Maricopa County Air Quality Department

Nondiscrimination Program

Nondiscrimination Program

June 2022
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Section 1: Introduction

The Maricopa County Air Quality Department (MCAQD) is a recipient of federal assistance from the U.S. Environmental Protection Agency (EPA) and the Department of Homeland Security (DHS). As such, MCAQD is required to comply with federal nondiscrimination laws.

As part of complying with federal nondiscrimination laws, MCAQD has established a Nondiscrimination Program.

This document describes MCAQD’s Nondiscrimination Program.

Section 2: Background

2.1 Maricopa County

Maricopa County was established as a county on February 14, 1871 by the Legislative Assembly of the Territory of Arizona from parts of Yavapai and Pima Counties. The County’s current geographical boundaries were set in 1881 and have not changed since.

The history of the county was mostly marked by rapid population increase, driven initially by the mining, agriculture and livestock industries. Arizona achieved Statehood February 14, 1912, providing greater integration of Arizona into the national infrastructure and further incentives to settle in Maricopa County. Then, as now, Maricopa County was the most populated area within Arizona. Many of the significant population in-migrations in recent times have been spurred on by the low cost of living, economic growth, climate and easy access to other major metropolitan areas. As the population grew, so did the diversity of the economy and the population, as well as the reasons for further migration to the area. The climate, strong economy, educational opportunities, and beautiful desert environment are just a few of the reasons why Maricopa County continues to have one of the fastest growing populations in the United States.

Maricopa County is the nation’s fourth largest county in terms of population and has a population greater than 21 states. Twenty-five cities and towns are located in Maricopa County. Its largest city, Phoenix, is the County seat and State capital. Measuring 137 miles east to west and 102 miles north to south, Maricopa County covers 9,225 square miles, making it the 14th largest county in land area in the continental United States, and larger than seven states. With more than nine-thousand square miles it is larger than Connecticut, Delaware and Rhode Island combined. Individuals and corporations make up 30% of total land ownership, with the remainder publicly owned. The County is administered by a County Manager who reports to the five member Board of Supervisors elected by the public.

2.2 Maricopa County Air Quality Department (MCAQD)

MCAQD is a regulatory agency whose goal is to ensure federal clean air standards are achieved and maintained for the residents and visitors of Maricopa County. MCAQD is governed by the Maricopa County Board of Supervisors and follows air quality standards set forth by the federal Clean Air Act.

MCAQD has State of Arizona statutory authority (A.R.S. § 49-402(B)) for air quality programs and receives direct delegation/authority from the EPA for certain air quality programs. In addition, MCAQD has responsibility, through formal agreements with the Arizona Department of Environmental Quality (ADEQ) and the Maricopa Association of Governments (MAG), for
emission inventories, air quality monitoring data, the Diesel Emissions Reduction Act (DERA) Program, and the Travel Reduction Program.

MCAQD is organized into five divisions:

Air Monitoring operates the county’s fixed station monitoring network, which measures compliance with standards and collects data in response to air quality emergencies.

Compliance and Enforcement performs site inspections, trains the regulated community on how to comply with regulations, and issues enforcement actions.

Permitting authorizes construction and operation of equipment that emits or controls emissions of air pollutants.

Planning and Analysis drafts air pollution control rules and ordinances and implementation plans, conducts emission inventories, and performs scientific analysis in support of MCAQD operations.

Travel Reduction Program and Outreach works with employers and schools to reduce single occupancy vehicle trips, which reduces air pollution caused by vehicles, and provides air quality information and technical assistance to businesses, trade associations, public interest groups, and individual community members, including programs such as the lawn and garden equipment and fireplace retrofit programs.

2.3 Federal Nondiscrimination Laws

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.”

Nondiscrimination prohibitions have been further 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.

Section 3: MCAQD’s Nondiscrimination Program

3.1 Overview

In order to provide services that are responsive to the needs and priorities of Maricopa County’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 MCAQD Nondiscrimination Program is to ensure all people have a meaningful role in processes associated with the delivery of MCAQD services. This Nondiscrimination Program includes methods of administration and analysis that supports equity in all air quality programs.

