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January 8, 2010

Craig Whitenack, Civil Investigator
United States Environmental Protection Agency
Region IX, Southern California Field Office
600 Wilshire Avenue, Suite 1420
Los Angeles, California 90017

Re: Yosemite Creek Superfund Site, San Francisco, CA
Response to 104(e) Information Request

This letter responds to the October 15, 2009 request for information ("RFI") of the United States Environmental Protection Agency ("EPA") to Reichhold, Inc.("Reichhold") with regard to the Yosemite Creek Superfund Site (the "Site").

As a preliminary matter, let me note that your letter of said date was not sent directly to either of the recipients noted on the letter. Nevertheless, subject to both the general and specific objections noted below, and without waiving these or other available objections or privileges, Reichhold submits the following in response to the RFI and in accordance with the January 11, 2010 due date established for this response by EPA and counsel for the BAD Site (as defined below) PRP Group; Nicholas van Aelstyn.

In 1992 in response to an investigation by the California Department of Toxic Substances Control ("DTSC"), Reichhold conducted a review of its records and was unable to locate any information concerning a business relationship between Reichhold and the BAD Site. This information was transmitted to the DTSC via letter of June 22, 1992 from Albert Vickers, Reichhold's then-Director of Regulatory Affairs, a copy of which is attached hereto.

Additionally, in 2001, Reichhold entered into an "Internal Cash-Out and Indemnity Agreement between and amongst Certain Members of the Bay Area Drum Ad Hoc PRP Group" and Certain De Minimis PRP's. Consistent with that agreement, we understand that you have been advised that the Bay Area Drum Ad Hoc PRP's are providing Reichhold a defense to EPA's claims with respect to the Yosemite Creek Site. Reichhold's ability to respond to the RFI is limited by the fact that it was unable to locate records 17 years ago when first requested by the DTSC and its participation with respect to the BAD Site ended with the execution of the De Minimis Settlement Agreement.

Further, Reichhold is a very de minimis PRP in connection with the BAD Site and EPA policies and guidelines regarding this status should be considered prior to onerous discovery requests and burdens. In a good-faith attempt to comply with the RFI, Reichhold has again searched and has been unable to locate any information which would indicate that it had any business relationship with the BAD Site. Investigation is continuing.

GENERAL STATEMENT AND OBJECTIONS

In responding to the RFI, Reichhold has undertaken a diligent and good faith search for, and review of, documents and information in its possession, custody or control and that are relevant to this matter. However, the RFI purports to seek a great deal of information that is not relevant to the Site or alleged contamination at the Site. For example, while we understand the basis of inquiry regarding a PRP and the former Bay Area Drum State Superfund Site at 1212 Thomas Avenue in San Francisco, California (the "BAD Site"), certain RFI questions seek information regarding facilities other than the BAD Site, including *all* facilities in California and *all* facilities outside California that shipped drums or other containers to *any* location in the entire state of California. These other facilities throughout California and the United States have no nexus to the Site. Because such questions are not relevant to the Site, they are beyond the scope of EPA's authority as set forth in Section 104(e)(2)(A) of the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA") (EPA may request information "relevant to . . . [t]he identification, nature, and quantity of materials which have been . . . transported to a . . . facility").

The RFI also defined "COCs" as "any of the contaminants of concern at the Site and includes: lead, zinc, mercury, dichlorodiphenyltrichloroethane ("DDT"), chlordane, dieldrin, and polychlorinated biphenyls ("PCBs")." However, certain RFI requests also seek information regarding hazardous substances more broadly. These requests go beyond the specific chemicals for which EPA purports to have evidence of a release or threatened release to the environment at the Site and are not relevant to the Site pursuant to Section 104(e)(2)(A) of CERCLA.

As you know, the California Department of Toxic Substances Control ("DTSC") conducted an extensive investigation of the BAD Site and Reichhold's operations in connection with it. DTSC's investigation included an information request to Reichhold and the DTSC files include Reichhold's Response to DTSC's information request, among other documents. We understand that EPA is already in possession of DTSC's files regarding the BAD Site, and to the extent that EPA is not in possession of these files, they are readily available to EPA. Thus, the focus of Reichhold's identification, review and retrieval of documents has been upon data that has not been previously provided to EPA, DTSC or any other governmental agency that is relevant to the Site.

Reichhold asserts the following general privileges, protections and objections with respect to the RFI and each information request therein.

1. Reichhold asserts all privileges and protections it has in regard to the documents and other information sought by EPA, including the attorney-client privilege, the attorney work product doctrine, all privileges and protections related to materials generated in anticipation of litigation, the settlement communication protection, the confidential business information ("CBI") and trade secret protections, and any other privilege or protection available to it under law.

2. Reichhold objects to any requirement to produce documents or information already in the possession of a government agency, including but not limited to DTSC, or already in the public domain. As noted above, DTSC conducted an extensive investigation of the BAD Site and

Reichhold's operations in connection with it. DTSC's investigation included an information request to Reichhold and the DTSC files include Reichhold's Response to DTSC's information request. EPA is already in possession of DTSC's files regarding the BAD Site, and to the extent that EPA is not in possession of these files, they are readily available to EPA. Notwithstanding this objection, and without waiving it, Reichhold may produce certain information or documents in its possession, custody, or control that it previously provided to or obtained from government agencies that contain information responsive to the RFI.

