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FAX NO. 18097766260

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February 16, 1995

By Telefax: (809) 729-7747

Andrew Praschak, Esq.
U.S. EPA Region II
1492 Ponce de Leon
Central Europa Bldg.
Suite 417
San Juan, P.R. 00907-4127

OPTIONAL FORM 98 (7-90)

FAX TRANSMITTAL

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To <i>Caroline Karon</i>	From <i>Lunkin</i>
Dept./Agency	Phone #
Fax # <i>637-4284</i>	Fax #
NSN 7540-01-317-7368	5000-101 GENERAL SERVICES ADMINISTRATION

Re: Removal action at O'Henry Dry Cleaners

Dear Attorney Praschak:

After our discussion yesterday, February 15, 1995, I contacted I.T. Corporation concerning the affect of rescheduling the removal action previously mobilized for February 28, 1995. The delay will cause some difficult. Belinda Price the hydrologist who has been assigned to the project for several years has recently given birth to her first child and is unavailable to travel to the Virgin Islands for the removal action. Kenneth Loy, the hydrologist who has performed all field work in the last few years and who is quite familiar with the project is relocating from Knoxville, TN in mid March. Consequently, any delay in the commencement of the project beyond March 7, 1995 will result in a delay of several months.

As you know, the Workplan for the removal action was previously approved by the EPA. In addition, as we discussed the action of all administrative agencies may not be arbitrary or capricious. It remains our position that the withdrawal of approval of the Workplan pending issuance of a consentor falls below the foregoing standard.

However, in the interest of resolving this matter in an expeditious matter my office will agree to reschedule commencement of the work as requested. Our agreement is based upon the representations made by the representatives of the EPA during our telephone conference. These representations include delivery to my office of the proposed consent order no later than the close of business on February 24, 1995. In addition, I have been told that the fact findings contained in the consent order will be no different than those previously set forth in the orders relating to the Tutu aquifer. In addition, the Workplan previously approved and the addendum previously submitted will be re-approved without

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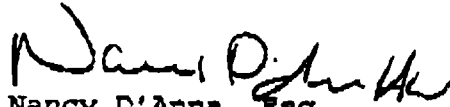
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change. Finally, the additional cost to my client, absent a violation of the order, will be only the oversight costs of the EPA.

I will not be present in my office until the afternoon of February 17, 1995. However, I can be reached on this date at (809) 776-0777 if you wish to discuss this matter further.

Thank you for your attention to this matter.

Sincerely,


Nancy D'Anna, Esq.

ND/aw