



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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

SEP 17 2019

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Article Number 7017 0660 0000 9509 5856

Saad Zouak, Training Manager
Airtek Environmental Corp.
39-37 29th Street
Long Island City, New York 11101

Re: Airtek Environmental Corp., Docket No. TSCA-02-2019-9276

Dear Mr. Zouak:

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 Meghan LaReau at (732) 321-6721, 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 Compliance Branch

Enclosure

2019 SEP 24 PM 7:45
U.S. Environmental Protection Agency

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 2

IN THE MATTER OF:

Airtek Environmental Corp.
Respondent.

) Docket No.
) TSCA-02-2019-9276
)

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

2019 APR 24 11:15
REGIONAL HEARING
OFFICE
U.S. Environmental Protection Agency, EPA

EXPEDITED SETTLEMENT AGREEMENT

1. The U.S. Environmental Protection Agency (“EPA”) alleges Airtek Environmental Corp., (“Respondent”) failed to comply with Sections 402 and 407 of the Toxic Substances Control Act (“TSCA”), 15 U.S.C. §§ 2682 and 2687, respectively.

2. Respondent taught and/or scheduled to teach the following Renovator Initial Courses for EPA’s Renovation Repair and Painting (RRP) Rule.
 - 7/12/2017 –6 Students (2 days Pre-training Notification Received)
 - 8/7/2017 – 3 Students (Minus 26 days Pre-training and 26 days Post-Training Notification Received)
 - 8/22/2017 – 5 Students (Minus 16 days Pre-training and 16 days Post-Training Notification Received)
 - 8/28/2017 – 5 Students (Minus 11 days Pre-training and No Post-Training Notification Received)
 - 9/15/2017 – 4 Students (Minus 67 days Pre-training and 67 days Post-Training Notification Received)
 - 11/2/2017 – 10 Students (Minus 33 days Pre-training and 33 days Post-Training Notification Received)
 - 11/28/2017 – 14 Students (Minus 15 days Pre-training and 15 days Post-training Notification Received)
 - 12/1/2017 – 4 Students (Minus 12 days Pre-training and 12 days Post-Training Notification Received)
 - 12/7/2017 – 6 Students (Minus 8 days Pre-training Notification Received)
 - 12/8/2017 – 4 Students (Minus 7 days Pre-training Notification Received)
 - 12/27/2017 – 1 Students (Minus 52 days Pre-training and 51 days Post-Training Notification Received)
 - 1/10/2018– 9 Students (Minus 42 days Pre-training and 42 days Post-Training Notification Received)
 - 1/26/2018 – 8 Students (Minus 29 days Pre-training and 29 days Post-Training Notification Received)
 - 2/6/2018 – 3 Students (Minus 23 days Pre-training and 23 days Post-Training Notification Received)
 - 3/3/2018– 7 Students (Minus 4 days Pre-training Notification Received)

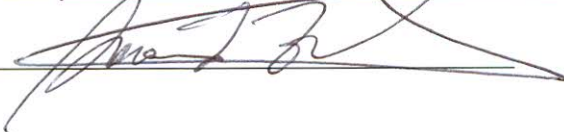
3. Respondent's Training Manager was required, pursuant to 40 C.F.R. §745.225(c)(13)(i), to provide EPA with notification of all renovator, dust sampling technician, or lead based paint activities courses, at least 7 business days prior to the start of each respective class.
4. Respondent's Training Manager was required, pursuant to 40 C.F.R. §745.225(c)(14)(i), to provide EPA with notification following the completion of any renovator, dust sampling technician, or lead based paint activities courses no later than 10 business days following course completion.
5. EPA and Respondent agree that settlement of this matter for a civil penalty of \$26,000 (twenty six 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 Lead-based Paint Activities Rule (40 C.F.R. § 745, Subpart L); (2) admits that EPA has jurisdiction over Respondent and Respondent's conduct as described in Paragraph 3 & 4 above; (3) neither admits nor denies the factual findings 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 violations described in Paragraphs 3 & 4, have been corrected; and (2) Respondent is submitting proof of payment of the civil penalty with this agreement.
9. The civil penalty of \$26,000 (twenty six thousand dollars) has been paid in accordance with the *Instructions for Making a Payment* that was provided to the Respondent.
10. Respondent will also provide, if it has not already done so, a written statement outlining actions taken to correct the violations cited above.
11. Full payment of the penalty in Paragraph 5 shall only resolve Respondent's liability for federal civil penalties for the violations and facts described in Paragraphs 3 & 4 above. Full payment of this penalty shall not in any case affect the right of EPA or the United States to pursue appropriate injunctive or other equitable relief or criminal sanctions for any violations of law.
12. No portion of the civil penalty or interest paid by Respondent pursuant to the requirements of this Agreement shall be claimed by Respondent as a deduction for federal, state, or local income tax purposes.
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. Upon signing and returning this Agreement to EPA, Respondent waives the opportunity for a hearing or appeal pursuant to TSCA or 40 C.F.R. Part 22.

- 15. Each party shall bear its own costs and fees, if any.
- 16. This Agreement is binding on the parties signing below, and in accordance with 40 C.F.R. § 22.31(b), is effective upon filing with the Regional Hearing Clerk.

IT IS SO AGREED, **Airtek Environmental Corp.**

Name (print): SAAD ZOUAK

Title (print): President

Signature: 

Date 08-22-19

APPROVED BY EPA:


Dore LaPosta, Director
Enforcement and Compliance Assurance Division

SEP 13 2019
Date _____

In the Matter of Airtek Environmental Corp.
Docket Number TSCA-02-2019-9276

FINAL ORDER

The Regional Judicial Officer of EPA, Region 2, concurs in the foregoing Expedited Settlement Agreement in the case of Airtek Environmental Corp. bearing Docket No. TSCA-02-2019-9276. 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: September 17, 2019
New York, New York



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

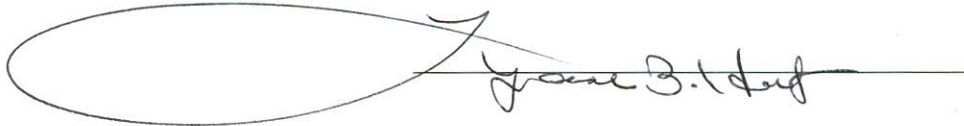
In the Matter of Airtek Environmental Corp.
Docket Number TSCA-02-2019-9276

CERTIFICATE OF SERVICE

This is to certify that on the 19 day of September 2019, I served a true and correct copy of the foregoing fully executed Expedited Settlement Agreement and Final Order bearing Docket Number TSCA-02-2019-9276, by certified mail, return receipt requested, to:

Saad Zouak, Training Manager
Airtek Environmental Corp.
39-37 29th Street
Long Island City, New York 11101

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 Expedited Settlement Agreement and Final Order.

A handwritten signature in black ink, appearing to read "Saad Zouak", written over a horizontal line. The signature is stylized with a large loop at the beginning.