



July 25, 1994

Ms. Caroline Kwan
Project Manager
U.S. EPA - Region II
26 Federal Plaza, Room 737
New York, New York 10278

**Response to Comment on, and Addendum for
"Work Plan for Evaluation and Interim Remediation of Soils"
O'Henry Laundry, Tutu, St. Thomas, U.S. Virgin Islands**

Dear Ms. Kwan:

IT Corporation (IT), on behalf of L'Henry, Inc. (L'Henry), has received your comments on the above referenced document. The comments were received on July 21, 1994. This letter presents our responses to these comments and incorporates changes to the document as stated. This letter, therefore, acts as an addendum to the aforementioned document.

EPA Comment 1, Page 3-2:

Add 40 CFR 264 Subpart I. Facilities storing hazardous wastes must comply with both 264 and 265 standards.

The RCRA land disposal restrictions rule provides that any waste that is restricted or prohibited from land disposal also is prohibited from storage unless the storage is solely to accumulate sufficient quantities of the waste to facilitate proper recovery, treatment or disposal. This section should state the above purpose for storing the contaminated soil onsite in containers. The PRP has to indicate this purpose, otherwise he will be in violation of LDRs. This provision only allows storage for up to one year, and extension for an additional year can be granted.

The security fence around the container storage area should have posted signs that will restrict access to potential trespassers.

Regarding the type of containers (H drums or roll-off containers with plastic liners), RCRA does not have standards for containers, only requirements to store hazardous wastes with containers. The PRP must use DOT approved containers and the liner must

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be compatible with the waste. If these containers are DOT approved and compatible with PCE, then they are OK.

Reply:

- 40 CFR 264 Subpart I is incorporated into the document by this letter.
- The stated purpose for storage is incorporated into the document by this letter.
- Signs will be posted on the security fence as required.
- DOT approved liners with a liner compatible with the waste will be used.

EPA Comment 2, page 3-5:

Any discarded personnel protective equipment and waste plastic sheeting generated during the excavation of the contaminated soil is considered hazardous debris and must be managed as hazardous waste. (I don't believe it will be proper to bag the stuff and throw it in a sanitary landfill without knowing how dirty it is.)

In order for hazardous debris to be excluded from hazardous waste management or RCRA Subtitle C regulations, the hazardous debris must comply with the debris treatment standards for extraction or destruction technology specified in 40 CFR 268.45, Table 1, or by EPA's determination that the debris no longer contains hazardous waste, as provided by 40 CFR 261.3(3)(2). Please refer to Federal Register Notice, Land Disposal Restrictions for Newly Listed Wastes and Hazardous Debris, Final Rule, dated August 18, 1992.

LDRs for hazardous debris allows you to get out of RCRA hazardous waste regulations by:

1. Complying with the treatment method in order to remove the hazardousness. The treatment method will depend on what debris you have (e.g., plastic, wood, piece of metal), or
2. EPA's determination that the hazardous constituents in the debris are of insignificant levels, and specific conditions must be evaluated (e.g., hydrogeological setting).

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Reply:

Discarded personnel protective equipment and waste plastic sheeting generated during the excavation will be managed as a hazardous waste. It will be placed in DOT approved containers with liners compatible with the waste, labeled as such, and stored with the excavated soil. This does not preclude treating the debris at some later date to remove the hazardousness and requesting a determination from EPA that the hazardous constituents in the debris are insignificant (removed) in order to dispose of the debris as non-hazardous.

In anticipation of your approval to perform this work, IT is provisionally planning to mobilize to the site on August 15 and beginning work August 16. I will inform you of our firm date once we have received the Earth Change Permit from the DPNR.

IT and L'Henri appreciate your consideration in this matter and look forward to performing this work. If you have any questions concerning this letter or any details of the work to be performed, please call Nancy D'Anna, Esq., or me.

Sincerely,



Belinda K. Price, R.P.G.
Project Manager

cc: N. D'Anna, Esq.