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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue, Suite 900
Seattle, Washington 98101-3140

January 18, 2008

VIA FEDERAL EXPRESS OR CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Reply To: ECL-115

~~Doug E. McMullin~~ DOUGLAS W. McMULLIN
Owner
Columbia Forge & Machine Works
8524 N Crawford
Portland, OR 97203

Re: First Request for Information; Portland Harbor Superfund Site, Portland, Oregon.

Dear Sir/Madam:

The United States Environmental Protection Agency, Region 10 (EPA) continues to investigate the releases or threat of releases of hazardous substances associated with the Portland Harbor Superfund Site (Site). EPA seeks your cooperation in this investigation.

EPA, with the cooperation of numerous companies and government entities, is undertaking an investigation of the nature and extent of contamination at the Site and assessing the risks to human health and the environment associated with the contamination. The investigation and analysis currently being conducted is called a Remedial Investigation and Feasibility Study (RI/FS). The RI/FS is anticipated to be completed in 2009. Afterward, EPA will select a cleanup plan for the Site through a Record of Decision, which is likely to be issued in 2010.

EPA is now seeking information from current and past landowners, tenants, and other entities believed to have information about activities that may have resulted in releases or potential threats of releases of hazardous substances to the Site. This information will be used for the purposes of determining the need for response, or choosing or taking any response action at the Portland Harbor Superfund Site, and to identify additional potentially responsible parties for performing the cleanup.

Pursuant to the authority of Section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. § 9604(e), you are

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hereby requested to respond to the Information Request attached to this letter. While EPA seeks your voluntary cooperation with this investigation, compliance with the Information Request is required by law. Failure to respond fully and truthfully to the Information Request by the due date provided below may result in an enforcement action by EPA. Under Section 104(e)(5)(B) of CERCLA, 42 U.S.C. § 9604(e)(5)(B), pursuant to the Federal Civil Penalties Inflation Adjustment Act of 1990, 28 U.S.C. § 2461, as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701, EPA is authorized to commence an action to assess civil penalties of not more than $32,500 per day for each day of noncompliance against any person who unreasonably fails to comply with an Information Request.

Please note that responses which are incomplete, ambiguous or evasive may be treated as non-compliant with this Information Request. Also be further advised that provision of false, fictitious or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. § 1001. You have an ongoing duty under this first Information Request to supplement your response with any additional information or documents that become available or known to you after you submit your response. This Information Request is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. § 3501.

Please carefully read the Instructions and the Definitions that are attached to the Information Request. In addition to important information about how to respond to this Request, there are also directions about how the response must be submitted to EPA. The Instructions also provide information concerning a website where you may find a list of documents related to one or more of your Properties already in EPA's possession. If EPA has a document, you still must identify or describe information from or relevant to the document in response to questions asked, but you will not have to provide another copy of the document. Please note, if a document is not specifically described on EPA's Portland Harbor website, you must provide a full and complete copy to EPA as instructed in the Information Request, even if you believe EPA may have the document. EPA's Portland Harbor website is located at the following URL:

http://yosemite.epa.gov/R10/CLEANUP.NSF/7d19cd587dff1eee8825685f007d56b7/75e7f27bd108f3eb88256f4a007ba018!OpenDocument

Your response to this first Information Request is due no later than May 16, 2008. Please mail your response to:

Kristine Koch
Remedial Project Manager
United States Environmental Protection Agency, Region 10
Office of Environmental Cleanup, Mail Code ECL-115
1200 Sixth Avenue, Suite 900
Seattle, Washington 98101-3140

If you have any general questions about the Site, you may call Ms. Koch at (206) 553-6705, or contact her by email at koch.kristine@epa.gov. If you have legal questions or questions about this letter, you may contact or, if you are represented by legal counsel, have your attorney contact Elizabeth McKenna, Assistant Regional Counsel, at (206) 553-1116 or mckenna.elizabeth@epa.gov, or Lori Houck Cora, Assistant Regional Counsel, at (206) 553-1115 or cora.lori@epa.gov. Thank you for your cooperation in this matter.

Sincerely,

Deb Yamamoto

Deb Yamamoto, Unit Manager
Site Cleanup #2
Office of Environmental Cleanup

Enclosures

U.S. EPA

CERCLA SECTION 104(e)

INFORMATION REQUEST

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Please note: This Information Request includes instructions for responding to this request and definitions of words such as "Respondent," "Property," "Material," "Identify," and "Investigation Area" used in the questions. Please provide responses to all the questions in this Information Request for each Property identified in response to Question 4 of Section 2.0, when appropriate. You must answer the Questions in this Information Request related to properties or facilities outside the Investigation Area if Question 4, Section 2.0 specifically instructs you to do so. For each response clearly identify the Property or Properties to which the response applies.

INFORMATION REQUEST QUESTIONS

Section 1.0 Respondent Information

1. Provide the full legal, registered name and mailing address of Respondent.
2. For each person answering these questions on behalf of Respondent, provide:
   a. full name;
   b. title;
   c. business address; and
   d. business telephone number, electronic mail address, and FAX machine number.
3. If Respondent wishes to designate an individual for all future correspondence concerning this Site, please indicate here by providing that individual's name, address, telephone number, fax number, and, if available, electronic mail address.

