

**TSCA SECTION 402(c) – RECORDKEEPING and REPORTING INSPECTION  
ACTION REPORT**

**Renovation Firm:** Green Build Design & Construction, LLC  
**EPA Application No.:** N/A  
**EPA Certification No.:** N/A

**Firm Address:** 11221 Olive Lane  
Anchorage, Alaska 99515

**Firm Phone #:** (907) 341-3366  
**Firm Email:** rad@greenbuild.us.com  
**Firm Contact:** Rodrigo Diaz

**Renovator Name:** N/A  
**EPA Certification No.:** N/A

**Announced Inspection** *No Show*  **Unannounced Inspection**

**Inspection Date:** October 12, 2017 **Start Time:** 11:00 a.m. **Stop Time:** No Show

**Latitude:** 61.119029 **Longitude:** -149.869897

**EPA Inspectors:** Rob Hamlet  
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[hamlet.rob@epa.gov](mailto:hamlet.rob@epa.gov)

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**Inspection Report Prepared By:** Rob Hamlet  
TSCA Inspector  
Office of Compliance and Enforcement  
EPA Region 10  
Seattle, Washington

  
\_\_\_\_\_  
Rob Hamlet

Date: 3/7/2018

  
\_\_\_\_\_  
Peer Reviewer

Date: 3/8/2018

  
\_\_\_\_\_  
QA Reviewer

Date: 3/8/18

## **TSCA SECTION 402(c) – RECORDKEEPING and REPORTING INSPECTION ACTION REPORT**

### **Introduction**

The U.S. Environmental Protection Agency (EPA) is conducting inspections of renovation firms to monitor compliance with the EPA-credentialed Lead Renovation, Repair, and Painting Rule (RRP Rule) promulgated under the Toxic Substances Control Act (TSCA) Section 402(c). As part of the Region 10 compliance inspection program, I attempted to inspect a renovation firm identified as Green Build Design & Construction, LLC (Green Build) located at 11221 Olive Lane, Anchorage, Alaska 99515, on October 12, 2017. The purpose of this inspection is to determine compliance with the Recordkeeping and Reporting Requirements required in 40 C.F.R. § 745 Subpart E. Region 10 located the renovation firm by reviewing publicly available building permits issued to firms for work on pre-1978 residences. As detailed below, I identified four (4) building permit issued to Green Build as the contractor for renovation work on pre-1978 residence. The scope of the inspection was to observe the Recordkeeping and Reporting Requirements before and after the RRP work performed by Green Build.

This report is a summary of observations and information gathered from Mr. Rodrigo Diaz and Green Build at the time of the inspection. The information provided does not constitute a final decision on compliance with TSCA regulations, nor is it meant to be a comprehensive summary of all activities conducted by Green Build.

### **Inspection Narrative**

#### **Firm Background**

Green Build received an Alaska Business License (10023648) with the Alaska Department of Commerce, Community and Economic Development on September 22, 2014, and is perpetual. Green Build also received an Alaska Business License (1010896) with the Alaska Department of Commerce, Community and Economic Development on September 29, 2014, and expires on December 31, 2017 (Attachment A).

<https://www.commerce.alaska.gov/CBP/Main/Search/BusinessDetail/1010896>

<https://www.commerce.alaska.gov/CBP/Main/Search/EntityDetail/10023648>

#### **Inspection History**

EPA's Office of Compliance and Enforcement has sent three (3) Notice of Inspection (NOI) request letters to Green Build since 2015 as follows:

1. December 9, 2015 at 1:00 p.m.
2. July 13, 2017 at 1:30 p.m.
3. October 12, 2017 at 11:00 a.m.

As of the date of this report Green Build has disregarded the three (3) NOI Letters to comply with the Recordkeeping and Reporting Requirements required in 40 CFR § 745 Subpart E.

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Green Build is not a firm certified by the EPA to provide renovation, repair and painting work for the RRP Rule in all EPA administered States, Tribes, and Territories.

### Pre-Inspections Chronology

#### #1. December 9, 2015:

During a research review in 2015, Inspector Fay identified two (2) building permits issued to Green Build by the City of Anchorage in September and December 2015.

**Building Permit R15-2672** was issued for a building renovation of a single-family dwelling at 1337 Inlet Place, Anchorage, Alaska 99501. This permit was issued in December 2015. The renovation had a value of \$50,000. The Municipality of Anchorage Parcel Inquiry shows the house was built in 1959 (Attachment B).

**Building Permit R15-2331** was issued for a building renovation of a single-family dwelling at 15701 Amberwood Circle, Anchorage, Alaska 99516. This permit was issued in September 2015. The renovation had a value of \$2.160. The Municipality of Anchorage Parcel Inquiry shows the house was built in 1960 (Attachment B).

The Municipality of Anchorage Parcel Inquiry for the year built data shown above were accessed at the following website, <http://www.muni.org/pw/gswweb>.

