

EXPRESS MAIL-
RETURN RECEIPT REQUESTED

Ana Gloria Ramos, P.E.
Designated Coordinator
Tutu Environmental Investigation Committee
P.O. Box 364269
San Juan, Puerto Rico 00936-4269

Re: **Approval of the Phase II Remedial Investigation Implementation Workplan for the Tutu Wells Site, St. Thomas**

Dear Ms. Ramos:

EPA hereby approves the Phase II Remedial Investigation Implementation Work Plan for this Site submitted in December 1993 and the revised Phase II Remedial Investigation Implementation Schedule ("RIIS") submitted to EPA on March 10, 1994. However, because there currently exist several different requirements, commitments and implementation schedules including those contained in the Phase II Remedial Investigation Implementation Work Plan (12/93), the Original Work Plan submitted in May 1991 (Revised March 1992) and the schedules committed to in the Administrative Order on Consent executed on February 19, 1992, this approval is provided on the condition the following implementation schedule commitments are achieved.

The following conditions take into consideration the commitments made in the Administrative Order as well as the scope of EPA's request for a Phase II Remedial Investigation and the effects of EPA's inclusion of several additional Potential Responsible Parties since the execution of the Administrative Order.

The Project is currently in the final phase of performing the Remedial and/or Contamination Investigation Workplan, pursuant to Section VII. 1. A. of the Administrative Order. The RIIS commits to the completion of Data Validation of the Second Groundwater Sampling Event by August 7, 1994. EPA accepts this deadline for Data Validation which should conclude the field work.

The original approved Work Plan provides that, "The Draft (RI) Report will be completed and submitted to USEPA within 45 days after receipt and independent validation of all of the laboratory analytical data." EPA, in this approval assumes that this commitment has been included in the schedule provided in the RIIS which provides that the Draft RI Report will be submitted to EPA

for review on September 25, 1994. The Administrator Order, in Section VII. C. 2., further provides that within 10 days of receipt of EPA comments on this Draft RI Report, Respondents may request a meeting with EPA to discuss its comments and the Final RI Report will be submitted within 20 days of that meeting. The RIIS provides, and EPA agrees, that this meeting with EPA, regarding the Draft RI report, pursuant to the Administrative Order, will occur during the week of November 14, 1994 and the Final RI Report will be submitted to EPA on December 18, 1994 pursuant to the terms of Section VII. C. 2. of the Administrative Order.

The Administrative Order provides that Respondents shall conduct an analysis of remedial alternatives within 30 days of receipt of EPA's final Baseline Risk Assessment. The RIIS commits to begin this analysis the week of August 14, 1994 which is approved by EPA, pursuant to Section VII E. 1. of the Administrative Order. Respondents are then required to make a presentation to EPA regarding the analysis which the RIIS states will be held on September 12. The Final Analysis of Remedial Alternatives will be submitted on October 2, 1994.

Section VII. F. of the Administrative Order provides that Respondents will submit a Draft Feasibility Study Report to EPA within 35 days of the remedial alternatives presentation. The RIIS states and EPA hereby agrees that the Draft Feasibility Study will be submitted to EPA no later than January 8, 1994. The Administrative Order then states and it is included herein that pursuant to Section VII. F. 1., EPA will provide comments on the Draft FS Report and Respondent may request a meeting to discuss these comments. The Administrative Order further states and it is incorporated herein that "Within ten (10) days of said meeting, or if no meeting is requested, within twenty (20) days of Respondents' receipt of said comments (on the Draft Feasibility Study) Respondent shall either: 1) submit a modified Report to EPA which incorporates EPA's comments or 2) provide EPA with a notice of dispute invoking the dispute resolution procedures set forth in this Order."

Please call Ms. Kwan of my staff if you have any questions.

Sincerely yours,

Carole Petersen, Chief
New York/Caribbean Superfund Branch II

cc: Tom Danahy- G&M
Andy Praschak- EPA/CFO
Sally Odland-CDM-FPC