



**Arizona Department of Environmental Quality  
Civil Rights Program Policy**

October 2016

Rev. August 2019

## Policy of Nondiscrimination

The Arizona Department of Environmental Quality (ADEQ) is committed to ensuring that no person is excluded from participation in, denied the benefits of, or subjected to discrimination under any program, activity or service that it provides on the basis of race, color, national origin, or on the basis of sex or a disability, or on the basis of age, in violation of Title VI of the Civil Rights Act, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, Title 40 Code of Federal Regulations Part 7, Title IX of the Education Amendments of 1972, and Section 13 of the Federal Water Pollution Control Act Amendments of 1972. ADEQ will not tolerate intimidation, threats, coercion, or discrimination against any individual or group. This policy establishes a framework for taking reasonable measures to ensure access to all services provided by ADEQ for all Arizona citizens and establishes procedures whereby the department will receive and investigate allegations of discrimination.

ADEQ's grievance procedures and complaint processing are included in the Director's Office Policy Statement, Nondiscrimination Policy for Programs, Activities and Services and Grievance Procedures (**Attachment A**).

## Recipients of Federal Assistance: Title VI Requirements; ADEQ Obligation to Provide Access

Title VI of the Civil Rights Act of 1964 is the overarching civil rights law that prohibits discrimination based on race, color, or national origin, in any program, service or activity that receives federal assistance. Specifically, Title VI assures that "No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefit of, or be otherwise subjected to discrimination under any program or activity receiving federal assistance." Title VI has been broadened and supplemented by related statutes, regulations and executive orders:

- Title IX of the Education Amendments of 1972 (Title IX), which prohibits discrimination on the basis of sex in any education or training program receiving federal financial assistance, with a limited number of defined exceptions;
- Section 504 of the Rehabilitation Act of 1973 (Section 504), which forbids discrimination on the basis of an individual's disability by all federal agencies and in all federally funded activities;
- The Age Discrimination Act of 1975, as amended, which prohibits discrimination in federally supported activities on the basis of age.

Further, Executive Order 13166, *Improving Access to Services with Persons with Limited English Proficiency* (2000) requires that persons with limited English proficiency (LEP) should have meaningful access to federally conducted and federally funded programs and activities, including services and benefits.

## ADEQ Nondiscrimination Program

### A. Overview, Goals and Principles

ADEQ is actively engaged in Title VI activities as a recipient of federal assistance from the Environmental Protection Agency (EPA). ADEQ will not exclude an individual on the basis of a prohibited discriminatory reason from participation in or from the enjoyment of any advantage or privilege enjoyed by others receiving any service, financial aid, or other benefit under its programs. Individuals may not be subjected to criteria or methods of administration which cause adverse impact because of their race, color, or national origin, or have the effect of defeating or substantially impairing accomplishment of the objectives of the program because of race, color or national origin. ADEQ will not tolerate intimidation, threats, coercion, or discrimination against any individual or group. Further, ADEQ must provide access to individuals with limited ability to speak, write, or understand the English language and to those with disabilities.

In order to provide services that are responsive to the needs and priorities of Arizona's diverse population, it is essential to have a process in place that effectively engages the public, fully integrates their feedback, and results in decisions that are protective of human health and the environment. The goal of the ADEQ Nondiscrimination Program is to ensure all people have a meaningful role in processes associated with the delivery of ADEQ services. This Program outlines the roles, method of administration, and analysis that supports equity in all of ADEQ's programs.

Based on federal guidance, the components of the ADEQ Program include:

- A notice of nondiscrimination as required by Title 40 CFR 7.95;
- Grievance procedures for complaints filed under the federal nondiscrimination statutes;
- Identification of an ADEQ Environmental Justice/Title VI Nondiscrimination Coordinator and his/her role;
- An assessment of ADEQ's obligation to provide access to LEP and disabled persons;
- Public Participation Procedures.

### B. ADEQ Nondiscrimination Program Plan

#### 1. Notice of Nondiscrimination

ADEQ's Notice of Nondiscrimination (**Attachment B**) is prominently and permanently posted in ADEQ's main office in Phoenix, its Southern Regional Office in Tucson, and its Vehicle Emission Inspections Stations in Maricopa County and Pima County, and on the ADEQ website. Notice is provided in both English and Spanish and describes the procedures to file a complaint and how to contact the ADEQ Environmental Justice/Title VI Nondiscrimination Program Coordinator for assistance.

#### 2. Grievance Procedures

ADEQ's Grievance Procedures are posted on ADEQ's website and explain the process by which any person may file a complaint (**Attachment C**). Further, the process by which complaints will be investigated and how complainants will be informed (in writing) of the progress and disposition of their complaint is also described. Finally, contact information for ADEQ's Environmental Justice/Title VI Nondiscrimination Program Coordinator is provided.

### 3. Role of ADEQ's Nondiscrimination Program Coordinator

ADEQ's Environmental Justice/Title VI Nondiscrimination Program Coordinator ensures department compliance with federal non-discrimination statutes and:

- Ensures information regarding ADEQ's Nondiscrimination Program is available both internally and externally; Maintains public notices of nondiscrimination, and procedures for, receipt and processing of complaints;
- Receives and logs in complaints;
- Investigates complaints in accordance with ADEQ's grievance procedures to assure prompt and fair resolution;
- Informs complainants of the progress and disposition of their complaints;
- Tracks and reviews complaints received and their dispositions;
- Maintains ADEQ's compliance records;
- Trains department staff on ADEQ's Nondiscrimination Program and procedures;
- Provides written updates to complainants on the progress of investigations;
- Periodically reviews the efficacy of ADEQ's Nondiscrimination Program.

#### Obligation to Provide Access: Persons with Limited English Proficiency and/or Disabilities

Individuals who do not speak English as their primary language and who have a limited ability to read, write, speak or understand English can be Limited English Proficient (LEP) and may be entitled to language assistance with respect to services provided by recipients of federal assistance.

