UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

EXTERNAL CIVIL RIGHTS COMPLIANCE OFFICE
OFFICE OF GENERAL COUNSEL

August 20, 2019

Return Receipt Requested
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In Reply Refer to:
EPA Complaint No. 01D-19-R5

Thom Peterson, Commissioner
Minnesota Department of Agriculture
625 Robert Street North
St. Paul, MN 55155-2538

Re: Resolution of EPA Complaint No. 01D-19-R5

Dear Commissioner Petersen:

This letter is to inform you that the U.S. Environmental Protection Agency (EPA), External Civil Rights Compliance Office (ECRCO) is resolving this complaint based on the enclosed Informal Resolution Agreement (Agreement) between EPA and Minnesota Department of Agriculture (MDA). On February 19, 2019, ECRCO accepted for investigation an administrative complaint brought under Section 504 of the Rehabilitation Act of 1973, and EPA's implementing regulation at 40 C.F.R. Part 7, which alleged that MDA discriminated against a person with a disability, when it denied a request for reasonable accommodation for a pesticide licensing exam that MDA administers. The complaint against MDA was assigned EPA Complaint No. 01D-19-R5. Specifically, the issues accepted for investigation were:

1. Whether the Minnesota Department of Agriculture (MDA) discriminated on the basis of disability in violation of Section 504 of the Rehabilitation Act of 1973 and EPA's implementing regulation at 40 C.F.R. Part 7, by denying a request for reasonable accommodation, submitted by a person with a disability, for a pesticide licensing exam administered by MDA.

2. Whether MDA has and is implementing the procedural safeguards recipients of federal assistance must have in place to comply with their general nondiscrimination obligations, and the specific policies and procedures to ensure meaningful access to MDA services, programs and activities, including for individuals with disabilities and individuals with limited English proficiency (LEP), in compliance with requirements set forth in 40 C.F.R. Parts 5 and 7.

On June 20, 2019, the Complainant wrote to ECRCO requesting the withdrawal of his individual Section 504 complaint against MDA. Prior to the withdrawal, Complainant's employer worked with MDA to determine that the pesticides applied in the course of the Complainant's

employment were not "restricted use" and did not require a license for application. As a result, the Complainant is no longer required to take the exam as part of his employment. ECRCO explained that the Complainant could continue to pursue the subject complaint and/or take the pesticide licensing exam regardless of his employment requirements. However, the Complainant chose to move forward with his request to withdraw the complaint. As a result, ECRCO will take no further action as related to the first issue.

MDA agreed to enter into an Agreement in order to resolve issue two. The enclosed Agreement is entered into by EPA pursuant to authority granted to EPA under the federal nondiscrimination laws and EPA's nondiscrimination regulation at 40 C.F.R. Parts 5 and 7. It resolves EPA Complaint No. 01D-19-R5. It is understood that the Agreement does not constitute an admission by the MDA of any violation or a finding by EPA of compliance or noncompliance with applicable federal non-discrimination laws and regulation, including 40 C.F.R. Parts 5 and 7.

The enclosed Agreement does not affect MDA's continuing responsibility under the federal non-discrimination laws, and EPA's regulation at 40 C.F.R. Parts 5 and 7, nor does it affect EPA's investigation of any other federal civil rights complaints or address any other matter not covered by this Agreement. This letter sets forth EPA's disposition of the complaint. This letter is not a formal statement of EPA policy and should not be relied upon, cited, or construed as such.

EPA is committed to working with the MDA as it implements the provisions of the Agreement. If you have any questions regarding the Agreement between EPA and the MDA, please contact Zahra Khan, Case Manager, at (202) 564-0460, by e-mail at khan.zahra@epa.gov, or by mail at U.S. EPA, Office of General Counsel, External Civil Rights Compliance Office (Mail Code 2310A), 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20460.

