



**BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.**

IN THE MATTER OF)	EPA Docket Nos.
)	RCRA-HQ-2013-4001
)	FIFRA-HQ-2013-5056
)	
)	
Wal-Mart Stores, Inc.)	Proceeding Under Section 3008(a) of the
702 SW 8th Street,)	Resource Conservation and Recovery Act,
Bentonville, AR 72716-8611)	42 U.S.C. § 6928(a); Section 14(a) of the
)	Federal Insecticide, Fungicide and
)	Rodenticide Act, as amended, 7 U.S.C.
)	§ 136l(a)

FINAL ORDER

Pursuant to Section 3008(a) of the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. § 6928(a), and Section 14(a) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), 7 U.S.C. § 136(a), Complainant, United States Environmental Protection Agency (EPA or Agency), and Respondent, Wal-Mart Stores Inc. (Walmart) (collectively, the Parties), having signed and consented to entry of the attached Consent Agreement incorporated by reference into this Final Order,

IT IS ORDERED THAT:

1. Respondent, Wal-Mart Stores, Inc., shall comply with all terms of the Consent Agreement;
2. Respondent is assessed a civil penalty of **Seven Million Six Hundred and Twenty Eight Thousand Dollars (7,628,000)**.
3. Respondent shall, in accordance with the payment provisions set forth in the Consent Agreement, make payment via a certified or cashier's check or through a wire transfer as described in the Consent Agreement.

IT IS SO ORDERED.

By: *Isela M. Frase*
Environmental Appeals Board

Dated: *May 28, 2013*

CERTIFICATE OF SERVICE

I certify that the foregoing Final Order in the Matter of Wal-Mart Stores, Inc., Docket Nos. RCRA-HQ-2013-4001 and FIFRA-HQ-2013-5056, was filed and copies of the same were mailed to the parties as indicated below:

Via Interoffice Mail and Facsimile

Kenneth C. Schefski
Waste and Chemical Enforcement Division
Office of Civil Enforcement/OECA/US EPA
1200 Pennsylvania Ave., NW (Mail Code 2249A)
Washington, DC 20460-0001
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Via U.S. Certified Mail and Facsimile

Raymond B. Ludwiszewski
Gibson, Dunn & Crutcher LLP
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Annette Duncan
Secretary

Dated: 5/28/2013

APPENDIX A

(This attachment is BUSINESS CONFIDENTIAL and filed under seal)

REDACTED VERSION

APPENDIX A

APPENDIX B

APPENDIX B

PRODUCTS DISTRIBUTED BY WALMART TO GREENLEAF LLC

Registration #: 538-282
Registration Name: TURF BUILDER PLUS 2 R
Company: 538 - SCOTTS COMPANY, THE

Name	Status
TURF BUILDER WINTERGUARD WITH PLUS 2 WEED CONTROL	Alternate
TURF BUILDER WITH PLUS 2 WEED CONTROL	Alternate

Registration #: 538-281
Registration Name: WINTERIZER WITH PLUS 2 WEED CONTROL
Company: 538 - SCOTTS COMPANY, THE
Note: There are no other brand names.

Registration #: 538-18
Registration Name: SCOTTS BONUS S
Company: 538 - SCOTTS COMPANY, THE

Name	Status
SCOTTS BONUS S	Active
WEED & FEED FOR ST. AUGUSTINES GRASS	Alternate
SCOTTS BONUS S WEED CONTROL PLUS LAWN FERTILIZER	Alternate

In the Matter of Wal-Mart Stores, Inc: RCRA HQ 2013-4001; FIFRA HQ 2013-5056

Registration #: 2217-660-538
Registration Name: WEED AND FEED
Company: 538 - SCOTTS COMPANY, THE

Registration #: 279-3203-538
Registration Name: INSECT CONTROL PLUS LAWN FERTILIER
Company: 538 - SCOTTS COMPANY, THE

Name	Status
TURF BUILDER WITH SUMMERGUARD	Alternate

Registration #: 2217-827-538
Registration Name: EXPERT GARDENER WINTERIZER WEED & FEED
Company: 538 - SCOTTS COMPANY, THE

Name	Status
EXPERT GARDENER WINTERIZER WEED & FEED	Active
EXPERT GARDENER WEED & FEED	Alternate

Registration #: 538-190
Registration Name: SCOTTS TURF BUILDER PLUS HALTS FOR LAWNS
Company: 538 - SCOTTS COMPANY, THE

Name	Status
STEP 1 CRABGRASS PREVENTER PLUS LAWN FERTLIZER	Alternate

In the Matter of Wal-Mart Stores, Inc: RCRA HQ 2013-4001; FIFRA HQ 2013-5056

Registration #: 2217-660-62355
Registration Name: MIRACLE-GRO LAWN FERTILIZER PLUS WEED CONTROL
Company: 62355 - MIRACLE-GRO LAWN PRODUCTS INC

Name	Status
MIRACLE-GRO FALL LAWN FERTILIZER PLUS WEED CONTROL	Alternate
MIRACLE-GRO LAWN FERTILIZER PLUS WEED CONTROL	Active

Registration #: 538-202
Registration Name: CRABGRASS PREVENTER PLUS LAWN FOOD
Company: 538 - SCOTTS COMPANY, THE

Name	Status
TURF BUILDER WITH HALTS CRABGRASS PREVENTER	Alternate

APPENDIX C

APPENDIX C

- Alabama
- Alaska
- Arizona
- Arkansas
- California
- Colorado
- Connecticut
- Delaware
- Florida
- Georgia
- Hawaii
- Idaho
- Illinois
- Indiana
- Iowa
- Kansas
- Kentucky
- Louisiana
- Maine
- Maryland
- Massachusetts
- Michigan
- Minnesota
- Mississippi
- Missouri
- Montana
- Nebraska
- Nevada
- New Hampshire
- New Jersey
- New Mexico
- New York
- North Carolina
- North Dakota
- Ohio
- Oklahoma
- Oregon
- Pennsylvania
- Puerto Rico
- Rhode Island
- South Carolina
- South Dakota
- Tennessee
- Texas
- Utah
- Vermont
- Virginia
- Washington
- West Virginia
- Wisconsin
- Wyoming