



Kathryn E. Szmuszkovicz
1350 I Street, N.W.
Suite 700
Washington, D.C. 20005-3311
Direct: (202) 789-6037
Fax: (202) 789-6190
kes@bdlaw.com

November 20, 2015

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Lydia A. Guy, Regional Hearing Clerk (3RC00)
U.S. EPA, Region III
1650 Arch Street
Philadelphia, PA 19103-2029

Re: Docket No. FIFRA-03-2015-0248

Dear Ms. Guy:

On behalf of Respondent, FMC Corporation, enclosed are an original and one copy of FMC's Answer to the U.S. Environmental Protection Agency's Complaint and Request for Hearing in the above-referenced matter. Thank you in advance for returning the copy file-stamped received in the enclosed postage prepaid envelope.

As confirmed on the enclosed Certificate of Service, we also are serving copy of FMC's Answer on the Complainant through Complainant's attorney, Jennifer M. Abramson.

Sincerely,

Kathryn E. Szmuszkovicz

Enclosures

cc: Jennifer M. Abramson, U.S. EPA Region III (with FMC's Answer and Request for Hearing)

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR

In the Matter of:

Docket No: FIFRA-03-2015-0248

FMC Corporation)
1735 Market Street)
Philadelphia, PA 19103)
Respondent)

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ANSWER TO COMPLAINT AND REQUEST FOR HEARING

Respondent FMC Corporation (“Respondent” or “FMC”) responds to the Complaint by admitting, denying and asserting as follows.

DEFINITIONS

1. This is a recitation of a statutory provision to which no response is required.
2. This is a recitation of a statutory provision to which no response is required.
3. This is a recitation of a statutory provision to which no response is required.
4. This is a recitation of a statutory provision to which no response is required.
5. This is a recitation of a regulatory provision to which no response is required.
6. This is a recitation of a statutory provision to which no response is required.
7. This is a recitation of statutory and regulatory provisions to which no response is required.

GENERAL ALLEGATIONS

8. Admitted.
9. Admitted.
10. Admitted.
11. Denied. FMC asserts that on January 24, 2011, it submitted a notification under EPA's October 22, 1998, *Pesticide Registration Notice (PR) 98-10: Notifications, Non-Notifications and Minor Formulation Amendments* ("PRN 98-10") notifying EPA that it would be adding *Stallion Insecticide* as an alternate brand name for *F9047-2 EC Insecticide*, EPA Reg. No. 279-9545.
12. Denied in part. Such references began February 16, 2011.
13. Admitted.
14. Admitted.
15. Admitted.

VIOLATIONS

FAILURE TO GIVE USE CLASSIFICATION IN ADVERTISING

16. FMC incorporates by reference the admissions, denials and assertions contained in paragraphs 1 through 15 of this Answer as though fully set forth again.
17. This is a recitation of a statutory provision to which no response is required.
18. Admitted.

19. This is a legal conclusion to which no response is required. However, FMC asserts that there is no evidence of any sale or use of *F9047-2 EC Insecticide*, EPA Reg. No. 279-9545 inconsistent with these provisions.
20. This is a recitation of a statutory provision to which no response is required.
21. This is a recitation of a regulatory provision to which no response is required.

VIOLATIONS 1-9,645 - Direct Mailer Advertisements (Farms/Growers)

22. Admitted in part. Denied with respect to the use of plural "direct mailers;" FMC asserts that it took a single action to cause a single direct mailer to be sent.
23. This is a legal conclusion to which no response is required.
24. This is a legal conclusion to which no response is required.
25. Admitted in part. Denied with respect to the use of plural "direct mailers;" FMC asserts that it took a single action to cause a single direct mailer to be sent. FMC also asserts that, while the single direct mailer did not include the phrase "Restricted Use Pesticide," it instructed the intended recipient to "always read and follow label directions" and the label contained the phrase "Restricted Use Pesticide" and related directions.
26. Admitted in part. Denied with respect to the use of plural "direct mailers;" FMC asserts that it took a single action to cause a single direct mailer to be sent. FMC also asserts that, while the single direct mailer did not include an explanation of the terms of restrictions of *F9047-2 EC Insecticide*, EPA Reg. No. 279-9545, it instructed the intended recipient to "always read and follow label directions" and the label contained those explanations.