Sincerely,

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

Enclosure

cc: Doug Spanier
Department Counsel
Minnesota Department of Agriculture

Angelia Talbert-Duarte
Acting Associate General Counsel
Civil Rights & Finance Law Office

Cheryl Newton
Acting Deputy Regional Administrator
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U.S. EPA Region 5

Leverett Nelson
Regional Counsel
U.S. EPA Region 5

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

EXTERNAL CIVIL RIGHTS COMPLIANCE OFFICE
OFFICE OF GENERAL COUNSEL

INFORMAL RESOLUTION AGREEMENT

between the

MINNESOTA DEPARTMENT OF AGRICULTURE

and the

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

ECRCO Complaint No. 01D-19-R5

I. PURPOSE AND JURISDICTION

A. Title VI of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d to 2000d-7 ("Title VI") and other federal nondiscrimination laws, and United States Environmental Protection Agency's ("EPA") implementing regulation at 40 C.F.R. Parts 5 and 7 prohibit discrimination on the basis of race, color, national origin, disability, sex, age, and retaliation in the programs, services and activities of applicants for or recipients of federal financial assistance.[1] Minnesota Department of Agriculture ("MDA") receives federal financial assistance from EPA and, therefore, must ensure nondiscrimination in programs and activities pursuant to the provisions of Title VI, the other federal nondiscrimination laws and EPA's implementing regulation.

B. The complaint, brought under Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794 ("Section 504") and EPA's regulation at 40 C.F.R. Part 7, alleged discrimination based on disability. On February 19, 2019, EPA's External Civil Rights Compliance Office (ECRCO) accepted for investigation[2]:

> Whether MDA has and is implementing the procedural safeguards recipients of federal assistance must have in place to comply with their general nondiscrimination obligations, and the specific policies and

[1] 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.

[2] On February 19, 2019, ECRCO also accepted for investigation: "Whether the Minnesota Department of Agriculture (MDA) discriminated on the basis of disability in violation of Section 504 of the Rehabilitation Act of 1973 and EPA's implementing regulation at 40 C.F.R. Part 7, by denying a request for reasonable accommodation, submitted by a person with a disability, for a pesticide licensing exam administered by MDA." This issue involved an individual claim of discrimination by the Complainant. On June 20, 2019, the Complainant withdrew this allegation via email. As such, this agreement does not address this individual claim.

procedures to ensure meaningful access to MDA services, programs and activities, including for individuals with disabilities and individuals with limited English proficiency (LEP), in compliance with requirements set forth in 40 C.F.R. Parts 5 and 7.

C. This Agreement does not constitute an admission by MDA of a violation of, or a finding of compliance or noncompliance by EPA, with Section 504 or the other federal non-discrimination laws enforced by EPA and EPA's regulation at 40 C.F.R. Parts 5 and 7.

D. During the course of EPA's investigation, MDA agreed to enter into an Informal Resolution Agreement (Agreement) in order to resolve this complaint.

E. This Agreement is entered into pursuant to the authority granted EPA under the federal non-discrimination laws, including Section 504 and Title VI and the EPA non-discrimination regulation found at 40 C.F.R. Parts 5 and 7, and resolves complaint number 01D-19-R5.

F. MDA is committed to carrying out its responsibilities in a nondiscriminatory manner, in accordance with the requirements of Title VI and the other federal non-discrimination laws enforced by EPA regulation at 40 C.F.R. Parts 5 and 7. The activities detailed in Section III of this Agreement are in furtherance of MDA's ongoing commitment.

II. BACKGROUND

A. As is ECRCO's current practice, during the course of this investigation, ECRCO reviewed MDA's nondiscrimination program to assess whether it had procedural safeguards in place, such as, non-discrimination policy, non-discrimination coordinator, and grievance procedure, as well as it whether it had taken steps to ensure that all individuals had equal access to MDA's programs and activities by ensuring that the public had meaningful access and opportunities to participate in environmental decision-making, including meaningful access for persons with disabilities and limited-English proficiency (LEP) individuals.

B. On June 12, 2019, June 13, 2019, June 26, 2019 and July 8, 2019, EPA provided technical assistance to MDA related to its nondiscrimination program consistent with the requirements of Section 504 and the other federal non-discrimination laws and the EPA regulation at 40 C.F.R. Parts 5 and 7.

