



SFUND RECORDS CTR  
1652-00252

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

SDMS # 54251

AR1271

215 Fremont Street  
San Francisco, Ca. 94105

27 JUN 1989

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED  
No. P 765 058 285

Mr. T.A. Arman  
President, Iron Mountain Mines, Inc.  
1900 Point West Way, Suite 102  
Sacramento, CA 95815

Re: Information Request pursuant to 42 U.S.C. § 9604  
Iron Mountain Mines Site

Dear Mr. Arman:

The Environmental Protection Agency ("EPA") is currently investigating the nature and extent of contamination at the Iron Mountain Mines site (the "Site"), and the ability of persons to pay for or conduct certain aspects of that cleanup operation.

Pursuant to the authority of Section 104 of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended ("CERCLA"), 42 U.S.C. § 9604 you are hereby requested to respond to the attached Information Request.

CERCLA § 104(e)(2) provides in pertinent part as follows:  
"Any officer, employee, or representative...may require any person who has or may have information relevant to any of the following to furnish, upon reasonable notice, information or documents relating to such matter:  
(A) The identification, nature, and quantity of materials which have been or are generated, treated, stored, or disposed of at a vessel or facility or transported to a vessel or facility.  
(B) The nature or extent of a release or threatened release of a hazardous substance or pollutant or contaminant at or from a vessel or facility.  
(C) Information relating to the ability of a person to pay for or to perform a cleanup."

Compliance with the attached Information Request is mandatory. Failure to respond fully and truthfully to the Information request within thirty (30) days of receipt of this letter, or to adequately justify such failure to respond, can result in enforcement action by EPA pursuant to Section 104(e) of CERCLA.

This statute permits EPA to seek the imposition of penalties of up to twenty-five thousand dollars (\$25,000) for each day of continued non-compliance. Please be further advised that provision of false, fictitious, or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. Section 1001.

This Information Request is not subject to the approval requirements of the Paper Reduction Act of 1980, 44 U.S.C. Section 3501, et seq.

The scope of this request extends to all information and documents developed or obtained by your company, its employees, agents, consultants, or attorneys, and any of the attorneys' agents, consultants, or employees.

This information request is issued to you in both your capacity as President of Iron Mountain Mines, Inc., and as a private individual.

Your written response to the attached Information Request must be signed by you or a duly authorized official of your company and submitted to:

Rick Sugarek  
Hazardous Waste Management Division  
United States Environmental  
Protection Agency, Region IX  
215 Fremont Street  
San Francisco, California 94105

Please include on your response to this request a notarized affidavit from a responsible company official stating that: (1) a diligent record search has been completed, and (2) there has been a diligent interviewing process with present, and former employees who may have knowledge of operations, mining, and waste disposal practices. Also, include in the affidavit a statement that all information responsive to EPA's request has been sent to EPA.

If you have any questions regarding this follow-up information request, please call Rick Sugarek of my staff at (415) 974-9312, or have your attorney call Michael Hingerty of the Office of Regional Counsel at (415) 974-9671. Thank you for your cooperation in this matter.

Sincerely,



Jerry Clifford

Assistant Director for Superfund  
Hazardous Waste Management Division

Attachment

cc (w/attach.): James Pedri - RWQCB  
Don Diebert - DHS  
Harry Rectenwald - Fish and Game

## INFORMATION REQUEST

### Instructions

1. A separate response must be made to each of the Questions set forth in this Information Request.
2. Precede each answer with the number of the question to which it corresponds.
3. If information not known or not available to you as of the date of submission of a response to this Information Request should later become known or available to you, you must supplement your response to EPA. Moreover, should you find at any time after the submission of this response that any portion of the submitted information is false or misrepresents the truth, you must notify EPA thereof as soon as possible.
4. For each document produced in response to this Information Request indicate on the document, or in some other reasonable manner, the number of the Question to which it responds.
5. For each and every Question contained herein, identify the person(s) answering these Questions on behalf of Respondent.
6. For each and every Question contained herein, identify all persons consulted in the preparation of the answer.
7. For each and every Question contained herein, identify all persons, including Respondent's employees, who have knowledge or information about the subject matter of the Question.
8. For each and every Question contained herein, identify all documents consulted, examined, or referred to in the preparation of the answer and provide true and accurate copies of all such documents.
9. For each and every Question contained herein, if you have reason to believe that there may be persons able to provide a more detailed or complete response to any Questions 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.
10. For each and every Question contained herein, if information responsive to this Information Request is not in your possession, custody, or control, then identify the persons from whom such information may be obtained.
11. The information requested herein must be provided notwithstanding its possible characterization as confidential information or trade secrets. You may, if you desire, assert a confidentiality claim covering part or all of the information requested, pursuant to Sections 104(e)(7)(E) and (F) of CERCLA, as

amended by SARA, 42 U.S.C. §§ 9604(e)(7)(E) and (F), and 40 C.F.R. 2.203(b), by attaching to such information at the time it is submitted, a cover sheet, stamped or typed legend, or some other suitable form of notice employing language such as "trade secret", "proprietary", or "company confidential". Information covered by such a claim will be disclosed by EPA only to the extent, and only by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. If no such claim accompanies the information when it is received by EPA, it may be made available to the public by EPA without further notice to you. You should read the above cited regulations carefully before asserting a business confidentiality claim, since certain categories of information are not properly the subject of such a claim. To assist EPA in protecting any information you wish to protect as confidential, please place all such information in a separate envelop marked confidential.

