



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

Certified Mail 7016 1370 0000 0748 5919

John S. Lee
Ameko APS, Inc
1206 Price Street
Pomona, CA 91767

FEB 27 2019

Re: Expedited Settlement Under the Federal Lead Regulations
In the Matter of: Ameko APS, Inc

Dear Mr. Lee:

Please find enclosed the final executed Expedited Settlement Agreement (“ESA”) negotiated between the United States Environmental Protection Agency, Region 9 (“EPA”) and Ameko APS, Inc.

Ameko APS, Inc’s full compliance with the terms of this ESA will close this case. If you have any questions regarding the alleged Lead-Based Renovation, Repair, and Painting (“RRP”) violations or the rules which govern the proceedings terminated by the enclosed document, please contact S. Bobby Ojha at (415) 972-3374 or ojha.bobby@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "D. McDaniel".

Douglas K. McDaniel
Chief, Waste and Chemical Section
Enforcement Division

Enclosure

**UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION IX**

IN THE MATTER OF:

**Ameko APS, Inc.
1206 Price Street
Pomona, CA 91767
Respondent**

) Docket No. TSCA-09-2018-0026
)
)
)

) **EXPEDITED SETTLEMENT**

) **FINAL ORDER**
)
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EXPEDITED SETTLEMENT AGREEMENT

1. The U.S. Environmental Protection Agency ("EPA"), Region IX, through the duly delegated Chief of the Waste and Chemical Section of the Enforcement Division, ("Complainant") alleges that Ameko APS, Inc. ("Respondent") failed to comply with the Toxic Substances Control Act ("TSCA"), 42 U.S.C. § 2601 et seq., and its implementing regulations at 40 C.F.R. Part 745, Subpart E.
2. Under 40 C.F.R. §745.81(a)(2)(ii), Respondent was required to obtain a firm certification from EPA under 40 C.F.R. §745.89 before offering to perform a renovation for compensation at 4100 Blair Street in Corona, CA, at 1938 N. Angus Road in Fresno, CA, at 2116 La Harve drive in Las Vegas, CA, and at 1103 Sterling Road in Bakersfield, CA, and failed to do so.
3. Under 40 C.F.R. §745.84(a)(1), Respondent was required to provide the owner of each residential unit with the EPA pamphlet titled *Renovate Right: Important Lead Hazard Information for Families, Child Care Providers and Schools* ("EPA pamphlet") before performing the renovations for compensation at 4100 Blair Street in Corona, CA, 1938 N. Angus Road in Fresno, CA, 2116 La Harve Drive in Las Vegas, NV, and 1103 Sterling Road in Bakersfield, CA, and failed to do so.
4. Under 40 C.F.R. §745.86(a), Respondent was required to retain all records necessary to demonstrate compliance with 40 C.F.R. Part 745, Subpart E for a period of 3 years following completion of the renovations for compensation at 4100 Blair Street in Corona, CA, 1938 N. Angus Road in Fresno, CA, 2116 La Harve Drive in Las Vegas, NV, and 1103 Sterling Road in Bakersfield, CA, and failed to do so.
5. Complainant and Respondent agree that settlement of this matter for a civil penalty of \$9,000 (NINE THOUSAND DOLLARS) is in the public interest.


