

EPA ENFORCEMENT ACCOUNTS RECEIVABLE CONTROL NUMBER FORM FOR ADMINISTRATIVE ACTIONS

This form was originated by Wanda I. Santiago for Christine Foot 9/27/12
Name of Case Attorney Date

in the ORC (RAA) at 918-1113
Office & Mail Code Phone number

Case Docket Number CAA-01-2012-0097

Site-specific Superfund (SF) Acct. Number _____

This is an original debt This is a modification

Name and address of Person and/or Company/Municipality making the payment:

Gene Kowalczewski
Ocean State Transit, LLC et al
STA of Connecticut, Inc.

Total Dollar Amount of Receivable \$ 35,000 Due Date: 10/27/12

SEP due? Yes No Date Due 10/27/14

Installment Method (if applicable)

INSTALLMENTS OF:

1st \$ 131,000 on 10/27/14
2nd \$ _____ on _____
3rd \$ _____ on _____
4th \$ _____ on _____
5th \$ _____ on _____

For RHC Tracking Purposes:

Copy of Check Received by RHC _____ Notice Sent to Finance _____

TO BE FILLED OUT BY LOCAL FINANCIAL MANAGEMENT OFFICE:

IFMS Accounts Receivable Control Number _____

If you have any questions call: _____
in the Financial Management Office

Phone Number



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region 1
5 Post Office Square, Suite 100
Boston, MA 02109-3912

September 27, 2012

BY HAND

Wanda I. Santiago, Regional Hearing Clerk
U.S. Environmental Protection Agency-Region 1
5 Post Office Square, Suite 100
Mail Code OES04-2
Boston, MA 02109-3912

RECEIVED
SEP 27 2012
EPA ORC WS
Office of Regional Hearing Clerk

Re: In the Matter of: Ocean State Transit, LLC, et al., Docket No. CAA-01-2012-0097

Dear Ms. Santiago:

Enclosed for filing, please find a Consent Agreement and Final Order (CAFO) settling the matter referenced above.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink that reads "Christine M. Foot".

Christine M. Foot
Enforcement Counsel
EPA Region 1

Enclosures

cc: Scott E. Furman, Esq.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1 – NEW ENGLAND

RECEIVED

SEP 27 2012

EPA ORC WS
Office of Regional Hearing Clerk

IN THE MATTER OF:)
)
)
)
)
)
)
)
)
)

Docket No. CAA-01-2012-0097

Ocean State Transit, LLC,
STA of Connecticut, Inc.

CONSENT AGREEMENT AND FINAL ORDER

The Complainant, United States Environmental Protection Agency, Region I (“EPA”), alleges that Ocean State Transit, LLC (“Ocean State”) and STA of Connecticut, Inc. (“STA of CT”) (together, the “Respondents”), which are subsidiaries of Student Transportation of America, Inc. (“STA”), violated certain provisions of the Connecticut and Rhode Island state implementation plan and Rhode Island state implementation plan for motor vehicles. EPA may enforce SIP provisions of the Clean Air Act (“CAA” or the “Act”), 42 U.S.C. § 7413.

EPA and Respondents agree to settle the Consent Agreement and Final Order (“CAFO”) without further litigation as authorized under 40 C.F.R. § 22.13(b).

EPA and Respondents agree that settlement of this complaint is in the public interest and that entry of this CAFO without further litigation is necessary to resolve this matter.

Therefore, before taking any testimony, upon the pleadings, without adjudication of any issue of fact or law, and upon consent and agreement of the parties, it is hereby ordered and adjudged as follows:

Original

Excessive idling of
Clean Air Act

Consent
complaint,

public interest
means of

A. PRELIMINARY STATEMENT

1. The provisions of this CAFO shall apply to and be binding on EPA and on Respondents, including their officers, directors, successors, and assigns.

2. Respondents stipulate that EPA has jurisdiction over the subject matter alleged in this CAFO. Respondents waive any defenses they might have as to jurisdiction and venue. Respondents consent to the terms of this CAFO.

3. Respondents neither admit nor deny the specific factual and legal allegations below in Section B. For purposes of this CAFO and any action necessary to enforce it, Respondents hereby waive their right to request a judicial or administrative hearing or otherwise to contest the allegations in this CAFO. Respondents waive any right to appeal this CAFO.

4. As provided by Section 113(d)(1)(B) of the Act, 42 U.S.C. § 7413(d)(1)(B), the Debt Collection Improvement Act, 31 U.S.C. § 3701, and EPA's Civil Monetary Penalty Inflation Adjustment Rules, promulgated thereunder at 40 C.F.R. Part 19, EPA may assess a civil administrative penalty of up to \$37,500 per day for each violation of the Clean Air Act occurring after January 12, 2009.

B. EPA FINDINGS

5. The State of Connecticut has adopted an "applicable implementation plan" within the meaning of Section 113(a)(1) of the Act. This plan, commonly known as a SIP, has been approved by EPA under Section 110 of the Act, 42 U.S.C. § 7410. The Connecticut SIP includes various federally approved portions of the Regulations of Connecticut State Agencies ("RCSA").

6. The Connecticut SIP includes requirements from RCSA § 19-508-18(a)(5) (the “Connecticut idling regulation”), which provide that no mobile source engine shall be allowed to operate for more than three consecutive minutes when the mobile source is not in motion, unless such operation accords with a listed exception.

7. At school bus facilities operated by STA of CT in Danbury, Naugatuck, Higganum, Stamford, and Groton, Connecticut, EPA observed the operation of the engines of mobile sources that were not in motion, for periods in excess of three minutes, as described in Table 1, which is attached to and incorporated into this CAFO.

8. STA of CT allowed the mobile source engines to operate in excess of prescribed limits and such operation did not accord with any exception in RCSA §§ 19-508-18 (a)(5)(i) through (v).

9. Accordingly, STA of CT violated the Connecticut idling regulation at RCSA § 19-508-18(a)(5).

10. The State of Rhode Island has adopted a SIP within the meaning of Section 113(a)(1) of the Act, which has been approved by EPA under Section 110 of the Act, 42 U.S.C. § 7410. The Rhode Island SIP includes various federally approved portions of the Rhode Island Air Pollution Control Regulations (“APCR”).

11. The Rhode Island SIP includes APCR § 45 (the “Rhode Island idling regulation”), which provides that no person, entity, owner, or operator shall cause, allow, or permit the unnecessary idling of the engine of a diesel motor vehicle while said vehicle is stopped for a period of time in excess of five consecutive minutes in any sixty (60) minute period, except as provided in the exemptions listed in APCR § 45.5.

12. At school bus facilities operated by Ocean State in East Greenwich and South Kingstown, Rhode Island, EPA observed the idling of the engines of diesel motor vehicles while said vehicles were stopped for periods of time in excess of five consecutive minutes in any sixty (60) minute period, as described in Table 1. The observed idling did not accord with any exemptions in APCR § 45.5.

13. Accordingly, Ocean State violated the Rhode Island idling regulation at APCR § 45.

14. Respondents' violations of the Connecticut and Rhode Island idling regulations render Respondents liable for penalties under Section 113(d) of the Act.

15. EPA provided notice to Respondents, to the Rhode Island Department of Environmental Management, and to the Connecticut Department of Environmental Protection, of EPA's findings of violations described in this CAFO, at least thirty (30) days prior to the issuance of an administrative penalty order under Section 113(d) of the Act.

C. TERMS OF SETTLEMENT

PENALTY

16. In light of the statutory factors of Section 113(e) of the Act, EPA has determined that it is fair and proper to assess a civil penalty for the violations described in this CAFO in the amount of \$35,000. Respondents shall pay the penalty of \$35,000 within thirty (30) days of the effective date of this Consent Agreement and Final Order. Respondents shall submit a bank, cashier's, or certified check in payment of this penalty.

17. Respondents shall make payment by submitting a check, to the order of the "Treasurer, United States of America," in the amount of \$35,000 to:

U.S. Environmental Protection Agency
Fines and Penalties
Cincinnati Finance Center
P.O. Box 979077
St. Louis, MO 63197-9000

Respondents shall note the case name and docket number of this action on the check and in an accompanying cover letter, and shall simultaneously provide copies of the check and cover letter to:

Wanda I. Santiago
Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 1
5 Post Office Square, Suite 100 (ORA18-1)
Boston, MA 02109-3912

and

Christine M. Foot
Enforcement Counsel
U.S. Environmental Protection Agency, Region 1
5 Post Office Square, Suite 100 (OES04-2)
Boston, MA 02109-3912

18. Pursuant to Section 31 U.S.C. § 3717, EPA is entitled to assess interest and penalties on debts owed to the United States and a charge to cover the cost of processing and handling a delinquent claim. Interest will therefore begin to accrue on the civil penalty if it is not paid within thirty (30) calendar days of the entry of the CAFO. Interest will be assessed at the rate of the United States Treasury tax and loan rate in accordance with 31 C.F.R. § 901.9(b)(2), promulgated under 31 U.S.C. § 3717. A charge will be assessed to cover the costs of debt collection, including processing and handling costs and attorneys' fees in accordance with 31 C.F.R. § 901.9(c). In addition, a penalty charge of six percent per year compounded annually will be assessed on any portion of the debt which remains delinquent more than ninety (90) days after payment is due in

accordance with 31 C.F.R. § 901.9(d). Should assessment of the penalty charge on the debt be required, it will be assessed as of the first day payment is due.

