UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NEW YORK 10007-1866

MAR 28 2019

URGENT LEGAL MATTER
PROMPT REPLY NECESSARY
CERTIFIED MAIL: RETURN RECEIPT REQUESTED

Mr. Miguel Centeno, President
Roche Products Inc.
P.O. Box 7085
Ponce, PR 00732

Re: Notice of Potential Liability and Request for Information Pursuant to Sections 107(a) and 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. §§ 9601-9675, relating to the PROTECO Site in Peñuelas, Puerto Rico

Dear Mr. Centeno:

The United States Environmental Protection Agency ("EPA") is charged with responding to releases or threatened releases of hazardous substances, pollutants, and/or contaminants into the environment, and with enforcement responsibilities under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. §§ 9601-9675 ("CERCLA"), also known as the "Superfund" law. For your information, a copy of the Superfund law may be found at www.epa.gov/superfund.

EPA has documented the release or threatened release of hazardous substances into the environment at the PROTECO Site ("the Site"), which is located at Road 385, Km 4.4, Bo. Tallaboa, Peñuelas, Puerto Rico. The Site is the location of a former hazardous waste treatment, storage, and disposal facility ("TSDF"). Operations at the TSDF began in 1975 under the name Servicios Carbareon, Inc.; in 1985, the name was changed to Protección Técnica Ecológica Corp. (i.e., "PROTECO"), which was succeeded by Resources Management, Inc. doing business as PROTECO. During its years of operation, the TSDF accepted a variety of wastes from multiple sources, including electroplating sludge, wastewater treatment plant sludge, slurries, petroleum wastes, pesticide wastes, and pharmaceutical and manufacturing wastes. Historical records indicate that PROTECO accepted hazardous waste from the Roche Products Inc. facility in Manati, Puerto Rico. (See Attachment D to this letter). According to records filed at the Puerto Rico Department of State, your company, Roche Products Inc. (Register No. 6371), held 100%

562780

of the common stock of Roche Products Inc. (Register No. 5274), a Delaware corporation engaged in the manufacture and sale of chemical and pharmaceutical products, until December 31, 1982, when the assets and liabilities of Roche Products Inc. (Register No. 5274) were distributed to your company, Roche Products Inc. (Register No. 6371).

In November 1980, PROTECO submitted a Part A Permit Application pursuant to the Resource Conservation and Recovery Act ("RCRA"), thus entering interim status. In 1987, EPA and PROTECO entered into a consent decree stipulating that PROTECO would perform injunctive relief with respect to RCRA violations. In November 1997, after it became apparent that PROTECO had continued to violate RCRA regulations and provisions of the original consent decree, EPA and PROTECO entered into an amended consent decree requiring the TSDF to meet RCRA closure and post-closure care requirements. PROTECO conducted closure of waste units from November 1997 to February 1999 and conducted some post-closure maintenance but stopped performing post-closure care altogether sometime between 2001 and 2009. Since then, EPA inspectors have confirmed that PROTECO is not maintaining the Site and is out of compliance with post-closure care provisions of the amended consent decree.

On May 17, 2018, the Site was proposed to be added to the "National Priorities List," EPA's list of releases and potential releases of hazardous substances, pollutants, and contaminants that appear to pose the greatest threat to public health, welfare, and the environment, established under Section 105(a) of CERCLA, 42 U.S.C. § 9605(a). In response to these releases and threatened releases, EPA has spent public funds and EPA anticipates spending additional public funds at the Site. The Site has not yet been finalized on the National Priorities List.

NOTICE OF POTENTIAL LIABILITY

Under CERCLA, responsible parties may be held liable for all monies expended by the federal government in taking response actions in connection with a site where hazardous substances have been released – including the cost of EPA's investigative, planning, removal, remedial, and enforcement actions. Responsible parties also may be ordered by EPA to take response actions themselves. Responsible parties under CERCLA include current and former owners and operators of a Site, as well as persons who arranged for treatment and/or disposal of any hazardous substances found at the Site, and persons who accepted hazardous substances for transport and selected the Site to which the hazardous substances were delivered.