27. This is a legal conclusion to which no response is required. However, FMC asserts that, while the single direct mailer did not include the phrase "Restricted Use Pesticide" or an explanation of the terms of restrictions of *F9047-2 EC Insecticide*, EPA Reg. No. 279-9545, it instructed the intended recipient to "always read and follow label directions" and the label contained the phrase "Restricted Use Pesticide" and those explanations.
28. Denied. FMC asserts that it took a single action to cause a single direct mailer to be sent, and further that this is distinct from the extent to which potential recipients actually received the mailer, actually read the mailer, actually attempted to purchase *F9047-2 EC Insecticide*, EPA Reg. No. 279-9545, or actually purchased *F9047-2 EC Insecticide*, EPA Reg. No. 279-9545.
29. This is a legally irrelevant statement to which no response is required. FMC further asserts that this allegation is distinct from the extent to which any potential recipient who was not a certified applicator actually received the mailer, actually read the mailer, actually attempted to purchase *F9047-2 EC Insecticide*, EPA Reg. No. 279-9545, or actually purchased *F9047-2 EC Insecticide*, EPA Reg. No. 279-9545.
30. This is a legal conclusion to which no response is required. However, FMC asserts it took no more than one action in deciding to cause a single direct mailer to be sent.
31. This is a legal conclusion to which no response is required. However, FMC denies there was a violation and asserts that to the extent there was a violation, there was no more than one.

VIOLATIONS 9,646-12,267 - Direct Mailer Advertisements (Retailers)

32. Admitted in part. Denied with respect to the use of plural “direct mailers;” FMC asserts that it took a single action to cause a single direct mailer to be sent.
33. This is a legal conclusion to which no response is required.
34. This is a legal conclusion to which no response is required.
35. Admitted in part. Denied with respect to the use of plural “direct mailers;” FMC asserts that it took a single action to cause a single direct mailer to be sent. FMC also asserts that, while the single direct mailer did not include the phrase “Restricted Use Pesticide,” it instructed the intended recipient to “always read and follow label directions” and the label contained the phrase “Restricted Use Pesticide” and related directions.
36. Admitted in part. Denied with respect to the use of plural “direct mailers;” FMC asserts that it took a single action to cause a single direct mailer to be sent. FMC also asserts that, while the single direct mailer did not include an explanation of the terms of restrictions of *F9047-2 EC Insecticide*, EPA Reg. No. 279-9545, it instructed the intended recipient to “always read and follow label directions” and the label contained those explanations.
37. This is a legal conclusion to which no response is required. However, FMC asserts that while the single direct mailer did not include the phrase “Restricted Use Pesticide” or an explanation of the terms of restrictions of *F9047-2 EC Insecticide*, EPA Reg. No. 279-9545, it instructed the intended recipient to “always read and follow label directions” and the label contained the phrase “Restricted Use Pesticide” and those explanations.

38. Denied. FMC asserts that it took a single action to cause a single direct mailer to be sent, and further that this is distinct from the extent to which potential recipients actually received the mailer, actually read the mailer, actually attempted to purchase *F9047-2 EC Insecticide*, EPA Reg. No. 279-9545, or actually purchased *F9047-2 EC Insecticide*, EPA Reg. No. 279-9545.
39. This is a legal conclusion to which no response is required. However, FMC asserts it took no more than one action in deciding to cause a single direct mailer to be sent.
40. This is a legal conclusion to which no response is required. However, FMC denies there was a violation and asserts that to the extent there was a violation, there was no more than one.

VIOLATIONS 12,268-12,270 - *Progressive Forage Grower Magazine Advertisements*

41. Admitted in part. Denied with respect to the use of plural “ads;” FMC asserts that it took a single action to cause a single advertisement to appear in the April, May and July 2012 issues of the *Progressive Forage Grower* magazine.
42. This is a legal conclusion to which no response is required.
43. This is a legal conclusion to which no response is required.
44. Admitted in part. Denied with respect to the use of plural “ads;” FMC asserts that it took a single action to cause the advertisement to appear. FMC also asserts that, while the advertisement did not include the phrase “Restricted Use Pesticide,” it instructed the intended recipient to “always read and follow label directions” and the label contained the phrase “Restricted Use Pesticide” and related directions.

