



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901



CERTIFIED MAIL
RETURN RECEIPT REQUESTED
RECEIPT NO:

7019 0700 0001 7652 6410

POM Enterprises LLC
Registered Agent on behalf of HIRO Systems Hawaii LLC
Attention: David Yonamine, President, and Dustin Hara, Managing Member of HIRO
Systems Hawaii LLC
250 Kawaihae Street Unit 16A
Honolulu, Hawaii 96825

Re: Federal Insecticide, Fungicide, and Rodenticide Act Complaint and Notice of
Opportunity for Hearing Docket No.: FIFRA 09-2023-0069

Dear David Yonamine and Dustin Hara:

Enclosed is a Complaint and Notice of Opportunity for Hearing concerning violations of the Federal Insecticide, Fungicide, and Rodenticide Act ("FIFRA"). Specifically, the complaint alleges that HIRO Systems Hawaii LLC violated FIFRA Section 12(a)(1)(A) by selling or distributing the unregistered pesticides, "*HIRO Proprietary Blend Raw TEG*", "*HOCL Hypo-Chlorus Acid Eco-Friendly Sanitization Solution by Hiro*", and "*HIROCL Hypochlorus Acid Sanitization Solution*"; violated Section 12(a)(1)(E) of FIFRA by selling or distributing the misbranded pesticides, "*HIRO Proprietary Blend Raw TEG*", "*HOCL Hypo-Chlorus Acid Eco-Friendly Sanitization Solution by Hiro*", "*HIROCL Hypochlorus Acid Sanitization Solution*", and "*Clean Republic Disinfectant + Sanitizer*", and one (1) misbranded pesticide device, "*Side-Kik HOCL Generator*"; and violated 12(a)(2)(L) of FIFRA by producing the pesticides, "*HIRO Proprietary Blend Raw TEG*", "*HOCL Hypo-Chlorus Acid Eco-Friendly Sanitization Solution by Hiro*", and "*HIROCL Hypochlorus Acid Sanitization Solution*" in a pesticide producing establishment not registered with the EPA. EPA will seek a civil penalty for these alleged violations.

You should be aware of the part of the Complaint entitled "Opportunity to Request a Hearing." You are required to respond to this Complaint within thirty (30) days of receipt of the Complaint. If you fail to file an Answer to this Complaint with the Regional Hearing Clerk within thirty (30) days of receipt, your failure shall constitute an admission of all facts alleged in the Complaint and a waiver of your right to a hearing. The proposed civil penalty shall become due and payable sixty (60) days after a final order is issued upon default.

Copies of the following rules, regulations, and guidance are included for your information: (1) the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties; (2) EPA's Enforcement Response Policy for the Federal Insecticide, Fungicide, and Rodenticide Act, dated December 2009; and (3) the Amendments to EPA's Civil Penalty Policies to Account for Inflation (effective January 15, 2022) and Transmittal of the 2022 Civil Monetary Penalty Inflation Adjustment Rule.

If you have any questions, please contact (or have your attorney contact) Nathaniel Moore, Assistant Regional Counsel, at (415) 972-3899.

Sincerely,

**MATTHEW
SALAZAR**

Digitally signed by MATTHEW
SALAZAR
Date: 2023.07.06 14:43:06
-07'00'

Matt Salazar, P.E.,
Manager, Toxics Section
Enforcement and Compliance Assurance Division

Enclosures

Cc: Greg Takeshima, Hawaii Department of Agriculture
Ecc: david@hirosystemshawaii.com & dustin@hirosystemshawaii.com