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8/6/25

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**U.S. EPA REGION 1
HEARING CLERK**

EXPEDITED SETTLEMENT AGREEMENT AND FINAL ORDER, Docket Number FIFRA-01-2025-0068
Issued under Section 14(a) of FIFRA, 7 U.S.C. § 136/(a), and 40 C.F.R. §§ 22.13(b) and 22.18(b)

1. The U.S. Environmental Protection Agency ("EPA") alleges that Respondent, Exoban, LLC, failed to comply with Section 7(c) of the Federal Insecticide, Fungicide, and Rodenticide Act ("FIFRA"), 7 U.S.C. § 136e(c).
2. Under FIFRA Section 7(c) and 40 C.F.R. § 167.85(d), Respondent was required to file, on or before the March 1, 2025 deadline, an annual pesticide production report covering the prior calendar year of 2024 ("Reporting Year") for Respondent's registered pesticide-producing establishment located at 296 Reynolds Bridge Road, Thomaston, Connecticut and identified by EPA Establishment Number 96294-CT-1 (the "Establishment").
3. EPA alleges that Respondent failed to file its annual pesticide production report concerning the Establishment for Reporting Year 2024 on or before the March 1, 2025 deadline, which failure is unlawful under FIFRA Section 12(a)(2)(L), 7 U.S.C. § 136j(a)(2)(L).
4. EPA is authorized to enter into this Expedited Settlement Agreement and Final Order ("Agreement"), and this proceeding for the assessment of a civil penalty is simultaneously commenced and concluded, pursuant to Section 14(a) of FIFRA, 7 U.S.C. § 136/(a), and 40 C.F.R. §§ 22.13(b) and 22.18(b).
5. EPA and Respondent agree that settlement of this matter for a civil penalty of **\$1,000** is reasonable and in the public interest and is based on EPA's consideration of the statutory factors set forth in Section 14(a)(4) of FIFRA, 7 U.S.C. § 136/(a)(4), as applied to the particular facts and circumstances of this case, with specific reference to EPA's *August 23, 2019 FIFRA Section 7(c) Expedited Settlement Agreement Program*.
6. By signing this Agreement, Respondent: (a) admits that Respondent is subject to the requirements in Paragraph 2 above, (b) admits that EPA has jurisdiction over Respondent and Respondent's conduct alleged herein, (c) neither admits nor denies the factual allegations contained herein, (d) consents to the assessment of the penalty in Paragraph 5 above, (e) waives the opportunity for a hearing or appeal to contest the allegations contained herein pursuant to FIFRA and 40 C.F.R. Part 22; and (f) waives any right of judicial review under Chapter 7 of the Administrative Procedure Act, 5 U.S.C. §§ 701-706.
7. By its signature below, Respondent certifies, subject to civil and criminal penalties for making a false submission to the United States Government, that Respondent has corrected the alleged violations and is complying with Section 7(c) of FIFRA and its implementing regulations at 40 C.F.R. § 167.85.

8. Respondent agrees that, *within 30 days of the effective date of this Agreement* (see paragraph 12 below), it shall submit a check or make an electronic payment, as described below. Any check or other payment shall reference "In the Matter of Exoban, LLC, Expedited Settlement Agreement and Final Order, EPA Region 1," Respondent's name and address, and the EPA Docket Number assigned to this action (FIFRA-01-2025-0068), shall be in the amount stated above, and shall be payable to "Treasurer, United States of America." Such payment shall be remitted as follows:

For checks, send by regular U.S. mail (consult "Payments by Mail" section on <https://epa.gov/financial/makepayment> for address format for signed receipt confirmation) to:

U.S. EPA

Fines and Penalties

Cincinnati Finance Center

P.O. Box 979078

St. Louis, MO 63197-9000

For electronic payments:

Using any method, or combination of methods, provided on the website:

<https://epa.gov/financial/makepayment> (for details on electronic payments, click on "Additional Instructions" under "Civil Penalties (Regions 1-10)," and identify every payment with "*In the Matter of Exoban, LLC, Docket No. FIFRA-01-2025-0068*")

Within 24 hours of payment, Respondent shall email notice of payment, along with a copy of the check or electronic payment receipt, in portable document format (pdf) or equivalent, to: Kelsey Sullivan, FIFRA Enforcement Officer, at Sullivan.Kelsey@epa.gov, and Wanda I. Santiago, Regional Hearing Clerk, at R1_Hearing_Clerk_Filings@epa.gov.

9. Upon the effective date of this Agreement, payment of the civil penalty shall resolve only Respondent's liability for Federal civil penalties for the violations and facts alleged herein. EPA reserves all of its rights to take enforcement action for any other violations by Respondent of FIFRA, any other Federal statute or regulation, or this Agreement. Each party shall bear its own costs and fees, if any, in entering into this Agreement. The payment made by Respondent pursuant to this Agreement is a penalty within the meaning of Section 162(f) of the Internal Revenue Code, 26 U.S.C. § 162(f), and therefore, Respondent shall not claim the payment as a tax-deductible expenditure for purposes of federal, state, or local law.

10. The representative of Respondent signing below certifies that he or she is fully authorized to enter the terms and conditions of this Agreement and to execute and legally bind Respondent to it.

11. By entering into this Agreement, each of the parties give their respective consent to accept digital signatures hereupon. Respondent further consents to accept electronic service of the fully executed Agreement through its authorized representative, by email at the email address provided under Respondent's signature below. Respondent understands that this email address may be made public when the Agreement and Final Order are filed and uploaded to a searchable database. EPA has provided Respondent with a copy of the EPA Region 1 Regional Judicial Officer's Authorization of EPA Region 1 Part 22 Electronic Filing System for Electronic Filing and Service of Documents Standing

EXPEDITED SETTLEMENT AGREEMENT AND FINAL ORDER

In the Matter of Exoban, LLC, Docket No. FIFRA-01-2025-0068

Order, dated June 19, 2000. Electronic signatures shall comply with, and be maintained in accordance with, that Order.

12. This Agreement is binding on the parties signing below. Upon signature of the parties and approval by the Regional Judicial Officer, this Agreement shall be filed with the Regional Hearing Clerk. In accordance with 40 C.F.R. § 22.31(b), this Agreement shall become effective upon filing with the Regional Hearing Clerk.

APPROVED BY EXOBAN, LLC:

Signature & Date:

Leonard Murtishi 8/5/25

Name and Title (print):

Leonard Murtishi, Office Manager

Provide e-mail address for service of fully executed Agreement on the line below:

Lenny@exoban.com

APPROVED BY EPA:

Signature & Date:

Delegated Official:

James Chow, Director
Enforcement and Compliance Assurance Division
EPA, Region 1

FINAL ORDER

Pursuant to 40 C.F. R. § 22.18(b) and (c) of the EPA's Consolidated Rules of Practice, the attached Expedited Settlement Agreement resolving this matter is incorporated by reference into this Final Order and is hereby ratified. The Respondent, Exoban, LLC, is ORDERED to comply with all terms of the Agreement, which shall become effective on the date it is filed with the Regional Hearing Clerk.

IT IS SO ORDERED:

Signature & Date: _____

Michael J. Knapp, Regional Judicial Officer
EPA, Region 1