



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

NOV 10 2009

REPLY TO THE ATTENTION OF:

LC-8J

CERTIFIED MAIL

Receipt No.7001 0320 0006 0190 8018

Mrs. Kathryn Y. Lewis-Campbell
1618 Shadeland Drive
Springfield, Ohio 45503

Re: Consent Agreement and Final Order, Docket No. TSCA-05-2009-0004

Dear Mrs. Lewis-Campbell:

Enclosed is a copy of an original fully executed Consent Agreement and Final Order in resolution of the above case. This document was filed on November 10, 2009, with the U.S. EPA, Region 5, Regional Hearing Clerk.

Thank you for your cooperation in resolving this matter.

Sincerely,

A handwritten signature in cursive script that reads "Scott Cooper".

Scott Cooper
Pesticides and Toxic Compliance Section

Enclosure

cc: Eric Volck, Cincinnati Finance/MWD (w/Encl.)

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

In the Matter of:)
)
Kathryn Y. Lewis-Campbell)
Springfield, Ohio)
Respondent.)
_____)

Docket No. TSCA-05-2009-0004
Proceeding to Assess a Civil Penalty
Under Section 16(a) of the Toxic Substances
Control Act, 15 U.S.C. § 2615(a)

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Consent Agreement and Final Order

Preliminary Statement

REGIONAL HEARING CLERK
USEPA
REGION 5

1. Complainant, the Director of the Land and Chemicals Division, United States Environmental Protection Agency (EPA), Region 5, brought this administrative action seeking a civil penalty under Section 16(a) of the Toxic Substances Control Act (TSCA), 15 U.S.C. § 2615(a).

2. On February 9, 2009, EPA filed the Complaint in this action against Respondent Kathryn Y. Lewis-Campbell. The Complaint alleges that Respondent violated Section 1018(b)(5) of the Residential Lead-Based Paint Hazard Reduction Act of 1992, 42 U.S.C. § 4852d(b)(5); Section 409 of TSCA, 15 U.S.C. § 2689; and 40 C.F.R. §§ 745.107(a)(1) and 745.113(a)(1) - (5), in a contract to sell target housing.

3. On March 18, 2009, Respondent filed an Answer denying the allegations and requested a hearing in this matter.

Stipulations

4. Respondent admits the jurisdictional allegations in the Complaint and neither admits nor denies the factual allegations in the Complaint.

5. Respondent waives any right to further contest the allegations in the Complaint and her right to appeal this Consent Agreement and Final Order (CAFO).

6. Respondent certifies that she is complying fully with the Residential Lead-Based Paint Hazard Reduction Act of 1992 and the regulations at 40 C.F.R. Part 745.

7. Respondent consents to the assessment of the civil penalty stated in this CAFO and to the terms of this CAFO.

8. The parties agree that settling this action without further litigation, upon the terms of this CAFO, is in the public interest.

Civil Penalties

9. In consideration of Respondent's inability to pay a penalty, EPA agrees to mitigate the proposed penalty of \$43,238 to \$0.

General Provisions

10. This CAFO resolves Respondent's liability for federal civil penalties for the violations alleged in the Complaint, which is the only matter addressed by this Complaint.

11. This CAFO does not affect the right of EPA or the United States to pursue appropriate injunctive or other equitable relief or criminal sanctions for any violation of law by the Respondent.

12. This CAFO does not affect Respondent's responsibility to comply with the Residential Lead-Based Paint Hazard Reduction Act of 1992 and other applicable federal, state, and local laws.

13. The terms of this CAFO bind Respondent, and her successors and assigns.

14. Each person signing this agreement certifies that he or she has the authority to sign for the party whom he or she represents and to bind that party to its terms.

15. Each party agrees to bear its own costs and attorney's fees in this action.

16. This CAFO constitutes and entire agreement between the parties.

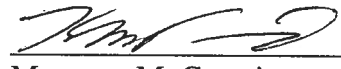
Kathryn Y. Lewis-Campbell, Respondent

10-21-09
Date


Kathryn Y. Lewis-Campbell

United States Environmental Protection Agency, Complainant

11-5-09
Date



Margaret M. Guerriero
Director
Land and Chemicals Division

In the Matter of:
Kathryn Y. Lewis-Campbell
Docket No. TSCA-05-2009-0004

Final Order

This Consent Agreement and Final Order, as agreed to by the parties, shall become effective immediately upon filing with the Regional Hearing Clerk. This Final Order concludes this proceeding pursuant to 40 C.F.R. §§ 22.18 and 22.31. IT IS SO ORDERED.

11-10-09
Date


Bharat Mathur
Acting Regional Administrator
United States Environmental Protection Agency
Region 5

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CERTIFICATE OF SERVICE

This is to certify that the original and one copy of this Complaint involving Kathryn Y. Lewis-Campbell, was filed on November 10, 2009, with the Regional Hearing Clerk (E-19J), U.S. EPA, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, and that a true correct copy was sent by Certified Mail, Receipt No. 7001 0320 0006 0190 8018, to:

Kathryn Y. Lewis-Campbell
1618 Shadeland Drive
Springfield, Ohio 45503

with intra-Agency copies to:

Marcy Toney, Regional Judicial Officer, ORC/C-14J
Robert Wagner, Counsel for Complainant/C-14J
Eric Volck, Cincinnati Finance/MWD

Frederick Brown

Frederick Brown, PTCS (LC-8J)
U.S. EPA, Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

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