

RECEIVED

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

2013 SEP 10 AM 11:19
REGIONAL HEARING CLERK
EPA REGION III, PHILA. PA

In the Matter of:	:	U.S. EPA Docket No. TSCA-03-2011-0217
	:	
James Ikegwu and Martha Ikegwu 6409 Maple Ave Baltimore, Maryland 21207	:	COMPLAINANT'S MOTION TO WITHDRAW COMPLAINANT's MOTION FOR A DEFAULT ORDER
	:	
RESPONDENTS	:	Proceeding under Sections 409 and 16(a) of the Toxic Substances Control Act, 15 U.S.C. §§ 2689 and 2615(a)
1700 North Castle Street Baltimore, Maryland 21213	:	I hereby certify that the within is a true and correct copy of the original <u>and Motion</u> filed in this matter.
	:	
TARGET HOUSING	:	

**COMPLAINANT'S MOTION TO WITHDRAW COMPLAINANT'S MOTION FOR A
DEFAULT ORDER**

Pursuant to the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation, Termination or Suspension of Permits, 40 C.F.R. Part 22 (hereinafter the "Consolidated Rules"), the United States Environmental Protection Agency, Region III ("EPA" or "Complainant"), moves to withdraw its Motion for the issuance of a Default Order against **James Ikegwu and Martha Ikegwu** ("Respondents") for failure to file a timely answer. Complainant's Motion for a Default Order was submitted prematurely. In support of this motion, Complainant avers the following:

1. On September 25, 2012 Complainant submitted a Default Order regarding the above captioned matter with Complainant's Motion for a Default Order and supporting affidavit, seeking the imposition of proposed penalties without further proceedings.
2. Complainant's Motion for a Default Order had not been filed with the Regional Hearing Clerk nor served on the Respondents prior to the submission of Complainant's Motion for a Default Order.

Complainant's Motion to Withdraw Complainant's Motion for a Default Order seeks to withdraw the September 25, 2012 Complainant's Motion for a Default Order . If Complainant's Motion to Withdraw Complainant's Motion for a Default Order is granted, Complainant will then file a new Complainant's Motion for a Default Order with the Regional Hearing Clerk and will serve Respondents with the Motion. When proof of service regarding Respondents has been received, Complainant will then resubmit the properly served and filed Complainant's Motion for a Default Order.

WHEREFORE, for the forgoing reasons Complainant requests the Regional Judicial Officer to allow the withdrawal of Complainant's Motion for a Default Order against Respondents, James and Martha Ikegwu.

Respectfully submitted,



Rodney Travis Carter
Senior Assistant Regional Counsel

Date NOV 21 2012

4. The Respondents received the Complaint on September 29, 2011, as evidenced by the date on which the express overnight mail return receipt was signed by Respondent Martha Ikegwu or her representative (Exhibit 2).
5. The Complaint alleged that Respondents, the Seller(s) of the target housing, did not disclose the presence of known lead-based paint and/or lead-based paint hazards in the target housing in the sale agreement for the target housing or attach notice of such knowledge to the Sale Agreement for the target housing prior to the Purchaser becoming obligated under the Sales Agreement to purchase such target housing, as required by 40 C.F.R. §745.107(a)(2), and thereby violated Section 1018(b)(5), 42 U.S.C. §4852d(b)(5) of the Residential Lead-Based Paint Hazard Reduction Act of 1992 (“RLBPHRA”) and TSCA Section 409, 15 U.S.C. § 2689.
6. The Complaint alleged that Respondents, the Seller of the target housing, did not provide the Purchaser with records or reports pertaining to lead-based paint and/or lead-based paint hazards in the target housing prior to the Purchaser becoming obligated under the Sales Agreement to purchase such target housing, as required by 40 C.F.R. §745.107(a)(4), and thereby violated RLBPHRA Section 1018(b)(5), 42 U.S.C. §4852d(b)(5), and TSCA Section 409, 15 U.S.C. § 2689.
7. Section 1018(b)(5) of the Lead Paint Disclosure Act, 42 U.S.C. § 4852d(b)(5), authorizes the assessment of a civil penalty under Section 16 of TSCA, 15 U.S.C. § 2615, up to the maximum amount of \$10,000 for each violation of Section 409 of TSCA, 15 U.S.C. § 2689. This amount was adjusted in the Complaint to \$11,000 per violation under the Civil Monetary Penalty Inflation Adjustment Rule, 40 C.F.R. Part 19, for each violation occurring after July 28, 1997 (see 40 C.F.R. §745.118(f)).
8. Complainant determined the amount of the civil penalty to be assessed pursuant to TSCA § 16, which requires EPA to take into account the nature, circumstances, extent and gravity of the violation or violations alleged and, with respect to the violator, ability to pay, effect on ability to continue to do business, any history of prior such violations, the degree of culpability, and such other matters as justice may require (“statutory factors”). The final proposed civil penalty was assessed in accordance with EPA’s Disclosure Rule

