Lead-Based Paint/Toxic Substances Control Act Enforcement: U.S. Environmental Protection Agency and Elgin, South Carolina Lessor Enter into Consent Agreement



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The United States Environmental Protection Agency ("EPA") and Empire Property Management Group, LLC ("Empire") entered into a September 14th Consent Agreement and Final Order ("CA") addressing alleged violations of the regulations at 40 C.F.R. Part 745, Subpart F, implementing the Toxic Substance Control Act ("TSCA"). See Docket No. TSCA-04-2026-6107(b)

The CA describes Empire as an agent that offered contracts to lease "residential dwellings" that are "target housing" as those terms are defined at 40 C.F.R. § 745.103.

EPA is stated to have conducted an inspection at Empire's place of business on March 11, 2025, located in Elgin, South Carolina, for the purpose of evaluating the company's compliance with the requirements of 40 C.F.R. Part 745, Subpart F. In addition, EPA is stated to have requested copies of Empire's records to evaluate its compliance with the referenced regulations.

Empire submitted such regulations to EPA for review on March 26, 2025.

The CA provides that EPA determined that Empire entered into contracts to lease residential dwellings that are target housing at six locations and dates as specified in the CA.

Empire is stated to have been unable to provide records to the EPA inspector documenting that prior to entering into the leases with the lessees for the properties, that it had included as an attachment or within the language of each lease contract, the information required under 40 C.F.R. § 745.113(b)(1)-(6).

The federal agency is stated to have further determined that after entering into the contracts to lease the properties, Empire did not retain a copy of the completed attachments or lease contracts containing the information required for no less than 3 years from the commencement of the leasing periods.

Empire neither admits nor denies the factual and legal allegations set forth in the CA.

A civil penalty of $1,100 is assessed.

A copy of the CA can be found here.