By this letter, we notify you that Roche Products Inc. is a potentially responsible party for the Site, as an arranger, who by contract or arrangement, arranged for the disposal or treatment of hazardous substances at the Site, or transportation of such substances to the Site, pursuant to Section 107(a) of CERCLA, 42 U.S.C. § 9607(a). Please note that EPA has also identified a number of other potentially responsible parties. A list of identified parties, current as of the date of this letter, is enclosed as Attachment C.

REQUEST FOR INFORMATION

This letter also seeks your cooperation in providing information and documents relating to the contamination of the Site. We encourage you to give this matter your immediate attention and

request that you provide a complete and truthful response to the attached Request for Information **within 21 calendar days** of your receipt of this letter.

Under Section 104(e)(2) of CERCLA, 42 U.S.C. § 9604(e)(2), EPA has broad information gathering authority to require persons to provide the following: information and/or documents relating to materials generated, treated, stored, or disposed of at, or transported to a facility; the nature or extent of a release or threatened release of a hazardous substance, pollutant, or contaminant at or from a facility; and the ability of a person to pay for or perform a cleanup.

While EPA seeks your cooperation in this investigation, your compliance with the attached Request for Information is required by law. In preparing your response to this Request for Information, please follow the instructions provided in Attachment A.

When you have prepared your response to the Request for Information, please sign and have notarized the enclosed "Certification of Answers to Request for Information," and return and/or scan and email that Certification to EPA along with your response. Please note that false, fictitious, or fraudulent statements or representations may subject you to civil or criminal penalties under federal law. In addition, Section 104 of CERCLA, 42 U.S.C. § 9604, authorizes EPA to pursue penalties for failure to comply with a Request for Information.

Some of the information EPA is requesting may be considered by you to be confidential business information. Please be aware that you may not withhold the information on that basis. If you wish EPA to treat all or part of the information confidentially, you must advise EPA of that fact by following the procedures described in the Instructions included in Attachment A, including the required support of your claim of confidentiality.

If you have information about other parties who may have information that may assist EPA in its investigation of the Site, or may be responsible for the material stored or disposed of at the Site, that information should be submitted within the time frame noted above. Please note that if after submitting your response you obtain additional or different information concerning the matters addressed by our Request for Information, you must promptly notify EPA and turn over the additional or different information to EPA.

This Information Request is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. §§ 3501-3520.

Your response to this Request for Information, which we encourage you to submit electronically, should be sent to the following:

Andrea Leshak, Esq.
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 2
290 Broadway, 17th Floor
New York, New York 10007-1866
leshak.andrea@epa.gov

and to:

Zolymar Luna
Caribbean Environmental Protection Division
U.S. Environmental Protection Agency, Region 2
City View Plaza II, Suite 7000
#48 Rd 165, km 1.2
Guaynabo, Puerto Rico 00968-8069
luna.zolymar@epa.gov

If you have any questions regarding this letter, or would like to discuss the matter with EPA, you may call Ms. Luna at (787) 977-5844 or email her at the email address listed above. Please direct all inquiries from an attorney to Ms. Leshak at (212) 637-3197 or at the email address listed above.

We appreciate your attention to this matter and look forward to your prompt response to this letter.

Sincerely yours,

Eric J. Wilson
Deputy Director for Enforcement and Homeland Security
Emergency and Remedial Response Division

Enclosures

ATTACHMENT A

INSTRUCTIONS FOR RESPONDING TO REQUEST FOR INFORMATION

DIRECTIONS

1. Answer Every Question Completely. A separate response must be made to each of the questions set forth in this Request for Information. For each question contained in **Attachment B** of this letter, if information responsive to this Request for Information is not in your possession, custody, or control, please identify the person(s) from whom such information may be obtained.

2. Number Each Answer. Precede each answer with the corresponding number of the question and the subpart to which it responds.