45. Admitted in part. Denied with respect to the use of plural “ads;” FMC asserts that it took a single action to cause the advertisement to appear. FMC also asserts that, while the advertisement did not include an explanation of the terms of restrictions of *F9047-2 EC Insecticide*, EPA Reg. No. 279-9545, it instructed the intended recipient to “always read and follow label directions” and the label contained those explanations.
46. This is a legal conclusion to which no response is required. However, FMC asserts that, while the single advertisement did not include the phrase “Restricted Use Pesticide” or an explanation of the terms of restrictions of *F9047-2 EC Insecticide*, EPA Reg. No. 279-9545, it instructed the intended recipient to “always read and follow label directions” and the label contained the phrase “Restricted Use Pesticide” and those explanations.
47. This is a legal conclusion to which no response is required. However, FMC asserts it took no more than one action in deciding to cause the advertisement to appear.
48. This is a legal conclusion to which no response is required. However, FMC denies there was a violation and asserts that to the extent there was a violation, there was no more than one.

VIOLATION 12,271 - *The Sunflower Magazine Advertisement*

49. Admitted.
50. This is a legal conclusion to which no response is required.
51. This is a legal conclusion to which no response is required.
52. Admitted. However, FMC asserts that, while the advertisement did not include the phrase “Restricted Use Pesticide,” it instructed the intended recipient to “always read and

follow label directions” and the label contained the phrase “Restricted Use Pesticide” and related directions.

53. Admitted. However, FMC asserts that, while the advertisement did not include an explanation of the terms of restrictions of *F9047-2 EC Insecticide*, EPA Reg. No. 279-9545, it instructed the intended recipient to “always read and follow label directions” and the label contained those explanations.
54. This is a legal conclusion to which no response is required. However, FMC asserts that while the single advertisement did not include the phrase “Restricted Use Pesticide” or an explanation of the terms of restrictions of *F9047-2 EC Insecticide*, EPA Reg. No. 279-9545, it instructed the intended recipient to “always read and follow label directions” and the label contained the phrase “Restricted Use Pesticide” and those explanations.
55. This is a legal conclusion to which no response is required. However, FMC denies there was a violation and asserts that to the extent there was a violation, there was no more than one.
56. This is a legal conclusion to which no response is required. However, FMC denies there was a violation and asserts that to the extent there was a violation, there was no more than one.

VIOLATION 12,272 FMC Website Advertisement

57. Admitted.
58. This is a legal conclusion to which no response is required.
59. This is a legal conclusion to which no response is required.

60. Admitted. However, FMC asserts that, while the sell sheet did not include the phrase “Restricted Use Pesticide,” it instructed the intended recipient to “always read and follow label directions” and the label contained the phrase “Restricted Use Pesticide” and related directions.
61. Admitted. However, FMC asserts that, while the sell sheet did not include an explanation of the terms of restrictions of *F9047-2 EC Insecticide*, EPA Reg. No. 279-9545, it instructed the intended recipient to “always read and follow label directions” and the label contained those explanations.
62. This is a legal conclusion to which no response is required. However, FMC asserts that, while the single testimonial did not include the phrase “Restricted Use Pesticide” or an explanation of the terms of restrictions of *F9047-2 EC Insecticide*, EPA Reg. No. 279-9545, it instructed the intended recipient to “always read and follow label directions” and the label contained the phrase “Restricted Use Pesticide” and those explanations.
63. This is a legal conclusion to which no response is required. However, FMC denies there was a violation and asserts that to the extent there was a violation, there was no more than one.
64. This is a legal conclusion to which no response is required. However, FMC denies there was a violation and asserts that to the extent there was a violation, there was no more than one.

VIOLATION 12,273 - PRWeb Website Advertisement

65. Admitted in part. Denied as to the document's date; FMC asserts that the document was dated February 16, 2011.
66. This is a legal conclusion to which no response is required.
67. This is a legal conclusion to which no response is required.
68. Admitted. However, FMC asserts that, while the article did not include the phrase "Restricted Use Pesticide," it instructed the intended recipient to "always read and follow label directions" and the label contained the phrase "Restricted Use Pesticide" and related directions.
69. Admitted. However, FMC asserts that, while the article did not include an explanation of the terms of restrictions of *F9047-2 EC Insecticide*, EPA Reg. No. 279-9545, it instructed the intended recipient to "always read and follow label directions" and the label contained those explanations.
70. This is a legal conclusion to which no response is required. However, FMC asserts that while the single article did not include the phrase "Restricted Use Pesticide" or an explanation of the terms of restrictions of *F9047-2 EC Insecticide*, EPA Reg. No. 279-9545, it instructed the intended recipient to "always read and follow label directions" and the label contained the phrase "Restricted Use Pesticide" and those explanations.
71. This is a legal conclusion to which no response is required. However, FMC denies there was a violation and asserts that to the extent there was a violation, there was no more than one.

