

LAW OFFICES
Mal A. Salvatore, Ltd.
A PROFESSIONAL CORPORATION

Mal A. Salvatore, Esq.^o
Nancy M. Davis, Esq., of counsel†
Also Member:
o Florida Bar
† Massachusetts Bar

The Calart Tower
400 Reservoir Avenue
Providence, Rhode Island 02907

RECEIVED
D.E.M. / O.W.M.

401-780-8686
Fax 401-941-5535

2004 MAY -7 P 3: 14

May 5, 2004

Jeffrey Crawford, Principal Environmental Scientist
Office of Waste Management
235 Promenade Street
Providence, RI 02908-5767

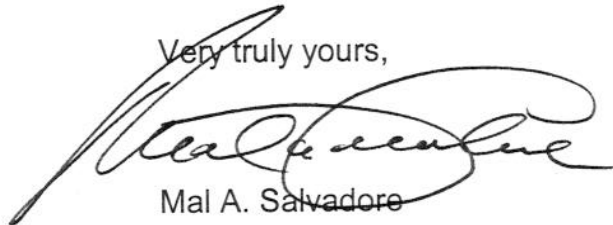
Via Certified Mail Return Receipt

Re: City of Providence; Case No. 99-018; OWM SR 2004-006

Dear Jeff:

In accordance with our telephone conversation today, enclosed please find a copy of the recorded Environmental Land Usage Restriction regarding the above. Should you have any questions, please call.

Very truly yours,



Mal A. Salvatore

Cc: Alan Sepe, Director of Public Property, City of Providence

FILE COPY

ENVIRONMENTAL LAND USAGE RESTRICTION RECEIVED
D.E.M. / O.W.M.

This Declaration of Environmental Land Usage Restriction ("Restriction") is made on this 25TH day of APRIL, 2009 by The Providence Public Buildings Authority of the City of Providence, State of Rhode Island, a public body corporate and politic, and an instrumentality and agency of the City, having a distinct legal existence from the City, and its successors and/or assigns (the "Grantor").

WITNESSETH:

WHEREAS, the Grantor is the owner in fee simple of certain real property identified as Assessor's Plat 115, Lots 97, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 180, 181, 182, 183, 184, 185, 186, 187, 188, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 259, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 308, 309, 310, 311, 312, 313, 314 and 315; HARTFORD REDEVELOPMENT PLAN, Springfield Street, Providence, Rhode Island (the "Property"), more particularly described on Exhibit A (Legal Description) attached hereto and made a part hereof;

WHEREAS, the Property has been determined to contain soil which is contaminated with certain hazardous substances in excess of applicable residential direct exposure criteria pursuant to the Remediation Regulations; and

WHEREAS, the Grantor has determined that the environmental land use restrictions set forth below are consistent with the regulations adopted by the Rhode Island Department of Environmental Management ("Department") pursuant to R.I.G.L. § 23-19.1-14; and

WHEREAS, written approval of these restrictions are contained in the Department's correspondence entitled the Remedial Decision Letter dated December 28, 1999 and the Order of Approval dated June 4, 1999, both issued pursuant to the Remediation Regulations; and

WHEREAS, the Property, as identified in the attached Exhibit A and in the Site Investigation Report ("SIR") dated March 25, 1999 and the Remedial Action Work Plan ("RAWP") dated May 1999, (SIR and RAWP on file with the Department and made part hereof), has been determined to contain hazardous substances in soils in excess of Department criteria in the Remediation regulations specifically the Residential Direct Exposure Criteria; and

WHEREAS, to prevent exposure to or migration of the hazardous substances and to abate hazards to human health and/or the environment, the Grantor desires to impose certain restrictions upon the use, occupancy and activities of and at the Property; and

FILE COPY

WHEREAS, the Grantor believes that this Restriction will effectively protect public health and the environment from such contamination; and

WHEREAS, the Grantor intends that such restrictions shall run with the land and be binding upon and enforceable against the Grantor and its successors and assigns.

NOW, THEREFORE, Grantor agrees as follows:

- A. Purpose:** The purpose of this Restriction is to assure:
- i. That the Property is not used for residential activities; and
 - ii. That groundwater under the Property is not used for potable purposes; and
 - iii. That the engineered controls described in the RAWP are not disturbed and are properly maintained to prevent humans engaged in residential activity from being exposed to soils at the Site containing hazardous substances in concentrations exceeding the applicable Department approved residential direct exposure criteria pursuant to the Remediation Regulations and/or that water does not infiltrate soils at the Site containing hazardous substances in concentrations exceeding the applicable Department approved leachability criteria pursuant to the Remediation Regulations.
- B. Restrictions Applicable to the Property:** In furtherance of the purposes of this Restriction, the Grantor shall assure that the use, occupancy and activity of and at the Property are restricted as follows:
- i. No residential use of the Property shall be permitted; and
 - ii. No groundwater at the Property shall be used as potable water; and
 - iii. Soil at the Site shall not be disturbed in any manner without written permission of the Department's Office of Waste Management, except as permitted in the RAWP approved by and filed with the Department in a written approval letter dated June 4, 1999. A map of the Site showing the restricted areas, as referenced in Item #2 of the Department's June 4, 1999 Approval Order is attached (with that Approval Order) as Exhibit B.
- C. No action shall be taken, allowed, suffered, or omitted if such action or omission is reasonably likely to:**
- i. Create a risk of migration of hazardous substances or potential hazard to human health or the environment; and

