

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 HAWTHORNE STREET
SAN FRANCISCO, CA 94105

FILED

2014 MAR 23 PM 3:45

In the matter of:) Docket No. TSCA-09-2014-0005 REGION IX
) CONSENT AGREEMENT
Peoria Unified School District) and
) FINAL ORDER PURSUANT TO
) SECTIONS 22.13 AND 22.18
Respondent.)
_____)

I. CONSENT AGREEMENT

Complainant, the Manager of the Air & TRI Section, Enforcement Division, United States Environmental Protection Agency, Region 9, (“EPA”) and Respondent Peoria Unified School District (hereafter “Respondent”) seek to settle this case and consent to the entry of this Consent Agreement and Final Order (“CAFO”).

A. APPLICABLE STATUTES AND REGULATIONS

1. This administrative proceeding is initiated pursuant to Section 207 of the Toxic Substances Control Act, 15 U.S.C. § 2601, et seq. (hereinafter referred to as “TSCA” or the “Act”), and the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, 40 C.F.R. Part 22.

2. This proceeding involves the Asbestos Hazard Emergency Response Act (“AHERA”), also known as Title II of TSCA, and the regulations promulgated thereunder. Section 203(b) of TSCA, 15 U.S.C. § 2643(b), required the Administrator of EPA (“Administrator”) to, among other things, promulgate regulations prescribing procedures for determining whether asbestos-containing material is present in a school building under the authority of a local educational agency (“LEA”). Section 203(g) of TSCA, 15 U.S.C. § 2643(g), required the Administrator to promulgate regulations to, among other things, require periodic reinspection of friable and non-

friable asbestos. Section 203(i) of TSCA, 15 U.S.C. § 2643(i), required the Administrator to, among other things, promulgate regulations requiring each LEA to develop and implement an asbestos management plan (“AMP”) for school buildings under its authority. These regulations are codified at 40 C.F.R. Part 763, Subpart E (the “Subpart E regulations”).

3. Section 763.85(a)(1) of the Subpart E regulations requires school buildings to be inspected by October 12, 1988. Section 763.85(a)(2) of the Subpart E regulations states that any building leased or acquired on or after October 12, 1988, that is to be used as a school building shall be inspected as described under paragraphs (a)(3) and (4) of Section 763.85 prior to use as a school building and that, in the event that emergency use of an uninspected building as a school building is necessary, such buildings shall be inspected within 30 days after commencement of such use. Section 763.85(b) of the Subpart E regulations states that at least once every 3 years after an AMP is in effect, each LEA shall conduct a reinspection of all friable and nonfriable known or assumed asbestos-containing building material (“ACBM”), in each school building that they lease, own, or otherwise use as a school building. Section 763.93(a)(2) of the Subpart E regulations provides that, if a building to be used as part of a school is leased or otherwise acquired after October 12, 1988, the *LEA* shall include the new building in the management plan for the school prior to its use as a school building.

4. Sections 207(a)(1) and (3) of TSCA, 15 U.S.C. §§ 2647(a) (1) and (3), provide that any LEA that fails to conduct an inspection or fails to develop an AMP pursuant to regulations under Section 203(i) of TSCA, 15 U.S.C. § 2643(i), is liable for a civil penalty. Section 207(a) of TSCA, 15 U.S.C. § 2647(a), the Federal Civil Penalties Inflation Adjustment Act of 1990 (as amended by the Debt Collection Improvement Act of 1996), and the subsequent Civil Monetary Penalty Inflation Adjustment Rule, 40 C.F.R. Part 19, authorize a civil penalty, for each day that a violation continues, of (1) not more than \$5,000 for violations on or before January 30, 1997;

(2) not more than \$5,500 for violations after January 30, 1997 but on or before March 15, 2004; (3) not more than \$6,500 for violations after March 15, 2004, through January 12, 2009; and (4) not more than \$7,500 for violations after January 12, 2009.