Section 2.0 Owner/Operator Information

4. Identify each and every Property that Respondent currently owns, leases, operates on, or otherwise is affiliated or historically has owned, leased, operated on, or otherwise been affiliated with within the Investigation Area during the period of investigation (1937 – Present). Please note that this question includes any aquatic lands owned or leased by Respondent.
5. Provide a brief summary of Respondent's relationship to each Property listed in response to Question 4 above, including the address, Multnomah County Alternative Tax lot Identification number(s), dates of acquisition, period of ownership, lease, operation, or affiliation, and a brief overview of Respondent's activities at the Properties identified.
6. Identify any persons who concurrently with you exercises or exercised actual control or

who held significant authority to control activities at each Property, including:

a. partners or joint venturers;
b. any contractor, subcontractor, or licensor that exercised control over any materials handling, storage, or disposal activity on the Property; (service contractors, remediation contractors, management and operator contractors, licensor providing technical support to licensed activities);
c. any person subleasing land, equipment or space on the Property;
d. utilities, pipelines, railroads and any other person with activities and/or easements regarding the Property;
e. major financiers and lenders;
f. any person who exercised actual control over any activities or operations on the Property;
g. any person who held significant authority to control any activities or operations on the Property;
h. any person who had a significant presence or who conducted significant activities at the Property; and
i. any government entities that had proprietary (as opposed to regulatory) interest or involvement with regard to the activity on the Property.

7. Identify and describe any legal or equitable interest that you now have, or previously had in each Property. 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, if applicable. In addition, submit copies of all instruments evidencing the acquisition or conveyance of such interest (e.g., deeds, leases, purchase and sale agreements, partnership agreements, etc.).

8. If you are the current owner and/or current operator, did you acquire or operate the Property or any portion of the Property after the disposal or placement of hazardous substances, waste, or materials on, or at the Property? Describe all of the facts on which you base the answer to this question.

9. At the time you acquired or operated the Property, did you know or have reason to know that any hazardous substance, waste, or material was disposed of on, or at the Property? Describe all investigations of the Property you undertook prior to acquiring the Property and all of the facts on which you base the answer to this question.

10. Identify all prior owners that you are aware of for each Property identified in Response to Question 4 above. For each prior owner, further identify if known, and provide copies of any documents you may have regarding:

a. the dates of ownership;
b. all evidence showing that they controlled access to the Property; and
c. all evidence that a hazardous substance, pollutant, or contaminant, was released or threatened to be released at the Property during the period that they owned the Property.

11. Identify all prior operators of the Property, including lessors, you are aware of for each Property identified in response to Question 4 above. For each such operator, further identify if known, and provide copies of any documents you may have regarding:

   a. the dates of operation;
   b. the nature of prior operations at the Property;
   c. all evidence that they controlled access to the Property; and
   d. all evidence that a hazardous substance, pollutant, or contaminant was released or threatened to be released at or from the Property during the period that they were operating the Property.

12. If not included in response to any of the previous questions, please describe the purpose and duration of each aquatic lands lease Respondent or the operator of Respondent's Property(ies) ever obtained from the State of Oregon and provide a copy of each application for and aquatic lands lease obtained.

Section 3.0 Description of Each Property

13. Provide the following information about each Property identified in response to Question 4:

   a. property boundaries, including a written legal description;
   b. location of underground utilities (telephone, electrical, sewer, water main, etc.);
   c. location of all underground pipelines whether or not owned, controlled or operated by you;
   d. surface structures (e.g., buildings, tanks, pipelines, etc.);
   e. over-water structures (e.g., piers, docks, cranes, etc.);
   f. dry wells;
   g. treatment or control devices (e.g., surface water, air, groundwater, Resource Conservation and Recovery Act (RCRA), Transfer, Storage, or Disposal (TSD), etc.);
   h. groundwater wells, including drilling logs;
   i. storm water drainage system, and sanitary sewer system, past and present, including septic tank(s) and where, when and how such systems are emptied and maintained;
   j. subsurface disposal field(s), Underground Injection Control (UIC) wells, and other underground structures (e.g., underground storage tanks (USTs); and where they are located, if they are still used, and how they were closed;
   k. any and all major additions, demolitions or changes on, under or about the Property, its physical structures or to the property itself (e.g., stormwater drainage, excavation work); and any planned additions, demolitions or other changes to the Property;
   l. all maps and drawings of the Property in your possession; and
   m. all aerial photographs of the Property in your possession.

14. For Properties adjacent to the Willamette River, provide specific information describing the river-ward boundary of private ownership and where state aquatic lands and/or state-management jurisdiction begins. Provide a map that delineates the river-ward boundary of each Property.

15. For each Property, provide all reports, information or data you have related to soil, water (ground and surface), or air quality and geology/hydrogeology at and about each Property. Provide copies of all documents containing such data and information, including both past and current aerial photographs as well as documents containing analysis or interpretation of such data.

