

**UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 2**

IN THE MATTER OF:

Lead & Mold Checks, LTD
Respondent.

) Docket No.
) TSCA-02-2025-9283
)

) **EXPEDITED SETTLEMENT**
) **AGREEMENT AND**
) **FINAL ORDER**
)
)

EXPEDITED SETTLEMENT AGREEMENT

1. The U.S. Environmental Protection Agency ("EPA") alleges Lead & Mold Checks, LTD ("Respondent") failed to comply with Sections 402 and 407 of the U.S. Toxic Substances Control Act ("TSCA"), 15 U.S.C. §§ 2682, and 2687 respectively.
2. Respondent performed abatement projects under the Lead-based Paint Activities Rule at nine (9) New York City residential properties in 2023 and 2024.
3. Respondent was required to notify EPA before engaging in lead-based paint abatement activities at those locations, pursuant to 40 C.F.R. §745.227(e)(4)(ix). Respondent did not do this.
4. EPA and Respondent agree that settlement of this matter for a civil penalty of \$1,800 (one thousand eight hundred dollars) is in the public interest.
5. EPA is authorized to enter into this Expedited Settlement Agreement ("Agreement") pursuant to Section 16 of TSCA, 15 U.S.C. § 2615, and 40 C.F.R. § 22.13(b), and 40 C.F.R. § 22.18(b)(2).
6. In signing this Agreement, Respondent: (1) admits that Respondent is subject to the Lead-based Paint Activities requirements (40 C.F.R. § 745, Subpart L); (2) admits that EPA has jurisdiction over Respondent and Respondent's conduct as described above; (3) neither admits nor denies the factual finding contained therein; (4) consents to the assessment of the penalty; and (5) waives any right to contest the findings contained herein.
7. By its signature below, Respondent certifies, subject to civil and criminal penalties for making a false submission to the United States Government, that: (1) the violation described above, has been corrected; and (2) Respondent is submitting proof of payment of the civil penalty with this agreement.
8. The civil penalty of \$1,800 (one thousand eight hundred dollars) has been paid in accordance with the *Instructions for Making a Payment* that was provided to the Respondent.

9. Upon the effective date of this Agreement, payment of the civil penalty shall constitute full settlement of the civil claims cited herein. Respondent will also provide, if it has not already done so, within thirty days a written statement outlining actions taken to correct the violation cited above.
10. No portion of the civil penalty or interest paid by Respondent pursuant to the requirements of this Agreement shall be claimed by Respondent as a deduction for federal, state, or local income tax purposes.
11. 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.
12. Upon signing and returning this Agreement to EPA, Respondent waives the opportunity for a hearing or appeal pursuant to TSCA or 40 C.F.R. Part 22.
13. Each party shall bear its own costs and fees, if any.
14. This Agreement is binding on the parties signing below, and in accordance with 40 C.F.R. § 22.31(b), is effective upon filing with the Regional Hearing Clerk.

IT IS SO AGREED, **Lead & Mold Checks, LTD**

Name (print): Max Itzkowitz

Title (print): President

Signature: _____

Date

07/01/2025

APPROVED BY EPA:

KATHLEEN
ANDERSON

Digitally signed by KATHLEEN
ANDERSON
Date: 2025.07.31 07:56:27 -04'00'

Kathleen Anderson, Director
Enforcement and Compliance Assurance Division

In the Matter of Lead & Mold Checks, LTD
Docket Number TSCA-02-2025-9283

FINAL ORDER

The Regional Judicial Officer of EPA, Region 2, concurs in the foregoing Expedited Settlement Agreement in the case of In the Matter of Lead & Mold Checks, LTD, bearing Docket No. TSCA -02-2025-9283. Said Expedited Settlement Agreement, having been duly accepted and entered into by the parties, is hereby ratified, incorporated into and issued as this Final Order, which shall become effective when filed with the Regional Hearing Clerk of EPA, Region 2. 40 C.F.R. § 22.31(b). This Final Order is being entered pursuant to the authority of 40 C.F.R. § 22.18(b)(3) and shall constitute an order issued under authority of Section 16(a) of TSCA 15 U.S.C. § 2615(a).

Dana P. Friedman
Regional Judicial Officer
U.S. Environmental Protection Agency-Region 2
290 Broadway
New York, New York 10007-1866