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HEARINGS CLERK
EPA -- REGION 10

BEFORE THE
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10

In the Matter of:)	
)	DOCKET NO. TSCA-10-2021-0006
GREENBUILD DESIGN & CONSTRUCTION, LLC)	
)	COMPLAINT AND NOTICE OF OPPORTUNITY FOR HEARING
Anchorage, Alaska,)	
)	
Respondent.)	
)	
Proceeding pursuant to TSCA Section 16, 42 U.S.C. § 2615.)	

I. PRELIMINARY STATEMENT AND INTRODUCTION

1.1. This administrative Complaint and Notice of Opportunity for Hearing (“Complaint”) is issued under the authority vested in the Administrator of the United States Environmental Protection Agency (“EPA”) by Section 16 of the Toxic Substances Control Act (“TSCA”), 15 U.S.C. § 2615.

1.2. The Administrator has delegated the authority to issue administrative Complaints for violations of TSCA to the Regional Administrator for EPA Region 10 who in turn has delegated this authority to the Director of the Enforcement and Compliance Assurance Division, EPA Region 10 (“Complainant”).

1.3. GreenBuild Design & Construction, LLC (“Respondent”) is hereby notified that Complainant alleges that Respondent violated the provisions identified herein and seeks the assessment of a civil penalty pursuant to the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits (“Consolidated Rules of Practice”), 40 C.F.R. Part 22, a copy of which is enclosed with this Complaint. This Complaint also provides notice of Respondent’s opportunity to request a hearing.

II. STATUTORY AND REGULATORY BACKGROUND

2.1. Congress determined that low-level lead poisoning was widespread among American children and disproportionately affecting minority and low-income communities, causing intelligent quotient deficiencies, reading and learning disabilities, impaired hearing, reduced attention span, hyperactivity, and behavior problems. Congress further determined that the ingestion of household dust containing lead was the most common cause of lead poisoning in children. *See* PL 102-550, Oct 28, 1992, 106 Stat 3672, codified in 42 U.S.C. § 4851.

2.2. Therefore, Congress passed the Residential Lead-Based Paint Hazard Reduction Act of 1992 (the “Act”), 42 U.S.C. §§ 4851 to 4856, to address the need to control exposure to lead-based paint hazards. The Act amended TSCA by adding *Title IV – Lead Exposure Reduction*, Sections 401 to 412, 15 U.S.C. §§ 2681 to 2692.

2.3. TSCA Section 402, 15 U.S.C. § 2682, authorizes the Administrator of the EPA to promulgate final regulations governing lead-based paint activities to ensure that individuals engaged in such activities are properly trained; that training programs are accredited; and that contractors engaged in such activities are certified.

2.4. TSCA Section 409, 15 U.S.C. § 2689, makes it unlawful for any person to fail or refuse to comply with any rule or order issued under *TSCA subchapter IV—Lead Exposure Reduction*.

2.5. In 1998, EPA promulgated regulations at 40 C.F.R. Part 745, Subpart E, *Residential Property Renovation*. *See* Lead; Requirements for Hazard Education Before Renovation of Target Housing, 63 Fed. Reg. 29908, 29919 (June 1, 1998). Then in 2008, EPA amended and re-codified the regulations at 40 C.F.R. Part 745, Subparts E (“Renovation, Repair, and Painting Rule” or the “RRP Rule”). *See* Lead; Renovation, Repair, and Painting Program, 73 Fed. Reg. 21692, 21758 (Mar. 31, 2008).

2.6. 40 C.F.R. § 745.87(a) provides that failure or refusal to comply with any provision of the RRP Rule is a violation of TSCA Section 409, 15 U.S.C. § 2689.

2.7. 40 C.F.R. Part 745, Subpart E applies to all renovations performed for compensation in target housing and child-occupied facilities unless the renovation qualifies for one of the exceptions identified in 40 C.F.R. § 745.82(a).

2.8. TSCA Section 401(17), 15 U.S.C. § 2681(17), defines “target housing” as any housing constructed prior to 1978, except housing for the elderly or persons with disabilities or any 0-bedroom dwelling (unless any child who is less than 6 years of age resides or is expected to reside in such housing).

2.9. 40 C.F.R. § 745.83 defines “person” as any natural or judicial person including any individual, corporation, partnership, or association.

2.10. 40 C.F.R. § 745.83 defines “firm” as including a company, partnership, corporation, sole proprietorship or individual doing business, association, or other business entity.

