



## RHODE ISLAND

### DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

OFFICE OF LAND REVITALIZATION & SUSTAINABLE MATERIALS MANAGEMENT

235 Promenade Street, Providence, Rhode Island 02908

#### **VOLUNTARY PROCEDURE LETTER**

**File No. SR-02-2085**

May 13, 2022

#### **CERTIFIED MAIL**

Chris Reynolds  
Brady Sullivan Properties  
670 North Commercial Street  
Manchester, NH 03101

RE: Robin Rug Manufacturing Facility  
125 Thames Street  
Bristol, Rhode Island  
Plat Map 10 / Lots 42, 43, 60, 61, 62, 73 & 76

Dear Mr. Reynolds:

On April 22, 2020, the Rhode Island Department of Environmental Management's (the Department) Office of Land Revitalization and Sustainable Materials Management (LRSMM) enacted the codified 250-RICR-140-30-1, Rules and Regulations for the Investigation and Remediation of Hazardous Material Releases (the Remediation Regulations). The purpose of these regulations is to create an integrated program requiring reporting, investigation, and remediation of contaminated sites in order to eliminate and/or control threats to human health and the environment in a timely and cost-effective manner. A Voluntary Procedure Letter (VPL) is a preliminary document used to define the relationship between the Department and a Performing Party under the Remediation Regulations. In the case of a Voluntary Procedure Letter, a Performing Party may be a Voluntary Party or a Bona Fide Prospective Purchaser.

Please be advised of the following facts:

1. The above referenced property is located at 125 Thames Street, Bristol, Rhode Island (the Site). The Site is further identified by the Town of Bristol Tax Assessor's Office as Plat Map 10 / Lots 42, 43, 60, 61, 62, 73 & 76.
2. The Department is in receipt of the following document:
  - a. Notification of Hazardous Material Release, received by the Department on May 5, 2022, and prepared by Nobis Engineering, Inc. dba Nobis Group (Nobis).
3. The above referenced document identifies concentrations of semi-volatile organic compounds (SVOCs), total petroleum hydrocarbons (TPH), and metals, specifically arsenic and lead, in Site soils that exceed the Department's Method 1 Direct Exposure Criteria, as referenced in

the Remediation Regulations. The above referenced document also identifies elevated concentrations of tetrachloroethylene (PCE) in soil gas samples at the Site.

4. Based on the presence and nature of these Hazardous Substances and petroleum hydrocarbons, the Department concurs that a Release of Hazardous Materials has occurred as defined by Sections 1.4(A)(33), 1.4(A)(34), 1.4(A)(59), and 1.4(A)(63) of the Remediation Regulations.

The Department requests that Brady Sullivan Properties, as Performing Party, provide the Department with the requested information listed below in order to complete the requirements of Section 1.8 of the Remediation Regulations:

1. If necessary, prior to the implementation of any additional site investigation field activities and in accordance with Section 1.8.7(A)(1) of the Remediation Regulations, Brady Sullivan Properties must notify all abutting property owners, tenants, easement holders, and the municipality that an investigation is about to occur. The notice should briefly indicate the purpose of the investigation, the work to be performed, and the approximate scheduled dates of activities. Please submit a draft notification to the Department via E-mail for review and approval prior to distribution. A boilerplate notification to be distributed can be found online at: <http://www.dem.ri.gov/programs/wastemanagement/site-remediation/index.php>.

The Department will require a copy of the public notice letter and a list of all recipients. Failure to comply with the aforementioned items may result in enforcement actions as specified in Rhode Island General Laws 23-19.1-17 and 23-19.1-18.

2. Conduct further investigation of the Site soil and groundwater, if warranted, in accordance with Section 1.8 of the Remediation Regulations.
3. Upon completion of the additional site investigation submit a Site Investigation Report (SIR) in accordance with Section 1.8 of the Remediation Regulations within ninety (90) days from the date of this letter. Given that some limited environmental investigation has already been performed at the Site, you may incorporate portions of the information already gathered and work already performed to address the items covered in Section 1.8. The SIR should include at least two remedial alternatives other than no action/natural attenuation and include future plans for the re-use or redevelopment (if applicable) of the property.
4. Submit an SIR checklist in accordance with Section 1.8.8 of the Remediation Regulations. The SIR checklist was created as a supplemental tool to expedite the review and approval process by cross-referencing the specific sections and pages within the SIR that provide the detailed information that addresses each stated requirement within Section 1.8 of the Remediation Regulations.
5. Upon approval by the Department of the SIR, be prepared to bring the Site into compliance with the Remediation Regulations.

Please be advised that Brady Sullivan Properties, as the Performing Party, is responsible for the proper investigation and remediation of hazardous substances and petroleum hydrocarbons at this site. Also be advised that any remedial alternative that proposes to leave contaminated media on-site at levels

which exceed the Department's Residential Direct Exposure Criteria, applicable Leachability Criteria, or applicable Groundwater Criteria will, at a minimum, necessitate the recording of an institutional control in the form of an Environmental Land Usage Restriction (ELUR) on the deed for the site, and will likely require implementation of additional engineered controls to restrict human exposure.

Please notify this office within seven days of the receipt of this letter of your plans to address these items. All correspondences should be sent to the attention of:

Michelle McLarney  
RIDEM / Office of Land Revitalization & Sustainable Materials Management  
235 Promenade Street  
Providence, RI 02908

If you have any questions regarding this letter or would like the opportunity to meet with Department personnel, please contact me by telephone at (401) 222-2797, ext. 2777158, or by E-mail at michelle.mclarney@dem.ri.gov.

Sincerely,



Michelle McLarney  
Environmental Engineer I  
Office of Land Revitalization &  
Sustainable Materials Management

cc: Kelly Owens, RIDEM/LRSMM  
Ashley Blauvelt, RIDEM/LRSMM  
Stephanie Cappelli, RIDEM/LRSMM  
Bettina Eames, Nobis Group  
Russell Karin, Russ-Russ Realty Co.