

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I
5 Post Office Square, Suite 100
Boston, Massachusetts 02109-3912**

September 25, 2020

ELECTRONIC DELIVERY by EMAIL

LeAnn Jensen
Regional Judicial Officer
U.S. Environmental Protection Agency, Region 1
5 Post Office Square, Suite 100
Boston, MA 02109-3912

Re: In the Matter of Landmarx Construction, LLC.; Docket No. TSCA-01-2020-0030

Dear Ms. Jensen:

Attached for your review and signature is a Consent Agreement and Final Order (“CAFO”) that will resolve a Toxic Substances Control Act (“TSCA”) administrative penalty action brought by the U.S. Environmental Protection Agency (“EPA”), Region 1, against Landmarx Construction, LLC. (“Landmarx”), for alleged violations of the Renovation, Repair, and Painting (“RRP”) Rule during a renovation performed on residential units in Portland, Maine.

Jeff Marxhausen, Landmarx’s principal, signed the CAFO electronically on Landmarx’s behalf on September 16, 2020. Karen McGuire, Director of Region 1’s Enforcement and Compliance Assurance Division, signed the CAFO electronically on EPA’s behalf on September 22, 2020. EPA now submits the CAFO for the Regional Judicial Officer’s signature of the Final Order.

As permitted by 40 C.F.R. §22.13(b), this CAFO both initiates and concludes EPA’s enforcement action against Landmarx Construction, LLC. Section III of the CAFO describes Landmarx’s violations of the TSCA and the RRP Rule.

In this CAFO, Landmarx has agreed to pay a settlement penalty of five thousand and twenty-one dollars within 30 days of the CAFO’s effective date. EPA has determined that the settlement penalty is fair and proper consistent with the penalty factors set forth in Section 16(a)(2)(B) of the TSCA.

Once the CAFO has been signed, I will file the fully executed CAFO with the Regional Hearing Clerk, thereby resolving this matter in accordance with EPA’s 2018 Electronic Signature Policy and Electronic Signature Procedure and Region 1’s 2020 Standard Operating Procedures for Filing and Service of Part 22 CAFOs/ESAs and Complaints During U.S. EPA 2020 COVID-19 Response. Respondent’s consent to EPA’s use of digital signatures (as well as electronic service of the CAFO, once filed) has been incorporated into this CAFO in paragraph 57. This settlement does not have any public notice requirements.

If you have any questions regarding the proposed CAFO, please contact me at george.aleksandra@epa.gov or 617-918-1092, and Landmarx's principal, Jeff Marxhausen, at jeff@landmarx.me or 207-400-7247.

Alternatively, Respondent can be reached at the following addresses:

Jeff Marxhausen
LandMarx Construction, LLC
273 Presumpscot Street
Portland, ME 04103

Respectfully submitted,

Aleksandra George Ruiz
Enforcement Counsel
EPA Region 1

Enclosures:
CAFO
Certificate of Service

cc: Jeff Marxhausen, Landmarx's Principal (via e-mail)