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February 2, 2009

Chad Stobbe, Land Quality Bureau
Iowa Department of Natural Resources
Wallace Building
502 East 9th Street
Wallace State Office Building
Des Moines, IA 50319-0034

Dear Mr. Stobbe:

I am writing to you on behalf of the Iowa Association of Business and Industry (ABI), representing over 1,400 employers in the state of Iowa. First, I would like to express my appreciation for speaking to ABI members during the summer and fall of 2008 and your continued efforts to answer the questions and concerns I have raised. I believe the collaborative discussions will result in IDNR staff, regulated facilities, and the citizens of Iowa benefiting from our working together on these important issues.

As you might recall, ABI submitted comments to you on September 12, 2008 expressing our concerns with the informal rulemaking regarding Chapter 108-Beneficial Use. On October 26, 2008, a statement was issued regarding the ongoing internal review of Chapter 108. Since that time, I have become aware that the Iowa Environmental Protection Commission has an interest in advancing the IDNR's agenda related to Chapter 108. ABI members are concerned with the direction of the initial informal rulemaking and would like to once again direct your attention to our September 12, 2008 comments. Please take special notice of the comments regarding land application and coal combustion byproduct, including the safeguards currently used by ABI members. I have included our formal comments with this letter for your review.

If you do decide to move forward with a formal rulemaking package, ABI members would appreciate being invited to participate in stakeholder meetings. Any changes to *Iowa Administrative Code 567.108* would have significant impact to Iowans.

Thank you for your efforts on this issue and your consideration of ABI's comments. Please do not hesitate to contact me if I may be of further assistance.

Respectfully submitted,

Nicole Molt
Director, Government Relations

Enclosure

Cc: Alex Moon

ASSOCIATION OF BUSINESS AND INDUSTRY

904 Walnut Street • Suite 100 • Des Moines, Iowa 50309-3503
515-280-8000 • 800-383-4224 • Fax 244-8907 • Email abi@iowaabi.org • www.iowaabi.org