

**UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ENVIRONMENTAL APPEALS BOARD**

IN THE MATTER OF)	
)	
Comcast Cable Communications, L.L.C.)	Docket No. EPCRA-HQ-2015-8001
1701 John F. Kennedy Boulevard)	CWA-HQ-2015-8001
Philadelphia, PA 19103)	
)	
)	
Respondent)	

CONSENT AGREEMENT

I. Preliminary Statement

1. Complainant, the United States Environmental Protection Agency (“Complainant” or “EPA”) and Respondent, Comcast Cable Communications, L.L.C. (“Respondent” or “Comcast Cable”), having consented to the terms of this Consent Agreement (“Agreement”), and before the taking of any testimony and without the adjudication of issues of law or fact herein, agree to comply with the terms of this Agreement and attached proposed Final Order hereby incorporated by reference.
2. Respondent notified EPA of noncompliance with reporting requirements under Sections 302, 311 and 312 of the Emergency Planning and Community Right-to-Know Act (EPCRA) at thirteen of its communication and network facilities. Respondent self-disclosed these violations pursuant to EPA’s policy entitled *Incentives for Self-Policing: Discovery, Disclosure, Correction and Prevention of Violations* (Audit Policy), 65 Fed. Reg. 19,618 (Apr. 11, 2000) in a letter dated July 15, 2014.
3. In its letter dated July 15, 2014, Respondent proposed to complete environmental audits at an additional 221 facilities and, as requested by EPA, provided a list of facilities to be audited in an electronic message dated August 8, 2014. In a telephone conversation on August 11, 2014, EPA agreed to Respondent’s proposal to complete the audits of the additional facilities by September 15, 2014 and submit a final report to EPA by December 5, 2014.
4. EPA granted Respondent’s request for an extension of the due date for submittal of its final audit report to January 6, 2015 in an electronic mail message dated December 4, 2014.
5. On January 5, 2015, pursuant to EPA’s Audit Policy, Respondent submitted a final audit report, voluntarily disclosing to EPA violations of:
 - A. Clean Water Act (CWA) Section 311(j), 33 U.S.C. § 1321(j);
 - B. Emergency Planning and Community Right-to-Know Act (EPCRA) Section 302, 42 U.S.C. § 11002;

- C. EPCRA Section 311, 42 U.S.C. § 11021; and
- D. EPCRA Section 312, 42 U.S.C. § 11022.

Respondent ultimately audited a total of 286 facilities within 60 days of its July 15, 2014 letter, as documented in Respondent's January 5, 2015 final audit report.

6. Respondent's final audit report summarized steps taken to prevent recurrence of any violations after they had been disclosed. Respondent's disclosures resulted in a final list of disclosed violations, found in Attachment A, hereby incorporated by reference, which are the subject of this Agreement.

7. The disclosures listed in Attachment A have been determined by EPA to satisfy all the conditions set forth in the Audit Policy. These violations therefore qualify for a 100% reduction of the civil penalty's gravity component, described further in Sections III – V of this Agreement.

8. Respondent, defined above, is a telecommunications company that owns or operates the facilities at issue in this Agreement.

II. Jurisdiction

9. The parties agree to the commencement and conclusion of this cause of action by issuance of this Agreement, as prescribed by EPA's Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, 40 C.F.R. Part 22, and more specifically by 40 C.F.R. §§ 22.13(b) and 22.18(b)(2)-(3).

10. Respondent agrees that Complainant has the jurisdiction to bring an administrative action, based upon the facts that Respondent provided, for these violations and for the assessment of civil penalties pursuant to CWA Section 311(b)(6)(A)-(B), 33 U.S.C. §§ 1321(b)(6)(A)-(B) and EPCRA Section 325(c), 42 U.S.C. § 11045(c).

11. Respondent hereby waives its right to request a judicial or administrative hearing on any issue of law or fact set forth in this Agreement and its right to judicial review of the proposed Final Order accompanying this Agreement.

12. For purposes of this proceeding, Respondent admits that EPA has jurisdiction over the subject matter that is the basis of this Agreement.

13. Respondent neither admits nor denies the conclusions of law as set forth in this Agreement.

III. Statements of Fact

14. Respondent is a telecommunications company organized under the laws of the State of Delaware.

15. Respondent is among the largest providers of cable services in the United States, offering a variety of entertainment, information and communications solutions to residential and commercial customers, and is located at 1701 John F. Kennedy Boulevard, Philadelphia, PA 19103, and is incorporated in the State of Delaware.

16. Pursuant to EPA's Audit Policy, Respondent hereby certifies and warrants as true for all the violations listed in Attachments A and B the following facts upon which this Agreement is based:

- A. The violations were discovered through an audit or through a compliance management system reflecting due diligence;
- B. The violations were discovered voluntarily;
- C. The violations were promptly disclosed to EPA in writing;
- D. The violations were disclosed prior to commencement of an agency inspection or investigation, notice of a citizen suit, filing of a complaint by a third party, reporting of the violations by a "whistleblower" employee, or imminent discovery by a regulatory agency;
- E. The violations have been corrected;
- F. Appropriate steps have been taken to prevent a recurrence of the violations;
- G. The specific violations (or closely related violations), identified in Attachments A and B, have not occurred within three years of the date of disclosure identified in Section I, Paragraphs 2, 3, and 4 above, at the same facilities that are the subject of this Agreement, and have not occurred within five years of the date of disclosure identified in Section I, Paragraphs 2, 3, and 4 above, as part of a pattern at multiple facilities owned or operated by Respondent. For the purposes of Subparagraph G, a violation is:
 - (i) Any violation of federal, state, or local environmental law identified in a judicial or administrative order, consent agreement or order, complaint, or notice of violation, conviction or plea agreement; or
 - (ii) Any act or omission for which the regulated entity has previously received penalty mitigation from EPA or a state or local agency;
- H. The violations have not resulted in serious actual harm nor presented an imminent and substantial endangerment to human health or the

environment and they did not violate the specific terms of any judicial or administrative Final Order or Agreement; and

- I. Respondent has cooperated as requested by EPA.