Enforcement Response Policy, dated December 2007, which provided a rational, consistent and equitable calculation methodology for applying the statutory factors to the facts of this case. In the Complaint, Complainant stated that it would consider, among other factors, Respondents' ability to pay to a civil penalty in order to possibly adjust the proposed civil penalty assessed in the Complaint. At the time of issuance of the Complaint, Complainant had no information indicating that Respondents had any inability to pay the proposed penalty, in whole or in part, and had no knowledge of other facts or circumstances that would support adjustment of the proposed penalty. Since the filing of the Complaint, Respondents have not taken advantage of their opportunity to provide Complainant with information regarding any inability to pay the proposed penalty or other facts or circumstances that might support adjusting the proposed penalty. Accordingly, the proposed penalty has not been adjusted to account for any inability to pay on the part of Respondents or to account for any other facts or circumstances not known to Complainant at the time of the issuance of the Complaint. (See affidavit of Kyle Chelius, Exhibit #1).

9. Based on the foregoing, EPA proposed in the Complaint that a civil penalty in the amount of \$6,450.00 be assessed against Respondents for the violations alleged in the Complaint, calculated as follows:

Complainant proposes that Respondents be assessed the following civil penalty for the violations alleged herein.

Count I- 40 C.F.R. § 745.107(a)(2) - Respondents' failure to disclose to the purchaser the presence of known lead-based paint and/or lead-based paint hazards.
107(a)(2) Level 1 Minor \$2,580.00

Count II- 40 C.F.R. § 745.107(a)(4) - Respondents' failure to provide records to the purchaser regarding the presence of known lead-based paint and/or lead-based paint hazards.
107(a)(4) Level 1 Minor \$2,580.00

Initial Penalty Amount **\$5,160.00**

Culpability Enhancement (Initial penalty increased by 25%) = \$ 1,290.00

Total Proposed Penalty **\$ 6,450.00**

10. Pursuant to Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits, 40 C.F.R. § 22.15(a), if a Respondent (1) contests any material fact upon which a Complaint is based; (2) contends that the amount of the penalty proposed in the Complaint is inappropriate; or (3) contends that he is entitled to judgment as a matter of law, Respondent must file a written Answer to the Complaint with the Regional Hearing Clerk within thirty (30) days after service of the Complaint. and shall serve copies on all other parties. In addition, pursuant to the Consolidated Rules at § 22.7(c), service of the Complaint is completed when the return receipt is signed.
11. In the instant case, pursuant to the Consolidated Rules, Respondents were required to file their Answer no later than October 29, 2011. Respondents failed to file a timely Answer under Consolidated Rules.
12. On or about September 26, 2012, EPA submitted to the Regional Judicial Officer (“RJO”) for review and signature, a Motion for a Default Order and a request for the issuance of a Default Order (“Default Motion”) for failure to file a timely Answer. The Motion for a Default Order requested the imposition of the penalty proposed in the Complaint without further proceedings. However, Respondents had not been notified of this action prior to the submission of the Default Motion to the RJO.
13. Complainant’s Motion to Withdraw the September 26, 2012 Motion for Default has been filed with the Regional Hearing Clerk and submitted to the RJO as a pending matter.
14. This instant Motion, Complainant’s Second Motion for a Default Order, has been filed with the Regional Hearing Clerk.
15. As of the date of the filing of Complainant’s Second Motion for a Default Order, Respondents have not filed a written Answer with the Regional Hearing Clerk and have failed to file a timely Answer under Consolidated Rules.
16. In accordance with the Consolidated Rules at § 22.17(a)(1), a party may be found in default, after motion, upon failure to file a timely Answer.

