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February 10, 2016

Regional Freedom of Information Officer
U.S. EPA, Region 6
1445 Ross Avenue (6MD-OE)
Dallas, TX 75202-2733

Re: Freedom of Information Act Request

Dear Sir or Madam:

Pursuant to the Freedom of Information Act ("FOIA") 5 U.S.C. § 552, I am requesting copies of the following U.S. Environmental Protection Agency ("EPA") records:

Copies of all semi-annual compliance reports submitted to EPA under Paragraph 101 of the consent decree in *United States v. Flint Hills Res. Port Arthur, LLC*, No. 1:14-CV-169 (E.D. Tex. *entered* Feb. 18, 2015), ECF No. 6.

Copies of all semi-annual compliance reports submitted to EPA under Paragraph 85 of the consent decree in *United States v. Shell Oil Co.*, No. 4:13-cv-02009 (S.D. Tex. *entered* June 4, 2014), ECF No. 8.

Any records reflecting EPA review of these semi-annual compliance reports.

Any records reflecting responses EPA has made to the defendants regarding any of the above semi-annual compliance reports.

For purposes of this request, "records" mean documents, information, memoranda, letters, reports, drafts, communications, records of communications, telephone message records, calendars, handwritten or typed notes, facsimile transmissions, electronic mail, tapes and all other types of records in the possession, control, or custody of the EPA or contractors working for the EPA.

For all records responsive to these requests that are not produced based on an asserted exemption from disclosure, please prepare a privilege and/or exemption log describing, at a minimum: (i) the type of record withheld; (ii) the date(s) of the creation of the record; (iii) the subject of the record; (iv) the identity of the author and all recipients of the records; and (v) a detailed

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description of the basis upon which EPA is withholding the record (e.g., the claim of privilege, FOIA exemption, etc.). To the extent any responsive documents are withheld based upon a claim of privilege or other exemption from disclosure, please produce redacted copies of all non-privileged or non-exempt factual material contained within such documents.

I confirm in advance my willingness to pay for all reasonable costs associated with searching for and compiling these records. However, should these costs exceed $500, I ask that you contact me prior to proceeding.

Please send me electronic copies of the requested records via CD, DVD, or flash drive at the address above. Please direct any inquiries, notices, or determinations to me at (202) 736-8111. Thank you for your anticipated assistance.

Sincerely,

David Buente

cc: Tim Webster
Ben Tannen