

EPA ENFORCEMENT ACCOUNTS RECEIVABLE CONTROL NUMBER FORM FOR ADMINISTRATIVE ACTIONS

This form was originated by Wanda I. Santiago for Andrae Simpson 7/19/19
Name of Case Attorney Date

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

Case Docket Number TSCA-01-2019-0022

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:

Mr. George Sullivan
Pro Painting LLC
113 Lake Road
Griswold, CT 06351

Total Dollar Amount of Receivable \$ 400 Due Date: 8/18/19

SEP due? Yes _____ No Date Due _____

Installment Method (if applicable)

- INSTALLMENTS OF:
- 1st \$ _____ on _____
 - 2nd \$ _____ on _____
 - 3rd \$ _____ on _____
 - 4th \$ _____ on _____
 - 5th \$ _____ 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, MASSACHUSETTS 02109-3912

BY HAND

JUL 19 2019

Wanda Santiago, Regional Hearing Clerk
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 1
5 Post Office Square, Suite 100, 04-6
Boston, MA 02109-3912

RECEIVED

JUL 19 2019

EPA ORC WS
Office of Regional Hearing Clerk

Re: Pro Painting, LLC
Docket No. TSCA-01-2019-0022

Dear Ms. Santiago:

Enclosed for filing in the above-referenced matter, please find the original and one copy of the Expedited Settlement Agreement. Thank you for your assistance in this matter.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Andrea Simpson".

Andrea Simpson
Senior Enforcement Counsel

cc: Pro Painting, LLC

Enclosure

CERTIFICATE OF SERVICE

I hereby certify that on the date noted below, the original and one copy of the Expedited Settlement Agreement in the matter of Pro Painting, LLC c/o George Sullivan were filed with the EPA Regional Hearing Clerk, and a copy was sent to Respondent, as set forth below:

Original and one copy
by hand delivery to:

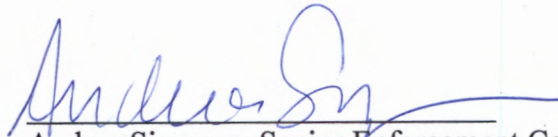
Wanda Santiago, Regional Hearing Clerk
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 1
5 Post Office Square, Suite 100, 04-6
Boston, MA 02109

Copy by certified mail to:

Mr. George Sullivan
Pro Painting, LLC
113 Lake Road
Griswold, CT 06351

Date:

7/19/19



Andrea Simpson, Senior Enforcement Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 1
5 Post Office Square, Suite 100, 04-2
Boston, MA 02109
(617) 918-1738
simpson.andrea@epa.gov

01-2019-0022"), in the amount of \$400, payable to "Treasurer, United States of America," and mailed the check to: U.S. EPA, Fines and Penalties, Cincinnati Finance Center, P.O. Box 979077, St. Louis, MO 63197-9000.

Respondent shall also submit a copy of the check to:

EPA Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 1
Office of Regional Counsel
5 Post Office Square, Suite 100, 04-6
Boston, MA 02109-3912

and to:

Diane Boudrot, Paralegal Specialist
U.S. Environmental Protection Agency, Region 1
5 Post Office Square, Suite 100, 04-4
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; and (2) a judicial or administrative hearing or appeal on any issue of law or fact set forth herein.

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 including, obtaining renovator and firm certification.

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 RRP Rule, TSCA, 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 **thirty (30) calendar 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. Upon signature of the parties and approval by the Regional Judicial Officer, this Agreement shall be filed with the Regional Hearing Clerk. In accordance with 40 C.F.R. § 22.31(b), this Agreement is effective upon filing with the Regional Hearing Clerk.

APPROVED BY Pro Painting, LLC:

Name (print): Mr. George Sullivan
Title (print): owner

Signature: [Handwritten Signature] Date: 6/5/19

APPROVED BY EPA:

[Handwritten Signature] Date: 7-16-19
Karen McGuire, Director
Enforcement and Compliance Assurance Division
U.S. EPA - Region 1

IT IS SO ORDERED:

[Handwritten Signature] Date: 7/18/19
LeAnn Jensen
Regional Judicial Officer
U.S. EPA - Region 1



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1

5 POST OFFICE SQUARE, SUITE 100
BOSTON, MASSACHUSETTS 02109-3912

BY HAND

JUL 19 2019

Wanda Santiago, Regional Hearing Clerk
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 1
5 Post Office Square, Suite 100, 04-6
Boston, MA 02109-3912

RECEIVED

JUL 19 2019

EPA ORC WS
Office of Regional Hearing Clerk

Re: Pro Painting, LLC
Docket No. TSCA-01-2019-0022

Dear Ms. Santiago:

Enclosed for filing in the above-referenced matter, please find the original and one copy of the Expedited Settlement Agreement. Thank you for your assistance in this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Andrea Simpson", with a long horizontal flourish extending to the right.

