

**DISTRICT DEPARTMENT OF THE ENVIRONMENT
NOTICE OF LODGING OF CONSENT DECREE IN
DISTRICT OF COLUMBIA v. HOWARD UNIVERSITY AND
HOWARD UNIVERSITY HOSPITAL**

Notice is hereby given that a Consent Decree in the case of District of Columbia v. Howard University and Howard University Hospital will be lodged with the Superior Court for the District of Columbia and is available for public comment. A copy of the Consent Decree may be viewed online at www.ddoe.dc.gov. The Consent Decree was executed by the parties on or about February 3, 2012. The Consent Decree will resolve those claims brought by the District of Columbia (“the District”) against Howard University and Howard University Hospital (collectively “Howard”) that are contained in a Complaint that the District will file simultaneously with the Consent Decree in D.C. Superior Court. The District brings these claims through the District Department of the Environment (“DDOE”).

The Complaint alleges violations of District regulations that are part of DDOE’s program to control and prevent air pollution in the District of Columbia (“Air Program”). DDOE’s Air Program is codified in Chapters One through Twenty of Title 20 of the D.C. Municipal Regulations (20 DCMR §§ 100–2099) and implements the Federal Clean Air Act, 42 U.S.C. §§ 7401–7671q (2006), and the District of Columbia Air Pollution Control Act, D.C. Official Code § 8-101.05. DDOE specifically alleges that Howard violated 20 DCMR § 301.1(a)(4) by not filing an application for renewal of a major source operating permit (“Permit”) until thirty-seven (37) days after the permit application deadline. Plaintiff further alleges that Howard violated 20 DCMR § 303.2 by operating without a Permit for twenty-five (25) days.

The Consent Decree obligates Howard to pay the District of Columbia a civil penalty of \$25,000 in compensation for all violations alleged in the Complaint. The Parties agree in the Consent Decree that Howard will comply with its major source operating Permit #006, which expired on September 24, 2009, until DDOE issues a new Permit to Howard. In consideration for receiving a reduced fine, the Consent Decree obligates Howard to retain an environmental consultant to complete several tasks. These tasks will include conducting a Major Source Operating Permit Compliance Assessment of the many emissions units operated by Howard, providing expert assistance to ensure Howard’s compliance with Permit requirements, developing and conducting an on-site Major Source Operating Permit Compliance Training Program for on-site management and supervisory maintenance personnel, and developing a compliance tracking program that will monitor compliance obligations for Howard.

For thirty (30) days after this publication, DDOE will receive comments relating to this Consent Decree. All comments must be submitted in writing via mail to the District Department of the Environment, Air Quality Division, 1200 First Street, NE, 5th Floor, Washington, DC, 20002, Attention: Stephen Ours, or by e-mail to Stephen.ours@dc.gov. In either case, the comments must be filed by COB March 12, 2012 and should refer to District of Columbia v. Howard University and Howard University Hospital.

The District's determination to seek public comment on this settlement does not constitute a determination by the District that it is required to solicit public input in its settlement decisions in this case or in any other environmental or non-environmental action.