

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029**

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REGIONAL HEARING
EPA REGION III, PHILA. PA

In the Matter of:) Docket No.: TSCA-03-2013-0
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)
Window World of Harford)
425 N. Main Street) Proceeding Under Section 16(a) of the
Belair, MD 21014) Toxic Substances Control Act, 15 U.S.C.
) Section 2615(a)
)
RESPONDENT)

EXPEDITED SETTLEMENT AGREEMENT

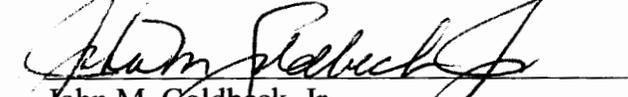
1. This Expedited Settlement Agreement is entered into by the Director of the Land and Chemicals Division, U. S. Environmental Protection Agency, Region III (“Complainant” or “EPA”) and Window World of Harford (hereinafter “Respondent”), pursuant to Sections 16(a) and 409 of the Toxic Substances Control Act (“TSCA”), 15 U.S.C. §§ 2615(a) and 2689, the federal regulations set forth at 40 C.F.R. Part 745, Subpart E, and the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation, Termination or Suspension of Permits (“Consolidated Rules of Practice”), 40 C.F.R. Part 22 (with specific reference to 40 C.F.R. §§ 22.13(b) and 22.18(b)(2) and (3)).
2. EPA finds that Respondent was subject to the “Renovation, Repair and Painting (“RRP”) rule, set forth at 40 C.F. R. Part 745, Subpart E, promulgated under Section 402(c) and 406(b) of TSCA, 15 U.S. C. §§ 2682(c) and 2686(b) during a “renovation,” as defined by 40 C.F.R. § 745.83, of “target housing,” as defined at Section 401(17) of TSCA, 15 U.S.C. § 2681(17), and 40 C.F.R. § 745.223, located at 1510 Maple Avenue, Perryman, MD 21001.
3. EPA further finds that Respondent failed to comply with the RRP rule, by failing to obtain firm certification, as required by 40 C. F. R. §745.89, prior to beginning the renovation at 1510 Maple Avenue, Perryman, MD 21001, thereby violating Sections 15 and 409 of TSCA, 15 U.S.C. §§ 2614 and 2689, and 40 C.F.R. § 745.87(a).
4. Respondent admits the jurisdictional allegations set forth in this Expedited Settlement Agreement and the attached Final Order (hereinafter, “Agreement”).
5. Except as provided in Paragraph 4 of this Agreement, Respondent neither admits nor denies the factual allegations and/or legal conclusions set forth in this Agreement.
6. Respondent agrees not to contest the jurisdiction of EPA with respect to the execution of this Agreement, the issuance of the attached Final Order, or the enforcement of this Agreement.

