

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION I**

2009 OCT -2 AM 10

IN THE MATTER OF	)	EPA Docket No. RCRA-01-2008-0112
	)	
TRUSTEES OF TUFTS COLLEGE	)	<b>COMPLAINT, COMPLIANCE ORDER</b>
	)	<b>AND NOTICE OF OPPORTUNITY</b>
Tufts University Health Sciences Campus	)	<b>FOR HEARING</b>
EPA ID No. MAD099198178	)	
	)	
RESPONDENT	)	
	)	
Proceeding under Section 3008(a) of the	)	
Resource Conservation Recovery	)	
Act, 142 U.S.C. § 6928(a)	)	

**I. INTRODUCTION**

1. This Complaint, Compliance Order and Notice of Opportunity for Hearing ("Order") is filed pursuant to Section 3008(a) of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act and the Hazardous and Solid Waste Amendments of 1984 (hereinafter, "RCRA"), 42 U.S.C. § 6928(a), and the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, Issuance of Compliance or Corrective Action Orders, and the Revocation, Termination or Suspension of Permits, 40 C.F.R. Part 22 ("Part 22"). Respondent, Trustees of Tufts College, is hereby notified that the United States Environmental Protection Agency, Region 1 ("EPA") has determined that Respondent violated Sections 3002 and 3005 of RCRA, 42 U.S.C. §§ 6922 and 6925, Massachusetts General Laws ("M.G.L.") c. 21C, and the Massachusetts hazardous waste management regulations set forth at

310 C.M.R. § 30.000 et seq., by failing to properly manage hazardous wastes. EPA also provides notice of Respondent's opportunity to request a hearing.

## **II. NATURE OF ACTION**

2. This is an action under Section 3008(a) of RCRA, 42 U.S.C. §§ 6901-6987, ordering Respondent to come into compliance with the hazardous waste regulations promulgated pursuant to RCRA.
3. Notice of commencement of this action has been given to The Commonwealth of Massachusetts ("Massachusetts") pursuant to Section 3008(a)(2) of RCRA, 42 U.S.C. §6928(a)(2).

## **III. STATUTORY AND REGULATORY FRAMEWORK**

4. In 1976, Congress enacted RCRA, amending the Solid Waste Disposal Act, to regulate hazardous waste management. RCRA Subtitle C, 42 U.S.C. § 6921 *et seq.*, empowers EPA to identify and list hazardous wastes. It also authorizes EPA to regulate hazardous waste generators, transporters, and the owners and operators of hazardous waste treatment, storage, and disposal facilities. EPA has promulgated federal regulations to implement RCRA Subtitle C, which are set forth at 40 C.F.R. Parts 260-270.
5. Pursuant to Section 3001 of RCRA, 42 U.S.C. § 6921, EPA promulgated regulations to define what materials are "solid wastes," and of these solid wastes, what wastes are regulated as "hazardous wastes." These regulations are set forth at 40 C.F.R. Part 261.
6. Section 3002 of RCRA, 42 U.S.C. § 6922, required EPA to establish standards applicable to generators of hazardous wastes. These standards are codified at 40 C.F.R. Part 262 and relate

- to such matters as determining whether a waste is hazardous, container management, labeling and dating containers, inspecting waste storage areas, training, and planning for emergencies.
7. Section 3004 of RCRA, 42 U.S.C. § 6924, required EPA to establish standards applicable to owners and operators of facilities that treat, store, or dispose of hazardous waste, and Section 3005 of RCRA, 42 U.S.C. § 6925, established permit requirements for such facilities. These standards are codified at 40 C.F.R. Parts 264 and 265. These standards also apply to hazardous waste generators if they store hazardous wastes for more than ninety days.
  8. In 1984, Congress substantially amended RCRA with the Hazardous and Solid Waste Amendments ("HSWA") to, among other things: (a) restrict the disposal of hazardous wastes on the land or in landfills; and (b) change the method for determining whether wastes are toxic (and therefore hazardous). RCRA Section 3004(c)-(p), 42 U.S.C. § 6924(c)-(p).
  9. Pursuant to Section 3006 of RCRA, 42 U.S.C. § 6926, EPA may authorize a state to administer its hazardous waste program in lieu of the federal program when the Administrator deems the state program to be equivalent to the federal program.
  10. On February 25, 1981, EPA granted Phase I interim authorization to Massachusetts to administer its hazardous waste program in lieu of the federal program. The regulations implementing the Massachusetts hazardous waste program, promulgated pursuant to Massachusetts General Laws, Chapter 21C §§ 4 and 6, became effective on July 1, 1982. The implementing regulations are set out in 310 Code of Massachusetts Regulations ("C.M.R.") Sections 30.000 *et seq.* On January 24, 1985, EPA granted final authorization to Massachusetts to administer its hazardous waste program in lieu of the federal program. See,