3. Reichhold objects to Instruction 4 to the extent it seeks to require Reichhold, if information responsive to the RFI is not in its possession, custody, or control, to identify any and all persons from whom such information "may be obtained." Reichhold is aware of no obligation that it has under Section 104(e) of CERCLA to identify all other persons who may have information responsive to EPA information requests and is not otherwise in a position to identify all such persons who may have such information.

4. Reichhold objects to Instruction 5 on the ground that EPA has no authority to impose a continuing obligation on Reichhold to supplement these responses. Reichhold will, of course, comply with any lawful future requests that are within EPA's authority.

5. Reichhold objects to Instruction 6 in that it purports to require Reichhold to seek and collect information and documents in the possession, custody or control of individuals not within the custody or control of Reichhold. EPA lacks the authority to require Reichhold to seek information not in its possession, custody or control.

6. Reichhold objects to the RFI's definition of "document" or "documents" in Definition 3 to the extent it extends to documents not in Reichhold's possession, custody, or control. Reichhold disclaims any responsibility to search for, locate, and provide EPA copies of any documents "known [by Reichhold] to exist" but not in Reichhold's possession, custody, or control.

7. Reichhold objects to the RFI's definition of "Facility" or "Facilities" in Definition 4 because the terms are overbroad to the extent that they extend to facilities with no connection to either the Site or the BAD Site. Moreover, the term "Facilities" as defined in the RFI is confusing and unintelligible as the term is defined as having separate meanings in Definition 4 and Request No. 3.

8. Reichhold objects to the definition of "Respondent," "you", "the company", "your", and "your company" in Definition 14 because the terms are overbroad and it is not possible for to answer questions on behalf of all the persons and entities identified therein. Notwithstanding this objection, and without waiving it, Reichhold has undertaken a diligent and good faith effort to locate and furnish documents and information in its possession, custody, and control that are responsive to the RFI.

RESPONSES TO OCTOBER 15, 2009 EPA INFORMATION REQUESTS

1. *Describe generally the nature of the business conducted by Respondent and identify the products manufactured, formulated, or prepared by Respondent throughout its history of operations.*

RESPONSE:

In addition to the General Objections set forth above, Reichhold objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Identifying each of the products manufactured by Reichhold is not feasible due to the scope of products manufactured at various times over the company's 100 plus year history in one form, or another.

2. *Provide the name (or other identifier) and address of any facilities where Respondent carried out operations between 1940 and 1988 (the "Relevant Time Period") and that:*

a. *ever shipped drums or other containers to the BAD Site for recycling, cleaning, reuse, disposal, or sale.*

b. *are/were located in California (excluding locations where ONLY clerical/office work was performed);*

c. *are/were located outside of California and shipped any drums or other containers to California for recycling, cleaning, reuse, disposal, or sale (for drums and containers that were shipped to California for sale, include in your response only transactions where the drums and containers themselves were an object of the sale, not transactions where the sole object of the sale was useful product contained in a drum or other container).*

RESPONSE:

In addition to the General Objections set forth above, Reichhold objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. As stated in the RFI, "EPA is seeking to identify parties that have or may have contributed to contamination at the Site." However, in addition to facilities with a connection to the BAD Site, Request No. 2 purports to also seek information regarding *any* facility located in California (excluding locations where ONLY clerical/office work was performed) and *any* facility located outside of California that shipped drums or other containers to *any* location in California, even to locations other than the BAD Site. These other facilities have no nexus with the BAD Site, and thus this request seeks information that is not relevant to the Site.

Notwithstanding the foregoing, and without any waiver of its objections, Reichhold responds that it previously operated two facilities in the Northern California area that have been alleged to have a connection with the BAD Site. The first, is a facility in San Carlos, California that was acquired from NL Industries in August of 1989 as part of Reichhold's purchase of certain assets of NL's Spencer Kellogg coating resin business. The property on which the plant was located was leased from Marshall F. Hughes and Bruce Beerman. Reichhold operated this

facility for only a brief period of time, ceasing manufacturing operations in 1991. During this brief period of time, it manufactured various coating resins. The San Carlos location was alleged by PRP's at the BAD Site, to have a nexus with the BAD Site but this was during a time period prior to Reichhold's operations at the property and would be the responsibility (if said responsibility even exists) of prior owners/operators. Reichhold is informed and believes that the BAD Site was closed in 1987, which is consistent with the prior 1992 DTSC request in relating to operations at the BAD Site covering the time period of 1948-1987. In 1997, a closure letter and closure summary respecting the San Carlos facility was issued by the San Francisco Regional Water Quality Control Board; those documents are attached hereto.

The second facility was located at 120 South Linden Avenue in South San Francisco. Reichhold operated that facility from approximately 1943until it closed in 1983. It was thereafter sold to Welch, Marelich in August of 1984. Reichhold manufactured various resins designed for use as surface coatings at this location. The Site received a Closure letter from the California Department of Health Services in 1985. A review of records conducted by Reichhold in 1992 in response to the investigation of the DTSC, revealed that it was unable to locate any information that indicated any business relationship with the Bay Area Drum Company, Inc; operator of the BAD Site. Investigation is continuing.