The Findings of Fact and Conclusions of Law that fully support the issuance of this

Default Order are set forth in Complainant's proposed Default Order which is attached to this Motion.

WHEREFORE, Complainant requests the issuance of a Default Order against Respondents, James and Martha Ikegwu, in the form attached hereto.

Respectfully submitted,

Date NOV 21 2012

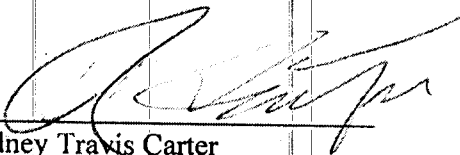

Rodney Travis Carter
Senior Assistant Regional Counsel

EXHIBIT 1

Exhibit # 1

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

IN THE MATTER OF:)
)
James Ikegwu and Martha Ikegwu)
6409 Maple Ave)
Baltimore, Maryland 21207)
Harrisburg, PA 17104-3349,)
)
Respondent)
)
1700 North Castle Street)
Baltimore, Maryland 21213)
)
TARGET HOUSING)
)

U.S. EPA Docket No. TSCA-03-2011-0217

**AFFIDAVIT OF
KYLE J. CHELIUS
REGARDING PROPOSED PENALTY
UNDER SECTION 16 (a) OF
THE TOXIC SUBSTANCES
CONTROL ACT**

Affidavit of Kyle J. Chelius Regarding the Proposed Civil Penalty

I, **Kyle J. Chelius**, hereby declare that:

1. The statements made in this declaration are based upon my personal knowledge as well as upon information contained in the official file records for the above-captioned matter. The documents contained in the official file records for the above-captioned matter were created and maintained in the ordinary course of the United States Environmental Protection Agency's ("EPA's") business and activities.
2. I have been an employee of EPA since November 22, 1992. From November 12, 2006 to the present, I have worked as a Lead Compliance Officer in the Toxics Programs Branch of the Land and Chemicals Division at EPA Region III, located in Philadelphia, Pennsylvania.
3. The Toxics Programs Branch in the Land and Chemicals Division is the office within

EPA responsible for the enforcement of the Toxic Substances Control Act ("TSCA") and EPA's lead-based paint disclosure regulations at 40 C.F.R. Part 745 ("the Disclosure Rule"), promulgated in accordance with the 1992 Residential Lead-Based Paint Hazard Reduction Act ("the Act"). Under Section 1018 of the Act, TSCA was modified to include the lead-based paint disclosure requirements and EPA was directed to promulgate the regulations which are commonly referred to as the Disclosure Rule.

4. As a Lead Compliance Officer, my responsibilities include the investigation of real estate brokers and their agents, property management firms, property managers and landlords and inspection of their records to determine whether sale and lease transactions of certain pre-1978 residential properties ("Target Housing") have been performed in compliance with the Disclosure Rule. In addition, when violations of the Disclosure Rule are found, I am responsible for case development leading to and the initiation of enforcement actions against violators.

5. Also as part of my duties, I was the custodian of the files and records maintained by the EPA Region III office of the Toxics Programs Branch pertaining to the investigation of potential violations of the Act and the Disclosure Rule for the above captioned matter.

6. I have been involved in the development of numerous enforcement actions for EPA, Region III under various statutes including but not limited to the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA") and TSCA.

7. As part of my duties regarding the investigation and development of enforcement actions, including administrative enforcement actions, I review and apply the relevant guidance and policies pertaining to the administrative statutes and regulations authorizing the enforcement action.

