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

NOV - 5 2014

Return Receipt Requested
Certified Mail #: 7004-1160-0002-3622-6109

In Reply Refer to:
EPA File No.: 13R-14-R6

Eric Jantz
New Mexico Environmental Law Center
1405 Luisa Street, Suite 5
Santa Fe, New Mexico 87505

Re: Notification of Receipt of Administrative Complaint

Dear Mr. Jantz:

This is to notify you that the U.S. Environmental Protection Agency (EPA), Office of Civil Rights (OCR), received your complaint on September 16, 2014, alleging that the Albuquerque Air Quality Division and Albuquerque/Bernalillo County Air Quality Control Board have violated Title VI of the Civil Rights Act of 1964, as amended (Title VI), 42 United States Code (U.S.C.) §§ 2000d *et seq.*, and the EPA's nondiscrimination regulations found at 40 Code of Federal Regulations (C.F.R.) Part 7.

The OCR is responsible for processing and investigating complaints alleging discrimination by programs or activities that receive financial assistance from the EPA. Pursuant to the EPA's nondiscrimination regulations, the OCR will review the complaint for acceptance, rejection, or referral to another Federal agency. 40 C.F.R. §7.120(d)(1). Once this jurisdictional review is completed, the OCR will notify you about its decision.

If your complaint is accepted for investigation, it may become necessary for the OCR to reveal your identity to the entities listed above. The EPA currently follow the Privacy Act, EPA-21 System of Record Routine Uses. You can further review this information at http://www.epa.gov/privacy/notice/epa-21.htm. This means regarding your rights and protection that EPA is permitted to disclose this information without receiving your prior written consent to the following:

- To the Department of Justice or other Federal and State agencies when necessary to complete an investigation, enforce the nondiscrimination statutes set forth in the Authority section of this Notice, or assure proper coordination between Federal agencies.

- To persons named as alleged discriminating officials to allow such persons the opportunity to respond to the allegations of discrimination made against them during the course of the discrimination complaint process.

- To any potential source of information when necessary to obtain information relevant to an OCR investigation of a discrimination complaint, but only to the extent necessary to inform the source of the Purpose(s) of the request and to identify the type of information requested.

The EPA's nondiscrimination regulations also provide that the OCR must attempt to resolve complaints informally whenever possible (40 C.F.R. §7.120(d)(2)). Accordingly, if your complaint is accepted for investigation, the OCR may discuss offers to informally resolve the complaint, and may, to the extent appropriate, facilitate an informal resolution process with the involvement of affected stakeholders.

In the interim, if you have any questions about the status of this complaint, please contact Samuel Peterson of my staff at (202) 564-5393 or via e-mail at peterson.samuel@epa.gov.

Sincerely,

Helena Wooden-Aguilar
Assistant Director
Office of Civil Rights

cc: Elise Packard
Associate General Counsel
Civil Rights & Finance Law Office
(MC 2399A)

Samuel Coleman
Deputy Civil Rights Official
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