COMPLIANCE PROMOTION MEASURES

19. Respondents shall comply with all regulations that limit engine idling by motor vehicles at all STA Locations, as defined in Paragraph 34, below. Respondents shall also implement the measures described in Attachment 1, incorporated herein by reference, which are intended to promote Respondents' and STA's compliance with motor vehicle idling regulations in the United States.

- a. Within 30 days of the effective date of this CAFO (the date of filing with the Regional Hearing Clerk), Respondents shall commence implementation of the Attachment 1 measures, and shall continue to implement the measures for a period of twenty-four (24) months from the effective date of this CAFO.
- b. With respect to the implementation of the Attachment 1 measures, Respondents shall submit reports to EPA pursuant to Paragraph 45 of this CAFO.
- c. Following the receipt of each of the Attachment 1 implementation reports referenced in Paragraph 45, EPA will do one of the following:
 - i. accept the implementation report;
 - ii. reject the implementation report, notify Respondents in writing of deficiencies in the implementation or the implementation report, and grant Respondents an additional forty-five (45) days in which to correct any deficiencies; or

- iii. if any such deficiencies cannot be corrected in 45 days, reject the implementation report and seek stipulated penalties in accordance with Paragraph 20 of this CAFO.

20. Stipulated Penalties for Compliance Promotion Measures: Respondents shall be liable for stipulated penalties for actions required in Attachment 1 to this CAFO as follows:

- a. With respect to Attachment 1, Section A, to this CAFO, Respondents shall be liable for stipulated penalties in the amount of \$1,500 for every day on which Respondents fail to:
 - i. commence timely implementation of the required measures in accordance with the provisions of Attachment 1, Section A, to this CAFO;
 - ii. implement the required measures in accordance with the provisions of Attachment 1, Section A, to this CAFO for the required period; or
 - iii. submit complete and timely reports regarding implementation of the measures required by Attachment 1, Section A, to this CAFO, as required by Paragraph 45 of this CAFO.
- b. With respect to Attachment 1, Section B, to this CAFO, if Ocean State fails to complete installation of the GPS Tracking Systems, which include idling monitoring and tracking software, on at least 117 buses in Rhode Island in accordance with the terms of Attachment 1, Section B, Ocean State shall be liable for a stipulated penalty of \$2,000 for each bus fewer than 117 on which Ocean State installs the GPS Tracking Systems.

- c. Following EPA's determination that Respondents are liable for stipulated penalties pursuant to this Paragraph, EPA will send Respondents a written demand for the payment of the penalties. All penalties accruing under this Paragraph shall be due and payable to EPA within thirty (30) days of Respondents' receipt of a demand for payment of stipulated penalties, unless Respondents invoke the dispute resolution procedures of this CAFO. All payments shall be made in accordance with the procedures in Paragraph 17 of this CAFO.

SUPPLEMENTAL ENVIRONMENTAL PROJECTS

21. Respondents shall perform the two supplemental environmental projects ("SEPs") described below and in Attachment 2 to establish a policy and practice to prevent the excessive idling of all school buses operated by STA in the United States, and to undertake the early retirement of older, higher-emission school buses and replacement of them with new, lower-emission school buses. The SEPs are intended to secure significant environmental and public health protection and improvements by reducing diesel emissions from school bus idling, and by reducing the exposure of students, employees, and the general public to diesel emissions. Respondents shall perform the SEPs in accordance with Attachment 2, incorporated herein by reference. For the purposes of SEP Project 2, the term "expenditure credit" shall mean the value allocated to the early retirement of buses, as calculated in Appendix A of Attachment 2 to this CAFO.

22. The total expenditure credit for SEP Project 2 (Retirement/Replacement of Buses) shall not be less than \$131,000. Respondents shall include documentation of the

expenditures made in connection with SEP Project 2 through the date so indicated in the submittal of the SEP Completion Report, as part of the SEP Completion Report.

23. For SEP Project 2, Respondents certify, with respect to the buses listed in Appendix A of Attachment 2 to this CAFO, that:

- a. Respondents currently operate the listed buses in Connecticut or Rhode Island; and
- b. Respondents anticipate that, but for this Project 2, each bus would have been kept in service by Respondents for at least one additional school year from the date of its retirement.

24. For each SEP (Project 1 and Project 2), Respondents hereby certify that, as of the effective date of this CAFO, Respondents are not required to perform or develop the SEP by any federal, state, or local law or regulation; nor are Respondents required to perform or develop the SEP by agreement, grant, or as injunctive relief in this or any other case. Respondents further certify that they have not received, and are not presently negotiating to receive, credit in any other enforcement action for the SEP. Respondents specifically certify as follows: They are not a party to any open federal financial assistance transaction that is funding or could be used to fund the same activity as the SEP. To the best of Respondents' knowledge and belief after reasonable inquiry, there is no such open federal transaction that is funding or could be used to fund the same activity as the SEP, nor has the same activity been described in an unsuccessful federal financial assistance transaction proposal submitted to EPA within two years of the date of this settlement (unless the project was barred from funding as statutorily ineligible). For the purposes of this certification, the term "open federal financial assistance transaction" refers to a grant,

cooperative agreement, loan, federally guaranteed loan guarantee, or other mechanism for providing federal financial assistance whose performance period has not yet expired.

25. Respondents agree that any failure to submit a SEP Completion Report by the date specified in Paragraph 45 shall be deemed a violation of the CAFO and Respondents shall become liable for stipulated penalties under the CAFO, in addition to their responsibility to submit the SEP Completion Report.

26. Respondents agree that EPA may inspect their facilities at any time in order to confirm that any SEP is being undertaken in conformity with the representations made herein.

27. For each SEP, Respondents shall implement the SEP for a period as described in Attachment 2 to this CAFO. Respondents may seek an extension of time for initiating or performing an activity under the SEP in accordance with the Force Majeure provisions of Attachment 3, incorporated herein by reference.

28. For each SEP, following the receipt of the SEP Completion Report described in Paragraph 45 below, EPA will do one of the following:

- a. Accept the SEP Completion Report;
- b. Reject the SEP Completion Report, notify Respondents in writing of deficiencies in the SEP or SEP Completion Report, and grant Respondents an additional forty-five (45) days in which to correct any deficiencies; or
- c. If any such deficiencies cannot be corrected in forty-five (45) days, reject the SEP Completion Report and seek stipulated penalties in accordance with Paragraph 29 of this CAFO.

29. Stipulated Penalties for SEPs: In the event that Respondents fail to comply with any of the terms or provisions of this CAFO relating to the performance of a SEP described in Paragraphs 21–28 above and Paragraph 45 below and/or to the extent that the actual expenditure credit earned for the SEPs does not equal or exceed the total expenditure credit of the SEP described in Paragraph 22 above, Respondents shall be liable for stipulated penalties according to the provisions set forth below:

- a. Except as provided in subparagraph (b) immediately below, for a SEP which has not been completed satisfactorily pursuant to this CAFO, Respondents shall pay a stipulated penalty to the United States in the following amounts, plus interest from the effective date of the CAFO, for Project 1–Training and Management Solutions: \$42,000; for Project 2–Retirement/Replacement of Buses: \$131,000.
- b. If the SEP is not completed satisfactorily but Respondents made good faith and timely efforts to complete the project, Respondents shall pay a stipulated penalty to the United States equal to the amount resulting from the following calculation: The amount set forth in Paragraph 22 above, less the amount of actual expenditure credit earned by Respondents as documented pursuant to Paragraph 45 below.
- c. For failure to submit a SEP Completion Report required by Paragraph 45 below in a complete and timely manner, Respondents shall pay a stipulated penalty in the amount of \$2,500 for each day after the SEP Completion Report was originally due under Paragraph 45 until the report is submitted.

- d. For failure to submit any other report or information required by EPA under Paragraphs 21–28 above or Paragraph 45 below in a complete and timely manner, Respondents shall pay a stipulated penalty in the amount of \$1,500 for each day after the report or information was originally due until the report or information is submitted.
- e. For each SEP, the determinations of whether the SEP has been satisfactorily completed, whether Respondents have made a good faith, timely effort to implement the SEP, and whether a Force Majeure event has delayed implementation of the SEP in accordance with Attachment 3, shall be made by EPA in the exercise of its reasonable discretion.
- f. Following EPA’s determination that Respondents are liable for stipulated penalties pursuant to this Paragraph, EPA will send Respondents a written demand for the payment of the penalties. The United States may, in the unreviewable exercise of its discretion, reduce or waive stipulated penalties otherwise due it under this CAFO. All penalties accruing under this Paragraph shall be due and payable to EPA within thirty (30) days of Respondents’ receipt of a demand for payment of stipulated penalties, unless Respondents invoke the dispute resolution procedures of this CAFO. All payments shall be made in accordance with the procedures in Paragraph 17 of this CAFO.

30. For each SEP, any public statement, oral or written, in print, film or other media, made by Respondents making reference to the SEP shall include the following language:
“This project was undertaken in connection with the settlement of an enforcement action

taken by the U.S. Environmental Protection Agency for alleged violations of the Clean Air Act.”

31. With respect to any injunctive relief or SEP under the terms of this CAFO:

- a. This CAFO shall not be construed to constitute EPA approval of any equipment or technology installed by Respondents; and
- b. Respondents agree to indemnify, save, and hold harmless EPA, its officials, agents, contractors, subcontractors, employees, and representatives, from any and all claims or causes of action:
 - i. arising from, or on account of, acts or omissions of Respondents, Respondents’ officers, directors, employees, agents, contractors, subcontractors, receivers, trustees, successors, or assigns; and
 - ii. for damages or reimbursement arising from, or on account of, any contract, agreement, or arrangement between Respondents and any persons or entities for performance of work.

