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VIA EMAIL: bosque.adalberto@epa.gov,
AND CERTIFIED MAIL
RETURN RECEIPT NO. 7013 1710 0001 8903 5787

Mr. Adalberto Bosque, PhD, MBA
Remedial Project Manager
U.S. Environmental Protection Agency
City View Plaza II Suite 7000
48 RD, 165 Km.1.2
Guaynabo, Puerto Rico 00968-8069

Re: San Germán Groundwater Contamination Superfund Site (OU-1)

Dear Mr. Bosque:

The comments contained in this letter are submitted to the United States Environmental Protection Agency ("EPA"), on behalf of CCL Label (San Germán), Inc., ("CCL"), regarding the Superfund Program Proposed Plan (the "Plan") for the San Germán Groundwater Contamination Superfund Site (OU-1) (the "Site"). We appreciate the opportunity provided by the EPA to submit comments to the Plan and other related documents. The comments below follow the Public Meeting held by EPA on August 19, 2015, and are timely submitted within the public comment period established by the EPA which ends on September 11, 2015.

CCL currently leases a property owned by the Puerto Rico Industrial Development Company ("PRIDCO") at el Retiro Ward in San Germán, Puerto Rico. The property is identified by PRIDCO in its real estate records and in the lease agreement with CCL as Project No. S-0551-0-60 & Ext., (the "Property"). EPA states in the Plan and in other documents in the Administrative Record that the Property is one of two sources of contamination of the Site. The other source that EPA identifies is another PRIDCO property identified in PRIDCO's real estate records as Project T-0343-0-56 and T-0261, currently leased by Wallace Silversmith de Puerto Rico Ltd., (the "Other Property").

EPA also states in the Plan that it identified five volatile organic compounds or contaminants related to the Site. These contaminants of concern ("COC") are: (i) PCE; (ii) TCE; (iii) cis-1,2-DCE; (iv) 1.1-DCE; and (v) Vinyl Chloride.

CCL conducts an inserts printing operation at the Property since year 2003 and does not use any of the COC in its operations. Prior to that date, the Property was leased by other tenants, some of which were also engaged in the inserts printing business at the Property since at least August of 1995. According to PRIDCO, up to that point the Property had been occupied by multiple tenants engaged in other manufacturing areas, such as electronic and textiles/clothing.

Documents from PRIDCO's files reviewed by CCL and which are also part of the Administrative Record for the Site, reveals the presence of some of the same COC associated to the Site prior to August of 1995, when the first inserts printing tenant leased the Property and prior to CCL entering on it on 2003.

As we will discuss in more details below, it has yet to be determined whether this condition, pre-existing to CCL and to other printing companies' that leased the Property, was caused by tenants occupying it prior to August of 1995 or by migration from neighboring properties in the industrial park. However, what is evident from the Administrative Record is that the presence of these COC at the Property preceded the leases of CCL and other printing industries in the same line of business at the Property.

Consequently, CCL respectfully objects EPA referring to the Property in the Plan and in other multiple documents and reports related to the Site by using its name in terms such as "CCL lot", "CCL label source area", "CCL Label", and similar terms. While EPA stated in the Plan that the Property and the Other Property are owned by PRIDCO, and further clarified at the Public Meeting that the agency has not made a determination as to responsible parties and that there is an on-going investigation, CCL understands that referring to the Property with the name of CCL gives a false impression to the public and to its employees that CCL is responsible for such alleged contamination. This could damage CCL's business and goodwill reputation and such potential harm is entirely inappropriate. Moreover, CCL had made this petition in the past to EPA. Therefore, we respectfully request that the Property be referred to by using any other term or by the Property identification number, but in any case excluding any reference to CCL's name.

CCL has reviewed the Plan, the Final Remedial Investigation Report (the "Report"), PRIDCO's letter of July 9, 2015 in response to EPA's Notice of Potential Liability and Information Request Letter to PRIDCO of May 19, 2015 ("PRIDCO'S Response"), and other documents in the Administrative Record of the Site, and respectfully submits the comments below:

1. The Property was first leased to an inserts printing company in August of 1995. Prior to that time, the Property appears to have been leased for the very first time in 1963 and was subsequently leased by multiple entities in the clothing and electronics manufacturing sectors until 1992. It appears that the Property was vacant from 1992 to 1995. See table in Page 2 of PRIDCO'S Response.

