OFFICE OF THE TEXAS STATE CHEMIST

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June 21, 2013

John McCoy
McCoy Leavitt Laskey LLC
N19 W24200 Riverwood Drive, Suite 125
Waukesha, WI 53188

Re: Disposition Plan for Removal of Corn and Milo East of Jerry Mashek Dr.

Mr. McCoy,

I have received and reviewed the proposed disposition plan. Regarding 2., the Office of the Texas State Chemist (OTSC) has no requirement for you to test for contaminants from an environmental standpoint, if land filled. I realize that the TCEQ and the landfill may require this in order to approve land filling from an environmental standpoint.

The proposal to load onto trailers and land fill in Itasca is acceptable as a means of disposal as long as the Itasca landfill assures us that they will bury the material within a reasonable period of time, so that the product is not accessible to birds and other wildlife.

In order to grant approval of the plan, the following additional considerations need to be addressed and included in the plan:

1. The Itasca landfill's assurance to bury immediately or within a defined reasonable period of time should be documented prior to transporting to the site.
2. The records (truck manifests, scale/weight tickets, etc.) associated with loading, transporting, and disposing of the grain should be documented and provided to the OTSC upon completion of the disposal of the grain for verification.

Respectfully,

Ben Jones, Associate Director

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