Tutu Environmental Investigation Committee
(T E I C)
G.P.O. Box 4269
San Juan, Puerto Rico 00936-4269

Ana Gloria Ramos, P.E.
Designated Coordinator

64458

May 21, 1990

Caroline Kwan, Project Officer, Eastern
New York/Caribbean Compliance Section,
Emergency and Remedial Response Division,
U.S. Environmental Protection Agency,
Region II, 26 Federal Plaza
New York, New York 10278

RE: Tutu Well Site
Administrative Orders Nos.
II-CERCLA-00401 and
RCRA-90-UST-9003-0401
Monthly Progress Report

Dear Mrs. Kwan:

Attached find the written Monthly Progress Report for the subject Administrative Orders.

If you have any question, please contact the undersigned at (809) 792-2920, Ext. 322.

Very truly yours,

Ana Gloria Ramos

Ana Gloria Ramos, P.E.
Designated Coordinator

AGR/mpt/43830

cc: Mr. J. L. Blanco - Esso CCD
Mr. J. Janson - Esso CCD
Mr. Scott McCay, Esq. - Texaco
Mr. L. Ruiz - Texaco
Ms. Nancy D'anna, Esq.
Mr. José A. Cepeda-Rodríguez/Francis Torres, Esqs.
Mr. José Font - EPA Caribbean Field Office
Mr. Luis E. Santos - EPA Caribbean Field Office
Amy Chester, Esq. - EPA Region II
Mr. Alan D. Smith - DPNR - USVI
Mr. Anthony Boschulte VIHA - USVI

TUT 003 1252

Telephone: (809) 792-2920 Fax. (809) 793-6555

Tutu Environmental Investigation Committee
(T E I C)
G.P.O. Box 4269
San Juan, Puerto Rico 00936-4269

Ana Gloria Ramos, P.E.
Designated Coordinator

MONTHLY PROGRESS REPORT
May 21, 1990

RE: Tutu Well Site
Administrative Orders No. II-CERCLA-00401 and
RCRA-90-UST-9003-0401

I. Work To-Date

1. Unilateral Order received (April 3, 1990).

2. Eng. Ana Gloria Ramos appointed as the Designated Coordinator for the Order. The Designated Coordinator could be reached at (809) 792-2920, Ext. 322.

3. A meeting was held between Respondents and USEPA Region II at New York office.

4. Notification to EPA of intent to comply was submitted.

5. Request for a Hearing was submitted to EPA in the matter of Esso Standard Oil S. A. Limited, ETAL-Respondents.

6. Well Sampling, Analyses and Monitoring Plan (SAMP) submitted to EPA.

7. Water delivery arrangements to provide water to the individual listed in Section X of the Order were made between the Respondents and Chuck Kline Water Delivery Company starting since May 1, 1990.

8. Alternate Water Supply

   a) Two meetings were held with Alton Adams, Jr. and Associates to define design requirements and cost estimate for the construction of the laterals.

   b) Two meetings were held with Mr. Anthony Boschulte, Director of Planning and Development of the Virgin Islands Housing Authority to

Telephone: (809) 792-2920 Fax. (809) 793-6555

define their specific requirements for the contract with VIHA to insure connection of the affected homes.

c) The following documents were requested and submitted to VIHA for their Board meeting to be held on May 23, 1990. The Board must approve the Change Order required between VIHA and Majestic for the construction of the laterals.

1. A draft contract for the execution of the Change Order between Respondents and VIHA.

2. A narrative of the scope of work contemplated under the Change Order.

3. Draft Change Order to VIHA's contract with Majestic Construction and Alton Adams, Jr. & Associates.

II. Work Schedule for the Next Month

1. SAMP will be revised to incorporate EPA's comments.

2. Formalization of contract with the VIHA for the construction of water laterals upon receipt of VIHA Board approval.

3. Continue providing water to affected homes.

Ana Gloria Ramos

ANA GLORIA RAMOS
Designated Coordinator

AGR/mpt/43830

Tutu Environmental Investigation Committee
(T E I C)
G.P.O. Box 4269
San Juan, Puerto Rico 00936-4269

Ana Gloria Ramos, P.E.
Designated Coordinator

June 19, 1990

Caroline Kwan, Project Officer, Eastern
New York/Caribbean Compliance Section,
Emergency and Remedial Response Division,
U.S. Environmental Protection Agency,
Region II, 26 Federal Plaza
New York, New York 10278

RE: Tutu Well Site
Administrative Orders Nos.
II-CERCLA-00401 and
RCRA-90-UST-9003-0401
Monthly Progress Report No. 2

Dear Mrs. Kwan:

Attached find the written Monthly Progress Report for subject Administrative Orders.

If you have any question regarding this matter, please contact the undersigned at (809) 792-2920, Ext. 322.

Very truly yours,

Ana Gloria Ramos

Ana Gloria Ramos, P.E.
Designated Coordinator

AGR/mpt/43830

cc: Mr. J. L. Blanco - Esso CCD
Mr. J. Janson - Esso CCD
Mr. Scott McCay, Esq. - Texaco
Mr. L. Ruiz - Texaco
Ms. Nancy D'anna, Esq. - L'Henri, Inc.
Mr. José A. Cepeda-Rodríguez/Francis Torres, Esqs.
Mr. José Font - EPA Caribbean Field Office
Mr. Luis E. Santos - EPA Caribbean Field Office
Amy Chester, Esq. - EPA Region II
Mr. Alan D. Smith - DPNR - USVI
Mr. Anthony Boschulte VIHA - USVI

JUT 003 1255

Telephone: (809) 792-2920 Fax. (809) 793-6555

Tutu Environmental Investigation Committee
(T E I C)
G.P.O. Box 4269
San Juan, Puerto Rico 00936-4269

Ana Gloria Ramos, P.E.
Designated Coordinator

MONTHLY PROGRESS REPORT NO. 2
June 19, 1990

RE: Tutu Well Site
Administrative Orders No. II-CERCLA-00401 and
RCRA-90-UST-9003-0401

I. Work To-Date

1. SAMP was revised and submitted to EPA on May 29, 1990.

2. Meeting with Virgin Islands Housing Authority Board on May 23, 1990 to obtain their endorsement to the contract for the construction of the water laterals. Board approval obtained on the meeting.

3. Contract formalized for the construction of water laterals on June 6, 1990. Copy of contract is included with this report.

4. On June 14, 1990 payment made to Virgin Islands Housing Authority, totalling $173,745.00 as required by the contract mentioned on item 3 above. Copy of the Receipt is included.

5. Water was provided to one of the affected homes. Mr. Dennis Cuntz - Mildred Creque on June 2, 1990. Copy of invoices attached.

II. Work Schedule for the next month

1. Continue providing water to affected homes.

2. Follow up on water laterals construction project with Virgin Islands Housing Authority.

Ana Gloria Ramos

ANA GLORIA RAMOS
Designated Coordinator

43830

TUT 003 1256

Telephone: (809) 792-2920 Fax. (809) 793-6555

TUTU LATERAL WATERLINE CONTRACT

This agreement is made as of this _____ day of May, 1990, by and between ESSO VIRGIN ISLANDS, INC., TEXACO CARIBBEAN, INC. and L'HENRI, INC. (collectively referred to as "Companies") and the VIRGIN ISLANDS HOUSING AUTHORITY (referred to as "VIHA"), all acting through their duly authorized representatives, as evidenced by the execution of this document.

WHEREAS, the U.S. Environmental Protection Agency ("EPA") has issued an Order to the Companies, dated March 22, 1990, which specifies that the Companies must provide permanent water supplies to three residences, namely the Steele, Harvey and Smith households, at the Tutu area of St. Thomas, V.I., more specifically described as Exhibit A, attached hereto; and

WHEREAS, the Companies have denied liability and responsibility for any work specified in the Order and have raised all proper defenses and notices to EPA for eventual resolution of the Order in compliance with all laws and regulations; and

WHEREAS, the Companies wish to demonstrate their good faith and cooperation with the people and the government of the U.S. Virgin Islands by financing lateral waterlines specified in EPA's Order, despite the lack of any legal liability to do so; and

WHEREAS, VIHA has contracted with Majestic Construction Co. ("Majestic") to construct a potable water main from Tutu to Bovoni and can effect the construction of lateral waterlines to

the Steele, Harvey and Smith households by executing a Change Order to existing VIHA/Majestic Contract; and

WHEREAS, all existing building permits and earth change permits will permit the construction of the lateral waterlines; and

WHEREAS, a cost estimate in the amount of $173,745 has been prepared by Alton Adams and Associates in conjunction with Majestic for the cost of the construction of the lateral waterlines.

NOW, THEREFORE, the parties, acting through their duly authorized representatives, in exchange for good and adequate consideration, agree to the following terms and conditions:

1. Cost and Payment. The Companies agree to pay the total cost incurred by VIHA incurred as a result of execution of the Change Order for construction of the lateral waterlines ("Change Order") to its existing contract with Majestic. Payment shall be effected in the following manner: within five (5) business days after execution of this Contract by VIHA and submission of it to the designated coordinator selected by the Companies in accordance with the Order entered by the EPA on March 22, 1990, the Companies shall deposit with VIHA the sum of $173,745. This sum represents the amount estimated by Alton Adams and Associates to complete the project together with the estimated cost of rock excavation and other extras. The cost incurred by VIHA as a result of execution of the Change Order, including administrative costs in the following amount: $877.81, shall be withdrawn from said deposit. Upon completion of the work authorized by the

Change Order any amount remaining in the deposit shall be returned to the Companies.

2. Change Order. Contingent upon the prior approval of the Water and Power Authority as provided by paragraph 6, VIHA will execute a Change Order to its existing contract with Majestic to connect the homes depicted on Exhibit A as soon as is practicable after the sum of $173,745 is deposited with VIHA in accordance with the provisions of paragraph 1. Said Change Order will provide that the contract price may be increased in the amount specified by Majestic. Prior to execution of said Change Order, VIHA must receive approval from the Companies of the amount specified by Majestic. VIHA may designate an increase in contract time in any amount it deems reasonable. In addition, the Change Order must include the following condition:

> This Change Order has been executed in accordance with an agreement between the Virgin Islands Housing Authority ("VIHA") and Esso Virgin Islands, Inc., Texaco Caribbean Inc., and L'Henri, Inc. (hereinafter "the Companies"). The Companies shall have the right to enforce any right VIHA may have against Majestic Construction Co. ("Majestic") in accordance with its contractual agreement with Majestic which arises from Majestic's obligation to construct the project authorized by this Change Order. All rights of indemnification afforded to VIHA from Majestic pursuant to its contractual agreement shall be extended to the Companies. It is understood that all terms contained in the existing March 7, 1989 contract between Majestic and VIHA, including those relating to performance bonds, insurance, conflicts of interest and equal opportunity employment, will apply to the Change Order. Majestic shall defend, protect, indemnify and hold harmless the Companies, their employees and agents from and against each and every claim, demand or cause of action and any liability, cost, expense (including, but not limited to, reasonable attorneys' fees and expenses incurred in defense of the Companies) damage or loss in connection therewith, which may be made or asserted by VIHA, its employees or agents, Majestic, its employees or agents, or any other third party (including, but not

limited to, the Companies' agents, servants or employees) on account of personal injury, property damage, contractual liability, breach of warranty, misrepresentation, environmental liability, injunctive action or damage action caused by, arising out of, in any way incidental to, or in connection with the performance of the work hereunder, regardless of whether such claim, demand or cause of action is based on the negligence, ordinary or gross, strict liability, statutory actions or intentional conduct, excepting only any claim for cleaning-up materials which Majestic can demonstrate pre-existed the work performed hereunder.

In accordance with the agreement executed by the Companies and VIHA, the Companies agree to assume any and all liability associated with work to be performed under the Change Order which may be imposed upon VIHA, including costs and attorney's fees, excepting liability imposed for the failure to satisfy requests for payment for which monies were previously deposited by the Companies or for the authorization of extra work without prior written approval from the Companies.

3. Requests for Payment. VIHA shall send copies of all requests for payment for work performed in accordance with the Change Order together with all supporting documents sent to the Companies. The Companies reserve the right to contest any request for payment, provided, however, that all contested sums shall be placed in an escrow account. Any dispute regarding a request for payment shall be resolved in accordance with the provisions of the VIHA/Majestic contract.

4. Extra Work. The Companies shall assume responsibility for payment of all costs incurred by VIHA in excess of the price as specified by the Change Order. Prior to authorizing such excess costs, VIHA shall forward all documentation submitted by

the contractor in support of its request for extra work and/or excess cost to the designated coordinator. VIHA shall not authorize extra work or excess cost without prior written approval by the Companies and without prior deposit with VIHA by the Companies of the cost of said extra work. The Companies recognize that no soil borings of the area have been taken and, therefore, rock excavation will be considered to be extra work. Rock is defined for the purpose of this agreement as material which cannot be removed by mechanical means and which requires the use of blasting equipment to be dislodged. The foregoing definition of rock must be an included condition to the Change Order agreement to be executed by VIHA and Majestic.

5. Liability. VIHA acknowledges that it will have received full payment for the work to be performed by Majestic in accordance with the Change Order and the estimated cost of extra work, and the anticipated cost of rock removal in the amount of $173,745, prior to the execution of the Change Order.

The Companies agree to assume any and all liability associated with work to be performed under the Change Order, which may be imposed upon VIHA, including costs and attorney's fees, excepting liability imposed for failure to satisfy requests for payment for which monies have been previously deposited by the Companies or for the authorization of extra work without prior written approval by the Companies.

6. Approval From the Virgin Islands Water and Power Authority. Performance of the terms of this agreement is contingent upon prior approval of the lateral connections by

WAPA. Should approval by WAPA be denied, this agreement shall be null and void, and all sums deposited with VIHA shall be returned to the Companies.

VIHA shall contact WAPA prior to the execution of the Change Order and obtain approval of the lateral connections from WAPA. Once the lateral waterlines are constructed, said waterlines shall be dedicated to WAPA for operation.

7. Completion. Within thirty (30) days of completion of the work hereunder, VIHA shall provide to Companies a written statement that all three homes referenced in Exhibit A have been connected to the lateral lines and the lateral lines have been connected to the water main. In addition, VIHA shall provide a written statement that all its contractors' invoices have been paid and no invoices remain outstanding, or, if there are such outstanding invoices, VIHA shall explain, in reasonable detail, including amounts of the invoices, the reasons for nonpayment. Upon receipt of a final statement that all invoices have been paid or compromised and all work has been complete, this Contract shall terminate.

8. Audit. The Companies and their duly authorized representative shall have access to the accounting records and other documents maintained by VIHA and the contractor which relate to materials, labor, and any other items being delivered to VIHA under this Contract, and shall have the right to audit such records at any reasonable time or times within three (3) years after the completion of this Contract.

9. Contract Price. VIHA shall pay to the contractor for the performance of the work authorized by the Change Order, and all requests for payments which have been submitted by the contractor and authorized by the Companies in a timely manner.

10. Business Ethics Policy. The Companies, their affiliates and subsidiaries have a business ethics policy which provides for (a) maintaining adequate internal controls, (b) proper recording and reporting of all transactions, and (c) compliance with all applicable laws. the Companies must rely on VIHA's system of internal controls for the adequacy of full disclosure of the facts, together with financial and other data regarding the work performed by contractor. Contractor is in no way authorized to take any action in an inadequate or inaccurate recording and reporting of assets, liabilities or any other transaction, or which would violate any applicable laws. Accordingly, if any information comes to the attention of VIHA which indicates any departure from conduct consistent with the standards set forth in this clause, VIHA shall immediately notify the Companies.

11. Severability. If any provision of this Contract is deemed invalid or unenforceable, the remaining provisions of this Contract shall remain in full force and effect.

12. Non-Waiver. Nothing in this Contract shall be waived or excused in its entirety if a party elects to waive or excuse one provision at one or more times.

relationship either between the parties or among the individual Companies.

14. Amendments. This Contract may only be amended by a written instrument executed by duly authorized representatives from all Companies and VIHA.

15. Designated Coordinator. All requests for approval, notice or other communication with the Companies shall be made by contacting the designated coordinator selected by the Companies. The designated coordinator selected by the Companies is Ms. Ana Gloria Ramos, P.E., G.P.O. 4269, San Juan, PR 00936-4269, telephone number 809-792-2920 and telefax number 809-793-6555.

IN WITNESS WHEREOF, the parties hereto enter into this Contract. Each person signing this Contract represents and warrants that he or she has been duly authorized to bind the Company or Entity on whose behalf it is indicated that the person is an authorized representative.

ESSO VIRGIN ISLANDS, INC.

By: JF Janson

Name: JAMES F. JANSON

Title: COUNTRY MANAGER

Address: P.O. BOX 8619
ST. THOMAS, VI
00801

VIRGIN ISLAND HOUSING AUTHORITY

By: _____

Name: Conrad E. Francois, II

Title: Actg. Chief Executive Officer

Address: P.O. Box 7668
St. Thomas, VI 00801
(809) 775-2741

TEXACO CARIBBEAN, INC.

By: Clement Friday

Name: CLEMENT FRIDAY

Title: TERMINAL SUPERINTENDENT.

Address: P.O. BOX 3548

ST THOMAS

V.I. 00803

The undersigned hereby certifies that the Virgin Islands Housing Authority Board approved the above Contract at its meeting on ----------, 1990, by a resolution documented in the Board Minutes Record Book at Volume ------- page ----.

By: ----------

Title: ----------

L'HENRI, INC.

By: Leo T Barbel

Name: LEO T BARBEL

Title: PRES.

Address: P.O. BOX 232

ST. THOMAS.

V.I 00804

The undersigned hereby certifies that the Virgin Islands Housing Authority Board approved the above Contract at its Regular Meeting of the Board on May 23, 1990, by Motion.

By: Conrad E. Francois II

Title: Secretary

By: C.S. Griffith

Name: C. S. GRIFFITH

Title: Pres. & Gen Mgr. ESSO (P.R.)

Address: GPO Box 4269

San Juan, P.R.

TEXACO CARIBBEAN INC.

BY: Arnoldo Quiros

NAME: ARNOLDO QUIROS

TITLE: Vice Pres & MANAGER

ADDRESS: TEXACO

P.O. BOX 5-4429

SAN JUAN, P.R. 00905

STATEMENT

CHUCK KLINE WATER SERVICE

P.O. BOX 2070 • VETERANS DRIVE STATION
CHARLOTTE AMALIE, V.I. 00803 - 2070
TELEPHONE: 774-7456 • 774-2585 • 776-3764
FAX NO. 777-8070

DATE June 2 19 90

Dennis Cuntz - MILDRED CREQUE
SM 2138

AMOUNT ENCLOSED $

PLEASE DETACH AND RETURN THIS STUB WITH YOUR REMITANCE

			BALANCE FORWARD ➡			
6.1.90	INV. # 1459		262	50	262	50
					262	50

CHUCK KLINE WATER SERVICE
P.O. BOX 2070 • VETERANS DRIVE STATION
CHARLOTTE AMALIE, V.I. 00803 - 2070
TELEPHONE 774-7456 • 774-2585 • 776-3764
FAX NO. 777-8070

Customer's Order No. 1451 Date 6 · 1 19 91

Name Dennis Curtis

Address

SOLD BY	CASH	C.O.D.	CHARGE	ON ACCT.	MDSE. RETD.	PAID OUT	
Rick			✓				00

QUAN	DESCRIPTION	PRICE	AMOUNT	
21	Tons WATER		262	50
	TOTAL			

All claims and returned goods MUST be accompanied by this bill.