16. Identify all past and present solid waste management units or areas where materials are or were in the past managed, treated, or disposed (e.g., waste piles, landfills, surface impoundments, waste lagoons, waste ponds or pits, tanks, container storage areas, etc.) on each Property. For each such unit or area, provide the following information:

    a. a map showing the unit/area's boundaries and the location of all known units/areas whether currently in operation or not. This map should be drawn to scale, if possible, and clearly indicate the location and size of all past and present units/areas;
    b. dated aerial photograph of the site showing each unit/area;
    c. the type of unit/area (e.g., storage area, landfill, waste pile, etc.), and the dimensions of the unit/area;
    d. the dates that the unit/area was in use;
    e. the purpose and past usage (e.g., storage, spill containment, etc.);
    f. the quantity and types of materials (hazardous substances and any other chemicals) located in each unit/area; and
    g. the construction (materials, composition), volume, size, dates of cleaning, and condition of each unit/area.

17. If the unit/area described above is no longer in use, how was such unit/area closed and what actions were taken to prevent or address potential or actual releases of waste constituents from the unit/area.

18. For each Property, provide the following information regarding any current or former sewer or storm sewer lines or combined sanitary/storm sewer lines, drains, ditches, or tributaries discharging into the Willamette River:

    a. the location and nature of each sewer line, drain, ditch, or tributary;
    b. the date of construction of each sewer line, drain, ditch, or tributary;
    c. whether each sewer line, or drain was ever connected to a main trunk line;
    d. whether each sewer line, drain, ditch, or tributary drained any hazardous substance, waste, material or other process residue to the Willamette River; and
    e. provide any documentation regarding but not limited to the following on any and all outfalls to the Willamette River which are located within the boundaries of the Property(ies). Your response should include, but not be limited to:

i. the areas serviced by the outfalls; and

ii. the type of outfall (i.e., storm water or single facility operational).

19. Provide copies of any stormwater or property drainage studies, including data from sampling, conducted at these Properties on stormwater, sheet flow, or surface water runoff. Also provide copies of any Stormwater Pollution Prevention, Maintenance Plans, or Spill Plans developed for different operations during the Respondent's operation of each Property.

Section 4.0 Respondent's Operational Activities

20. Describe the nature of your operations or business activities at each Property. If the operation or business activity changed over time, please identify each separate operation or activity, the dates when each operation or activity was started and, if applicable, ceased.

21. At each Property, did you ever use, purchase, generate, store, treat, dispose, or otherwise handle any waste, or material? If the answer to the preceding question is anything but an unqualified "no," identify:

    a. in general terms, the nature and quantity of the waste or material so transported, used, purchased, generated, stored, treated, disposed, or otherwise handled;

    b. the chemical composition, characteristics, physical state (e.g., solid, liquid) of each waste or material so transported, used, purchased, generated, stored, treated, disposed, or otherwise handled;

    c. how each such waste or material was used, purchased, generated, stored, treated, transported, disposed or otherwise handled by you; and

    d. the quantity of each such waste or material used, purchased, generated, stored, treated, transported, disposed or otherwise handled by you.

22. Describe all activities at each Property that was conducted over, on, or adjacent to, the Willamette River. Include in your description whether the activity involved hazardous substances, waste(s), or materials and whether any such hazardous substances, waste(s), or materials were discharged, spilled, disposed of, dropped, or otherwise came to be located in the Willamette River.

23. For each Property at which there was or is a mooring facility, dock, wharf or any over-water structure, provide a summary of over-water activities conducted at the structure, including but not limited to, any material loading and unloading operations associated with vessels, materials handling and storage practices, ship berthing and anchoring, ship fueling, and ship building, retrofitting, maintenance, and repair.

24. Describe all activities conducted on leased aquatic lands at each Property. Include in your description whether the activity involved hazardous substances, waste(s), or materials and whether any such hazardous substances, waste(s), or materials were discharged, spilled, disposed of, dropped, or otherwise came to be located on such leased aquatic lands.

25. Please describe the years of use, purpose, quantity, and duration of any application of pesticides or herbicides on each Property during the period of investigation (1937 – present). Provide the brand name of all pesticides or herbicides used.

26. Describe how wastes transported off the Property for disposal are and ever were handled, stored, and/or treated prior to transport to the disposal facility.

27. Has Respondent ever arranged for disposal or treatment or arranged for transportation for disposal or treatment of materials to any Property (including the Willamette River) within the Investigation Area? If so, please identify every Property that Respondent's materials were disposed or treated at in the Investigation Area. In addition, identify:

    a. the persons with whom the Respondent made such arrangements;
    b. every date on which Respondent made such arrangements;
    c. the nature, including the chemical content, characteristics, physical state (e.g., solid, liquid), and quantity (volume and weight) of all materials involved in each such arrangement;
    d. in general terms, the nature and quantity of the non- hazardous materials involved in each such arrangement;
    e. in general terms, the nature and quantity of any hazardous materials involved in each such arrangement;
    f. the owner of the materials involved in each such arrangement, if not Respondent;
    g. all tests, analyses, analytical results or manifests concerning each hazardous material involved in such transactions;
    h. the address(es) for each Property, precise locations at which each material involved in such transactions actually was disposed or treated;
    i. the owner or operator of each facility at which hazardous or non-hazardous materials were arranged to be disposed at within the Investigation Area;
    j. who selected the location to which the materials were to be disposed or treated;
    k. who selected the Property as the location at which hazardous materials were to be disposed or treated; and
    l. any records of such arrangement(s) and each shipment.

