UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733

APR 23 2013

CERCLA 104(e) INFORMATION REQUEST
URGENT LEGAL MATTER: PROMPT REPLY REQUESTED
CERTIFIED MAIL, RETURN RECEIPT REQUESTED #7010 2780 0002 4354 8139

ConocoPhillips
600 North Dairy Ashford
Houston, Texas 77252

Re: Wilcox Oil Superfund Site
Bristow, Creek County, Oklahoma

Dear Sir/Madam:

The U.S. Environmental Protection Agency (EPA) seeks cooperation from ConocoPhillips in providing information and documents relating to the Wilcox Oil Superfund Site (Site) in Bristow, Creek County, Oklahoma. Obtained information will aid the EPA in its investigation of the release or threat of release of certain hazardous substances, pollutants or contaminants at this Site. Your response will also help the EPA develop a better understanding of activities that occurred at the Site.

This information request is not a determination that you are responsible or potentially responsible for contamination that occurred at the Site. The EPA is sending this letter as part of its investigation of the Site and does not expect you to pay for or perform any site-related activities at this time. If the EPA determines that you are responsible or potentially responsible for response activities at the Site, you will receive a separate letter clearly stating such a determination as well as the EPA's basis for such determination.

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Section 104(e), 42 U.S.C. § 9604(e), gives the EPA the authority to require the respondent to respond to this information request (see Enclosure 1). We encourage you to give this matter your full attention, and we respectfully request you to respond to this request for information within thirty (30) days of receipt of this letter. You may designate another official with the requisite authority to respond on behalf of yourself. However, failure to respond to this information request may result in the EPA seeking penalties of up to $37,500 per day of violation. In addition, furnishing false, fictitious or fraudulent statements or representations is subject to criminal penalty under 18 U.S.C. § 1001.

Please provide a written response to Mr. Lance Nixon, Enforcement Officer, at the address included in the Information Request. Please refer to Enclosure 2 for important instructions and definitions and Enclosure 3 for specific questions that require your response to this Information Request.

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If you have any questions regarding this letter, contact Mr. Nixon at (214) 665-2203. For legal questions concerning this letter, please have your legal counsel contact Marvin Benton, at (214) 665-3190. Thank you for your attention to this matter.

Sincerely yours,

Wren Stenger, Associate Director
Technical and Enforcement Branch
Superfund Division

Enclosures (3)

ENCLOSURE 1

WILCOX OIL SUPERFUND SITE
INFORMATION REQUEST

RESPONSE TO INFORMATION REQUEST

Under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as the federal "Superfund" law, the U.S. Environmental Protection Agency (EPA) responds to the release or threat of release of hazardous substances, pollutants or contaminants into the environment to stop additional contamination and to clean-up or otherwise address any prior contamination.

The EPA is requesting information under CERCLA Section 104(e). Section 104(e) may be found in the United States Code (U.S.C.) at Title 42 Section (section is denoted by the symbol "§") 9604(e), 42 U.S.C. § 9604(e).

Pursuant to the authority of CERCLA §104(e), you are hereby requested to respond to the enclosed information request. If you have any questions concerning the **Wilcox Oil** Superfund Site (Site) or this information request letter, please contact Mr. Lance Nixon, the designated Enforcement Officer for the Site, at phone number (214) 665-2203, fax number (214) 665-6660, or via email at Nixon.lance@.epa.gov. Please mail your response within 30 calendar days of your receipt of this request to the following address:

Mr. Lance Nixon, Enforcement Officer
Superfund Enforcement Assessment Section (6SF-TE)
U.S. EPA, Region 6
1445 Ross Avenue
Dallas, TX 75202-2733

If you or your attorney has legal questions that pertain to this information letter request, please contact Marvin Benton at phone number (214) 665-3190, fax number (214) 665-6460 or via email at Benton.marvin@epa.gov. For contact via mail, use the following address:

Mr. Marvin Benton
Office of Regional Counsel (6RC-S)
U.S. EPA Region 6
1445 Ross Avenue
Dallas, Texas 75202-2733

