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Agriculture

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July 18, 1997

Elizabeth M. Jennings  
Senior Staff Counsel  
Office of the Chief Counsel  
State Water Resources Control Board  
901 "P" Street  
Sacramento, CA 95814



RE: Walker Mine Tailings Site

Dear Ms. Jennings:

As you may be aware, the Forest Service, under its lead agency authority pursuant to 42 USC 9604(a) of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA") and Executive Order 12580, initiated a remedial response action at the Walker Mine Tailings that are located on National Forest System lands on the Plumas National Forest.

The Forest Service is currently in the process of seeking reimbursement of its costs from potentially responsible parties at the Walker Mine Tailings Site ("Site"). At the meeting regarding the Walker Mine Conservancy that was recently held at the Water Board's office, it was suggested that the two agencies may be able to coordinate efforts as there are ongoing environmental problems at the Walker Mine Site, which is upstream from the tailings and on private lands. I agree that coordination between the two agencies is worthwhile.

Enclosed is a copy of the response from the Atlantic Richfield Company ("ARCO") to the information request by the Forest Service pursuant to 42 USC 9604(e). Our research indicates that when Walker Mine was in operation, from 1918 through the remainder of Walker Mine's operation, International Smelting and Refining Company held a ownership interest in 50.42% of stocks in Walker Mine. In 1928 International Smelting and Refining Company merged with Anaconda Copper Mining Company. In 1977 the Anaconda Company merged into Atlantic Richfield Delaware Corp. The survivor of this merger, Atlantic Richfield Delaware Corp. changed its name to the Anaconda Company. On Dec. 31, 1981, the Anaconda Company merged into Atlantic Richfield Corporation (ARCO).

Please let me know if you have any questions or would like any of the documents that ARCO provided.

Very truly yours,

*Rose Miksovsky*  
Rose Miksovsky  
Staff Attorney

cc: Cecilia Horner (w/o encl.)  
Terry Benoit, Plumas NF (w/o encl.)  
William J. Marshall (w/o encl.)

ATLANTIC RICHFIELD COMPANY  
RESPONSE TO SECTION 104(E)  
REQUEST FOR INFORMATION

The Atlantic Richfield Company ("ARCO"), as successor in interest to Anaconda Minerals Company ("Anaconda") submits this response to the October 12, 1994 Section 104(e) Request for Information (the "Request") from the United States Forest Service ("Forest Service") for the Walker Mine Site within the Beckwourth Ranger District, Plumas National Forest, California (the "Site").

To formulate this response, ARCO initiated a considerable review effort, particularly in light of time and resource restraints and the historical nature of the Site. ARCO's efforts fully satisfy its obligations under Section 104(e) of CERCLA, 42 U.S.C. § 9604(e). Nonetheless, if new documents or information become available, ARCO will supplement this response to the extent that Section 104(e) and this Request so require.

GENERAL OBJECTIONS

ARCO makes the following General Objections to the Request. Without waiving or limiting these objections, ARCO has attempted to respond to the Request as completely and accurately as possible in light of these General Objections.

(1) ARCO objects to the Request, and to each paragraph and the request for documents contained therein, to the extent that (a) it is overbroad; (b) it is unduly burdensome; (c) it is unduly time-consuming and contains redundant requests; (d) it seeks information that is not required to be furnished by Section

104(e) of CERCLA; and (e) it seeks information that could be as readily located and identified by the Forest Service as by ARCO.

(2) ARCO objects to the Request, and to each paragraph and the request for documents contained therein, to the extent that it calls for information or documents that are protected under the attorney-client privilege, the work product doctrine, the self-evaluation privilege or any other applicable privilege.

(3) ARCO objects to the Request, and to each paragraph and request for documents contained therein, to the extent it seeks to impose on ARCO an obligation to obtain information or documents from third persons or which otherwise are not in ARCO's custody or control.

#### OBJECTIONS TO THE INSTRUCTIONS AND DEFINITIONS

Without waiving or limiting its General Objections, ARCO makes the following objections to the Instructions and Definitions and to all questions and requests for copies of documents that purport to use these Instructions and Definitions. Specific objections to individual questions are stated in response to that particular question. Without waiving or limiting its Objections to the Instructions and Definitions, ARCO has attempted to respond to the Request as completely and accurately as possible in light of these Objections to the Instructions and Definitions.