As directed by Executive Order 13166, EPA published guidance to financial assistance recipients regarding Title VI prohibition against national origin discrimination affecting LEP persons. Recipients are required to take reasonable steps to reduce language barriers that can preclude meaningful access to department programs and activities by LEP persons.

Recipients of federal assistance will also provide for meaningful access to department programs and activities by disabled persons. Disabled persons have a physical impairment (hearing, mobility, vision) or mental impairment that substantially limits one or more major life activities including walking, talking, hearing, seeing, breathing, learning, performing manual tasks and caring for oneself.

While it is true that determining precisely what steps are reasonable to ensure access for LEP and disabled persons is fact-dependent, development of a public participation plan begins with a clear understanding of the frequency and distribution of LEP and disabled populations throughout Arizona.

#### Limited English Proficiency Persons

Federal guidance generally describes how recipients of federal assistance determine the extent of their obligation to provide LEP services. Four factors should be considered:

- 1) The number or proportion of LEP persons eligible to be served or likely to be encountered by the program; an estimated 8.9% of Arizona's population speaks English less than "very well" according to the U.S. Census Bureau American FactFinder from the Language

Spoken at Home 2015 American Community Survey. About 15% of the Arizona population 5 years and older speak Spanish (**Attachment D**).

- 2) The frequency with which LEP individuals come in contact with the program; as ADEQ permits facilities and administers programs county-wide, LEP persons are a significant percentage of the individuals who come into contact with the program.
- 3) The nature and importance of the program, activity or service provided by the program to people's lives; the permitting programs ADEQ administers and plans ADEQ develops are directly impactful to protecting the health and welfare of all its citizens.
- 4) The resources available to the recipient and costs.

ADEQ has the resources to provide LEP services as identified in the Public Participation Procedures below. Since Spanish speakers are the major LEP language group in Arizona, ADEQ's efforts primarily focus on ensuring key materials and services are available in both English and Spanish.

### Disabled Persons

An estimated 12.9% of Arizona's Civilian Non-Institutionalized population is disabled according to the U.S. Census Bureau American FactFinder Disability Characteristics from the 2015 American Community Survey (**Attachment D**).

### Public Participation Procedures

ADEQ seeks public participation and involvement in multiple programs. Though the vast majority of public involvement opportunities at ADEQ arise during the processing of permits and development of certain plans, public notice and participation is an important element of all ADEQ programs. Effective public involvement is a required component of the decision making process (and required by ADEQ rules) and is intended to help members of the public understand and assess how environmental programs affect their communities.

In order for public involvement to be meaningful, it requires informing, consulting and working with potentially affected communities at various stages of the decision making process in order to understand and address concerns. ADEQ strives to provide for meaningful public involvement in all of its programs, no matter the location of the program in the State of Arizona or the community potentially impacted.

#### a. Public Participation Required by ADEQ Rules

Under ADEQ rules<sup>1</sup> a series of steps are required before taking action. These steps include public notice and opportunity for public comment. Additionally, for certain plans and permit actions listed below, notice of the opportunity for a hearing is required:

- Issuing, denying or renewing a permit;
- Modifying a permit;
- Revoking and reissuing or reopening a permit;

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<sup>1</sup>Arizona Administrative Code Title 18, Chapter 1 as well as individual program requirements.

- Issuing a conditional order or permit;
- Granting a variance from a general permit.

Notice of proposed permits or permit revisions or proposed plans must be published in newspapers of general circulation in the location potentially impacted by the permit or plan and must include:

- Name and address of the affected facility;
- Activity(ies) involved in the permit action;
- Instructions on how, where, and by when comments are to be submitted;
- Locations where copies of the document subject to ADEQ's decision may be obtained.

#### b. Public Participation: LEP/Disabled Persons

In addition to those public involvement requirements described in rules, ADEQ supplements and strengthens public involvement processes to ensure access to all people and ensure that accommodation is available to facilitate the participation of those persons with English language proficiency and/or disability.

ADEQ provides appropriate auxiliary aids and services (including qualified interpreters) to LEP persons, disabled persons who are deaf or hard of hearing and other individuals upon request at no cost to ensure effective communication and an equal opportunity to participate fully in the decision making processes.

Further, as the majority of LEP households in the State of Arizona are proficient in Spanish, significant resources are directed at ensuring the availability of key materials and services in both English and Spanish, subject to requirements of Article 28 of the Arizona Constitution, including:

- Compliance/Enforcement brochures and flyers
- Department main phone line accommodations for Spanish speakers
- Phone line menu options in Spanish
- Access to Spanish speaking representatives
- Voicemail options in Spanish
- Compliance training schedule information in Spanish
- No burn line info and emergency line information in Spanish
- Communications Office staff who respond to Spanish media calls
- Link to Maricopa County CleanAirMakeMore.com/Español Spanish website
- Link to Maricopa County Dust control training courses offered in Spanish online and in person
- Link to Maricopa County No Burn Campaign materials offered in Spanish:
  - Link to TV Public Service Announcements in Spanish
  - Link to Radio advertisements in Spanish
  - Link to Frequently Asked Questions in Spanish
  - Link to Resident door hangers in Spanish
  - Link to Newspaper articles and press releases in Spanish

ADEQ is also able to accommodate the needs of other LEP (non-Spanish speaking) persons through specialty contracts for translation services available through the Arizona Department of Administration.

The development and distribution of public notices and planning for public meetings or hearings regarding ADEQ actions will consider the LEP and disabled population density in the area most impacted by the ADEQ action or program. Staff engaged in developing public notices and planning of public meetings will consult U.S. Census Bureau and Arizona Office of Economic Opportunity data sources regarding the geographic distribution of LEP and disabled populations within Arizona. ADEQ's facilities and other facilities utilized by ADEQ will be physically accessible to individuals with disabilities. When appropriate, ADEQ will provide for simultaneous oral interpretation of live proceedings

Further, ADEQ public notices will include the following text:

"ADEQ will take reasonable measures to provide access to department services to individuals with limited ability to speak, write, or understand English and/or to those with disabilities. Requests for language interpretation services or for disability accommodations must be made at least 48 hours in advance by contacting: [Department Contact Information]"

"ADEQ tomará medidas razonables para proveer acceso a los servicios del departamento para personas con capacidad limitada para hablar, escribir o entender Inglés y / o para las personas con discapacidad. Las solicitudes de servicios de interpretación del lenguaje o de alojamiento de discapacidad deben hacerse por lo menos 48 horas de antelación poniéndose en contacto con: [Departamento de Información de Contacto]"

Attachment A: ADEQ Grievance Procedures

	Director's Office Policy Statement	
	Page 1 of 6	
	Nondiscrimination Policy for Programs, Activities and Services and Grievance Procedures	
	<b>Policy No.</b> 0301.2019  <b>Effective:</b> 8/2/2019	

## 1.0 Purpose

The purpose of this policy is to ensure compliance with Title VI of the Civil Rights Act of 1964.