3. *Provide a brief description of the nature of Respondent's operations at each Facility identified in your response to Question 2 (the "Facilities") including:*

a. *the date such operations commenced and concluded; and*

b. *the types of work performed at each location over time, including but not limited to the industrial, chemical, or institutional processes undertaken at each location.*

RESPONSE:

In addition to the General Objections set forth above, Reichhold objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. In particular, but without limiting the generality of the foregoing objection, Reichhold objects to the request in (b.) that it describe "types of work performed at each location over time . . . ." Without identification by EPA of the types of work it is referring to, it would be virtually impossible, given the broad nature of possible work at various facilities, to describe each and every type of work that was performed at any facility. To the extent that EPA seeks information about facilities that have no nexus with the BAD Site, this request is not relevant to the Site.

Notwithstanding the foregoing, and without any waiver of its objections, Reichhold has been unable to locate any documents indicating a business relationship with the operator of the BAD Site. Investigation is continuing.

4. *For each Facility, describe the types of records regarding the storage, production, purchasing, and use of Substances of Interest ("SOI") during the Relevant Time Period that still exist and the periods of time covered by each type of record.*

RESPONSE:

In addition to the General Objections set forth above, Reichhold objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome to the extent it seeks to require Reichhold to describe "types of records." Where documents have been provided in response to this RFI, each and every document regarding SOIs is not also "identified" by describing its contents. Reichhold further objects to Request No. 4 as it purports to seek information relating to hazardous substances beyond the specific chemicals for which EPA purports to have evidence of a release or threatened release to the environment at the Site and that is not relevant to the Site.

Notwithstanding the foregoing, and without any waiver of its objections, see response to Request No. 2.

5. *Did Respondent ever (not just during the Relevant Time Period) produce, purchase, use, or store one of the COCs (including any substances or wastes containing the COCs) at any of the Facilities? State the factual basis for your response.*

RESPONSE:

In addition to the General Objections set forth above, Reichhold objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. By removing any temporal limit and any nexus between COCs at Reichhold's Facilities and the BAD Site, Request No. 5 purports to seek information relating to Reichhold's Facilities that is not relevant to contamination at the Site. See Response to Request No. 2.

6. *If the answer to Question 5 is yes, identify each COC produced, purchased, used, or stored at each Facility.*

RESPONSE:

See Responses to Request No. 2 and 5.

7. *If the answer to Question 5 is yes, identify the time period during which each COC was produced, purchased, used, or stored at each Facility.*

RESPONSE:

See Responses to Request No. 2 and 5.

8. *If the answer to Question 5 is yes, identify the average annual quantity of each COC produced, purchased, used, or stored at each Facility.*

RESPONSE:

See Responses to Request No. 2 and 5.

9. *If the answer to Question 5 is yes, identify the volume of each COC disposed by the Facility annually and describe the method and location of disposal.*

RESPONSE:

See Responses to Request No. 2 and 5.

10. *Did Respondent ever (not just during the Relevant Time Period) produce, purchase, use, or store hydraulic oil or transformer oil at any of the Facilities? State the factual basis for your response to this question.*

RESPONSE:

In addition to the General Objections set forth above, Reichhold objects to this request as overbroad in scope, unauthorized by law to the extent that it is overbroad, and unduly burdensome. By removing any temporal limit and any nexus between hydraulic fuel or transformer oil at Reichhold's facilities and the BAD Site, Request No. 10 purports to seek information that is not relevant to contamination at the Site. See Responses to Request No. 2 and 5.

11. *If the answer to Question 10 is yes, identify each specific type of hydraulic oil and transformer oil produced, purchased, used, or stored at each Facility.*

RESPONSE:

See Responses to Request No. 2, 5 and 10.

12. *If the answer to Question 10 is yes, identify the time period during which each type of hydraulic oil and transformer oil was produced, purchased, used, or stored.*

RESPONSE:

See Responses to Request No. 2, 5 and 10.

13. *If the answer to Question 10 is yes, identify the average annual quantity of each type hydraulic oil and transformer oil purchased, produced, used, or stored at each Facility.*

RESPONSE:

See Responses to Request No. 2, 5 and 10.

14. *If the answer to Question 10 is yes, identify the volume of each hydraulic oil and transformer oil disposed by the Facility annually and describe the method and location of disposal.*

RESPONSE:

See Responses to Request No. 2, 5 and 10.

15. *Provide the following information for each SOI (SOIs include any substance or waste containing the SOI) identified in your responses to Questions 5 and 10:*

a. *Describe briefly the purpose for which each SOI was used at the Facility. If there was more than one use, describe each use and the time period for each use;*

b. *Identify the supplier(s) of the SOIs and the time period during which they supplied the SOIs, and provide copies of all contracts, service orders, shipping manifests, invoices, receipts, canceled checks and other documents pertaining to the procurement of the SOI;*

c. *State whether the SOIs were delivered to the Facility in bulk or in closed containers, and describe any changes in the method of delivery over time;*

d. *Describe how, where, when, and by whom the containers used to store the SOIs (or in which the SOIs were purchased) were cleaned, removed from the Facility, and/or disposed of, and describe any changes in cleaning, removal, or disposal practices over time.*

RESPONSE:

In addition to the General Objections set forth above, Reichhold objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Request No. 15 purports to seek information relating to Reichholds's Facilities that is not relevant to contamination at the Site. See Responses to Request No. 2, 5 and 10.