(1) ARCO objects to Instruction No. 1 on the grounds that many of the questions contained in the Request are redundant

or overlapping, such that a "narrative response" to each question and subparagraph would be unduly time-consuming and wasteful.

(2) ARCO objects to Instruction No. 4, which directs ARCO to designate certain information on each and every document it is producing, on the grounds that the Instruction is unduly burdensome and time-consuming, as well as unnecessary. Because many of the documents being produced in response to this Request are responsive to more than one question or subpart and/or were consulted in response to more than one question or subpart, any such identification would also be arbitrary and potentially misleading.

(3) ARCO objects to Definition No. 1 insofar as it applies to "contractors, trustees, partners, successors, assigns, and agents," on the grounds that the Definition is overbroad and that to respond to any request utilizing this Definition would be impracticable, beyond the scope of ARCO's obligations under Section 104(e) of CERCLA, and prohibitively time-consuming and expensive.

(4) ARCO objects to Definition No. 3 on the grounds that this Definition is vague and overbroad, and potentially covers such a wide area that to respond to the Request utilizing this Definition would be unduly burdensome and prohibitively time-consuming. For instance, the Definition of "Site" purports to include "any areas adjacent to or near this property that have been, or may have been, impacted by hazardous waste, substances, pollutants or contaminants." ARCO has no basis or knowledge upon

which to determine whether and to what extent any such areas adjacent to or near the Walker Mine may exist.

(5) ARCO objects to Definition No. 5 on the grounds that the Definition attempts to characterize mixtures of pollutants or contaminants with such substances as petroleum products as also constituting a "pollutant or contaminant," which is not necessarily true in law or in fact.

(6) ARCO objects to Definition No. 8 on the grounds that it is vague, unduly broad and presumes that ARCO has knowledge regarding "substances" handled at the Site.

(7) ARCO objects to Definitions Nos. 11-13, 15, 17-18, and 20-21, on the grounds that the Definitions are ambiguous, vague, overbroad, unduly burdensome and without basis in law.

#### RESPONSES TO QUESTIONS

Question No. 1. Identify the person(s) answering these questions on behalf of Respondent.

RESPONSE: These questions are being answered by Christiane C. Garlasco, who is the Assessment Manager, Site Assessment, Environmental Remediation, for ARCO. Ms. Garlasco's business address is: Atlantic Richfield Company, 555 17th Street, 16th Floor, Denver, Colorado 80202. Her business telephone number is: (303) 293-4085.

Question No. 2. Please indicate the name, title, address, and phone number of the individual to whom any future correspondence regarding this matter should be directed.

RESPONSE: Future correspondence regarding this matter should be directed to Lary D. Milner, Esq., ARCO, 555 17th St., 16th Floor, Denver, CO 80202, with copies to (1) Chris Garlasco,

at the same address; and (2) Roger L. Freeman, Davis, Graham & Stubbs, P.O. Box 185, Denver, CO 80201.

Question No. 3. For each and every question contained herein, identify all persons consulted in the preparation of the answer.

RESPONSE: Apart from ARCO personnel involved in document gathering and legal matters, no other persons were consulted in the preparation of this response.

Question No. 4. For each and every question contained herein, identify documents consulted, examined, or referred to in the preparation of the answer, or that contain information responsive to the question and provide accurate copies of all such documents.

RESPONSE: ARCO reiterates its Objection No. 2, objecting to Instruction Number 4. Without waiving this Objection, ARCO is producing herewith copies of those non-privileged documents in its custody and possession which it has consulted, examined or referred to in the preparation of answers to these questions.

Question No. 5. List the EPA RCRA Identification Numbers of the Respondent, if any, and identify the corresponding units, facilities, or vessels assigned these numbers.

RESPONSE: ARCO has no EPA RCRA Identification Numbers relevant to the Site or to this Response.

Question No. 6. 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, please identify such persons and the additional information or documents that they may have.