28. Describe the plants and other buildings or structures where Respondent carried out its operations at each Property within the Investigation Area (excluding locations where ONLY clerical/office work was performed).

29. Provide a schematic diagram or flow chart that fully describes and/or illustrates the Respondent's operations on each Property.

30. Provide a brief description of the nature of Respondent's operations at each location on each Property including:

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

31. If the nature or size of Respondent's operations changed over time, describe those changes and the dates they occurred.

32. List the types of raw materials used in Respondent's operations, the products manufactured, recycled, recovered, treated, or otherwise processed in these operations.

33. Provide copies of Material Safety Data Sheets (MSDS) for materials used in the Respondent's operations.

34. Describe the cleaning and maintenance of the equipment and machinery involved in these operations, including but not limited to:

    a. the types of materials used to clean/maintain this equipment/machinery;
    b. the monthly or annual quantity of each such material used;
    c. the types of materials spilled in Respondent's operations;
    d. the materials used to clean up those spills;
    e. the methods used to clean up those spills; and
    f. where the materials used to clean up those spills were disposed of.

35. Describe the methods used to clean up spills of liquid or solid materials during Respondent's operation.

36. For each type of waste (including by-products) from Respondent's operations, including but not limited to all liquids, sludges, and solids, provide the following information:

    a. its physical state;
    b. its nature and chemical composition;
    c. its color;
    d. its odor;
    e. the approximate monthly and annual volumes of each type of waste (using such measurements as gallons, cubic yards, pounds, etc.); and
    f. the dates (beginning & ending) during which each type of waste was produced by Respondent's operations.

37. Provide a schematic diagram that indicates which part of Respondent's operations generated each type of waste, including but not limited to wastes generated by cleaning and maintenance of equipment and machinery and wastes resulting from spills of liquid materials.

38. Identify all individuals who currently have and those who have had responsibility for Respondent's environmental matters (e.g. responsibility for the disposal, treatment, storage, recycling, or sale of Respondent's wastes). Also provide each individual's 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.

39. For each type of waste describe Respondent's contracts, agreements, or other arrangements for its disposal, treatment, or recycling.

40. Provide copies of such contracts and other documents reflecting such agreements or arrangements, Including, but not limited to the following:

   a. state where Respondent sent each type of its waste for disposal, treatment, or recycling;
   b. identify all entities and individuals who picked up waste from Respondent or who otherwise transported the waste away from Respondent's operations (these companies and individuals shall be called "Waste Carriers" for purposes of this Information Request);
   c. if Respondent transported any of its wastes away from its operations, please so indicate;
   d. for each type of waste specify which Waste Carrier picked it up;
   e. indicate the ultimate disposal/recycling/treatment location for each type of waste;
   f. provide all documents indicating the ultimate disposal/recycling/treatment location for each type of waste; and
   g. state the basis for and provide any documents supporting the answer to the previous question.

41. Describe all wastes disposed by Respondent into Respondent's drains including but not limited to:

   a. the nature and chemical composition of each type of waste;
   b. the dates on which those wastes were disposed;
   c. the approximate quantity of those wastes disposed by month and year;
   d. the location to which these wastes drained (e.g. septic system or storage tank at the Property, pre- treatment plant, Publicly Owned Treatment Works (POTW), etc.); and
   e. whether and what pretreatment was provided.

42. Identify any sewage authority or treatment works to which Respondent's waste was sent.

43. Describe all settling tank, septic system, or pretreatment system sludges or other treatment wastes resulting from Respondent's operations.

44. If applicable, describe the facilities, processes and methods Respondent or Respondent's contractor used, and activities engaged in, either currently or in the past, related to ship building, retrofitting, maintenance or repair, including, but not limited to, dry-docking operations, tank cleaning, painting and re-powering.

45. Describe any hazardous substances, wastes, or materials used or generated by the activities described in response to the previous Question and how these hazardous substances, materials and wastes were released or disposed of.

46. Provide copies of any records you have in your possession, custody or control relative to the activities described in response to the previous two Questions.

47. Describe any process or activity conducted on a Property identified in response to Question 4 involving the acquisition, manufacture, use, storage, handling, disposal or

release or threatened release of polychlorinated biphenyl(s) ("PCB(s)" or PCB(s)-containing materials or liquids.

48. For each process or activity identified in response to the previous Question, describe the dates and duration of the activity or process and the quantity and type of PCB(s) or PCB(s) containing materials or liquids.

49. For each process or activity identified in response to the previous two Questions, identify the location of the process or activity on the property.

Section 5.0 Regulatory Information

50. Identify all federal, state and local authorities that regulated the owner or operator of each Property and/or that interacted with the owner or operator of each Property. Your response is to address all interactions and in particular all contacts from agencies/departments that dealt with health and safety issues and/or environmental concerns.

51. Describe all occurrences associated with violations, citations, deficiencies, and/or accidents concerning each Property during the period being investigated related to health and safety issues and/or environmental concerns. Provide copies of all documents associated with each occurrence described.

