

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

In the Matter of:)	Docket Nos:	MM-05-2018-0002
)		CERCLA-05-2018-0005
Birds Eye Foods, LLC)		EPCRA-05-2018-0009
Waseca, Minnesota)		
)		
Respondent.)		

RESPONDENT'S PRELIMINARY STATEMENT

Respondent, Birds Eye Foods, LLC, by its counsel, Attorney Jodi Arndt Labs, Law Firm of Conway, Olejniczak & Jerry, S.C., hereby files the instant Respondent's Preliminary Statement, pursuant to the Order of the Court dated July 20, 2018.

PRELIMINARY STATEMENT

1. Respondent's Preference for the Location of the Hearing.

Respondent's preference for the location of the hearing to be held in this matter is either Minneapolis or St. Paul, Minnesota.

2. Respondent's Consent to Service of Orders and Decisions Issued by the Tribunal, and to Service of Documents by Other Parties, by E-Mail.

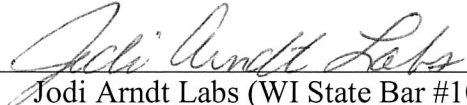
Respondent consents to the service of orders and decisions by the Presiding Officer, and of service of documents by the Complainant and Complainant's counsel, by e-mail throughout the course of this proceeding.

3. Respondent's Valid E-mail Address for Service.

Respondent's valid e-mail address for service of orders and decisions by the Presiding Officer, and of documents by the Complainant and Complainant's counsel, is jodi@lcojlaw.com.

Dated this 9th day of August, 2018.

LAW FIRM OF CONWAY OLEJNICZAK & JERRY, S.C.
Attorneys for Respondent, Birds Eye Foods, LLC

By: 
Jodi Arndt Labs (WI State Bar #1003359)

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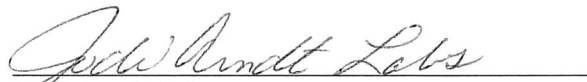
In the Matter of: **Birds Eye Foods, LLC, Waseca, Minnesota**
Docket Nos.: **MM-05-2018-0002, CERCLA-05-2018-0005, EPCRA 05-2018-0009**

CERTIFICATE OF SERVICE

I hereby certify that I filed with the Office of Administrative Law Judge E-Filing System at www.epa.gov/alj and thus also provided the Presiding Officer Administrative Law Judge Christine Donelian Coughlin a copy of Respondent's Preliminary Statement.

I further certify that I e-mailed a copy of Respondent's Preliminary Statement to Jeffery M. Trevino, Associate Regional Counsel, at trevino.jeffery@epa.gov.

On the 9th day of August, 2018.



Jodi Arndt Labs
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