ADEQ is committed to ensuring that no person is excluded from participation in, denied the benefits of, or subjected to discrimination under any program, activity or service that it provides. ADEQ will not tolerate intimidation, threats, coercion, or discrimination against any individual or group. This policy establishes a framework for taking reasonable measures to ensure access to all services provided by the department for all citizens in the State of Arizona and establishes procedures whereby the department will receive and investigate allegations of discrimination.

Title VI of the Civil Rights Act of 1964 is the overarching civil rights law that prohibits discrimination based on race, color, or national origin, in any program, service or activity that receives federal assistance. Specifically, Title VI assures that “No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefit of, or be otherwise subjected to discrimination under any program or activity receiving federal assistance.” Title VI has been broadened and supplemented by related statutes, regulations and executive orders:

- Title IX of the Education Amendments of 1972 (Title IX), which prohibits discrimination on the basis of sex in any education or training program receiving federal financial assistance, with a limited number of defined exceptions;
- Section 504 of the Rehabilitation Act of 1973 (Section 504), which forbids discrimination on the basis of an individual's disability by all federal agencies and in all federally funded activities;
- The Age Discrimination Act of 1975, as amended, which prohibits discrimination in federally supported activities on the basis of age.
- Executive Order 13166, *Improving Access to Services with Persons with Limited English Proficiency* (2000) requires that persons with limited English proficiency (LEP) should have meaningful access to federally conducted and federally funded programs and activities, including services and benefits.

ADEQ is actively engaged in Title VI activities as a recipient of federal assistance from the Environmental Protection Agency (EPA).

## 2.0 Definitions

**Disability** – Hearing, vision, cognitive, ambulatory, self-care, and/or independent living difficulty.

**Limited English Proficient (LEP) persons** – Individuals who do not speak English well as their primary language and who have limited ability to read, write, speak or understand English.

**Environmental Justice/Title VI Nondiscrimination Program Coordinator (Coordinator)** – ADEQ representative who ensures compliance with federal non-discrimination statutes.

### **3.0 Policy Statement**

Discrimination Prohibited: ADEQ will not exclude an individual on the basis of a prohibited discriminatory reason from participation in or from the enjoyment of any advantage or privilege enjoyed by others receiving any service, financial aid, or other benefit under its programs regardless of the funding source for the program. Individuals may not be subjected to criteria or methods of administration which cause adverse impact because of their race, color, or national origin, or age or disability, or have the effect of defeating or substantially impairing accomplishment of the objectives of the program because of race, color or national origin or age or disability.

Intimidation and Retaliation Prohibited: ADEQ will not tolerate intimidation, threats, coercion, or discrimination against any individual or group, either:

- a. For the purpose of interfering with any right or privilege guaranteed under law or regulations, or
- b. Because the individual has filed a complaint or has testified, assisted or participated in any way in an investigation, proceeding or hearing or has opposed any ADEQ action or decision.

Access to ADEQ Programs: ADEQ will take reasonable measures to provide access to ADEQ services to individuals with limited ability to speak, write, or understand English and/or to those with disabilities.

#### **3.1 Procedures**

3.1.1 **Public Notice:** Public notice of ADEQ's Nondiscrimination Plan will be prominently posted in ADEQ offices and on ADEQ's web site.

3.1.2 **Public Notice/Meeting Planning:** The development and distribution of public notices and planning for public meetings or hearings regarding ADEQ actions will consider the LEP and disabled population density in the area most impacted by the ADEQ action or program. Staff engaged in developing public notices and planning of public meetings will consult U.S. Census Bureau and Arizona Office of Economic Opportunity data sources regarding the geographic distribution of LEP and disabled populations within the State of Arizona when planning public meetings and hearings.

3.1.3 **Public Notice Text:** ADEQ notices will include the following text:

“ADEQ will take reasonable measures to provide access to department services to individuals with limited ability to speak, write, or understand English and/or to those with disabilities. Requests for language interpretation services or for disability accommodations must be made at least 48 hours in advance by contacting: Environmental Justice/Title VI Nondiscrimination Program Coordinator at 602-771-4322 or [ldb@azdeq.gov](mailto:ldb@azdeq.gov)”

“ADEQ tomará medidas razonables para proveer acceso a los servicios del departamento para personas con capacidad limitada para hablar, escribir o entender Inglés y / o para las personas con discapacidad. Las solicitudes de servicios de interpretación del lenguaje o de alojamiento de discapacidad deben hacerse por lo menos 48 horas de antelación poniéndose en contacto con: Environmental Justice/Title VI Nondiscrimination Program Coordinator at 602-771-4322 or [ldb@azdeq.gov](mailto:ldb@azdeq.gov)”

### **3.1.4 Role of Environmental Justice/Title VI Nondiscrimination Program Coordinator:**

- 3.1.4.1 Ensures information regarding ADEQ’s Nondiscrimination Program is internally and externally available
- 3.1.4.2 Posts and maintains public notice of, and procedures for, receipt and processing of complaints
- 3.1.4.3 Tracks and reviews complaints received through their disposition, in compliance with 40 CFR § 7.85, to enable completion and submittal of EPA Form 4700-4 with grant applications. Provides quarterly written status updates on pending complaints to the Office of Administrative Counsel and Human Potential Office.
- 3.1.4.4 Trains department staff on ADEQ’s Nondiscrimination Program Policy and procedures
- 3.1.4.5 Provides written updates to complainants on the progress of investigations
- 3.1.4.6 Recommends dispositions to the ADEQ Director.
- 3.1.4.7 Periodically reviews the efficacy of ADEQ’s Nondiscrimination Program Policy and recommends timely revisions to the Executive Leadership Team.