72. This is a legal conclusion to which no response is required. However, FMC denies there was a violation and asserts that to the extent there was a violation, there was no more than one.

DISTRIBUTION OR SALE OF MISBRANDED PESTICIDES

VIOLATIONS 12,274-12,379 — Distribution or Sale of Misbranded Pesticides

73. FMC incorporates by reference the admissions, denials and assertions contained in paragraphs 1 through 72 of this Answer as though fully set forth again.
74. This is a recitation of a statutory provision to which no response is required.
75. This is a recitation of a statutory provision to which no response is required.
76. This is a recitation of a regulatory provision to which no response is required.
77. Denied. FMC asserts that on or about January 24, 2011, Respondent submitted to EPA a notification under Pesticide Registration Notice 98-10 notifying EPA that FMC would be adding the alternate brand name "Stallion Insecticide" for *F9047-2 EC Insecticide*, EPA Reg. No. 279-9545.
78. This is a characterization of and statement of legal conclusions regarding Pesticide Registration Notice 98-10 and related regulatory provisions to which no response is required.
79. Admitted.
80. Admitted.

81. Denied. FMC asserts that on March 2, 2012, it added the alternate brand name "Stallion Insecticide (not for use on horses)" for *F9047-2 EC Insecticide*, EPA Reg. No. 279-9545 by submitting to EPA a notification under Pesticide Registration Notice 98-10.
82. Denied. FMC does not have a record of such a letter.
83. Admitted.
84. Admitted. For sake of clarity, FMC notes that the amendment was dated April 12, 2012, on its face and was submitted to EPA on April 13, 2012.
85. Admitted.
86. This is a legal conclusion to which no response is required. However, FMC asserts that EPA approved the alternate brand name "Stallion Brand Insecticide" on December 20, 2012, and that this name is functionally equivalent to "Stallion Insecticide," the alternate brand name that Complainant initially considered "false and misleading". FMC further asserts that Complainant's December 20, 2012, action demonstrates that the alternate brand name "Stallion Insecticide" was not false or misleading, and moreover, there is no evidence that anyone was misled or that the product was used on horses.
87. Admitted in part. However, FMC asserts that from April 29, 2011, through April 2, 2012, it sold *F9047-2 EC Insecticide*, EPA Reg. No. 279-9545 to no more than 14 companies.
88. This is a legal conclusion to which no response is required. However, FMC denies that the product was misbranded and therefore denies there was a violation.

89. This is a legal conclusion to which no response is required. However, FMC denies that that product was misbranded and therefore denies there was any violation. To the extent there was a violation, FMC asserts the number of violations is no more than fourteen.

PROPOSED CIVIL PENALTY

FMC acknowledges that Complainant did not propose a specific penalty in the Complaint but intends to do so at a later date after an exchange of information has occurred, in accordance with 40 C.F.R. § 22.19(a)(4). FMC asserts as follows.

By statute, the Complainant must “consider the appropriateness of such penalty to the size of the business of the person charged, the effect on the person’s ability to continue in business, and the gravity of the violation.” 7 U.S.C. § 136l(a)(4). If Complainant were to propose a civil penalty based on the alleged number of violations in the Complaint, such a penalty would be orders of magnitude greater than any penalty in the history of FIFRA. Moreover, it would be egregiously disproportionate to the gravity of the alleged violations, especially when compared to the behavior and violations in those few cases in the history of FIFRA that have resulted in civil or criminal fines of \$1 million or more.

To FMC’s knowledge, neither the four documents involved in the advertising allegations nor the allegedly misbranded label resulted in any harm to human health or the environment. There is no evidence to suggest otherwise. Moreover, the language allegedly missing from the four documents appeared on the label as required and the four documents directed the reader to “always read and follow label directions.” Finally, although EPA initially considered a particular brand name to be “false and misleading,” it approved a functionally equivalent brand name for the same product within months of its initial consideration and has approved many similar names for other products.