FILE COPY

- ii. Result in the disturbance of the structural integrity of any engineering controls designed or utilized at the Site to contain hazardous substances or limit human exposure to hazardous substances except as permitted in the Department-approved RAWP which is on file with the Department.

D. Emergencies: In the event of any emergency which presents a significant risk to human health or to the environment, including but not limited to maintenance and repair of utility lines or a response to emergencies such as fire or flood, the application of Paragraphs B and C above may be suspended, provided such risk cannot be abated without suspending such Paragraphs and the Grantor complies with the following:

- i. Notifies in writing the RIDEM Office of Waste Management (the "Department") of the emergency as soon as possible but no more than three (3) business days after having learned of the emergency; (This does not remove the Grantor's obligation to notify any other necessary state, local or federal agencies.); and
- ii. Limits both the extent and duration of the suspension to the minimum reasonable and necessary to adequately respond to the emergency; and
- iii. Implements reasonable measures necessary, at that time, to actual and potential, present and future risk to human health and the environment resulting from such suspension; and
- iv. At the time of written notification to the RIDEM, the notifying party shall communicate their intentions to conduct the emergency response actions and provide a schedule to complete the emergency response actions; and
- v. Continue to implement the emergency response actions, on the schedule submitted to the Department, to ensure that the Property is remediated in accordance with the Remediation Regulations (and/or applicable variance) or restored to its condition prior to such emergency. Based upon information available to the Department at the time of execution pertaining to environmental conditions of the Property, maintenance and repair of utility lines shall only require restoration of the Property to its condition prior to the maintenance and repair of the utility lines; and
- vi. At the completion of the emergency response action, the property owner or his representative shall submit to the Department a status report describing the emergency activities, which have been completed.

E. Release of Restriction; Alterations of Subject Area: The Grantor shall not make, or allow or suffer to be made, any alteration of any kind in, to or about any portion of any of the Property inconsistent with this Restriction unless the Grantor has first received the Department's written approval of such alteration. If the Department determines that the proposed alteration is significant, it may require the amendment of this Restriction. Insignificant alterations will be approved by the Department via a letter from the

Department. The Department shall not approve any such alteration and shall not release the Property from the provisions of this Restriction unless the Grantor demonstrates to the Department's satisfaction that Grantor has managed the Property in accordance with applicable regulations.

- F. Notice of Lessees and Other Holders of Interest in the Property:** The Grantor, or any future holder of any interest in the Property, shall cause any lease, grant or other transfer of any interest in the Property to include a provision expressly requiring the lessee, grantee or transferee to take subject to this restriction. The failure to include such provision shall not affect the validity or applicability to the Property of this Restriction.
- G. Severability and Termination:** If any court of competent jurisdiction determines that any provision of this Restriction is invalid or unenforceable, the Grantor shall notify the Department in writing within 14 days of such determination.
- H. Binding Effect:** All of the terms, covenants and conditions of this Restriction shall run with the land and shall be binding on the Grantor, the Grantor's successors and assigns, and each owner and any other party entitled to possession or use of the Property during such period of ownership or possession.
- I. Inspection & Non-Compliance:** It is the obligation of the Grantor or any future holder of any interest in the Property, to provide for annual independent inspections of the Property for compliance with the Restriction. A qualified environmental professional, on behalf of the Grantor or any future holder of any interest in the Property, will evaluate the compliance status of the Property on an annual basis. Upon completion of the evaluation, the environmental professional will prepare and simultaneously submit an evaluation report to the Grantor or any future holder of any interest in the Property and the Department detailing the findings of the inspection and noting any compliance violations at the Property. If the Property is determined to be out of compliance with the terms of the Restriction, the Grantor or any future holder of any interest in the Property will submit a corrective action plan in writing to the Department within ten (10) days of receipt of the evaluation report, indicating the plans to bring the Property into compliance with the Restriction, including at a minimum, a schedule for implementation of the plan. The Restriction imposes requirements the compliance with which may be determined by an officer or director designated by the Grantor with direct knowledge of past and present conditions of the Property (the "Grantor's Representative"), rather than an environmental professional, and the Grantor, or its successor or assign of its interest in the property may designate the Grantor's Representative to prepare and file such annual report.

