

BEFORE THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 3

Philadelphia, Pennsylvania 19103

FILED

Apr 09, 2025

1:26 pm

U.S. EPA REGION 3  
HEARING CLERK

IN RE: : U.S. EPA Docket No. FIFRA-03-2025-0067  
:  
MEB LOGISTICS, INC : Proceeding under: Section 14 of the  
262 VALLEY ROAD : Federal Insecticide, Fungicide and  
WARRINGTON, PENNSYLVANIA 18901 : Rodenticide Act, as amended, 7 U.S.C.  
: § 136/  
:  
Respondent :

**EXPEDITED SETTLEMENT AGREEMENT**

1. MEB Logistics, Inc. ("Respondent") and the Director, Enforcement and Compliance Assurance Division, U.S. Environmental Protection Agency, Region 3 ("Complainant") enter into this Expedited Settlement Agreement ("Agreement") 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. § 22.13(b) and 22.18(b). The Administrator has delegated the authority to enter this Agreement to the Regional Administrator who, in turn, has delegated it to the Complainant.
2. The U.S. Environmental Protection Agency, Region 3 has jurisdiction over this matter pursuant to Section 14(a) of the FIFRA, 7 U.S.C. § 136l(a), and 40 C. F.R. Part 22 of the Consolidated Rules of Practice, including specifically 40 C.F.R. §§ 22.1, 22.13(b) and 22.18(b).
3. At all times relevant to the allegations described in this Agreement, Respondent was a "person" and a "producer" as those terms are defined in Sections 2(s) and (w) of FIFRA, 7 U.S.C. §§ 136(s) and (w) and 40 C.F.R. § 167.3 and an operator of two "establishments", as that term is defined in Section 2(dd) of FIFRA, 7 U.S.C. §§ 136(dd) and 40 C.F.R. § 167.3.
  - a. This first establishment is registered with EPA under Establishment Number 94615-PA-1, MEB Logistics, Inc., located at 262 Valley Road, Warrington, Pennsylvania 18976, "Warrington Facility."
  - b. The second establishment is registered with EPA under Establishment Number 94615-PA-2. The Establishment, MEB Logistics, Inc., is located at 900 Madison Avenue, Norristown, Pennsylvania 19403, "Norristown Facility."

4. Section 7(c) of FIFRA, 7 U.S.C. § 136e(c), requires any producer operating a registered pesticides-producing establishment to inform EPA of the types and amounts of pesticides and, if applicable, active ingredients used in producing pesticides, which it is producing, which it has produced during the past year, and which it has sold or distributed during the past year. The information required by this paragraph shall be kept current and submitted to the Administrator annually as required by such regulations as the Administrator may prescribe. The regulation found at 40 C.F.R § 167.85(d) requires such pesticides report to be filed annually on or before March 1, even if the producer has produced no pesticidal products for that reporting year.
  
5. Section 7(c) of FIFRA, 7 U.S.C. § 136e(c), requires any producer operating a registered pesticides-producing establishment to inform EPA, within 30 days after it is registered, of the types and amounts of pesticides and, if applicable, active ingredients used in producing pesticides – (A) which the which the producer is currently producing; (B) which the producer has produced during the past year; and (C) which the producer has sold or distributed during the past year. The regulation found at 40 C.F.R § 167.85(d) requires a producer operating an establishment must submit an initial report no later than 30 days after the first registration of each establishment the producer operates.
  
6. Complainant has identified the following violations:
  - a. On March 1, 2024, Respondent failed to file the 2023 annual pesticide production report (EPA Form 3540-16) for the “Warrington Facility” by March 1, 2024, as required by Section 7(c) of FIFRA, 2 U.S.C. § 136e(c) and 40 C.F.R. § 167.85(d). In failing to comply with Section 7(c) of FIFRA, 2 U.S.C. § 136e(c) and 40 C.F.R. § 167.85(d), Respondent is subject to the assessment of penalties under Section 14 (a) of FIFRA, 7 U.S.C. § 136/(a);
  
  - b. On July 15, 2022, Respondent failed to file the initial pesticide production report (EPA Form 3540-16) for the “Norristown Facility” by July 15, 2022, as required by Section 7(c) of FIFRA, 2 U.S.C. § 136e(c) and 40 C.F.R. § 167.85(d). In failing to comply with Section 7(c) of FIFRA, 2 U.S.C. § 136e(c) and 40 C.F.R. § 167.85(d), Respondent is subject to the assessment of penalties under Section 14 (a) of FIFRA, 7 U.S.C. § 136/(a);
  
