



March 26, 2007

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DELIVERED BY COURIER

Regional Hearing Clerk
(E-13J)
U.S. EPA, Region V
77 West Jackson Blvd., 13th Floor
Chicago, IL 60604-3511

Dear Regional Hearing Clerk:

Re: In The Matter of Lesaffre Yeast Corporation,
Docket Number CAA-05-2007-0002

On behalf of Lesaffre Yeast Corporation ("Lesaffre"), enclosed are an original and one copy of Lesaffre's response to U.S. EPA's Prehearing Information Exchange.

By copy of this letter, I am sending a copy of the enclosed document to Administrative Law Judge, Carl C. Charneski, and am serving these documents on the U.S. EPA, through its authorized attorney, Catherine Garypie.

Yours very truly,

REINHART BOERNER VAN DEUREN s.c., as to
Count II

BY *Michael H. Simpson*

Michael H. Simpson

QUARLES & BRADY LLP, as to Count I

BY *Peter A. Tomasi*

Peter A. Tomasi

MW.1403878MHS:CJH

Encs.

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cc Administrative Law Judge, Carl C. Charneski (w/encs.)
Ms. Catherine Garypie (w/encs.)
Mr. Christopher Kaltenbach (w/encs.)
Mr. Thomas McElligott (w/encs.)

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

| | | |
|----------------------------|---|--------------------------------------|
| IN THE MATTER OF: |) | Docket No. CAA-05-2007-0002 |
| |) | |
| Lesaffre Yeast Corporation |) | Proceeding to Assess a Civil Penalty |
| Milwaukee, Wisconsin, |) | under Section 113(d) of the Clean |
| |) | Air Act, 42 U.S.C. § 7413(d) |
| Respondent. |) | |
| |) | |
| |) | |

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**LESAFFRE YEAST CORPORATION'S RESPONSE TO COMPLAINANT'S
PREHEARING INFORMATION EXCHANGE**

Lesaffre Yeast Corporation ("Lesaffre"), hereby provides, pursuant to 40 C.F.R. § 22.19 and the February 9, 2007 Prehearing Scheduling Order, its response to Complainant EPA's Prehearing Information Exchange ("Prehearing Exchange"), dated March 7, 2007.

1. Fact Witnesses identified by EPA

Lesaffre reserves the right to object to any and all of EPA's proposed fact witnesses if and when they are called to testify at the hearing, including but not limited to objections to EPA's identification of certain expert witnesses as fact witnesses.

Lesaffre respectfully reserves the right to call any witness identified in Complainant's Prehearing Exchange. Lesaffre further reserves the right to amend, supplement, and modify its list of fact witnesses and to call additional fact witnesses on its behalf, upon adequate notice to the Presiding Officer and Respondent.

2. Expert Witnesses identified by EPA

Lesaffre reserves the right to object to any and all of EPA's proposed expert witnesses if and when they are called to testify at the hearing.

Lesaffre respectfully reserves the right to call any expert witness identified in Complainant's Prehearing Exchange. Lesaffre further reserves the right to amend, supplement, and modify its list of expert witnesses and to call additional expert witnesses on its behalf, upon adequate notice to the Presiding Officer and Complainant and provision of a copy of the Curriculum Vitae of any expert witness not previously identified by Lesaffre.

3. Exhibits to be introduced into evidence at the hearing

Lesaffre reserves the right to challenge the introduction of any and all of the exhibits identified by EPA in its Prehearing Exchange. Lesaffre reserves the right to elect not to introduce any of the exhibits identified in Lesaffre's March 7, 2007 Prehearing Exchange. Lesaffre further reserves the right to supplement its Prehearing Exchange with additional exhibits not previously identified upon reasonable notice to the Presiding Officer and Complainant.

4. Time required for the hearing

In light of Complainant's and Lesaffre's Prehearing Exchanges, the hearing will require one week.

5. Location of the Hearing

The hearing should be held in Milwaukee. As noted by EPA, Complainant is located only 90 miles from Milwaukee, a relatively reasonable distance for EPA personnel to travel. EPA has also identified as witnesses two Wisconsin Department of Natural Resources personnel who will be require greater travel if the hearing is held in Chicago.

6. Calculation of Proposed Penalty

Lesaffre objects to the proposed penalty, for all of the reasons set forth in the March 7, 2007 Prehearing Exchange. Lesaffre reserves the right to present additional information at the hearing regarding the reasonableness of the penalty.

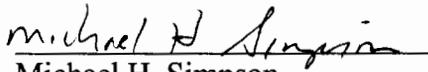
7. Reservation of Rights

Lesaffre respectfully reserves the right to call all witnesses called by Complainant, to recall any of its witnesses in rebuttal, and to modify or supplement the names of witnesses and exhibits prior to any adjudicatory hearing.

Lesaffre further reserves the right to seek additional discovery from Complainant, and to file dispositive motions regarding Counts 1 and 2 of the Administrative Complaint.

Respectfully submitted,

REINHART BOERNER VAN DEUREN S.C.

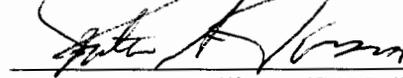


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