

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) Nace, William E. Nace Sports 3381 Hunterstown Hampton Rd. New Oxford, PA 17350, Adams	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 766085-2017-0070-B1B		
	3. PERMIT/LICENSE NUMBER 823001018M22577	4a. TARGET DATE	4b. TARGET HOURS
	5. REQUESTED BY (SIGNATURE, TITLE AND DATE)		

6. ATF OFFICER(S) ASSIGNED
(b) (6) Lead Investigator
(b) (6) Assigned Investigator

7. ASSIGNED BY (SIGNATURE, TITLE AND DATE)
(b) (6) Area Supervisor, 11/08/2016

8. PURPOSE/SPECIAL INSTRUCTIONS
DE5 - Please see 2017 Domain assessment for description and refer to you IOI Handbook for reference in conducting this inspection.
Contact me if you have any questions. Thank you.

9. INSPECTION RESULTS		<input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC		10. TRAVEL EXPENSES (OPTIONAL)	
NO. OF VIOLATIONS	2	NO. OF REFERRALS		2111 - PER DIEM	
NO. OF TECS CHECKS	20	NO. OF TECS HITS		2112 - P.O.A.	
NO. OF TAX ADJUSTMENTS		\$ VALUE OF TAX INCREASES		2113 - COMM. AIR	
		\$ VALUE OF TAX DECREASES		2114 - RENTAL CAR	
NO. OF ASSESSMENTS		\$ VALUE OF ASSESSMENTS		2115 - GPV EXPENSES	
NO. OF CLAIMS		\$ VALUE OF CLAIMS		2116 - MISC.	
NO. OF TAX PERIODS		\$ VALUE OF TAXES VERIFIED		TOTAL \$ FOR INSP.	

11. ATF OFFICER'S RECOMMENDATION
Submitted by (b) (6) Industry Operations Investigator
Submitted on: 04/10/2017

Viols and Revocation / Denial of Renewal App

12. TIME ACCOUNTING DATA		
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)	(b) (6)	
NOV 2016	2.25	
DEC 2016	1.50	
JAN 2017	64.00	
FEB 2017	129.00	
MAR 2017	83.50	
APR 2017	38.00	
MAY 2017	4.50	
JUL 2017	9.00	
ATF OFFICER'S SUBTOTAL	331.75	ATF OFFICER'S SIGNATURE
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)	(b) (6)	
JAN 2017	9.00	
FEB 2017	35.00	
APR 2017	18.00	
JUL 2017	1.00	
ATF OFFICER'S SUBTOTAL	63.00	ATF OFFICER'S SIGNATURE
TOTAL HOURS	394.75	

May 9 2018 Production

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13. REVIEW AND ROUTING

REVIEW COMMENTS AND RECOMMENDATION

The licensee stopped making entries in his A&D record in May 2016. In 2010, the licensee was cited for the same violation. Establishment of willfulness failed in 2010 as the licensee had a limited inspection history since originally receiving his license in 1988. The licensee participated in a Warning Conference on January 25, 2010 with then Acting Area Supervisor (b) (6) to discuss the violations disclosed in the 2010 inspection. With regards to violation of 27 CFR 478.125(e), for failing to maintain the firearm acquisition and disposition record as required, Mr. Nace stated that he would ensure in the future that all firearms in the inventory and all the firearms transactions are properly reflected in the A&D record through regular inventory checks and records review.

In this 2017 Inspection, the licensee failed to make any entry into the required records after May 14, 2016.

The licensee knew of his legal obligation to maintain the required records through previous inspections, a warning conference, evidence he had been keeping records previously, and his statements to IOI (b) (6)

The licensee either willfully, or with plain indifference, ceased keeping these required records on or about May 14, 2016.

Recommend Revocation / Denial of Renewal Application

Nace, William E.
Nace Sports
3381 Hunterstown Hampton Rd.
New Oxford, PA 17350 - Adams County

RDS: 8-23-22577

Lead IOI (b) (6)

Summary: On 2/21/2017 a DE compliance inspection was completed on the above. Two violations were cited resulting in a DIO Warning Conference being held on 7/31/2017. A recall inspection will be required in FY 2019.