Based in part on federal guidance, the components of the MCAQD Nondiscrimination Program include:

- A notice of nondiscrimination under the federal nondiscrimination laws;
- Grievance procedures for complaints filed under the federal nondiscrimination laws;
- Identification of an MCAQD Nondiscrimination Program Coordinator and his/her role;
- MCAQD’s substantive policy statement SPS-2018-007-Nondiscrimination Program Policy; Grievance Procedures
- An assessment of MCAQD’s obligation to provide access to Limited English Proficiency (LEP) and disabled persons; and
- Public participation procedures.

3.2 Notice of Nondiscrimination

MCAQD’s Notice of Nondiscrimination (Attachment A) is prominently and permanently posted in MCAQD’s main office and on the MCAQD website. Notice is provided in both English and Spanish and describes the procedures to file a complaint and how to contact the MCAQD Nondiscrimination Program Coordinator for assistance.

3.3 Grievance Procedures

MCAQD’s Grievance Procedures (Attachment B) are posted on MCAQD’s website and explain the process by which any person may file a complaint. 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, MCAQD’s Nondiscrimination Program Coordinator contact information is provided.

3.4 Nondiscrimination Program Coordinator

MCAQD’s Nondiscrimination Program Coordinator ensures MCAQD’s compliance with federal nondiscrimination laws and:

- Ensures information regarding MCAQD’s Nondiscrimination Program is internally and externally available;
- Maintains public notice of, and procedures for receipt and processing of complaints;
- Tracks and reviews complaints received;
- Trains MCAQD staff on MCAQD’s Nondiscrimination Program and procedures;
- Provides written updates to complainants on the progress of investigations; and
- Periodically reviews the efficacy of MCAQD’s Nondiscrimination Program.
3.5 SPS-2018-007-Nondiscrimination Program Policy; Grievance Procedures

SPS-2018-007 establishes a framework for taking reasonable measures to ensure access to all services provided by MCAQD for all Maricopa County citizens and establishes procedures whereby MCAQD will receive and investigate allegations of discrimination.

SPS-2018-007 can be downloaded from MCAQD’s website maricopa.gov/2585/Substantive-Policy-Statements under the ‘Additional Policies’.

3.6 Assessment of MCAQD’s Obligation to Provide Access to Limited English Proficiency (LEP) and Disabled Persons

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, the EPA and DHS have each 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 must also provide for meaningful access to 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 Maricopa County.

3.6.1 Maricopa County Population Demographics: Limited English Proficiency; Disability

Data regarding the total Maricopa County populations and distribution of LEP and disabled persons was drawn from the 2010-2014 American Community Survey (ACS):

<table>
<thead>
<tr>
<th>Category</th>
<th>Total</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Population in Maricopa County</td>
<td>3,947,382</td>
<td></td>
</tr>
<tr>
<td>Total Maricopa County Households</td>
<td>1,424,244</td>
<td></td>
</tr>
<tr>
<td><strong>Disabled Population</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Population with a Disability¹</td>
<td>399,455</td>
<td>10.2%</td>
</tr>
</tbody>
</table>

¹ Disability status from 2014 ACS 5-year estimate (Table S1810). Disability status is determined for the civilian noninstitutionalized population based on six types of difficulty: hearing, vision, cognitive, ambulatory, self-care, and independent living difficulty. Percentages are defined by Total civilian noninstitutionalized population of 3,918,121.
<table>
<thead>
<tr>
<th><strong>Category</strong></th>
<th><strong>Total</strong></th>
<th><strong>Percent</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Limited English Speaking Households&lt;sup&gt;2&lt;/sup&gt;</td>
<td>69,189</td>
<td>4.9%</td>
</tr>
<tr>
<td>Languages:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Spanish</td>
<td>53,359</td>
<td>77.1%</td>
</tr>
<tr>
<td>Other Indo-European Languages</td>
<td>4,708</td>
<td>6.8%</td>
</tr>
<tr>
<td>Asian and Pacific Island Languages</td>
<td>7,829</td>
<td>11.4%</td>
</tr>
<tr>
<td>Other Languages</td>
<td>3,230</td>
<td>4.7%</td>
</tr>
<tr>
<td><strong>Total:</strong></td>
<td>69,189</td>
<td>100%</td>
</tr>
<tr>
<td>Population speaking English less than “Very Well”&lt;sup&gt;3&lt;/sup&gt;</td>
<td>357,466</td>
<td>9.7%</td>
</tr>
</tbody>
</table>

3.6.2 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: 9.7% of Maricopa County’s population speaks English less than “very well.” Further, 4.9% (69,189) of Maricopa County households are limited English speaking. Of those 69,189 households, a significant majority (77.1%) speak Spanish. The geographic distribution of households with Limited English Speaking Ability is shown in Attachment D(1).

