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September 30, 1994

VIA TELECOPIER

Ms. Caroline Kwan
New York-Caribbean Superfund Branch
USEPA Region II
Jacob K. Javitz Federal Building
26 Federal Plaza
New York, NY 10278

Re: Tutu Wells Site Draft Risk Assessment/Draft RI Comments
Ramsay Motors - File 92115

Dear Ms. Kwan:

This firm is counsel for Ramsay Motors, Inc. the Ford dealership located at No. 405 Anna's Retreat, St. Thomas, Virgin Islands.

We wish to offer the following comments to the Revised Pathway Exposure Report Draft Endangerment Assessment for the Tutu Wells Site, St. Thomas, USVI, which we understand will be Section 7 in the Phase II Remedial Investigation report.

There are substantive inaccuracies in Table 8, Potential Exposure Pathways, both Present Use GroundWater and Future Use GroundWater, as well as Section 3.2 (page 24). These three citations indicate that pumping occurs at the Ramsay well, and further assumes that it is reasonable that this water may be used for primary purposes, including drinking.

The Ramsay supply well has been permitted for pumping at 500 gallons per day by the DPNR (formerly by the Department of Public Works) since 1978 or 1979. In 1987-88, stop pumping orders were issued by DPNR to several well owners in the Tutu area. I have reviewed the stop pumping orders that were issued, and the file and records at EPA, Region II and at DPNR Nisky, St. Thomas. Although DPNR was aware of the Ramsay well, no stop pumping order was ever issued to Ramsay Motors. Had such an order been issued, Ramsay would have complied with it. The EPA, DPNR, and TEIC have at all times been aware that the Ramsay well was pumping. The supply well has been included in each quarterly sampling round, and Ramsay Motors has always cooperated in providing TEIC, EPA

and DPNR with access for testing, inspection, and measurements of the supply well. To my knowledge, at no time has any governmental agency ever indicated to Ramsay, orally or in writing, that use of the well was improper.

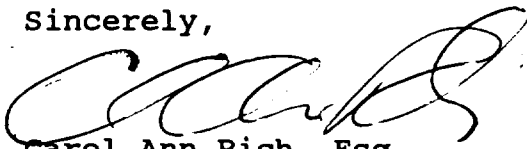
Moreover, DPNR has consistently renewed Ramsay's permit. Mr. Ivan Cooper of Cooper Environmental Inc., attended a meeting organized by DPNR in April 1993 in St. Thomas for the purpose of discussing well usage in Tutu as Ramsay's representative. At that meeting, pumping of the Ramsay well was discussed, and DPNR elected not to close the Ramsay well, so as to maintain the status quo that has existed since 1988-89.

Therefore, the implication in the report, whether or not intended, that Ramsay may be pumping the supply well illegally, or without DPNR's knowledge, is inaccurate. We request that the record be appropriately clarified, as Ramsay has at all times cooperated fully with all laws, regulations, and requests by EPA, DPNR, and TEIC. Any implication in the report to the contrary is unwarranted and unfair to my client.

Although Table 8 lists "Ingestion" of groundwater by employees of Ramsay as an exposure route, this does not occur. This well is not piped for drinking. It is hard piped into toilets and faucets for hand washing and hose spigots for occasional car rinsing. Bottled water is supplied for employee and customer drinking purposes. Additionally, it is common Virgin Islands practice not to drink from hoses, as quality and taste problems are endemic. Therefore, ingestion of Ramsay Well water is not a realistic concern.

Please modify the Risk Assessment to correct the errors that appeared in the draft report. If you have any questions, please feel free to give me a call. Thank you for your attention.

Sincerely,



Carol Ann Rich, Esq.

CAR/bel

cc: Ivan a. Cooper P.E., Cooper Environmental, Inc..
Jack McBurney, de maximus, Inc.
Daniel Nachman, Geraghty and Miller