In the event that the Grantor or any future holder of any interest in the Property commits a substantial violation of the terms of this Restriction which remains uncured for more than 90 days after written notice of the violation, this Restriction and all other approvals and agreements relating to the Property shall be null and void at the option of the Department upon recording such notice in the land evidence records of the City of Providence.

FILE COPY

J. **Terms Used Herein:** The definitions of terms used herein shall be the same as the definitions contained in Section 3 (DEFINITIONS) of the Remediation Regulations.

It is so agreed:

The Providence Public Buildings Authority
Grantor

By: Lloyd W Granoff, Chair
Lloyd Granoff, Chairperson

Date: APRIL 25, 2003

So Sworn Before me:

[Signature]
Notary Public

Date: APRIL 25, 2003

My Commission Expires:

JULY 5, 2005

FILE COPY

EXHIBIT A

Legal Description - Springfield Street School Site in Providence, Rhode Island

FILE COPY

Job No. 5432

March 5, 1999

PROPOSED DEED DESCRIPTION
FOR
LOTS 114-116 PLAT 115
99-H-1

That certain tract or parcel of land with all buildings and improvements thereon situated on the westerly side of Springfield Street in the City of Providence, County of Providence, State of Rhode Island is herein bounded and described;

Beginning at the most southerly corner of the herein described parcel said point being located at the intersection of the easterly street line of Seton Street with the westerly street line of Springfield Street;

thence proceeding north $27^{\circ}-50'-10''$ west along the easterly street line of Seton Street a distance of one hundred three and $20/100$ (103.20') feet to a point, said point being the intersection of the easterly street line of Seton Street with the southerly street line of Burchard Street;

thence proceeding north $62^{\circ}-09'-50''$ east along the southerly street line of Burchard Street a distance of fifty six and $82/100$ (56.82') feet to a point, said point being the intersection of the southerly street line of Burchard Street with the westerly street line of Springfield Street;

thence proceeding south $01^{\circ}-00'-00''$ west along the westerly street line of Springfield Street a distance of one hundred seventeen and $81/100$ (117.81') feet to the point and place of beginning.

Said parcel contains 2,932 square feet or 0.07 acres more or less.

FILE COPY

Job No. 5432

Revised 6/05/99

PROPOSED DEED DESCRIPTION
FOR
LOTS 117-126, A PORTION OF LOTS 131,132 & 133-144, PLAT 115
99-H-2 THRU 99-H-9

That certain tract or parcel of land with all buildings and improvements thereon situated westerly of Emperor Street in the City of Providence, County of Providence, State of Rhode Island is herein bounded and described;

Beginning at the most southwesterly corner said corner being located at the intersection of the easterly street line of Seton Street and the northerly street line of Burchard Street;

thence proceeding north $27^{\circ}-50'-10''$ west along the easterly street line of Seton Street a distance of four hundred and $00/100$ (400.00') feet to a point;

thence proceeding north $62^{\circ}-09'-50''$ east a distance of eighty and $00/100$ (80.00') feet to a point, bounded northerly by land now or formerly of Armand L. & Dorothy M. Beaumier;

thence proceeding north $27^{\circ}-50'-10''$ west a distance of eighty and $00/100$ (80.00') feet to a point, bounded westerly in part by land now or formerly of Armand L. & Dorothy M. Beaumier;

thence proceeding north $23^{\circ}-48'-34''$ east a distance of one hundred two and $02/100$ (102.02') feet to a point said point being the intersection of the southerly street line of Thornton Street with the westerly street line of Emperor Street;

thence proceeding south $27^{\circ}-50'-10''$ east along the westerly street line of Emperor Street a distance of three hundred eighty five and $90/100$ (385.90') feet to a point, said point being the intersection of the westerly street line of Emperor Street with the westerly street line of Springfield Street;

thence proceeding south $01^{\circ}-00'-00''$ west along the westerly street line of Springfield Street a distance of one hundred seventy nine and $69/100$ (179.69') feet to a point, said point being the intersection of the westerly street line of Springfield Street with the northerly street line of Burchard Street;

thence proceeding south $62^{\circ}-09'-50''$ west along the northerly street line of Burchard Street a distance of seventy three and $34/100$ (73.34') feet to the point and place of beginning.

Said parcel contains $66,113 \pm$ square feet or 1.5 acres more or less.