3. Provide the Best Information Available. Provide responses to the best of your ability, even if the information sought was never put down in writing or if the written documents are no longer available. You should seek out responsive information from current and former employees and/or agents. Submission of cursory responses when other responsive information is available to you will be considered non-compliance with this Request for Information. Whenever in this Request for Information there is a request to identify a natural person or an entity, state, among other things, the person or entity's full name and present or last known address.

4. Identify Sources of Answers. For each question, identify (see Definitions) all the persons and documents that you relied on in producing your answer.

5. Inability to Answer or Provide Documents. If you are unable to answer a question in a detailed and complete manner or if you are unable to provide any of the information or documents requested, indicate the reason for your inability to do so. If you have reason to believe that there is an individual who may be able to provide more detail or documentation in response to any question, state that person's name and last known address and telephone number and the reason for your belief.

6. Documents. If anything is deleted from a document produced in response to this Request for Information, state the reason for, and the subject matter of, the deletion. If a document is requested but is not available, state the reason for its unavailability.

7. Continuing Obligation to Provide and to Correct Information. If additional information or documents responsive to this Request for Information become known or available to you after you respond to this Request for Information, EPA hereby requests pursuant to Section 104(e) of CERCLA that you supplement your response to EPA. If after submitting your response, you discover that information you submitted is incorrect, it is necessary that you promptly notify EPA and correct such information.

8. Confidential Information. The information requested herein must be provided even though you may contend that it includes confidential information or trade secrets. You may assert a confidentiality claim covering part or all of the information requested, pursuant to Sections 104(e)(7)(E) and (F) of CERCLA, 42 U.S.C. §§ 9604(e)(7)(E) and (F), and 40 C.F.R. Part 2.203(b). To prove your claim of confidentiality, each document must separately address the following points:

a. the portions of the information alleged to be entitled to confidential treatment;
b. the period of time for which confidential treatment is desired (e.g., until a certain date, until the occurrence of a specific event, or permanently);
c. measures taken by you to guard against the undesired disclosure of the information to others;
d. the extent to which the information has been disclosed to others, and the precautions taken in connection therewith;
e. pertinent confidentiality determinations, if any, by EPA or other federal agencies, and a copy of any such determinations or reference to them, if available; and
f. whether you assert that disclosure of the information would be likely to result in substantial harmful effect on your business's competitive position and, if so, what those harmful effects would be, why they should be viewed as substantial, and an explanation of the causal relationship between disclosure and such harmful effects.

To make a confidentiality claim, please stamp or type "CONFIDENTIAL" on all responses and any related documents you assert to be confidential. Confidential portions of otherwise non-confidential documents should be clearly identified. You should indicate a date, if applicable, after which the information need no longer be treated as confidential. Please submit in separate envelopes both a clean and a redacted version of any documents or response for which you make a claim of confidentiality.

All confidentiality claims are subject to EPA verification. It is important that you satisfactorily show that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so and that it is not and has not been obtainable by legitimate means without your consent. Information covered by such claim will be disclosed by EPA only to the extent permitted by Section 104(e) of CERCLA. If no such claim accompanies the information when it is received by EPA, it may be made available to the public by EPA without further notice to you.

9. Disclosure to EPA Contractor. Information that you submit in response to this Request for Information may be disclosed by EPA to authorized representatives of the United States, pursuant to 40 C.F.R. Part 2.310(h), even if you assert that all or part of it is confidential business information. Please be advised that EPA may disclose all responses to this Request for Information to one or more of its private contractors for the purpose of organizing and/or analyzing the information contained in the responses to this Request for Information. Pursuant to 40 C.F.R. Part 2.310(h), private contractors must sign a

contractual agreement that prohibits the disclosure of such information to anyone other than EPA without the prior written approval of each affected business or of an EPA legal office. If you are submitting information that you assert is entitled to treatment as confidential business information, you may comment on this intended disclosure within fourteen (14) days of receiving this Request for Information.

10. Personal Privacy Information. Personnel and medical files and similar files the disclosure of which to the general public may constitute an invasion of privacy should be segregated from your responses, included on separate sheet(s), and marked as "Personal Privacy Information."