Rec'd By

INVOICE 1459

262 50

262 50

4269
R. 00936
LORIA RAMOS

TUT 003 1267

1401

CHUCK KLINE WATER SERVICE

P.O. BOX 2070 • VETERANS DRIVE STATION
CHARLOTTE AMALIE, V.I. 00803 - 2070
TELEPHONE 774-7456 • 774-2585 • 776-3764
FAX NO 777-8070

NO 6 DATE 6-1-90 19

CUSTOMER DENNIS CUNTZ

775-5724

SOLD BY	CASH	C.O.D.	CHARGE	ON ACCT.	MDSE. RETD	PAID OUT
Hot			✓			OFF

QTY.	DESCRIPTION	PRICE	AMOUNT
21	YDNS	#	262.50
	TOTAL	$	262 50

All claims and returned goods MUST be accompanied by this bill

RECD BY: Dennis Cuntz

Delivery Ticket

262 50

262 50

GLORIA RAMOS
P.R. 00936
X 4269

RECEIPT

I Carolyn C. Duncan receive the following:

1 check in the amount of $57,915.00 from Texaco Caribbean, Inc.

1 Check in the amount of $57, 915.00 from L'Henri, Inc.

and

1 Check in the amount of $57,915.00 from Esso Virgin Islands Inc.

Received on the 14, day of June, 1990 at Central Offices Virgin Islands Housing Authority, #402 Estate Anna's Retreat, St. Thomas, Virgin Islands.

Carolyn C. Duncan

TUT 003 1269

Tutu Environmental Investigation Committee
(T E I C)
G.P.O. Box 4269
San Juan, Puerto Rico 00936-4269

Ana Gloria Ramos, P.E.
Designated Coordinator

August 17, 1990

Caroline Kwan, Project Officer, Eastern
New York/Caribbean Compliance Section
Emergency and Remedial Response Division
U.S. Environmental Protection Agency
Region II, 26 Federal Plaza
New York, New York 10278

RE: Tutu Well Site
Administrative Orders Nos.
II-CERCLA-00401 and
RCRA-90-UST-9003-0401
Monthly Progress Report No. 4

Dear Mrs. Kwan:

Attached find the written Monthly Progress Report for the subject Administrative Orders.

If you have any question regarding this matter, please contact the undersigned at (809) 792-2920, Ext. 322.

Very truly yours,

Ana Gloria Ramos. P.E.
Designated Coordinator

AGR/mpt/01430

cc: Mr. J. L. Blanco - Esso CCD
Mr. J. Janson - Esso CCD
Scott McCay, Esq. - Texaco
Mr. L. Ruiz - Texaco
Nancy D'Anna, Esq. - L'Henri, Inc.
José A. Cepeda-Rodríguez/Francis Torres, Esqs.
Mr. José Font - EPA Caribbean Field Office
Mr. Luis E. Santos - EPA Caribbean Field Office
Amy Chester, Esq. - EPA Region II
Mr. Alan D. Smith - DPNR - USVI
Mr. Leonard Reed/C. Crooke - DPNR - USVI

TUT 003 1270

Telephone: (809) 792-2920 Fax. (809) 793-6555

MONTHLY PROGRESS REPORT NO. 4
August 17, 1990

RE: Tutu Well Site
Administrative Orders Nos. II - CERCLA-00401 and
RCRA-90-UST-9003-0401

1. Work to Date

1. Water provided for the affected homes thru Chuck Kline Water Delivery Company.

2. On August 10, 1990 the Virgin Islands Housing Authority (VIPA) was contacted for the status of the Change Order for the construction of the water laterals. As of that date, still waiting for their negotiation with the construction company.

3. Revised Sampling, Analysis and Monitoring Plan (SAMP)was submitted to EPA on August 7, 1990.

4. On July 23, 1990 a letter was received from EPA related to a request from James and Rhoda Tillet to be connected to the water main purseant to the reference orders (Copy attached).

5 On August 8, 1990 response to the above mentioned letter was submitted to EPA (Copy atached).

6. On July 24, 1990 a letter was received from EPA with a summary of the issues discussed on July 12, 1990 at New Jersey, EPA offices. (Copy attached).

7. August 16, 1990 Letter received from EPA confirming the meeting to be held to discuss that Tutu Wells inspection. (Copy attached).

11. Work Schedule for next month

1. Continue providing water to affected zones.

2. Follow up on water laterals construction project with Virgin Islands Housing Authority.

3. Tutu Wells inspection - August 20 thru 24, 1990.

4. Wells sampling scheduled to be initiated by September 17, 1990 after proper approval of SAMP by US EPA.

Ana Gloria Ramos
8/16/90
AGR/lmr/03430

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION II
26 FEDERAL PLAZA
NEW YORK, NEW YORK 10278

AUG 14 1990

EXPRESS MAIL-
RETURN RECEIPT REQUESTED

Ms. Anna Gloria Ramos,P.E.
Designated Coordinator
Tutu Environmental Investigations Committee
G.P.O. Box 4269
San Juan, Puerto Rico 00936-4269

Dear Ms. Ramos:

This is to confirm our meeting with you and your staff on August 20, 1990, 9:00 am at the Department of Natural Resource's Conference room in St. Thomas, V.I. The purpose of this meeting is to discuss the Tutu wells inspections. We will proceed to conduct wells inspection following the meeting and continue for the rest of the week until we completed the 29 wells inspection.

Please call me at (212) 264-0151 if you have any questions.

Sincerely yours,

Caroline Kwan
Project Manager
New York/Caribbean Compliance Branch

cc: Jose Font- EPA/CFO
Marsha Findley- G&M
Julie Mae Monsanto- DPNR
Clifford Cooke- DPNR

GOLDMAN ANTONETTI FERRAIUOLI AXTMAYER & HERTELL
ATTORNEYS AND COUNSELORS AT LAW
POST OFFICE BOX 13486
SAN JUAN, PUERTO RICO 00908-3486

VICENTE J ANTONETTI
JOSE E ARRARAS
ALVARO C CIFUENTES*
JOSE A AXTMAYER*
JOSE A CEPEDA-RODRIGUEZ
BLAS R FERRAIUOLI
HANS H HERTELL
ROBERTO MONTALVO
LUIS F ANTONETTI
RICARDO MUÑIZ**
LEONARDO ANDRADE-LUGO
JORGE L MARTINEZ
EUGENIO C ROMERO
LUIS D ORTIZ-ABREU
GREGORY T USERA**
FRANCISCO A BESOSA**
FRANCIS TORRES
CARLOS A RODRIGUEZ-VIDAL**
DANILO M EBOLI

COUNSEL
MAX GOLDMAN*

SANTURCE OFFICE
409 INSURANCE CENTER BUILDING
701 PONCE DE LEON AVENUE
SANTURCE PUERTO RICO 00907
TELEPHONE (809) 721-2424
TELECOPIER (809) 721-1798

HATO REY OFFICE
SUITE 1420
BANCO POPULAR CENTER
HATO REY PUERTO RICO 00918
TELEPHONE (809) 759-8000
TELECOPIER (809) 765-8097

THELMA RIVERA
JORGE SEGUROLA
JUAN M SAAVEDRA CASTRO*
RAMON L VELASCO
JORGE F FREYRE***
CARLOS F RAMIREZ DE ARELLANO
KARIN G DIAZ TORO
FRANCISCO J GARCIA
EDGARDO COLON-ARRARAS
JOSE M LORIE-VELASCO
BRAULIO GARCIA JIMENEZ
MARGARITA CORRADA MEJIA
WILMER J CAMACHO
HOWARD PRAVDA
MARÍA DE LOURDES RODRÍGUEZ
RICARDO J GONZALEZ
ROSA M CRUZ-NIEMIEC
MIGUEL J RODRIGUEZ MARXUACH
CARLOS E COLON FRANCESCHI
MARÍA ELENA ORTIZ

*ALSO ADMITTED IN NEW YORK
**ALSO ADMITTED IN THE DISTRICT OF COLUMBIA
***ALSO ADMITTED IN FLORIDA

August 8, 1990

VIA FEDERAL EXPRESS

Amy Chester, Esq.
Assistant Regional Counsel
US Environmental Protection Agency
Region II - 26 Federal Plaza
New York, NY 10278

RE: Tutu Well Site
Index No.II - CERCLA - 00401
and RCRA -90- UST-9003-0401

Dear Ms. Chester:

This is in response to your letter dated July 10, 1990 regarding the request made by James and Rhoda Tillet ("Tillets") to have their property located at 126 St. Anna's Retreat connected to the Tutu -water main. This also confirms the extension until August 9, 1990 which you granted for our response. Esso Standard Oil (ESSO), Texaco Caribbean Inc. (Texaco) and L'Henri Inc., (L'Henri) hereby submit a joint response as set forth hereinafter. Respondents reaffirm their denial of responsibility or liability with respect to any contamination of the Tutu Wells site under section 107(a) of the Comprehensive Environmental Response Compensation and Liability Act ("CERCLA") or under Section 9003 of the Resource Conservation and Recovery Act ("RCRA").

EPA's original decision to deny the connection of the Tillets property to the Tutu water main should not be modified for the following reasons:

1.) It does not qualify as a response or corrective action under the pertinent provisions of CERCLA and RCRA as there is no imminent and substantial danger to the Tillets from the well located at their property.
2.) Section VII (2) of the referenced order pertains only to the extension of the alternate water supply to additional private homes which are found to have present drinking water which exceeds any of the Maximum Contaminant Levels and does not authorize water connection to homes which already have other drinking water sources.
3.) The Tillets have been identified by EPA and by the Department of Planning and Natural resources of the US Virgin Islands as potentially responsible parties with respect to this site. As such, they are not entitled to the remedies sought by them until the investigation of the source(s) of the pollution is completed and completely exonerates them from liability.

The authority granted to EPA for the exercise of response actions under Section 104 of CERCLA for providing an alternative water supply necessitates a finding that there is an existing exposure which "presents a significant risk to human health." 42 USC Section 9604(i)(11). No "health assessment or study " contains such a finding with respect to the Tillets, so EPA cannot grant to them this relief. In the same vein, EPA's regulations for the implementation of removal actions authorizes the furnishing of alternative water supplies "where necessary immediately to reduce exposure to contaminated household water." 40 CFR 300.415(d)(9). Similarly, the pertinent provisions under RCRA allow the establishment of alternative household water supplies when a situation exists which requires prompt action to protect human health and the environment. 42 USC Section 6991b(h)(5).

The situation faced by the Tillets cannot be categorized as one which requires urgent and emergency action which may trigger the application of the alternate water supply provisions under CERCLA or RCRA. The well in question is a commercial well which was ordered closed by DPNR three (3) years ago (in July 1987). They cannot reasonably claim now that there is an existing exposure which requires prompt action. A well closed three (3) years ago does not represent an imminent health risk requiring emergency and urgent response.

In addition, section VII (2) of the referenced order affords the Tillets no basis for the connection of the property located at 126 St. Anna's Retreat to the Tutu water main. That section only relates to current drinking water supplies that have been found to contain constituents that exceed Maximum Contaminant Levels (MCL) after the date of the order. The Tillets do not claim their current drinking water exceeds any MCL, only their former drinking water, so they are not entitled to any relief.

The prospective language in this section -- "is found to exceed" -- eliminates any interpretation which would impose a past tense to this section.

The water extraction from the Tillet well was authorized for "commercial" purposes only pursuant to permit ST-196-85 granted by the US Virgin Islands Water Resources Commission, a copy of which is enclosed for your reference. The real owner of the well is a corporation, Total Vision, Inc., D/B/A Tutu Water Company whose business was processing and selling water to a number of customers in St. Thomas, including the Tillet compound at 126 St. Anna's Retreat. Under such circumstances the Tillets cannot benefit from the alternate water supply provisions of CERCLA and RCRA.

On January 11, 1988 EPA presented to Jim Tillet a request for information under CERCLA and RCRA regarding the release of hazardous substances in the Tutu area of St. Thomas. As part of his response Jim Tillet submitted to EPA the Material Safety Data Sheets (MSDS) of materials (solvents) which were located on his property and which are similar to the constituents found in the area groundwater. Furthermore, the fact that the highest concentrations of constituents found in the Tutu aquifer were detected in the Total Vision, Inc. well and that numerous commercial entities operate on Tillets' property suggest that one of the major potentially responsible parties for the presence of constituents in the Tutu aquifer may well be the Tillets themselves. Of course, conclusive findings with respect to the origin of the materials in the groundwater will only surface after a comprehensive site investigation is conducted. It is inappropriate to grant this potentially responsible party an alternate means of water supply when it is possible that this same party may be responsible, even partially, for the constituents in the groundwater.

In summary, the Tillets are not entitled under EPA's administrative order to be connected by, and at the expense of Esso, Texaco and L'Henri to the Tutu water main. The permit issued for the extraction of water from the well owned by Total Vision, Inc. D/B/A Tutu Water Company classifies this well as "commercial" and consequently, the Tillets cannot now maintain that they are entitled to receive an alternative water supply under the response and corrective action provisions of CERCLA and RCRA. Even assuming that James and Rhoda Tillet reside at 126 St. Anna's Retreat, and obtained their water for their personal home use from the well, that well has been closed for at least three (3) years, the situation that they are facing does not represent an existing exposure to a contaminated water supply which presents a significant risk to human health and

which may justify applicability of the alternative household water supply provision under CERCLA and RCRA. Furthermore, the potentiality that they may be responsible as a source of the presence of the materials found in the groundwater does not entitle them to such administrative relief. Total Vision, Inc. and the Tillets have sued seeking relief for the loss of their well - that's the alternative they chose, not CERCLA or RCRA.

Cordially yours,

R. SCOTT McCAY, ESQ.
P.O. Box 4596
Houston, TX 77210-4596
Telephone (713) 752-6011
For Texaco Caribbean Inc.

By
Permission _____

JOSÉ A. CEPEDA-RODRÍGUEZ, ESQ.
FRANCIS TORRES, ESQ.
Goldman Antonetti Ferraiuoli
Axtmayer & Hertell
P.O. Box 13486
Santurce, PR 00908-3486
Telephone (809) 721-2424
For Esso Standard Oil Co.
S.A. Ltd.
By: _____

NANCY D'ANNA, ESQ.
María Tankenson Hodge P.C.
P.O. Box 4910
Charlotte Amalie, St. Thomas
U.S. Virgin Islands 00803
Telephone (809) 774-6845
For L'Henri, Inc.

By
Permission _____

Notified with copies:

Eng. Ana Gloria Ramos
Designated Coordinator
Esso Standard Oil Company
GPO Box 4269
San Juan, PR 00936

Caroline Kwan, Project Officer, Eastern
New York/Caribbean Compliance Section,
Emergency and Remedial Response Division,
U.S. Environmental Protection Agency,
Region II, 26 Federal Plaza,
New York, NY 10278

José Font, Project Officer, U.S.E.P.A.
Caribbean Field Office, Office 2A,
Podiatry Center Building
1413 Fernández Juncos Avenue
Santurce, PR 00907

Luis E. Santos, U.S.E.P.A.
Caribbean Field Office, Office 2A
Podiatry Center Building
1413 Fernández Juncos Ave.
Santurce, PR 00907

Alan D. Smith, Commissioner
Department of Planning & Natural Resources
Nisky Center
Suite 231
45A Estate Nisky
St. Thomas, U.S.V.I. 00801

S. Scott McCay, Esq.
Legal Department
Texaco Inc.
P.O. Box 4596
Houston, TX 77210-4596

Nancy D'Anna, Esq.
María Tankenson Hodges, P.C.
P.O. Box 4910
Charlotte Amalie, St. Thomas
U.S. Virgin Islands 00803

JUL 10 1990

CERTIFIED MAIL
RETURN RECEIPT REQUESTED-

Nancy D'Anna, Esq.
Maria Tankenson Hodge P.C.
The Beltjen Road
Charlotte Amalie, St. Thomas
U.S., Virgin Islands 00803

Jose A. Cepeda-Rodriguez, Esq.
Francis Torres, Esq.
c/o Goldman & Antonelli
409 Insurance Center Building
701 Ponce De Leon Avenue
Santurce, Puerto Rico 00907

R. Scott McCay, Esq.
Legal Department
Texaco Inc.
P.O. Box 52332
Houston, Texas 77052

Re: **Tutu Wells Site**
Administrative Order Under Nos.
II-CERCLA-00401 AND RCRA-90-9003-0401

Dear Sir/Madam:

As you may be aware, James and Rhoda Tillett are requesting that their residential property, located at 126 St. Anna's Retreat, be connected to the water main pursuant to above-referenced Order. All of the correspondence regarding this request is attached.

As EPA is presently considering the Tillett's request, please provide EPA with any comments or information you might have regarding this request within ten (10) business days of your receipt of this letter. Alternatively, should you feel the Tillett's claim is warranted or should you wish to volunteer to attach the Tillett's residence to the water main, please immediately notify EPA and initiate steps to insure said connection.

If you have any questions regarding the above, please do not hesitate to contact me at (212) 264-4760.

Sincerely,

Amy R. Chester
Assistant Regional Counsel
Waste & Toxic Substances Section
Air, Waste & Toxic Substances Branch
Office of Regional Counsel

Attachments

cc: Anna Gloria Ramos, Project Coordinator
Pamela K. Chen, Esq.
Asbill, Junkin, Myers & Buffone

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION II
JACOB K. JAVITS FEDERAL BUILDING
NEW YORK, NEW YORK 10278

JUL 19 1990

EXPRESS MAIL-
RETURN RECEIPT REQUESTED

Ms. Anna Gloria Ramos,P.E.
Designated Coordinator
Tutu Environmental Investigations Committee
G.P.O. Box 4269
San Juan, Puerto Rico 00936-4269

Re: TuTu Wells Site Administrative Order Index No. II-CERCLA-00401 and RCRA-90-UST-9003-0401

Dear Ms. Ramos:

As per our meeting on July 12, 1990 regarding the finalization of the Sampling, Analysis and Monitoring Plan (SAMP) for the above-referenced Site, I would like to summarize the deliverables and future activities for this project as discussed in the meeting.

1) SAMP will be delivered to my office by August 7, 1990.

2) In order for you to initial access agreements with the resident in the Tutu wells for sampling purpose, enclosed please find a list of well owners and their addresses and phone numbers.

3) A site visit with EPA and DPNR in the week of August 20, 1990 in St. Thomas is planned for obtaining information, exact locations and access of the Wells in Tutu area.

4) Initial sampling of the Tutu wells in the week of September 17, 1990.

