



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

EXTERNAL CIVIL RIGHTS COMPLIANCE OFFICE
OFFICE OF GENERAL COUNSEL

October 9, 2018

Return Receipt Requested

Certified Mail #: 7015 3010 0001 1267 0695

In Reply Refer to:

EPA File No. 04R-18-R9

Dan L. Batrack
Chairman, Chief Executive Officer & President
Tetra Tech
3475 East Foothill Boulevard
Pasadena, CA 91107

Re Rejection and Closure of Administrative Complaint

Dear Mr. Batrack:

This letter is to notify you that the U.S. Environmental Protection Agency (EPA), External Civil Rights Compliance Office (ECRCO), received correspondence on September 18, 2018, alleging discrimination based on race in violation of Title VI of the Civil Rights Act of 1964 involving the Tetra Tech (NASDAQ: TTEK). Specifically, the complaint alleges that Tetra Tech discriminated by failing to notify the surrounding community of color of "ongoing exposure to toxins including radioactive substances in the Hunters Point shipyard." After careful consideration ECRCO cannot accept the complaint against Tetra Tech for investigation.

Pursuant to EPA's nondiscrimination regulation, ECRCO conducts a preliminary review of administrative complaints to determine acceptance, rejection, or referral to the 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 the EPA's nondiscrimination regulation. First, the complaint must be in writing. *See* 40 C.F.R. § 7.120(b)(1). Second, it must describe an alleged discriminatory act that, if true, may violate the EPA's nondiscrimination regulation (i.e., an alleged discriminatory act based on race, color, national origin, sex, age, or disability). *Id.* Third, it must be filed within 180 days of the alleged discriminatory act. *See* 40 C.F.R. § 7.120(b)(2). Finally, the complaint must be filed against an applicant for, or recipient of, EPA financial assistance that allegedly committed the discriminatory act. *See* 40 C.F.R. § 7.15.

ECRCO has concluded that it cannot accept the complaint against Tetra Tech for investigation because it does not meet the jurisdictional requirements described in EPA's nondiscrimination

regulation. First, Tetra Tech is not an applicant for, or recipient of, EPA financial assistance. In addition, the complaint states that Tetra Tech is violating the Emergency Planning and Community Right to Know Act of 1986 (EPCRA) as well as Executive Order 12898 (EO 12898). However, ECRCO does not have jurisdiction over EPCRA or EO 12898. As a result, ECRCO cannot accept for investigation any of the claims raised against Tetra Tech in the complaint. Accordingly, ECRCO is closing this case (04R-18-R9) as of the date of this letter.

If you have questions about this letter, please contact Case Manager Ericka Farrell, at (202) 564-0717, via email at farrell.ericka@epa.gov, or by mail at U.S. EPA, Office of General Counsel, Mail Code 2310A, Room 2524, 1200 Pennsylvania Avenue, NW, Washington, DC, 20460-1000

Sincerely,



Lilian S. Dorka
Director
External Civil Rights Compliance Office
Office of General Counsel

cc: Kenneth Redden
Acting Associate General Counsel
Civil Rights & Finance Law Office

Deborah Jordan
Deputy Regional Administrator
Deputy Civil Rights Official
US EPA Region 9