

See e-mail

Ranger Robert Fallon  
Allegheny National Forest  
HC 2, Box 1130  
Marienville, PA 16239

August 31, 2007

Supervisor Kathleen Morse  
Allegheny National Forest  
222 Liberty St.  
Warren, PA 16365

### FREEDOM OF INFORMATION ACT REQUEST

Ranger Fallon and Supervisor Morse:

This is a request for information filed under the Freedom of Information Act. I request the following regarding information stated and references made by District Ranger Fallon in a letter to Duhring Resource Company dated August 22, 2007. As used herein the term "document" is intended to include but is not necessarily limited to all correspondence, memoranda, plans, assessments, study reports, summary results, data collection documents, and official staff e-mail correspondence.

1. All documents bearing in any way upon any archeological, heritage or historical analysis performed by the Allegheny National Forest or any party employed thereby, concerning any oil and gas development project engaged in by Duhring Resource Company during the time period between January 1, 1992 and the date of this request. As used herein the term "archeological, heritage or historical analysis" is intended to include, but is not necessarily limited to, the type of report prepared by Ron Cartwright entitled Management Summary of the FY 2007 OGM Case 595 CRR 09-19-02-487 and attached by Robert Fallon to his above referenced letter of August 22, 2007. (For your reference: Duhring has engaged in projects upon warrants 3192 & 3193 in Howe Township, Forest County and in Lots 7, 8, 9 and 434 in Sheffield Township, Warren County.)
2. All documents bearing in any way upon any wildlife or biological analysis performed by the Allegheny National Forest or any party employed thereby, concerning any oil and gas development project engaged in by Duhring Resource Company during the time period between January 1, 1992 and the date of this request. As used herein the term "wildlife or biological analysis" is intended to include, but is not necessarily limited to, the type of report prepared by Terry Steffan entitled USDA-FS, ANF, Marienville R.D. OGM Review for Threatened, Endangered and Sensitive Species, Duhring Resources, Inc., Case 595, 10 Wells, 1 Road Segment with Multiple Spurs, Tank Battery, Well Improvements and Plugging, Date: August 2, 2007, File Codes: 2600/2800 and attached by Robert Fallon to his above referenced letter of August 22, 2007. (For your reference: Duhring has engaged in

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projects upon warrants 3192 & 3193 in Howe Township, Forest County and in Lots 7, 8, 9 and 434 in Sheffield Township, Warren County.)

3. All documents bearing in any way upon any archeological, heritage or historical analysis performed by the Allegheny National Forest or any party employed thereby, concerning any oil and gas development project engaged in by Azco Oil Company or Azco Operating Company during the time period between January 1, 1992 and the date of this request. As used herein the term "archeological, heritage or historical analysis" is intended to include, but is not necessarily limited to, the type of report entitled Management Summary of the FY 2007 OGM Case 595 CRR 09-19-02-487 and attached by Robert Fallon to his above referenced letter of August 22, 2007. (For your reference: Azco engaged in projects upon warrants 3193, 4791 and the Lot commonly known as the "Fox" tract in Howe Township, Forest County and in Lots 8 9 and 10 in Sheffield Township, Warren County )
4. All documents bearing in any way upon any wildlife or biological analysis performed by the Allegheny National Forest or any party employed thereby, concerning any oil and gas development project engaged in by Azco Oil Company or Azco Operating Company during the time period between January 1, 1992 and the date of this request. As used herein the term "wildlife or biological analysis" is intended to include, but is not necessarily limited to, the type of report Terry Steffan entitled USDA-FS, ANF, Marienville R.D. OGM Review for Threatened, Endangered and Sensitive Species, Duhring Resources, Inc., Case 595, 10 Wells, 1 Road Segment with Multiple Spurs, Tank Battery, Well Improvements and Plugging, Date: August 2, 2007, File Codes: 2600/2800 and attached by Robert Fallon to his above referenced letter of August 22, 2007. (For your reference: Azco engaged in projects upon warrants 3193, 4791 and the Lot commonly known as the "Fox" tract in Howe Township, Forest County and in Lots 8, 9 and 10 in Sheffield Township, Warren County.)
5. All documents bearing in any way upon any survey or other boundary line analysis performed by the Allegheny National Forest or any party employed thereby, during the time period January 1, 1992 and the date of this request, concerning oil and gas development by either Azco or Duhring Resource Company upon the lands of the Allegheny National Forest or lands adjacent thereto.
6. All documents including, but not limited to, Categorical Exclusion, Environmental Assessments, Records of Decision, other NEPA analysis, or similar analysis performed at any time by the Allegheny National Forest or any party employed thereby, concerning stone removal from any pit or other area located within a five mile radius of the intersection of Straight Run and Forest Road 131 (located upon Warrant 3672 in Forest County). The term "analysis" as used in the preceding sentence is intended to include the meaning of the term "analysis" as used by Robert Fallon on page 2 of the above referenced letter of August 22, 2007. The term "analysis" as used in

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the first sentence of this paragraph 4 is also intended to mean any document summarizing, discussing or analyzing the amount of stone available for removal from each and every pit or other area located within the aforesaid five mile radius area from which stone is currently being removed or was ever removed during the tenure of ownership by the Allegheny National Forest. The term "pit" is intended to include the pit located upon Forest Road 403 as referenced by Robert Fallon in the aforesaid letter of August 22, 2007, together with the pit located approximately three miles south of Warrant 3672 as referenced orally by Lauren Miles during his July 2 meeting with Duhring Resource Company.

7. All documents relating to each and every pit or other area located within the aforesaid five mile radius area from which stone has been removed, concerning the amount of stone that has been removed from said individual pit or location. This request is intended to include any document summarizing, analyzing, or relating to the Allegheny National Forest's level or rate of compliance with policies, regulations or laws concerning stone removal in general, and in particular whether the removal of stone from any individual pit or pits within that five mile radius area is in compliance or out of compliance with those policies, regulations or laws.
8. The policies, laws or regulations which require the "analysis" declared by Robert Fallon on page 2 of the above referenced letter of August 22, 2007.
9. All documents related to charges, if any, imposed by the Allegheny National Forest for stone removed from each and every pit or other area located within the aforesaid five mile radius area, where stone has been removed, during the time frame between January 1, 1992 and August 31, 2007.

It will not be necessary for you to photocopy the above documents. Instead, I am willing to review the requested documents at the Warren, Marienville, or Bradford offices as necessary.

Sincerely,

Arthur Stewart  
203 Center St.  
Sheffield, PA 16347