In addition, I have a copy of Drinking Water Regulations and Health Advisories and Fact Sheet: Drinking Water Regulations under the Safe Drinking Water Act.

Please let me know if there are any change in the above activities.

Sincerely yours,

Caroline Kwan
Project Manager
New York/Caribbean Compliance Branch

Enclosures
cc: Jose Font- EPA/CFO
Luis Santos- EPA/CFO
Marsha Findlay- G & M
Amy Chester- EPA
Julie Mae Monsanto- DPNR

Tutu Environmental Investigation Committee
(T E I C)
G.P.O. Box 4269
San Juan, Puerto Rico 00936-4269

Ana Gloria Ramos, P.E.
Designated Coordinator

September 18, 1990

Caroline Kwan, Project Officer, Eastern
New York/Caribbean Compliance Section
Emergency and Remedial Response Division
U.S. Environmental Protection Agency
Region II, 26 Federal Plaza
New York, New York 10278

RE: Tutu Well Site
Administrative Orders Nos.
II-CERCLA-00401 and
RCRA-90-UST-9003-0401
Monthly Progress Report No. 5

Dear Mrs. Kwan:

Attached find the written Monthly Progress Report for the subject Administrative Orders.

If you have any question regarding this matter, please contact the undersigned at (809) 792-2920, Ext. 322.

Very truly yours,

Ana Gloria Ramos

Ana Gloria Ramos. P.E.
Designated Coordinator

AGR/mpt/01430

cc: Mr. J. L. Blanco - Esso CCD
Mr. J. Janson - Esso CCD
Scott McCay, Esq. - Texaco
Mr. L. Ruiz - Texaco
Nancy D'Anna, Esq. - L'Henri, Inc.
José A. Cepeda-Rodríguez/Francis Torres, Esqs.
Mr. José Font - EPA Caribbean Field Office
Mr. Luis E. Santos - EPA Caribbean Field Office
Amy Chester, Esq. - EPA Region II
Mr. Alan D. Smith - DPNR - USVI
Mr. Leonard Reed/C. Crooke - DPNR - USVI

TUT 003 1283

Telephone: (809) 792-2920 Fax. (809) 793-6555

MONTHLY PROGRESS REPORT NO. 3
SEPTEMBER 18, 1990

RE: Tutu Well Site
Administrative Orders Nos. II - CERCLA-00401 and
RCRA-90-UST-9003-0401

I. Work to Date

1. Water provided for the affected homes thru Chuck Kline Water Delivery Company.

2. During the week of August 20, 1990 representatives from EPA, USVI Department of Planning and Natural Resources, Geragthy and Miller, Soil Tech and the Designated Coordinator inspected the Well Sites. Property Access Agreements were prepared for the Well owners' signature. Of the nineteen Access Agreement letters, fifteen were given to the owners during the site inspection. Three were sent thru certified mail and there is one that is still pending due to unavailability of owners' address.

3. Twelve access agreement letters properly signed had been received as of September 18, 1990 (copies attached).

4. On September 18, 1990, an electrician from Soil Tech started working on the Wells to assure if are operational. Also, Soil Tech personnel started working on the repairs of some of these wells which require some maintenance (refers to these wells where we already have the access agreement signed).

   NOTE: Ms. J. Monsanto from DPNR has been instrumental in contacting the Well owners.

5. SAMP revisions are being done by Geraghty & Miller.

6. No action for the construction of the Water Laterals have been informed by the Virgin Islands Housing Authority (VIHA).

II. Work Schedule for Next Month

1. Continue providing water to affected Homes.

2. Follow up on water laterals construction project with Virgin Islands Housing Authority.

3. Wells sampling scheduled to be conducted during the week of September 24, 1990.

ANA GLORIA RAMOS

AGR/mpt/01430

PROPERTY ACCESS AGREEMENT

1.) I understand that the United States Environmental Protection Agency (EPA) in coordination with the Department of Planning and Natural Resources of the US Virgin Islands (DPNR) has conducted an investigation of the groundwater in the Tutu area of St. Thomas. Pursuant to this investigation a number of wells located in the Tutu area including the well(s) located in my property had been periodically tested. I also understand that persons of Geraghty & Miller, and Soil Tech will now be coordinating these sampling activities, at EPA's direction, and that these activities are expected to begin in the month of September, 1990.

2.) I am the owner and/or possessor of the property located at 404-321 ANNA'S RETREAT and grant permission to the authorized employees and agents of Geraghty & Miller and Soil Tech to enter on the property at reasonable times mentioned to perform the sampling activities above.

3.) I have been informed that the sampling activities that will be conducted pursuant to this agreement shall not adversely affect my property.

4.) I acknowledge that results of these investagory activities will be provided to government agencies and may be disclosed to the public.

5.) My signature below gives my consent of the access to my property to the authorized representatives and agents of Geraghty & Miller and Soil Tech of the purposes and the terms stated in this Property Access Agreement.

ROY L. MOOREHEAD (REPRESENTATIVE)
Owners Signature

AUGUST 28, 1990
Date

WILLIAM C. DEMETREE / JACK C. DEMETREE
Owners Name

P.O. BOX 3157, ST. THOMAS, V.I. 00803
Owners Address

809-775-4575 /809-775-4575
Home Telephone/Business Telephone

Witness

8/31/90
Date

PROPERTY ACCESS AGREEMENT

1.) I understand that the United States Environmental Protection Agency (EPA) in coordination with the Department of Planning and Natural Resources of the US Virgin Islands (DPNR) has conducted an investigation of the groundwater in the Tutu area of St. Thomas. Pursuant to this investigation a number of wells located in the Tutu area including the well(s) located in my property had been periodically tested. I also understand that persons of Geraghty & Miller, and Soil Tech will now be coordinating these sampling activities, at EPA's direction, and that these activities are expected to begin in the month of September, 1990.

2.) I am the owner and/or possessor of the property located at _____ and grant permission to the authorized employees and agents of Geraghty & Miller and Soil Tech to enter on the property at reasonable times mentioned to perform the sampling activities above.

3.) I have been informed that the sampling activities that will be conducted pursuant to this agreement shall not adversely affect my property.

4.) I acknowledge that results of these investagory activities will be provided to government agencies and may be disclosed to the public.

5.) My signature below gives my consent of the access to my property to the authorized representatives and agents of Geraghty & Miller and Soil Tech of the purposes and the terms stated in this Property Access Agreement.

Osborne Harvey
Owners Signature

9/3/90
Date

OSBORNE HARVEY
Owners Name

P.O. Box 893 00804
Owners Address

[809] 774-1973
Home Telephone/Business Telephone

Witness 9/3/90
Date

TUT 003 1287

PROPERTY ACCESS AGREEMENT

1.) I understand that the United States Environmental Protection Agency (EPA) in coordination with the Department of Planning and Natural Resources of the US Virgin Islands (DPNR) has conducted an investigation of the groundwater in the Tutu area of St. Thomas. Pursuant to this investigation a number of wells located in the Tutu area including the well(s) located in my property had been periodically tested. I also understand that persons of Geraghty & Miller, and Soil Tech will now be coordinating these sampling activities, at EPA's direction, and that these activities are expected to begin in the month of September, 1990.

2.) I am the owner and/or possessor of the property located at 5A ANNAS RETREAT and grant permission to the authorized employees and agents of Geraghty & Miller and Soil Tech to enter on the property at reasonable times mentioned to perform the sampling activities above.

3.) I have been informed that the sampling activities that will be conducted pursuant to this agreement shall not adversely affect my property.

4.) I acknowledge that results of these investagory activities will be provided to government agencies and may be disclosed to the public.

5.) My signature below gives my consent of the access to my property to the authorized representatives and agents of Geraghty & Miller and Soil Tech of the purposes and the terms stated in this Property Access Agreement.

Owners Signature

Sept 5th 1990
Date

ELIN W. STEELE
Owners Name

5A ANNAS RETREAT
Owners Address

805- 775-5090
Home Telephone/Business Telephone

Witness

9/5/90
Date

PROPERTY ACCESS AGREEMENT

1.) I understand that the United States Environmental Protection Agency (EPA) in coordination with the Department of Planning and Natural Resources of the US Virgin Islands (DPNR) has conducted an investigation of the groundwater in the Tutu area of St. Thomas. Pursuant to this investigation a number of wells located in the Tutu area including the well(s) located in my property had been periodically tested. I also understand that persons of Geraghty & Miller, and Soil Tech will now be coordinating these sampling activities, at EPA's direction, and that these activities are expected to begin in the month of September, 1990.

2.) I am the owner and/or possessor of the property located at Annas Retreat 129-45 and grant permission to the authorized employees and agents of Geraghty & Miller and Soil Tech to enter on the property at reasonable times mentioned to perform the sampling activities above.

3.) I have been informed that the sampling activities that will be conducted pursuant to this agreement shall not adversely affect my property.

4.) I acknowledge that results of these investagory activities will be provided to government agencies and may be disclosed to the public.

5.) My signature below gives my consent of the access to my property to the authorized representatives and agents of Geraghty & Miller and Soil Tech of the purposes and the terms stated in this Property Access Agreement.

Alpha G. Leonard
Owners Signature

August 24, 1990
Date

ALPHA G. LEONARD
Owners Name

129-45 ANNAS Retreat
Owners Address

774-3552 Ext 220
Home Telephone/Business Telephone

J. Hughes
Witness

8/24/90
Date

TUT 003 1289

PROPERTY ACCESS AGREEMENT

1.) I understand that the United States Environmental Protection Agency (EPA) in coordination with the Department of Planning and Natural Resources of the US Virgin Islands (DPNR) has conducted an investigation of the groundwater in the Tutu area of St. Thomas. Pursuant to this investigation a number of wells located in the Tutu area including the well(s) located in my property had been periodically tested. I also understand that persons of Geraghty & Miller, and Soil Tech will now be coordinating these sampling activities, at EPA's direction, and that these activities are expected to begin in the month of September, 1990.

2.) I am the owner and/or possessor of the property located at 405 ANNA'S RETREAT and grant permission to the authorized employees and agents of Geraghty & Miller and Soil Tech to enter on the property at reasonable times mentioned to perform the sampling activities above.

3.) I have been informed that the sampling activities that will be conducted pursuant to this agreement shall not adversely affect my property.

4.) I acknowledge that results of these investagory activities will be provided to government agencies and may be disclosed to the public.

5.) My signature below gives my consent of the access to my property to the authorized representatives and agents of Geraghty & Miller and Soil Tech of the purposes and the terms stated in this Property Access Agreement.

Rita Ramsay
Owners Signature

8/24/90
Date

RITA RAMSAY
Owners Name

405 ANNAS RETREAT
Owners Address

774-3153 775-4900
Home Telephone/Business Telephone

Margaret Lowyer
Witness

8/24/90
Date

E'S AND A CORPORATION

PROPERTY ACCESS AGREEMENT

1.) The Corporation understands that the United States Enviromental Protection Agency (EPA) in coordination with the Department of Planning and Natural Resources of the US Virgin Islands (DPNR) has conducted an investigation of the groundwater in the Tutu area of St. Thomas. Pursuant to this investigation a number of wells located in the Tutu area including the well(s) located in its' property had been periodically tested. It also understand that persons of Geraghty & Miller, and Soil Tech will now be coordinating these sampling activities at EPA's direction and that these activities are expected to begin in the month of September, 1990 and to end in a reasonable time.

2.) The Corporation, the owner and/or possessor of the property located at Charlotte Amalie #7 and grant permission to the authorized employees and agents of Geraghty & Miller and Soil Tech to enter on the property at reasonable times mentioned to perform the sampling activities above.

3.) It has been informed that the sampling activities that will be conducted pursuant to this agreement shall not adversely affect its' property.

4.) It has acknowledge that results of these investigatory activities will be provided to government agencies and may be disclosed to the public.

5.) The signature below gives its' consent of the access to its' property to the authorized representatives and agents of Geraghty & Miller and Soil Tech of the purposes and the terms stated in this Property Access Agreement.

Officer's Signature for E's and A Corp.

9/4/90
Date

E'S & A CORPOR.
Corporation's Name

Charlotte Amalie # 7
Corporation's Address

774-45-76
Home Telephone/Business Telephone

Witness

9/4/90
Date

TUT 003 1291

PROPERTY ACCESS AGREEMENT

1.) I understand that the United States Environmental Protection Agency (EPA) in coordination with the Department of Planning and Natural Resources of the US Virgin Islands (DPNR) has conducted an investigation of the groundwater in the Tutu area of St. Thomas. Pursuant to this investigation a number of wells located in the Tutu area including the well(s) located in my property had been periodically tested. I also understand that persons of Geraghty & Miller, and Soil Tech will now be coordinating these sampling activities, at EPA's direction, and that these activities are expected to begin in the month of September, 1990.

2.) I am the owner and/or possessor of the property located at _____ and grant permission to the authorized employees and agents of Geraghty & Miller and Soil Tech to enter on the property at reasonable times mentioned to perform the sampling activities above.

3.) I have been informed that the sampling activities that will be conducted pursuant to this agreement shall not adversely affect my property.

4.) I acknowledge that results of these investagory activities will be provided to government agencies and may be disclosed to the public.

5.) My signature below gives my consent of the access to my property to the authorized representatives and agents of Geraghty & Miller and Soil Tech of the purposes and the terms stated in this Property Access Agreement.

Cynthia Hodge
Owners Signature

8/30/90
Date

Owners Name

Owners Address

775-2306-776-1340
Home Telephone/Business Telephone

Witness

8/30/90
Date

TUT 003 1292

Tutu Environmental Investigation Committee
(T E I C)
G.P.O. Box 4269
San Juan, Puerto Rico 00936-4269

Ana Gloria Ramos, P.E.
Designated Coordinator

October 22, 1990

Caroline Kwan, Project Officer, Eastern
New York/Caribbean Compliance Section
Emergency and Remedial Response Division
U.S. Environmental Protection Agency
Region II, 26 Federal Plaza
New York, New York 10278

RE: Tutu Well Site
Administrative Orders Nos.
II-CERCLA-00401 and
RCRA-90-UST-9003-0401
Monthly Progress Report No. 6

Dear Mrs. Kwan:

Attached find the written Monthly Progress Report for the subject Administrative Orders.

If you have any question regarding this matter, please contact the undersigned at (809) 792-2920, Ext. 322.

Very truly yours,

Ana Gloria Ramos

Ana Gloria Ramos, P.E.
Designated Coordinator

AGR/mpt/01430

cc: Mr. J. L. Blanco - Esso CCD
Mr. J. Janson - Esso CCD
Scott McCay, Esq. - Texaco
Mr. L. Ruiz - Texaco
Nancy D'Anna, Esq. - L'Henri, Inc.
José A. Cepeda-Rodriguez/Francis Torres, Esqs.
Mr. José Font - EPA Caribbean Field Office
Mr. Luis E. Santos - EPA Caribbean Field Office
Amy Chester, Esq. - EPA Region II
Mr. Alan D. Smith - DPNR - USVI
Mr. Leonard Reed/C. Crooke - DPNR - USVI

TUT 003 1293

Telephone: (809) 792-2920 Fax. (809) 793-6555

MONTHLY PROGRESS REPORT NO. 6
OCTOBER 22, 1990

RE: Tutu Well Site
Administrative Orders Nos. II - CERCLA-00401 and
RCRA-90-UST-9003-0401

I. Work to Date

1. Water provided for the affected homes thru Chuck Kline Water Delivery Company.

2. SAMP approved by EPA.

3. During September 24 thru October 3, 1990 the Well sampling was conducted. Representatives from US Environmental Protection Agency, the US Virgin Island Department of Planning and Natural Resources, Geragthy and Miller, Soil Tech and the Designated Coordinator participated during the sampling activity.

   Note: Soil Tech personnel performed maintenance repair work on most of the Wells prior to sampling activity.

4. Samples were sent daily to the Laboratory (CEIMIC) for analysis as per the SAMP.

5. No action for the construction of the Water Laterals have been informed by the Virgin Islands Housing Authority (VIHA).

II. Work Schedule for Next Month

1. Continue providing water to affected Homes.

2. Follow up on water laterals construction project with Virgin Islands Housing Authority.

3. Results of Well samples taken should be received and report preparation must be initiated.

Ana Gloria Ramos

ANA GLORIA RAMOS

AGR/mpt/01430

Tutu Environmental Investigation Committee
(T E I C)
G.P.O. Box 4269
San Juan, Puerto Rico 00936-4269

Ana Gloria Ramos, P.E.
Designated Coordinator

November 20, 1990

Caroline Kwan, Project Officer, Eastern
New York/Caribbean Compliance Section
Emergency and Remedial Response Division
U.S. Environmental Protection Agency
Region II, 26 Federal Plaza
New York, New York 10278

RE: Tutu Well Site
Administrative Orders Nos.
II-CERCLA-00401 and
RCRA-90-UST-9003-0401
Monthly Progress Report No. 7

Dear Mrs. Kwan:

Attached find the written Monthly Progress Report for the subject Administrative Orders.

If you have any question regarding this matter, please contact the undersigned at (809) 792-2920, Ext. 322.

Very truly yours,

Ana Gloria Ramos

Ana Gloria Ramos, P.E.
Designated Coordinator

AGR/mpt/01430

cc: Mr. J. L. Blanco - Esso CCD
Mr. J. Janson - Esso CCD
Scott McCay, Esq. - Texaco
Mr. L. Ruiz - Texaco
Nancy D'Anna, Esq. - L'Henri, Inc.
José A. Cepeda-Rodríguez/Francis Torres, Esqs.
Mr. José Font - EPA Caribbean Field Office
Mr. Luis E. Santos - EPA Caribbean Field Office
Amy Chester, Esq. - EPA Region II
Mr. Alan D. Smith - DPNR - USVI
Mr. Leonard Reed/C. Crooke - DPNR - USVI

TUT 003 1295

Telephone: (809) 792-2920 Fax. (809) 793-6555

MONTHLY PROGRESS REPORT NO. 7
NOVEMBER 20, 1990

RE: Tutu Well Site
Administrative Orders Nos. II - CERCLA-00401 and
RCRA-90-UST-9003-0401

I. Work to Date

1. Water provided for the affected homes thru Chuck Kline Water Delivery Company.

2. No action for the construction of the Water Laterals have been informed by the Virgin Islands Housing Authority (VIHA).

3. Initial results of Well samples were received.

II. Work Schedule for Next Month

1. Continue providing water to affected Homes.

2. Follow up on water laterals construction project with Virgin Islands Housing Authority.

3. Report of Well sampling to be initiated.

ANA GLORIA RAMOS

AGR/mpt/01430

TUT 003 1296

Tutu Environmental Investigation Committee
(T E I C)
G.P.O. Box 4269
San Juan, Puerto Rico 00936-4269

Ana Gloria Ramos, P.E.
Designated Coordinator

December 19, 1990

Caroline Kwan, Project Officer, Eastern
New York/Caribbean Compliance Section
Emergency and Remedial Response Division
U.S. Environmental Protection Agency
Region II, 26 Federal Plaza
New York, New York 10278

Attention Ms. Sherril Henry

RE: Tutu Well Site
Administrative Orders Nos.
II-CERCLA-00401 and
RCRA-90-UST-9003-0401
Monthly Progress Report No. 8

Dear Mrs. Kwan:

Attached find the written Monthly Progress Report for the subject Administrative Orders.

