

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103**

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|----------------------------|---|--|
| In the Matter of: | : | U.S. EPA Docket No. FIFRA-03-2020-0075 |
| | : | |
| Coastal AgroBusiness, Inc. | : | Proceeding under Section 14(a) of the Federal |
| 112 Staton Road | : | Insecticide, Fungicide and Rodenticide Act, 7 |
| Greenville NC 27834 | : | U.S.C. § 136l(a) |
| | : | |
| Respondent. | : | |

U.S. EPA-REGION 3-RHC
FILED-10MAR2020PM12:54

CONSENT AGREEMENT

PRELIMINARY STATEMENT

1. This Consent Agreement is entered into by the Director of the Enforcement and Compliance Assurance Division, U.S. Environmental Protection Agency, Region III (“Complainant” or “EPA”) and Coastal AgroBusiness, Inc. (“Respondent”) (collectively the “Parties”), pursuant to Section 14(a) of the Federal Insecticide, Fungicide and Rodenticide Act (“FIFRA”), *as amended*, 7 U.S.C. § 136l(a), and the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation, Termination or Suspension of Permits (“Consolidated Rules of Practice”), 40 C.F.R. Part 22. Section 14(a) of FIFRA, 7 U.S.C. § 136l(a), authorizes the Administrator of the U.S. Environmental Protection Agency to assess penalties and undertake other actions required by this Consent Agreement. The Administrator has delegated this authority to the Regional Administrator who, in turn, has delegated it to the Complainant. This Consent Agreement and the attached Final Order (hereinafter jointly referred to as the “Consent Agreement and Final Order”) resolve Complainant’s civil penalty claims against Respondent under FIFRA (or the “Act”) for the violations alleged herein.
2. In accordance with 40 C.F.R. §§ 22.13(b) and 22.18(b)(2) and (3) of the Consolidated Rules of Practice, Complainant hereby simultaneously commences and resolves this administrative proceeding.

JURISDICTION

3. The U.S. Environmental Protection Agency has jurisdiction over the above-captioned matter, as described in Paragraph 1, above.
4. The Consolidated Rules of Practice govern this administrative adjudicatory proceeding pursuant to 40 C.F.R. § 22.1(a)(1).

GENERAL PROVISIONS

5. For purposes of this proceeding only, Respondent admits the jurisdictional allegations set forth in this Consent Agreement and Final Order.
6. Except as provided in Paragraph 5, above, Respondent neither admits nor denies the specific factual allegations set forth in this Consent Agreement.
7. Respondent agrees not to contest the jurisdiction of EPA with respect to the execution of this Consent Agreement, the issuance of the attached Final Order, or the enforcement of this Consent Agreement and Final Order.
8. For purposes of this proceeding only, Respondent hereby expressly waives its right to contest the allegations set forth in this Consent Agreement and Final Order and waives its right to appeal the accompanying Final Order.
9. Respondent consents to the assessment of the civil penalty stated herein, to the issuance of any specified compliance order herein, and to any conditions specified herein.
10. Respondent shall bear its own costs and attorney's fees in connection with this proceeding.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

11. In accordance with 40 C.F.R. §§ 22.13(b) and 22.18(b)(2) and (3) of the Consolidated Rules of Practice, Complainant alleges and adopts the Findings of Fact and Conclusions of Law set forth immediately below.
12. Section 2(s) of FIFRA, 7 U.S.C. § 136(s), defines "person" to mean "any individual, partnership, association, corporation, or any organized group of persons whether incorporated or not."
13. At all times relevant to the violations alleged herein, Respondent was a North Carolina corporation with multiple locations throughout the United States and a principal place of business located at 112 Staton Road in Greenville, North Carolina.
14. At all times relevant to the violations alleged herein, Respondent was a "person" as defined in Section 2(s) of FIFRA, 7 U.S.C. § 136(s).
15. Section 2(u) of FIFRA, 7 U.S.C. § 136(u), and 40 C.F.R. § 152.3 define "pesticide," in pertinent part, to mean any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest.
16. Section 3(d)(1)(C) of FIFRA, 7 U.S.C. § 136a(d)(1)(C), provides that if it is determined that a pesticide, when applied in accordance with its directions for use, warnings and cautions and for the uses for which it is registered, or for one or more of such uses, or in accordance with a widespread and commonly recognized practice, may generally cause, without additional

regulatory restrictions, unreasonable adverse effects on the environment, including injury to the applicator, EPA shall classify the pesticide, or the particular uses to which the determination applies, for restricted use.