16. *For each SOI delivered to the Facilities in closed containers, describe the containers, including but not limited to:*

a. *the type of container (e.g. 55 gal. drum, tote, etc.);*

b. *whether the containers were new or used; and*

c. *if the containers were used, a description of the prior use of the container.*

RESPONSE:

In addition to the General Objections set forth above, Reichhold objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Request No. 16 purports to seek information relating to Reichhold's Facilities that is not relevant to contamination at the Site. See Responses to Request No. 2, 5 and 10.

17. *For each container that Respondent used to store a SOI or in which SOIs were purchased ("Substance-Holding Containers" or "SHCs") that was later removed from the Facility, provide a complete description of where the SHCs were sent and the circumstances under which the SHCs were removed from the Facility. Distinguish between the Relevant Time Period and the time period since 1988, and describe any changes in Respondent's practices over time.*

RESPONSE:

In addition to the General Objections set forth above, Reichhold objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Reichhold further objects to Request No. 17 as it assumes that each SHC is somehow individually identified, tracked, and used and reused by the same entity throughout the life of the SHC. There is no evidence that BAD operated in this way or that it tracked SHCs for its customers such that this information is available. Generally, SHCs, such as drums sent to drum reconditioners by a customer, are fungible commodities and are not individually tagged or tracked to ensure their return to that particular customer. Accordingly, Request No. 17 purports to seek information that does not exist.

Reichhold further objects to Request No. 17 as it purports to seek information relating to hazardous substances beyond the specific chemicals for which EPA purports to have evidence of a release or threatened release to the environment at the Site and that is not relevant to the Site.

Additionally, as stated in the RFI, "EPA is seeking to identify parties that have or may have contributed to contamination at the Site." However, Request No. 17 purports to seek information regarding SHCs that were sent to sites other than the BAD Site. To the extent that EPA seeks information about facilities that have no nexus with the BAD Site, this request is not relevant to the Site.

Notwithstanding the foregoing, and without any waiver of its objections, Reichhold has been unable to locate any documents indicating a business relationship with the operator of the BAD Site. Investigation is continuing.

18. *For each SHC that was removed from the Facility, describe Respondent's contracts, agreements, or other arrangements under which SHCs were removed from the Facility, and identity all parties to each contract, agreement, or other arrangement described. Distinguish between the Relevant Time Period and the time period since 1988.*

RESPONSE:

In addition to the General Objections set forth above, Reichhold objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. As stated in the RFI, "EPA is seeking to identify parties that have or may have contributed to contamination at the Site." However, Request No. 18 purports to seek information regarding SHCs that were sent to sites other then the BAD Site. To the extent that EPA seeks information about facilities that have no nexus with the BAD Site, this request is not relevant to the Site.

Notwithstanding the foregoing, and without any waiver of its objections, Reichhold has been unable to locate any documents indicating a business relationship with the operator of the BAD Site. Investigation is continuing.

19. *For each SHC, provide a complete explanation regarding the ownership of the SHC prior to delivery, while onsite, and after it was removed from the Facility. Distinguish between the Relevant Time Period and the time period since 1988, and describe any changes in Respondent's practices over time.*

RESPONSE:

In addition to the General Objections set forth above, Reichhold objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Reichhold further objects to Request No. 19 as it assumes that each SHC is somehow individually identified, tracked, and used and reused by the same entity throughout the life of the SHC. There is no evidence that BAD operated in this way or that it tracked SHCs for its customers such that this information is available. Generally, SHCs, such as drums sent to drum reconditioners by a customer, are fungible commodities and are not individually tagged or tracked to ensure their return to that particular customer. Accordingly, Request No. 19 purports to seek information that does not exist. As stated in the RFI, "EPA is seeking to identify parties that have or may have contributed to contamination at the Site." However, Request No. 18 purports to seek information regarding SHCs that were sent to sites other then the BAD Site.

Notwithstanding the foregoing, and without any waiver of its objections, Reichhold has been unable to locate any documents indicating a business relationship with the operator of the BAD Site. Investigation is continuing. See Response to Request No. 2.

20. *Identify all individuals who currently have, and those who have had, responsibility for procurement of Materials at the Facilities. Also provide each individual's job title, duties, dates performing those duties, current position or the date of the individual's resignation, and the nature of the information possessed by each individual concerning Respondent's procurement of Materials.*

RESPONSE:

In addition to the General Objections set forth above, Reichhold objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Request No. 20 purports to seek information relating to Reichhold's Facilities that is not relevant to contamination at the Site. Reichhold further objects to Request No. 20 as it purports to seek information regarding procurement of "Materials" at facilities other than the BAD Site and thus goes beyond the specific chemicals for which EPA purports to have evidence of a release or threatened release to the environment.