32. EPA and Respondents agree that nothing in this CAFO shall operate to impose, or shall be construed as imposing, an enforceable motor vehicle idling restriction on Respondents in any jurisdiction where there is no statute or regulation limiting motor vehicle idling.

D. GENERAL PROVISIONS

33. Respondents represent that they will implement the provisions of this CAFO and Attachments by agreement with their corporate parent STA. Respondents may implement the measures required in this CAFO through their or STA’s agents or contractors.

34. For purposes of this CAFO and Attachments, "STA Locations" shall mean those locations at which any STA company parks school buses for regular operation, but it does not include solely corporate STA facilities.

35. All submissions required by this Order shall be sent to:

If by Respondents:

Susan Studlien, Director
Office of Environmental Stewardship
U.S. Environmental Protection Agency
5 Post Office Square, Suite 100 (OES04-2)
Boston, MA 02114
Attention: Abdi Mohamoud

If by EPA:

Scott E. Furman, Esq.
Tannenbaum Helporn Syracuse & Hirschtritt, LLP
900 3rd Avenue
New York, NY 10022

36. The stipulated penalties in this CAFO, the civil penalty under Paragraph 16, above, any interest, and the nonpayment penalties and/or charges as described in Paragraph 18, above, shall represent penalties assessed by EPA and shall not be deductible for purposes of federal taxes, and shall not be deductible for purposes of state or local taxes unless allowed by law. For federal income tax purposes, Respondents agree that they will not deduct any costs, expenditures, or losses incurred in performing the SEP. In addition, Respondents hereby agree that, within thirty (30) days of the date they submit their federal tax reports for the calendar year in which the above-identified SEP is completed, they will submit to EPA a certification that any funds expended or losses incurred in the performance of the SEP have not been deducted from federal taxes.

37. This CAFO constitutes a settlement by EPA of all claims against Respondents for civil penalties pursuant to Section 113 of the Act for the violations alleged in Section B of this CAFO. Compliance with this CAFO shall not be a defense to any other actions subsequently commenced pursuant to Federal laws and regulations administered by EPA for matters not addressed in this CAFO, and it is the responsibility of Respondents to comply with all applicable provisions of federal, state, or local law. EPA reserves all of its other criminal and civil enforcement authorities, including the authority to seek injunctive relief and the authority to address imminent hazards.

38. Each party shall bear its own costs and fees in this proceeding, including attorneys' fees, and specifically waives any right to recover such costs from the other party pursuant to the Equal Access to Justice Act, 5 U.S.C. § 504, or other applicable law.

E. DISPUTE RESOLUTION

39. The dispute resolution procedures of Paragraphs 39–42 shall be the exclusive mechanism to resolve disputes arising under or with respect to Attachments 1 and 2 of this CAFO, including stipulated penalties relating to Attachments 1 and 2. However, such procedures shall not apply to actions by EPA to enforce obligations of Respondents that have not been disputed in accordance with these procedures.

40. Informal Dispute Resolution: Any dispute subject to dispute resolution under this CAFO shall first be the subject of informal negotiations. The dispute shall be considered to have arisen when Respondents provide written notice to EPA describing the nature of the dispute and requesting informal negotiations to resolve it. The period of informal negotiations shall not exceed twenty (20) days beyond the date that EPA receives Respondents' written notice unless EPA and Respondents agree in writing to a longer

period. If the parties cannot resolve a dispute by informal negotiations, then the position advanced by EPA shall be considered binding unless, within fifteen (15) days after the conclusion of the informal negotiation period, Respondents invoke formal dispute resolution procedures as set forth below.

41. Formal Dispute Resolution: Respondents shall invoke formal dispute resolution procedures, within the time period provided in the preceding Paragraph, by providing written notice to EPA containing a statement of position regarding the matter in dispute. The statement of position shall include, but may not be limited to, any factual data, analysis, or opinion supporting Respondents' position and any supporting documentation relied upon by Respondents. Following receipt of Respondents' statement of position submitted pursuant to this Paragraph, EPA will serve on Respondents its statement of position. EPA's statement of position shall include, but may not be limited to, any factual data, analysis, or opinion supporting EPA's position and any supporting documentation relied upon by EPA.

42. Following receipt of the statements of position submitted by Respondents and EPA pursuant to Paragraph 40, the Director of the Office of Environmental Stewardship ("OES Director"), EPA Region 1, will issue a determination resolving the dispute. The determination of the OES Director shall be final. The parties to this CAFO each reserve any rights they may have under applicable law with respect to any appeal from the determination of the OES Director.

43. The invocation of dispute resolution procedures under this CAFO shall not extend, postpone, or affect any obligation of Respondents under this CAFO not directly in dispute, unless the final resolution of the dispute so dictates. Stipulated penalties with

respect to the disputed matter shall continue to accrue from the first day of nonperformance, but payment shall be stayed pending resolution of the dispute as provided in this CAFO. If Respondents do not prevail on the disputed issue, stipulated penalties shall be assessed and paid as provided in Paragraph 20, or 29, above, as applicable.

F. REPORTING

44. For each requirement of this CAFO, including those within Attachments 1 and 2, Respondents shall maintain legible copies of the documentation and data, including but not limited to: invoices; records of training, walk-throughs, and GPS Tracking Systems idling information; and copies of posters or other signage that are referenced by, or that support, statements made in any documents or reports submitted to EPA pursuant to this CAFO until such time that EPA accepts the final report on implementation of the Attachment 1 measures, as provided in Paragraph 19.c, or until such time that EPA accepts the SEP Completion Report, as provided in Paragraph 28, respectively. Respondents shall provide the documentation and data to EPA within 14 days of a request for such information. In all Attachment 1- or 2-related documents or reports submitted to EPA pursuant to this CAFO, Respondents shall, by one of its officers, sign and certify under penalty of law that the information contained in such document or report is true, accurate, and not misleading by signing the following statement:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, the information is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment.

45. Respondents shall submit to EPA the following periodic reports for the actions taken under this CAFO, including Attachments 1 and 2:

- a. Within three (3) months after the effective date of this CAFO, Respondents shall submit an initial report to EPA describing the actions taken to that date to implement the requirements of Attachment 1 and 2;
- b. Within nine (9) months after the effective date of this CAFO, Respondents shall submit a report to EPA describing the actions taken to that date to implement the requirements of Attachment 1 and 2;
- c. Within eighteen (18) months of the effective date of the CAFO, Respondents shall submit to EPA a report describing the actions taken to that date to implement the requirements of Attachment 1 and 2;
- d. Within twenty-five (25) months after the effective date of this CAFO, Respondents shall submit a report to EPA describing the implementation of the Attachment 1 measures;
- e. Within twenty-five (25) months after the effective date of this CAFO, Respondents shall submit a SEP Completion Report for each SEP in Attachment 2, which shall contain the following information:
 - i. a detailed description of the SEP as implemented;
 - ii. a description of any SEP operating problems encountered and the solutions thereto;
 - iii. itemized SEP expenditure credit, consistent with the documentation required by Section B of Project 2 in Attachment 2, provided that the measures were implemented, and expenditure credit associated therewith

was incurred, on or after September 30, 2012. To the extent that Respondents seek to claim that any information to be submitted is Confidential Business Information, Respondents shall comply with requirements of 40 C.F.R. Part 2, Subpart B in any submittal of such information.

- iv. certification that the SEP has been fully implemented (subject to ongoing maintenance) pursuant to the provisions of this CAFO; and
- v. a description of the estimated environmental and public health benefits resulting from implementation of the SEP (with a quantification of the benefits and pollutant reductions, if feasible) using Respondents' calculations based on manufacturer's estimates, or, if such estimates are unavailable, other readily available information.

G. AUTHORIZATION

46. Each party certifies that at least one of their undersigned representatives is fully authorized to enter into the terms and conditions of this CAFO and to execute and legally bind such party to this document.

FOR OCEAN STATE TRANSIT, LLC

Name Cook

Date 9/25/12

Title Senior VP Operations
Gene Kowalczewski
Ocean State Transit, LLC

FOR STA OF CONNECTICUT, INC.

Name Cook

Date 9/25/12

Title Senior VP Operations
Gene Kowalczewski
STA of Connecticut, Inc.

FOR UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Susan Studien
Susan Studien, Director
Office of Environmental Stewardship
U.S. Environmental Protection Agency, Region I

Date 09/27/12

FINAL ORDER

The foregoing Consent Agreement is hereby approved and incorporated by reference into this Final Order. The Respondents are hereby ordered to comply with the terms of the above Consent Agreement, which will become effective on the date it is filed with the Regional Hearing Clerk.

U.S. ENVIRONMENTAL PROTECTION AGENCY

for *LeAnn Jensen*
LeAnn Jensen, Acting Regional Judicial Officer
U.S. Environmental Protection Agency, Region 1

September 27, 2012
Date

Attachment 1

Measures to Promote Compliance with State and Local Idling Restrictions

The following measures are designed to limit the excessive idling of engines of school buses operated by Respondents and STA in jurisdictions that limit idling by law or regulation. For purposes of this Attachment 1 to the CAFO, “excessive” idling shall mean idling in violation of any terms or limitations contained in laws or regulations that limit motor vehicle idling in the applicable jurisdiction. The SEP measures described in Project 1 of Attachment 2 to the CAFO, which will be implemented in all other jurisdictions, will complement the compliance measures in Section A of Attachment 1.

