REGION 10
SEATTLE, WA 98101

February 8, 2024

RETURN RECEIPT REQUESTED

Mr. Shawn Woodward
Superintendent
Monroe Public School District
14692 179th Avenue SE
Monroe, Washington 98272

Re: Notice of Violation under the Toxic Substances Control Act and Opportunity to Confer

Dear Mr. Woodward:

Enclosed is a Notice of Violation (NOV) issued to the Monroe Public School District ("District") under Section 16(a) of the Toxic Substances Control Act (TSCA), 15 U.S.C. § 2615(a), by the United States Environmental Protection Agency (EPA). The NOV notifies the District of egregious and ongoing violations of the requirements under 40 C.F.R. Part 761 as well as conditions of the now expired Risk-Based Disposal Approval ("Approval") at Sky Valley Education Center (SVEC). Also enclosed is an inspection report from a neutral scheme inspection of the SVEC in Monroe, Washington pursuant to Section 15 of TSCA, 15 U.S.C. § 2614.

On November 2, 2020, the EPA notified the District of its ongoing noncompliance at SVEC (the "Warning Letter"). The Warning Letter provided the District with recommended actions to address the concerns and potential deviations from TSCA and the Approval. Notably, the EPA urged the District to "address these concerns with more urgency than has yet been demonstrated." To the best of our knowledge, the District has failed to address the corrective measures outlined in the Warning Letter.

The violations addressed in this NOV are significant and many of them are ongoing. There may be significant penalties for past and continuing violations of these requirements pursuant to Section 16(a) of TSCA, 15 U.S.C. § 2615(a). We request that the District give these violations its immediate attention and respond in writing to the violations alleged in the NOV within 30 days.

We are available to meet with representatives of the District to discuss the violations and the District's plans for correcting them. To arrange a meeting, please contact Shannon Rebersak, Assistant Regional Counsel, at (206) 553-2416 or rebersak.shannon@epa.gov within 10 days of receipt of this letter.

To the extent the District submits information to the EPA in response to this NOV or as part of discussions that result from this NOV, the District may assert a confidentiality claim covering part or

all of the information by placing on or attaching to the information, at the time it is submitted to the EPA, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," "proprietary," or "company confidential." Allegedly confidential portions of otherwise non-confidential documents should be clearly identified by the District and may be submitted separately to facilitate identification and handling by the EPA. Information covered by such a claim will be disclosed by the EPA only to the extent and by the procedures set forth in statutes and 40 C.F.R. Part 2, Subpart B. Unless you make a claim at the time you submit the information in the manner described in 40 C.F.R. § 2.203(b), it may be made available to the public by the EPA without further notice to you. *See also* 41 Fed. Reg. 36902 (September 1, 1976).

Thank you for your prompt attention to this important matter.

Sincerely,

EDWARD KOWALSKI

Digitally signed by EDWARD KOWALSKI
Date: 2024.02.08 12:27:08 -08'00'

Edward J. Kowalski
Director
Enforcement and Compliance Assurance Division

Enclosures:

1. Notice of Violation
2. Inspection Report

cc: Molly Barnes
President Pro-Tem

Jennifer Bumpus
Board President

Jeremiah Campbell
Board Vice President

James Etzkorn
Member

Chuck Whitfield
Member

Victor Scarpelli
Executive Director of Support Services, Sky Valley Education Center

Matthew Stock
Attorney