



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION II

JACOB K. JAVITS FEDERAL BUILDING
NEW YORK, NEW YORK 10278

JUN 30 1989

EXPRESS MAIL
RETURN RECEIPT REQUESTED

President
ESSO Standard Oil Company
G.P.O. Box 4269
San Juan
Puerto Rico 00936-4269

Mr. Leo T. Barbel
President
L' Henri Inc.
25A Dronningens Gade- Box 232
St. Thomas,
Virgin Islands 00801

President
Texaco Caribbean Inc.
P.O. Box 3740
Charlotte Amalie
St. Thomas
Virgin Islands 00801

Re: TuTu Wells Site, St. Thomas, U.S.V.I., Contamination
Investigation pursuant to Sections 106 and 107 of CERCLA, as
amended and Section 9003 of RCRA, as amended.

Dear Sir/Madam:

The U.S. Environmental Protection Agency ("EPA") is charged with responding to the release or threatened release of hazardous substances, pollutants, contaminants, and petroleum from underground storage tanks into the environment and with enforcement responsibilities under the Comprehensive Environmental Response, Compensation and Liability Act, as amended ("CERCLA"), 42 U.S.C. §9601, et seq. and the Resource Conservation Recovery Act ("RCRA"), as amended 42 U.S.C. §6901 et seq. Releases of hazardous substances, pollutants, contaminants, and petroleum from underground storage tanks, into the environment have occurred and/or are threatened at the above-referenced site (hereinafter, the "Site"). In response to the releases and threatened releases of hazardous substances, pollutants, contaminants and petroleum at the Site, EPA has spent public funds for a limited Removal Action, pursuant to the National Oil and Hazardous Substances Contingency Plan ("NCP") 40 C.F.R. Section 300.65. These actions have been taken by EPA pursuant to CERCLA. Further actions may be taken by EPA pursuant to CERCLA and/or RCRA.

FEDERAL BUREAU OF INVESTIGATION, INC.		
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Under CERCLA, RCRA and other laws, responsible parties may be held liable for monies expended by the federal government in taking response actions at and around Sites where hazardous substances and/or petroleum have been released, including investigative, planning, removal, remedial 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 the facility from which there has been a release or threatened release of hazardous substances, and persons who arranged for the disposal or treatment of hazardous substances that came to be disposed of at the facility. Responsible parties under Subtitle I of RCRA are owners and/or operators of petroleum contained in underground storage tanks.

As you know, EPA has conducted investigations at the Site from September 1987 to the present. These investigations revealed the existence of various environmental and public health hazards at the Site. EPA has monitored twenty-four wells in the area from September 1987 to present. Ten (10) wells were contaminated with tetrachloroethylene ("PCE"), trichloroethylene ("TCE"), and benzene. Some are commercial and private wells. Some of the wells were ordered closed by the Department of Planning and Natural Resources. EPA has been trucking water to the affected residences as a temporary measure.

The conditions at the Site make it necessary for certain investigative and/or preventive actions to be taken at the Site to determine the extent and rate of contamination.

By this letter, EPA wishes to determine whether you are willing to perform or fund the performance of the Investigatorial Program. Since you and/or the companies for which this letter is addressed are current owners or operators of the site or were owners or operators of the site at the time of disposal of hazardous substances there, and/or are or were the owner or operator of petroleum contained in underground storage tanks, EPA has determined that you are a Responsible Party at this Site under Section 107(a) of CERCLA and Section 9003 of RCRA. Any agreement to perform such work must be memorialized in an Administrative Order issued by EPA under CERCLA and RCRA. A proposed Administrative Order is attached. Failure on part of any or all of the Responsible Parties ("RPs") to sign an Order may result in the issuance by EPA of a unilateral administrative Order under CERCLA and/or RCRA requiring the RPs to perform the work, or, in the alternative may result in EPA performing the necessary work itself, the costs of which you may be held liable for.

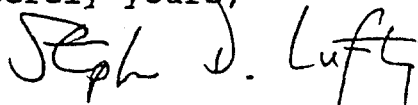
Please notify EPA in writing within twenty (20) business days of the date of this letter as to whether you are prepared to perform

or fund the above-described actions. If you are so prepared, please provide the name, address and telephone number of a representative or representatives of your company who will coordinate the commencement and completion of this work on your behalf. This reply should be sent to Ms. Caroline Kwan, Project Manager, New York/Caribbean Compliance Branch, Emergency and Remedial Response Division, U.S. Environmental Protection Agency, 26 Federal Plaza, Room 747, New York 10278, with a copy to Ms. Amy Chester, Waste and Toxic Substances Branch, Office of Regional Counsel, U.S. Environmental Protection Agency, 26 Federal Plaza, Room 2341A, New York, New York, 10278.

If you do not respond in the manner and within the time period specified above, we will assume that you decline to perform or fund the above-described actions at the Site.

If you have any questions concerning this matter, contact Ms. Kwan at (212) 264-0151 or Ms. Chester at (212) 264-3348.

Sincerely yours,



Stephen D. Luftig, Director
Emergency and Remedial Response Division

Attachments

cc: Alan D. Smith, DPNR
Ms. Anna Gloria Ramos, ESSO
Mr. A. Quiros, Texaco