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April 15, 2019

Via Email
Andrea Leshak, Esquire
Office of Regional Counsel
U.S. EPA Region 2
290 Broadway, 17th Floor
New York, NY 10007-1866
Leshak.Andrea@epa.gov

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

Re: Notice of Potential Liability and Request for Information Pursuant to Sections 107(a) and 104(e) of CERCLA, relating to PROTECO site in Penuelas, Puerto Rico

Dear Ms. Leshak and Ms. Luna:

I am writing on behalf of StarKist Co. in response to the above-referenced Notice of Potential Liability and Request for Information. Enclosed herewith in two separate emails are StarKist Co.'s responses to the information request. As you will see from the responses, we believe that you have identified the wrong party. StarKist has no relation to Star-kist Caribe, Inc. or the PROTECO Site.

The response is being submitted in two separate emails because a document being produced is Confidential Business Information. The first email contains StarKist's written response to the Information Request. The second email is noted as containing CBI, and attaches a document that has been marked as "Confidential Business Information". Please handle this email and that document accordingly.

Please let us know if you have any questions regarding this response.

Sincerely yours,

Scott R. Dismukes

SRD/kc
Enclosure
cc: (via email)
Scott Meece
Jeffrey Roberts
David A. Rockman

565366

{J2481144.1}

STARKIST CO.

RESPONSE TO U.S. EPA MARCH 28, 2019
REQUEST FOR INFORMATION PURSUANT TO THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT REGARDING THE PROTECO SITE, PENUELAS, PUERTO RICO

GENERAL RESPONSES AND OBJECTIONS

The general responses and objections set forth below to U.S. EPA's March 28, 2019 information request are intended to be continuing throughout the specific responses, even when not specifically repeated in a given response.

1. StarKist Co. ("StarKist") objects to these Requests as directed to the wrong party, since they apparently arise out of the actions of Star-Kist Caribe, Inc. StarKist has no relationship or affiliation with Star-Kist Caribe, Inc.

2. StarKist objects to these Requests as they relate to the disposal of waste materials at the PROTECO Superfund Site in Penuelas, Puerto Rico. StarKist has never conducted manufacturing activities in Puerto Rico and has never sent any waste material to the PROTECO Site.

3. StarKist objects to these Requests to the extent they are overbroad and impose an undue burden on StarKist.

4. StarKist objects to these Requests to the extent they are not relevant to or reasonably related to EPA's enforcement of CERCLA requirements regarding the releases of hazardous substances, pollutants or contaminants.

5. StarKist objects to these Requests to the extent they call for the production of publicly available documents or information that is already in the possession of EPA.

6. StarKist objects to these Requests to the extent they use terms that are not defined, and therefore not susceptible to a clear and definite answer.

7. StarKist objects to these Requests to the extent they are ambiguous or confusing and therefore not susceptible to a clear and definite answer.

8. StarKist objects to these Requests to the extent that they require StarKist to form, reach or set forth a legal conclusion.

9. StarKist objects to these Requests to the extent that they are vague as to the period of time encompassed by the Request.

10. StarKist objects to these Requests to the extent they seek information which constitutes Confidential Business Information ("CBI").

Without waiving the foregoing objections, and reserving all rights to assert these and all other applicable objections in the future, StarKist provides the following specific responses to the Request for Information:

RESPONSE TO REQUEST FOR INFORMATION

1. Answer the following questions regarding the Company:

   a. State the correct legal name and mailing address for the Company;

   b. State the name(s) and address(es) of the President, Chief Executive Officer, and the Chairman of the Board (or other presiding officer) of the Company;

   c. Identify the state/commonwealth and date of incorporation of the Company and the name of its agents for service of process in the state/commonwealth of incorporation and in Puerto Rico, if different; and

   d. Identify any successor corporations, predecessor corporations, or other entities related to the Company. If the Company is or was a subsidiary or affiliate of another corporation or other entity, identify each of those other entities' Chief Executive Officers, Presidents, and Chairpersons of the Board. Identify the state/commonwealth of incorporation and agents for service of process in the state/commonwealth of incorporation and in Puerto Rico, if different, for each entity identified in your response to this question.

RESPONSE:

   a. StarKist Co.
   225 North Shore Drive, Suite 400
   Pittsburgh, PA 15212

   b. Andrew Choe, President and Chief Executive Officer; 225 North Shore Drive, Pittsburgh, PA 15212; Ingu Park, Chairman of the Board of Directors, 275 Yangjae-dong, Seocho-gu, Seoul, Korea

   c. The Company was incorporated in the State of Delaware on June 19, 2008. The name of the Company's for service of process is CT Corporation and its address is 1209 Orange Street, Wilmington, DE 19801. The Company does not have an agent for service of process in Puerto Rico.

   d. The Company is wholly owned by Dongwon Industries Co., Ltd., a subsidiary of Dongwon Enterprises Co., Ltd. There are no successor or predecessor entities.