IV. Conclusions of Law

EPCRA

17. Respondent is a person as defined in EPCRA Section 329(7), 42 U.S.C. § 11049(7), and is the owner or operator of the facilities as defined in EPCRA Section 329(4), 42 U.S.C. § 11049(4), which are listed in Attachment A, hereby incorporated by reference.
18. Section 302(c) of EPCRA, 42 U.S.C. § 11002(c), and the regulations found at 40 C.F.R. Part 355, require the owner or operator of a facility at which an extremely hazardous substance is present, at or above stated designated threshold quantities, to notify the State Emergency Response Commission (SERC) that the facility is subject to the requirements of EPCRA § 302(c).
19. Section 311(a) of EPCRA, 42 U.S.C. § 11021(a), and the implementing regulations found at 40 C.F.R. Part 370, require the owner or operator of a facility, which is required to prepare or have available a material safety data sheet ("MSDS") for a hazardous chemical under the Occupational Safety and Health Act of 1970, 29 U.S.C. §§ 651-678 ("OSH Act"), and regulations promulgated under the OSH Act, to submit the MSDS, or in the alternative, a list of such hazardous chemicals to the appropriate Local Emergency Planning Committee ("LEPC"), the State Emergency Response Commission ("SERC"), and to the fire department with jurisdiction over the facility by October 17, 1987, or within three months of first becoming subject to EPCRA Section 311 requirements.
20. Section 312(a) of EPCRA, 42 U.S.C. § 11022(a), and the implementing regulations found at 40 C.F.R. Part 370, require the owner or operator of a facility which is required to prepare or have available an MSDS for a hazardous chemical under the OSH Act and regulations promulgated under the OSH Act, to prepare and submit an emergency and hazardous chemical inventory form containing the information required by the regulations at 40 C.F.R. Part 370 to the appropriate LEPC, SERC, and to the fire department with jurisdiction over the facility by March 1, 1988 (or March 1 of the first year after the facility first becomes subject to EPCRA § 312 requirements), and annually thereafter. The inventory form contains "Tier I" or "Tier II" information, pursuant to Section 312 of EPCRA, 42 U.S.C. § 11022, and 40 C.F.R. Part 370.
21. The facilities at issue in this Agreement are "facilities" as defined in Section 329(4) of EPCRA, 42 U.S.C. § 11049(4), and 40 C.F.R. § 370.66, and subject to Sections 311 and 312 of EPCRA and regulations promulgated thereunder.
22. Diesel fuel, lead and sulfuric acid are "hazardous chemicals," as defined in Sections 311(e) and 329(5) of EPCRA, 42 U.S.C. §§ 11021(e), 11049(5), and 40 C.F.R. § 370.66.

Sulfuric acid is also listed, in the appendices to 40 C.F.R. Part 355, as an "extremely hazardous substance" ("EHS"), as defined in 40 C.F.R. § 370.66.

23. As set forth in 40 C.F.R. § 370.10(a)(2), the reporting threshold amount for hazardous chemicals present at a facility at any one time during the preceding calendar year is ten thousand (10,000) pounds. The reporting threshold, therefore, for diesel fuel and lead is ten thousand (10,000) pounds. As set forth in 40 C.F.R. § 370.10(a)(2), for extremely hazardous substances (EHS) present at the facility, the reporting threshold is five hundred (500) pounds or the threshold planning quantity (TPQ) as defined in 40 C.F.R. Part 355, whichever is lower. The TPQ for sulfuric acid is one thousand (1,000) lbs. Here, where the reporting threshold is lower than the TPQ, the reporting threshold for sulfuric acid is five hundred (500) pounds.

24. The information supplied by Respondent indicates that, for varying lengths of time from 2006 through 2014, sulfuric acid, diesel fuel and/or lead in excess of the threshold amounts were present at the facilities listed in Attachment A.

25. For purposes of this Agreement, Complainant hereby states and alleges that, based on the information supplied to EPA by Respondent, for varying lengths of time between 2006 and 2014, Respondent violated EPCRA Section 302(c), 42 U.S.C. § 11002(c), and the regulations found at 40 C.F.R. § 355 when it failed to prepare and submit emergency and chemical inventory forms for six (6) facilities, to the LEPC and the SERC with jurisdiction over these facilities; EPCRA Section 311(a), 42 U.S.C. § 11021(a), and the regulations found at 40 C.F.R. Part 370, when it failed to submit an MSDS for a hazardous chemical(s) and extremely hazardous chemical(s) for twenty-two (22) facilities, to the LEPC, SERC, and/or the fire department with jurisdiction over these facilities, as identified in Attachment A; and violated EPCRA Section 312(a), 42 U.S.C. § 11022(a), and the regulations found at 40 C.F.R. Part 370 at twenty-six (26) facilities, by failing to prepare and submit emergency and chemical inventory forms to the LEPC, the SERC and/or the fire department with jurisdiction over each facility for various Reporting Years between 2006 and 2014, as identified in Attachment A. These violations were corrected in 2014 and 2015.

CWA

26. Respondent is a person within the meaning of CWA Section 311(a)(7), 33 U.S.C. § 1321(a)(7), and 40 C.F.R. § 112.2, and is the owner or operator, as defined by CWA Section 311(a)(6), 33 U.S.C. § 1321(a)(6), and 40 C.F.R. § 112.2, of the ten (10) facilities described in Attachment B, hereby incorporated by reference.

27. The regulations at 40 C.F.R. § 112.1 through § 112.7, which implement CWA Section 311(j)(1)(c), 33 U.S.C. § 1321(j)(1)(C), set forth procedures, methods and requirements to prevent the discharge of oil from non-transportation-related facilities into or upon the navigable waters of the United States and adjoining shorelines in such quantities that by regulation have been determined may be harmful to the public health or welfare or environment of the United States by owners or operators who are engaged in drilling, producing, gathering, storing, processing, refining, transferring, distributing or consuming oil or oil products.

28. 40 C.F.R. § 112.3(a) requires owners and operators of onshore and offshore facilities that have discharged or, due to their location, could reasonably be expected to discharge oil in harmful quantities into or upon the navigable waters of the United States or adjoining shorelines, to prepare a Spill Prevention, Control, and Countermeasure Plan ("SPCC Plan").

