

**EPA ENFORCEMENT ACCOUNTS RECEIVABLE CONTROL NUMBER FORM FOR ADMINISTRATIVE ACTIONS**

This form was originated by Wanda I. Santiago for Andrea Simpson 3/22/16  
Name of Case Attorney Date

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

Case Docket Number TSCA-01-2015-0007

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:

Paul Hill dba Alternative Energy  
Windows and Siding  
29 Union Street  
Concord, NH 03301

Total Dollar Amount of Receivable \$ 0 Due Date:

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, MASSACHUSETTS 02109-3912

BY HAND

March 15, 2016

RECEIVED

MAR 15 2016

EPA ORC *WS*  
Office of Regional Hearing Clerk

Wanda Santiago  
Regional Hearing Clerk  
U.S. Environmental Protection Agency, Region I  
5 Post Office Square, Suite 100 (ORA18-1)  
Boston, MA 02109-3912

Re: In the Matter of Paul Hill dba Alternative Energy Windows and Siding  
Docket Number TSCA-01-2015-0007

Dear Ms. Santiago:

In accordance with 40 C.F.R. § 22.18(b), enclosed for filing in the above-referenced case, please find the original and one copy of a Toxic Substances Control Act Renovation, Repair and Painting (RRP) Rule Micro-Business Settlement Agreement that has been signed by the parties and approved by the Regional Judicial Officer. Consistent with 40 C.F.R. §§ 22.13(b) and 22.18(b) this Settlement Agreement both commences and concludes the matter.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink that reads "Andrea Simpson".

Andrea Simpson  
Senior Enforcement Counsel  
U.S. EPA, Region 1

Enclosure

cc: Paul Hill dba Alternative Energy Windows and Siding  
Molly Magoon, EPA Region 1



**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-01-2015-0007**

The U.S. Environmental Protection Agency (“EPA”) finds that Respondent, Paul Hill, doing business as Alternative Energy Windows and Siding, 29 Union Street, Concord, New Hampshire 03301, 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, of “target housing,” as defined at 40 C.F.R. § 745.224, at 38-40 Beacon Street, Concord, New Hampshire 03301.

EPA finds that Respondent was subject to the RRP Rule and failed to comply with:

- 1) Certification requirements by failing to obtain initial certification for the firm from EPA as required under 40 C.F.R. § 745.89(a), pursuant to 40 C.F.R. § 745.81(a)(2)(ii);
- 2) Certification requirements by failing to assign a certified renovator as required under 40 C.F.R. § 745.89(d)(1) pursuant to 40 C.F.R. § 745.81(a)(3);
- 3) Notification requirements by failing to provide the owner of the unit with the EPA approved pamphlet as required by 40 C.F.R. § 745.84(a)(1);
- 4) Notification requirements by failing to provide the adult occupant of the rental unit with the EPA approved pamphlet as required by 40 C.F.R. § 745.84(a)(2); and
- 5) Work practice requirements for exterior renovations under 40 C.F.R. § 745.85(a)(2)(ii)(C) by failing to cover the ground with plastic sheeting prior to renovation.

In violating the RRP Rule, Respondent violated sections 15 and 409 of TSCA, 15 U.S.C. §§ 2614 and 2689, and 40 C.F.R. § 745.87(a).

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 \$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.

**RECEIVED**

**MAR 15 2016**

EPA ORC  
Office of Regional Hearing Clerk

Part 22, based on the nature of the violations, and other relevant factors including Respondent's ability to pay, EPA has determined, based upon financial information provided to EPA, that an appropriate civil penalty to settle this action is in the amount of \$0. Respondent consents to the issuance of this Agreement and consents to the payment of such penalty.

Respondent 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 the Respondent **has corrected all violations and is in full compliance with the RRP Rule** including, as necessary, obtaining renovator and/or firm certification and training.

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 20 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.

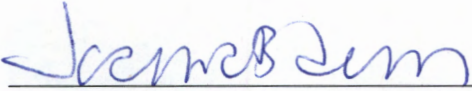
APPROVED BY PAUL HILL/d/b/a ALTERNATIVE ENERGY WINDOWS AND SIDING:

Name (print): Paul Hill PAUL HILL

Title (print): Owner

Signature: Paul Hill Date: July 20 2016

APPROVED BY EPA:

 Date: 3/4/14

Joanna Jerison, Legal Enforcement Manager  
Office of Environmental Stewardship  
U.S. EPA - Region 1 (New England)

IT IS SO ORDERED:

 Date: 3/14/14

LeAnn Jensen  
Acting Regional Judicial Officer  
U.S. EPA - Region 1 (New England)

Docket No. TSCA-01-2015-0007

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 Paul Hill dba Alternative Energy Windows and Siding, Docket No. TSCA-01-2015-0007, were filed with the Regional Hearing Clerk and a copy was sent to Respondent, as set forth below:

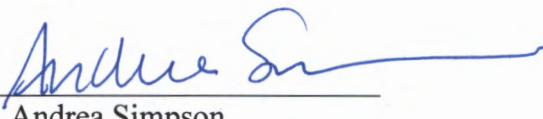
Original and one copy  
by hand delivery to:

Wanda Santiago  
Regional Hearing Clerk  
U.S. Environmental Protection Agency  
Region 1, Mail Code ORA18-1  
5 Post Office Square, Suite 100  
Boston, MA 02109

Copy by certified mail to:

Paul Hill  
dba Alternative Energy Windows and Siding  
29 Union Street  
Concord, New Hampshire 03301

Date: March 15, 2016



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