



PRESS CONFERENCE

GOVERNOR KENNETH E. MAPP

**GOVERNMENT HOUSE
CHRISTIANSTED, ST. CROIX
UNITED STATES VIRGIN ISLANDS**

APRIL 8, 2015

11:00 AM

080-04062015

FOR IMMEDIATE RELEASE

Government House Communications Contacts:

Kimberly Jones, Director - 340-473-6100

Samuel Topp, Deputy Director – 340-693-4308

(Please do not publish phone numbers. Thank you.)

April 6, 2015

MEDIA ADVISORY * MEDIA ADVISORY * MEDIA ADVISORY

**UNITED STATES VIRGIN ISLANDS GOVERNOR
TO HOLD A PRESS CONFERENCE WEDNESDAY**

WHAT: United States Virgin Islands Governor, Kenneth E. Mapp will hold a press conference
Wednesday April 8th, 2015

WHEN: **Wednesday, April 8th, 2015, 11:00 am**

WHERE: Government House Ballroom, 2nd floor, Christiansted, St. Croix

PRESS Your coverage of this address is invited. All media can contact
Kimberly.jones@go.vi.gov or call 340-473-6100 Thank you.

#

BIO Randolph N. Bennett

Randolph N. Bennett the son of Alison and Joseph Bennett was born in St. Kitts, West Indies and was raised on ST. Thomas, U.S. Virgin Islands since the age of 4. Randolph joined the US Army in 1985 from St. Thomas and retired from the Pentagon in 2007 after 21 years of service at the grade of Chief Warrant Officer Four.

He shares the following significant career assignments:

2000 thru 2002: Director of Operation, Cadet Mess, U.S. Military Academy, West Point

2002 thru 2003: Logistic Officer, 2nd Infantry Division, US Army South Korea

2003 thru 2004: Trained at the corporate headquarters with Marriott-SodexoUSA, LLC,

2004 thru 2007: Logistic Officer, US Army Headquarters, Pentagon, Washington DC.

2007 thru 2008: Deputy Director Logistics, Defense Intelligence Agency, Washington and Qatar

2008 thru 2009: Detailed to Executive Office of the President, Washington DC

2009 thru 2010: Division Chief for Program Management, U.S. Department of State, Washington DC.

2010 to March, 2015: Office Director, Residential Design and Cultural Heritage, U.S. Department of State, Washington DC

Summary of last duties:

The U.S. Department of State owns or has under long-term lease over 3,500 properties in over 180 countries and 265 diplomatic posts worldwide. Randolph as the RDCH's director had responsibility for all 394 Principle Officer Residences in 180 countries. Presently, among these properties, twenty have been designated as historically, architecturally, or culturally significant.

Randolph is married to Lillian C. Bennett and they have three daughters: Chantel Bennett 26, and twins Kiara Bennett and Kyla Bennett 15.

Randolph N. Bennett

14 Turnstone Court Stafford, Va 22556

845-401-6687 rbennett5@liberty.edu

OBJECTIVE

Provide my skills and support to the Governor of the United States Virgin Islands (USVI) to ensure he can meet his mission in supporting the people of our USVI Community.

Over 29 years of experience in Staff Supervision, Program Analysis, Compliance and Business Development with strong Logistics Management capabilities, which includes:

EXPERIENCE

• U.S. Department of State

1701 Ft. Myer Drive Arlington, VA 22209 United States

10/2008 – Present

Director, Office of Residential Design and Cultural Heritage (RDCH)

Duties, Accomplishments and Related Skills:

- The global mission of the Office is to provide residential interior design in support of U.S. diplomatic mission at residences of Ambassadors, Deputy Chief of Missions, and Principal Officers and to ensure preservation of culturally significant office and residential properties are cared for and protected. Direct three programs, Residential Design and Furnishings (RDF) program, Cultural Heritage (CH) program, and Procurement Program. **Formulate and manage annual budget \$15M+ and supervise a staff of 32.** Provide analytic data to the Bureau Director for the annual Congressional budget submission. RDF's staff of professional interior designers oversees the interior design and furnishings of 390 residences worldwide. RDF creates detailed interior floor plans and selects the furniture and furnishings to be ordered and installed in each residence. RDF supports post with special requirement to support Heads of State and President of the United States (POTUS) visits with furniture and furnishing as required. RDCH staff interacts daily with member of the residence's staff. RDCH has responsibility to clear and approve all construction or renovation State Department's Representational residences. All projects have to meet functional guidelines to support the security of the occupants. RDCH will consult with U.S. Department of State Diplomatic Security team on issues that involves security concerns. The CH program manages a world class stewardship program dedicated to the proper conservation and maintenance of the Department's culturally significant historical properties and assets. These historical properties include the 20 properties identified in the Secretary of State's Register of Culturally Significant Property, as well as, State Department owned antiques, works of art, and other cultural heritage objects maintained in over 120 missions throughout the world. RDCH provides training to the local staff on procedure to protect heritage assets and fine art. Heritage assets must be kept in an environment under proper lighting and controlled humidity to prevent damage. In addition, training is provided to prevent damage from neglect or carelessness. RDCH has historical relations with experts in the field of heritage preservation if needed on a restoration project. **Worked closely with principals analyzing existing business operations and future plans to determine feasibility or suggest options for maximum business development growth.**

Our website: <http://www.state.gov/s/d/rm/rls/perfrpt/2010/html/153615.htm>

Supervisor: Leo Hession (703-875-6264)

- **The Executive Office of the President, Office of Administration**

1700 Pennsylvania Ave
Washington DC, DC 20006 United States
01/2009 - 07/2009

Property Management Officer in the Executive Office of the President

Duties, Accomplishments and Related Skills:

Selected Detailee from the Department of State to the Executive Office of the President. **Responsible for developing, implementing, and maintaining the Office of Administration (OA)/Office of the Chief Financial Officer (OCFO) property management program.** Ensured coordination with OA divisions and oversee the implementation of actions involving requirements determination, managing property accountability systems, and assured that accountability of property meets Federal standards. Developed training programs, coordinated, and facilitated meetings for the OA Property Council. **Responsible for developing and installing financial and other management control programs for property procurement.** Developed and reviewed data processing systems that support property programs and monitor and made recommendations to modify inventory and control systems. **Evaluated compliance practices** on storage and distribution systems for potential introduction of automated controls and systems of data flow and reports; and reviewed, analyzed and recommended improvements in operations, programs, automated systems, methods and procedures. Property, plant and equipment (PP&E) and compliance with laws and regulations, in particular, **the requirements of the Chief Financial Officers (CFO) Act and Section 902 of Title 31 related to PP&E.** Provided recommendations to the OCFO and the Executive Office of the President (EOP) senior administrative officers to provide solutions and innovated approaches to compliance with PP&E for financial statement preparation and other Federal requirements. **Worked independently as a senior staff member with minimal supervision.** Developed an understanding regarding how to implement the requirements of PP&E within the OCFO. Worked with a diverse level of EOP staff to accomplish the goal of achieving compliance with PP&E for the OCFO.

Supervisor: Andrew Kalnis (202-456-1414)

- **Defense Intelligence Agency**

Bolling Air Force Base, DC United States
05/2007 - 10/2008

Deputy Director for Logistics J4 (Joint Intelligence Community)

Duties, Accomplishments and Related Skills:

Deputy Director for Logistics Operations (J4) at the Joint Intelligence Combined Media Processing Center Located in Doha, Qatar. **Served as the Contracting Officer's Technical Representative (COTR) for Logistics and Property Book Specialist in Bagdad, Qatar, and Afghanistan.** Supervised 27 personnel and provide logistical customer support for up to 100 hand receipt accounts valued over \$200 million for the Integrated Linguistic Activity-Doha; Joint Intelligence Center. Drafted and promulgated key documents such as policies, procedures, processes, memorandums of agreement, data use agreements and joint agency documents. Provided advice and recommendations as to any special actions necessary to maintain program balance and content; participates in the development and review of policies and procedures for the Directorate. Performed the full range of forward deployed logistics supervisory task to the Intelligence Community (IC).

Conducted cost, price, cost-benefit and other economic, financial and financial policy analyses and evaluation of regional contracts. Supervised the receipt, reporting, shipment, and final disposition of Agency firearms and munitions. Provides logistics support to Agency elements throughout the Central Command (CENTCOM) Theater of Operations; Iraq, Qatar, and Afghanistan. Ensured sufficient communication with the leadership concerning operational activities of the directorate; and facilitate the development of new information and resource initiatives while providing an effective climate for staff development. Assigned additional duties as the Hazardous Material coordinator for the CMPC-Q.

