

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

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| In the Matter of: | : |
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| Gallaudet University | : U.S. EPA Docket No. RCRA-03-2023-0026 |
| Appleby Building | : |
| 800 Florida Avenue, NE | : Proceeding under Section 9006 of the Resource |
| Washington, DC 20002 | : Conservation and Recovery Act, as amended, |
| | : 42 U.S.C. Section 6991e |
| Respondent. | : |
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CONSENT AGREEMENT

PRELIMINARY STATEMENT

1. This Consent Agreement is entered into by the Director of the Enforcement and Compliance Assurance Division, U.S. Environmental Protection Agency, Region III (“Complainant”) and Gallaudet University (“Respondent”) (collectively the “Parties”), pursuant to Section 9006 of the Resource Conservation and Recovery Act (“RCRA” or the “Act”), as amended, 42 U.S.C. § 6991e, and the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation, Termination, or Suspension of Permits (“Consolidated Rules of Practice”), 40 C.F.R. Part 22. Section 9006 of RCRA authorizes the Administrator of the U.S. Environmental Protection Agency to assess penalties and undertake other actions required by this Consent Agreement. The Administrator has delegated this authority to the Regional Administrator who, in turn, has delegated the authority to enter into agreements concerning administrative penalties to the Complainant. This Consent Agreement and the attached Final Order (hereinafter jointly referred to as the “Consent Agreement and Final Order”) resolve Complainant’s civil penalty claims against Respondent under RCRA Subtitle I, 42 U.S.C. §§ 6991-6991m, for the violations alleged herein.
2. In accordance with 40 C.F.R. §§ 22.13(b) and 22.18(b)(2) and (3) of the Consolidated Rules of Practice, Complainant hereby simultaneously commences and resolves this administrative proceeding.

JURISDICTION

3. The U.S. Environmental Protection Agency (“EPA”) has jurisdiction over the above-captioned matter, as described in Paragraph 1, above.
4. The Consolidated Rules of Practice govern this administrative adjudicatory proceeding pursuant to 40 C.F.R. § 22.1(a)(4).

5. EPA has given the District of Columbia Department of Energy and Environment (“DOEE”) notice of the issuance of this Consent Agreement and Final Order in accordance with Section 9006(a)(2) of RCRA, 42 U.S.C. § 6991e(a)(2).

GENERAL PROVISIONS

6. For purposes of this proceeding only, Respondent admits the jurisdictional allegations set forth in this Consent Agreement and Final Order.
7. Except as provided in Paragraph 6, above, Respondent neither admits nor denies the specific factual allegations set forth in this Consent Agreement.
8. Respondent agrees not to contest the jurisdiction of EPA with respect to the execution of this Consent Agreement, the issuance of the attached Final Order, or the enforcement of this Consent Agreement and Final Order.
9. For purposes of this proceeding only, Respondent hereby expressly waives its right to contest the allegations set forth in this Consent Agreement and Final Order and waives its right to appeal the accompanying Final Order.
10. Respondent consents to the assessment of the civil penalty stated herein, to the issuance of any specified compliance order herein, and to any conditions specified herein.
11. Respondent shall bear its own costs and attorney’s fees in connection with this proceeding.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

12. In accordance with 40 C.F.R. §§ 22.13(b) and 22.18(b)(2) and (3) of the Consolidated Rules of Practice, Complainant alleges and adopts the Findings of Fact and Conclusions of Law set forth immediately below.
13. The District of Columbia is approved to administer and enforce an underground storage tank program in lieu of the Federal program under Subtitle I of the Act, as amended, 42 U.S.C. §§ 6991-6991m. The program, as administered by DOEE, was approved by EPA, pursuant to 42 U.S.C. 6991c and 40 CFR part 281. EPA approved the District of Columbia underground storage tank (“UST”) program, set forth in the District of Columbia Municipal Regulations (“DCMR”), Title 20, Chapters 55-67 and 70, under “Underground Storage Tanks,” on July 9, 1997, and approval of the District of Columbia UST program became effective on May 4, 1998. A subsequent UST program revision application was approved by EPA on January 27, 2022 and became effective on March 28, 2022. The time frames analyzed for the violations alleged herein span both the District of Columbia’s 1998 UST program authorization and the District of Columbia’s 2022 UST program authorization. However, the violations alleged herein occurred during the period covered by the 1998 UST program authorization. The citations in this Consent Agreement and Final Order include the 1998 UST program authorization followed by the

2022 UST program authorization in brackets unless the citations are the same between the two programs (e.g., Section 6003.2 [6003.3] of the DCMR or 20 DCMR 6003.2 [6003.3]). The language in quotations reflects the District of Columbia's regulations included in the 1998 UST program authorization.