If you have any question regarding this matter, please contact the undersigned at (809) 792-2920, Ext. 322.

Very truly yours,

Ana Gloria Ramos

Ana Gloria Ramos, P.E.
Designated Coordinator

AGR/mpt/01430

cc: Mr. J. L. Blanco - Esso CCD
Mr. J. Janson - Esso CCD
Scott McCay, Esq. - Texaco
Mr. L. Ruiz - Texaco
Nancy D'Anna, Esq. - L'Henri, Inc.
José A. Cepeda-Rodríguez/Francis Torres, Esqs.
Mr. José Font - EPA Caribbean Field Office
Mr. Luis E. Santos - EPA Caribbean Field Office
Amy Chester, Esq. - EPA Region II
Mr. Alan D. Smith - DPNR - USVI
Mr. Leonard Reed/C. Crooke - DPNR - USVI

TUT 003 1297

Telephone: (809) 792-2920 Fax. (809) 793-6555

MONTHLY PROGRESS REPORT NO. 8
DECEMBER 19, 1990

RE: Tutu Well Site
Administrative Orders Nos. II - CERCLA-00401 and
RCRA-90-UST-9003-0401

I. Work to Date

1. Water provided for the affected homes thru Chuck Kline Water Delivery Company.

2. On December 4, 1990, Mr. Anthony Boschulte from the Virgin Islands Housing Authority (VIHA) and Attorney Nancy D'Anna from L. Henri, Inc. met regarding the progress of the connection of the waterlines. Mr. Boschulte informed that the Architect, Mr. Alton Adams, has met with Magistic Construction Company regarding the plans for the connections and the necessary breaker which are needed to connect the residences. Mr. Boschulte believed the final drawings would be completed within 14 days from the day of the meeting.

3. Data validation and report preparation for the 1st Well Sampling being prepared. The contractor reported that the report of the Well Sampling will be delayed beyond the schedule described in the approved Sampling, Analysis and Monitoring Plan. A letter dated December 17, 1990 was sent to Ms. Sherril Henry on this matter (copy included).

4. On November 29, 1990, the response to the audit performed by Ms. Laura Scalise of the EPA Monitoring Management Branch during the first Well Sampling Event was mailed to EPA (copy of the response letter included).

II. Work Schedule for Next Month

1. Continue providing water to affected homes.

2. Follow up on water laterals construction project with Virgin Islands Housing Authority.

3. Report of Well Sampling will be submitted.

4. Second Well Sampling tentatively scheduled for the week of January 14, 1991.

Ana Gloria Ramos

ANA GLORIA RAMOS

AGR/mpt/01430

TUT 003 1298

SOIL TECH

SUBSOIL EXPLORATION • ENVIRONMENTAL • CONSTRUCTION MATERIAL'S LABORATORY

November 29, 1990

Ms. Caroline Kwan
Project Manager
New York, Caribbean Compliance Branch
Region II, 26 Federal Building
New York, New York 10278

Re: Tutu Well Site Administrative Order Index No. II-CERCLA 00401 and RCRA-90-UST-9003-0401

Dear Ms. Kwan:

On behalf of Esso we are including our comments to your letter of October 30, 1990 related to the Tutu Well Sampling of September, 1990.

If any other information is necessary, please contact the undersigned at your convenience.

Respectfully submitted,

José C. Agrelot, MSCE, PE
Consulting Engineer

JCA/lvl/89514-1/NWF

TUT 003 1299

P.O. BOX 1704, HATO REY STATION 00919 • TEL. (809) 792-8900
AMUR STREET CORNER DUINA, REPARTO LANDRAU, RIO PIEDRAS, P.R. 00927

SOIL TECH

SUBSOIL EXPLORATION • ENVIRONMENTAL • CONSTRUCTION MATERIAL'S LABORATORY

November 29, 1990

Ms. Caroline Kwan
Project Manager
New York, Caribbean Compliance Branch
Region II, 26 Federal Building
New York, New York 10278

Re: Tutu Well Site Administrative Order Index No. II-CERCLA 00401 and RCRA-90-UST-9003-0401

Dear Ms. Kwan:

This letter contains our comments to your letter of October 30, 1990 related to the findings and recommendations of the field sampling audit performed by Ms. Laura Scalise of the EPA-Monitoring Management Branch during the TuTu well sampling of September, 1990. The corrective actions that will be taken for the next sampling, are presented below. These will be discussed in the same order they were stated in your letter:

1) Sampling for VOA's will be conducted using non-acidified vials from the laboratory. This will require that the holding time be reduced from 14 to 7 days.

2) Ceimic Laboratory will supply the analytical results of the analite-free water used to prepared the project trip blanks. This will be included in the Ceimic analytical well report.

3) Sampling team will place the sample in the cooler immediately after been taken.

4) The chain of custody form will be completed at each well location.

5) The initial sampling was conducted using reagent grade hydrochloric acid. Due to shipping safety procedures the ultrapure HCL was not received on-time to complete the sampling. The arrangement, are being made to obtained the ultrapure HCL for the next sampling event.

6) Field PH-analysis will be conducted by pouring a little bit of the sample water, from the bottle, over the PH paper.

TUT 003 1300

P.O. BOX 1704, HATO REY STATION 00919 • TEL. (809) 792-8900
AMUR STREET CORNER DUINA, REPARTO LANDRAU, RIO PIEDRAS, P.R. 00927

7) As indicated in the audit, the use of basic PH-paper was overlooked in the sampling plan by EPA and consultant's, this activity (including the require PH-paper) will be included as part of the standard operating procedure for the next sampling.

8) Calibration equipment records will be filled out at the time of calibration.

If any other information is necessary, please contact the undersigned at your convenience.

Truly yours,

José C. Agrelot, MSCE, P.E.
Consulting Engineer

JCA/lvl

SOIL TECH

THIS IS A FACSIMILE MESSAGE FROM
SOIL TECH CORPORATION
HATO REY, PUERTO RICO

OUR FACSIMILE TELEPHONE NUMBER IS : (809) 783-5555

THIS MESSAGE IS FOR THE ATTENTION OF: Ms. Caroline KWAN
CARIBBEAN Compliance Branch

COMPANY/BRANCH : Emergency Remedial Response Division

FAX TELEPHONE NUMBER : (212) 264-8100

THIS MESSAGE IS FROM : Engr. Jose C. Agrelot

DATE : 11-29-90

THIS MESSAGE INCLUDES THIS COVER SHEET AND 2 ADDITIONAL PAGES. IF YOU RECEIVE LESS THAN THIS, PLEASE CONTACT US AT (809) 792-8900.

MESSAGE FOLLOWS: REF. NO. _____

Confirmation F.E.
SIG. 23
(Agrelot)

TOT 003 1302

++ TX CONFIRMATION REPORT ++ AS OF NOV 29 '90 19:51 PAGE.01

BOIL TECH

DATE	TIME	TO FROM	MODE	MIN SEC PGS	STATUS
01	1. 29 18:50	212 264 3100	G3--S	01"19 03	OK

TUT 003 1303

Tutu Environmental Investigation Committee
(T E I C)
G.P.O. Box 4269
San Juan, Puerto Rico 00936-4269

Ana Gloria Ramos, P.E.
Designated Coordinator

December 17, 1990

Ms. Sherril Henry
U. S. Environmental Protection Agency
Emergency and Remedial Response Division
Region II, 26 Federal Plaza
New York, New York 10278

RE: Tutu Wells Site
Index No. II - CERCLA - 0041 and RCRA-90-UST-9003-0401

Dear Ms. Henry:

We have been informed by our contractor Geraghty & Miller, that due to data validation problems the report for the 1st Quarter Well Sampling under the Order of reference will be delayed beyond the schedule described in the approved Sampling, Analysis and Monitoring Plan. Enclosed you will find letters from Geraghty & Miller describing the reasons for the delay and the expected date for the preparation of the draft report. It is expected that the reports will be ready for submittal to EPA during the second week of January 1991.

Please contact the undersigned if you have any questions or require any additional information.

Sincerely yours,

Ana Gloria Ramos

Ana Gloria Ramos

AGR/mpt/10370

pc: Mr. José Font
Mr. Luis Santos
Ms. Amy Chester
Mr. Alan D. Smith
Mr. Anthony Boschulte

TUT 003 1304

Telephone: (809) 792-2920 Fax. (809) 793-6555

GERAGHTY & MILLER, INC.
Environmental Services

Ground Water Engineering Hydrocarbon Remediation Education

December 14, 1990

Ana Gloria Ramos
Tutu Environmental Investigation Committee
Esso U.S. Virgin Islands
Avenida San Patricio Ortego
Guaynabo, Puerto Rico 00657

RE: 1st Quarter Sampling Report, Tutu Wells Site, St. Thomas, USVI

Dear Ana Gloria:

This letter is to inform you that the draft report for the 1st Quarter residential sampling at the Tutu Wells Site will be delayed beyond the schedule described in our December 11, 1990 letter to you. Through Geraghty & Miller's data validation process, it was determined that the results for approximately 6 samples were quantitated incorrectly for the volatile organic compound (VOC) analysis.

The VOC data for the six samples must be recalculated and reproduced by the analytical laboratory. Once the correct data is provided to Geraghty & Miller, it will require validation. We anticipate that the work will require approximately 2 weeks to perform and that the draft report will be provided to the Tutu Environmental Investigation Committee (TEIC) for review on January 7, 1990.

Please call with any questions, or if you require additional information.

Sincerely,

GERAGHTY & MILLER, INC.

Marcia Findlay

Marcia Findlay
Senior Scientist

Daniel A. Nachman/gv

Daniel A. Nachman
Senior Associate

MF:gv
#PR00801/121390.

TUT 003 1305

Suite 801, First Federal Building • Stop 23, Ponce de Leon Avenue • Santurce, Puerto Rico 00909
(809) 725-2304 • FAX (809) 725-2344

GERAGHTY & MILLER, INC.
Environmental Services

Ground Water Engineering Hydrocarbon Remediation Education

December 11, 1990

Ms. Ana Gloria Ramos
Tutu Environmental Investigation Committee
Esso U.S. Virgin Islands
Avenida San Patricio Ortego
Guaynabo, Puerto Rico 00657

Re: 1st Quarter Sampling Report, Tutu Wells Site, St. Thomas, USVI

Dear Ana Gloria:

Geraghty & Miller, Inc. would like to inform you that the draft report for the 1st Quarter residential sampling at the Tutu Wells Site will not be completed within the schedule outlined in the Sampling, Analysis, and Monitoring Plan (SAMP). The delay in completing the report is due the fact that additional time was required for both laboratory analysis (2 weeks additional) and data validation (2 weeks additional).

Currently, we anticipate that data validation will be completed on or about December 19, 1990 and that the draft report will be provided to the Tutu Environmental Investigation Committee (TEIC) for review on December 24, 1990. The draft report will include recommendations for the 2nd Quarter sampling tentatively scheduled to begin on January 15, 1991.

We regret any inconvenience this may have caused you. Please do not hesitate to call with any questions.

Sincerely,

GERAGHTY & MILLER, INC.
Environmental Services

Marcia Findlay
Senior Scientist

Daniel A. Nachman
Senior Associate

MF/DAN:lmm
#PR00801/121090.1.ET

TUT 003 1306

Suite 801, First Federal Building • Stop 23, Ponce de Leon Avenue • Santurce, Puerto Rico 00909
(809) 725-2304 • FAX (809) 725-2344

Tutu Environmental Investigation Committee
(T E I C)
G.P.O. Box 4269
San Juan, Puerto Rico 00936-4269

Ana Gloria Ramos, P.E.
Designated Coordinator

January 21, 1991

Caroline Kwan, Project Officer, Eastern
New York/Caribbean Compliance Section
Emergency and Remedial Response Division
U.S. Environmental Protection Agency
Region II, 26 Federal Plaza
New York, New York 10278

Attention Ms. Sherril Henry

RE: Tutu Well Site
Administrative Orders Nos.
II-CERCLA-00401 and
RCRA-90-UST-9003-0401
Monthly Progress Report No. 9

Dear Mrs. Kwan:

Attached find the written Monthly Progress Report for the subject Administrative Orders.

If you have any question regarding this matter, please contact the undersigned at (809) 792-2920, Ext. 322.

Very truly yours,

Ana Gloria Ramos

Ana Gloria Ramos, P.E.
Designated Coordinator

AGR/mpt/0143O

cc: Mr. J. L. Blanco - Esso CCD
Mr. J. Janson - Esso CCD
Scott McCay, Esq. - Texaco
Mr. L. Ruiz - Texaco
Nancy D'Anna, Esq. - L'Henri, Inc.
José A. Cepeda-Rodríguez/Francis Torres, Esqs.
Mr. José Font - EPA Caribbean Field Office
Mr. Luis E. Santos - EPA Caribbean Field Office
Amy Chester, Esq. - EPA Region II
Mr. Alan D. Smith - DPNR - USVI
Mr. Leonard Reed/C. Crooke - DPNR - USVI

TUT 003 1307

MONTHLY PROGRESS REPORT NO. 9
JANUARY 21, 1991

RE: Tutu Well Site
Administrative Orders Nos. II - CERCLA-00401 and
RCRA-90-UST-9003-0401

I. Work to Date

1. Water provided for the affected homes thru Chuck Kline Water Delivery Company.

2. On the week of January 7, 1990 after conversations with Ms. Sherril Henry and Ms. Caroline Kwan, the second Well Sampling was re-scheduled for February 4, 1991. EPA Representative must be at the site during this second sampling event. Note 4 of the December 19, 1990 status report was confusing since it states "Second Well Sampling tentatively scheduled for the week of January 14, 1991". Also since the first Sampling Report was still pending for submittal, EPA requested that it must be submitted and approved before the next sampling event is conducted.

3. On January 11, 1991 a letter from Geraghty and Miller on behalf of the Designated Coordinator was sent to EPA informing the delays associated with the First Quarter Sampling Report (copy included).

4. On January 18, 1991 the First Sampling Report was submitted to EPA.

5. During the week of January 7, 1991 Well owners were advised by the Project Consultant of the Sampling event that was scheduled for January 14.

II. Work Schedule for Next Month

1. Continue providing water to affected homes.

2. Follow up on water laterals construction project with Virgin Islands Housing Authority.

3. Second Well Sampling is scheduled for the week of February 4, 1991. EPA and USVI Department of Planning and Natural Resources personnel will be present during this sampling activity.

4. Well owners to be notified during the week of January 28, 1991 that the Well Sampling activity will be conducted next week.

Ana Gloria Ramos

ANA GLORIA RAMOS

AGR/mpt/01430

GERAGHTY
& MILLER, INC.
Environmental Services

Ground Water *Engineering* *Hydrocarbon* *Remediation* *Education*

January 11, 1991

Sherrel Henry
U.S. Environmental Protection Agency
Region II
26 Federal Plaza
New York, NY 10278

RE: Tutu Residential Well Sampling Program, St. Thomas, USVI.

Dear Ms. Henry:

On behalf of Ana Gloria Ramos, the Designated Coordinator for the Tutu Environmental Investigation Committee (TEIC), Geraghty & Miller, Inc. would like to inform you of the delays associated with the 1st Quarter sampling report for the above-referenced project.

The completion of the report was delayed beyond the schedule detailed in the Sampling, Analysis, and Monitoring Plan (SAMP) for several reasons. For the purpose of this discussion, the originally proposed schedule is attached as Figure 1. As illustrated, the original schedule allows 3 weeks for laboratory analysis. For the 1st quarterly sampling event, laboratory analysis required 6 weeks. The original schedule also estimated that the data validation and report preparation would require 2 weeks. The 1st quarter sampling data validation and report preparation actually took 4 weeks to complete. Finally, Geraghty & Miller determined through the data validation process that some of the VOC results were quantitated incorrectly because the wrong calibrations were used by the laboratory for the quantitation. The values had to be requantitated by the laboratory, reproduced, then re-validated by Geraghty & Miller. This process required an additional 3 weeks to complete.

Currently, data validation is nearing completion. We anticipate that the 1st Quarter Sampling Report will be provided to U.S. Environmental Protection Agency (USEPA) on or before January 25, 1991.

Because the time provided for laboratory analysis and data validation in the original schedule appears to be insufficient, based on the 1st quarter sampling event, we recommend that the schedule be revised. Specifically, it is proposed to allot 6 weeks for laboratory analysis and 4 weeks for data validation. The revised proposed schedule is illustrated on Figure 2.

Suite 801, First Federal Building • Stop 23, Ponce de Leon Avenue • Santurce, Puerto Rico 00909
(809) 725-2304 • FAX (809) 725-2344

Please do not hesitate to contact us with any questions regarding the 1st Quarter Sampling Report or the proposed revisions to the schedule.

Sincerely,

GERAGHTY & MILLER, INC.

Marcia Findlay/gv

Marcia Findlay
Senior Scientist

Daniel A. Nachman/gv

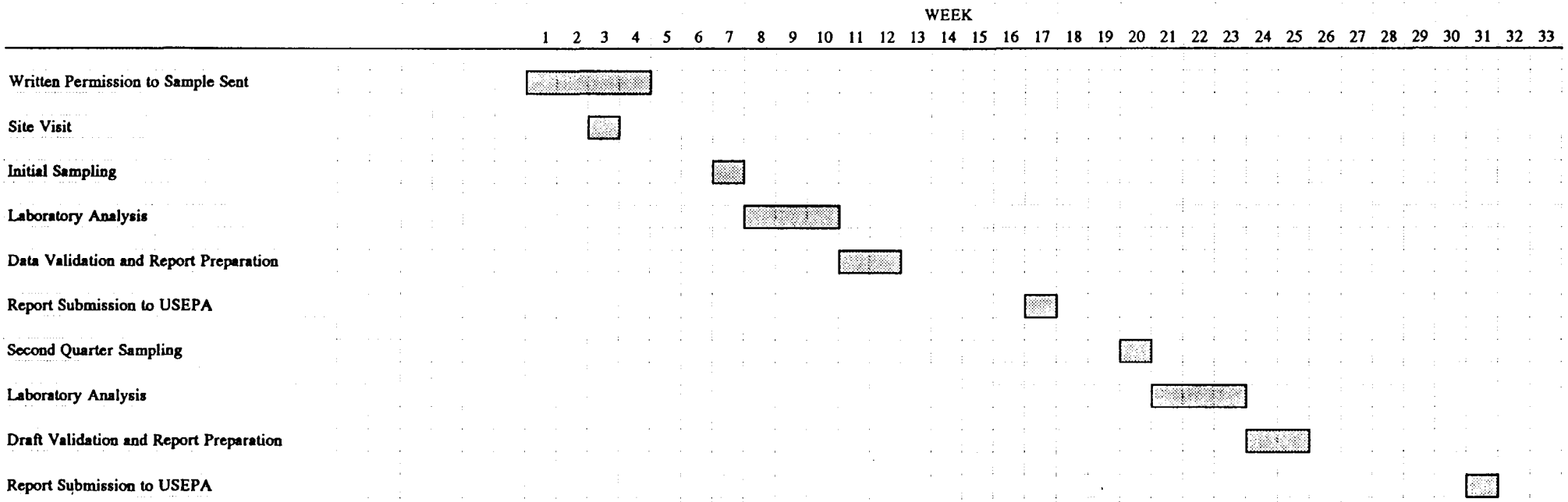
Daniel A. Nachman
Senior Associate

c: Ana Gloria Ramos, TEIC

MF:gv
#NJ07904/010991.