The RRP Rule applies to both of these projects.

On December 2, 2015, Inspector Fay sent two (2) emails to Mr. Diaz of Green Build to verify the inspection time and date of Wednesday 9, 2015. Once again Green build was a No-Show for the scheduled inspection. On January 19, 2016, Inspector Fay sent another email to Mr. Diaz requesting information if Mr. Diaz and Green build had obtained his Renovator Certificate and the companies EPA Certification (Attachment B). Once again with no response.

#### #2. July 13, 2017:

During a research review in June 2015, I identified one (1) building permit issued to Green Build by the City of Anchorage in June 2015.

**Building Permit R16-1416** was issued for a building renovation of a single-family dwelling at 2232 Culver Place, Anchorage, Alaska 99503. The permit was issued in June 2016. The renovation had a value of \$10,000. The Municipality of Anchorage Parcel Inquiry shows the house was built in 1956 (Attachment B).

The Municipality of Anchorage Parcel Inquiry for the year built data shown above were accessed at the following website, <http://www.muni.org/pw/gswweb>.

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The RRP Rule applies to this project.

On June 27, 2017, I sent a Notice of Inspection (NOI) letter, by certified mail (Attachment C), to Mr. Diaz to schedule a RRP Rule Recordkeeping and Reporting Inspection for July 13, 2017 at 1:30 p.m. at the Alaska Operations Office.

**#3. October 12, 2017:**

During my research for the October 2017 inspections, I identified one (1) building permit issued to Green Build by the City of Anchorage in September 2017.

**Building Permit R17-2291** was issued for a building renovation of a single-family dwelling at 1313 Zarvis Place, Anchorage, Alaska 99508. This permit was issued in September 2017. The renovation has a value of \$41,695. The Municipality of Anchorage Parcel Inquiry shows the house was built in 1965 (Attachment D).

The Municipality of Anchorage Parcel Inquiry for the year built data shown above were accessed at the following website, <http://www.muni.org/pw/gswweb>.

The RRP Rule applies to this project.

On September 25, 2017, I sent a Notice of Inspection (NOI) letter, by certified mail (Attachment E), to Mr. Diaz to schedule a RRP Rule Recordkeeping and Reporting Inspection for October 12, 2017. On October 3, 2017, I called Mr. Diaz of Green Build to verify that he received the NOI package and the inspection time and date. The package was received and it took some convincing to an agreement that Mr. Diaz would attend the inspection scheduled for Thursday, October 12, 2017 at 11:00 a.m. I told Mr. Diaz I would email him the inspection location and directions as backup information. On October 4, 2017, I sent an email to Mr. Diaz with a copy of the NOI and the location of the Anchorage EPA office and the inspection time (Attachment F).

**Arrival and Opening Conference**

EPA Inspector Sulcer and I arrived at EPA Alaska Operations office at approximately at 9:45 a.m. on Thursday, October 12, 2017, for a 11:00 a.m. scheduled recordkeeping inspection with Mr. Diaz and owner of Green Build Design & Construction, LLC. Mr. Diaz did not show for the scheduled inspection. A follow up phone call indicated he was to busy and could not make the meeting.

**Inspection Interview:**

Since Mr. Diaz was a no show for the inspection there was no interview.

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**Closing Conference:**

There was no closing conference.

**Recordkeeping and Reporting Findings:**

There were no findings available.

**Recordkeeping Concerns:**

There are several compliance concerns:

1. Green Build has been working on pre-1978 homes since 2015. At least four (4) building permits on homes older than 1978 from 2015 to 2017.
2. Green Build is not an EPA RRP Rule Certified Firm.
3. Mr. Diaz is not a Certified Renovator.
4. Mr. Diaz has failed to comply with the TSCA and RRP Rule regulations.

**Attachments**

- A. Alaska Business Licenses:
  1. Green Build Design and Construction, LLC (1010896)
  2. Green Build Design and Construction, LLC (10023648)
- B. Property Records and Associated E-mails
- C. Certified Notice of Inspection Letter sent June 27, 2017
- D. Property Records
- E. Certified Notice of Inspection Letter sent September 25, 2017
- F. Communication Record and E-mail, October 3-4, 2017

**Laws, Regulations, Authority:**

- 40 C.F.R. § 745.82 – RRP Rule Applicability & Exclusions
- 40 C.F.R. § 745.90 – Renovator Requirements
- 40 C.F.R. § 745.87 – Enforcement and Inspections
- 40 C.F.R. § 745.86 - Recordkeeping and Reporting requirements

**Section 3-Inspection Report/Case Review Documents**

**Green Build Design & Construction, LLC**

**Scheduled Inspection**

**October 12, 2017**

**Mr. Diaz of Green Build Design & Construction, LLC  
did not attend the 3 scheduled records inspection.**

**Action taken**

**Inspection Action**