



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

October 31, 2007

Honorable Susan L. Biro
Chief Administrative Law Judge
Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Mail Code 1900L
Washington, D.C. 20460

RE: MAUNA LOA MACADAMIA NUT CO.
DOCKET NUMBER UIC-09-2007-0001
Complaint Filed: 09/27/2007
Proposed Penalty: \$157,500

Dear Judge Biro:

Pursuant to Section 22.21(a) of the Consolidated Rules of practice (40 C.F.R. Part 22), the above captioned matter is hereby referred to you for assignment of an Administrative Law Judge. In accordance therewith, a copy of EPA's Complaint and a copy of Respondent's Answer are enclosed.

Respondent is represented by:

Robert L. Falk, Esq.
MORRISON & FOERSTER LLP
425 Market Street
San Francisco, California 94105-2482

Complainant is represented by:

Brett Moffatt, Esq.
Assistant Regional Counsel
US EPA, Region 9
Office of Regional Counsel
75 Hawthorne Street, ORC-2
San Francisco, California 94105

Very truly yours,

A handwritten signature in blue ink that reads "Danielle E. Carr".

Danielle E. Carr
Regional Hearing Clerk

Printed on Recycled Paper

cc: B. Moffatt
R. Falk