



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2
2890 WOODBRIDGE AVENUE
EDISON, NEW JERSEY 08837-3679

MAY 23 2019

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Article Number 7017 0660 0000 9509 5825

Mr. Francisco Tapia, Owner
Richie Roma Home Improvement Corp.
87-13 75th Street
Woodhaven, NY 11421

Re: Richie Roma Home Improvement Corp., Docket No. TSCA-02-2019-9272

Dear Mr. Tapia:

Enclosed is a fully executed copy of the Administrative Expedited Settlement Agreement and Final Order in the above-referenced proceeding, signed by the Regional Judicial Officer of the U.S. Environmental Protection Agency, Region 2.

Please contact Meghan LaReau at (732) 321-6721, should you have any questions regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "John Gorman", with a long horizontal flourish extending to the right.

John Gorman, Chief
Pesticides and Toxic Substances Branch

Enclosure

MAY 3 2012

**UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 2**

IN THE MATTER OF:

) Docket No.
) TSCA-02-2019-9272
)

Richie Roma Home Improvement Corp.
Respondent.

) **EXPEDITED SETTLEMENT**
) **AGREEMENT AND**
) **FINAL ORDER**
)
)
)

EXPEDITED SETTLEMENT AGREEMENT

1. The U.S. Environmental Protection Agency ("EPA") alleges Richie Roma Home Improvement Corp., ("Respondent") failed to comply with Section 402 of the U.S. Toxic Substances Control Act ("TSCA"), 15 U.S.C. § 2682.
2. Respondent offered to perform a residential renovation or repairs at a property located at: 115 Ocean Avenue in Brooklyn, New York 11225, during July – November of 2016.
3. The aforementioned residential housing property in Paragraph 2, above, was constructed prior to 1978 and is target housing¹ subject to the Renovation, Repair, and Painting Rule.
4. Respondent was required, under to 40 C.F.R. §745.89(a) pursuant to 40 CFR § 745.81(a)(2)(ii), to obtain initial certification from EPA prior to performing renovations at the residential housing property described in Paragraph 2. Respondent failed to do this.
5. EPA and Respondent agree that settlement of this matter for a civil penalty of \$1,000 (one thousand dollars) is in the public interest.
6. EPA is authorized to enter into this Expedited Settlement Agreement ("Agreement") pursuant to Section 16 of TSCA, 15 U.S.C. § 2615, and 40 C.F.R. § 22.13(b), and 40 C.F.R. § 22.18(b)(2).
7. In signing this Agreement, Respondent: (1) admits that Respondent is subject to the Residential Property Renovation requirements (40 C.F.R. § 745, Subpart E); (2) admits that EPA has jurisdiction over Respondent and Respondent's conduct as described in Paragraph 4 above; (3) neither admits nor denies the factual findings contained therein; (4) consents to the assessment of the penalty; and (5) waives any right to contest the findings contained herein.
8. By its signature below, Respondent certifies, subject to civil and criminal penalties for making a false submission to the United States Government, that: (1) the violation described in Paragraph 4 above has been corrected; and (2) Respondent is submitting proof of payment of the civil penalty with this agreement.
9. The civil penalty of \$1,000 (one thousand dollars) has been paid in accordance with the

¹ Target Housing is defined in TSCA Section 401 as any housing constructed before 1978, except for: 1) housing for the elderly or persons with disabilities (unless a child less than six years of age resides or is expected to reside in such housing); and 2) any zero-bedroom dwelling.

Instructions for Making a Payment that was provided to the Respondent.

10. Respondent will also provide, if it has not already done so, a written statement outlining actions taken to correct the violation cited above.
11. Full payment of the penalty in Paragraph 5 shall only resolve Respondent's liability for federal civil penalties for the violation and facts described in 4 above. Full payment of this penalty shall not in any case affect the right of EPA or the United States to pursue appropriate injunctive or other equitable relief or criminal sanctions for any violations of law.
12. No portion of the civil penalty or interest paid by Respondent pursuant to the requirements of this Agreement shall be claimed by Respondent as a deduction for federal, state, or local income tax purposes.
13. EPA reserves all of its rights to take enforcement action for any other past, present, or future violations by Respondent of TSCA, any other federal statute or regulation, or this Agreement.
14. Upon signing and returning this Agreement to EPA, Respondent waives the opportunity for a hearing or appeal pursuant to TSCA or 40 C.F.R. Part 22.
15. Each party shall bear its own costs and fees, if any.
16. This Agreement is binding on the parties signing below, and in accordance with 40 C.F.R. § 22.31(b), is effective upon filing with the Regional Hearing Clerk.

IT IS SO AGREED, **Richie Roma Home Improvement Corp.**

Name (print): Francisco Tapia

Title (print): Owner

Signature: 

Date 4-30-19

APPROVED BY EPA:



Dore LaPosta, Director
Division of Enforcement and Compliance Assistance

Date MAY 20 2019

In the Matter of Richie Roma Home Improvement Corp.
Docket Number TSCA-02-2019-9272

FINAL ORDER

The Regional Judicial Officer of EPA, Region 2, concurs in the foregoing Expedited Settlement Agreement in the case of Richie Roma Home Improvement Corp., bearing Docket No. TSCA-02-2019-9272. Said Expedited Settlement Agreement, having been duly accepted and entered into by the parties, is hereby ratified, incorporated into and issued as this Final Order, which shall become effective when filed with the Regional Hearing Clerk of EPA, Region 2. C.F.R. § 22.31(b). This Final Order is being entered pursuant to the authority of 40 C.F.R. § 22.18(b)(3) and shall constitute an order issued under authority of Section 16(a) of TSCA 15 U.S.C. § 2615(a).

DATED: May 22, 2019
New York, New York

Helen Ferrara

Helen Ferrara
Regional Judicial Officer
U.S. Environmental Protection Agency-Region 2
290 Broadway
New York, New York 10007-1866

In the Matter of Richie Roma Home Improvement Corp.
Docket Number TSCA-02-2019-9272

CERTIFICATE OF SERVICE

This is to certify that on the 23 day of May 2019, I served a true and correct copy of the foregoing fully executed Expedited Settlement Agreement and Final Order bearing Docket Number TSCA-02-2019-9272, by certified mail, return receipt requested, to:

Mr. Francisco Tapia, Owner
Richie Roma Home Improvement Corp.
87-13 75th Street
Woodhaven, NY 11421

On the same date, I mailed via EPA internal mail to the Region 2 Regional Hearing Clerk at 290 Broadway, New York, New York 10007 the original and one copy of the foregoing Expedited Settlement Agreement and Final Order.



