

**EPA Symposium on Compliance within
Colleges and Universities**
University of Pennsylvania/Region III EPA
Philadelphia, Pennsylvania
March 21, 2000

Why is EPA focusing on colleges and universities?

Every year, EPA chooses a sector to emphasize their enforcement presence. This year, they have chosen to add colleges and universities to their list. The Region 3 representatives stated that they (Hdqtrs.) chose this sector because the various regions have discovered that compliance within colleges was much worse than they had anticipated. They made the statement that “it is only fair for colleges to include the cost to operate within compliance in the same manner as industry is required to”. They went on to explain that they have encountered a culture where university administrators do not seem to understand that universities have to comply with all existing laws and regulations just as any other place of business. The Region III official standing in for director, Samantha Fairchild, said that “universities are role models” and that we should act in that manner.

What is different about the recent Regional inspections than the regular state inspections?

EPA has always performed inspections concentrating on one media (air, water, waste, etc.). Now, the EPA Regions are conducting **multi-media** inspections to “get a picture of the state of compliance of the entire facility”. The regional inspectors invite the state inspectors along, but they do not always attend. Even when they do inspect together, the state and the regional inspectors can inspect different items and give separate citations. The Region 3 general inspectors use a multi-media checklist to determine which regulations apply at a university. Then, the experts in the applicable areas visit the facility and perform a detailed inspection. An inspection by the Regional EPA can last from two to five days. Note: UofL has obtained the multi-media checklists from Regions 1,2&3 and copies will be available on the display table at the EHS Director’s Roundtable meeting.

What have been the findings of the inspections in Region 3?

Region 3 has inspected eight colleges from June 1999 through January 2000. They are a cross-section of Catholic, Black, small, medium, and large universities. The largest fine was \$552,000 for major violations of the Resource Conservation and Recovery Act (RCRA); CAA; UST; CWA; and SPCC. The Region 3 representatives stated that universities have been less compliant with RCRA than any other regulation, and they are issuing the largest fines for these violations. The statement was made that “Universities have more generation points than the largest General Motors facility”. EPA regulates and can inspect each laboratory that generates chemical waste because it is a satellite waste accumulation area under RCRA. The staff generating and handling the waste must be properly trained, the waste must be specifically identified, and storage volume and time limits apply.

The EPA Regions are also inspecting colleges and universities for compliance with the following regulations:

- Spill Prevention Control and Countermeasures (SPCC) program - all eight universities in Region 3 were issued citations for SPCC violations. This program is designed to prevent the discharge of oil into navigable waters and is often overlooked by university compliance programs.
- Underground storage tank (UST) regulations – All tanks must have leak detection systems which must be functional. Nearby personnel must know how to operate detection system.
- Toxic Substances Control Act (TSCA) – Equipment with polychlorinated biphenyls (PCBs) must be labeled, inspected for leaks quarterly, spills must be reported within 24 hours, and records must be maintained and annual reports submitted.
- Asbestos regulations – The inspectors will ask for 18 months of records including notification of projects, training, and certification of contractor records. Requirements include the notification of the state and federal EPA of asbestos projects, worker training, proper removal or encapsulation of asbestos, and proper handling and disposal of debris.
- Clean Water Act – Most universities discharge effluent directly to a publicly owned treatment works (POTW) so they are subject to pre-treatment standards. Facilities are prohibited from discharging wastes that cause the POTW to violate their discharge permit, pass through the POTW without being treated, cause a fire or explosion, cause corrosive damage, have a pH less than 5.0, contain solid or viscous material, or have extreme temperatures. The Clean Water Act impacts the sewer disposal practices at Vanderbilt University.
- Clean Air Act – The inspectors will immediately ask for any Title V permits. The inspectors will also ask about repairs of air conditioners including the EPA certification of the repairmen.
- Lead-Based Paint Disclosure Act of 1992 – Housing being leased that was built before 1978 must provide info on lead-based paint hazards. The Region 3 representative was unclear how this regulation applied to dormitories.

What is the EPA's next step?

Region 3 is currently drafting a national publication that will be sent to Presidents of universities which will have 20 questions for the institution to answer concerning compliance with EPA regulations. If the answer is yes to any question, the publication will direct the President that they need to investigate the situation further. The Region 3 EPA stated that this correspondence is designed to enhance dialogue and support for Environmental Health and Safety departments at colleges and universities throughout the country. As of 4/3/00 the Region 3 official heading this project up said that she thought they would have the final product in the next 1-2 months.

Other miscellaneous points/comments:

- EPA officials asked how many institutions had EMS systems in place or did audits. They indicated that this is going to be a continuing area of focus for EPA.
- Stated that “every campus EHS office’s web page should have a hot link to federal and state EPA programs information and resources including EMS’s link from Region 3’s home page.
- Stated that they have reviewed a book entitled “ Greening the the Ivy Tower”. EPA official commented that this book would be a “potential resource” that could be very helpful to universities. Again, EPA seems to perceive the need for universities to be “role models” so that may explain why they added a long presentation on Energy Star to the program!
- EPA strongly encouraged compliance audits based on EPA audit policy and also said that stakeholder responsibility spread out and communicated throughout the organization will result in better environmental programs at universities.
- Headquarters is allowing regions to give up to 6 months to consolidate disclosures if universities notify that they are commencing an audit and identify what is being covered in the audit.

Prepared by Andrea George, Vanderbilt University with additions from Cheri Hildreth Watts, University of Louisville.