FILE COPY

Job No. 5432

March 5, 1999

PROPOSED DEED DESCRIPTION
FOR
LOTS 145-149 PLAT 115
99-H-10

That certain tract or parcel of land with all buildings and improvements thereon situated on the westerly side of Springfield Street in the City of Providence, County of Providence, State of Rhode Island is herein bounded and described;

Beginning at a point, said point being located at the intersection of the westerly street line of Springfield Street with the easterly street line of Emperor Street;

thence proceeding north $27^{\circ}-50'-10''$ west along the easterly street line of Emperor Street a distance of two hundred nineteen and $20/100$ ($219.20'$) feet to a point, said point being the intersection of the easterly street line of Emperor Street with the southerly street line of Thornton Street;

thence proceeding south $89^{\circ}-00'-00''$ east along the southerly street line of Thornton Street a distance of one hundred five and $72/100$ ($105.72'$) feet to a point, said point being the intersection of the southerly street line of Thornton Street with the westerly street line of Springfield Street;

thence proceeding south $01^{\circ}-00'-00''$ west along the westerly street line of Springfield Street a distance of one hundred ninety two and $02/100$ ($192.02'$) feet to the point and place of beginning;

Said parcel contains $10,150 \pm$ square feet or $0.23 \pm$ acres more or less.

FILE COPY

Job No. 5432

Revised 6/05/99

PROPOSED DEED DESCRIPTION
FOR
LOTS 150-155, 180-188 PLAT 115
99-H-11 THRU 99-H-15

That certain tract or parcel of land with all buildings and improvements thereon situated on the southwesterly side of Stanfield Street in the City of Providence, County of Providence, State of Rhode Island is herein bounded and described;

Beginning at the intersection of the southwesterly street line of Stanfield Street with the northerly street line of Thornton Street;

thence proceeding north $89^{\circ}-00'-00''$ west along the northerly street line of Thornton Street a distance of one hundred seven and $34/100$ (107.34') feet to an angle in Thornton Street;

thence proceeding north $27^{\circ}-50'-10''$ west along the easterly street line of Emperor Street a distance of eighty two and $57/100$ (82.57') feet to an angle in Thornton Street;

thence proceeding south $71^{\circ}-06'-50''$ west along the northerly street line of Thornton Street a distance of fifty four and $19/100$ (54.19') feet to a point;

thence proceeding north $39^{\circ}-07'-39''$ west a distance of one hundred seventy and $52/100$ (170.52') feet to a point, bounded westerly by land now or formerly of Evelyn Beaumier;

thence continuing north $39^{\circ}-07'-39''$ west along the terminus of said Woodfall Street a distance of forty two and $63/100$ (42.63') feet to a point on the northerly street line of Woodfall Street;

thence continuing north $39^{\circ}-07'-39''$ west a distance of eighty five and $27/100$ (85.27') feet to a point;

thence proceeding south $71^{\circ}-06'-50''$ west a distance of one hundred twenty seven and $50/100$ (127.50') feet to a point, the last 2 courses bounded westerly and southerly by land now or formerly of Nora & Ethel Friedman;

thence proceeding north $18^{\circ}-53'-10''$ west a distance of eighty and $00/100$ (80.00') feet to a point on the southerly street line of Stanfield Street, bounded westerly by land now or formerly of Anthony S. Otrando;

FILE COPY

thence proceeding north $71^{\circ}-06'-50''$ east along the southerly street line of Stanfield Street a distance of two hundred thirteen and $22/100$ (213.22') feet to an angle in Stanfield Street;

thence proceeding south $40^{\circ}-05'-36''$ east along the westerly street line of Stanfield Street a distance of five hundred twelve and $79/100$ (512.79') feet to the point and place of beginning.

Said parcel contains $59,642 \pm$ square feet or $1.4 \pm$ acres more or less.

FILE COPY

Job No. 5432

Revised 6/05/99

PROPOSED DEED DESCRIPTION
FOR
LOTS 240-256 PLAT 115
99-H-17

That certain tract or parcel of land with all buildings and improvements thereon situated southerly of Hartford Avenue in the City of Providence, County of Providence, State of Rhode Island is herein bounded and described;

Beginning at the intersection of the southerly street line of Hartford Avenue with the westerly street line of Diana Street, thence proceeding south 01°-00'-00" west along the westerly street line of Diana Street a distance of seventy two and 94/100 (72.94') feet to the point and place of beginning of the herein described parcel;

thence proceeding south 01°-00'-00" west along the westerly street line of Diana Street a distance of four hundred ninety nine and 23/100 (499.23') feet to a point, said point being at the intersection of the westerly street line of Diana Street with the northeasterly street line of Stanfield Street;

thence proceeding north 40°-05'-36" west along the northeasterly street line of Stanfield Street a distance of two hundred forty three and 44/100 (243.44') feet to a point, said point being the intersection of the northeasterly street line of Stanfield Street with the easterly street line of Wright Street;

thence proceeding north 01°-00'-00" east along the easterly street line of Wright Street a distance of three hundred sixty five and 77/100 (365.77') feet to a point;

thence proceeding south 89°-00'-00" east a distance of eighty and 00/100 (80.00') feet to a point, bounded northerly by land now or formerly of Junction Human Services Corporation;

thence proceeding south 01°-00'-00" west a distance of fifty and 00/100 (50.00') feet to a point, bounded easterly by land now or formerly of Corporation of the Holy Cross;

thence proceeding south 89°-00'-00" east a distance of eighty and 01/100 (80.01') feet to the point and place of beginning, bounded northerly by land now or formerly of Corporation of the Holy Cross and land now or formerly of Joseph Dilorenzo;