RESPONSE: ARCO is aware of no persons able to provide a more detailed or complete response to any question contained herein. As to responsive documents, in 1986, ARCO assigned to

the University of Wyoming a large compilation of geologic and related documents generated during Anaconda's exploration operations and known as the Anaconda Geologic Collection (the "Collection"). In 1991, ARCO conveyed the Collection to the University of Wyoming. The Collection is accessible to the public, and an appointment to review the documents within the Collection to ascertain whether additional documents pertinent to this Response are available can be arranged by contacting Mr. Glenn Cook at (307) 766-6506.

Question No. 7. Please list the present and any former names under which you operated or conducted business, including the names of any predecessors or successors in interest. Describe the form of business organization of each name listed (e.g., corporation, partnership, joint venture, sole proprietorship, etc.) and identify the state in which each was/is organized, the date of organization or initiation of business, the date of discontinuation or dissolution, and the reason or purpose therefore [sic].

RESPONSE: ARCO objects to this question on the grounds that it is: (a) overly broad; (b) unduly burdensome; (c) irrelevant; and (d) seeks information which is not required to be furnished by § 104(e) of CERCLA. Without waiving this objection, ARCO notes that some of the information requested by this question can be found in the Company's annual reports for 1989-1993, which are attached as Exhibit 1. ARCO's relationship to The Anaconda Company and to Anaconda Minerals Company is detailed in a certificate attached to this response as Exhibit 2.

Question No. 8. Describe the acts or omissions of any persons, other than your employees, agents, or those persons with whom you had a contractual relationship, that may have caused the release or threat of release of hazardous substances at or near the Site.

In addition:

a. Describe the care you exercise with respect to the hazardous substances found at the Site; and,

b. Describe all precautions that you took against foreseeable acts or omissions of any such third parties and the consequences that could foreseeably result from such acts or omissions.

RESPONSE: The only "acts or omissions" of which ARCO is aware that may have caused any release or threat of release of hazardous substances at or near the Site are those activities of the Walker Mining Company. Neither ARCO nor any of its predecessors conducted activities at the Site. Thus, subparts 8.a. and 8.b., regarding the degree of care and precautions taken by ARCO with respect to hazardous substances at the Site, are not applicable.

Question No. 9. Identify all persons, including Respondent's employees, who have knowledge, information or documents about the generation, use, purchase, treatment, storage, disposal, or other handling of materials at, or transportation of materials to, the Site.

RESPONSE: Apart from any persons identified in the attached documents, ARCO is aware of no other persons who have such knowledge or information. As noted above, the Collection now kept at the University of Wyoming may contain documents relevant to these matters.

Question No. 10. Describe all arrangements that Respondent may have or may have had with each of the following persons or business entities:

Calicopia Corporation; 6754 South 68th East Avenue;  
Tulsa, OK; 94133  
Ron Bonta; P.O. Box 1888; Portola, CA; 96122  
Bill Daw; P.O. Box 24; Portola, CA; 96122  
Buzz Lally; 2404 Allston Way; Stockton, CA; 95204  
Archie Sparkman; 2017 Lucerne Avenue; Stockton, CA;  
95203.

RESPONSE: ARCO has had no arrangements with any of the listed parties.

Question No. 11. Identify all persons, including you, who may have given, sold, transferred, or delivered any material or item to the Site.

In addition:

- a. State the dates on which each such person may have given sold, transferred, or delivered such material;
- b. Describe the materials or items that may have been given, sold, transferred, or delivered, including type of material, quantity, chemical content, physical state, quantity by volume and weight, concentration, and other characteristics;
- c. Describe the intended purpose of each sale, transfer, or delivery of materials; and,
- d. Describe the source or process that produced the materials that may have been sold, transferred, or delivered.
- e. Describe all efforts taken by such persons to determine what would actually be done with the materials that may have been sold, transferred or delivered after such materials had been sold, transferred or delivered.

RESPONSE: As noted above, ARCO did not give, sell, transfer, or otherwise deliver any material or item to the Site. The only "person" of which ARCO is directly aware that falls in this category is the Walker Mining Company. The Walker Mining Company was a distinct corporation separate and apart from ARCO, Anaconda, or any of its subsidiaries. Attached and stamped as Exhibit 3 is a Decree entered by the Court, "In the Matter of  Walker Mining Company," Civil Action No. B 16087, issued by the United States District Court in and for the District of Utah, specifically declaring that the Walker Mining Company "is not and has never been at any time an alter ego or instrument or department" of Anaconda or its wholly-owned subsidiary, International Smelting and Refining Company ("International").