12. Where specific information has not been memorialized in any document, but is nonetheless responsive to a Question, you must respond to the Question with a written response.

### Definitions

The following definitions shall apply to the following words as they appear in this Information Request.

1. The term "person" as used herein includes, in the plural as well as the singular, any natural person, firm, unincorporated association, partnership, corporation, trust or other entity.
2. The term "identify" means, with respect to a natural person, to set forth the person's name, present or last known business address and business telephone number, present or last known home address and home telephone number, and present or last known job title, position or business.
3. The term "identify" means, with respect to a corporation, partnership, business trust or other association or business entity (including a sole proprietorship) to set forth its full name, address, legal form (e.g. corporation, partnership, etc.), organization, if any, and a brief description of its business.
4. The term "identify" means, with respect to a document, to provide its customary business description, its date, its number if any (invoice or purchase order number), the identity of the author, addressor, addressee and/or recipient, and the substance or subject matter.
5. The term "document" and "documents" shall include writing of any kind, formal or informal, whether or not wholly or partially in handwriting, including by way of illustration and not by way of limitation, any invoice, receipt, endorsement, check, bank draft, cancelled check, deposit slip, withdrawal slip, order, correspondence, record book, minutes, memorandum of telephone and

other conversations including meetings, agreements and the like, diary, calendar, desk pad, scrapbook, notebook, bulletin, circular, form, pamphlet, statement, journal, postcard, letter, telegram, telex, report, notice, message, analysis, comparison, graph, chart, interoffice or intraoffice communications, photostat or other copy of any documents, microfilm or film record, any photograph, sound recording on any type of device, any punch card, disc or disc pack; any tape or other type of memory generally associated with computers and data processing (together with the programming instructions and other written material necessary to use such punch card, disc or disc pack, tape or other type of memory and together with printouts of such punch card, disc, or disc pack, tape or other type of memory); and (a) every copy of each document which is not an exact duplicate of a document which is produced, (b) every copy which has any writing, figure or notation, annotation or the like of it, (c) drafts, (d) attachments to or enclosures with any document, and (e) every document referred to in any other document.

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

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

8. The term "property interest" means any interest in property, including but not limited to, any ownership interest, any interest in the rental of property, any interest in a corporation that owns or rents or owned or rented property, and any interest as either the trustee or beneficiary of a trust that owns or rents, or owned or rented property.

9. The term "asset" shall include the following: real estate, buildings or other improvements to real estate, equipment, vehicles, furniture, inventory, supplies, customer lists, accounts receivable, interest in insurance policies, interests in partnerships, corporations and unincorporated companies, securities, patents, stocks, bonds, and other tangible as well as intangible property.

## Questions

1. Please identify all sources of Ted Arman's income and the amount of income, both gross and net, that Ted Arman expects to derive from each source in 1989. Include all sources of payments to Ted Arman, irrespective of the source of the payment.
2. Please identify all sources of Iron Mountain Mines, Inc.'s income and the amount of income, both gross and net, that Iron Mountain Mines Inc. expects to derive from each source in 1989. Include all sources of payments to Iron Mountain Mines, Inc., irrespective of the source of the payment.
3. Please submit a copy of the complete tax returns for Ted Arman and Iron Mountain Mines, Inc. for taxable years 1986, 1987, and 1988.
4. (a) Identify the current owner of Iron Mountain Mines.  
(b) Identify the nature of that ownership interest (e.g., fee simple, joint ownership, etc.)?  
(c) Identify any other person or entity with an equity or other property interest in the Iron Mountain Mines property.  
(d) If there is another person or entity with an equity or other property interest in the Iron Mountain Mines property, identify that person or entity, and identify the nature and amount of the interest in the property.
5. Please submit a copy of the deed or other instrument which identifies Iron Mountain Mines, Inc. or Ted Arman as the owner(s) of the Iron Mountain Mines property.
6. Aside from his principal residence, home furnishings and automobile, please identify any assets owned or possessed by Ted Arman, valued in excess of five hundred dollars. For each asset identified, state the estimated value of that asset.
7. Identify any assets owned or possessed by Iron Mountain Mines, Inc. For each asset identified, state the estimated value of that asset.
8. Identify all shareholders and officers of Iron Mountain Mines, Inc. Please provide a copy of the Articles of Incorporation.
9. Please furnish copies of all records which contain information with respect to the operation of either or both of the two cementation plants on Iron Mountain Mines property by Ted Arman or Iron Mountain Mines, Inc.
  - (a) Include records identifying costs associated with purchase, transportation and delivery of scrap or other metal used in the cementation plants. Identify the name and address of suppliers of the metal used in the cementation process.
  - (b) Include records of any other costs incurred in the operation of the cementation plants.