29. Respondent is engaged in storing or consuming oil or oil products at the ten (10) facilities, described in Attachment B, in quantities that "may be harmful," as defined by 40 C.F.R. § 110.3.

30. The facilities described in Attachment B are onshore facilities within the meaning of Section 311(a)(10) of the CWA, 33 U.S.C. § 1321(a)(10), and 40 C.F.R. § 112.2, which, due to their location, could reasonably be expected to discharge oil to a navigable water of the United States (as defined by Section 502(7) of the CWA, 33 U.S.C. § 1362(7), and 40 C.F.R. § 110.1) or its adjoining shoreline that may either (1) violate applicable water quality standards or (2) cause a film or sheen or discoloration of the surface of the water or adjoining shorelines or cause a sludge or emulsion to be deposited beneath the surface of the water or upon adjoining shorelines.

31. Based on the above, and pursuant to CWA Section 311(j)(1)(C) and its implementing regulations, Respondent is subject to the requirements of 40 C.F.R. § 112.1 through § 112.7 at the ten (10) facilities listed in Attachment B.

32. EPA hereby states and alleges that, based on the information supplied by Respondent, for varying lengths of time between 2005 and 2014, Respondent violated the CWA at ten (10) facilities identified in Attachment B by failing to prepare or revise an SPCC Plan as required by CWA Section 311(j)(1)(C), 33 U.S.C. § 1321(j)(1)(C), and the regulations found at 40 C.F.R. § 112.1 through § 112.7.

V. Civil Penalty

33. EPA agrees, based upon the facts and information submitted by Respondent and upon Respondent's certification herein to the veracity of this information, that Respondent has satisfied all of the conditions set forth in the Audit Policy for those violations described in Attachments A and B and thereby qualifies for a 100% reduction of the gravity component of the civil penalty that otherwise would apply to these violations. EPA alleges that the gravity component of the civil penalty for violations described in Attachments A and B would ordinarily be \$448,659. Of that potential penalty, \$96,800 is attributable to CWA violations, and \$351,859 is attributable to EPCRA violations. EPA alleges that this gravity component is potentially assessable against Respondent for the violations described in Attachments A and B. Pursuant to the Audit Policy, however, EPA will waive 100% of the gravity-based penalties potentially assessable for the violations in Section IV and Attachments A and B.

34. Under the Audit Policy, EPA has discretion to assess a penalty equivalent to the economic benefit Respondent gained as a result of its noncompliance. Based on information provided by Respondent and use of the Economic Benefit (BEN) computer model, for the violations described in Attachments A and B, EPA has determined that Respondent obtained an economic benefit of \$28,782 as a result of its noncompliance in this matter. Of this amount,

\$22,393 is attributable to CWA violations, and \$6,389 is attributable to EPCRA violations. Pursuant to the Audit Policy, EPA will assess a penalty equivalent to the economic benefit for the violations listed in Attachments A and B.

35. Accordingly, the civil penalty agreed upon by the parties for settlement purposes is \$28,782.

VI. Terms of Settlement

36. As further defined in Paragraphs 36 and 37 below, Respondent agrees to pay a civil penalty in the sum of **TWENTY-EIGHT THOUSAND SEVEN HUNDRED EIGHTY-TWO DOLLARS (\$28,782)** for the violations alleged herein within thirty (30) calendar days of issuance of the Final Order (i.e., the effective date of this Consent Agreement and attached Final Order) by the Environmental Appeals Board ("EAB"). See 40 C.F.R. § 22.31(c).

For payment of the civil penalties related to the EPCRA violations, Respondent shall pay the amount of **SIX THOUSAND THREE HUNDRED EIGHTY-NINE DOLLARS (\$6,389.00)** using one of the following instructions:

A. Via U.S Postal Service regular mail of a certified or cashier's check, made payable to the "United States Treasury," sent to the following address:

United States Environmental Protection Agency
Fines and Penalties
Cincinnati Finance Center
Post Office Box 979077
St. Louis, MO 63197-9000

The check shall indicate that it is for "In re: In the Matter of Comcast Cable Communications, LLC (Docket No. EPCRA-HQ-2015-8001)."

B. Via overnight delivery of a certified or cashier's check, made payable to the "United States Treasury," sent to the following address:

United States Environmental Protection Agency
Fines and Penalties
U.S. Bank
1005 Convention Plaza
Mail Station SL-MO-C2-GL
St. Louis, MO 63101

The check shall indicate that it is for "In re: In the Matter of Comcast Cable Communications, LLC (Docket No. EPCRA-HQ-2015-8001)."

The U.S. Bank customer service contact for both regular mail and overnight delivery is Natalie Pearson, who may be reached at 314-418-4087.

C. Via electronic funds transfer (EFT) to the following account:

Federal Reserve Bank of New York
Account Number: 68010727
ABA Number: 021030004
SWIFT address = FRNYUS33
33 Liberty Street
New York, NY 10045

Field Tag 4200 of the Fedwire message shall read "D 68010727 Environmental Protection Agency-Comcast Cable Communications LLC, Docket No. EPCRA-HQ-2015-8001."

The Federal Reserve customer service contact may be reached at 212-720-5000.

D. Via automatic clearinghouse (ACH), also known as Remittance Express (REX), to the following account:

US Treasury/Cashlink ACH Receiver
ABA No. 05136706
Account 310006, Environmental Protection Agency
CTX Format Transaction Code 22 – checking

Physical location of the United States Treasury facility:

5700 Rivertech Court
Riverdale, MD 20737

The Finance Center customer service contact, Jesse White, may be reached at 301-887-6548.

E. Via on-line payment (from bank account, credit card, debit card):

Website: www.pay.gov
Enter "SFO.1.1" in the search field.
Open the form and complete the required fields (marked with an asterisk).
Under "Type of Payment," choose "Civil Penalty."
Under "Invoice#" type "Comcast Cable Communications, LLC, Docket No. EPCRA -HQ-2015-8001," into the "Court # or Bill #" subfield.
Leave the other subfields blank. Under "Installments?" choose "No."
Under "Region," type "HQ."

Payment by check or wire transfer shall bear the case docket number "Comcast Cable Communications, L.L.C., Docket No. EPCRA-HQ-2015-8001."

