

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) ALLEGHENY ARMS LLC ALLEGHENY ARMS & GUN WORKS 4603 LIBRARY RD STE 170 BETHEL PARK, PA 15102, ALLEGHENY		2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 766060-2018-0225-B1B		
		3. PERMIT/LICENSE NUMBER 825003019M07433	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, 04/12/2018	

8. PURPOSE/SPECIAL INSTRUCTIONS FY2018 DA--TYPE 01 DE COMPLIANCE (DISCRETIONARY)	
---	--

9. INSPECTION RESULTS		<input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC		10. TRAVEL EXPENSES (OPTIONAL)	
NO. OF VIOLATIONS	3	NO. OF REFERRALS	1	2111 - PER DIEM	
NO. OF TECS CHECKS	51	NO. OF TECS HITS	3	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: 06/18/2018 On April 25 – May 9, 2018, Industry Operations Investigator (IOI) (b)(6) conducted a firearms compliance inspection of Allegheny Arms LLC dba Allegheny Arms & Gun Works located in Bethel Park, Allegheny County, PA. Present for the inspection were Managing Members/Responsible Persons Bruce Pendl (b)(6) and Joshua Rowe (b)(6). Also present for the inventory portion of the inspection for training purposes were Special Agents (SAs) (b)(6) and for form review assistance IOI (b)(6) was present. Allegheny Arms LLC dba Allegheny Arms & Gun Works holds a type 01 Dealer of Firearms Other Than Destructive Devices Federal firearms license (FFL) which operates from a retail storefront in suburban Bethel Park, Allegheny County, PA. The inspection covered a period of April 1, 2017 – April 24, 2018. Advance notice was not given. IOI (b)(6) identified herself with Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) credentials. Licensee was cited for violation of: 27 CFR 478.124(c)(1) instances regarding ATF F 4473 27 CFR 478.125(e) instances regarding A&D records 27 CFR 478.126a instances regarding unreported multiple sales Violts WL ONLY and No Recall Inspection	
---	--

12. TIME ACCOUNTING DATA	
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)	(b)(6)
APR 2018	63.00
MAY 2018	63.00
ATF OFFICER'S SUBTOTAL	126.00
ATF OFFICER'S SIGNATURE	

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) ALLEGHENY ARMS LLC ALLEGHENY ARMS & GUN WORKS 4603 LIBRARY RD STE 170 BETHEL PARK, PA 15102, ALLEGHENY	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 766060-2018-0225-B1B		
	3. PERMIT/LICENSE NUMBER 825003019M07433	4a. TARGET DATE	4b. TARGET HOURS
	5. REQUESTED BY (SIGNATURE, TITLE AND DATE)		

12. TIME ACCOUNTING DATA	
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)	(b)(6)
APR 2018	16.00
ATF OFFICER'S SUBTOTAL	16.00
ATF OFFICER'S SIGNATURE	
TOTAL HOURS	142.00

13. REVIEW AND ROUTING

REVIEW COMMENTS AND RECOMMENDATION

UI# 766060-2018-0225-B1B
FFL# 8-25-07433
Licensee: Allegheny Arms, LLC dba Allegheny Arms & Gun Works
Dates of Inspection: 04/30/2018-05/09/2018
Scope of Inspection: Type 01 FFL DE Compliance
Time Frame of Inspection: 04/01/2017-04/24/2018
Recommendation: Viols; ROV; WL Only; NO Recall
IOI (b)(6)

A/S Comments: From 04/30/2018-05/09/2018, IOI (b)(6) conducted a Type 01 FFL DE Compliance Inspection at the licensed premises of Allegheny Arms, LLC dba Allegheny Arms & Gun Works. RPs Joshua Rowe and Bruce Piendl were present. As a result of this inspection, IOI (b)(6) cited the following violations:

1.) 27 CFR 478.124(c)(1): Completion of ATF Form 4473 (b)(3) - 112 Public Law 5)
Nature of Violation: (b)(3) - 112 Public Law 5 instance where purchaser answered "Yes" to Question 11i; (b)(3) - 112 Public Law 5 instance where the purchaser failed to record a response to Question 11i; (b)(3) - 112 Public Law 5 instance where purchaser failed to record responses to 11b - 12d. Criminal history checks of each purchaser revealed NO prohibiting information.

