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VIA FEDEX

January 7, 2008

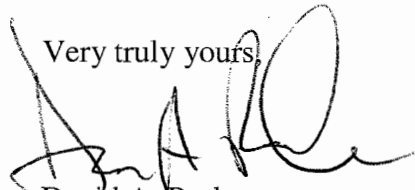
Ms. Sonja Brooks-Woodard
Regional Hearing Clerk
U.S.E.P.A, Region 5 (MC-13J)
77 West Jackson Boulevard, 13th Floor
Chicago, Illinois 60604-3590

**Re: In the Matter of:
FUJIFILM Graphic Systems U.S.A., Inc.
Docket No. RCRA-05-2007-0018
U.S. EPA ID #: ILR 000 102 988**

Dear Ms. Sonja Brooks-Woodard:

In accordance with Judge Nissen's Order dated November 30, 2007, enclosed for filing please find an original and one copy of FUJIFILM Graphic Systems U.S.A., Inc.'s Initial Prehearing Exchange Information. If you have any questions regarding this matter, please let me know.

Very truly yours,



David A. Roth

DAR/jk

Enclosures

cc: Judge Spencer T. Nissen, w/encl., via FEDEX
Jefferey M. Trevino, Esq., Associate Regional Counsel, w/encl., via FEDEX
Jamie L. Paulin, USEPA, Region 5, w/encl., via FEDEX

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

IN THE MATTER OF:

FUJIFILM Graphic Systems U.S.A., Inc.
850 Central Avenue
Hanover Park, Illinois 60133

U.S. EPA ID #: ILR 000 102 988

Respondent.

RESPONDENT'S INITIAL PRE-
HEARING EXCHANGE INFORMATION

Docket No. RCRA-05-2007-0018

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FUJIFILM Graphic Systems U.S.A., Inc. ("Respondent"), by way of response to the Order dated November 30, 2007 directing the parties to exchange prehearing information, says:

REQUESTS TO COMPLAINANT AND RESPONDENT

1. Desired or required location of the hearing:

USEPA Region 5, Chicago, Illinois.

2. A list of prospective witnesses, a brief summary of their anticipated testimony, and a copy of each document or exhibit to be proffered in evidence to the extent not covered by the specific requests below.

a. Witness List and Brief Summary of Testimony.

Brian Stenson, Manager EHS, FUJIFILM Holdings America Corporation: It is anticipated that Mr. Stenson will testify concerning:

- Mr. Stenson's training and experience in hazardous waste management (HazMat), including with respect to the allegations and proposed penalties set forth in the Complaint, and the exhibits and documents to be proffered in evidence by Respondent, copies of which are enclosed herewith in Attachment A;

- Respondent's practices concerning the nature, quantity, storage, handling, management and disposal of hazardous waste at the facility, and Respondent's related training and contingency plans and programs, including with respect to the allegations and proposed penalties set forth in the Complaint, and the exhibits and documents to be proffered in evidence by Respondent, copies of which are enclosed herewith in Attachment A;

- Complainant's April 20, 2006 inspection and findings;

- Information demonstrating that the Respondent did not store approximately 500 gallons of hazardous waste at its facility for 117 days, beginning in the Winter of 2005, and continuing to the Spring of 2006, including as alleged in Count One of the Complaint;

- Information demonstrating that the Respondent did not store one 55-gallon container of hazardous waste at its facility for 146 days, beginning in the Winter of 2005, and continuing to the Spring of 2006, including as alleged in Count One of the Complaint;

- Information demonstrating that the Respondent tested and maintained all facility communications or alarm systems, fire protection equipment, and decontamination equipment, as necessary to assure its proper operation in time of emergency, and that as of April 20, 2006, Respondent tested and maintained its fire protection equipment, including with respect to the allegations in Count Two of the Complaint;

- Respondent's Contingency Plan, including with respect to the allegations in Count Three of the Complaint;

- Respondent's HazMat training program for the facility, including with respect to the allegations in Count Four of the Complaint; and

- Respondent's storage of hazardous waste and management of hazardous waste containers at the facility, including with respect to the allegations in Count Five of the Complaint.