A. The provisions of this Section A shall apply in all jurisdictions with laws or regulations that limit excessive motor vehicle idling, whether or not those requirements are included in a federally enforceable SIP.

1. Respondents shall provide notification and training of at least fifteen (15) minutes in duration to all employees and contractors who operate school buses at STA Locations, including those employees and contractors who operate such school buses only to prepare the motor vehicles for other personnel to drive, as well as to all dispatchers, facility managers (“Terminal Managers”), and State Managers in jurisdictions with idling limits, as follows:

a. The notification and training shall be relevant to the duties of the position of the employee being trained and shall describe STA’s policy to prohibit excessive idling, describe state and local motor vehicle idling restrictions, and instruct the employee to comply with such idling policy and restrictions.

- b. Respondents shall provide the notification and training to the employees by methods including compact discs, DVDs, web-based training, written communications, and/or new driver orientation sessions.
 - c. Respondents shall commence the development of the training program within thirty (30) days after the effective date of this CAFO, with an objective of training all or a large percentage of existing personnel by December 31, 2012. All of the initial training requirements of Attachment 1 shall be complete within six (6) months of the effective date of this CAFO and recurrent training shall be provided again twelve (12) months thereafter to new and existing employees.
2. Within sixty (60) days of the effective date of this CAFO, Respondents shall post “no-excessive idling” signs at all STA Locations, as follows:
 - a. The signs shall notify all school buses operators, drivers, dispatchers, and other employees or contractors that excessive idling is prohibited, and shall specify the applicable jurisdiction’s idling limitations; and
 - b. The signs shall be designed and placed reasonably so as to be readily visible to all personnel at all STA Locations, including at each central area where operators and/or drivers congregate.
3. Within sixty (60) days of the effective date of this CAFO, Respondents shall provide written notifications to each school district in which STA operates of the STA policy to prohibit excessive idling.
4. Respondents shall ensure that at each STA Location, the following actions occur:

- a. An STA Terminal Manager, or delegated supervisor with management authority, shall walk through and check the facility parking lot(s) when school buses are starting up in preparation for their morning routes, to ensure that drivers are complying with the relevant idling regulations (hereinafter, the “walk-through requirement”);
- b. Managers or delegated supervisors with management authority at all STA Locations document the performance of the walk-through requirement set out in Paragraph A.4.a. of this Attachment 1, above. This documentation shall be retained at each STA Location, and shall be made available upon request by EPA inspectors or other enforcement personnel; and
- c. As part of each of the periodic reports submitted by Respondents under Paragraph 45 of this CAFO, Respondents shall provide reports to EPA Region 1 regarding compliance with the walk-through requirement. Each report shall include the following information:
 - i. The name and address of each STA Location in the jurisdictions addressed by Section A to this Attachment 1 of the CAFO;
 - ii. For each STA Location, the dates and times each month that a manager or supervisor performed an on-site walk-through of the Location to check for excessive idling (*i.e.*, idling in excess of the limits contained in the applicable anti-idling regulations); and
 - iii. If a manager or supervisor observes an idling concern, indicate: a) the reason for the idling, and b) the steps taken to address the idling.

- d. Each report shall also identify any instances where Respondents failed to satisfy the walk-through requirement. For each such instance, the report shall identify the STA Location being reported on, and the estimated date and time that the walk-through requirement was not performed in accordance with Paragraph A.4.a. of this Attachment 1, above, and shall provide an explanation for the nonperformance and identify the steps taken to resolve the nonperformance. The “walk-through requirement” shall be performed no fewer than four (4) times per calendar month, with no more than two (2) times in any one calendar week, and no more than two (2) times per calendar month on a particular day of the week.
 - e. Respondents shall commence implementation of the walk-through requirement set out in Paragraph A.4 of this Attachment 1, above, within sixty (60) days of the effective date of this CAFO and shall thereafter implement the walk-through requirement for twenty-four (24) months from the effective date of this CAFO.
5. Respondents shall ensure that, on the last business day of each month, each State Manager shall review the walk-through reports prepared in that month by the Terminal Managers or supervisors for each STA Location within such State Manager’s purview to determine compliance with STA’s policy to prohibit excessive idling. The State Manager shall meet or conduct a conference call with each Terminal Manager to review compliance and any additional training that may be necessary or appropriate to assure compliance with STA’s policy to prohibit excessive idling.

6. Respondents shall ensure that, on or before the last business day of each quarter, each Regional Operations Manager shall attend a conference call or a meeting with the State Managers within such Regional Operations Manager's purview to review compliance and any additional training that may be necessary or appropriate to assure compliance with STA's policy to prohibit excessive idling.

B. As a measure to promote compliance with all laws and regulations that limit engine idling, Ocean State shall:

1. Within four (4) months of the effective date of this CAFO, complete installation and commence operation of (for at least two years) the "Right Track" anti-idling and global positioning systems ("GPS Tracking Systems") on at least 117 school buses operating in Rhode Island. Operating the GPS Tracking Systems shall include programming them to use GPS technology to track the idling of school bus motor vehicle engines and alerting STA personnel when buses are close to exceeding idling limits.

2. Develop a company policy on the implementation of the GPS Tracking Systems that includes:

- a. Identifying the durational trigger point at which the GPS Tracking Systems will be programmed to notify STA bus drivers/operators, dispatchers, or other personnel of potentially excessive idling of a given bus; and
- b. Instructing such personnel on the actions they are required to take to investigate and prevent or limit any potentially excessive idling identified by the GPS Tracking Systems.

3. Train STA bus drivers/operators, dispatchers, or other personnel of their obligations under STA's policy when they receive notification from the GPS Tracking Systems of potentially excessive idling of a bus.
4. Maintain records and data from the GPS Tracking Systems regarding the duration of idling on each bus with an installed system.

Attachment 2: Supplemental Environmental Projects

Limiting Motor Vehicle Idling at STA Locations in Jurisdictions That Do Not Regulate Idling, and Early Retirement/Replacement of Buses

The following SEPs are intended to provide environmental and health benefits beyond those required by established laws, through measures designed to limit the idling of the engines of school buses operated by Respondents and STA, and/or to reduce emissions by replacing older, higher-emission school buses with new, lower-emission school buses. Project 1 will be implemented by Respondents at all STA Locations in jurisdictions in which motor vehicle idling is not limited by existing law and is intended to complement the compliance measures to be undertaken by Respondents under Attachment 1 of the CAFO.

No SEP requirement will be implemented if it conflicts with an existing state or local law, regulation, or permit requirement. In the event that a proposed state or local law, regulation, or permit has the potential to conflict with the implementation of a SEP, Respondents may seek an extension of time for SEP implementation in accordance with the Force Majeure provisions of Attachment 3. For the purposes of this paragraph, “to conflict with” shall mean to delay or prevent timely performance, despite Respondents’ best efforts.

A. Project 1: Training and Management Solutions:

1. Respondents shall provide notification and training of at least fifteen (15) minutes in duration to all employees and contractors who operate school buses at STA Locations, including those employees and contractors who operate such school buses only to prepare the motor vehicles for other personnel to drive, as well as to all

dispatchers, facility managers (Terminal Managers), and State Managers in jurisdictions with idling limits, as follows:

- a. The notification and training shall be relevant to the duties of the position of the employee being trained and shall describe STA's policy to prohibit excessive idling and instruct the employee to comply with such idling policy and restrictions. For purposes of Section A of this Attachment 2 to the CAFO, "excessive" idling shall generally mean idling longer than five (5) minutes unless necessary due to weather conditions or for safe use of school buses.
 - b. Respondents shall provide the notification and training to the employees by methods including compact discs, DVDs, web-based training, written communications, and/or new driver orientation sessions.
 - c. Respondents shall commence the development of the training program within thirty (30) days after the effective date of this CAFO, with an objective of training all or a large percentage of existing personnel by December 31, 2012. All of the initial training requirements of Attachment 2 shall be complete within six (6) months of the effective date of this CAFO and recurrent training shall be provided again twelve (12) months thereafter to new and existing employees.
2. Within sixty (60) days of the effective date of the CAFO, Respondents shall post "no-excessive idling" signs at all STA Locations, as follows:
- a. The signs shall notify all school buses operators, drivers, dispatchers, and other employees or contractors that excessive idling is prohibited, and shall specify the duration that constitutes "excessive"; and

- b. The signs shall be designed and placed reasonably so as to be readily visible to all personnel at all STA Locations, including at each central area where operators and/or drivers congregate.
3. Within sixty (60) days of the effective date of this CAFO, Respondents shall provide written notifications to each school district in which STA operates of the STA policy to prohibit excessive idling.
4. Respondents shall ensure that at each STA Location, the following actions occur:
 - a. An STA Terminal Manager, or delegated supervisor with management authority, shall walk through and check the facility parking lot(s) when school buses are starting up in preparation for their morning routes, to ensure that drivers are complying with STA's policy of no-excessive idling (the "walk-through requirement");
 - b. Managers or delegated supervisors with management authority at all STA Locations document the performance of the walk-through requirement set out in Paragraph A.4.a. of this Attachment 2, above. This documentation shall be retained at each STA Location, and shall be made available upon request by EPA inspectors or other enforcement personnel; and
 - c. As part of each of the periodic reports submitted by Respondents under Paragraph 45 of this CAFO, Respondents shall provide reports to EPA Region 1 regarding compliance with the walk-through requirement. Each report shall include the following information:
 - i. The name and address of each STA Location in the jurisdictions addressed by Section A to this Attachment 2 of the CAFO;

