

ORIGINAL

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December 29, 2008

SEND VIA FAX # 312-814-3669

Clerk's Office
Illinois Pollution Control Board
100 W. Randolph St.
Suite # 11-500
Chicago, IL 60601

PC#325

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DEC 29 2008

STATE OF ILLINOIS
Pollution Control Board

**RE: RCRA Delisting Adjusted Standard Petition
Case # AS 08-10**

Dear Sir/Madam:

We have reviewed the public record for the above referenced case, specifically the initial application dated April 25, 2008 and subsequent public testimony dated August 18, 2008.

Although we understand that certain documentation submitted by the application are not in the public record, we were hoping that your office could answer the following general questions related to this application subject of course to any confidentiality requirements that are in-place . Specifically:

1. The applicant submitted analytical results after waste treatment with their reagent recipe using various testing methodologies (e.g. TCLP, MEP) at low, neutral and high pH. Were these tests based upon a treatment reagent chemistry that contains magnesium sulfite or a magnesium scrubber residue.?
2. We assume that the IPCB reviews and approves the types of petitions based upon the applicant's public and confidential submittals, testimony, and other factors. After the petition is approved, is the applicant allowed to alter (substitute) other treatment reagents not specified in the approved petition?

Again we want to emphasize that our inquiry is to enable us to better understand the petition process and the ramifications of approval/denial of these types of petitions.

We look forward to your prompt response.

Thomas P. McCullough
Terra Materials, LLC

A handwritten signature in black ink, appearing to read "Thomas P. McCullough".

Thomas P. McCullough, Operating Partner

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Date: 12/29/2008

To: Clerk's Office, IPCB

Fax: 312-814-3669

From: Tom McCullough

Subject: Case AS 08-10

Total

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