



## OFFICE OF CIVIL RIGHTS AND ADJUDICATION

WASHINGTON, D.C. 20460

May 12, 2026

Mike Rolband, Director  
Virginia Department of Environmental Quality  
1111 East Main Street, Suite 1400  
Richmond, VA 23219  
**via email:** michael.rolband@deq.virginia.gov

### **Re: Placement in Abeyance and Partial Dismissal of EPA Complaint No. 03R-21-R3**

Dear Director Rolband:

The U.S. Environmental Protection Agency (EPA), Office of Civil Rights and Adjudication (OCRA), External Civil Rights Division (ECRD) issues this letter regarding the above-referenced complaint. Specifically, on August 25, 2021, ECRD accepted two claims for investigation against Virginia Department of Environmental Quality (VA DEQ).

The first claim ECRD accepted is whether VA DEQ discriminated on the basis of race by issuing Virginia Water Protection Individual Permit No. 19-2036 for the proposed Wegmans Distribution Center. Pursuant to Executive Order 14281, which directs federal agencies to deprioritize complaints alleging discrimination based on the theory of disparate impact, ECRD is placing this claim in abeyance.

The second claim ECRD accepted is whether VA DEQ has in place and is appropriately implementing procedural safeguards required by 40 C.F.R. Parts 5 and 7. ECRD conducted an independent review of VA DEQ's nondiscrimination program. Based on actions VA DEQ has taken and information it has provided to ECRD in response to the instant complaint, such as updating and prominently posting its notice of nondiscrimination, ECRD finds that VA DEQ is in compliance with the aforementioned regulatory obligations.

In addition, ECRD finds that VA DEQ has made organizational changes, which includes hiring a new staff member to develop training, accessibility plans, and other guidance. VA DEQ has agreed to notify ECRD when it finalizes all of these actions, which VA DEQ expects to complete this summer. ECRD reminds VA DEQ that ECRD is available to provide technical assistance or guidance on these matters should VA DEQ request it.

In conclusion, with respect to this complaint, ECRD is placing Claim 1 in abeyance and dismissing Claim 2. If VA DEQ requires further assistance, it should not hesitate contact Case Manager Al Sweeney by telephone at (202) 564-7949 or by email at [sweeney.alfred@epa.gov](mailto:sweeney.alfred@epa.gov).

Sincerely,

A handwritten signature in black ink that reads "Juan Carlos Hunt". The signature is written in a cursive, flowing style.

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

cc: Catherine A. Libertz, Deputy Regional Administrator/Deputy Civil Rights Official  
Allison Gardner, Deputy Regional Counsel  
U.S. EPA, Region 3

Melanie Davenport, Chief Strategy Officer  
Virginia Department of Environmental Quality