50 Fed. Reg. 3344 (January 24, 1985). That authorization became effective on February 7, 1985.

11. Effective November 30, 1998, October 12, 1999, January 1, 2003 and February 13, 2004, Massachusetts received final authorization for additional hazardous waste rules. The federally-authorized Massachusetts regulations, together with other state hazardous waste regulations, are codified at 310 C.M.R. §§ 30.000 *et seq.*
12. Pursuant to Sections 3008(a) and (g) of RCRA, 42 U.S.C. § 6928(a) and (g), EPA may enforce the federally-approved Massachusetts hazardous waste program by issuing orders requiring compliance immediately or within a specified time for violations of any requirement of Subtitle C of RCRA, Sections 3001-3023 of RCRA, 42 U.S.C. §§ 6921-6939e.
13. Section 3006 of RCRA, 42 U.S.C. § 6926, as amended, provides, *inter alia*, that authorized state hazardous waste programs are carried out under Subtitle C of RCRA. Therefore, a violation of any requirement of law under an authorized state hazardous waste program is a violation of a requirement of Subtitle C of RCRA.

#### **IV. GENERAL AND FACTUAL ALLEGATIONS**

14. The Trustees of Tufts College (“Respondent”) is a non-profit corporation established under the laws of the Commonwealth of Massachusetts, having a principal place of business at 419 Boston Avenue, Medford, Massachusetts 02155.
15. Respondent is the owner of the Tufts University Health Sciences Campus (“Campus” or “Facility”), located at 136 Harrison Avenue, Boston, Massachusetts 02111.
16. The Campus comprises numerous buildings, including the Tufts University School of Medicine, Tufts University School of Dental Medicine, and the Friedman School of Nutrition

Science and Policy (the "Medical Schools"). The Campus also includes a building that functions as a less-than-90-day hazardous waste storage area for the Medical Schools, located at 37 Tyler Street, Boston, Massachusetts (the "HWSA").

17. The Campus, including without limitation the Medical Schools and the HWSA, is a "facility," as that term is defined by 310 C.M.R. § 30.010 and 40 C.F.R. § 260.10.
18. Respondent is a "person," as that term is defined by 310 C.M.R. § 30.010 and Section 1004(15) of RCRA, 42 U.S.C. § 6903(15).
19. At all times relevant to this Complaint, Respondent generated "hazardous waste," as that term is defined by 310 C.M.R. § 30.010, Section 1004(5) of RCRA, 42 U.S.C. § 6903(5), and 40 C.F.R. § 261.3, at the Medical Schools.
20. As the owner of the Medical Schools, which generate hazardous waste, Respondent is subject to the requirements for generators of hazardous wastes set forth at 30 C.M.R. § 30.300, pursuant to 30 C.M.R. §30.301.
21. Pursuant to 310 C.M.R. § 30.340(1), a hazardous waste generator who is not a Small Quantity Generator pursuant to 310 C.M.R. §30.351 or a Very Small Quantity Generator pursuant to 310 C.M.R. § 30.353 is a Large Quantity Generator ("LQG").
22. Respondent notified the Massachusetts Department of Environmental Protection ("MA DEP") that it is a LQG of hazardous wastes on December 3, 1980 and was assigned EPA identification number MAD099198178.
23. Hazardous wastes that are generated by the Medical Schools include, but are not limited to, ignitable, corrosive, reactive and toxic wastes, heavy metal bearing wastes containing arsenic, barium, cadmium, lead, mercury, selenium, and silver, volatile organic compounds, spent

halogenated solvents, spent non-halogenated solvents, acetonitrile, toluene, acetone, methanol, hexane, formaldehyde, and iodine.