### **3.1.5 Grievance Procedures and Complaint Processing:**

- 3.1.5.1 If someone believes they have suffered from prohibited discrimination under an ADEQ program, they may contact the ADEQ Environmental Justice/Title VI Nondiscrimination Program Coordinator [Coordinator] to seek informal resolution. The Coordinator may schedule an interview with the complainant. If the alleged discrimination concerns employment at ADEQ, the Coordinator will refer the complainant or the complaint to the ADEQ Human Potential Office.

- 3.1.5.2 If complaints about ADEQ programs, activities or services cannot be resolved informally, the complainant may file a complaint with the ADEQ Coordinator. The complaint must be filed within 180 days after the alleged discrimination, unless ADEQ waives the time limit for good cause. Complainants may submit a written or verbal complaint to the Coordinator. Complaints must include the complainant's name, the nature of the complaint, the date(s) of the alleged discrimination, requested action, and contact information. Complaint forms are available in English and Spanish (**Attachment C**)
- 3.1.5.3 The Coordinator will review the complaint and may solicit additional information from the complainant as needed. ADEQ will make initial contact within 5 days after receipt of the complaint. If additional information necessary to confirm the prohibited discrimination is requested and not received within 30 days, the case may be closed. The case may also be closed if the complainant no longer wishes to pursue their case and submits a written request to the Coordinator to close the case.
- 3.1.5.4 The Coordinator will maintain a complaint log containing the name and address of the complainant, date(s) of the alleged prohibited discrimination, nature of the complaint, date of submission of the complaint, date of the Coordinator's request for additional information necessary to confirm the complaint and date of its receipt, results of the investigation and disposition of the complaint.
- 3.1.5.5 The Coordinator will make a preliminary recommendation for a prompt and fair resolution to the Administrative Counsel of either dismissal of the complaint or of a finding of prohibited discrimination and a proposed remedy. The Coordinator and the Administrative Counsel shall consult with the Attorney General's Office and may conduct additional investigation before making a recommendation to the ADEQ Director.
- 3.1.5.6 If after consulting the Attorney General's Office, the Coordinator and the Administrative Counsel will recommend to the Director dismissal of a complaint if the investigation reveals no prohibited discrimination. If the Director agrees, the Coordinator will notify the complainant timely in writing of the dismissal within 10 days.
- 3.1.5.7 If after consulting with the Attorney General's Office, the Coordinator and the Administrative Counsel will recommend to the Director a finding of prohibited discrimination and a proposed remedy for a complaint if the investigation reveals prohibited discrimination. If the Director agrees, the Coordinator will notify the complainant timely in writing of the finding and the proposed remedy within 10 days.
- 3.1.5.8 The Coordinator or the Administrative Counsel may also recommend to the Director changes to this policy or to ADEQ

programs, activities and services as a result of a complaint investigation.

3.1.5.9 If the complaint is outside the jurisdiction of ADEQ, within two weeks after receipt of the complaint the Coordinator will notify the complainant of ADEQ's lack of jurisdiction to address the complaint and of the name and contact information for the appropriate agency or tribe with jurisdiction, if known to ADEQ.

3.1.6 Recordkeeping; Records including investigative files shall be kept for a minimum of three years after disposition of the complaint.

#### **4.0 Audience**

All recipients of ADEQ programs, activities and services

All ADEQ employees

#### **5.0 Policy Owner (Position Responsible for Implementing & Maintaining the Policy – Title/Unit/Section/Division)**

Environmental Justice/Title VI Nondiscrimination Coordinator

#### **6.0 Communication & Training**

Environmental Justice/Title VI Nondiscrimination Coordinator will develop, conduct and annually review training needs.

#### **7.0 Compliance & Audit Plan**

Environmental Justice/Title VI Nondiscrimination Coordinator will review the complaint files and data annually in conjunction with the federal grant cycle.

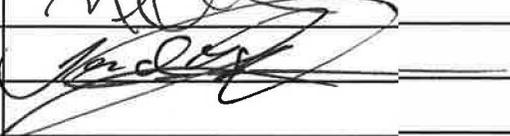
#### **8.0 Review & Revision**

Environmental Justice/Title VI Nondiscrimination Coordinator will review the complaint files and data annually in conjunction with the federal grant cycle.

#### **9.0 Additional Documentation Templates and Checklists for the Final Policy**

Complaint Form in English and Spanish

**10.0 Approved by:**

Title	Name	Signature	Date
ADEQ Director, if necessary	Misael Cabrera		8/30/19
Affected Division Director(s)	Ian Bingham		09/03/19
Administrative Counsel as to form	Edwin Slade		8/12/19

**11.0 Historical Note**

*[Describes the changes or updates to a policy, which serves as a reference for the reader to understand any past changes.]*

Date	Number, Name, and Issue Date of Previous Version	Replaces Listed Sections/Entire Document

Attachment B: ADEQ Notice of Non-Discrimination

# Notice of Non-Discrimination



The Arizona Department of Environmental Quality (ADEQ) does not discriminate on the basis of race, color, national origin, disability, age or sex in the administration of its programs or activities, as required by applicable laws and regulations.

Leonard Drago, Title VI Nondiscrimination Coordinator, is responsible for coordination of compliance efforts and receipt of inquiries concerning nondiscrimination requirements implemented by 40 C.F.R. Part 7 (Nondiscrimination 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.

If you have any questions about this notice or any of ADEQ's nondiscrimination programs, policies or procedures, you may contact:

Leonard Drago, Title VI Nondiscrimination Coordinator  
Arizona Department of Environmental Quality  
1110 W. Washington St.  
Phoenix, AZ 85007  
602-771-2288  
drago.leonard@azdeq.gov

If you believe that you have been discriminated against with respect to an ADEQ program or activity, you may contact the Nondiscrimination Coordinator identified above or visit our website at [azdeq.gov](http://azdeq.gov) to learn how and where to file a complaint of discrimination.