8. I was the Lead Compliance Officer for handling EPA's investigation of the target housing associated with this matter, 1700 North Castle Street, located in Baltimore, Maryland. Such investigation was conducted under the authority of the Act and the Disclosure Rule. during the time period of the investigation of The target housing associated with this matter is residential in nature, was constructed before 1978 and is "target housing" as defined at 40 C.F.R. § 745.103). I was the Lead Compliance Officer assigned to for handle EPA's investigation of 1700 North Castle Street, the property in issue in this proceeding, from the fall of 2006 up through the time

of the September 28, 2011 issuance of an Administrative Complaint and Notice of Opportunity for Hearing to James Ikegwu and Martha Ikegwu (“Respondents”),

9. Regarding the calculations of the proposed penalty in the above-captioned matter, after a review of the applicable laws, regulations, guidance and policies, I determined that Section 1018 of the Act authorizes the assessment of a civil penalty under Section 16 of TSCA, 15 U.S.C. §2615, up to the maximum amount of \$10,000 for each violation of Section 409 of TSCA, 15 U.S.C. § 2689. This maximum civil penalty amount was adjusted by EPA to \$11,000 per violation for each violation occurring after July 28, 1997. For purposes of determining the amount of the civil penalty to be assessed in this matter I applied the statutory factors to the facts of this matter. Specifically, I utilized information in EPA’s files and reviewed the facts revealed by the investigation. I took into account the nature, circumstances, extent and gravity of the violations found. In addition, I took into account any history of prior such violations, the degree of culpability, and such other matters as justice may require. Additionally, utilizing information in EPA’s files for the above-captioned matter, in order to develop the proposed penalty for the Complaint, I took into account EPA’s Disclosure Rule Enforcement Response Policy (“ERP”), dated December 2007. The ERP provides a rational, consistent and equitable calculation methodology for applying the statutory factors enumerated above to specific cases. Respondents provided no information regarding their financial status, ability to pay a penalty or the effect of paying a penalty on their ability to continue to do business. I compared the facts and circumstances of the above-captioned matter to the statutory factors and the ERP resulting in the following analysis.

A. Gravity: Nature, Circumstances, Extent

NATURE

The ERP discusses the “nature” of the violation as the essential character of the violation. It incorporates the concept of whether the violation is of a chemical control, control-associated data gathering, or hazard assessment nature. I determined that in this matter the requirements of 40 C.F.R. Part 745, Subpart F, are most appropriately

categorized as “hazard assessment” in nature because the violations impair one’s ability to determine the presence of lead.

CIRCUMSTANCES

Under the ERP the “circumstances” of a violation reflects the probability of harm resulting from a particular type of violation. For violations of the Disclosure Rule, harm results from the failure to disclose information on lead-based paint. The principle factor to be considered is the purchaser’s or the lessee’s “ability to properly assess and weigh the factors associated with human health risk when purchasing or leasing target housing.” The ERP notes that “[t]he greater the deviation from the regulations (such as no disclosure), the greater the likelihood that the purchaser or the lessee will be uninformed about the hazards associated with lead-based paint.” The circumstances of each of the violations alleged in the Complaint are described below.

EXTENT

Under the ERP the “extent” of a violation relates to the degree, range or scope of the violation. The “extent” of harm for violations of the Disclosure Rule is measured by the potential of the violations to undermine the overall intent of the Disclosure Rule (the prevention of childhood lead poisoning). Under the ERP the “extent” factor is based upon two measurable facts, the age of any children who live in the target housing and the presence of a pregnant woman living in the target housing. Under the ERP the absence of a pregnant woman or a child under the age of eighteen living in the target housing places the violation in the “minor” extent category. The “extent” of each of the violations alleged in the Complaint is described below.

B. Gravity-Based Civil Penalty

Given the facts alleged in this Complaint and after determining the appropriate circumstances and extent levels, I calculated the following gravity-based civil penalties for the violations alleged in the Complaint at the time of the issuance of the Complaint, in

reliance on the ERP:

Count I

40 C.F.R. § 745.107(a)(2)

Respondents' failure to disclose to the purchaser the presence of known lead-based paint and/or lead-based paint hazards.

Circumstances-Level 1

If knowledge of lead-based paint in the house is not provided to the purchaser, the purchaser's ability to assess the information concerning the presence of lead-based paint in the house is impaired.

Extent-Minor

The violation has the potential for a "lesser" amount of damage to human health or the environment because the purchaser may not be aware of the lead-based paint in the house.

Penalty Count I \$2,580.00

Count II

40 C.F.R. § 745.107(a)(4)

Respondents' failure to provide records to the purchaser regarding the presence of known lead-based paint and/or lead-based paint hazards.

Circumstances-Level 1

If reports or records of lead-based paint in the house are not provided to the purchaser, the purchaser's ability to assess the information concerning the presence of lead-based paint in the house is impaired.

