

HARLESS R. BENTHUL

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ENVIR. APPEALS BOARD  
FAX: 713-223-0026

PHONE: 713-223-0030

July 18, 2008

Ms. Erika Durr  
Clerk of the Board  
Environmental Appeals Board  
U.S. Environmental Protection Agency  
1341 G Street, N.W., Suite 600  
Washington, DC 20005

Ref: Higman Barge Lines, Inc., CERCLA 106(b)  
Petition for Reimbursement. No. 106(b) 08-01

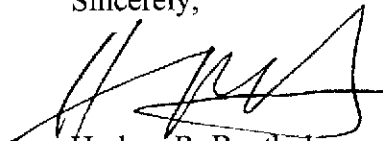
Dear Ms. Durr:

I enclose the original and five complete copies of the HIGMAN BARGE LINES' REPLY TO EPA REGION6 MOTION TO DISMISS the PETITION FOR REIMBURSEMENT OF HIGMEN BARGE LINES, INC. I also enclose a copy of the RESPONSE which I would appreciate being file-marked and returned to me via the enclosed stamped, self addressed envelope.

Please contact me at the above phone number if you have questions.

Thank you.

Sincerely,



Harless R. Benthul

Enclosures

cc with enclosures:

Mr. Joseph E. Compton, III  
Office of Regional Counsel  
U.S. E.P.A. Region 6, Suite 1200  
1445 Ross Ave. Dallas, TX 75002

Stevens Baldo Freeman & Lighty, L.L.P.  
Mr. Marl Freeman  
Mr. David James  
550 Fannin Street, 7<sup>th</sup> Floor  
P.O.Box 4950  
Beaumont, TX 77704-4950.

Mr. Kyle Shaw  
Higman Marine Services, Inc.  
1980 Post Oak Blvd., Suite 1101  
Houston, TX 77056

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

**Petitioner**

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440 Louisiana, Suite 600  
Houston, Texas 77002  
Telephone 713-223-0030  
Fax 713-223-0026  
ATTORNEY FOR  
PETITIONER, HIGMAN  
BARGE LINES, INC.

OF COUNSEL:

STEVENS BALDO FREEMAN & LIGHTY, L.L.P. Mark Freeman

David E. James

550 Fannin Street, 7th Floor

Post Office Box 4950

Beaumont, Texas 77704-4950

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Facsimile: (409) 835-5201

CERTIFICATE OF SERVICE

I hereby certify that on the 18th day of July, 2008, I served a true and correct copy of the above Response to EPA Region 6' Motion to Dismiss Petition for Reimbursement by mailing a copy via first class United States Mail to Mr. Joseph Compton, III, Office of Regional Counsel , U.S.E.P.A. Region 6, 1445 Ross Avenue, Dallas, Texas 75002 and vis facsimile at 214-665-64690.



Harless R. Benthul