24. Hazardous wastes generated by the Medical Schools are stored in the HWSA, an approximately 20 ft. by 30 ft. cinder-block building located directly adjacent and parallel to a heavily-trafficked pedestrian sidewalk.
25. In accordance with 30 C.M.R. §30.601, as the owner of a facility in which hazardous waste is stored, Respondent is subject to the technical standards for all hazardous waste facilities set forth at 30 C.M.R. § 30.600.
26. Duly authorized EPA representatives conducted a RCRA compliance evaluation inspection at the Facility on September 25-28, 2006.
27. On September 25, 2006, EPA observed numerous containers of labeled hazardous waste stored within the HWSA, which included the following hazardous waste containers labeled, among other hazards, as ignitable (D001), as defined in 310 C.M.R § 30.122:
  - a. Two 55-gallon containers labeled “hazardous waste, D011, D022, F003, F005, silver, acetonitrile, toluene, tetrahydrofuran, acetone, methanol, ethyl acetate, piperidine, hexane, iodine, chloroform, methyl chloride, 9/20/06, ignitable, toxic”;
  - b. Nine 4-liter containers each labeled “hazardous waste, acetonitrile, water, danger-hazardous material, trifluoroacetic acid, ignitable, corrosive” and dated between September 6 and 20, 2006;
  - c. Two 1-liter containers each labeled: “hazardous waste, acetonitrile, water, danger-hazardous material, trifluoroacetic acid, ignitable, corrosive, 9/13/06;”
  - d. One container labeled: “hazardous waste, paraformaldehyde, ignitable.”

- e. One container labeled: “hazardous waste, methanol, potassium hydroxide, ignitable;”
  - f. One container labeled: “hazardous waste, hexane, ethyl acetate, ether, acetone and water, ignitable;” and
  - g. One container labeled: “hazardous waste, formaldehyde, ignitable.”
28. On September 27, 2006, EPA conducted a review of randomly selected uniform hazardous waste manifests (“manifests”) shipped from the HWSA, under EPA identification number MAD099198178, between calendar years 2003 and 2006. At a minimum, the following ignitable (D001) hazardous wastes and reactive (D003) hazardous wastes, as defined in 310 C.M.R § 30.124, had been shipped off-site from the Facility:
- a. Manifest MAQ388123 issued 7/1/03: 800 pounds of acetonitrile and chloroform (D001, D022, F002) and 800 pounds of acetonitrile and methylene chloride (D001, D002, F002);
  - b. Manifest AR1374355 issued 9/10/03: 137 pounds of waste flammable liquids, corrosive, UN2924 (D001, D002, U002 [acetone]), and 4 pounds flammable waste aerosols (D001);
  - c. Manifest AR1594348 issued on 1/4/06: 55 pounds of waste flammable liquid, corrosive, oxidizing (D001, D002, D007 [chromium]), and 61 pounds of waste flammable solids, corrosive, organic (D001, D002, F003);
  - d. Manifest MAQ898337 issued 4/12/06: 47 pounds of ignitable compressed gas cylinders containing oxygen (D001), 1350 pounds of acetonitrile and chloroform (D001, D022, F002), and 800 pounds of acetonitrile and methylene chloride (D001, D002, F002);

- e. Manifest AR1596073 issued 5/10/06: 40 pounds of waste oxidizing liquid, sodium hydroxide and sodium nitrate (D001, D002); and
- f. Manifest AR1595112 issued 6/7/06: 8 pounds of waste flammable and reactive organo-metallic substances, water (D001, D003), 143 pounds of waste flammable liquid corrosive, UN2924 (D001, D002, F003), 384 pounds of waste flammable liquid, toxic, corrosive, UN3286 (D001, D002, F002), and 110 pounds of waste flammable liquid xylene and toluene (D001, F003, F005).

29. Subsequent to the September 2006 inspection, EPA received manifest records from Respondent that covered shipments of hazardous waste from the HWSA for the period of September 13, 2006 through December 27, 2006. A summary of the ignitable (D001) and reactive (D003) hazardous wastes described on these manifests is provided as Attachment 1. Attachment 1 indicates that approximately 7,677 pounds of ignitable and/or reactive hazardous wastes, formerly stored within the HWSA, were shipped from the Facility during this period.
30. During the inspection of the Facility on September 25, 2006, EPA representatives took several digital images of the HWSA and its contents, which included two images of the exterior of the HWSA. The digital images of the exterior of the HWSA are provided as Attachment 2. EPA digital image number 1 shows the posted main access door of the HWSA at 37 Tyler Street. EPA digital image number 2 shows the side of the HWSA that parallels the heavily-trafficked pedestrian sidewalk of Tyler Street. The Facility property line is indicated by the chain-linked fence, seen in digital image 2, which is located between the HWSA and the sidewalk. Based on the findings of the EPA inspection, the distance between the outer wall of the HWSA and the Facility property line is approximately 6 feet.