17. Section 2(w) of FIFRA, 7 U.S.C. § 136(w), and 40 C.F.R. § 167.3, define “produce”, in pertinent part, to mean to manufacture, prepare, propagate, compound, or process any pesticide, or to package, repackage, label, relabel or otherwise change the container of any pesticide; and define “producer”, in pertinent part, to mean any person who produces any pesticide (including packaging, repackaging, labeling and relabeling).
18. Section 2(dd) of FIFRA, 7 U.S.C. § 136(dd), and 40 C.F.R. § 167.3, define “establishment”, in pertinent part, to mean any site where a pesticide product is produced.
19. In 2015, Respondent produced, as that term is defined in paragraph 17 herein, the following products at its facility located at 5969 Richmond Highway in Millers Tavern, Virginia:
 - a. *DuPont Harmony* (EPA Reg. No.352-714);
 - b. *DuPont Cinch ATZ* (EPA Reg. No. 352-624); and
 - c. *Brawl II ATZ* (EPA Reg. No.100-817-55467).
20. At all times relevant to the violations alleged herein, the three (3) products identified in Paragraph 19, above, were each a “pesticide” as defined in Section 2(u) of FIFRA, 7 U.S.C. § 136(u), and 40 C.F.R. § 152.3.
21. At all times relevant to the violations alleged herein, *DuPont Cinch ATZ* (EPA Reg. No. 352-624) and *Brawl II ATZ* (EPA Reg. No.100-817-55647) were each classified as a “restricted use pesticide” under Section 3(d)(1)(C) of FIFRA, 7 U.S.C. § 136a(d)(1)(C).
22. At all times relevant to the violations alleged herein, Respondent was a “producer” of the three (3) products identified in Paragraph 19, above, as defined in Section 2(w) of FIFRA, 7 U.S.C. § 136(w), and 40 C.F.R. § 167.3.
23. At all times relevant to the violations alleged herein, Respondent’s facility located at 5969 Richmond Highway in Millers Tavern, Virginia was an “establishment” as defined in Section 2(dd) of FIFRA, 7 U.S.C. § 136(dd), and 40 C.F.R. § 167.3, registered as “EPA Est. No. 5549-VA-002.”
24. At all times relevant to the violations alleged herein, Respondent was a “registrant, commercial applicator, wholesaler, dealer, retailer, or other distributor” within the meaning of Section 14(a) of FIFRA, 7 U.S.C. § 136l(a).
25. On March 23, 2016, EPA conducted an inspection of Respondent’s establishment to determine compliance with FIFRA, 7 U.S.C. §§ 136 *et seq.*, and implementing regulations set forth at 40 C.F.R. Parts 150-189.

Count I
(Failure to File Complete Annual Production Report)

26. The allegations of Paragraphs 1 through 25 of this Consent Agreement are incorporated herein by reference.
27. Pursuant to Section 12(a)(2)(L) of FIFRA, 7 U.S.C. § 136j(a)(2)(L), it is unlawful for a person who is a producer to violate any of the provisions of Section 7 of FIFRA, 7 U.S.C. § 136e.
28. Section 7(c) of FIFRA, 7 U.S.C. § 136e(c), requires producers operating registered establishments to submit annual production reports to EPA as required under regulations EPA may prescribe.
29. Pursuant 40 C.F.R. §§ 167.85(b) and (d), production reports must include *inter alia* the amount of each pesticidal product produced at the establishment during the previous calendar year and must be submitted on or before March 1 annually.
30. On or about January 28, 2016, Respondent submitted an annual production report to EPA for calendar year 2015 for EPA Est. No. 5549-VA-002 that failed to include its production of *DuPont Harmony* (EPA Reg. No.352-714).
31. Complainant alleges that by failing to submit information required by 40 C.F.R. § 167.85(b) in its annual production report for 2015 for EPA Est. No. 5549-VA-002, Respondent violated Section 7(c) of FIFRA, 7 U.S.C. § 136e(c).
32. Complainant alleges that Respondent's act or omission described in Paragraph 30, above, constitutes an unlawful act under Section 12(a)(2)(L) of FIFRA, 7 U.S.C. § 136j(a)(2)(L), for which penalties may be assessed pursuant to Section 14(a) of FIFRA, 7 U.S.C. § 136l(a).