37. In payment of the civil penalty related to the CWA SPCC violations, Respondent shall, within thirty (30) days of the issuance of the Final Order, forward a cashier's or certified check, in the amount of **TWENTY-TWO THOUSAND THREE HUNDRED AND NINETY-THREE DOLLARS (\$22,393)** made payable to the "Environmental Protection Agency," and bearing the notation "OSLTF-311" to:

United States Environmental Protection Agency
Fines and Penalties
Cincinnati Finance Center
Post Office Box 979077
St. Louis, MO 63197-9000

The check shall indicate that it is for "In the Matter of Comcast Cable Communications, L.L.C., Docket No. CWA-HQ-2015-8001."

Alternatively, Respondent shall pay **TWENTY-TWO THOUSAND THREE HUNDRED AND NINETY-THREE DOLLARS (\$22,393)** via wire transfer with a notation of "In the Matter of Comcast Cable Communications, L.L.C., Docket No. CWA-HQ-2015-8001" to the Federal Reserve Bank of New York using the following instructions:

Federal Reserve Bank of New York
ABA Number: 021030004
Account Number: 68010727
SWIFT address: FRNYUS33
33 Liberty Street
New York, NY 10045

Field Tag 4200 of the wire transfer shall read "D 68010727 Environmental Protection Agency."

38. Respondent shall forward evidence of the checks, wire transfers, and/or internet-based payments to EPA, within five (5) days of payment, to the attention of:

Beth Cavalier
Special Litigation and Projects Division (2248-A)
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1200 Pennsylvania Ave, N.W.
Ariel Rios Building, Room 3119C
Washington, DC 20460

and

Clerk, Environmental Appeals Board
U.S. Environmental Protection Agency
MC 1103B
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

39. Pursuant to 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 from the date that the EAB issues the Final Order, if the penalty is not paid by the date required. Interest will be assessed at the rate of the United States Treasury tax and loan rate in accordance with 40 C.F.R. § 13.11. A charge will be assessed to cover the costs of debt collection, including processing and handling costs and attorney fees. In addition, a penalty charge of 12 percent (12%) per year compounded annually will be assessed on any portion of the debt that remains delinquent more than ninety (90) days after payment is due.

40. Respondent's obligations under this Agreement shall end when it has paid the civil penalties as required by this Agreement and the Final Order, and complied with its obligations under Section VI, Paragraphs 35, 36 and 37 of this agreement.

41. For the purposes of state and federal income taxation, Respondent shall not be entitled, and agrees not to attempt, to claim a deduction for any civil penalty payment made pursuant to the Final Order. Any attempt by Respondent to deduct any such payments shall constitute a violation of the Agreement.

VII. Severability

42. As part of this Agreement, and in satisfaction of the requirements of the Audit Policy, Respondent has certified to certain facts. The parties agree that, if and to the extent that EPA determines that any information or certification provided by Respondent is materially false or inaccurate, the portion of this Agreement pertaining to the affected facilities, including mitigation of the proposed penalty, may be voided or this entire Agreement may be declared null and void at EPA's election, and EPA may proceed with an enforcement action.

43. The parties agree that Respondent reserves all of its rights should this Agreement be voided in whole or in part. The parties further agree that Respondent's obligations under this Agreement will cease should this Agreement be rejected by the Environmental Appeals Board (EAB); provided, however, that in the event that the EAB expresses any objections to, or its intent to reject, this Agreement, the parties agree that they shall exercise their mutual best efforts to address and resolve the EAB's objections.

VII. State and Public Notice

44. The parties acknowledge that the settlement portions of this Agreement which pertain to the CWA violations are, pursuant to CWA Section 311(b)(6)(C)(i), 33 U.S.C. § 1321(b)(6)(C)(i), subject to public notice and comment requirements. Furthermore, the parties acknowledge and agree that EPA will also provide public notice of the EPCRA portions of this Agreement. Should EPA receive comments regarding the issuance of the proposed Final Order assessing the civil penalty agreed to in Section V, EPA shall forward such comments to Respondent within ten (10) days of the receipt of the public comments.

VIII. Reservation of Rights and Settlement

45. This Agreement and the Final Order, when issued by the EAB, and upon payment by Respondent of civil penalties as required by Paragraphs 35 through 37 shall resolve only the civil and administrative claims specified in Section IV and Attachments A and B.

46. Nothing in this Agreement and the Final Order shall be construed to limit the authority of EPA and/or the United States to undertake any action against Respondent, in response to any condition which EPA or the United States determines may present an imminent and substantial endangerment to the public health, welfare, or the environment. Furthermore, issuance of the Final Order does not constitute a waiver by EPA and/or the United States of its right to bring an enforcement action, either civil or criminal, against Respondent for any other violation of any federal or state statute, regulation or permit.

IX. Other Matters

47. Each party shall bear its own costs and attorney fees in this matter.

48. The provisions of this Agreement and the Final Order, when issued by the EAB, shall apply to and be binding on the Complainant and Respondent, as well as Respondent's officers (acting in their official capacity), agents, successors and assigns. Except as provided for in Paragraph 47, any change in ownership or corporate status of Respondent including, but not limited to, any transfer of assets or real or personal property shall not alter Respondent's responsibilities under this Agreement, including the obligation to pay the civil penalty referred to in Section V. The obligation to pay civil penalties cannot be transferred under Paragraph 47.

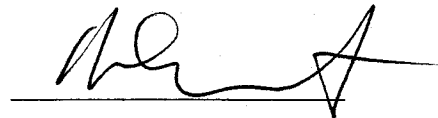
49. Nothing in this Agreement shall relieve Respondent of the duty to comply with all applicable provisions of the CWA and EPCRA, or other federal, state or local laws or statutes, nor shall it restrict EPA's authority to seek compliance with any applicable laws, nor shall it be

construed to be a ruling on, or a determination of, any issue related to any federal, state or local permit.

50. Except as provided in Paragraph 43, Respondent waives any rights it may have to contest the allegations contained herein and its right to seek judicial review of the Final Order accompanying this Agreement.