5. Section 207(a) of TSCA, 15 U.S.C. § 2647(a), further provides that any civil penalty shall be assessed and collected in the same manner, and subject to the same provisions, as in the case of civil penalties assessed and collected under Section 16 of TSCA, 15 U.S.C. § 2615. Section 16(a)(2)(B) of TSCA, 15 U.S.C. § 2615(a)(2)(B), requires EPA to take into account the nature, circumstances, extent, and gravity of the violation(s), and, with respect to the violator, ability to pay, effect on ability to continue to do business, any history of prior such violations, the degree of culpability, and such other matters as justice may require. Section 207(a) states that any civil penalty collected shall be used by the LEA to comply with TSCA Title II, with any portion remaining unspent to be deposited into the Asbestos Trust Fund established pursuant to Section 5 of the Asbestos Hazard Emergency Response Act of 1986, codified at 20 U.S.C. § 4022. In addition, Section 207(c) of TSCA, 15 U.S.C. § 2647(c), requires EPA to consider the significance of the violation, the culpability of the violator, including any history of previous TSCA violations, the ability of the violator to pay the penalty, and the ability of the violator to continue to provide educational services to the community.

B. AUTHORITY AND PARTIES

6. Respondent operates thirty-two (32) elementary schools, seven (7) high schools, and one alternative school in Glendale, Peoria and a portion of Sun City, Arizona. Respondent's schools are public, state-funded schools constituted within the state of Arizona. Respondent is a public authority legally constituted within the State of Arizona for administrative control or direction of public elementary schools and secondary schools.

7. The authority to take action under Section 207 of TSCA, 15 U.S.C. § 2647, is vested

in the Administrator of EPA. By EPA Delegation Order Number 12-2-A, dated May 11, 1994, the Administrator delegated to the Regional Administrator of EPA Region IX the authority to commence administrative proceedings under TSCA and to sign consent agreements memorializing settlements in such proceedings. By EPA Regional Order R9-12-2-A, dated February 11, 2013, the Regional Administrator of EPA Region IX re delegated this authority to the Manager of the Air & TRI Section of the Enforcement Division. The Manager of the Air & TRI Section of the Enforcement Division has the authority to commence and settle an enforcement action in this matter.

C. COMPLAINANT'S ALLEGATIONS

8. Respondent began operating at each of the forty two (42) schools and district facilities at the locations and dates listed in **Appendix A** to this CAFO. At each of these schools and district facilities, Respondent owns, leases, or otherwise uses, at the minimum, one (1) "school building," as defined in Section 202(13) of TSCA Title II, 15 U.S.C. § 2642(13), and in 40 C.F.R. § 763.83. Respondent is a LEA, as defined in Section 202(7) of TSCA Title II, 15 U.S.C. § 2642(7), and in 40 C.F.R. § 763.83.

9. Investigation:

(A) EPA received a complaint that an AMP was not available upon request at Pioneer Elementary School, one of Respondent's schools. In a letter received by Respondent on July 23, 2012, the EPA Region IX Toxics Office requested a copy of the AMP for Pioneer Elementary School and a letter certifying to the existence of current AHERA management plans for all of Respondent's schools.

(B) In a letter dated August 16, 2012, Respondent admitted to eight sites not in compliance with AHERA at any level and thirty four sites that were at various levels of non-compliance.

(C). Prior to July, 2012, Respondent had not:

(i) Conducted an initial inspection (and also did not have on file an architect's letter pursuant to 40 CFR 763.99(a)(7)) for school buildings at: (1) The Peoria Transition Center; (2) Apache elementary school; (3) Sante Fe elementary school; (4) Paseo Verde elementary school; (5) Desert Harbor elementary school; (6) six school buildings at Peoria High School; (7) Canyon elementary school (also called Canyon Leadership Academy); (8) Marshall Ranch elementary school; (9) eight school buildings at Sunrise Mountain High School; and (10) the District Office.