Counts II-XVII

(Sales or Distributions of Misbranded Pesticides)

33. The allegations of Paragraphs 1 through 32 of this Consent Agreement are incorporated herein by reference.
34. Section 12(a)(1)(E) of FIFRA 7 U.S.C. § 136j(a)(1)(E), makes it unlawful for any person in any state to distribute or sell to any person any pesticide that is misbranded.
35. Pursuant to Section 2(gg) of FIFRA, 7, U.S.C §136(gg), to “distribute or sell” means to distribute, sell, offer for sale, hold for distribution, hold for sale, hold for shipment, ship, deliver for shipment, release for shipment, or receive and (having so received) deliver or offer to deliver.

36. Pursuant to Section 2(q)(1)(E) of FIFRA, 7 U.S.C. § 136(q)(1)(E), a pesticide is “misbranded” if “any word, statement, or other information required by or under authority of this subchapter to appear on the label or labeling is not prominently placed thereon with such conspicuousness (as compared with other words, statements, designs, or graphic matter in the labeling) and in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use.”
37. Pursuant to Section 2(q)(1)(F) of FIFRA, 7 U.S.C. § 136(q)(1)(F), a pesticide is “misbranded” if the labeling accompanying the pesticide “does not contain directions for use which are necessary for effecting the purpose for which the product is intended and if complied with, together with any requirements under [Section 3(d) of FIFRA], are adequate to protect health and the environment.”
38. Pursuant to Section 2(q)(1)(G) of FIFRA, 7 U.S.C. § 136(q)(1)(G), a pesticide is “misbranded” if its “label does not contain a warning or caution statement which may be necessary and if complied with, together with any requirements imposed under section [3(d) of FIFRA], is adequate to protect health and the environment.”
39. Complainant alleges that on at least three (3) separate occasions in April and May 2015, Respondent sold the restricted use pesticide product *DuPont Cinch ATZ* (EPA Reg. No. 352-624) with labels that omitted words, statements, or other information required by or under the authority of FIFRA, including required precautionary statements, instructions for ‘mixing and loading’ and ‘storage and disposal,’ and container handling information, rendering it misbranded under Sections 2(q)(1)(E),(F) and/or (G) of FIFRA, 7 U.S.C. § 136(q)(1)(E), (F) and/or (G).
40. Complainant alleges that on at least thirteen (13) separate occasions in March, April, May and June 2015, Respondent sold the restricted use pesticide product *Brawl II ATZ* (EPA Reg. No. 100-817-55467) with labels that omitted words, statements, or other information required by or under the authority of FIFRA, including required precautionary statements, directions for use, instructions for ‘storage and disposal’ and conditions on sales, rendering it misbranded under Sections 2(q)(1)(E), (F) and/or (G) of FIFRA, 7 U.S.C. §§ 136(q)(1)(E)(F) and/or (G).
41. Each of Respondent’s sales described in Paragraphs 39 and 40, above, were to a “person” as defined in Section 2(s) of FIFRA, 7 U.S.C. § 136(s).
42. Complainant alleges that Respondent’s acts or omissions as described in Paragraphs 39, 40, and 41, above, constitute sixteen (16) separate unlawful acts under Section 12(a)(1)(E) of FIFRA, 7 U.S.C. § 36j(a)(1)(E), for which penalties may be assessed pursuant to Section 14(a) of FIFRA, 7 U.S.C. § 136l(a).

CIVIL PENALTY

43. In settlement of EPA’s claims for civil penalties for the violations alleged in this Consent

Agreement, Respondent consents to the assessment of a civil penalty in the amount of FIFTY-EIGHT THOUSAND TWO HUNDRED dollars (\$58,200), which Respondent shall be liable to pay in accordance with the terms set forth below.

