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

EXTERNAL CIVIL RIGHTS COMPLIANCE OFFICE
OFFICE OF GENERAL COUNSEL

February 13, 2019

Return Receipt Requested

In Reply Refer to:
EPA Complaint No: 01R-00-R6

Certified Mail #: (b) (6) Privacy
Neil J. Carman, Ph.D
Clean Air Program Director
Lone Star Chapter of Sierra Club
1202 San Antonio Street
Austin, Texas, 78701

Certified Mail #: (b) (6) Privacy
Reverend Roy Malveaux
People Against Contaminated Environments
Shining Star Baptist Church
590 Elgie Street
Beaumount, Texas 77705

Certified Mail #: (b) (6) Privacy
Marianne Englemann Lado Esq.
Visiting Clinical Professor of Law
Yale Law School
127 Wall Street
New Haven, Connecticut 06511

Certified Mail #: (b) (6) Privacy
Jonathan J. Smith, Esq.
Earthjustice
48 Wall Street
19th Floor
New York, New York 10005

Re: Closure of Monitoring of Informal Resolution Agreement

Dear Dr. Carman, Reverend Malveaux, Ms. Engelman Lado and Mr. Smith:

This letter is to inform you that the U.S. Environmental Protection Agency's (EPA) External Civil Rights Compliance Office (ECRCO) has completed its review of records documenting actions taken by the Texas Commission on Environmental Quality (TCEQ) to fulfill provisions of the Informal Resolution Agreement (Agreement) entered into on May 23, 2017, to resolve EPA Complaint No 01R-00-R6. As explained in the enclosed letter to TCEQ, ECRCO has concluded that TCEQ has met all of the terms of the Agreement. Accordingly, ECRCO is closing the monitoring of this case as of the date of this letter.

ECRCO will continue to work with TCEQ, through a separate process, on TCEQ's foundational nondiscrimination program. TCEQ's efforts will ensure that it has in place specific procedural safeguards as well as policies and procedures to provide meaningful access to all of its programs, services and activities, including for persons with limited English proficiency and persons with disabilities, as set forth in 40 C.F.R. Parts 5 and 7 and EPA policy.

No one may intimidate, threaten, coerce, or engage in other discriminatory conduct against anyone because he or she has either taken action or participated in an action to secure rights protected by the civil rights requirements that we enforce *(See* 40 C.F.R. § 7.100.) Any individual alleging such harassment or intimidation may file a complaint with ECRCO.

If you have any questions regarding this letter, please contact Kurt Temple at 202-564-7299 (temple.kurt@epa.gov) or me at 202-564-9649 (dorka.lilian@epa.gov).

Sincerely,

Lilian S. Dorka
Director
External Civil Rights Compliance Office
Office of General Counsel

Enclosure

cc: Angelia Talbert-Duarte
Acting Associate General Counsel
Civil Rights and Finance Law Office
U.S. EPA Office of General Counsel

David Gray
Deputy Regional Administrator
Deputy Civil Rights Official
U.S. EPA, Region 6