Extent-Minor

The violation has the potential for a "lesser" amount of damage to human health or the environment because the purchaser may not be aware of the lead-based paint in the house.

Penalty Count II..... \$2,580.00

Initial Penalty Amount **\$5,160.00**

Culpability Enhancement (Initial penalty increased by 25%) = \$ 1,290.00

Total Proposed Penalty **\$ 6,450.00**

C. Adjusted Penalty

The only adjustment made to the civil penalty was a twenty five percent enhancement due to Respondent's culpability. The culpability rationale follows:

Degree of Culpability- Under the ERP the two principle criteria for addressing culpability are: (a) The violator's knowledge of the Disclosure Rule, and (b) the degree of the violator's control over the violative condition.

(a) The violator's knowledge of the Disclosure Rule: Because of the State of Maryland's lengthy contacts with Respondents, and Respondent's subsequent actions, it can be inferred that Respondent had sufficient knowledge of the Disclosure Rule prior to committing the above violations.


(b) The degree of the violator's control over the violative condition: Respondents had total control over their obligation to disclose information and documentation to the purchaser.

Because of the above the twenty five percent enhancement was warranted.

D. Declaration

I, **Kyle J. Chelius**, do declare pursuant to the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, Issuance of Compliance and Corrective Action Orders, and the Revocation, Termination or Suspension of Permits, 64 Fed Reg. 40138 (July 23, 1999) (to be codified at 40 C.F.R. Part 22), and under penalty of perjury, that the facts set forth in the this affidavit are true and correct to the best of my knowledge, information and belief.

Executed on: 11/1/12


Kyle J. Chelius
Lead Compliance Officer
EPA Region III
Philadelphia, PA

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

_In the Matter of:	:	
	:	
James Ikegwu and Martha Ikegwu	:	U.S. EPA Docket No. TSCA-03-2011-0217
6409 Maple Ave	:	
Baltimore, Maryland 21207	:	DEFAULT ORDER
	:	
RESPONDENTS	:	
	:	
1700 North Castle Street	:	Proceeding under Sections 409 and 16(a)
Baltimore, Maryland 21213	:	of the Toxic Substances Control Act,
	:	15 U.S.C. §§ 2689 and 2615(a)
	:	
TARGET HOUSING	:	

DEFAULT ORDER
PRELIMINARY STATEMENT

This administrative proceeding for the assessment of a civil penalty was initiated by the United States Environmental Protection Agency, Region III ("Complainant"), pursuant to Section 16(a) of the Toxic Substances Control Act, 15 U.S.C. § 2615 ("TSCA"), and the former Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation, Termination or Suspension of Permits, 40 C.F.R. Part 22 ("the Consolidated Rules"). The action was initiated by the filing of an Administrative Complaint and Opportunity for Hearing ("Complaint") by the Director of the Land and Chemicals Division, EPA Region III, ("Complainant") on September 28, 2011.

It is hereby determined that an appropriate Default Order shall be issued on the Findings of Fact and Conclusions of Law as set forth in the Administrative Complaint.

ORDER

AND NOW, this ____ day of _____, 2012, under the authority of Section 16(a) of TSCA, 15 U.S.C. § 2615(a), and the Consolidated Rules at 40 C.F.R. § 22.17, **James Ikegwu and Martha Ikegwu** ("Respondents") are found to be in default with regard to the Complaint

filed in this matter. Furthermore, the relief proposed in the Complaint and the Second Motion for a Default Order in this proceeding is not "clearly inconsistent with the record of the proceeding or [TSCA]". [See the Consolidated Rules at 40 C.F.R. § 22.17(c).]