III. SPECIFIC MDA COMMITMENTS

Non-Discrimination Procedural Safeguards

A. Notice of Non-Discrimination Under the Federal Non-Discrimination Laws[3]

1. MDA will post a notice of non-discrimination on the MDA website homepage, offices and facilities, and in its general publications that are distributed to the public. To ensure effective communication with the public, MDA will ensure that its Notice of Non-Discrimination is accessible to individuals with limited-English proficiency and individuals with disabilities.

2. This notice will contain, at a minimum, the following statements:

   a. MDA does not discriminate on the basis of race, color, national origin, disability, age, or sex in administration of its programs or activities, and, MDA does not retaliate against any individual because they have exercised their rights to participate in actions protected by or oppose actions prohibited by 40 C.F.R. Parts 5 and 7 or for the purpose of interfering with such rights.

   b. MDA is responsible for coordination of compliance efforts and receipt of inquiries concerning non-discrimination requirements implemented by 40 C.F.R. Parts 5 and 7 (Non-discrimination in Programs or Activities Receiving Federal Assistance from the Environmental Protection Agency), including Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975, Title IX of the Education Amendments of 1972; and Section 13 of the Federal Water Pollution Control Act Amendments of 1972 (hereinafter referred to collectively as the federal non-discrimination statutes).

   c. If you have any questions about this notice or any of MDA's non-discrimination programs, policies or procedures, you may contact:

      Sabrenia Young,
      Diversity & Inclusion Coordinator
      625 Robert St N
      St. Paul, MN 55155
      651-201-6657
      Sabrenia.young@state.mn.us

   d. If you believe that you have been discriminated against with respect to an MDA program or activity, you may contact the Diversity & Inclusion Coordinator identified above or visit our website at www.mda.state.mn.us to learn how and where to file a complaint of discrimination.

3. Within 30 days after the effective date of this Agreement, MDA will submit to EPA for review, a copy of its notice of non-discrimination that is consistent with Parts 5 and 7.

[3] 40 C.F.R. § 7.95(a); 40 C.F.R. § 5.140.

B. Grievance Procedures to Process Discrimination Complaints Filed Under the Federal Non-Discrimination Laws[4]:

1. MDA will ensure that it has widely and prominently published in print and online its grievance procedures to process discrimination complaints filed under federal non-discrimination statutes. MDA will review the grievance procedures on an annual basis (for both in-print and online materials), and revise as necessary, to allow for prompt and fair resolution of discrimination complaints.

2. The grievance procedures will at a minimum address the following:

   a. Clearly identify the Non-Discrimination Coordinator, including contact information;

   b. Explain the role of the Non-Discrimination Coordinator relative to the coordination and oversight of the grievance procedures;

   c. State who may file a complaint under the under the grievance procedures and describe the appropriate bases for filing a complaint;

   d. Describe which formal and/or informal process(es) are available, and the options for complainants in pursuing either;

   e. State that the preponderance of the evidence standard will be applied during analysis of the complaint;

   f. Contain assurances that intimidation and retaliation are prohibited[5] and that claims of intimidation and retaliation will be handled promptly and fairly pursuant to your grievance procedures in the same manner as other claims of discrimination;

   g. Assure the prompt and fair resolution of complaints which allege violation of federal non-discrimination laws;

   h. State that written notice will be promptly provided about the outcome of the investigation, including whether discrimination is found and the description of the investigation process;[6] and

   i. Are reviewed on an annual basis (for both in-print and online materials), and revised as necessary, to ensure prompt and fair resolution of discrimination complaints.

3. Within 90 days after the effective date of this Agreement, MDA will submit to EPA for review, a copy of their grievance procedures consistent with the requirements 40 CFR § 5.135 and §7.90 (Grievance Procedures).

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[4] 40 C.F.R. § 7.90; 40 C.F.R. § 5.135(b).

[5] *See* 40 C.F.R. § 7.100.

[6] Any data that falls under the MN Government Data Practices Act (MGDPA), M.S. Chapter 13, may only be released by MDA in accordance with the MGDPA. ECRCO will not monitor, implementation of or compliance with, MDA commitments made pursuant to Minnesota Statute.

