agency (EPA), Office of Civil Rights (OCR), has reviewed correspondence from a former employee referred by the Department of Justice. After careful consideration, the OCR has concluded that it cannot accept the correspondence for investigation as a complaint because it does not meet the jurisdictional requirements described in the EPA's nondiscrimination regulations, 40 Code of Federal Regulations (C.F.R.), Part 7 §120(b).

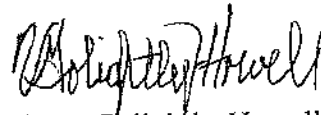
OCR conducts a preliminary review of administrative correspondence for acceptance for investigation as a complaint, rejection, or referral to another agency. OCR accepts for investigation complaints that meet all four of the jurisdictional requirements described in EPA's nondiscrimination regulations. First, it must be in writing. Second, it must allege discriminatory act(s) that if true, may violate the EPA's nondiscrimination regulations, such as an intentionally discriminatory act or a policy with discriminatory effects based on race, color, national origin, sex, age, or disability. Third, it must be received within 180 calendar days of the alleged discriminatory act. Finally, it must be filed against an applicant for, or a recipient of, EPA financial assistance that committed the alleged discriminatory act.

The former employee's correspondence does not describe an alleged discriminatory act that may violate the EPA's nondiscrimination regulations. Although the complainant checked "national origin and disability" on the complaint form, the correspondence does not provide any information to support that the complainant was subjected to discrimination under any of the bases set forth in civil rights laws that the OCR enforces. That is, laws prohibiting discrimination based on race, color, national origin, sex, disability or age. Additionally, it does not attribute any wrongdoing to a recipient of, or applicant for, EPA financial assistance. Information available to the OCR does not indicate that Lyondell Chemical has received EPA financial assistance or is a current applicant for such assistance. Finally, it does not appear that

the alleged act(s) occurred within the 180 calendar day timeframe. Accordingly, the OCR must reject the subject correspondence as a complaint for investigation.

If you have any questions, please contact the OCR at (202) 564-7272, or by mail directed to U.S. EPA, Office of Civil Rights (Mail Code 1201A), 1200 Pennsylvania Avenue, NW, Washington, D.C., 20460. You may ask to speak with Jonathan Stein.

Sincerely,

A handwritten signature in black ink, appearing to read "Velveta Golightly-Howell".

Velveta Golightly-Howell
Director
Office of Civil Rights

cc: Elise Packard
Associate General Counsel
Civil Rights and Finance Law Office

Samuel Coleman
Acting Deputy Regional Administrator
Deputy Civil Rights Official
U.S. EPA Region 6