2.) 27 CFR 478.125(e): Completion of A&D Record Book (9 instances)
Nature of Violation: On (b)(3) - 112 Public Law 5 occasions, firearms were transferred without completion of disposition entries in the A&D record.

3.) 27 CFR 478.126a: Completion of ATF Form 3310.4 (6 instances/12 HGs)
Nature of Violation: (b)(3) - 112 Public Law 5 instances, the licensee performed a transfer of two (2) or more handguns in five (5) or fewer business days to an individual and did not submit ATF Form 3310.4, "Report of Multiple Sale or Other Disposition of Pistols and Revolvers."

A/S Recommendation: Viols; ROV; WL Only; Recall:

- 1.) 1st Compliance Inspection experienced by licensee
- 2.) Not a significant threat to public safety (b)(3) - 112 Public Law 55 125 Stat 552, no missing firearms inventory)
- 3.) Low Deficiency Ratings (all ratings under 1%)
- 4.) No sales to prohibited persons. PICS Background Checks were conducted on all unlicensed buyers.
- 5.) WL is in line with the current AA Policy
- 6.) Recall Inspection is necessary to ensure future compliance, especially as related to the A&D Record Violation and the Multiple HG reporting violation. A Recall Inspection is needed to ensure that the licensee properly addressed and remedied the "computer glitches" cited as the source for these particular violations.

Viols WL ONLY and Recall Inspection

☒ REVIEWED ☐ CONCUR ☒ SEE COMMENTS ☒ FINAL DISPOSITION

SIGNATURE AND TITLE (b)(6) - Area Supervisor	REVIEW DATE 06/18/2018
---	---------------------------

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 ALLEGHENY ARMS LLC ALLEGHENY ARMS & GUN WORKS	Street Address 4603 LIBRARY RD STE 170	City BETHEL PARK	State PA	Zip Code 15102-	County ALLEGHENY	Page 1 of 2 Pages
License/Permit/Registry Number <i>(If any)</i> 825003019M07433		Expiration Date 12/1/2019		Date(s) or Period of Inspection 04/30/2018 through 04/30/2018		

Inspection Results

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

Number: 1

Nature of Violation:

Licensee had (b)(3) - 112 Public instances of this violation pertaining to ATF Forms 4473. On (b)(3) - 112 Public occasion, the purchaser provided a "Yes" response to item 11i, "Have you ever been convicted in any court of a misdemeanor crime of domestic violence," and (b)(3) - 112 Public purchaser provided no response to the same item. (b)(3) - 112 Public occasion, the purchaser failed to complete items 11b - 12d. The licensee failed to halt the transactions and firearms were transferred to the purchasers.

Citation: 27 CFR 478.124(c)(1)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

The licensee will assure that all required form items are complete and accurate prior to transfer of firearms to non-licensees.

Number: 2

Nature of Violation:

Licensee had (b)(3) - 112 Public instances of this violation pertaining to Acquisition & Disposition (A&D) records. On (b)(3) - 112 Public occasions, firearms were transferred without completion of disposition entries in the A&D record.

Citation: 27 CFR 478.125(e)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

The licensee immediately corrected the A&D record for all dispositions left open in error. The licensee will assure that all disposed firearms are properly recorded in the A&D record within the time limits prescribed by the regulation.

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 ALLEGHENY ARMS LLC ALLEGHENY ARMS & GUN WORKS	Street Address 4603 LIBRARY RD STE 170	City BETHEL PARK	State PA	Zip Code 15102-	County ALLEGHENY	Page 2 of 2 Pages
License/Permit/Registry Number <i>(If any)</i> 825003019M07433		Expiration Date 12/1/2019	Date(s) or Period of Inspection 04/30/2018 through 04/30/2018			

Inspection Results

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

Number: 3

Nature of Violation:

Licensee had (b)(3) - 112 F instances of this violation pertaining to reporting multiple sales of handguns. On (b)(3) - 112 F occasions, the licensee performed a transfer of two (2) or more handguns in five (5) or fewer business days to an individual and did not submit ATF Form 3310.4, "Report of Multiple Sale or Other Disposition of Pistols and Revolvers."