11. Objections to Questions. If you have objections to some or all the questions within the Request for Information letter, you are still required to respond to each of the questions.

DEFINITIONS

The following definitions shall apply to the following words insofar as they appear in this Request for Information.

1. The term "arrangement" means every separate contract or other agreement between two or more persons, whether written or oral.

2. The term "Company" shall mean Roche Products Inc. and its predecessors and successors, as they were or currently are named and constituted, and all subsidiaries, divisions, affiliates, and branches.

3. The term "disposal" shall mean the discharge, deposit, injection, dumping, spilling, leaking, or placing of any material and/or hazardous substance into or on any land or water so that such material and/or hazardous substance or any constituent thereof may enter the environment or be emitted into the air or discharged into any waters, including ground waters.

4. The term "documents" includes any written, recorded, computer-generated, visually, or aurally reproduced material of any kind in any medium in your possession, custody, or control or known by you to exist, including originals, all prior drafts, and all non-identical copies.

5. The term "entity" or "entities" refers to persons, individuals, companies, partnerships, or any other type of business association.

6. The term "Facility" shall mean the location of the facility located at or about State Road 670 KM 2.7 Manati, PR 00674-0452.

7. The term "hazardous substance" shall have the same definition as that contained in Section 101(14) of CERCLA, 42 U.S.C. § 9601(14), and includes any mixtures of such hazardous substances with any other substances, including mixtures of hazardous substances with petroleum products or other nonhazardous substances. The substances that have been designated as hazardous substances pursuant to Section 102(a) of CERCLA, 42 U.S.C. § 9602(a), (which, in turn, comprise a portion of the substances that fall within the definition of "hazardous substance" under Section 101(14) of CERCLA) are set forth at 40 C.F.R. Part 302.

8. The term "hazardous waste" shall have the same definition as that contained in Section 1004(5) of the Resource Conservation and Recovery Act, as amended ("RCRA"), 42 U.S.C. § 6903(5).

9. The term "identify" means, with respect to a natural person, to set forth the person's full name, present or last known employer, business address, and business telephone number, as well as the present or last known home address and home telephone number. With respect to a corporation, partnership, or other business entity (including a sole proprietorship), the term "identify" means to provide its full name, address, and any affiliation or contractual relationship it has with the individual and/or Company to whom/which this Request for Information is addressed.

10. The term "industrial waste" shall mean any solid, liquid, or sludge or any mixtures thereof that possess <u>any</u> of the following characteristics:

    a. it contains one or more "hazardous substances" (at any concentration) as defined in Section 101(14) of CERCLA;
    b. it is a "hazardous waste" as defined in Section 1004(5) of RCRA;
    c. it has a pH less than 2.0 or greater than 12.5;
    d. it reacts violently when mixed with water;
    e. it generates toxic gases when mixed with water;
    f. it easily ignites or explodes;
    g. it is an industrial waste product;
    h. it is radioactive;
    i. it is an industrial treatment plant sludge or supernatant;
    j. it is an industrial byproduct having some market value;
    k. it is coolant water or blowdown waste from a coolant system;
    l. it is a spent product that could be reused after rehabilitation; or
    m. it is any material that you have reason to believe would be toxic if either ingested, inhaled, or placed in contact with skin.

11. The term "material" or "materials" means any and all objects, goods, substances, or matter of any kind, including but not limited to wastes.

12. The term "person" shall include any individual, firm, unincorporated association, partnership, corporation, trust, or other entity.

13. The term "release" shall have the same definition as that contained in Section 101(22) of CERCLA, and includes any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment, including but not limited to the abandonment or discharging of barrels, containers, and other closed receptacles containing any hazardous substance or pollutant or contaminant.

14. The term "Site" shall mean the PROTECO Site, including the real property located at Road 385, Km 4.4, Bo. Tallaboa, Peñuelas, Puerto Rico.