Said parcel contains 69,204± square feet or 1.6± acres more or less:

FILE COPY

Job No. 5432

March 5, 1999

PROPOSED DEED DESCRIPTION
FOR
LOTS 97, 259-283 PLAT 115
99-H-18 THRU 99-H-32

That certain tract or parcel of land with all building and improvements thereon situated on the southerly side of Hartford Avenue, City of Providence, County of Providence, State of Rhode Island is herein bounded and described;

Beginning at the intersection of the southerly street line of Hartford Avenue with the westerly street line of Springfield Street;

thence proceeding south $01^{\circ}-00'-00''$ west along the westerly street line of Springfield Street a distance of seven hundred five and $17/100$ (705.17') feet to a point, said point being located at the intersection of the westerly street line of Springfield Street with the northeasterly street line of Stanfield Street;

thence proceeding north $40^{\circ}-05'-36''$ west along the northeasterly street line of Stanfield Street a distance of two hundred forty three and $44/100$ (243.44') feet to a point, said point being at the intersection of the northeasterly street line of Stanfield Street with the easterly street line of Diana Street;

thence proceeding north $01^{\circ}-00'-00''$ east along the easterly street line of Diana Street a distance of five hundred ninety eight and $77/100$ (598.77') feet to a point, said point being located at the intersection of the easterly street line of Diana Street with the southerly street line of Hartford Avenue;

thence proceeding south $63^{\circ}-17'-00''$ east along the street line of Hartford Avenue a distance of one hundred seventy seven and $60/100$ (177.60) feet to the point and place of beginning.

Said parcel contains $104,321 \pm$ square feet or $2.39 \pm$ acres more or less.

FILE COPY

Job No. 5432

Revised 6/05/99

PROPOSED DEED DESCRIPTION

FOR

LOTS 308-315 PLAT 115

99-H-33 THRU 99-H-35

That certain tract or parcel of land with all buildings and improvements thereon situated on the easterly side of Springfield Street in the City of Providence, County of Providence, State of Rhode Island is herein bounded and described;

Beginning at the most southwesterly corner of the herein described parcel said point being located at the intersection of the easterly street line of Springfield Street with the northerly street line of Burchard Street;

Thence proceeding north 01° -00'-00" east along the easterly street line of Springfield Street a distance of three hundred twenty and 00/100 (320.00') feet to a point;

Thence proceeding south 89° -00'00" east a distance of eighty and 00/100 (80.00') feet to a point;

Thence proceeding south 01° -00' 00" west a distance of three hundred twenty and 00/100 (320.00') feet to a point, on the northerly street line of Burchard Street, bounded easterly by land now or formerly of Maria Carbone, Tnnya D. Fuller-Balletta, Richard L. & Cecelia Gallagher, Jamie R. Laskey, Theresa P. Maynard, and Renegade, Inc.;

Thence proceeding north 89° -00'-00" west along the northerly street line of Burchard Street a distance of eighty and 00/100 (80.00') feet to the point and place of beginning.

Said parcel contains 25,600 square feet or 0.59 acres more or less.

FILE COPY

EXHIBIT B

Springfield Street School Site Map, Providence, Rhode Island, Showing Restricted Areas as Referenced in the Department's June 4, 1999 Approval Order (attached)

FILE COPY

2576073258



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-831-5508

CERTIFIED MAIL

June 4, 1999

Mr. Alan Sepe, Director
Division of City Property
City of Providence
25 Dorrance Street
Providence, R.I. 02903

RE: Remedial Action Order of Approval for the Springfield Street Schools
Providence, R.I. OWM Case #99-018
Assessor's Plat Map 115, Lots 97, 114-126, 132-155, 179-188, 215-218, 234-237
240-256, 259, 261-283, 309-315.

Dear Mr. Sepe:

Enclosed please find the Order of Approval which was issued for the proposed remediation plan at the abovereferenced facility. Please review the stipulations of this Order thoroughly to ensure your compliance with the requirements. If you have any questions regarding this matter, please contact Jeffrey Crawford 222-2797 x7102.

This Order shall be recorded in the land evidence records of the City of Providence as required by law and a recorded copy returned within 5 days to this Office.