31. On September 9, 2008, EPA representative Susann Nachmann contacted Joleen Malot, the Environmental Compliance Supervisor for the Campus. Ms. Malot informed Ms. Nachmann that the cinder-block building located at 37 Tyler Street was at that time continuing to function as the less-than- 90-day hazardous waste storage facility for the Campus.

## V. VIOLATION

### **COUNT I: Failure to maintain containers of ignitable and/or reactive hazardous wastes at least 15 meters (50 feet) from the Facility's property line**

32. Pursuant to 310 C.M.R. §30.688(1), containers holding ignitable or reactive hazardous wastes shall be located at least 15 meters (50 feet) from a facility's property line.
33. At the time of the September 2006 EPA inspection, and as documented in numerous hazardous waste manifests issued prior to and after the inspection, ignitable and reactive wastes were stored in and shipped from the HWSA located at 37 Tyler Street.
34. The HWSA is located approximately two meters (6 feet) from the Facility's property line, directly adjacent to a heavily-trafficked pedestrian sidewalk in downtown Boston, Massachusetts.
35. Respondent's storage of ignitable and reactive hazardous wastes in containers located less than 15 meters (50 feet) from the Facility's property line constitutes a violation of 310 C.M.R. §30.688(1).

## VI. COMPLIANCE ORDER

36. Based on the foregoing findings, Respondent is hereby ordered to immediately achieve and maintain compliance with all applicable requirements of RCRA and 310 C.M.R. § 30.688(1). Specifically:

- a. Within 30 days of receipt of this Order, Respondent shall cease to store ignitable or reactive hazardous wastes within the HWSA located at 37 Tyler Street; and
  - b. Within 60 days of receipt of this Order, Respondent shall construct or establish a hazardous waste storage facility that is located at least 15 meters (50 ft) from the Facility's property line, in accordance with 310 C.M.R. § 30.688(1). The hazardous waste storage facility shall comply with all other applicable requirements of 310 C.M.R. §§ 30.000.
37. To further ensure compliance with the requirements cited in Paragraph 36 above, Respondent shall submit the following report to EPA within 90 days of receipt of this Order:
- a. A written confirmation of compliance (accompanied by a copy of any appropriate supporting documentation) or noncompliance with the requirements set forth in Paragraph 36(a) and (b). Any notice of noncompliance with the requirements of Paragraph 36(a) and (b) shall state the reasons for the noncompliance and when compliance is expected. Notice of noncompliance will in no way excuse the noncompliance. This statement shall specify all actions taken by Respondent to comply with Paragraph 36(a) and (b) of this Order and include:
    - i. a statement of the month, day and year that the old HWSA went out of service;
    - ii. a statement of the month, day and year that the new hazardous waste storage facility went into service;
    - iii. the total cost of returning to compliance;
    - iv. the physical description of the hazardous waste storage facility established in accordance with Paragraph 36(b), including, but not limited to:

- (1) The new hazardous waste storage facility's location (address);
- (2) Blueprints or lay-out of the new hazardous waste storage facility;
- (3) Photographs of the interior and all sides of the exterior of the new hazardous waste storage facility and the immediate surroundings within a 75-foot radius of the new hazardous waste storage facility;
- (4) A description of the immediate surroundings within a 75-foot radius of the new hazardous waste storage facility;
- (5) A statement of the distance, in feet or meters, between the new hazardous waste storage facility and the nearest Facility property line;  
and
- (6) A copy of any notice submitted to the MA DEP notifying the state of the new location of the hazardous waste storage facility.

38. The information requested in this Order is not subject to the Paperwork Reduction Act of 1980, 44 U.S.C. §3501 et seq.

39. Respondent shall submit the copies of any information, reports, and/or notices required by this

Order to:

Susann D. Nachmann, Environmental Engineer  
U.S. Environmental Protection Agency, Region 1  
1 Congress Street, Suite 1100  
Mail Code SER  
Boston, MA 02114  
Telephone: (617) 918-1871  
Fax: (617) 918-0871

and

Amelia Welt Katzen, Senior Enforcement Counsel  
U.S. Environmental Protection Agency, Region 1  
1 Congress Street, Suite 1100  
Mail Code SEL  
Boston, MA 02114  
Telephone: (617) 918-1869  
Fax: (617) 918-0869

40. If Respondent fails to comply with the requirements of this Order within the time specified, Section 3008(c) of RCRA, 42 U.S.C. § 6928(c), provides for further enforcement action in which EPA may seek the imposition of penalties of up to \$32,500 for each day of continued noncompliance.
41. This Order shall become effective immediately upon receipt by Respondent.
42. In accordance with 40 C.F.R. § 22.37(b), this Order shall automatically become a final order unless, no later than 30 days after the Order is served, Respondent requests a hearing pursuant to 40 C.F.R. § 22.15.