Citation: 27 CFR 478.126a

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

The licensee will assure that all transactions involving multiple sales of handguns to an individual will be reported on ATF Form 3310.4 by the close of the business day upon which the transfer occurred.

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

Date

Signature and Title of ATF Officer

Date

FIREARMS INSPECTION REPORT

Name: Allegheny Arms LLC
Trade Name: Allegheny Arms & Gun Works

UI#: 766060-2018-0225
FFL#: 8-25-003-01-9M-07433

Address: 4603 Library Rd Ste 170
Bethel Park, PA 15102

1 - Introduction

Inspection Profile:

On April 25 – May 9, 2018, Industry Operations Investigator (IOI) (b)(6) conducted a firearms compliance inspection of Allegheny Arms LLC dba Allegheny Arms & Gun Works located in Bethel Park, Allegheny County, PA. Present for the inspection were Managing Members/Responsible Persons Bruce Piendl (b)(6) and Joshua Rowe (b)(6). Also present for the inventory portion of the inspection for training purposes were Special Agents (SAs) (b)(6) and (b)(6) and for form review assistance IOI (b)(6) was present.

Allegheny Arms LLC dba Allegheny Arms & Gun Works holds a type 01 Dealer of Firearms Other Than Destructive Devices Federal firearms license (FFL) which operates from a retail storefront in suburban Bethel Park, Allegheny County, PA. The inspection covered a period of April 1, 2017 – April 24, 2018. Advance notice was not given. (b)(6) identified herself with Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) credentials.

Business Profile:

Allegheny Arms LLC dba Allegheny Arms and Gun Works (“AA”) is a commercial retail storefront located in suburban Municipality of Bethel Park, Allegheny County, PA. The business makes available new and used long guns, handguns, ammunition and accessories, in addition to providing gunsmith services, primarily for Beretta firearms.

AA acquires new and used long guns and handguns, in addition to National Firearms Act (NFA) firearms. Approximately (b)(4) of firearm acquisitions are related to gunsmith activity; of the remaining firearms transfers, the majority of sales are handguns opposed to long guns. Most of the retail sales activity at AA is new firearms. New firearms are primarily acquired from (b)(4) (b)(4); however, AA participates in an online marketplace through which customers may order and pay for firearms which are then shipped from the distributor accepting the sale to AA for transfer to the purchaser. Additionally, the licensee sells firearms via GunBroker.com and GunsAmerica.com.

The licensee conducts firearm transfers at gun bashes in the area. Additionally, AA is expanding to doing business at local gun shows. AA seldom conducts

FIREARMS INSPECTION REPORT

Name: Allegheny Arms LLC
Trade Name: Allegheny Arms & Gun Works

UI#: 766060-2018-0225
FFL#: 8-25-003-01-9M-07433

personal transfers between nonlicensees and does not accept consignments. The licensee does not sell black powder or exploding targets. The licensee does not import, export or manufacture firearms or ammunition. AA is the (un)official Beretta custom gun shop and additionally performs a significant amount of gunsmith activities. Per the business website, "Since 2011, Josh Rowe of Allegheny Arms has been the only Pistolsmith specializing in the customization of Beretta pistols for duty, defense or competition" (alleghenyarms.com/custom-berettas/). The type 01 FFL held by Allegheny Arms is appropriate to the activities conducted under the license.

The business is located in a "strip mall"-type facility. The shared parking lot has video surveillance supplied by the property owner, and Allegheny Arms has internal surveillance as well. The building is secured by a monitored alarm system. The front glass is break-resistant to prevent unlawful entry. All firearms in the showroom of the store are locked in display cases. The business operates Monday – Friday, 10AM – 8PM, and Saturday – Sunday 10AM – 5PM.

AA holds PA License to Sell Firearms #12270. No additional licenses are needed at this time. GPS N 40.35034 W 080.02209

Ownership and Control:

Allegheny Arms LLC is a limited liability company in the Commonwealth of Pennsylvania. Bruce Piendl and Joshua Rowe are the sole officers and responsible persons identified on the license. No indications of hidden ownership were disclosed in the inspection.

Variance:

Not applicable.

