

UNITES STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 2

<b>IN THE MATTER OF</b> <b>JOSE MARTINEZ COELLO</b> <b>FINCA LOS TRES PICACHOS</b> <b>CARR. 539 KM 2.7</b> <b>JAYUYA, PUERTO RICO</b> <b>RESPONDENT</b>	<b>COMPLAINT AND NOTICE</b> <b>OPPORTUNITY FOR HEARING</b>  <b>DOCKET NO. FIFRA-02-2008-5305</b>
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U.S. ENVIRONMENTAL  
PROTECTION AGENCY-REG. II  
2008 FEB 26 PM 2:54  
REGIONAL HEARING  
CLERK

**ANSWER TO THE COMPLAINT**

Here comes Respondent represent by the undersigned attorney who's **ALLEGED, PRAY** and **REQUEST** as follows:

1. Paragraph 1 is accepted.
2. Paragraph 2 do not required responsive answer from Respondent.
3. Paragraph 3 is accepted.
4. Paragraph 4 do not required responsive answer from Respondent.
5. Paragraph 5 is accepted.
6. Paragraphs 6 to 8 do not required responsive answer from Respondent.
7. Paragraph 9 is accepted.
8. Paragraph 10 to 11 do not required responsive answer from Respondent.
9. Paragraphs 12 to 18 are accepted.
10. Paragraph 19 and 20 do not required responsive answer from Respondent.
11. Paragraph 21 is accepted.
12. Paragraph 22 do not required responsive answer from Respondent.
13. Paragraph 23 was answer above.
14. Paragraph 24 do not required responsive answer from Respondent.

15. Paragraphs 25 to 29 are accepted.
16. Paragraphs 30 and 31 do not required responsive answer from Respondent.
17. Paragraph 32 was answer above.
18. Paragraph 33 and 34 do not required responsive answer from Respondent.
19. Paragraphs 35 to 39 are accepted.
20. Paragraph 40 was answer above.
21. Paragraphs 41 and 42 do not required responsive answer from Respondent.
22. Paragraphs 43 to 47 are accepted.
23. Respondent accepted non compliance with all the counts included in the complaint.

#### **COORETIVE ACTION TAKEN BY RESPONDENT**

24. Respondents hire a Professional Engineer to provide trainings to workers and handler about the safety use, health data and decontaminations procedure during pesticide managements.
25. Respondent will provide specific information on Pesticide application to Workers and Handler which includes the following:
  - a) Location and description of the treated area.
  - b) Product name and EPA Registration number.
  - c) The active ingredients of the Pesticide.
  - d) The time and date the pesticide is to be applied.
  - e) The REI for the Pesticide.

I certify that copy of this answer to the complaint was sent to Ms. Karen Taylor, Esq., Office of Regional Counsel, US EPA-Region 2, 290 Broadway, Ave. 16<sup>th</sup> Floor, New York, NY 10007-1866.

Respectfully submitted today February 18, 2008.



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