52. Provide a list of all local, state and federal environmental permits ever issued to the owner or operator on each Property (e.g., RCRA permits, NPDES permits, etc.). Please provide a copy of each federal and state permit, and the applications for each permit, ever issued to the owner or operator on each Property.

53. Did the owner or operator ever file a Hazardous Waste Activity Notification under the RCRA? If so, provide a copy of such notification.

54. Did the owner or operator's facility on each Property ever have "interim status" under the RCRA? If so, and the facility does not currently have interim status; describe the circumstances under which the facility lost interim status.

55. Provide all RCRA Identification Numbers issued to Respondent by EPA or a state for Respondent's operations.

56. Identify all federal offices to which Respondent has sent or filed hazardous substance or hazardous waste information. State the years during which such information was sent/filed.

57. Identify all state offices to which Respondent has sent or filed hazardous substance or hazardous waste information. State the years during which such information was sent/filed.

58. List all federal and state environmental laws and regulations under which Respondent has reported to federal or state governments, including but not limited to: Toxic Substances Control Act, 15 U.S.C. Sections 2601 et seq., (TSCA); Emergency Planning and Community Right-to-Know Act, 42 U.S.C. Sections 1101 et seq., (EPCRA); and the Clean Water Act (the Water Pollution Prevention and Control Act), 33 U.S.C. Sections

1251 et seq., Oregon Hazardous Substance Remedial Action Law, ORS 465.315, Oregon Water Quality law, ORS Chapter 468(b), Oregon Hazardous Waste and Hazardous Materials law, ORS Chapters 465 and 466, or Oregon Solid Waste law, ORS Chapter 459. Provide copies of each report made, or if only oral reporting was required, identify the federal and state offices to which such report was made.

59. Provide a copy of any registrations, notifications, inspections or reports required by the Toxic Substances Control Act, 15 USC § 2601 et seq., or state law, to be maintained or submitted to any government agency, including fire marshal(s), relating to PCB(s) or PCB(s) containing materials or liquids on any Property identified in response to Question 4.

60. Has Respondent or Respondent's contractors, lessees, tenants, or agents ever contacted, provided notice to, or made a report to the Oregon Department of State Lands ("DSL") or any other state agency concerning an incident, accident, spill, release, or other event involving Respondent's leased state aquatic lands? If so, describe each incident, accident, spill, release, or other event and provide copies of all communications between Respondent or its agents and DSL or the other state agency and all documents that were exchanged between Respondent, its agents and DSL or other state agency.

61. Describe all notice or reporting requirements to DSL that you had under an aquatic lands lease or state law or regulation regarding incidents affecting, or activities or operations occurring on leased aquatic lands. Include the nature of the matter required to be reported and the office or official to whom the notice or report went to. Provide copies of all such notices or reports.

Section 6.0 Releases and Remediation

62. Identify all leaks, spills, or releases into the environment of any waste, including petroleum, hazardous substances, pollutants, or contaminants, that have occurred at or from each Property, which includes any aquatic lands owned or leased by Respondent. In addition, identify, and provide copies of any documents regarding:

    a. when such releases occurred;
    b. how the releases occurred (e.g. when the substances were being stored, delivered by a vendor, transported or transferred (to or from any tanks, drums, barrels, or recovery units), and treated);
    c. the amount of each hazardous substances, pollutants, or contaminants so released;
    d. where such releases occurred;
    e. any and all activities undertaken in response to each such release or threatened release, including the notification of any agencies or governmental units about the release;
    f. any and all investigations of the circumstances, nature, extent or location of each release or threatened release including, the results of any soil, water (ground and surface), or air testing undertaken;
    g. all persons with information relating to these releases; and

h. list all local, state, or federal departments or agencies notified of the release, if applicable.

63. Was there ever a spill, leak, release or discharge of waste, including petroleum, or hazardous substances, pollutant or contaminant into any subsurface disposal system or floor drain inside or under a building on the Property? If the answer to the preceding question is anything but an unqualified "no", identify:

a. where the disposal system or floor drains were located;
b. when the disposal system or floor drains were installed;
c. whether the disposal system or floor drains were connected to pipes;
d. where such pipes were located and emptied;
e. when such pipes were installed;
f. how and when such pipes were replaced, or repaired; and
g. whether such pipes ever leaked or in any way released such waste or hazardous substances into the environment.

64. Has any contaminated soil ever been excavated or removed from the Property? Unless the answer to the preceding question is anything besides an unequivocal "no", identify and provide copies of any documents regarding:

a. amount of soil excavated;
b. location of excavation presented on a map or aerial photograph;
c. manner and place of disposal and/or storage of excavated soil;
d. dates of soil excavation;
e. identity of persons who excavated or removed the soil, if other than a contractor for Respondent;
f. reason for soil excavation;
g. whether the excavation or removed soil contained hazardous substances, pollutants or contaminants, including petroleum, what constituents the soil contained, and why the soil contained such constituents;
h. all analyses or tests and results of analyses of the soil that was removed from the Property;
i. all analyses or tests and results of analyses of the excavated area after the soil was removed from the Property; and
j. all persons, including contractors, with information about (a) through (i) of this request.

65. Have you ever tested the groundwater under your Property? If so, please provide copies of all data, analysis, and reports generated from such testing.

