

Federal Insecticide, Fungicide, and Rodenticide Act (“FIFRA”), 7 U.S.C. § 136d(b), which identifies Petitioner Gharda Chemicals International, Inc. (“Gharda”) as the registrant for the products subject to the NOIC. Chlorpyrifos; Notice of Intent to Cancel Pesticide Registrations, 87 Fed. Reg. 76,474 (Dec. 14, 2022).

In its Request for Hearing and Statement of Objections (“Objections”), Petitioner Gharda asserts that as of the date it filed its Objections, it had not yet received a copy of the NOIC from Respondent. Objections at 2. Petitioner Gharda noted that the NOIC included an incorrect address of record for Petitioner Gharda. Objections at 2. The NOIC stated that Gharda’s address of record was **4932** Crockers Lake Blvd., Suite 818, Sarasota, Florida 34238, *id.* at 76,474, but Petitioner Gharda, in its Objections, noted that the correct address was **4032** Crockers Lake Blvd., Suite 818, Sarasota, Florida 34238. *Id.* at n.5.

Although Respondent does not have a record of sending a copy of the NOIC to Petitioner Gharda at either address on or around December 14, 2022, after being made aware of this error via the Objections, Respondent sent a copy of the NOIC to Petitioner Gharda at its correct address of record by certified mail (return receipt requested) on January 18, 2023. Ex. 1. As of the date hereof, Respondent has not yet received the return receipt; however, the tracking number¹ provided by the United States Postal Service indicates that the NOIC was marked “Delivered, Individual Picked Up at Postal Facility” on January 24, 2023, at 10:07 AM. Ex. 2.

Section 6(b) of FIFRA states that requests for hearing must be filed at the end of 30 days following the date of receipt by the registrant or publication of the notice, whichever occurs later. 7 U.S.C. § 136d(b). Regardless of the date on which the registrant received the NOIC, which

¹ See United States Postal Service Tracking Number 70083230000094510189, available at https://tools.usps.com/go/TrackConfirmAction?qt_c_tLabels1=70083230000094510189.

based on the information available to EPA at this time appears to be January 24, 2023, Petitioner Gharda has already filed its request for hearing in this matter.

Respectfully submitted,

Dated: February 22, 2023

/s/ Aaron Newell
Aaron Newell
Pesticides and Toxic Substances Law Office
Office of General Counsel
U.S. Environmental Protection Agency

Counsel for Respondent

Exhibit 1

EPA Receipt for Mailing NOIC via Certified Mail (Return Receipt Requested)

7008 3230 0000 9451 0189

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)
For delivery information visit our website at www.usps.com®

OFFICIAL USE

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Sent To *Ram. Senthapathi - Florida*
Street, Apt. No.,
or PO Box No. *4032 Crookers Lake Blvd, Suite P18*
City, State, ZIP+4 *Sarasota FL 34238*

PS Form 3800, August 2006 See Reverse for Instructions

Certified Mail Provides:

- A mailing receipt
- A unique identifier for your mailpiece
- A record of delivery kept by the Postal Service for two years

Important Reminders:

- Certified Mail may ONLY be combined with First-Class Mail® or Priority Mail®.
- Certified Mail is *not* available for any class of international mail.
- NO INSURANCE COVERAGE IS PROVIDED with Certified Mail. For valuables, please consider Insured or Registered Mail.
- For an additional fee, a *Return Receipt* may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS® postmark on your Certified Mail receipt is required.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "Restricted Delivery".
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

IMPORTANT: Save this receipt and present it when making an inquiry.

PS Form 3800, August 2006 (Reverse) PSN 7530-02-000-9047


Exhibit 2

Status of United States Postal Service Tracking Number 70083230000094510189

USPS Tracking®

[Tracking](#)

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Tracking Number:

70083230000094510189

[Remove X](#)

 Copy  Add to Informed Delivery

Latest Update

Your item was picked up at a postal facility at 10:07 am on January 24, 2023 in SARASOTA, FL 34238.

Get More Out of USPS Tracking:

 USPS Tracking Plus®

Delivered

Delivered, Individual Picked Up at Postal Facility

SARASOTA, FL 34238
January 24, 2023, 10:07 am

Available for Redelivery or Pickup

PODEETS
January 23, 2023, 5:41 pm

Notice Left (No Authorized Recipient Available)

SARASOTA, FL 34238
January 23, 2023, 11:21 am

Departed USPS Regional Facility

SARASOTA FL DISTRIBUTION CENTER
January 22, 2023, 2:40 am

Arrived at USPS Regional Facility

SARASOTA FL DISTRIBUTION CENTER
January 21, 2023, 2:34 pm

[Hide Tracking History](#)

CERTIFICATE OF SERVICE

I hereby certify that the foregoing NOTICE OF DELIVERY OF NOTICE OF INTENT TO CANCEL PESTICIDE REGISTRATIONS, dated February 22, 2023, was filed electronically with the U.S. Environmental Protection Agency, Office of Administrative Law Judges E-filing system.

I also certify that a true and correct copy of the foregoing NOTICE OF DELIVERY OF NOTICE OF INTENT TO CANCEL PESTICIDE REGISTRATIONS was served on Petitioners via electronic mail to:

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Counsel for Petitioner Gharda Chemicals International, Inc.

Dated: February 22, 2023

/s/ Aaron Newell
Aaron Newell
Pesticides and Toxic Substances Law Office
Office of General Counsel
U.S. Environmental Protection Agency

Counsel for Respondent