21. *Describe how each type of waste containing any SOIs was collected and stored at the Facilities prior to disposal/recycling/sale/transport, including:*

a. *the type of container in which each type of waste was placed/stored;*

b. *how frequently each type of waste was removed from the Facility; Distinguish between the Relevant Time Period and the time period since 1988, and describe any changes in Respondent's practices over time.*

RESPONSE:

In addition to the General Objections set forth above, Reichhold objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. As stated in the RFI, "EPA is seeking to identify parties that have or may have contributed to

contamination at the Site." However, Request No. 21 purports to seek information regarding collection and storage of "any SOIs" at facilities other than the BAD Site. To the extent that EPA seeks information about facilities that have no nexus with the BAD Site, this request is not relevant to the Site. See Response to Request No. 2.

22. *Describe the containers used to remove each type of waste containing any SOIs from the Facilities, including but not limited to:*

a. *the type of container (e.g. 55 gal. drum, dumpster, etc.);*

b. *the colors of the containers;*

c. *any distinctive stripes or other markings on those containers;*

d. *any labels or writing on those containers (including the content of those labels);*

e. *whether those containers were new or used; and*

f. *if those containers were used, a description of the prior use of the container;*

Distinguish between the Relevant Time Period and the time period since 1988, and describe any changes in Respondent's practices over time.

RESPONSE:

In addition to the General Objections set forth above, Reichhold objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Reichhold further objects to Request No. 22 as it assumes that each SHC is somehow individually identified, tracked, and used and reused by the same entity throughout the life of the SHC. There is no evidence that BAD operated in this way or that it tracked SHCs for its customers such that this information is available. Generally, SHCs, such as drums sent to drum reconditioners by a customer, are fungible commodities and are not individually tagged or tracked to ensure their return to that particular customer. Accordingly, Request No. 22 purports to seek information that does not exist.

As stated in the RFI, "EPA is seeking to identify parties that have or may have contributed to contamination at the Site." Moreover, the RFI defined "COCs" as "any of the contaminants of concern at the Site and includes: lead, zinc, mercury, DDT, chlordane, dieldrin, and PCBs. Reichhold further objects to Request No. 22 as it purports to seek information relating to hazardous substances beyond the specific chemicals for which EPA purports to have evidence of a release or threatened release to the environment at the Site and that is not relevant to the Site. Additionally, Reichhold objects to Request No. 22 as it purports to seek information regarding containers used to remove each type of waste containing any SOIs from the Facilities and taken to *any* other place during *any* time. To the extent that EPA seeks information about facilities that have no nexus with the BAD Site, this request is not relevant to the Site.

Notwithstanding the foregoing, and without any waiver of its objections, Reichhold has been unable to locate any documents indicating a business relationship with the operator of the BAD Site. Investigation is continuing. See Response to Request No.2.

23. *For each type of waste generated at the Facilities that contained any of the SOIs, describe Respondent's contracts, agreements, or other arrangements for its disposal, treatment, or recycling and identify all parties to each contract, agreement, or other arrangement described. State the ownership of waste containers as specified under each contract, agreement, or other arrangement described and the ultimate destination or use for such containers. Distinguish between the Relevant Time Period and the time period since 1988, and describe any changes in Respondent's practices over time.*

RESPONSE:

In addition to the General Objections set forth above, Reichhold objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. As stated in the RFI, "EPA is seeking to identify parties that have or may have contributed to contamination at the Site." Moreover, the RFI defined "COCs" as "any of the contaminants of concern at the Site and includes: lead, zinc, mercury, DDT, chlordane, dieldrin, and PCBs. Reichhold further objects to Request No. 23 as it purports to seek information relating to hazardous substances beyond the specific chemicals for which EPA purports to have evidence of a release or threatened release to the environment at the Site and that is not relevant to the Site. Additionally, Reichhold objects to Request No. 23 as it purports to seek information regarding waste generated at any Facilities that contained any SOIs and taken to *any* other place during *any* time. To the extent that EPA seeks information about facilities that have no nexus with the BAD Site, this request is not relevant to the Site.

Notwithstanding the foregoing, and without any waiver of its objections, Reichhold has been unable to locate any documents indicating a business relationship with the operator of the BAD Site. Investigation is continuing. See Response to Request No. 2.

24. *Identify all individuals who currently have, and those who have had, responsibility for Respondent's environmental matters (including responsibility for the disposal, treatment, storage, recycling, or sale of Respondent's wastes and SHCs). Provide the job title, duties, dates performing those duties, supervisors for those duties, current position or the date of the individual's resignation, and the nature of the information possessed by such individuals concerning Respondent's waste management.*

RESPONSE:

In addition to the General Objections set forth above, Reichhold objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Identifying all individuals who currently have, and those who have had, responsibility for Reichhold's environmental matters at all of Reichhold's Facilities, including those that have no nexus to the BAD Site, is not feasible due to the long history of its operations and the number of locations over the course of many years.

25. *Did Respondent ever purchase drums or other containers from a drum recycler or drum reconditioner? If yes, identify the entities or individuals from which Respondent acquired such drums or containers.*

RESPONSE:

In addition to the General Objections set forth above, Reichhold objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Identifying all drum recyclers or drum reconditioners from which Reichhold has ever acquired such drums or containers is not feasible due to the long history of its operations and the number of locations over the course of many years.

