



**ENVIRONMENTAL
QUALITY**

OFFICE OF COMPLIANCE

TITLE VI COMPLAINTS PROCEDURE

CONTINUING IMPROVEMENT REPORTING & INVESTIGATING PROCEDURE

I. Purpose

In compliance with 40 C.F.R. Parts 5 and 7, the Division of Environmental Quality (DEQ) has established a Title VI procedure to ensure prompt and fair resolution of complaints alleging violations of Section 601 of Title VI of the Civil Rights Act of 1964 in the administration of DEQ's programs and activities.

The Title VI procedure is intended to address allegations of discrimination based on:

- Race
- National origin
- Disability
- Age
- Color
- Religion
- Income
- Gender

The Title VI procedure provides a process for filing a timely complaint to the proper authority and describes the process for investigating and resolving the complaint. This procedure does not apply to administrative actions that are being pursued in another forum.

II. Submission of a Complaint

A person (or the authorized representative of a person) who believes that he or she or a class of persons has been discriminated against may file a complaint with DEQ. The following steps should be taken to file a Title VI complaint:

1. Print and complete the Title VI Complaint Submission Form.
2. Include your name, address and telephone, number. If you are filing on behalf of another person, include your name, address, telephone number, and your relationship to that person (for example: friend, attorney, parent, etc.).
3. Describe with specificity the action(s) by DEQ that allegedly result in discrimination in violation of 40 C.F.R. Parts 5 and 7.4. Describe with specificity the discrimination that allegedly has occurred or will occur as the result of such action(s), and identify the parties impacted or potentially impacted by the alleged discrimination.
4. Sign the complaint and file it within sixty calendar days of the alleged discriminatory act.

DEQ may request additional information from the complainant if further information is needed to meet the complaint requirements described above. DEQ may waive the sixty-day filing deadline in its discretion, for good cause.

All written complaints shall be sent to the following address:

Arkansas Energy & Environment
DEQ Chief Title VI Officer

5301 Northshore Drive, North Little Rock, AR 72118

Within fifteen business days of receiving a written complaint, DEQ will provide the complainant with written notice of receipt. At that time, DEQ may request any additional information needed to meet the complaint requirements. Within fifteen business days of receiving any additional information, DEQ will provide the complainant with written notice that the complaint is deemed complete.

III. Determination of Jurisdiction and Investigative Merit

DEQ will determine if it has jurisdiction to pursue the matter and whether the complaint has enough merit to warrant an investigation based upon information in the complaint and other available information. A complaint shall be regarded as meriting investigation unless:

1. It clearly appears on its face to be frivolous or trivial.
2. Within the time allotted for making the determination of jurisdiction and investigative merit, DEQ voluntarily concedes noncompliance and agrees to take appropriate remedial action or reaches an informal resolution with the complainant.
3. Within the time allotted for making the determination of jurisdiction and investigative merit, the complainant withdraws the complaint.
4. It is not timely and good cause does not exist for waiving the timing requirement.

IV. Determination of Jurisdiction and Investigative Merit

Within 180 calendar days of a written complaint being deemed complete, DEQ will issue to the complainant a written response containing a resolution.