

**U.S. EPA REGION 3
HEARING CLERK**

1. University of Maryland – College Park (“Respondent”), and the Director, Enforcement and Compliance Assurance Division, U.S. Environmental Protection Agency, Region 3 (“Complainant”) enter into this Expedited Settlement Agreement (“Agreement”) pursuant to Section 3008 of the Resource Conservation and Recovery Act (“RCRA”), as amended, 42 U.S.C § 6928, and the *Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits* (“Consolidated Rules of Practice”), 40 C.F.R. Part 22 (with specific reference to 40 C.F.R. §§ 22.13(b), 22.18(b)(2), and (3)). The Administrator has delegated the authority to enter into this Agreement to the Regional Administrator who, in turn, has delegated it to the Complainant.
2. The U.S. Environmental Protection Agency, Region 3 (“EPA”) has jurisdiction over this matter pursuant to Section 3008 of RCRA, 42 U.S.C. § 6928, and 40 C.F.R. §§ 22.1(a)(4) and 22.4 of the Consolidated Rules of Practice.
3. Pursuant to Section 3006(b) of RCRA, 42 U.S.C. § 6926(b), EPA has authorized Maryland to administer a hazardous waste management program in lieu of the federal hazardous waste management program established under RCRA Subtitle C, 42 U.S.C. §§ 6921-6939g. The provisions of the current authorized Code of Maryland Regulations (“COMAR”), codified at COMAR, Title 26, Subtitle 13, have thereby become requirements of RCRA Subtitle C and are enforceable by EPA pursuant to Section 3008(a) of RCRA, 42 U.S.C. § 6928(a).

4. On April 17, 2025, EPA sent a letter to the State of Maryland, through the Maryland Department of the Environment (“MDE”), giving prior notice of this enforcement action in accordance with Section 3008(a)(2) of RCRA, 42 U.S.C. § 6928(a)(2).
5. At its facility, located at 4200 Landscape Lane, Building 344, College Park, Maryland, 20742 (“Facility”), Respondent owns and operates the University of Maryland – College Park campus. The Facility is a public university that has undergraduate and graduate programs, that include but are not limited to, chemistry, engineering, biosciences, and physics. Through the course of these various studies, hazardous waste is generated. On December 1, 1986, Respondent submitted a notification to MDE that the Facility was a large quantity generator (“LQG”) of hazardous waste at the Facility, and MDE assigned RCRA ID No. MDD980829873 to the Facility. Additionally, the Facility transports and receives hazardous waste from other off-site facilities owned by the Respondent or affiliated with the Respondent. For these aforementioned activities and the need to store hazardous waste on-site for greater than permissible LQG generator limits, on February 10, 2017, MDE issued Respondent Controlled Hazardous Substance (“CHS”) Permit A-237, which expires on February 9, 2027.
6. Complainant alleges that, at all times relevant to the allegations described in this Agreement, Respondent was and continues to be a State of Maryland owned entity and is therefore a “person,” as defined in Section 1004(15) of RCRA, 42 U.S.C. § 6903(15), and COMAR 26.13.01.03B(61), and at all times relevant to the allegations in this Agreement was the “operator” and the “owner” of a “facility,” described in Paragraph 5, as the terms “facility”, “owner” and “operator” are defined in 40 C.F.R. § 260.10, as incorporated by reference in COMAR 26.13.01.03B(58) and (59).
7. At all times relevant to the allegations described in this Agreement, Respondent “treated,” “stored,” and/or “transported” wastes associated with on-campus graduate and undergraduate research programs, general maintenance, and waste generated by off-campus generators with EPA Hazardous Waste Number(s) including, but not limited to, D001, D002, D004, D007, D008, D009, D019, D021, D035, F001, F003, F005 which are “hazardous waste(s)” at the Facility, as the terms “treated,” “stored,” and/or “transported” and “hazardous waste are defined in 40 C.F.R. § 260.10, as incorporated by reference in COMAR 26.13.01.03B(31).
8. On October 28 – 29, 2024, EPA representatives conducted a Compliance Evaluation Inspection (“CEI”) at the Facility to determine compliance with the applicable hazardous waste regulations.
9. Based on the observations during the Inspection, Complainant alleges and finds that Respondent failed to comply with specific requirements of its MDE CHS Permit A-237 and of Subtitle C of RCRA, 42 U.S.C. §§ 6921 et seq., its implementing regulations at 40 C.F.R. Parts 262, 264, 265, and the federally-authorized Maryland hazardous waste management regulations set forth in the COMAR, Title 26, Subtitle 13 et seq.