14. The federally approved District of Columbia UST program is enforceable by EPA pursuant to Section 9006(a) of RCRA, 42 U.S.C. § 6991e(a).
15. Section 9006(d) of RCRA, 42 U.S.C. § 6991e(d), authorizes the assessment of civil penalties against any owner or operator of an UST who fails to comply with, *inter alia*, any requirement or standard of a State program that has been approved pursuant to Section 9004 of RCRA, 42 U.S.C. § 6991c, for the violations alleged herein.
16. The District of Columbia UST program regulates USTs used to contain “regulated substances,” as that term is defined in Section 9001(7) of RCRA, 42 U.S.C. § 6991(7), and 20 DCMR 7099.1.
17. Respondent is a private, nonprofit, federally chartered educational institution and therefore is a corporation.
18. At all times relevant to this Consent Agreement, Respondent is, and has been, a “person,” as defined by Section 9001(5) of RCRA, 42 U.S.C. § 6991(5), and 20 DCMR 7099.1.
19. At all times relevant to this Consent Agreement, Respondent is, and has been, the “owner” and “operator,” as defined by Section 9001(3) and (4) of RCRA, 42 U.S.C. § 6991(3) and (4), and 20 DCMR 7099.1, of “USTs” and “UST systems,” as defined in Section 9001(10) of RCRA, 42 U.S.C. 6991(10), and 20 DCMR 7099.1, at the Gallaudet University UST facility located at 800 Florida Avenue, NE, Washington, DC, 20002 (“the Facility”).
20. At all times relevant to this Consent Agreement, there are, and there have been, the following two USTs at the Facility, each of which contains a regulated substance.
 - a. A 10,000-gallon tank that contains regular-grade gasoline and was installed in or about January 1986 (with subsequent upgrades; hereinafter referred to as “Tank 1”). Tank 1 is constructed of fiberglass-reinforced plastic and has a suction pumping system. Tank 1 uses a Veeder-Root automatic tank gauging (“ATG”) monitoring system.
 - b. A 10,000-gallon tank that contains diesel and was installed in or about January 1986 (with subsequent upgrades; hereinafter referred to as “Tank 2”). Tank 2 is also constructed of fiberglass-reinforced plastic and has a suction pumping system. Tank 2 uses a Veeder-Root ATG monitoring system.
21. On August 31, 2020, EPA issued an Information Request Letter (“IRL”) to Respondent to determine its compliance with RCRA Subtitle I, and the DCMR. EPA received

responses from Respondent on June 29, 2021, August 3, 2021, August 6, 2021, August 10, 2021, October 14, 2021, November 1, 2021, November 3, 2021, and June 9, 2022.

22. EPA reviewed Respondent's compliance during the time frame from at least August 31, 2019 (first date for which EPA's IRL requested compliance information) to at least June 9, 2022 (date of Respondent's final response to EPA's IRL).

Count I

Failure to Conduct Tank Release Detection on Tank 2

23. The information and allegations in the preceding paragraphs of this Consent Agreement are incorporated herein by reference.
24. Section 6003.2 [6003.3] of the DCMR, 20 DCMR 6003.2 [6003.3], requires that "[t]anks shall be monitored at least once every thirty (30) days for releases using one of the methods listed in §§ 6008 through 6012" with exceptions that do not apply here.
25. Under 20 DCMR 6008.1, a release monitoring method using "[ATG] equipment that tests for the loss of product and conducts inventory control" meets the requirements of Section 6003.2 [6003.3].
26. On November 15, 2020, Respondent performed a tank release detection test with its ATG monitoring system on Tank 2 and obtained a "Pass" result. According to 20 DCMR 6003.2 [6003.3], the next tank release detection test was due to be performed on or before December 15, 2020.
27. On January 10, 2021, Respondent performed a tank release detection test with its ATG monitoring system on Tank 2 and obtained a "Pass" result.
28. From December 16, 2020, to January 9, 2021, Respondent failed to perform tank release monitoring (i.e., obtained invalid results) at least once every 30 days for Tank 2.
29. From December 16, 2020, to January 9, 2021, Respondent violated 20 DCMR 6003.2 [6003.3] by failing to perform tank release monitoring (i.e., obtained invalid results) at least once every 30 days for Tank 2.
30. In failing to comply with 20 DCMR 6003.2 [6003.3], Respondent is subject to the assessment of penalties under 9006(d)(2) of RCRA, 42 U.S.C. § 6991e(d)(2).