2. The frequency with which LEP individuals come in contact with the program: MCAQD issues permits to facilities and administers programs county-wide; therefore, LEP persons are a significant percentage of the individuals who come into contact with MCAQD.

3. The nature and importance of the program, activity or service provided by the program to people’s lives: The air permitting programs MCAQD administers are directly impactful to protecting the health and welfare of all its citizens.

4. The resources available to the recipient and costs.

MCAQD 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 Maricopa County, MCAQD’s efforts primarily focus on ensuring key materials and services are available in both English and Spanish.

3.6.3 Disabled Persons

10.2% of Maricopa County’s population is disabled to some degree. The geographic distribution of Civilian Non-Institutionalized Population Proportions with a Disability is shown in Attachment D(2).

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<sup>2</sup> A “Limited English speaking household” is one in which no member 14 years old and over (1) speaks only English at home or (2) speaks a language other than English at home and speaks English less than “Very well.” Data are from 2014 ACS 5-Year estimate (Table B16002).

<sup>3</sup>Total population, above 5-years in age, in the Census defined area for whom language spoken estimates were determined is 3,672,140. Data are from 2014 ACS 5-year estimates (Table B16004).
3.7 Public Participation Procedures

Although the vast majority of public involvement opportunities at MCAQD arise during the processing of Title V and Non-Title V air quality permits, public notice and participation is an important element of all MCAQD activities.

In order for public involvement to be meaningful, it requires informing, consulting and working with as many members of potentially affected communities as possible at various stages of the decision-making process in order to understand and address concerns. MCAQD strives to provide for meaningful public involvement in all of its activities, no matter the location of the activity in the county or the community potentially impacted.

MCAQD’s public participation is designed and implemented depending upon the known or anticipated level of interest and potential community impact of MCAQD’s decisions. The following factors are considered, as appropriate:

• Community demographics and history
• Past and present community concerns
• Need for language assistance services for LEP persons
• Access to media sources (considering community culture and linguistic needs)
• Need for and location of public meetings
• Location of the information repository
• Identification of MCAQD’s expert(s) and their contact information

3.7.1 Public Participation Required by MCAQD’s Rules

Under MCAQD’s Rule 210 (Title V Permit Provisions) and Rule 220 (Non-Title V Permit Provisions), public notice, opportunity for public comment, and, for Title V Permits, notice of the opportunity for a hearing is required before taking any of the following actions:

• Issuing, denying or renewing a permit;
• Issuing or denying a significant permit revision;
• Revoking and reissuing or reopening a permit;
• Issuing a conditional order or permit; and
• Granting a variance from a general permit.

Notice of permit or permit revisions must be published in newspapers of general circulation in Maricopa County and must include:

• Name and address of the affected facility;
• Activity(ies) involved in the permit action;
• Instructions on how and by when comments are to be submitted;
• Locations where copies of the document subject to MCAQD’s decision may be obtained;
• For Title V permits, the emissions change involved and the air contaminants to be emitted;
• A statement if the permit or permit revision would result in the generation of emission reduction credits or the utilization of emission reduction credits;
• MCAQD’s preliminary determination of whether the application for a permit or permit revision should be approved or disapproved; and
• At least 30 days to submit comments.

3.7.2 Public Participation: LEP and Disabled Persons

In addition to those public involvement requirements described in rule, MCAQD supplements and strengthens public involvement processes to ensure access to all people and that accommodation is available to facilitate participation by LEP and disabled persons.