(ii) Prepared management plans for: (1) Cheyenne elementary school; (2) Frontier elementary school; (3) Country Meadows elementary school; (4) Coyote Hills elementary school; (5) Zuni Hills elementary school; (6) Parkridge elementary school; (7) Raymond S. Kellis High School; (8) Liberty High School; (9) Vistancia elementary school; (10) Lake Pleasant elementary school; (11) Peoria Transition Center; (12) Apache elementary school; (13) Sante Fe elementary school; (14) Paseo Verde elementary school; (15) Desert Harbor elementary school; (16) Centennial High School; (17) Canyon elementary school (also called Canyon Leadership Academy); (18) Marshall Ranch elementary school; (19) Sunrise Mountain High School; (20) Support Service Complex; (21) Cholla Facilities Annex; and (22) the District Office.

(iii) Included in the applicable AMP, prior to its use as a school building, new buildings to be used as part of the school at the following school campuses: (1) Ira A Murphy elementary school; (2) Heritage elementary school; (3) Sun Valley elementary school; (4) Peoria High School; (5) Peoria elementary school; (6) Alta Loma elementary school; (7) Desert Palms elementary school; (8) Kachina elementary school; (9) Pioneer elementary school; (10) Foothills elementary school; (11) Sundance elementary school;

(12) Cotton Boll elementary school; (13) Oakwood elementary school; (14) Desert Valley elementary school; (15) Oasis elementary school; (16) Cactus High School; (17) Ironwood High School; and (18) Sky View elementary school.

(iv) Conducted required re-inspections of identified known or assumed ACBM in school buildings at the following schools: (1) Ira A Murphy elementary school; (2) Heritage elementary school; (3) Peoria High School; (4) Peoria elementary school; (5) Alta Loma elementary school; (6) Desert Palms elementary school; (7) Kachina elementary school; (8) Pioneer elementary school; (9) Foothills elementary school; (10) Copperwood elementary school; (11) Sundance elementary school; (12) Cotton Boll elementary school; (13) Oakwood elementary school; (14) Desert Valley elementary school; (15) Oasis elementary school; (16) Cactus High School; and (17) Ironwood High School.

(D) After being contacted by EPA, Respondent hired a consultant to conduct inspections and prepared AMPs for each of the schools and district facilities listed in Appendix A, and submitted to EPA copies of these AMPs. The dates of completion of these AMPs are listed in Appendix A. For these forty-two (42) schools and district facilities, these AMPs submitted by Respondent identified the amounts of known or assumed ACBM listed in Appendix A.

10. Respondent violated Section 207(a)(1) of TSCA Title II, 15 U.S.C. § 2647(a)(1), by failing to conduct initial inspections pursuant to Section 203(b) of TSCA Title II, 15 U.S.C. § 2643(b), and the AHERA Regulations of the following school buildings referenced in Paragraph 8 and sub-Paragraph 9(C)(i) above: (1) The Peoria Transition Center; (2) Apache elementary school; (3) Sante Fe elementary school; (4) Paseo Verde elementary school; (5) Desert Harbor elementary school; (6) six school buildings at Peoria High School; (7) Canyon elementary school

(also called Canyon Leadership Academy); (8) Marshall Ranch elementary school; (9) eight school buildings at Sunrise Mountain High School; and (10) the District Office.

11. Respondent violated Section 207(a)(3) of TSCA Title II, 15 U.S.C. §2647(a)(3), by failing to develop an AMP, pursuant to Section 203(i) of TSCA Title II, 15 U.S.C. § 2643(i), and the AHERA Regulations, for the following school buildings referenced in Paragraph 8 and sub-Paragraph 9(C)(ii) above: (1) Cheyenne elementary school; (2) Frontier elementary school; (3) Country Meadows elementary school; (4) Coyote Hills elementary school; (5) Zuni Hills elementary school; (6) Parkridge elementary school; (7) Raymond S. Kellis High School; (8) Liberty High School; (9) Vistancia elementary school; (10) Lake Pleasant elementary school; (11) Peoria Transition Center; (12) Apache elementary school; (13) Sante Fe elementary school; (14) Paseo Verde elementary school; (15) Desert Harbor elementary school; (16) Centennial High School; (17) Canyon elementary school (also called Canyon Leadership Academy); (18) Marshall Ranch elementary school; (19) Sunrise Mountain High School; (20) Support Service Complex; (21) Cholla Facilities Annex; and (22) the District Office.