10. Complainant has identified the following violations at the Facility:

- a. Respondent failed to conduct weekly inspections of hazardous waste container storage areas in accordance with the requirements of CHS Permit A-237, Part III, Subpart III.M, Subsection III.M.1, which references Attachment 2, which subsequently references COMAR 26.13.05.09E:
 - (1) Weekly inspection records were not provided to demonstrate a weekly inspection was conducted between the following dates: 12.19.2021 and 12.25.2021, 12.26.2021 and 1.1.2022, 5.15.2022 and 5.21.2022, 6.12.2022 and 6.18.2022, 12.25.2022 and 12.31.2022, 1.22.2023 and 1.28.2023, 4.16.2023 and 4.22.2023, 8.6.2023 and 8.12.2023, 11.19.2023 and 11.25.2023, 12.24.2023 and 12.30.2023, 2.19.2024 and 2.25.2024, 2.26.2024 and 3.4.2024, 3.5.2024 and 3.11.2024, and 9.10.2024 and 9.16.2024.
- b. Respondent failed to have a complete contingency plan with all required components as required by CHS Permit A-237, Part I, Subpart I.F, Subsection I.F.5, which references COMAR 26.13.05.04C(6) and Permit Attachment 4:
 - (1) Upon review of a September 2023 version of the Facility's contingency plan titled "University of Maryland Environmental Services Facility and Auxiliary Storage Facility Contingency and Emergency Plan," an evacuation plan that included signals, evacuation routes, and alternate evacuation routes was not observed.
- c. Respondent failed to submit a copy of the current contingency plan to the local police department, fire department, hospital, State emergency response agency, and local emergency response agency as required by CHS Permit A-237, Part II, Section II.F, Subsection II.F.3, which references COMAR 26.13.05.04D(2):
 - (1) Upon review of the 2024 contingency plan, which was amended to update the list of emergency coordinators, a page was observed that was intended to be signed to indicate that a copy of the plan had been provided to the aforementioned entities. The Inspector observed the page to be blank and no other documentation was provided to demonstrate that the 2024 revision of the plan was provided as required. Additionally, Facility representatives verbally confirmed the plan had not been sent after the 2024 revision.
- d. Respondent failed to ensure personnel completed annual hazardous waste training as required by CHS Permit A-237, Part II, Subpart II.D, which references Attachment 3, which subsequently references COMAR 26.13.02.02G:

- (1) Annual hazardous waste training records were provided from 2021 through 2024. Upon review, it was determined that four (4) of the seven (7) persons listed as Alternate Emergency Coordinators did not complete required annual training for one or more years from 2021 through 2024:

Name	Year(s) Training Records Not Provided
Employee 1	2023
Employee 2	2021, 2022, 2023, 2024
Employee 3	2022, 2023, 2024
Employee 4	2021, 2022, 2023, 2024

- e. Respondent failed to meet general management requirements for a hazardous waste storage container as required by CHS Permit A-237, Part III, Subpart III.A, Subsection III.A.1:

- (1) In Building 344, Room 1105 ("Acids Storage"), a closed 5-gallon bucket labeled "Non-RCRA Regulated Waste," and "Corrosive Liquids," dated 5.15.2024, had the word "Stench" on the lid, and was labeled with the waste tracking code LP-6626. Upon review of hazardous waste determination documentation for lab pack LP-6626, the contents of the container had been determined to be D003 hazardous waste. The Inspector specifically identified the container to Facility representatives, who confirmed the container was improperly labeled and should have been labeled "Hazardous Waste."

At the time of the inspection, Facility representatives affixed a label on the container that included the phrase "Hazardous Waste," a description of the waste, the accumulation start date, and other pertinent management information.

- f. Respondent failed to make a hazardous waste determination at the point of generation, in violation of COMAR 26.13.03.02:

- (1) In Room 203 of the Physical Science Complex (Building 415), Inspectors observed a black trash bag (contents unknown), a plastic bag with multiple amber glass bottles, and an open bucket lined with a trash bag accumulating lab trash. On the wall above the bags was a sign that read, "Any solids (wipes, droppers, etc.) that have contained or absorbed solvents should be placed in the solid solvent waste bin for proper disposal by DES." Inspectors asked what container would be the "solid solvent waste bin" and were shown a metal flip top trash can. The trash can was observed to be full and the lid was held open due to the contents of the trash can. Additionally, no

waste labels were observed on the trash can. Inspectors asked how lab trash is managed and the UMD representative stated that lab trash and PPE are managed on a “per basis instance.” It was explained that ESSR personnel will wait for the lab to request a waste pick-up, then ESSR personnel will make a hazardous waste determination once they see the lab trash/PPE.