- ii. For each STA Location, the dates and times each month that a manager or supervisor performed an on-site walk-through of the Location to check for excessive idling; and
 - iii. If a manager or supervisor observes an idling concern, indicate: a) the reason for the idling, and b) the steps taken to address the idling.
 - d. Each report shall also identify any instances where Respondents failed to satisfy the walk-through requirement. For each such instance, the report shall identify the STA Location being reported on, and the estimated date and time that the walk-through requirement was not performed in accordance with Paragraph A.4.a. of this Attachment 2, above, and shall provide an explanation for the nonperformance and identify the steps taken to resolve the nonperformance. The “walk-through requirement” shall be performed no fewer than four (4) times per calendar month, with no more than two (2) times in any one calendar week, and no more than two (2) times per calendar month on a particular day of the week.
 - e. Respondents shall commence implementation of the walk-through requirement set out in Paragraph A.4 of this Attachment 2, above, within sixty (60) days of the effective date of this CAFO and shall thereafter implement the walk-through requirement until twenty-four (24) months from the effective date of this CAFO.
- 5. Respondents shall ensure that, on the last business day of each month, each State Manager shall review the walk-through reports prepared in that month by the Terminal Managers or supervisors for each STA Location within such State

Manager's purview to determine compliance with STA's policy to prohibit excessive idling. The State Manager shall meet or conduct a conference call with each Terminal Manager to review compliance and any additional training that may be necessary or appropriate to assure compliance with STA's policy to prohibit excessive idling.

6. Respondents shall ensure that, on or before the last business day of each quarter, each Regional Operations Manager shall attend a conference call or a meeting with the State Managers within such Regional Operations Manager's purview to review compliance and any additional training that may be necessary or appropriate to assure compliance with STA's policy to prohibit excessive idling.

B. Project 2: Early Retirement/Replacement of Buses

1. SEP Description and Schedule

- a. Respondents shall perform and satisfactorily complete a SEP involving the expenditure credit of at least \$131,000 on the permanent early retirement of buses specified in Appendix A to this Attachment 2, and the replacement of such buses in Respondents' fleets with new buses. While the replacement of buses is necessary to complete the SEP, the SEP costs and expenditures to be credited for this project pursuant to this CAFO are only those related to the retirement of buses, as shown on Appendix A. The objective of this Project is to replace older buses that have less emission control equipment, and thus produce higher emissions, with buses which have current emission control technology and produce fewer emissions. The SEP is intended to reduce emissions from Respondents' school buses.

- b. Respondents' "performance and satisfactory completion" of the SEP means that Respondents shall perform or ensure the performance of the SEP in accordance with the terms and schedules set out in this Attachment 2.

Respondents shall retire the buses specified in Appendix A, which are from model years 2001, 2002, and 2003, and shall replace such buses with new buses from the current model year (the "Replacement Buses") by no later than September 30, 2013. Unless due to a Force Majeure event, as specified in Attachment 3 to the CAFO, Respondents shall operate the Replacement Buses in Connecticut or Rhode Island locations, for at least 2 years.
- c. EPA will credit the value of each bus being retired as provided in Appendix A to this Attachment 2.

2. SEP Reporting and Completion

- a. Respondents shall provide reports to EPA regarding implementation of Project 2 as part of the periodic reporting required by Paragraph 45 of the CAFO.
- b. Respondents' reports on Project 2 shall contain the following information:
 - i. A summary of the current status of the SEP and what has been accomplished regarding the SEP during the period;
 - ii. A summary of any problems encountered that may impact the implementation schedules, and the steps taken to remedy the problem(s);
 - iii. For each bus being retired pursuant to this Project 2, documentary evidence that the bus has been taken out of service permanently, a copy of the title for the specific bus identified as "scrap," a bill of sale from

the business that has demolished the bus, and an affidavit from an authorized official of Respondents demonstrating that, but for this project, Respondents anticipated that the bus would have been kept in service by Respondents for at least one additional school year from the date of retirement; and

- iv. For each Replacement Bus being introduced to service pursuant to this Project 2, documentation of the current model year of the bus and documentation of the school district into which the bus was placed.
- c. Respondents' SEP Completion Report shall be submitted in accordance with Paragraph 45 of the CAFO. The SEP Completion Report and the final Attachment 1 implementation report may be submitted as parts of the same document, or as separate documents, but must be submitted in accordance with the terms of the CAFO.

Attachment 3

Force Majeure

A. “Force Majeure” for purposes of this CAFO, is defined as any event arising from causes entirely beyond the control of Respondents, including their contractors and subcontractors, that delays or prevents the timely performance of a SEP under this CAFO notwithstanding Respondents’ best efforts to avoid the delay. “Best efforts” include anticipating any potential Force Majeure event and addressing the effects of any such event (a) as it is occurring, and (b) after it has occurred, such that the delay is minimized to the greatest extent possible, but “best efforts” does not require that Respondents submit a bid for any expiring or expired contract. Force Majeure does not include Respondents’ financial inability to perform any action under a SEP.

B. If an event occurs which causes or may cause Respondents to fail to fully comply in a timely manner with any provision of a SEP, Respondents shall provide written notice via electronic mail and overnight mail to EPA within seven (7) days of when Respondents first knew or should have known of the event. In the notice, Respondents shall specifically reference this Force Majeure Attachment 3, and describe the expected length of time the delay or impediment to performance may persist; the known or suspected causes of the delay or impediment; the measures taken or to be taken by Respondents to prevent or minimize the delay or impediment; and the timetable by which those measures will be implemented by Respondents.

C. Failure by Respondents to fully comply with the notice requirements set out in Paragraph B of this Attachment 3, above, shall render the remainder of this Attachment 3

void and of no effect as to the particular event involved, and shall constitute a waiver of Respondents' rights under this CAFO to obtain an extension of time based on such event.

D. If EPA agrees that Respondents' failure to comply with a provision of a SEP is attributable to Force Majeure, EPA and Respondents shall stipulate in writing to an extension of time for, or to a modification of, the performance of the affected requirements of the SEP, with any extension of time not to exceed the amount of time lost due to the actual unavoidable delay resulting from such circumstances. Stipulated penalties shall not accrue for the number of days constituting the actual unavoidable delay caused by such circumstances.

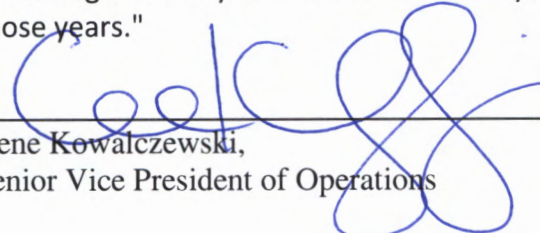


September 26, 2012

Christine M. Foot
Enforcement Counsel
US EPA – New England
5 Post Office Square
Suite 100 OES04-2
Boston, MA 02109-3912

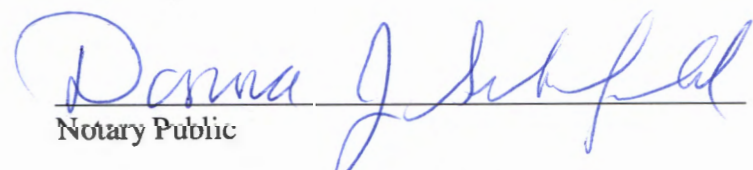
AFFIDAVIT OF COMPLIANCE

"I, Gene Kowalczewski, Senior Vice President of Operations at Student Transportation of America, Inc. (the "Company"), state that the Company currently projects to have no taxable income for the fiscal year ending on June 30, 2012 or for the fiscal year ending on June 30, 2013, including but not limited to, income that could be realized from the sale of the buses listed in Appendix A to the Consent Agreement and Final Order in EPA Docket No. CAA-01-2012-0097, or any payments received from the scrapping of those buses. However, if the Company does generate taxable income, there is sufficient net operating loss carry-forward to off-set any taxable income that may be reported in those years."



Gene Kowalczewski,
Senior Vice President of Operations

Before me personally appear Gene Kowalczewski, known to me to be the person who executed the foregoing statement.



