

**United States Environmental Protection Agency  
Region 1 - New England**

**MEMORANDUM**

**DATE:** April 16, 2010

**RE:** Consent Agreement and Final Order: TSCA Administrative Action against: Peter Fondini, Joanne Fondini et. al. Docket No.: TSCA-01-2008-0113

**FROM:** Peter DeCambre, Senior Enforcement Counsel  
Ronnie Levin, Compliance Inspector

**TO:** Jill Metcalf, Acting Regional Judicial Officer

Attached for your signature is a Consent Agreement and Final Order (“CAFO”) that will resolve an administrative penalty action brought by the Region against Peter Fondini, Joanne Fondini, Clover Leaf Realty, Inc., Fast Track Realty, LLC, Four Plus, LLC, Main Street Realty Corporation, Stonewall Realty, Inc., Timothy P. Gorman, Stephen B. Matthews, Jr., John W. Matthews, and Amy Matthews (“Respondents”) for violations of Section 409 of the Toxic Substances Control Act and the Residential Lead-Based Paint Hazard Reduction Act (“the Act”), 42 U.S.C. § 4851 *et seq.*


On November 2008, the Region filed an administrative complaint against Respondents for violations of the Lead-Based Paint Disclosure Rule under TSCA. The Complaint sought \$183,620 in penalties. The proposed penalty was calculated in accordance with the *Section 1018 Disclosure Rule Enforcement Response Policy* (“ERP”). Pursuant to the CAFO, the Respondents will pay the following based on EPA’s determination of Respondents’ ability-to-pay:

- a. Peter Fondini, Joanne Fondini, Fast Track Realty, LLC, and Main Street Realty Corporation will pay a \$1,000 cash penalty;
- b. Timothy P. Gorman and Clover Leaf Realty, Inc. will pay a \$1,500 cash penalty;
- c. John W. Matthews and Amy Matthews will pay a \$1,000 cash penalty; and,
- d. Stephen B. Matthews, Jr., Four Plus, LLC and Main Street Realty Corporation will pay a \$4,000 cash penalty.

In the Matter Peter Fondini et. al.  
Docket No. TSCA-01-2008-0113

**ORDER**

The foregoing Consent Agreement is hereby approved and incorporated by reference into this Order. The Respondents are hereby ordered to comply with the terms of the above Consent Agreement, effective on the date it is filed with the Regional Hearing Clerk.

  
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Jill Metcalf  
Regional Judicial Officer  
U.S. EPA Region I

Date: April 21, 2010