Request FLS be updated to reflect this inspection.
Request SAF for DIO WC Held be added.
Request Recall Inspection Needed SAF be added.
Recommend Renewal.

Email sent to:

FEI Actions Philadelphia

(b) (6)

Viols and Revocation / Denial of Renewal App

☒ REVIEWED

☒ CONCUR

☒ SEE COMMENTS

☐ FINAL DISPOSITION

SIGNATURE AND TITLE

(b) (6) Area Supervisor

REVIEW DATE

04/19/2017

Assignment and Report

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REVIEW COMMENTS AND RECOMMENDATION

The compliance investigation revealed two violations (i. (b)(3)-Public nreported MS (b)(3)-Public Gs; unrecorded acquisitions (b)(3)-Public and dispositions (b)(3)-Public off-book sales), one of them repeated relating to discontinuing use of the A&D book, which under the AA policy would lead to revocation if willful, which apparently is the case. And in consideration of the Division Counsel opinion, and given the compliance history of the licensee, therefore, concur with the A/S's analysis and recommendation for revocation of the license.

7/31/17 Update: Although DAD(IO) concurred with issuance of a Notice of Revocation, however, per 6/19/17 briefing, it was conveyed to PFD that the licensee did not present a public safety threat (i.e., no missing guns, traces, transfers to prohibited individuals, nor straw sales) and to consider a DIO WC instead. Following issuance of the Notice, at the pre-hearing meeting with the licensee, he mentioned that due to hearth by-pass surgery in April 2016, he was not able to keep up with his records. The licensee was informed about particular recordkeeping requirements, and advised to make arrangements should he once again fall ill. He indicated that he understood the requirements and pledged compliance; consequently, the meeting was deemed a DIO WC and the revocation notice is withdrawn. The original recommendation is being revised accordingly.

Viols DIO (or Delegate) Held WC ILO Revocation

☒ REVIEWED

☒ CONCUR

☒ SEE COMMENTS

☒ FINAL DISPOSITION

SIGNATURE AND TITLE JFORELLANA - Director, Industry Operations	REVIEW DATE 05/17/2017
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ROUTING SEQUENCE AND DATE

- ☐ 1. _____
- ☐ 2. _____
- ☐ 3. _____
- ☐ 4. _____

CONTROL FILE POSTED DATE _____

Report of Violations

Instructions

Please write firmly with a ball point pen when completing this form. ATF officers will prepare this form in triplicate. The original copy will be given to the proprietor or a responsible representative. The remaining copies will be submitted with the completed inspection report. Supervisors will detach one copy from the completed report for their files.

Name of Proprietor Nace, William E. Nace Sports	Street Address 3381 Hunterstown Hampton Rd.	City New Oxford	State PA	Zip Code 17350-	County Adams	Page 1 of 4 Pages
License/Permit/Registry Number <i>(If any)</i> 823001018M22577		Expiration Date 12/1/2018	Date(s) or Period of Inspection 01/19/2016 through 01/19/2017			

Inspection Results

An examination of your premises, records and operations has disclosed the following violations which have been explained to you:

Number: 1
Date Corrections to be Made: 02/21/2017
(If not corrected immediately)

Nature of Violation:

Failure to enter into a record each receipt and every disposition of individual firearms on [b)(3)-Public Law 112-55 (125 Stat. 552)] occasions, in that on [b)(3)-Public Law 112-55 (125 Stat. 552)] the licensee failed to enter the required acquisition and disposition information for the acquisition and disposition of a firearm in a timely manner prior to the inspection. 27 CFR 478.125(e) states that, "...The purchase or other acquisition of a firearm shall, except as provided in paragraph (g) of this section, be recorded not later than the close of the next business day following the date of such purchase or acquisition..." The regulation also states that, "The sale or other disposition of a firearm shall be recorded by the licensed dealer not later than 7 days following the date of such transaction." See the attached list 1A for the firearms associated with this violation.

In [b)(3)-Public Law 112-55 (125 Stat. 552)] instances the licensee failed to enter in a timely manner the required information for the acquisition of a firearm in the A&D Record prior to the inspection. 27 CFR 478.125(e) states that, "...The purchase or other acquisition of a firearm shall, except as provided in paragraph (g) of this section, be recorded not later than the close of the next business day following the date of such purchase or acquisition..." See the attached list 1B for the firearms associated with this violation.

