



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF LEGAL SERVICES
235 Promenade Street, Room 425
Providence, Rhode Island 02908

June 20, 2024

Via e-mail only to rich@rilawcpa.com and rland@crflp.com

Richard Land (Special Master)
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AARE, LLC (Owner)
c/o Richard Nicholson, Esq.
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9 Thurber Blvd. Suite D
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Rhode Island Recycled Metals, LLC (Operator)
c/o Richard Nicholson, Esq.
Nicholson & Associates, LLC
9 Thurber Blvd. Suite D
Smithfield, RI 02917

RE: Site Investigation Report – Additional Details Regarding Proposed Remedy
Rhode Island Recycled Metals, LLC
434 Allen’s Avenue, Providence, R.I.
Plat 47, Lot 601
Plat 55, Lot 10

Dear Attorney Nicholson:

The Department of Environmental Management (the Department), Office of Land Revitalization and Sustainable Materials Management (LRSMM) reviewed the letter from Lake Shore Environmental dated April 1, 2024 (received April 2, 2024) entitled “Conceptual Remedy for On-Site Encapsulation of Regulated Soil,” for the above referenced property (the Site) in accordance with 250-RICR-140-30-1, Section 1.8 of the Rules and Regulations for the Investigation and Remediation of Hazardous Material Releases (the Remediation Regulations).

The Department is requiring a response to the below questions be submitted on or before **July 12, 2024**.

1. Area #1 – “existing narrow concrete slab at the southwest corner of the Site.” Provide detailed dimensions of the thickness of this existing concrete slab.
2. Area #1 – “new concrete pads...will consist of 4 inches of concrete.” Provide justification of how this proposed cap thickness will withstand any heavy equipment use, including detailing the types and approximate weights of equipment needed for future operations in this area.
3. Area #1 – “three to four inches of compacted ground asphalt tailings over crushed stone on top of an impervious liner.” Provide justification of how the proposed cap thickness and materials will withstand any heavy equipment use, including detailing the types and approximate weights of equipment needed for future operations in this area.
4. Area #2 – How will marine salvage fluids (fuels, lubricants, antifreeze, etc.) be managed to ensure that the proposed passive infiltration does not pose a future risk to groundwater quality or the bay?¹

In addition to answers to the above questions, the Department requires submission of a revised version of the “Site Plan Showing Details of Planned Engineering Controls Associated with Stormwater Infrastructure” that comports with the below requirements:

1. The Drawing must be clearer, all notes must be legible.
2. Provide the scale.
3. Show Area #1 and Area #2 on the Drawing.

Finally, please note that the revised Environmental Land Use Restriction (ELUR) will also be required to specify the frequency of cap inspections as well as maintenance and repair procedures.

Sincerely,

/s/ Jenna Giguere, Esq.

¹ Per Section 1.8.4(B) of the Remediation Regulations, remedial alternatives must be consistent with “current and reasonably foreseeable land usage...”