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

a. Whether that other company or business continues to exist, indicating the date and means by which it ceased operations (e.g., dissolution, bankruptcy, sale) if it is no longer in business;

b. Names, addresses, and telephone numbers of all registered agents, officers, and operations management personnel; and

c. Names, addresses, and telephone numbers of all subsidiaries, unincorporated divisions or operating units, affiliates, and parent corporations if any, of that other company.

RESPONSE:

StarKist was incorporated in 2008. On June 29, 2008, StarKist acquired certain assets of the Del Monte Corporation. A copy of the Purchase Agreement is being produced with these responses; the agreement is Confidential Business Information, and has been labelled accordingly. StarKist changed its name in 2008 from Starkist Co. to StarKist Co. The name change did not involve any change in the operations of the company.

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

RESPONSE:

The Company is wholly owned by Dongwon Industries Co., Ltd., a subsidiary of Dongwon Enterprises Co., Ltd. Upon its incorporation in 2008, the Company was owned by Dongwon Industries Co., Ltd, as majority shareholder, with each of KDB Value Private Equity Fund II and KDB Value Private Equity Fund III, as minority shareholders and each of which were controlled by Korea Development Bank. Through stock redemptions and transfers, Dongwon Industries Co., Ltd. became the sole shareholder in the Company.

4. For each owner that is a subsidiary of another corporation identified in your answer to Request #3, above, please provide a chart that details the corporate structure from that other company through all intermediary entities to the ultimate corporate parent. For purposes of this information request, the term "ultimate corporate parent" means the corporate entity that, while owning or controlling the majority of the shares of common stock in a subsidiary corporation, is not primarily owned/controlled by another corporation.

RESPONSE:

Please see the above response.

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

RESPONSE:

None.

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

RESPONSE:

StarKist never owned, operated or leased any portion of the Facility.

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

RESPONSE:

StarKist objects to this Request as overbroad and unduly burdensome, and as calling for information entirely unrelated to the PROTECO Site or the disposal of waste materials in Puerto Rico. Without waiving this objection, StarKist responds that it never operated at the Facility. StarKist has operated at locations in the United States in Pittsburgh, Pennsylvania; Mira Loma, California; and American Samoa. StarKist also operates at locations outside of the United States.

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

   a. The date such operations commenced and concluded; and

   b. The types of work performed at each facility, including but not limited to the industrial, chemical, or institutional processes and treatments undertaken at each facility.

RESPONSE:

StarKist objects to this Request as overbroad and unduly burdensome, and as calling for information entirely unrelated to the PROTECO Site or the disposal of waste materials in Puerto Rico. Without waiving this objection, StarKist responds that it never operated at the Facility. StarKist is in the business of processing, packaging and canning food products, primarily tuna fish.

9. Describe the current and past business relationship between the Company and Star-Kist Caribe, Inc.

RESPONSE:

There is no current or past business relationship between StarKist and Star-Kist Caribe, Inc.

10. Describe any asset purchase agreements, whereby some or all of the assets of Star-Kist Caribe, Inc. were ever sold to any other entity, including the date(s), the companies involved, and the terms of such asset purchase agreement(s).

RESPONSE:

StarKist never owned, purchased or sold any assets of Star-Kist Caribe, Inc. To the best of StarKist's knowledge, Star-Kist Caribe, Inc. was a subsidiary of the H. J. Heinz Co. and/or the Del Monte Corporation.

11. Identify all meetings and communications that the officers, directors, or employees of the Company participated in or attended regarding the operations of the Facility.

RESPONSE:

StarKist, and its officers, directors and employees have never had any meetings, communications or other involvement with the Facility.

12. Identify what, if any, reports, statements, or other documents the officers or directors of the Company wrote or received regarding the operations of the Facility and describe what, if any, information the officers and directors received concerning the operations of the Facility.

RESPONSE:

StarKist has conducted an inquiry of those believed knowledgeable and, to the best of the company's knowledge, no reports, statements or other documents were written or received regarding the Facility.

13. Identify any employees, officers, or directors of the Company who participated in discussions or other communications regarding any decision pertaining to disposal of waste materials from the Facility.

RESPONSE:

No employee, officer or director of StarKist participation in discussions or communications regarding the disposal of waste materials from the Facility.