6. Complainant is authorized to enter into this Expedited Settlement Agreement (“Agreement”) that simultaneously initiates and concludes this matter pursuant to Section 16 of TSCA and 40 C.F.R. §§ 22.13(b) and 22.18(b).
7. In signing this Agreement, Respondent: (1) admits that Respondent is subject to TSCA; (2) admits that EPA has jurisdiction over Respondent and Respondent’s conduct as alleged herein; (3) neither admits nor denies the factual allegations contained herein; (4) consents to any conditions specified in the Agreement and to the assessment of the civil penalty; and (5) waives any right to contest the allegations contained herein or appeal the attached final order.
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 alleged violation has been corrected; and (2) Respondent has submitted proof of payment of the civil penalty with this Agreement.
9. Upon the effective date of this Agreement, payment of the civil penalty shall constitute full settlement of the civil claim alleged herein.
10. No portion of the civil penalty paid by Respondent pursuant to this Agreement shall be claimed by Respondent or any other person as a deduction from federal, state, or local income taxes.
11. EPA reserves all of its rights to take enforcement action against Respondent for any other past, present, or future violations of TSCA, any other federal statute or regulation, or this Agreement.
12. Each party shall bear its own costs and fees, if any.
13. The undersigned representative of Respondent and the undersigned representative of Complainant each certifies that he or she is fully authorized to enter into this Agreement and to bind the party that he or she represents.
14. This Agreement is binding upon Respondent and its successors and assigns, and in accordance with 40 C.F.R. 22.31(b), is effective upon the filing of the Final Order attached to the Agreement.

IT IS SO AGREED.

FOR RESPONDENT, AMEKO APS INC.

Name (print): John Lee

Title (print): Director

Signature:  Date 2-5-2019

FOR COMPLAINANT, EPA REGION IX



Date 2/13/19

Douglas K. McDaniel
Chief, Waste and Chemical Section
Enforcement Division
U.S. Environmental Protection Agency, Region IX

From: notification@pay.gov [mailto:notification@pay.gov]
Sent: Wednesday, November 07, 2018 9:59 AM
To: ryan@aceconsolar.com
Subject: Pay.gov Payment Confirmation: EPA Miscellaneous Payments



An official email of the United States government



Your payment has been submitted to Pay.gov and the details are below. If you have any questions regarding this payment, please contact Craig Steffen at (513) 487-2091 or steffen.craig@epa.gov.

Application Name: EPA Miscellaneous Payments
Pay.gov Tracking ID: 26DC9GOH
Agency Tracking ID: 75611039608
Transaction Type: Sale
Transaction Date: 11/07/2018 12:58:57 PM EST
Account Holder Name: AMEKO APS, INC.
Transaction Amount: \$9,000.00
Card Type: Visa
Card Number: *****7700

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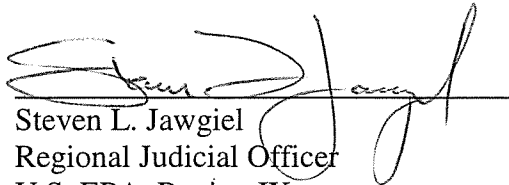


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FINAL ORDER

It Is Hereby Ordered that this Expedited Settlement Agreement, Ameko APS, Inc. (EPA Docket No. TSCA-09-2018-0026) be entered and that the Respondent shall pay a civil penalty in the amount of \$9,000 (NINE THOUSAND DOLLARS) in accordance with this Expedited Settlement Agreement.

IT IS SO ORDERED.


Steven L. Jawgiel
Regional Judicial Officer
U.S. EPA, Region IX

Date 02/27/19

CERTIFICATE OF SERVICE

I certify that the original of the fully executed Consent Agreement and Final Order in the matter of **Ameko APS, Inc. (Docket #: TSCA-09-2019-0076)** was filed with the Regional Hearing Clerk, U.S. EPA, Region IX, 75 Hawthorne Street, San Francisco, CA 94105, and that a true and correct copy of the same was sent to the following parties:

A copy was mailed via CERTIFIED MAIL to:

**John S. Lee
Ameko APS, Inc.
1206 Price Street
Pomona, CA 91767**

CERTIFIED MAIL NUMBER: 7001 0320 0002 0254 2253

And additional copy was hand-delivered to the following U.S. EPA case attorney:

Carol Bussey, Esq.
Office of Regional Counsel
U.S. EPA, Region IX
75 Hawthorne Street
San Francisco, CA 94105

Steven Ramsey
Regional Hearing Clerk
U.S. EPA, Region IX

Feb. 27, 2019
Date