



OFFICE OF CIVIL RIGHTS

WASHINGTON, D.C. 20460

September 29, 2025

Jill Hunsaker Ryan, Executive Director
Colorado Department of Public Health and Environment
4300 Cherry Creek Drive
South Denver, CO 80246
via email: jill.hunsakerryan@state.co.us

RE: Rejection of EPA Complaint No. 01RNO-25-R8

Dear Executive Director Ryan,

This letter serves to notify you that the U.S. Environmental Protection Agency (EPA), Office of Civil Rights & Adjudication, External Civil Rights Division (ECRD) must reject EPA Complaint No. 01RNO-25-R8, which EPA received on May 5, 2025. The complaint raises allegations of discrimination by Colorado Department of Public Health and Environment (CDPHE) on the basis of race (Black) and national origin (Hispanic) by applying the rules of CDPHE Regulation 8 governing asbestos abatement to Black and Latino certified contractors, but not to White certified contractors.

Pursuant to EPA's nondiscrimination regulation, OECRC conducts a preliminary review of administrative complaints to determine acceptance, rejection, or referral to an 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 EPA's nondiscrimination regulation.

First, a complainant must submit a complaint in writing. *See* 40 C.F.R. § 7.120(b)(1). Second, the entity that the complainant identifies as allegedly engaging in discrimination must be an applicant for, or recipient of, EPA financial assistance. *See* 40 C.F.R. § 7.15.

Third, the complainant must file the complaint within 180 days of the alleged discriminatory act. *See* 40 C.F.R. § 7.120(b)(2). Fourth, the complainant must describe a discriminatory act that, if true, may violate EPA's nondiscrimination regulation (*i.e.*, an alleged discriminatory act based on race, color, national origin, sex, age, or disability). *See* 40 C.F.R. § 7.120(b)(1).

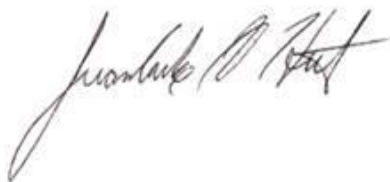
Executive Director Hunsaker Ryan

After careful consideration, ECRD has determined that it cannot accept this complaint because the complaint fails to allege a discriminatory act that occurred, within 180 days of the filing of the complaint, here February 6, 2024. Accordingly, ECRD must reject this complaint.

EPA's regulation prohibits applicants, recipients, and other persons from intimidating, threatening, coercing, or engaging in other discriminatory conduct against anyone because they have acted or participated in an action to secure rights protected by the civil rights requirements EPA enforces. *See* 40 C.F.R. § 7.100. Any individual that opines a recipient has engaged in such misconduct can file a complaint with EPA.

If you have questions about this letter, please feel free to contact Case Manager Ashley Acosta-Fox by email at acostafox.ashley@epa.gov.

Sincerely,

A handwritten signature in dark ink, appearing to read "Juan Carlos M. Hunt". The signature is fluid and cursive, with the first name "Juan" being the most prominent.

JuanCarlos M. Hunt, Director
U.S. EPA, Office of Civil Rights & Adjudication

cc: Mark Smith
Deputy Regional Administrator/Deputy Civil Rights Official
U.S. EPA Region 8

Kenneth Schefski
Regional Counsel
U.S. EPA Region 8