26. *Prior to 1988, did Respondent always keep its waste streams that contained SOIs separate from its other waste streams?*

RESPONSE:

In addition to the General Objections set forth above, Reichhold objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Reichhold further objects to Request No. 26 as it purports to seek information relating to hazardous substances beyond the specific chemicals for which EPA purports to have evidence of a release or threatened release to the environment at the Site and that is not relevant to the Site. Reichhold has a long history of operations at various sites around the world.

27. *Identify all removal and remedial actions conducted pursuant to the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. § 9601 et seq., or comparable state law; all corrective actions conducted pursuant to the Resource Conservation and Recovery Act, 42 U.S.C. § 6901 et seq.; and all cleanups conducted pursuant to the Toxic Substances Control Act, 15 U.S.C. § 2601 et seq. where (a) one of the COCs was addressed by the cleanup and (b) at which Respondent paid a portion of cleanup costs or performed work. Provide copies of all correspondence between Respondent and any federal or state government agency that (a) identifies a COC and (b) is related to one of the above-mentioned sites.*

RESPONSE:

In addition to the General Objections set forth above, Reichhold objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. As stated in the RFI, "EPA is seeking to identify parties that have or may have contributed to contamination at the Site." However, Request No. 27 purports to seek information regarding a broad range of removal and remedial actions, corrective actions and cleanups. Moreover, identifying all such removal and remedial actions is not feasible due to the long history of operations and the number of locations over many years. To the extent that EPA seeks information about facilities that have no nexus with the BAD Site, this request is not relevant to the Site. Reichhold further objects to Request No. 27 to the extent that EPA is already in possession of the requested documents, and to the extent that EPA is not in possession of these files, they are readily available to EPA.

28. *Provide all records of communication between Respondent and Bay Area Drum Company, Inc.; Meyers Drum Company; A.W. Sorich Bucket and Drum Company; Waymire Drum Company, Inc.; Waymire Drum and Barrel Company, Inc.; Bedini Barrels Inc.; Bedini Steel Drum Corp.; Bedini Drum; or any other person or entity that owned or operated the facility located at 1212 Thomas Avenue, in the City and County of San Francisco, California.*

RESPONSE:

In addition to the General Objections set forth above, Reichhold objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. DTSC conducted an extensive investigation of the BAD Site and Reichhold's operations in connection with it. DTSC's files include extensive records concerning the Bay Area Drum Company, Inc. and other persons and entities that owned or operated the facility located at 1212 Thomas Avenue, in the City and County of San Francisco, California. Reichhold understands that EPA is already in possession of DTSC's files regarding the BAD Site, and to the extent that EPA is not in possession of these files, they are readily available to EPA.

Notwithstanding the foregoing, and without any waiver of its objections, Reichhold has been unable to locate any documents indicating a business relationship with the operator of the BAD Site. Investigation is continuing. See Response to Request No. 2.

29. *Identify the time periods regarding which Respondent does not have any records regarding the SOIs that were produced, purchased, used, or stored at the Facilities.*

RESPONSE:

In addition to the General Objections set forth above, Reichhold objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. In responding to the RFI, Reichhold has undertaken a diligent and good faith search for, and review of, documents and information in its possession, custody or control and that are relevant to this matter. Moreover, Reichhold understands that EPA is already in possession of DTSC's files regarding the BAD Site. Reichhold is under no further obligation to identify time periods to which these documents do not pertain.

Notwithstanding the foregoing, and without any waiver of its objections, Reichhold has been unable to locate any documents indicating a business relationship with the operator of the BAD Site. Investigation is continuing. .

30. *Provide copies of all documents containing information responsive to the previous twenty-nine questions and identify the questions to which each document is responsive.*

RESPONSE:

Reichhold objects to Request No. 30 as it purports to seek information relating to hazardous substances beyond the specific chemicals for which EPA purports to have evidence of a release or threatened release to the environment at the Site and that is not relevant to the Site. Reichhold further objects to Request No. 30 as it purports to seek copies of documents containing information responsive to the previous twenty-nine questions. DTSC conducted an

extensive investigation of the BAD Site and Reichhold's operations in connection with it. DTSC's investigation included an information request to Reichhold and the DTSC files include Reichhold's Response to DTSC's information request, among other documents. We understand that EPA is already in possession of DTSC's files regarding the BAD Site, and to the extent that EPA is not in possession of these files, they are readily available to EPA.

As noted earlier, Reichhold has been unable to locate any documents that would indicate any business relationship with the Bay Area Drum Company, Inc. Any questions EPA may have regarding the responses to these information requests may be directed to the undersigned.

Very truly yours,

MILLHOUSE LAW GROUP

KEITH F. MILLHOUSE

Reichhold Chemicals, Inc.
Corporate Headquarters
P.O. Box 13582
Research Triangle Park, NC 27709-3582

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

June 22, 1992

JUN 2 8 1992

REICHHOLD

Ms. Monica Gan
Staff Services Analyst
Cal-EPA,. Dept. of Toxic Substances Control
700 Heinz Ave. Bldg. F
Berkeley, CA 94710

RE: REQUEST FOR INFORMATION IN THE MATTER OF BAY AREA DRUM CO.