- g. Respondent has a RCRA Part B permit (CHS Permit A-237); however, Respondent failed to meet permit exemption requirements for generator operations outside of the scope of the existing RCRA Part B permit. Therefore, Respondent operated a hazardous waste facility without a permit or interim status, which is a violation of COMAR 26.13.07.01A due to the failure to comply with the exemption conditions of COMAR 26.13.03.05E listed below.

- (1) Respondent failed to label a satellite accumulation area (“SAA”) container accumulating hazardous waste with the phrase “Hazardous Waste,” or with other words to identify the contents of the container, in violation of COMAR 26.13.03.05E(3)(b)¹

In Room 309 of the Chemistry Building (Building 91), Inspectors observed several containers of liquids attached to a Gel Permeation Chromatography (GPC) machine via tight fitting tubing. None of the containers were labeled to indicate their contents. Inspectors left the room to ask the researcher in charge of the lab if any of the containers were accumulating waste. Upon reentering the room, Inspectors observed another researcher fill out a green hazardous waste tag and attach it to one (1) of the containers.

- (2) Respondent failed to inspect of central accumulation areas (“CAAs”) at least weekly, looking for leaks and deterioration of containers and the containment system caused by deterioration or other factors, in violation of COMAR 26.13.03.05E(1)(d)².

¹ The EPA authorized revisions to COMAR, Title 26, Subtitle 13, which were effective on July 31, 2001, September 24, 2004, and October 31, 2016. These revisions of Maryland’s federal authorized hazardous waste management program have thereby become requirements of RCRA Subtitle C and are enforceable by the EPA on and after those dates pursuant to Section 3008(a) of RCRA, 42 U.S.C. § 6928(a). As part of the September 24, 2004 authorization, EPA approved Maryland’s COMAR 26.13.03.05E(3)(b), which states generator requirements for labeling SAA containers. As a result, COMAR 26.13.03.05E(3)(b) is the currently federally enforceable version of that regulation in Maryland. However, Maryland has re-codified COMAR, Title 26, Subtitle 13 and the generator requirement for labeling SAA containers is now COMAR 26.13.03.03-3E(5)(a). Yet, as Maryland’s re-codification has not been authorized by EPA, the amendment to the requirement is not the federally enforceable version of this regulatory requirement.

² The EPA authorized revisions to COMAR, Title 26, Subtitle 13, which were effective on July 31, 2001, September 24, 2004, and October 31, 2016. These revisions of Maryland’s federal authorized hazardous waste management program have thereby become requirements of RCRA Subtitle C and are enforceable by the EPA on and after those dates pursuant to Section 3008(a) of RCRA, 42 U.S.C. § 6928(a). As part of the September 24, 2004 authorization, EPA approved Maryland’s COMAR 26.13.03.05E(1)(d), which states generator requirements for accumulating hazardous waste in containers, including the requirement to conduct weekly inspections. As a result, COMAR 26.13.03.05E(1)(d)

Weekly inspection records were not provided to demonstrate a weekly inspection was conducted of the CAA in Building 225 between the following dates: 12.19.2021 and 12.25.2021, 12.26.2021 and 1.1.2022, 5.15.2022 and 5.21.2022, 6.12.2022 and 6.18.2022, 12.25.2022 and 12.31.2022, 1.22.2023 and 1.28.2023, 4.16.2023 and 4.22.2023, 8.6.2023 and 8.12.2023, 11.19.2023 and 11.25.2023, 12.24.2023 and 12.30.2023, 2.19.2024 and 2.25.2024, 2.26.2024 and 3.4.2024, 3.5.2024 and 3.11.2024, and 9.10.2024 and 9.16.2024.

11. Complainant and Respondent agree that settlement of this matter for a total penalty of **SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$7,500.00)** is in the public interest. In calculating this amount, Complainant considered the statutory factors set forth in Section 3008(a)(3) of RCRA, 42 U.S.C. § 6928(a)(3).
12. Respondent agrees that, within 30 days of the effective date of this Agreement, Respondent shall make a payment of **\$7,500.00** to “**United States Treasury**” with the case name, address and docket number of this Agreement (RCRA-03-2026-0024), for the amount specified above. Respondent shall pay the assessed penalty and any interest, fees, and other charges due using any method, or combination of appropriate methods, as provided on the EPA website: <https://www.epa.gov/financial/makepayment>. For additional instructions see: <https://www.epa.gov/financial/additional-instructions-making-payments-epa>. *However, for any payments made after September 30, 2025, and in accordance with the March 25, 2025 Executive Order on [Modernizing Payments To and From America’s Bank Account](#), Respondent shall pay using one of the electronic payments methods listed on [EPA’s How to Make a Payment website](#) and will not pay with a paper check.*
13. Within 24 hours of payment, Respondent shall also send proof of payment (a copy of the check, confirmation of credit card or debit card payment, confirmation of wire or automated clearinghouse transfer), by electronic mail to:

Lindsey M. Douglas, Inspector (3ED22)
U.S. EPA, Region 3
Douglas.Lindsey@epa.gov

and

Regional Hearing Clerk (3RC00)
U.S. EPA, Region 3
R3_Hearing_Clerk@epa.gov

is the currently federally enforceable version of that regulation in Maryland. However, Maryland has re-codified COMAR, Title 26, Subtitle 13 and the generator requirement for conducting weekly inspections is now COMAR 26.13.03.03-6F. Yet, as Maryland’s re-codification has not been authorized by EPA, the amendment to the requirement is not the federally enforceable version of this regulatory requirement.


14. In signing this Agreement, Respondent: admits the jurisdictional allegations in this Agreement; neither admits nor denies the specific factual allegations in this Agreement, except as provided in the jurisdictional admission above; agrees not to contest EPA's jurisdiction with respect to the execution of this Agreement, the issuance of the attached Final Order, or the enforcement the Agreement; expressly waives its right to a hearing on any issue of law or fact in this Agreement and any right to appeal the accompanying Final Order; consents to the issuance of the Agreement and agrees to comply with its terms; agrees to bear its own costs and attorney's fees; and agrees not to deduct for federal tax purposes the civil penalty assessed in this Consent Agreement and Final Order.
15. By its signature below, Respondent certifies, subject to civil and criminal penalties for making a false submission to the United States Government, that (1) the alleged violations have been corrected, and (2) any documentation or information provided to EPA was true and accurate.
16. This Agreement and the attached Final Order constitute a settlement by EPA of its claims for civil penalties for the violations alleged in this Agreement.
17. By signing this Agreement, Respondent waives any rights or defenses that Respondent has or may have for this matter to be resolved in federal court, including but not limited to any right to a jury trial, and waives any right to challenge the lawfulness of the final order accompanying the Agreement.
18. EPA reserves the right to commence action against any person, including Respondent, in response to any condition which EPA determines may present an imminent and substantial endangerment to the public health, public welfare, or the environment. In addition, this settlement is subject to all limitations on the scope of resolution and to the reservation of rights set forth in Sections 22.18(c) and 22.31(a) of the Consolidated Rules of Practice. Further, EPA reserves any rights and remedies available to it under the RCRA, the RCRA regulations promulgated, and any other federal laws or regulations for which EPA has jurisdiction, to enforce the provisions of this Agreement, following its filing with the Regional Hearing Clerk.
19. Late payment of the agreed upon penalty may subject Respondent to interest, administrative costs and late payment penalties in accordance with 40 C.F.R. § 13.11.
20. This Agreement is effective upon filing, in accordance with 40 C.F.R. § 22.31(b).
21. The undersigned representative certifies that she/he is fully authorized to execute this Agreement and to legally bind the University of Maryland – College Park.

22. As permitted under 40 C.F.R. § 22.6, the Regional Hearing Clerk will serve copies of this Agreement and Final Order by e-mail to the parties at the following valid e-mail addresses: Douglas.Lindsey@epa.gov (for Complainant), and CReuning@umd.edu (for Respondent).
23. By signing this Agreement, Respondent acknowledges that this Agreement and Final Order will be available to the public and represents that, to the best of Respondent's knowledge and belief, this Agreement and Final Order does not contain any confidential business information or personally identifiable information from Respondent.

For Respondent: University of Maryland – College Park

Date: 10/16/25

By:


Charles R. Reuning, MS, MBA, P.E.

CAPT, CEC, USN (Ret.)

Vice President and Chief Administrative Officer
University of Maryland

For Complainant: U.S. Environmental Protection Agency, Region 3

After reviewing the Agreement and other pertinent matters, I, the undersigned Acting Director of the Enforcement and Compliance Assurance Division of the United States Environmental Protection Agency, Region 3, agree to the terms and conditions of this Agreement and recommend that the Regional Administrator, or his/her designee, the Regional Judicial Officer, issue the attached Final Order.

