

**UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY**

BEFORE THE ADMINISTRATOR

In re FIFRA Section 3(c)(2)(B) Notice of Intent)	
to Suspend Dimethyl Tetrachloroterephthalate)	
(DCPA) Technical Registration)	
)	
AMVAC Chemical Corporation;)	Docket No. FIFRA-HQ-2022-0002
Grower-Shipper Association of Central)	
California; Sunheaven Farms, LLC; J&D)	
Produce; Ratto Bros., Inc.; and Huntington)	
Farms,)	
Petitioners.)	

**PETITIONER AMVAC CHEMICAL CORPORATION'S
PREHEARING EXCHANGE**

Petitioner AMVAC Chemical Corporation ("AMVAC"), pursuant to 40 C.F.R. § 164.50(b) and the Order Scheduling Hearing and Prehearing Procedures entered in this matter on June 3, 2022 (the "Prehearing Order"), hereby submits this Prehearing Exchange. Petitioner reserves the right to move to amend or supplement this Prehearing Exchange as provided by 40 C.F.R. § 164.50(b). The heading numbers below correspond to those set forth in the Prehearing Order.

A. List of Potential Witnesses

AMVAC may call any or all of the following witnesses at the evidentiary hearing in this matter. A curriculum vitae for each witness is provided within the verified statement of each witness, filed separately.

- Richard S. Freedlander, Director of Environmental Science at AMVAC. Mr. Freedlander's verified written statement provides factual testimony, but AMVAC reserves the right to have him testify as an expert witness for purposes of rebuttal.

- Julie Porter, Director of Regulatory Compliance at AMVAC. Ms. Porter is providing fact testimony.
- Niamh McMahon, Product Regulatory Manager at AMVAC. Ms. McMahon is providing fact testimony.
- Ann Jonynas, Director of Toxicology at AMVAC. Ms. Jonynas’s verified written statement provides factual testimony, but AMVAC reserves the right to have her testify as an expert witness for purposes of rebuttal.
- Jon C. Wood, Senior Regulatory Product Manager at AMVAC (Retired). Mr. Wood is providing fact testimony.
- Suneet Ranganath, Vice President of Global Supply Chain and Operations at AMVAC. Mr. Ranganath is providing fact testimony.
- Ephraim Gur, MS, President and Founder of Ephi Gur Regulatory Consulting, Inc. (EGRCI). Mr. Gur is providing expert testimony.
- Elaine Freeman, MS DABT, Managing Scientist, Exponent. Ms. Freeman is providing expert testimony.

B. Verified Written Statements

Pursuant to the Prehearing Order, each of the witnesses listed above prepared a verified written statement to serve as their direct testimony. A copy of each written statement, including a curriculum vitae for each witness, is being filed at the same time as this document.

C. Documents and Other Exhibits

Respondent and Petitioners conferred and stipulated that all but one of Petitioner AMVAC’s exhibits filed in support of its Request for Hearing and Statement of Objections may be re-designated as joint exhibits (“JX”). The parties also conferred and agreed to jointly submit

6 additional Joint Exhibits. These Joint Exhibits, and a Joint Exhibit Index will be filed with appropriate cover sheets by Petitioner AMVAC.

AMVAC stipulates as to the authenticity of the additional JX beyond those filed in support of its Request for Hearing and Statement of Objections (i.e., JX 81-86). Specifically, AMVAC stipulates that the exhibit is a genuine copy, and that there are no questions as to what it is, who wrote it, when or where it was written, and whether it has been altered. AMVAC also stipulates to the relevance and admissibility of all PGX Exhibits submitted by Petitioners Grower-Shipper Association of Central California, Sunheaven Farms, LLC, J&D Product, Ratto Bros., Inc., and Huntington Farms (collectively “Grower Petitioners”).

AMVAC will continue to correspond with Respondent with the goal of reaching additional stipulations concerning the authenticity and/or admissibility of documents not stipulated to herein.

AMVAC is separately filing an Index that identifies Petitioner AMVAC’s Exhibits (“PAX”) which will be filed as attachments to that Index. Some of the PAX Exhibits are claimed as confidential business information (“CBI”) by AMVAC. Redacted copies of these Exhibits are being filed through the OALJ’s electronic filing system. A complete copy of the documents containing information claimed confidential is also being filed with the Office of Administrative Law Judges.

D. Official Notice

AMVAC does not request that the Presiding Officer take official notice of any matters at this time.

E. Interpretation Services

AMVAC does not anticipate requiring interpretation services at the hearing.

Date: June 17, 2022

Respectfully Submitted,

/s/ Hume M. Ross

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Petitioner AMVAC Chemical Corporation's Prehearing Exchange**, was sent on June 17, 2022, to the following parties in the manner indicated below.

/s/ Hume M. Ross
Hume M. Ross

Copy by OALJ E-Filing System to:

Mary Angeles
Headquarters Hearing Clerk
U.S. Environmental Protection Agency
Office of Administrative Law Judges
Ronald Reagan Building, Rm. M1200
1300 Pennsylvania Ave. NW
Washington, DC 20004

Copies by Electronic Mail to:

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Counsel for Respondent

Dated June 17, 2022