14. State whether any officers or directors of the Company approved, authorized, discussed, or had knowledge or awareness of any arrangement to dispose of wastes from the Facility. Describe the nature and extent of such approval, authorization, discussion, knowledge, or awareness.

RESPONSE:

No officer or director of StarKist had any involvement with any disposal of wastes from the Facility, or any operations or activities at the Facility.

15. Indicate whether any reports discussing waste disposal practices at the Facility were ever received by officers or directors of the Company. If your answer to this Request is in the affirmative, indicate (i) when such reports were received, (ii) who the originator of such reports was, (iii) who such reports were directed to, and (iv) the content of such reports. If such reports are in your possession or control, submit copies of such reports to EPA.

RESPONSE:

No reports discussing waste disposal practices at the Facility were ever received by officers or directors of StarKist.

16. In Sasportes v. The MIV Sol de Copacabana, 1976 U.S. Dist. LEXIS 15546 (D.C.Z. 1976) and Sasportes v. MIV Sol de Copacabana, 581 F.2d 1204 (5th Cir. 1978), Star-Kist Foods, Inc. claimed to hold a maritime lien against a Spanish corporation's (Navexport) ship. Navexport and Star-Kist Caribe, Inc. were parties to agreements giving rise to the maritime lien. Both the district court and the Fifth Circuit Court of Appeals treated StarKist Caribe, Inc. and Star-Kist Foods, Inc. as the same entity. Provide the following information regarding this litigation:

    a. Copies of the abovementioned agreements between Navexport and Star-Kist Caribe, Inc.;

    b. A detailed description of the outcome of the above-referenced litigation and the ultimate disposition of the proceeds of the judicial sale of Navexport's vessel. In particular, identify which company (Star-Kist Caribe, Inc. or Star-Kist Foods, Inc.) received the proceeds of the judicial sale.; and

    c. A description answering why Star-Kist Foods, Inc. (and not Star-Kist Caribe, Inc.) claimed to hold a maritime lien against Navexport's ship even though it was apparently Star-Kist Caribe, Inc. that had entered into contractual agreements with Navexport.

RESPONSE:

StarKist has no relationship to Star-Kist Caribe, Inc., and no involvement in the referenced litigation.

a. StarKist has conducted an inquiry of those believed knowledgeable and, to the best of the company's knowledge StarKist has no copies of the referenced agreements.

b. StarKist has no knowledge of the outcome of the litigation or proceeds of the sale of the vessel.

c. StarKist has no knowledge of the referenced maritime line or the decisions of Star-Kist Foods, Inc. StarKist has no relationship or affiliation with Star-Kist Foods, Inc.

17. According to an audit of Star-Kist Caribe, Inc. financial statements, in approximately 1997, Star-Kist Caribe, Inc. reduced its operation in Puerto Rico drastically, transferring approximately $24,650,000.00 in property and equipment related to its can manufacturing operations to Star-Kist Foods, Inc. (approximately $17,000,000) and to another affiliate, Mani Can Corporation (approximately $7,650,000). Provide all documentation regarding this reduction in operation and transfer of property and equipment.

RESPONSE:

StarKist has conducted an inquiry of those believed knowledgeable and, to the best of the company's knowledge StarKist has no documentation regarding any aspect of the operations of Star-Kist Caribe, Star-Kist Foods, Inc. or Mani Can Corporation.

18. Pursuant to a Purchase Agreement dated June 29, 2008, Del Monte Corporation sold its Starkist Seafood Business to Dongwon Industries Co., Ltd. Explain what assets and liabilities were transferred as part of this purchase agreement and provide all documentation of this purchase agreement.

RESPONSE:

StarKist acquired certain assets and liabilities from Del Monte Corporation under the June 29, 2008 Purchase Agreement. These assets acquired were limited to assets of Galapesca S.A., an Ecuadorian corporation; Panapesca Fishing, Inc., a Panamanian corporation; Marine Trading Pacific, Inc., a Delaware Corporation; and Star-Kist Samoa, Inc., a California Corporation. StarKist also acquired the stock of Del Monte Andina, C.A., a Venezuelan Corporation.

The liabilities acquired by StarKist were limited to certain liabilities of Galapesca, Panapesca, Marine Trading Pacific, Star-Kist Samoa, and Del Monte Andina. All pre-existing environmental liabilities were specifically retained by the Del Monte Corporation.

The Purchase Agreement is being submitted with this response. However, the agreement is Confidential Business Information, and has been labelled accordingly.

19. Indicate whether the Company is the successor to any liabilities, including those under CERCLA, of Star-Kist Foods, Inc.

RESPONSE:

StarKist is not the successor to any liabilities of Star-Kist Foods, Inc. See the attached Purchase Agreement from Del Monte. As noted above, the agreement is Confidential Business Information and has been labelled accordingly.