C. Designation of Non-Discrimination Coordinator[7]

1. MDA will ensure that it has designated at least one Non-Discrimination Coordinator to ensure MDA's compliance with the federal non-discrimination laws, who will:

   a. Provide information to individuals internally and externally that you do not discriminate on the basis of race, color, national origin, disability, age, or sex in administration of your programs or activities, and you do not intimidate or retaliate against any individual or group because they have exercised their rights to participate in or oppose actions protected by 40 C.F.R. Parts 5 and 7, or for the purpose of interfering with such rights;

   b. Provide notice of your formal and informal grievance processes and the ability to file a discrimination complaint;

   c. Establish a mechanism (e.g., an investigation manual) for implementation of your grievance procedures to ensure that all discrimination complaints filed with you under federal non-discrimination laws are processed promptly and fairly. One element of any policy and procedure or mechanism must include providing meaningful access for limited-English proficient individuals and individuals with disabilities to your programs and activities;

   d. Track all complaints filed with you under federal non-discrimination laws, including any patterns or systemic problems;

   e. Conduct semiannual reviews of all formal and informal discrimination complaints filed with you under federal non-discrimination laws and/or any other complaints independently investigated by you to identify and address any patterns or systemic problems;

   f. Ensure that appropriate training is provided for your staff in the formal and informal processes available to resolve complaints filed with you under federal non-discrimination laws;

   g. Provide or procure training services for your staff to ensure that they are appropriately trained on your non-discrimination policies and procedures, as well as the nature of your obligation to comply with federal non-discrimination laws;

   h. Ensure that complainants are updated on the progress of their discrimination complaints filed with you under federal non-discrimination laws and promptly informed as to any determinations you have made.[8]

   i. Undertake periodic evaluations of the efficacy of your efforts to provide services, aids, benefits, and participation in any of your programs or activities without regard to race, color, national origin, disability, age, sex or prior

[7] 40 C.F.R. § 7.85(g); 40 C.F.R. § 5.135(a).

[8] Any data that falls under the MN Government Data Practices Act (MGDPA), M.S. Chapter 13, may only be released by MDA in accordance with the MGDPA. ECRCO will not monitor, implementation of or compliance with, MDA commitments made pursuant to Minnesota Statute.

exercise of rights or opposition to actions protected under federal non-discrimination laws; and

j. Not have other responsibilities that create a conflict of interest (*e.g.*, serving as your non-discrimination coordinator as well as your legal advisor or representative on civil rights issues).

2. Within 30 days after the effective date of this Agreement, MDA will identify the position/individual that will serve as the designated employee consistent with the regulatory requirements of 40 CFR §5.135, §7.85 (g) and §7.95(a).

3. Within 90 days of appointment of a Non-Discrimination Coordinator, MDA will forward to ECRCO, proof that the responsibilities have been included in the incumbent's statement of duties and that the incumbent has accepted the duties.

D. Public Participation:

1. MDA understands that meaningful public involvement consists of informing, consulting, and working with potentially affected communities at various stages of the environmental decision-making process to address their needs. Therefore, MDA will:

   a. Ensure its public involvement process is available to all persons regardless of race, color, national origin (including limited-English proficiency), age, disability, sex, or prior exercise of rights or opposition to actions prohibited under federal non-discrimination laws;

   b. Ensure that the factors used to determine the appropriate time, place, location, duration, and security at public meetings are developed and applied in a non-discriminatory manner; and

   c. Develop, publicize, and implement written public participation procedures that follow the federal civil rights laws and EPA's Public Participation Guidance found at 71 FR 14207, 14210-11 (March 21, 2006), that include implementation of steps for effective public participation that is accessible to all persons without regard to race, age, color, national origin (including Limited English proficiency), disability or sex, each time MDA engages in a public participation or public involvement process. For example:

      i. develop a description of the community (including demographics, history, and background);
      ii. provide a contact list of your relevant staff member(s), including phone numbers and email addresses, to allow the public to communicate via phone or internet;
      iii. develop and implement a detailed plan of action (outreach activities) you will take to address concerns;
      iv. develop a list of past and present community concerns (including any complaints filed under the federal non-discrimination laws);
      v. develop and implement contingency plan for unexpected events;
      vi. identify location(s) where public meetings will be held (consider the availability and schedules of public transportation;

vii. develop a list of contact names for obtaining language assistance services for limited-English proficient persons, including translation of documents and/or interpreters for meetings;
viii. develop a list of appropriate local media contacts (based on the culture and linguistic needs of the community; and
ix. provide the location of the information repository.