15. The term "treatment" or "treat" shall mean any method, technique, or process, including neutralization, designed to change the physical, chemical, or biological character or composition of any material and/or hazardous substance so as to neutralize such material and/or hazardous substance or so as to render such material and/or hazardous substance nonhazardous, safer for transport, amenable for recovery, amendable for storage, or reduced in volume. Such terms include any activity or processing designed to change the physical form or chemical composition of a material and/or hazardous substance so as to render it nonhazardous.

16. The term "waste" or "wastes" shall mean and include trash, garbage, refuse, by-products, solid waste, hazardous waste, hazardous substances, and pollutants or contaminants, whether solid, liquid, or sludge, including but not limited to containers for temporary or permanent holding of such wastes.

17. The term "waste transporters" shall mean persons who picked up hazardous substances from the Company or who otherwise transported hazardous substances away from the Company's Facility.

18. The term "you" shall mean the addressee of this Request for Information.

19. All terms not defined herein shall have their ordinary meaning, unless such terms are defined in CERCLA or RCRA, in which case the statutory definitions shall apply.

ATTACHMENT B

REQUEST FOR INFORMATION

1. Answer the following questions regarding the Company:

    a. State the correct legal name and mailing address for the Company;
    b. State the name(s) and address(es) of the President, Chief Executive Officer, and the Chairman of the Board (or other presiding officer) of the Company;
    c. Identify the state/commonwealth and date of incorporation of the Company and the name of its agents for service of process in the state/commonwealth of incorporation and in Puerto Rico, if different; and
    d. Identify any successor corporations, predecessor corporations, or other entities related to the Company. If the Company is or was a subsidiary or affiliate of another corporation or other entity, identify each of those other entities' Chief Executive Officers, Presidents, and Chairpersons of the Board. Identify the state/commonwealth of incorporation and agents for service of process in the state/commonwealth of incorporation and in Puerto Rico, if different, for each entity identified in your response to this question.

2. State the corporate history of the Company, including all name changes and mergers. List all names under which the Company has operated and has been incorporated. For each other name, provide the following information:

    a. Whether that other company or business continues to exist, indicating the date and means by which it ceased operations (e.g., dissolution, bankruptcy, sale) if it is no longer in business;
    b. Names, addresses, and telephone numbers of all registered agents, officers, and operations management personnel; and
    c. Names, addresses, and telephone numbers of all subsidiaries, unincorporated divisions or operating units, affiliates, and parent corporations if any, of that other company.

3. Identify all changes in ownership relating to the Company from its date of incorporation to the present, including the date of any ownership change. If any owner was/is a corporation, identify if the corporation was a subsidiary or division of another corporation. In your identification of any corporation, it is requested that you provide the full corporate name, the state/commonwealth of incorporation, and all fictitious names used/held by that corporation.

4. For each owner that is a subsidiary of another corporation identified in your answer to Request #3, above, please provide a chart that details the corporate structure from that other company through all intermediary entities to the ultimate corporate parent. For purposes of this information request, the term "ultimate corporate parent" means the corporate entity that, while owning or controlling the majority of the shares of common

stock in a subsidiary corporation, is not primarily owned/controlled by another corporation.

5. Provide copies of the Company's authority to do business in Puerto Rico. Include all authorizations, withdrawals, suspensions, and reinstatements.

6. State the dates during which the Company owned, operated, or leased any portion of the Facility, and provide copies of all documents evidencing or relating to such ownership, operation, or lease, including but not limited to purchase and sale agreements, deeds, leases, etc.

7. Indicate whether the Company has ever operated at a location other than the Facility. If yes, provide the correct names and addresses of the Company's other facilities where the Company carried out its operations.

8. Describe in detail the nature of the business and the operations conducted at the Facility and at any locations identified in response to Request #7, above, during the period that the Company operated there. Provide a brief description of the Company's operations at each facility, including the following:

    a. The date such operations commenced and concluded; and
    b. The types of work performed at each facility, including but not limited to the industrial, chemical, or institutional processes and treatments undertaken at each facility.

