

4. The State of Oregon has adopted by reference the federal rules at 40 C.F.R. Part 745, Subpart E — Residential Property Renovation under the Oregon Administrative Rule (OAR) 333-070.

5. Under OAR -333-070-0200(2) (incorporating 40 C.F.R. §§ 745.81(a)(2)(ii) and 745.89(a)), Respondent was required to obtain initial firm certification from the Oregon Health Authority before performing, offering, or claiming to perform renovations for compensation in target housing.

6. On April 22, 2021, Respondent obtained a Building Permit (2021-016543-000-00-RS) from the City of Portland Bureau of Development Services to conduct a renovation for compensation at 2937 Southwest Fairview Boulevard, Portland, Oregon 97205 (“2937 Fairview Property”).

7. The 2937 Fairview Property was constructed in 1966, prior to 1929, and is target housing within the meaning of 15 U.S.C. § 2681(17).

8. Respondent was not firm certified when it offered, performed, or claimed to perform a renovation at the 2937 Fairview Property on April 22, 2021, in violation of 40 C.F.R. §§ 745.81(a)(2)(ii) and 745.89(a).

9. In determining the amount of penalty to be assessed, EPA has taken into account the factors specified in Section 16(a)(2)(B) of TSCA, 15 U.S.C. § 2615(a)(2)(B). After considering these factors, EPA has determined, and Respondent agrees that an appropriate penalty to settle this action is \$200.

10. Upon signing this Expedited Settlement Agreement (“Agreement”), Respondent shall deposit the civil penalty amount listed in Paragraph 9 by one of the following methods:

10.1 Send a cashier's or certified check or money order with a notation for TSCA-10-2021-0173 payable to the order of the "Treasury of the United States of America" to the following address:

U.S. Environmental Protection Agency
Fines and Penalties
Docket No. TSCA-10-2021-0173
Cincinnati Finance Center
P.O. Box 979077
St. Louis, Missouri 63197-9000

10.2 Send a cashier's or certified check or money order by an overnight/common carrier (e.g., FedEx® or United Parcel Service of America, Inc.) with a notation for TSCA-10-2021-0173 payable to the order of the "Treasury of the United States of America" to the following address:

U.S. Environmental Protection Agency
Government Lockbox 979077
Docket No. TSCA-10-2021-0173
1005 Convention Plaza
SL-MO-C2-GL
St. Louis, Missouri 63101

10.3 Make an electronic deposit for payment (Vendor Express, Fedwire, Pay.gov) at <http://www2.epa.gov/financial/makepayment> following the online directions for an electronic funds transfer (EFT).

11. Concurrently with the deposit under Paragraph 10, Respondent shall forward a scanned, ink signed PDF copy of the Agreement, and a copy of the cashier's or certified check or money order or documentation of a wire transfer via email to Maria "Socky" Tartaglia, Lead-Based Paint Compliance Officer at the following email address: tartaglia.maria@epa.gov.

By written notice to Respondent, EPA may change the address and/or person listed above.

12. EPA is authorized to enter into this Agreement, and this proceeding for the assessment of a civil penalty is simultaneously commenced and concluded, pursuant to Section 16 of TSCA, 15 U.S.C. § 2615, and 40 C.F.R. § 22.13(b).

13. In signing this Agreement, for purposes of this proceeding, Respondent: (a) admits that EPA has jurisdiction over Respondent and Respondent's conduct as alleged herein; (b) neither admits nor denies the factual allegations in this Agreement; (c) consents to the assessment of this penalty; and (d) waives any right to contest the allegations contained in this Agreement, and its right to appeal the attached Final Order.

14. By its signature below, Respondent certifies, subject to civil and criminal penalties for making a false submission to the United States Government, that Respondent: (a) is currently in compliance with the firm certification requirements as stated in 40 C.F.R. §§ 745.81(a)(2)(ii) and 745.89(a); (b) agrees to provide a deposit for payment of the civil penalty as set forth in Paragraph 10; (c) agrees to submit a true and accurate proof of deposit for payment of the civil penalty as set forth in Paragraph 11; and (d) agrees to release said deposit for payment to EPA upon entry of the Final Order attached hereto.

15. Upon the effective date of this Agreement and subsequent payment of the civil penalty as set forth in Paragraph 10, Respondent shall be resolved of liability for Federal civil penalties for the violation(s) and facts alleged herein.

16. The penalty, including interest, paid by Respondent pursuant to the requirements of this Agreement, represents civil penalties assessed by EPA, and shall not be deductible for purposes of federal, state, or local income taxes.