

ESSO

ESSO STANDARD OIL S. A. LIMITED

EPA-REGION IV (PUERTO RICO)

G.P.O. Box 4269 San Juan, P.R. 00936 - 4269

OFFICE OF EMERGENCY &
REMEDIATION RESPONSE

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October 13, 1989

Federal Express

Stephen D. Luftig
Director
Emergency and Remedial Response
Division
U.S. Environmental Protection Agency
26 Federal Plaza - Room 747
New York, N.Y. 10278

Attention: Ms. Caroline Kwan
Project Manager

Re: Tutu Well Site, St. Thomas
U.S.V.I.

Dear Mr. Luftig:

Reference is made to your letter dated June 30, 1989, wherein we are notified that the Environmental Protection Agency (EPA) has determined that Esso Standard Oil Company S.A. Limited (Esso) is a responsible party, at the Tutu Well Site in St. Thomas, U.S.V.I., together with Texaco Caribbean, Inc., and L'Henri Inc., under Section 107(a) of CERCLA and Section 9003 of RCRA. EPA proposes that Esso, among others, agree to perform or fund the performance of an Investigatorial Program at the above-referenced site.

On the basis of the information that has been made available to us, Esso understands that there is no factual basis upon which it can be categorized as a responsible party under CERCLA or RCRA for the conditions at the site. Any such responsibility is denied. Should EPA have any additional information that supports the conclusion that Esso is a responsible party under said provisions, we will be happy to review the same with you at your convenience.

Independent of our understanding that Esso is not a responsible party, we would be available to discuss with you the extent of the Investigatorial Program the agency intends to develop for the Tutu Well Site. With the information available at this time, our response must be limited to express Esso's desire and intent to participate in such investigatorial

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efforts, provided an agreement is reached regarding the terms and conditions of your proposal. At this time, Esso is willing to manifest its intent to participate in an Investigatorial Program of the Tutu Well site, subject to the aforementioned qualifications.

Esso's expressed desire and intent to participate in the Investigatorial Program cannot be deemed or interpreted as an admission of any liability or of any responsibility whatsoever arising out of the conditions at the site. Moreover, Esso's expressed intentions cannot be deemed to constitute a waiver of any defenses it may set forth regarding any liability attributed to it by EPA, or any other third persons or parties. Do, understand however, that Esso is willing to voluntarily cooperate with all reasonable efforts that may assist the agency in the evaluation of site conditions.

The Esso representative in charge of coordinating all efforts for the Investigatorial Program will be the undersigned. I can be reached at (809) 792-2920 Ext. 322.

Please let us know when we may meet with you to discuss these particulars.

Cordially yours,

Ana Gloria Ramos

Ana Gloria Ramos
Safety-Environmental Coordinator

cc: Amy Chester, Esq. - ORC