2.11. 40 C.F.R. § 745.83 defines “renovator” as an individual who either performs or directs workers who perform renovations. A certified renovator is a renovator who has successfully completed a renovator course accredited by EPA or an EPA-authorized State or Tribal program.

2.12. 40 C.F.R. § 745.83 defines “renovation” as the modification of any existing structure, or portion thereof, that results in the disturbance of painted surfaces, unless that activity is performed as part of an abatement as defined by this part. The term renovation includes (but is not limited to): The removal, modification or repair of painted surfaces or painted components (e.g., modification of painted doors, surface restoration, window repair, surface preparation activity (such as sanding, scraping, or other such activities that may generate paint dust)); the removal of building components (e.g., walls, ceilings, plumbing, windows); weatherization projects (e.g., cutting holes in painted surfaces to install blown-in insulation or to gain access to attics, planing thresholds to install weather-stripping), and

interim controls that disturb painted surfaces. A renovation performed for the purpose of converting a building, or part of a building, into target housing or a child-occupied facility is a renovation under this subpart. The term renovation does not include minor repair and maintenance activities.

2.13. 40 C.F.R. § 745.83 defines “minor repair and maintenance activities” as activities, including minor heating, ventilation or air conditioning work, electrical work, and plumbing, that disrupt 6 square feet or less of painted surface per room for interior activities or 20 square feet or less of painted surface for exterior activities where none of the work practices prohibited or restricted by §745.85(a)(3) are used and where the work does not involve window replacement or demolition of painted surface areas. When removing painted components, or portions of painted components, the entire surface area removed is the amount of painted surface disturbed. Jobs, other than emergency renovations, performed in the same room within the same 30 days must be considered the same job for the purpose of determining whether the job is a minor repair and maintenance activity.

III. GENERAL ALLEGATIONS

3.1. Respondent is presently, and at the time of the actions described herein was, a limited liability company incorporated in the State of Alaska.

3.2. Respondent was therefore at all times referred to herein both a “person” and a “firm” as those terms are defined in 40 C.F.R. § 745.83.

3.3. On or about June 13, 2018, Respondent obtained Building Permit R18-1823 for work to be completed on the residential property located at 2208 Turnagain Parkway, Anchorage, Alaska 99517 (“the Turnagain Property”).

3.4. The Turnagain Property is a 1,584-square-foot residence built in 1953 with three bedrooms.

3.5. The Turnagain Property is therefore “target housing” as that term is defined in TSCA Section 401(17), 15 U.S.C. § 2681(17).

3.6. Building Permit R18-1823 indicated that the scope of work Respondent would perform at the Turnagain Property was “interior remodel: drywall, electrical, plumbing, and repair 800 square feet of 3/12 roof ice/water shield, felt, shingles.”

3.7. On or about July 16, 2018, Respondent invoiced the owners of the Turnagain Property \$128,580 for the following activities that Respondent would be performing:

Complete house remodeling

Demo all interior and open walls removing wood panels, drywall, insulation, electrical & plumbing; Framing new walls; All new electrical from new service meter, breaker panel and all new interior wiring; Install all outlets and switches, all lamps; Plumbing the entire house using Pex pipes, shower valves, supplies valves for bathrooms, laundry room and kitchen area; Boiler with baseboards for entire house; Trim all bathrooms and kitchen; Extra insulation for attic area and insulation for walls, seal all exterior walls and ceiling with 6mm vapor barrier; Drywall, taping for all interior and finishing with orange peel texture; Doors and windows package plus installation; Paint all interior and exterior; Paint all trims and doors; Tile for tub surround bathrooms and kitchen backsplash; Install all doors trim and wallbases. (Labor & materials); Install LVP flooring for main areas and carpet for bedrooms. (Labor & materials); All lamps and installation; New hand cable railing; Fixing front wall with new style siding like shaker cedar shingles; Complete new asphalt shingles roof with ridge vent for proper ventilation; New insulate garage door and opener; Refinish garage concrete floor with epoxy coating; Build new front porch entryway; Municipality permit and all inspection for complete this project.

Structural beam

Structural glue lam beam 20’x16”x5 1/8 for living room area; Structural glue lam beam 12’x12”x5 1/8” for master bedroom; Install beams and hang bottom trusses with hangers; Build extra posts for support beams and straps it down to secure

Electrical work

Install new circuit for porch lighting; 4 LED recess light.