## AVISO DE NO DISCRIMINACIÓN

El Departamento de Calidad Ambiental de Arizona (ADEQ) no discrimina en función de la raza, el color, el origen de nacionalidad, la discapacidad, la edad o el sexo en la administración de sus programas o actividades, según lo exigen las leyes y reglamentos aplicables.

Leonard Drago, Título VI No Discriminación, es responsable de la coordinación de los esfuerzos de cumplimiento y la recepción de consultas sobre los requisitos de no discriminación implementados por 40 C.F.R. Parte 7 (No discriminación en programas o actividades que reciben asistencia federal de la Agencia de Protección Ambiental), incluido el Título VI de la Ley de Derechos Civiles de 1964, según fue enmendada; Sección 504 de la Ley de Rehabilitación de 1973; la Ley de Discriminación por Edad de 1975, el Título IX de las Enmiendas de Educación de 1972, y la Sección 13 de la Ley Federal de Control de la Contaminación del Agua Enmiendas de 1972.

Si tiene alguna pregunta sobre este aviso o cualquiera de los programas de ADEQ de No Discriminación, políticas o procedimientos, puede contactar:

Leonard Drago, Título VI No Discriminación  
Arizona Department of Environmental Quality  
1110 W. Washington St.  
Phoenix, AZ 85007  
602-771-2288  
drago.leonard@azdeq.gov

Si cree que ha sido discriminado con respecto a un programa o actividad de ADEQ, puede contactar al Título VI No Discriminación identificado anteriormente o visitar nuestro sitio web en [azdeq.gov](http://azdeq.gov) para saber cómo y dónde presentar una queja de discriminación.

Attachment C: ADEQ Title VI Complaint Form



# Title VI Discrimination Complaint Form

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Alternate Phone Number: \_\_\_\_\_

Person discriminated against *(if someone other than complainant listed above)*

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Alternate Phone Number: \_\_\_\_\_

Which of the following best describes the reason you believe discrimination took place?

- |                                           |                                                                  |
|-------------------------------------------|------------------------------------------------------------------|
| <input type="checkbox"/> Race _____       | <input type="checkbox"/> Color _____                             |
| <input type="checkbox"/> Sex _____        | <input type="checkbox"/> Age _____                               |
| <input type="checkbox"/> Disability _____ | <input type="checkbox"/> National Origin _____                   |
|                                           | <input type="checkbox"/> Limited English Proficiency (LEP) _____ |

On what date(s) did the alleged discrimination take place?

Where did the alleged discrimination take place?

What is the name and title of the person(s) who you believe discriminated against you (if known)?

**Describe the alleged discrimination. Explain what happened and who you believe was responsible. (If more space is needed, attach additional documents.)**

**List names and contact information of persons who may have knowledge of the alleged discrimination.**

**If you have filed this complaint with any other federal, state or local agency, or with any federal or state court, check all that apply and include the filed complainant information.**

- Federal Agency
- State Agency
- Local Agency

- Federal Court
- State Court

**Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**City:** \_\_\_\_\_ **State:** \_\_\_\_\_ **Zip:** \_\_\_\_\_

**Phone Number:** \_\_\_\_\_

**Alternate Phone Number:** \_\_\_\_\_

**Please sign below. You may attach any written material or other information relevant to your complaint.**

\_\_\_\_\_  
**Complainant Signature**                      **Date**                      **Number of attachments**

**Submit Form:**

**By Mail:**  
**ADEQ Main Office**  
**Attn: Civil Rights Coordinator**  
**1110 W. Washington Street**  
**Phoenix, AZ 85007**

\_\_\_\_\_ **Or** \_\_\_\_\_

**By Email:** [Drago.Leonard@azdeq.gov](mailto:Drago.Leonard@azdeq.gov)

## Attachment D: Arizona Population Data

1. Household Proportions with Limited English-Speaking Ability
2. Civilian Non-institutionalized Population Proportions with a Disability

The following information can be found by searching census data for Arizona at: [factfinder.census.gov](http://factfinder.census.gov).

Subject	Arizona				
	Total		With a disability		Percent with a disability Estimate
	Estimate	Margin of Error	Estimate	Margin of Error	
Total civilian noninstitutionalized population	6,719,354	+/-1,844	863,924	+/-15,727	12.9%
<b>SEX</b>					
Male	3,293,746	+/-3,484	426,924	+/-9,610	13.0%
Female	3,425,608	+/-3,038	437,000	+/-10,167	12.8%
<b>RACE AND HISPANIC OR LATINO ORIGIN</b>					
White alone	5,206,903	+/-23,503	701,360	+/-14,162	13.5%
Black or African American alone	288,930	+/-6,639	37,010	+/-2,929	12.8%
American Indian and Alaska Native alone	302,665	+/-7,586	39,480	+/-2,537	13.0%
Asian alone	215,571	+/-5,390	16,179	+/-1,914	7.5%
Native Hawaiian and Other Pacific Islander alone	10,641	+/-1,249	982	+/-352	9.2%
Some other race alone	475,789	+/-21,452	45,798	+/-4,132	9.6%
Two or more races	218,855	+/-10,741	23,115	+/-2,684	10.6%
White alone, not Hispanic or Latino	3,753,185	+/-3,491	572,024	+/-12,031	15.2%
Hispanic or Latino (of any race)	2,060,468	+/-2,688	190,503	+/-8,074	9.2%
<b>AGE</b>					
Under 5 years	429,438	+/-1,321	3,654	+/-1,085	0.9%
5 to 17 years	1,189,955	+/-1,341	55,230	+/-4,269	4.6%
18 to 34 years	1,534,572	+/-3,388	90,790	+/-4,703	5.9%
35 to 64 years	2,457,502	+/-3,996	327,272	+/-9,632	13.3%
65 to 74 years	648,048	+/-2,175	163,375	+/-4,879	25.2%
75 years and over	459,839	+/-1,899	223,603	+/-5,270	48.6%
<b>DISABILITY TYPE BY DETAILED AGE</b>					
With a hearing difficulty	(X)	(X)	281,341	+/-7,984	4.2%
Population under 18 years	1,619,393	+/-860	12,800	+/-1,972	0.8%
Population under 5 years	429,438	+/-1,321	2,401	+/-927	0.6%
Population 5 to 17 years	1,189,955	+/-1,341	10,399	+/-1,683	0.9%
Population 18 to 64 years	3,992,074	+/-2,837	84,563	+/-5,016	2.1%
Population 18 to 34 years	1,534,572	+/-3,388	14,322	+/-2,474	0.9%
Population 35 to 64 years	2,457,502	+/-3,996	70,241	+/-4,541	2.9%