2. MDA will also comply with the Minnesota Statutes Chaper 14. As such, MDA will prepare and make available for public review a document that contains the following:
   a. a description of the classes of persons (including protected classes) who probably will be affected by the proposal;
   b. the probable costs of the proposal, and whether there are less costly methods to achieve the proposal;
   c. a description of alternative methods considered and why they were rejected;
   d. the probable cost of complying with the proposal, including the portion of the total costs that will be borne by identifiable categories of affected parties;
   e. an assessment of difference between the proposal and federal law and the need for and reasonableness of each difference, along with the need and reasonableness of the proposal in general; and
   f. describe the agency's efforts to provide additional notification to persons or classes of persons who may be affected by the proposal.[9]

3. Within 120 days of the effective date of this Agreement, MDA will forward to ECRCO a final draft of its public participation process/policy for review, as well as information about the location and accessibility of the public participation process/policy, such as a link to its Website. ECRCO will review the draft public participation process/policy and provide any comments within 30 days of receipt.

E. <u>MDA Plan to Ensure Meaningful Access to Programs and Activities for Persons with Limited English Proficiency (LEP)</u>:

1. MDA will develop, publicize, and implement written procedures to ensure meaningful access to all MDA programs and activities for all persons, including access for limited-English proficient individuals at no cost to those individuals.

2. MDA will conduct the appropriate analysis, as described in EPA's LEP Guidance found at 69 FR 35602 (June 25, 2004) and http://www.lep.gov to determine what language services or mix of language services it may need to provide to ensure that limited-English proficient individuals can meaningfully participate in your programs and activities. MDA should:

   a. develop a language access plan consistent with EPA's LEP Guidance;

[9] ECRCO will not monitor, implementation of or compliance with, MDA commitments made pursuant to Minnesota Statute (see (L)(2) above). ECRCO will monitor MDA's implementation of commitments made pursuant to federal civil rights laws.

b. develop, publicize, and implement written procedures to ensure meaningful access to all your programs and activities for all persons, including access for limited-English proficient individuals;

c. translate vital documents of general interest into prominent languages;

d. translate vital documents of individual interest to LEP individuals;

e. provide for simultaneous oral interpretation of live proceedings (*e.g.*, town hall meetings and public hearings) in prominent languages; and

f. provide for simultaneous interpretation of proceedings, meetings, *etc.*, for individual LEP person participating in one of your programs or activities (*e.g.*, a LEP individual wishing to file a grievance or complaint).

3. Within 120 days of the effective date of this Agreement, MDA will forward to ECRCO a copy of its written procedures to ensure meaningful access to all MDA programs and activities for all persons, including access for limited-English proficient individuals.

F. MDA Plan to Ensure Meaningful Access for Persons with Disabilities

1. MDA will develop, publicize and implement written procedures to ensure meaningful access to your programs and activities for individuals with disabilities that:

   a. provide, at no cost, appropriate auxiliary aids and services, including but not limited to, for example, qualified interpreters to individuals who are deaf or hard of hearing, and to other individuals, as necessary, to ensure effective communication or an equal opportunity to participate fully in benefits, activities, programs, and services provided by MDA in a timely manner; and

   b. ensure that your facilities and other facilities utilized by you and accessible to the public (*e.g.*, if you hold a public hearing at a recreational center) are physically accessible for individuals with disabilities.

2. Within 60 days of the effective date of this agreement, MDA will forward to ECRCO for review a final draft of its written procedures to ensure meaningful access to all MDA programs and activities by individuals with disabilities.

G. Training

1. Within 120 days after implementing the deliverables identified in this Agreement, including a Non-Discrimination Coordinator, Non-discrimination Notice, Grievance Procedures, and Public Participation Process/Procedures, MDA will ensure that all appropriate staff has been trained on these processes and procedures as on the nature of the federal non-discrimination obligations.