2. On August 15th 1995, Insert Corporation of PR (INSERT CO.), Inc. ("Insertco"), and PRIDCO, entered into a certain "Supplement and Amendment to Lease Contract", whereby Insertco leased the Property from PRIDCO as an Additional Premises to an existing lease agreement of other PRIDCO properties that Insertco held from PRIDCO at the same industrial park. See Annex 13 of PRIDCO'S Response. On said date, is, when the first insert printing company leased the Property from PRIDCO. Although the lease was executed in August 15, 1995, it appears that Insertco and/or its successors did not moved into the Property until March of 1996, after NJP Insertco (formerly Insertco) was acquired by Menasha Corporation ("Menasha") in March of 1995. See page 1 of the document titled "Environmental Analysis" in Annex 32 of PRIDCO'S Response.

3. Before Insertco leased the Property from PRIDCO and before NJP Insertco and/or Menasha moved into it, on March of 1995, Menasha conducted a limited Phase II Environmental Site Assessment of the Property as part of its due diligence to establish benchmark conditions of the Property. The laboratory results of said Phase II study revealed - in March of 1995- the presence of PCE, TCE, Cis 1,2-Dichloroethane and Vinyl Chloride in soil samples collected from the Property at depths between 9 and 11 ft. bgs. See Annex 41 of PRIDCO'S Response. These are four of the COC of the EPA's Site investigation and were all detected at the Property prior to CCL and other printing companies' leases and occupation of the Property.

4. Furthermore, a TCLP Analysis Report of NJP Insertco's waste residual solution from its printing process, dated November 10, 1995, revealed that its wastes were non-hazardous and were also non-detect for PCE, TCE, 1,2-Dichloroethane and Vinyl Chloride, which are the same four COC found pre-existing at the Property. See Appendix D of the "Environmental Analysis" contained in Annex 32 of PRIDCO'S Response.

5. EPA indicates in page 1-6 of the Report, that at the Property there are ..."no septic tanks and no discharge to the PRASA sewer system". We would like to clarify that the property is connected to the PRASA sewer system since 1995 and sanitary effluents are discharged into the PRASA system. It also appears that a septic system formerly servicing the Property was removed from it by December of 1995. See Site Plan of the

Property included in Appendix B of the "Environmental Analysis" contained in Annex 32 of PRIDCO'S Response.

6. We have not been able to find in the Administrative Record, in PRIDCO'S Response and in PRIDCO'S files, any documents indicating the use of any of the COC by any of the previous tenants of the Property. As stated before, CCL does not use any of these substances in its process and its wastes are non-hazardous.

7. It is evident from the information in the Administrative Record cited above, that: (i) any presence at the Property of the COC was pre-existing to CCL and to any of the insert printing companies' leases; (ii) the wastes generated by the printing industries at the time of leasing the Property were non-hazardous and non-detect for the COC; and (iii) the property was connected to the PRASA sewer system and there were no septic systems or other apparent pathways for any potential discharges to reach soil or groundwater at the Property, at least since December of 1995 - before CCL and other printing companies occupied the Property.

Notwithstanding the documented pre-existing condition at the Property and the lack of documentation evidencing the use of the COC at it, CCL understands that there is not enough information in the Administrative Record for EPA to make a determination that the Property is one of the two sources of contamination of the Site. Quite to the contrary, CCL's opinion is that based on the information in the Administrative Record, the presence of the COC at the Property might be the result of degradation and migration of these substances from neighboring properties in the industrial park. As such, EPA should not treat the entire Site as a whole concluding that the Property is one of two sources of contamination without discarding the possibility of migration. We respectfully base our assertion on the following comments to the Report:

8. The Report states that the groundwater flow is north-northwest. However, the Report also indicates that the straight alignment of the monitoring wells from the industrial park to the public supply wells makes it difficult to determine the exact flow direction. The north-northwest flow may have been also influenced by the PRASA pumping rate. See page ES-5. The study appears to suggest also that there might be a flow more northerly - towards the Guanajibo River - than reported. Also, EPA understands – and CCL agrees- that tributary streams to the River likely act as aquifer drains. See Page 3-4. It should be noted that there is a small creek or stream on the north north-east side of the Property, which may have a local influence in groundwater flow direction at the Property in a more northerly direction than EPA states.