BACKGROUND INFORMATION

The Site consists of the former Lorraine/Wilcox Refinery located in Bristow, Creek County, Oklahoma. The property was utilized by two different refineries with overlapping boundaries from 1915 to 1965. The Site includes remnants of former oil refining operations and tank farms. The Site has three major former operational areas and product storage areas. An active railroad divides the two former processing areas and product storage areas. Most of the refinery structures and tanks have been removed or are in ruins. The tank farm covers approximately 80 acres and has a number of refinery waste source areas of concern, including a backfilled oily waste pond, a breached settling pond, a backfilled oily waste pit, a former pond apparently backfilled with solid refinery waste, and a number of tank bottoms. The results of samples collected observed releases to shallow ground water, surface water, sediment and subsurface soils. The results indicated high concentration of petroleum hydrocarbons, lead, and poly aromatic hydrocarbons in oily waste at numerous locations on Site. There are high concentrations of lead throughout the Site. There are multiple areas of stressed vegetation, barren areas, and visible black tarry waste of a hydrocarbon nature throughout the 125 acre Site.

ENCLOSURE 2

WILCOX OIL SUPERFUND SITE
INFORMATION REQUEST

INSTRUCTIONS and DEFINITIONS

1. Please provide a separate narrative response for each and every Question and subpart of a Question set forth in this Information Request.

2. Precede each answer with the Question (or subpart) and the number of the Question (and the letter of a subpart of a Question, if applicable) to which it corresponds.

3. If information or documents not known or not available to you as of the date of submission of a response to this Information Request should later become known or available to you, ***you must supplement*** your response to the U.S. Environmental Protection Agency (EPA). Moreover, should you find, at any time, after submission of your response, that any portion of the submitted information is false or misrepresents the truth, or, though correct when made, is no longer true, you must notify the EPA of this fact as soon as possible and provide the EPA with a corrected response.

4. For each document produced in response to this Information Request, indicate on the document, or in some other reasonable manner, the number of the Question (and the letter of a subpart of a Question, if applicable) to which it responds.

5. You may assert a business confidentiality claim covering part or all of the information which you submit in response to this request. Any such claim must be made by placing on (or attaching to) the information, at the time it is submitted to the EPA, a cover sheet or a stamped or typed legend or other suitable form of notice employing language such as "trade secret," "proprietary," or "company confidential." Confidential portions of otherwise non-confidential documents should be clearly identified and may be submitted separately to facilitate identification and handling by the EPA. If you make such a claim, the information covered by that claim will be disclosed by the EPA only to the extent, and by means of the procedures, set forth in subpart B of 40 CFR Part 2. If no such claim accompanies the information when it is received by the EPA, it may be made available to the public by the EPA without further notice to you. The requirements of 40 CFR Part 2 regarding business confidentiality claims were published in the Federal Register on September 1, 1976, and were amended September 8, 1976, and
December 18, 1985.

6. 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."

7. Objections to questions. If you have objections to some or all the questions within the Information Request Letter, you are still required to respond to each of the questions.

8. Please provide your response in an electronic format, preferably in Adobe pdf format. Please consult with Lance Nixon on format issues.

DEFINITIONS

The following definitions shall apply to the following words as they appear in this enclosure:

1. The terms "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of this Information Request any information which might otherwise be construed to be outside its scope.

2. The term "any", as in "any documents" for example, shall mean "any and all."

3. The term "arrangement" means every separate contract or other agreement between two or more persons.

4. The terms "document(s)" and "documentation" shall mean any object that records, stores, or presents information, and includes writings of any kind, formal or informal, whether or not wholly or partially in handwriting, including by way of illustration and not by way of limitation, any invoice, manifest, bill of lading, receipt, endorsement, check, bank draft, canceled check, deposit slip, withdrawal slip, order, correspondence, record book, minutes, memorandum of telephone and other conversations including meetings, agreements and the like, diary, calendar, desk pad, scrapbook, notebook, bulletin, circular, form, pamphlet, statement, journal, postcard, letter, telegram, telex, telecopy, telefax, report, notice, message, analysis, comparison, graph, chart, map, interoffice or intra office communications, photostat or other copy of any documents, microfilm or other film record, any photograph, sound recording on any type of device, any punch card, disc pack; any tape or other type of memory generally associated with computers and data processing (together with the programming instructions and other written material necessary to use such punch card, disc, or disc pack, tape or other type of memory and together with the printouts of such punch card, disc, or disc pack, tape or other type of memory); and (a) every copy of each document which is not an exact duplicate of a document which is produced, (b) every copy which has any writing, figure or notation, annotation or the like on it, (c) drafts, (d) attachments to or enclosures with any document and (e) every document referred to in any other document.

