

October 20, 2015

VIA ELECTRONIC FILING, E-MAIL & U.S. MAIL

Eurika Durr
Clerk of the Board
U.S. Environmental Protection Agency
Environmental Appeals Board
1201 Constitution Avenue NW
WJC East, Room 3332
Washington, D.C. 20460-0006

Re: Land O'Lakes, Inc. (Hudson Oil Refinery Superfund Site)
Docket Number: 06-16-08
Appeal Number: CERCLA 106(b) 15-01

Dear Ms. Durr:

As a courtesy, Land O' Lakes, Inc. ("Land O' Lakes") respectfully files this notice of its intention to file a reply to EPA Region 6's response to the Board's September 25, 2015 Order. The Board's September 25 Order granted Land O' Lakes until on or before November 9 to file a reply.

Land O' Lakes acknowledges receipt by mail on October 19, 2015 of the EPA Region 6's "Response Addressing Prerequisites for Review," dated and electronically filed on October 15, 2015. Region 6's Response was filed pursuant to the EAB's Order dated September 25, 2015 ordering the Region "to file a response to the Petition [of Land O' Lakes] addressing the prerequisites for obtaining review."

The Region's response states in part: "the Respondent, EPA, is not filing a response addressing prerequisites for Environmental Appeals Board (the Board) review."

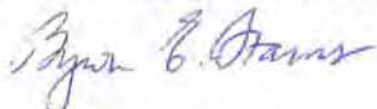
Land O'Lakes does not believe there are any prerequisite issues that pose a bar to the EAB's consideration of Land O'Lakes' Petition. Land O'Lakes further believes that its position, in this regard, is confirmed by Region 6's Response. However, because the Region's Response is ambiguous regarding whether it is an attempt to reserve any such arguments regarding the prerequisites for review, Land O' Lakes intends to file a reply on or before November 9, 2015, unless otherwise ordered by the Board.

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Thank you.

Very truly yours,

STINSON LEONARD STREET LLP

A handwritten signature in blue ink that reads "Byron E. Starns". The signature is written in a cursive style.

BYRON E. STARNES

cc (via email and U.S. Mail):

Clarence Featherson, US EPA
Lee R. Tyner, US EPA
George Malone, US EPA
Mark E. Johnson, Esq.
Mark D. Coldiron, Esq.
Stephen J. Jantzen, Esq.

CERTIFICATE OF SERVICE

Pursuant to Revised Guidance on Procedures for Submission and Review of CERCLA Section 106(b) Reimbursement Petitions, Environmental Appeals Board (February 23, 2012), the undersigned hereby certifies that the above and foregoing was electronically filed with the Clerk of the Environmental Appeals Board on this 20th day of October, 2015.

In addition, on this same date, a true and correct copy was sent by U.S. Mail to the following:

George Malone
U.S. Environmental Protection Agency
Region 6
1445 Ross Avenue
Suite 1200
Dallas, TX 75202

Clarence Featherson
Office of Enforcement and Compliance Assurance
U.S. EPA (2272A)
1200 Pennsylvania Avenue NW
Washington, DC 20460

Lee R. Tyner
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Attorney for Petitioner