



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION II

JACOB K. JAVITS FEDERAL BUILDING

NEW YORK, NEW YORK 10278

APR 04 1991

EXPRESS MAIL

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Re: Request for Information Under 42 U.S.C. § 9604 concerning
releases of hazardous substances at the ESSO TuTu Service
Station in St. Thomas, U.S.V.I.

Dear Sirs:

The United States Environmental Protection Agency (EPA) is charged with responding to the release or threatened release of hazardous substances, pollutants and contaminants into the environment and with enforcement responsibilities under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), 42 U.S.C. Section 9601, et seq., as amended by the Superfund Amendments and Reauthorization Act of 1986, Pub. L. No. 99-499, 100 Stat. 1613.

In order to determine the need for a response to a release or threatened release of a hazardous substance, pollutant or contaminant, choose or take a response action, or otherwise enforce the provisions of CERCLA, EPA may, pursuant to Sections 104(e)(1) and 104(e)(2) of CERCLA, require parties to provide certain information. Specifically, EPA may require parties to provide information relating to the materials generated, treated, stored or disposed of at or transported to a facility, the nature and extent of a release or threatened release of a hazardous substance, pollutant or contaminant at or from a facility, and the ability of a person to pay for or perform a cleanup.

Pursuant to these statutory provisions, we hereby require that you answer the questions posed in the attached Request for Information. This Request for Information is specifically concerned with the facility ESSO TuTu Service Station located in St. Thomas, U.S.V.I.

Your response to this Request for Information should be post-marked or received at EPA within 15 calendar days of your receipt of this letter, and should be mailed to Ms. Caroline Kwan, Project Manager, Emergency and Remedial Response Division, U.S. Environmental Protection Agency, Region II, Room 737, 26 Federal Plaza, New York, New York 10278, with a copy to Ms. Amy Chester, Assistant Regional Counsel, Office of Regional Counsel, U.S. Environmental Protection Agency, Room 400, Region II, 26 Federal Plaza, New York, New York 10278.

Your failure to respond to this Request for Information within the time specified above may subject you to an enforcement action under Section 104(e)(5) of CERCLA. Such enforcement action may include the assessment of substantial penalties of up to \$25,000.00 per day for each day of continued noncompliance.

Your notarized signature must appear on the enclosed Certification of Answers to Request for Information, which must be attached to the response to this information request.

Be advised that you are under a continuing obligation to supplement your response if information not known or not available to you as of the date of submission of your response should later become known or available to you. Moreover, should you find, at any time after the submission of your response, that any portion of the submitted information is incorrect, you are under an obligation to notify EPA thereof as soon as possible. If any part of your response is found to be untrue, you may be subject to criminal prosecution.

This Request for Information is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C, Section 3501 et seq. You may, if you so desire, assert a business confidentiality claim covering all or part of the information herein requested. The claim may be asserted by placing on (or attaching to) the information, at the time it is submitted, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret" or "proprietary," or "company confidential". Information covered by such a claim will be disclosed by EPA only in accordance with and by means of procedures set forth in Section 104(e)(7) of CERCLA and 40 CFR Part 2, Subpart B. If no such claim

CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATION

Commonwealth of Puerto Rico

City of _____

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document (response to EPA Request for Information) and all documents submitted herewith, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete, and that all documents submitted herewith are complete and authentic unless otherwise indicated. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

SIGNATURE

NAME (Print or Type)

JOB TITLE

NOTARY PUBLIC

Sworn to before me this
day of _____, 1991

shut down. Please attach a diagram or drawing of these unit, the dates of their use and their location.

8. Is there, or has there ever been, any means by which fluids or sludge can escape or be discharged from any oil water separator (i.e., an open overflow valve or pipe) that presently exists or existed at the facility?

9. If the answer to Question 8 above is yes, has there ever been such a discharge or release? If so, please explain all the details surrounding such a release and submit any related documentation, including analysis. If a document is not available, please describe the document and explain why it cannot be provided.

10. By what means could hazardous substances such as PCE and TCE enter an oil water separator at the ESSO facility? Please be specific, and explain all possible means.

11. Does, or did, the facility conduct periodic sampling to determine whether hazardous substances have entered the oil water separators? If so, how often, and on what occasions. Please attach any such analysis.

12. Have the oil water separators been periodically cleaned out or emptied, either completely or partially? If so, how often and on what occasions.

13. If the answer to Question 12, above is yes, please explain how the removed liquids and/or sludges are handled and disposed of? Please include any sampling procedures and relevant documentation such as analysis, and manifests. If a document is not available, please describe the document and explain why it cannot be provided.

14. Were, or are, any products (including solvents containing 1,1,1, trichloroethane, TCE, DCE and PCE and MEK) ever used, stored, generated, disposed or otherwise handled at the facility? If so, identify these products, and explain how were they used, stored and/or disposed of? Please provide any related documents, if a document is not available, please describe the document and explain why it cannot be provided.