Sincerely,

Leo Hellested P.E., Acting Chief
Office of Waste Management
Department of Environmental Management

cc: Greg Fine, Supervising Engineer, RIDEM/OWM
Claude Cote, Esq., RIDEM/Office of Legal Services
Jeffrey Crawford, Principal Environmental Scientist, RIDEM/OWM

FILE COPY

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

Case #99-018

In the matter of the application
or Remedial Action Approval at:
Springfield Street, Providence
Plat Map 115

(Lots 97, 114-126, 132-155, 179-188, 215-218, 234-237, 240-256, 259, 261-283, 309-315)

ORDER OF APPROVAL

In the above entitled matter wherein City of Providence, the following documents were filed and/or on record with the Rhode Island Department of Environmental Management (RIDEM):

Notification at the RI Department of Environmental Management, Office of Waste Management on February 17, 1999; Preliminary Soil Sampling Results acknowledging jurisdiction dated March 10, 1999; Immediate Compliance Order issued to the City of Providence and O. Ahlberg & Sons, Inc. dated March 19, 1999; Site Investigation Report dated March 25, 1999 by ATC Associates, Inc.; Additional Groundwater analytical data results dated April 5, 1999; Remedial Decision Letter dated April 9, 1999 and the Remedial Action Work Plan & amendments dated April 2nd, May 3rd and May 9th, 1999 with revisions.

These documents describe a Remedial Action Work Plan (RAWP) or means to prevent pollution as defined in Chapter 46-12 of the General Laws of 1956, as amended and the Department's Rules and Regulations for the Investigation and Remediation of Hazardous Material Releases (the Remediation Regulations), effective 31 March 1993 (amended August 1996) in accordance therewith.

This Order pertains to the plans to encapsulate the former Springfield Street dump by an approved engineered encapsulation design; operating, monitoring and maintaining a sub-slab ventilation system beneath each proposed school location; installing, monitoring and maintaining a series of gas monitoring wells around the perimeter of the property for measuring and mitigating any landfill gas generated; monitoring and maintaining groundwater wells for measurement of contaminant concentrations in accordance with an approved groundwater monitoring plan, and reusing the site as the location of an elementary and middle school in accordance with an approved Long Term Monitoring and Contingency Plan (herein after, "the Remedy").

Upon consideration thereof, the Department of Environmental Management, Office of Waste Management (OWM) approves said plan or means to prevent pollution provided that all work is performed in accordance with all applicable regulations and the Department approved RAWP and the following:

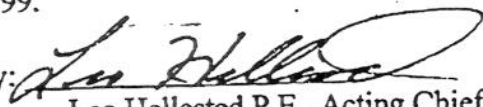
FILE COPY

1. The RAWP shall be initiated within ninety (90) days of receipt of this order.
2. The soil remediation goal shall be consistent with Rule 8.01 (Remedial Objectives) achieved by encapsulation via an approved solid waste closure cap twenty four (24") inches thick. Said cap shall also include an indicator barrier (orange snow fencing) at the 2 foot depth. The two-foot cap will include an 18" gravel subbase and 6 inch loam layer with seed. Approved areas requiring less than two feet of fill will have at least one foot of gravel subbase, a geotextile layer installed and a final cover of either 2-2" perpendicular lifts of asphalt or 5 inches of concrete. At the conclusion of the Remedy and initiation of the Long Term Monitoring Plan, a closure report detailing the Remedial Action shall be submitted to the OWM. Upon approval of the closure report, the Office will issue an Interim Letter of Compliance (ILOC) to the City of Providence for the Remediation Regulations.
4. The OWM shall be immediately notified of any site or operation condition that results in non-compliance with this Order.
5. Any RAWP interruptions shall be reported to Jeff Crawford of the OWM by telephone (222-2797 x7102) within one (1) working day and in writing within seven (7) days.
6. Any waste derived from implementation of the RAWP shall be managed in accordance with the Department's Remediation Regulations and the Rules and Regulations for Hazardous Waste Management, as appropriate.
7. This Order of Approval does not remove the obligation of the City of Providence to obtain any necessary permits from other state, local, or federal agencies.
8. This Order shall be recorded in the City of Providence Land Evidence Records of the subject property and a recorded copy forwarded back to OWM within 5 days.

This Order shall remain in full force and effect as long as said plan or means shall be operated and maintained in a condition satisfactory to the Department of Environmental Management. Failure to comply with all points outlined in the Department approved RAWP and stipulated in this Order shall result in the issuance of a Notice of Violation and Order against the owner of the property.

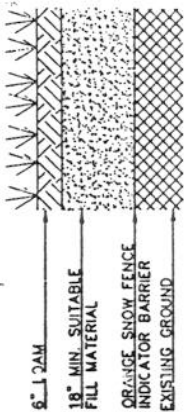
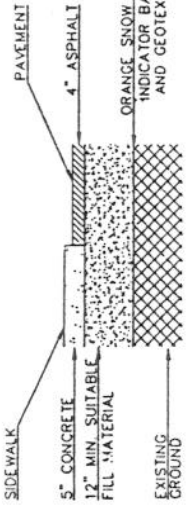
This Order shall be subject to modification or revocation in accordance with law.

Entered as the Order of the Department of Environmental Management on this 4th of June 1999.