2. Within 180 days after execution of this Agreement, MDA will have a plan in place to ensure that such training is a routine part of the on-boarding process for new employees and is given periodically as refresher training to all employees.

IV. GENERAL

A. In consideration of MDA's implementation of commitments and actions described in Section III of this Agreement, ECRCO will end its investigation of the complaint number 01D-19-R5, not issue a decision containing findings on the merits of this complaint, and consider this complaint resolved.

B. ECRCO will monitor the implementation of the commitments in Section III of this this Agreement (only as they pertain to MDA's obligations under the federal nondiscrimination laws and EPA's regulation at 40 C.F.R. Parts 5 and 7) to ensure they are fully implemented. ECRCO will not monitor MDA's implementation of Minnesota statute and/or regulation.

C. Once these commitments are fully implemented, EPA will issue a letter to MDA documenting completion of these commitments and closing the monitoring of the commitments contained in this Agreement.

D. MDA will, within 30 days of the implementation of each commitment in Section III, and consistent with the timeframes in Section III, submit a report to ECRCO documenting their implementation.

E. ECRCO will review and provide feedback about any documentation submitted by MDA demonstrating completion of each commitment and will provide an assessment as to whether the documentation satisfies the commitment.

F. EPA will, upon request, provide technical assistance to MDA regarding any of the civil rights obligations previously referenced.

V. COMPUTATION OF TIME AND NOTICE

A. As used in this Agreement, "day" will mean a calendar day. In computing any period of time under this Agreement, where the last day would fall on a Saturday, Sunday, or federal holiday, the period will run until the close of business of the next working day.

B. Service of any documents required by this Agreement will be made personally, by certified mail with return receipt requested, or by any reliable commercial delivery service that provides written verification of delivery.

C. Electronic documents submitted by MDA to EPA via email will be sent to the following email address: Dorka.Lilian@epa.gov. Documents submitted by MDA to EPA will be sent to Lilian Dorka, Director, U.S. EPA External Civil Rights Compliance Office, Office of General Counsel (Mail Code 2310A), 1200 Pennsylvania Avenue N.W., Washington D.C. 20460.

D. Documents submitted by EPA to MDA will be sent to Sabrenia Young, 625 Robert St. N. St. Paul, MN 55155.

VI. EFFECT OF THE AGREEMENT

A. MDA understands that, if necessary, ECRCO may visit MDA, interview staff, and request such additional reports or data as are necessary for ECRCO to determine whether MDA has fulfilled the terms of this Agreement.

B. MDA understands that EPA will not close its monitoring of this Agreement until ECRCO determines that MDA has fully implemented this Agreement and that a failure to satisfy any term in this agreement may result in the EPA re-opening this investigation.

C. If either Party desires to modify any portion of this Agreement because of changed conditions making performance impractical or impossible, or due to material change to MDA's program or authorities, or for other good cause, the Party seeking a modification will promptly notify the other in writing, setting forth the facts and circumstances justifying the proposed modification. Any modification(s) to this Agreement will take effect only upon written agreement by the Commissioner of MDA and the Director of ECRCO.

D. This Agreement constitutes the entire Agreement between MDA and EPA regarding the matters addressed herein, and no other statement, promise, or agreement, made by any other person will be construed to change any commitment or term of this Agreement, except as specifically agreed to by MDA and EPA in accordance with the provisions of Section VI(C) above.

E. This Agreement does not affect MDA's continuing responsibility to comply with Title VI or other federal non-discrimination laws and EPA's regulations at 40 CFR Parts 5 and 7, nor does it affect EPA's investigation of any other Title VI or other federal civil rights complaints or address any other matter not covered by this Agreement.

F. The effective date of this Agreement is the date by which both Parties have signed the Agreement. This Agreement may be signed in counterparts. The Commissioner in his capacity as an official of MDA, has the authority to enter into this Agreement for purposes of carrying out the activities listed in these paragraphs. The Director of ECRCO has the authority to enter into this Agreement.

On behalf of the Minnesota Department of Agriculture.

Thom Petersen
Commissioner

August 20, 2019
(Date)

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

August 20, 2019
(Date)