3.8. The scope of work described in Building Permit R18-1823, and the work for which Respondent invoiced the owners of the Turnagain Property, disrupted more than 6 square feet of painted surface per room for interior activities or 20 square feet of painted surface for exterior activities and therefore was not “minor repair and maintenance activities” within the meaning of 40 C.F.R. § 745.83.

3.9. None of the exceptions in 40 C.F.R. § 745.82(a) apply to Respondent's renovations at the Turnagain Property.

3.10. Therefore, according to 40 C.F.R. § 745.82(a), 40 C.F.R. Part 745 Subpart E—the RRP Rule—applies to Respondent's renovation at the Turnagain Property.

3.11. On July 25, 2018, EPA inspectors performed an unannounced inspection of the Turnagain Property pursuant to their authority under Section 11 of TSCA, 15 U.S.C. § 2610.

3.12. The EPA inspectors who performed the July 25, 2018 inspection were federally credentialed and presented their federal credentials and a copy of the Notice of Inspection to Respondent at the start of the inspection.

3.13. During the July 25, 2018 inspection, Respondent was at the Turnagain Property performing, and overseeing workers who were performing, renovations including pressure washing the exterior of the home.

3.14. Therefore, at all times relevant to the actions described herein, Respondent was a "renovator," as that term is defined in 40 C.F.R. § 745.83.

3.15. In the year prior to the July 25, 2018 inspection, EPA inspectors wrote to Respondent and had a conversation with Respondent's co-owner, Mr. Rodrigo von Mareés, in which EPA explained Respondent's responsibilities under TSCA.

- a. EPA sent Respondent Notices of Inspection, which summarized the RRP Rule requirements, on June 27, 2017 and September 25, 2017.
- b. On October 3, 2017, EPA had a telephone conversation with Mr. von Mareés about the RRP Rule requirements, during which EPA advised Respondent to attend an in-person inspection on October 12, 2017.
- c. EPA attempted to conduct an in-person RRP Rule inspection with Respondent on October 12, 2017, but Respondent did not show up for the inspection.

- d. EPA sent a letter to Respondent on April 25, 2018, explaining the RRP Rule requirements in detail.

IV. VIOLATIONS

Count 1: Failure to Obtain EPA Firm Certification

4.1. Complainant realleges and incorporates by reference all preceding allegations as though fully set forth herein.

4.2. 40 C.F.R. § 745.81(a)(2)(ii) provides that on or after April 22, 2010, no firm may perform, offer, or claim to perform renovations in target housing or child-occupied facilities without certification from EPA under 40 C.F.R. § 745.89.

4.3. Respondent offered to perform renovation activities at the Turnagain Property as evidenced by obtaining a building permit on that property and invoicing the property owners for such renovation activities.

4.4. Respondent was actively performing renovation activities at the Turnagain Property when EPA inspectors inspected the property on July 25, 2018.

4.5. Respondent did not obtain EPA certification under 40 C.F.R. § 745.89(a) before offering to perform or before performing a renovation at the Turnagain Property.

4.6. Therefore, Respondent offered to perform, and performed, renovations in target housing without EPA certification under 40 C.F.R. § 745.89(a), in violation of 40 C.F.R. §§ 745.81(a)(2)(ii).

Count 2: Failure to Ensure Employees were Certified Renovators or Trained by Certified Renovators

4.7. Complainant realleges and incorporates by reference all preceding allegations as though fully set forth herein.

4.8. 40 C.F.R. § 745.81(a)(3) provides that on or after April 22, 2010, all renovations must be directed by renovators certified in accordance with 40 C.F.R. § 745.90(a) and performed by certified

renovators or individuals trained in accordance with 40 C.F.R. § 745.90(b)(2) in target housing or child-occupied facilities.

4.9. 40 C.F.R. § 745.85(a) provides that renovations must be performed by certified firms using certified renovators as directed in 40 C.F.R. § 745.89.

4.10. 40 C.F.R. § 745.89(d)(1) provides that firms performing renovations must ensure that all individuals performing renovation activities on behalf of the firm are either certified renovators or have been trained by a certified renovator in accordance with 40 C.F.R. § 745.90.

4.11. 40 C.F.R. § 745.89(d)(2) provides that firms performing renovations must ensure that a certified renovator is assigned to each renovation performed by the firm and discharges all the certified renovator responsibilities.

4.12. During the July 25, 2018 inspection, Respondent was performing renovation activities on the Turnagain Property.

4.13. During the July 25, 2018 inspection, EPA inspectors asked Mr. von Mareés if he or any of his employees who were working on the Turnagain Property renovation were certified renovators.

