

Exhibit 2

U.S. Department of Labor

Occupational Safety and Health Administration
Fort Worth Area Office
8713 Airport Freeway, Suite 302
Fort Worth, TX 76180-7610
(817) 581-7303 FAX: (817) 581-7723
Reply to the Attention of:



November 20, 2013

Stephanie Villagomez Lemoine
Phelps Dunbar
365 Canal Street, Suite 2000
New Orleans, LA 70130-6534

Ref: FOIA 14-014
SIMS: 732098
West Fertilizer Co.
Inspection #: OIS-901718

Attention: Stephanie Villagomez Lemoine:

Your request for disclosure of information from the above referenced file was received in the Fort Worth Area Office on August 20, 2013.

Since this matter is in litigation at this time, only copies of the Certification of Notice of Contest (OSHA-12) and Citation of Alleged Violation and Notification of Proposed Penalty (OSHA-2) may be released, and are enclosed. No other documents pertaining to this investigation may be released pending the determination and final order of the Occupational Safety and Health Review Commission.

Under the Freedom of Information Act this file may be withheld from public disclosure as stated in exemption #7 of 5 U.S.C. 552(b), Public Law 93-502. The reason for the determination is outlined in 29 CFR 70.27(c) which is to preserve the position of the Government in litigation, in accordance with the rules governing discovery in cases before courts and administrative agencies.

Upon receiving the determination and final order of the Occupational Safety and Health Review Commission, this office will close the contested inspection file. This file will not be available for FOIA release until that time. We urge you to contact our office periodically to check the status of the contested file prior to submitting another request.

You may file an appeal of this decision with the Solicitor of Labor within 90 days from the date of this letter. The appeal must state, in writing, the grounds for the appeal, including any supporting statement or arguments. To facilitate processing, you may wish to fax your appeal to: (202) 693-5538. The appeal should include a copy of your initial request and a copy of this letter. The appeal must be addressed to: Solicitor of Labor, U.S. Department of Labor, Rm. N-2428, 200 Constitution Avenue, N.W., Washington, D.C. 20210. If mailed, both the envelope, and the letter of appeal itself should be clearly marked: "Freedom of Information Act Appeal."

This office is considering your request closed with no further action to be taken at this time.

We hope this information explains the current status of this file to your satisfaction and we appreciate your cooperation.

Sincerely,



JACK A. RECTOR
Area Director

