



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

AMMENDED LETTER OF RESPONSIBILITY

CERTIFIED MAIL

April 5, 2006

Mr. Lewis B. Campbell, President
Textron, Inc.
40 Westminster Street
Providence, RI 02903

Hon. Mayor David N. Cicilline
Providence City Hall
25 Dorrance Street
Providence, RI 02903

RE: Former Gorham (Textron, Inc.) Manufacturing Facility
333 Adelaide Avenue
Plat 51, Lots 323, 324 and 326
Providence, Rhode Island 02907
Case No. 97-030 (Including Case No. 2005-029 and Case No. 2005-059)

Gentlemen:

On February 24, 2004, the Rhode Island Department of Environmental Management (the Department) enacted the amended Rules and Regulations for the Investigation and Remediation of Hazardous Material Releases, (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 an efficient manner. A Letter of Responsibility (LOR) is a preliminary document used by the Department to codify and define the relationship between the Department and a Responsible Party.

Please be advised of the following facts:

1. The Department maintains an active public administrative file concerning property identified as 333 Adelaide Avenue, Providence, Rhode Island, further designated as Lots 323, 324 and 326 on Plat 51 of the City of Providence Tax Assessor's plat maps (the "Site").
2. The Site encompasses approximately thirty-seven (37) acres formerly operated by Gorham Manufacturing and Textron, Inc. ("Textron") as an industrial metal plating facility. The Site includes a small, four (4) acre, body of water known as Mashapaug Cove.



3. Textron is a former owner and operator at the Site. The City of Providence, by and through the Providence Redevelopment Agency (the "City") is the current owner of the Site. Therefore, Textron and the City are Responsible Parties as defined by R.I. Gen. Laws §§23-19.14-3(m) and 23-19.14-6, and by Rule 3.60 of the Remediation Regulations.
4. Documents contained in the administrative file for the Site identify hazardous materials detected in surficial soil, subsurface soil and groundwater at the Site, as well as in surface water, sediment and fish tissues taken from Mashapaug Cove. These hazardous materials include volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), total petroleum hydrocarbons (TPH), polychlorinated biphenyls (PCBs), total priority pollutant metals, pesticides and dioxins/furans which exceed the Department's regulatory criteria for these media.
5. Based upon the presence and nature of these hazardous substances in the soil and groundwater at the Site, as well as in the surface water, sediment and fish tissues from Mashapaug Cove, the Department has determined that a release of hazardous materials has occurred as defined by Rules 3.29, 3.54 and 3.28 respectively of the Remediation Regulations.
6. The Site's three lots have come to be identified as Parcel A (Plat 51, Lot 326), Parcel B (Plat 51, Lot 323) and Parcel C (Plat 51, Lot 324). In addition, the Providence Redevelopment Agency has proposed to further subdivide Parcel C to create a fourth parcel, Parcel D.
7. Parcel A has been investigated and redeveloped for industrial/commercial use as a supermarket shopping plaza pursuant to a Departmental-approved work plan. (*See the Remedial Action Work Plan ("RAWP") submitted to the Department by Textron, dated April 25, 2001, and the Department's Order of Approval dated March 15, 2002.*)
8. Parcel B has been investigated and is proposed for redevelopment by the City as a public school. (*See the Limited RAWP submitted to the Department by the City of Providence Department of Public Property, dated July 12, 2005, and the Department's Program Letter dated September 26, 2005.*)
9. A portion of Parcel C, located south of Mashapaug Cove, west of Parcel B, and east of Mashapaug Pond, has been investigated and is proposed for redevelopment as a recreational-daycare-headquarters facility for the Greater Providence YMCA ("YMCA"). (*See the RAWP submitted to the Department by the YMCA, dated February 9, 2005, and the Department's Remedial Decision Letter dated May 24, 2004.*)
10. The portion of Parcel C that has not been proposed for remediation by the YMCA, including the proposed Parcel D and Mashapaug Cove (together referred to herein as the "Park Parcel"), remain relatively uninvestigated and fully unremediated.
11. By way of a Superior Court Consent Order (Park Parcel), dated March 29, 2006 (the "Consent Order"), various removal, investigation and remedial activities are required to be completed on the upland portion of the Park Parcel.

As a result of the information known, the conditions observed at the Site, and the proposed residential reuse of Parcels B and C, the Department hereby requires Textron and the City to:

- 1) Conduct a complete and comprehensive Site Investigation of the Park Parcel, including all upland areas and Mashapaug Cove, and submit to the Department a copy of a complete Site Investigation Report ("SIR") in accordance with Section 7.0 of the Remediation Regulations by July 31, 2006.

The SIR shall include a minimum of three permanent remedial alternatives for the upland portion of the Park Parcel and three permanent remedial alternatives for the Mashapaug Cove portion of the Park Parcel, and shall be accompanied by an SIR checklist. The SIR checklist has been created by the Department as a supplemental tool to expedite the Department's review process by cross-referencing the specific sections and pages within the SIR that provide the detailed information that addresses each stated requirement within Section 7 of the Remediation Regulations.

