



OFFICE OF EXTERNAL CIVIL RIGHTS COMPLIANCE

WASHINGTON, D.C. 20460

October 22, 2024

In Reply Refer to:

EPA Complaint No. 01R-21-R9

Philip Fine, Ph.D.
Executive Officer
Air Pollution Control Officer
Bay Area Air Quality Management District
375 Beale Street Suite 600
San Francisco, CA 94105
pfine@baaqmd.gov

Re: Closure of EPA Complaint No. 01R-21-R9 and Monitoring

Dear Executive Officer Fine:

This letter is to notify you that the U.S. Environmental Protection Agency ("EPA") Office of External Civil Rights Compliance ("OECRC") has determined that the Bay Area Air Quality Management District ("BAAQMD") has fully complied with the Voluntary Compliance Agreement ("Agreement"), dated August 24, 2022, between BAAQMD and OECRC, relating to EPA Complaint No. 01R-21-R9 ("Complaint"). Accordingly, OECRC is closing the monitoring of the Agreement and the Complaint as of the date of this letter.

Pursuant to Section III of the Agreement, BAAQMD has submitted, and OECRC has approved, documentation demonstrating completion of Voluntary Compliance Commitments listed in Section III of the Agreement, including BAAQMD's Notice of Nondiscrimination, Grievance Procedures, Designation of a Nondiscrimination Coordinator, Language Access Plan, Public Participation Plan, and Disability Policy. On September 17, 2024, by email, BAAQMD notified OECRC it had fulfilled its final commitment to train all BAAQMD staff on its nondiscrimination policies, procedures, and federal nondiscrimination obligations and affirming that it would require this same training program for all new employees (as required under Section III.G of the Agreement). By satisfying the staff training commitment, BAAQMD has now fulfilled its commitments as set forth in Section III of the Agreement.

Neither the closure of the monitoring or closure of the Complaint affects BAAQMD's continuing responsibility under the federal nondiscrimination laws¹ or EPA's implementing regulations found at 40 C.F.R. Parts 5 and 7, nor does it affect EPA's investigation of any Title VI or other federal civil rights complaint filed under the federal nondiscrimination laws or address any other matter not covered by the closure. This letter is not a formal statement of EPA policy and should not be relied upon, cited, or construed as such.

I thank you and your staff for your cooperation in this matter. If you have any questions, please feel free to contact me at 202-564-8796, or by e-mail at hoang.anhthu@epa.gov.

Sincerely,



Anhthu Hoang
Acting Director
Office of External Civil Rights Compliance
Office of EJ and External Civil Rights

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

Cheree Peterson
Deputy Regional Administrator
Deputy Civil Rights Official
U.S. EPA Region 4

Suzanne Andrews
Regional Counsel
U.S. EPA Region 9

¹ See Title VI of the Civil Rights Act of 1964, 42 United States Code §§ 2000d to 2000d-7 (Title VI); Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 794; Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. §§ 1681 et seq.; Age Discrimination Act of 1975, 42 U.S.C. §§ 6101 et seq.; Federal Water Pollution Control Act Amendments of 1972, Pub. L. 92-500 § 13, 86 Stat. 903 (codified as amended at 33 U.S.C. § 1251 (1972)); 40 C.F.R. Parts 5 and 7.