20. Indicate whether the Company is the successor to any liabilities, including those under CERCLA, of Star-Kist Caribe, Inc.

RESPONSE:

StarKist is not the successor to any liabilities of Star-Kist Caribe, Inc. See the attached Purchase Agreement from Del Monte. As noted above, the agreement is Confidential Business Information and has been labelled accordingly.

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

RESPONSE:

StarKist never possessed any hazardous substances that came to be located at the Site.

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

RESPONSE:

StarKist never owned or operated the Facility. StarKist never used, generated, treated, stored, disposed, manufactured, recovered, treated or otherwise processed hazardous substances at the Facility.

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

RESPONSE:

StarKist objects to this request as overbroad, unduly burdensome and as calling for information unrelated to the question of the disposal of waste material from the Facility or the release of hazardous substances from the PROTECO Superfund Site.

Without waiving said objection, StarKist responds that it has never conducted manufacturing operations in Puerto Rico.

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

RESPONSE:

StarKist objects to this request as overbroad, unduly burdensome and as calling for information unrelated to the question of the disposal of waste material from the Facility or the release of hazardous substances from the PROTECO Superfund Site. Without waiving said objection, StarKist responds that it has never conducted manufacturing operations in Puerto Rico. StarKist has never sent waste materials generated from operations outside of Puerto Rico to Puerto Rico for disposal.

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

    a. Provide each such individual's job title, duties, dates performing those duties, supervisors for those duties, current position, and if applicable, the date of the individual's resignation or termination.

    b. Provide the nature of the information possessed by each such individual concerning the Company's waste management.

RESPONSE:

StarKist was not in existence between 1975 and 1999.

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

    a. Provide any agreement and document, including waste logs, journals, manifests, or notes, related to any transfer of hazardous substances, hazardous wastes, and industrial wastes from the Company's Facility that came to be located at the Site.

    b. Provide all correspondence and written communications between the Company and each owner/operator of the Site regarding the Company's hazardous substances, hazardous wastes, and industrial wastes that came to be located at the Site.

RESPONSE:

StarKist objects to this request as overbroad, unduly burdensome and as calling for information unrelated to the question of the release of hazardous substances from the PROTECO Superfund Site. Without waiving this objection, StarKist has never conducted manufacturing operations in Puerto Rico. To the best of StarKist's knowledge, no waste material from StarKist's operation was ever sent to or came to be located at the Site. StarKist is unrelated to Star-Kist Caribe, Inc. StarKist was not in existence and not conducting business at the time that Star-Kist Caribe, Inc. may have sent waste material to the Site, based on the December 1984 hazardous waste manifest attached to the Information Request.

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

    a. The locations where the Company sent each type of hazardous substance, hazardous waste, and industrial waste for disposal, treatment, or recycling;

    b. List all Waste Transporters used by the Company;

    c. For each type of hazardous substance, hazardous waste, and industrial waste, specify which Waste Transporter picked it up;

    d. For each type of hazardous substance, hazardous waste, and industrial waste, state how frequently each Waste Transporter picked up such waste;

    e. For each type of hazardous substance, hazardous waste, and industrial waste, provide the volume picked up by each Waste Transporter (per week, month, or year);

    f. For each type of hazardous substance, hazardous waste, and industrial waste, identify the dates (beginning & ending) such waste was picked up by each Waste Transporter;

    g. Indicate the ultimate location for each type of hazardous substance, hazardous waste, and industrial waste. Provide all documents indicating the ultimate disposal/recycling/treatment location for each type of hazardous substance, hazardous waste, and industrial waste;

    h. Describe how the Company managed pickups of each hazardous substance, hazardous waste, and industrial waste including but not limited to:

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

ii. The method for requesting each type of hazardous substance, hazardous waste, and industrial waste to be picked up;

iii. The identity of the Waste Transporter employee/agent contacted for pickup of each type of hazardous substance, hazardous waste, and industrial waste; and

iv. The amount paid or the rate paid for the pickup of each type of hazardous substance, hazardous waste, and industrial waste;

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

RESPONSE:

StarKist objects to this request as overbroad, unduly burdensome and as calling for information unrelated to the question of the release of hazardous substances from the PROTECO Superfund Site. Without waiving this objection, StarKist responds that it has never conducted manufacturing operations in Puerto Rico.

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

RESPONSE:

StarKist did not send any waste or other materials to the Site.