44. The civil penalty is based upon EPA's consideration of a number of factors, including the penalty criteria ("statutory factors") set forth in Section 14(a)(4) of FIFRA, 7 U.S.C. § 136l(a)(4), including, the following: size of business of person charged, the effect on the person's ability to continue in business, and the gravity of the violation. These factors were applied to the particular facts and circumstances of this case with specific reference to EPA's December 2009 *FIFRA Enforcement Response Policy* which reflects the statutory penalty criteria and factors set forth at Section 14(a)(4) of FIFRA, 7 U.S.C. § 136l(a)(4), the appropriate *Adjustment of Civil Monetary Penalties for Inflation*, pursuant to 40 C.F.R. Part 19, and the applicable EPA memoranda addressing EPA's civil penalty policies to account for inflation.
45. Payment of the civil penalty amount, and any associated interest, administrative fees, and late payment penalties owed, shall be made by either cashier's check, certified check or electronic wire transfer, in the following manner:
- a. All payments by Respondent shall include reference to Respondent's name and address, and the Docket Number of this action, *i.e.*, EPA Docket No.: FIFRA-03-2020-0075.
 - b. All checks shall be made payable to the "United States Treasury."
 - c. All payments made by check and sent by regular mail shall be addressed and mailed to:

U.S. Environmental Protection Agency
Cincinnati Finance Center
P.O. Box 979077
St. Louis, MO 63197-9000.
 - d. For additional information concerning other acceptable methods of payment of the civil penalty amount see:

<https://www.epa.gov/financial/makepayment>
 - e. A copy of Respondent's check or other documentation of payment of the penalty using the method selected by Respondent for payment shall be sent simultaneously to:

Hannah G. Leone
Assistant Regional Counsel
U.S. EPA, Region III (3RC30)
1650 Arch Street
Philadelphia, PA 19103-2029
Leone.Hannah@epa.gov

46. Pursuant to 31 U.S.C. § 3717 and 40 C.F.R. § 13.11, EPA is entitled to assess interest and late payment penalties on outstanding debts owed to the United States and a charge to cover the costs of processing and handling a delinquent claim, as more fully described below. Accordingly, Respondent's failure to make timely payment of the penalty as specified herein shall result in the assessment of late payment charges including interest, penalties and/or administrative costs of handling delinquent debts.
47. Payment of the civil penalty is due and payable immediately upon receipt by Respondent of a true and correct copy of the fully executed and filed Consent Agreement and Final Order. Receipt by Respondent or Respondent's legal counsel of such copy of the fully executed Consent Agreement and Final Order, with a date stamp indicating the date on which the Consent Agreement and Final Order was filed with the Regional Hearing Clerk, shall constitute receipt of written initial notice that a debt is owed EPA by Respondent in accordance with 40 C.F.R. § 13.9(a).
48. INTEREST: In accordance with 40 C.F.R § 13.11(a)(1), interest on the civil penalty assessed in this Consent Agreement and Final Order will begin to accrue on the date that a copy of the fully executed and filed Consent Agreement and Final Order is mailed or hand-delivered to Respondent. However, EPA will not seek to recover interest on any amount of the civil penalties that is paid within thirty (30) calendar days after the date on which such interest begins to accrue. Interest will be assessed at the rate of the United States Treasury tax and loan rate in accordance with 40 C.F.R § 13.11(a).
49. ADMINISTRATIVE COSTS: The costs of the EPA's administrative handling of overdue debts will be charged and assessed monthly throughout the period a debt is overdue. 40 C.F.R. § 13.11(b). Pursuant to Appendix 2 of EPA's *Resources Management Directives – Case Management*, Chapter 9, EPA will assess a \$15.00 administrative handling charge for administrative costs on unpaid penalties for the first thirty (30) day period after the payment is due and an additional \$15.00 for each subsequent thirty (30) days the penalty remains unpaid.
50. LATE PAYMENT PENALTY: A late payment penalty of six percent per year will be assessed monthly on any portion of the civil penalty that remains delinquent more than ninety (90) calendar days. 40 C.F.R. § 13.11(c). Should assessment of the penalty charge on the debt be required, it shall accrue from the first day payment is delinquent. 31 C.F.R. § 901.9(d).
51. Pursuant to 26 U.S.C. § 162(f)(1), the civil penalty assessed in this Consent Agreement and Final Order may not be deducted for federal tax purposes.