51. The undersigned representative of each party to this Agreement certify that each is duly authorized by the party whom it represents to enter into these terms and bind that party to it.

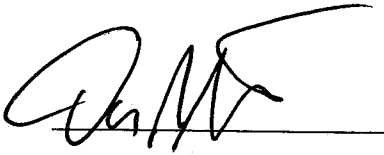
FOR Complainant:



7/22/15
Date

Andrew R. Stewart
Acting Director
Special Litigation and Projects Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency

FOR Respondent:

A handwritten signature in black ink, appearing to be 'D. Guthrie', written over a horizontal line.

7/20/15

Date

Douglas R. Guthrie
Senior Vice President, Big South Region
Comcast Cable Communications, L.L.C

EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW (EPCRA) NONCOMPLIANCE

	STREET ADDRESS	CITY	STATE	ZIP	NATURE OF VIOLATION	STATUTORY CITATION	REGULATORY CITATION - FEDERAL	DATE NONCOMPLIANCE BEGAN	DATE OF RETURN TO COMPLIANCE	ACTIONS TAKEN TO RETURN TO COMPLIANCE
1	3257 Moffett Rd.	Mobile	AL	36607	Failure to notify the state emergency response commission (SERC) that the facility is subject to the requirements of EPCRA. Failure to submit a Material Safety Data Sheet (MSDS) or a list of chemicals to the LEPC, SERC, and fire department with jurisdiction over the facility as required by EPCRA.	EPCRA Section 302(c), 42 U.S.C. § 11002(c) and EPCRA Section 311(a), 42 U.S.C. § 11021(a)	40 C.F.R. §§ 355, 370	5/31/2014 for EPCRA § 302 Notification for sulfuric acid; 6/30/2014 for EPCRA § 311 Notification for sulfuric acid and lead.	8/14/2014	EPCRA §§ 302, 311 Notifications submitted for sulfuric acid and lead.
2	10735 Jones Bridge Rd.	Alpharetta	GA	30202	Failure to submit a Material Safety Data Sheet (MSDS) or a list of chemicals to the LEPC, SERC, and fire department with jurisdiction over the facility. Failure to prepare and submit an emergency and hazardous chemical inventory form to the LEPC, SERC, and fire department with jurisdiction over the facility.	EPCRA Section 311(a), 42 U.S.C. § 11021(a) and EPCRA Section 312(a), 42 U.S.C. § 11022(a)	40 C.F.R. § 370	11/20/2010	8/15/2014	EPCRA § 311 Notification; Tier II Report submitted for sulfuric acid.
3	13185 Hopewell Rd.	Alpharetta	GA	30004	Failure to submit a Material Safety Data Sheet (MSDS) or a list of chemicals to the LEPC, SERC, and fire department with jurisdiction over the facility. Failure to prepare and submit an emergency and hazardous chemical inventory form to the LEPC, SERC, and fire department with jurisdiction over the facility.	EPCRA Section 311(a), 42 U.S.C. § 11021(a) and EPCRA Section 312(a), 42 U.S.C. § 11022(a)	40 C.F.R. §§ 355, 370	11/20/2010	8/15/2014	EPCRA § 311 Notification; Tier II Report submitted for sulfuric acid.
4	4700 North Point Parkway	Alpharetta	GA	30022	Failure to submit a Material Safety Data Sheet (MSDS) or a list of chemicals to the LEPC, SERC, and fire department with jurisdiction over the facility. Failure to prepare and submit an emergency and hazardous chemical inventory form to the LEPC, SERC, and fire department with jurisdiction over the facility.	EPCRA Section 311(a), 42 U.S.C. § 11021(a) and EPCRA Section 312(a), 42 U.S.C. § 11022(a)	40 C.F.R. §§ 355, 370	5/2/2009	9/6/2014	EPCRA § 311 Notification; Tier II Report submitted for sulfuric acid.
5	1018 W. Peachtree	Atlanta	GA	30309	Failure to submit a Material Safety Data Sheet (MSDS) or a list of chemicals to the LEPC, SERC, and fire department with jurisdiction over the facility. Failure to prepare and submit an emergency and hazardous chemical inventory form to the LEPC, SERC, and fire department with jurisdiction over the facility.	EPCRA Section 311(a), 42 U.S.C. § 11021(a) and EPCRA Section 312(a), 42 U.S.C. § 11022(a)	40 C.F.R. §§ 355, 370	11/20/2010	8/15/2014	EPCRA § 311 Notification; Tier II Report submitted for sulfuric acid.

COMCAST CABLE COMMUNICATIONS, L.L.C.

