



**OFFICE OF CIVIL RIGHTS**

WASHINGTON, D.C. 20460

October 7, 2025

John Whitmire, Mayor  
City of Houston  
P.O. Box 1652  
Houston, TX 77251  
via email: [mayor@houstontx.gov](mailto:mayor@houstontx.gov)

**Re: Rejection of EPA Complaint No. 03U-24-R6**

Dear Mayor Whitmire:

This letter is to notify you that the U.S. Environmental Protection Agency (EPA), External Civil Rights Division (ECRD), must reject an administrative complaint submitted on April 26, 2024 with EPA's Office of Inspector General (OIG) Hotline. The complaint alleged that pollution from chemical plants, landfills, and concrete plants in the City of Houston, Texas, specifically in zip code 77053, cause an ammonia smell that harms residents' noses and eyes.

OIG determined it did not have jurisdiction over the matter and referred the complaint to ECRD. Having reviewed the complaint, ECRD must reject it because it does not meet the jurisdictional requirements in EPA's regulation at 40 C.F.R Part 7.<sup>1</sup>

Pursuant to EPA's nondiscrimination regulation, ECRD conducts a jurisdictional review of external civil rights complaints. *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, a complainant must submit a complaint in writing. *See* 40 C.F.R. § 7.120(b)(1). Second, the complainant must describe an alleged discriminatory act that, if true, may violate EPA's nondiscrimination regulation. An alleged discriminatory act is one based on race, color, national origin, sex, age, or disability. *Id.*

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<sup>1</sup> *See* 40 C.F.R. 7.120; *See e.g.*, Case Resolution Manual, Section 1.5, [https://www.epa.gov/system/files/documents/2025-01/case-resolution-manual-update\\_final\\_jan-2025.pdf](https://www.epa.gov/system/files/documents/2025-01/case-resolution-manual-update_final_jan-2025.pdf)

Third, the complainant must file the complaint within 180 days of the alleged discriminatory act. See 40 C.F.R. § 7.120(b)(2). Fourth, 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.

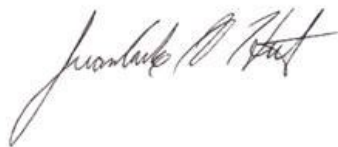
After careful consideration, ECRD must dismiss the complaint because Complaint has not alleged discrimination in writing. ECRD is limited to making a jurisdictional determination on Complainant's written complaint. Here, Complainant filed a written complaint with OIG, not ECRD, and that written complaint did not allege discrimination.<sup>2</sup> Accordingly, ECRD must reject this Complaint.

ECRD's rejection is without prejudice. If Complainant believes an entity has discriminated against Complainant in the last 180 days based on a protected class, Complainant may wish to file a new written complaint alleging as much.

EPA's nondiscrimination regulation prohibits applicants, recipients, and other persons from intimidating, threatening, coercing, or engaging in other discriminatory conduct against an individual because the individual acted or participated in an action to secure rights protected by the civil rights requirements that EPA enforces. See 40 C.F.R. § 7.100. Any individual that opines a recipient has engaged in such misconduct can file a complaint with ECRD.

If you have any questions, please contact Program Analyst Bianca Garcia at [garcia.bianca@epa.gov](mailto:garcia.bianca@epa.gov) and/or Program Analyst Isabel Geisler at [geisler.isabel@epa.gov](mailto:geisler.isabel@epa.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "JuanCarlos M. Hunt".

JuanCarlos M. Hunt, Director  
U.S. EPA, Office of Civil Rights and Adjudication

cc: Stacey Dwyer, Deputy Regional Administrator/Deputy Civil Rights Official  
U.S. EPA Region 6

James Murdock, Acting Regional Counsel  
U.S. EPA Region 6

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<sup>2</sup> 40 C.F.R. § 7.120(b)(1); See *e.g.* Case Resolution Manual, Section 1.6,  
[https://www.epa.gov/system/files/documents/2025-01/case-resolution-manual-update\\_final\\_jan-2025.pdf](https://www.epa.gov/system/files/documents/2025-01/case-resolution-manual-update_final_jan-2025.pdf)