Subject	Arizona				
	Total		With a disability		Percent with a disability
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate
Population 65 years and over	1,107,887	+/-1,814	183,978	+/-6,408	16.6%
Population 65 to 74 years	648,048	+/-2,175	69,305	+/-3,459	10.7%
Population 75 years and over	459,839	+/-1,899	114,673	+/-5,632	24.9%
With a vision difficulty	(X)	(X)	163,987	+/-7,252	2.4%
Population under 18 years	1,619,393	+/-860	13,704	+/-2,220	0.8%
Population under 5 years	429,438	+/-1,321	2,686	+/-912	0.6%
Population 5 to 17 years	1,189,955	+/-1,341	11,018	+/-2,022	0.9%
Population 18 to 64 years	3,992,074	+/-2,837	75,073	+/-4,709	1.9%
Population 18 to 34 years	1,534,572	+/-3,388	15,114	+/-1,936	1.0%
Population 35 to 64 years	2,457,502	+/-3,996	59,959	+/-4,017	2.4%
Population 65 years and over	1,107,887	+/-1,814	75,210	+/-4,317	6.8%
Population 65 to 74 years	648,048	+/-2,175	28,609	+/-2,672	4.4%
Population 75 years and over	459,839	+/-1,899	46,601	+/-3,382	10.1%
With a cognitive difficulty	(X)	(X)	306,601	+/-9,660	4.9%
Population under 18 years	1,189,955	+/-1,341	39,098	+/-3,345	3.3%
Population 18 to 64 years	3,992,074	+/-2,837	174,466	+/-6,951	4.4%
Population 18 to 34 years	1,534,572	+/-3,388	58,126	+/-3,533	3.8%
Population 35 to 64 years	2,457,502	+/-3,996	116,340	+/-5,806	4.7%
Population 65 years and over	1,107,887	+/-1,814	93,037	+/-4,636	8.4%
Population 65 to 74 years	648,048	+/-2,175	30,170	+/-2,793	4.7%
Population 75 years and over	459,839	+/-1,899	62,867	+/-3,947	13.7%
With an ambulatory difficulty	(X)	(X)	446,552	+/-10,362	7.1%
Population under 18 years	1,189,955	+/-1,341	6,909	+/-1,324	0.6%
Population 18 to 64 years	3,992,074	+/-2,837	205,180	+/-8,012	5.1%
Population 18 to 34 years	1,534,572	+/-3,388	19,545	+/-2,434	1.3%
Population 35 to 64 years	2,457,502	+/-3,996	185,635	+/-7,964	7.6%
Population 65 years and over	1,107,887	+/-1,814	234,463	+/-6,694	21.2%
Population 65 to 74 years	648,048	+/-2,175	95,133	+/-4,539	14.7%
Population 75 years and over	459,839	+/-1,899	139,330	+/-4,641	30.3%
With a self-care difficulty	(X)	(X)	157,610	+/-5,871	2.5%
Population under 18 years	1,189,955	+/-1,341	11,194	+/-1,840	0.9%
Population 18 to 64 years	3,992,074	+/-2,837	68,287	+/-3,969	1.7%
Population 18 to 34 years	1,534,572	+/-3,388	10,311	+/-1,682	0.7%
Population 35 to 64 years	2,457,502	+/-3,996	57,976	+/-4,033	2.4%
Population 65 years and over	1,107,887	+/-1,814	78,129	+/-4,344	7.1%
Population 65 to 74 years	648,048	+/-2,175	23,469	+/-2,386	3.6%
Population 75 years and over	459,839	+/-1,899	54,660	+/-3,578	11.9%
With an independent living difficulty	(X)	(X)	288,246	+/-8,154	5.7%
Population 18 to 64 years	3,992,074	+/-2,837	138,978	+/-6,434	3.5%
Population 18 to 34 years	1,534,572	+/-3,388	33,258	+/-2,672	2.2%
Population 35 to 64 years	2,457,502	+/-3,996	105,720	+/-5,575	4.3%
Population 65 years and over	1,107,887	+/-1,814	149,268	+/-5,622	13.5%
Population 65 to 74 years	648,048	+/-2,175	42,992	+/-2,938	6.6%
Population 75 years and over	459,839	+/-1,899	106,276	+/-4,872	23.1%