4.14. Mr. von Mareés responded that he was not a certified renovator.

4.15. During the July 25, 2018 inspection, EPA inspectors asked Mr. von Mareés whether he was able to provide documentation showing that his workers received training in work practice standards by a certified renovator.

4.16. Mr. von Mareés responded that he was unable to provide documentation showing that Respondent's workers had received training by a certified renovator.

4.17. Therefore, Respondent failed to ensure that its renovation of the Turnagain Property was directed by certified renovators and performed by certified renovators or appropriately trained individuals, in violation of 40 C.F.R. § 745.81(a)(3).

4.18. Respondent failed to ensure that all individuals performing renovation activities on behalf of the firm were either certified renovators or have been trained by a certified renovator in accordance with 40 C.F.R. § 745.90, in violation of 40 C.F.R. § 745.89(d)(1).

4.19. Respondent also failed to ensure that a certified renovator is assigned to each renovation performed by the firm and discharges all the certified renovator responsibilities, in violation of 40 C.F.R. § 745.89(d)(2).

Count 3: Failure to Post Warning Signs

4.20. Complainant realleges and incorporates by reference all preceding allegations as though fully set forth herein.

4.21. 40 C.F.R. § 745.89(d)(3) provides that firms performing renovations must ensure that all renovations performed by the firm are performed in accordance with the work practice standards in 40 C.F.R. § 745.85.

4.22. 40 C.F.R. § 745.85(a)(1) provides that firms must post signs clearly defining the work area and warning occupants and other persons not involved in renovation activities to remain outside of the work area. These signs must be posted before beginning the renovation and must remain in place and readable until the renovation and the post-renovation cleaning verification have been completed.

4.23. During the July 25, 2018 inspection, there were no posted signs defining the work area or warning persons to remain outside of the work area.

4.24. Therefore, Respondent failed to post warning signs, in violation of 40 C.F.R. § 745.85(a)(1) and failed to ensure that the renovation was performed in accordance with work practice standards, as required by 40 C.F.R. § 745.89(d)(3).

Count 4: Failure to Cover the Ground with Impermeable Material

4.25. Complainant realleges and incorporates by reference all preceding allegations as though fully set forth herein.

4.26. 40 C.F.R. § 745.89(d)(3) provides that Firms performing renovations must ensure that all renovations performed by the firm are performed in accordance with the work practice standards in 40 C.F.R. § 745.85.

4.27. 40 C.F.R. § 745.85(a)(2) provides that before beginning the renovation, the firm must isolate the work area so that no dust or debris leaves the work area while the renovation is being performed. In addition, the firm must maintain the integrity of the containment by ensuring that any plastic or other impermeable materials are not torn or displaced, and taking any other steps necessary to ensure that no dust or debris leaves the work area while the renovation is being performed.

4.28. 40 C.F.R. § 745.85(a)(2)(ii)(C) provides that, when performing exterior renovations, the firm must cover the ground with plastic sheeting or other disposable impermeable material extending 10 feet beyond the perimeter of surfaces undergoing renovation or a sufficient distance to collect falling paint debris, whichever is greater, unless the property line prevents 10 feet of such ground covering.

4.29. During the July 25, 2018 inspection, Respondent was pressure washing the exterior of the Turnagain Property.

4.30. During the July 25, 2018 inspection, there was no plastic sheeting or other disposable impermeable material covering the ground where Respondent was pressure washing the exterior of the Turnagain Property.

4.31. During the July 25, 2018 inspection, there was no containment area that isolated the work area so that no dust or debris would be able to leave the work area while the renovation was being performed.

4.32. Therefore, Respondent failed to isolate the work area and cover the ground with impermeable material while the renovation was being performed, in violation of 40 C.F.R. §§ 745.85(a)(2) and 745.85(a)(2)(ii)(C), and failed to ensure that the renovation was performed in accordance with work practice standards, as required by 40 C.F.R. § 745.89(d)(3).

V. PROPOSED PENALTY

5.1. Section 16(a) of TSCA, 15 U.S.C. § 2615(a), provides that any person who violates Section 409 of TSCA, 15 U.S.C. § 2689, shall be liable to the United States for a civil penalty in an amount not to exceed \$37,500 for each such violation. This amount has been adjusted under the *Federal Civil Penalties Inflation Act of 1990*, as amended, and 40 C.F.R. Part 19, to \$40,576 per violation for each violation that occurred after November 2, 2015, where penalties are assessed on or after January 13, 2020.

