



OFFICE OF CIVIL RIGHTS AND ADJUDICATION

WASHINGTON, D.C. 20460

April 30, 2026

Walter Rabon, Commissioner
Jeff Cowan, Director
Georgia Department of Natural Resources
2 Martin Luther King Jr. Drive, SE
Suite 1252, East Tower
Atlanta, GA 30334
via email: Walter.Rabon@dnr.ga.gov
Jeff.Cowan@dnr.ga.gov

RE: Rejection of EPA Complaint No. 06-26-R4

Dear Commissioner Rabon and Director Cowan:

As you are aware, the U.S. Environmental Protection Agency (EPA), Office of Civil Rights and Adjudication (OCRA), External Civil Rights Division (ECRD) received the above-referenced complaint against Georgia Department of Natural Resources (DNR), Environmental Protection Division (EPD).

The complaint raises allegations of discrimination by DNR on the basis of race by allegedly failing to promptly address an ongoing diesel fuel spill on property owned by Dublin Construction Company (Dublin Construction Co.) and leased to Dublin City School District for school buses. According to the complaint, the diesel fuel spill resulted in the injury of Black bus lot employees due to the delayed and inadequate cleanup of the spill.¹

This letter serves to notify you that ECRD is rejecting the complaint.

Pursuant to EPA's nondiscrimination regulation, ECRD must conduct a preliminary jurisdictional review of administrative complaints to determine whether to accept, reject, or refer it to an appropriate federal agency. *See* 40 C.F.R. § 7.120(d)(1). To be accepted for investigation, a complaint must meet the jurisdictional requirements described in EPA's nondiscrimination regulation.

¹ On page 3 of the complaint, Complainant alleges that the Black and White employees were affected by the diesel fuel spill. On page 5 of the complaint, Complainant alleges that he and the Black employees were disproportionately affected by the injuries due to the diesel fuel spill.

First, the complainant must submit a complaint in writing. *See* 40 C.F.R. § 7.120(b)(1). Second, the entity that the complainant identifies as allegedly engaging in discrimination must be an applicant for, or recipient of, EPA financial assistance. *See* 40 C.F.R. § 7.15.

Third, the complainant must describe an alleged discriminatory act that, if true, may violate EPA's nondiscrimination regulation. *See* 40 C.F.R. § 7.120(b)(1). An alleged discriminatory act is one based on race, color, national origin, sex, age, or disability. Fourth, a complainant must file the complaint within 180 days of the alleged discriminatory act. *See* 7.120(b)(2).

In general, ECRD will accept, reject, or refer a complaint after considering jurisdictional factors discussed above. However, if ECRD obtains information leading ECRD to conclude that an investigation is unjustified for prudential reasons, ECRD may reject the complaint.

After careful consideration, ECRD must reject EPA Complaint No. 06-26-R4. Although DNR is a recipient of EPA financial assistance, the complaint did not identify an act of discrimination that occurred within 180 days of the filing of the complaint with ECRD. Specifically, according to the Complainant, employees who were allegedly impacted by the diesel fuel spill were moved to a different bus lot in Quarter 1 of 2025, which would make the filing of the complaint on January 5, 2026, beyond the 180-day jurisdictional timeline.

Additionally, ECRD must reject this complaint for prudential reasons. The Complainant provided evidence that after filing a complaint with DNR, a DNR investigator immediately investigated the Complainant's allegations and required Dublin Construction Co. to clean up the diesel fuel spill.² Within five days, DNR obtained evidence that Dublin Construction Co. remedied the spill and DNR determined that the concern was resolved. Thus, the allegations raised in EPA Complaint No. 06-24-R4 are moot.

Finally, EPA's nondiscrimination regulation prohibits applicants, recipients, and other persons from intimidating, threatening, coercing, or engaging in other discriminatory conduct against anyone because they have acted or participated in an action to secure rights protected by the civil rights requirements EPA enforces. *See* 40 C.F.R. § 7.100. Any individual that opines a recipient has engaged in such misconduct can file a complaint with EPA.

If you have any questions, please contact Case Manager Trameka Caldwell by email at Caldwell.Trameka@epa.gov.

² Throughout the complaint, Complainant erroneously referred to the Georgia DNR investigator as the EPA investigator. After reviewing the referenced Georgia DNR complaint and confirming the name of the investigator, ECRD determined that the Complainant was referring to Georgia DNR and not EPA.

Sincerely,

A handwritten signature in black ink that reads "Juan Carlos Hunt". The signature is written in a cursive style and is enclosed within a thin black rectangular border.

JuanCarlos M. Hunt, Director

U.S. EPA, Office of Civil Rights and Adjudication

cc: Kristy Eubanks, Deputy Regional Administrator/Deputy Civil Rights Official
Suzanne Rubini, Regional Counsel
U.S. EPA, Region 4