12. Respondent violated Section 207(a)(3) of TSCA, 15 U.S.C. § 2647(a)(3), by failing to include in the AMP for the school, pursuant to Section 203(i) of TSCA Title II, 15 U.S.C. § 2643(i), and the AHERA Regulations, school buildings referenced in Paragraph 8 and sub-Paragraph 9(C)(iii) above that were new buildings leased or otherwise acquired after October 12, 1988 to be used as part of the school at the following school campuses: (1) Ira A Murphy elementary school; (2) Heritage elementary school; (3) Sun Valley elementary school; (4) Peoria High School; (5) Peoria elementary school; (6) Alta Loma elementary school; (7) Desert Palms elementary school; (8) Kachina elementary school; (9) Pioneer elementary school; (10) Foothills elementary school; (11) Sundance elementary school; (12) Cotton Boll elementary school; (13) Oakwood elementary school; (14) Desert Valley elementary school; (15) Oasis elementary

school; (16) Cactus High School; (17) Ironwood High School; and (18) Sky View elementary school.

13. Respondent violated Section 207(a)(1) of TSCA Title II, 15 U.S.C. § 2647(a)(1), by failing to conduct required periodic reinspection of friable and non-friable asbestos at the following school buildings referenced in Paragraph 8 and sub-Paragraph 9(C)(iv) above: (1) Ira A Murphy elementary school; (2) Heritage elementary school; (3) Peoria High School; (4) Peoria elementary school; (5) Alta Loma elementary school; (6) Desert Palms elementary school; (7) Kachina elementary school; (8) Pioneer elementary school; (9) Foothills elementary school; (10) Copperwood elementary school; (11) Sundance elementary school; (12) Cotton Boll elementary school; (13) Oakwood elementary school; (14) Desert Valley elementary school; (15) Oasis elementary school; (16) Cactus High School; and (17) Ironwood High School.

D. RESPONDENT'S ADMISSIONS

14. To avoid the disruption of orderly educational activities and the expense of protracted and costly litigation, Respondent, in accordance with 40 C.F.R. § 22.18(b)(2), and for the purpose of this proceeding, (i) admits that EPA has jurisdiction over the subject matter of this CAFO and over Respondent; (ii) neither admits nor denies the specific factual allegations contained in Section I.C. of this CAFO; (iii) consents to any and all conditions specified in this CAFO; (iv) agrees to pay, and consents to the assessment of, the civil administrative penalty under Section I.G of this CAFO; (v) waives any right to contest the allegations contained in Section I.C. of this CAFO, including but not limited to its right under Section 16(a)(2)(A) of TSCA to request a hearing; and (vi) waives the right to appeal the proposed final order contained in this CAFO.

E. COMPLIANCE WITH AHERA

15. AHERA and the AHERA Subpart E regulations specify the steps which must be

taken to inspect each school building to determine whether that building contains **ACBM** or is assumed to contain asbestos-containing material (“ACM”), and what must be done to prepare and maintain an AMP. Compliance with AHERA and the AHERA subpart E regulations includes:

(A) Identification and training for Designated Persons identified by the Respondent, as required by 40 C.F.R. § 763.84(g)(1), and all maintenance and custodial staff who may work in a building that contains ACBM or assumed to contain ACM.