Complainant may take into account the particular facts and circumstances of this case under EPA's December 2009 *FIFRA Enforcement Response Policy for the Federal Insecticide, Fungicide, and Rodenticide Act* ("FIFRA ERP"). That said, FIFRA ERP calculations are not legally binding and the FIFRA ERP does not provide specific guidance about, for instance, how the unit of violation should be calculated particularly with respect to advertising.

Importantly, the stated "goal" of the FIFRA ERP "is to provide fair and equitable treatment of the regulated community . . . and comparable penalty assessments for comparable violations." FIFRA ERP at 4. This policy directive should inform Complainant's proposed penalty. If Complainant were to propose a penalty based on the number of alleged violations in the Complaint, such a penalty would be excessive and disproportionate to penalties in comparable and more egregious cases.

THE CIRCUMSTANCES OR ARGUMENTS THAT CONSTITUTE GROUNDS OF
DEFENSE AND THE BASIS FOR OPPOSING THE PROPOSED PENALTY

Excessive, Unreasonable, and Disproportionate Penalty

As set forth above, FMC denies numerous aspects of Complainant's advertising and misbranding allegations and asserts that EPA's own actions undermine the basis of the misbranding allegation. Putting these points aside for the moment for the sake of argument, if Complainant were to propose a civil penalty based on the alleged number of violations in the Complaint, the proposed penalty would be excessive, unreasonable, and disproportionate to the totality of the circumstances and the gravity of the alleged violations. Such a penalty would also violate the Eighth Amendment to the U.S. Constitution, which prohibits the imposition of "excessive fines."

One aspect of this proceeding involves four documents authorized by FMC: two print advertisements (one included in periodicals and the other sent to potential recipients), a news release article, and a testimonial sell sheet. Notwithstanding that release of these four documents involved only four FMC actions, Complainant alleges there were 12,273 separate acts of advertising that violated FIFRA. The extrapolation of four alleged omissions that may not have caused even a single sale of the product and which certainly did not lead to any harm to human health or the environment, into over 12,000 separate violations is grossly excessive under any reasonable assessment of the circumstances and is at odds with the purposes of FIFRA and the Constitution.

The Complainant's proposed number of violations for allegedly failing to include on four documents the statement "Restricted Use Pesticide," even when those documents included the instruction "always read and follow label directions" and the actual label on the product included the statement "Restricted Use Pesticide" and directions as required, is plainly unfair and would lead to an excessive and unprecedented penalty. With respect to the direct mailer that was sent to potential recipients, for example, there is no evidence that the direct mailer was actually ever received or read. Nor is there any evidence that any potential recipient who was not a certified applicator actually attempted to purchase the advertised product as result of the direct mailer. In any event, a noncertified applicator would not have been able to purchase the product because FIFRA section 12(a)(2)(F) prohibits the sale of a restricted use pesticide to a noncertified applicator and the States have legal frameworks in place to ensure restricted use pesticides cannot be sold to noncertified applicators.

Nevertheless, the Complaint proposes 12,267 separate direct mailer violations. This proposed number of violations would lead to an unreasonable penalty and ignores the

regulatory controls that apply to the use, sale and distribution of the product in question, which greatly reduce the potential for harm to human health or the environment. In summary, FMC asserts that Complainant's proposed number of advertising violations would lead to a civil penalty that is disproportionate to the actual gravity of the alleged violations because: (1) there is no evidence that there were any sales to noncertified pesticide applicators, (2) no harm to human health or the environment resulted from any of Respondent's four decisions, (3) the language appeared on the actual label, and (4) the documents about which EPA complains all directed readers to "always read and follow label directions."

With respect to the misbranding allegations, Complainant's own behavior in approving a functionally equivalent alternate brand name for this product and similar names for other products belies that the product was misbranded. To the degree that there was any violation, the Complaint's proposed number of violations would lead to a civil penalty that is disproportionate to the actual gravity of the alleged violations. No harm to human health or the environment – let alone horses – resulted from any sale or distribution of this product. Moreover, Complainant fails to take into account that, to the extent the proposed alternate brand name is considered to have been misleading, only 14 companies could have been "misled," as they were the only companies that bought the product from FMC during the period in question.

