

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION VII
901 NORTH FIFTH STREET
KANSAS CITY, KANSAS 66101

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ENVIRONMENTAL PROTECTION
AGENCY-REGION VII
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BEFORE THE ADMINISTRATOR

IN THE MATTER OF)
University of Kansas Medical Center,)
Respondent.)
Proceedings Under Section 3008(a) and (g))
of the Resource Conservation and Recovery)
Act as amended, 42 U.S.C. 6928(a) and (g))
REPLY PREHEARING EXCHANGE
Docket No. RCRA-07-2006-0261

UNIVERSITY OF KANSAS MEDICAL CENTER'S REPLY PREHEARING EXCHANGE

Pursuant to the Prehearing Scheduling Order issued on March 17, 2007, as modified by the Order Granting Motions to Amend Complaint and Answer issued on April 20, 2007, and in accordance with the requirements of 40 C.F.R. §22.19, Respondent, University of Kansas Medical Center, ("KUMC") respectfully submits the following Reply Prehearing Exchange. This Reply Prehearing Exchange includes an additional fact witness and is in addition to KUMC's Prehearing Exchange submitted on April 13, 2007. The additional fact witness is necessary to respond to new allegations by EPA in Paragraph 11 of its Amended Complaint, dated April 12, 2007.

I. Respondent's Additional Fact Witness

1. Mr. Mike Smethers, Hospital Maintenance Supervisor

On March 15-17, 2006, Mr. Smethers had overall responsibility for the chemicals and items in the Hospital Maintenance Storage Room. Mr. Smethers will testify regarding the use and disposal of those chemicals and items.

2. KUMC reserves the right to call all witnesses named by Complainant.

Respondent further reserves the right to submit names of additional witnesses and to submit

additional exhibits before the hearing of this matter, upon timely notice to the Administrative Law Judge and the Complainant.

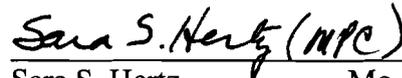
Respectfully submitted,

SPENCER FANE BRITT & BROWNE LLP

Date: 5/17/07



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**ATTORNEYS FOR RESPONDENT –
UNIVERSITY OF KANSAS MEDICAL
CENTER**

I hereby certify that on this 17th day of May 2007, a copy of this document was served by U.S. Mail (postage pre-paid) and/or by commercial delivery, upon:

Susan Biro (**via commercial delivery – FedEx**)
Administrative Law Judge
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Washington, D.C. 20460

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