5.2. In determining the appropriate penalty to be assessed, Complainant took into account the factors specified in Section 16(a) of TSCA, 15 U.S.C. § 2615(a). With respect to Counts one, two, and four, Complainant took into account 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*, a copy of which is enclosed with this Complaint. With respect to Count three, Complainant took into account *Section 1018 — Disclosure Rule Enforcement Response and Penalty Policy*, a copy of which is enclosed with this Complaint.

5.3. Based on an evaluation of the particular facts and circumstances of this case and after considering the nature, circumstances, extent, and gravity of the violations, and with respect to the Respondent, its ability to pay, effect on ability to continue to do business, any history of prior such violations, the degree of culpability, and such other matters as justice may require, Complainant proposes that a civil penalty of \$25,609 be assessed against Respondent as follows:

Violation	Circ. Level	Extent (Major, Significant, Minor)	40 C.F.R. Part 745 Violation	Penalty Amount
Count 1	3a	Minor	§ 745.81(a)(2)(ii)	\$4,500
Count 2	3a	Minor	§ 745.89(d)(1)	\$4,500
Count 4	2a	Minor	§ 745.85(a)(2)(ii)(C)	\$6,000
Gravity-Based Penalty for Violations 1, 2, and 4				\$15,000
Inflation Adjustment (Gravity-Based Penalty x 1.08203)				\$16,230

Count 3	1b	Minor	§ 745.85(a)(1)	\$2,580
Gravity-Based Penalty for Violation 3				\$2,580
Inflation Adjustment (Gravity-Based Penalty x 1.64990)				\$4,257
Total inflation-adjusted Gravity-Based Penalty for all violations				\$20,487
Culpability Factor (25% of the inflation Gravity-Based Penalty)				\$5,122
TOTAL				\$25,609

5.4. **Ability to Pay:** Complainant has reviewed publicly available information on Respondent's financial condition, and has no information indicating that Respondent is unable to pay the proposed penalty. Complainant will consider any additional information submitted by Respondent related to its ability to pay the proposed penalty.

VI. OPPORTUNITY TO REQUEST A HEARING AND FILE ANSWER

6.1. As provided in Section 16(a) of TSCA, 15 U.S.C. § 2615(a), Respondent has the right to request a hearing on any material fact stated in this Complaint or the appropriateness of the penalty proposed. Any such hearing would be conducted in accordance with the Consolidated Rules of Practice. A request for a hearing must be incorporated in a written Answer filed with the Regional Hearing Clerk within 30 days of receipt of this Complaint.

6.2. In accordance with 40 C.F.R. § 22.15, Respondent's Answer, which must be filed within 30 days of receipt of this Complaint, shall clearly and directly admit, deny, or explain each of the factual allegations contained in the Complaint with regard to which Respondent has any knowledge and shall state: (1) the circumstances or arguments alleged to constitute the grounds of any defense; (2) the facts which Respondent disputes; (3) the basis for opposing any proposed relief; and (4) whether a hearing is requested. Where Respondent has no knowledge as to a particular factual allegation and so states, the allegation is deemed denied.

6.3. Any failure of Respondent to admit, deny, or explain any material factual allegation contained in the Complaint will constitute an admission of that allegation.

6.4. An original and one copy of Respondent's Answer, including any request for hearing, must be sent to the Regional Hearing Clerk using one of the following methods:

Electronically:
Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 10
R10_RHC@epa.gov

By mail:
Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 10
1200 Sixth Avenue
Suite 155, Mail Stop: 11-C07
Seattle, Washington 98101
(206) 553-1632

The attached June 3, 2020 Standing Order from U.S. Environmental Protection Agency, Region 10 authorizes electronic service of certain Part 22 documents, including the Respondent's Answer to this Complaint.

6.5. A copy of Respondent's Answer, including any request for hearing, must also be sent:

Electronically:
Andrew Futerman, Assistant Regional Counsel
U.S. Environmental Protection Agency, Region 10
Futerman.Andrew@epa.gov

By mail:
Andrew Futerman, Assistant Regional Counsel
U.S. Environmental Protection Agency, Region 10
1200 Sixth Avenue
Suite 155, Mail Stop: 11-C07
Seattle, Washington 98101
(206) 553-6709

VII. FAILURE TO FILE AN ANSWER

7.1. If Respondent fails to file a timely Answer to this Complaint, Respondent may be found to be in default, pursuant to 40 C.F.R. § 22.17, which constitutes an admission of all the facts alleged in the Complaint and a waiver of the right to a hearing.