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

a. The nature, including the chemical content, characteristics, physical state (e.g., solid, liquid), and quantity (volume and weight) of all hazardous substances, hazardous wastes, and industrial wastes involved in each arrangement transferring materials from any facility owned or operated by the Company (including the Facility) to any other facility;

b. In general terms, the nature and quantity of the non-hazardous substances involved in each such arrangement;

c. The hazardous substances being mixed or combined with other hazardous substances or non-hazardous substances for each such arrangement. Indicate whether such mixing or combining is common in the industry. Indicate whether the Company was ever asked to stop mixing or combining the hazardous substances with the non-hazardous substances;

d. Other materials other than the hazardous substances that were involved in the transaction;

e. The condition of the transferred material containing hazardous substances when it was stored, disposed of, treated, or transported for disposal or treatment;

f. The markings on and type, condition, and number of containers in which the hazardous materials were contained when they were stored, disposed, treated, or transported for disposal or treatment; and

g. All tests, analyses, analytical results, and manifests concerning each hazardous substance, hazardous waste, and industrial waste involved in each transaction. Include information regarding who conducted the test and how the test was conducted (batch sampling, representative sampling, splits, composite, etc.).

RESPONSE:

StarKist did not send any waste or other materials to the Site.

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

RESPONSE:

StarKist has never had any relationship with any owner or operator of the Site.

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

StarKist objects to this request as overbroad, unduly burdensome and as calling for information unrelated to the question of the release of hazardous substances from the PROTECO Superfund Site. Without waiving this objection, StarKist responds has never conducted manufacturing operations in Puerto Rico and has never sent any waste materials to the Site.

32. Please provide all documents, if not already requested above, that support your responses to Requests # 1 - #31, above.

RESPONSE:

A copy of the Purchase Agreement with Del Monte is being provided. As noted above, the agreement is Confidential Business Information and has been labelled accordingly. StarKist is not aware of any other relevant responsive documents.

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

a. The Company's document retention policy between 1975 and 2018;

b. A description of how the records were destroyed (burned, trashed, etc.) and the approximate date of destruction;

c. A description of the type of information that would have been contained in the documents;

d. The name, job title, and most current address known by you of the person(s) who would have produced these documents, the person(s) who would have been responsible for the retention of these documents, the person(s) who would have been responsible for the destruction of these documents, and the person(s) who had and/or still may have the originals or copies of these documents; and

e. The names and most current address of any person(s) who may possess documents relevant to this inquiry.

RESPONSE:

StarKist was not in existence until 2008. StarKist has not conducted any manufacturing operations in Puerto Rico. StarKist is not aware of any relevant documents now or formerly in its possession that are responsive to this information request.

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

RESPONSE:

StarKist objects to this request as overbroad, unduly burdensome and as calling for information unrelated to the question of the release of hazardous substances from the PROTECO Superfund Site. Without waiving this objection, StarKist responds that it has never conducted manufacturing operations in Puerto Rico and has never sent any waste materials to the Site.

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

RESPONSE:

StarKist objects to this request as overbroad, unduly burdensome and as calling for information unrelated to the question of the release of hazardous substances from the PROTECO Superfund Site. Without waiving this objection, StarKist responds that it has never conducted manufacturing operations in Puerto Rico and has never sent any waste materials to the Site. StarKist is not currently aware of any insurance policies that would provide coverage with respect to releases of hazardous substances from the Facility. StarKist's Purchase Agreement with Del Monte provides certain indemnification rights. See the Purchase Agreement for more details. As noted above, the agreement is Confidential Business Information and has been labelled accordingly.

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

RESPONSE:

No such claims have been made by StarKist.

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

RESPONSE:

StarKist is not aware of any specific persons who are able to provide a more detailed response or identify responsive documents. StarKist generally suggests that U.S. EPA contact the Del Monte Corporation for more information.

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

RESPONSE:

Andrew Choe, President and Chief Executive Officer
Jung Ki Ro, Chief Financial Officer and Senior Vice President
Scott Meece, General Counsel and Senior Vice President
Jeffrey Roberts, Senior Counsel & Corporate Compliance

The address for each of these individuals is StarKist Co., 225 North Shore Drive, Suite 400, Pittsburgh, PA 15212.

CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATION

Commonwealth of Pennsylvania

County of Allegheny

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

Jung Ki Ro
NAME (print or type)

SVP, CFO Finance
TITLE (print or type)

SIGNATURE

Commonwealth of Pennsylvania
County of Allegheny

Sworn to before me this 11th day of April 2019.

Notary Public

Denise A. Jones

Commonwealth of Pennsylvania - Notary Seal
Denise A. Jones, Notary Public
Allegheny County
My commission expires February 12, 2022
Commission number 1254294
Member, Pennsylvania Association of Notaries