

STATE OF MINNESOTA
DEPARTMENT OF COMMERCE

In the Matter of the unlicensed activity of Enviro-Chem Inc.

CONSENT ORDER

TO: Enviro-Chem Inc.
21821 Industrial Blvd.
Rogers, MN 55374

Temporary Commissioner of Commerce Grace Arnold (Commissioner) has determined as follows:

1. The Commissioner has advised Enviro-Chem Inc. (Respondent) that she is prepared to commence formal action pursuant to Minn. Stat. § 45.027 (2018), and other applicable law, based on allegations that Respondent conducted bullion product transactions with consumers in amounts exceeding statutory thresholds, without first having registered with the Minnesota Department of Commerce, in violation of Minn. Stat § 80G.02, subd. 1 (2018).

2. Respondent acknowledges that they have been advised of the right to a hearing in this matter, to present argument to the Commissioner, and to appeal from any adverse determination after a hearing. Respondent hereby expressly waives those rights. Respondent further acknowledges that they have been represented by legal counsel throughout these proceedings or has waived that right.

3. Respondent has agreed to informal disposition of this matter without a hearing as provided under Minn. Stat. § 14.59 (2018) and Minn. R. 1400.5900 (2017).

4. For purposes of Minn. Stat. § 16D.17 (2018), Respondent expressly waives the right to any notice or opportunity for a hearing on any civil penalty imposed by the Commissioner. Further, Minn. Stat. § 16D.17 (2018) allows the Commissioner to file and enforce the civil penalty imposed by this Order as a judgment against Respondent in district court without further notice or additional proceedings.

5. The civil penalty and/or any resulting judgment arising from this Order will be non-dischargeable in any bankruptcy proceeding. See 11 U.S.C. 523 (a)(7) ("A discharge under section 727, 1141, 1228(a), 1228(b) or 1328(b) of this title does not discharge an individual debtor from any debt... to

the extent such debt is for a fine, penalty, or forfeiture payable to and for the benefit of a governmental unit, and is not compensation for actual pecuniary loss, other than a tax penalty...").

6. The following Order is in the public interest.

NOW, THEREFORE, IT IS HEREBY ORDERED, pursuant to Minn. Stat. Ch. 45 (2018) that:

A. Respondent shall pay a civil penalty in the amount of \$5,000 to the State of Minnesota;

B. Respondent shall cease and desist from violating any laws, rules, or orders related to the duties and responsibilities entrusted to the Commissioner under Minnesota Statute Chapters 45 and 80G;

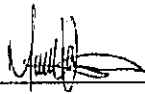
C. To avoid further violations of Minn. Stat. Ch. 80G, Respondent shall 1) submit its application for a bullion product dealer license within 45 days of the date of this Order; or 2) immediately discontinue any activities under Minn. Stat. Ch. 80G; and

D. Respondent shall pay all investigative costs in the amount of \$67.50 at the time the Consent to Entry of Order is signed pursuant to Minn. Stat. § 45.027, subd. 1(8) (2018).

This Order shall be effective upon signature by or on behalf of the Commissioner.

Date: 12/14/2020

GRACE ARNOLD
Temporary Commissioner



MATTHEW VATTER
Assistant Commissioner of Enforcement
Minnesota Department of Commerce
85 Seventh Place East, Suite 280
St. Paul, MN 55101
(651) 539-1600

CONSENT TO ENTRY OF ORDER

The undersigned, acting on behalf of Enviro-Chem Inc., states the undersigned has read this Consent Order; that the undersigned knows and fully understands its contents and effect; that the undersigned is authorized to execute this Consent Order on behalf of Enviro-Chem Inc.; that the undersigned has been advised of the right to a hearing in this matter, to present argument to the Commissioner, and to appeal from any adverse determination after a hearing and expressly waives those rights. The undersigned further acknowledges that Enviro-Chem Inc. has been represented by legal counsel throughout these proceedings, or has been advised of its right to be represented by legal counsel, which right it hereby expressly waives; and that it consents to entry of this Order by the Commissioner. It is further understood that this Consent Order constitutes the entire settlement agreement between the parties, there being no other promises or agreements, either express or implied.

Enviro-Chem Inc.

Date: 11/25/20

By: Brian A Meyer Brian A Meyer
(Name)

Its: Controller / CFO
(Title)

STATE OF Minnesota

COUNTY OF Hennepin

Signed or attested before me on 11-25-2020 (Date).

(Notary stamp)

Catherine Martina Hubbard
(Signature of Notary)

My Commission expires:

1-31-2023