Attachment A

EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW (EPCRA) NONCOMPLIANCE

	STREET ADDRESS	CITY	STATE	ZIP	NATURE OF VIOLATION	STATUTORY CITATION	REGULATORY CITATION - FEDERAL	DATE NONCOMPLIANCE BEGAN	DATE OF RETURN TO COMPLIANCE	ACTIONS TAKEN TO RETURN TO COMPLIANCE
6	1900 Cumberland Parkway	Atlanta	GA	30339	Failure to prepare and submit an emergency and hazardous chemical inventory form to the LEPC, SERC, and fire department with jurisdiction over the facility.	EPCRA Section 312(a), 42 U.S.C. § 11022(a)	40 C.F.R. § 370	3/1/2014	9/6/2014	Revised Tier II Report submitted for sulfuric acid, lead, and ultra low sulfur diesel (ULSD).
7	201 Arizona Ave.	Atlanta	GA	30307	Failure to submit a Material Safety Data Sheet (MSDS) or a list of chemicals to the LEPC, SERC, and fire department with jurisdiction over the facility. Failure to prepare and submit an emergency and hazardous chemical inventory form to the LEPC, SERC, and fire department with jurisdiction over the facility.	EPCRA Section 311(a), 42 U.S.C. § 11021(a) and EPCRA Section 312(a), 42 U.S.C. § 11022(a)	40 C.F.R. § 370	11/29/2010	12/24/2014	EPCRA § 311 Notification; Tier II Report submitted for sulfuric acid.
8	4191 Northside Dr.	Atlanta	GA	30342	Failure to submit a Material Safety Data Sheet (MSDS) or a list of chemicals to the LEPC, SERC, and fire department with jurisdiction over the facility. Failure to prepare and submit an emergency and hazardous chemical inventory form to the LEPC, SERC, and fire department with jurisdiction over the facility.	EPCRA Section 311(a), 42 U.S.C. § 11021(a) and EPCRA Section 312(a), 42 U.S.C. § 11022(a)	40 C.F.R. §§ 355, 370	5/2/2006	9/6/2014	EPCRA § 311 Notification; Tier II Report submitted for sulfuric acid.
9	1424 Monte Sano Ave.	Augusta	GA	30904	Failure to prepare and submit an emergency and hazardous chemical inventory form to the LEPC, SERC, and fire department with jurisdiction over the facility.	EPCRA Section 312(a), 42 U.S.C. § 11022(a)	40 C.F.R. § 370	3/1/2014	9/6/2014	Revised Tier II Report submitted for lead.
10	697 Marietta Highway	Canton	GA	30114	Failure to prepare and submit an emergency and hazardous chemical inventory form to the LEPC, SERC, and fire department with jurisdiction over the facility.	EPCRA Section 312(a), 42 U.S.C. § 11022(a)	40 C.F.R. § 370	3/1/2013	8/15/2014	Tier II Report submitted for sulfuric acid.
11	1721 Graham Rd.	Dallas	GA	30132	Failure to submit a Material Safety Data Sheet (MSDS) or a list of chemicals to the LEPC, SERC, and fire department with jurisdiction over the facility. Failure to prepare and submit an emergency and hazardous chemical inventory form to the LEPC, SERC, and fire department with jurisdiction over the facility.	EPCRA Section 311(a), 42 U.S.C. § 11021(a) and EPCRA Section 312(a), 42 U.S.C. § 11022(a)	40 C.F.R. §§ 355, 370	6/30/2013	9/6/2014	EPCRA § 311 Notification; Tier II Report submitted for sulfuric acid.

COMCAST CABLE COMMUNICATIONS, L.L.C.

Attachment A

EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW (EPCRA) NONCOMPLIANCE

	STREET ADDRESS	CITY	STATE	ZIP	NATURE OF VIOLATION	STATUTORY CITATION	REGULATORY CITATION - FEDERAL	DATE NONCOMPLIANCE BEGAN	DATE OF RETURN TO COMPLIANCE	ACTIONS TAKEN TO RETURN TO COMPLIANCE
12	9204 Poston Rd.	Jonesboro	GA	30260	Failure to to notify the state emergency response commission (SERC) that the facility is subject to the requirements of EPCRA. Failure to submit a Material Safety Data Sheet (MSDS) or a list of chemicals to the LEPC, SERC, and fire department with jurisdiction over the facility as required by EPCRA. Failure to prepare and submit an emergency and hazardous chemical inventory form to the LEPC, SERC, and fire department with jurisdiction over the facility.	EPCRA Section 302(c), 42 U.S.C. § 11002(c); EPCRA Section 311(a), 42 U.S.C. § 11021(a); EPCRA Section 312(a), 42 U.S.C. § 11022(a)	40 C.F.R. §§ 355, 370	8/31/2011	9/6/2014	EPCRA § 302 Notification submitted for sulfuric acid; EPCRA § 311 Notification and revised Tier II Report submitted for lead.
13	2925 Courtyards Dr.	Norcross	GA	30071	Failure to submit a Material Safety Data Sheet (MSDS) or a list of chemicals to the LEPC, SERC, and fire department with jurisdiction over the facility. Failure to prepare and submit an emergency and hazardous chemical inventory form to the LEPC, SERC, and fire department with jurisdiction over the facility.	EPCRA Section 311(a), 42 U.S.C. § 11021(a) and EPCRA Section 312(a), 42 U.S.C. § 11022(a)	40 C.F.R. § 370	8/30/2012	8/15/2014	EPCRA § 311 Notification; Tier II Report submitted for sulfuric acid.
14	749A Powers St.	Riverdale	GA	30274	Failure to submit a Material Safety Data Sheet (MSDS) or a list of chemicals to the LEPC, SERC, and fire department with jurisdiction over the facility. Failure to prepare and submit an emergency and hazardous chemical inventory form to the LEPC, SERC, and fire department with jurisdiction over the facility.	EPCRA Section 311(a), 42 U.S.C. § 11021(a) and EPCRA Section 312(a), 42 U.S.C. § 11022(a)	40 C.F.R. § 370	11/30/2010	8/15/2014	EPCRA § 311 Notification; Tier II Report submitted for sulfuric acid.
15	3184 Rosebud Rd.	Snellville	GA	30052	Failure to submit a Material Safety Data Sheet (MSDS) or a list of chemicals to the LEPC, SERC, and fire department with jurisdiction over the facility. Failure to prepare and submit an emergency and hazardous chemical inventory form to the LEPC, SERC, and fire department with jurisdiction over the facility.	EPCRA Section 311(a), 42 U.S.C. § 11021(a) and EPCRA Section 312(a), 42 U.S.C. § 11022(a)	40 C.F.R. § 370	8/30/2012	8/15/2014	EPCRA § 311 Notification; Tier II Report submitted for sulfuric acid.