66. Have you treated, pumped, or taken any kind of response action on groundwater under your Property? Unless the answer to the preceding question is anything besides an unequivocal "no", identify and provide copies of any documents regarding:

a. reason for groundwater action;

b. whether the groundwater contained hazardous substances, pollutants or contaminants, including petroleum, what constituents the groundwater contained, and why the groundwater contained such constituents;

c. all analyses or tests and results of analyses of the groundwater;

d. if the groundwater action has been completed, describe the basis for ending the groundwater action; and

e. all persons, including contractors, with information about (a) through (c) of this request.

67. Was there ever a spill, leak, release or discharge of a hazardous substance, waste, or material into the Willamette River from any equipment, structure, or activity occurring on, over, or adjacent to the river? If the answer to the preceding question is anything but an unequivocal "no", identify and provide copies of any documents regarding:

a. the nature of the hazardous substance, waste, or material spilled, leaked, released or discharged;

b. the dates of each such occurrence;

c. the amount and location of such release;

d. were sheens on the river created by the release;

e. was there ever a need to remove or dredge any solid waste, bulk product, or other material from the river as a result of the release? If so, please provide information and description of when such removal/dredging occurred, why, and where the removed/dredged materials were disposed.

68. For any releases or threatened releases of PCB(s), identify the date, quantity, location and type of PCB(s), or PCB(s) containing materials or liquids, and the nature of any response to or cleanup of the release.

69. For any releases or threatened releases of PCB(s) and/or PCB(s) containing materials or liquids, identify and provide copies of any documents regarding the quantity and type of waste generated as a result of the release or threatened release, the disposition of the waste, provide any reports or records relating to the release or threatened release, the response or cleanup and any records relating to any enforcement proceeding relating to the release or threatened release.

Section 7.0 Property Investigations

70. Provide information and documentation concerning all inspections, evaluations, safety audits, correspondence and any other documents associated with the conditions, practices, and/or procedures at the Property concerning insurance issues or insurance coverage matters.

71. Describe the purpose for, the date of initiation and completion, and the results of any investigations of soil, water (ground or surface), sediment, geology, and hydrology or air quality on or about each Property. Provide copies of all data, reports, and other documents that were generated by you or a consultant, or a federal or state regulatory agency related to the investigations that are described.

72. Describe any remediation or response actions you or your agents or consultants have ever taken on each Property either voluntarily or as required by any state or federal agency. If not otherwise already provided under this Information Request, provide copies of all investigations, risk assessments or risk evaluations, feasibility studies, alternatives analysis, implementation plans, decision documents, monitoring plans, maintenance plans, completion reports, or other document concerning remediation or response actions taken on each Property.

73. Are you or your consultants planning to perform any investigations of the soil, water (ground or surface), geology, hydrology, and/or air quality on or about the Property? If so, identify:

    a. what the nature and scope of these investigations will be;
    b. the contractors or other persons that will undertake these investigations;
    c. the purpose of the investigations;
    d. the dates when such investigations will take place and be completed; and
    e. where on the Property such investigations will take place.

Section 8.0 Corporate Information

74. Provide the following information, when applicable, about you and/or your business(es) that are associated with each Property identified in response to Question 4:

    a. state the current legal ownership structure (e.g., corporation, sole proprietorship);
    b. state the names and current addresses of current and past owners of the business entity or, if a corporation, current and past officers and directors;
    c. discuss all changes in the business' legal ownership structure, including any corporate successorship, since the inception of the business entity. For example, a business that starts as a sole proprietorship, but then incorporates after a few years, or a business that is subsequently acquired by and merged into a successor. Please include the dates and the names of all parties involved;
    d. the names and addresses of all current or past business entities or subsidiaries in which you or your business has or had an interest that have had any operational or ownership connection with the Properties identified in response to Question 4. Briefly describe the business activities of each such identified business entities or subsidiaries; and
    e. if your business formerly owned or operated a Property identified in response to Question 4, describe any arrangements made with successor owners or operators regarding liability for environmental contamination or property damage.

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

    a. whether the 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 the Respondent.

76. Provide all copies of the Respondent's authority to do business in Oregon. Include all authorizations, withdrawals, suspensions and reinstatements.

77. If Respondent is, or was at any time, a subsidiary of, otherwise owned or controlled by, or otherwise affiliated with another corporation or entity, then describe the full nature of each such corporate relationship, including but not limited to:

a. a general statement of the nature of relationship, indicating whether or not the affiliated entity had, or exercised, any degree of control over the daily operations or decision-making of the Respondent's business operations at the Site;

b. the dates such relationship existed;

c. the percentage of ownership of Respondent that is held by such other entity(ies);

d. for each such affiliated entity provide the names and complete addresses of its parent, subsidiary, and otherwise affiliated entities, as well as the names and addresses of each such affiliated entity's officers, directors, partners, trustees, beneficiaries, and/or shareholders owning more than five percent of that affiliated entity's stock;

e. provide any and all insurance policies for such affiliated entity(ies) which may possibly cover the liabilities of the Respondent at each Property; and

f. provide any and all corporate financial information of such affiliated entities, including but not limited to total revenue or total sales, net income, depreciation, total assets and total current assets, total liabilities and total current liabilities, net working capital (or net current assets), and net worth.

