

November 8, 2013

Paula Rasmussen  
Assistant Executive Officer  
Los Angeles Regional Water Quality Control Board  
320 West 4th Street  
Suite 200  
Los Angeles, California 90013

Re: In the Matter of Cleanup and Abatement Order No. R4-2011-0046  
Former Kast Property Tank Farm  
(SCP No. 1230, Site ID No. 2040330, File No. 11-043)

Dear Ms. Rasmussen:

This letter responds to the October 31 letter sent to our client, Dole Food Company (“Dole”), regarding the opportunity to submit comments on the proposed draft Cleanup and Abatement Order (“CAO”) in the Former Kast Tank Farm matter, referenced above. The October 31 letter gives Dole and its subsidiary Barclay Hollander Corporation (“Barclay Hollander”) until December 6 to submit comments. Because the draft CAO, if adopted, would identify Barclay Hollander as a “discharger,” it is a significant matter and therefore we anticipate submitting substantial comments in opposition to that proposed change.

By this letter we are asking for a reasonable extension of that deadline until January 13, 2014. One reason for the request is that over the past few years of litigation, we have assembled substantial information regarding the redevelopment of the site beginning in the late 1960s and we now need to compile that information and summarize it in a format usable for the Regional Board’s staff. Another reason is that we have experts who will be offering written opinions regarding certain issues presented by the draft CAO and it will take time for them to draft and finalize those opinions. Last, when your October 31 letter was received, a number of the individuals who will be involved in preparing the response had already committed to be out of town on long-since planned trips during Thanksgiving week, which falls in the middle of the comment period. Similarly, some individuals have already planned end of year absences to be with family that would make an early January submittal very challenging.

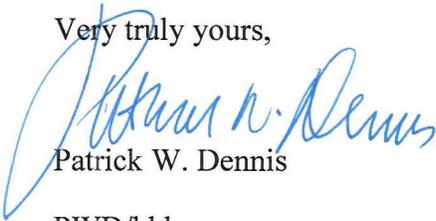
Paula Rasmussen  
November 8, 2013  
Page 2

We note that the Regional Board waited nearly two years before responding to our September 2011 letter so, while the draft CAO no doubt presents an important issue to resolve, there does not seem to be a fast-approaching deadline from the Board's perspective. Further, as you know, a CAO is already in effect for the site with a viable named discharger who continues to address the site's remediation, so that will proceed even if the Regional Board staff grants this extension.

In addition to the request for an extension of the comment period, we are also asking for an opportunity to respond to any other comments you receive on the draft CAO. Since the only practical effect of the changes in the proposed order is to add Barclay Hollander as a "discharger," we would like an opportunity to respond to any comments provided by others before the staff makes its decision on how to proceed. Obviously, our response to those comments will follow their submission to the Regional Board and Dole.

Thank you for your prompt attention to this request. Please do not hesitate to call me if you have any questions.

Very truly yours,



Patrick W. Dennis

PWD/hhk

cc: Samuel Unger  
Teklewold Ayalew  
Frances L. McChesney  
Douglas J. Weimer