



## OFFICE OF CIVIL RIGHTS AND ADJUDICATION

WASHINGTON, D.C. 20460

June 23, 2026

Katherine M. Butler, MPH, Director  
California Department of Toxic Substances Control  
1001 I Street  
Sacramento, CA 95814  
via email: [Katherine.Butler@dtsc.ca.gov](mailto:Katherine.Butler@dtsc.ca.gov)

**RE: Rejection of EPA Complaint No. 31-26-R9**

Dear Director Butler:

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 the California Department of Toxic Substances Control (DTSC). The complaint alleges DTSC has continually failed to adequately enforce environmental laws and permits, failed to prevent or stop ongoing toxic releases, and failed to provide timely, effective intervention despite widespread complaints, particularly regarding the Chiquita Canyon Landfill. The complainant alleges these actions have occurred against disproportionately vulnerable communities based on race and national origin.<sup>1</sup>

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.

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

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<sup>1</sup> Complaint alleged that income and political affiliation are part of the disproportionately vulnerable communities, however, were not considered in this analysis as EPA's implementing authority does not cover them.

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).

After careful consideration, ECRD must reject this complaint because it did not identify an act of discrimination that occurred within 180 days of the filing of the complaint with ECRD.

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 believes a recipient has engaged in such misconduct can file a complaint with EPA.

If you have any questions, please contact Case Manager Al Sweeney by phone at (202) 564-7949 or email at [sweeney.alfred@epa.gov](mailto:sweeney.alfred@epa.gov).

Sincerely,

A handwritten signature in black ink that reads "Juan Carlos Hunt". The signature is written in a cursive, flowing style.

JuanCarlos M. Hunt, Director

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

cc: Cheree Peterson, Deputy Regional Administrator/Deputy Civil Rights Official  
Suzanne Andrews, Regional Counsel  
U.S. EPA, Region 9