See ¶ 2. The Decree further provides that "no act or omission" of Anaconda or International "constitutes or proves any domination or control by them" over Walker Mining Company. See ¶ 4.

While neither ARCO nor its predecessors were involved in the Site, ARCO is aware of information with respect to activities conducted by Walker Mining Company as a result of a prior investment by Anaconda's wholly-owned subsidiary, International, in stock issued by the Walker Mining Company. We provide here a general discussion of our knowledge of the activities of Walker Mining Company, but refer the Forest Service to the attached and other publicly available documents for more information on these activities.

*They say that  
not only just  
entered some  
Walker stock*

Walker Mining Company was first incorporated in Utah in 1909, but was reincorporated in Arizona on November 15, 1913. It did not begin operations in California until 1916. In August of that year, International acquired an option on 500,000 shares of Walker Mining Company stock from the Plumas Mining Company. Between 1916 and 1918, International apparently obtained an option on additional shares of Walker Mining Company. On October 1, 1918, International exercised its option to purchase 630,000 shares, out of an outstanding 1.25 million shares, of Walker Mining Company, thereby giving International an ownership interest of 50.42% of the Walker Mining Company stock. It appears that International continued to own this amount of Walker Mining Company stock throughout the period of Walker Mining's operation of the mine.

*International  
owned > 50%  
of Walker  
Mining  
stock*

ARCO does not have detailed information regarding the exact material handling processes and other activities undertaken by Walker Mining Company during its period of mining at the Walker Mine. Additional information may be available within the University of Wyoming Collection. Upon information and belief, the mine complex included a crusher, mill, and floatation equipment, but no smelting was performed at the Site. Like most mining operations at the time, the Walker Mine was characterized by sporadic output and cycles of expanded activities and downturns. Additional information on the activities of the company may be found in the attached documentation.

The attached documentation also provides some detail on the activities which led to the sale by the Walker Mining Company of its sole asset, the Walker Mine. The above-referenced Court Decree refers to debts which Walker Mining Company had accrued to International as a result of loans by International to Walker. As a result of these debts, and a downturn in the copper market during the early 1940s, it appears that International made a demand for payment of these outstanding debts, and notified Walker Mining Company that unless steps were taken, International would be forced to take legal action to collect. When Walker could not meet its obligations, International filed suit and as a result of the above-referenced Decree, International's claim of over \$500,000 against Walker Mining Company was upheld. The Decree specifically confirmed the validity of these loans and ruled that they were not capital investments, in the process

*International  
loaned Walker*

*court held:  
loans, not  
investment*

confirming the status of International and Walker Mining Company as distinct corporate entities.

As a result of this ruling, the Walker Mine asset was sold in a bankruptcy proceeding from Walker Mining Company to a succession of companies. From our information, subsequent owners include companies such as Safeway Signal, Union Bank and Trust of Los Angeles, Plumas Land Company, Plumas Mining Company, Plumas Lumber Company, and California Trust Company. The Forest Service also owns a considerable portion of the Site and has conducted various on-site activities. ARCO has no further information about the exact materials handling practices by these companies or entities.

*Other owners of mine*

Question No. 12. Identify all persons, including you, who may have manufactured, given, sold, transferred, delivered, or otherwise handled materials at the Site. In addition:

- a. Describe in complete detail, all arrangements pursuant to which such persons may have so handled such items or materials;
- b. State the dates on which such persons may have handled each such item or material;
- c. State the amounts of such items or materials that may have been so handled on each such date;
- d. Identify the persons to whom such items or materials may have been given, sold, transferred, or delivered;
- e. Describe the nature, including the chemical content, characteristics, physical state (e.g., solid, liquid) and quantity (volume and weight) of all material identified in barrels, in tanks, or in other containers, on the Site and describe all tests, analyses, and results of such tests and analyses concerning such items or materials;
- f. State whether any of the materials identified in subpart e. above exhibit any of the characteristics of a hazardous waste identified in 40 C.F.R. Part 261, Subpart C;
- g. State whether any of the materials identified in subpart e. are listed in 40 C.F.R. Part 261, Subpart D;