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

Further, as 77.1% of LEP households in Maricopa County are proficient in Spanish, significant resources are directed at ensuring the availability of key materials and services in both English and Spanish including:

• Compliance and Enforcement brochures and flyers
• Dust control training courses offered in Spanish online and in person
• MCAQD 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
  ○ Complaint line directions in Spanish
  ○ No burn line info and emergency line information in Spanish
• Communications Office staff who respond to Spanish media calls
• CleanAirMakeMore.com/Español Spanish website
• No Burn Campaign materials offered in Spanish:
  ○ TV Public Service Announcements
  ○ Radio advertisements
  ○ Frequently asked questions
  ○ Resident door hangers
  ○ Newspaper articles and press releases

MCAQD is also able to accommodate the needs of LEP persons through specialty contracts for translation services.
The development and distribution of public notices and planning for public meetings or hearings regarding MCAQD’s actions will consider the LEP and disabled population density in the area most impacted by MCAQD’s action or program. Staff engaged in developing public notices and planning of public meetings will consult the following data sources regarding the geographic distribution of LEP and disabled populations within Maricopa County:

- Household Proportions with Limited English-Speaking Ability (Attachment D(1))
- Civilian Non-Institutionalized Population Proportions with a Disability (Attachment D(2))

Further, MCAQD’s public notices include the following text:

“MCAQD 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: [MCAQD Contact Information]”

“MCAQD tomará las medidas necesarias para brindar acceso a los servicios del departamento a personas que no dominan el idioma inglés y/o personas con discapacidades. Las solicitudes de servicios de interpretación de otro idioma o adaptaciones para discapacitados deben realizarse con al menos 48 horas de anticipación comunicándose con: [Departamento de Información de Contacto]”
Section 4: Attachments

4.1 Attachment A Notice of Nondiscrimination

NOTICE TO THE PUBLIC
AVISO AL PÚBLICO
Air Quality Department Nondiscrimination Program
Programa de No Discriminación del Departamento de Calidad de Aire

Maricopa County Air Quality Department (MCAQD) hereby gives public notice that it is agency policy to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987 and related statutes and regulations in all programs and activities. These statutes and regulations require that no person shall, on the grounds of race, color, sex, national origin, age or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program for which MCAQD receives federal financial assistance.

Any person who believes they have been discriminated against with respect to a MCAQD program or activity may file a complaint. Any such complaint must be in writing and filed with the MCAQD Nondiscrimination Program Coordinator within one-hundred-eighty (180) days following the date of the alleged discriminatory occurrence. Complaint Forms may be obtained from MCAQD by contacting:

Johanna M. Kuspert
MCAQD Nondiscrimination Program Coordinator
Maricopa County Air Quality Department
301 W. Jefferson St., Suite 410, Phoenix, AZ 85003
Johanna.Kuspert@maricopa.gov | 602-506-6710

El Departamento de Calidad de Aire del Condado Maricopa (MCAQD, por sus siglas en inglés) por el presente da un aviso público, que es la política de la Agencia asegurar conformidad total con el Título VI de la Ley de los Derechos Civiles de 1964, la Ley de Restauración de Derechos Civiles de 1987 y las leyes y regulaciones relacionadas en todos los programas y actividades. Estos estatutos y reglamentos requieren que ninguna persona será excluida de participar, negarle beneficios o ser sujeta de discriminación bajo cualquier programa por el que MCAQD recibe ayuda financiera federal, por motivo de raza, color, sexo, país de origen, edad o discapacidad.

Cualquier persona que cree que ha sido discriminada con respecto a un programa o actividad de MCAQD, puede presentar una queja. Esta queja debe ser por escrito y presentada al Gerente del Programa de No Discriminación del MCAQD dentro de los ciento ochenta (180) días de la fecha en que se alega que la discriminación ocurrió. Se puede obtener formularios de reclamación de MCAQD poniéndose en contacto con:

Johanna M. Kuspert
MCAQD Nondiscrimination Program Coordinator
Maricopa County Air Quality Department
301 W. Jefferson St., Suite 410, Phoenix, AZ 85003
Johanna.Kuspert@maricopa.gov | 602-506-6710
4.2 Attachment B: Grievance Procedures

4.2.1 MCAQD Nondiscrimination Program

Title VI of the Civil Rights Act of 1964 establishes the requirements for the MCAQD’s Nondiscrimination Program. Title VI prohibits discrimination on the basis of race, color, or national origin in programs or activities receiving federal financial assistance. Federal statutes and presidential executive orders under the umbrella of Title VI also address minority and low-income populations and services to those individuals with Limited English Proficiency (LEP), women, and the disabled.

