



ARKANSAS
Department of Environmental Quality



**Arkansas Department of Environmental Quality
Office of Compliance and Continuing Improvement
Reporting and Investigating Procedure for
Title VI Complaints**

I. Purpose

In compliance with 40 C.F.R. Parts 5 and 7, the Arkansas Department of Environmental Quality (ADEQ) 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 ADEQ’s programs and activities.

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

- Race
- Color
- National origin
- Religion
- Disability
- Income
- Age
- 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 ADEQ. 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 ADEQ 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.

5. Sign the complaint and file it within sixty calendar days of the alleged discriminatory act.

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

All written complaints shall be sent to the following address:

Arkansas Department of Environmental Quality
Chief Title VI Officer
5301 Northshore Drive
North Little Rock, AR 72118

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

III. Determination of Jurisdiction and Investigative Merit

ADEQ will determine if it has jurisdiction to pursue the matter and whether the complaint has sufficient 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, ADEQ 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; or
4. It is not timely and good cause does not exist for waiving the timing requirement.

IV. Disposition of Complaints

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