



RHODE ISLAND

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

OFFICE OF LAND REVITALIZATION & SUSTAINABLE MATERIALS MANAGEMENT

235 Promenade Street, Providence, Rhode Island 02908

REQUEST FOR RESPONSE TO PUBLIC COMMENTS

January 13, 2023

File No. SR-02-2085

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 the matter of the above-referenced property (the Site), the Department's Office of LRSMM is in receipt of the attached Questions From Abutters' Review public comment letter, submitted in accordance with §1.8.7(A)(2) and §1.8.9 of the Remediation Regulations, regarding the technical feasibility of the remedial actions proposed in the Site Investigation Report (SIR) Addendum. Some of the submitted comments address topics beyond the scope of the SIR and the Remediation Regulations, concerning the presence and abatement of hazardous building materials, such as lead-based paint. As such, a copy of this letter and attached comments is also being sent to the Rhode Island Department of Health (RIDOH).

Please review the attached comments, questions, and concerns and prepare written responses to each of them, as appropriate. A completed document, incorporating responses to all of the comments, must be submitted to the Department for review and approval. The Department will be conducting a review of comments specific to the Department and the Remediation Regulations, and will prepare responses to those comments, as applicable.

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
Michael Byrns, RIDOH
Tim Andrews, Nobis Group

Attachment: Questions From Abutters' Review Comment Letter

DATE: January 5, 2023

TO: Michelle McLarney
RI Department of Environmental Management
Office of Waste Management
235 Promenade St.
Providence, RI 02908-5767

FROM:

[REDACTED]

[REDACTED]

RE: Questions From Abutters' Review
Site Investigation
Robin Rug Manufacturing
125 Thames St.
Bristol, RI 02809

We thank you for granting an extension of the review time. Our questions and comments are mostly directed towards the parking lot East of the Robin Rug Building, but we have added commented on additional areas of concern. I have included questions from all neighbors who provided them.

Please Note:

There are several businesses within the abutting area. It is imperative that the businesses be informed of excessive noise and dust so they can make the necessary changes in their schedules to eliminate the potential business loss during remediation.

East of Thames St, Bristol PARKING LOT

DEM test Results

Regarding the hazardous material identified by DEM

- What is the Case and File Number for this hazard site analysis?
- What is the remediation plan for this hazard material on this site?
- How can we view and read the results of the soil tests? What are the steps to request access and review of the report and the remediation plan?

Dust Issues and Digging and Communication Timelines

- Will abutters be notified in advance of planned digs - dates, locations, purpose, depth, area involved so they can close windows, keep children, pets, etc. protected and safe?

- What is the timeline and schedule of all removal and remediation- How long will the process take?
- What will the developers do to help abutters if we feel dust from their work has contaminated our homes, vegetation, cars, etc.? Will there be tenting of the dig area to protect surrounding properties?
- What will be the process, if during remediation, it is determined that the area of contamination has spread to an abutter's property? If dug up and removed, how will the dust and debris be contained and not spread to abutters' yards, homes, gardens? Will the developer be required to remediate that as well and how do we oversee this?
- How close to the neighboring property lines will the digging and equipment be?
- How will the stated contaminants be remediated?
- If paved over, will future digging be illegal and fineable?
- What authorization, inspections, certifications were conducted prior to previous extensive digging and hazardous material containment in the subject parking lot within the past year?
- Will we have a direct DEM contact should we feel the developer is failing to protect us and our properties from contaminants?
- Will there be a liaison assigned between the DEM, Town Administration and direct abutters so we have oversight during the abatement and remediation?

Regarding the project buildings on the east side of Thames that abut neighbors, there is lead based paint on those buildings. Some of them are peeling paint chips and sheets that are blown around the neighborhood with winds, rain, etc. Paint chip tests have shown positive for lead.

Previously, two (2) digs were conducted in the east side parking lots: One was directly next to the 341 Hope St, Bristol, RI 02809 back yard Carriage House, dug by a backhoe to about 6 ft or more, while searching for a ground fuel tank and a hole was dug, work was conducted, the hole refilled and paved over, on the easternmost driveway from Thames St. More digging will be required for drainage, containment, utilities, curbing, parking place stops, etc. How will these contaminated areas be inspected, contained, authorized, handled?

In order to correct the previous 2 digs mentioned above where no notification was given prior to digging,

- What procedures and processes will be required for these buildings to test, remove and seal lead paint and dust prior to sale?
- If not conducted prior to sale, what firm, written commitments will be required and enforced prior to sale, to ensure the problems are fixed and neighbors are informed at any point during removal.

In summary, contaminants attributed to fill materials and/or incomplete combustion were detected in areas throughout the paved parking area. As these portions of the site directly abut our properties, and thus pose a risk exposure potential, we expect that the Department will require strict adherence to the project's specifications and Soils Management Plan, including pavement thickness and compaction, soil loading, unloading and storage, and dust control measures, and will be maintained throughout construction of the paved parking areas.

As neighbors we will notify the Department should we observe deviations from these requirements, but the responsibility should not and must not be placed on the abutters. It is the developer's responsibility and liability.

We feel that it is important to keep communication lines open and have contacts assigned to us to keep our quality of life as little interrupted as possible. We do want to work collaboratively as we have demonstrated in our letters thus far.

We also would very much the opportunity to have a joint meeting to include some leaders of our town so that there will be point people assigned or communicated as the project begins to unfold.

Sincerely, for the signed abutters listed

[REDACTED]