By: 
 Leo Hellested P.E., Acting Chief
 Office of Waste Management
 Department of Environmental Management

Springfield Street Schools OA

FILE COPY



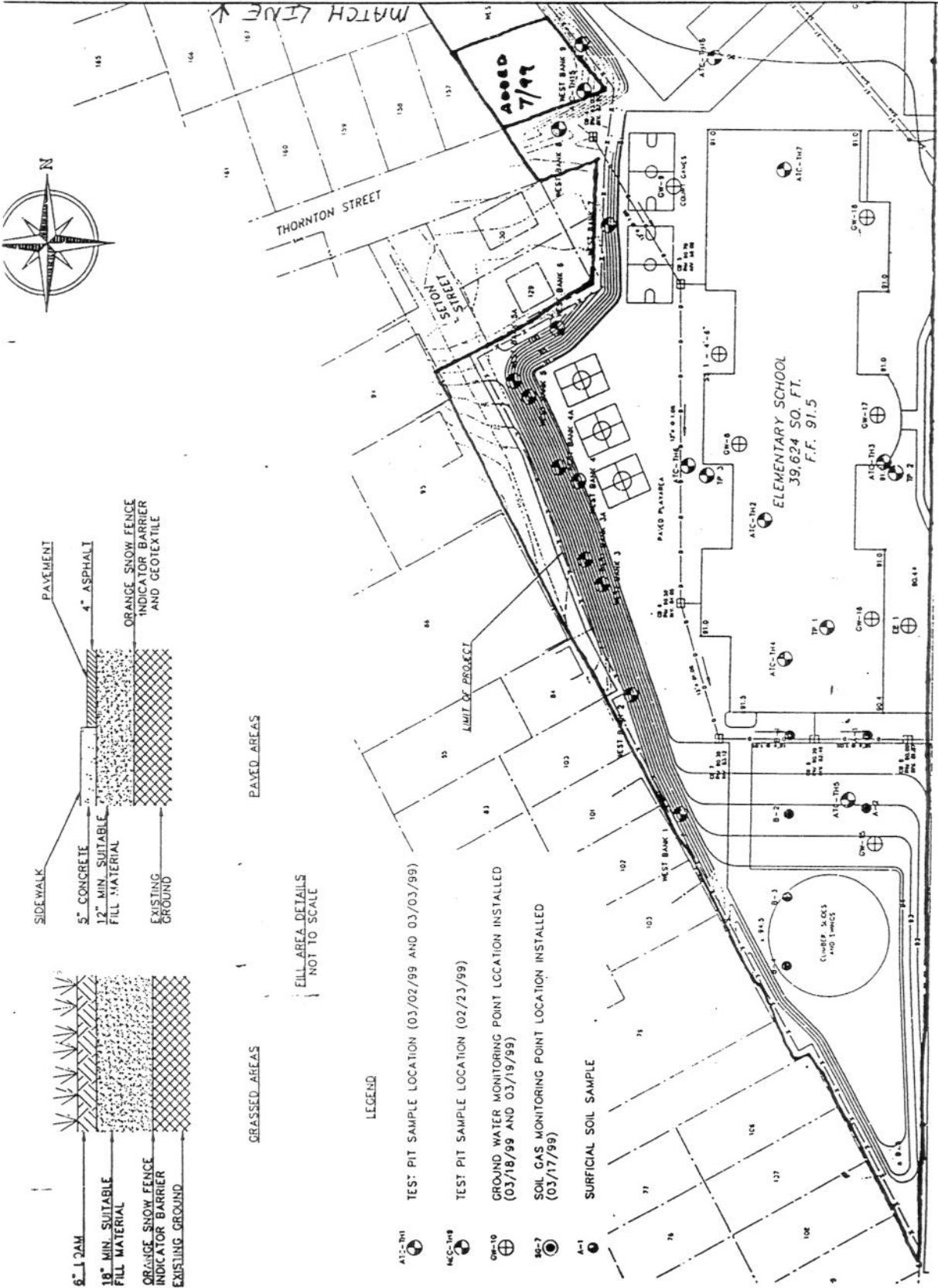
PAVED AREAS

GRASSED AREAS

FILL AREA DETAILS
NOT TO SCALE

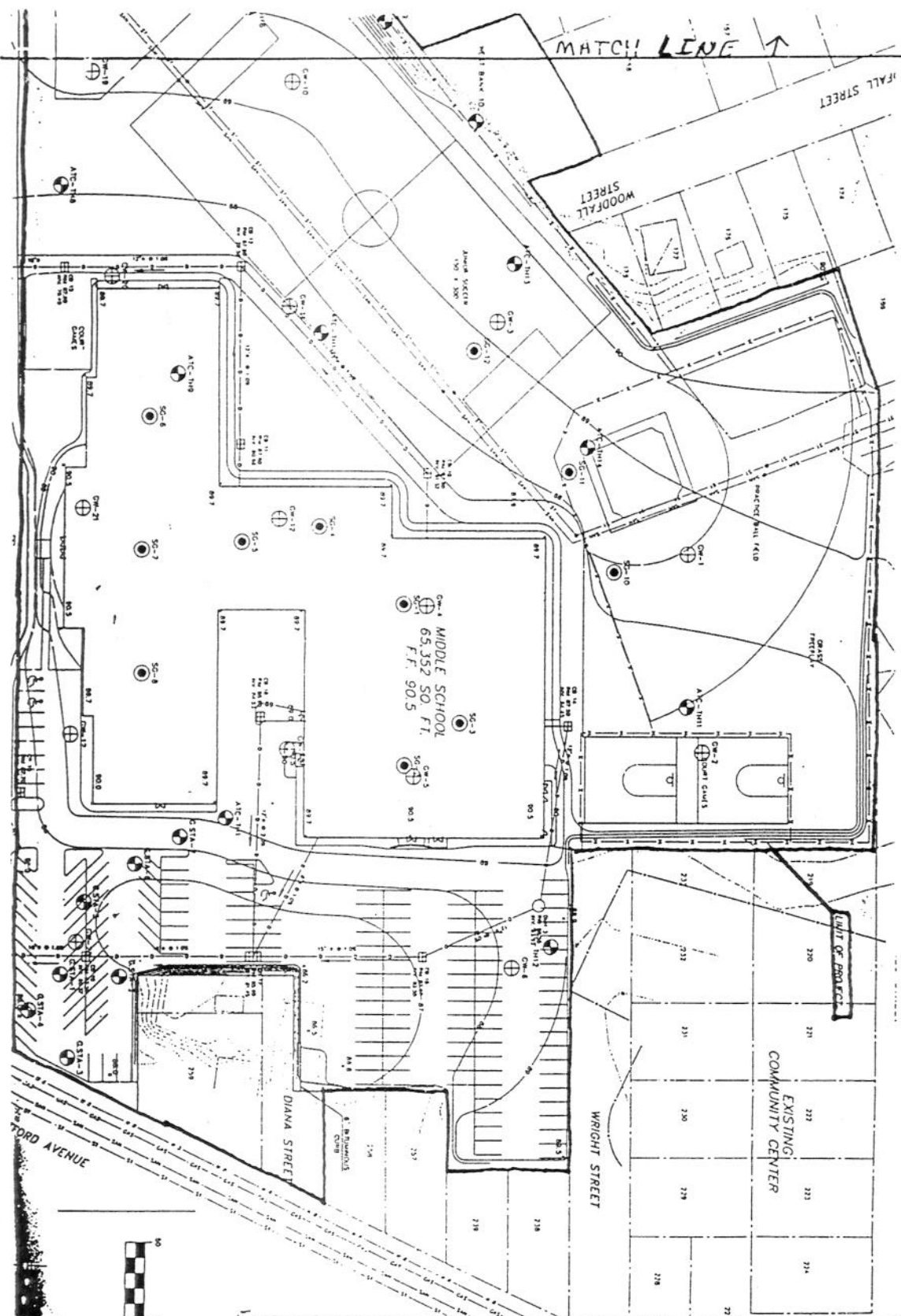
LEGEND

- ATC-TH1 TEST PIT SAMPLE LOCATION (03/02/99 AND 03/03/99)
- ATC-TH6 TEST PIT SAMPLE LOCATION (02/23/99)
- GW-10 GROUND WATER MONITORING POINT LOCATION INSTALLED (03/18/99 AND 03/19/99)
- SG-7 SOIL GAS MONITORING POINT LOCATION INSTALLED (03/17/99)
- A-1 SURFICIAL SOIL SAMPLE



FILE COPY

MATCH LINE ↑

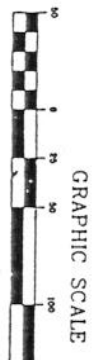


PROVIDENCE, RI
RECEIVED FOR RECORD

2003 MAY -9 P 12: 54

DEPARTMENT OF LICENSURE
ACTING RECORDER OF DEEDS
Babette D. Jancy

FILE COPY



No.		Revision		Date		App	
Designed By: SDM Drawn by: SDM Checked by: AE							
Scale: 1" = 50' Date: 19 MAY 03							
Project Title: ELEMENTARY & MIDDLE SCHOOL PROVIDENCE, RI							
Issued for: CITY OF PROVIDENCE SCHOOLS							
Drawing Title: GRADING AND SAMPLE LOCATION PLAN							
Drawing Number:		Sheet 1 of 1		Project Number: 99047.3		Survey Index:	

TRANSMISSION VERIFICATION REPORT

TIME : 05/05/2004 14:42
NAME : MAL A SALVADORE LTD
FAX : 14019415535
TEL : 14019415535

DATE, TIME	05/05 14:36
FAX NO./NAME	2732114
DURATION	00:05:16
PAGE(S)	20
RESULT	OK
MODE	STANDARD ECM

FILE COPY