



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF:

AUG 01 2013

C-14J

VIA ENVIRONMENTAL APPEALS BOARD
ELECTRONIC FILING SYSTEM

Eurika Durr
U.S. Environmental Protection Agency
Environmental Appeals Board
1200 Pennsylvania Avenue, NW
Mail Code 1103M
Washington, DC 20460-0001

Re: ESSROC Cement Corporation, Permit No. IND 005 081 542, Appeal No. RCRA 13-03

Dear Ms. Durr:

Region 5 respectfully declines the Environmental Appeals Board's July 17, 2013 offer to engage in an alternative dispute resolution involving the parties in ESSROC Cement Corporation, Permit No. IND 005 081 542, Appeal No. RCRA 13-03. The Region duly notes that this matter will remain on the Board's docket for resolution.

Sincerely,

A handwritten signature in blue ink that reads "Sabrina Argentieri".

Sabrina Argentieri
Associate Regional Attorney

cc: Philip J. Shworer
Thaddeus H. Driscoll
Frost Brown Tood LLC
7310 Tufway Rd., Ste 210
Florence, KY 41042-1374