2 - Recommendation

Report of Violations with Warning Letter

3 - Inspection History

Date of Inspection: 11/07/2016
Type of Inspection: Application
UI#: 766060-2018-0225
Inspection Results: Approve original

FIREARMS INSPECTION REPORT

Name: Allegheny Arms LLC
Trade Name: Allegheny Arms & Gun Works

UI#: 766060-2018-0225
FFL#: 8-25-003-01-9M-07433

Cited Violations: N/A

4 - Acquisition & Disposition (A&D) Record - Inventory

IOI (b)(6), with the assistance of SA (b)(6) and SA (b)(6) conducted a full inventory of firearms found on the premises at the time of inspection. A total of 508 firearms were inventoried and verified to the A&D record. (b)(6) additional open entries were reconciled to firearms that had been disposed; the licensee was cited for violation of 27 CFR 478.125(e) on (b)(6) occasions (Section 13, Violation 2; Worksheet 1; Exhibit 1).

AA utilizes a computerized A&D record which encompasses sales inventory as well as firearms acquired for repair purposes. A problem in the system was identified by Mr. Piendl during the last internal inventory (approximately March 2018) in which the point-of-sale portion of the program closes the sales ticket for firearms acquired under a repair entry (as opposed to retail), but does not always dispose of the firearms in the A&D record at the time of the conclusion of the transaction. Employees may manually dispose of the firearms to assure completeness of the A&D record, but since it does not always happen, they do not know until their internal inventory and reconciliation (approximately every 6-8 weeks) that items were not logged out of the system. This problem was noted as the cause for the discrepancies identified in the inspection. Mr. Piendl stated that he has been in regular contact with the programmers because, as he pointed out, this problem potentially affects everyone who uses the program and not just Allegheny Arms. Additionally, Mr. Rowe stated that the business will begin retaining the sales labels/repair tags pertaining to each respective firearm transferred and, periodically each week, they will manually verify each transfer was properly disposed in the A&D record. This procedure should then encompass all transfers made to licensees, nonlicensees, and gunsmith returns because all firearms are identified with a tag at the time of acquisition.

The licensee has not reported any firearms lost or stolen in the inspection period. No firearms were missing at the conclusion of the inspection. Twenty-five firearms were traced from the A&D record to the respective ATF F 4473, and 25 firearms were traced from the ATF F 4473 to the A&D record. No discrepancies were identified.

As stated above, the licensee conducts an internal inventory every 6 to 8 weeks. A list of open dispositions is generated from the computerized record, and employees do a full inventory of each firearm, verifying the serial number to the A&D record (to assure that errors did not occur between the labels on the firearm boxes versus the serial numbers found on the firearms themselves. Employees also verify serial numbers on firearms, forms, and the A&D record at the point of transfer to assure accuracy. No additional problems were identified in the inspection.

FIREARMS INSPECTION REPORT

Name: Allegheny Arms LLC
Trade Name: Allegheny Arms & Gun Works

UI#: 766060-2018-0225
FFL#: 8-25-003-01-9M-07433

5 - ATF Forms 4473 – NICS & Other Dispositions

IOIs (b)(6) reviewed all forms on file for the inspection period. A total of (b)(3) - 112 Public Law forms were reviewed for the period of April 1, 2017 – April 24, 2018. Discrepancies were identified on (b)(3) - 112 Public Law ATF F 4473, upon which the purchaser provided (b)(3) - 112 Public Law 55 125 Stat 552) purchasers failed to provide responses to required questions. The licensee was cited for violation of 27 CFR 478.124(c)(1) on (b)(3) - 112 Public Law occasions (Section 13, Violation 1; Worksheet 2 (2016); Exhibit 2). Criminal history queries of the involved purchasers disclosed no prohibiting information.

IOI (b)(6) obtained an FFL audit log from PICS for the period of April 1, 2017 – April 17, 2018. IOI (b)(6) verified 958 PICS numbers to ATF F 4473s. No discrepancies identified. Approximately (b)(4) of all firearms acquired and disposed are the result of gunsmith transactions on behalf of individuals and FFLs; no discrepancies were identified in the documentation relating to those transactions. The licensee verifies the validity of all FFLs prior to shipping firearms other licensees.

