




UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917
<http://www.epa.gov/region08>

Ref: 8ENF-L

MEMORANDUM

SUBJECT: In the Matter of THD At-Home Services, Inc.
Docket No. TSCA-08-2015-XXXX **TSCA-08-2016-0001**
Combined Complaint and Consent Agreement

FROM: David Cobb, Acting Supervisor 
Toxics Enforcement Unit, Technical Enforcement Program,
Office of Enforcement, Compliance and Environmental Justice

Jim Eppers, Supervisory Attorney 
Legal Enforcement Program,
Office of Enforcement, Compliance and Environmental Justice

TO: Honorable Elyana R. Sutin, Regional Judicial Officer

With this memorandum, the Office of Enforcement, Compliance and Environmental Justice is transmitting a Combined Complaint and Consent Agreement (CCCA) in the above-referenced matter. We request that you issue a final order approving it.

The EPA has taken this action under the authority of section 16 of the Toxic Substances Control Act (TSCA), 15 U.S.C. § 2615. In the CCCA, the EPA alleges that THD At-Home Services, Inc., entered into a contract for a renovation to be performed on target housing, as defined by section 401 of TSCA, 15 U.S.C. § 2681, in Arvada, Colorado. The EPA alleges that THD At-Home Services, Inc., as the general contractor, failed to ensure that waste from the renovation was contained to prevent releases of dust and debris before waste was removed from the work area and failed to ensure that the work area was cleaned until no dust, debris or residue remained, in violation of the Lead-Based Paint Renovation, Repair, and Painting (RRP) Rule, 40 C.F.R. Part 745, Subpart E. The EPA alleges that the failure to ensure waste from the renovation was contained and the work area was cleaned in accordance with the RRP Rule constitute violations of section 409 of TSCA, 15 U.S.C. § 2689.

Upon consideration of the factors set forth in section 16(a)(2) of TSCA, 15 U.S.C. § 2615(a)(2), EPA has determined that a civil penalty of thirty-seven thousand and sixty-five dollars (\$37,065) is appropriate to settle this matter. The proposed settlement is consistent with applicable settlement penalty policies, including the Consolidated Enforcement Response and Penalty Policy for the Pre-Renovation Education Rule; Renovation, Repair and Painting Rule; and Lead-Based Paint Activities Rule (August 2010).

TSCA does not require public notice of this settlement.



THD At-Home Services, Inc. is represented by John Jacus, Davis Graham & Stubbs LLP, 1550 17th Street, Suite 500, Denver, Colorado 80202. His telephone number is (303) 892-7305, and his email address is john.jacus@dgsllaw.com.

The EPA attorney for this matter is Jessica Portmess, Enforcement Attorney, at (303) 312-7026.

cc: John Jacus