78. If Respondent is a partnership, please describe the partnership and provide a history of the partnership's existence. Provide a list of all current and past partners of any status (e.g., general, limited, etc.) and provide copies of all documents that created, govern, and otherwise rules the partnership, including any amendments or modifications to any of the originals of such documents, and at least five years of partnership meeting minutes.

Section 9.0 Compliance With This Request

79. Describe all sources reviewed or consulted in responding to this request, including, but not limited to:

a. the name and current job title of all individuals consulted;

b. the location where all sources reviewed are currently reside; and

c. the date consulted.

80. If not already provided, identify and provide a last known address or phone number for all persons, including Respondent's current and former employees or agents, other than

attorneys, who have knowledge or information about the generation, use, purchase, storage, disposal, placement, or other handling of hazardous materials at, or transportation of hazardous substances, waste, or materials to or from, each Property identified in response to Question 4.

81. 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 document retention policy between 1937 and the present;
    b. 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 destroying the documents; and the person(s) who had and/or still have the originals or copies of these documents; and
    e. the names and most current addresses of any person(s) who may possess documents relevant to this inquiry.

82. Provide a description of all records available to you that relate to all of the questions in this request, but which have not been included in your responses.

INSTRUCTIONS

1. Answer Each Question Completely. Provide a separate answer to each question and subpart set forth in this Information Request. Please provide responses to all the questions in this Information Request for each Property identified in response to Question 4 of Section 2.0, when appropriate. For each Response clearly identify the Property or Properties to which the response applies. Incomplete, evasive, or ambiguous answers shall constitute failure to respond to this Information Request and may subject the Respondent to the penalties set out in the cover letter.

2. Response and Copies of Documents Must be on Paper (hard copy). Provide the responses to this Information Request and at least one copy of all requested documents on hard copy paper.

   There is a Portland Harbor PRP search website: (http://yosemite.epa.gov/R10/CLEANUP.NSF/7d19cd587dff1eee8825685f007d56b7/75e7f27bd108f3eb88256f4a007ba018!OpenDocument) that lists documents in the Superfund program's files related to certain facilities or parties. You do not need to provide a copy of a document that appears on the list if EPA has a complete copy. If a document is on EPA's list, you still must provide a complete Response to each question in this Information Request and, if necessary in order to completely respond to a Question, describe the content of any document in EPA's files in your Response.

   You may also provide a second copy of the response electronically on a compact disc, if you choose, in Portable Document Format (PDF) format. If possible, further format large documents as follows;

   a. Bookmark documents longer than 10 pages for easier navigation (e.g., chapters);
   b. Ensure that file/document properties/initial view is for "bookmarks panel and page" if there are bookmarks.
   c. For document composed of multiple files, link together with a starter file that is less than 2 MB, i.e., the document's executive summary. The executive summary should have a bookmarks panel with bookmark links to the other files. Ensure that all files are saved to the same folder, rather than multiple folders so that the linkage is retained.
   d. Bookmarks to other files should indicate the name of that file (and size of that file, if over 1 MB).
   e. "Tag" the document for accessibility if this was not done by the source application (advanced/accessibility/tag).
   f. Enter document properties: 1) title, author (should be XXXX for EPA Region 10), 2) subject, and 3) keywords.

3. Number Each Answer. Number each answer with the number of the question to which it corresponds.

4. Provide the Best Information Available. Provide responses to the best of Respondent's ability, even if the information sought was never put down in writing or if the written documents are no longer available. Seek out responsive information from current and former employees/agents. Submission of cursory responses when other responsive information is available to the Respondent will be considered noncompliance with this Information Request.

5. Identify Information Sources. For each question, identify all persons and documents relied upon for the answer.

6. Confidential Information. The information requested herein must be provided even though the Respondent may contend that it includes confidential information or trade secrets. The Respondent may assert a confidentiality claim covering part or all of the information requested, pursuant to 42 U.S.C. §§ 9604(e)(7)(E) and (F), and 40 C.F.R. § 2.203(b). All information claimed to be confidential should be contained on separate sheet(s) and should be clearly identified as "trade secret" or "proprietary" or "company confidential." A confidentiality claim should be supported by the submission of information consistent with 40 C.F.R. Part 2. Information covered by a confidentiality claim will be disclosed by EPA only to the extent, and only by means of the procedures, provided in 40 C.F.R. §§ 2.201-2.311. If no such claim accompanies the information received by EPA, it may be made available to the public by EPA without further notice.

7. Disclosure to EPA Contractor. Information submitted in response to this Information Request may be disclosed by EPA to authorized representatives of the United States, pursuant to 40 C.F.R. 2.310(h), even if the Respondent asserts that all or part of it is confidential business information. EPA may provide this information to its contractors for the purpose of organizing and/or analyzing the information contained in the responses to this Information Request. If submitting information and asserting it is entitled to treatment as confidential business information, the Respondent may comment on EPA's intended disclosure within 14 days of receiving this Information Request.

8. 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 responses, included on separate sheet(s), and marked as "Personal Privacy Information". Note, however, that unless prohibited by law, EPA may disclose this information to the general public without further notice.

