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A BROOKLYN CORPORATION

OPTIONAL FORM 99 (7-50)

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 PROPOSED: 10-000000
 DATE: 10-00-00

FOR COUNSEL,
JAMES P. O'NEILL, JR.

**SPECIAL AGENT
REYNOLDS E. WILLIAMS**

October 14, 1993

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VIA TELETYPE

Andrew Praschak, Esquire
United States Environmental Protection Agency
Caribbean Field Office
1413 Fernandez Juncos Avenue
Santurce, Puerto Rico 00909

Re: Tutu Wellfields Site, Virgin Islands

Dear Andy:

We are writing on behalf of the Tutu Environmental Investigation Committee ("TEIC") to formally request an extension of time to provide the technical deliverables scheduled for submission pursuant to the February, 1992 Administrative Order on Consent ("AOC"). As we shall discuss below, the expansion of this project from a narrow, service station study to an expanded aquifer-wide study dictates the need for additional time.

There can be no question that the study, as originally contemplated in the February, 1992 AOC, has undergone an evolution which has greatly expanded its parameters. This fact is acknowledged in Caroline Kwan's August 30, 1993 letter reviewing the FRP Technical Committee's comments on Technical Memorandum No. II. In that letter, the Agency acknowledges that the TERC investigation "necessarily was conducted from closer proximity to the Texaco and Esso service stations," (p. 5) and that the "scope of the investigation has expanded." (p. 6). Nonetheless, significant progress has been made in identifying the multiple sources of groundwater and soil contamination at the site.

TUT 007 0936

OCT-15-1993 14:38 FROM EPA
OCT-14-1993 17:09 FROM ARCHER&GREINER

TO 82125458050 P.03
TO 18097237747 P.04/26

Andrew Praschak, Esquire
October 14, 1993
Page 3

from multiple sources requires close cooperation between the PRPs and the Agency.

We anticipate that within the next several weeks, many of the PRPs will have signed a PRP Agreement. It also appears that Esso and Texaco will continue under the auspices of TEIC to complete the RI/FS. However, the PRP Technical Committee will be kept closely apprised of all developments. These are promising developments which, in the long run, should provide a framework for the regulated community and the Agency to work together.

In summary, the schedule must be for a variety of reasons, many of which are beyond our control. There can be little question, however, that we sit at a critical crossroad in our continuing relationship with the Agency. If the Agency wants to perform a comprehensive study of this aquifer-wide contamination, and if the Agency wants to address the concerns of the other PRPs at this site, then modifications must be made to this schedule which will make it impossible for the Agency to issue a record of decision ("ROD") by September 30, 1994.

We have attached hereto a project schedule for completing the RI and FS assuming that the work recommended by the expanded PRP Technical Committee is implemented. This schedule envisions the submittal of a supplemental work plan to EPA by December 21, 1993 and provides for three to five weeks of EPA review. Remobilization to begin the field work for Phase II will start in early March, 1994. Two months for this expanded field program are anticipated; the second groundwater sampling event would begin two weeks after well development and would take approximately one month because the PRP Technical Committee has envisioned a comprehensive sampling event of all monitoring wells and supply wells in the study area. The schedule shown on the attached figure envisions a draft RI report being submitted to EPA by late October, 1994 and a final FS in March, 1995.

We have arranged a meeting for October 21, 1993 between the Agency's legal and technical staff and TEIC's legal and technical staff to discuss these concerns. We will also attempt to discuss these issues with Ms. Kwan and yourself prior to that date.

In the end, the members of TEIC are confident that we share the same goals as the Agency -- namely, to conduct a study which identifies all sources of contamination in the wellfields and which proposes a remedial action plan which is cost-effective and protective of the public health and safety. We will take a flexible approach regarding the schedule, scope and structure of

OCT-15-1993 14:38 FROM EPA

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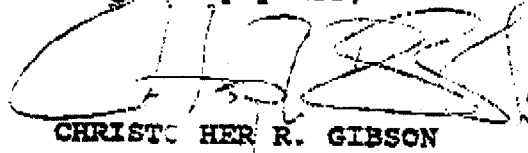
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Andrew Praschak, Esquire
October 14, 1993
Page 4

the RI/FS so as to accommodate EPA's regulatory needs, and we are eager to complete the studies so that we can start resolving the problems that are identified. Please call Tim or me with any questions or comments.

Thank you for your help.

