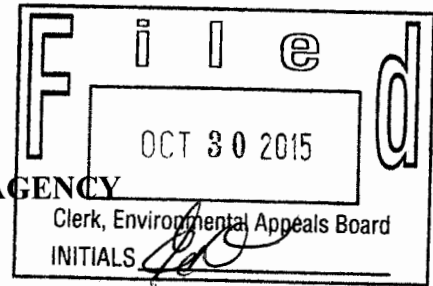


ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.



In re:)
Land O'Lakes, Inc. (Hudson Oil Refinery)
Superfund Site))
Docket No. 06-16-08)
_____)

CERCLA § 106(b) Petition No. 15-01

**ORDER GRANTING AN EXTENSION OF TIME FOR THE PETITIONER TO FILE A
SUPPLEMENTAL AFFIDAVIT**

On August 18, 2015, Land O'Lakes, Inc. ("Land O' Lakes") filed the instant Petition seeking reimbursement under CERCLA Section 106(b) for costs incurred in responding to EPA Region 6's Unilateral Administrative Order for clean-up of the Hudson Oil Refinery Superfund Site. Contemporaneous with the filing of its Petition, Land O'Lakes filed a Motion for Additional Time to Retain Substitute Expert Witness and File Supplemental Expert Witness Affidavit to it give time to replace its subject matter expert on refinery operations by October 1, 2015, and file a supplemental affidavit before the Board by January 18, 2016, after its previous expert experienced a debilitating stroke that left him unable to continue his services. On September 15, 2015, the Region filed an Agreed Motion to Stay Proceedings and to Extend Time for the Petitioner to Retain an Expert and File a Supplemental Affidavit stating that it was not opposed to Land O'Lakes' request regarding the expert witness. On October 22, 2015, Land O'Lakes filed a notice with the Board that it has retained Dr. B. Tod Delaney as its replacement expert witness and that he will complete his supplemental affidavit by January 18, 2016. The Board is addressing all three of these filings in the instant Order.

In light of the stay that the Board is issuing today in this case, the unopposed nature of the Motion, and for good cause shown, Land O'Lakes' Motion for Additional Time to Retain

Substitute Expert Witness and File Supplemental Expert Witness Affidavit is granted. Land O' Lakes shall file a supplemental affidavit with the Board no later than January 19, 2016.¹ The Board grants this extension to further the efficient, fair, and impartial adjudication of issues arising in the Petition under the circumstances of this case, and it should not be taken to have any bearing on the Board's ultimate judgment as to the opinions contained therein.

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: Oct. 30, 2015

By: Mary Beth Ward
for Mary Kay Lynch
Environmental Appeals Judge

¹ Land O'Lakes requested an extension until January 18, 2016. However, the Board's offices will be closed for the Martin Luther King, Jr. Day holiday, so the extension is granted until the following business day.

CERTIFICATE OF SERVICE

I certify that copies of the forgoing *Order Granting an Extension of Time for the Petitioner to File a Supplemental Affidavit* in the matter of Land O'Lakes, Inc. (Hudson Oil Refinery Superfund Site), CERCLA § 106(b) Petition No. 15-01 were sent to the following persons in the manner indicated:

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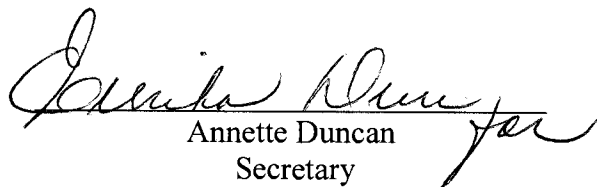
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Dated: October 30, 2015


Annette Duncan
Secretary