(B) Maintenance of a complete copy of the AMP for each school in Respondent’s administrative office and in each school administrative office, as required by 40 C.F.R. § 763.93(g)(2) and (3). The AMP shall be available to representatives of EPA and the State, the public, including teachers, other school personnel, and their representatives, and parents without cost or restriction.

(C) Notifications: (1) Written notification to parent, teacher and employee organizations of the availability of the AMP and a description of the steps used to make such notification, as required by 40 C.F.R. § 763.93(g)(4), and subsequent notification to these organizations at least once each school year. (2) Notification to workers and building occupants, or their legal guardians about inspections, reinspections, response actions, and post-response activities, including periodic reinspection and surveillance activities that are planned or in progress.

(D) Implementation of the management plan. Whenever any friable ACBM is present or assumed to be present in a building that Respondent leases, owns or otherwise uses as a school building, implementation includes: development and implementation of an operations and maintenance program; any required initial cleaning as specified by 40 C.F.R. § 763.91(c)(1); clean-up and repair of items identified as suspected ACBM conducted in accordance with 40

C.F.R. § 763.90; and a commitment to perform a reinspection of all friable and nonfriable known or assumed ACBM in each school building that Respondent leases, owns or otherwise uses as a school building, at least once every three years.

(E) Maintenance of the following records: (1) records of accreditation for the person(s) who inspect, assess, and develop AMP's; (2) record of each person required to be trained under 40 C.F.R. § 763.92(a)(1) and (2), with the person's name and job title, the date that training was completed, the location of the training, and the number of hours completed in such training; (3) record of periodic surveillance performed, with the name of each person performing the surveillance, the date of the surveillance, and any changes in the conditions of the materials; (4) record of each person performing initial cleaning pursuant to 40 C.F.R. § 763.91(c), the date of such cleaning, the locations cleaned, and the methods used to perform such cleaning; and (5) for each time that operations and maintenance activities are performed, a record of each person performing the activity, the start and completion dates of the activity, the location(s) where such activity occurs, a description of the activity, including preventative measures used, and if ACBM is removed, the name and location of storage or disposal site of the ACBM.

F. RESPONDENT'S CERTIFICATION

16. In executing this CAFO, Respondent certifies the following:

(A) Respondent certifies that it has complied with AHERA and the AHERA Subpart E regulations at the school buildings at the schools and district facilities listed in **Appendix A** to this CAFO, and all other facilities under its control which are subject to AHERA requirements.

(B) Respondent also certifies that all accounting of the costs incurred by Respondent in complying with AHERA and the AHERA Subpart E regulations provided to EPA are true and accurate.

(C) Respondent's AMPs document that the schools and district facilities listed in **Appendix A** to this CAFO contain school buildings with the amounts of known or assumed ACBM identified in **Appendix A**.

G. CIVIL ADMINISTRATIVE PENALTY

17. Respondent consents to the assessment of a penalty in the amount of **TWO HUNDRED THIRTY NINE THOUSAND NINE HUNDRED DOLLARS (\$239,900)**, as specified in this Paragraph as final settlement and complete satisfaction of the civil claims against Respondent arising from the facts alleged in Section I.C. of the CAFO and under the Act, as alleged in Section I.C. of the CAFO. **As the Respondent's EPA-approved costs of compliance with AHERA and the Subpart E regulations exceeds the civil penalty amount, the costs of compliance already expended by Respondent shall represent full payment of penalty.**

18. Issuance of this CAFO does not constitute a waiver by EPA of its right to enforce the terms of this CAFO or to seek other civil or criminal relief for violations, if any, of any provision of federal law not specifically settled by this Consent Agreement. Nothing in this CAFO shall relieve Respondent of its duty to comply with all applicable provisions of the Act, rules promulgated thereunder, and other Federal, state or local laws or statutes.

19. The provisions of this CAFO shall be binding on Respondent and on Respondent's officers, directors, employees, agents, servants, authorized representatives, successors, and assigns.

