



REGION 1

BOSTON, MA 02109

Dated via electronic signature

BY ELECTRONIC MAIL (Jensen.LeAnn@epa.gov)

Hon. LeAnn W. Jensen, Regional Judicial Officer
U.S. Environmental Protection Agency, Region 1
5 Post Office Square, Suite 100 (Mail Code: 4-MI)
Boston, Massachusetts 02109-3912

Re: Request for Approval of Expedited Settlement Agreement and Final Order
In the Matter of Seaman Paper Company of Massachusetts, Inc., Docket No. FIFRA-
01-2024-0020

Dear Ms. Jensen:

In accordance with 40 C.F.R. §§ 22.13(b) and 22.18(b)(2), and simultaneously transmitted with this letter, please find an Expedited Settlement Agreement and proposed Final Order (“Agreement”) to both initiate and resolve the above-referenced enforcement action, recently concluded after pre-filing settlement communications between EPA Region 1 and Respondent, Seaman Paper Company of Massachusetts of Gardner, Massachusetts. The Agreement has been signed by the parties and is now being submitted to you with this request for your approval and signature of the Final Order.

The Agreement requires Respondent to pay a **\$1,400** civil penalty within thirty (30) days of the effective date of the settlement. If signed by you, the Agreement will resolve EPA administrative civil penalty claims against Respondent for violating annual production reporting requirements under Section 7 of the Federal Insecticide, Fungicide and Rodenticide Act (“FIFRA”), 7 U.S.C. § 136 *et seq.*, and implementing regulations at 40 C.F.R. Part 167, Subpart E. The violations are specifically described in paragraph 3 of the Agreement and involve Respondent’s alleged failure to file an annual pesticide production report on or before the March 1, 2023, deadline for the 2022 reporting year.

In addition to paying the penalty, the Agreement requires Respondent to certify that it has addressed the violations of FIFRA Section 7 requirements. Under the settlement terms, Respondent does not admit liability.

This settlement and agreed-upon penalty amount are consistent with the statutory penalty factors in Section 14(a) of FIFRA as well as applicable EPA policy and guidance, including the Enforcement Response Policy for FIFRA Section 7(c) Establishment Reporting Requirements

(May 2010), the Federal Insecticide, Fungicide, and Rodenticide Act Section 7(c) Expedited Settlement Agreement Program (August 23, 2019) and associated civil monetary penalty inflation adjustment requirements.¹

The parties' consent to the use of digital signatures (as well as Respondent's consent to electronic service of the Agreement, once filed) is included in the Agreement. This settlement does not have any public notice requirements.

Thank you for your attention to this matter.

Respectfully submitted,

**KELSEY
SULLIVAN**

Digitally signed by
KELSEY SULLIVAN
Date: 2024.01.03 07:30:38
-05'00'

Kelsey Sullivan, FIFRA Enforcement Officer
U.S. Environmental Protection Agency, Region 1

Enclosure

cc (by email): Chad Leblanc, Plant Manager, Seaman Paper Company of Massachusetts, Inc.,
chad.leblanc@seamanpaper.com
Kevin Pechulis, EPA Region 1, Senior Enforcement Counsel,
pechulis.kevin@epa.gov

¹ See the May 2010 Enforcement Response Policy for FIFRA Section 7(c) Establishment Reporting Requirements available at <https://www.epa.gov/enforcement/enforcement-response-policy-fifra-section-7c-establishment-reporting-requirements-may> and the August 23, 2019 Federal Insecticide, Fungicide, and Rodenticide Act Section 7(c) Expedited Settlement Agreement Program available at <https://www.epa.gov/sites/production/files/2019-09/documents/finalfifra7cesaprogram.pdf>.