TUT 003 1310

Figure 1. Project Schedule, Tutu Wells Site Sampling, Analysis, and Monitoring Plan, St. Thomas, USVI.

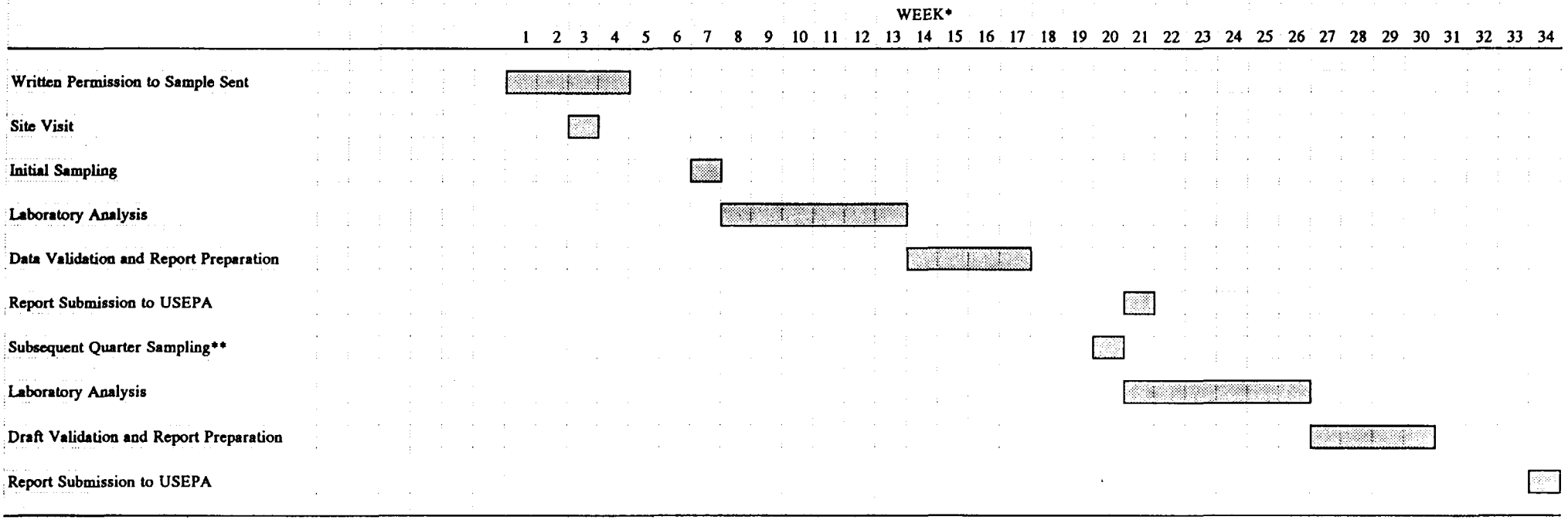


* ...m written approval of the SAMP from USEPA.

** ...ent sampling events will occur quarterly.

Sampl.WK1

Figure 2. Revised Project Schedule, Tutu Wells Site Sampling, Analysis, and Monitoring Plan, St. Thomas, USVI.



* Time from written approval of the SAMP from USEPA.

** Subsequent sampling events will occur quarterly.

#NJ07904/Samp2r.WK1

TUT 003 1312

Tutu Environmental Investigation Committee
(T E I C)
G.P.O. Box 4269
San Juan, Puerto Rico 00936-4269

Ana Gloria Ramos, P.E.
Designated Coordinator

February 19, 1991

Caroline Kwan, Project Officer, Eastern
New York/Caribbean Compliance Section
Emergency and Remedial Response Division
U.S. Environmental Protection Agency
Region II, 26 Federal Plaza
New York, New York 10278

Attention Ms. Sherril Henry

RE: Tutu Well Site
Administrative Orders Nos.
II-CERCLA-00401 and
RCRA-90-UST-9003-0401
Monthly Progress Report No. 10

Dear Mrs. Kwan:

Attached find the written Monthly Progress Report for the subject Administrative Orders.

If you have any question regarding this matter, please contact the undersigned at (809) 792-2920, Ext. 322.

Very truly yours,

Ana Gloria Ramos, P.E.
Designated Coordinator

AGR/mpt/01430

cc: Mr. J. L. Blanco - Esso CCD
Mr. J. Janson - Esso CCD
Scott McCay, Esq. - Texaco
Mr. L. Ruiz - Texaco
Nancy D'Anna, Esq. - L'Henri, Inc.
José A. Cepeda-Rodríguez/Francis Torres, Esqs.
Mr. José Font - EPA Caribbean Field Office
Mr. Luis E. Santos - EPA Caribbean Field Office
Amy Chester, Esq. - EPA Region II
Mr. Alan D. Smith - DPNR - USVI
Mr. Leonard Reed/C. Crooke - DPNR - USVI

TUT 003 1313

Telephone: (809) 792-2920 Fax. (809) 793-6555

MONTHLY PROGRESS REPORT NO. 10
FEBRUARY 19, 1991

RE: Tutu Well Site
Administrative Orders Nos. II - CERCLA-00401 and
RCRA-90-UST-9003-0401

I. Work to Date

1. Water provided for the affected homes thru Chuck Kline Water Delivery Company.

2. During February 4 thru 7, 1991, the second Well Sampling event was conducted. Representative from U. S. Environmental Protection Agency, the US Virgin Islands Department of Planning & Natural Resources, Geraghty and Miller, Soil Tech and the Designated Coordinator participated during the sampling activity.

   Samples were sent daily to the Laboratory (CEIMIC) for analysis as per the SAMP.

3. No action for the construction of the Water Laterals have been reported by the Virgin Islands Housing Authority (VIHA).

II. Work Schedule for Next Month

1. Continue providing water to affected homes.

2. Follow up on water laterals construction project with Virgin Islands Housing Authority.

3. Analysis of Well Samples taken during the second sampling event should be completed.

4. Third sampling event is scheduled for the week of April 29, 1991.

ANA GLORIA RAMOS

AGR/mpt/01430

Tutu Environmental Investigation Committee
(T E I C)
G.P.O. Box 4269
San Juan, Puerto Rico 00936-4269

Ana Gloria Ramos, P.E.
Designated Coordinator

March 20, 1991

Caroline Kwan, Project Officer, Eastern
New York/Caribbean Compliance Section
Emergency and Remedial Response Division
U.S. Environmental Protection Agency
Region II, 26 Federal Plaza
New York, New York 10278

RE: Tutu Well Site
Administrative Orders Nos.
II-CERCLA-00401 and
RCRA-90-UST-9003-0401
Monthly Progress Report No. 11

Dear Mrs. Kwan:

Attached find the written Monthly Progress Report for the subject Administrative Orders.

Please note that next sampling event was re-scheduled for May 13, 1991.

If you have any question regarding this matter, please contact the undersigned at (809) 792-2920, Ext. 322.

Very truly yours,

Ana Gloria Ramos

Ana Gloria Ramos, P.E.
Designated Coordinator

AGR/mpt/01430

cc: Mr. J. L. Blanco - Esso CCD
Mr. J. Janson - Esso CCD
Scott McCay, Esq. - Texaco
Mr. L. Ruiz - Texaco
Nancy D'Anna, Esq. - L'Henri, Inc.
José A. Cepeda-Rodríguez/Francis Torres, Esqs.
Mr. José Font - EPA Caribbean Field Office
Mr. Luis E. Santos - EPA Caribbean Field Office
Amy Chester, Esq. - EPA Region II
Mr. Alan D. Smith - DPNR - USVI
Mr. Leonard Reed/C. Crooke - DPNR - USVI

TUT 003 1315

Telephone: (809) 792-2920 Fax. (809) 793-6555

MONTHLY PROGRESS REPORT NO. 11
MARCH 20, 1991

RE: Tutu Well Site
Administrative Orders Nos. II - CERCLA-00401 and
RCRA-90-UST-9003-0401

I. Work to Date

1. Water provided for the affected homes thru Chuck Kline Water Delivery Company.

2. No action for the construction of the Water Laterals have been reported by the Virgin Islands Housing Authority (VIHA).

3. Laboratory analyses of water samples in progress. Data package to be completed by March 25, 1991. See attached letter from Geraghty and Miller dated March 19, 1991 for details of second sampling report delayed.

II. Work Schedule for Next Month

1. Continue providing water to affected homes.

2. Follow up on water laterals construction project with Virgin Islands Housing Authority.

3. Laboratory results data to be completed by March 25, 1991.

4. Data validation to be conducted will take three weeks after Laboratory Data is received.

5. **Third sampling event is re-scheduled for the week of May 13, 1991.**

ANA GLORIA RAMOS

AGR/mpt/01430

GERAGHTY
& MILLER, INC.
Environmental Services

Ground Water Engineering Hydrocarbon Remediation Education

March 19, 1991

Ana Gloria Ramos
Tutu Environmental Investigation Committee
Esso U.S. Virgin Islands
G.P.O. Box 4269
San Juan, Puerto Rico 00936

RE: Schedule for the February 1991 Quarterly Sampling Report, Tutu Wells Site, St. Thomas, USVI

Dear Ana Gloria:

Geraghty & Miller, Inc. would like to inform you that the report for the February 1991 quarterly sampling will be delayed. In our revised schedule we indicated that the laboratory report would be provided to us 5 weeks after the end of sampling. The laboratory, Ceimic Corporation, has informed us that the February 1991 data package will not be completed until March 25, 1991 (6 weeks after sampling completion). It is anticipated that data validation will require 3 weeks to complete and the report preparation will require 2 weeks to complete. Accordingly, we anticipate submitting the February 1991 Quarterly Sampling Report to the U.S. Environmental Protection Agency (USEPA) on or about April 29, 1991.

Given that USEPA will need time to review the report and approve any revisions to the May 1991 quarterly sampling schedule, it is recommended that the next sampling event be scheduled to begin on May 13, 1991.

TUT 003 1317

201 West Passaic Street, 3rd Floor • Rochelle Park, New Jersey 07662 • (201) 909-0700 • FAX (201) 909-0567/0568

03. 19. 91 03:29 PM P02

Please call if you have any questions or require additional information.

Sincerely,

GERAGHTY & MILLER, INC.

Marcia Findlay
Senior Scientist

Daniel A. Nachman
Vice President

c: Juan Garcia

MF:gv
#PR00801/031991.

Tutu Environmental Investigation Committee
(T E I C)
G.P.O. Box 4269
San Juan, Puerto Rico 00936-4269

Ana Gloria Ramos, P.E.
Designated Coordinator

April 19, 1991

Caroline Kwan, Project Officer, Eastern
New York/Caribbean Compliance Section
Emergency and Remedial Response Division
U.S. Environmental Protection Agency
Region II, 26 Federal Plaza
New York, New York 10278

RE: Tutu Well Site
Administrative Orders Nos.
II-CERCLA-00401 and
RCRA-90-UST-9003-0401
Monthly Progress Report No. 12

Dear Mrs. Kwan:

Attached find the written Monthly Progress Report for the subject Administrative Orders.

Please note that the third sampling event is scheduled for the week of May 20, 1991.

If you have any question regarding this matter, please contact the undersigned at (809) 792-2920, Ext. 322.

Very truly yours,

Ana Gloria Ramos

Ana Gloria Ramos, P.E.
Designated Coordinator

AGR/mpt/01430

cc: Mr. J. L. Blanco - Esso CCD
Mr. J. Janson - Esso CCD
Scott McCay, Esq. - Texaco
Mr. L. Ruiz - Texaco
Nancy D'Anna, Esq. - L'Henri, Inc.
José A. Cepeda-Rodríguez/Francis Torres, Esqs.
Mr. José Font - EPA Caribbean Field Office
Mr. Luis E. Santos - EPA Caribbean Field Office
Amy Chester, Esq. - EPA Region II
Mr. Alan D. Smith - DPNR - USVI
Mr. Leonard Reed/C. Crooke - DPNR - USVI

TUT 003 1319

Telephone: (809) 792-2920 Fax. (809) 793-6555

MONTHLY PROGRESS REPORT NO. 12
APRIL 19, 1991

RE: Tutu Well Site
Administrative Orders Nos. II - CERCLA-00401 and
RCRA-90-UST-9003-0401

I. Work to Date

1. Water provided for the affected homes thru Chuck Kline Water Delivery Company.

2. No action for the construction of the Water Laterals have been reported by the Virgin Islands Housing Authority (VIHA).

3. Data validation for the second sampling event in progress.

4. EPA contacted on April 1, 1991 to coordinate third sampling event for the week of May 20, 1991.

II. Work Schedule for Next Month

1. Continue providing water to affected homes.

2. Follow up on water laterals construction project with Virgin Islands Housing Authority.

3. Second sampling laboratory analyses report will be submitted to EPA on April 29, 1991.

4. **Third sampling event scheduled for the week of May 20, 1991.**

ANA GLORIA RAMOS

AGR/mpt/01430

Tutu Environmental Investigation Committee
(T E I C)
G.P.O. Box 4269
San Juan, Puerto Rico 00936-4269

Ana Gloria Ramos, P.E.
Designated Coordinator

May 22, 1991

Caroline Kwan, Project Officer, Eastern
New York/Caribbean Compliance Section
Emergency and Remedial Response Division
U.S. Environmental Protection Agency
Region II, 26 Federal Plaza
New York, New York 10278

RE: Tutu Well Site
Administrative Orders Nos.
II-CERCLA-00401 and
RCRA-90-UST-9003-0401
Monthly Progress Report No. 13

Dear Mrs. Kwan:

Attached find the written Monthly Progress Report for the subject Administrative Orders.

Please note that the third sampling event is scheduled to start on June 4, 1991.

If you have any question regarding this matter, please contact the undersigned at (809) 792-2920, Ext. 322.

Very truly yours,

Ana Gloria Ramos

Ana Gloria Ramos, P.E.
Designated Coordinator

AGR/mpt/01430

cc: Mr. J. L. Blanco - Esso CCD
Mr. J. Janson - Esso CCD
Scott McCay, Esq. - Texaco
Mr. L. Ruiz - Texaco
Nancy D'Anna, Esq. - L'Henri, Inc.
José A. Cepeda-Rodríguez/Francis Torres, Esqs.
Mr. José Font - EPA Caribbean Field Office
Mr. Luis E. Santos - EPA Caribbean Field Office
Amy Chester, Esq. - EPA Region II
Mr. Alan D. Smith - DPNR - USVI
Mr. Leonard Reed/C. Crooke - DPNR - USVI

TUT 003 1321

Telephone: (809) 792-2920 Fax. (809) 793-6555

MONTHLY PROGRESS REPORT NO. 13
MAY 22, 1991

RE: Tutu Well Site
Administrative Orders Nos. II - CERCLA-00401 and RCRA-90-UST-9003-0401

I. Work to Date

1. Water provided for the affected homes thru Chuck Kline Water Delivery Company.

2. No action for the construction of the Water Laterals have been reported by the Virgin Islands Housing Authority (VIHA).

4. Second Quarterly Sampling Report submitted to EPA on May 13, 1991.

5. On letter dated May 16, 1991, EPA approved the request for the removal from the third sampling effort of the following wells: Bryan, Dede, Dench, Devcon I, Devcon III, Demitri, Leonard, Rodríguez and VIHA-III.

II. Work Schedule for Next Month

1. Continue providing water to affected homes.

2. Follow up on water laterals construction project with Virgin Islands Housing Authority.

4. **Third sampling event scheduled to start on June 4, 1991.**

ANA GLORIA RAMOS

AGR/mpt/01430

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION II
JACOB K. JAVITS FEDERAL BUILDING
NEW YORK, NEW YORK 10278

MAY 16 1991

EXPRESS MAIL-
RETURN RECEIPT REQUESTED

Ms. Anna Gloria Ramos,P.E.
Designated Coordinator
Tutu Environmental Investigations Committee
G.P.O. Box 4269
San Juan, Puerto Rico 00936-4269

Re: Third Round of Drinking Water Wells Sampling at TuTu Wells Site, St. Thomas

Dear Ms. Ramos:

Based on the past sampling of the drinking water wells in the Tutu Wells Site by the U.S. Environmental Protection Agency (EPA) and the first and second rounds of sampling conducted by your consultant, the nine wells recommended for removal for the third round of sampling is acceptable. The following wells will not be sampled in the third round of sampling are Bryan, Dede, Dench, Devcon I, Devcon III, Demitri, Leonard, Rodriguez and VIHA-III.

Please call me at (212) 264-0151, if you have any questions.

Sincerely yours,

Caroline Kwan
Project Manager
New York/Caribbean Superfund Branch II

CC: Tom Danahy- Geraghty & Miller
Jose Agrelot- Soil Tech
Jose Font- EPA-CFO
Laura Scalise- EPA-MMB
Juliemae Monsanto- DPNR

Tutu Environmental Investigation Committee
(T E I C)
G.P.O. Box 4269
San Juan, Puerto Rico 00936-4269

Ana Gloria Ramos, P.E.
Designated Coordinator

June 21, 1991

Caroline Kwan, Project Officer, Eastern
New York/Caribbean Compliance Section
Emergency and Remedial Response Division
U.S. Environmental Protection Agency
Region II, 26 Federal Plaza
New York, New York 10278

RE: Tutu Well Site
Administrative Orders Nos.
II-CERCLA-00401 and
RCRA-90-UST-9003-0401
Monthly Progress Report No. 14

Dear Mrs. Kwan:

Attached find the written Monthly Progress Report for the subject Administrative Orders.

If you have any question regarding this matter, please contact the undersigned at (809) 792-2920, Ext. 322.

Very truly yours,

Ana Gloria Ramos

Ana Gloria Ramos, P.E.
Designated Coordinator

AGR/mpt/01430

cc: Mr. J. L. Blanco - Esso CCD
Mr. J. Janson - Esso CCD
Scott McCay, Esq. - Texaco
Mr. L. Ruiz - Texaco
Nancy D'Anna, Esq. - L'Henri, Inc.
José A. Cepeda-Rodríguez/Francis Torres, Esqs.
Mr. José Font - EPA Caribbean Field Office
Mr. Luis E. Santos - EPA Caribbean Field Office
Amy Chester, Esq. - EPA Region II
Mr. Benjamín Nazario - DPNR - USVI
Mr. Leonard Reed/C. Crooke - DPNR - USVI

TUT 003 1324

Telephone: (809) 792-2920 Fax. (809) 793-6555

MONTHLY PROGRESS REPORT NO. 13
JUNE 21, 1991

RE: Tutu Well Site
Administrative Orders Nos. II - CERCLA-00401 and
RCRA-90-UST-9003-0401

I. Work to Date

1. Water provided for the affected homes thru Chuck Kline Water Delivery Company.

2. On June 13, 1991 a change order contract for the construction of the Water Lateral was received for all parties approval .