Notary Public

County of Erie; State of New York

My commission expires:

5-17-2015

.....
DONNA J. SCHOFIELD
Notary Public, State of New York
Qualified in Erie County
My Commission Expires: 05/17/2015

Appendix A

Bus No.	VIN	DT/VZ/DW#	STATE	YEAR	Chasis Manufacturer	Body Manufacturer	Mileage	Blue Book Retail	Air Brakes (+)	Child Checks (+)	Mileage (-)	Blue Book Adjusted Retail	Blue Book Wholesale	Air Brakes (-)	Child Checks (-)	Mileage (+/-)	Blue Book Adjusted Wholesale	School Bus Blue Book Page#	Average of Adjusted Retail and Adjusted Wholesale	Deduction for Scrap Value	Average of Adjusted Retail and Adjusted Wholesale - Scrap Value
1	1HVBBAA21H330593	HIGGANUM	CT	2001	INTERNATIONAL	AM TRAN	197778	11800	1260	50	(1420)	11690	9200	770	30	(880)	9120	pg 60	10405	900	9505
5	1HVBRAAN32B920480	HIGGANUM	CT	2002	INTERNATIONAL	IC CORP	196297	18200	1440	100	(1420)	18320	14200	880	60	(880)	14260	pg 68	16290	900	15390
27	1HVBRAAN12B920476	HIGGANUM	CT	2002	INTERNATIONAL	IC CORP	180018	18200	1440	100	(1420)	18320	14200	880	60	(880)	14260	pg 68	16290	900	15390
4	1HVBRAAN2B920475	HIGGANUM	CT	2002	INTERNATIONAL	IC CORP	179090	18200	1440	100	(1420)	18320	14200	880	60	(880)	14260	pg 68	16290	900	15390
26	1HVBRAAN72B920479	HIGGANUM	CT	2002	INTERNATIONAL	IC CORP	175212	18200	1440	100	(1420)	18320	14200	880	60	(880)	14260	pg 68	16290	900	15390
3	1HVBRAAN82B920474	HIGGANUM	CT	2002	INTERNATIONAL	IC CORP	166992	18200	1440	100	(1420)	18320	14200	880	60	(880)	14260	pg 68	16290	900	15390
415	4UZAAXAL52CJ24927	LEDYARD	CT	2002	FREIGHTLINER	IC CORP	123930	16100	0	100	0	16200	12500	0	60	0	12560	pg 70	14380	900	13480
202	1HVBRABP72A920455	GRISWOLD	CT	2002	INTERNATIONAL	IC CORP	108679	18200	0	100	0	18300	14200	0	60	0	14260	pg 68	16280	900	15380
421	4DRBRABP92A947576	GROTON	CT	2003	INTERNATIONAL	IC CORP	159169	21600	0	150	(1420)	20330	16900	0	90	(880)	16110	Pg 68	18220	900	17320
												158120			123350			140735	8100	132635	

Based on the Official School Bus Blue Book, April 2012 Edition

Table 1

**Idling Observations
STA of Connecticut and Ocean State Transit**

Idling Limit in
CT (minutes) = 3

Idling Limit in
RI (minutes) = 5

Date	Location of Vehicle	Company Name	Vehicle Number	License Plate	Idling Start	Idling End	Duration of Idling (minutes)	Notes
11/15/11	Danbury, CT	Student Transportation of America	69	74A71	6:11 AM	6:36 AM	0:25	
11/15/11	Danbury, CT	Student Transportation of America	68	76A90	5:53 AM	5:59 AM	0:06	
11/15/11	Danbury, CT	Student Transportation of America	67	74A76	6:11 AM	6:36 AM	0:25	
11/15/11	Danbury, CT	Student Transportation of America	66	98A53	6:04 AM	6:17 AM	0:13	
11/15/11	Danbury, CT	Student Transportation of America	65	87A82	6:50 AM	6:53 AM	0:03	
11/15/11	Danbury, CT	Student Transportation of America	64	87A88	6:38 AM	6:53 AM	0:15	
11/15/11	Danbury, CT	Student Transportation of America	63	98A51	6:15 AM	6:31 AM	0:16	
11/15/11	Danbury, CT	Student Transportation of America	62	76A84	6:02 AM	6:11 AM	0:09	
11/15/11	Danbury, CT	Student Transportation of America	61	76A80	6:10 AM	6:28 AM	0:18	
11/15/11	Danbury, CT	Student Transportation of America	54	98A58	5:48 AM	5:52 AM	0:04	
11/15/11	Danbury, CT	Student Transportation of America	60	76A96	6:17 AM	6:24 AM	0:07	
11/15/11	Danbury, CT	Student Transportation of America	59	89A49	6:17 AM	6:38 AM	0:21	
11/15/11	Danbury, CT	Student Transportation of America	58	87A86	6:12 AM	6:15 AM	0:03	
11/15/11	Danbury, CT	Student Transportation of America	57	98A56	6:24 AM	6:31 AM	0:07	
11/15/11	Danbury, CT	Student Transportation of America	56	74A65	6:24 AM	6:30 AM	0:06	
11/15/11	Danbury, CT	Student Transportation of America	55	98A65	6:24 AM	6:40 AM	0:16	
11/15/11	Danbury, CT	Student Transportation of America	49	76A93	5:58 AM	6:04 AM	0:06	
11/15/11	Danbury, CT	Student Transportation of America		98A62	6:19 AM	6:25 AM	0:06	
11/15/11	Danbury, CT	Student Transportation of America		76A83	6:24 AM	6:45 AM	0:21	
11/15/11	Danbury, CT	Student Transportation of America		87A92	6:24 AM	6:40 AM	0:16	
11/15/11	Danbury, CT	Student Transportation of America		98A55	6:19 AM	6:37 AM	0:18	
11/15/11	Danbury, CT	Student Transportation of America		98A61	6:19 AM	6:33 AM	0:14	
11/15/11	Danbury, CT	Student Transportation of America		87A81	5:45 AM	5:51 AM	0:06	
11/15/11	Danbury, CT	Student Transportation of America		87A90	6:30 AM	6:47 AM	0:17	
11/16/11	Naugatuck, CT	Student Transportation of America		46A13	5:38 AM	5:55 AM	0:17	
11/16/11	Naugatuck, CT	Student Transportation of America		46A33	5:55 AM	6:16 AM	0:21	
11/16/11	Naugatuck, CT	Student Transportation of America		46A35	5:42 AM	5:58 AM	0:16	
11/16/11	Naugatuck, CT	Student Transportation of America		34A24	7:04 AM	7:28 AM	0:24	
11/16/11	Naugatuck, CT	Student Transportation of America		46A39	7:22 AM	7:38 AM	0:16	
11/16/11	Naugatuck, CT	Student Transportation of America		46A18	6:38 AM	6:46 AM	0:08	
11/16/11	Naugatuck, CT	Student Transportation of America		43A04	6:11 AM	6:16 AM	0:05	
11/16/11	Naugatuck, CT	Student Transportation of America		32A95			0:00	Never Started
11/16/11	Naugatuck, CT	Student Transportation of America		46A23	6:36 AM	6:45 AM	0:09	
11/16/11	Naugatuck, CT	Student Transportation of America		46A36	6:47 AM	7:07 AM	0:20	
11/16/11	Naugatuck, CT	Student Transportation of America		46A41	6:10 AM	6:30 AM	0:20	
11/16/11	Naugatuck, CT	Student Transportation of America		46A37	6:14 AM	6:29 AM	0:15	
11/16/11	Naugatuck, CT	Student Transportation of America		46A38	5:31 AM	5:56 AM	0:25	
11/16/11	Naugatuck, CT	Student Transportation of America		46A28	7:09 AM	7:15 AM	0:06	
11/16/11	Naugatuck, CT	Student Transportation of America		46A21	6:12 AM	6:35 AM	0:23	
11/16/11	Naugatuck, CT	Student Transportation of America		46A32	5:37 AM	6:02 AM	0:25	
11/16/11	Naugatuck, CT	Student Transportation of America		46A16	6:30 AM	6:43 AM	0:13	
11/16/11	Naugatuck, CT	Student Transportation of America		46A14	5:47 AM	6:07 AM	0:20	
11/16/11	Naugatuck, CT	Student Transportation of America		46A31	6:43 AM	6:48 AM	0:05	
11/16/11	Naugatuck, CT	Student Transportation of America	22	71A31	6:23 AM	6:49 AM	0:26	
11/16/11	Naugatuck, CT	Student Transportation of America		46A22	6:16 AM	6:29 AM	0:13	
11/16/11	Naugatuck, CT	Student Transportation of America	67	71A52	6:33 AM	7:00 AM	0:27	
11/16/11	Naugatuck, CT	Student Transportation of America		46A64	6:49 AM	6:53 AM	0:04	
11/16/11	Naugatuck, CT	Student Transportation of America		46A34	7:10 AM	7:19 AM	0:09	
11/16/11	Naugatuck, CT	Student Transportation of America		46A27	5:55 AM	6:25 AM	0:30	
11/17/11	Higganum, CT	Student Transportation of America		11B27	5:59 AM	6:08 AM	0:09	
11/17/11	Higganum, CT	Student Transportation of America	370	89A48	5:48 AM	6:00 AM	0:12	
11/17/11	Higganum, CT	Student Transportation of America	23		5:52 AM	6:05 AM	0:13	
11/17/11	Higganum, CT	Student Transportation of America	26		5:50 AM	6:18 AM	0:28	
11/17/11	Higganum, CT	Student Transportation of America		89A33	5:40 AM	6:00 AM	0:20	
11/17/11	Higganum, CT	Student Transportation of America		89A43	6:07 AM	6:12 AM	0:05	
11/17/11	Higganum, CT	Student Transportation of America		89A24	6:07 AM	6:10 AM	0:03	
11/17/11	Higganum, CT	Student Transportation of America	21		5:47 AM	6:28 AM	0:41	
11/17/11	Higganum, CT	Student Transportation of America	33		5:58 AM	6:08 AM	0:10	
11/17/11	Higganum, CT	Student Transportation of America	11		5:50 AM	6:19 AM	0:29	
11/29/11	Stamford, CT (Selleck St.)	Student Transportation of America	628	34A21	5:58 AM	6:38 AM	0:40	
11/29/11	Stamford, CT (Selleck St.)	Student Transportation of America	5	11B14			0:00	Never Started
11/29/11	Stamford, CT (Selleck St.)	Student Transportation of America	649	45A59	5:56 AM	6:36 AM	0:40	
11/29/11	Stamford, CT (Selleck St.)	Student Transportation of America	659	34A49	6:35 AM	6:37 AM	0:02	
11/29/11	Stamford, CT (Selleck St.)	Student Transportation of America	632	45A05	6:18 AM	6:33 AM	0:15	

