

DOE EM CLEANUP AND COMPLIANCE AGREEMENT FACT SHEET

SUMMARY

Data Element	Data
Site	Idaho National Engineering & Environmental Laboratory
Agreement Name	Idaho National Engineering & Environmental Laboratory Consent Order §39-4413
State	Idaho
Agreement Type	Consent Order
Legal Driver(s)	RCRA
Scope Summary	Resolve situations which may involve violations of HWMA and the Idaho <u>Rules and Standards for Hazardous Waste</u>
Parties	DOE; Idaho Department of Health and Welfare
Date	6/14/2000

SCOPE

- Resolve situations which may involve violations of HWMA and the Idaho Rules and Standards for Hazardous Waste.
- Incorporate and enforce the Action Plan which outlines compliance with regard to the Covered Matters.
- This Consent Order covers three types of Covered Matters: 1) Covered Matters with Detailed Action Plans, 2) Covered Matters with Tiered Milestones, and 3) Covered Matters that are Closed.

ESTABLISHING MILESTONES

- The Action Plan establishes enforceable milestones within which DOE must achieve compliance with regard to the Covered Matters.
- Commencing October 31, 2000, and annually thereafter, DOE shall submit to the Department for review and approval a Progress Report and a revised Action Plan.

FUNDING

- DOE shall take all necessary steps to obtain sufficient funding to comply with the provisions of this Consent Order.
- Based on the amount of annual funding it receives, DOE may be able to seek an adjustment of its commitments under this Consent Order.
- DOE maintains that any requirement for the payment or obligation of funds is subject to the provisions of the Anti-Deficiency Act. The Department does not agree that failure to obtain adequate funds or appropriations shall constitute a circumstance beyond the reasonable control of DOE.

PENALTIES

- DOE shall be subject to a stipulated penalty of \$1,000 for each violation for each day that DOE fails to achieve compliance with the requirement violated.
- DOE expressly recognizes that failure to comply with the terms of this Consent Order may result in an enforcement action for any relief available to the Department.
- DOE may petition for an extension of a milestone or any other requirement of this Consent Order. If the Department determines that a delay or anticipated delay was caused by circumstances beyond the reasonable control of DOE, an extension will be granted.