9. The USGS (1966) Topographic Map corresponding to the San German Quadrangle show the small creek on the north north-east side of the Property. Whether this creek might have been relocated during construction of the industrial park is probable. It is possible that the current creek or any previous water body in the area that might have been affected during construction of the industrial park, could influence the groundwater in the area to a more northerly or north-east direction.

10. EPA cannot conclude that the Property is a source of TCE without discarding the potential scenario that the COC found at the Property are the result of degradation of PCE that had migrated from the Other Property. The Report indicates that PCE degrades into TCE, DCE and Vinyl Chloride. See Page 5-14. Furthermore, according to the Report, except for PCE (where the highest concentrations in groundwater and soil were found at the Other Property, among other COC), most of the highest concentrations of TCE, cis-1,2-DCE, Vinyl Chloride and 1,1-DCE in soil and groundwater where found at the Property. This might indicate that PCE is migrating and degrading into the substances found at the Property as the groundwater flows in a more northerly direction towards the small creek and other storm water channels that may be acting as aquifer drains. This potential scenario is consistent with some of these COC being found in the surface water samples at the small creek and at the storm water channel adjacent to the Property. The Report also states that these COC would rapidly volatilize based on half-lives of several hours to several days. Therefore, unless a discharge of these COC into the small creek or storm water channel had occurred hours or several days before the sampling –keeping in mind that CCL does not use these COC- the presence of these substances in the creek could be an additional indication of degradation and migration through groundwater flow into these bodies of water acting as aquifer drains.

11. No subsurface soil and/or groundwater samples were collected in Street B of the industrial park between the Property and the Other Property. Samples in this area might have provided better technical data to determine potential sources and groundwater flow direction in the area.

12. Surface water and sediment samples were collected in the storm water channel between the Property and the PRIDCO lot formerly leased by Baytex, and at the small creek north north-east of the Property. Samples, however, appear to have been collected downstream of other storm water discharges points from the remaining properties of the industrial park into the creek and into the channels that run adjacent to the Property. See Figures 4-9, 4-10 and 4-11. There are also storm water pipes or collection systems from other areas of the industrial park that discharge into the Property through its south-west and south-east sides and crossing the Property towards the small creek.

Therefore, it is also possible that samples taken downstream of the storm water discharges point might be reflecting potential discharges of these COC from other facilities in the industrial park. Also, the Administrative Record does not provide any information or documentation regarding depth and structural integrity of the storm water system of the industrial park. More specifically, regarding the segments of that system that crosses through the Property to the discharge point at the small creek.

13. EPA states in the Report that separate plumes of PCE and TCE originate at the Other Property and at the Property, respectively. See page ES-11. It also mention that PCE predominates at the Other Property and TCE predominates at the Property. However, there is no documented evidence in the Administrative Record showing that the COC were used or spilled at the Property by any of its tenants. Based on the theory of the two plumes, EPA concludes that the Property is a source of TCE without discussing or considering that it might actually be one plume from one source migrating and degrading. This theory also contrasts with the sub-surface soil vapor sampling, which revealed that the highest concentrations of vapors from PCE (14,200,000 $\mu g/m^3$) and TCE (726,000 $\mu g/m^3$) were found at the Other Property at levels several times higher than the ones found at the Property. Therefore, CCL understands that based on the studies and data in the Administrative Record, EPA cannot conclude that the Property is a source of TCE without discarding the possibility that the TCE and other COC at the Property could be the result of migration and degradation of PCE from neighboring properties. CCL respectfully understands that the information available is not sufficient to discard the possibility of one plume of PCE that has degraded to TCE in certain areas.

