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Postmark Here: **MAR 16 2018**

Mr. Eder Rapalo dba  
 Premier Flipping, LLC  
 8 Sullivan Ave.  
 Enfield, CT 06082

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p><i>X Eder</i></p> <p>B. Received by (Printed Name) <input type="checkbox"/> C. Date of Delivery</p> <p><i>Eder Sublain</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes          If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. A</p> <p>Mr. Eder Rapalo dba          Premier Flipping, LLC          8 Sullivan Ave.          Enfield, CT 06082</p>	<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery</p> <p><input checked="" type="checkbox"/> Certified Mail®</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery</p> <p><input type="checkbox"/> Collect on Delivery</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery</p> <p><input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Registered Mail™</p> <p><input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Signature Confirmation Restricted Delivery</p>
<p>2. Article Number (Transfer from service label)</p> <p>7016 1370 0001 3309 9936</p>	<p>1 Restricted Delivery</p>
<p>PS Form 3811, July 2015 PSN 7530-02-000-9053</p> <p style="text-align: right;">Domestic Return Receipt</p>	



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 1  
5 Post Office Square  
Boston, Massachusetts 02109-3912

OFFICE OF  
ENVIRONMENTAL STEWARDSHIP

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

**MAR 16 2018**

Mr. Eder Rapalo dba  
Premier Flipping, LLC  
8 Sullivan Avenue  
Enfield, Connecticut 06082

Re: Notice of Investigation Results – Federal Lead-based Paint Requirements,  
Opportunity for Expedited Settlement within 30 Days  
Docket No. TSCA-01-2018-0017

Dear Mr. Rapalo:

The U.S. Environmental Protection Agency (EPA) has authority under Section 16 of the Toxic Substances Control Act (TSCA) to pursue civil penalties for violations of TSCA Section 402 Residential Property Renovation Requirements regulations found at 40 C.F.R. Part 745, Subparts E and L. The Residential Property Renovation Requirements include the Renovation, Repair and Painting (RRP) Rule, 40 C.F.R. Part 745, Subpart E, that governs renovation, repair and painting activities in pre-1978 housing and child-occupied facilities.

Enclosed is an Expedited Settlement Agreement (ESA) that addresses a single RRP Rule violation identified through a review of information available concerning your company, Premier Flipping, LLC. As explained in more detail in the enclosed documents, our preliminary calculations indicate that an appropriate penalty to resolve this violation is **\$200**.

By way of background, on May 16, 2017, EPA conducted an announced inspection with you and your company, Premier Flipping, LLC, at 32-34 Lilac Street, in East Hartford, Connecticut to determine compliance with the RRP Rule, as required in 40 C.F.R. Part 745, Subpart E. During the inspection, the EPA inspector discussed the requirements of the RRP Rule, with you and advised that if you and your company intended to work on pre-1978 residences and/or child occupied facilities, then you would have to obtain EPA certification for your firm and assign a certified renovator to all jobs subject to the RRP Rule. At the time of the inspection, we suggested that you submit your application to EPA for firm certification. Since the inspection, you have become an RRP certified renovator and a certified RRP firm.

EPA's review indicates that your firm failed to comply with the following requirement of the RRP Rule:

- Certification requirements by failing to obtain initial RRP firm certification as required by 40 C.F.R. § 745.89(a), pursuant to 40 C.F.R. § 745.81(a)(2)(ii).

EPA is committed to the fair and rapid settlement of this matter. Section 16 of TSCA and the federal Civil Monetary Inflation Adjustment Rule authorize EPA to pursue civil penalties of up to \$38,892 per day for each violation of TSCA. However, EPA Region 1 is hereby offering to quickly resolve the alleged violation through an expedited settlement process. Please be advised, that the enclosed ESA contains a reduced, non-negotiable penalty amount which is lower than the amount that would be calculated under EPA's *Consolidated Enforcement Response and Penalty Policy for the Pre-Renovation Education Rule; Renovation, Repair and Painting Rule; and Lead-Based Paint Activities Rule*.

