

UNITED STATES

ENVIRONMENTAL PROTECTION AGENCY

REGION 2

IN THE MATTER OF: ) Docket No.  
) TSCA-02-2024-9280  
)  
EAST Centers of NY, LLC ) EXPEDITED SETTLEMENT  
Respondent. ) AGREEMENT AND  
) FINAL ORDER  
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EXPEDITED SETTLEMENT AGREEMENT

1. The U.S. Environmental Protection Agency ("EPA") alleges EAST Centers of NY, LLC ("Respondent") failed to comply with Sections 402 and 407 of the U.S. Toxic Substances Control Act ("TSCA"), 15 U.S.C. §§ 2682, and 2687 respectively.
2. Respondent offered a training course under the Renovation, Repair, and Painting (RRP) Rule in November 2022.
3. Respondent was required to provide EPA with notification within 10 business days following completion of the course, as required by 40 C.F.R. § 745.225(c)(14). Respondent did not do this.
4. EPA and Respondent agree that settlement of this matter for a civil penalty of \$1,000 (one thousand dollars) is in the public interest.
5. 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).
6. In signing this Agreement, Respondent: (1) admits that Respondent is subject to the Lead-based Paint Activities requirements (40 C.F.R. § 745, Subpart L); (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.
7. 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 violation described above, has been corrected; and (2) Respondent is submitting proof of payment of the civil penalty with this agreement.

*USA 2/18/24*

- 8. The civil penalty of \$1,000 (one thousand dollars) has been paid in accordance with the *Instructions for Making a Payment* that was provided to the Respondent.
- 9. Upon the effective date of this Agreement, payment of the civil penalty shall constitute full settlement of the civil claims cited herein. Respondent will also provide, if it has not already done so, within thirty days a written statement outlining actions taken to correct the violation cited above.
- 10. 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.
- 11. 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.
- 12. 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.
- 13. Each party shall bear its own costs and fees, if any.
- 14. 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, EAST Centers of NY

Name (print): Kevin Hutton

Title (print): President

Signature: 

Date 2/13/24

APPROVED BY EPA:

Kathleen Anderson, Acting Director  
Enforcement and Compliance Assurance Division

In the Matter of EAST Centers of NY, LLC  
Docket Number TSCA-02-2024-9280

**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 EAST Centers of NY, LLC., bearing Docket No. TSCA -02-2024-9280. 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).

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Helen Ferrara  
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 addressees below:

**By E-mail:**

Office of the Regional Hearing Clerk  
U.S. Environmental Protection Agency, Region 2  
290 Broadway, 16th Floor (1631)  
New York, New York 10007-1866  
[Maples.Karen@epa.gov](mailto:Maples.Karen@epa.gov)

**By E-mail:**

Kevin Hutton, Training Manager  
EAST Centers of NY, LLC.  
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Rochester, New York 14606  
[kevin@east-ny.com](mailto:kevin@east-ny.com)

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Pesticides and Toxic Substances Compliance Branch  
U.S. Environmental Protection Agency, Region 2  
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