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June 25, 2008

Maria Whiting-Beale  
U.S. EPA  
Office of Administrative Law Judges  
Mail Code 1900L  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460-2001

Re: John A. Biewer Company of Toledo, Inc.  
Perrysburg Facility  
Docket No. RCRA-05-2008-0006

John A. Biewer Company of Ohio, Inc.  
Washington Courthouse Facility  
Docket No. RCRA-05-2008-0007

Dear Ms. Whiting-Beale:

Last week, I sent to you two letters responding to your requests for alternate dispute resolution in connection with the above two cases. After sending the letters, it was brought to my attention that I did not send any letter in connection with John A. Biewer Company of Ohio, Inc., and instead sent two letters for John A. Biewer Company of Toledo, Inc. This letter is sent to correct this oversight, and make it clear that John A. Biewer Company of Toledo, Inc. and John A. Biewer Company of Ohio, Inc. are willing to participate in facilitation as described in Judge Biro's letter dated June 11, 2008. As I indicated in my previous letter of June 20, you should note that we have an informal settlement meeting on July 1 at EPA's offices in Chicago, and depending upon the

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Maria Whiting-Beale  
U.S. EPA  
June 25, 2008  
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discussion at that time, we would like to reserve the right to reconsider the benefit and need for facilitation. I will advise you if there is any change in our position.

Very truly yours,

A handwritten signature in black ink, appearing to read "D. Donnell". The signature is written in a cursive style with a large initial "D".

Douglas A. Donnell

jeb

Via e-mail at [whiting-beale.maria@epa.gov](mailto:whiting-beale.maria@epa.gov)

cc: Sonja Brooks-Woodard, Regional Hearing Clerk  
Douglas S. Touma, Sr.