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EPA REGION 6

1/12/2024

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CHRISH@GEMINI-COATINGS.COM

Chris Hicks
Amteco, Inc. DBA Gemini Coatings of Grand Prairie
2300 Holloway Drive
El Reno, Texas 73036

Re: Notice of Warning for Late/Non-Reported Pesticide Production Reports
EPA Docket No. FIFRA-06-2024-0310

Dear Mr. Hicks,

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 Amteco, Inc. DBA Gemini Coatings of Grand Prairie is in violation of Section 12(a)(2)(L) of FIFRA, 7 U.S.C. § 136j(a)(2)(L), for failure to file pesticide production reports (EPA Form 3540-16) for EPA-registered establishments as required by Section 7(c) of FIFRA, 7 U.S.C. § 136e(c).

Specifically, EPA records indicate that annual reports were not filed for the establishments by the March 1 due date.

EPA Est. No.	Report Year	Postmarked Date	Status
51578-TX-1	2022	N/A	Non-Reported
51578-OK-1	2022	N/A	Non-Reported

You are hereby advised to submit pesticide production reports, including all identified as non-reported, pursuant to the regulations promulgated at 40 C.F.R. § 167.85(d) which states that a producer operating an establishment must submit an initial report no later than 30 days after the first registration of each establishment the producer operates. Thereafter, the producer must submit an annual report on or before March 1 of each year, even if the producer has produced no pesticidal product for that reporting 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 violations 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

Jeffrey Yurk, Manager
Waste Enforcement Branch

Digitally signed by Yurk,
Jeff
Date: 2024.01.12
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