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October 5, 1989

Mr. Donnie H. Grimsley  
Director, Freedom of Information Division  
Nuclear Regulatory Commission  
Phillips Bldg., Room 370A  
7920 Norfolk Ave.  
Bethesda, Maryland 20814

FREEDOM OF INFORMATION  
ACT REQUEST

FOIA-89-442  
Rec'd 10-10-89

Re: Freedom of Information Act Request

Dear Mr. Grimsley:

Pursuant to the Freedom of Information Act, 5 U.S.C. §552, and the regulations promulgated thereunder by the United States Environmental Protection Agency ("USEPA"), we, on behalf of our client US Ecology, Inc., are requesting copies of certain documents that, as set forth below, refer or relate to three waste management facilities that have been operated by US Ecology: (a) the low-level radioactive waste site located near Maxey Flats, Kentucky; (b) the low-level radioactive waste site located near Sheffield, Illinois; and (c) the adjacent hazardous waste site also located near Sheffield, Illinois.

Specifically, we hereby request any and all documents in the possession, custody or control of the Nuclear Regulatory Commission that identify, refer or relate to the existence of liability insurance issued to California Nuclear, Inc., Nuclear Engineering Company, US Ecology, Inc. and/or Teledyne, Inc. and that might in any way relate to the operation of the aforementioned waste sites.

We will reimburse the Nuclear Regulatory Commission for all reasonable costs associated with compliance with this request.

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PDR FOIA  
WAGNER89-442 PDR

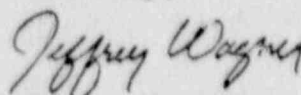
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We are requesting this information in order to protect and defend US Ecology's rights in two civil lawsuits: US Ecology, Inc. v. American Nuclear Insurers, et al. (No. 87 MR 26), currently pending in the Circuit Court for the Thirteenth Judicial District of Illinois, and Aetna Cas. & Sur. Co., et al. v. Nuclear Engineering Co., et al. (No. 87 CI 03359), currently pending in the Jefferson County Circuit Court, Commonwealth of Kentucky.

We would appreciate your responding to this request at your earliest possible convenience. US Ecology must have the documents it requests here in order to protect its interests. If any portion of this request is deemed denied, we request a detailed statement of the reasons for such denial and also request an index or other similar specification of the nature of the documents withheld. To expedite this request, we would be willing to discuss, in advance of a final decision by the agency, specific instances of any documents requested which you believe to be exempt from disclosure.

We look forward to receiving your response.

Sincerely,



Jeffrey M. Wagner  
of LATHAM & WATKINS