Supervisor: Jack Martin (301-394-5591)

US Army (22 years summary)

8/1985 - 07/2007

Staff Officer, Army Logistics Pentagon

Logistics Officer, 2nd Infantry Division-South Korea

Director, Operations and Plans United States Military Academy Cadet Mess (West Point)

Logistics Officer: Germany, Bosnia, Saudi Arabia, Hungary, Afghanistan, Croatia

Duties, Accomplishments and Related Skills:

DEPARTMENT & OPERATIONS MANAGEMENT

- Managed and trained 325 staff on an annual basis rotating in from 3 divisions with responsibility for tracking, control and disbursement of equipment and supply inventories exceeding \$100 million.
- Interfaced with 10 external departments to ensure timely release and return of materials and to document usage requirements or returned damaged equipment\combat losses.
- Redesigned inventory accounting and scheduling systems, which increased availability by more than 37% and resulted in significant productivity improvement in all divisions.
- Conducted risk assessment of personnel operations for every job function performed within 10 sections and successfully identified multiple risk factors.
- Facilitated four strategic planning sessions on Lean Six Sigma, consulting Division Chief and Army senior leadership in defining division-wide goals, action plans and performance measures. Coordinated strategic planning following the Malcolm Baldrige criteria for Total Quality Management (TQM) organizational restructuring.
- Overhauled training and self-inspection programs for five departments, successfully taking customer satisfaction rates from 75 to 87 percent with section being rated "Excellent."

SENIOR MANAGEMENT CONSULTANT

- Consulted senior management clients in manufacturing, retail, wholesale, insurance and financial industries regarding plans to expand product lines, increase profitability and sales.
 - Led joint team of field operations staff and technical programmers that resolved a complex data system interface problem and avoided 4000 work-hours in programming charges.
 - Worked closely with principals analyzing existing business operations and future plans to determine feasibility or suggest options for maximum growth.
 - Commended by all clients for substantially improving productivity and market position.
- Supervisor: COL Derek Smith (401 619-2941)**

EDUCATION

Liberty University Lynchburg, VA United States

Master's Degree

Major: Licensed Professional Counselor (L.P.C.) Psychotherapy

University Maryland University College, College Park, MD United States

Bachelor's Degree

Major: Psychology

Army Management Staff College Ft Belvoir, VA United States

Graduate Level Certificate

Major: Sustaining Base Leadership Management Program

Army Force Management Ft Belvoir, VA United States

Logistics Management Technical Certificate

Troy State University Troy, AL United States

Major: Business Management

SKILLS

- **Expert with Microsoft Office Suite**
- **Contracting Officer Course**
- **Warrant Officer Senior Staff Course**
- **Support Operations Course (Phase I)**
- **Support Operations Course (Phase II)**
- **Human Resource Management**
- **Force Development Leadership Management**
- **Certified— Army Force Management Trained**
- **Logistic Management Development Course –**
- **The U.S. Army Logistics Management College**
- **Training with Industry – SodexoUSA LLC.,**
- **Intern with Senior Vice President for Marketing Campus Services**
- **Sustaining Base Leadership Management Course—Army Management Staff College**

AWARDS:

- **Legion of Merit**
- **Meritorious Service Medal (with 4 Oak Leaf Cluster)**
- **Army Commendation Medal (with 3 Oak Leaf Clusters)**
- **Army Staff Identification Badge (Army G-8 Pentagon)**

SECURITY CLEARANCE LEVEL: TOP SECRET / SCI

Phyllis L. Wallace, Ed.D.

P. O. Box 253, St. Thomas, Virgin Islands 00804

*Telephone: (340) 776-2963 * email: plwallace3@yahoo.com*

PROFESSIONAL EXPERIENCE

THE VIRGIN ISLANDS DEPARTMENT OF HEALTH, OFFICE OF THE COMMISSIONER
GOVERNMENT OF THE VIRGIN ISLANDS, ST. THOMAS, VIRGIN ISLANDS

Deputy Commissioner, Administrative Services & Management: March 1999- December 2014

- Administrative over site over the various departments and offices within the Division of Administrative Services and Management (Office of Minority Health, Health Professions Institute, Management Information Systems, Engineering and Maintenance & Housekeeping, Transportation, and Security). Administrative responsibility for a number of years over additional programs - Health Planning, Human Resources, the Bureau of Health Statistics, Cancer Registry, and the Bureau of Nutrition & Physical Activity.
- Serve as the Department's Special Projects Coordinator – recognition and awards programs planner and coordinator.