  - c. On March 1, 2023, Respondent failed to file the 2022 annual pesticide production report (EPA Form 3540-16) for the “Norristown Facility” by March 1, 2023, as required by Section 7(c) of FIFRA, 2 U.S.C. § 136e(c) and 40 C.F.R. § 167.85(d). In failing to comply with Section 7(c) of FIFRA, 2 U.S.C. § 136e(c) and 40 C.F.R. § 167.85(d), Respondent is subject to the assessment of penalties under Section 14 (a) of FIFRA, 7 U.S.C. § 136/(a);

- d. On March 1, 2024, Respondent failed to file the 2023 annual pesticide production report (EPA Form 3540-16) for the “Norristown Facility” by March 1, 2024, as required by Section 7(c) of FIFRA, 2 U.S.C. § 136e(c) and 40 C.F.R. § 167.85(d). In failing to comply with Section 7(c) of FIFRA, 2 U.S.C. § 136e(c) and 40 C.F.R. § 167.85(d), Respondent is subject to the assessment of penalties under Section 14 (a) of FIFRA, 7 U.S.C. § 136l(a).
7. Under EPA’s *Enforcement Response Policy for FIFRA Section 7(c) Establishment Reporting Requirements*, updated May 2010, EPA may reduce a civil penalty to zero when a producer who has failed to submit a timely production report under Section 7(c)(1) of FIFRA reports no pesticide production and requests termination of the establishment’s registration number within 20 days after receiving written notification of the violation by EPA.
8. In correspondence provided within 20 days of receiving EPA’s notice of the violation alleged herein, Respondent reported that it produced no pesticides at the Warrington Facility (EPA Est. No. 94615-PA-1) and the Norristown Facility (EPA Est. No. 94615-PA-2) in calendar years 2023 and 2024 and requested that the establishment registrations for both facilities be terminated.
9. Complainant and Respondent agree that settlement of this matter for a penalty of **\$0.00 (ZERO DOLLARS)** is in the public interest. In calculating this amount, Complainant considered the statutory factors listed in Section 14(a)(4) of FIFRA, 7 U.S.C. § 136l(a)(4), as well as EPA’s *Enforcement Response Policy for FIFRA Section 7(c) Establishment Reporting Requirements*, updated May 2010, (“ERP”) and the June 21, 2019, *FIFRA Section 7(c) Expedited Settlement Agreement Program*
10. By signing this Agreement, Respondent: (a) admits the jurisdictional allegations in this Agreement; (b) neither admits nor denies the factual allegations contained herein, except as provided in subparagraph (a); (c) consents to the assessment of the penalty set forth herein; and (d) waives any right to contest the allegations contained herein and its right to appeal the proposed Final Order attached hereto.
11. By signing and returning this Agreement to the EPA, Respondent waives any rights or defenses that Respondent has or may have for this matter to be resolved in federal court, including but not limited to any right to a jury trial, and waives any right to challenge the lawfulness of the final order accompanying the consent agreement.
12. By signing this Agreement, Respondent acknowledges that this Agreement and Final Order will be available to the public and represents that, to the best of Respondent’s knowledge and belief, this Agreement and Final Order does not contain any confidential business information or personally identifiable information

from Respondent.

13. The Parties shall bear their own costs and fees, if any.
14. The Parties agree that settlement of this matter is in the public interest.
15. The Agreement and the attached Final Order constitute a settlement by EPA of its claims for civil penalties for the violations alleged in this Agreement.
16. 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. In addition, this settlement is subject to all limitations on the scope of resolution and to the reservation of rights set forth in Sections 22.18(c) and 22.31(a) of the Consolidated Rules of Practice. Further, EPA reserves any rights and remedies available to it under the FIFRA, the FIFRA regulations promulgated, and any other federal laws or regulations for which EPA has jurisdiction, to enforce the provisions of this Agreement and Final Order, following its filing with the Regional Hearing Clerk.
17. This Agreement is binding on the Parties and in accordance with 40 C.F.R. § 22.31(b), is effective upon filing of the Final Order.
18. By signing this Agreement, the undersigned representative certifies authority to execute this Agreement and to legally bind MEB Logistics, Inc.
19. As permitted under 40 CFR § 22.6, the Regional Hearing Clerk will serve copies of this Agreement and Final Order by e-mail to the parties at the following valid e-mail addresses: [convery.christine@epa.gov](mailto:convery.christine@epa.gov) (for Complainant), and [meblogistics@aol.com](mailto:meblogistics@aol.com) (for Respondent).
20. By its signature below, the Respondent certifies, subject to civil and criminal penalties for making a false submission to the United States Government, that (1) he or she has corrected the alleged violations, and (2) any documentation or information that he or she provided to EPA was true and accurate.