GENERAL SETTLEMENT CONDITIONS

52. By signing this Consent Agreement, Respondent acknowledges that this Consent Agreement and Final Order will be available to the public and represents that, to the best of Respondent's knowledge and belief, this Consent Agreement and Final Order does not

contain any confidential business information or personally identifiable information from Respondent.

53. Respondent certifies that any information or representation it has supplied or made to EPA concerning this matter was, at the time of submission true, accurate, and complete and that there has been no material change regarding the truthfulness, accuracy or completeness of such information or representation. EPA shall have the right to institute further actions to recover appropriate relief if EPA obtains evidence that any information provided and/or representations made by Respondent to the EPA regarding matters relevant to this Consent Agreement and Final Order, including information about respondent's ability to pay a penalty, are false or, in any material respect, inaccurate. This right shall be in addition to all other rights and causes of action that EPA may have, civil or criminal, under law or equity in such event. Respondent and its officers, directors and agents are aware that the submission of false or misleading information to the United States government may subject a person to separate civil and/or criminal liability.

CERTIFICATION OF COMPLIANCE

54. Respondent certifies to EPA, upon personal investigation and to the best of its knowledge and belief, that it currently is in compliance with regard to the violations alleged in this Consent Agreement.

OTHER APPLICABLE LAWS

55. Nothing in this Consent Agreement and Final Order shall relieve Respondent of its obligation to comply with all applicable federal, state, and local laws and regulations, nor shall it restrict EPA's authority to seek compliance with any applicable laws or regulations, nor shall it be construed to be a ruling on the validity of any federal, state or local permit. This Consent Agreement and Final Order does not constitute a waiver, suspension or modification of the requirements of FIFRA, or any regulations promulgated thereunder.

RESERVATION OF RIGHTS

56. This Consent Agreement and Final Order resolves only EPA's claims for civil penalties for the specific violations alleged against Respondent in this Consent Agreement and Final Order. EPA reserves the right to commence action against any person, including Respondent, in response to any condition which EPA determines may present an imminent and substantial endangerment to the public health, public welfare, or the environment. This settlement is subject to all limitations on the scope of resolution and to the reservation of rights set forth in Section 22.18(c) of the Consolidated Rules of Practice, 40 C.F.R. § 22.18(c). EPA reserves any rights and remedies available to it under FIFRA, the regulations promulgated thereunder and any other federal law or regulation to enforce the terms of this Consent Agreement and Final Order after its effective date.

EXECUTION /PARTIES BOUND

57. This Consent Agreement and Final Order shall apply to and be binding upon the EPA, the Respondent and the officers, directors, employees, contractors, successors, agents and assigns of Respondent. By his or her signature below, the person who signs this Consent Agreement on behalf of Respondent is acknowledging that he or she is fully authorized by the Respondent to execute this Consent Agreement and to legally bind Respondent to the terms and conditions of this Consent Agreement and Final Order.

EFFECTIVE DATE


58. The effective date of this Consent Agreement and Final Order is the date on which the Final Order, signed by the Regional Administrator of EPA, Region III, or his/her designee, the Regional Judicial Officer, is filed along with the Consent Agreement with the Regional Hearing Clerk pursuant to the Consolidated Rules of Practice.

ENTIRE AGREEMENT

59. This Consent Agreement and Final Order constitutes the entire agreement and understanding between the Parties regarding settlement of all claims for civil penalties pertaining to the specific violations alleged herein and there are no representations, warranties, covenants, terms, or conditions agreed upon between the Parties other than those expressed in this Consent Agreement and Final Order.

For Respondent: Coastal AgroBusiness, Inc.


Date: 2/25/2020

By: 
James C. Whitehurst, III, President
Coastal AgroBusiness, Inc.

For the Complainant:

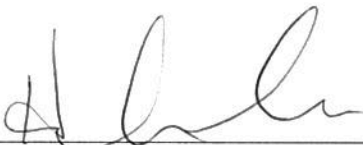
After reviewing the Consent Agreement and other pertinent matters, I, the undersigned Director of the Enforcement and Compliance Assurance Division of the United States Environmental Protection Agency, Region III, agree to the terms and conditions of this Consent Agreement and recommend that the Regional Administrator, or his/her designee, the Regional Judicial Officer, issue the attached Final Order.

