

HARBOUR REALTY, LLC

WAITE'S WHARF • NEWPORT, RHODE ISLAND

OCT 24 1995

October 21, 1995

Department of Environmental Management
291 Promenade Street
Providence, RI 02903
Attn: Mr. Joseph T. Martella II

Re: Remedial Action Plan - Waite's Wharf, Newport, RI

Dear Mr. Martella:

Thank you for your meeting with myself and our engineer, Barbara Szepatowski of SAI Engineering, on Friday morning, October 20th to try and finalize the remaining steps to be taken in order that the property owned by Harbour Realty, LLC. on Waite's Wharf be in compliance with your Department's regulations. The meeting was fruitful and we feel that we will be able to complete the remediation plan on the property in the following manner:

1. Install three (3) wells on the property, the first to be installed in an appropriate area where the UST in the center of the property was removed; the second to be installed in an appropriate area where the smaller of the USTs was removed in the proximate area of "Moy Works", as noted on the Site Plan prepared by Environmental Science Services dated June, 1994, a copy of the plan being enclosed herewith. The remaining well will be installed in an appropriate area of the "Anthony's Seafood" courtyard, which is the location of the two (2) remaining USTs. These wells will be monitored by our engineer for the purpose of determining floating product.
2. The closure of the two (2) USTs in the Anthony's Seafood courtyard by pumping, cleaning and filling them with an appropriate material under the supervision of our engineer and the Department. Sampling at these tanks will be taken at either the most visually stained sample with the highest head space reading or at the water table.
3. The two above-ground fuel tanks which are presently located in the southeastern corner of the property will remain in place, unused, for a period of time which at this time is expected to be two to three years. It may be beneficial to use either or both of these tanks for the purpose of fuel dispensing at the future marina, subject, however, to their being in a condition which would allow for their use. The tanks will be tested for their integrity. In

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the event these tanks do not pass muster, they will at that time be scrapped and new tanks will be installed. In any event, any installation of either the present tanks or any new replacement tanks will be in full compliance with the regulatory requirements at the time of installation, including containment facilities.

3. Lastly, certain areas on the site will be tested at a level of zero to 24" for lead content in excess of 500 ppm, as set forth on the enclosed plan, and as discussed at our meeting. The areas to be tested are at the location of SB24; SB23; SB25; SB26; SB27; SB28; SB35; SB6, 5 & 32 (one sample) and SB16 as set forth on the June, 1994 ESS report and SB14; B5 and SB15 from the TRC report. In the event the testing of any area indicates the presence of that substance above the appropriate level, the soil containing same will be scooped out, disposed of according to RIDEM regulations and replaced with clean fill.