**For Respondent:** Michael Bowen

Name (print): Michael Bowen  
Title (print): OWNER

Signature: 

Date: 3/08/2025

**For Complainant: U.S. Environmental Protection Agency, Region 3**

After reviewing the Agreement and other pertinent matters, I, the undersigned Director of the Enforcement and Compliance Assurance Division of the United States Environmental Protection Agency, Region 3, agree to the terms and conditions of this Agreement and recommend that the Regional Administrator, or his/her designee, the Regional Judicial Officer, issue the attached Final Order.

Melvin,  
Karen

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Karen  
Date: 2025.04.07  
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[Digital Signature and Date]

Karen Melvin, Director  
Enforcement and Compliance Assurance Division

**BEFORE THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 3  
Philadelphia, Pennsylvania 19103**



IN RE: : U.S. EPA Docket No. FIFRA-03-2025-0067  
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WARRINGTON, PENNSYLVANIA 18901 : Rodenticide Act, as amended, 7 U.S.C.  
: § 136/  
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Respondent :

**FINAL ORDER**

Complainant, the Director of the Enforcement and Compliance Assurance Division, U.S. Environmental Protection Agency, Region 3, and Respondent, MEB Logistics, Inc., have executed a document entitled "Expedited Settlement 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 EXPEDITED SETTLEMENT 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 Expedited Settlement Agreement, the penalty agreed to therein took into account the statutory factors set forth in Section 14(a)(4) of FIFRA, 7 U.S.C. § 136(a)(4), as well as EPA's *Enforcement Response Policy for FIFRA Section 7(c) Establishment Reporting Requirements*, updated May 2010 ("ERP") and the June 21, 2019 *FIFRA Section 7(c) Expedited Settlement Agreement Program*.

**NOW, THEREFORE, PURSUANT TO** Section 14(a) of the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. Section 136(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 **\$0.00 (ZERO DOLLARS)**, in accordance with the payment provisions set forth in the Expedited Settlement Agreement, and comply with the terms and conditions of the Expedited Settlement 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 Expedited Settlement Agreement and does not waive, extinguish or otherwise affect Respondent's obligation to comply with all applicable provisions of FIFRA, 7 U.S.C. § 136l, and the regulations promulgated thereunder.

The effective date of the foregoing Expedited Settlement Agreement and this Final Order is the date on which this Final Order is filed with the Regional Hearing Clerk, pursuant to Section 14(a) of the FIFRA, 7 U.S.C. Section 136l(a).

JOSEPH  
LISA

Digitally signed by  
JOSEPH LISA  
Date: 2025.04.09  
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*[Digital Signature and Date]*

Joseph J. Lisa

Regional Judicial Officer

U.S. EPA - Region 3

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 3  
Philadelphia, Pennsylvania 19103

In the Matter of: :  
: U.S. EPA Docket No. FIFRA-03-2025-0067  
MEB LOGISTICS, INC :  
262 VALLEY RD : Proceeding under Section 14 of the Federal  
WARRINGTON, PENNSYLVANIA 18976 : Insecticide, Fungicide and Rodenticide Act,  
: as amended, 7 U.S.C. § 136f  
Respondent. :  
: :  
MEB Logistics, Inc. :  
262 Valley Road :  
Warrington, Pennsylvania 18976 :  
: :  
MEB Logistics, Inc. :  
900 Madison Avenue :  
Norristown, Pennsylvania 19403 :  
: :  
: :  
Facilities :

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**CERTIFICATE OF SERVICE**

I certify that the foregoing ***Expedited Settlement Agreement and Final Order*** was filed with the EPA Region 3 Regional Hearing Clerk on the date that has been electronically stamped on the ***Expedited Settlement Agreement and Final Order***. I further certify that on the date set forth below, I caused to be served a true and correct copy of the foregoing to each of the following persons, in the manner specified below, at the following addresses:

Copies served via email to:

Michael Bowen, President  
MEB Logistics, Inc.  
262 Valley Road  
Warrington, PA 18901  
[mehlogistics@aol.com](mailto:mehlogistics@aol.com)

Christine Convery  
Environmental Scientist

U.S. EPA, Region 3

[convery.christine@epa.gov](mailto:convery.christine@epa.gov)

BEVIN  
ESPOSITO

Digitally signed by BEVIN ESPOSITO  
Date: 2025.04.09 13:28:52 -0400

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*[Digital Signature and Date]*

Regional Hearing Clerk

U.S. Environmental Protection Agency, Region 3