## MONTGOMERY, McCracken, Walker & Rhoads, LLP

TIMOTHY J. BERGERE ADMITTED IN PENNSYLVANIA

123 SOUTH BROAD STREET AVENUE OF THE ARTS PHILADELPHIA, PA 19109-1029 215-772-1500 FAX 215-772-7620 DIRECT DIAL 215-772-7431

tbergere@mmwr.com

September 14, 2007

U.S. E.P.A.

Clerk, Environmental Appeals Board Colorado Building, Suite 600 1341 G Street, NW Washington, DC 20005

Re:

In re Leed Foundry, Inc.

Docket No. RCRA-03-2004-0061 <u>EAB RCRA Appeal No. 07-02</u>

Dear Sir or Madam:

Pursuant to Judge Reich's August 22, 2007 Order scheduling oral argument in the above-captioned matter, this is to confirm that I will be attending the oral argument scheduled for December 6, 2007 at 10:30 a.m.

Very truly yours,

Jernothy J. Bergére
Timothy J. Bergére

cc: John Ruggero, Esquire

Peter J. Raack, Esquire

Lydia Guy, Regional Hearing Clerk