



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 1

5 Post Office Square, Suite 100  
BOSTON, MASSACHUSETTS 02109-3912

SEP 23 2010

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

RECEIVED  
OCT 12 2010  
EPA ORC  
Office of Regional Hearing Clerk

Ronald Limoges, President  
The Old Mill - Troy, Inc.  
53 East Main Street  
P.O Box 567  
North Troy, VT 05859

RE: Proposed Civil Administrative Enforcement Action for Monetary Penalties  
*In the Matter of: The Old Mill-Troy, Inc., Docket No. FIFRA-01-2010-0067*

Dear Mr. Limoges:

This is to notify you that the United States Environmental Protection Agency-Region 1 ("EPA") is preparing to bring an enforcement action for penalties against The Old Mill-Troy, Inc., ("The Old Mill"), under the Federal Insecticide, Fungicide and Rodenticide Act, as amended ("FIFRA"), based on your failure to submit annual pesticide production reports required by Section 7 of FIFRA, 7 U.S.C. § 136e. Information available to EPA indicates that The Old Mill failed to submit such reports for the 2007, 2008 and 2009 calendar years, in violation of FIFRA Section 12(a)(2)(L).

EPA requires that pesticide-producing establishments such as yours submit their annual reports, by March 1, covering production, sales and distribution of pesticides (and pesticidal devices) for the preceding calendar year. EPA uses the reports for compliance, risk assessment, and risk reduction activities important for protecting human health and the environment, and for maintaining the integrity of the federal pesticide program. The reports represent EPA's only source for much of the information contained in them. Such reports must be submitted even for years in which no production, sales or distribution occurred.

This EPA enforcement action is for the assessment of civil administrative penalties based on the specific violations alleged by EPA and described in the enclosed document, entitled Consent Agreement and Final Order ("Consent Agreement"). Through the Consent Agreement, EPA extends to The Old Mill an opportunity to resolve the violations before EPA files any administrative civil complaint to initiate litigation through formal enforcement proceedings. Under the Consent Agreement, The Old Mill would resolve the violations EPA alleges therein by agreeing to pay a civil penalty of \$9,720 and certifying that it is now in compliance with FIFRA. A copy of a penalty calculation table and a link to EPA's May 2010 Enforcement Response Policy is included

for your information. A 10% reduction in the proposed penalty is incorporated into the penalty amount and will be applied to the settlement of this matter if you choose to sign the enclosed Consent Agreement and return it to EPA *twenty (20) days* of receipt of this letter. Do not send payment with the signed Consent Agreement.

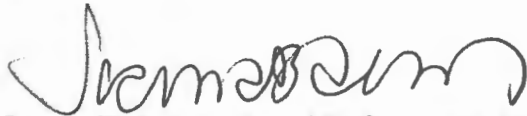
Any settlement of this matter by EPA and The Old Mill must be memorialized in the Consent Agreement. You are advised to review the terms of the enclosed Consent Agreement carefully and, if you wish to discuss such terms or a possible resolution of this case, you should call EPA's FIFRA Enforcement Coordinator, Kan Tham, as soon as possible. Mr. Tham can be reached at (617) 918-1872.

Please note that, if the parties fail to achieve an agreement in principle to settle this case within twenty (20) days of the date of this letter, EPA will commence the process of initiating a more formal enforcement action seeking an unreduced penalty of \$10,800.

Also be advised that it is the practice of this office to inform the press of the initiation and conclusion of administrative enforcement actions.

Thank you for your prompt attention to this important matter.

Sincerely,



Joanna B. Jerison, Legal Enforcement Manager  
Office of Environmental Stewardship  
U.S. EPA - Region 1

Enclosures:

Proposed Consent Agreement and Final Order  
Small Business Information Sheet  
SEC Notice Information Sheet

cc: Kan Tham, FIFRA Enforcement Coordinator, U.S. EPA - Region 1  
Sharon Hayes, Senior Enforcement Coordinator, U.S. EPA - Region 1  
Hugh W. Martinez, Senior Enforcement Counsel, U.S. EPA - Region 1  
Jim Leland, Director, Vermont Agency of Agriculture, Food and Markets

**The Old Mill-Troy, Inc.**

**Size-of-Business Category II (C-II)\***

#1	#2	#3
CY 2007 (NOW non-reporting)	CY 2008 (non-reporting)	CY 2009 (non-reporting)
\$0.00	\$3,300.00	\$7,500.00

TOTAL unreduced penalty = \$10,800.00

**TOTAL penalty with 10% reduction = \$9,720.00**

\* The Size-of-Business Categories are:

- Category I (C-I) over \$10,000,000 a year in gross revenues
- Category II (C-II) \$1,000,000 - \$10,000,000 a year in gross revenues
- Category III (C-III) under \$1,000,000 a year in gross revenues

EPA's May 2010 Enforcement Response Policy:

<http://www.epa.gov/compliance/resources/policies/civil/fifra/fifra-erp-section7-051910.pdf>