In [b)(3)-Public Law 112-55 (125 Stat. 552)] instances the licensee failed to enter the required information for the disposition of a firearm in the A&D Record in a timely manner prior to the inspection. The regulation states that, "The sale or other disposition of a firearm shall be recorded by the licensed dealer not later than 7 days following the date of such transaction." See the attached

Corrective Action to be Taken: The licensee entered the acquisition and disposition information for the firearms listed. The information for the acquisitions was compiled from a hand written receipt book that the licensee kept of his acquisitions and the disposition information was taken from ATF Forms 4473 for the completed transfers of firearms. IOI [b)(6)] stressed the importance of completing the A&D Record in a timely manner in compliance with 27 CFR 478.125(e), this is a repeat violation. IOI [b)(6)] also stressed to the licensee to check the firearm and not the box or invoice for the serial number.

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U.S. Department of Justice

Bureau of Alcohol, Tobacco, Firearms and Explosives

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License/Permit/Registry Number <i>(If any)</i> 823001018M22577	Expiration Date 12/1/2018	Date(s) or Period of Inspection 01/19/2016 through 01/19/2017
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Inspection Results

An examination of your premises, records and operations has disclosed the following violations which have been explained to you:

list 1C for the firearms associated with this violation.
Citation: 27 CFR 478.125(e)

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RIF

For Official Use Only

ATF E-Form 5030 5
Revised April 2005

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License/Permit/Registry Number (If any) 823001018M22577		Expiration Date 12/1/2018	Date(s) or Period of Inspection 01/19/2016 through 01/19/2017			

Inspection Results

An examination of your premises, records and operations has disclosed the following violations which have been explained to you:

Number: 2

Nature of Violation:

The licensee failed to comply with 27 CFR 478.126a in that on (b)(3)- Public Law 112-55 (125 Stat. 552) occasions involving (b)(3)- Public Law 112-55 (125 Stat. 552) firearms, the licensee failed to forward to the ATF completed copies of ATF Forms 3310.4 Report of Multiple Sale or Other Disposition of Pistols and Revolvers following the sale of two or more hand guns to an unlicensed person at one time or during any five consecutive business days. The regulation states, "Each licensee shall prepare a report of multiple sales or other disposition whenever the licensee sells or otherwise disposes of, at one time or during any five consecutive business days, two or more pistols, or revolvers, or any combination of pistols and revolvers totaling two or more, to an unlicensed person... Not later than the close of business on the day that the multiple sale or other disposition occurs, the licensee shall forward two copies of Form 3310.4 to the ATF..." The licensee transferred (b)(3)- P.L. 112-55 (125 Stat. 552) (b)(6)

(b)(3) - P.L. 112-55 (125 Stat. 552) (b)(6)

(b)(3)- Public Law 112-55 (125 Stat. 552) with no report of multiple sale being forwarded to the ATF. The (b)(3)- Public Law 112-55 (125 Stat. 552) transfers above constituted (b)(3)- Public Law 112-55 (125 Stat. 552) multiple sales involving a total of (b)(3)- Public Law 112-55 (125 Stat. 552) firearms, none of these multiple sales were reported to the ATF.

Date Corrections to be Made: 02/21/2017
(If not corrected immediately)

Corrective Action to be Taken: The licensee supplied IOI (b)(6) with copies of the ATF Forms 3310.4 Report of Multiple Sale or Other Disposition of Pistols and Revolvers for forwarding to the ATF Tracing Center. Mr. Nace stated that he will ensure that in the future an ATF Form 3310.4 is completed whenever the licensee sells or otherwise disposes of, at one time or during any five consecutive business days, two or more pistols, or revolvers, or any combination of pistols and revolvers totaling two or more, to an unlicensed person and that the forms are forwarded to the ATF no later than the close of business on the day that the multiple sale or other disposition occurs.

