



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

17 January 2007

INTERIM REMEDIAL DECISION LETTER
Case No. 99-037

CERTIFIED MAIL

Michael Healy
Charbert- Division NFA
299 Church Street
Richmond, Rhode Island

RE: Charbert- Division NFA
299 Church Street
Richmond, Rhode Island

Dear Mr. Healy;

On 24 February 2004, the Rhode Island Department of Environmental Management (the Department) amended the 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. An Interim Remedial Decision Letter (IRDL) is a formal Department approval of a conceptual remedy proposed by the performing party as a result of the findings of the overburden portion of the site investigation.

The Department has the following documents on file in the matter of the above referenced property:

1. Environmental Audit/Phase 1 Investigation, Charbert, Inc, Church Street, Alton, Rhode Island, dated August 8, 1991, by Rizzo Associates (in UIC Files);
2. UIC Issues at Alton Operating/Charbert Facility, Richmond. Status Report of Charbert, Division of N.F.A. Corp. 299 Church Street, Town of Richmond, Alton, Rhode Island, dated March 19, 1997, by Clayton Environmental Consultants (in UIC Files);

3. Findings of the Lagoon #4 Sediment Investigation at Charbert, prepared by Clayton, dated 3 August 2001;
4. November 2003 Groundwater Sampling Report, Charbert, Division of N.F.A. Corporation, dated 17 February 2004;
5. Interim Site Investigation Report for Charbert, prepared by Clayton Group Services, dated 13 May 2004;
6. Deep Aquifer Investigation Interim Data Report and Monthly Progress Report #2, prepared by GZA dated 24 September 2004;
7. Stockpiled Soil Reuse Plan for the Charbert Facility, prepared by GZA, dated 13 April 2005;
8. Response to RIDEM Comment on the April 13, 2005 Stockpiled Soil Reuse Plan prepared by GZA, dated 29 April 2005;
9. Phase II Site Investigation Report and Drawings for the Charbert Facility, prepared by GZA, dated June 2005;
10. Phase II Site Investigation Responses to Comments for Charbert, Division of NFA, prepared by GZA, dated 18 August 2005;
11. Supplemental Site Investigation Report for Charbert prepared by GZA, dated 9 January 2006;
12. Bedrock Aquifer Evaluation Work Plan prepared by GZA, dated 15 March 2006;
13. Additional Sediment Sampling Supplemental Site Investigation Report prepared by GZA, dated 28 April 2006;
14. Old Lagoon 5 Sediments Supplemental Site Investigation Report prepared by GZA, dated 7 August 2006.

Collectively, these documents fulfill the requirements of a Site Investigation Report (SIR) for the overburden portion of the site investigation as described in Section 7.0 of the Remediation Regulations. In addition, according to our records, public notice was conducted to all abutting property owners, regarding the substantive findings of the completed investigation in accordance with Rules 7.07 and 7.09 of the Remediation Regulations and Item C (4) (t) of the 25 June 2005 executed Consent Agreement between the Department and Charbert, Division of NFA Corp (Charbert). The opportunity for public review and comment on the technical feasibility of the proposed remedial alternatives commenced on 12 October 2006 and ended on 9 November 2006. No comments were received. Hence, the Department offers its conceptual concurrence with the preferred remedial alternative as stated in the SIR for the overburden portion of the site investigation,

which includes the following remedial actions:

1. Treatment of the chlorinated hydrocarbons and petroleum hydrocarbon source areas through soil vapor extraction and air sparging, and/or enhanced reductive dehalogenation;
2. Installation of point-of-use water treatment systems at 14, 16 and 18 River Street (completed);
3. Source elimination of contaminant discharge to the on-site lagoons through the installation of a wastewater treatment facility, subject to the ability to obtain suitable permitting;
4. Management of residual groundwater contamination through groundwater containment and monitored natural attenuation;
5. Implementation of an Environmental Land Use Restriction (ELUR) on the title of the property.

Department approval of the above-proposed remedy is contingent upon the following stipulations:

- A. In accordance with the 7 August 2006 Old Lagoon 5 Sediments Supplemental Site Investigation Report, when the 2001/2004 soil stockpiles are moved from their current location, Charbert will make an effort to locate the Old Lagoon 5 sediments through a test pit exploration program. If the sediments are located, several samples will be collected for a suite of analysis similar to the 2001/2004-soil stockpile analysis. Charbert will evaluate this information with respect to relevant Department soil quality standards and appropriate remedial action will be taken.
- B. Charbert must provide the Department with a schedule for the completion of activities outlined in Stipulation A, above, and provide the Department with quarterly updates on the progress of environmental activities associated with this effort.
- C. Please be advised that public notice requirements of the Consent Agreement must be performed for each phase of the investigation including the Bedrock Aquifer Evaluation and the Lagoon 5 Sediment Exploration and Test Pit Program.

Also, in accordance with the Consent Agreement, Charbert has initiated a bedrock aquifer investigation. This investigation is to characterize any contaminants present in the bedrock aquifer that are related to the site based on the findings and results of the SIR. Please be advised that the Department shall only issue a final Remedial Approval Letter (RAL) for the entire site after satisfactory completion of the Lagoon 5 Sediment Exploration and Test Pit Program and the Bedrock Aquifer Evaluation and, if necessary, bedrock aquifer remedial action.

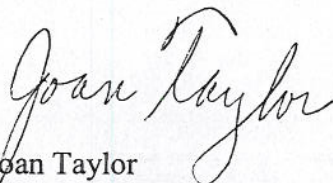
By 30 June 2007, Charbert must submit, for Department review and approval, an Interim Remedial Action Work Plan (IRAWP) for the overburden portion of the site investigation in accordance with Section 9.0 of the Remediation Regulations, which describes the technical details associated with the implementation of the remedy. In the event that Charbert is unable to complete the development of the overburden IRAWP by 30 June 2007, a written request for an extension must be submitted to the Department.

Once the Department reviews the IRAWP for consistency with Sections 8.0 and 9.0 of the Remediation Regulations, any written comments generated as a result of the review will be forwarded to you immediately. Upon finalization of the IRAWP, the Department will issue an Interim Remedial Approval Letter (IRAL) for the overburden portion of the site investigation, signifying that the Department approved IRAWP may be implemented.

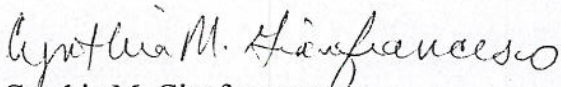
Pursuant to Rule 10.02 of the Remediation Regulations, an application fee for Remedial Action Approvals in the amount of one thousand (\$1,000) dollars must be made out to the State of Rhode Island General Treasurer and remitted to this office.

If you have any questions or are in need of any clarification regarding this document, please contact me by telephone at (401) 222 - 2797, extension 7514 or by e-mail at joan.taylor@dem.ri.gov.

Sincerely,


Joan Taylor
Senior Environmental Scientist
Office of Waste Management

Authorized by:


Cynthia M. Gianfrancesco
Principal Environmental Scientist
Office of Waste Management

cc: Matthew DeStefano, RIDEM - OWM
David Chopy, RIDEM, OCI
Edward Summerly, GZA
Mary Morgan, Town of Richmond
Clark Memorial Library - Charbert Repository