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Attachment A

EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW (EPCRA) NONCOMPLIANCE

	STREET ADDRESS	CITY	STATE	ZIP	NATURE OF VIOLATION	STATUTORY CITATION	REGULATORY CITATION - FEDERAL	DATE NONCOMPLIANCE BEGAN	DATE OF RETURN TO COMPLIANCE	ACTIONS TAKEN TO RETURN TO COMPLIANCE
16	1235 S. Hairston Rd. (corrected from 1115 Sheppard Place)	Stone MTN	GA	30083	Failure to submit a Material Safety Data Sheet (MSDS) or a list of chemicals to the LEPC, SERC, and fire department with jurisdiction over the facility. Failure to prepare and submit an emergency and hazardous chemical inventory form to the LEPC, SERC, and fire department with jurisdiction over the facility.	EPCRA Section 311(a), 42 U.S.C. § 11021(a) and EPCRA Section 312(a), 42 U.S.C. § 11022(a)	40 C.F.R. § 370	6/1/2012	8/15/2014	EPCRA § 311 Notification; Tier II Report submitted for sulfuric acid.
17	4545 Stonegate Industrial Boulevard	Stone MTN	GA	30083	Failure to prepare and submit an emergency and hazardous chemical inventory form to the LEPC, SERC, and fire department with jurisdiction over the facility.	EPCRA Section 312(a), 42 U.S.C. § 11022(a)	40 C.F.R. § 370	3/1/2014	9/6/2014	Revised Tier II Report submitted for sulfuric acid and lead.
18	4125 Spruill Ave.	N. Charleston	SC	29405	Failure to to notify the state emergency response commission (SERC) that the facility is subject to the requirements of EPCRA. Failure to submit a Material Safety Data Sheet (MSDS) or a list of chemicals to the LEPC, SERC, and fire department with jurisdiction over the facility as required by EPCRA. Failure to prepare and submit an emergency and hazardous chemical inventory form to the LEPC, SERC, and fire department with jurisdiction over the facility.	EPCRA Section 302(c), 42 U.S.C. 11002(c); EPCRA Section 311(a), 42 U.S.C. § 11021(a); EPCRA Section 312(a), 42 U.S.C. § 11022(a)	40 C.F.R. §§ 355, 370	5/2/2014 for EPCRA § 311 Notification for lead; 8/31/2014 for EPCRA § 311 Notification for ULSD.	9/7/2014	Updated EPCRA § 302 Notification submitted for sulfuric acid; EPCRA § 311 Notification and revised Tier II Report submitted for lead and ULSD.
19	287 West Barton Ridge Road	Greeneville	TN	37743	Failure to submit a Material Safety Data Sheet (MSDS) or a list of chemicals to the LEPC, SERC, and fire department with jurisdiction over the facility. Failure to prepare and submit an emergency and hazardous chemical inventory form to the LEPC, SERC, and fire department with jurisdiction over the facility.	EPCRA Section 311(a), 42 U.S.C. § 11021(a); EPCRA Section 312(a), 42 U.S.C. § 11022(a)	40 C.F.R. § 370	11/30/2013	9/9/2014	EPCRA § 311 Notification; Tier II Report submitted for sulfuric acid.

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Attachment A

EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW (EPCRA) NONCOMPLIANCE

	STREET ADDRESS	CITY	STATE	ZIP	NATURE OF VIOLATION	STATUTORY CITATION	REGULATORY CITATION - FEDERAL	DATE NONCOMPLIANCE BEGAN	DATE OF RETURN TO COMPLIANCE	ACTIONS TAKEN TO RETURN TO COMPLIANCE
20	1794 Old Gray Station Rd.	Johnson City (Gray)	TN	37615	Failure to to notify the state emergency response commission (SERC) that the facility is subject to the requirements of EPCRA. Failure to submit a Material Safety Data Sheet (MSDS) or a list of chemicals to the LEPC, SERC, and fire department with jurisdiction over the facility as required by EPCRA. Failure to prepare and submit an emergency and hazardous chemical inventory form to the LEPC, SERC, and fire department with jurisdiction over the facility.	EPCRA Section 302(c), 42 U.S.C. 11002(c); EPCRA Section 311(a), 42 U.S.C. § 11021(a); EPCRA Section 312(a), 42 U.S.C. § 11022(a)	40 C.F.R. §§ 355, 370	10/31/2012 for EPCRA § 302 Notification for sulfuric acid; 11/30/2012 for EPCRA § 311 Notification for sulfuric acid and lead.	8/15/2014	EPCRA § 302 Notification and Tier II Report submitted for sulfuric acid; EPCRA § 311 Notification submitted for sulfuric acid and lead.
21	100B Sharp's Ridge Memorial Drive	Knoxville	TN	37917	Failure to to notify the state emergency response commission (SERC) that the facility is subject to the requirements of EPCRA. Failure to submit a Material Safety Data Sheet (MSDS) or a list of chemicals to the LEPC, SERC, and fire department with jurisdiction over the facility as required by EPCRA. Failure to prepare and submit an emergency and hazardous chemical inventory form to the LEPC, SERC, and fire department with jurisdiction over the facility.	EPCRA Section 302(c), 42 U.S.C. 11002(c); EPCRA Section 311(a), 42 U.S.C. § 11021(a); EPCRA Section 312(a), 42 U.S.C. § 11022(a)	40 C.F.R. §§ 355, 370	10/31/2013 for EPCRA § 302 Notification for sulfuric acid; 11/30/2013 for EPCRA § 311 Notification for sulfuric acid and lead.	8/15/2014	EPCRA §§ 302 and 311 Notifications submitted for sulfuric acid and lead; Tier II Report submitted for sulfuric acid.
22	2650 Mt. Moriah Road	Memphis	TN	38115	Failure to to notify the state emergency response commission (SERC) that the facility is subject to the requirements of EPCRA. Failure to submit a Material Safety Data Sheet (MSDS) or a list of chemicals to the LEPC, SERC, and fire department with jurisdiction over the facility as required by EPCRA.	EPCRA Section 302(c), 42 U.S.C. § 11002(c) and EPCRA Section 311(a), 42 U.S.C. § 11021(a)	40 C.F.R. §§ 355, 370	9/6/2014 for EPCRA § 302 Notification for sulfuric acid; 10/6/2014 for EPCRA § 311 Notification for sulfuric acid and lead.	12/24/2014	EPCRA §§ 302 and 311 Notifications submitted for sulfuric acid and lead.

COMCAST CABLE COMMUNICATIONS, L.L.C.