Vary truly yours,



CHRISTOPHER R. GIBSON

CRG:jdh

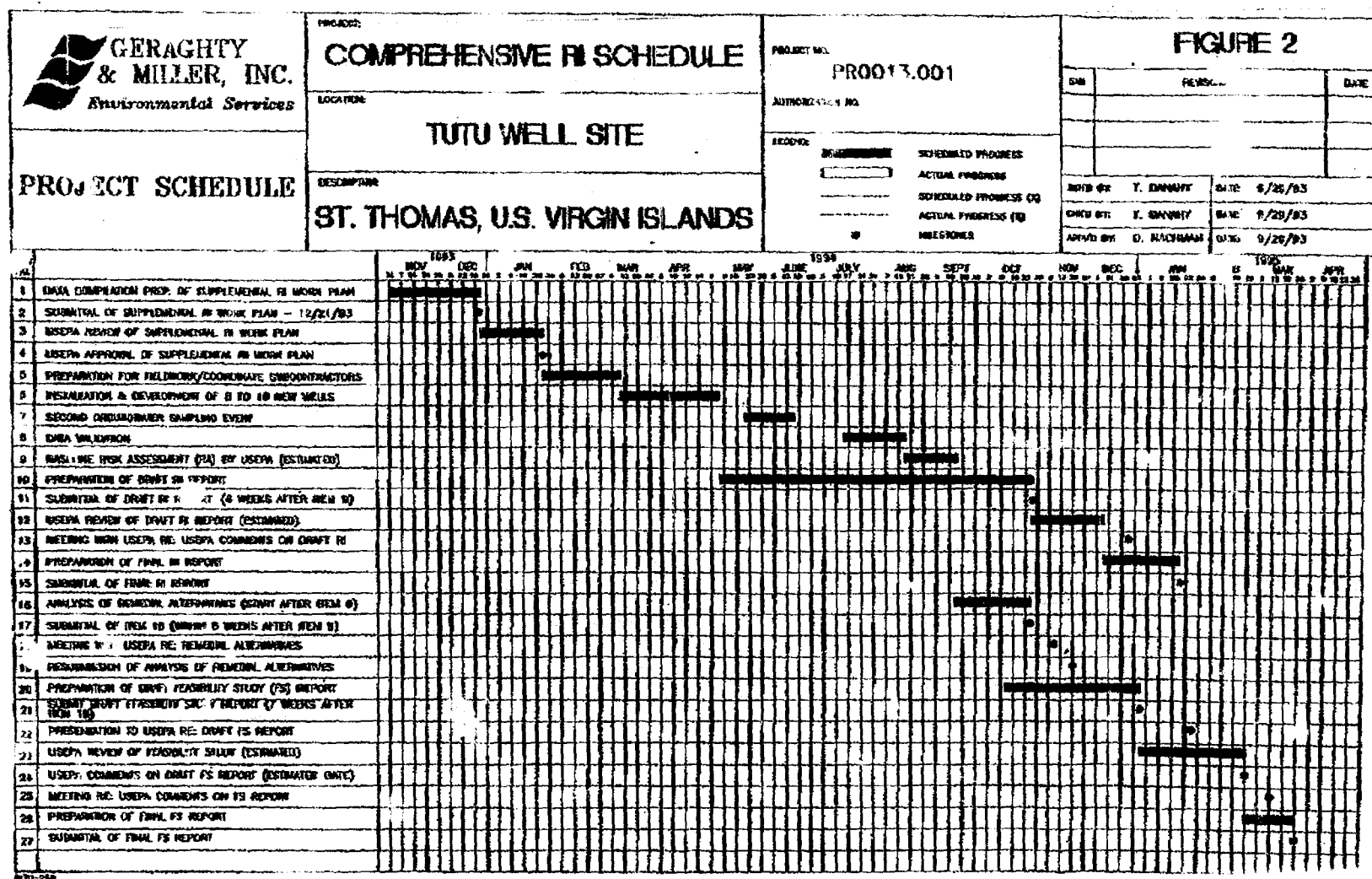
Attachment

cc: Timothy R. Knutson, Esquire (via telecopier)
Ms. Anna Gloria Ramos (via telecopier)
Robert W. Brown, Esquire (via telecopier)

TUT 007 0939

TO	14:39	FROM	EPA	TO
TO	17:09	FROM	ARCHER&GREINER	TO
TO	15:56	FROM	TEKNO LEGAL DEPT	TO

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