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U.S. Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives

Report of Violations

Instructions

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License/Permit/Registry Number <i>(If any)</i> 823001018M22577	Expiration Date 12/1/2018	Date(s) or Period of Inspection 01/19/2016 through 01/19/2017
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Inspection Results

An examination of your premises, records and operations has disclosed the following violations which have been explained to you:

Citation: 27 CFR 478.126(a)

I Have Received a Copy of This Report of Violations *(Proprietor's signature and title)*

Date

Signature and Title of ATF Officer
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Date

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ATF E-Form 5030 5
Revised April 2005



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

www.atf.gov

766085 (b) (6)
5373

August 7, 2017

CERTIFIED LETTER – RETURN RECEIPT REQUESTED

Mr. William E. Nace
d/b/a Nace Sports
3381 Hunterstown Hampton Rd
New Oxford, PA 17350

Dear Mr. Nace:

This letter is a follow-up to the warning conference held with you and Mrs. Donna Nace on July 31, 2017, at the Philadelphia Field Division office. Also present during this meeting were ATF Counsel (b) (6), Area Supervisor (b) (6), Industry Operations Investigator (b) (6) and the undersigned. During this conference, the violations cited during the inspection covering the period January 19, 2016 - January 19, 2017, and the necessary corrective actions to prevent the violations from reoccurring were discussed.

You were given the opportunity to comment on the violations and what specific actions you have taken to ensure that the violations will not reoccur. Regarding the recordkeeping violations cited under 27 CFR 478.125(e), which is a repeat violation relating to your failure to keep and maintain the Acquisition and Disposition (A&D) book as required, you stated that you had suffered an illness and were recovering from surgery during this time. You further stated that corrective action had been made, and that your wife has now been trained in the proper recordkeeping process in order to assist you. You further stated that you were taking the time and the end of the day to ensure that all necessary entries were made in the required records prior to closing your business for the day. You were also advised that should you once again fall ill, to make proper contingency arrangements to help you properly maintain your business records in accordance with the regulations.

Regarding your failure to comply with the requirement to complete and forward ATF Form 3310.4, Report of Multiple Sale or Other Dispositions of Pistols and Revolvers following the sale of two or more handguns to an unlicensed person at one time, or during any five consecutive business day period, cited under 27 CFR 478.126(a), you stated that you now understand the

Mr. William E. Nace
d/b/a Nace Sports

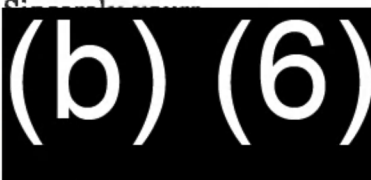
meaning of "business day" and how the law relates to your business hours and days of operation. You were also advised that it is not proper to avoid a multiple sale by structuring the multiple sale to take place beyond the five business days, since it would be contrary to law.

The violations for which you were cited could adversely impact law enforcement's ability to reduce violent crime and protect the public. You are reminded that future violations, repeat or otherwise, could be viewed as willful and may result in the revocation of your license.

This concludes the administrative action taken as a result of the violations disclosed during the inspection conducted onsite during the period of 1/19/2016 through 1/19/2017. The Notice of Revocation, dated 6/23/17, is hereby withdrawn.

However, given the seriousness and repetitive nature of the violations cited, you can anticipate further inspections to ensure your compliance.

Please contact the Harrisburg Area Office, at (717) 231-3420, if you have any questions concerning your responsibilities as a licensee, or if you require further clarification about particular requirements of Federal Firearms laws.

for 
Juan F. Orellana
Director, Industry Operations

c: National Licensing Center
Philadelphia Field Division
Harrisburg Area Office

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee X	
		B. Received by (Printed Name)	C. Date of Delivery
1. Article Addressed to: Mr. William E. Nace d/b/a Nace Sports 3381 Hunterstown Hampton Rd New Oxford, PA 17350		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
		Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
2. Article Number (Transfer from service label)		7016 3560 0001 0039 0955	

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

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AUG 07 2017
ZIP CODE 17101

\$000.00

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Extra Services:

<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$

Postage \$

Total Postage and Fees \$

Send To:
William Nace d/b/a Nace Sports
3381 Hunterstown Hampton Rd
New Oxford, PA 17350

See Reverse for Instructions