h. Describe the nature of the operations that were the source of the hazardous waste found at the Site;

i. Provide copies of all documents including, but not limited to, invoices, receipts, manifests, shipping papers, customer lists and contracts which may reflect, show, or evidence the giving, sale, transfer or delivery or other arrangements under which the giving, sale, transfer, or delivery of any materials to the Site took place; and

j. Describe the type, condition, number, and all markings on the containers in which the materials were contained when they were handled. Provide any inventories prepared of drums or barrels, or other containers on Site along with documentation which evidence their transfer or disposal.

RESPONSE: Available information in response to this Question is contained in response to Question 11.

Question No. 13. Identify all persons, including you, who may have:

a. Disposed of, or treated materials at, the Site;

b. Arranged for the disposal or treatment of materials at the Site; or,

c. Arranged for the transportation of materials to the Site (either directly or through transshipment points) for disposal or treatment. Such persons hereinafter will be referred to as "Generators."

RESPONSE: Available information in response to this Question is contained in response to Question 11.

Question No. 14. For each and every instance in which a Generator performed any of the actions specified in subparts a. through c. of the previous question:

a. Identify the Generator;

b. Identify the persons with whom the Generator made such arrangements including, but not limited to, transporters;

c. Identify all persons who may have directly or indirectly transported or otherwise brought any materials to the Site;

d. State every date on which each Generator made such arrangements;

e. Describe the nature, including the chemical content, characteristics, physical state (e.g., solid, liquid) and quantity (volume and weight) of all hazardous materials involved in each such arrangement;

f. State whether any of the hazardous materials identified in subpart e. above exhibit any of the characteristics of a hazardous waste identified in 40 C.F.R. Part 261, Subpart C;

g. State whether any of the hazardous materials identified in subpart e. are listed in 40 C.F.R. 261, subpart D;

h. In general terms, describe the nature and quantity of the non-hazardous materials involved in each such arrangement;

i. Identify the owner of the hazardous materials involved in each such arrangement;

j. Describe all tests, analyses, analytical results or manifests concerning each hazardous material involved in such transactions;

k. Describe as precisely as possible, any and all of the locations at which each hazardous material involved in such transactions actually was disposed or treated. This should include, but not be limited to, the details surrounding the receipt, storage, cleaning and transfer or disposal of any drums or barrels containing material;

l. Identify the persons who selected the location to which the hazardous materials were to be disposed or treated;

m. Identify the person who selected the Site as the location at which hazardous materials were to be disposed or treated;

n. State the amount paid in connection with each such arrangement, the method of payment, and identity of persons involved in each arrangement;

o. Describe where the persons identified in subparts j. and k. of this question intended to have the hazardous materials involved in each arrangement treated or disposed and all documents or other information (written or oral) evidencing their intent;

p. Describe all intermediate sites to which the hazardous materials involved in each arrangement were trans- shipped, or at which they were stored or held, any time prior to final treatment or disposal;

q. Describe in detail what was done to the hazardous material and/or drums or barrels once they were brought to the Site;

r. Describe the final disposition of hazardous materials and/or drums or barrels with material involved in each arrangement;

s. Describe the measures taken by the generator to determine how the disposal of the hazardous materials involved in each arrangement would actually take place; and

t. Describe the type, condition, and number of containers in which the hazardous materials were contained when they were disposed, treated, or transported for disposal or treatment, and describe any labels, numbers or other markings on the containers.

RESPONSE: Available information in response to this Question is contained in response to Question 11.

Question No. 15. Identify all persons, including you, who may have transported materials to the Site. Such persons will hereinafter be referred to as "Transporters".

RESPONSE: Available information in response to this Question is contained in response to Question 11.

Question No. 16. For each such Transporter, state whether it accepted materials including municipal solid waste from a municipality, or arranged with a municipality by contract or otherwise to accept materials from any source. If so, describe the nature, quantity, and source of all materials accepted and transported to the Site.

RESPONSE: To our knowledge, no municipality was involved in the activities at the Site.