REQUEST FOR INFORMATION

1. Were, or are, any hazardous substances ever used, stored, generated, disposed or otherwise handled at the facility, including but not limited to 1,1,1, trichloroethane, trichloroethylene ("TCE"), 1,2 trans-dichloroethylene ("DCE"), tetra-chloroethylene ("PCE"), and methyl-ethyl-ketone ("MEK")? Identify each hazardous substance by providing the name, composition and source of origin of each substance.
2. For each hazardous substance identified above, please provide an annual summary describing how each such substance was treated, handled, transported, stored and/or disposed of by the facility. Please attach any manifests, invoices and other documentation which relate to the treatment, handling, transportation, storage and/or disposal of each such substance. If you are unable to provide a copy of any such document, please describe the document and explain why it cannot be provided.
3. Are, or were, auto mechanic repairs, including oil changes, performed at the ESSO facility? Please describe what type of repairs were performed, if any, and the frequency of such repairs.
4. If the answer to Question 3 above is yes, were any hazardous substances or hazardous wastes generated, treated, stored, disposed of or otherwise handled in the process? Please attach any manifests, invoices, and other documentation which relate to this question. If you are unable to provide a copy of any such document, please describe the document and explain why it cannot be provided.
5. If the answer to Question 3 above is yes, please list and/or describe what kinds of solvents were used. In addition, please describe where and how these solvents were stored at the facility prior to their use, and all disposal practices regarding these solvents. Please attach any manifests, invoices and other documentation which relate to this question. If you are unable to provide a copy of any such document, please describe the document and explain why it cannot be provided.
6. If oil changes were conducted at the facility, please give an annual summary explaining how the used oil was disposed of, the quantity disposed of per month and any and all analysis of this used oil. Please provide all appropriate documentation. If any such document is not available, please describe the document and explain why it cannot be provided.
7. Please describe the structure and location of each oil water separator at the facility, as well as explain the use of each such unit. Include separators which have been removed and /or

accompanies the information when it is received by EPA, it may be made available to the public by EPA without further notice to you. You should read the above-cited statutory and regulatory provisions carefully before asserting a business confidentiality claim, since certain categories of information are not properly the subject of such a claim.

If you have any questions concerning this matter, please contact Ms. Amy Chester at (212) 264-4760 or Ms. Caroline Kwan at (212) 264-0151. Thank you for your attention to this matter.

Sincerely yours,

Kathleen Callahan
Kathleen Callahan, Director
Emergency and Remedial Response Division

Attachment

cc with att.: Ms. Anna Gloria Ramos, P.E.
Environmental Coordinator
ESSO Standard Oil S.A. Limited

INSTRUCTIONS FOR RESPONDING TO REQUEST FOR INFORMATION

1. A complete response must be made to each individual question in this Request for Information. Identify each answer with the number of the question to which it is addressed.
2. In preparing your response to each question, consult with all present and former employees and agents of your company who you have reason to believe may be familiar with the matter to which the questions pertains.
3. In answering a question, identify all contributing sources of information.
4. If you are unable to answer a question in a detailed or complete manner or if you are unable to provide any of the information or documents requested, indicate the reason for your inability to do so. If you have reason to believe that there is an individual who may be able to provide more detail or documentation in response to any question, state that person's name and last known address and telephone number and the reasons for your belief.
5. For each document produced in response to this Request for Information, indicate on the document, or in some other reasonable manner, the number of the question to which it applies.
6. If there is anything deleted from a document produced in response to this Request for Information, state the reason for, and the subject matter of, the deletion.
7. If a document is requested but is not available, state the reason for its unavailability. In addition, to the best of your ability, identify any such document by author, date, subject matter, number of pages, and all recipients and their addresses.
8. If you cannot provide a precise answer to a question, please approximate, but in any such instance, state the reason for your inability to be more specific.
9. Whenever in this Request for Information there is a request to identify a natural person or an entity other than a natural person, state, inter alia, the person or entity's full name and present or last known address.

10. The terms "and" as well as "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of these questions any information which might otherwise be construed to be outside of their scope.

11. As used herein, the terms "hazardous substance," "release," "facility" and "person" shall have the meanings set forth in Section 101(14), (22), (9) and (21) of CERCLA, 42 U.S.C. Section 9601(14), (22) (9) and (21), respectively. The substances which have been designated as hazardous substances pursuant to Section 102(a) of CERCLA are set forth at 40 C.F.R. Part 302.

12. As used herein the terms "hazardous waste," "disposal" and "storage" shall have the meaning set forth in Sections 1004(5), (3) and (33) of RCRA, 42 U.S.C. Sections 6903(5), (3) and (33), respectively.

13. As used herein, the terms "the company" or "your company" refer not only to your company as it is currently named and constituted, but also to all predecessors in interest of your company and subsidiaries, divisions and branches of your company.

14. As used herein, the term "ESSO Standard Oil S.A., Limited" ("ESSO") or "the Site" or the "facility" shall refer to a parcel or parcels of property located at or about on the west side of highway 38 and on the south-eastern corner of the Four Winds Shopping Center in St. Thomas, U.S.V.I. This area is also known as the ESSO TuTu Service Station and the ESSO Car Care Center.