#### **VII. ASSESSMENT OF PENALTIES**

43. EPA reserves its right to assess penalties and/or seek other injunctive relief for violations of the requirements cited above, as provided by Section 3008 of RCRA, 42 U.S.C. § 6928.

#### **VIII. OPPORTUNITY TO REQUEST A HEARING AND FILE ANSWER**

44. As provided by Section 3008(b) of RCRA, 42 U.S.C. § 6928(b), and in accordance with 40 C.F.R. § 22.15, Respondent has a right to request a hearing on the issues raised in this Order. Any such hearing would be conducted in accordance with Part 22. **A request for a hearing must be incorporated in a written answer filed with the Regional Hearing Clerk within thirty (30) days of receipt of this Order.** In their answer, Respondent may contest any material fact contained in the Order. The answer shall directly admit, deny, or explain each of

the factual allegations contained in the Order and shall state: (1) the circumstances or arguments alleged to constitute the grounds of defense; (2) the facts Respondent intend to place at issue; and, (3) whether a hearing is requested. Where Respondent has no knowledge as to a particular factual allegation and so states, the allegation is deemed denied. Any failure of Respondent to admit, deny, or explain any material fact contained in the Order constitutes an admission of that allegation.

#### **IX. DEFAULT ORDER**

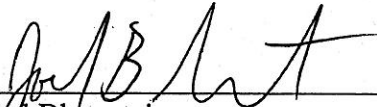
45. If Respondent fail to file a timely answer to the Order, Respondent may be found to be in default pursuant to 40 C.F.R. § 22.17. For purposes of this action only, default by Respondent constitutes an admission of all facts alleged in the Order and a waiver of Respondent's right to a hearing on such factual allegations under Section 3008 of RCRA, 42 U.S.C. § 6928. In addition, default will preclude Respondent from thereafter obtaining adjudicative review of any of the provisions contained in the Order.

#### **X. SETTLEMENT CONFERENCE**

46. Whether or not a hearing is requested upon filing an answer, Respondent may confer informally with the EPA concerning the alleged violations. Such conference provides Respondent with an opportunity to provide whatever additional information may be relevant to the disposition of this matter. Any settlement shall be made final by the signing of a Consent Agreement and Final Order by the Regional Judicial Officer, EPA Region I. Please note that a request for an informal settlement conference does not extend the thirty (30) day period within which a written answer must be submitted in order to avoid default. To explore the possibility of settlement in this matter, Respondent should contact Amelia Welt Katzen, Senior

Enforcement Counsel, Office of Environmental Stewardship, EPA Region I, who is also designated to receive service on behalf of Complainant, at the above address, at (617) 918-1869.

For Complainant:

  
\_\_\_\_\_  
Joel Blumstein  
Enforcement Manager  
Office of Environmental Stewardship  
U.S. Environmental Protection Agency  
Region 1

9/26/08  
\_\_\_\_\_  
Date

**ATTACHMENT 1**

**TUMC Manifest Summary (9/2006-12/2006) – Generation/Storage of Ignitable and/or Reactive Hazardous Wastes at MAD0099198178**

