DONALD M. HOFFMAN
LAWRENCE F. MEYER
RAUL M. MONTES

GUY P. GREENWALD, JR.
(1914-1984)

GREENWALD, HOFFMAN, MEYER
& MONTES, LLP
ATTORNEYS AT LAW
500 NORTH BRAND BOULEVARD, SUITE 920
GLENDALE, CALIFORNIA 91203-1923

TELEPHONE
(818) 507-8100
(213) 381-1131
FACSIMILE
(818) 507-8484

February 9, 2011

Michael Massey, Esq.
Office of the Regional Counsel
U.S. EPA Region 9, ORC-3
75 Hawthorne Street
San Francisco, CA 94105

Kim Muratore, Case Developer
Cost Recovery & Case Development Section
Superfund Division, EPA Region 9
75 Hawthorne Street
San Francisco, CA 94105

Re: Supplemental Information Request Letter for the San Fernando Valley North Hollywood Superfund Site, North Hollywood, California

Dear Mr. Massey and Ms. Muratore:

In response to the information request dated December 8, 2010, directed to Robert M. McAllister, Los Angeles By-Products Co. submits the preliminary information, together with continuing general objections, which are attached hereto and made a part hereof.

As stated herein, Los Angeles By-Products Co. has not occupied the subject property (Victory-Vineland) since 1955 (56 years ago). There have been many subsequent owners and operators who should be subjected to a 104(e) request. The person most knowledgeable is Robert M. McAllister, the current President of Los Angeles By-Products Co.

Greenwald, Hoffman, Meyer & Montes, LLP

By: _____
Lawrence F. Meyer

LFM/bjh

Attachment as noted

General Objections To Supplemental Information Request Letter for the San Fernando Valley, North Hollywood Superfund Site North Hollywood California (104(e)) And to Definitions Applicable to Appendix B; to Enclosure B: Information Request and To All Contents Therein

"The Company" (as defined by EPA) and "Responding Party" shall be used interchangeably herein. Responding Party hereby raises a continuing objection to each and every Request for Information ("Request") contained in December 8, 2010 Supplemental Information Request Letter for the San Fernando Valley/North Hollywood Superfund site. Rather than repeat each objection request, Responding Party objects on the following grounds, including but not limited to, the Requests are overly broad; not reasonably limited in scope and time; are vague, ambiguous and uncertain, lack reasonable particularity; are burdensome and oppressive; and have been previously asked and answered. Responding Party hereby reserves its right to raise other objections, including but not limited to attorney-client privilege, attorney work-products doctrine and any other privileges, to the fullest extent provided by law.

Responding Party reserves the right to challenge constitutionality and/or legality of each and every Request contained therein.

Responding Party is presently not engaged in litigation with EPA, and therefore these responses are made without prejudice to Responding Party's rights to present additional documents in the future, whether it be prior to any litigation and/or further proceedings in this action or as evidence at trial.

Responding Party, while complying with EPA's timetables, has not had the opportunity for conferring, adjudicating or otherwise limiting and/or modifying any of the Requests. Therefore, further investigation and/or discovery may lead to additions to, changes in and variations from the responses herein set forth. The responses are given without prejudice to Responding Party's ability to produce evidence of any subsequently discovered documents or facts and to change any and all responses herein, and/or to seek any limitations, challenges and/or modifications of each and every Request. Responding Party also reserves its rights to challenge any and all Requests on privacy and/or confidentiality grounds at any time herein. Such reservations and challenges are applicable to the "Definitions applicable to Appendix D".

These General Objections are applicable to any and all Responses submitted to the EPA by Responding Party, including its previous Responses.

If Responding Party becomes a defendant or party to any future litigation, Responding Party reserves its rights to seek any protective orders, modification orders and /or any available protections with regard to each and every Request.

Responses to December 8, 2010, Supplemental Information Request from EPA

1. The Company objects to Request No. 1 on the following grounds: Attachment 1 assumes facts not in evidence and lacks foundation. The Company has no knowledge that Attachment 1 represents reports and studies regarding the subject property.

The Company is presently not in possession of a 1988 Solid Waste Assessment Test ("SWAT") and/or any supplemental SWAT reports. No governmental agency required the Company to submit a SWAT for the subject property. From the Company's preliminary investigation it appears that there are public agency records available to EPA for the subject property. These public records are more accessible (or at least equally accessible) to EPA than to the Company. It is highly burdensome, oppressive and constitutes harassment to have the Company undertake the duties and responsibilities of EPA in conducting an investigation, especially since the Company has not been a lessee of the subject property **since 1955 (over fifty years).** There are more recent and knowledgeable parties (owners, operators and lessees) who should be subjected to this 104(e) request. Thus, the Company objects on all of the aforementioned grounds contained herein.

a. The Company has no knowledge regarding the contents of Attachment 1, their authenticity and or completeness. EPA has superior knowledge as to which public agency records are available. These public records are more accessible (or at least equally accessible) to EPA than to the Company. It is highly burdensome, oppressive and constitutes harassment to have the Company undertake the duties and responsibilities of EPA in conducting an investigation, especially since the Company has not been a lessee of the subject property **since 1955 (over fifty years).** There are more recent and knowledgeable parties (owners, operators and lessees) who should be subjected to this 104(e) request. Thus, the Company objects on all of the aforementioned grounds contained herein.

b. The Company has no knowledge whatsoever of any future sampling at the Facility. Again, the Company has not occupied the subject property since approximately 1955. These public records are more accessible (or at least equally accessible) to EPA than to the Company. It is highly burdensome, oppressive and constitutes harassment to have the Company undertake the duties and responsibilities of EPA in conducting an investigation, especially since the Company has not been a lessee of the subject property **since 1955 (over fifty years).** There are more recent and knowledgeable parties (owners, operators and lessees) who should be subjected to this 104(e) request. Thus, the Company objects on all of the aforementioned grounds contained herein.