Director, VI Office of Minority Health: 1999 - 2010

- Established and served as the Director of the Office of Minority Health in the Virgin Islands since the establishment in 1999 and collaborated with the regional and national offices of minority health on issues of health disparities within minority populations.
 - Coordinated the establishment of the HIV Clearinghouse and the website (www.hivclearinghouse.org) to distribute HIV/AIDS information.
 - Collaborated with Region II Office of Minority Health on several National Public Health Week activities, educational conferences and workshops.
 - Obtained the State Partnership grant for the past six years that supported collaborations with community based organizations, government agencies and the private and public sector on HIV/AIDS for information and resources.
 - Secured mini grants for community based organizations to capacity building in their efforts to address health disparities, HIV/AIDS and other health care needs in the territory.

THE VIRGIN ISLANDS DEPARTMENT OF HEALTH, OFFICE OF THE COMMISSIONER
GOVERNMENT OF THE VIRGIN ISLANDS, ST. THOMAS, VIRGIN ISLANDS

Director for the Health Professions Institute: September 1987 – March 1999

- Established the Health Professions Institute and served as the director since its inception in September 1987 until March 1999
- Developed, coordinated and administered all activities relative to staff development and training for health professionals and other staff within the Department of Health and for all other educational activities of the department.
- Planned and organized the Bennie & Martha Benjamin Medical Lecture Series with the two hospitals continuing medical education committees (CME).
- Planned and coordinated training activities and research projects with several of the programs within the University of the Virgin Islands: Eastern Caribbean Center, Community Services, Nursing Division and UVI Cell.
- Administered the Department's Health Scholarship Program and served as the liaison for other health and medical scholarships from private foundations and other educational institutions.
- Coordinated and served as the liaison for student internships within the Department of Health.
- Department's liaison for the request, coordination, receipt and recognition of gifts from philanthropic organizations/foundations such as the Bennie and Martha Benjamin Foundation for medical and health related scholarships, medical equipment and supplies.

- Over site over the department's capital projects program (2004-5 - \$13 mil)
- Established the Department's observation of National Public Week activities as an annual affair, served as the territorial chairperson.
- Responsible for compiling, editing and publishing the department's annual and special Reports, i.e. "Healthy Virgin Islands Healthy People 2010 Plan".
- Represents the department's interests on task forces, committees, etc. and/ or draft policies, legislation, proposes amendments, etc.
- Serves on various boards, councils, committees or task forces to coordinate agency activities and facilitate agency goals and initiatives.
- Represents the agency with federal, state and local government units or with private organizations.
- Primary Emergency Services Coordinator for the department with responsibility for annual review and update of the Hurricane Standard Operations Plan and emergency preparedness activities.
- Prepared and defended budget recommendations, requests, reports, proposals and/or projections.
- Initiated and developed the active participation and cooperation of various professional groups, governmental bodies, volunteer agencies, educational institutions in collaboration with various department programs.

THE VIRGIN ISLANDS DEPARTMENT OF HEALTH, OFFICE OF THE COMMISSIONER
GOVERNMENT OF THE VIRGIN ISLANDS, ST. THOMAS, VIRGIN ISLANDS

Director, Health Sciences Institute:

September 1984 -1987

- Established the Health Sciences Institute for the Department of Health with the focus of exposing to and encouraging students to consider health careers through various activities such as health career day fairs, summer employment program, and health explorers program.
- Planned and coordinated Health Career Fairs at various schools throughout the territory, public, private and parochial.
- Served as a member of the Department's Health Scholarship Program.
- Coordinated the Department's summer employment program and organized weekly lectures for the students by various health professionals who provided health careers information.

UNIVERSITY OF THE VIRGIN ISLANDS, ST. THOMAS, US VIRGIN ISLANDS

Adjunct Instructor, Police Science Program

January 1984 – May 1984

- Taught the *Introduction to Law Enforcement* course to police and other students.
- Updated the syllabus and secured new updated textbooks and other current and relevant books for the library.