Complainant's Interpretation of the Proposed Number of Alleged Violations is Arbitrary and Capricious and Not in Accordance with Law

Complainant's interpretation of the proposed number of violations is internally inconsistent, unreasonable, arbitrary and capricious, and not in accordance with law. Complainant's proposed number of violations ignores FIFRA's mandate to consider the appropriateness of a penalty based on, among other things, the "gravity of the violation." 7

U.S.C. § 136l(a)(4). Complainant's assessment of the alleged advertising violations in particular is also internally inconsistent and inconsistent with prior cases.

To the extent Complainant is relying on the FIFRA ERP as the basis for its number of proposed violations, Complainant's interpretation and application of this non-binding policy statement would be arbitrary and capricious and lead to a penalty that is unreasonable and inconsistent with FIFRA and its implementing regulations. Importantly, it would be inconsistent with the significant objective of the FIFRA ERP to be fair as between members of the regulated community, who in this industry are in direct competition with one another.

Complainant's Assessment of Alleged Violations is Flawed, not Supported by Law or Fact, and Arbitrary and Capricious

Complainant's approach to assessing the alleged violations is grossly inconsistent with EPA's past enforcement actions, without precedent, legally unsupportable, and unreasonable in light of the facts of this case. Complainant also has proposed its number of advertising violations based in part on a mis-statement of the factual record. It has alleged misbranding based on an incomplete record and without taking into account its own actions approving similar animal names, which as an equitable matter at a minimum should preclude action against FMC here. Singling out FMC in this way both with regard to advertising and misbranding allegations and possible penalties is arbitrary and capricious.

Complainant's Interpretation of Applicable Statutory and Regulatory Provisions Infringes on Respondent's Right to Commercial Free Speech under the First Amendment to the U.S. Constitution

Complaint's incorrect interpretation of FIFRA and its implementing regulations infringes on Respondent's right to commercial free speech in its selection of "Stallion" as a brand name for its product under the First Amendment to the U.S. Constitution.

Incorporation of Affirmative and Other Defenses in Answer

FMC incorporates by reference any and all affirmative and other defenses set forth in its Answer. It denies any allegation to which it did not specifically respond. FMC reserves the right to assert any additional or further defenses as may be revealed by discovery or otherwise.

NOTICE AND OPPORTUNITY TO REQUEST A HEARING

FMC requests a hearing to contest certain matters of law and fact in the Complaint and to contest Complainant's proposed number of violations, which would lead to an inappropriate proposed penalty.

SETTLEMENT CONFERENCE

FMC requests that Complainant and Respondent continue settlement discussions.

/s/ Kathryn E. Szmuszkovicz
Kathryn E. Szmuszkovicz
Daniel B. Schulson
Beveridge & Diamond PC
1350 I Street, NW, Suite 700
Washington, DC 20005
kes@bdlaw.com
dbs@bdlaw.com
Telephone: 202-789-6037
Facsimile: 202-789-6190

Dated: November 20, 2015

BEFORE THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

FMC Corporation
1735 Market Street
Philadelphia, PA 19103,

Respondent

) DOCKET NO: FIFRA-03-2015-0248
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)

CERTIFICATE OF SERVICE

I certify that the foregoing Answer and Request for Hearing in the above-referenced matter was sent this 20th day of November, 2015, in the following manner to the below addressees.

Original and one copy by USPS Certified Mail
and E-mail to:

Lydia Guy
Regional Hearing Clerk
U.S. EPA Region III
1650 Arch Street
Philadelphia, PA 19103-2029

Email: Guy.lydia@epa.gov

Copy by USPS Regular Mail and E-mail to:

Attorney for Complainant
Jennifer M. Abramson (Mail Code 3RC50)
Senior Assistant Regional Counsel
U.S. EPA Region III
1650 Arch Street
Philadelphia, PA 19103-2029

Email: Abramson.jennifer@epa.gov

Copy by USPS Regular Mail and E-mail to:

Joseph Lisa (Mail Code 3RC00)
Regional Judicial Officer
U.S. EPA Region III
1650 Arch Street
Philadelphia, PA 19103-2029

Email: Lisa.joseph@epa.gov

November 20, 2015
Date



Denise Paul