



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

November 28, 2007

REPLY TO THE ATTENTION OF:

C-14J

**POUCH MAIL**

Honorable Barbara A. Gunning  
Office of Administrative Law Judges  
U.S. Environmental Protection Agency  
Mail Code 1900L  
1200 Pennsylvania Avenue, N.W.  
Washington, D.C. 20460

Re: *In the Matter of Behnke Lubricants, Inc.*  
Docket No. FIFRA-05-2007-0025  
Motion to Amend Complainant's Rebuttal Prehearing Exchange

Dear Judge Gunning:

Enclosed, please find a true, accurate and complete copy of a Motion to Amend Complainant's Rebuttal Prehearing Exchange.

The original and one copy of the Motion to Amend Complainant's Rebuttal Prehearing Exchange, was filed with the Regional Hearing Clerk, Region 5, U.S. EPA, on November 28, 2007. A true, accurate copy of the Motion to Amend Complainant's Rebuttal Prehearing Exchange, was delivered to Respondent's counsel via U.S. Mail on November 28, 2007.

Please do not hesitate to contact me at (312) 886-0568 if the Court has any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Nidhi K. O'Meara", with a long horizontal flourish extending to the right.

Nidhi K. O'Meara  
Associate Regional Counsel

cc: Mr. Bruce McIlroy, Esq.  
McIlroy, Schmitt & Button, Ltd.  
1150 Washington  
Grafton, Wisconsin 53024  
(via U.S. Mail)

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5

In the Matter of: )  
)  
BEHNKE LUBRICANTS, INC. ) MOTION TO AMEND  
MENOMONEE FALLS, WISCONSIN ) COMPLAINANT'S REBUTTAL  
) PREHEARING EXCHANGE  
Respondent. )  
) Docket No. FIFRA-05-2007-0025

**MOTION TO AMEND COMPLAINANT'S  
REBUTTAL PREHEARING EXCHANGE**

On November 16, 2007, the Complainant, the United States Environmental Protection Agency (U.S. EPA), through her undersigned attorney, filed Complainant's Rebuttal Prehearing Exchange. In Section III.h. of Complainant's Rebuttal Prehearing Exchange, Complainant erroneously identified the filing date of its Notice of Complainant's Request For Voluntary Production of Information, as July 19, 2007.

The Complainant, respectfully requests that the filing date for its Notice of Complainant's Request For Voluntary Production of Information identified in Section III.h. of Complainant's Rebuttal Prehearing Exchange be amended to July 21, 2007.

Respectfully Submitted,



Nidhi K. O'Meara

11/28/07  
Date

NOV 28 2007  
RECEIVED  
REGIONAL HEARINGS CLERK  
U.S. ENVIRONMENTAL PROTECTION AGENCY

***In the Matter of Behnke Lubricants, Inc.***  
**Docket No. FIFRA-05-2007-0025**

**CERTIFICATE OF SERVICE**

I hereby certify that the original and one true, accurate and complete copy of Motion to Amend Complainant's Rebuttal Prehearing Exchange, was filed with the Regional Hearing Clerk, U.S. EPA, Region 5, on the date indicated below, and that true, accurate and complete copies of Motion to Amend Complainant's Rebuttal Prehearing Exchange, were served on the Honorable Barbara Gunning, Administrative Law Judge (service by Pouch Mail), and Mr. Bruce McIlnay, Esq., Counsel for Respondent Behnke Lubricants, Inc. (service by U.S. Mail), on the date indicated below:

Dated in Chicago, Illinois, this 28 day of November, 2007.



Elizabeth Lytle  
Pesticides and Toxics Compliance Section  
Chemicals Management Branch  
U.S. EPA, Region 5

NOV 28 2007  
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U.S. EPA REGION 5