THE VIRGIN ISLANDS DEPARTMENT OF LAW, CRIME LABORATORY
GOVERNMENT OF THE VIRGIN ISLANDS, ST. THOMAS, VIRGIN ISLANDS

Forensic Chemist

September 1972 – August 1984

- Administered/conducted tests and examinations and /or evaluated results and evidence submitted to the Crime Laboratory (drugs and narcotics, marijuana plants, blood alcohol levels, etc).
- Evaluated test results, made recommendations, communicated test results and compiled reports.
- Testified in both the Territorial and Federal Courts in the US Virgin Islands and other Caribbean islands regarding test results, and at hearings regarding actions, findings, procedures and protocols, etc.
- Served as the custodian of evidence and maintained the chain of custody.

- Interpreted, clarified, explained and applied policy and procedures, business practices and federal and territorial laws and regulations.
- Served as the acting director, in the absence of the director of the laboratory.

THE VIRGIN ISLANDS DEPARTMENT OF HEALTH, CLINICAL LABORATORY, KNUD HANSEN HOSPITAL
GOVERNMENT OF THE VIRGIN ISLANDS, ST. THOMAS, VIRGIN ISLANDS
MEDICAL TECHNOLOGIST, ASCP JULY 1971 – AUGUST 1972

- Worked in the clinical laboratory, collecting specimens from patients, perform laboratory testing and prepared reports.

EDUCATION

Doctor of Education, Educational Administration <i>University of Miami, Coral Gables, Florida</i> Award of Academic Merit	1998
M.S., Administration of Justice, Judicial Administration, <i>American University, Washington, D.C.</i>	1979
B.S., Medical Technology (Cum Laude) <i>Morgan State University, Baltimore, Maryland</i>	1971

PROFESSIONAL TRAINING

Management of Health Services <i>Clark Atlanta University</i>	1994
Training at the FBI Academy in Quantico, VA <i>Hair and Fiber Analysis</i>	1982
Training with Dr. Sydney Kaye, Professor of Toxicology, Pharmacology, and Legal Medicine <i>University of Puerto Rico</i>	1972 - 1976
Training at the Bureau of Narcotics and Dangerous Drugs Regional Laboratory, Department of Justice, <i>Miami, Florida</i>	1973
Training at Dade County Police Laboratory <i>Miami, Florida</i>	1972

FELLOWSHIPS/SCHOLARSHIPS

Morris F. de Castro Fellowship
Virgin Islands Academic and Cultural
Endowment Scholarship

ACADEMIC HONORS

University of Miami - Award of Academic Merit	1998
National Honor Society	1962 - 1966
Deans Honor List	1966 - 1971
Promethean Kappa Tau Honor Society	1967

PUBLICATIONS

"Identification and Analysis of Goals for a Community College by Key Leaders in the United States Virgin Islands" 1999

BOARDS, COUNCILS AND ASSOCIATIONS

Present & Former

Partners for Health - Board Member
Advisory Board Member, UVI Nursing Division, Export Center
National Church Council Member, Evangelical Lutheran Church
in America
American Association of Community Colleges
League of Women Voters, Past 2nd Vice President, Secretary
Health Scholarship Board, Department of Health
Caribbean Synod of the Evangelical Lutheran Church in America,
Vice President
Lutheran Center for Theological Formation Board, Vice President
Frederick Evangelical Lutheran Church, Past Vice President
Virgin Islands Labor Management Committee, Past Assistant Co-Chair
for Management
National Public Health Association
V.I. Toastmaster
Alpha Kappa Alpha Sorority, Inc.
Morgan State University Alumni Association
University of Miami Alumni Association



GOVERNMENT OF THE VIRGIN ISLANDS OF THE UNITED STATES

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DEPARTMENT OF PLANNING AND NATURAL RESOURCES

No. 45 Estate Mars Hill, Frederiksted
St. Croix, Virgin Islands 00840

Office of the Commissioner

Telephone: (340) 773-1082
FAX: (340) 773-1716

CONTACT: Jamal Nielsen, Media Relations Coordinator

FAX: (340) 713-2430

jamal.nielsen@dpnr.vi.gov

Tuesday, April 07, 2015

FOR IMMEDIATE RELEASE

DPNR CONTINUES INVESTIGATION OF RESTRICTED PESTICIDE USE

Commissioner Designee Dawn L. Henry, Esq. of the Department of Planning and Natural Resources (DPNR) confirms that on March 20, 2015, the department received a call from the Virgin Islands Department of Health of a possible Methyl Bromide release at Sirenusa Residences on St. John, which caused a family vacationing in one of the units to be transported to the Roy Lester Schneider Hospital on St. Thomas.