Date	Location of Vehicle	Company Name	Vehicle Number	License Plate	Idling Start	Idling End	Duration of Idling (minutes)	Notes
11/29/11	Stamford, CT (Selleck St.)	Student Transportation of America	648	43A20	6:04 AM	6:17 AM	0:13	
11/29/11	Stamford, CT (Selleck St.)	Student Transportation of America	627	45A07	6:11 AM	6:19 AM	0:08	
11/29/11	Stamford, CT (Selleck St.)	Student Transportation of America	20	11B18	6:37 AM	6:41 AM	0:04	
11/29/11	Stamford, CT (Selleck St.)	Student Transportation of America	611	45A28	6:20 AM	6:21 AM	0:01	
11/29/11	Stamford, CT (Selleck St.)	Student Transportation of America	651	45A32	6:20 AM	6:39 AM	0:19	
11/29/11	Stamford, CT (Selleck St.)	Student Transportation of America	625		6:20 AM	6:40 AM	0:20	
11/29/11	Stamford, CT (Selleck St.)	Student Transportation of America	630		6:12 AM	6:32 AM	0:20	
11/29/11	Stamford, CT (Selleck St.)	Student Transportation of America	660		6:13 AM	6:32 AM	0:19	
11/29/11	Stamford, CT (Selleck St.)	Student Transportation of America	621		5:52 AM	6:38 AM	0:46	
11/30/11	Stamford, CT (Commerce Rd.)	Student Transportation of America	671		6:51 AM	7:04 AM	0:13	
11/30/11	Stamford, CT (Commerce Rd.)	Student Transportation of America		11B64	6:07 AM	6:12 AM	0:05	
11/30/11	Stamford, CT (Commerce Rd.)	Student Transportation of America	672	43A12	6:22 AM	6:34 AM	0:12	
11/30/11	Stamford, CT (Commerce Rd.)	Student Transportation of America	631	45A51	6:26 AM	6:30 AM	0:04	
11/30/11	Stamford, CT (Commerce Rd.)	Student Transportation of America	620	43A32	6:26 AM	6:31 AM	0:05	
11/30/11	Stamford, CT (Commerce Rd.)	Student Transportation of America	602		6:39 AM	6:41 AM	0:02	
11/30/11	Stamford, CT (Commerce Rd.)	Student Transportation of America	609		6:38 AM	6:42 AM	0:04	
11/30/11	Stamford, CT (Commerce Rd.)	Student Transportation of America	653		6:24 AM	6:34 AM	0:10	
11/30/11	Stamford, CT (Commerce Rd.)	Student Transportation of America		95A57	6:49 AM	6:59 AM	0:10	
11/30/11	Stamford, CT (Commerce Rd.)	Student Transportation of America		11B17	6:49 AM	6:55 AM	0:06	
11/30/11	Stamford, CT (Commerce Rd.)	Student Transportation of America	641	43A29	6:37 AM	6:44 AM	0:07	
11/30/11	Stamford, CT (Commerce Rd.)	Student Transportation of America	613	43A50	6:50 AM	7:00 AM	0:10	
11/30/11	Stamford, CT (Commerce Rd.)	Student Transportation of America		11B69	6:23 AM	6:36 AM	0:13	
11/30/11	Stamford, CT (Commerce Rd.)	Student Transportation of America	604	43A35	6:38 AM	6:56 AM	0:18	
11/30/11	Stamford, CT (Commerce Rd.)	Student Transportation of America	616	45A13	6:15 AM	6:37 AM	0:22	
11/30/11	Stamford, CT (Commerce Rd.)	Student Transportation of America	661		6:20 AM	6:41 AM	0:21	
11/30/11	Stamford, CT (Commerce Rd.)	Student Transportation of America	664		6:38 AM	6:40 AM	0:02	
11/30/11	Stamford, CT (Commerce Rd.)	Student Transportation of America	650		6:30 AM	6:45 AM	0:15	
11/30/11	Stamford, CT (Commerce Rd.)	Student Transportation of America	654		6:50 AM	7:00 AM	0:10	
11/30/11	Stamford, CT (Commerce Rd.)	Student Transportation of America	633		6:35 AM	6:50 AM	0:15	
11/30/11	Stamford, CT (Commerce Rd.)	Student Transportation of America	614		6:36 AM	6:58 AM	0:22	
11/30/11	Stamford, CT (Commerce Rd.)	Student Transportation of America	622		6:35 AM	6:47 AM	0:12	
11/30/11	Stamford, CT (Commerce Rd.)	Student Transportation of America	642		6:35 AM	6:47 AM	0:12	
11/30/11	Stamford, CT (Commerce Rd.)	Student Transportation of America	600		6:45 AM	7:00 AM	0:15	
11/30/11	Stamford, CT (Commerce Rd.)	Student Transportation of America	636		6:36 AM	6:50 AM	0:14	
11/30/11	Stamford, CT (Commerce Rd.)	Student Transportation of America	675		6:18 AM	6:23 AM	0:05	
11/30/11	Stamford, CT (Commerce Rd.)	Student Transportation of America	626		6:12 AM	6:14 AM	0:02	
11/30/11	Stamford, CT (Commerce Rd.)	Student Transportation of America	639		6:25 AM	6:40 AM	0:15	
11/30/11	Stamford, CT (Commerce Rd.)	Student Transportation of America		11B71	6:30 AM	6:43 AM	0:13	
12/6/11	Groton, CT	Student Transportation of America		11B50	6:20 AM	6:40 AM	0:20	
12/6/11	Groton, CT	Student Transportation of America	487	43A43	6:18 AM	6:41 AM	0:23	
12/6/11	Groton, CT	Student Transportation of America	489	43A42			0:00	Never Started
12/6/11	Groton, CT	Student Transportation of America	465	34A16	6:33 AM	6:52 AM	0:19	
12/6/11	Groton, CT	Student Transportation of America	460	34A13	6:20 AM	6:40 AM	0:20	
12/6/11	Groton, CT	Student Transportation of America	462	34A14			0:00	Never Started
12/6/11	Groton, CT	Student Transportation of America	470	34A19	6:22 AM	6:29 AM	0:07	
12/6/11	Groton, CT	Student Transportation of America	374	34A47	6:53 AM	6:58 AM	0:05	
12/6/11	Groton, CT	Student Transportation of America	471	34A20	6:35 AM	6:47 AM	0:12	
12/6/11	Groton, CT	Student Transportation of America	475	34A45				Never Started
12/6/11	Groton, CT	Student Transportation of America		11B55	6:31 AM	6:47 AM	0:16	
12/6/11	Groton, CT	Student Transportation of America		81A18	5:40 AM	5:59 AM	0:19	
12/6/11	Groton, CT	Student Transportation of America		11B51			0:00	Never Started
12/6/11	Groton, CT	Student Transportation of America		81A19			0:00	Never Started
12/6/11	Groton, CT	Student Transportation of America	478	34A48	6:52 AM	6:56 AM	0:04	
12/6/11	Groton, CT	Student Transportation of America	469	34A18	6:15 AM	6:20 AM	0:05	
12/6/11	Groton, CT	Student Transportation of America	473	45A21			0:00	Never Started
12/6/11	Groton, CT	Student Transportation of America	406	34A28	6:20 AM	6:25 AM	0:05	
12/6/11	Groton, CT	Student Transportation of America	401	34A41	6:20 AM	6:38 AM	0:18	
12/6/11	Groton, CT	Student Transportation of America	403	34A25	6:10 AM	6:18 AM	0:08	
12/6/11	Groton, CT	Student Transportation of America	404	34A26	6:20 AM	6:44 AM	0:24	
12/6/11	Groton, CT	Student Transportation of America	405	34A27	6:20 AM	6:37 AM	0:17	
12/6/11	Groton, CT	Student Transportation of America	407	34A17	6:20 AM	6:44 AM	0:24	
12/6/11	Groton, CT	Student Transportation of America	408	34A29	6:20 AM	6:39 AM	0:19	
12/6/11	Groton, CT	Student Transportation of America	409	32A96	6:20 AM	6:37 AM	0:17	
12/6/11	Groton, CT	Student Transportation of America	410	34A30	6:20 AM	6:41 AM	0:21	
12/6/11	Groton, CT	Student Transportation of America	413	34A45	6:20 AM	6:34 AM	0:14	
12/6/11	Groton, CT	Student Transportation of America	414	34A44	6:20 AM	6:41 AM	0:21	
12/6/11	Groton, CT	Student Transportation of America	417	32A97	6:15 AM	6:35 AM	0:20	
12/6/11	Groton, CT	Student Transportation of America	418	32A98	6:20 AM	6:41 AM	0:21	
12/6/11	Groton, CT	Student Transportation of America	467	34A35			0:00	Never Started
12/6/11	Groton, CT	Student Transportation of America	622		6:20 AM	6:36 AM	0:16	
12/6/11	Groton, CT	Student Transportation of America	411	34A31			0:00	Never Started
12/14/11	E. Greenwich, RI	Ocean State Transit	2	4631	6:39 AM	6:57 AM	0:18	
12/14/11	E. Greenwich, RI	Ocean State Transit	3	7059	6:40 AM	6:59 AM	0:19	
12/14/11	E. Greenwich, RI	Ocean State Transit	4	4197	6:41 AM	6:49 AM	0:08	
12/14/11	E. Greenwich, RI	Ocean State Transit	5	4633	6:34 AM	7:00 AM	0:26	
12/14/11	E. Greenwich, RI	Ocean State Transit	6	4466	6:38 AM	6:55 AM	0:17	