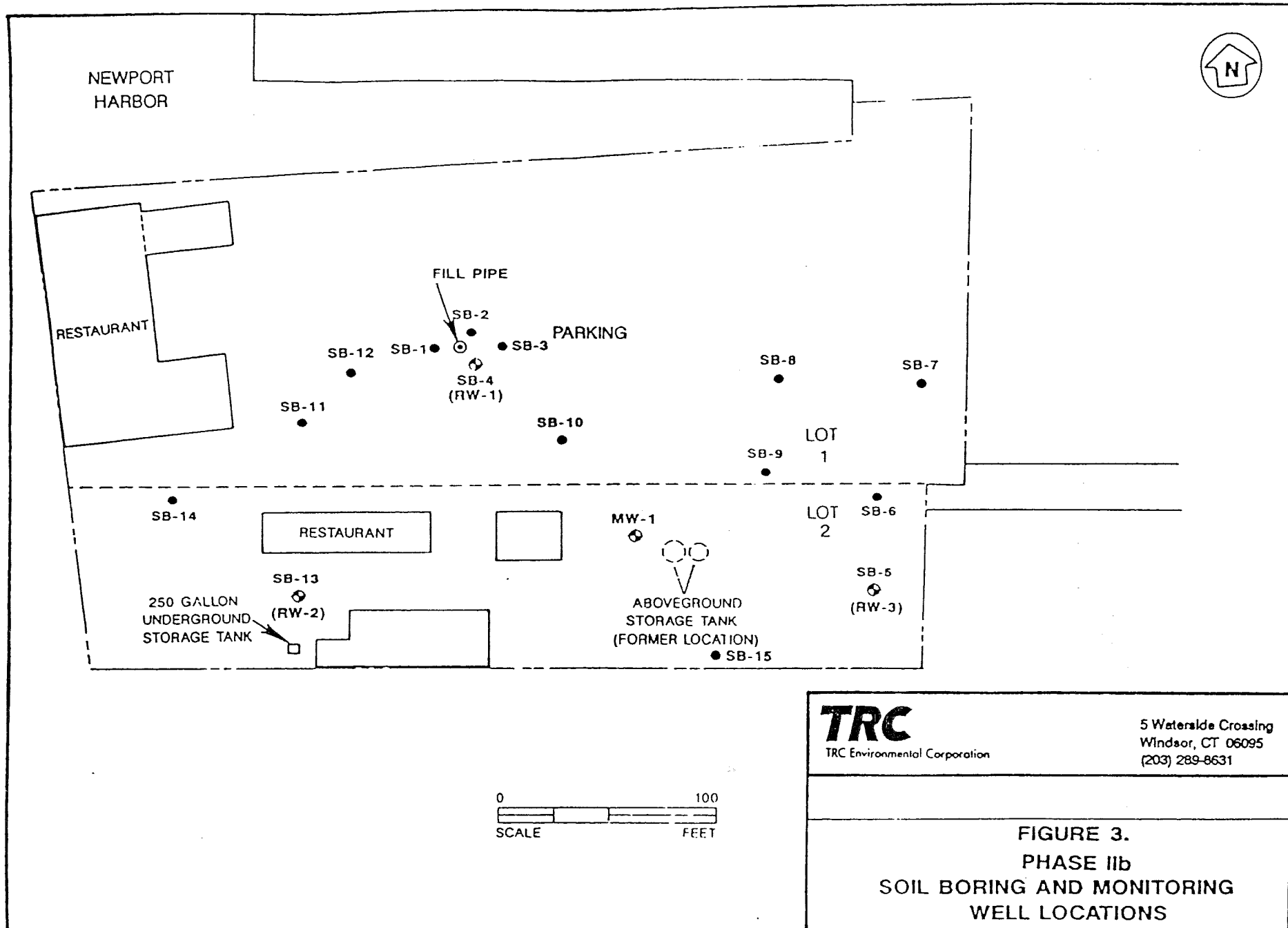
As a result of our meeting, the above appear to be the required steps to be taken in order for your Department to issue a letter of compliance to Harbour Realty in connection with the site. As you are aware, Harbour Realty is in the process of financing the construction of the marina to be constructed and the letter of compliance is a required document in order that any financing be released for construction.

