



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY BEFORE THE ADMINISTRATOR

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In the Matter of:)
Frontline Group LLC,) Docket No. FIFRA-09-2023-0096
Respondent.)

ORDER FOR RESPONDENT TO SHOW CAUSE

This proceeding was initiated on September 28, 2023, when Complainant, the Manager of the Toxics Section in the Enforcement and Compliance Assurance Division at the U.S. Environmental Protection Agency, Region 9, filed a Complaint and Notice of Opportunity for Hearing ("Complaint") against Respondent Frontline Group LLC for alleged violations of Section 12 of the Federal Insecticide, Fungicide, and Rodenticide Act ("FIFRA"), 7 U.S.C. § 136j. Brad Gooden, owner of Frontline Group LLC, filed what purported to be Respondent's Answer to the Complaint ("Response") with the Regional Hearing Clerk of Region 9 on October 19, 2023. Treating the Response as an answer, the Regional Hearing Clerk forwarded the matter to this Tribunal for adjudication.

Upon being designated to preside, I reviewed the Response, noting that it did not fully comport with the rules governing answers that are set forth in 40 C.F.R. Part 22 ("Rules"). The Response, while asserting a few general defenses, did not otherwise clearly admit, deny, deny for lack of knowledge, or otherwise explain each paragraph of the Complaint that alleges a fact or facts. I therefore ordered Respondent to submit an Answer that complied with the Rules no later than April 5, 2024. See Order for Resp't to File Answer at 2 (Mar. 13, 2024); 40 C.F.R. § 22.15. I also cautioned Respondent "THAT FAILURE TO TIMELY COMPLY WITH THIS ORDER MAY RESULT IN THE ENTRY OF DEFAULT JUDGMENT AGAINST IT." Order for Resp't to File Answer at 2.

Under the Rules, "[a] party may be found to be in default: after motion, upon failure to file a timely answer to the complaint; upon failure to comply with the information exchange requirements of § 22.19(a) or an order of the Presiding Officer; or upon failure to appear at a conference or hearing." 40 C.F.R. § 22.17(a). "Default by respondent constitutes, for purposes of the pending proceeding only, an admission of all facts alleged in the complaint and a waiver of respondent's right to contest such factual allegations." Id. In the event of default, this Tribunal "shall issue a default order against the defaulting party as to any or all parts of the proceeding unless the record shows good cause why a default order should not be issued," and "[t]he relief proposed in the complaint . . . shall be ordered unless the requested relief is clearly inconsistent with the record of the proceeding or the Act." 40 C.F.R. § 22.17(c).

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United States
Environmental Protection Agency
Washington, DC 20460

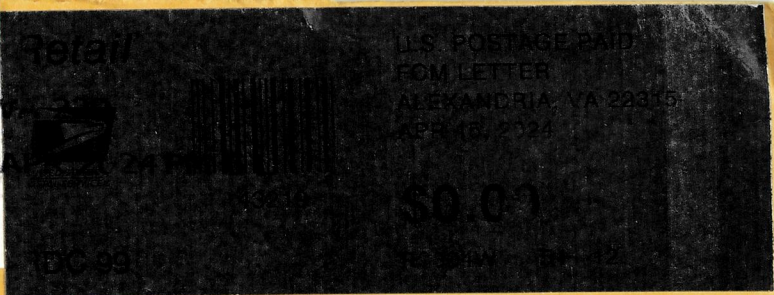
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~~Brad Gooden
Owner, Frontline Group LLC
4510 Bridgeway Avenue
Columbus, OH 43219~~

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