

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

In the Matter of:

HUDSON OIL REFINERY SUPERFUND SITE

Land O'Lakes, Inc., Petitioner.

CERCLA § 106(b)  
Petition No. 15-01

Unilateral Administrative Order  
U.S. EPA Region 6  
CERCLA Docket No. 06-16-08

**NOTICE REGARDING DISTRICT COURT CASE FILING**

Pursuant to the Environmental Appeals Board's ("Board") September 18, 2015, Order Directing Timely Filing of Pleading and Clarification of Status of Documents ("Order"), the Petitioner, Land O'Lakes, Inc. ("Land O'Lakes"), by and through its counsel, respectfully provides the Board with this Notice Regarding District Court Case Filing ("Notice") in regard to *Land O'Lakes, Inc. v. United States of America*, Case No. 15-CV-00683-R, before the Western District of Oklahoma ("District Court Case").

As part of this response to the Board's Orders, the following filing from the District Court Case is being provided with this Notice:

Order denying Motion for Leave to File Surreply

Exhibit 1

Respectfully submitted,

Two handwritten signatures in blue ink are positioned above a horizontal line. The signature on the left is more fluid and cursive, while the one on the right is more angular and blocky.

Stephen L. Jantzen, Esq.  
Mark D. Coldiron, Esq.  
Ryan Whaley Coldiron Jantzen Peters & Webber PLLC  
119 North Robinson, Suite 900  
Oklahoma City, OK 73102  
Telephone: (405) 239-6040  
Telefax: (405) 239-6766  
E-mail: [sjantzen@ryanwhaley.com](mailto:sjantzen@ryanwhaley.com)  
E-mail: [mcoldiron@ryanwhaley.com](mailto:mcoldiron@ryanwhaley.com)

Byron E. Starns, Esq.  
Stinson Leonard Street LLP  
150 South Fifth Street, Suite 2300  
Minneapolis, MN 55402  
Telephone: (612) 335-1516  
Telefax: (612) 335-1657  
E-mail: [byron.starns@stinsonleonard.com](mailto:byron.starns@stinsonleonard.com)

Mark E. Johnson, Esq.  
Stinson Leonard Street LLP  
1201 Walnut Street, Suite 2900  
Kansas City, MO 64106-2150  
Telephone: (816) 691-2724  
Telefax: (816) 412-1208  
E-mail: [mark.johnson@stinsonleonard.com](mailto:mark.johnson@stinsonleonard.com)

**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 8th day of February, 2016.

In addition, on this same date, a true and correct copy was sent by US 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  
Office of General Counsel  
U.S. EPA (2366A)  
1200 Pennsylvania Avenue NW  
Washington, DC 20460



---

Attorney for Petitioner