To: Kirk Shermer[Kirk@snowdenenterprises.com]
Cc: Janelle Kay[Janelle@PyxisRC.com]; Alkon, Margaret[Alkon.Margaret@epa.gov]
From: Watanabe, Allison
Sent: Fri 4/22/2016 3:30:19 PM
Subject: RE: Snowden - EPA Civil Administrative Penalty Enforcement Case
2011 Pesticide Report (EPA Form 3540-16).pdf
2012 Pesticide Report (EPA Form 3540-16).pdf
2013 Pesticide Report (EPA Form 3540-16).pdf
2014 Pesticide Report (EPA Form 3540-16).pdf

Mr. Shermer,

Attached are the Section Seven annual reporting forms for 2011, 2012, 2013, and 2014 in case you need them.

The 2015 form is available on the website: https://www.epa.gov/compliance/epa-form-3540-16-pesticide-report-pesticide-producing-and-device-producing-establishments

Note that you need only correct the reports from 2011 – 2015.

We are also encouraging everyone to register for CDX and begin reporting electronically.

Here is some more information about how to register and how to submit annual reports.

How to Register for CDX for New Users or Add SSTS to Existing CDX Users

Link to the recorded webinar:

https://epawebconferencing.acms.com/p1k0cpy29lo/

How to Use CDX to Submit EPA Form 3540-16 Pesticide Report for Pesticide-Producing and Device-Producing Establishments

Link to the recorded webinar:

https://epawebconferencing.acms.com/pzszaesf4e/

Thank you.

Allison Watanabe

US Environmental Protection Agency

Region 9 FIFRA Enforcement

213-244-1807

From: Alkon, Margaret
Sent: Wednesday, April 20, 2016 5:17 PM
To: Kirk Shermer <Kirk@snowdenenterprises.com>
Cc: Janelle Kay <Janelle@PyxisRC.com>; Watanabe, Allison <Watanabe.Allison@epa.gov>
Subject: Snowden - EPA Civil Administrative Penalty Enforcement Case

Dear Mr. Shermer:

I am following up on our conversation of last week with two points to discuss.

First, have you mailed to me the financial information we discussed, to verify the size of business (gross revenue) of Snowden Enterprises? If so, please let me know when it was mailed so I can check with my mail room. If not, let me know if there is an issue with identifying or sending to me the relevant information.

Once I get that information, I will revise the penalty settlement document and send it to you for review and signature.

Second, we also want to discuss one more point regarding compliance with FIFRA: For section 7 reporting, Snowden should be reporting formulation when it appears that you have been reporting repackaging. We would like Snowden to correct its incomplete Section 7 reports within the next thirty days and prior to certifying compliance with FIFRA in the settlement document. As I am sure you will wonder if this involves an additional penalty, I am including a link to our penalty policy below but there is no penalty assessed for this type of minor incomplete reporting

when a first time violator promptly corrects the error. See page 8 of EPA's Enforcement Response Policy for FIFRA Section 7(c).

https://www.epa.gov/enforcement/enforcement-response-policy-fifra-section-7c-establishment-reporting-requirements-may

Allison and I would be available for a short phone call Thursday April 21st at 11am or Tuesday April 26th at 10am. Let me know if either of those times works for you, or propose a different time if neither of those times works for you.

Sincerely,

Margaret Alkon

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Margaret Alkon

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