Forms were filed in chronological order, with separate folders for denied and cancelled transactions. Generally, forms are reviewed by the sales clerk and an additional clerk at the point of transfer; Mr. Piendl conducts a secondary form review prior to filing forms. AA utilizes computerized ATF F 4473 software for the completion of most forms; all forms are printed and signed by hand. No additional violations cited.

6 - Multiple Sales

IOI (b)(6) queried eTrace and found (b)(3) - 1 multiple sales associated with the licensee in the inspection period. An additional (b)(3) - 112 Public Law multiple sales involving (b)(3) - 112 Public Law 55 125 firearms were identified in the inspection period for which ATF Forms 3310.4 were not filed. The licensee was cited for violation of 27 CFR 478.126a on (b)(3) - 112 Public Law occasions (Section 13, Violation 3; Worksheet 2 (2016); Exhibit 3). No further discrepancies identified.

7 - Suspicious/Prohibited Purchasers

No prohibited purchasers were identified in the inspection. IOI (b)(6) identified (b)(6). See Section 10 – Referrals for additional information.

8 - Trace Activity

FIREARMS INSPECTION REPORT

Name: Allegheny Arms LLC
Trade Name: Allegheny Arms & Gun Works

UI#: 766060-2018-0225
FFL#: 8-25-003-01-9M-07433

IOI (b)(6) queried eTrace and found (b)(3) - 112 Public Law 55 125 Stat 55 associated with the licensee in the inspection period. All traces were successfully and timely completed to a purchaser. No discrepancies identified.

While investigating suspicious purchasing of an individual, IOI (b)(6) resolved (b)(3) - 112 Public Law 55 125 Stat 55 incomplete traces (not previously associated with Allegheny Arms). See **Section 10: DSEY** for further details.

9 - NFA/Importer/Collector/Manufacturer

AA is a dealer of National Firearms Act (NFA) firearms. IOI (b)(6) obtained the National Firearm Registration and Transfer Record (NFRTR) associated with the licensee. The inventory successfully reconciled to the NFRTR and no discrepancies were identified.

The licensee is not an importer, exporter, collector, or manufacturer of firearms.

10 - Referrals

(b)(6)

(b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)

FIREARMS INSPECTION REPORT

Name: Allegheny Arms LLC
Trade Name: Allegheny Arms & Gun Works

UI#: 766060-2018-0225
FFL#: 8-25-003-01-9M-07433

(b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)



11 - Other

Deconfliction yielded no prohibiting information. Review of FLS disclosed no necessary amendments. IOI (b)(6) discussed FFL Alert with the licensee and reviewed identifying suspicious activity and reporting thefts and/or losses at length with Misters Rowe and Piendl.

12 - Closing Actions

FIREARMS INSPECTION REPORT

Name: Allegheny Arms LLC
Trade Name: Allegheny Arms & Gun Works

UI#: 766060-2018-0225
FFL#: 8-25-003-01-9M-07433

IOI (b)(6) conducted a closing conference with Josh Rowe and Bruce Piendl, Responsible Persons, on May 9, 2018, at the licensed premises. IOI (b)(6) provided Misters Rowe and Piendl with a Report of Violations (ROV) and reviewed the results of the inspection with the licensee. Misters Rowe and Piendl certified the receipt of the ROV and IOI (b)(6) provided each with a copy for their files. IOI (b)(6) reviewed the Acknowledgement of Federal Firearms Regulations and Notice of Selling Firearms After Revocation, Expiration, or Surrender of an FFL with the licensee, with an emphasis on A&D records and suspicious purchasing. Misters Rowe and Piendl certified the review (Exhibit 4) and IOI (b)(6) provided both with copies for their reference. IOI (b)(6) provided Misters Rowe and Piendl with contact information for ATF Pittsburgh III Field Office in case of future questions or concerns.

13 - Violations

1. 27 CFR 478.124(c)(1)

Nature of Violation - Licensee had (b)(3) - 112 Public Law (b)(3) - 112 Public Law instances of this violation pertaining to ATF Forms 4473. On (b)(3) - 112 Public Law occasion, the purchaser provided a "Yes" response to item 11i, "Have you ever been convicted in any court of a misdemeanor crime of domestic violence," and (b)(3) - 112 Public Law purchaser provided no response to the same item. On (b)(3) - 112 Public Law occasion, the purchaser failed to complete items 11b - 12d. The licensee failed to halt the transactions and firearms were transferred to the purchasers.

