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U.S. EPA REGION 1
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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1

In the Matter of:)

Charles Bridge, LLC)

P.O. Box 628)

Old Lyme, CT 06371)

Respondent.)

Proceeding under Section 16(a) of the)

Toxic Substances Control Act,)

15 U.S.C. § 2615(a))

Docket No. TSCA-01-2022-0027

ORDER GRANTING PLAINTIFF'S MOTION TO WITHDRAW COMPLAINT

On February 22, 2022, Complainant filed a Complaint against Respondent, Charles Bridge, LLC ("Respondent"), for alleged violations of Title IV of the Toxic Substances Control Act ("TSCA"), 15 U.S.C. § 2681, *et seq.*, the Residential Lead-Based Paint Hazard Reduction Act, 42 U.S.C. § 4851 *et seq.*, and the regulations promulgated thereunder set forth at 40 C.F.R. Part 745, Subpart F. As the result of Respondent's failure to file an answer to the Complaint, on June 13, 2022, the U.S. Environmental Protection Agency, Region 1 (Complainant) filed a Motion for Default Order on liability and requested the assessment of a \$56,109 penalty.

On August 23, 2023, the undersigned issued a Proposed Initial Decision and Default Order ("Initial Decision") that found Respondent liable on all counts alleged in the Complaint and assessed the requested \$56,109 penalty.

Exercising Sue Sponte Review of the Initial Decision and the administrative record, on

October 3, 2023, the Environmental Appeals Board (“EAB”) issued an Order remanding the matter to the undersigned to undertake further proceedings concerning (1) whether the Region properly served the Complaint to Respondent at an appropriate address; (2) whether service of the Motion for Default Order complied with the Consolidated Rules of Practice (“CROP”), 40 C.F.R. Part 22; and (3) whether service upon the Respondent complied with the Region’s Standing Order regarding electronic service, Region 1, U.S. EPA, Authorization of EPA Region 1 Part 22 Electronic Filing System for Electronic Filing and Service of Documents (June 19, 2020) (Standing Order for Electronic Filing and Service of Documents).

In accordance with the EAB’s Order, on January 2, 2024, the undersigned issued an Order to Show Cause to Complainant, ordering Complainant to demonstrate that the Motion for Default Order was properly served on Respondent, and/or to re-serve the Motion for Default Order and the Supporting Memorandum in accordance with the Region 1 Standing Order for Electronic Filing and Service of Documents and/or Part 22 requirements.

On January 10, 2024, Counsel for Respondent, Peter DeCambre, communicated with Brian Lowry, owner and sole member of Respondent, Charles Bridge, LLC, to resolve the TSCA violations alleged in the Complaint. See Attachments 1, 2, and 3. Mr. Lowry consented to electronic service via email on January 10, 2024. See Attachment 1.

Complainant has stated that since January 2024, multiple attempts have been made to settle this matter with Respondent’s owner, Mr. Lowry. He has not been responsive. In addition, through an on-line records search on the Penobscot County Registry of Deeds, I confirmed that on January 31, 2024, Respondent sold, among other parcels, the property located at 308 Union

Street, Bangor, Maine, which is the subject of the alleged violations set forth in the Complaint. See Attachment 3. In addition, I confirmed through the Maine Secretary of State website that Respondent was administratively dissolved and is therefore no longer in business. Attachment 4.

Complainant filed a Motion to Withdraw the Complaint for this matter on April 14, 2025. This Motion was properly served to Mr. Lowry by both email and via First Class Return Receipt Mail at Mr. Lowry's last known mailing address. Note that this mailing address was used by the EAB to serve its October 3, 2023 Order. Under the CROP, Respondent had 15 days to submit a written reply to this motion. As of the date of this Order, Respondent has not responded to Complainant's Motion. As a result, under the CROP, Respondent has waived any objection to the granting of this motion. 40 C.F.R. § 22.16(b).

Based on Respondent's dissolution, sale of the property that is the subject of this enforcement action, history of failing to respond to Complainant's multiple attempts to communicate, lack of an objection to grant this Motion, and the fact that this Order will not cause unfair prejudice or harm to the Respondent, I hereby grant Complainant's Motion to Withdraw the Complaint. See 40 C.F.R. § 22.4(c)(10).

SO ORDERED THIS 10TH DAY OF JUNE 2025:

LeAnn Jensen
Regional Judicial Officer
U.S. Environmental Protection Agency, Region 1