7.2. Pursuant to 40 C.F.R. § 22.17(d), the penalty assessed in any default order shall become due and payable by Respondent without further proceedings thirty (30) days after the default order becomes final.

7.3. To avoid a default order being entered pursuant to 40 C.F.R. § 22.17, Respondent must file a written Answer to this Complaint with the Regional Hearing Clerk within 30 days after service of this Complaint.

VIII. INFORMAL SETTLEMENT CONFERENCE

8.1 Whether or not Respondent requests a hearing, Respondent may request an informal settlement conference to discuss the facts of this case, the proposed penalty, and the possibility of settling this matter. To request such a settlement conference, Respondent should contact:

Andrew Futerman, Assistant Regional Counsel
U.S. Environmental Protection Agency, Region 10
(206) 553-6709
Futerman.Andrew@epa.gov

8.2 Note that a request for an informal settlement conference does not extend the 30-day period for filing a written Answer to this Complaint, nor does it waive Respondent's right to request a hearing.

8.3 Respondent is advised that pursuant to 40 C.F.R. § 22.8, after the Complaint is issued, the Consolidated Rules of Practice prohibit any *ex parte* (unilateral) discussion of the merits of these or any other factually related proceedings with the EPA Administrator, the Environmental Appeals Board or its members, the Regional Administrator, the Regional Judicial Officer, the Presiding Officer, or any other person who is likely to advise these officials in the decision on this case.

IX. RESERVATIONS

9.1. Neither assessment nor payment of an administrative civil penalty pursuant to this Complaint shall affect Respondent's continuing obligation to comply with TSCA and all other environmental statutes and regulations promulgated thereunder.

FOR COMPLAINANT, U.S. ENVIRONMENTAL PROTECTION AGENCY:

**LAURIS
DAVIES**

Digitally signed by
LAURIS DAVIES
Date: 2020.11.25
10:35:28 -08'00'

Dated: _____

EDWARD J. KOWALSKI, Director
Enforcement and Compliance Assurance Division
EPA Region 10

PARTY DESIGNATED TO RECEIVE SERVICE ON BEHALF OF THE COMPLAINANT:

Andrew Futerman, Assistant Regional Counsel
U.S. Environmental Protection Agency, Region 10
1200 Sixth Avenue, Suite 155, Mail Stop: 11-C07
Seattle, Washington 98101
(206) 553-6709
Futerman.Andrew@epa.gov

**BEFORE THE
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

In the Matter of:)	
)	DOCKET NO. TSCA-10-2021-0006
GREENBUILD DESIGN & CONSTRUCTION, LLC)	
)	
Anchorage, Alaska,)	CERTIFICATE OF SERVICE
)	
Respondent.)	
)	
Proceeding pursuant to TSCA Section 16, <u>42 U.S.C. § 2615</u>)	

I hereby certify that the original of the Complaint and Notice of Opportunity for Hearing, Docket Number TSCA-10-2021-0006, and one true and correct copy were delivered today to:

Teresa Young, Regional Hearing Clerk,
U.S. Environmental Protection Agency, Region 10
1200 Sixth Avenue, Suite 155,
Mail Stop 11-C07,
Seattle, Washington 98101
R10_RHC@epa.gov

I also certify that true and correct copies of the Complaint with accompanying copies of the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits, the *Consolidated Enforcement Response and Penalty Policy for the Pre-Renovation Education Rule; Renovation, Repair, and Painting Rule; and Lead-Based Paint Activities Rule*, the *Section 1018 — Disclosure Rule Enforcement Response and Penalty Policy* and the Standing Order Authorizing Electronic Service of Certain Part 22 Documents from U.S. Environmental Protection Agency, Region 10 were delivered today to:

Attorneys Process Server, Inc.
645 G Street, Suite 100, #585
Anchorage, Alaska, 99501
apsstatewide@gmail.com

for in-person service to:

Mr. Rodrigo von Mareés
GreenBuild Design & Construction, LLC
11221 Olive Lane
Anchorage, Alaska 99515

DATED this ____ day of ____ 2020.

**ANDREW
FUTERMAN**

Digitally signed by
ANDREW FUTERMAN
Date: 2020.12.02
11:08:45 -08'00'

ANDREW FUTERMAN, Assistant Regional
Counsel
U.S. Environmental Protection Agency
Region 10