

UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

GREENE ENVIRONMENTAL :  
COALITION, INC., :  
 : Case No. C-3-93-270  
Plaintiff, :  
 : Judge Rice  
vs. :  
 :  
USX CORPORATION, : Magistrate Judge Merz  
 :  
Defendant. :

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SOUTHDOWN, INC., :  
 :  
Plaintiff, : Case No. C-3-93-354  
vs. : Judge Rice  
 :  
USX CORPORATION, :  
 : Magistrate Judge Merz  
Defendant. :

**DEFENDANT USX CORPORATION'S FIRST SET OF COMBINED  
INTERROGATORIES AND REQUESTS FOR PRODUCTION TO  
PLAINTIFF SOUTHDOWN, INC.**

Defendant USX Corporation (USX) hereby serves the following First Set of Combined Interrogatories and Requests for Production upon Plaintiff Southdown, Inc. (Southdown) pursuant to Rules 26, 33 and 34 of the Federal Rules of Civil Procedure. USX requests that Southdown answer these Interrogatories separately and fully, in writing and under oath, and serve such answers upon USX on or before August 10, 1994, in accordance with the Agreed Case Management Order. USX further requests that Southdown produce for inspection and

copying the materials described below at the offices of Squire, Sanders & Dempsey, 41 South High Street, Columbus, Ohio 43215 on or before August 10, 1994, in accordance with the Agreed Case Management Order.

#### DEFINITIONS AND INSTRUCTIONS

A. "Person" refers to any natural person, corporation, partnership, proprietorship, association, or organization.

B. "Document" means any written matter, including, but not limited to, correspondence, memoranda, notations of telephone or personal conversations or conferences, contracts, agreements, or interoffice communications, whether handwritten or typed.

C. "A Tract Quarry" refers to the real estate described in Exhibit A to the Complaint in Case No. 93-354.

D. "Communication" includes the conveyance of any concept, matter or idea in any manner whatsoever, whether orally, by written means, or through conduct, silence, inaction or otherwise.

E. "Landfill No. 1" refers to the real estate described in Exhibit A to the Complaint in Case No. 93-354.

F. "Site" refers to the entire property purchased by Southwestern Portland Cement Company from USX including the A Tract Quarry and the Fairbom Cement Facility.

G. The term "identify" when used herein, has the following meanings:

(1) When used in reference to a "person" it means to state the person's (a) full name; (b) present business address, or if unavailable, last known business address; (c) present home address (if applicable), or if unavailable, last known home address; and (d) job title (if applicable).

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(2) When used in reference to “documents” it means to state the date, author, recipient, present location and subject matter of any written matter described in paragraph B above.

H. If you refuse to answer any interrogatory in whole or in part, describe the basis for your refusal to answer, including any claim of privilege, in sufficient detail so as to permit the Court to adjudicate the validity of your refusal, and identify each document, person or fact for which the privilege is claimed.

### INTERROGATORIES

#### INTERROGATORY NO. 1.

Please describe all activities Southdown has conducted or allowed others to conduct on the A Tract Quarry from 1975 to the present, including without limitation the persons principally responsible for conducting or overseeing such activities and the dates of such activities.

Answer:

#### INTERROGATORY NO. 2.

Please identify all current and former employees, agents or contractors of Southdown who may have knowledge of the activities conducted by Southdown or others on the A Tract Quarry from 1975 to the present.

Answer:

INTERROGATORY NO. 3.

Please describe Southdown's waste generation, storage, treatment, transportation and disposal practices at the Site, specifically identifying the disposition of all solid, hazardous, industrial or other wastes generated at the Site from 1975 to the present. In your response, please identify Southdown's waste-generating activities, types of waste generated, on-site waste storage and storage conditions, waste haulers and transporters, waste treatment methods and treatment sites, and disposal sites for all waste generated at the Site.

Answer:

INTERROGATORY NO. 4.

Please identify each Person who may have knowledge of Southdown's waste generation, storage, treatment, transportation and disposal practices at the Site from 1975 to the present.

Answer:

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INTERROGATORY NO. 5.

Please identify all materials transported to and/or disposed of at the A Tract Quarry from 1975 to the present.

Answer:

INTERROGATORY NO. 6.

Please identify all Persons who transported materials to and/or disposed of materials at the A Tract Quarry from 1975 to the present.

Answer:

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INTERROGATORY NO. 7.

Please identify all Persons who may have information concerning materials transported to and/or disposed of at the A Tract Quarry from 1975 to the present.

Answer:

INTERROGATORY NO. 8.

Please identify all communications relating or referring to the Site between Southdown and any health or environmental regulatory agency whether federal, state or local.

Answer:

INTERROGATORY NO. 9.

Please identify all current or former employees, agents or contractors of Southdown who may have information concerning any communication relating or referring to the Site between Southdown and any health or environmental regulatory agency whether federal, state or local.

Answer:

INTERROGATORY. 10.

Please identify all Persons who may have information concerning any study, test, analysis, report, inspection or environmental audit of or relating to the A Tract Quarry.

Answer:

INTERROGATORY NO. 11.

Please identify all Persons who have conducted any type of study, test, analysis, report, inspection or investigation in any way related to: (1) groundwater, surface water, soil, or other environmental media at or in the vicinity of the A Tract Quarry; or (2) any environmental impact from waste disposal at or in the vicinity of the A Tract Quarry.

Answer:

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INTERROGATORY NO. 12.

Please identify all Persons who conducted any study, test, analysis, report, inspection or investigation at the A Tract Quarry concerning the condition of the A Tract Quarry at the time of sale to Southwestern Portland Cement Company.

Answer:

INTERROGATORY NO. 13.

Please identify all Persons who conducted any study, test, analysis, report, inspection or investigation at the A Tract Quarry regarding measures to prevent or mitigate the release of hazardous substances or other contaminants from the A Tract Quarry.

Answer:

INTERROGATORY NO. 14.

Please describe any measures Southdown has taken to mitigate, control or otherwise manage leachate and/or surface water runoff or to prevent the release of hazardous substances or other contaminants from the A Tract Quarry.