3. Third Sampling Event conducted during June 4 thru June 6, 1991.

4. Laboratory analyses of water samples in progress.

II. Work Schedule for Next Month

1. Continue providing water to affected homes.

2. Follow up on water laterals construction project with Virgin Islands Housing Authority.

3. Change order approval completed. Notice to proceed shall be issued to Majestic Construction by VIHA.

4. Laboratory analses of water samples shall be completed.

ANA GLORIA RAMOS

AGR/mpt/01430

TUT 003 1325

NANCY D'ANNA
ATTORNEY AT LAW

P.O. Box 37. CRUZ BAY
ST. JOHN U.S. VIRGIN ISLANDS 00830
TELEPHONE & TELECOPIER: (809) 776-7759

May 19, 1991

The Honorable Conrad Francois
Virgin Islands Housing Authority
P.O. Box 7668
St. Thomas, VI 00801

Re: Tutu Waterline Connection

Dear Commission Francoise:

As you may recall, this office provides representation for L'Henri, Inc., which operates the small dry cleaning business in the Tutu area. In May of 1990, L'Henri, Inc., together with Texaco Caribbean, Inc. and Esso Virgin Islands, Inc. entered into an agreement with the Virgin Islands Housing Authority for the execution of a change order to the contract between the Authority and Majestic Construction, Inc. in order to provide for the construction of Lateral Waterline Connections for three homes affected by the contamination of the groundwater in the Tutu area. Although the foregoing companies have all denied liability for the contamination of groundwater, the contract was executed by the parties in compliance with an order entered by the Environmental Protection Agency on March 22, 1990, in order to provide an alternative water source to the effected homes. A deposit of $173,745.00 was paid by the companies to the cost of construction.

When I discussed the progress of the construction of the waterlines with Mr. Anthony Boschulte, he stated that he felt the construction should be completed by January of this year. However, to date, construction of the project does not appear to have been started. Please advise me of the status of this matter at your earliest convenience. I look forward to hearing from you.

Sincerely,

Nancy D'Anna

Nancy D'Anna

cc: Ana Gloria Ramos
Francis Torres, Esquire
Scott Mackay, Esquire
Jose Cepeda, Esquire

TUT 003 1326

NANCY D'ANNA
ATTORNEY AT LAW

P.O. Box 37, CRUZ BAY
ST. JOHN U.S. VIRGIN ISLANDS 00830
TELEPHONE & TELECOPIER: (809) 776-7759

June 7, 1991

Anna Gloria Ramos
GPO Box 4269
San Juan, Puerto Rico 00936-4269

Re: Tutu Lateral Waterline

Dear Anna:

Enclosed is a copy of a letter from VI Housing Authority which I received today in response to my letter of May 19, 1991.

If I do not receive a copy of the Change Order shortly I will again inquire to the status of the construction of the water lines.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Nancy D'Anna

nd/sf
Encls.

Virgin Islands Housing Authority
Post Office Box 7606
Charlotte Amalie
St. Thomas, U.S. Virgin Islands 00801
Telephone (809) 775-2741
Office of the Chief Executive Officer

June 3, 1991

Attorney Nancy D'Anna
Attorney at Law
P.O. Box 37
Cruz Bay
St. John, U.S.
Virgin Islands 00830

Dear Attorney D'Anna:

Subject: Tutu Lateral Waterline

Thank you for your letter of May 19, 1991 inquiring about the status of this project. Construction plans for the waterline were prepared by our Architect and later revised to comply with requests from the Virgin Islands Water and Power Authority.

A Change Order including the revised contractors price has been prepared and is being sent to all parties for approval.

Upon return of the documents to VIHA we shall issue the Notice to Proceed to Majestic Construction.

Thank you for your cooperation.

Sincerely,

Conrad E. Francois, II
Executive Director

CEF/AEB/eml

TUT 003 1328

— An equal opportunity employer —

Tutu Environmental Investigation Committee
(T E I C)
G.P.O. Box 4269
San Juan, Puerto Rico 00936-4269

Ana Gloria Ramos, P.E.
Designated Coordinator

July 19, 1991

Caroline Kwan, Project Officer, Eastern
New York/Caribbean Compliance Section
Emergency and Remedial Response Division
U.S. Environmental Protection Agency
Region II, 26 Federal Plaza
New York, New York 10278

RE: Tutu Well Site
Administrative Orders Nos.
II-CERCLA-00401 and
RCRA-90-UST-9003-0401
Monthly Progress Report No. 15

Dear Mrs. Kwan:

Attached find the written Monthly Progress Report for the subject Administrative Orders.

If you have any question regarding this matter, please contact the undersigned at (809) 792-2920, Ext. 322.

Very truly yours,

Ana Gloria Ramos, P.E.
Designated Coordinator

AGR/mpt/01430

cc: Mr. J. L. Blanco - Esso CCD
Mr. J. Janson - Esso CCD
Scott McCay, Esq. - Texaco
Mr. L. Ruiz - Texaco
Nancy D'Anna, Esq. - L'Henri, Inc.
José A. Cepeda-Rodríguez/Francis Torres, Esqs.
Mr. José Font - EPA Caribbean Field Office
Mr. Luis E. Santos - EPA Caribbean Field Office
Amy Chester, Esq. - EPA Region II
Mr. Roy E. Adams - Commissioner DPNR - USVI
Mr. Leonard Reed/C. Crooke - DPNR - USVI

TUT 003 1329

MONTHLY PROGRESS REPORT NO. 15
JULY 19, 1991

RE: Tutu Well Site
Administrative Orders Nos. II - CERCLA-00401 and
RCRA-90-UST-9003-0401

I. Work to Date

1. Water provided for the affected homes thru Chuck Kline Water Delivery Company.

2. Laboratory analyses of water samples in progress.

II. Work Schedule for Next Month

1. Continue providing water to affected homes.

2. Follow up on water laterals construction project with Virgin Islands Housing Authority.

3. Change order for the construction of the Water Lateral shall be approved. Notice to proceed to be issued to Majestic Construction by VIHA.

4. Third Sampling Report to be completed.

ANA GLORIA RAMOS

AGR/mpt/01430

Tutu Environmental Investigation Committee
(T E I C)
G.P.O. Box 4269
San Juan, Puerto Rico 00936-4269

Ana Gloria Ramos, P.E.
Designated Coordinator

August 19, 1991

Caroline Kwan, Project Officer, Eastern
New York/Caribbean Compliance Section
Emergency and Remedial Response Division
U.S. Environmental Protection Agency
Region II, 26 Federal Plaza
New York, New York 10278

RE: Tutu Well Site
Administrative Orders Nos.
II-CERCLA-00401 and
RCRA-90-UST-9003-0401
Monthly Progress Report No. 16

Dear Mrs. Kwan:

Attached find the written Monthly Progress Report for the subject Administrative Orders.

If you have any question regarding this matter, please contact the undersigned at (809) 792-2920, Ext. 322.

Very truly yours,

Ana Gloria Ramos

Ana Gloria Ramos, P.E.
Designated Coordinator

AGR/mpt/01430

cc: Mr. J. L. Blanco - Esso CCD
Mr. D. Lee - Esso CCD
Scott McCay, Esq. - Texaco
Mr. L. Ruiz - Texaco
Nancy D'Anna, Esq. - L'Henri, Inc.
José A. Cepeda-Rodríguez/Francis Torres, Esqs.
Mr. José Font - EPA Caribbean Field Office
Mr. Luis E. Santos - EPA Caribbean Field Office
Amy Chester, Esq. - EPA Region II
Mr. Roy E. Adams - Commissioner DPNR - USVI
Mr. Leonard Reed/C. Crooke - DPNR - USVI

TUT 003 1331

MONTHLY PROGRESS REPORT NO. 16
AUGUST 19, 1991

RE: Tutu Well Site
Administrative Orders Nos. II - CERCLA-00401 and
RCRA-90-UST-9003-0401

I. Work to Date

1. Water provided for the affected homes thru Chuck Kline Water Delivery Company.

2. Data validation of third sampling in progress.

3. On August 5, 1991 a report from EPA was received related to the Data Validation of September 1990 Sampling Results (Copy attached).

II. Work Schedule for Next Month

1. Continue providing water to affected homes.

2. Follow up on water laterals construction project with Virgin Islands Housing Authority.

3. Change order for the construction of the Water Lateral shall be approved. Notice to proceed to be issued to Majestic Construction by VIHA.

4. Third Sampling Report to be completed, will be submitted to EPA after it is reviewed by the Designated Coordinator.

ANA GLORIA RAMOS

AGR/mpt/01430

TUT 003 1332

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION II
JACOB K. JAVITS FEDERAL BUILDING
NEW YORK, NEW YORK 10278

CERTIFIED MAIL-
RETURN RECEIPT REQUESTED

Ms. Anna Gloria Ramos,P.E.
Project Coordinator
Esso Standard Oil Company
G.P. Box 4269
San Juan, Puerto Rico 00936-4269

Re: Data Validation of September 1990 Drinking Water Sampling Results in Tutu Well Site

Dear Ms. Ramos:

The U.S. Environmental Protection Agency (EPA) has completed a revalidation of the September 1990 Drinking water sampling data. Few discrepancies and invalid qualifications were noted by our reviewers.

Enclosed you will find copies of the inter-office memo from the data reviewer to Laura Scalise of the Monitoring Management Branch.

Please call me if you need additional information.

Sincerely yours,

Caroline Kwan
Project Manager
New York/Caribbean Superfund Branch II

Enclosures

cc: Tom Danahy- Geraghty & Miller (w/enc.)
Laura Scalise- MMB (w/out. enc.)

August 5, 1991

TUT 003 1333

Inter-Office Memorandum

WESTON MANAGERS DESIGNERS/CONSULTANTS

TO: Hanif Sheikh, Laura Scalise, MMB
cc: Richard R. Keenan, Ph.D., CIH
a/a for R.R.K.

FROM: Marybeth Puckace MBP
ESAT Organic Data Reviewer

DATE: 15 July 1991

PROJECT: TID# 02910518

W.O. NO.: 2659-34-02-2885

SUBJECT: Organic Revalidation of the Tutu Wells PRP Data Case

ACTION:

I have completed a detailed review of the volatile portion submitted by Geraghty and Miller (G&M) on the Tutu Wells site. A general overview of the data assessment and validation procedures by (G&M) was completed by ESAT in April. This review detected some errors in the volatile portion. Due to those errors, MMB requested that a more in-depth review, including a review of the raw data, be performed by ESAT. One issue of concern was the preservation or non-preservation of the volatile samples and the effect on the data quality and useability. In most instances, the laboratory completed the analyses within the hold times established by the Organic Functional Guidelines. A few samples were qualified for improper sampling technique. Overall, the validation performed by G&M was in accordance with the Organic Functional Guidelines. Those items listed below should be addressed by the initial validator for data package completeness.

SDG 900731 and 900770

Laboratory Fortified Blanks (LFB) are not included on the BFB Tune Forms 5A. It seems that the data files were removed when the Forms were created. This makes it very difficult to correlate sample data and LFBs. The Data Assessment does not clearly address those compounds which have been qualified because of LFB recoveries. A list showing which compounds were qualified is needed in the Data Assessment.

SDG 900731

The Data Assessment does not clearly state which two samples were outside the BFB 12-hour clock by 12 minutes. The data validator needs to address those samples which were outside of tune criteria in the Data Assessment.

TUTU WELLS -PRP

Samples VIHA I and Devcon III are missing their corresponding BFB Tune Form 5A.

The Initial VOA Calibration for 9/28/90 is missing (p.204).

Samples Four Winds and Leonard need to have their "B" flags removed from their Form I's.

If you have any further questions, please feel free to contact me.

Inter-Office Memorandum

WESTON MANAGERS DESIGNERS/CONSULTANTS

TO: Laura Scalise
cc: Richard R. Keenan, Ph.D., CIH
Hanif Sheikh, MMB

FROM: Gayatri Mehta
ESAT Data Reviewer

DATE: 21 May 1991

PROJECT: TID# 02-910518

W.O. NO.: 2659-34-02-2884

SUBJECT: Tutu Wells Site

ACTION:

A complete revalidation was performed on the validated data submitted by Geraghty & Miller Inc. and analyzed by Ceimic Laboratory. A total of twenty-seven (27) groundwater and one (1) blank was collected from the site, Tutu Wells, for metals and cyanide analysis during September 24, 1990 through October 3, 1990.

Prior to this validation effort a qualification check was performed on the validation report, Form I's, data summary tables and Region II inorganic SOPs (checklist). Few discrepancies and invalid qualifications were noted by Dale Boshart, ESAT data reviewer. There was no raw data available at the time when qualification check was performed. Upon receipt of the complete raw data, a revalidation of the data was requested.

The scope of this task included verifying data on Form I's from raw data, initial and continuing calibration and blank analysis, preparation blank analysis, interference check sample analysis, laboratory control analysis, field blank and field duplicate analysis, ICP serial dilution analysis, matrix spike and laboratory duplicate analysis, graphite furnace quantitation, mercury, cyanide and ICP data analysis. After detailed technical review of both data sets, I offer the following comments.

<u>SDG VIHA I (10 Groundwater and 1 Blank)</u>

1) The Nickel (Ni) CRI Standard analyzed on 10/17/90 had % recovery > 120.1. The G&M reviewer qualified the Ni (detected below IDL) in the water blank Tutu. The undetected Ni should not have been qualified as estimated "J".

2) According to Region II Guidelines (Revision 10) the CRA Standard does not have to be analyzed for mercury (Hg) (Pg. 9 of 35). Therefore no qualifications are required for

Hg data due to CRA Criterion. However, most of the Hg data was rejected due to holding time exceedance, except sample Hartman Gasset. The G&M reviewer did not include the sample in the case narrative but was incorrectly rejected on Form I.

3) According to the cover page and Form I, the lab ID for sample VIHA I is 770-14S. But the CN^- distillation and analysis logs identify VIHA I as lab ID 731-21. Additionally, the CN^- concentration was reported incorrectly on Form I. The correct value is 10.0U not 9.7B ug/L.

For all other samples in this SDG (VIHAI) CN^- results are reported incorrectly. The correct results are 10.0U ug/L not 5.0U ug/L.

For all non-detect CN^-:

$$\frac{<5\ ug \times 1000\ \frac{ml}{L}}{500\ ml} = <10.0\ ug/L$$

SDG DEDE (17 Groundwaters)

All cyanide (CN^-) values except sample Rodriguez (P) were reported incorrectly in this SDG. The correct value for CN^- is 10.0U for samples Dede, Dench, Devcon 1, Devcon 3, Elgin II, Elgin III, Four Winds II, Hartman 2(II), Hartman 3 (III), Harvey, Leonard, Rodriguez (PD), Smith, Steele, Tutu and VIHA III.

I also support the comments made based on the qualification check performed by Mr. Boshart for both SDG groups which are listed below.

SDG VIHA I (10 Groundwaters and 1 Blank)

A) The G&M reviewer indicates that both Dimitri & Tillet samples were improperly preserved for metals. However, in addition to all metal parameters, the Cyanide (CN^-) values for both samples were also estimated as "J" both on the Form I's and the result tables. The "J"'s should be removed from

TUT 003 1337

the CN^- values for both samples. Additionally, the tables list the CN^- concentration for the Tillet sample as 52 NDJ while the Form I value is 5.0 U. This reviewer has corrected the CN^- value in the table.

B) The Zinc (Zn) CRI Standard analyzed on 10/17/90 had >120%R. The G&M reviewer indicates that Bryan sample is associated with that CRI run, but failed to estimated the 30 ug Zn/l value in that sample and should have. The undetected Zn in the water blank Tutu was estimated and should not have been. The Zn values in Tillet and Tillet (D) were >4X CRDL (80 ug Zn/l) and should not have been estimated but both were.

C) The G&M reviewer flagged as "J" all Iron (Fe) and Lead (Pb) values in this SDG due to field duplicate imprecision. Field duplicate imprecision only warrants data estimation in the field duplicate pair. Therefore Fe and Pb values should only be estimated for the Tillet and Tillet (D) samples. All other samples in this SDG should have the Fe and Pb estimations removed.

D) All Vanadium (V) values found in the result table for this SDG were estimated by the G&M reviewer due to the ICP serial dilution QC criterion. Only V values $\geq$ 10X IDL should have been flagged. Since the IDL is 5.0 ug V/l, only sample values $\geq$ 50 ug/l should be flagged; namely only: Dimitri, Tillet (D) and VIHA I.

<u>SDG DEDE (17 Groundwaters)</u>

1) Antimony (Sb) was correctly rejected in the result tables for both Leonard & Smith samples because the Sb CRI standard recovery < 50%, but neither result was rejected on the Form I's.

2) The G&M data reviewer estimated all Aluminum (Al) values in this SDG due to the ICP serial dilution QC criterion. However only Al values $\geq$ 10X IDL should be estimated due to this QC acceptance window exceedance and since the IDL is 28.0 ug Al/l, only DEVCON 3, Harvey, Rodriquez (PD), Steele and Tutu should have been estimated here. However, the remaining 12 samples in this SDG are still estimated for Al due to lab duplicate imprecision.

TUT 003 1338

3) All Zinc (Zn) values in this SDG were estimated as "J" by the G&M reviewer due to a 135% recovery of the Zn CRI Standard only detected values ≤ 80 ug Zn/l (4X CRDL) should have been estimated. Therefore the Zn value estimations should be removed from the following samples: Four Winds II, Harvey, Smith and Tutu.

Lastly, several data qualifiers placed on Aluminum (Al) values in the Form I's were not transcribed to the corresponding samples in the G&M result tables: DEVCON 3, Hartman 3, Harvey and Rodriquez Rep.

GM/aol

fn: D020521A.MEM

TUT 003 1339

Tutu Environmental Investigation Committee
(T E I C)
G.P.O. Box 4269
San Juan, Puerto Rico 00936-4269

Ana Gloria Ramos, P.E.
Designated Coordinator

September 20, 1991

Caroline Kwan, Project Officer, Eastern
New York/Caribbean Compliance Section
Emergency and Remedial Response Division
U.S. Environmental Protection Agency
Region II, 26 Federal Plaza
New York, New York 10278

RE: Tutu Well Site
Administrative Orders Nos.
II-CERCLA-00401 and
RCRA-90-UST-9003-0401
Monthly Progress Report No. 17

Dear Mrs. Kwan:

Attached find the written Monthly Progress Report for the subject Administrative Orders.

If you have any question regarding this matter, please contact the undersigned at (809) 749-8943.