20. Each party shall bear its own costs, fees, and disbursements in this action.


21. This Consent Agreement constitutes the entire agreement between the Respondent and EPA. This Consent Agreement and Final Order is for the purpose of fully and finally settling

the civil claims against Respondent arising from the facts alleged in section I.C. of this CAFO. Full payment of the civil penalty as set forth in this Consent Agreement and the Final Order shall constitute full settlement and satisfaction of civil penalty liability against Respondent for the violations alleged in Section I.C. of this CAFO.

22. In accordance with 40 C.F.R. §§ 22.18(b)(3) and 22.31(b), the effective date of this CAFO shall be the date on which the accompanying Final Order, having been signed by the Regional Judicial Officer, is filed.

23. The undersigned representatives of each party to this Consent Agreement certify that each is duly authorized by the party whom he or she represents to enter into the terms and bind that party to it.

PEORIA UNIFIED SCHOOL DISTRICT:

Date: 12/27/13 By: 
Name: Kenneth Hicks
Title: Chief Financial Officer

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY:

Date: 2.20.14 By: 
MATT SALAZAR
Manager, Air & TRI Section
Enforcement Division
U.S. Environmental Protection Agency, Region IX

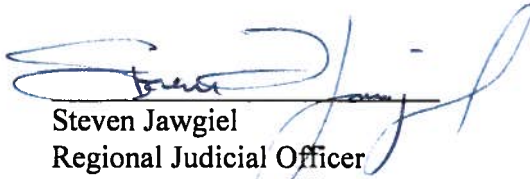
APPENDIX A

	School or Facility Site Name	Address	Date opened	total bldgs	Date of AMP	ACBM (square feet)
1	Cheyenne elementary school	11806 North 87th Avenue, Peoria, AZ	1996	2	11/15/2012	none
2	Frontier elementary school	21258 North 81st Avenue, Peoria, AZ	1998	1	11/15/2012	none
3	Country Meadows elementary	8409 North 111th Avenue, Peoria, AZ	2000	1	11/21/2012	none
4	Coyote Hills elementary school	21180 North 87th Avenue, Peoria, AZ	2000	1	11/12/2012	none
5	Zuni Hills elementary school	10851 West Williams Road, Sun City, AZ	2001	1	11/19/2012	none
6	Parkridge elementary	9970 West Beardsley Road, Peoria, AZ	2004	3	11/26/2012	none
7	Raymond S. Kellis High School	8990 West Orangewood Avenue, Glendale, AZ	2005	7	12/10/2012	none
8	Liberty High School	9621 West Speckled Gecko Drive, Peoria, AZ	2006	8	12/10/2012	none
9	Vistancia elementary school	30009 North Sunrise Point, Peoria, AZ	2006	2	12/10/2012	none
10	Lake Pleasant elementary	31501 North Westland Road, Peoria, AZ	2009	2	12/10/2012	none
11	Peoria Transition Center	7565 W. Peoria Ave, Peoria, AZ	Pre-2012	1	12/28/2012	none
12	Ira A Murphy elementary school	7231 West North Lane, Peoria, AZ	1972	7	12/28/2012	48,155
13	Heritage elementary school	5312 West Mountain View Road, Glendale, AZ	1975	5	2/22/2013	41,629
14	Sahuaro Ranch elementary	10401 North 63rd Avenue, Glendale, AZ	1986	1	1/8/2013	none
15	Sun Valley elementary school	8361 North 95TH Avenue, Peoria, AZ	1988	3	2/25/2013	none
16	Apache elementary school	8633 West John Cabot Road, Peoria, AZ	1990	2	2/22/2013	none
17	Sante Fe elementary school	9880 N. 77th Avenue, Peoria, AZ	1993	2	2/25/2013	none
18	Paseo Verde elementary school	7880 W. Greenway Rd, Peoria, AZ	1994	2	2/22/2013	none
