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Wade Rector
M-D Building Products, Inc.
4041 N. Sante Fe Ave
Oklahoma City, Oklahoma 73118

Re: **Notice of Warning and Notice of Intent to Terminate
Establishment Registrations – Immediate Action Required**
Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)
M-D Building Products, Inc.; EPA Establishment Nos. 93578-OK-1, 93578-GA-1
EPA Docket No. FIFRA-06-2025-0392

Dear Wade Rector:

Notice of Warning

This Notice of Warning is issued to M-D Building Products, Inc. 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 M-D Building Products, Inc. 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 EPA-registered establishments as required by Section 7(c) of FIFRA, 7 U.S.C. § 136e(c). Specifically, EPA is alleging that M-D Building Products, Inc. failed to file the *Pesticide Report for Pesticide-Producing Establishments* (EPA Form 3540-16) as detailed in the table below.

EPA Est. No(s).	Report Year	Postmarked Date	Status
93578-OK-1	2020, 2021, 2022, 2023, 2024	n/a	Non-reported
93578-GA-1	2021, 2022, 2023, 2024	n/a	Non-reported

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 M-D Building Products, Inc.'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 registrations of EPA Establishment Numbers 93578-OK-1 and 93578-GA-1. Pursuant to 40 C.F.R. § 167.20(f), EPA intends to terminate the registrations of the establishment if M-D Building Products, Inc. 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 registrations 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 M-D Building Products, Inc. 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: 2025.07.21 14:39:36
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