

**To the United States Environmental Protection Agency Office of Civil Rights
and State Attorney General Kamala Harris**

We the undersigned organizations are in solidarity with the residents of the environmentally besieged town of Kettleman City. We urge you to give serious and positive consideration to the administrative civil rights complaints filed on March 19, 2015 against the Department of Toxic Substances Control (DTSC) and the California EPA by El Pueblo Para el Aire y Agua Limpia/People for Clean Air and Water of Kettleman City and Greenaction for Health and Environmental Justice.

The permit process and approval by DTSC and California EPA of the expansion of the Kettleman Hills Hazardous Landfill was fraught with violations of State and Federal civil rights laws, and is a classic and unacceptable case of environmental racism and injustice.

DTSC and Cal EPA acknowledged that an expansion of this polluting facility – the largest hazardous waste landfill in the western United States - would add to the huge environmental burden faced by the community of Kettleman City. They acknowledged that the people of Kettleman City are highly vulnerable and at risk. They acknowledged that the expansion will have a negative effect on air quality and increase diesel truck traffic through the town. Despite these significant impacts that cannot be mitigated, the permit was approved through the improper use of a “Statement of Overriding Consideration.” This action will harm and cause a significant burden on a protected class of people, as Kettleman City is an impoverished, Latino community with many monolingual Spanish-speaking residents.

Adding insult to injury, DTSC and Cal EPA knowingly relied on the racist permit process conducted by Kings County. The County’s EIR process was blatantly discriminatory, systematically denying Latinos and Spanish-speakers the right to meaningful participation. During the EIR hearing, Spanish-speakers were only given half the time to testify as English speakers. When a Spanish-speaking citizen objected and demanded equal time to testify, he was dragged out of the hearing by police. Residents were harassed and intimidated by the large police presence, including with a K-9 unit. Furthermore, not one EIR document was translated into Spanish, despite the fact that many residents of Kettleman City could not read them and thus could not properly participate in the process.

As recipients of state and federal funding, DTSC and Cal EPA are subject to civil rights laws that make it clear that it is a violation to take actions that have discriminatory and disproportionate impacts on Latino and Spanish-speaking peoples.

We therefore call on the US EPA and the State of California to uphold the civil and human rights of the people of Kettleman City, and to fulfill your environmental justice commitments. If civil rights are not protected in this case, then none of our communities can trust that our civil rights will be upheld anywhere.

SIGNATORIES:

Apostolic Faith Center

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California Environmental Justice Coalition

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Del Amo Action Committee

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Environmental Health Coalition

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Muskogee Clean County Coalition

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