

EPA ENFORCEMENT ACCOUNTS RECEIVABLE CONTROL NUMBER FORM FOR ADMINISTRATIVE ACTIONS

This form was originated by Wanda I. Santiago for Andrea Simpson 9/30/14  
Name of Case Attorney Date

in the ORC (RAA) at 918-1113  
Office & Mail Code Phone number

Case Docket Number TSCA-01-2014-0042

Site-specific Superfund (SF) Acct. Number \_\_\_\_\_

This is an original debt  This is a modification

Name and address of Person and/or Company/Municipality making the payment:

CDL Commercial, LLC  
15 Royal Oak Street  
Meriden, CT 06450

Total Dollar Amount of Receivable \$ 3250 Due Date: 10/30/14

SEP due? Yes  No  Date Due \_\_\_\_\_

Installment Method (if applicable)

INSTALLMENTS OF:

- 1<sup>st</sup> \$ \_\_\_\_\_ on \_\_\_\_\_
- 2<sup>nd</sup> \$ \_\_\_\_\_ on \_\_\_\_\_
- 3<sup>rd</sup> \$ \_\_\_\_\_ on \_\_\_\_\_
- 4<sup>th</sup> \$ \_\_\_\_\_ on \_\_\_\_\_
- 5<sup>th</sup> \$ \_\_\_\_\_ on \_\_\_\_\_

For RHC Tracking Purposes:

Copy of Check Received by RHC \_\_\_\_\_ Notice Sent to Finance \_\_\_\_\_

**TO BE FILLED OUT BY LOCAL FINANCIAL MANAGEMENT OFFICE:**

IFMS Accounts Receivable Control Number \_\_\_\_\_

If you have any questions call: \_\_\_\_\_  
in the Financial Management Office Phone Number \_\_\_\_\_



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
Region 1  
5 Post Office Square, Suite 100  
Boston, MA 02109-3912

RECEIVED

SEP 30 2014

EPA ORC WS  
Office of Regional Hearing Clerk

September 30, 2014

Wanda Santiago  
Regional Hearing Clerk  
U.S. Environmental Protection Agency  
Region 1 (ORA 18-1)  
5 Post Office Square  
Boston, Massachusetts 02140

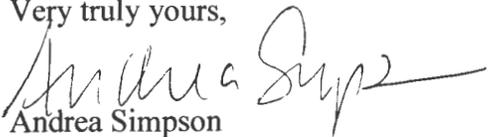
Re: In the Matter of CDL Commercial, LLC;  
Docket No. TSCA-01-2014-0042

Dear Ms. Santiago:

Enclosed for filing in the above-referenced matter, please find the original and one copy of the Consent Agreement and Final Order.

Thank you for your assistance in this matter.

Very truly yours,

  
Andrea Simpson  
Senior Enforcement Counsel

cc: Carlton J. Brechlin

Enclosure

Docket No. TSCA-01-2013-0042

CERTIFICATE OF SERVICE

I hereby certify that on the date noted below, the original and one copy of the Consent Agreement and Final Order in the matter of CDL Commercial, LLC., Docket No. TSCA-01-2014-0042, were filed with the Regional Hearing Clerk and a copy was sent to Respondent, as set forth below:

Original and one copy  
by hand delivery to:

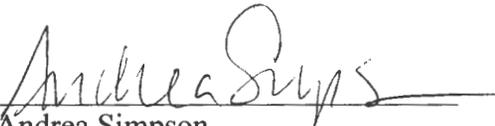
Wanda Santiago  
Regional Hearing Clerk  
U.S. Environmental Protection Agency  
Region 1, (ORA18-1)  
5 Post Office Square, Suite100  
Boston, MA 02109

Copy by certified mail to:

Carlton J. Brechlin  
CDL Commercial, LLC  
15 Royal Oak Street  
Meriden, CT 06450

Date:

9/30/14

  
Andrea Simpson

Senior Enforcement Counsel  
U.S. Environmental Protection Agency  
Region 1, Mail Code OES04-2  
5 Post Office Square, Suite 100  
Boston, MA 02109  
(617) 918-1738  
simpson.andrea@epa.gov



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, REGION 1  
5 Post Office Square, Suite 100, Boston, Massachusetts 02109-3912

**RRP Settlement Agreement**  
**Issued under Section 16 of TSCA, 15 U.S.C. § 2615**  
**and 40 C.F.R. § 22.13(b) and 22.18(b)**  
**Docket Number TSCA-01-2014-0042**

RECEIVED

SEP 30 2014

EPA ORC WS  
Office of Regional Hearing Clerk

The U.S. Environmental Protection Agency ("EPA") finds that Respondent, Carlton J. Brechlin, of CDL Commercial, LLC, failed to comply with the "Renovation, Repair and Painting" ("RRP") Rule, set forth at 40 C.F.R. Part 745, Subpart E, promulgated under Section 402(c) and 406(b) of the Toxic Substances Control Act ("TSCA"), §§ 2682(c) and 2686(b), during a "renovation," as defined at section 401(17) of TSCA, 15 U.S.C. § 2681(17), and 40 C.F.R. § 745.83, at the following addresses: 556 Central Ave. Apts. Bldg. 1, 2<sup>nd</sup> Floor, New Haven CT; 2 Main Street, Essex CT; and 21 Broadvale, Meriden CT; all "target housing" as defined at 40 C.F.R. § 745.223.

