

EPA ENFORCEMENT ACCOUNTS RECEIVABLE CONTROL NUMBER FORM FOR ADMINISTRATIVE ACTIONS

This form was originated by Wanda I. Santiago for John Hultgren 5/10/19
Name of Case Attorney Date

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

Case Docket Number TSCA-01-2018-0015

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:

Stephen Pearson d/b/a
Pearson Custom Homes
30 Wayside Avenue
Byfield, MA 01922

Total Dollar Amount of Receivable \$ 4,167 Due Date: 6/8/19

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**

RECEIVED

MAY 09 2019

EPA ORC
Office of Regional Hearing Clerk

WS

In the Matter of:)

Stephen Pearson d/b/a)
Pearson Custom Homes)
30 Wayside Avenue)
Byfield, MA 01922)

Respondent.)

**EPA Docket No.
TSCA-01-2018-0015**

FINAL ORDER

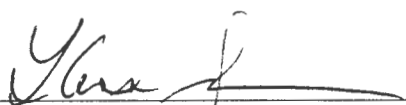
On September 28, 2018, the U.S. Environmental Protection Agency, Region 1 (“EPA”) filed a Complaint against Stephen Pearson doing business as Pearson Custom Homes (“Respondent”). The Complaint charges Respondent with one violation of Section 409 of the Toxic Substances Control Act (TSCA), 15 U.S.C. § 2689, the Residential Lead-Based Paint Hazard Reduction Act of 1992 (“the Act”), 42 U.S.C. § 4851 et seq., and the federal regulations promulgated thereunder, set forth at 40 C.F.R. Part 745, Subpart E (the “Renovation, Repair and Painting Rule”). The Complaint proposes a total penalty of \$4,667.

EPA’s Consolidated Rules of Practice, codified at 40 C.F.R. Part 22, govern this administrative enforcement proceeding. Pursuant to 40 C.F.R. § 22.18(a), a respondent may opt for a quick resolution of an enforcement proceeding at any time by paying the penalty proposed in the complaint. *See* 40 C.F.R. §§ 22.18(a)(1) and (2). The rules further provide that upon payment in full of the penalty, the Regional Judicial Officer must issue a final order. 40 C.F.R. § 22.18(a)(3).

On May 9, 2019, counsel for EPA filed a Motion to Withdraw EPA’s March 12, 2019 Motion for Default Order, and to Request a Final Order Due to Full Penalty Payment. In the May 9,

2019 Motion, EPA counsel notified the undersigned that on April 9, 2019, EPA received a check from Respondent for the amount of the penalty (\$4,667) to resolve the above-captioned matter. Payment by Respondent constituted a waiver of its rights to contest the allegations in the Complaint and to appeal this Final Order. *See* 40 C.F.R. § 22.18(a)(3). In accordance with 40 C.F.R. § 22.18(a)(3), the above-captioned matter is hereby **RESOLVED**.

SO ORDERED THIS 9th DAY OF May 2019.



LeAnn Jensen
Regional Judicial Officer

In the Matter of Stephen Pearson d/b/a Pearson Custom Homes
Docket No. TSCA-01-2018-0015

CERTIFICATE OF SERVICE

I certify that on this 9th day of May, 2019 the original foregoing Order was filed with the Regional Hearing Clerk, a copy was hand-delivered to Counsel for Complainant, and a copy was mailed by certified mail, return receipt requested, to Counsel for Respondent.

May 9, 2019
Date

Wanda I. Santiago
Wanda I. Santiago
Paralegal/Regional Hearing Clerk
U.S. EPA Region I
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Mail code (ORC 4-6)
Boston, MA 02109-3912

Counsel for Respondent:

Stephen Pearson d/b/a
Pearson Custom Homes
30 Wayside Avenue
Byfield, MA 01922

Counsel for Complainant:

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