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Lead-Based Paint Enforcement: U.S. Environmental Protection Agency and Florida Contractor Enter into Consent Agreement Addressing Alleged Violations

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The United States Environmental Protection Agency ("EPA") and UAG Construction ("UAG") have entered into a Consent Agreement and Final Order ("CAFO") addressing alleged violations of Section 402 and 406 of the Toxic Substances Control Act ("TSCA") and certain regulations promulgated thereunder addressing activities involving lead-based paint. See Docket No. TSCA-04-2016-2534(b).

UAG is stated to be an entity doing business in the State of Florida that performs renovation activities.

The CAFO states that UAG performed renovation activities to residential units. The residential units were located in Miami and North Miami, Florida.

The residential units are stated to be "target housing" as that term is defined by 40 C.F.R. § 745.103.

UAG allegedly violated Sections 402 and 406 of the TSCA and 40 C.F.R. Part 745, Subpart E by:

- Failing to perform, offer or claim to perform renovations or dust sampling for compensation, to obtain initial Lead Certification from EPA as required by 40 C.F.R §§ 745.81(a)(2)(ii) and 745.89(a)
- Failing to provide the owners with the EPA-approved Lead Hazard Information Pamphlet pursuant to 40 C.F.R. § 745.84(a)(1) for renovations performed at 4095 Park Avenue, Miami, Florida and 2260 Keystone Blvd, North Miami, Florida
- Failing to establish and maintain records necessary to demonstrate compliance with the residential property renovation rules, pursuant to 40 C.F.R. § 745.87(b).

UAG neither admits nor denies the CAFO's factual allegations.

The CAFO assesses a civil penalty of \$3,960.

[A copy of the CAFO can be downloaded here.](#)