



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

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REPLY TO THE ATTENTION OF:

LC-8J

CERTIFIED MAIL

Receipt No.7001 0320 0006 0182 9238

Mark R. King  
337 West Indianola  
Youngstown, Ohio 44511

Mark R. King, Youngstown, Ohio. Docket No. TSCA-05-2007-0010

Dear Mr. King:

I have enclosed a copy of an original fully executed Modified Consent Agreement and Final Order regarding the above case. This document was filed on April 21, 2009, with the Regional Hearing Clerk.

Thank you for your cooperation in resolving this matter.

Sincerely,

A handwritten signature in cursive script that reads "Estrella Calvo".

Estrella Calvo  
Pesticides and Toxic Compliance Section

Enclosures

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5

In the Matter of: )  
 )  
 )  
Mark R. King )  
Youngstown, Ohio )  
 )  
Respondent. )  
\_\_\_\_\_ )

DOCKET No. TSCA-05-2007-0010

Modified Consent Agreement and Final Order

Complainant, United States Environmental Protection Agency, (U.S. EPA), Region 5, and Respondent Mark R. King (Respondent) (“collectively “Parties”), having settled all matters pertaining to this case and having consented to the entry of the Joint Civil Complaint and Consent Agreement and Final Order (CAFO) filed on April 26, 2007, in which, among other things, Respondent agreed to perform certain lead-based paint hazard abatement activities in specific residential properties (Subject Properties) by November 30, 2008; Respondent having requested relief from compliance with the deadline in the original CAFO due to, among other things, vandalism and demolition of the Subject Properties; therefore, paragraphs 49 and 53 of the original CAFO are modified as follows:

Paragraph 49 is modified as follows:

49. Respondent must complete the Hazard Abatement Project by September 15, 2009.

Paragraph 53 is modified as follows:

53. Respondent must submit a Hazard Abatement Project report and lead clearance sampling report upon completion of the Hazard Abatement Project for the properties listed in paragraph 19, above, by September 15, 2009. These reports must contain the following information:

- a. the addresses of the residential properties (including the number of units for multi-family housing) and a description of the Hazard Abatement Project as completed, which includes the sampling information contained in subparagraph b, below;
- b. a clearance sampling report for the properties identified in subparagraph 53.a., above, giving sampling locations, sample results, and documentation of analytical quality assurance/quality control;
- c. itemized costs of goods and services used to complete the Hazard Abatement Project documented by copies of invoices, purchase orders, or canceled checks that specifically identify and itemize the individual costs of the goods and services; including receipts for the cost of the lead based paint inspection conducted to identify the lead-based paint and/or lead-based paint hazards in the properties;
- d. itemized costs of services used to complete the lead clearance sampling documented by copies of invoices or canceled checks that specifically identify and itemize the costs of the services, and documentation that Respondent did not use any HUD assistance, including all HUD grants as well as Community Development Block Grants, to perform the abatement work required by this CAFO;
- e. provide documentation that the individuals who performed the Hazard Abatement Project and the lead clearance sampling are certified to perform such work in accordance with the state and local laws and regulations; and
- f. certification that Respondent has completed the Hazard Abatement Project and the lead clearance sampling in compliance with this CAFO.

All other paragraphs of the April 26, 2007 CAFO remain in full force and effect.

**Consent Agreement and Final Order  
In the Matter of Mark R. King**

Docket No. TSCA-05-2007-0010

Date: 4-1-09

By: Mark R. King  
Mark R. King, Respondent

**In the Matter of Mark R. King**

Docket No. TSCA-05-2007-0010

United States Environmental Protection Agency  
Complainant

Date: 04/14/09

By: Josi D. Cisneros  
for Margaret M. Guerriero  
Director  
Land and Chemicals Division

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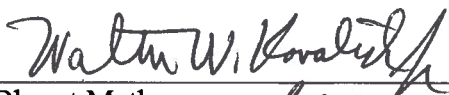
**In the Matter of Mark R. King**

Docket No. TSCA-05-2007-0010

Final Order

This Consent Agreement and Final Order, as agreed to by the parties, will become effective immediately upon filing with the Regional Hearing Clerk. IT IS SO ORDERED.

Date: 4/16/09

  
\_\_\_\_\_  
Bharat Mathur  
Acting Regional Administrator  
United States Environmental Protection Agency  
Region 5

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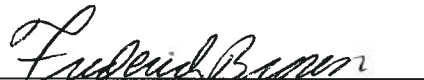
**CERTIFICATE OF SERVICE**

This is to certify that the original and one copy of this Consent Agreement and Final Order in the resolution of the civil administrative action involving Mark E King, Youngstown, Ohio, was filed on April 17, 2009, with the Regional Hearing Clerk (E-13J), U.S. EPA, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, and that a true correct copy was sent by Certified Mail, Receipt No. 7001 0320 0006 0182 9238, to:

Mark R. King  
337 West Indianola  
Youngstown, Ohio 44511

and forwarded intra-Agency copies to:

Marcy Toney, Regional Judicial Officer, ORC/C-14J  
Robert Guenther, Counsel for Complainant/C-14J  
Eric Volck, Cincinnati Finance/MWD



Frederick Brown, PTCS (LC-8J)  
U.S. EPA - Region 5  
77 West Jackson Boulevard  
Chicago, Illinois 60604

Docket No. TSCA-05-2007-0010