EPA finds that Respondent was subject to the RRP Rule and failed to comply with: the firm certification requirement of 40 C.F.R. § 745.89(a), pursuant to 40 C.F.R. § 745.81(a)(2)(ii); the requirement of 40 C.F.R. § 745.89(d)(2) to assign a certified renovator to each renovation; the requirement to provide property owners with lead hazard information, pursuant to 40 C.F.R. § 745.84(a)(1); the requirement to provide property adult occupants with lead hazard information, pursuant to 40 C.F.R. § 745.84(a)(2); and the recordkeeping requirements of 40 C.F.R. § 745.86.

Section 16(a) of TSCA, 15 U.S.C. § 2615(a), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701, and 40 C.F.R. Part 19, authorizes assessment of a civil penalty of up to \$37,500 per day, per violation, for violations occurring on or after January 13, 2009.

For the purpose of this proceeding, Respondent admits it is subject to the RRP Rule and TSCA and that EPA has jurisdiction over Respondent. Respondent neither admits nor denies the specific factual allegations stated above, consents to the assessment of the penalty below, and waives any objections it may have to EPA's jurisdiction in this matter.

The parties enter into this RRP Settlement Agreement ("Agreement") in order to settle the civil violations alleged above. Pursuant to TSCA and the Consolidated Rules of Practice at 40 C.F.R. Part 22, based on the nature of the violations, and other relevant factors, EPA has determined

that an appropriate civil penalty to settle this action is in the amount of **\$3,250**. Respondent consents to the issuance of this Agreement and consents to the payment of such penalty.

Respondent agrees that within 30 days of the effective date of this Agreement (the date it is filed with the Regional Hearing Clerk), Respondent shall submit a check, with case name and docket number noted ("**In the Matter CDL Commercial, LLC, Docket No. TSCA-01-2014-0042**"), for the amount specified above, payable to the "Treasurer, United States of America," to: U.S. EPA, Fines and Penalties, Cincinnati Finance Center, P.O. Box 979077, St. Louis, MO 63197-9000. Respondent shall also submit copies of the check to: Regional Hearing Clerk, U.S. EPA, Region 1, 5 Post Office Square, Suite 100 (ORA18-1), Boston, MA 02109-3912 and Molly Magoon, Environmental Protection Specialist, U.S. EPA Region 1, 5 Post Office Square, Suite 100 (OES05-4), Boston, MA 02109-3912.

Pursuant to Section 16 of TSCA, 15 U.S.C. § 2615, and 31 U.S.C. § 3717, 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.

Respondent consents to the assessment of the penalty and waives its right to: (1) contest the findings of violation specified in this Agreement; (2) a judicial or administrative hearing or appeal on any issue of law or fact set forth herein; and (3) appeal the Final Order accompanying this Agreement.

Additionally, Respondent certifies, subject to civil and criminal penalties for making a false statement to the U. S. Government, that it has corrected all violations and is in full compliance with the RRP Rule at the three locations cited above.

This Agreement settles EPA's civil penalty claims against Respondent for the violations specified above. EPA does not waive its right to take enforcement action against Respondent for any other past, present, or future violations of the Act or of any other federal statute or regulation. Nothing in this agreement is intended to, nor shall be construed to operate in

any way to resolve any criminal liability of Respondent, and nothing in this Agreement shall be construed to limit EPA's authority to undertake any action against Respondent in response to conditions that may present an imminent and substantial endangerment. Each party shall bear its own costs and fees, if any. Respondent specifically waives any right to recover costs pursuant to the Equal Access to Justice Act, 5 U.S.C. § 504.

**If Respondent does not sign and return this Agreement within 15 days of the date of its receipt, this proposed settlement is withdrawn without prejudice to EPA's ability to file any other enforcement action for the violations identified herein.**

This Agreement is binding on the parties signing below, and in accordance with 40 C.F.R. 22.31(b), is effective upon signature of the parties, approval of the Regional Judicial Officer and filing with the Regional Hearing Clerk.

APPROVED BY CB:

Name(print): Carlton Bredlin

Title(print): Member

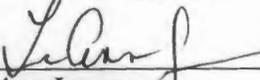
Signature:  Date: 9/22/2014

APPROVED BY EPA:

 Date: 9-26-14

Joanna Jerison  
Legal Enforcement Manager  
Office of Environmental Stewardship  
U.S. EPA

IT IS SO ORDERED:

 Date: 9/29/14

LeAnn Jensen  
Acting Regional Judicial Officer  
U.S. EPA, Region 1