

adjudicate a dispute under this Settlement Agreement. AMVAC and OPP consent to the procedure for disposition of any such motion set out in 40 C.F.R. § 164.60.

C. AMVAC will not challenge in any forum in any manner the entry of a Final Decision and Order of the EAB provided that it incorporates the terms of this Settlement Agreement.

D. AMVAC agrees that, for the purposes of FIFRA Sections 12, 13, and 14, any failure by it to comply with the suspension of EPA Reg. No. 5481-495, or the provisions concerning existing stocks of EPA Reg. No. 5481-495, as implemented by the Final Decision and Order shall constitute a violation of FIFRA.

E. AMVAC reserves its right to challenge any final decision of the EAB enforcing or interpreting this Settlement Agreement under this Section, or any other decision finding that a violation of FIFRA has occurred in connection with this Settlement Agreement or otherwise, in other fora.

## VII. SUBMISSION OF DATA; NOTICES

A. Each report, notice, or other information required to be exchanged under this Settlement Agreement shall be submitted, if to OPP, through the Central Data Exchange ("CDX") system, with an accompanying notification email sent to the current Chemical Review Manager informing OPP of the submission, unless OPP provides alternate direction in writing in advance for a particular submittal. Copies of the receipt received from CDX, and the associated tracking number, shall be provided to the current Chemical Review Manager. If CDX is not accepting submissions at the time a submission attempt is made, then AMVAC's obligations under this Section shall be satisfied by sending an email to the current Chemical Review Manager (along with the document(s)) which were to be submitted through CDX) advising that issues were encountered with the submittal.

B. Each report, notice, or other information required to be exchanged under this Settlement Agreement shall be submitted, if to AMVAC, to: AMVAC's regulatory manager for DCPA ([niamhm@amvac.com](mailto:niamhm@amvac.com)) and VP of Regulatory Affairs ([annet@amvac.com](mailto:annet@amvac.com)).

The foregoing SETTLEMENT AGREEMENT is HEREBY AGREED to by the undersigned,

United States Environmental Protection  
Agency Office of Pesticide Programs

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

AMVAC Chemical Corporation ("AMVAC")

By:  \_\_\_\_\_

Print Name: TIMOTHY J. DONNELLY

Title: CAO, General Counsel & Sec'y

Date: June 16, 2023