Count II

Failure to Report Suspected Releases Within 24 Hours to DOEE from Tanks 1 and 2

31. The information and allegations in the preceding paragraphs of this Consent Agreement are incorporated herein by reference.

32. Section 6202.1 of the DCMR, 20 DCMR 6202.1, requires that, “[a]ny responsible party...who knows, or has reason to know, of a release from an [UST] shall notify [DOEE] of the release or suspected release within 24 hours.”
33. Under 20 DCMR 6202.4 [6202.5(c)], “A responsible party shall suspect a release” when, among other things, “[t]he monitoring results from a release detection method required under §§ 6002 through 6015 indicate a release may have occurred unless the monitoring device is found to be defective...and additional monitoring does not confirm the initial result.”
34. A release detection method required under 20 DCMR 6008.1 is “[ATG] equipment that tests for the loss of product and conducts inventory control.”
35. From November 29, 2020, to July 4, 2021, Respondent failed to report suspected releases within 24 hours to DOEE even though the Facility’s ATG records show that Tank 1 had twelve “Fail” results and Tank 2 had two “Fail” results (excluding “Fail” results immediately followed by a “Pass” result and “Fail” results that occurred when fuel was being dispensed). The ATG equipment was not found to be defective.
36. From November 29, 2020, to July 4, 2021, Respondent violated 20 DCMR 6202.1 by failing to report suspected releases (i.e., fourteen “Fail” results between Tank 1 and Tank 2) within 24 hours to DOEE.
37. In failing to comply with 20 DCMR 6202.1, Respondent is subject to the assessment of penalties under 9006(d)(2) of RCRA, 42 U.S.C. § 6991e(d)(2).

Count III

Failure to Immediately Investigate and Confirm Each Suspected Release of a Regulated Substance from Tank 1 and 2 Within Seven Days

38. The information and allegations in the preceding paragraphs of this Consent Agreement are incorporated herein by reference.
39. Section 6203.1 [6202.6] of the DCMR, 20 DCMR 6203.1 [6202.6], requires that, “[u]nless corrective action is initiated with applicable provisions...the responsible party shall immediately investigate and confirm each suspected release of a regulated substance within seven (7) days.”
40. Under 20 DCMR 6202.4 [6202.5(c)], “A responsible party shall suspect a release” when, among other things, “[t]he monitoring results from a release detection method required under §§ 6002 through 6015 indicate a release may have occurred unless the monitoring device is found to be defective...and additional monitoring does not confirm the initial result.”
41. A release detection method required under 20 DCMR 6008.1 is “[ATG] equipment that tests for the loss of product and conducts inventory control.”

42. From November 29, 2020, to July 4, 2021, Respondent failed to immediately investigate suspected releases within seven days even though the Facility's ATG records show that Tank 1 had twelve "Fail" results and Tank 2 had two "Fail" results (excluding "Fail" results immediately followed by a "Pass" result and "Fail" results that occurred when fuel was being dispensed). The ATG equipment was not found to be defective, and the Facility did not initiate corrective action.
43. From November 29, 2020, to July 4, 2021, Respondent violated 20 DCMR 6203.1 [6202.6] by failing to immediately investigate suspected releases (i.e., fourteen "Fail" results between Tank 1 and Tank 2) within seven days.
44. In failing to comply with 20 DCMR 6203.1 [6202.6], Respondent is subject to the assessment of penalties under 9006(d)(2) of RCRA, 42 U.S.C. § 6991e(d)(2).