Dear Ms. Gan:

This letter is in response to your letter dated May 22, 1992, sent to Mr. Thomas Mitchell at his home address and received by Reichhold Chemicals on June 5, 1992. a response to your letter was required within 30 days of the date of the letter. Please note for future reference that Mr. Mitchell has retired and is no longer President of Reichhold.

You indicate in your letter that drums may have been sent to the BADC site between 1948 - 1987. After searching through remaining records from Reichhold's South San Francisco facility and Reichhold Chemicals' San Carlos facility, we have been unable to locate any information regarding any past business relationship with the Bay Area Drum Company Site. For your information, Reichhold purchased certain assets in 1989 from NL Spencer Kellogg, Inc. which included the plant and equipment located in San Carlos. In addition, Reichhold's South San Francisco facility was sold in 1984. Reichhold will supplement this response as appropriate should further information become available.

We hereby request copies of any and all records or other documents pertaining to Reichhold Chemicals or Reichhold Chemicals/Spencer Kellogg in the possession of the State of California EPA or any of their contractors or consultants with respect to the Site. In addition, we ask that any future communications with Reichhold with respect to the Site be directed to my attention at the address above.

Very truly yours,

Albert F. Vickers, Ph.D., PE
Director, Regulatory Affairs

AFV:sdr
Tel: (919) 990-7500
Fax: (919) 990-7711

Cal/EPA

San Francisco Bay Regional Water Quality Control Board

2101 Webster Street
Suite 500
Oakland, CA 94612
(510) 286-1255
FAX (510) 286-1380

Pete Wilson
Governor

Date: APR 16 1997
File No. 2223.08 (RAD)
RB File No. 41-0072

Mr. Marshall Hughes
430 Nottingham Drive
Paradise, CA 95969-3701

Subject: Transmittal of the Closure Letter and Site Closure Summary for Former Reichold Chemicals, Inc. Facility
952 Bransten Road, San Carlos, San Mateo County

Dear Mr. Hughes:

Attached please find the uniform underground storage tank closure letter and the site closure summary form for the subject site.

Monitoring wells that will no longer be used should be properly destroyed pursuant to San Mateo County monitoring well abandonment guidelines. Please contact Rico Duazo of my staff at (510) 286-0837 if you have any questions regarding this matter.

Sincerely,

Loretta K. Barsamian
Executive Officer

Stephen I. Morse
Chief, Toxics Division

Enclosure: Closure Letter
Site Closure Summary

cc w/att: Dave Deaner & Mike Harper, SWRCB
Diane Mims, RWQCB
Mailing List

Reichold Chemicals, Inc.
Mailing List

Alan Jeroue
Reichold Chemicals, Inc.
3320 Lincoln Avenue
Tacoma, WA 98421

Vito Longo
839 Industrial Way
San Carlos, CA 94070

Bob Herd
Carrick & English
360 Primrose Road
Burlingame, CA 94010

Sabrina Mih
San Mateo County DHS
590 Hamilton Street
Redwood City, CA 94063

Cal/EPA

San Francisco Bay Regional Water Quality Control Board

2101 Webster Street
Suite 500
Oakland, CA 94612
(510) 286-1255
FAX (510) 286-1380

Pete Wilson
Governor

Date: APR 16 1997
File No. 2223.08 (RAD)
RB File No. 41-0072

Mr. Marshall Hughes
430 Nottingham Drive
Paradise, CA 95969-3701

Subject: Closure Letter for
Former Reichold Chemicals, Inc. Facility
952 Bransten Road, San Carlos, CA

Dear Mr. Hughes:

This letter confirms the completion of site investigation and remedial action for the underground storage tank(s) formerly located at the above described location. Thank you for your cooperation throughout this investigation. Your willingness and promptness in responding to our inquiries concerning the former underground storage tank(s) are greatly appreciated.

Based on the information in the above-referenced file and with the provision that the information provided to this agency was accurate and representative of site conditions, no further action related to the underground tank release is required.

The notice is issued pursuant to a regulation contained in Section 2721 (e) of Title 23 of the California Code of Regulations.

Please contact our office if you have any questions regarding this matter.

Sincerely,

for Loretta K. Barsamian,
Executive Officer.

SITE CLOSURE SUMMARY

I. AGENCY INFORMATION

Date: April 11, 1997

Agency Name: S.F.B.R.W.Q.C.B.	Address: 2101 Webster Street
City/State/Zip: Oakland, CA 94612	Phone: (510) 286-1255
Responsible Staff Person: Rico A. Duazo	Title: Assoc. WRCE

II. SITE INFORMATION

Site Facility Name: Former Reichold Chemicals, Inc. Facility		
Site Facility Address: 956 Bransten Way, San Carlos, San mateo County		
RB/SMS Case No.: 41S0072	Local or LOP Case No.:	Priority: C2
URF Filing Date:	SWEEPS No.:	

Responsible Party	Addresses	Phone Numbers
Marshall Hughes	430 Nottingham Drive Paradise, CA 95969-3701	(916) 877-6926

