



REGION 6

DALLAS, TX 75270

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**REGIONAL HEARING CLERK
EPA REGION 6**

1/26/2024

SENT BY ELECTRONIC MAIL

brianhogan330@gmail.com

Brian Hogan
American Sanitation Supplies, LLC
1411 East 4th Street
Hallettville, Texas 77964

Re: Notice of Warning for Late/Non-Reported Annual Pesticide Production Report
EPA Docket No. FIFRA-06-2024-0361

Dear Mr. Hogan:

This letter constitutes a warning pursuant to Section 9(c)(3) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), 7 U.S.C. § 136g(c)(3). The U.S. Environmental Protection Agency (EPA) is hereby alleging that American Sanitation Supplies, LLC is in violation of Section 12(a)(2)(L) of FIFRA, 7 U.S.C. § 136j(a)(2)(L), for failure to file the calendar year 2022 pesticide production report (EPA Form 3540-16) for EPA Establishment Number 100002-TX-1 as required by Section 7(c) of FIFRA, 7 U.S.C. § 136e(c), on or before the annual March 1 due date. EPA records indicate that the report filed for your establishment is postmarked on August 18, 2023.

You are hereby advised to comply with the regulations promulgated at 40 C.F.R. § 167.85(d) which states the due date for annual reports as being March 1 of each year. Reports can be submitted electronically through EPA's Central Data Exchange (CDX) website. Please see the following link for additional information about electronic reporting for pesticide establishments: <https://www.epa.gov/compliance/electronic-reporting-pesticide-establishments>. Alternatively, a hard copy version of the form (for submission via conventional mail) is available at the following link: <https://www.epa.gov/compliance/epa-form-3540-16-pesticide-report-pesticide-producing-and-device-producing>.

EPA has determined this Notice of Warning is an appropriate enforcement response for the apparent violation of FIFRA. Subsequent violations of Section 7(c) of FIFRA, 7 U.S.C. § 136e(c), may subject you to an administrative civil penalty of up to \$23,494 per violation and/or termination of your registration as a pesticide producing establishment.

If you have any questions concerning this matter, please contact Kiera Hancock by phone at 214-665-3176 or by email at Hancock.Kiera@epa.gov.

Sincerely,

Yurk, Jeff

Digitally signed by Yurk,
Jeff
Date: 2024.01.26 11:40:08
-06'00'

Jeffrey Yurk, Manager
Waste Enforcement Branch