9. Describe how the Company came to possess the hazardous substances that came to be located at the Site.

10. List all hazardous substances used, generated, treated, stored, disposed of, manufactured, recycled, recovered, treated, or otherwise processed during the Company's operations at the Facility.

11. List and fully describe all waste streams generated from the Company's operations, including solid, liquid, or any other type of waste.

12. Describe in detail the handling, storage, and disposal practices employed by the Company for each waste stream resulting from the Company's operations.

13. Identify all individuals who had responsibility for the Company's environmental and waste management decisions between 1975 and 1999 (e.g., responsibility for decisions regarding the disposal, treatment, storage, recycling, or sale of the Company's hazardous substances, hazardous wastes, and industrial wastes).

a. Provide each such individual's job title, duties, dates performing those duties, supervisors for those duties, current position, and if applicable, the date of the individual's resignation or termination.
b. Provide the nature of the information possessed by each such individual concerning the Company's waste management.

14. For each type of hazardous substance, hazardous waste, and industrial waste used or generated by the Company, describe the Company's agreements or other arrangements for its disposal, treatment, storage, recycling, or sale.

    a. Provide any agreement and document, including waste logs, journals, manifests, or notes, related to any transfer of hazardous substances, hazardous wastes, and industrial wastes from the Company's Facility that came to be located at the Site.
    b. Provide all correspondence and written communications between the Company and each owner/operator of the Site regarding the Company's hazardous substances, hazardous wastes, and industrial wastes that came to be located at the Site.

15. Provide agreements and documents related to the following, including waste logs, journals, manifests, or notes, as set forth below:

    a. The locations where the Company sent each type of hazardous substance, hazardous waste, and industrial waste for disposal, treatment, or recycling;
    b. List all Waste Transporters used by the Company;
    c. For each type of hazardous substance, hazardous waste, and industrial waste, specify which Waste Transporter picked it up;
    d. For each type of hazardous substance, hazardous waste, and industrial waste, state how frequently each Waste Transporter picked up such waste;
    e. For each type of hazardous substance, hazardous waste, and industrial waste, provide the volume picked up by each Waste Transporter (per week, month, or year);
    f. For each type of hazardous substance, hazardous waste, and industrial waste, identify the dates (beginning & ending) such waste was picked up by each Waste Transporter;
    g. Indicate the ultimate location for each type of hazardous substance, hazardous waste, and industrial waste. Provide all documents indicating the ultimate disposal/recycling/treatment location for each type of hazardous substance, hazardous waste, and industrial waste;
    h. Describe how the Company managed pickups of each hazardous substance, hazardous waste, and industrial waste including but not limited to:

        i. The method for inventorying each type of hazardous substance, hazardous waste, and industrial waste;

ii. The method for requesting each type of hazardous substance, hazardous waste, and industrial waste to be picked up;
iii. The identity of the Waste Transporter employee/agent contacted for pickup of each type of hazardous substance, hazardous waste, and industrial waste; and
iv. The amount paid or the rate paid for the pickup of each type of hazardous substance, hazardous waste, and industrial waste;

i. Identify the individual or organization that selected the location where each of the Company's wastes were taken. Describe the basis for and provide any documents supporting the answer to this Request.

16. If not already provided, specify the dates and circumstances when the Company's hazardous substances, hazardous wastes, and/or industrial wastes were sent, brought, or moved to the Site, and identify the names, addresses, and telephone numbers of the person(s) making arrangements for the containers (e.g., 55-gallon drum, dumpster, etc.) holding hazardous substances, hazardous wastes, and/or industrial wastes to be sent, brought, or transported to the Site. Please also provide all documents that support or memorialize the answer to this Request.