4.2.2 What Does This Mean?

MCAQD cannot, on the basis of race, color, or national origin either directly or through contractual means, take any of these actions:

- Deny program services, aids, or benefits
- Provide a different service, aid, or benefit, or provide them in a manner different from what is provided to others
- Segregate or separately treat individuals in any matter related to the receipt of any service, aid, or benefit
- Deny an opportunity to participate as a member of a planning, advisory, or similar body that is an integral part of the program

Any federal financial aid sub-recipient is required to administer its program and activities without regard to race, color, or national origin.

4.2.3 Filing a Complaint

Complaints (in English or Spanish) may be filed by any person who believes she or he has been excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any MCAQD service, program or activity, and believes the discrimination is based upon race, color, or national origin. Complaints may be filed with the MCAQD’s Nondiscrimination Program Coordinator.

A signed, written complaint must be submitted within 180 days of the alleged discriminatory act (or latest occurrence).
4.3 Complaint Forms

Fig. 4-2 English Form

The following information is needed to assist in processing your complaint. Please submit this form and any additional information to:

MCAQD Nondiscrimination Program
ATTN: Johanna M. Kusmert, MCAQD Nondiscrimination Program Coordinator
301 W. Jefferson St., Suite 410, Phoenix, AZ 85003
Phone: 602-506-6710 or Email: johanna.kusmert@maricopa.gov

Complainant’s Information:
Name: ___________________________
Address: ________________________
City: ___________________________ State: __________ Zip: __________
Home Phone Number: ___________ Work Phone Number: __________

Person Discriminated Against (if other than complainant):
Name: __________________________
Address: ________________________
City: ___________________________ State: __________ Zip: __________
Home Phone Number: ___________ Work Phone Number: __________

Which of the following best describes the reason you believe the discrimination took place?
Race/Color (Specify) __________________________ National Origin (Specify) __________________________
Sex (Specify) __________ Age (Specify) __________ Disability (Specify) __________________________

On what date or dates did the alleged discrimination take place? __________________________

Describe the alleged discrimination. Explain what happened and who you believe was responsible.

______________________________________________________________

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

______________________________________________________________

Have you filed this complaint with any other federal, state, or local agency, or with any federal or state court? Check all that apply.
☐ Federal Agency  ☐ Federal Court  ☐ State Agency  ☐ State Court  ☐ Local Agency

Please provide contact information for the agency or court where the complaint was filed.
Name: __________________________
Address: ________________________
City: ___________________________ State: __________ Zip: __________
Home Phone Number: ___________ Extension: __________

Please sign below. You may attach any written materials or other information you think is relevant to your complaint.
Signature: ________________________ Date: __________ Number of Attachments: ________
La siguiente información se necesita para procesar su queja. Someta la forma y cualquier información adicional a:

**MCAQD Nondiscrimination Program**

**ATTN: Johanna M. Knspert, MCAQD Nondiscrimination Program (Coordinator)**

301 W. Jefferson St., Suite 410, Phoenix, AZ 85003

Teléfono: 602-506-6710 Correo Electrónico: Johanna.Knspert@maricopa.gov

**Información de la persona que está poniendo la queja:**

Nombre: ____________________________________________________________

Dirección: __________________________________________________________

Ciudad: __________________________________ Estado: __________ Código Postal: _____

Teléfono (Casa): ___________________________ Teléfono (Trabajo) _______________

**Persona a la que se discriminó (algún que no sea la persona que está poniendo la queja):**

Nombre: ____________________________________________________________

Dirección: __________________________________________________________

Ciudad: __________________________________ Estado: __________ Código Postal: _____

Teléfono (Casa): ___________________________ Teléfono (Trabajo) _______________

¿Qué de las siguientes razones describe por lo que usted siente que se le discrimino?