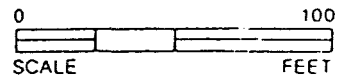
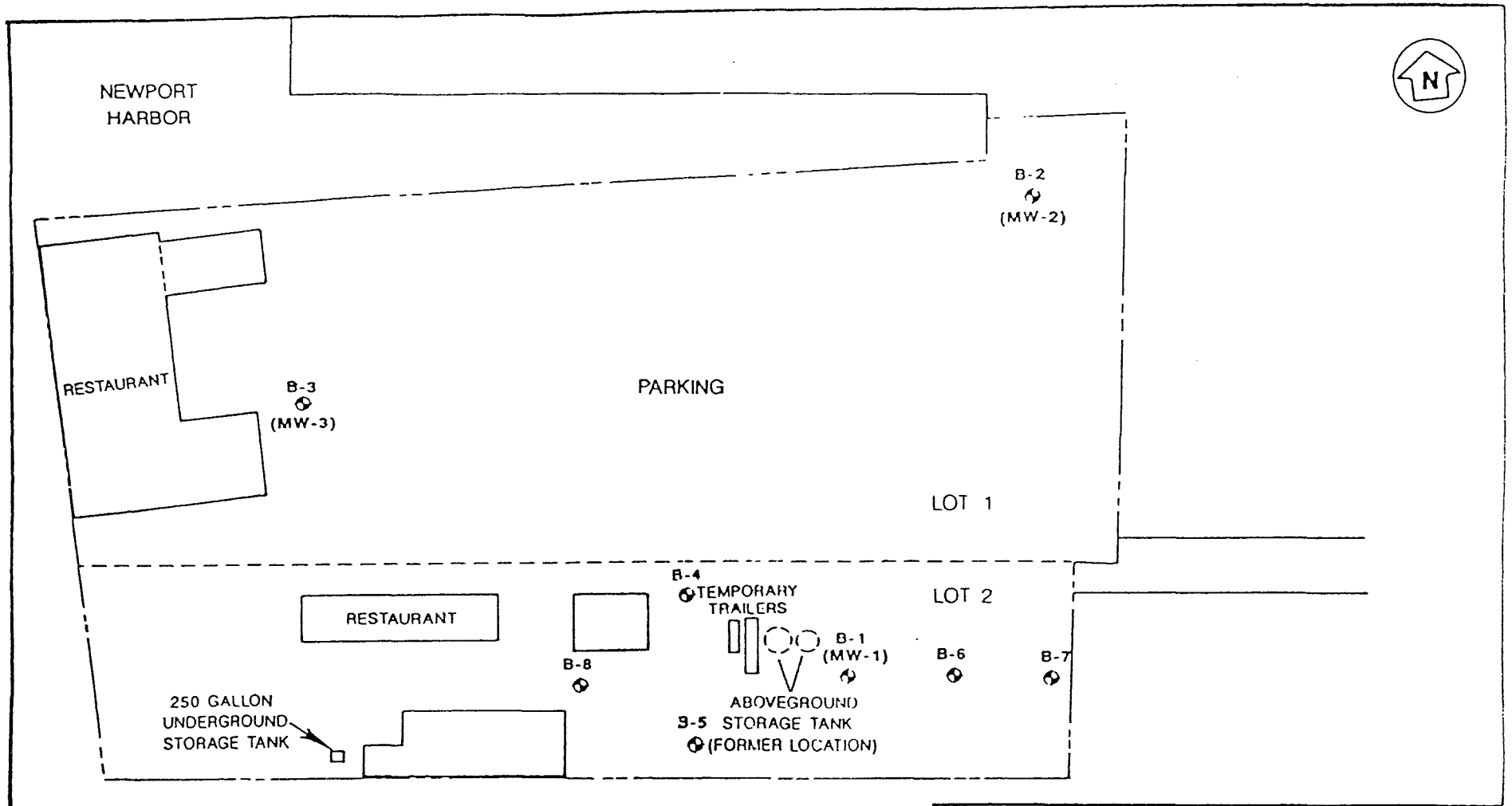
We intend to commence with the enclosed plan immediately. If you have any questions in connection with the steps outlined in this letter, please feel free to call. Our engineer will be in touch with your department shortly to implement the above described work.

With best wishes,

Very truly yours,

John T. Sheehan, Jr.
JTS:ej
enclosure
cc. Barbara Szepatowski, SAI
and faxed 1-401-521-4230





