

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

March 11, 2026 9:35 am

REGION 2

USEPA – Region II

Regional Hearing Clerk

IN THE MATTER OF:

Lepore Construction Inc.
Respondent.

) Docket No.
) TSCA-02-2026-9285
)

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

EXPEDITED SETTLEMENT AGREEMENT

1. The U.S. Environmental Protection Agency (“EPA”) alleges Lepore Construction Inc. (“Respondent”) failed to comply with Sections 402, 406 and 407 of the U.S. Toxic Substances Control Act (“TSCA”), 15 U.S.C. §§ 2682, 2686 and 2687 respectively.
2. Respondent offered to perform a residential renovation or repairs at a property located at: 234 Washington Avenue, Brooklyn, New York 11205.
3. The residential housing property identified in paragraph 2, above, was constructed prior to 1978 and is target housing¹ subject to the Renovation, Repair, and Painting Rule.
4. Respondent was required to obtain initial firm certification from EPA, as required by 40 C.F.R. § 745.89(a)(1), prior to offering to perform renovations at the residential housing property, as described in paragraph 2. Respondent did not do this.
5. EPA and Respondent agree that settlement of this matter for a civil penalty of \$1,000 (one thousand dollars and 00 cents) is in the public interest.
6. 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).
7. In signing this Agreement, Respondent: (1) admits that Respondent is subject to the Residential Property requirements (40 C.F.R. § 745, Subpart E); (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.
8. Respondent consents to the use of electronic signatures in this matter and to service upon it of a copy of this Expedited Settlement Agreement and Final Order (“ESA/FO”) by an EPA employee other than the Regional Hearing Clerk via electronic mail. Delivery of the fully executed document to the email address provided in the preceding paragraph shall constitute Respondent’s receipt and acceptance of the ESA/FO.
9. Any responses, documentation, and communication submitted to EPA in connection with this Agreement shall be sent via e-mail to Somma.Jerry@epa.gov. Unless this EPA contact is later advised otherwise in writing, EPA shall address any written future correspondence (including

¹ Target housing means any housing constructed prior to 1978, except housing for the elderly or persons with disabilities or any 0-bedroom dwelling (unless any child who is less than 6 years of age resides or is expected to reside in such housing).

any correspondence related to payment of the penalty) to Respondent at the following e-mail address: anthony@leporeconstructioninc.com.

10. Respondent has paid the Assessed Penalty of \$1,000 using any method, or combination of appropriate methods, as provided on the EPA website:
<https://www.epa.gov/financial/makepayment>.
11. 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 in paragraph 4, has been corrected; and (2) Respondent is submitting proof of payment of the civil penalty with this agreement.
12. Respondent will also provide, if it has not already done so, a written statement outlining actions taken to correct the violation cited above or to prevent violations of this nature from occurring in the future.
13. Full payment of the penalty in Paragraphs 5 and 10 shall only resolve Respondent's liability for federal civil penalties for the violation and facts described in Paragraph 4, above. Full payment of this penalty shall not in any case affect the right of EPA or the United States to pursue appropriate injunctive or other equitable relief or criminal sanctions for any violations of law.
14. 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.
15. 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.
16. Upon signing and returning this Agreement to EPA, Respondent waives any rights or defenses that Respondent has or may have for this matter to be resolved in federal court, including but not limited to any right to a jury trial, and waives any right to challenge the lawfulness of the Final Order accompanying this Consent Agreement.
17. 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.
18. Each party shall bear its own costs and fees, if any.
19. 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.

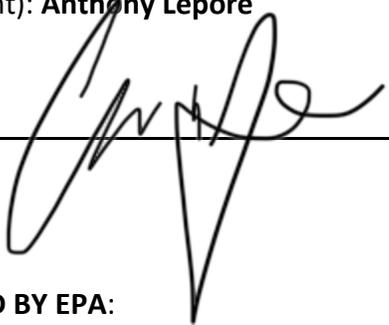
In the Matter of Lepore Construction Inc.
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IT IS SO AGREED, Lepore Construction Inc.

Name (print): **Anthony Lepore**

Title (print): **President**

Signature: _____



Date 3-6-26_____

APPROVED BY EPA:

Doughlas McKenna
Acting Director
Enforcement and Compliance Assurance Division

In the Matter of Lepore Construction Inc.
Docket Number TSCA-02-2026-9285

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 Lepore Construction, bearing Docket No. TSCA-02-2026-9285. 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