



OFFICE OF CIVIL RIGHTS AND ADJUDICATION

WASHINGTON, D.C. 20460

September 9, 2026

Christopher Nunn, Commissioner
c/o Christy J. Barnes, General Counsel
Georgia Department of Community Affairs
60 Executive Park South, NE
Atlanta, GA 30329
via email: christy.barnes@dca.ga.gov

RE: Rejection of EPA Complaint No. 45-26-R4

Dear Commissioner Nunn:

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 the Georgia Department of Community Affairs (GDCA). The complaint alleges GDCA discriminated against local residents on the basis of socioeconomic status when it concealed its plans to construct a 1,400-acre hyperscale data center (Project Camellia) in the Savannah Gateway Industrial Hub, "misleading the majority low-income community" by cloaking disruptive infrastructure projects as residential planning. The complaint further alleges GDCA discriminated against the economically-vulnerable community on the basis of socioeconomic status when it deviated from standard approval procedures (localized environmental impact assessments, public transparency hearings, and zoning adjustments) for the authorization of a hyperscale data center.

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 is rejecting this complaint because GDCA is not a recipient of financial assistance from EPA. In addition, income is not a covered basis protected by 40 C.F.R. Part 7; therefore, the complaint does not allege a discriminatory act that, if true, violates 40 C.F.R. Parts 5 and 7.

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 Ashley Acosta-Fox by phone at (202) 564-0401 or by email at acostafox.ashley@epa.gov.

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