- 2) After submission and approval of a complete Site Investigation Report, be prepared to bring the Site into compliance with the Remediation Regulations and all other applicable state regulations.
- 3) The remedy for the upland portion of the Park Parcel (i.e. the entire Park Parcel except Mashapaug Cove) shall be developed, submitted for review by the Department, initiated and completed in accordance with the Consent Order.
- 4) The remedy for Mashapaug Cove may propose different timelines for implementation than those for the Park Parcel.
- 5) Provide the Department with the following materials to document the City and Textron's efforts to identify all abutting property owners and tenants for the purpose of providing public notice of the Site Investigation and Remedy Selection in accordance with Sections 7.07 and 7.09 of the Remediation Regulations:
 - a) A copy of a Plat Map showing the property and all abutting lots.
 - b) A list or spreadsheet identifying the owners and tenants of all abutting properties by Plat/Lot number(s) and street addresses; and
 - c) Copies of all notices, correspondence or other written materials that have been forwarded to abutting owners or residents prior to the date of this LOR (excluding those that have already been submitted to the Department).
- 6) Submit a detailed plan for public notification, discussion and comment, which plan shall include but not be limited to:

- a) Public notice to all abutting owners and tenants prior to commencing any on-site investigation and/or removal activities.
- b) At least two public meetings including:
 - i) A public forum wherein the City and Textron will present the SIR and explain the goals, scope and results of the Site Investigation, the contents of the SIR, the nature of any contaminants found and the proposed remedial alternatives. The purpose of the public forum will be to engage the attendees in discussion and to answer questions about the Site Investigation, the health threats (if any) posed by contaminants and the manner in which those health threats may be remedied. Copies of the SIR (without appendices) shall be available for distribution to attendees at the public forum. Full copies of the SIR (with appendices) shall be available for inspection and a sign-up list shall be provided for those wishing to receive a copy of the appendices; and
 - ii) A formal public hearing wherein the City, Textron and the Department will receive public comment regarding the technical adequacy of the Site Investigation and the technical feasibility of the preferred remedial alternatives (upland and Cove).
 - iii) The City and Textron shall be responsible for providing translation services at all public meetings/hearings.
- c) Proposed method(s) for providing notice of the public meetings or other public notifications as may be required by the Department, including legal notice to abutting residents and land owners as required by Section 7.07 of the Remediation Regulations and to other interested parties that may identify themselves in writing to the City, Textron or the Department, and such other method(s) of notice as may be reasonable to notify the community surrounding the property and prospective users of the property (e.g. proposed school facility, students and staff). The need for providing notices in a second language shall be addressed.
- d) A notification schedule establishing a timetable for: issuing public notice(s) for the meetings, holding the public meetings and receiving written public comment following the public hearing. The public meetings shall be held after the Department's issuance of the Program Letter and must be completed, including consideration of all public comment, before the Department will issue a Remedial Decision Letter. The meeting timetable shall allow a reasonable time (not less than ten (10) business days) between the date of mailing of any materials requested during the public forum and the date of the public hearing to permit concerned parties to review the SIR and any requested materials to prepare comment for the public hearing.
- e) Proposed meeting location(s) and times.

- f) Public notification of the filing of the City and Textron's Remedial Action Work Plan ("RAWP") with the Department.
 - g) Creation of a public information repository in the local community near the Site
- 7) All documents submitted to the Department relating to the investigation and remediation of the Park Parcel shall be accompanied by an electronic copy in .PDF format appropriate for posting on the internet.

The area surrounding the Site has been identified by the Department and the U.S. Environmental Protection Agency as a low income and/or racial minority area entitled to "environmental equity" considerations. See Rhode Island General Laws §23-19.14-5(a). Accordingly, prior to the issuance of a Program Letter, the City and Textron shall submit to the Department a written evaluation describing the issues of environmental equity that were considered as part of the Site Investigation and development of any preferred remedial alternatives, and describing how the Site Investigation and preferred remedial alternative are protective of environmental equity populations. This assessment shall also detail the City and Textron's consideration of environmental equity pursuant to Title VI of the United States Civil Rights Act of 1964. Upon the Department's issuance of a Remedial Decision Letter, the City and Textron must be prepared to submit to the Department for review a RAWP for bringing the Site into compliance with the Remediation Regulations.

Please notify this office within seven days of the receipt of this letter of your plans to address these items. All correspondence should be sent to the attention of:

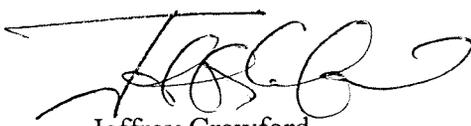
Joseph T. Martella II – Senior Engineer
RIDEM / Office of Waste Management
235 Promenade Street
Providence, RI 02908

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-extension 7109 or by e-mail at joseph.martella@dem.ri.gov.

Sincerely,


Joseph T. Martella II
Senior Engineer
Office of Waste Management

Authorized by,


Jeffrey Crawford
Principal Scientist
Office of Waste Management

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