To take advantage of the expedited settlement process, you must comply with the following three conditions within thirty (30) calendar days of your receipt of this letter:

1. Correct the violation. Please submit to Diane Boudrot at the address below, a copy of a firm certification showing that your firm is EPA certified to perform renovations on properties built before 1978.
2. Complete and return to EPA the enclosed Expedited Settlement Agreement (ESA) to Diane Boudrot at the address below. Please note that in signing the ESA, you are certifying under penalty of law that you: (a) have corrected the violation; (b) *have submitted true and accurate documentation of compliance*; and (c) will provide a deposit to pay the assessed penalty (below). Failure to meet these conditions means you may be liable for the original violations, as well as liable for making a false representation to the U.S. Government. Also, by signing the ESA, you agree to waive your opportunity for a hearing or appeal concerning your violation.
3. Provide a deposit for payment of the assessed penalty of \$200 in accordance with the following directions (the deposit is the same as the penalty amount):
  - a. Submit the payment as follows:
    - Send a cashier's or certified check or money order with a notation for TSCA-01-2018-0017 payable to the order of the "Treasurer, United States of America" to the following address:

U.S. Environmental Protection Agency  
Fines and Penalties  
Docket No. TSCA-01-2018-0017  
Cincinnati Finance Center  
P.O. Box 979077  
St. Louis, MO 63197-9000

b. To ensure proper credit, include all of the following information with your deposit:

- The docket number shown on the enclosed Agreement. (For checks and money orders write the docket number on the deposit instrument.);
- Respondent name and address (as it appears on the Agreement documents);
- Respondent contact person's name and telephone number(s);
- The EPA contact person's name and telephone number (listed below); and
- Reason for the deposit.

**The signed original ESA along with a copy of the cashier's or certified check or money order and a copy of your EPA firm certification must be sent by U.S. mail or overnight common carrier to:**

Diane Boudrot, Paralegal Specialist  
Office of Environmental Stewardship  
U.S. Environmental Protection Agency  
5 Post Office Square, OES 4-04  
Boston, Massachusetts 02109-3912

Respondent shall also submit a copy of the check to:

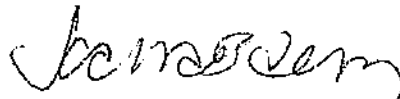
EPA Regional Hearing Clerk  
U.S. EPA - Region 1 (New England)  
5 Post Office Square, Suite 100 (ORC 04-6)  
Boston, MA 02109-3912

After the Regional Judicial Officer signs the original ESA, and it is filed with the Regional Hearing Clerk, EPA will send Premier Flipping, LLC a fully executed copy.

If you do not follow the procedures outlined in this letter for expedited settlement (e.g., correct the violation, pay the assessed penalty deposit, and sign and return the ESA) within 30 days of your receipt of this letter, then this settlement offer will be automatically withdrawn, without prejudice to EPA's ability to file an enforcement action for the cited violation and to seek up to the maximum penalty per day for each violation.

If you have any questions or wish to discuss the general circumstances of your case, then please contact the Compliance Officer assigned to your case, Molly Magoon, at (617) 918-1848, and/or [magoon.molly@epa.gov](mailto:magoon.molly@epa.gov).

Sincerely,



Joanna Jerison  
Legal Enforcement Manager  
Office of Environmental Stewardship  
U.S. EPA, Region 1

Enclosures:

1. Expedited Settlement Agreement
2. Lead-Based Paint Expedited Settlement Agreement Proposed Penalty Calculation
3. Small Business Resources Information Sheet

cc: Mark Sevetz, City of East Hartford  
Krista Veneziano, CT DPH  
Molly Magoon, EPA



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region 1

5 Post Office Square, Suite 100  
Boston, Massachusetts 02109-3912

**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-01-2018-0017**

The U.S. Environmental Protection Agency ("EPA") finds that Respondent Mr. Eder Rapalo dba, Premier Flipping LLC, 8 Sullivan Avenue, Enfield, Connecticut 06082, ("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 32-34 Lilac Street, East Hartford, Connecticut.

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

- 1) Certification requirements by failing to obtain initial RRP firm certification as required by 40 C.F.R. § 745.89(a) pursuant to 40 C.F.R. § 745.81(a)(2)(ii).

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 \$38,892 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 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 violation 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 **\$200**. 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 Premier Flipping, LLC, Docket No. TSCA-01-2018-0017"), in the amount of **\$200**, 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. EPA - Region 1 (New England)  
5 Post Office Square, Suite 100 (ORC 04-6)  
Boston, MA 02109-3912

and to:

Diane Boudrot, Paralegal Specialist  
U.S. EPA - Region 1 (New England)  
5 Post Office Square, Suite 100 (OES 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, 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 **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 Premier Flipping:

Name (print): \_\_\_\_\_

Title (print): \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

APPROVED BY EPA:

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

IT IS SO ORDERED:

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