17. Identify, describe, and provide all documents that refer or relate to the following:

a. The nature, including the chemical content, characteristics, physical state (e.g., solid, liquid), and quantity (volume and weight) of all hazardous substances, hazardous wastes, and industrial wastes involved in each arrangement transferring materials from any facility owned or operated by the Company (including the Facility) to any other facility;
b. In general terms, the nature and quantity of the non-hazardous substances involved in each such arrangement;
c. The hazardous substances being mixed or combined with other hazardous substances or non-hazardous substances for each such arrangement. Indicate whether such mixing or combining is common in the industry. Indicate whether the Company was ever asked to stop mixing or combining the hazardous substances with the non-hazardous substances;
d. Other materials other than the hazardous substances that were involved in the transaction;
e. The condition of the transferred material containing hazardous substances when it was stored, disposed of, treated, or transported for disposal or treatment;
f. The markings on and type, condition, and number of containers in which the hazardous materials were contained when they were stored, disposed, treated, or transported for disposal or treatment; and
g. All tests, analyses, analytical results, and manifests concerning each hazardous substance, hazardous waste, and industrial waste involved in each transaction.

Include information regarding who conducted the test and how the test was conducted (batch sampling, representative sampling, splits, composite, etc.).

18. Indicate how long the Company has had a relationship with the owner(s) and/or operator(s) of the Site.

19. Identify any individuals, including former and current employees, who may be knowledgeable of the Company's operations and practices concerning the handling, storage, and disposal of hazardous substances.

20. Please provide all documents, if not already requested above, that support your responses to Requests #1 - #19, above.

21. If any of the documents solicited in this information request are no longer available, please indicate the reason why they are no longer available. If the records were destroyed, provide us with the following:

    a. The Company's document retention policy between 1975 and 2018;
    b. A description of how the records were destroyed (burned, trashed, etc.) and the approximate date of destruction;
    c. A description of the type of information that would have been contained in the documents;
    d. The name, job title, and most current address known by you of the person(s) who would have produced these documents, the person(s) who would have been responsible for the retention of these documents, the person(s) who would have been responsible for the destruction of these documents, and the person(s) who had and/or still may have the originals or copies of these documents; and
    e. The names and most current address of any person(s) who may possess documents relevant to this inquiry.

22. Please provide copies of the Company's financial statements, shareholder's reports, financial audits, or other financial reports showing its assets, profits, liabilities, and current financial status for the last five years.

23. List and provide a copy of all agreements or contracts, including but not limited to insurance policies and indemnification agreements, held or entered into by the Company or its parent corporation(s), subsidiary, or subsidiaries that could indemnify it against any liability that it may have under CERCLA for releases or threatened releases of hazardous substances at and from the Facility. In response to this Request, please provide not only those insurance policies and agreements that currently are in effect, but also provide those that were in effect during the period(s) when any hazardous substances, hazardous wastes, and/or industrial wastes may have been released or threatened to be released into the environment at or from the Facility.

24. State whether any claim or claims have been made by the Company to any insurance company for any loss or damage related to operation at the Site, and if so, identify each claim by stating the name of the claimant, the name and address of the insurance company, the policy number, the named insured on the policy, claim number, date of claim, amount of claim, the specific loss or damage claimed, the current status of the claim, and the amount, date, and recipient of any payment made on the claim.

25. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any question contained herein or who may be able to provide additional responsive documents, identify such persons and the additional information or documents that they may have.

26. State the name, title, and address of each individual who assisted or was consulted in the preparation of the response to this Request for Information. In addition, state whether this person has personal knowledge of the information in the answers provided.

CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATION

State/Commonwealth of _____

County/Municipality of _____

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document (response to EPA Request for Information) and all documents submitted herewith, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete, and that all documents submitted herewith are complete and authentic unless otherwise indicated. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. I am also aware that I am under a continuing obligation to supplement my response to EPA's Request for Information if any additional information relevant to the matters addressed in EPA's Request for Information or my response thereto should become known or available to me.

