



OFFICE OF CIVIL RIGHTS AND ADJUDICATION

WASHINGTON, D.C. 20460

September 3, 2026

David Salyers, Commissioner
Tennessee Department of Environment and Conservation
Davy Crockett Tower
500 James Robertson Parkway
Nashville, TN 37243
via email: David.Salyers@tn.gov

Re: Rejection of EPA Complaint No. 27-26-R4

Dear Commissioner Salyers:

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 Tennessee Department of Environment and Conservation, Division of Radiological Health (TDEC-DRH). The complaint raises allegations of discrimination by TDEC-DRH on the basis of disability by failing to provide meaningful access and effective communication, including:

- Providing inaccessible notifications or direct communication to medically vulnerable and disabled residents regarding airborne uranium release limits and potential water contamination risks;
- Using highly technical terminology without accompanying plain-language explanations or accessible formats, which may limit understanding by individuals with cognitive and sensory impairments; and
- Failing to provide publicly available analyses addressing whether uranium-related risks disproportionately affect residents with disabilities or pre-existing medical conditions.

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) and 7.100. An alleged discriminatory act is one based on race, color, national origin, sex, age, disability, or engaging in or opposing protected activity. 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 fails to identify discriminatory acts that have occurred within 180 days of filing with ECRD. Specifically, Allegation 1 (inaccessible notifications or direct communication) and Allegation 2 (highly technical terminology) occurred more than 180 days before the filing of the complaint with ECRD. As to Allegation 3 (publicly available analyses), the complaint does not provide sufficient information regarding the date of an alleged discriminatory act, and thus timeliness cannot be determined. Accordingly, ECRD is closing the complaint as of the date of this letter.

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 Trinita Mason by email at mason.trinita@epa.gov or by phone at 202-564-9652.

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