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2007 SEP 14 PM 2:42

(Also Admitted in Nevada and North Dakota)

ATLANTA, GA  
CLERK OF SUPERIOR COURT

September 14, 2007

Amy Swanson  
U.S. EPA Region VIII  
1595 Wynkoop Street  
Denver, Colorado 80202

RE: Administrative Order RCRA-08-2007-0003

Dear Ms. Swanson:

As we discussed on telephone today, I represent the Oglala Sioux Tribe in the above-referenced matter. This letter constitutes the Notice of Intent to Comply with the order, per paragraph 72. Notification of the Tribe's intent to comply is not an admission to any of the allegations contained in the order.

I request an informal conference. As we discussed, a telephone conference is preferable. I shall phone you on Monday, September 17 to confirm a date and time for this.

I appreciate your attention to the above.

Very truly yours,

/s/

Peter Capossela  
Attorney at Law

cc: Oglala Sioux Tribe President John Yellow Bird Steele  
Robert Pille, OST Environmental Protection Program