



REGION 6

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EPA REGION 6**

4/21/2025

SENT BY ELECTRONIC MAIL

cpeterson@vichemllc.com

Corey Peterson
Vichem Specialty Products, LLC
9200 Leonidas Horton Road
Conroe, Texas 77304

**Re: Notice of Warning and Notice of Intent to Terminate
Establishment Registration – Immediate Action Required**
Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)
Vichem Specialty Products, LLC; EPA Establishment No. 91397-TX-1
EPA Docket No. FIFRA-06-2025-0368

Dear Mr. Peterson:

Notice of Warning

This Notice of Warning is issued to Vichem Specialty Products, LLC pursuant to Section 9(c)(3) of FIFRA, 7 U.S.C. § 136g(c)(3). The U.S. Environmental Protection Agency is hereby alleging that Vichem Specialty Products, LLC violated Section 12(a)(2)(L) of FIFRA, 7 U.S.C. § 136j(a)(2)(L), by failing to file annual pesticide production reports for its establishment located at 10424 FM 1361, Sommersville, Texas 77879 (EPA Establishment Number 91397-TX-1), as required by Section 7(c) of FIFRA, 7 U.S.C. § 136e(c). Specifically, EPA is alleging that Vichem Specialty Products, LLC failed to file the *Pesticide Report for Pesticide-Producing Establishments* (EPA Form 3540-16) for the above-mentioned establishment for the years 2021, 2022, 2023, and 2024.

Pursuant to 40 C.F.R. § 167.85(d), producers operating an active establishment must submit an annual report on or before March 1, of each year covering production during the previous calendar year (the reporting year), even if no pesticide product or device was produced at the establishment for that reporting year. Pursuant to Section 14 of FIFRA, 7 U.S.C. 136l, and 40 C.F.R. Part 19, failure to comply with this reporting requirement may subject your producing establishment to an administrative civil penalty. Based on a review of Vichem Specialty Products, LLC's compliance history, EPA has determined this Notice of Warning is an appropriate enforcement response to the alleged violations noted above.

Notice of Intent to Terminate Establishment Registration

In addition, you are hereby advised of EPA's intent to terminate the registration of EPA Establishment Number 91397-TX-1. Pursuant to 40 C.F.R. § 167.20(f), EPA intends to terminate the registration of the establishment if Vichem Specialty Products, LLC fails to submit the missing annual pesticide production reports indicated above within 30 calendar days from the date of this notification. A copy of the report form is available on the Internet at: <https://www.epa.gov/compliance/epa-form-3540-16-pesticide-report-pesticide-producing-and-device-producing-establishments>.

Termination of the establishment registration will be effective upon the issuance, by this office, of a Notice of Termination of Establishment Registration. Section 7 of FIFRA prohibits the production of pesticides at any establishment unless that establishment is registered with the EPA. In the event that EPA terminates the establishment registration, any further production at the establishment, including formulation, packaging or labeling, will be in violation of FIFRA and may result in further enforcement action by EPA against Vichem Specialty Products, LLC. Such enforcement action may include an action to assess penalties as authorized by Section 14 of FIFRA, 7 U.S.C. 136l.

EPA developed an information sheet entitled "U.S. EPA Small Business Resources" to help small businesses understand federal and state environmental laws and right under the Small Business Regulatory Enforcement Fairness Act. The information sheet can be found on the Internet at: <https://www.epa.gov/compliance/small-business-resources-information-sheet>.

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,

**JEFFREY
YURK**

Jeffrey Yurk, Manager

Waste and Chemical Enforcement Branch

Digitally signed by
JEFFREY YURK
Date: 2025.04.21
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