



RHODE ISLAND

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

OFFICE OF LAND REVITALIZATION & SUSTAINABLE MATERIALS MANAGEMENT
235 Promenade Street, Providence, Rhode Island 02908

REMEDIAL DECISION LETTER

File No. SR-02-2085

December 15, 2022

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. A Remedial Decision Letter (RDL) is a formal, written communication from the Department that approves a site investigation, identifies the preferred remedial alternative and authorizes the development of a Remedial Action Work Plan (RAWP) in order to achieve the objectives of the environmental clean-up.

In the matter of the above-referenced property (the Site), the Department's Office of LRSMM is in receipt of the following documentation submitted pursuant to the Remediation Regulations in response to the reported release at the Site:

1. Notification of Hazardous Material Release, received by the Department on May 5, 2022, and prepared by Nobis Engineering, Inc. dba Nobis Group (Nobis);
2. Phase I & II Environmental Site Assessment, dated July 26, 2005, received by the Department on August 1, 2022, and prepared by GZA Geoenvironmental, Inc. (GZA);
3. Phase I Environmental Site Assessment, received by the Department on August 1, 2022, and prepared by Nobis;
4. Phase II Limited Subsurface Investigation, received by the Department on August 1, 2022, and prepared by Nobis;

5. Site Investigation Report Addendum, received by the Department on August 2, 2022, and prepared by Nobis; and
6. Notification to Abutters, received by the Department on November 28, 2022, and prepared by Nobis.

Collectively, these documents define “Existing contamination” at the Site and fulfill the requirements of a Site Investigation Report (SIR) as described in Section 1.8.8 of the Remediation Regulations. In addition, according to our records, public notice was conducted to all abutting property owners, tenants, easement holders, and the municipality regarding the substantive findings of the completed investigation in accordance with Sections 1.8.7(A)(2) and 1.8.9 of the Remediation Regulations. The opportunity for public review and comment on the technical feasibility of the proposed remedial alternatives commenced on November 28, 2022 and the period closed on December 12, 2022. Public comment was received via phone regarding the potential for airborne contamination and/or fugitive dust during the implementation of the remedy, and this comment was responded to via phone on December 6, 2022 by the Department. No additional comments on the technical feasibility of the proposed remedy were received.

The preferred remedial alternative, as stated in the SIR, consists of the following conceptual measures:

- Limited excavation and off-site disposal of selective lead-impacted soils in the vicinity of TP-7 on Lot 10-76 to a licensed facility. Confirmatory sampling shall be conducted from the excavation sidewalls and base to verify any remaining soils are compliant with Method 1 Direct Exposure Criteria. Any remaining jurisdictional soils shall be encapsulated by a Department approved engineered control;
- The encapsulation of site soils that exceed the Department’s Method 1 Residential Direct Exposure Criteria (R-DEC) with Department approved engineered controls consisting of either a minimum of two (2) feet of clean fill, one (1) foot of clean fill underlain with a geotextile fabric, four (4) inches of pavement (asphalt or concrete) above six (6) inches of clean subgrade, or equivalent, and/or building foundations. Site soils in the western portion of the Site adjacent to Bristol Harbor that are within the boundary of the RI Coastal Resources Management Council (CRMC) shall be managed in accordance with all applicable CRMC regulations and requirements;
- The integrity of the cap shall be preserved through the recording of an Environmental Land Usage Restriction (ELUR) on the deed for the entire property (Plat Map 10 / Lots 42, 43, 60, 61, 62, 73 & 76). The ELUR shall require the performance of annual inspections to document the status of the ELUR and the condition of the engineered controls at the Site. The ELUR shall include a soil management plan (SMP), which will address post remediation activities that disturb onsite soils. The ELUR, once approved by the Department, shall be recorded for the property in the Land Evidence Records for the Town of Bristol and a recorded copy forwarded back to the Department within fifteen (15) days of recording; and

- Please note that given the detection of PCE in one sub-slab soil vapor sample, should the portion of the main mill building currently proposed as an open-air garage space be considered for residential usage, a sub-slab depressurization system (SSDS) shall be installed within the footprint of the building.

The Department hereby approves the SIR, with the above identified preferred remedial alternative, and requires a RAWP be submitted for review and approval, and implemented, to achieve the objectives of the environmental clean-up, in accordance with the following conditions:

1. In accordance with Sections 1.9 and 1.10 of the Remediation Regulations, a RAWP, ELUR, and SMP shall be submitted for Department review and approval within sixty (60) days from the date of this letter. The RAWP shall describe all of the technical details, engineer design elements, and schedules associated with the implementation of the proposed remedy. All of the subsections outlined in Section 1.10 of the Remediation Regulations must be included in order to facilitate the review and approval of the RAWP. If an item is not applicable to this Site, simply state that it is not applicable and provide an explanation in the RAWP.
2. Pursuant to Section 1.11.2 of the Remediation Regulations, an application fee for Remedial Action Approvals in the amount of one thousand (\$1,000.00) dollars shall be made payable to the State of Rhode Island General Treasurer and remitted to the Office of Management Services with the attached Remedial Action Approval Application Fee Form. Receipt of this Remedial Action Approval Application Fee is required prior to the Department's RAWP review.
3. Once the Department reviews the RAWP for consistency with Sections 1.9 and 1.10 of the Remediation Regulations, any written comments generated and forwarded as a result of the review(s) shall be incorporated forthwith into a RAWP Addendum, to be submitted for final approval.
4. Upon finalization of the RAWP, the Department will issue a Remedial Approval Letter (RAL), signifying Department approval. All remedial measures required by the Department shall be implemented, in accordance with the approved schedule, to ensure all applicable exposure pathways at the site are appropriately addressed.

Please be advised that the Department reserves the right to require additional actions under the aforementioned Remediation Regulations at the Property should any of the following occur:

- Conditions at the Site previously unknown to the Department are discovered;
- Information previously unknown to the Department becomes available;
- Policy and/or regulatory requirements change; and/or

- Failure by Brady Sullivan Properties or any future holder of any interest in the Property to adhere to the terms and conditions of the Department approved RAWP, schedule, RAL, ELUR and/or SMP for the Property.

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. 277-7158, 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
Rachel Simpson, RIDEM/LRSMM
Tim Andrews, Nobis Group
Russell Karin, Russ-Russ Realty Co.

Attachment: Remedial Action Approval Application Fee Form



**Rhode Island Department of Environmental Management
Office of Land Revitalization & Sustainable Materials Management**

REMEDIAL ACTION APPROVAL APPLICATION FEE FORM

Rule 10.02 of the Department's Rules and Regulations for the Investigation and Remediation of Hazardous Materials Releases, requires an application fee for Remedial Action Approvals in the amount of one thousand (\$1,000) dollars. Please submit this form and check, made payable to the State of Rhode Island General Treasurer, directly to:

**R.I. Department of Environmental Management
Office of Management Services- Rm 340
235 Promenade Street
Providence, RI 02908**

Please complete this page and attach it to the check or money order. This information must be provided to coordinate your fee with the application submitted.

Site Name: _____

Address: _____

Town/City: _____

File Number: _____

Contact Person: _____

Phone No: _____

RIDEM Project Manager: _____

FOR RIDEM OFFICE USE ONLY:

Fee Amount Received: _____

Date Received: _____

Check #: _____

Receipt Account:

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