Subject	Arizona
	Percent with a disability Margin of Error
Total civilian noninstitutionalized population	+/-0.2
<b>SEX</b>	
Male	+/-0.3
Female	+/-0.3
<b>RACE AND HISPANIC OR LATINO ORIGIN</b>	
White alone	+/-0.3
Black or African American alone	+/-1.0
American Indian and Alaska Native alone	+/-0.8
Asian alone	+/-0.9
Native Hawaiian and Other Pacific Islander alone	+/-3.6
Some other race alone	+/-0.7
Two or more races	+/-1.1
White alone, not Hispanic or Latino	+/-0.3
Hispanic or Latino (of any race)	+/-0.4
<b>AGE</b>	
Under 5 years	+/-0.3
5 to 17 years	+/-0.4
18 to 34 years	+/-0.3
35 to 64 years	+/-0.4
65 to 74 years	+/-0.8
75 years and over	+/-1.2
<b>DISABILITY TYPE BY DETAILED AGE</b>	
With a hearing difficulty	+/-0.1
Population under 18 years	+/-0.1
Population under 5 years	+/-0.2
Population 5 to 17 years	+/-0.1
Population 18 to 64 years	+/-0.1
Population 18 to 34 years	+/-0.2
Population 35 to 64 years	+/-0.2
Population 65 years and over	+/-0.6
Population 65 to 74 years	+/-0.5
Population 75 years and over	+/-1.2
With a vision difficulty	+/-0.1
Population under 18 years	+/-0.1
Population under 5 years	+/-0.2
Population 5 to 17 years	+/-0.2
Population 18 to 64 years	+/-0.1
Population 18 to 34 years	+/-0.1
Population 35 to 64 years	+/-0.2
Population 65 years and over	+/-0.4
Population 65 to 74 years	+/-0.4
Population 75 years and over	+/-0.7
With a cognitive difficulty	+/-0.2
Population under 18 years	+/-0.3
Population 18 to 64 years	+/-0.2
Population 18 to 34 years	+/-0.2
Population 35 to 64 years	+/-0.2
Population 65 years and over	+/-0.4
Population 65 to 74 years	+/-0.4
Population 75 years and over	+/-0.9
With an ambulatory difficulty	+/-0.2
Population under 18 years	+/-0.1
Population 18 to 64 years	+/-0.2
Population 18 to 34 years	+/-0.2

Subject	Arizona
	Percent with a disability
	Margin of Error
Population 35 to 64 years	+/-0.3
Population 65 years and over	+/-0.6
Population 65 to 74 years	+/-0.7
Population 75 years and over	+/-1.0
With a self-care difficulty	+/-0.1
Population under 18 years	+/-0.2
Population 18 to 64 years	+/-0.1
Population 18 to 34 years	+/-0.1
Population 35 to 64 years	+/-0.2
Population 65 years and over	+/-0.4
Population 65 to 74 years	+/-0.4
Population 75 years and over	+/-0.8
With an independent living difficulty	+/-0.2
Population 18 to 64 years	+/-0.2
Population 18 to 34 years	+/-0.2
Population 35 to 64 years	+/-0.2
Population 65 years and over	+/-0.5
Population 65 to 74 years	+/-0.5
Population 75 years and over	+/-1.1

Data are based on a sample and are subject to sampling variability. The degree of uncertainty for an estimate arising from sampling variability is represented through the use of a margin of error. The value shown here is the 90 percent margin of error. The margin of error can be interpreted roughly as providing a 90 percent probability that the interval defined by the estimate minus the margin of error and the estimate plus the margin of error (the lower and upper confidence bounds) contains the true value. In addition to sampling variability, the ACS estimates are subject to nonsampling error (for a discussion of nonsampling variability, see Accuracy of the Data). The effect of nonsampling error is not represented in these tables.

The Census Bureau introduced a new set of disability questions in the 2008 ACS questionnaire. Accordingly, comparisons of disability data from 2008 or later with data from prior years are not recommended. For more information on these questions and their evaluation in the 2006 ACS Content Test, see the Evaluation Report Covering Disability.

While the 2015 American Community Survey (ACS) data generally reflect the February 2013 Office of Management and Budget (OMB) definitions of metropolitan and micropolitan statistical areas; in certain instances the names, codes, and boundaries of the principal cities shown in ACS tables may differ from the OMB definitions due to differences in the effective dates of the geographic entities.

Estimates of urban and rural population, housing units, and characteristics reflect boundaries of urban areas defined based on Census 2010 data. As a result, data for urban and rural areas from the ACS do not necessarily reflect the results of ongoing urbanization.

Source: U.S. Census Bureau, 2015 American Community Survey 1-Year Estimates

Explanation of Symbols:

1. An '\*\*' entry in the margin of error column indicates that either no sample observations or too few sample observations were available to compute a standard error and thus the margin of error. A statistical test is not appropriate.
2. An '-' entry in the estimate column indicates that either no sample observations or too few sample observations were available to compute an estimate, or a ratio of medians cannot be calculated because one or both of the median estimates falls in the lowest interval or upper interval of an open-ended distribution.
3. An '-' following a median estimate means the median falls in the lowest interval of an open-ended distribution.
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6. An '\*\*\*\*\*' entry in the margin of error column indicates that the estimate is controlled. A statistical test for sampling variability is not appropriate.
7. An 'N' entry in the estimate and margin of error columns indicates that data for this geographic area cannot be displayed because the number of sample cases is too small.
8. An '(X)' means that the estimate is not applicable or not available.



Supporting documentation on code lists, subject definitions, data accuracy, and statistical testing can be found on the American Community Survey website in the Data and Documentation section.

Sample size and data quality measures (including coverage rates, allocation rates, and response rates) can be found on the American Community Survey website in the Methodology section.

Although the American Community Survey (ACS) produces population, demographic and housing unit estimates, it is the Census Bureau's Population Estimates Program that produces and disseminates the official estimates of the population for the nation, states, counties, cities and towns and estimates of housing units for states and counties.

Subject	Arizona					
	Total		Percent		Percent of specified language speakers	
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
Population 5 years and over	6,398,205	+/-1,329	(X)	(X)	5,826,575	+/-14,459
Speak only English	4,665,381	+/-19,982	72.9%	+/-0.3	(X)	(X)
Speak a language other than English	1,732,824	+/-19,913	27.1%	+/-0.3	1,161,194	+/-18,965
<b>SPEAK A LANGUAGE OTHER THAN ENGLISH</b>						
Spanish	1,317,026	+/-16,421	20.6%	+/-0.3	877,321	+/-15,340
5 to 17 years old	289,614	+/-8,606	4.5%	+/-0.1	245,435	+/-8,177
18 to 64 years old	909,564	+/-12,753	14.2%	+/-0.2	571,250	+/-13,488
65 years old and over	117,848	+/-3,180	1.8%	+/-0.1	60,636	+/-3,276
Other Indo-European languages	126,700	+/-8,190	2.0%	+/-0.1	95,483	+/-6,736
5 to 17 years old	13,194	+/-2,941	0.2%	+/-0.1	11,171	+/-2,442
18 to 64 years old	81,695	+/-6,282	1.3%	+/-0.1	63,102	+/-5,142
65 years old and over	31,811	+/-3,323	0.5%	+/-0.1	21,210	+/-2,794
Asian and Pacific Island languages	132,771	+/-7,327	2.1%	+/-0.1	77,081	+/-5,573
5 to 17 years old	15,507	+/-2,327	0.2%	+/-0.1	11,813	+/-2,018
18 to 64 years old	100,639	+/-5,452	1.6%	+/-0.1	60,236	+/-4,263
65 years old and over	16,625	+/-1,689	0.3%	+/-0.1	5,032	+/-1,269

