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June 20, 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-05-2008-0007

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Dear Ms. Whiting-Beale:

We represent John A. Biewer Company in the above-referenced action, and are writing this letter to inform you that John A. Biewer Company is willing to participate in facilitation as described in Judge Biro's letter dated June 11, 2008. You should be aware that we have an informal settlement meeting on July 1 at the EPA office in Chicago, and depending on the discussion at that time, we would like to reserve the right to reconsider the benefit and need for facilitation. We will advise you if there is any change in our position.

Very truly yours,



Douglas A. Donnell

jeb

Via e-mail at whiting-beale.maria@epa.gov

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