TRC
TRC Environmental Corporation

5 Waterlde Crossing
Windsor, CT 06095
(203) 289-8631

FIGURE 2.
PHASE IIa
SOIL BORING AND MONITORING
WELL LOCATIONS

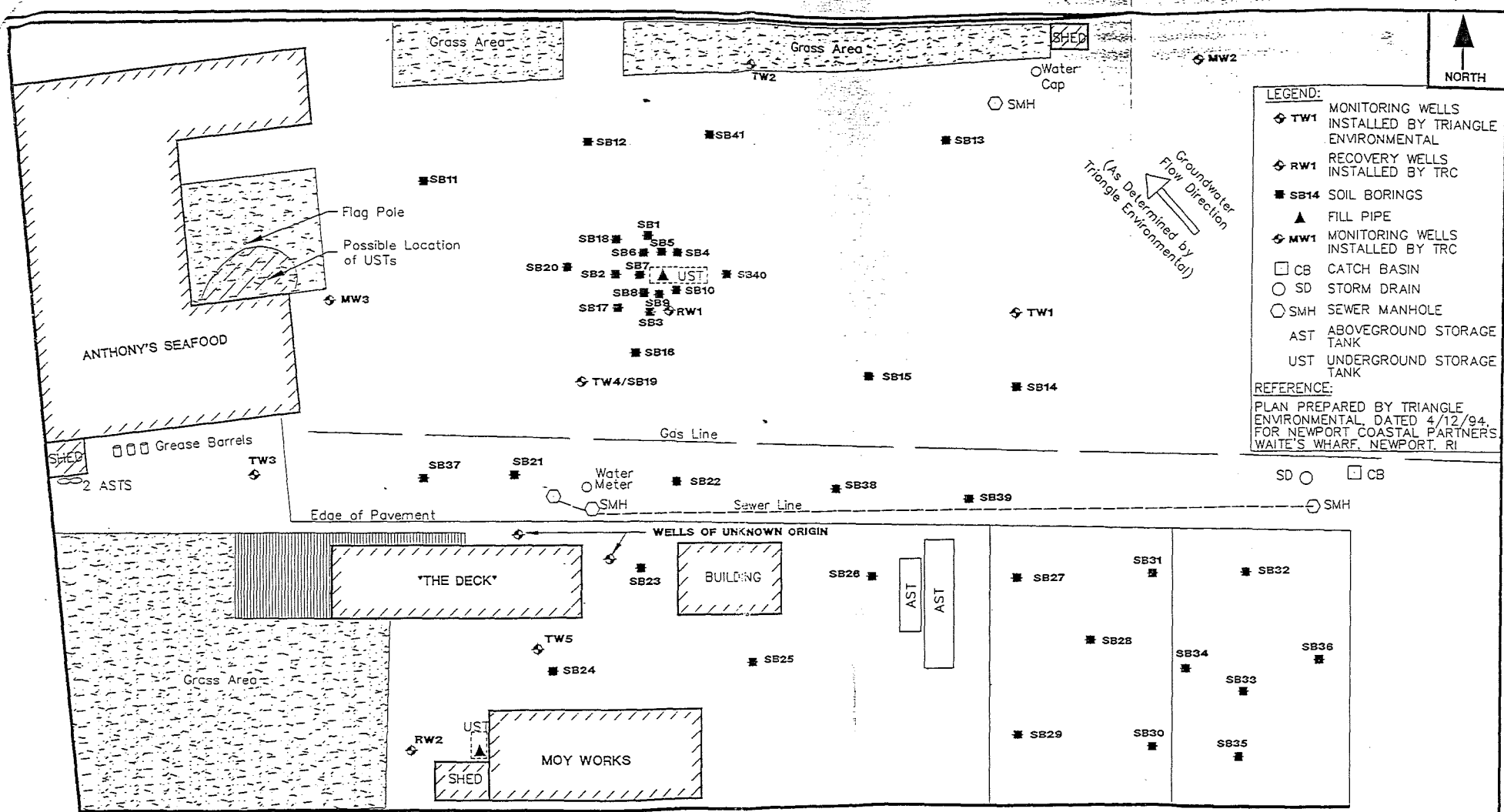


Figure 1:

Site Plan
Newport Coastal Partners
Waite's Wharf
Newport, Rhode Island

ENVIRONMENTAL SCIENTISTS, ENGINEERS, AND ANALYTICAL LABORATORY
 ENVIRONMENTAL SCIENCE SERVICES
 PROVIDENCE, RHODE ISLAND 02909 (401) 421-0398
 SCALE: 1"=30' DATE: June, 1994