CIVIL PENALTY

45. In settlement of EPA's claims for civil penalties for the violations alleged in this Consent Agreement, Respondent consents to the assessment of a civil penalty in the amount of THIRTY-FIVE THOUSAND dollars (\$35,000.00), which Respondent shall be liable to pay in accordance with the terms set forth below.
46. The civil penalty is based upon EPA's consideration of a number of factors, including the penalty criteria ("statutory factors") set forth in Section 9006(c) and (e) of RCRA, 42 U.S.C. § 6991e(c) and (e), including, the following: the seriousness of the violation, any good faith efforts to comply with the applicable requirements, and any other factors considered appropriate, including Respondent's agreement to settle in order to resolve disputed facts and legal conclusions. These factors were applied to the particular facts and circumstances of this case with specific reference to EPA's October 5, 2018, *Interim Consolidated Enforcement Penalty Policy for Underground Storage Tank (UST) Regulations and Revised Field Citation Program and ESA Pilot* and November 1990 *U.S. EPA Penalty Guidance for Violations of UST Regulations* which reflect the statutory penalty criteria and factors set forth at Section 9006(c) and (e) of RCRA, 42 U.S.C. § 6991e(c) and (e); the appropriate *Adjustment of Civil Monetary Penalties for Inflation*, pursuant to 40 C.F.R. Part 19; and the applicable EPA memoranda addressing EPA's civil penalty policies to account for inflation.
47. Payment of the civil penalty amount, and any associated interest, administrative fees, and late payment penalties owed, shall be made by either cashier's check, certified check, or electronic wire transfer, in the following manner:
 - a. All payments by Respondent shall include reference to Respondent's name and address, and the Docket Number of this action, i.e., EPA Docket No. RCRA-03-2023-0026;
 - b. All checks shall be made payable to the "United States Treasury";

- c. All payments made by check and sent by regular mail shall be addressed and mailed to:

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

- d. For additional information concerning other acceptable methods of payment of the civil penalty amount see:

<https://www.epa.gov/financial/makepayment>

- e. A copy of Respondent's check or other documentation of payment of the penalty using the method selected by Respondent for payment shall be sent simultaneously **by email** to:

Promy Tabassum
Assistant Regional Counsel
tabassum.promy@epa.gov

and

U.S. EPA Region III Regional Hearing Clerk
R3_Hearing_Clerk@epa.gov

48. Pursuant to 31 U.S.C. § 3717 and 40 C.F.R. § 13.11, EPA is entitled to assess interest and late payment penalties on outstanding debts owed to the United States and a charge to cover the costs of processing and handling a delinquent claim, as more fully described below. Accordingly, Respondent's failure to make timely payment of the penalty as specified herein shall result in the assessment of late payment charges including interest, penalties, and/or administrative costs of handling delinquent debts.
49. Payment of the civil penalty is due and payable immediately upon receipt by Respondent of a true and correct copy of the fully executed and filed Consent Agreement and Final Order. Receipt by Respondent or Respondent's legal counsel of such copy of the fully executed Consent Agreement and Final Order, with a date stamp indicating the date on which the Consent Agreement and Final Order was filed with the Regional Hearing Clerk, shall constitute receipt of written initial notice that a debt is owed EPA by Respondent in accordance with 40 C.F.R. § 13.9(a).
50. INTEREST: In accordance with 40 C.F.R. § 13.11(a)(1), interest on the civil penalty assessed in this Consent Agreement and Final Order will begin to accrue on the date Respondent is notified of its debt to the United States as established upon the ratification and filing of the fully executed Consent Agreement and Final Order with the Regional

Hearing Clerk. However, EPA will not seek to recover interest on any amount of the civil penalties that is paid within thirty (30) calendar days after the date on which such interest begins to accrue. 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).