Date: MAR 7 2020

By: 
Karen Melvin
Director, Enforcement and Compliance
Assurance Division
U.S. EPA – Region III
Complainant

Attorney for Complainant:

Date: 3/5/2020

By: 
Hannah G. Leone
Assistant Regional Counsel
U.S. EPA – Region III

**BEFORE THE UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION III**

| | | |
|--|---|---|
| In the Matter of: | : | U.S. EPA Docket No. FIFRA-03-2020-0075 |
| | : | |
| Coastal AgroBusiness, Inc. 112 Staton Road Greenville NC 27834 | : | Proceeding under Section 14(a) of the Federal Insecticide, Fungicide and Rodenticide Act, 7 U.S.C. § 136l(a) |
| | : | |
| Respondent. | : | |

U.S. EPA-REGION 3-RHC
FILED-10MAR2020PM12:54

FINAL ORDER

Complainant, the Director of the Enforcement and Compliance Assurance Division, U.S. Environmental Protection Agency, Region III, and Respondent, Coastal AgroBusiness, Inc. have executed a document entitled "Consent Agreement," which I hereby ratify as a Consent Agreement in accordance with the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits ("Consolidated Rules of Practice"), 40 C.F.R. Part 22 (with specific reference to Sections 22.13(b) and 22.18(b)(2) and (3)). The terms of the foregoing Consent Agreement are accepted by the undersigned and incorporated into this Final Order as if fully set forth at length herein.


Based upon the representations of the parties in the attached Consent Agreement, the penalty agreed to therein is based upon consideration of, *inter alia*, EPA's December 2009 *FIFRA Enforcement Response Policy*, and the statutory factors set forth in in Section 14(a)(4) of FIFRA, 7 U.S.C. § 136l(a)(4).

NOW, THEREFORE, PURSUANT TO Section 14(a) of FIFRA, 7 U.S.C. § 136l(a), and Section 22.18(b)(3) of the Consolidated Rules of Practice, **IT IS HEREBY ORDERED** that Respondent pay a civil penalty in the amount of **FIFTY-EIGHT THOUSAND TWO HUNDRED DOLLARS (\$58,200)**, in accordance with the payment provisions set forth in the Consent Agreement, and comply with the terms and conditions of the Consent Agreement.

This Final Order constitutes the final Agency action in this proceeding. This Final Order shall not in any case affect the right of the Agency or the United States to pursue appropriate injunctive or other equitable relief, or criminal sanctions for any violations of the law. This Final Order resolves only those causes of action alleged in the Consent Agreement and does not waive, extinguish or otherwise affect Respondent's obligation to comply with all applicable provisions of FIFRA and the regulations promulgated thereunder.

The effective date of the attached Consent Agreement and this Final Order is the date on which this Final Order is filed with the Regional Hearing Clerk.

March 10, 2020
Date



Joseph J. Lisa
Regional Judicial and Presiding Officer
U.S. EPA Region III

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

In the Matter of:)
Coastal AgroBusiness, Inc.) **Docket No. FIFRA-03-2020-0075**
112 Staton Road)
Greenville NC 27834) **Proceeding under Section 14(a) of the**
) **Federal Insecticide, Fungicide and**
RESPONDENT.) **Rodenticide Act, 7 U.S.C § 136/(a)**
)

CERTIFICATE OF SERVICE

I certify that on MAR 10 2020, the original and one (1) copy of foregoing *Consent Agreement and Final Order*, were filed with the EPA Region III Regional Hearing Clerk. I further certify that on the date set forth below, I served a true and correct copy of the same to each of the following persons, in the manner specified below, at the following addresses:

Copy served via **Certified Mail, Return Receipt Requested, Postage Prepaid**, to:

Ross W. Johnson
Faegre Baker Daniels LLP
801 Grand Avenue, 33rd Floor
Des Moines, IA 50309-8003
(Attorney for Respondent)

Copy served via **Hand Delivery or Inter-Office Mail** to:

Hannah G. Leone
Assistant Regional Counsel
Office of Regional Counsel (3RC30)
U.S. EPA, Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(Attorney for Complainant)

Dated: MAR 10 2020 Beverly Esposito
Regional Hearing Clerk
U.S. Environmental Protection Agency, Region III

TRACKING NUMBER(S): 7017 2620 0000 9143 3184