

**Delaware Department of Agriculture**  
**Pesticides Section, Enforcement**  
2320 South DuPont Highway  
Dover, Delaware 19901  
Enforcement Action/Violation

**Respondent:**

Green Dreams  
706 Hercules Road  
Wilmington, Delaware 19808

**Violations:**

3 Del. C. § 1224(a)(3) – Engaging in the business of applying a pesticide on the lands of another without having a license granted by the Department

**Penalty:**

Respondent signed a consent agreement September 30<sup>th</sup> 2015. In the agreement, Respondent agreed to the imposition of disciplinary sanctions which included a civil penalty of \$1,400.00 (one thousand four hundred dollars) for violating §1224(a)(3).

**STIPULATED FACTS**

1. Green Dreams (“Respondent”) is a commercial pesticide applicator business with an office located at 706 Hercules Road, Wilmington, Delaware 19808. Respondent does not have a license issued by the Delaware Department of Agriculture (“the Department”).
2. Christopher Nowell (“Nowell”) is the owner of Green Dreams and is not a certified commercial applicator in category 7.3.1 (Ornamental and Turf Pest Control).
3. The Pesticide Section of the Department (“Complainant,”) is bringing this enforcement action against Respondent. Stephen McReynolds (“McReynolds”) is employed as an Environmental Scientist II with the Department.
4. On July 4<sup>th</sup>, 2015, McReynolds received an anonymous tip via phone call stating that Green Dreams was spraying the fields at A.I. DuPont High School.
5. On July 10<sup>th</sup>, 2015, McReynolds met with Kevin Palladinetti, Principal of A.I. DuPont High School. He stated that Darren Brodie, A.I. DuPont High School Baseball Coach, told him that Green Dreams subbed the spraying to Kelly’s Lawn Care, owned by Keith Kelly.

6. On July 21<sup>st</sup>, 2015, McReynolds conducted an inspection at Greenleaf Turf Solutions. A notice of inspection was issued to Bill Batchler, Vice President. McReynolds asked for all sales records for Green Dreams. Invoices given to McReynolds showed the purchase of six different pesticide products. The products purchased were:
  - a. Prodiamine .58% Plus, EPA Reg. No. 53883-171-047956 (48 bags)
  - b. Lontrel Turf and Ornamental Herbicide, EPA Reg. No. 62719-303
  - c. Ranger Pro Herbicide, EPA Reg. No.524-517
  - d. ProDeuce Weed Control, EPA Reg. No. 228-509
  - e. Snapshot 2.5 TG Specialty Herbicide, EPA Reg. No. 62719-175 (12 bags)
  - f. Battleship III Selective Herbicide, EPA Reg. No. 228-453-5905
7. On May 9<sup>th</sup>, 2013, McReynolds conducted an inspection with Mr. Nowell. This inspection was conducted to inform Mr. Nowell that he needed to obtain a Delaware pesticide business license in order to apply pesticides to lands of another while operating a business.
8. On June 26<sup>th</sup>, 2013, Nowell failed to show up for a certification exam. Nowell signed up for this exam May 13, 2013; however Nowell was recorded as a no-show in the Access Database.
9. On January 29<sup>th</sup>, 2014, Nowell failed to show up for a certification exam, and again was recorded as a no-show in the Access Database.
10. On July 22<sup>nd</sup>, 2015, McReynolds spoke with Nowell on the phone and explained the case details to Nowell and the reason for the phone call. Nowell agreed to meet McReynolds at 2:30PM on the same day. Upon arrival to Nowell's house a notice of inspection was issued. During this visit McReynolds received a hand written list of all of Nowell's accounts, City of Wilmington Business License, State of Delaware Business License, Workers Compensation Insurance Letter and Riverfront Development Corporation estimate for work. Nowell stated that he used Snapshot at the Riverfront account. Nowell also admitted that he used Prodiamine 0.58 Plus at his commercial accounts.
11. In the past 5 years, Respondent has no pesticide compliance violations with the Department.
12. **Snapshot**, EPA Registration Number 62719-175, is a pesticide registered for sale and use in the State of Delaware by the Department.
13. **Prodiamine 0.58 Plus**, EPA Registration Number 53883-171-047956, is a pesticide registered for sale and use in the State of Delaware by the Department.