

## **AU & AUM EPA Self Audit Initiative**

### **Background**

On February 2, 2007, USEPA Region 4<sup>1</sup> sent a letter to public and private colleges and universities in the region inviting them to voluntarily audit their environmental compliance and disclose any discovered violations under the terms of EPA's Audit Policy, which provides for significantly reduced or waived penalties. The letter requested that entities wishing to take advantage of the offer provide an affirmative response to EPA.

This letter was part of a nationwide College/University Compliance Incentive Initiative spearheaded by EPA Headquarters. EPA Regions 1, 2, and 3 have already undertaken a similar process (see the attached "Summary of College/University Audit Initiatives in EPA Regions 1-3"). We understand that EPA Region 4 intends to conduct targeted inspections of those institutions that do not respond and agree to self-disclose. Should an EPA-initiated inspection at a college or university reveal non-compliance, formal federal enforcement action would likely follow.

### **Action**

On June 25, 2007 Auburn University and Auburn University at Montgomery signed an agreement with EPA Region 4 to complete a self audit of all university operations and disclose identified non-conformances. Under the agreement audit activities and corrective action must be completed prior to the end of June 2009.

Campus Audits (Peer Audit): Audits of AU and AUM campus operations will be conducted by teams of Peer Auditors composed of representatives from the Alabama Association of Independent Colleges and Universities and University of Alabama Birmingham. Campus audits are planned for the Fall of 2008.

Audit team members from Alabama Colleges and Universities attended a workshop at Birmingham-Southern College June 12 – 14 to prepare them for conducting the audits. Audit Teams from AU and AUM consist of the following faculty and staff:

AU Team: Mike Bracken (COSAM), Terri Carson (Engineering), Byron Harris (Veterinary Medicine), Tom Hodges (Administration), Ken Martin (Facilities), and Frank Owsley (Agriculture)

AUM Team: Mike D'arciprete (Administration) and John Aho (Biology)

HRP Associates, Inc. is providing training and technical support, while Halloran & Sage provides legal assistance for participants. In addition to AU and AUM, participants in the Alabama Audit Program include Birmingham-Southern College, Samford University, Spring Hill College, University of Mobile, Concordia College, Miles College, Huntingdon College, Talladega College and the University of Alabama - Birmingham.

Outlying Unit Audits: Audits of AU outlying units including the Alabama Agricultural Experimental Station will be completed by a self audit team composed of representatives from AU Risk Management and Safety. Audit support for the outlying units will also be provided by HRP and Halloran and Sage. Audits of the outlying units are planned for Spring 2009.

This effort will require significant institutional commitment and expertise.

---

<sup>1</sup> Region 4 encompasses AL, FL, GA, KY, MS, NC, SC and TN.

## **Summary of College/University Audit Initiatives in EPA Regions 1-3**

### **EPA New England – Region 1 (Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont)**

- Audit initiative launched July 2001.
- 177 colleges and universities in New England participated in this initiative.
- Institutions that did not participate in the Audit Initiative and were inspected and fined by EPA include:
  - Plymouth State University – December 2005 - \$99,993 settlement agreement for hazardous waste violations
  - Maine Community College System – July 2005 - \$126,600 settlement agreement for hazardous waste violations
  - Fitchburg State College – June 2004 - \$205,000 settlement agreement for hazardous waste violations
  - Wheaton College – November 2004 - \$230,500 settlement agreement for hazardous waste violations

### **Region 2 (New Jersey, New York, Puerto Rico, US Virgin Islands, 7 Tribal Nations)**

- Region 2 first began sending letters encouraging colleges/universities to self-disclose in 1999.
- 129 colleges and universities (covering 185 facilities) participated, disclosing more than 1600 violations to EPA
- Most of them have been granted a 100% waiver of certain penalties totaling more than \$21 million.
- Region 2 has conducted 71 inspections, issued 25 penalty actions and assessed \$3.8 million in penalties, including:
  - Kean University – July of 2004 - \$176,575 settlement agreement for hazardous waste violations.
  - Columbia University – December 2003 – paid civil penalty of \$100,000 and agreed to carry out three supplemental environmental projects for violations of hazardous waste regulations.
  - Long Island University (LIU) – June 2004 – penalty of \$39,057 and at least \$115,000 in a supplemental environmental project.
  - Manhattan College, located in the Bronx, New York, faces a \$111,199 penalty for alleged hazardous waste violations.
  - Skidmore College – February 2005 – agreed to pay a \$50,000 penalty and comply with hazardous waste management regulations to settle a complaint brought by the U.S. Environmental Protection Agency (EPA) in March 2004.
  - Vassar College in Poughkeepsie, New York is facing \$97,581 in penalties for violating numerous requirements of federal and New York State hazardous waste regulations.

### **Region 3 (Delaware, Maryland, Pennsylvania, Virginia, West Virginia, and the District of Columbia)**

- Region 3 initiated its College and University Initiative in June 1999.
- Temple University in Philadelphia was the first university to enter into an audit agreement for all ten of its campuses. In May 2003, Temple disclosed air, hazardous waste, oil spill prevention, and PCB violations, avoiding \$285,000 in penalties.
- In January 2005 EPA and the Pennsylvania Department of Environmental Protection (DEP) signed a self-audit and self-disclosure agreement with the Association of Independent Colleges and Universities of Pennsylvania (AICUP). Under this agreement, the 82 colleges and universities<sup>2</sup> who are members of the Pennsylvania association are able to assess their environmental compliance, identify possible problems, disclose them to EPA and DEP, and voluntarily correct the problems. Currently, 25 of the member colleges and universities have agreed to participate.
- Region 3 has conducted multi-media inspections at 14 colleges and universities throughout its area, resulting in eight administrative actions.