



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2
2890 WOODBRIDGE AVENUE
EDISON, NEW JERSEY 08837-3679

U.S. Environmental
Protection Agency-Region 2
2016 JUL 27 AM 8:18
REGIONAL JUDICIAL
OFFER

JUL 25 2016

CERTIFIED MAIL RETURN RECEIPT REQUESTED
Article Number 7015 1520 0002 8556 6021

Pablo Tzerembo, Principal
Pablo TZ Inc.
166 Johnson Avenue
Islandia, NY 11749

Re: Pablo TZ Inc., Docket No. TSCA-02-2016-9284

Dear Mr. Tzerembo:

Enclosed is a fully executed copy of the Administrative Expedited Settlement Agreement and Final Order in the above-referenced proceeding, signed by the Regional Judicial Officer of the U.S. Environmental Protection Agency, Region 2.

Please contact Demian P. Ellis at (732) 321-6661, should you have any questions regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "John Gorman".

John Gorman, Chief
Pesticides and Toxic Substances Branch

Enclosure

**UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 2**

IN THE MATTER OF:

**Pablo TZ Inc.,
Respondent.**

) Docket No.
) TSCA-02-2016-9284
)

) **EXPEDITED SETTLEMENT**
) **AGREEMENT AND**
) **FINAL ORDER**
)
)
)

U.S. Environmental Protection Agency
2016 JUL 27 AM 8:18
REGIONAL OFFICE
NEW YORK

EXPEDITED SETTLEMENT AGREEMENT

1. The U.S. Environmental Protection Agency ("EPA") alleges Pablo TZ Inc. ("Respondent") failed to comply with Sections 402, 406 and 407 of the U.S. Toxic Substances Control Act ("TSCA"), 15 U.S.C. §§ 2682, 2686 and 2687 respectively.
2. Respondent offered to perform a residential renovation or repairs at a property located at: 132 Chambers Street, Newburgh, NY 12550 in April 2015.
3. The aforementioned residential housing property in paragraph 2, above, was constructed prior to 1978 and is target housing¹ subject to the Renovation, Repair, and Painting Rule.
4. Respondent was required to obtain initial firm certification from EPA, as required by 40 CFR § 745.81(a)(2)(ii), prior to offering to perform renovations at the residential housing property, as described in paragraph 2. Respondent did not do this.
5. EPA and Respondent agree that settlement of this matter for a civil penalty of \$1,000 (one thousand dollars) is in the public interest.
6. EPA is authorized to enter into this Expedited Settlement Agreement ("Agreement") pursuant to Section 16 of TSCA, 15 U.S.C. § 2615, and 40 C.F.R. § 22.13(b), and 40 C.F.R. § 22.18(b)(2).
7. In signing this Agreement, Respondent: (1) admits that Respondent is subject to the Residential Property requirements (40 C.F.R. § 745, Subpart E); (2) admits that EPA has jurisdiction over Respondent and Respondent's conduct as described in paragraph 4 above; (3) neither admits nor denies the factual finding contained therein; (4) consents to the assessment of the penalty; and (5) waives any right to contest the findings contained herein.
8. By its signature below, Respondent certifies, subject to civil and criminal penalties for making a false submission to the United States Government, that: (1) the violation described in paragraph 4, above, has been corrected; and (2) Respondent is submitting proof of payment of the civil penalty with this agreement.

¹ Target Housing is defined in TSCA Section 401 as any housing constructed before 1978, except for: 1) housing for the elderly or persons with disabilities (unless a child less than six years of age resides or is expected to reside in such housing); and 2) any zero-bedroom dwelling.

In the Matter of Pablo TZ Inc.
Docket Number TSCA-02-2016-9284

FINAL ORDER

The Regional Judicial Officer of EPA, Region 2, concurs in the foregoing Expedited Settlement Agreement in the case of In the Matter of Pablo TZ Inc., bearing Docket No. TSCA-02-2016-9284. Said Expedited Settlement Agreement, having been duly accepted and entered into by the parties, is hereby ratified, incorporated into and issued as this Final Order, which shall become effective when filed with the Regional Hearing Clerk of EPA, Region 2. 40 C.F.R. § 22.31(b). This Final Order is being entered pursuant to the authority of 40 C.F.R. § 22.18(b)(3) and shall constitute an order issued under authority of Section 16(a) of TSCA 15 U.S.C. § 2615(a).

DATED: July 12, 2016
New York, New York

Helen Ferrera

Helen Ferrera
Regional Judicial Officer
U.S. Environmental Protection Agency-Region 2
290 Broadway
New York, New York 10007-1866

In the Matter of Pablo TZ Inc.
Docket Number TSCA- 02-2016-9284

CERTIFICATE OF SERVICE

This is to certify that on the 25th day of July 2016, I served a true and correct copy of the foregoing fully executed Expedited Settlement Agreement and Final Order bearing Docket Number TSCA-02-2016-9284, by certified mail, return receipt requested, to:

Mr. Pablo Tzerembo, Principal
Pablo TZ Inc.
166 Johnson Avenue
Islandia, NY 11749

On the same date, I mailed via EPA internal mail to the Region 2 Regional Hearing Clerk at 290 Broadway, New York, New York 10007 the original and one copy of the foregoing Consent Agreement and Final Order.