Girish Menon, Director, EHS, FUJIFILM Holdings America Corporation: It is anticipated that Mr. Menon will testify concerning:

- Mr. Menon's training and experience in hazardous waste management (HazMat), including with respect to the allegations and proposed penalties set forth in the Complaint, and the exhibits and documents to be proffered in evidence by Respondent, copies of which are enclosed herewith in Attachment A;

- Respondent's practices concerning the nature, quantity, storage, handling, management and disposal of hazardous waste at the facility, and the Respondent's related training and contingency plans and programs, including with respect to the allegations and proposed penalties set forth in the Complaint, and the exhibits and documents to be proffered in evidence by Respondent, copies of which are enclosed herewith in Attachment A;

- Information demonstrating that the Respondent tested and maintained all facility communications or alarm systems, fire protection equipment, and decontamination equipment, as necessary to assure its proper operation in time of emergency, and that as of April 20, 2006, Respondent tested and maintained its fire protection equipment, including with respect to the allegations in Count Two of the Complaint;

- Respondent's Contingency Plan, including with respect to the allegations in Count Three of the Complaint;

- Respondent's HazMat training program for the facility, including with respect to the allegations in Count Four of the Complaint; and

- Respondent's storage of hazardous waste and management of hazardous waste containers at the facility, including with respect to the allegations in Count Five of the Complaint.

b. Copy of Each Document or Exhibit to be Proffered in Evidence

See exhibits and documents enclosed herewith in Attachment A.

REQUESTS TO RESPONDENT

1. If not provided in responses to specific items below, summary of facts supporting denial of violations alleged in the complaint.

Count One Allegations:

Respondent complied with all of the requirements applicable to a RCRA Permit Exempt facility. In particular, Respondent's practice was to have hazardous waste picked up for disposal at less than 90 day intervals. With respect to the specific allegations set forth in Count One, Respondent did not store 500 gallons of hazardous waste at the facility for 117 days, or a 55-gallon container of hazardous waste at the facility for 146 days, beginning in the Winter of 2005, and continuing to the Spring of 2006. The dates marked on the containers noted by the inspector during the April 20, 2006 inspection were not the dates that waste started to accumulate in the containers. Respondent will demonstrate compliance based on the testimony of the witnesses identified above and the exhibits and documents in Attachment A hereto, including the hazardous waste manifests and other documents in Exhibits R1 through R5.

Count Two Allegations:

To the extent applicable or required, Respondent tested and maintained all facility communications or alarm systems, fire protection equipment, and decontamination equipment, as necessary to assure its proper operation in time of emergency. As of April 20, 2006, Respondent

tested and maintained its fire protection equipment. Respondent will demonstrate compliance based on the testimony of the witnesses identified above and the exhibits and documents in Attachment A hereto, including the inspection reports and invoices in Exhibits R6 through R11.

Count Three Allegations:

Respondent prepared, maintained and complied with an appropriate Contingency Plan for the facility. In addition, Respondent notified various state, county and local agencies or authorities concerning the hazardous material activities at the facility. Therefore, Respondent complied with or substantially complied with applicable requirements. Respondent will demonstrate its compliance efforts based on the testimony of the witnesses identified above and the exhibits and documents in Attachment A, including the Contingency Plan, correspondence and other documents in Exhibits R12 through R14.

Count Four Allegations:

Respondent provided personnel at the facility with an appropriate and adequate Training Program for the facility with respect to hazardous waste activities, including with respect to the regulations cited in the Complaint, to the extent applicable, and the violations alleged in the Complaint. Respondent will demonstrate its compliance efforts based on the testimony of the witnesses identified above and the exhibits and documents in Attachment A, including the training certificates, training program materials, training records and other documents in Exhibits R15 through R24.

Count Five Allegations:

Respondent stored and managed hazardous waste containers, including in the satellite accumulation containers at the facility as of April 20, 2006, in compliance with or substantial compliance with, applicable requirements. The containers that the Complainant alleges were in

violation during the time of the April 20, 2006 inspection were in compliance with applicable regulation and/or not subject to the requirements cited in the Complaint. Among other things, Respondent will show that the containers were “closed” as required by the applicable regulations or not subject to the requirements cited in the Complaint. Respondent will demonstrate compliance based on the testimony of the witnesses identified above and the exhibits and documents in Attachment A, including Exhibit R25.

2. Explanation of denial that Respondent was in violation of 35 IAC §703.121.

See information provided for number 1 above. Respondent was in compliance with the applicable regulations pertaining to RCRA Permit Exempt facilities. Therefore, Respondent was not required to hold a RCRA Permit or comply with RCRA Interim Status requirements.

3. Explanation of denial that Respondent was in violation of 35 IAC §§725.273(a) and 722.134(c)(1)(A).

Respondent stored and managed hazardous waste containers, including in the satellite accumulation containers at the facility as of April 20, 2006, in compliance with or substantial compliance with, applicable requirements. The containers that the Complainant alleges were in violation during the time of the April 20, 2006 inspection were in compliance with applicable regulation and/or not subject to the requirements cited in the Complaint. Among other things, Respondent will show that the containers were “closed” as required by the applicable regulations or not subject to the requirements cited in the Complaint. Respondent will demonstrate compliance based on the testimony of the witnesses identified above and the exhibits and documents in Attachment A, including Exhibit R25.