Licensee's Response – The licensee acknowledged the violation and had no explanation for the omissions.

Corrective Action - The licensee will assure that all required form items are complete and accurate prior to transfer of firearms to non-licensees.

REFERENCE: Section 5; Worksheet 2 (2016); Exhibit 2

2. 27 CFR 478.125(e)

Nature of Violation - Licensee had (b)(3) - 112 Public Law instances of this violation pertaining to Acquisition & Disposition (A&D) records. On (b)(3) - 112 Public Law occasions, firearms were transferred without completion of disposition entries in the A&D record.

Licensee's Response - The licensee cited a recently discovered problem with the computerized record as the cause of the discrepancies. In basic terms, a disconnect occurs between the point of sale portion of the program and the A&D record with regard to items entered into the A&D record on a "repair" ticket. The sales clerk is able to "close out" the invoicing portion of the the entry but, for some unknown reason, the firearm entry disconnects from the transaction, which closes without completing

FIREARMS INSPECTION REPORT

Name: Allegheny Arms LLC
Trade Name: Allegheny Arms & Gun Works

UI#: 766060-2018-0225
FFL#: 8-25-003-01-9M-07433

information for the disposition. The licensee has been in contact with the program designers to address the issue, as it is likely affecting all customers of the product nationwide. Additionally, the licensee will implement a system of retaining sales tickets for the purposes of verifying that all firearms are successfully logged out of the A&D record each day.

Corrective Action - The licensee immediately corrected the A&D record for all dispositions left open in error. The licensee will assure that all disposed firearms are properly recorded in the A&D record within the time limits prescribed by the regulation.

REFERENCE: Section 4; Worksheet 1; Exhibit 1

3. 27 CFR 478.126a

Nature of Violation - Licensee had (b)(3) - 112 Public instances of this violation pertaining to reporting multiple sales of handguns. On (b)(3) - 112 Public occasions, the licensee performed a transfer of two (2) or more handguns in five (5) or fewer business days to an individual and did not submit ATF Form 3310.4, "Report of Multiple Sale or Other Disposition of Pistols and Revolvers."

Licensee's Response - The licensee acknowledged the violation. The licensee stated that the computerized system automatically sends an email alert when a multiple sale occurs, but sometimes the alert is sent to the Spam folder. The licensee will be more thorough in reviewing transfers for applicability of the multiple sale filing requirement.

Corrective Action - The licensee will assure that all transactions involving multiple sales of handguns to an individual will be reported on ATF Form 3310.4 by the close of the business day upon which the transfer occurred.

REFERENCE: Section 6; Worksheet 2 (2016); Exhibit 3



Expired certificate

X (b)(6)

Industry Operations Investigator
Signed by (b)(6)

Index of Worksheets and Exhibits

FIREARMS INSPECTION REPORT

Name: Allegheny Arms LLC
Trade Name: Allegheny Arms & Gun Works

UI#: 766060-2018-0225
FFL#: 8-25-003-01-9M-07433

Worksheet workbook

Exhibit 1 – Acquisition & Disposition record violations

Exhibit 2 – ATF Forms 4473 violations

Exhibit 3 – Unreported multiple sales

Exhibit 4 – Acknowledgement of Federal Firearms Regulations and Notice of Selling Firearms
After Revocation, Expiration, or Surrender of an FFL



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives
1000 Liberty Avenue, Suite 1515
Pittsburgh, Pennsylvania 15222

www.atf.gov

June 18, 2018

766060: (b)(6)
5300

CERTIFIED MAIL - RETURN RECEIPT REQUESTED
WARNING LETTER

Allegheny Arms, LLC
Allegheny Arms & Gun Works
4603 Library Rd.
Suite 170
Bethel Park, PA 15102
ATTN: Joshua Rowe, Managing Member and Responsible Person
Bruce Piendl, Managing Member and Responsible Person

RE: FFL# 8-25-003-01-9M-07433

Dear Sirs:

During a recent Compliance Inspection at your firearms business covering the period of April 1, 2017 through April 24, 2018, your company was cited for violations of 27 Code of Federal Regulations, Part 478. A copy of the Report of Violations, Form 5030.5, issued at the time of the inspection is enclosed.

