

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 2**

**IN THE MATTER OF:**

R. Faucett Construction Inc.  
Respondent.

) Docket No.  
) TSCA-02-2026-9185  
)  
) **EXPEDITED SETTLEMENT**  
) **AGREEMENT AND**  
) **FINAL ORDER**

**EXPEDITED SETTLEMENT AGREEMENT**

1. The U.S. Environmental Protection Agency ("EPA") alleges R. Faucett Construction 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: 18-40 Edwards Place, Princeton, NJ 08540 beginning in September 2025.
3. The aforementioned residential housing property in paragraph 2, above, was constructed prior to 1978 and is target housing<sup>1</sup> subject to the Renovation, Repair, and Painting Rule.
4. Respondent was required to obtain from the owner, a written acknowledgement that the owner has received the Renovate Right pamphlet, pursuant to 40 C.F.R § 745.84(a)(1)(i). Respondent did not do this.
5. Respondent was required to retain all records necessary to demonstrate compliance with the residential property renovation for a period of 3 years following completion of the renovation activities, pursuant to 40 C.F.R § 745.86(b)(6). Respondent did not do this.
6. EPA and Respondent agree that settlement of this matter for a civil penalty of \$2,000.00 (two thousand dollars and zero cents) is in the public interest.
7. 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).
8. 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 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.
9. Respondent consents to the use of electronic signatures in this matter and to service upon it of a copy of this Expedited Settlement Agreement and Final Order ("ESA/FO") by an EPA employee other than the Regional Hearing Clerk via electronic mail. Delivery of the fully executed document to the email address provided in the following paragraph shall constitute Respondent's receipt and acceptance of the ESA/FO.

<sup>1</sup> "Target housing" is defined in the Rule to mean any housing constructed prior to 1978 with few exceptions. See 40 C.F.R. § 745.103.

10. Any responses, documentation, and communication submitted to EPA in connection with this Agreement shall be sent via e-mail to [lareau.meghan@epa.gov](mailto:lareau.meghan@epa.gov). Unless this EPA contact is later advised otherwise in writing, EPA shall address any written future correspondence (including any correspondence related to payment of the penalty) to Respondent at the following e-mail address: [don.pentz@rfaucettconstruction.com](mailto:don.pentz@rfaucettconstruction.com).
11. 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 4 and 5, has or have been corrected; and (2) Respondent is submitting proof of payment of the civil penalty with this agreement.
12. The civil penalty of \$2,000.00 (two thousand dollars and zero cents) has been paid using any method, or combination of appropriate methods, as provided on the EPA website: <https://www.epa.gov/financial/makepayment>.
13. Respondent will also provide, if it has not already done so, a written statement outlining actions taken to correct the violation cited above or to prevent violations of this nature from occurring in the future.
14. Full payment of the penalty in Paragraphs 6 and 12 shall only resolve Respondent's liability for federal civil penalties for the violation(s) and facts described in Paragraphs 4 and 5, 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.
15. 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.
16. 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.
17. Upon signing and returning this Agreement to EPA, Respondent waives any rights or defenses that Respondent has or may have for this matter to be resolved in federal court, including but not limited to any right to a jury trial, and waives any right to challenge the lawfulness of the Final Order accompanying this Consent Agreement.
18. 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.
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 with the Regional Hearing Clerk.

IT IS SO AGREED, R. Faucett Construction Inc.

Name (print): Donald Pentz

Title (print): General Manager

Signature: 

Date 8/26/2026

**APPROVED BY EPA:**

Barbara  
McGarry

 Digitally signed by  
Barbara McGarry  
Date: 2026.08.27  
08:50:36 -04'00'

*for*

Douglas McKenna, Director  
Enforcement and Compliance Assurance Division

In the Matter of R. Faucett Construction Inc.  
Docket Number TSCA-02-2026-9185

**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 R. Faucett Construction Inc. bearing Docket No. TSCA-02-2026-9185. 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: \_\_\_\_8/28/26\_\_\_\_

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Dana P. Friedman  
Regional Judicial Officer  
U.S. Environmental Protection Agency-Region 2  
290 Broadway  
New York, New York 10007-1866

## CERTIFICATE OF SERVICE

I certify that I have this day caused to be sent the foregoing fully executed EXPEDITED SETTLEMENT AGREEMENT and FINAL ORDER, bearing the below-referenced Docket Number, in the following manner to the respective addresses below:

By E-mail:

Office of the Regional Hearing Clerk  
U.S. Environmental Protection Agency, Region 2  
290 Broadway, 16<sup>th</sup> Floor (1631)  
New York, New York 10007-1866  
[Region2\\_RegionalHearingClerk@epa.gov](mailto:Region2_RegionalHearingClerk@epa.gov)

By E-mail:

Donald Pentz, General Manager  
R. Faucett Construction Inc.  
122 Main Street  
Flemington, NJ 08822  
[don.pentz@rfaucettconstruction.com](mailto:don.pentz@rfaucettconstruction.com)

Dated: \_\_\_\_\_

\_\_\_\_\_  
Pesticides and Toxic Substances Compliance Branch  
U.S. Environmental Protection Agency, Region 2  
2890 Woodbridge Avenue (MS-225)  
Edison, New Jersey 08837-3679