

**Department of Toxic Substances Control's Ongoing &  
New Violations of Environmental Justice and of the  
2016 Kettleman City Civil Rights Settlement**

Presentation to DTSC/CalEPA  
and the “Board of Environmental Safety”

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# **DTSC is Guilty of Continued Significant Violations of 2016 Title VI Civil Rights Settlement August 2016:**

The Kettleman City Civil Rights Settlement and State Law/SB 673 REQUIRED DTSC to adopt criteria to consider cumulative impacts in permit decisions by January 1, 2018.

More than SIX YEARS LATER, DTSC has failed to adopt the legally required Cumulative Impact Criteria, in clear violation of State law and the Title VI Civil Rights Settlement with Greenaction and El Pueblo

# **DTSC & CalEPA AGAIN VIOLATE CIVIL RIGHTS WITH FLAWED AND RIGGED “CIVIL RIGHTS ANALYSIS” and a complete lack of transparency**

DTSC hired the law firm of Altshuler Berzon LLP to conduct a supposedly independent civil rights analysis regarding DTSC’s expected permit renewal for the Kettleman Hills Facility – the biggest toxic waste dump in the western US.

The analysis was one-sided, inaccurate, and biased as the law firm never bothered to contact El Pueblo or Greenaction for our perspective on the civil rights compliance issues including ongoing violations of the Title VI Settlement.

A CalEPA whistleblower contacted Greenaction to inform us that there was a serious conflict of interest and scandal as CalEPA’s Deputy Secretary for Law Enforcement and General Counsel Linda Lye was a former partner in the Altshuler Berzon LLP law firm.

This fact should have disqualified the law firm from this DTSC project. The relationship between Ms. Lye and the law firm should have been disclosed, not kept secret.

**WHAT IF ANYTHING WILL THE BOARD OF ENVIRONMENTAL SAFETY DO ABOUT DTSC'S SERIOUS AND ONGOING VIOLATIONS in Kettleman City and dozens of other communities around California?**

It is time for the Board of Environmental Safety to live up to its name, and to stop being complicit in DTSC's ongoing violations of environmental justice, civil rights, human rights, and state law.