2a. The Company has no knowledge of any of the specifics of the subject property. The Company objects on all aforementioned grounds including but not limited to the fact that the Company has not occupied the property in more than fifty years! There are owners and operators since 1955 more knowledgeable who should be subjected to a 104(e) investigation. The supplemental information request is for the purposes of harassment. These public records are more accessible (or at least equally accessible) to EPA than to the Company. It is highly burdensome, oppressive and constitutes harassment to have the Company undertake the duties and responsibilities of EPA in conducting an investigation, especially since the Company has not been a lessee of the subject property **since 1955 (over fifty years).** There are more recent and knowledgeable parties (owners, operators and lessees) who should be subjected to this 104(e) request. Thus, the Company objects on all of the aforementioned grounds contained herein.

2b. The Company has no knowledge of any of the specifics of the subject property. The Company objects on all aforementioned grounds including but not limited to the fact that the Company has not occupied the property in more than fifty years! There are owners and operators since 1955 more knowledgeable who should be subjected to a 104(e) investigation. The supplemental information request is for the purposes of harassment. These public records are more accessible (or at least equally accessible) to EPA than to the Company. It is highly burdensome, oppressive and constitutes harassment to have the Company undertake the duties and responsibilities of EPA in conducting an investigation, especially since the Company has not been a lessee of the subject property **since 1955 (over fifty years).** There are more recent and knowledgeable parties (owners, operators and lessees) who should be subjected to this 104(e) request. Thus, the Company objects on all of the aforementioned grounds contained herein.

2c. The Company has no knowledge of any of the specifics of the subject property. The Company objects on all aforementioned grounds including but not limited to the fact that the Company has not occupied the property in more than fifty years! There are owners and operators since 1955 more knowledgeable who should be subjected of a 104(e) investigation. The supplemental information request is for the purposes of harassment. These public records are more accessible (or at least equally accessible) to EPA than to the Company. It is highly burdensome, oppressive and constitutes harassment to have the Company undertake the duties and responsibilities of EPA in conducting an investigation, especially since the Company has not been a lessee of the subject property **since 1955 (over fifty years).** There are more recent and knowledgeable parties (owners, operators and lessees) who should be subjected to this 104(e) request. Thus, the Company objects on all of the aforementioned grounds contained herein.

2d. The Company has no knowledge of any of the specifics of the subject property. The Company objects on all aforementioned grounds including but not limited to the fact that the Company has not occupied the property in more than fifty years! There are owners and operators since 1955 more knowledgeable who should be subjected of a 104(e) investigation. The supplemental information request is for the purposes of harassment. These public records are more accessible (or at least equally accessible) to EPA than to the Company. It is highly burdensome, oppressive and constitutes harassment to have the Company undertake the duties and responsibilities of EPA in conducting an investigation, especially since the Company has not been a lessee of the subject property **since 1955 (over fifty years).** There are more recent and knowledgeable parties (owners, operators and lessees) who should be subjected to this 104(e) request. Thus, the Company objects on all of the aforementioned grounds contained herein.

3. The Company objects to "proposed soil or groundwater sampling at the Facility as "vague, ambiguous and uncertain and lacking foundation". The Company further objects on the grounds that "the proposed sampling was not conducted" is also vague, ambiguous, uncertain, lacks foundation and assumes facts in evidence. Notwithstanding these objections, the Company has no knowledge of any groundwater sampling. These public records are more accessible (or at least equally accessible) to EPA than to the Company. It is highly burdensome, oppressive and constitutes harassment to have the Company undertake the duties and responsibilities of EPA in conducting an investigation, especially since the Company has not been a lessee of the subject property **since 1955 (over fifty years).** There are more recent and knowledgeable parties (owners, operators and lessees) who should be subjected to this 104(e) request. Thus, the Company objects on all of the aforementioned grounds contained herein.

4. The Company's preliminary investigation has revealed no due diligence reports or property transfer assessments were commissioned by the Company or required by any local agency. The Company objects on the grounds that the request is vague, ambiguous and uncertain, assumes facts in evidence, lacks foundation, is burdensome, oppressive and constitutes harassment as EPA has access to all public information. These public records are more accessible (or at least equally accessible) to EPA than to the Company. It is highly burdensome, oppressive and constitutes harassment to have the Company undertake the duties and responsibilities of EPA in conducting an investigation, especially since the Company has not been a lessee of the subject property **since 1955 (over fifty years).** There are more recent and knowledgeable parties (owners, operators and lessees) who should be subjected to this 104(e) request. Thus, the Company objects on all of the aforementioned grounds contained herein.