5. The term "identify" means, with respect to a natural person, to set forth the person's name, present or last known business and personal addresses, email address(es), and telephone numbers, and present or last known job title, position or business. Also provide e-mail addresses.

6. The term "identify" means, with respect to a corporation, partnership, business trust or other association or business entity (including, but not limited to, a sole proprietorship), to set forth its full name, address, and legal form (e.g. corporation [including state of incorporation], partnership, etc.), organization, if any, a brief description of its business, and to indicate whether
or not it is still in existence and, if it is no longer in existence, to explain how its existence was terminated and to indicate the date on which it ceased to exist. Also provide e-mail addresses.

7. The term "identify" means, with respect to a document, to provide the type of document, to provide its customary business description, its date, its number, if any (invoice or purchase order number), subject matter, the identity of the author, addressor, addressee and/or recipient, and the present location of such document.

8. The term "person" shall have the same definition as in Subsection 101 (21) of CERCLA, 42U.S.C. §9601 (21).

9. The term "Site" or "facility" shall mean and include the **Wilcox Oil** Superfund Site in Bristow, Creek County, Oklahoma.

10. The term "you" or "Respondent" shall mean the addressee of this Request, the addressee's officers, managers, employees, contractors, trustees, partners, successors and agents.

11. Words in the masculine shall be construed in the feminine, and vice versa, and words in the singular shall be construed in the plural, and vice versa, where appropriate in the context of a particular question or questions as necessary to bring within the scope of this Information Request any information which might otherwise be construed to be outside its scope.

12. All terms not defined herein shall have their ordinary meaning, unless such terms are defined in CERCLA, RCRA, 40 CFR Part 300 or 40 CFR Parts 260-280, in which case the statutory or regulatory definitions shall apply.

ENCLOSURE 3

WILCOX OIL SUPERFUND SITE
INFORMATION REQUEST

QUESTIONS

1 Please provide the full legal name, mailing address, and phone number of the Respondent.

2. For each person answering these questions on behalf of the Respondent provide full name, title, business address, and business telephone and fax number.

3. If the respondent wishes to designate an individual for all future correspondence concerning this Site, including legal notices, please provide the individual's name, address, telephone number, and fax number.

4. Identify any legal or equitable interest that you now have, or previously had in the Site. Include information regarding the nature of such interest; when, how, and from whom such interest was obtained; and when, how, and to whom such interest was conveyed. In addition, submit copies of all instruments evidencing the acquisition or conveyance of such interest.

5 List all names under which your company or business has ever operated and has ever incorporated. For each name provide the following:

Whether the company or business continues to exist, indicate the date and means by which it ceased operations (e.g., dissolution, bankruptcy, sale) if it is no longer operational, and provide documents detailing the transaction.

6. Please indentify the organizational relationship, if any between ConocoPhillips and Continental Refining Company and Continental Oil.

7. During the ownership period of approximately 1916-1923, what were the business operations at the Site?

8. During the time of ownership, did Continental Oil operate an oil refinery?

What products were produced?
What was the volume of production?

9. Please provide the names of any other entities that shared an interest in the refinery during Continental Oil's ownership of the real property. Provide also the supporting documentation.

10. Please provide the names of any other entities that operated at the Site during Continental Oil's ownership. Provide also the supporting documentation.

11. What, if any, relationship was there between Continental Oil and the following entities:

    Bristow Oil and Refinery, Lorraine Refining, Interocean Oil Company, Producers Oil Company, Bolin Oil, and Wilcox Oil Company?

12. If any of the documents solicited in this information request are no longer available, please indicate the reason why they are no longer available.

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Sent To ConocoPhillips

Street, Apt. No.; or PO Box No. 600 North Dairy Ashford

City, State, ZIP+4 Houston, Texas 77252

PS Form 3800, August 2006 See Reverse for Instructions

SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

ConocoPhillips
600 North Dairy Ashford
Houston, Texas 77252

COMPLETE THIS SECTION ON DELIVERY

A. Signature
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☐ Agent
☐ Addressee

B. Received by (Printed Name) | C. Date of Delivery
4/26/13

D. Is delivery address different from item 1? ☑ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☐ Certified Mail ☐ Express Mail
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4. Restricted Delivery? *(Extra Fee)* ☐ Yes

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Lance Nixon, Enforcement Officer
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