Question No. 18 [sic]. For each such Transporter, further identify:

- a. In general terms, the nature and quantity of all non-hazardous materials transported to the Site.
- b. The nature of the hazardous materials transported to the Site, including the chemical content, concentration, characteristics, and physical state (e.g., solid, liquid);
- c. Whether any of the hazardous materials identified in subpart b. exhibit any of the characteristics

of a hazardous waste identified in 40 C.F.R. Part 261, Subpart C;

- d. Whether any of the hazardous materials identified in subpart b. are listed in C.F.R. Part 261, Subpart D;
- e. The persons from whom the Transporter accepted hazardous materials;
- f. Every date on which the Transporter transported the hazardous waste to the Site;
- g. The owners of the hazardous materials that were accepted for transportation by the Transporter;
- h. The quantity (weight and volume) of the hazardous materials brought by the Transporter to the Site;
- i. All tests, analyses, analytical results, and manifests concerning each hazardous material accepted for transportation to the Site;
- j. The precise locations at the Site to which each hazardous material was transported;
- k. Who selected the location to which the Transporter would take each hazardous material;
- l. Who selected the Site as the location to which the Transporter would take each hazardous material;
- m. The amount paid to each Transporter for accepting the hazardous material for transportation, the method of payment, and the identity of the persons who paid each Transporter;
- n. Where the persons identified in g. above intended to have such hazardous materials transported and all documents or other information (oral or written) evidencing their intent;
- o. All locations through which such hazardous materials were trans-shipped, or were stored or held prior to their final treatment or disposal;
- p. What activities transpired with regards to the hazardous materials after they were transported to the Site (e.g., treatment, storage, or disposal);
- q. The final disposition of each of the hazardous materials brought to the Site;

- r. The measures taken by the persons who gave the hazardous materials to the Transporters to determine what the Transporters would actually do with the hazardous materials they accepted; and,
- s. The type, number, and condition of containers in which the hazardous materials were contained when they were accepted by the Transporters, and when they were left at the Site and any other labels, numbers or other markings on the containers.

RESPONSE: Available information in response to this Question is contained in response to Question 11.

Question No. 18. State whether you conducted or permitted the generation, transportation, storage, treatment, or disposal of any hazardous substance at the Site. If yes, describe the activities you conducted or permitted.

RESPONSE: No.

Question No. 19. State whether you caused or contributed in any way whatsoever to the release or threatened release of any hazardous substance at the Site. If yes, describe the release or threat of release and how you caused it.

RESPONSE: No.

Question No. 20. Identify the person or person who caused the release or threatened release of hazardous substances at the facility. Describe the cause of the release or threatened release.

RESPONSE: Available information in response to this Question is contained in response to Question 11.

Question No. 21. Provide a list of all property and casualty insurance policies (e.g., Comprehensive General Liability, Environmental Impairment Liability, Director and Officers policies) for the period including the first date Respondent delivered materials to the Site until the present. Specify the insurer, policy, effective dates, and state per occurrence policy limits for each policy. (Copies of policies may be provided in lieu of a narrative response).

RESPONSE: ARCO believes that this question seeks documents that are beyond the scope of information accessible to the Forest Service under Section 104 of CERCLA. In support of that statement, ARCO cites United States v. Charles George

Trucking Co., Inc., 624 F.Supp. 1185 (D.Mass. 1986), which established that the government could not require submission of insurance documentation. We understand that the Environmental Protection Agency ("EPA") believes that amendments to Section 104 enacted in 1986 have rectified the ambiguity in the pre-1986 version of Section 104, and that these amendments thereby supersede the Charles George decision.

EPA has failed to convince ARCO/Anaconda that SARA unambiguously allows access to insurance documentation. SARA never mentions insurance documentation, nor does its legislative history mention either the earlier precedent or insurance documents, even indirectly. If Congress had desired to overrule an established precedent, it could have done so explicitly, or at the least have mentioned the type of documentation that the government now believes is within its authority to demand.

In short, Section 104 allows a delegated agency to request "information relating to the ability of a person to pay for or perform a cleanup" under CERCLA. Any insurance information given to the Forest Service at this time would not increase the Agency's understanding of ARCO's ability to pay because of the uncertainty surrounding the interpretation of insurance policies in the context of environmental requirements. More importantly, such information, if made public, could jeopardize that very coverage and defeat the ostensible purpose of this request in the first place.