51. ADMINISTRATIVE COSTS: The costs of EPA's administrative handling of overdue debts will be charged and assessed monthly throughout the period a debt is overdue. 40 C.F.R. § 13.11(b). If payment is not received within thirty (30) calendar days of the effective date of this Consent Agreement, EPA will also assess a \$15.00 administrative handling charge for administrative costs on unpaid penalties for the first thirty (30) day period after the payment is due and an additional \$15.00 for each subsequent thirty (30) days the penalty remains unpaid.
52. LATE PAYMENT PENALTY: A late payment penalty of six percent per year will be assessed monthly on any portion of the civil penalty that remains delinquent more than ninety (90) calendar days. 40 C.F.R. § 13.11(c). Should assessment of the penalty charge on the debt be required, it shall accrue from the first day payment is delinquent. 31 C.F.R. § 901.9(d).
53. Respondent agrees not to deduct for federal tax purposes the civil penalty assessed in this Consent Agreement and Final Order.
54. **The Parties consent to service of the Final Order by e-mail at the following valid e-mail addresses: tabassum.promy@epa.gov (for Complainant) and L.Romeo@plunkettcooney.com and debra.patkin@gallaudet.edu (for Respondent).**

GENERAL SETTLEMENT CONDITIONS

55. By signing this Consent Agreement, Respondent acknowledges that this Consent Agreement and Final Order will be available to the public and represents that, to the best of Respondent's knowledge and belief, this Consent Agreement and Final Order does not contain any confidential business information or personally identifiable information from Respondent.
56. Respondent certifies that any information or representation it has supplied or made to EPA concerning this matter was, at the time of submission true, accurate, and complete and that there has been no material change regarding the truthfulness, accuracy, or completeness of such information or representation. EPA shall have the right to institute further actions to recover appropriate relief if EPA obtains evidence that any information provided and/or representations made by Respondent to EPA regarding matters relevant to this Consent Agreement and Final Order, including information about Respondent's ability to pay a penalty, are false or, in any material respect, inaccurate. This right shall be in addition to all other rights and causes of action that EPA may have, civil or criminal, under law or equity in such event. Respondent and its officers, directors, and agents are aware that the submission of false or misleading information to the United States government may subject a person to separate civil and/or criminal liability.

CERTIFICATION OF COMPLIANCE

57. Respondent certifies to EPA, upon personal investigation and to the best of its knowledge and belief, that it currently is in compliance with regard to Count I alleged in this Consent Agreement.

OTHER APPLICABLE LAWS

58. Nothing in this Consent Agreement and Final Order shall relieve Respondent of its obligation to comply with all applicable federal, state, and local laws and regulations, nor shall it restrict EPA's authority to seek compliance with any applicable laws or regulations, nor shall it be construed to be a ruling on the validity of any federal, state, or local permit. This Consent Agreement and Final Order does not constitute a waiver, suspension, or modification of the requirements of RCRA Subtitle I, or any regulations promulgated thereunder.

RESERVATION OF RIGHTS

59. This Consent Agreement and Final Order resolves only EPA's claims for civil penalties for the specific violations alleged against Respondent in this Consent Agreement and Final Order. EPA reserves the right to commence action against any person, including Respondent, in response to any condition which EPA determines may present an imminent and substantial endangerment to the public health, public welfare, or the environment. This settlement is subject to all limitations on the scope of resolution and to the reservation of rights set forth in Section 22.18(c) of the Consolidated Rules of Practice, 40 C.F.R. § 22.18(c). EPA reserves any rights and remedies available to it under RCRA Subtitle I, the regulations promulgated thereunder, and any other federal law or regulation to enforce the terms of this Consent Agreement and Final Order after its effective date.

EXECUTION/PARTIES BOUND

60. This Consent Agreement and Final Order shall apply to and be binding upon the EPA, Respondent, and the officers, directors, employees, contractors, successors, agents, and assigns of Respondent. By his or her signature below, the person who signs this Consent Agreement on behalf of Respondent is acknowledging that he or she is fully authorized by Respondent to execute this Consent Agreement and to legally bind Respondent to the terms and conditions of this Consent Agreement and Final Order.

EFFECTIVE DATE

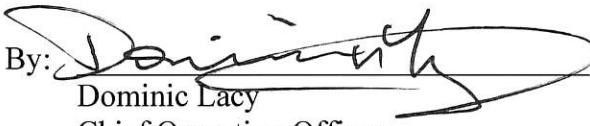
61. The effective date of this Consent Agreement and Final Order is the date on which the Final Order, signed by the Regional Administrator of EPA, Region III, or his designee, the Regional Judicial Officer, is filed along with the Consent Agreement with the Regional Hearing Clerk pursuant to the Consolidated Rules of Practice.