**ANDREA
BAIN**

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ANDREA BAIN
Date: 2025.11.21
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[Digital Signature and Date]

Andrea Bain

Acting Division Director

Enforcement and Compliance Assurance Division

U.S. EPA – Region 3

BEFORE THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 3
Philadelphia, Pennsylvania 19103

IN THE MATTER OF:)	DOCKET NO.: RCRA-03-2026-0024
)	
UNIVERSITY OF MARYLAND – COLLEGE PARK)	
)	
Respondent,)	EXPEDITED SETTLEMENT AGREEMENT AND
)	FINAL ORDER
)	
)	Proceeding under Section
UNIVERSITY OF MARYLAND – COLLEGE PARK)	3008 of the Resource Conservation and
4716 PONTIAC STREET,)	Recovery Act, as amended, 42 U.S.C.
SUITE 0103, SENECA BUILDING #812,)	§ 6928
COLLEGE PARK, MD, 20742,)	
)	
Facility)	

FINAL ORDER

Complainant, the Director of the Enforcement and Compliance Assurance Division, U.S. Environmental Protection Agency - Region 3, and Respondent, State of Maryland, have executed a document entitled “Expedited Settlement Agreement,” which I hereby ratify as a Consent Agreement in accordance with the *Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits* (“Consolidated Rules of Practice”), 40 C.F.R. Part 22, (with specific reference to Sections 22.13(b) and 22.18(b)(2) and (3)). The terms of the foregoing Expedited Settlement Agreement are accepted by the undersigned and incorporated herein as if set forth at length.

NOW, THEREFORE, PURSUANT TO 3008 of the Resource Conservation and Recovery Act (“RCRA”), 42 U.S.C. Section 6928, and Section 22.18(b)(3) of the Consolidated Rules of Practice, **IT IS HEREBY ORDERED** that Respondent pay a civil penalty in the amount of **SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$7,500.00)**, in accordance with the payment provisions set forth in the Expedited Settlement Agreement, and comply with the terms and conditions of the Consent Agreement.

This Final Order constitutes the final Agency action in this proceeding. This Final Order shall not in any case affect the right of the Agency or the United States to pursue appropriate injunctive or other equitable relief, or criminal sanctions for any violations of the law. This Final Order resolves only those causes of action alleged in the Expedited Settlement Agreement and does not waive, extinguish or otherwise affect Respondent’s obligation to comply with all applicable provisions of Subtitle C of the Resource Conservation and Recovery Act, 42 U.S.C. §§ 6921 et seq., and the regulations promulgated thereunder.

The effective date of the foregoing Expedited Settlement Agreement and this Final Order is the date on which this Final Order is filed with the Regional Hearing Clerk.

JEFFREY
NAST
Digitally signed by
JEFFREY NAST
Date: 2025.12.02
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[Digital Signature and Date]
Regional Judicial and Presiding Officer
U.S. EPA – Region 3

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 3
Philadelphia, Pennsylvania 19103**

In the Matter of:	:	
	:	
UNIVERSITY OF MARYLAND – COLLEGE PARK	:	U.S. EPA Docket No. RCRA-03-2026-0024
	:	
Respondent,	:	EXPEDITED SETTLEMENT AGREEMENT AND FINAL ORDER
	:	
UNIVERSITY OF MARYLAND – COLLEGE PARK	:	Proceeding under Proceeding under Section
4716 PONTIAC STREET,	:	3008 of the Resource Conservation
SUITE 0103, SENECA BUILDING #812,	:	and Recovery Act, as amended, 42 U.S.C. §
COLLEGE PARK, MD, 20742	:	6928
	:	
Facility	:	

CERTIFICATE OF SERVICE

I certify that the foregoing ***Expedited Settlement Agreement and Final Order*** was filed with the EPA Region 3 Regional Hearing Clerk on the date that has been electronically stamped on the ***Expedited Settlement Agreement and Final Order***. I further certify that on the date set forth below, I caused to be served a true and correct copy of the foregoing to each of the following persons, in the manner specified below, at the following addresses:

Copies served via email to:

**Charles R. Reuning, MS, MBA, P.E.,
Vice President and CAO,
University of Maryland
4716 Pontiac Street
Seneca Building Suite 0103,
College Park, MD, 20742
CReuning@umd.edu**

**Lindsey M. Douglas
Inspector / Enforcement Officer
U.S. EPA, Region 3
Douglas.Lindsey@epa.gov**

**JEANNINE
GRAFF**

Digitally signed by
JEANNINE GRAFF
Date: 2025.12.02
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[Digital Signature and Date]

Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 3