14. According to EPA documents, the PRASA extraction wells were shut down on January 2006, therefore, any pumping influence in the groundwater flow ended at that time. Soil sampling activities were conducted from January 2012 to May 2012. Surface water sampling was from January 2013 to August 2014. Sediment sampling was performed from January 2013 to August 2014. Groundwater sampling was from March 2013 to January 2014. Consequently, samples collected at or near the Property 7 to 8 years after the public wells were shut down, could also explain the potential migration of contaminants from the Other Property or other properties in the industrial park towards the small creek and drainages as a result of a potential more north-north east localized groundwater flow. CCL respectfully understands that this possibility cannot be discarded based on the available information. It is not clear either from the reports, whether groundwater flow velocity was measured under dynamic and static conditions.

15. EPA's theory is that waste solvents and or waste waters were likely discharged to the ground surface resulting in contamination of surface and subsurface soil at the two source areas. See Page ES-16. This theory, however, may be in conflict with soil

sampling results at the Property. Note that detections in soil at the Property are in the range of 5-7, 10-12 and 20-22 ft., and no detections from 0 to 2 ft., bgs., except at sampling locations CCL 4 and 8. See Figure 4-5. However, detections at these locations between 0-2 ft. bgs., are not actual results but estimates and there is no clear explanation for the estimates. Also, EPA provides no explanation as to the intermittence of results versus depths at sampling locations CCL 2, 3, 4 and 8. CCL respectfully understands that this intermittence could indicate a potential cross contamination or false positives scenario.

16. There is not enough information in the studies to discard the possibility that changes in groundwater levels during dry and wet seasons might have also contributed to the presence of the contaminants in soils at different depth levels, and at multiple locations within the industrial park. CCL understands that there might be a possibility that soil contamination may be related to changes in groundwater levels during dry or wet seasons.

17. The Plan states that EPA selected SVE and DPE/in-situ treatment as the preferred alternative for remediation at both sources. EPA identified five Source Areas ("SA") to be remediated. Source Area 4 ("SA-4") and Source Area 5 ("SA-5") are located at the Property. The Plan proposes In-Situ treatment for SA-4 and DPE/In-Situ treatment for SA-5. The Plan, however, does not provide enough information to determine whether excavation at SA-4 would be less expensive and more effective than In-Situ treatment, considering that contamination in that area appears to be localized at a depth of 5-7 feet. Regarding SA-5, the plan proposes the installation of 4 wells at the Property versus 13 at SA-2 located at the Other Property. However, it does not provide a breakdown of the costs for each of the properties when it is likely that costs at one property would be less than at the other. As previously stated, CCL understands based on the Administrative Record, that it is very likely that there is only one source of contamination at the Site. Notwithstanding, EPA should break down the costs of the different remedial alternatives by SAs and properties since the analytical data is vastly different in concentrations at each of the properties and costs would be different. Consequently, for purposes of the remedy selection costs, the two properties and its SAs should not be considered as one big site, with the same weighting of importance and remedy.

Based on all of the foregoing, CCL respectfully requests from the EPA that it deletes the terms "CCL lot", "CCL label source area", "CCL Label", and similar terms by which it is referring to the Property in all studies, reports and other agency documents in the Administrative Record, and that subsequently identify it by any other term, name or property identification number without making any reference to the name CCL.

Furthermore, CCL respectfully understands based on the Administrative Record, that: (i) any presence of the COC related to the EPA's Site investigation found at the Property is pre-existing to CCL and to any of the insert printing companies' leases; (ii) the wastes generated by the printing industries at the time of leasing the Property were not hazardous and non-detect for the COC; (iii) the property was connected to the PRASA sewer system and there were no septic systems or other apparent pathways for any discharges to reach soil or groundwater at the Property, at least since December 1995, before CCL and other printing companies occupied the Property; and (iv) EPA cannot discard the possibility that the presence of these COC at the Property might have been caused by degradation and migration from other neighboring properties in the industrial park. As such, EPA should not treat the entire Site as a whole concluding that the Property is a source without discarding the possibility of degradation and migration.

Sincerely,

Jorge J. García-Díaz