Very truly yours,

Ana Gloria Ramos

Ana Gloria Ramos, P.E.
Designated Coordinator

AGR/mpt/01430

cc: Mr. J. L. Blanco - Esso CCD
Mr. D. Lee - Esso CCD
Scott McCay, Esq. - Texaco
Mr. L. Ruiz - Texaco
Nancy D'Anna, Esq. - L'Henri, Inc.
José A. Cepeda-Rodríguez/Francis Torres, Esqs.
Mr. José Font - EPA Caribbean Field Office
Mr. Luis E. Santos - EPA Caribbean Field Office
Amy Chester, Esq. - EPA Region II
Mr. Roy E. Adams - Commissioner DPNR - USVI
Mr. Leonard Reed/C. Crooke - DPNR - USVI

TUT 003 1340

Telephone: (809) 792-2920 Fax. (809) 793-6555

MONTHLY PROGRESS REPORT NO. 17
SEPTEMBER 20, 1991

RE: Tutu Well Site
Administrative Orders Nos. II - CERCLA-00401 and
RCRA-90-UST-9003-0401

I. Work to Date

1. Water provided for the affected homes thru Chuck Kline Water Delivery Company.

2. Third Sampling Report submitted to EPA on September 9, 1991.

3. On August 22, 1991 a letter was submitted to Virgin Islands Housing Authority requesting information regarding the status of the contract for the construction of the Lateral Water connections.

II. Work Schedule for Next Month

1. Continue providing water to affected homes.

2. Follow up on water laterals construction project with Virgin Islands Housing Authority.

3. Fourth sampling event to start on October 1, 1991.

Ana Gloria Ramos

ANA GLORIA RAMOS

AGR/mpt/01430

GERAGHTY
& MILLER, INC.
Environmental Services

Ground Water *Engineering* *Hydrocarbon* *Remediation* *Education*

September 9, 1991

Ms. Caroline Kwan, Project Manager
U.S. Environmental Protection Agency
New York/Caribbean Superfund Branch II
26 Federal Plaza
New York, New York 10278

RE: Third Sampling Report, June 1991, Tutu Wells Site, St. Thomas, U.S. Virgin Islands

Dear Ms. Kwan:

On behalf of Ana Gloria Ramos, Designated Coordinator for the Tutu Environmental Investigation Committee (TEIC), Geraghty & Miller, Inc. is submitting five copies of the above-referenced report. One unbound copy of the CLP raw data package has been sent to Laura Scalise, USEPA Monitoring Management Branch.

The fourth sampling event is scheduled to begin October 1, 1991. The recommended scope of the fourth sampling event is the same as the third event. Geraghty & Miller is currently revising the Sampling, Analysis, and Monitoring Plan (SAMP) to reflect Enseco-East as the replacement laboratory. The revised SAMP will be submitted to the USEPA within approximately one week.

201 West Passaic Street, 3rd Floor • Rochelle Park, New Jersey 07662 • (201) 909-

TUT 003 1342

Please contact us if you have any questions or comments.

Sincerely,

GERAGHTY & MILLER, INC.

Thomas V. Danahy

Thomas V. Danahy
Senior Hydrogeologist

Daniel A. Nachman/TVD

Daniel A. Nachman
Vice President

c: Ana Gloria Ramos, TEIC\Esso - 1 report copy
Jose Agrelot, Soil Tech - 1 report copy
Francis Torres, Goldman & Antonetti - 1 report copy
R. Scott McCay, Texaco - 1 report copy
Luis Ruiz - 1 report copy
Jose Font, USEPA Caribbean Field Office - 1 report copy
Laura Scalise, USEPA MMB - 2 report copies
Commissioner c/o Julie May Monsanto, USVI DPNR - 2 report copies
Nancy D'Anna - 1 report copy
Jose L. Blanco, Esso - 1 report copy
Amy Chester, USEPA - 1 report copy

TVD:gv
#PR00801/090991.ltr

TUT 003 1343

Tutu E ironmental Investigation C. mittee
(T E I C)
G.P.O. Box 4269
San Juan, Puerto Rico 00936-4269

Ana Gloria Ramos, P.E.
Designated Coordinator

October 17, 1991

Caroline Kwan, Project Officer, Eastern
New York/Caribbean Compliance Section
Emergency and Remedial Response Division
U.S. Environmental Protection Agency
Region II, 26 Federal Plaza
New York, New York 10278

RE: Tutu Well Site
Administrative Orders Nos.
II-CERCLA-00401 and
RCRA-90-UST-9003-0401
Monthly Progress Report No. 18

Dear Mrs. Kwan:

Attached find the written Monthly Progress Report for the subject Administrative Orders.

If you have any question regarding this matter, please contact the undersigned at (809) 749-8943.

Very truly yours,

Ana Gloria Ramos

Ana Gloria Ramos, P.E.
Designated Coordinator

AGR/mpt/01430

cc: Mr. J. L. Blanco - Esso CCD
Mr. D. Lee - Esso CCD
Scott McCay, Esq. - Texaco
Mr. L. Ruiz - Texaco
Nancy D'Anna, Esq. - L'Henri, Inc.
José A. Cepeda-Rodríguez/Francis Torres, Esqs.
Mr. José Font - EPA Caribbean Field Office
Mr. Luis E. Santos - EPA Caribbean Field Offi
Amy Chester, Esq. - EPA Region II
Mr. Roy E. Adams - Commissioner DPNR - USVI
Mr. Leonard Reed/C. Crooke - DPNR - USVI

TUT 003 1344

Telephone: (809) 792-2920 Fax. (809) 793-6555

MONTHLY PROGRESS REPORT NO. 18
October 17, 1991

RE: Tutu Well Site
Administrative Orders Nos. II - CERCLA-00401 and
RCRA-90-UST-9003-0401

I. Work to Date

1. Water provided for the affected homes thru Chuck Kline Water Delivery Company.

2. Fourth sampling event conducted during October 1st and 3rd, 1991. Representatives of USEPA and DPNR were present during the sampling.

II. Work Schedule for Next Month

1. Continue providing water to affected homes.

2. Follow up on water laterals construction project with Virgin Islands Housing Authority.

3. Fourth sampling laboratory analysis should be completed during the month.

ANA GLORIA RAMOS

AGR/mpt/01430

TUT 003 1345

Tutu Environmental Investigation Committee
(T E I C)
G.P.O. Box 4269
San Juan, Puerto Rico 00936-4269

Ana Gloria Ramos, P.E.
Designated Coordinator

November 21, 1991

Caroline Kwan, Project Officer, Eastern
New York/Caribbean Compliance Section
Emergency and Remedial Response Division
U.S. Environmental Protection Agency
Region II, 26 Federal Plaza
New York, New York 10278

RE: Tutu Well Site
Administrative Orders Nos.
II-CERCLA-00401 and
RCRA-90-UST-9003-0401
Monthly Progress Report No. 19

Dear Mrs. Kwan:

Attached find the written Monthly Progress Report for the subject Administrative Orders.

If you have any question regarding this matter, please contact the undersigned at (809) 749-8943.

Very truly yours,

Ana Gloria Ramos

Ana Gloria Ramos, P.E.
Designated Coordinator

AGR/mpt/01430

cc: Mr. J. L. Blanco - Esso CCD
Mr. D. Lee - Esso CCD
Scott McCay, Esq. - Texaco
Mr. L. Ruiz - Texaco
José A. Cepeda-Rodríguez/Francis Torres, Esqs.
Mr. José Font - EPA Caribbean Field Office
Mr. Luis E. Santos - EPA Caribbean Field Office
Amy Chester, Esq. - EPA Region II
Mr. Roy E. Adams - Commissioner DPNR - USVI
Mr. Leonard Reed/C. Crooke - DPNR - USVI

TUT 003 1346

Telephone: (809) 792-2920 Fax. (809) 793-6555

MONTHLY PROGRESS REPORT NO. 19
November 21, 1991

RE: Tutu Well Site
Administrative Orders Nos. II - CERCLA-00401 and
RCRA-90-UST-9003-0401

I. Work to Date

1. Water provided for the affected homes thru Chuck Kline Water Delivery Company.

2. Water Samples Laboratory Analysis completed.

3. Data Validation 60% completed.

II. Work Schedule for Next Month

1. Continue providing water to affected homes.

2. Follow up on water laterals construction project with Virgin Islands Housing Authority.

3. Data Validation will be completed. Draft report to be prepared.

Ana Gloria Ramos

ANA GLORIA RAMOS

AGR/mpt/01430

Tutu Environmental Investigation Committee
(T E I C)
G.P.O. Box 4269
San Juan, Puerto Rico 00936-4269

Ana Gloria Ramos, P.E.
Designated Coordinator

December 20, 1991

Caroline Kwan, Project Officer, Eastern
New York/Caribbean Compliance Section
Emergency and Remedial Response Division
U.S. Environmental Protection Agency
Region II, 26 Federal Plaza
New York, New York 10278

RE: Tutu Well Site
Administrative Orders Nos.
II-CERCLA-00401 and
RCRA-90-UST-9003-0401
Monthly Progress Report No. 20

Dear Mrs. Kwan:

Attached find the written Monthly Progress Report for the subject Administrative Orders.

If you have any question regarding this matter, please contact the undersigned at (809) 749-8943.

Very truly yours,

Ana Gloria Ramos

Ana Gloria Ramos, P.E.
Designated Coordinator

AGR/mpt/01430

cc: Mr. J. L. Blanco - Esso CCD
Mr. D. Lee - Esso CCD
Scott McCay, Esq. - Texaco
Mr. L. Ruiz - Texaco
José A. Cepeda-Rodríguez/Francis Torres, Esqs.
Mr. José Font - EPA Caribbean Field Office
Mr. Luis E. Santos - EPA Caribbean Field Office
Amy Chester, Esq. - EPA Region II
Mr. Roy E. Adams - Commissioner DPNR - USVI
Mr. Leonard Reed/C. Crooke - DPNR - USVI

TUT 003 1348

Telephone: (809) 792-2920 Fax. (809) 793-6555

MONTHLY PROGRESS REPORT NO. 20
December 20, 1991

RE: Tutu Well Site
Administrative Orders Nos. II - CERCLA-00401 and
RCRA-90-UST-9003-0401

I. Work to Date

1. Water provided for the affected homes thru Chuck Kline Water Delivery Company.

2. Data Validation for fourth sampling completed.

3. Draft Report almost completed.

II. Work Schedule for Next Month

1. Continue providing water to affected homes.

2. Follow up on water laterals construction project with Virgin Islands Housing Authority.

3. Report on fourth sampling to be sumbitted.

Ana Gloria Ramos

ANA GLORIA RAMOS

AGR/mpt/01430

Tutu Environmental Investigation Committee
(T E I C)
G.P.O. Box 4269
San Juan, Puerto Rico 00936-4269

Ana Gloria Ramos, P.E.
Designated Coordinator

January 21, 1992

Caroline Kwan, Project Officer, Eastern
New York/Caribbean Compliance Section
Emergency and Remedial Response Division
U.S. Environmental Protection Agency
Region II, 26 Federal Plaza
New York, New York 10278

RE: Tutu Well Site
Administrative Orders Nos.
II-CERCLA-00401 and
RCRA-90-UST-9003-0401
Monthly Progress Report No. 21

Dear Mrs. Kwan:

Attached find the written Monthly Progress Report for the subject Administrative Orders.

If you have any question regarding this matter, please contact the undersigned at (809) 749-8943.

Very truly yours,

Ana Gloria Ramos

Ana Gloria Ramos, P.E.
Designated Coordinator

AGR/mpt/01430

cc: Mr. J. L. Blanco - Esso CCD
Mr. D. Lee - Esso CCD
Scott McCay, Esq. - Texaco
Mr. L. Ruiz - Texaco
José A. Cepeda-Rodríguez/Francis Torres, Esqs.
Mr. José Font - EPA Caribbean Field Office
Mr. Luis E. Santos - EPA Caribbean Field Office
Amy Chester, Esq. - EPA Region II
Mr. Roy E. Adams - Commissioner DPNR - USVI
Mr. Leonard Reed/C. Crooke - DPNR - USVI
Mr. Benjamin Nazario - DPNR - USVI

TUT 003 1350

Telephone: (809) 792-2920 Fax. (809) 793-6555

MONTHLY PROGRESS REPORT NO. 21
January 21, 1992

RE: Tutu Well Site
Administrative Orders Nos. II - CERCLA-00401 and
RCRA-90-UST-9003-0401

I. Work to Date

1. Water provided for the affected homes thru Chuck Kline Water Delivery Company.

2. Report of Fourth Sampling submitted to EPA on January 17, 1992.

3. Water Line Contract under revision by the Construction Company Counsel (Majestic Construction).

II. Work Schedule for Next Month

1. Continue providing water to affected homes.

2. Follow up on water laterals construction project with Virgin Islands Housing Authority.

3. Fifth sampling event will be initiated on February 3, 1992.

ANA GLORIA RAMOS

AGR/mpt/01430

Tutu Environmental Investigation Committee
(T E I C)
G.P.O. Box 4269
San Juan, Puerto Rico 00936-4269

Ana Gloria Ramos, P.E.
Designated Coordinator

February 21, 1992

Caroline Kwan, Project Officer, Eastern
New York/Caribbean Compliance Section
Emergency and Remedial Response Division
U.S. Environmental Protection Agency
Region II, 26 Federal Plaza
New York, New York 10278

RE: Tutu Well Site
Administrative Orders Nos.
II-CERCLA-00401 and
RCRA-90-UST-9003-0401
Monthly Progress Report No. 22

Dear Mrs. Kwan:

Attached find the written Monthly Progress Report for the subject Administrative Orders.

If you have any question regarding this matter, please contact the undersigned at (809) 749-8943.

Very truly yours,

Ana Gloria Ramos, P.E.
Designated Coordinator

AGR/mpt/01430

cc: Mr. J. L. Blanco - Esso CCD
Mr. D. Lee - Esso CCD
Scott McCay, Esq. - Texaco
Mr. L. Ruiz - Texaco
José A. Cepeda-Rodríguez/Francis Torres, Esqs.
Mr. José Font - EPA Caribbean Field Office
Mr. Luis E. Santos - EPA Caribbean Field Office
Amy Chester, Esq. - EPA Region II
Mr. Roy E. Adams - Commissioner DPNR - USVI
Mr. Leonard Reed/C. Crooke - DPNR - USVI
Mr. Benjamin Nazario - DPNR - USVI

TUT 003 1352

Telephone: (809) 792-2920 Fax. (809) 793-6555

MONTHLY PROGRESS REPORT NO. 22
February 21, 1992

RE: Tutu Well Site
Administrative Orders Nos. II - CERCLA-00401 and
RCRA-90-UST-9003-0401

I. Work to Date

1. Water provided for the affected homes thru Chuck Kline Water Delivery Company.

2. Fifth sampling event conducted on February 3 thru 6, 1992.

3. Water Line Contract under revision by the Construction Company Counsel (Majestic Construction).

4. The Virgin Islands Housing Authority returned the money paid by the Tutu Environmental Investigation Committee and L'Henry, Inc. to each company. Attached for your reference is the package submitted by VIHA to the USEPA related to this matter.

II. Work Schedule for Next Month

1. Continue providing water to affected homes.

2. Laboratory analysis for the Fifth Sampling event to be completed.

3. EPA should provide guidance related to the Water Lateral construction after the VIHA withdraw for the execution of the project.

ANA GLORIA RAMOS

AGR/mpt/01430

Tut Environmental Investigation Committee
(T E I C)
G.P.O. Box 4269
San Juan, Puerto Rico 00936-4269

Ana Gloria Ramos, P.E.
Designated Coordinator

March 26, 1992

Caroline Kwan, Project Officer, Eastern
New York/Caribbean Compliance Section
Emergency and Remedial Response Division
U.S. Environmental Protection Agency
Region II, 26 Federal Plaza
New York, New York 10278

RE: Tutu Well Site
Administrative Orders Nos.
II-CERCLA-00401 and
RCRA-90-UST-9003-0401
Monthly Progress Report No. 23

Dear Mrs. Kwan:

Attached find the written Monthly Progress Report for the subject Administrative Orders.

If you have any question regarding this matter, please contact the undersigned at (809) 749-8943.

Very truly yours,

Ana Gloria Ramos

Ana Gloria Ramos, P.E.
Designated Coordinator

AGR/mpt/01430

cc: Mr. J. L. Blanco - Esso CCD
Mr. D. Lee - Esso CCD
Scott McCay, Esq. - Texaco
Mr. L. Ruiz - Texaco
José A. Cepeda-Rodríguez/Francis Torres, Esqs.
Mr. José Font - EPA Caribbean Field Office
Mr. Luis E. Santos - EPA Caribbean Field Office
Amy Chester, Esq. - EPA Region II
Mr. Roy E. Adams - Commissioner DPNR - USVI
Mr. Leonard Reed/C. Crooke - DPNR - USVI
Mr. Benjamin Nazario - DPNR - USVI

TUT 003 1354

Telephone: (809) 792-2920 Fax. (809) 793-6555

MONTHLY PROGRESS REPORT NO. 23
March 26, 1992

RE: Tutu Well Site
Administrative Orders Nos. II - CERCLA-00401 and
RCRA-90-UST-9003-0401

I. Work to Date

1. Water provided for the affected homes thru Chuck Kline Water Delivery Company.

2. Fifth sampling laboratory analysis in progress.

3. Approval from Virgin Islands Water and Power Authority to commence project to connect to the Tutu pipeline was received on March 7, 1992.

II. Work Schedule for Next Month

1. Continue providing water to affected homes.

2. Laboratory analysis for the Fifth Sampling event to be completed.

3. Initiate coordination with Majestic for contract execution for the construction of the Water Lateral connections.

ANA GLORIA RAMOS

AGR/mpt/01430

VIRGIN ISLANDS
WATER
AND POWER
AUTHORITY

P. O. BOX 1450, ST. THOMAS
VIRGIN ISLANDS, U.S.A. 00804
TELEPHONE: (809) 774-3552
FAX: (809) 776-2725

March 07, 1992

Ms. Caroline Kwan
United States Environmental
Protection Agency
Region II
Jacob K. Javits Federal Building
New York, New York 10278

RE: Tutu Lateral Extension

Dear Ms. Kwan:

Thank you for your letter of February 26, 1992, seeking approval of projects by Texaco, Esso and O'Henry Cleaner to commence their projects to connect to the Tutu pipeline. Approval is also given to the Tillett Family to proceed with their construction.

Thank you for your cooperation in this matter.

Sincerely,

John D. Kim
Superintendent, Water Distribution

pc: Alberto Bruno-Vega

TUT 003 1356

FROM:EPA SUPERFUND REGION 2 TO: 809 782 5067 MAR 16, 1992 4:47PM #671 P.02

Tutu Environmental Investigation Committee
(T E I C)
G.P.O. Box 4269
San Juan, Puerto Rico 00936-4269

Ana Gloria Ramos, P.E.
Designated Coordinator

June 23, 1992

Eng. Caroline Kwan, Project Officer, Eastern
New York/Caribbean Compliance Section
Emergency and Remedial Response Division
US Environmental Protection Agency
Region II, 26 Federal Plaza
New York, New York 10278

RE: Tutu Well Site
Administrative Orders Nos.
II-CERCLA-00401 and
RCRA-90-UST-9003-0401
Monthly Progress Report No. 26

Dear Mrs. Kwan:

Attached find the Written Monthly Progress Report for the subject Administrative Order.