Andrea Simpson
Senior Enforcement Counsel

cc: Pro Painting, LLC

Enclosure

Docket No. TSCA-01-2019-0022

CERTIFICATE OF SERVICE

I hereby certify that on the date noted below, the original and one copy of the Expedited Settlement Agreement in the matter of Pro Painting, LLC c/o George Sullivan were filed with the EPA Regional Hearing Clerk, and a copy was sent to Respondent, as set forth below:

Original and one copy
by hand delivery to:

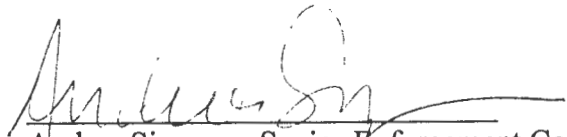
Wanda Santiago, Regional Hearing Clerk
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 1
5 Post Office Square, Suite 100, 04-6
Boston, MA 02109

Copy by certified mail to:

Mr. George Sullivan
Pro Painting, LLC
113 Lake Road
Griswold, CT 06351

Date:

7/19/19



Andrea Simpson, Senior Enforcement Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 1
5 Post Office Square, Suite 100, 04-2
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

RECEIVED

JUL 19 2019

EPA ORC
Office of Regional Hearing Clerk ^{WS}

Expedited 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-01-2019-0022

The U.S. Environmental Protection Agency ("EPA") finds that Respondent, Pro Painting, LLC c/o Mr. George Sullivan, 113 Lake Road, Griswold, CT 06351 ("Respondent") failed to comply with the Renovation, Repair and Painting ("RRP") Rule, set forth at 40 C.F.R. Part 745, Subpart E, promulgated under Sections 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, of "target housing," as defined at 40 C.F.R. § 745.103, at 248 Church Street, Putnam, Connecticut.

EPA finds that Respondent was subject to the RRP Rule and failed to comply with the following requirements when it performed renovation work at 248 Church Street, Putnam, CT:

- 1) Certification requirements by failing to obtain initial firm certification, under 40 C.F.R. § 745.89(a) pursuant to 40 C.F.R. § 745.81(a)(2)(ii); and
- 2) Training and certification requirements by failure of a renovator to obtain certification, under 40 C.F.R. § 745.90(a) pursuant to 40 C.F.R. § 745.81(a)(3).

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, authorize assessment of a civil penalty of up to \$39,873 per day per violation, for violations occurring on or after November 2, 2015.

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 allegation 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 Expedited 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 violation and other relevant factors, EPA has determined that an appropriate civil penalty to settle this action is in the amount of **\$400**. Respondent consents to the issuance of this Agreement and consents to the payment of such penalty.

Respondent certifies that Respondent has sent a certified check, with case name and docket number noted ("In the Matter of Mr. George Sullivan, Pro Painting, LLC, Docket No. TSCA-

01-2019-0022"), in the amount of \$400, payable to "Treasurer, United States of America," and mailed the check to: U.S. EPA, Fines and Penalties, Cincinnati Finance Center, P.O. Box 979077, St. Louis, MO 63197-9000.

Respondent shall also submit a copy of the check to:

EPA Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 1
Office of Regional Counsel
5 Post Office Square, Suite 100, 04-6
Boston, MA 02109-3912

and to:

Diane Boudrot, Paralegal Specialist
U.S. Environmental Protection Agency, Region 1
5 Post Office Square, Suite 100, 04-4
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; and (2) a judicial or administrative hearing or appeal on any issue of law or fact set forth herein.

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 including, obtaining renovator and firm certification.

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 RRP Rule, TSCA, 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 **thirty (30) calendar 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. Upon signature of the parties and approval by the Regional Judicial Officer, this Agreement shall be filed with the Regional Hearing Clerk. In accordance with 40 C.F.R. § 22.31(b), this Agreement is effective upon filing with the Regional Hearing Clerk.

APPROVED BY Pro Painting, LLC:

Name (print): George Sullivan
Title (print): owner

Signature: [Handwritten Signature] Date: 6/5/19

APPROVED BY EPA:

[Handwritten Signature] Date: 7-16-19
Karen McGuire, Director
Enforcement and Compliance Assurance Division
U.S. EPA - Region 1

IT IS SO ORDERED:

[Handwritten Signature] Date: 7/18/19
LeAnn Jensen
Regional Judicial Officer
U.S. EPA - Region 1