Date	Location of Vehicle	Company Name	Vehicle Number	License Plate	Idling Start	Idling End	Duration of Idling (minutes)	Notes
12/14/11	E. Greenwich, RI	Ocean State Transit	7	4462	6:32 AM	6:40 AM	0:08	
12/14/11	E. Greenwich, RI	Ocean State Transit	9	4614	6:39 AM	6:44 AM	0:05	
12/14/11	E. Greenwich, RI	Ocean State Transit	11	4632	6:41 AM	6:45 AM	0:04	
12/14/11	E. Greenwich, RI	Ocean State Transit	8	4634	6:40 AM	7:05 AM	0:25	
12/14/11	E. Greenwich, RI	Ocean State Transit	80	4470	6:44 AM	6:46 AM	0:02	
12/14/11	E. Greenwich, RI	Ocean State Transit	82	4461	6:02 AM	6:21 AM	0:19	
12/14/11	E. Greenwich, RI	Ocean State Transit	64	4946			0:00	Never Started
12/14/11	E. Greenwich, RI	Ocean State Transit	5447	4952			0:00	Never Started
12/14/11	E. Greenwich, RI	Ocean State Transit	78	4808			0:00	Never Started
12/14/11	E. Greenwich, RI	Ocean State Transit	99	4553	6:44 AM	6:53 AM	0:09	
12/14/11	E. Greenwich, RI	Ocean State Transit	101	4463	6:13 AM	6:30 AM	0:17	Started and turned off
12/14/11	E. Greenwich, RI	Ocean State Transit	101	4463	6:44 AM	7:00 AM	0:16	Started again and left
12/14/11	E. Greenwich, RI	Ocean State Transit	1	4807	6:54 AM	7:06 AM	0:12	
12/14/11	E. Greenwich, RI	Ocean State Transit	15	4622	6:23 AM	6:33 AM	0:10	Started and turned off
12/14/11	E. Greenwich, RI	Ocean State Transit	12	4198	6:29 AM	6:39 AM	0:10	
12/14/11	E. Greenwich, RI	Ocean State Transit	13	4636	6:30 AM	6:37 AM	0:07	Started and turned off
12/14/11	E. Greenwich, RI	Ocean State Transit	13	4636	6:56 AM	7:00 AM	0:04	Started again and left
12/14/11	E. Greenwich, RI	Ocean State Transit	10	4195	6:39 AM	6:45 AM	0:06	
12/14/11	E. Greenwich, RI	Ocean State Transit	M6	4484	6:31 AM	6:43 AM	0:12	
12/14/11	E. Greenwich, RI	Ocean State Transit	265	6860			0:00	Never Started
12/14/11	E. Greenwich, RI	Ocean State Transit	M3	8091	6:54 AM	7:03 AM	0:09	
12/14/11	E. Greenwich, RI	Ocean State Transit	40	6858	6:48 AM	6:58 AM	0:10	
12/21/11	S. Kingstown, RI	Ocean State Transit	H1	4243	5:47 AM	5:55 AM	0:08	
12/21/11	S. Kingstown, RI	Ocean State Transit	29	4792	6:26 AM	6:32 AM	0:06	
12/21/11	S. Kingstown, RI	Ocean State Transit	27	4446	6:10 AM	6:42 AM	0:32	
12/21/11	S. Kingstown, RI	Ocean State Transit	28	4627	5:47 AM	6:05 AM	0:18	
12/21/11	S. Kingstown, RI	Ocean State Transit	32	4245	6:00 AM	6:16 AM	0:16	
12/21/11	S. Kingstown, RI	Ocean State Transit	30	4508			0:00	Never Started
12/21/11	S. Kingstown, RI	Ocean State Transit	15	4790	6:10 AM	6:33 AM	0:23	
12/21/11	S. Kingstown, RI	Ocean State Transit	14	4507	6:10 AM	6:32 AM	0:22	
12/21/11	S. Kingstown, RI	Ocean State Transit	26	4628	5:50 AM	5:58 AM	0:08	
12/21/11	S. Kingstown, RI	Ocean State Transit	11	4926	5:55 AM	6:07 AM	0:12	
12/21/11	S. Kingstown, RI	Ocean State Transit	21	4624	5:59 AM	6:34 AM	0:35	
12/21/11	S. Kingstown, RI	Ocean State Transit	22	6997	5:59 AM	6:20 AM	0:21	
12/21/11	S. Kingstown, RI	Ocean State Transit	23	4625	6:01 AM	6:15 AM	0:14	
12/21/11	S. Kingstown, RI	Ocean State Transit	24	4510	6:20 AM	6:41 AM	0:21	
12/21/11	S. Kingstown, RI	Ocean State Transit	25	4999	5:44 AM	6:10 AM	0:26	
12/21/11	S. Kingstown, RI	Ocean State Transit	M9	4993			0:00	Never Started
12/21/11	S. Kingstown, RI	Ocean State Transit	M8	4809	6:20 AM	6:40 AM	0:20	
12/21/11	S. Kingstown, RI	Ocean State Transit	M7	4239	6:15 AM	6:41 AM	0:26	
12/21/11	S. Kingstown, RI	Ocean State Transit	M6	4941	5:59 AM	6:14 AM	0:15	
12/21/11	S. Kingstown, RI	Ocean State Transit	M5	4992			0:00	Never Started
12/21/11	S. Kingstown, RI	Ocean State Transit	M1	4984	6:10 AM	6:25 AM	0:15	
12/21/11	S. Kingstown, RI	Ocean State Transit	M2	4222	6:15 AM	6:30 AM	0:15	
12/21/11	S. Kingstown, RI	Ocean State Transit	M3	4985	6:15 AM	6:34 AM	0:19	
12/21/11	S. Kingstown, RI	Ocean State Transit	M4	4224	5:44 AM	6:07 AM	0:23	
12/21/11	S. Kingstown, RI	Ocean State Transit	31	4619	6:03 AM	6:08 AM	0:05	
12/21/11	S. Kingstown, RI	Ocean State Transit	1	4380	6:14 AM	6:44 AM	0:30	
12/21/11	S. Kingstown, RI	Ocean State Transit	2	4791	6:06 AM	6:36 AM	0:30	
12/21/11	S. Kingstown, RI	Ocean State Transit	3	4928	5:44 AM	6:21 AM	0:37	
12/21/11	S. Kingstown, RI	Ocean State Transit	4	4509	6:10 AM	6:27 AM	0:17	
12/21/11	S. Kingstown, RI	Ocean State Transit	5	4629	5:59 AM	6:43 AM	0:44	
12/21/11	S. Kingstown, RI	Ocean State Transit	6		5:59 AM	6:28 AM	0:29	
12/21/11	S. Kingstown, RI	Ocean State Transit	7		6:10 AM	6:23 AM	0:13	
12/21/11	S. Kingstown, RI	Ocean State Transit	8		5:39 AM	6:03 AM	0:24	
12/21/11	S. Kingstown, RI	Ocean State Transit	9		5:48 AM	6:14 AM	0:26	
12/21/11	S. Kingstown, RI	Ocean State Transit	10		6:08 AM	6:26 AM	0:18	
12/21/11	S. Kingstown, RI	Ocean State Transit	20		6:15 AM	6:34 AM	0:19	
12/21/11	S. Kingstown, RI	Ocean State Transit	18		6:10 AM	6:30 AM	0:20	
12/21/11	S. Kingstown, RI	Ocean State Transit	19		6:02 AM	6:17 AM	0:15	
12/21/11	S. Kingstown, RI	Ocean State Transit	33		5:58 AM	6:09 AM	0:11	
12/21/11	S. Kingstown, RI	Ocean State Transit	16		5:59 AM	6:14 AM	0:15	
12/21/11	S. Kingstown, RI	Ocean State Transit	6		6:00 AM	6:16 AM	0:16	

Total Minutes: 2858

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1 – NEW ENGLAND

)
)
IN THE MATTER OF:)
)
Ocean State Transit, LLC,)
STA of Connecticut, Inc.,)
Student Transportation of America, Inc.)
)
_____)

Docket No. CAA-01-2012-0097

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Consent Agreement and Final Order has been sent to the following persons on the date noted below:


Original and One Copy,
Hand Delivered:

Regional Hearing Clerk (RAA)
U.S. Environmental Protection Agency, Region 1
5 Post Office Square, Suite 100
Mail Code ORA18-1
Boston, MA 02109-3912

Copy, Certified Mail, Return
Receipt Requested:

Scott E. Furman, Esquire
Tannenbaum Helpert Syracuse & Hirschtritt LLP
900 Third Avenue
New York, New York 10022

Dated: 9/27/12



Christine Foot, Enforcement Counsel
Office of Environmental Stewardship
U.S. Environmental Protection Agency, Region 1
5 Post Office Square, Suite 100
Mail Code OES04-2
Boston, MA 02109-3912