



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

FEB - 7 2018

REPLY TO THE ATTENTION OF:
LC-17J

CERTIFIED MAIL 7011 1150 0000 2641 7598
RETURN RECEIPT REQUESTED

Loren Romain, TMP & PI
Real Estate Training For U
P.O. Box 3816
Ann Arbor, Michigan 48106

Expedited Settlement Agreement and Final Order In the Matter of Real Estate
Training For U, Docket Number TSCA-05-2018-0002

Dear Mr. Romain:

Enclosed please find a copy of a fully executed Expedited Settlement Agreement and Final Order in resolution of the above case. This document was filed on February 7, 2018, 2018 with the Regional Hearing Clerk.

The civil penalty in the amount of \$2,000 is to be paid in the manner described in paragraphs 6 and 7. Please be certain that the docket number is written on both the transmittal letter and on the check. Payment is due by March 9, 2018 (within 30 calendar days of the filing date).

Thank you for your cooperation in resolving this matter.

Sincerely,

A handwritten signature in cursive script that reads "Pamela Grace".

Pamela Grace
Pesticides and Toxics Compliance Section

Enclosure

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 5



IN THE MATTER OF:)
)
Real Estate Training For U)
Ypsilanti, Michigan)
)
Respondent)
)
)
)
)
)

Docket No.
TSCA-05-2018-0002

EXPEDITED SETTLEMENT
AGREEMENT AND
FINAL ORDER

EXPEDITED SETTLEMENT AGREEMENT AND FINAL ORDER

1. The United States Environmental Protection Agency (EPA) alleges that Real Estate Training For U (Respondent) failed to comply with regulations promulgated under Section 402 of the Toxic Substances Control Act (TSCA), 42 U.S.C. § 2682, in violation of Section 409 of TSCA, 15 U.S.C. § 2689.
2. EPA alleges that on a number of occasions from November 3, 2015 through January 21, 2016, the Respondent's training program provided, offered, or claimed to provide EPA accredited lead-based paint activities courses or renovator or dust sampling courses in violation of TSCA as follows:

Respondent's training manager failed to provide EPA with notification following completion of all renovator, dust sampling technician, or lead-based paint activities courses, pursuant to 40 C.F.R. § 745.225(c)(14), in violation of Section 409 of TSCA, 15 U.S.C. § 2689.

Respondent's training manager failed to update EPA regarding course cancellations or any other changes to the original notification, at least two days prior to the class date, pursuant to 40 C.F.R. § 745.225(c)(13)(iv), in violation of Section 409 of TSCA, 15 U.S.C. § 2689.
3. EPA and Respondent agree that settlement of this matter for a civil penalty of \$2,000 is in the public interest.
4. EPA is authorized to enter into this Expedited Settlement Agreement and Final Order (Agreement) pursuant to Section 16 of TSCA and 40 C.F.R. § 22.13(b).
5. In signing this Agreement, Respondent: (1) admits that Respondent is subject to 40 C.F.R. § 745.225(a); (2) admits that EPA has jurisdiction over Respondent and Respondent's conduct as alleged herein; (3) neither admits nor denies the factual allegations contained herein; and (4) consents to the assessment of this penalty.
6. Within 30 days after the effective date of this Agreement, Respondent shall pay a civil penalty of \$2,000 for the TSCA violations identified in this Agreement by sending a cashier's or certified check, payable to "Treasurer, United States of America" to:

U.S. EPA
Fines and Penalties
Cincinnati Finance Center
P.O. Box 979077
St. Louis, Missouri 63197-9000

The check must state the case title ("In the Matter of: Real Estate Training For U"), and the docket number of this Agreement.