DPNRs' Division of Environmental Protection (DEP) immediately responded to the complaint and deployed staff to St. John to begin its investigation. Consecutively, Jeff Garrison, Environmental Protection Agency-Region II, local representative was in contact with DPNR Commissioner Designee Henry, to launch a joint investigation. During the preliminary stages of the investigation, DPNR learned that the suspected Methyl Bromide release was connected to fumigation activities which Terminix International USVI, LLC, (Terminix) conducted in Unit J Lower at Sirenusa Residences on March 18, 2015. On March 20, 2015, DPNR-DEP contacted Terminix to inquire about the fumigation activities on March 18, 2015, and confirmed that Terminix used Meth-O-Gas ® Q to fumigate the kitchen area in Unit J Lower at Sirenusa Residences on March 18, 2015.

On March 23, 2015, DPNR and the United States Environmental Protection Agency (USEPA) launched a joint investigation into the Methyl Bromide release at Sirenusa Residences. This investigation included air quality sampling for the presence of various compounds of interest. A team of investigators and the EPA Region II Director, Judith Enck visited the site on St. John and subsequently, met with Governor Ken Mapp, to provide a status update and plan of action going forward.

In addition, DPNR inspected the Terminix offices on St. Thomas on March 23, 2015, and interviewed the employees of Terminix International USVI, LLC. DPNR confirmed that Terminix possessed Methyl Bromide and learned of other locations where Terminix used

the banned Methyl Bromide products. Consequently, DPNR issued a Stop Use Order to Terminix in St. Thomas and on St. Croix. Both Orders required that Terminix;

- 1)** immediately stop using pesticides containing Methyl Bromide in the Territory
- 2)** provide DPNR with all documentation relating to the purchase, use, and application of pesticide products containing Methyl Bromide over the last twelve months
- 3)** to quarantine the subject pesticides, and
- 4)** to refrain from moving, destroying, altering or affecting the subject pesticides.

Currently, DPNR and EPA are in custody of the quarantined Methyl Bromide canister on St. Thomas and are collaborating to secure the quarantined canisters on St. Croix.

During the weeks of March 23, 2015, and March 30, 2015, DPNR performed inspections at the other pest control companies throughout the Territory to determine whether those companies are using Methyl Bromide. As part of that inspection, DPNR conducted an inventory of the pesticide products in storage and requested that the companies provide Material Safety Data Sheets (MSDS) pertaining to all the pesticides used, stored or sold in the Territory containing Methyl Bromide. DPNR discovered that two extermination companies on St. Croix were in possession of Methyl Bromide and one other company on St. Thomas. DPNR will determine from the companies' records whether they have used the banned substance and, if so, when and where.

Furthermore, as part of the ongoing investigation, DPNR is also working with other agencies, including but not limited to, the Department of Licensing and Consumer Affairs, USEPA and the Puerto Rico Department of Agriculture to locate the distributor of Methyl Bromide to the Territory.

Commissioner Henry reminds the public that if there any questions or concerns regarding any pesticide use, please feel free to contact the Division of Environmental Protection's Pesticide Program at (340) 774-3320 ext. 5193 on St. Thomas and (340) 773-1082 ext. 2272 on St. Croix.

"This unfortunate incident poses a threat to the residents and visitors to the territory. It will not be treated lightly and the Department will take appropriate enforcement action. Terminex International USVI, LLC will be held fully accountable for its actions in exposing the community to substances that it knows or should have known were banned from use in the Territory. Our prayers and thoughts are with the Esmond family and we pray for their full recovery," Commissioner Henry stated.