_____
NAME (print or type)

_____
TITLE (print or type)

_____
SIGNATURE

Sworn to before me this

_____day of_____ 2019.

Notary Public

ATTACHMENT C

LIST OF LETTER RECIPIENTS

1. BASF Agrochemical Products BV d/b/a BASF Agricultural Products de Puerto Rico
2. Betteroads Asphalt, LLC
3. Brosval Chemicals, Inc.
4. Caribe General Electric Products, Inc.
5. Checkpoint Caribbean, Ltd.
6. EMD Millipore Corporation
7. Henkel Puerto Rico, Inc.
8. HP Inc.
9. Owens-Illinois, Inc.
10. Puerto Rico Electric Power Authority
11. Resources Management, Inc.
12. Roche Products Inc.
13. StarKist Co.

ATTACHMENT D

SERVICIOS CARBAREON, INC.

MAILING ADDRESS:
FIRM DELIVERY
PONCE, P. R. 00731

CARR. 385 KM. 3.5 - BO. TALLABOA
PEÑUELAS, P. R. 00724

TELS.
(809) 836-1678
(809) 836-2058

10 de diciembre de 1980

Sr. Pedro A. Gelabert, Presidente
Junta de Calidad Ambiental
Apartado 11488
Santurce, Puerto Rico 00911

Estimado señor:

Adjunto le envío informe de los desperdicios dispuestos en nuestro vertedero industrial durante el pasado mes de noviembre de 1980.

Sin nada más que añadir, quedo,

Atentamente,

SERVICIOS CARBAREON, INC.

Sol L. Colón Colón, P. E.
Vice-Presidente y Gerente de Operaciones

/ncp

c: Sr. Jaime L. Ortíz Otero, Director
Area de Contaminación de Terrenos

INFORME DE DESPERDICIOS

NOVIEMBRE DE 1980

Fuente Generadora	Cantidad/Galones	Naturaleza Desperdicio	Método disposición
Roche Products, Inc.	80 drones/55 gals. c/u	Sodium Benzoate - 90% Caustic Layer (51)	Almacenaje Temporero
		KCl Centrifuge - 80% Potassium Chloride, 9% Hyflo, 3% Charcoal (4)	" "
		Acetone & OFBA, Water, Muriatic Acid (4)	Biodegradación
		Acetone OFBA Residues (3)	"
		Aminol Residues - (8) 37% Methyl Amine 3% Muriatic Acid 35% Methanol 26% Residues	Biodegradación
		Amination Residues - (10) 81% Methylene Chloride 8% Ammonia 11% Toluene	Biodegradación
Union Carbide Caribe, Inc. (Emulsion Plant)	117 drones/55 gals.	Resina sintética (Latex) 100% Styrene Monomer, Inhibited 100%	Relleno Industrial
Life Savers Manufacturing, Inc.	60 drones/55 gals. 3,135 galones	Chlorothene N. U. 1,1,1, Thrichloretane Aceite Motor Usado Base goma mascar en solución Benzeno Xyleno Varsol-Shellsol Acido acético glacial	Biodegradación
Caribbean Gulf Refining	144,400 galones	Lodo aceitoso (hidrocarburos pesados)	Biodegradación

Western Fher Laboratories, Inc.	4,400 galones	Res. Monochlor Recovery Res. Diethanolamine Recovery	Biodegradación
Colorcon, Puerto Rico, Inc.	49,500 galones	Biochemical Oxygen Demand (430 mg./liter) Chemcical Oxygen Demand (1,386 mg./liter) Color (2,000 Pt-Co C.U.) Oil & Grease (5.8 mg./liter)	Biodegradación
Productos Circuitos de P. R.	11 drones/55 gals.	Sludge from treatment water Spent etchant	Relleno Industrial Biodegradación

(1) [illegible]

(2) No [illegible]

(3) [illegible]

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Andrea Leshak
Assistant Regional Counsel
New York Caribbean Superfund Branch
U.S. Environmental Protection Agency, Region 2
290 Broadway, 17th Floor
New York, New York 10007

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1. Article Addressed to:

Mr. Miguel Centeno, President
Roche Products Inc.
P.O. Box 7085
Ponce, PR 00732

9590 9402 3172 7166 3951 43

2. Article Number *(Transfer from service label)*

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