Attachment A

EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW (EPCRA) NONCOMPLIANCE

	STREET ADDRESS	CITY	STATE	ZIP	NATURE OF VIOLATION	STATUTORY CITATION	REGULATORY CITATION - FEDERAL	DATE NONCOMPLIANCE BEGAN	DATE OF RETURN TO COMPLIANCE	ACTIONS TAKEN TO RETURN TO COMPLIANCE
23	3251 Players Club Pkwy	Memphis	TN	38125	Failure to submit a Material Safety Data Sheet (MSDS) or a list of chemicals to the LEPC, SERC, and fire department with jurisdiction over the facility. Failure to prepare and submit an emergency and hazardous chemical inventory form to the LEPC, SERC, and fire department with jurisdiction over the facility.	EPCRA Section 311(a), 42 U.S.C. § 11021(a) and EPCRA Section 312(a), 42 U.S.C. § 11022(a)	40 C.F.R. § 370	11/30/2007	8/15/2014	EPCRA § 311 Notification; Tier II Report submitted for ULSD.
24	5450 Winchester Rd.	Memphis	TN	38115	Failure to prepare and submit an emergency and hazardous chemical inventory form to the LEPC, SERC, and fire department with jurisdiction over the facility.	EPCRA Section 312(a), 42 U.S.C. § 11022(a)	40 C.F.R. § 370	3/1/2014	9/9/2014	Revised Tier II Report submitted for sulfuric acid and lead.
25	660 Mainstream Drive	Nashville	TN	37214	Failure to prepare and submit an emergency and hazardous chemical inventory form to the LEPC, SERC, and fire department with jurisdiction over the facility.	EPCRA Section 312(a), 42 U.S.C. § 11022(a)	40 C.F.R. § 370	3/1/2014	9/9/2014	Revised Tier II Report submitted for lead.
26	7894 Stagecoach Rd.	Whitesburg	TN	37711	Failure to to notify the state emergency response commission (SERC) that the facility is subject to the requirements of EPCRA. Failure to submit a Material Safety Data Sheet (MSDS) or a list of chemicals to the LEPC, SERC, and fire department with jurisdiction over the facility as required by EPCRA. Failure to prepare and submit an emergency and hazardous chemical inventory form to the LEPC, SERC, and fire department with jurisdiction over the facility.	EPCRA Section 302(c), 42 U.S.C. 11002(c); EPCRA Section 311(a), 42 U.S.C. § 11021(a); EPCRA Section 312(a), 42 U.S.C. § 11022(a)	40 C.F.R. §§ 355, 370	10/31/2012 for EPCRA § 302 Notification for sulfuric acid; 11/30/2012 for EPCRA § 311 Notification for sulfuric acid.	8/15/2014	Submit EPCRA §§ 302 and 311 Notifications for sulfuric acid; Submit Tier II Report for sulfuric acid.

COMCAST CABLE COMMUNICATIONS, L.L.C.
 CLEAN WATER ACT, SPILL PREVENTION, CONTROL, AND COUNTERMEASURE (SPCC) NONCOMPLIANCE

Attachment B

	STREET ADDRESS	CITY	STATE	ZIP	NATURE OF VIOLATION	STATUTORY CITATION	REGULATORY CITATION - FEDERAL	DATE NONCOMPLIANCE BEGAN	DATE OF RETURN TO COMPLIANCE*	CHEMICAL(S) OR POLLUTANT(S) INVOLVED	ACTIONS TAKEN TO RETURN TO COMPLIANCE
1	1900 Cumberland Parkway	Atlanta	GA	30339	New SPCC Plan Required	CWA Section 311(j)(1)(c), 33 U.S.C. § 1321(j)(1)(c)	40 C.F.R. §§ 112.1 - 112.7	08/01/13	11/26/2014	ULSD	Developed and implemented SPCC Plan
2	1424 Monte Sano Ave.	Augusta	GA	30904	New SPCC Plan Required	CWA Section 311(j)(1)(c), 33 U.S.C. § 1321(j)(1)(c)	40 C.F.R. §§ 112.1 - 112.7	11/10/11	11/26/2014	ULSD	Developed and implemented SPCC Plan
3	3257 Moffat Rd.	Mobile	AL	36607	New SPCC Plan Required	CWA Section 311(j)(1)(c), 33 U.S.C. § 1321(j)(1)(c)	40 C.F.R. §§ 112.1 - 112.7	09/17/14	11/26/2014	ULSD	Developed and implemented SPCC Plan
4	4545 Stonegate Industrial Blvd	Stone MTN	GA	30083	New SPCC Plan Required	CWA Section 311(j)(1)(c), 33 U.S.C. § 1321(j)(1)(c)	40 C.F.R. §§ 112.1 - 112.7	09/01/13	11/26/2014	ULSD	Developed and implemented SPCC Plan
5	675 Mountain Rd.	Woodstock	GA	30188	New SPCC Plan Required	CWA Section 311(j)(1)(c), 33 U.S.C. § 1321(j)(1)(c)	40 C.F.R. §§ 112.1 - 112.7	07/01/05	11/26/2014	ULSD	Developed and implemented SPCC Plan
6	201 Gill St.	Little Rock	AR	72205	New SPCC Plan Required	CWA Section 311(j)(1)(c), 33 U.S.C. § 1321(j)(1)(c)	40 C.F.R. §§ 112.1 - 112.7	07/13/13	11/19/2014	ULSD	Developed and implemented SPCC Plan
7	4400 Belle Oaks Drive	North Charleston	SC	29405	New SPCC Plan Required	CWA Section 311(j)(1)(c), 33 U.S.C. § 1321(j)(1)(c)	40 C.F.R. §§ 112.1 - 112.7	11/10/11	11/26/2014	ULSD and gasoline	Developed and implemented SPCC Plan
8	3251 Players Club Pkwy	Memphis	TN	38125	New SPCC Plan Required	CWA Section 311(j)(1)(c), 33 U.S.C. § 1321(j)(1)(c)	40 C.F.R. §§ 112.1 - 112.7	11/10/11	11/26/2014	ULSD	Developed and implemented SPCC Plan
9	4125 Spruill Ave.	N. Charleston	SC	29405	New SPCC Plan Required	CWA Section 311(j)(1)(c), 33 U.S.C. § 1321(j)(1)(c)	40 C.F.R. §§ 112.1 - 112.7	06/01/14	11/18/2014	ULSD	Developed and implemented SPCC Plan
10	2714 Shackelford Rd.	Little Rock	AR	72205	Revised SPCC Plan Required	CWA Section 311(j)(1)(c), 33 U.S.C. § 1321(j)(1)(c)	40 C.F.R. §§ 112.1 - 112.7	12/01/07	11/19/2014	ULSD	Revised SPCC Plan