Subject	Arizona					
	Total		Percent		Percent of specified language speakers	
					Speak English only or speak English "very well"	
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
Other languages	156,327	+/-7,862	2.4%	+/-0.1	111,309	+/-6,245
5 to 17 years old	22,694	+/-3,290	0.4%	+/-0.1	18,620	+/-2,905
18 to 64 years old	112,013	+/-5,113	1.8%	+/-0.1	83,380	+/-4,158
65 years old and over	21,620	+/-1,366	0.3%	+/-0.1	9,309	+/-1,020
CITIZENS 18 YEARS AND OVER						
All citizens 18 years old and over	4,710,448	+/-14,258	(X)	(X)	4,490,927	+/-15,043
Speak only English	3,759,308	+/-16,570	79.8%	+/-0.3	(X)	(X)
Speak a language other than English	951,140	+/-16,354	20.2%	+/-0.3	731,619	+/-15,290
Spanish	676,581	+/-13,640	14.4%	+/-0.3	536,146	+/-12,541
Other languages	274,559	+/-8,384	5.8%	+/-0.2	195,473	+/-7,688

Subject	Arizona					
	Percent of specified language speakers					
	Percent speak English only or speak English "very well"		Speak English less than "very well"		Percent speak English less than "very well"	
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
Population 5 years and over	91.1%	+/-0.2	571,630	+/-14,481	8.9%	+/-0.2
Speak only English	(X)	(X)	(X)	(X)	(X)	(X)
Speak a language other than English	67.0%	+/-0.8	571,630	+/-14,481	33.0%	+/-0.8
<b>SPEAK A LANGUAGE OTHER THAN ENGLISH</b>						
Spanish	66.6%	+/-0.8	439,705	+/-12,145	33.4%	+/-0.8
5 to 17 years old	84.7%	+/-1.2	44,179	+/-3,633	15.3%	+/-1.2
18 to 64 years old	62.8%	+/-1.1	338,314	+/-10,920	37.2%	+/-1.1
65 years old and over	51.5%	+/-2.3	57,212	+/-3,105	48.5%	+/-2.3
Other Indo-European languages	75.4%	+/-2.3	31,217	+/-3,547	24.6%	+/-2.3
5 to 17 years old	84.7%	+/-5.2	2,023	+/-899	15.3%	+/-5.2
18 to 64 years old	77.2%	+/-2.9	18,593	+/-2,922	22.8%	+/-2.9
65 years old and over	66.7%	+/-4.7	10,601	+/-1,764	33.3%	+/-4.7
Asian and Pacific Island languages	58.1%	+/-2.9	55,690	+/-5,153	41.9%	+/-2.9
5 to 17 years old	76.2%	+/-6.3	3,694	+/-1,132	23.8%	+/-6.3
18 to 64 years old	59.9%	+/-3.0	40,403	+/-3,843	40.1%	+/-3.0
65 years old and over	30.3%	+/-6.7	11,593	+/-1,514	69.7%	+/-6.7
Other languages	71.2%	+/-2.2	45,018	+/-4,335	28.8%	+/-2.2
5 to 17 years old	82.0%	+/-6.4	4,074	+/-1,637	18.0%	+/-6.4
18 to 64 years old	74.4%	+/-2.2	28,633	+/-3,040	25.6%	+/-2.2
65 years old and over	43.1%	+/-4.5	12,311	+/-1,376	56.9%	+/-4.5
<b>CITIZENS 18 YEARS AND OVER</b>						
All citizens 18 years old and over	95.3%	+/-0.2	219,521	+/-8,227	4.7%	+/-0.2
Speak only English	(X)	(X)	(X)	(X)	(X)	(X)
Speak a language other than English	76.9%	+/-0.8	219,521	+/-8,227	23.1%	+/-0.8
Spanish	79.2%	+/-0.9	140,435	+/-6,545	20.8%	+/-0.9
Other languages	71.2%	+/-1.5	79,086	+/-4,319	28.8%	+/-1.5

Data are based on a sample and are subject to sampling variability. The degree of uncertainty for an estimate arising from sampling variability is represented through the use of a margin of error. The value shown here is the 90 percent margin of error. The margin of error can be interpreted roughly as providing a 90 percent probability that the interval defined by the estimate minus the margin of error and the estimate plus the margin of error (the lower and upper confidence bounds) contains the true value. In addition to sampling variability, the ACS estimates are subject to nonsampling error (for a discussion of nonsampling variability, see Accuracy of the Data). The effect of nonsampling error is not represented in these tables.

Due to methodological changes to data collection that began in data year 2013, comparisons of language estimates from that point to estimates from 2013 forward should be made with caution. For more information, see: Language User Note.

While the 2015 American Community Survey (ACS) data generally reflect the February 2013 Office of Management and Budget (OMB) definitions of metropolitan and micropolitan statistical areas; in certain instances the names, codes, and boundaries of the principal cities shown in ACS tables may differ from the OMB definitions due to differences in the effective dates of the geographic entities.

Estimates of urban and rural population, housing units, and characteristics reflect boundaries of urban areas defined based on Census 2010 data. As a result, data for urban and rural areas from the ACS do not necessarily reflect the results of ongoing urbanization.

Source: U.S. Census Bureau, 2015 American Community Survey 1-Year Estimates

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