

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

Department of Environmental Management
DIVISION OF SITE REMEDIATION
291 Promenade Street
Providence, R.I. 02908-5767

LETTER OF COMPLIANCE

Case No. 96-012

March 5, 1996

Tom A. Abruzese
Harbor Realty, LLC
1 Commercial Wharf, Suite 27
Newport, RI 02840

RE: Waite's Wharf, Newport, RI

Dear Mr. Abruzese:

In the matter of the Waite's Wharf property in Newport, Rhode Island (Plat 32, Lots 155 and 268), Department personnel have reviewed the following documents:

Site Investigation Report - Plat 32, Lots 155 and 268, Waite's Wharf by Triangle Environmental, dated 28 May 1993.

Remedial Investigation Report - Plat 32, Lots 155 and 268, Waite's Wharf by Triangle Environmental, dated 28 April 1994.

Proposed Remedy - Waite's Wharf by Environmental Science Services, dated July 1994.

Letter from John Sheehan (Harbor Realty), to Joseph Martella (RIDEM/DSR), dated 25 October 1995, RE: Remedial Action Plan - Waite's Wharf, Newport, RI.

Letter from Bruce Catterall (RIDEM/DSR) to Tom Abruzese (Harbor Realty), dated 15 December 1995, RE: Waite's Wharf (LS 2236), Newport, RI. (Departmental concurrence with the closure in place of the underground storage tanks).

Letter from Barbara Szepatowski (SAI), to Joseph Martella (RIDEM/DSR), dated 28 December 1995, RE: Completion of RIDEM Required Remediation Plan, Waite's Wharf, Newport, Rhode Island. (Includes description of remedial work completed).

Letter from Barbara Szepatowski (SAI), to Joseph Martella (RIDEM/DSR), dated 21 February 1996, RE: Waite's Wharf, Newport, Rhode Island. (Includes TPH soil sampling analysis results).

Based on the findings of these reports and the information provided in these letters, the Rhode Island Department of Environmental Management, Division of Site Remediation has concluded that this property is in compliance with the Department's Rules and Regulations for the Investigation and Remediation of Hazardous Materials Releases at this time.

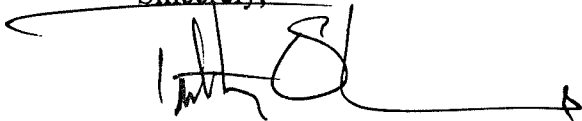
Be advised that the Department reserves the right to require additional actions under the aforementioned Regulations at the subject site should any of the following occur:

- A. Conditions at the site, previously unknown to the Department are discovered,
- B. Information, previously unknown to the Department becomes available
- C. Policy and/or regulatory requirements change or
- D. Planned usage of the property deviates in any way from commercial/industrial.

Nothing in this Letter of Compliance relieves the responsible party, nor the Site, from compliance with all other applicable State or Federal regulations.

If you have any further questions regarding this matter please direct them to Joseph Martella at (401) 277-3872 (x7109).

Sincerely,



Timothy O'Connor, P.E.
Supervising Engineer
Division of Site Remediation

cc: Terrence Gray, P.E. Chief, RIDEM/DSR
Bruce Catterall, Supervising Engineer, DSR/LUST
Joseph T. Martella II, Sanitary Engineer, RIDEM/DSR
Claude Cote Esq., Deputy Chief Legal Counsel, DEM Office of Legal Services
John T. Sheehan, Jr. Esq., Harbor Realty, LLC
Barbara Szepatowski, President, SAI