ENTIRE AGREEMENT

62. This Consent Agreement and Final Order constitutes the entire agreement and understanding between the Parties regarding settlement of all claims for civil penalties pertaining to the specific violations alleged herein and there are no representations, warranties, covenants, terms, or conditions agreed upon between the Parties other than those expressed in this Consent Agreement and Final Order.

For Respondent: GALLAUDET UNIVERSITY

Date: 2/22/2023

By: 
Dominic Lacy
Chief Operating Officer
Gallaudet University

For the Complainant:

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

By: _____
[*Digital Signature and Date*]
Karen Melvin, Director
Enforcement & Compliance Assurance Division
U.S. EPA – Region III
Complainant

Attorney for Complainant:

By: _____
[*Digital Signature and Date*]
Promy Tabassum
Assistant Regional Counsel
U.S. EPA – Region III

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

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| 800 Florida Avenue, NE | : Proceeding under Section 9006 of the Resource |
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| | : 42 U.S.C. Section 6991e |
| Respondent. | : |
| | : |

FINAL ORDER

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

Based upon the representations of the parties in the attached Consent Agreement, the penalty agreed to therein is based upon consideration of, *inter alia*, EPA’s October 5, 2018, *Interim Consolidated Enforcement Penalty Policy for Underground Storage Tank (UST) Regulations and Revised Field Citation Program and ESA Pilot* and November 1990 *U.S. EPA Penalty Guidance for Violations of UST Regulations*; the statutory factors set forth in Section 9006(c) and (e) of the Resource Conservation and Recovery Act (“RCRA” or the “Act”), 42 U.S.C. § 6991e(c) and (e); the appropriate *Adjustment of Civil Monetary Penalties for Inflation*, pursuant to 40 C.F.R. Part 19; and the applicable EPA memoranda addressing EPA’s civil penalty policies to account for inflation.

NOW, THEREFORE, PURSUANT TO Section 9006(d) of RCRA. 42 U.S.C. § 6991e(d), and Section 22.18(b)(3) of the Consolidated Rules of Practice, **IT IS HEREBY ORDERED** that Respondent pay a civil penalty in the amount of **THIRTY-FIVE THOUSAND DOLLARS (\$35,000.00)**, in accordance with the payment provisions set forth in the Consent Agreement and in 40 C.F.R. § 22.31(c), and comply with the terms and conditions of the Consent Agreement.

This Final Order constitutes the final Agency action in this proceeding. This Final Order shall not in any case affect the right of the Agency or the United States to pursue appropriate injunctive or other equitable relief, or criminal sanctions for any violations of the law. This Final Order resolves only those causes of action alleged in the Consent Agreement and does not waive, extinguish, or otherwise affect Respondent’s obligation to comply with all applicable provisions

of RCRA Subtitle I, and the regulations promulgated thereunder.

The effective date of the attached Consent Agreement and this Final Order is the date on which this Final Order is filed with the Regional Hearing Clerk.

By: _____
[Digital Date and Signature]
Joseph J. Lisa
Regional Judicial and Presiding Officer
U.S. EPA – Region III

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

In the Matter of: :
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Gallaudet University : **U.S. EPA Docket No. RCRA-03-2023-0026**
Appleby Building :
800 Florida Avenue, NE : **Proceeding under Section 9006 of the Resource**
Washington, DC 20002 : **Conservation and Recovery Act, as amended,**
 : **42 U.S.C. Section 6991e**
Respondent. :
 :

CERTIFICATE OF SERVICE

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

Copies served via email to:

Debra Patkin, Esq.
Associate General Counsel
Gallaudet University
800 Florida Avenue, NE
Washington, DC 20002
debra.patkin@gallaudet.edu

Laura Romeo, Esq.
Counsel for Respondent
Plunkett Cooney
Attorneys & Counselors at Law
38505 Woodward Ave., Suite 100
Bloomfield Hills, MI 48304
LRomeo@plunkettcooney.com

Copies served via email to:

Promy Tabassum, Esq.
Assistant Regional Counsel
U.S. EPA, Region III
tabassum.promy@epa.gov

Andrew Ma
Physical Scientist
U.S. EPA, Region III
ma.andrew@epa.gov

By: _____
[Digital Date and Signature]
Regional Hearing Clerk
U.S. EPA – Region III