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June 19, 2009

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COMMERCIAL SEARCH REVIEW & REPRODUCTION

FOIA Officer
U.S. Department of Energy
1000 Independence Avenue, S.W.
Washington, DC 20585

RE: Freedom of Information Act Request
United States of America v. Ashland, Inc.
U.S. District Court for the Western District of New York (Buffalo)
Case No. 1:04-cv-00904-WMS

Dear Sir or Madam:

This firm represents Century Indemnity Company, an insurer of defendant Ashland, Inc. ("Ashland") in the above action. I write pursuant to the Freedom of Information Act, 5 U.S.C. § 552, and 40 C.F.R. Part 2 to request materials in the possession of the United States Department of Energy ("USDOE") that relate to two sites known as Ashland 1 and Ashland 2 (collectively, the "Sites"), located in Tonawanda, New York. Specifically, the materials we seek are:

- all documents and information concerning the use, operation and/or closure of the Ashland 1 site;
- all documents and information concerning the use, operation and/or closure of the Ashland 2 site;
- all documents and information concerning any radioactive or other materials that were allegedly deposited at the Ashland 2 site including the types and volumes of waste disposed and dates of disposal;
- all notices of violations, citations and documentation reflecting the assessment of fines and/or penalties as to the Sites;
- all materials detailing Ashland's involvement at the Sites;
- all communications concerning the Sites;
- reports and other documentation concerning historic releases, discharges or leaks of contaminants at the Sites;
- reports and other documentation concerning historic operations at the Sites; and

- all documents and information concerning any investigation and/or remediation performed with respect to contamination at the Sites.

If any materials responsive to this request have been destroyed pursuant to USDOE document retention policies/practices, please identify such materials and provide a detailed description of the policies/practices pursuant to which the materials were destroyed.

Please forward all responsive materials to:

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Before processing this request, please advise me of the materials available, the approximate volume of the materials and the anticipated costs of reproducing them.

Please contact me with any questions. Thank you for your assistance.

Very truly yours,

WHITE AND WILLIAMS LLP

By: Adam M. Berardi

AMB:kms