UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION VII
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

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ENVIRONMENTAL PROTECTION
AGENCY-REGION VII
REGIONAL HEARING CLERK

BEFORE THE ADMINISTRATOR

IN THE MATTER OF	)	
	)	
Sasnak Managment Corporation d/b/a Parke East Town Houses	))	Docket No. TSCA-7-2003-0009
	)	CONSENT AGREEMENT
Respondent	)	AND FINAL ORDER

PRELIMINARY STATEMENT

This proceeding for the assessment of civil penalties was initiated pursuant to § 16(a) of the Toxic Substances Control Act (hereinafter TSCA), 15 U.S.C. § 2615, as amended. The Complainant in this proceeding issued a Complaint and Notice of Opportunity for Hearing to Respondent, charging violation of Section 409 of TSCA, 15 U.S.C. § 2689 and the regulations at 40 C.F.R. Part 745, Subpart F, governing disclosure of lead-based paint at residences.

CONSENT AGREEMENT

1. For purposes of this proceeding, Respondent does, by this Consent Agreement, admit the jurisdictional allegations of the Complaint and neither admits nor denies the factual allegations set forth in this Complaint, including Count I of the Complaint.

2. Respondent hereby explicitly waives its right to contest the factual allegations and to appeal the Final Order accompanying this Consent Agreement.

3. For purposes of this proceeding only, Respondent consents to the issuance of the Order set forth below and consents to the payment of a civil penalty in the amount of Seven Thousand Seven Hundred Dollars ($7,700) as set forth below.

4. No portion of any civil penalty, interest or penalties paid by Respondent pursuant to the requirements of this Consent Agreement and Final Order may be claimed by Respondent as deductions for federal, state, or local income tax purposes.

5. Failure to timely pay the civil penalty assessed may result in commencement of a civil action in Federal District Court to recover the full amount due, along with interest at the rate of 6% per annum.

6. Nothing contained in this Order shall alter or otherwise affect Respondent's obligation to comply with all applicable federal, state and local environmental statutes and regulations and applicable permits.

7. Each signatory to this Consent Agreement certifies he or she is fully authorized to enter into the terms of this Consent Agreement and Final Order.

FINAL ORDER

1. Respondent shall pay a civil penalty of Seven Thousand Seven Hundred Dollars ($7,700) within thirty (30) days of the effective date of this Consent Agreement and Final Order.

2. Payment shall be by cashier's or certified check, made payable to the United States Treasury, shall bear the docket number for this matter, and shall be mailed to:

EPA - Region VII
Regional Hearing Clerk
P.O. Box 360748M
Pittsburgh, Pennsylvania 15251

3. Each party shall bear its own costs and attorneys' fees in connection with this action.

COMPLAINANT:

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

By: Henry F. Rompage
Henry F. Rompage
Attorney
Office of Regional Counsel
EPA, Region VII

Date: 12-30-02

RESPONDENT:
Sasnak Management Certification
d/b/a Parke East Town Houses

SASNAK MANAGEMENT INC CORP
Donald E. Johnson
President

Date: DEC. 23, 2002

IT IS SO ORDERED. This Order shall become effective immediately.

Robert L. Patrick
Regional Judicial Officer
U.S. Environmental Protection
Agency--Region VII

Date: January 2, 2002

IN THE MATTER OF Sasnak Management Corporation d/b/a Parke East Town Houses, Respondent
Docket No. TSCA-07-2003-0009

CERTIFICATE OF SERVICE

I certify that the foregoing Consent Agreement and Final Order was sent this day in the following manner to the addressees:

Copy hand delivered to
Attorney for Complainant:

Henry F. Rompage
Senior Assistant Regional Counsel
Region VII
United States Environmental Protection Agency
901 N. 5th Street
Kansas City, Kansas 66101

Copy by First Class Mail Return Receipt:

Darrell Rolph
Registered Agent for
Sasnak Management Corporation
2877 North Rock Road
Wichita, Kansas 67206

Dated: 1/2/03

Kathy Robinson
Kathy Robinson
Regional Hearing Clerk