9. Objections. The Respondent must provide responsive information notwithstanding objections to certain questions. To object without providing responsive information may subject Respondent to the penalties set out in the cover letter.

10. Privilege. If a privilege is asserted for any document responsive to this Information Request, identify (see Definitions) the document and provide the basis for assertion. If a privilege exists for only a portion of a document, provide the portion of the document that is not asserted be privileged, identify the portion that is asserted to be privileged, and provide the basis for asserting privilege. Please note that regardless of the assertion of any privilege, any facts contained in the document which are responsive to the Information Request must be disclosed in your response.

11. Declaration. The Respondent must complete the enclosed declaration, certifying the accuracy of all statements in your response.

DEFINITIONS

All terms not defined herein shall have their ordinary meaning, unless such terms are defined in Section 101 of CERCLA, 42 U.S.C. § 9601, *et seq.*, or Volume 40 of the Code of Federal Regulations (CFR), in which case such statutory or regulatory definitions shall apply.

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

1. The term "you" or "Respondent" shall mean the addressee of this Request, together with the addressee's officers, managers, agents, employees, contractors, trustees, successors, assigns, and any predecessor or successor corporations or companies.
2. The term "business activities" shall mean all actions, endeavors, ventures, or financing arrangements related in any manner whatsoever to the use and development of the Property, including surveying, sampling, grading, documentation, photography, demolition, construction, and waste disposal, and sales.
3. The terms "document" and "documents" shall mean any method of recording, storing, or transmitting information. "Document" shall include, but not be limited to:
   a. writings of any kind, including, but not limited to, any of the following:
      i. letters, memoranda, email or fax transmittals;
      ii. any film, photograph, or sound recording on any type of device;
      iii. meeting minutes, telephone records, notebooks;
      iv. agreements and contracts;
      v. reports to shareholders, management, or government agencies;
      vi. transportation manifests;
      vii. copies of any document;
      viii. report, notices, analysis, notebook.
   b. any blueprints or drawings; and
   c. attachments to, or enclosures with, any document.
4. The term "identify" means, with respect to a natural person, to set forth: (a) the person's full name, (b) present or last known business and home addresses and telephone numbers; and (c) present or last known employer (include full name and address) with job title, position, or business.
5. The term "identify" means, with respect to a corporation, partnership, business trust, or other entity, to set forth: (a) its full name; (b) complete street address; (c) legal form (e.g., corporation, partnership, etc.); (d) the state under whose laws the entity was organized; and (e) a brief description of its business.

6. The term "identify" means, with respect to a document, to provide: (a) its customary business description (e.g., letter, invoice); (b) its date; (c) its number if any (e.g., invoice or purchase order number); (d) the identity of the author, addressee, and/or recipient; and (e) a summary of the substance or the subject matter. Alternatively, Respondent may provide a complete copy of the document.

7. The term "Investigation Area" refers to the area in and adjacent to the Willamette River in which EPA is currently conducting its PRP search and is bounded to the North by the confluence of the Columbia Slough, approximately River Mile 1.7 and bounded to the South at River Mile 12 and bounded to the East by a line following N Lombard St. to N Columbia Blvd. to Chimney Park to N. Commando Ave. to N Lombard St. to N Reno Ave. to N Edison St. to N Catlin Ave to N Decatur St. to N Baltimore Ave. to N Crawford St. to N Polk Ave. to N Willamette Blvd. to N Greeley Ave to N Interstate Ave. and bounded to the West by a line following NW Gillihan Rd. on Sauvie Island to Columbia River Hwy 30 to NW St. Helens Rd. to NW Nicolai St. to NW Vaughn St. to NW Thurman St. to NW 14th Ave. to NW Raleigh St. to NW 13th Ave. to NW Pettygrove St. to NW 12th Ave to NW Overton St. to NW 9th Ave. to NW Lovejoy St. to NW Broadway to NW Glisan St. Additionally, the area included between the Columbia River Hwy 30 and Forest Park is included in the definition of Investigation Area. See attached Investigation Area Map for a visual depiction of the Investigation Area.

8. The term "material" or "materials" shall mean any and all raw materials, commercial products, wastes, oil, petroleum, chemicals, substances, or matter of any kind.

9. The "period being investigated" and "the relevant time period" shall mean 1937 to present.

10. The term "Property(ies)" shall refer to any and all real or personal property within the Portland Harbor Investigation Area that Respondent owns, leases, manages, operates, has an easement on, or otherwise has an affiliation, or previously owned, leased, managed, operated, had an easement on, or otherwise had an affiliation during the period being investigated. The term Property includes aquatic lands owned, leased, or otherwise controlled by Respondent. Please note that you must answer the Questions in this Information Request related to properties outside the Investigation Area if Question 4, Section 2.0 specifically instructs you to.

11. 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 wastes, building debris and asbestos-containing material.

DECLARATION

I declare under penalty of perjury that I am authorized to respond on behalf of Respondent and that the foregoing is complete, true, and correct.

Executed on MAY 13TH, 2008.

Signature

DOUGLAS W. MCMULLIN

Type or Print Name

VP - GENERAL MANAGER

Title

Mailing Address:

8524. N. CRAWFORD ST.

PORTLAND, OREGON 97203