



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

AUG 06 1996

CERTIFIED MAIL--
RETURN RECEIPT REQUESTED

[See attached list of addressees]

Re: General Notice Pursuant to the Comprehensive,
Environmental Response, Compensation, and Liability
Act; Tutu Wellfield Superfund Site; Estate Anna's
Retreat, St. Thomas, U.S. Virgin Islands

Dear Sir or Madam:

As you know, the U.S. Environmental Protection Agency ("EPA") has documented the release and threatened release of hazardous substances, pollutants, and contaminants into the environment at the Tutu Wellfield Superfund Site (the "Site"), located in the upper Turpentine Run basin in east central St. Thomas, U.S. Virgin Islands, at the Estate Anna's Retreat section of the island. Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., and in response to these releases and the threat of future such releases, EPA has spent public funds and anticipates spending additional public funds.

Under CERCLA and other laws, responsible parties may be held liable for any costs incurred by the government in taking response actions at the Site. The costs may include, but need not be limited to, expenditures for investigation, planning, cleanup of the Site, and enforcement actions. Responsible parties may also be subject to orders requiring them to take response actions themselves. Responsible parties under CERCLA include, among others, the current and past owners or operators of a facility from which there has been a release or threatened release of a hazardous substance, persons who arranged for the disposal or treatment of a hazardous substance that came to be disposed of at a facility, and persons who accepted a hazardous substance for transport to a facility. We have previously notified your clients -- i.e., the following parties -- of their status as potentially responsible parties ("PRPs") for the Site under CERCLA:

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ESSO STANDARD OIL CO.
TEXACO CARIBBEAN, INC.
L'HENRI, INC.
FRANCOIS REALTY COMPANY
V.I. DEPARTMENT OF EDUCATION
RAMSAY MOTORS, INC.
WESTERN AUTO SUPPLY COMPANY
FOUR WINDS PLAZA PARTNERSHIP
PAUL LAZARE and
ANDREAS GAL

EPA has approved a Remedial Investigation ("RI") and Feasibility Study ("FS") which was conducted for the Site. The RI and FS were conducted to identify the nature and extent of the release and threatened release of hazardous substances at the Site and to evaluate the possible remedial actions to remove, treat, or contain hazardous substances at the Site. The RI and FS Reports, as well as EPA's February 1996 Proposed Plan describing remedial alternatives considered for the Site and identifying the remedy preferred by EPA, were released for public comment in accordance with Section 117(a) of CERCLA.

EPA's August 5, 1996 Record of Decision ("ROD") sets forth EPA's selected remedy for the Site. The remedy selected in the ROD for contaminated soils includes: in-situ soil vapor extraction (SVE) of impacted soil and catalytic oxidation for off-gas treatment at the Texaco service station; in-situ SVE treatment and bioventing of impacted soil and thermal oxidation for off-gas treatment at the Esso service station; excavation and off-Site disposal of soils at the Four Winds Plaza/Western Auto area, if needed (to be determined following additional sampling during the remedial design phase); in-situ SVE or excavation and ex-situ SVE of impacted soils, in-situ SVE treatment in the unsaturated bedrock, and thermal oxidation for off-gas treatment at the O'Henry Dry Cleaners facility; and, at the Curriculum Center, excavation of impacted soils followed by either off-Site disposal or ex-situ SVE treatment of such soils, in-situ SVE treatment in unsaturated bedrock areas and in soil areas not suitable for excavation, and thermal oxidation for off-gas treatment. For contaminated groundwater, the selected remedy includes implementation of source control programs (consisting of the installation and operation of extraction wells and air strippers) at the Texaco and Esso service stations; installation of groundwater recovery wells for hydraulic control of plume migration and for hydraulic control of chlorinated volatile organic compound contaminant sources; construction of a central groundwater treatment facility with a total flow capacity of 100 gpm; and performance of long-term groundwater monitoring. In addition, the remedy includes various institutional controls to restrict groundwater use at the Site, restrict future uses of property at the Site, and prevent disturbance of contaminated soil or rock at the Site.

A copy of the ROD is enclosed. Should you wish to examine any of the documents which form the basis for the remedial action selected by EPA's ROD, you may inspect copies of the administrative record during regular business hours at EPA's offices in New York City, at EPA's Caribbean Field Office in San Juan, Puerto Rico or at the local repository located at the Curriculum Center at the Site.

By this letter, EPA wishes to determine whether the PRPs listed above will agree to implement the remedy selected by the ROD. Any agreement by the PRPs to perform this remedial design/remedial action ("RD/RA") must be memorialized in a judicial consent decree under CERCLA. Enclosed with this letter is a draft consent decree which EPA intends to negotiate with the parties. EPA requests your cooperation in this matter and we urge each of you to discuss performing the remedy at the Site with the other potentially responsible parties named above.

Within 21 days of your receipt of this letter, please unambiguously notify EPA in writing as to whether your clients are willing to implement the RD/RA consistent with EPA's ROD (or finance EPA's performance of such work). Such notification should be sent to the two individuals listed below. To the extent that your clients intend to enter into an RD/RA consent decree with EPA, we ask that at the same time that you submit the aforementioned notification to EPA you also provide us with your comments, if any, on the enclosed draft consent decree. EPA will conduct the negotiation of the enclosed consent decree with the parties who respond affirmatively to this notice letter. Our target date for completion of the negotiation of the terms of this consent decree, and for signature of the Decree, is September 1996.

Should any of the PRPs not offer, within the aforementioned 21-day period, to conduct or fund the remedy, or should any of the PRPs not subsequently enter into the RD/RA consent decree, EPA may take action under Section 106(a) of CERCLA to require such PRPs to perform or participate in the performance of the remedy, or EPA itself may use federal funds to carry out the RD/RA, the costs of which the PRPs may be liable for under Section 107(a) of CERCLA.

This notice is not being provided pursuant to the "special notice" procedures outlined in Section 122(e) of CERCLA because EPA does not believe that those procedures would facilitate an agreement or expedite remedial action at the Site.

Your response to this notice letter should be sent to:

Andrew L. Praschak, Esq.
Office of Regional Counsel
U.S. Environmental Protection Agency
Caribbean Field Office
1492 Ponce de Leon Ave.
Suite 417
San Juan, PR 00907

with a copy to:

Caroline Kwan
Remedial Project Manager
Special Projects Branch
Emergency and Remedial Response Division
U.S. Environmental Protection Agency
290 Broadway, 20th Floor
New York, NY 10007-1866

Please contact Mr. Praschak at (809) 729-6951 if you wish to discuss these matters in further detail or if you have any questions regarding this letter.

We appreciate your immediate attention to this matter.

Sincerely yours,



Richard L. Caspe, P.E., Director
Emergency and Remedial Response Division

Enclosures

cc: Austin Moorehead, VIDPNR
Joseph Hurley, USDOJ
Denise Klimas, NOAA
Alyce Fritz, NOAA
Roger S. Babb, DOI

Addressees of August 6, 1996 General Notice Letter regarding Tutu Wellfield Superfund Site:

Christopher Gibson
(on behalf of **Esso Standard Oil Co.**)
Archer & Greiner
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(on behalf of **L'Henri, Inc. and Francois Realty Company**)
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