

**FILED**

**JUN 09 2009**

**Jim Ruby, Executive Secretary  
Environmental Quality Council**

93 East Parkway  
Victor, NY 14564  
June 6, 2009

Environmental Quality Council Land Quality Division  
Herschler Building – Third Floor  
122 W. 25<sup>th</sup>  
Cheyenne, WY 82002  
Attn. Jim Ruby

Dear Mr. Ruby:

Thank you for your response to our letter questioning the application of the Mullinax Concrete Service Company No. 09-4803.

In addition, we have received letters from Mullinax Concrete Service Company; Donald McKenzie, Land Quality Division of your department, and have spoken with him on the phone. Dave Schellinger also called and addressed our concerns. Both Mr. McKenzie and Mr. Schellinger were very cordial and helpful.

We feel that after considering the information provided, we would like to withdraw our letter opposing the Mullinax application. It is hoped they will be good neighbors. Thank you all for your time.

Sincerely yours.

*David C. Nellis*  
*Ruth E. Nellis*  
David C. Nellis  
Ruth E. Nellis