<u>Manifest</u>	<u>Date Issued</u>	<u>Hazardous Waste Shipped</u>	<u>Amount (pounds)</u>	<u>Associated Hazard/ Waste Code</u>
001019072 JJK	9/13/06	waste flammable liquid, corrosive	103	D001, D002, F002, F003, U117
		waste flammable liquid, toxic, corrosive	305	D001, D002, D022, F002, F003, F005
		waste flammable solid, toxic, organic	60	D001, D002, F002, F003, F005
		waste perchloric acid	9	D001, D002
		waste flammable liquid, toxic	90	D001, D022, F002, F003
		waste hydrogen peroxide, aqueous	7	D001, D002
		waste toxic liquid, corrosive, organic	6	D002, D003
		waste flammable liquid, toxic	95	D001, D003, D022, F002, F003, F005
001021824 JJK	9/29/06	waste self-reactive solid, type C	5	D001
		waste flammable liquid, corrosive	11	D001, D002, D003, U112
		waste sodium borohydride	4	D001, D003
		waste organic peroxide mixture, liquid	4	D001
		waste corrosive solid, acidic, organic	8	D002, D003
001019777 JJK	10/25/06	waste flammable liquid, xylene, toluene	200	D001, F003, F005
001019751 JJK	10/25/06	waste sodium hydrosulfite	7	D001, D003
		waste zinc powder	8	D001, D003
001021833 JJK	10/25/06	waste flammable solid, organic	8	D001
		waste flammable liquid, toxic	1150	D001, D022, F002, F003, F005
		waste flammable liquid, corrosive	1200	D001, D002, F002, F003, F005
001021834 JJK	10/25/06	waste flammable solid, toxic, organic	94	D001, F003
		waste flammable liquid, toxic, corrosive	80	D001, D002, F002, F003
		waste flammable liquid, toxic, corrosive	88	D001, D002, F002, F003, F005
		waste flammable liquid, toxic, corrosive	79	D001, D002, D018, F002, F003, F005
		waste flammable liquid, corrosive	85	D001, D002, F002, F003
		waste flammable liquid, toxic, corrosive	98	D001, D002, D022, F003
		waste flammable liquid, toxic, corrosive	64	D001, D002, F002, F003
		waste oxidizing solid, benzoyl peroxide	6	D001
		waste aerosols	7	D001, D035

