

6. Upon signing this Expedited Settlement Agreement, Respondent shall deposit the civil penalty amount listed in paragraph 5, by one of the following methods:

6.1 Send a cashier's or certified check or money order with a notation for TSCA-10-2018-0353 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-10-2018-0353
Cincinnati Finance Center
P.O. Box 979077
St. Louis, MO 63197-9000

6.2. 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-10-2018-0353 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
1005 Convention Plaza
SL-MO-C2-GL
St. Louis, MO 63101

6.3. 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).

7. Concurrently with paragraph 6, Respondent shall forward the original signed Expedited Settlement Agreement, a copy of the cashier's or certified check or money order or documentation of a wire transfer to the following address, and a certification signed by

In the Matter of: Nu Vu Glass, Inc.
Docket Number: TSCA-10-2018-0353
Expedited Settlement Agreement

U.S Environmental Protection Agency
1200 Sixth Avenue, Suite 155, OCE-201
Seattle, Washington 98101-3123

Respondent that regarding the violation alleged above that Respondent is in compliance with Section 402(c) of TSCA to the following address:

Kim Farnham, Compliance Officer
U.S. Environmental Protection Agency
Region 10, Mail Stop OCE-101
1200 Sixth Avenue, Suite 155
Seattle, WA 98101

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

8. EPA is authorized to enter into this Expedited Settlement Agreement (“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).

9. 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 Final Order attached below.

10. 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) agrees to provide a deposit for payment of the civil penalty as set forth in paragraph 5; (b) agrees to submit a true and accurate proof of deposit for payment of the civil penalty as set forth in paragraph 6; and (c) agrees to release said deposit for payment to EPA upon entry of the Final Order attached below.

In the Matter of: Nu Vu Glass, Inc.
Docket Number: TSCA-10-2018-0353
Expedited Settlement Agreement

U.S Environmental Protection Agency
1200 Sixth Avenue, Suite 155, OCE-201
Seattle, Washington 98101-3123

11. Upon the effective date of this Agreement and subsequent payment of the civil penalty as set forth in paragraph 6, Respondent shall be resolved of liability for Federal civil penalties for the violation(s) and facts alleged in this Agreement.

12. 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.

13. 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.

14. Failure of Respondent to remit the civil penalties provided herein will result in this matter being forwarded to the United States Department of Justice for collection of the amount due, plus stipulated penalties and interest at the statutory judgment rate provided in 28 U.S.C. § 1961.

15. Each party shall bear its own costs and fees, if any.

16. The Agreement authorized by EPA's execution of the Final Order attached hereto constitutes a final order under 40 C.F.R. Part 22.

17. This Agreement is binding on the parties signing below, and in accordance with 40 C.F.R. § 22.31(b), is effective upon filing.

**In the Matter of: Nu Vu Glass, Inc.
Docket Number: TSCA-10-2018-0353
Expedited Settlement Agreement**

**U.S Environmental Protection Agency
1200 Sixth Avenue, Suite 155, OCE-201
Seattle, Washington 98101-3123**

IT IS SO AGREED,

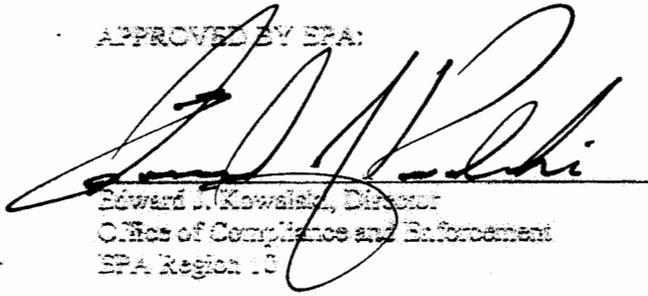
Respondent Name (print): KENDALL HARPER

Respondent Title (print): PRESIDENT

Respondent Signatures: Kendall Harper
Kendall Harper, Owner

Date: 8/29/2018

APPROVED BY EPA:


Edward J. Kowalski, Director
Office of Compliance and Enforcement
EPA Region 10

Date: 9/4/2018

In the Matter of: No Vu Glass, Inc.
Docinet Number: TSCA-10-2018-0355
Impaired Settlement Agreement

U.S. Environmental Protection Agency
1200 Sixth Avenue, Suite 155, OCE-201
Seattle, Washington 98101-3135

FINAL ORDER

Pursuant to the authority of Section 16 of TSCA, 15 U.S.C. § 2615, and according to the terms of this Agreement, IT IS HEREBY ORDERED THAT:

1. Nu Vu Glass, Inc. ("Respondent") shall comply with all terms of the Expedited Settlement Agreement;
2. Respondent is assessed a civil penalty of \$1,000; and
3. Respondent shall, in accordance with the payment provisions set forth in the Expedited Settlement Agreement, make payment via certified or cashier's check, money order, or through a wire transfer as described in the Expedited Settlement Agreement.
4. This Agreement shall be effective upon the filing of the Final Order by the Regional Hearing Clerk for the EPA, Region 10. Unless otherwise stated, all time periods stated herein shall be calculated in calendar days from such date.

IT IS SO ORDERED:


RICHARD MEDNICK
Regional Judicial Officer
EPA Region 10

Date September 11, 2018

In the Matter of: Nu Vu Glass, Inc.
Docket Number: TSCA-10-2018-0353
Expedited Settlement Agreement

U.S Environmental Protection Agency
1200 Sixth Avenue, Suite 155, OCE-201
Seattle, Washington 98101-3123

Certificate of Service

The undersigned certifies that the original of the attached EXPEDITED SETTLEMENT AGREEMENT AND FINAL ORDER, In the Matter of: Nu Vu Glass, Inc., Docket No. TSCA-10-2018-0353 was filed with the Regional Hearing Clerk and served on the addressees in the following manner on the date specified below:

The undersigned certifies that a true and correct copy of the document was delivered to:

Kim Farnham
Compliance Officer
U.S. Environmental Protection Agency
Region 10, Mail Stop OCE-201
1200 Sixth Avenue, Suite 155
Seattle, WA 98101-3123

Further, the undersigned certifies that a true and correct copy of the aforementioned document was placed in the United States mail certified/return receipt to:

Mr. and Mrs. Kendall Harper
Nu Vu Glass, Inc.
1601 Overland
Burley, Idaho 83318

DATED this 12 day of September 2018.



TERESA YOUNG
Regional Hearing Clerk
EPA Region 10

In the Matter of: Nu Vu Glass, Inc.
Docket Number: TSCA-10-2018-0353
Expedited Settlement Agreement

U.S Environmental Protection Agency
1200 Sixth Avenue, Suite 155, OCE-201
Seattle, Washington 98101-3123

United States Environmental Protection Agency

This is to certify that



Nu-Vu Glass Inc.

has fulfilled the requirements of the Toxic Substances Control Act (TSCA) Section 402, and has received certification to conduct lead-based paint renovation, repair, and painting activities pursuant to 40 CFR Part 745.89

In the Jurisdiction of:

All EPA Administered States, Tribes, and Territories

This certification is valid from the date of issuance and expires September 17, 2023

NAT-38851-2

Certification #

September 03, 2018

Issued On

A handwritten signature in black ink that reads "Michelle Price".

Michelle Price, Chief

Lead, Heavy Metals, and Inorganics Branch