Tank No.	Size in Gallons	Contents	Closed In—Place/Removed?	Date
N/A	500	Gasoline	Removed	7/87
N/A	5,000	Diesel Fuel	Removed	1/87
	10,000	Xylene	Removed	7/97
	3 @ 10,000	Naptha/Mineral Spirits	Removed	1/87

III. RELEASE AND SITE CHARACTERIZATION INFORMATION

Cause and Type of Release: Unknown		
Site characterization complete? Yes	Date Approved By Oversight Agency:	
Monitoring wells installed? Yes	Number: 6	Proper screened interval? Yes
Highest GW Depth Below Ground Surface: 4 ft	Lowest Depth: 7 ft	Flow Direction: North-northeast
Most Sensitive Current Use: Potential drinking water		
Are drinking water wells affected? No	Aquifer Name: South Bay Basin	
Is surface water affected? No	Nearest/Affected SW Name: San Francisco Bay	
Off-Site Beneficial Use Impacts (Addresses/Locations): None		
Report(s) on file? Yes	Where is report(s) filed? RWQCB Office	

TREATMENT AND DISPOSAL OF AFFECTED MATERIAL			
Material	**Amount (Include Units)**	**Action (Treatment or Disposal w/Destination)**	**Date**
Tank	One 500 gal One 5000 gal Four 10,000 gal	Disposal, destination not reported	July 87 January 87 January 87
Piping	Not reported		
Free Product	N/A		
Soil	60 yards (Approx.)	Disposal, destination not reported	July 87
Groundwater	30 gallons (Approx.)	Disposal of purged water and well development water	February 89
Barrels	N/A		

MAXIMUM DOCUMENTED POLLUTANT CONCENTRATIONS—BEFORE AND AFTER CLEANUP

POLLUTANT	Soil (ppm)		Water (ppb)		POLLUTANT	Soil (ppm)		Water (ppb)	
	Before	**After**	**Before**	**After**		**Before**	**After**	**Before**	**After**
TPH	800	<1	5,700	160	PCE	<50	<0.1	5.3	30
Benzene	1.8	<0.3	110	15	TCE	<50	<0.5	3.2	12
Toluene	2.4	<0.2	570	5.5	1,1-DCA	<50	<0.5	27	0.7
Xylene	140	<0.2	8000	200					
Ethylbenzene	110	<0.2	740	600					

Description of Interim Remedial Activities: Remove tanks, excavate soil to 10 feet below ground surface

IV. CLOSURE

Does completed corrective action protect existing beneficial uses per the Regional Board Basin Plan? Yes		
Does completed corrective action protect potential beneficial uses per the Regional Board Basin Plan? Yes		
Does corrective action protect public health for current land use? Yes		
Site Management Requirements: None		
Monitoring Wells Decommissioned: No	Number Decommissioned: N/A	Number Retained: 1
List Enforcement Actions Taken: None		
List Enforcement Actions Rescinded: None		

V. TECHNICAL REPORTS, CORRESPONDENCE ETC., THAT THIS CLOSURE RECOMMENDATION WAS BASED UPON

"Shallow Groundwater Investogation to Assess the Lateral Extent of Volatile Organic Compound in Shallow Soils and Groundwater at the Spencer-Kellog Facility, San Carlos, Californai"	9/26/88
"Phase II Hydrogeologocal Investigation, Spencer-Kellog Facility, San Carlos, California"	1/12/90
"Closure Plan, Reichold Chemicals, Inc., San Carlos Facility"	4/94
"Certification of Closure, Reichold Chemicals, Inc., San Carlos Facility"	12/94
"Sampling/Analysis of Monitoring Wells LF-1, LF-2, LF-3, and LF-4, 956 Bransten Road, San Carlos"	2/12/97

VI. ADDITIONAL COMMENTS, DATA, ETC.

PLEASE INCLUDE/ATTACH THE FOLLOWING AS APPROPRIATE:

1) SITE MAP INDICATING TANK PIT LOCATION, MONITORING WELL LOCATION, GROUNDWATER GRADIENT, ETC.; AND,

2) SITE COMMENTS WORTHY OF NOTICE (E.G., AREA OF RESIDUAL POLLUTION LEFT IN PLACE, DEED NOTICES ETC.)

Site activities conducted at this site included excavation, soil sampling, backfilling, well installation, and ground water monitoring. By excavating about 60 cubic yards of soil, the source of the contamination has been removed.

Based upon groundwater monitoring results, Board staff concludes that a continuing threat to groundwater, human health, and the environment from residual petroleum hydrocarbons does not exist at the site.

Groundwater VOC (PCE, TCE, DCA) contamination did not originate from the USTs. No other spills, leaks, or accidents are known to have occurred at the site. Investigations at California Oil Recyclers, Inc. site directly upgradient have shown contaminants similar to those found in monitoring well LF-4. Cleanup of VOC contamination will be directed under DTSC oversight.

This document and the related CASE CLOSURE LETTER, shall be retained by the lead agency as part of the official site file.

Other CBI

0 35 70 105 Feet

Approximate Scale

Figure 3-1

Former Underground tank and Monitoring Well Locations

Project No. 1418

LEVINE • FRICKE