



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10

1200 Sixth Avenue, Suite 900  
Seattle, Washington 98101-3140

OFFICE OF  
REGIONAL COUNSEL

SEP 23 2014

**CERTIFIED MAIL -RETURN RECEIPT REQUESTED**

Mr. Stuart Smith  
Miller & Associates  
5005 SW Meadows Road  
Suite 405  
Lake Oswego, Oregon 97035

Re: In the Matter of Pacific Air Research, Inc.  
Docket No. FIFRA-10-2014-0141

Dear Mr. Smith:

Enclosed is an administrative Complaint that has been filed against Pacific Air Research, Inc., (“Respondent”), by the U.S. Environmental Protection Agency (“EPA”) for the assessment of civil penalties. Copies of the proposed Consolidated Rules of Practice that apply to this Complaint are also enclosed. The Complaint alleges that Respondent violated Section 12(a)(2)(G) of FIFRA, 7 U.S.C. § 136j(a)(2)(G), by applying the registered pesticide Element 4 (EPA Reg. Number 62719-40) and the registered pesticide Weedone LV5 (EPA Reg. Number 71368-11) in a manner inconsistent with their labels.

As explained in the Complaint, you have 30 days to file a written Answer to the Complaint and request a hearing with an administrative law judge. The specific procedure for doing this is explained in the Complaint. Also, as explained in the Complaint, if Respondent fails to file an Answer within 30 days, a default order could be entered against it. After entry of an order of default, penalties may be assessed against Respondent without further notice.

We are available to continue our prior discussions regarding the violations alleged in the Complaint and the proposed penalty. Please contact me at (206) 553-1169 or [matthews.juliane@epa.gov](mailto:matthews.juliane@epa.gov) should you wish to continue settlement discussions. Please note that I will be out of the office and not able to check voice mail or emails until October 6.

Sincerely,

  
Juliane Matthews  
Assistant Regional Counsel

Enclosures

cc: Brian Joffe  
Office of Enforcement and Compliance Assurance