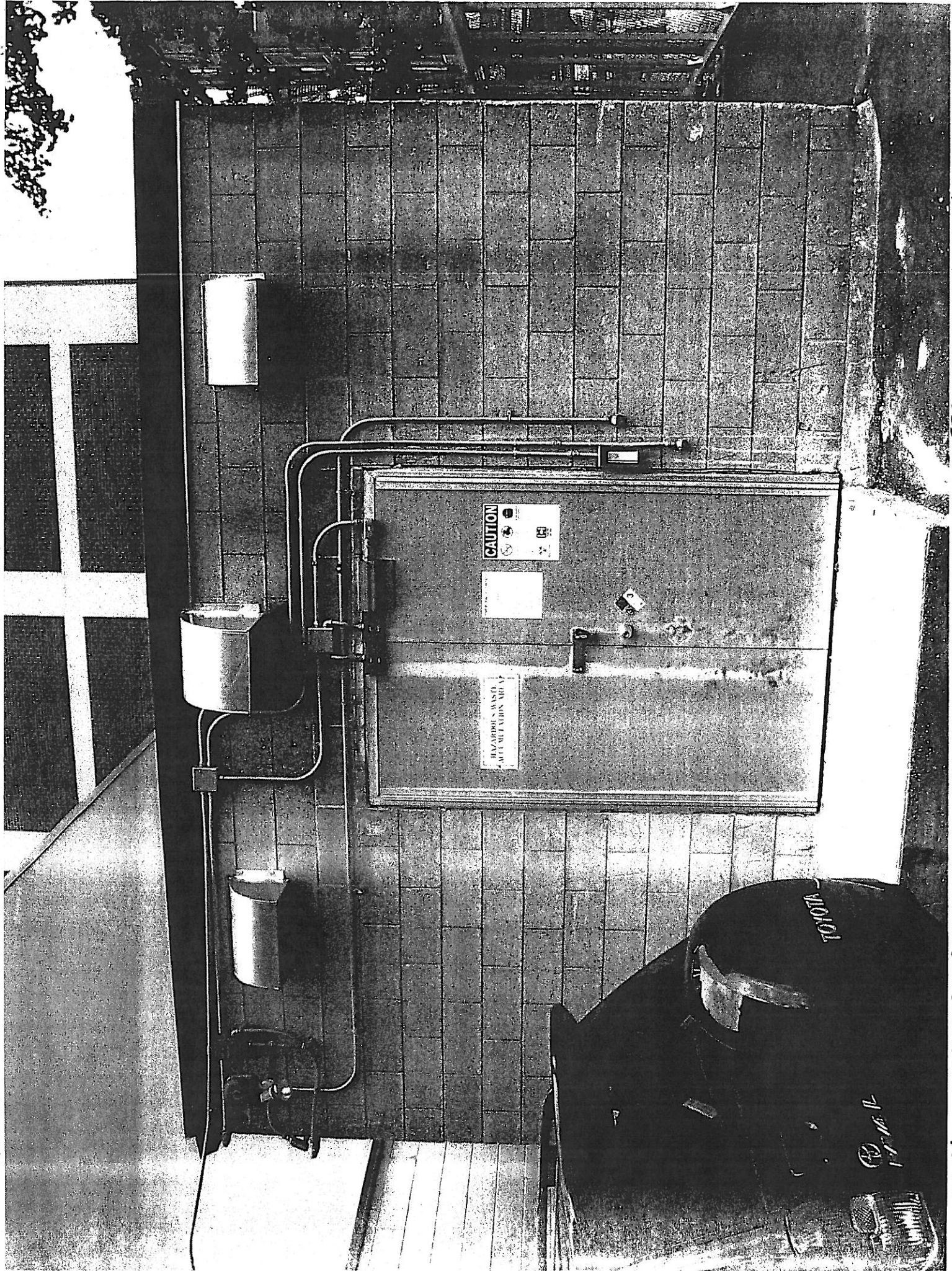
<u>Cont'd</u>	<u>Date Issued</u>	<u>Hazardous Waste Shipped</u>	<u>Amount (pounds)</u>	<u>Associated Hazard/ Waste Code</u>
001705851 JJK	11/14/06	waste paraformaldehyde waste potassium permanganate	6 8	D001 D001
001019968 JJK	11/29/06	waste flammable solid, organic waste flammable liquid, toxic, corrosive waste toxic liquid, corrosive, organic waste flammable liquid, toxic, corrosive waste flammable liquid waste corrosive solid, acidic, organic waste flammable liquid, toxic, corrosive waste flammable liquid, toxic, corrosive waste organic peroxide type D, solid	70 75 6 78 8 7 65 70 8	D001, F003 D001, D002, F002, F003 D002, D003 D001, D002, F002, F003, F005 D001, D003, U162 D003 D001, D002, D035, F002, F003, F005 D001, D002, D038, F002, F003, U117 D001
001019969 JJK	11/29/06	waste hydrazine, anhydrous waste flammable liquid, toxic waste flammable liquid, toxic waste flammable liquid, corrosive	6 35 1350 1180	D001, D002, D003, U133 D001, U177 D001, D022, F002, F003, F005 D001, D002, F002, F003, F005
001703084 JJK	12/27/06	waste flammable liquid, toxic, corrosive waste flammable liquid, toxic, corrosive waste flammable liquid, toxic, corrosive waste flammable liquid, toxic, corrosive waste corrosive liquid, flammable waste oxidizing liquid, corrosive waste organo-metallic substance, liquid, water reactive, flammable waste flammable solid, organic	90 72 75 ~80 8 12 11 68	D001, D002, F002, F003 D001, D002, D022, F002, F003 D001, D002, F002, F003 D001, D002, D022, F002, F003 D001, D002 D001, D002, D011 D001, D002, D003 D001, F003
001703085 JJK	12/27/06	waste perchloric acid waste flammable liquid, toxic waste flammable liquid, corrosive	8 illegible 400	D001, D002 D001, D022, F002, F003, F005 D001, D002, F002, F003, F005
<b>TOTAL</b>				~7677 pounds of hazardous waste, principally identified as ignitable and/or reactive.



ATTACHMENT 2

TUFTS UNIVERSITY MEDICAL CENTER-HEALTH SCIENCES CAMPUS  
EPA REGION I DIGITAL IMAGES  
TAKEN SEPTEMBER 25, 2006

LESS-THAN 90-DAY HAZARDOUS WASTE STORAGE AREA [37 TYLER STREET, BOSTON, MASSACHUSETTS]