As a result of this Compliance Inspection, your company was cited for the following three (3) violations:

1.) 27 CFR 478.124(c)(1): ATF F 4473 Completion

Nature of Violation: Licensee has [REDACTED] instances of this violation pertaining to ATF Forms 4473:

- In [REDACTED] instance, the purchaser provided a "Yes" response to item 11i, "Have you ever been convicted in any court of a misdemeanor crime of domestic violence?"
- In [REDACTED] instance, the purchaser failed to record a response to item 11i, "Have you ever been convicted in any court of a misdemeanor crime of domestic violence?"

- In [REDACTED] instance, the purchaser failed to complete items 11b - 12d.

2.) 27 CFR 478.125(e): A&D Record Books

Nature of Violation: Licensee failed to maintain complete and/or accurate A&D Record Books in a total of [REDACTED] instances.

3.) 27 CFR 478.126a: Multiple Handgun Sales

Nature of Violation: In [REDACTED] instances involving [REDACTED] handguns, the licensee performed a transfer of two (2) or more handguns in five (5) or fewer business days to an individual and did not complete and submit ATF Form 3310.4, "Report of Multiple Sale or Other Disposition of Pistols and Revolvers."

The violations were fully explained to both of you by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Industry Operations Investigator (IOI), (b)(6) [REDACTED]. You both indicated that you understood the requirements of the firearms laws and regulations. You further indicated that corrective actions would be taken to eliminate future violations.

Regarding Violation #1 where you failed to complete or obtain properly completed ATF Form 4473s in [REDACTED] instances, you attributed this violation to oversights by yourselves and/or your employees. It is strongly recommended that you conduct more frequent audits of your ATF Form 4473s to ensure completeness and accuracy. Specifically, it is recommended that each ATF Form 4473 be reviewed by one of you and a second employee, if possible, for completeness and accuracy prior to each customer leaving the licensed premises with the transferred firearm(s). Furthermore, it is recommended that you and/or your employees conduct secondary audits of the ATF Form 4473s for completeness and accuracy prior to placing them to permanent file. Frequent audits of the ATF Form 4473s are instrumental to identifying and correcting ATF Form 4473 errors.

Regarding Violation #2 where you failed to properly maintain the A&D Record Book in a total of [REDACTED] instances, you attributed this violation to a computer database "glitch" related to the return of repair firearms. You stated that you have been in constant contact with your database programmers to resolve this issue and ensure the violation does not re-occur. Going forward, please ensure that all disposed firearms are properly recorded in the A&D record within the time limits prescribed by the Federal Firearms Regulations.

Finally, regarding your failure to complete ATF Form 3310.4, Report of Multiple Sale or Other Disposition of Pistols and Revolvers in [REDACTED] instances involving [REDACTED] handguns (Violation #3), you attributed this violation to an issue with your e-mail system. You explained that your computerized system automatically sends an email alert when a multiple sale occurs, but, sometimes, the alert is sent to the Spam Folder. You advised that, in the future, you will be more diligent in checking the Spam Folder for messages as well as more thorough in reviewing transfers for applicability of the multiple sale filing requirement. Furthermore, you stated that you will ensure that all transactions involving multiple sales of handguns to an individual are reported on ATF Form 3310.4 by the close of the business day upon which the transfer occurred.

The records you are required to maintain and the business operations you conduct are important to law enforcement in our continuing effort to reduce violent crime and protect the public. It is essential that you comply with all Federal laws and regulations that govern your firearms business. This is critical to carrying out our mission to protect the public and ensure that criminals do not gain access to firearms. ATF appreciates the efforts you and other industry members make in this area, and we look forward to continuing to work with you in that regard.

You are reminded that retention of your Federal Firearms License is conditioned upon your compliance with Federal laws and regulations. Any future violations, repeat or otherwise, could be viewed as willful and may result in the revocation of your license. Please ensure that future compliance is achieved.

Should you have any questions regarding this matter, please contact the Pittsburgh Area Office at

(b)(6)

Sincerely yours,

(b)(6)

Area Supervisor, Industry Operations
Pittsburgh III, Philadelphia Field Division

Enclosure

cc: National Licensing Center
Pittsburgh III Area Office