



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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REGION VII  
901 NORTH 5TH STREET  
KANSAS CITY, KANSAS 66101

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ENVIR. APPEALS BOARD

**EXPRESS MAIL OVERNIGHT DELIVERY**

November 16, 2006

Eurika Durr  
Clerk of the Board, Environmental Appeals Board  
U.S. Environmental Protection Agency  
1341 G Street, N.W., Suite 600  
Washington, D.C. 20005

RE: In the Matter of Tri-County Public Airport Site  
The Raytheon Aircraft Company, Petitioner  
Petition Number: 106(b) 06-01

Dear Ms. Durr:

Enclosed please find one original for filing and five copies of EPA's Motion for Leave to Reply to Raytheon Aircraft Company's Response to Environmental Protection Agency's Motion to Stay Proceedings and of EPA's Reply to Raytheon Aircraft Company's Response to Environmental Protection Agency's Motion to Stay Proceedings in the above-referenced matter. A copy of this letter and its attachments has been sent to counsel for the Petitioner.

Thank you for your assistance in this matter.

Sincerely,

J. Scott Pemberton  
Senior Assistant Regional Counsel

Enclosures

cc: Beverlee J. Roper, Esquire  
Daryl G. Ward, Esquire  
Blackwell Sanders Peper Martin, LLP  
4801 Main Street, Suite 1000  
Kansas City, Missouri 64112

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

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ENVIR. APPEALS BOARD

_____	)	
IN RE:	)	
	)	
Tri-County Public Airport Site	)	Petition No.
Morris County, Kansas	)	CERCLA 106(b) 06-01
	)	
Raytheon Aircraft Company,	)	
	)	
Petitioner.	)	
	)	
_____	)	

**MOTION FOR LEAVE TO REPLY TO RAYTHEON AIRCRAFT COMPANY'S  
RESPONSE TO ENVIRONMENTAL PROTECTION AGENCY'S MOTION TO STAY  
PROCEEDINGS**

The Respondent, Region VII of the U.S. Environmental Protection Agency, ("EPA"), by and through its Office of Regional Counsel, hereby moves this Board for leave to file the attached reply to Raytheon Aircraft Company's ("RAC") Response to Environmental Protection Agency's Motion To Stay Proceedings ("Response").

Dated the 16<sup>th</sup> day of November, 2006.

Respectfully submitted,

By: 

J. Scott Pemberton  
Senior Assistant Regional Counsel  
Office of Regional Counsel  
U.S. EPA, Region 7  
901 North 5<sup>th</sup> Street  
Kansas City, Kansas 66101  
(913) 551-7276  
FAX (913) 551-7925

CERTIFICATE OF SERVICE

I, Sarah Zaragoza, hereby certify that on the 16<sup>th</sup> day of November 2006, the original and five copies of the foregoing Motion for Leave to Reply to Raytheon Aircraft Company's Response to Environmental Protection Agency's Motion to Stay Proceedings were sent via Express Mail Overnight Service to Eurika Durr, Clerk of the Board, Environmental Appeals Board, U.S. Environmental Protection Agency, 1341 G Street, N.W., Suite 600, Washington, D.C. 20005, and that a true and correct copy was sent regular mail to the following counsel for Petitioner:

Beverlee J. Roper, Esquire  
Daryl G. Ward, Esquire  
Blackwell Sanders Peper Martin, LLP  
4801 Main Street, Suite 1000  
Kansas City, Missouri 64112

A handwritten signature in cursive script, reading "Sarah Zaragoza", is written over a horizontal line.