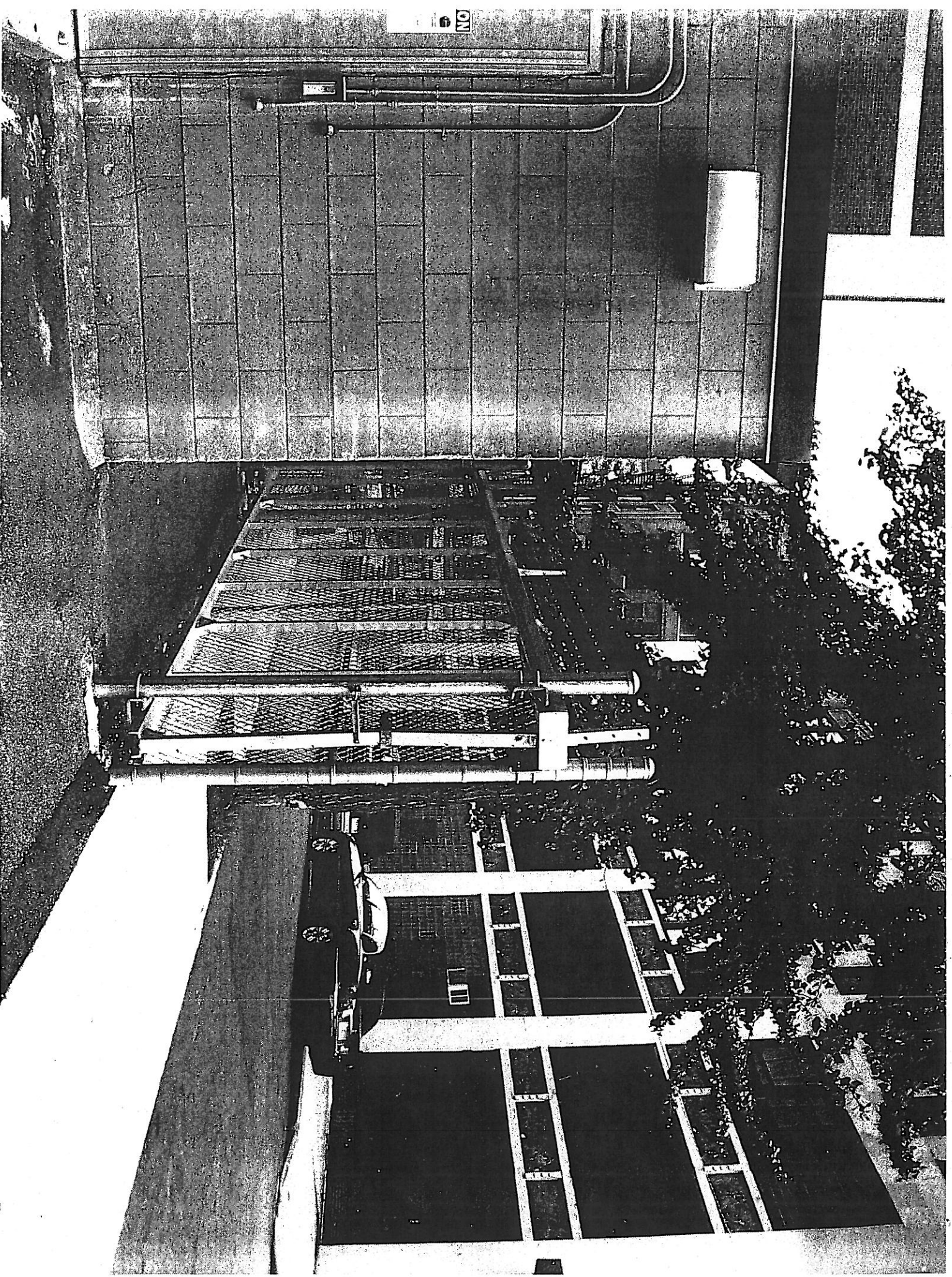


FDA 9/17/1986 Bristol 1

Ticks MAD 00108175

T-116 MAY 200 1950

FDA 9/10/1951



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 1

In the Matter of:	)	
	)	EPA Docket No.
<b>TRUSTEES OF TUFTS COLLEGE,</b>	)	RCRA-01-2008-0112
	)	
RESPONDENT	)	

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing Complaint, Compliance Order and Notice of Opportunity to Request a Hearing has been sent to the following persons on the date noted below:

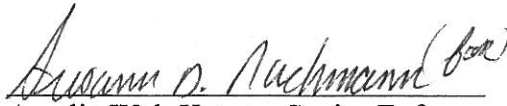
Original and one copy,  
hand-delivered:

Ms. Wanda Rivera  
Regional Hearing Clerk (RAA)  
U.S. EPA, Region I  
One Congress Street, Suite 1100  
Boston, MA 02114-2023

Copy, by Certified Mail,  
Return Receipt Requested, with  
copy of 40 C.F.R. Part 22:

Lawrence S. Bacow, President  
Tufts University  
Ballou Hall, 2<sup>nd</sup> Floor  
Medford, MA 02155

Dated: September 30, 2008

  
Amelia Welt Katzen, Senior Enforcement Counsel  
U.S. Environmental Protection Agency, Region 1  
One Congress Street, Suite 1100  
Boston, MA 02114-2023  
Tel (617) 918-1869  
FAX (617) 918-0869