4. Summary of evidence that the facility at all relevant times tested and maintained the communications and alarm systems, fire protection equipment and decontamination equipment at the facility as necessary to assure its proper operation in time of emergency.

At all relevant times, and to the extent applicable or required, Respondent tested and maintained all facility communications and alarm systems, fire protection equipment, and decontamination equipment, as necessary to assure its proper operation in time of emergency. As of April 20, 2006, Respondent tested and maintained its fire protection equipment. Respondent will demonstrate compliance based on the testimony of the witnesses identified above and the exhibits and documents in Attachment A hereto, including the inspection reports and invoices in Exhibits R6 through R11.

5. Documentation supporting that the facility at all relevant times maintained and complied with an appropriate emergency contingency plan, provide.

Respondent prepared, maintained and complied with an appropriate Contingency Plan for the facility. In addition, the Respondent notified various state, county and local agencies or authorities concerning the hazardous material activities at the facility. See Contingency Plan, correspondence and other documents in Exhibits R12 through R14 in Attachment A hereto.

6. Documentation that Respondent at all time provided personnel at the facility with necessary and adequate training with respect to hazardous waste activities.

Respondent provided personnel at the facility with an appropriate and adequate Training Program for the facility with respect to hazardous waste activities. See the training certificates, training program materials, training records and other documents in Exhibits R15 through R24 in Attachment A hereto.

7. Submit a memorandum supporting the arguments that Complainant failed to comply with the requirements of the Administrative Procedure Act and the Complainant's actions, including the issuance of the Complaint, are not authorized by RCRA.

See Attachment B hereto.

8. Submit a memorandum supporting the arguments that Complainant's proposed penalty is arbitrary, capricious, improper, duplicative, excessive and violative of the applicable EPA policies and regulations.

See Attachment B hereto.

9. Provide ability to pay documentation.

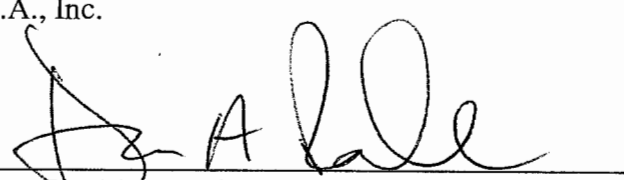
Not applicable.

RESERVATION OF RIGHTS

Respondent reserves the right to amend and/or supplement the information and documentation provided herewith.

GREENBAUM, ROWE, SMITH & DAVIS LLP
Metro Corporate Campus One
P.O. Box 5600
Woodbridge, New Jersey 07095
(732) 549-5600
Attorneys for Respondent - FUJIFILM Graphic Systems
U.S.A., Inc.

By: _____


David A. Roth, Esq.

Dated: January 7, 2008

CERTIFICATION OF SERVICE

I hereby certify that on this date I filed an original and one copy of the within FUJIFILM Graphic Systems U.S.A., Inc.'s Initial Prehearing Exchange Information with Sonja Brooks-Woodard, Regional Hearing Clerk (E-13J), U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, 13th Floor, Chicago, Illinois 60604-3590, via Federal Express.

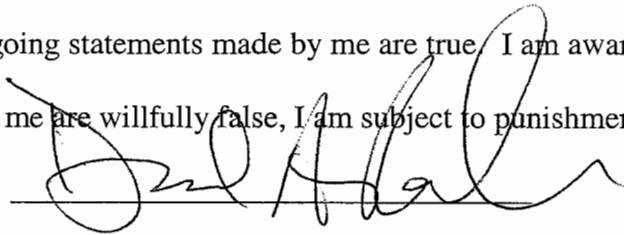
I hereby certify that on this date I sent a copy of the foregoing papers via Federal Express to:

Hon. Spencer T. Nissen
Administrative Law Judge
U.S. Environmental Protection Agency
Office of Administrative Law Judges
Franklin Court, Suite 350
1099 14th St. NW
Washington, DC 20005

Jeffery M. Trevino, Esq.,
Associate Regional Counsel
Office of Regional Counsel (C-14J),
U.S. Environmental Protection Agency, Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604-3590, and

Jamie Paulin, RCRA Branch
Land and Chemicals Division (LR-8J)
U.S. Environmental Protection Agency, Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604-3590.

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.



David A. Roth

Date: January 7, 2008

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