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February 9, 2005

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Mine Safety and Health Administration
Office of the Administrator
1100 Wilson Blvd., Room 2470
Arlington, VA 22209-3939

Re: W.R. Grace: Libby, Montana Mine Site

Dear Sir or Madam:

My office represents the State of Montana in a number of civil lawsuits filed against it by individual plaintiffs concerning the W.R. Grace, Libby, Montana mine site. Pursuant to the Freedom of Information Act, 5 U.S.C. § 552, *et seq.*, and its implementing regulations, this letter serves as a request for copies of all documents relating to the W.R. Grace & Co. vermiculite mine and processing, storage, shipping, and other facilities (the facilities) located in and around Libby, Montana, specifically including:

1. Any and all documents identifying individuals who worked at the site;
2. Any and all studies or other documents addressing the health of individuals that worked at the site;
3. Any and all studies or other documents addressing the health of individuals that were exposed to vermiculite or asbestos removed from the site;
4. Any and all studies addressing asbestos, tremolite or vermiculite concentrations in the ore, rock, water, air, or any other media at or near the site;
5. Any and all inspection reports of or studies by or documents of the United States Environmental Protection Agency, United States Bureau of Mines, United States National Institute of Occupational Safety and Health, United States Public Health Service, and any other federal agency that conducted inspections or made trips to or near to the site, including, but not limited to:
 - a. National Institute for Occupational Safety and Health;
6. Any and all inspection reports of the site by the State of Montana Department of Labor, State of Montana Department of Mines, or any other state agency; and
7. Any and all studies by any private individuals or groups, including W.R. Grace & Co., of environmental or health conditions at the site, including, but not limited to:

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- a. a study conducted some time prior to August 23, 1976 by or provided to Henry A. Esenbach;
- b. animal toxicological studies conducted or reports prepared by Dr. William Smith of Fairleigh Dickinson University;
- c. epidemiological studies conducted or reports prepared by Enbionics;
- d. facility audits for the site;
- e. a study or reports by Richard R. Monson, M.D., of Harvard University's School of Public Health;
- f. studies or reports of Drs. John Corbett McDonald and Alison D. McDonald of the McGill University School of Occupational Health; and
- g. drop, drum transfer, attic simulation tests and surveys of commercial users of expanded vermiculite.

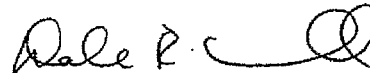
If any of the requested documents are available on the internet, instead of producing copies of the documents, please provide the complete web address where the documents may be found.

This request excludes documents generated as a result of the Comprehensive Environmental Response Compensation and Liability Act investigations and/or actions conducted by the United States Environmental Protection Agency at the site since 1999.

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

Sincerely,

CHRISTENSEN, MOORE, COCKRELL,
CUMMINGS & AXELBERG, P.C.



Dale R. Cockrell
Direct Line No. (406) 751-6003

DRC/LL