

CAMPBELL, ARELLANO & RICH

ATTORNEYS AT LAW

P.O. BOX 11899

CHARLOTTE AMALIE

SAINT THOMAS

U.S. VIRGIN ISLANDS 00801

ST. THOMAS OFFICE:

NO. 4A & B KONGENS GADE

CHARLOTTE AMALIE

TELEPHONE: 809/774-4858

TELECOPIER: 809/776-8442

ST. JOHN OFFICE:

SCANDIC EXECUTIVE OFFICES

MONGOOSE JUNCTION

CRUZ BAY

TELEPHONE: 809/693-8655

JOSEPH BRUCE Wm. ARELLANO
CAROL ANN RICH

OF COUNSEL:

ROGER L. CAMPBELL

April 26, 1995

**Ms. Caroline Kwan
U.S. EPA
290 Broadway
New York, NY 10007-1866**

Re: Draft Feasibility Study; Tutu Wells Site

Dear Ms. Kwan:

In accordance with the schedule announced at the PRP meeting in St. Thomas on April 19, 1995, I offer the following comments on behalf of Ramsay Motors Inc., on the draft Feasibility Study (FS) dated March, 1995.

Based upon the discussion in Section 4.1.1 of the FS, and the presentation by de maximus for TEIC on April 19, 1995, no soil remediation has been proposed for the Ramsay site, because sampling did not reveal concentrations of the contaminants of concern above NYS TAGM levels. We agree with this assessment and urge EPA to accept TEIC's recommendation. Moreover, as the RI confirms, none of the contaminants detected in groundwater samples from the Ramsay supply well and in samples from monitoring wells 15 and 17 on the Ramsay site, were detected in over 20 soil samples taken from all over the property.

The RI found no impact or potential impact to groundwater from the Ramsay site. Therefore, Ramsay will not comment upon the remedial alternatives for groundwater, except as those alternatives may affect Ramsay's ability to continue to use its supply well. In other words, these comments are from the point of view of a well owner, not a PRP.

The FS describes eight Site-Wide Remedial Alternatives (SWRAs). SWRA 1 is not under consideration. SWRAs 2, 4, 5, 7 and 8 all contemplate allowing certain private supply wells, including the Ramsay well, to pump with POET systems. SWRAs 3 and 6 contemplate closing all supply wells in the area, including the Ramsay well. At the April 19 meeting, de maximus recommended an SWRA which would allow Ramsay to continue using its well, absent later developed information that such use would interfere with the selected treatment option or encourage the further spread of the northern plume of chlorinated hydrocarbon contamination. It is our

understanding that TEIC views these risks as unlikely, given the location and usage of Ramsay's well.

Initially, EPA voiced opposition to the concept that any private supply well could be adequately monitored to safely allow pumping. There was a lively discussion about compliance problems and the difference, from a public health point of view, between commercial supply wells for non-potable use, such as Ramsay's well, and wells serving private residences or apartments. This letter will memorialize our comments regarding this issue.

The Ramsay well is used as a source of non-potable water for the operation of Ramsay's Ford dealership. The well is pumped to a holding tank that is connected to supply water for flushing toilets and washing cars or parts. Ramsay does not operate a car wash, however, some cleaning is done in connection with repair and warranty work performed in the service area and body shop. The well is not now, and never has been, used as a source of drinking water or for bathing. Bottled drinking water is provided in the sales area and the shop for employees and customers. Ramsay's groundwater appropriation permit was renewed by DPNR for the period from September 9, 1994 - September 9, 1996. A copy is enclosed for your ready reference. Ramsay is permitted to pump 500 gallons per day. The permit expressly states that the water is not to be used for human consumption.

Ramsay has cooperated with EPA, DPNR and TEIC on every level since the investigation began in 1987. Ramsay has promptly complied with every applicable rule, regulation or statute, and has responded to EPA's 104(e) requests fully. Ramsay has also invested over \$150,000.00 in expert fees and costs alone in assisting with the RI by sampling soils and waste oil and providing the results, and a site assessment report by Cooper Environmental, to TEIC and to EPA. Ramsay joined the PRP group and has actively assisted in its work. We respectfully suggest that Ramsay has demonstrated for the past seven years that it is a responsible corporate citizen that can be trusted to comply with any reasonable requirements that are necessary to allow the continued use of its well for non-potable purposes. Therefore, if EPA is considering closing Ramsay's well solely out of general compliance concerns, the closure is unwarranted. Ramsay's well should not be closed unless there is reliable evidence that continued operations under the conditions in Ramsay's current permit pose a risk to public health or the

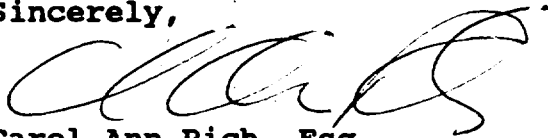
Ms. Caroline Kwan
April 26, 1995
Page -3-

implementation and success of the remedial alternative selected by EPA for the Tutu Wells Site.

Finally, EPA should consider that by allowing Ramsay to use its well, some of the cost that would otherwise be allocated among the responsible parties will be avoided. If the well is closed, some provision will have to be made to replace the water supply now obtained from the well. This potentially unnecessary expense should be avoided if possible.

For all of these reasons, Ramsay urges EPA to accept TEIC's recommendation not to close the Ramsay supply well. Ramsay would be willing to enter into any reasonable agreement that EPA may require to ensure Ramsay's continued compliance with use restrictions.

Sincerely,



Carol Ann Rich, Esq.
cc: Mrs. Rita Ramsay
Ivan Cooper, P.E.
Andrew Prashack, Esq. (w/encl.)
All PRP Group members