If you have any question regarding this matter, please contact the undersigned at (809) 749-8943.

Very truly yours,

Ana Gloria Ramos

Ana Gloria Ramos, P.E.
Designated Coordinator

AGR/mpt/EPAKWAN2

Attachments

pc: Mr. J. Juanet
Mr. D. Lee
Scott McCay, Esq. - Texaco
Mr. L. Ruiz - Texaco
José A. Cepeda/Francis Torres, Esqs.
Mr. José Font - EPA Caribbean Field Office
Mr. Luis E. Santos - EPA Caribbean Field Office
Amy Chester, Esq. - EPA Region II
Mr. Roy E. Adams - Commissioner DPNR-USVI
Mr. Leonard Reed - DPNR-USVI
Mr. Benjamin Nazario - DPNR - USVI

TUT 003 1357

MONTHLY PROGRESS REPORT NO. 26
June 23, 1992

RE: Tutu Well Site
Administrative Orders Nos. II - CERCLA-00401 and
RCRA-90-UST-9003-4001

I. Work to Date

1. Water provided for the affected homes thru Chuck Kline Water Delivery Company.

2. Sixth Sampling conducted during May 26 thru 29, 1992.

3. The Draft of the Contract with Majestic for the Construction of Lateral Waterlines is being revised by interested Parties.

4. A Letter from EPA Dated June 3, 1992 was received by the Designated Coordinator on June 9, 1992. This letter requires respondents to supply water to two homes at the Tutu area (La Place and Mathias). Copy of EPA letter is attached.

5. On June 16, 1992 a letter was sent to Carole Peterson requesting an opportunity to confer on EPA's request for connecting La place and Mathias houses to the existing water main (copy attached).

6. Laboratory analysis for Sixth Sampling initiated.

II Work Schedule for next month

1. Continue providing Water to affected homes.

2. Laboratory analysis of sixth Sampling will continue.

3. Contract with Majestic should be finalized.

4. Negotiations with EPA for Mathias and La Place home Connections will continue.

ANA GLORIA RAMOS

AGR/EPAKWAN2

TUT 003 1358

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION II
JACOB K. JAVITS FEDERAL BUILDING
NEW YORK, NEW YORK 10278

JUN 3 1992

Received on June 9, 1992

EXPRESSED MAIL-
RETURN RECEIPT REQUESTED

Ana Gloria Ramos
Designated Coordinator
Tutu Environmental Investigation Committee
G.P.O. Box 4269
San Juan, Puerto Rico 00936-4269

Re: Tutu Wells Site, Administrative Order Nos. II-CERCLA-00401 and RCRA-90-9003-0401

Dear Ms. Ramos:

Pursuant to the sampling being performed at the Tutu Wells Site, it has come to our attention that the drinking water of additional private homes (not depicted in figure 4.1 of page 10 of the Potable Water Alternatives Report ("PWAR")) exceeds the Maximum Contaminant Levels ("MCLs") for various analytes. Specifically, according to the Fifth Sampling Report, May 1992, Tutu Wells Site prepared by Geraghty and Miller, Inc., the MCL for tetrachloroethene and trichloroethene were exceeded at the LaPlace and Matthias wells for the past 4 sampling rounds. See Table 10 of Report.

As you are aware, Section VII of the above-referenced Order requires Respondents to take steps to insure that these homes are connected to the existing water main or shall themselves connect these homes to the existing water main pursuant to Section VIII. A of the Order. Until such a connection is completed, Respondents shall supply water to these homes as provided in Section VII.3 of the Order.

TUT 003 1359

PRINTED ON RECYCLED PAPER

We trust that the appropriate steps will be immediately taken. If you have any questions, please do not hesitate to call Caroline Kwan of my staff at 212 264-0151 or your attorneys may call Amy Chester in the Office of Regional Counsel at 212 264-4760.

Sincerely,

Carole Petersen, Chief
New York/Caribbean Superfund Branch II

cc: John Kim
Water & Power Authority, Virgin Islands

Nancy D'Anna, Esq.
P.O. Box 37, Cruz Bay
St. John, U.S. Virgin Islands 00831

Jose A. Cepeda-Rodriguez, Esq.
Goldman Antonetti Ferraiuoli & Axtmayer
American International Plaza
250 Munoz Avenue
Hato Rey, Puerto Rico

Scott McKay, Esq.
P.O. Box 4596
Houston, Texas 77210-4596

GOLDMAN ANTONETTI FERRAIUOLI & AXTMAYER
ATTORNEYS AND COUNSELORS AT LAW
POST OFFICE BOX 70364
SAN JUAN, PUERTO RICO 00936-0364

VICENTE J. ANTONETTI
ALVARO C. CIFUENTES *
JOSE A. AXTMAYER *
JOSE A. CEPEDA-RODRIGUEZ
BLAS R. FERRAIUOLI
ROBERTO MONTALVO
LUIS F. ANTONETTI
RICARDO MUÑIZ **
LEONARDO ANDRADE-LUGO
JORGE L. MARTINEZ
EUGENIO C. ROMERO
LUIS D. ORTIZ-ABREU
GREGORY T. USERA **
FRANCISCO A. BESOSA **
FRANCIS TORRES
CARLOS A. RODRIGUEZ-VIDAL **
DANILO M. EBOLI
THELMA RIVERA-LABOY
JORGE SEGUROLA

COUNSEL
MAX GOLDMAN *

AMERICAN INTERNATIONAL PLAZA
FOURTEENTH FLOOR
250 MUÑOZ RIVERA AVENUE
HATO REY, PUERTO RICO 00918

TELEPHONE (809) 759-8000
TELECOPIER (809) 767-9333

WRITER'S DIRECT DIAL NO.

JORGE RODRIGUEZ-MICHEO
RAMON L. VELASCO
CARLOS F. RAMIREZ DE AREL
KARIN G. DIAZ-TORO
FRANCISCO J. GARCIA
EDGARDO COLON-ARRARAS
JOSE M. LORIE-VELASCO
BRAULIO GARCIA-JIMENEZ
WILMER J. CAMACHO
HOWARD PRAVDA
MIGUEL J. RODRIGUEZ-MARXU
CARLOS E. COLON-FRANCESC
IVETTE GONZALEZ-BUITRAGO
HILDA I. RODRIGUEZ-MERCAD
JOHN A. UPHOFF-FIGUEROA
NOEL VERA-RAMIREZ
CARLOS RODRIGUEZ-CINTRO
MARTA FIGUEROA-TORRES
YOLANDA BENITEZ DE ALEGR
MERCEDES M. BARRERAS-SO
CARLOS MARTINEZ-VIVAS

* ALSO ADMITTED IN NEW YORK
** ALSO ADMITTED IN THE DISTRICT OF COL

June 16, 1992

VIA FEDERAL EXPRESS

Carole Petersen
Chief, NY/Caribbean Superfund Branch
U.S. Environmental Protection Agency
Region II - 26 Federal Plaza
New York, NY 10278

RE: Tutu Well Site
Index No. II - CERCLA - 00401
and RCRA - 90 - UST-9003-0401

Dear Ms. Petersen:

On June 9, 1992, Ana Gloria Ramos, Designated Coordinator of the Tutu Environmental Investigation Committee, was notified of your letter dated June 3, 1992 regarding the requirement that the LaPlace and Matthias homes be connected to the existing water main.

Please be informed that the above referenced administrative order was addressed to Esso Standard Oil, S.A., Ltd., (Esso), Texaco Caribbean, Inc. (Texaco) and L'Henri, Inc. d/b/a L'Henri Cleaners (L'Henri) as respondents and that the TEIC is formed and founded exclusively by Esso and Texaco. In addition, L'Henri has not been participating in the quarterly sampling events being conducted in the Tutu Well Site by the TEIC pursuant to the administrative order of reference.

Respondents Esso and Texaco hereby request the opportunity to confer with EPA to discuss your letter dated June 3, 1992, and the appropriateness of the actions therein required, as well as issues

.../...

pertinent the participation of L'Henri in these endeavors. This request for an opportunity to confer is made pursuant to the provisions contained in Section XIX of the referenced order.

Sincerely yours,

R. SCOTT McCAY, ESQ.
P.O. Box 4596
Houston, TX 77210-4596
Telephone (713) 752-6011
For Texaco Caribbean, Inc.

JOSE A. CEPEDA-RODRIGUEZ, ESQ.
FRANCIS TORRES, ESQ.
Goldman, Antonetti, Ferraiuoli
& Axtmayer
P.O. Box 70364
San Juan, P.R. 00936-0364
Telephone (809) 759-8000
For Esso Standard Oil Co.
S.A., Ltd.

By
Permission:

By:

Tutu Environmental Investigation Committee
(T E I C)
G.P.O. Box 4269
San Juan, Puerto Rico 00936-4269

Ana Gloria Ramos, P.E.
Designated Coordinator

July 20, 1992

Eng. Caroline Kwan, Project Officer, Eastern
New York/Caribbean Compliance Section
Emergency and Remedial Response Division
US Environmental Protection Agency
Region II, 26 Federal Plaza
New York, New York 10278

RE: Tutu Well Site
Administrative Orders Nos.
II-CERCLA-00401 and
RCRA-90-UST-9003-0401
Monthly Progress Report No. 27

Dear Mrs. Kwan:

Attached find the Written Monthly Progress Report for the subject Administrative Order.

If you have any question regarding this matter, please contact the undersigned at (809) 749-8943.

Very truly yours,

Ana Gloria Ramos, P.E.
Designated Coordinator

AGR/mpt/EPAKWAN2

Attachments

pc: Mr. J. Juanet
Mr. D. Lee
Scott McCay, Esq. - Texaco
Mr. L. Ruiz - Texaco
José A. Cepeda/Francis Torres, Esqs.
Mr. José Font - EPA Caribbean Field Office
Mr. Luis E. Santos - EPA Caribbean Field Office
Amy Chester, Esq. - EPA Region II
Mr. Roy E. Adams - Commissioner DPNR-USVI
Mr. Leonard Reed - DPNR-USVI
Mr. Benjamin Nazario - DPNR - USVI

TUT 003 1363

Telephone: (809) 792-2920 Fax. (809) 793-6555

MONTHLY PROGRESS REPORT NO. 27
July 20, 1992

RE: Tutu Well Site
Administrative Orders Nos. II - CERCLA-00401 and
RCRA-90-UST-9003-4001

I. Work to Date

1. Water provided for the affected homes thru Chuck Kline Water Delivery Company.

2. The Contract with Majestic for the Construction of Lateral Waterlines almosto completed.

3. Laboratory analysis for Sixth Sampling in progress.

4. Negotiations to provide water by truck to Mathias and La Place.

II Work Schedule for next month

1. Continue providing Water to affected homes.

2. Laboratory analysis of sixth Sampling will continue.

3. Contract with Majestic should be finalized.

ANA GLORIA RAMOS

AGR/EPAKWAN2

Tutu Environmental Investigation Committee
(T E I C)
G.P.O. Box 4269
San Juan, Puerto Rico 00936-4269

Ana Gloria Ramos, P.E.
Designated Coordinator

August 20, 1992

Eng. Caroline Kwan, Project Officer, Eastern
New York/Caribbean Compliance Section
Emergency and Remedial Response Division
US Environmental Protection Agency
Region II, 26 Federal Plaza
New York, New York 10278

RE: Tutu Well Site
Administrative Orders Nos.
II-CERCLA-00401 and
RCRA-90-UST-9003-0401
Monthly Progress Report No. 28

Dear Mrs. Kwan:

Attached find the Written Monthly Progress Report for the subject Administrative Order.

If you have any question regarding this matter, please contact the undersigned at (809) 749-8943.

Very truly yours,

Ana Gloria Ramos, P.E.
Designated Coordinator

AGR/mpt/EPAKWAN2

Attachments

pc: Mr. J. Juanet
Mr. D. Lee
Scott McCay, Esq. - Texaco
Mr. L. Ruiz - Texaco
José A. Cepeda/Francis Torres, Esqs.
Mr. José Font - EPA Caribbean Field Office
Mr. Luis E. Santos - EPA Caribbean Field Office
Andy Prashack - EPA Caribbean Field Office
Mr. Roy E. Adams - Commissioner DPNR-USVI
Mr. Leonard Reed - DPNR-USVI
Mr. Benjamin Nazario - DPNR - USVI

TUT 003 1365

Telephone: (809) 792-2920 Fax. (809) 793-6555

MONTHLY PROGRESS REPORT NO. 28
August 20, 1992

RE: Tutu Well Site
Administrative Orders Nos. II - CERCLA-00401 and
RCRA-90-UST-9003-4001

I. Work to Date

1. Water provided for the affected homes thru Chuck Kline Water Delivery Company.

2. The Contract with Majestic for the Construction of Lateral Waterlines still under revision by the legal personnel of Majestic and TEI and O'Henry.

3. Draft of Sixth Sampling Report submitted to the Designated Coordinator for review on August 17, 1992.

4. The USVI Department of Planning and Natural Resources (Mr. L. Reed) continue negotiations with WAPA to obtain approval of Ms. Mathias Home.

II Work Schedule for next month

1. Continue providing Water to affected homes.

2. Submittal of Sixth Sampling Report to EPA.

3. Contract with Majestic should be finalized.

4. Seventh Sampling Activity tentatively scheduled for the third week of September 92.

ANA GLORIA RAMOS

AGR/EPAKWAN2

Tutu Environmental Investigation Committee
(T E I C)
G.P.O. Box 4269
San Juan, Puerto Rico 00936-4269

Ana Gloria Ramos, P.E.
Designated Coordinator

September 21, 1992

Eng. Caroline Kwan, Project Officer, Eastern
New York/Caribbean Compliance Section
Emergency and Remedial Response Division
US Environmental Protection Agency
Region II, 26 Federal Plaza
New York, New York 10278

RE: Tutu Well Site
Administrative Orders Nos.
II-CERCLA-00401 and
RCRA-90-UST-9003-0401
Monthly Progress Report No. 29

Dear Mrs. Kwan:

Attached find the Written Monthly Progress Report for the subject Administrative Order.

If you have any question regarding this matter, please contact the undersigned at (809) 749-8943.

Very truly yours,

Ana Gloria Ramos

Ana Gloria Ramos, P.E.
Designated Coordinator

AGR/mpt/EPAKWAN2

Attachments

pc: Mr. J. Juanet-Esso
Mr. D. Lee-Esso Virgin Islands
Scott McCay, Esq. - Texaco
Mr. L. Ruiz - Texaco
José A. Cepeda/Francis Torres, Esqs.
Mr. José Font - EPA Caribbean Field Office
Mr. Luis E. Santos - EPA Caribbean Field Office
Andy Prashack - EPA Caribbean Field Office
Mr. Roy E. Adams - Commissioner DPNR-USVI
Mr. Leonard Reed - DPNR-USVI
Mr. Benjamin Nazario - DPNR - USVI

TUT 003 1367

Telephone: (809) 792-2920 Fax. (809) 793-6555

MONTHLY PROGRESS REPORT NO. 29
September 21, 1992

RE: Tutu Well Site
Administrative Orders Nos. II - CERCLA-00401 and RCRA-90-UST-9003-4001

I. Work to Date

1. Water provided for the affected homes thru Chuck Kline Water Delivery Company.

2. The Contract with Majestic for the Construction of Lateral Waterlines still under revision by the legal personnel of Majestic.

3. Sixth Sampling Report submitted to USEPA on August 27, 1992.

4. Seventh Sampling event conducted during September 14 thru 17, 1992.

5. Verbal approval for the connection of Mathias and La Place was obtained from WAPA. Mr. Leonard Reed from the USVI Department of Planning and Natural Resources negotiated this approval.

6. The Designated Coordinator provided to all Well Owners the analytical results for samples collected at each site from September 1990 through February 1992. (The first five sampling events data).

7. The legal representatives of TEIC and O'Henry continue negotiations with USEPA related to the permanent connections of Mathias and La Place. (The Designated Coordinator reported to the legal representatives that the connection to La Place cannot be done since there is no water main header in the vicinity of that house.)

II. Work Schedule for next month

1. Continue providing water to affected homes.

2. Laboratory analysis of samples from the seventh sampling event in progress.

3. Contract with Majestic should be finalized.

Ana Gloria Ramos

ANA GLORIA RAMOS

epakwan

TUT 003 1369

Tutu Environmental Investigation Committee
(T E I C)
G.P.O. Box 4269
San Juan, Puerto Rico 00936-4269

Ana Gloria Ramos, P.E.
Designated Coordinator

November 16, 1992

Eng. Caroline Kwan, Project Officer, Eastern
New York/Caribbean Compliance Section
Emergency and Remedial Response Division
US Environmental Protection Agency
Region II, 26 Federal Plaza
New York, New York 10278

RE: Tutu Well Site
Administrative Orders Nos.
II-CERCLA-00401 and
RCRA-90-UST-9003-0401
Monthly Progress Report No. 31

Dear Mrs. Kwan:

Attached find the Written Monthly Progress Report for the subject Administrative Order.

If you have any question regarding this matter, please contact the undersigned at (809) 749-8943.

Very truly yours,

Ana Gloria Ramos, P.E.
Designated Coordinator

AGR/mpt/EPAKWAN2

Attachments

pc: Mr. J. Juanet-Esso
Mr. D. Lee-Esso Virgin Islands
Scott McCay, Esq. - Texaco
Mr. L. Ruiz - Texaco
José A. Cepeda/Francis Torres, Esqs.
Mr. José Font - EPA Caribbean Field Office
Mr. Luis E. Santos - EPA Caribbean Field Office
Andy Prashack - EPA Caribbean Field Office
Mr. Roy E. Adams - Commissioner DPNR-USVI
Mr. Leonard Reed - DPNR-USVI
Mr. Benjamin Nazario - DPNR - USVI

TUT 003 1370

Telephone: (809) 792-2920 Fax. (809) 793-6555

MONTHLY PROGRESS REPORT NO. 31
November 16, 1992

RE: Tutu Well Site
Administrative Orders Nos. II - CERCLA-00401 and
RCRA-90-UST-9003-4001

I. Work to Date

1. Water provided for the affected homes thru Chuck Kline Water Delivery Company.

2. The Contract with Majestic for the Construction of Lateral Waterlines still under revision by the legal personnel of Majestic. Several telephone conversations with Majestic and the Designated Coordinator had been conducted. Majestic notified that their input is ready to be provided thru their legal advisor.

3. Seventh sampling data validation in progress.

II Work Schedule for next month

1. Continue providing Water to affected homes.

2. Data validation to be completed.

3. Contract with Majestic should be finalized. A meeting with Majestic and EPA is scheduled for November 18, 1992.

4. Draft report of seventh sampling to be completed.

ANA GLORIA RAMOS

AGR/EPAKWAN2