THEREFORE, pursuant to the Consolidated Rules at 40 C.F.R. § 22.17(c), Respondents are hereby ordered to pay a civil penalty of six thousand, four hundred and fifty dollars (\$6,450.00). This penalty shall become due and payable, without further proceedings, thirty (30) days after this Default Order becomes final, pursuant to the Consolidated Rules at 40 C.F.R. § 22.17(d). Payment shall be made by forwarding a cashier's or certified check, payable to:

U.S. Environmental Protection Agency
Region III
P.O. Box 360515
Pittsburgh, PA 15251-6515

Respondents shall also send a copy of the check to:

Regional Hearing Clerk (3RC00)
U.S. EPA, Region III
841 Chestnut Building
Philadelphia, Pennsylvania 19107

INTEREST AND LATE PENALTY CHARGES

Pursuant to 31 U.S.C. § 3717 and 40 C.F.R. § 13.11, EPA is entitled to assess interest and penalties on debts owed to the United States and a charge to cover the cost of processing and handling a delinquent claim. Interest will begin to accrue on any unpaid amount of this civil penalty addressed by this Default Order if it is not paid within thirty (30) calendar days of the date this Default Order becomes final under the Consolidated Rules at 40 C.F.R. § 22.27(c). Interest will be assessed at the rate of the United States Treasury tax and loan rate in accordance with 40 C.F.R. § 13.11(a). Moreover, the costs of the Agency's administrative handling of overdue debts will be charged on all such debts. 40 C.F.R. § 13.11(b). Pursuant to EPA Resources Management Directives Systems, Chapter 9, EPA will assess a \$15.00 handling

charge for administrative costs on unpaid penalties for the first thirty (30) day period after the payment is due and an additional \$15.00 for each subsequent thirty (30) days the penalty remains unpaid. In addition, a penalty charge of up to six percent per year will be assessed on any portion of the debt which remains delinquent more than 90 days after payment is due. [See 40 C.F.R. § 13.11(c).] Should assessment of the penalty charge on the debt be required, it will be assessed as of the first day payment is due. [See 31 C.F.R. § 901.9(d).]

This Default Order constitutes an Initial Decision, as provided in the Consolidated Rules at 40 C.F.R. § 22.17(c). An Initial Decision becomes final within forty-five (45) days after its service upon the parties and without further proceedings unless: (1) a party moves to reopen the hearing; (2) a party moves to set aside a Default Order that constitutes an Initial Decision; or (3) ~~the Environmental Appeals Board elects to review the Initial Decision on its own initiative.~~ The procedures for appealing an Initial Decision are listed in the Consolidated Rules at 40 C.F.R. § 22.30(a). A copy of the Consolidated Rules is attached.

Date:

Renee Sarajian
Presiding Judicial Officer

EXHIBIT 2



November 16, 2011
 Shipper A43F71
 Page 1 of 1

ATTN : RODNEY CARTER
 PHONE : (215)814-2478

DELIVERY NOTIFICATION

INQUIRY FROM: KELLY CONWAY
 US EPA
 1650 ARCH ST FLR 3 RM 3PM20
 PHILADELPHIA PA 19103

SHIPMENT TO:		JAMES AND MARTHA IKEGWU IKEGWU 6409 MAPLE AVE GWYNN OAK MD 21207	
Shipper Number.....	A43F71	Tracking Identification Number...	1ZA43F712491280649

According to our records 1 parcel was delivered on 09/29/11 at 9:20 A.M., and left at RESIDENTIAL.
 The shipment was signed for by IKAGEW as follows:

SHIPPER NUMBER	PKG ID NO.	TRACKING NUMBER	ADDRESS (NO/STREET,CITY)	SIGNATURE
A43F71		1ZA43F712491280649	6409 MAPLE AVE GWYNN OAK	<i>Kelly Conway</i>

TPA4237:000A0000

RECEIVED

2013 SEP 18 AM 11:19

REGIONAL HEARING CLERK
EPA REGION III PHILA PA

CERTIFICATE OF SERVICE

I hereby certify that the original and one copy of the foregoing Complainant's Second Motion for Default Order and Default Order, Docket No. TSCA-03-2011-0217, have been filed with the EPA Region III Regional Hearing Clerk and that a copy was sent, express mail, return receipt requested, to:

James Ikegwu and Martha Ikegwu
6409 Maple Ave
Gwynn Oak
Baltimore, Maryland 21207

Dr. James Ikegwu LPC
650 Pennsylvania Ave.
Suite C-120
Washington DC 20003

James Ikegwu and Martha Ikegwu
601 Dumbarton Ave.
Baltimore, MD 21218-1229

SEP 18 2013

Date



Rodney Travis Carter
Senior Assistant Regional Counsel
U.S. Environmental Protection
Agency, Region III