



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

2010 OCT -5 AM 11:04 HEARING CLERK RECEIVED EPA REGISTRY

IN THE MATTER OF)
Pan American Growers)
Supply, Inc.,)
RESPONDENT)

DOCKET NO. FIFRA-04-2010-3029

ORDER TO SHOW CAUSE

By Order dated August 19, 2010, the Respondent was instructed to file a clarified Answer with the Regional Hearing Clerk that responds to the allegations in the Complaint. This clarified Answer was due September 17, 2010. The parties were also directed in the August 19th Order to hold a settlement conference on or before September 24, 2010, to attempt to reach an amicable resolution of this matter.

On September 27, 2010, Complainant filed a Status Report Regarding Settlement in which it states that no settlement conference call has occurred. In the Status Report, Complainant states that it left a telephone message with Respondent's representative on September 8, 2010, followed by a letter to Respondent's representative on September 17, 2010. Both communications explained the need to hold a settlement conference call. Complainant states that on September 21, 2010, a second phone call was placed to Respondent's representative, but the call could no longer be completed as dialed.

Under Section 22.17(a) of the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits, 40 C.F.R. § 22.17(a), a party may be found to be in default upon failure to comply with an order of the Administrative Law Judge. Therefore, Respondent is ordered to show cause, if any, on or before October 15, 2010, why Respondent failed to meet the September 17, 2010, deadline established by the August 19, 2010, Order and why a default order should not be entered for failing to meet this deadline.

The responses required by this Order to be sent to the Presiding Judge, as well as any other further pleadings sent by mail, shall be addressed as follows:

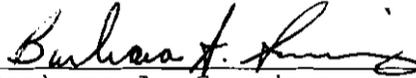
If sending by United States Postal Service (USPS):

EPA Office of Administrative Law Judges
1200 Pennsylvania Ave. NW
Mail Code 1900L
Washington, DC 20460

If sending by non-USPS couriers or hand-delivery:

EPA Office of Administrative Law Judges
1099 14th St. NW
Suite 350, Franklin Court
Washington, DC 20005

Telephone contact may be made with my legal staff assistant, Mary Angeles, at (202) 564-6281. The facsimile number is (202) 565-0044.



Barbara A. Gunning
Administrative Law Judge

Dated: September 29, 2010
Washington, DC



Mary Angeles
Legal Staff Assistant

Original and One Copy by Pouch Mail to:

Patricia Bullock
Regional Hearing Clerk
U.S. EPA - Region IV
Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, GA 30303-8960

Copy by Pouch Mail to:

Michiko Kono, Esq.
Associate Regional Counsel
U.S. EPA - Region IV
Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, GA 30308-8960

Copy By Certified Mail and Regular Mail To:

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957 SW 136 Place
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Dated: September 29, 2010