**GOVERNMENT OF THE VIRGIN ISLANDS
DEPARTMENT OF PLANNING AND NATURAL RESOURCES
DIVISION OF ENVIRONMENTAL PROTECTION**

STOP-USE ORDER

Respondent: Terminix International USVI, LLC

Location: 3562 Honduras, Suite 8, St. Thomas Virgin Islands 00802

Date: March 24, 2015

Time:

Stop-Use Number: STT-SU01-15

The Commissioner Nominee of the Department of Planning and Natural Resources issues this Stop-Use Order pursuant to V.I. Code Ann. tit 12, §838 (a) (1) (2011) based on the following:

1. On March 23, 2015, the Division of Environmental Protection- Pesticide Program (DEP-PP) conducted a Misuse Inspection and found the following product at Terminix International USVI, LLC (Respondent): **Meth-O-Gas® Q (EPA Registration No. 5785-41)**;
2. Further, the inspection revealed that the above products contained pesticidal claims on the labels and therefore is considered a pesticide as defined in V.I. Code Ann. tit 12, §801 (45) (2011);
3. Further, the inspection revealed that the above pesticide product was used in Unit J at Sirenusa Residences located in St. John, US Virgin Islands on March 18, 2015, and was also used at the Sirenusa Residences in October 2014. Sirenusa is best described as a vacation rental/ condominium complex;
4. Further, the inspection revealed that **Meth-O-Gas® Q (EPA Registration No. 5785-41)** is not approved for use in residential structures;
5. Further, the inspection revealed that Respondent did not apply **Meth-O-Gas® Q (EPA Registration No. 5785-41)** in a manner consistent with the attached label;
6. Further, the inspection revealed that Respondent did not store **Meth-O-Gas® Q (EPA Registration No. 5785-41)** in a manner consistent with the attached label, and
7. During the inspection, Respondent provided an MSDS for a product with an EPA registration number that was different from the Methyl Bromide product that was observed by the inspectors.

V.I. Code Ann. tit 12, §836 (a) (5) (2011) specifically prohibits the use of any pesticide that is being used in a manner which is inconsistent with the provisions of this Chapter. The Virgin Islands law also states in V.I. Code Ann. tit 12, §838 (c) (2011) that “[w]henver the Commissioner finds, or has probable cause to believe, that a pesticide is being used in violation of any provision of this chapter or rules and regulations promulgated pursuant thereto, the Commissioner may issue a stop-use order requiring the user of the pesticide immediately to cease using such pesticide and immediately to remove such pesticide to the specified location[.]”

In consideration of the foregoing, Respondent, upon receipt of this Stop-Use Order, is hereby

ORDERED to immediately stop using fumigant Meth-O-Gas® Q (EPA Registration No. 5785-41) and any other pesticide containing methyl bromide in the United States Virgin Islands, to include St. Thomas, St. John and St. Croix; and it is further

ORDERED to provide DPNR-DEP, by close of business on March 26, 2015, with all documentation relating to Respondent’s purchase, use and application, anywhere in the U.S. Virgin Islands, of Meth-O-Gas® Q (EPA Registration No. 5785-41) or any other pesticide containing methyl bromide over the last twelve months, and to be available to answer questions from DPNR-DEP with regard to such purchase, use or application; and it is further

ORDERED to quarantine the above pesticide in their current secure locations, unless DPNR-DEP or the U.S. Environmental Protection Agency direct otherwise or have taken custody of the pesticides; and it is further

ORDERED to not remove, destroy, alter or affect the above pesticides, or the containers in which they are stored, in any manner while in quarantine unless authorized in writing by DPNR-DEP; and it is further

ORDERED to provide DPNR with access in both St. Thomas and St. Croix to inspect and, at DPNR's discretion, remove all quantities of the above pesticides.

Pursuant to V.I. Code Ann. tit 12, §839 (b) (2011), Respondent shall have ten (10) days from the date of receipt of this Stop-Use Order to show cause to the Commissioner Nominee, in writing, as to why the above listed pesticides should not be disposed of in accordance with the provisions of law. This Order shall pertain to all quantities and volumes of the above listed pesticides within the ownership, control, or custody of Respondent, wherever located.

The occurrence alleged above, and/or your failure to comply with the terms of this Stop-Use Order, or any other order(s) pertaining to the above listed pesticides constitutes a violations of V.I. Code Ann. tit 12, §842 (a) (2011) which states in part "[e]xcept as otherwise provided in this subsection, any person who violates any provision of this chapter or any rule, regulation or order issued there under or commits any offense described in section 836 of this chapter shall be liable to the people of the United States Virgin Islands for a civil penalty not to exceed \$5000 dollars for a first violation..."

Received By: _____
Signature and Title and Date

Name Printed: _____

SO ORDERED THIS ____ DAY OF _____, 2015

Dawn L. Henry, Esq., Commissioner Nominee