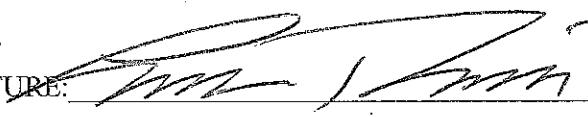
7. Respondent must send a notice of payment that states Respondent's name, complete address, and the case docket number (along with a photocopy of the check) to EPA, ATTN: Pamela Grace, 77 West Jackson Boulevard, Chicago, Illinois 60604, when it pays the penalty.
8. This civil penalty is not deductible for federal tax purposes.
9. If Respondent does not pay timely the civil penalty, EPA may refer this matter to the Attorney General who will recover such amount, plus interest, in the appropriate district court of the United States under Section 16(a) of TSCA, 15 U.S.C. § 2615(a). The validity, amount and appropriateness of the civil penalty are not reviewable in a collection action.
10. Pursuant to 31 C.F.R. § 901.9, Respondent must pay the following on any amount overdue under this Agreement. Interest will accrue on any amount overdue at a rate established pursuant to 31 U.S.C. § 3717. Respondent must pay a \$15 handling charge each month that any portion of the penalty is more than 30 days past due. In addition, Respondent must pay a 6 percent per year penalty on any principal amount 90 days past due.
11. This Agreement resolves only Respondent's liability for federal civil penalties for the violations alleged in the Agreement.
12. This Agreement does not affect the rights of EPA or the United States to pursue appropriate injunctive or other equitable relief or criminal sanctions for any violations of law.
13. EPA reserves all of its rights to take enforcement action for any other past, present, or future violations by Respondent of TSCA, any other federal statute or regulation, or this Agreement.
14. This Agreement does not affect Respondent's responsibility to comply with TSCA, 15 U.S.C. § 2601 *et seq.*, and other applicable federal, state, and local laws.
15. Respondent certifies that it is complying with Section 402 of TSCA, 15 U.S.C. § 2682, and its implementing regulations at 40 C.F.R. Part 745.
16. The terms of this Agreement bind Respondent, and its successors and assigns.
17. Each person signing this agreement certifies that he or she has the authority to sign for the party whom he or she represents and to bind that party to its terms.

18. Upon signing and returning this Agreement to EPA, Respondent waives any and all remedies, claims for relief and other available rights to judicial or administrative review Respondent may have with respect to any issue of fact or law set forth in this Expedited Settlement Agreement, including the opportunity for a hearing or appeal pursuant to TSCA and 40 C.F.R. Part 22 and any right of judicial review under Chapter 7 of the Administrative Procedure Act, 5 U.S.C. §§ 701 -706.
19. Each party shall bear its own costs and fees, if any.
20. This Agreement is binding on the parties signing below, and in accordance with 40 C.F.R. § 22.31(b) is effective upon filing.

IT IS SO AGREED.

NAME (print): REAL ESTATE TRADING FOR U LLC

TITLE (print): by its member LOREN ROMAIN

SIGNATURE: 

DATE: 17 January 2018

APPROVED BY EPA:

Michael D. Harris ^{Za M.G.}
Margaret M. Guerriero
Division Director
Land and Chemicals Division
United States Environmental Protection Agency
Region 5

DATE: 01/30/2018

In the Matter of:

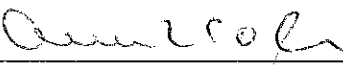
Real Estate Training For U **TSCA-05-2018-0002**
Ypsilanti, Michigan

FINAL ORDER

This Expedited Settlement Agreement and Final Order, as agreed to by the parties, shall become effective immediately upon filing with the Regional Hearing Clerk. This Expedited Settlement Agreement and Final Order concludes this proceeding pursuant to 40 C.F.R. §§ 22.18 and 22.31.

IT IS SO ORDERED.

February 6, 2018
Date



Ann Coyle
Regional Judicial Officer
United States Environmental Protection Agency
Region 5

In the matter of: Real Estate Training For U
Docket Number: **TSCA-05-2018-0002**

CERTIFICATE OF SERVICE

I certify that I served a true and correct copy of the foregoing **Expedited Settlement Agreement and Final Order**, which was filed on February 7, 2018, in the following manner to the addressees:

Copy by Certified Mail
Return-receipt:

Loren Romain, TMP & PI
Real Estate Training For U
P.O. Box 3816
Ann Arbor, Michigan 48106


Copy by E-mail to
Attorney for Complainant:

Sarah Stillman
stillman.sarah@epa.gov

Copy by E-mail to
Regional Judicial Officer:

Ann Coyle
coyle.ann@epa.gov

Dated: February 7, 2018



LaDawn Whitehead
Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 5

CERTIFIED MAIL RECEIPT NUMBER: **7011 1150 0000 2641 7598**