There should be no question as to ARCO/Anaconda's "ability to pay" as that phrase is used in CERCLA. If the Forest

Service has any doubts on this point, reference to any of the attached Annual Reports should resolve this concern.

Question No. 22. Provide copies of financial statements, reports, or projections prepared by, for, or on behalf of, the Respondent for the past five years, whether audited or unaudited, including, but not limited to, all those filed with the Securities and Exchange Commission, State agencies, and all financial institutions such as banks.

RESPONSE: With this response, ARCO/Anaconda is producing copies as Exhibit 1 Annual Reports for the years 1989-1993, from which the information requested in this question can be obtained.

Question No. 23. If you are now a partner in a legal partnership or joint venture, or have been in the past, please provide your business tax returns for the years 1985, 1986, 1987, 1988, 1989. (Respondent need only respond to this question if subject partnership or joint venture delivered or arranged for delivery of materials to the Site.)

RESPONSE: Not applicable.

Question No. 24. Identify each and every person who is or may be in possession, custody, or control of any and all books and records belonging to Respondent.

RESPONSE: ARCO objects to this Question on the grounds that it is (a) overly broad, (b) unduly burdensome, (c) irrelevant, and (d) seeks information which is not required to be furnished by § 104(e) of CERCLA. Without waiving this objection, ARCO states that it is aware that the University of Wyoming has books and records originally belonging to Respondent in its Collection. As a result of prior information requests, the federal government also has such books and records.

Question No. 25. Identify all persons who may be responsible for the liabilities of Respondent arising from, or relating to, the release or threatened release of hazardous substances at the Site, including, but not limited to, successors and individuals.

RESPONSE: Not applicable.

Question No. 26. Identify the parent corporation and all subsidiaries of Respondent.

RESPONSE: ARCO objects to this Question on the grounds that this Question is (a) overly broad, (b) unduly burdensome, (c) irrelevant, and (d) seeks information which is not required to be furnished by § 104(e) of CERCLA. Without waiving this objection, ARCO notes that some of the information requested by this Question can be found in the company's annual reports for 1989-1993, which are attached as Exhibit 1. ARCO's relationship with the Anaconda Company and the Anaconda Minerals Company is detailed in the certificate attached to this response as Exhibit 2.

Question No. 27. Identify the officers, managers and majority shareholders of Respondent, the nature of their management duties, and the amount of shares held respectively.

RESPONSE: See Response to Question 26.

Question No. 28. State the date and state of incorporation for Respondent.

RESPONSE: See Response to Question 26.

Question No. 29. If applicable, identify all partners comprising the partnership of Respondent and the nature of their partnership interest.

RESPONSE: Not applicable.

Question No. 30. 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: See Response to Question 6.

Question No. 31. For each and every question contained herein, if information or documents responsive to this Information Request are not in your possession, custody or

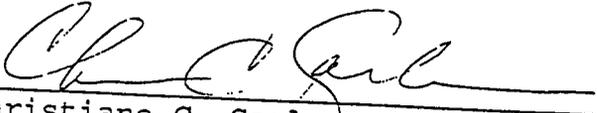
control, then identify the persons from whom such information or documents may be obtained.

RESPONSE: See Response to Question 6.

NOTARIZED CERTIFICATE

I, Christiane C. Garlasco, having been duly sworn and being of legal age, hereby state:

1. I am the person authorized by ARCO to respond to the Forest Services Request for Information ("Request") concerning the Walker Mine Site located in Plumas National Forest, California.
2. To the best of my knowledge, I have caused to be made a reasonable review, considering the amount of time provided by the Forest Service for this response, of non-privileged documents, information and sources relevant to the Request.

  
\_\_\_\_\_  
Christiane C. Garlasco  
Assessment Manager

Subscribed and sworn to before me this 29th day of  
March, 1993.

[SEAL]

  
\_\_\_\_\_  
Notary Public

My Commission Expires: 2/15/97

My Address is

555. 17th Street  
\_\_\_\_\_  
Denver CO 80202