Window World of Harford
Expedited Settlement Agreement

7. Respondent hereby expressly waives any right to contest any issue of law or fact set forth in this Agreement and any right to appeal the accompanying Final Order.
8. Respondent consents to the issuance of this Agreement and agrees to comply with its terms and conditions.
9. Each Party to this Agreement shall bear its own costs and attorney's fees.
10. The Parties enter into this Agreement in order to settle the civil violation alleged in Paragraph 3 above. Pursuant to TSCA and with specific reference to EPA's *Lead-Based Paint Expedited Settlement Agreement Pilot Program*, dated May 29, 2012, EPA has determined that an appropriate civil penalty to settle this action is **One Thousand Dollars (\$1,000.00)**.
11. Respondent agrees that within 30 days of the effective date of this Agreement (the date it is filed with the Regional Hearing Clerk), Respondent shall submit a check with the case name and docket number **TSCA-03-2013-0100**, for the amount specified above, payable to "**United States Treasury**," U.S. Environmental Protection Agency, Fines and Penalties, Cincinnati Finance Center, P.O. Box 979077, St. Louis, MO 63197-9000. In addition, copies of the check shall be sent simultaneously to:
 - i) Donzetta Thomas, Environmental Protection Agency, Region III (Mail Code 3RC50), 1650 Arch Street, Philadelphia, PA 19103, and
 - ii) Lydia Guy, Regional Hearing Clerk, U.S. Environmental Protection Agency, Region III (Mail Code 3RC00), 1650 Arch Street, Philadelphia, PA 19103-2029.
12. Respondent certifies, subject to civil and/or criminal penalties for making a false statement to the U.S. Government, that it has corrected all violations and is in full compliance with the RRP rule including, obtaining renovator and/or firm certification and training.
13. This Agreement settles EPA's civil penalty claims against Respondent for the violation specified herein. EPA does not waive its right to take enforcement action against Respondent for any other past, present, or future violations of the RRP rule, TSCA or any other federal statute or regulation.
14. This Agreement is binding on the parties. Upon signature of the parties and approval by the Regional Administrator or his designee, the Regional Judicial Officer, this Agreement shall be filed with the Regional Hearing Clerk. In accordance with 40 C. F.R. § 22.31(b), this Agreement shall be effective upon filing.

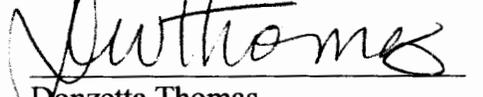
15. The undersigned representatives for the Respondent certifies that he is fully authorized to execute this Agreement and to legally bind Window World of Harford to this Agreement.

for WINDOW WORLD OF HARFORD:



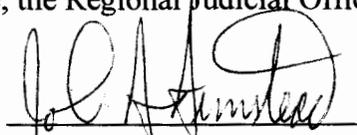
John M. Goldbeck, Jr.
President, Window World of Harford
425 N. Main Street, Belair, MD 21014

for COMPLAINANT:



Donzetta Thomas
Senior Assistant Regional Counsel
US EPA, Region III

After reviewing the foregoing Expedited Settlement Agreement and other pertinent information, the Land and Chemicals Division, EPA Region III, recommends that the Regional Administrator or his designee, the Regional Judicial Officer, issue the Final Order attached hereto.

By:  2.11.13

John A. Armstead, Director
Land and Chemicals Division
U.S. EPA, Region III



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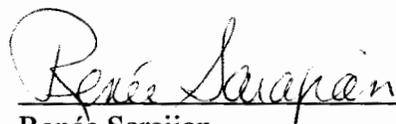
FINAL ORDER

The Complainant, the Director for the Land and Chemicals Division, U.S. Environmental Protection Agency, Region III and Respondent, Window World of Harford, have executed a document entitled, "Expedited Settlement Agreement" which I hereby ratify as a consent agreement in accordance with the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation, Termination or Suspension of Permits ("Consolidated Rules of Practice"), 40 C.F.R. Part 22. The terms of the foregoing Expedited Settlement Agreement are accepted by the undersigned and incorporated into this Final Order as if set forth fully herein.

WHEREFORE, pursuant to the authority of Section 16 of the Toxic Substances Control Act ("TSCA"), 15 U.S.C. § 2615, for violations of the RRP rule, and having determined, based on the representations of the parties to the attached Expedited Settlement Agreement, that the agreed-upon one thousand dollar (\$1,000) civil penalty was based upon consideration of the factors set forth in Section 16(a)(2)(B) of TSCA, 15 U.S.C. § 2615(a)(2)(B), **IT IS HEREBY ORDERED** that Respondent pay a civil penalty of one thousand dollars (\$1,000) in accordance with the payment provisions set forth in the attached Expedited Settlement Agreement.

The effective date of this Final Order and the attached Expedited Settlement Agreement is the date on which this **FINAL ORDER** is filed with the EPA Regional Hearing Clerk.

Date: 2/14/13


 Renée Sarajian
 Regional Judicial Officer
 U.S. EPA - Region III

} signed after
 all other
 signatures obtained