(c) Include receipts or other records for sales of copper precipitate. Identify the name and address of any purchaser, the quantities sold, the purchase price, and the basis for the purchase price. Include assay information for any sales, if available.

(d) Include copies of the results of any sampling Ted Arman or Iron Mountain Mines, Inc. have conducted to monitor the cementation process or any other measurements of the efficiency of the cementation process.

10.(a) Identify all activities undertaken by Ted Arman or Iron Mountain Mines, Inc. to control surface flows and runoff to minimize formation of acid mine drainage and discharge from the Iron Mountain Mines property.

(b) Please provide copies of all engineering, hydrology and design studies forming the basis of such controls implemented by Ted Arman or Iron Mountain Mines, Inc. and copies of all engineering drawings of such controls.

(c) Provide copies of any survey drawings and maps which indicate the precise locations of drainage ditches and diversion structures installed to control surface flows and runoff to minimize formation and discharge of acid mine drainage from Iron Mountain Mines.

(d) Provide copies of any documents containing design criteria for the drainage ditches or diversion structures.

11.(a) Identify all activities Ted Arman or Iron Mountain Mines, Inc. have undertaken to maintain the flume systems which deliver the acid mine drainage from the mine workings to the cementation plants and the settling basins.

(b) What is the frequency and nature of any inspections and repairs to the flume system and the settling basins?

(c) Please furnish copies of all records which contain information with respect to the operation and maintenance of the flume systems which deliver the acid mine drainage from the mine workings to the cementation plants.

12. Identify all sales by Ted Arman or Iron Mountain Mines, Inc. of any tailings, sulfuron or stockpiles of minerals from Iron Mountain Mines. Provide copies of documents related to such sales, including but not limited to copies of any contracts Ted Arman or Iron Mountain Mines, Inc. have ever entered for the sale of any tailings, sulfuron or other materials from the Iron Mountain Mines property.

13.(a) To the extent that this question has not been answered in response to a question above, identify all tailings piles or stockpiles of minerals either Ted Arman or Iron Mountain Mines, Inc. considers to be valuable mineral product.

(b) Provide an estimate of the quantity of mineral product contained in each such pile or stock pile.

(c) Provide an estimate of the value of each such pile or stockpile.

(d) Provide a map locating all such piles or stockpiles.



PS Form 3811, July 1983 447-845

DOMESTIC RETURN RECEIPT

**SENDER: Complete items 1, 2, 3 and 4.**

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for service(s) requested.

- ☐ Show to whom, date and address of delivery.
- ☐ Restricted Delivery.

3. Article Addressed to:  
**Mr. T.A. Arman**  
**President, Iron Mountain Mines, Inc**  
**1900 Point West Way, Suite 102**  
**Sacramento, CA 95815**

|   |                      |
|---|----------------------|
| 4. Type of Service:   | Article Number       |
| <input type="checkbox"/> Registered <input type="checkbox"/> Insured<br><input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD<br><input type="checkbox"/> Express Mail | <b>P 765 058 285</b> |

**Always obtain signature of addressee or agent and DATE DELIVERED.**

5. Signature — Addressee  
**X**

6. Signature — Agent  
**X** *James Bronson*

7. Date of Delivery  
**6-28-89 (R)**

8. Addressee's Address (ONLY if requested and fee paid)

P 765 058 285

**RECEIPT FOR CERTIFIED MAIL**

NO INSURANCE COVERAGE PROVIDED  
 NOT FOR INTERNATIONAL MAIL  
 (See Reverse)

|   |                     |
|---|---------------------|
| Sent to<br><b>Mr. T.A. Arman</b>                              |                     |
| Street and No.<br><b>1900 Point West Way</b>                  | Suite<br><b>102</b> |
| P.O., State and ZIP Code<br><b>Sacramento, CA 95815</b>       |                     |
| Postage   | \$                  |
| Certified Fee   |                     |
| Special Delivery Fee  |                     |
| Restricted Delivery Fee                                       |                     |
| Return Receipt showing to whom and Date Delivered             |                     |
| Return Receipt showing to whom, Date, and Address of Delivery |                     |
| TOTAL Postage and Fees  | \$                  |
| Postmark or Date  |                     |

PS Form 3800, June 1985