- Raza (Especifique) __________________________________________
- Nacionalidad (Especifique): __________________________________
- Sexo (Especifique) __________________________________________
- Edad (Especifique): _________________________________________
- Incapacidad (Especifique): _________________________________

¿En qué fecha(s) ocurrió la discriminación?

__________________________________________

Describa la presunta discriminación. Explique qué sucedió y quién cree usted que fue responsable (si necesita más espacio, agregue otra hoja).

Escriba una lista con los nombres de las personas que pueden tener conocimiento de la presunta discriminación y cómo contactarlas:

__________________________________________

¿Ha presentado esta queja con otra agencia federal, estatal o local, o con cualquier corte federal o estatal? Marque todas las que apliquen.

☐ Agencia Federal ☐ Corte Federal ☐ Agencia Estatal ☐ Corte Estatal ☐ Agencia Local

Por favor proporcione información de la agencia o corte donde a presentó su queja.

Nombre: __________________________________________________________

Dirección: _________________________________________________________

Ciudad: __________________________________ Estado: __________ Código Postal: _____

Teléfono: ___________________________ Extension: _______________

Por favor firmé abajo. Puede anexar cualquier material escrito u otra información que usted cree que es relevante sobre su queja.

Firma de la Persona que presenta la queja: ___________________________ Date: __________ Numero de Anexo: ___
4.4 Complaint Procedures

MCAQD does not promote or tolerate discrimination. The MCAQD’s Nondiscrimination Program has been established to ensure all people have a voice in air quality protection and to provide a process through which allegations of discrimination are investigated and resolved.

4.4.1 Complaint Review

If someone believes they have suffered from discrimination under an MCAQD program, they may contact the MCAQD’s Nondiscrimination Program Coordinator to seek informal resolution. If the matter cannot be resolved informally, the following steps will be followed:

• Within 180 days of the alleged discrimination, complainants may submit a written or verbal complaint to the Nondiscrimination Program Coordinator. Complaints must include the complainant’s name, the nature of the complaint, the date of the alleged discrimination, requested action and contact information. Complaint forms are available in Complaint Form English | Spanish.

• The Nondiscrimination Program Coordinator will review the complaint and may solicit additional information from the complainant as needed. If additional information is requested and not received, the case may be closed. The case may also be closed if the complainant no longer wishes to pursue their case.

• A complaint log will be kept by MCAQD containing the name and address of the complainant, nature of the complaint, date of submission and results of the investigation.

• If the complaint is outside the jurisdiction of MCAQD, the complainant will be notified of the name and contact information for the appropriate agency with jurisdiction, if known.

4.4.2 Complaint Processing

If the complaint is within the jurisdiction of MCAQD, or informal resolution was not possible, it will be promptly and impartially investigated. MCAQD’s goal is to address complaints within 60 days of receipt, though the time to carefully investigate complaints may be longer depending on the nature of the complaint and complexity of the issue.

4.4.3 Preliminary Inquiry

MCAQD will conduct a preliminary inquiry to determine the need for further investigation.

• MCAQD will notify the complainant in writing that a preliminary inquiry is underway to determine the need for further investigation.

• If the preliminary inquiry by MCAQD indicates that an investigation is warranted, the complainant will be notified in writing and an interview will be scheduled.

• If the preliminary inquiry indicates an investigation is not warranted, the complainant will be notified in writing of the reasons why and factors considered.

4.4.4 Complaint Investigation

• Complaints warranting further investigation will be promptly and impartially processed by the Nondiscrimination Program Coordinator. The preponderance of evidence standard will be applied to all complaint investigations. The results of the investigation will be provided to the MCAQD Deputy Director for review.
• The complainant will be notified in writing of the results of the investigation and what actions will be/have been taken in response and a timeline to request review.
• Records and investigative files will be kept for a minimum of three years.

4.4.5 Intimidation and Retaliation Prohibited

MCAQD will not tolerate intimidation, threats, coercion, or discrimination against any individual or group, either:

• For the purpose of interfering with any right or privilege guaranteed under law or regulations, or
• 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 MCAQD action or decision.

For questions, please contact us:

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4.5 Maricopa County Population Data

4.5.1 Household Proportions with Limited English-Speaking Ability
4.5.2 Civilian Non-Institutionalized Population Proportions with a Disability