



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

1595 Wynkoop Street  
DENVER, CO 80202-1129  
Phone 800-227-8917  
<http://www.epa.gov/region08>

OCT 16 2007

Ref: 8ENF-UFO

**Certified Mail 7005-0390-0000-4847-1668**  
**Return Receipt Requested**

John Adams, President  
Chemical Specialists, LLC D.B.A. Chemstation  
3309 Empire Street  
Evans, CO 80620

Re: Stop Sale, Use or Removal Order for  
Chemstation 3030 (EPA Reg. No. 65072-20001-  
75617)

Dear Mr. Adams:

On September 7, 2007, an inspector from the United States Environmental Protection Agency (EPA) conducted an inspection of Chemical Specialists, LLC D.B.A. Chemstation to determine compliance with the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). During the inspection, it was determined that Chemstation produces EPA registered pesticide Chemstation 3030 (EPA registration number 65072-20001-75617).

Chemstation 3030 (EPA registration number 65072-20001-75617) is a 100% repackaging registration based on Van Waters and Rogers Inc. LiquiChlor (EPA registration number 550-20001). Chemstation 3030's registration is for a 12.5 % sodium hypochlorite active ingredient product and Chemstation can only repackage using LiquiChlor (EPA registration number 550-20001).

As a result of EPA's September 7, 2007, inspection, it was determined that Chemstation was producing Chemstation 3030 using a different registered pesticide, Dixichlor (EPA registration number 813-16) purchased from DPC Industries, Inc prior to August 8, 2007 as indicated by 2007 and 2006 Bill of Lading and Sales invoices. Dixichlor contains 10% sodium hypochlorite active ingredient, not the 12.5% sodium hypochlorite active ingredient claimed on the Chemstation 3030 label. In addition, Dixichlor is not the pesticide that Chemstation listed in the 100% repackaging registration. Chemstation records do indicate that as of August 8, 2007, Chemstation is producing Chemstation 3030 with Dixichlor (EPA registration number 813-15), 12.5% sodium hypochlorite active ingredient.

As a result of the above discrepancies, Chemstation of Denver is in violation of FIFRA § 12(a)(1)(C), 7 U.S.C. § 136j(a)(1)(C), which provides in relevant part that that it shall be unlawful for any person in any State to distribute or sell to any person any registered pesticide


the composition of which differs at the time of its distribution or sale from its composition as described in the statement required in connection with its registration under FIFRA § 3, 7 U.S.C. § 136a.

Based on this violation EPA is issuing the enclosed Stop Sale, Use, Or Removal Order (Enclosure 1) pertaining to all Chemstation 3030 under your control and strongly recommend that your company take immediate steps to correct the problems with this product.

The Agency will monitor and supervise this action through the Office of Enforcement, Compliance & Environmental Justice, U.S. EPA Region VIII, 1595 Wynkoop Street, Denver, CO 80202. You are requested to contact Amy Hambrick at (303) 312-6883 to discuss your proposed follow-up. Regardless of your actions, the Agency is issuing a Stop Sale, Use or Removal Order (SSURO) pursuant to FIFRA Section 13, 7 U.S.C. § 136k, at this time and may also issue a civil administrative action pursuant to FIFRA Sections 14, 7 U.S.C. § 136l.

You have the opportunity to discuss this action with EPA. You are encouraged to present your views either orally or in writing. Thank you for your cooperation.

Sincerely,



Mark A.R. Chalfant, Director  
Technical Enforcement Program  
Office of Enforcement, Compliance  
and Environmental Justice

Enclosures: Stop Sale, Use, Or Removal Order

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

2007 OCT 16 PM 2:50

Docket No.: FIFRA-08-2008-0001

FILED  
EPA REGION VIII  
HEARING CLERK

To:	)	
Chemical Specialists, LLC D.B.A. Chemstation	)	<b>STOP SALE, USE, OR</b>
3309 Empire Street	)	<b>REMOVAL ORDER</b>
Evans, CO 80620	)	
	)	
	)	

**A. INTRODUCTION**

1. The United States Environmental Protection Agency (EPA) is authorized under Section 13(a) of the Federal Insecticide, Fungicide, and Rodenticide Act ("FIFRA"), as amended, 7 U.S.C. § 136(k)(a), to issue orders prohibiting the sale, use, or removal of any pesticide whenever there is reason to believe the pesticide is in violation of any provision of FIFRA.
2. The Director of the Technical Enforcement Program has been duly delegated the authority to issue such orders.
3. FIFRA § 12(a)(1)(C), 7 U.S.C. § 136(j)(a)(1)(C), provides that it shall be unlawful for any person in any State to distribute or sell to any person any registered pesticide the composition of which differs at the time of its distribution or sale from its composition as described in the statement required in connection with its registration under FIFRA § 3, 7 U.S.C. § 136a.

**B. ORDER**

4. EPA hereby orders Chemstation to stop the sale, use, or removal of Chemstation 3030 (EPA registration number 65072-20001-75617) that is owned by, controlled by, or in the custody of Chemstation.
5. This Order pertains to all quantities and sizes of Chemstation 3030 within the ownership, control, or custody of Chemstation that were produced using any source of sodium hypochlorite other than the source listed on the Chemstation 3030 registration. The product shall not be sold, used, or removed other than in accordance with the provisions of this Order or any further Stop Sale, Use, or Removal Order that may be issued to Chemstation in connection with Chemstation 3030.
6. Any person violating the terms or provisions of this Order shall be subject to CIVIL or CRIMINAL PENALTIES or both as set forth in FIFRA § 14, 7 U.S.C. § 136l.
7. This order shall be EFFECTIVE IMMEDIATELY upon receipt by any representative of Chemstation 3030.

### C. BASIS FOR ORDER

8. On September 7, 2007, an inspector from the United States Environmental Protection Agency (EPA) conducted an inspection of Chemstation to determine compliance with FIFRA. During those inspections, it was determined that Chemstation produces EPA registered pesticide Chemstation 3030 (EPA registration number 65072-20001-75617).
9. Chemstation 3030 (EPA registration number 65072-20001-75617) is a 100% repackaging registration based on Van Waters and Rogers Inc. LiquiChlor (EPA registration number 550-20001). The registration denotes sodium hypochlorite at 12.5% as its active ingredient.
10. Prior to August 8, 2007 Chemstation repackaged Chemstation 3030 using a different EPA registered pesticide, Dixichlor (EPA registration number 813-16) purchased from DPC Industries, Inc. Dixichlor contains 10% sodium hypochlorite as its active ingredient.
11. As the seller and distributor of a pesticide, you are in violation of FIFRA § 12(a)(1)(C), 7 U.S.C. § 136j(a)(1)(C), which provides in relevant part that that it shall be unlawful for any person in any State to distribute or sell to any person any registered pesticide the composition of which differs at the time of its distribution or sale from its composition as described in the statement required in connection with its registration under FIFRA § 3, 7 U.S.C. § 136a.


### D. OTHER MATTERS

12. For resolution of this Order, you are encouraged to contact:

Amy Hambrick  
US EPA Region 8 (ENF-UFO)  
1595 Wynkoop Street  
Denver, CO 80202  
(303) 312-6883

13. This Stop, Sale, Use or Removal Order will be supervised by the US EPA Region 8 Technical Enforcement Program unless you are otherwise notified.

10/16/2007  
Date

  
Mark A.R. Chalfant Director  
Technical Enforcement Program  
Office of Enforcement, Compliance  
and Environmental Justice