19	Desert Harbor elementary school	15585 N. 91st Ave., Peoria, AZ	1995	3	2/25/2013	none
20	Peoria High School	11200 North 83rd Avenue, Peoria, AZ	1922	16	2/25/2013	876
21	Peoria elementary school	11501 North 79th Avenue, Peoria, AZ	1982	10	2/25/2013	8,775
22	Alta Loma elementary school	9750 North 87th Avenue, Peoria, AZ	1976	10	3/4/2013	17,053
23	Desert Palms elementary school	11441 North 55th Avenue, Glendale, AZ	1978	8	3/11/2013	4,180
24	Kachina elementary school	5304 West Crocus, Glendale AZ	1976	7	3/8/13	14,445
25	Pioneer elementary school	6315 West Port Au Prince Lane, Glendale, AZ	1976	7	3/15/2013	70,346
26	Foothills elementary school	15808 North 63rd Avenue, Glendale, AZ	1978	9	3/22/2013	170
27	Copperwood elementary school	11232 North 65th Avenue, Glendale, AZ	1980	10	4/19/2013	9,011
28	Sundance elementary school	7051 West Cholla Avenue, Peoria, AZ	1981	10	4/5/2013	1,302
29	Cotton Boll elementary school	8540 West Butler Avenue, Peoria, AZ	1983	11	5/3/2013	210
30	Oakwood elementary school	12900 North 71st Avenue, Peoria, AZ	1985	9	4/26/2013	207
31	Desert Valley elementary school	12901 North 63 rd Avenue, Glendale, AZ	1986	9	5/8/2013	764
32	Oasis elementary school	7841 West Sweetwater Avenue, Peoria, AZ	1988	10	3/25-28/13	28
33	Cactus High School	6330 West Greenway Road, Glendale AZ	1977	10	5/10/2013	13,152
34	Ironwood High School	6051 West Sweetwater Ave, Glendale, AZ	1986	12	4/5/2013	390
35	Sky View elementary school	8624 West Sweetwater Ave, Peoria, AZ	1989	11	4/5/2013	50
36	Centennial High School	14388 North 79th Avenue, Peoria, AZ	1990	11	5/22/2013	405
37	Canyon elementary school	5490 W. Paradise Lane, Glendale, AZ	1991	8	6/7/2013	none
38	Marshall Ranch elementary	12995 N. Marshall Ranch Dr., Glendale, AZ	1992	10	6/12/2013	none
39	Sunrise Mountain High School	21200 N. 83rd Ave. Peoria, AZ	1996	9	5/17/2013	none
40	Support Service Complex	10721 north 95 th Avenue, Peoria, AZ	'75 to '07	3	6/28/2013	none
41	Cholla Facilities Annex	6625 West Cholla Street, Glendale, AZ	2007	7	7/19/2013	10,669
42	District Office	6330 West Thunderbird Road, Glendale, AZ	1991	2	6/28/2013	none

II. FINAL ORDER

IT IS HEREBY ORDERED that this Consent Agreement and Final Order be entered and that Respondent shall comply with the terms set forth in the Consent Agreement.

Date: 03/03/14


Steven Jawgiel
Regional Judicial Officer
U.S. EPA, Region IX

CERTIFICATE OF SERVICE

I certify that the original and one copy of the fully executed Consent Agreement and Final Order Pursuant to 40 C.F.R §§ 22.13 and 22.18 (Docket No. R9 – 14 - 03) against the Peoria Unified School District, was filed this day with the Regional Hearing Clerk, U.S. EPA, Region IX, 75 Hawthorne Street, San Francisco, California 94105, and that a true and correct copy of the same was sent to Respondent at the following address:

Denton Santarelli
Superintendent
Peoria Unified School District
District Administration Center
6330 W. Thunderbird Road
Glendale, AZ 85306

Certified Mail No. 7003 3110 0006 2000 8519



Date: 3/3/14

FCR:

Regional Hearing Clerk
United States Environmental Protection Agency, Region IX