

BAKER BOTTS LLP

1500 SAN JACINTO CENTER
98 SAN JACINTO BLVD.
AUSTIN, TEXAS
78701-4287

TEL +1 512.322.2500
FAX +1 512.322.2501
www.bakerbotts.com

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October 10, 2005

BY HAND DELIVERY

Mr. Glenn Shankle
Executive Director
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Pamela M. Giblin
TEL +1 512.322.2509
FAX +1 512.322.8308
pam.giblin@bakerbotts.com

Dear Mr. Shankle:

As you know, my client, Penske Truck Leasing Co., L.P. ("Penske"), has attempted on numerous occasions to remove certain material stockpiled at Texas Disposal Systems Landfill, Inc. ("TDSL") in accordance with your letters dated May 13, September 24 and October 19, 2004. Although Penske did not generate, transport or dispose of the material in question, Penske has cooperated fully with the Texas Commission on Environmental Quality ("TCEQ") and has done everything possible to address the Notice of Violation ("NOV") you issued. TDSL, however, has repeatedly refused to allow Penske access to the landfill to remove and dispose of the material in accordance with your directives.

Penske believes that it is appropriate to proceed with the litigation pending in Hays County, which TDSL instituted seven and one-half years ago. As acknowledged at the December 1, 2004 hearing, the ultimate resolution of this dispute belongs in court. A hearing is scheduled in the Hays County action for October 12, 2005 to discuss a new schedule and trial date. Because the Hays County litigation is the appropriate forum to resolve all the disputed issues between Penske, TDSL, and Zenith Electronics Corp., Penske intends to proceed with all deliberate speed and let a court and jury ultimately decide the relevant issues at trial. We hope that you will agree that Penske has done everything in its power to address the NOV you issued, and that it is now time for the pertinent and disputed issues to be ultimately decided by a court and a jury.

If you have any questions, please do not hesitate to contact me.

Sincerely,



Pamela M. Giblin

cc: Mr. John Steib

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bcc: Lydia Gonzalez Gromatzky