



## RHODE ISLAND

### DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

OFFICE OF LAND REVITALIZATION & SUSTAINABLE MATERIALS MANAGEMENT  
235 Promenade Street, Providence, Rhode Island 02908

#### **REMEDIAL APPROVAL LETTER** **File No. SR-02-2085**

May 5, 2023

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. A Remedial Approval Letter (RAL) is a document used by the Department to approve remedial actions at contaminated sites that do not involve the use of complex engineered systems or techniques (e.g. groundwater pump and treat systems, soil vapor extraction systems, etc.).

In the matter of the above-referenced property (the Site), the Department's Office of LRSMM is in receipt of the following documentation submitted pursuant to the Remediation Regulations in response to the reported release at the Site:

1. Notification of Hazardous Material Release, received by the Department on May 5, 2022, and prepared by Nobis Engineering, Inc. dba Nobis Group (Nobis);
2. Phase I & II Environmental Site Assessment, dated July 26, 2005, received by the Department on August 1, 2022, and prepared by GZA Geoenvironmental, Inc. (GZA);
3. Phase I Environmental Site Assessment, received by the Department on August 1, 2022, and prepared by Nobis;
4. Phase II Limited Subsurface Investigation, received by the Department on August 1, 2022, and prepared by Nobis;
5. Site Investigation Report Addendum, received by the Department on August 2, 2022, and

prepared by Nobis;

6. Notification to Abutters, received by the Department on November 28, 2022, and prepared by Nobis;
7. Public Notification – Response to Abutter Comments, received by the Department on February 13, 2023, and prepared by Nobis;
8. Remedial Action Work Plan, received by the Department on February 27, 2023, and prepared by Nobis; and
9. RAWP – Revision 1 and RAWP Response to Comments, received by the Department on April 19, 2023, and prepared by Nobis.

Together these documents fulfill the requirements of Section 1.9 (Risk Management) and Section 1.10 (Remedial Action Work Plan (RAWP)) of the Remediation Regulations.

The preferred remedial alternative involves:

- Limited excavation and off-site disposal of selective lead-impacted soils in the vicinity of TP-7 on Lot 10-76 to a licensed facility. Confirmatory sampling shall be conducted from the excavation sidewalls and base to verify any remaining soils are compliant with Method 1 Direct Exposure Criteria. Any remaining jurisdictional soils shall be encapsulated by a Department approved engineered control;
- The encapsulation of site soils that exceed the Department's Method 1 Residential Direct Exposure Criteria (R-DEC) with Department approved engineered controls consisting of Robin Rug Manufacturing Facility, 125 Thames Street, Bristol March 20, 2023 Remedial Decision Letter - Amendment Page 3 of 4 either a minimum of two (2) feet of clean fill, one (1) foot of clean fill underlain with a geotextile fabric, four (4) inches of pavement (asphalt or concrete) above six (6) inches of clean subgrade, or equivalent, and/or building foundations. Site soils in the western portion of the Site adjacent to Bristol Harbor that are within the boundary of the RI Coastal Resources Management Council (CRMC) shall be managed in accordance with all applicable CRMC regulations and requirements;
- The integrity of the cap shall be preserved through the recording of an Environmental Land Usage Restriction (ELUR) on the deed for the entire property (Plat Map 10 / Lots 42, 43, 60, 61, 62, 73 & 76). The ELUR shall require the performance of annual inspections to document the status of the ELUR and the condition of the engineered controls at the Site. The ELUR shall include a soil management plan (SMP), which will address post remediation activities that disturb onsite soils. The ELUR, once approved by the Department, shall be recorded for the property in the Land Evidence Records for the Town of Bristol and a recorded copy forwarded back to the Department within fifteen (15) days of recording; and
- Please note that given the detection of PCE in one sub-slab soil vapor sample, should the

portion of the main mill building currently proposed as an open-air garage space be considered for residential usage, a sub-slab depressurization system (SSDS) shall be installed within the footprint of the building.

Based upon review and consideration of the above referenced documents, the Department approves the Remedial Action Work Plan (RAWP) through this RAL provided that:

1. All work must be performed in accordance with all applicable regulations and the Department approved RAWP.
2. Start of the work described in the Department approved RAWP must be initiated within sixty (60) days of issuance of this RAL.
3. Prior to initiating any remedial activities, the Department shall be provided with a list of all contractors, and their respective contact information, that will be used on Site to complete the remedial work described in the Department approved RAWP. The Department shall be notified, when feasible, a minimum of five (5) working days in advance of any changes in contractors and/or consultants involved with the remedial work on this Site. The notification must be promptly supplied in writing with complete contact information for each new contractor or consultant (including but not limited to company name and address, contact name and address, contact telephone number and e-mail address).
4. All excavated regulated soil, if not approved for encapsulation onsite, shall be disposed of off-site at an appropriately licensed disposal facility in accordance with all local, State, and Federal laws. Copies of the material shipping records and manifests associated with the disposal of the material shall be included along with the Closure Report.
5. Areas of the site where contaminated soils are to be excavated must be staged and temporarily stored in a designated area, as proposed in the RAWP, of the site with proper polyethylene covers. Any stockpiled materials, including clean fill, must be underlain and covered with polyethylene sheeting and be secured at the end of each day with all appropriate erosion and sediment controls to limit the loss of the cover and protect against storm-water and wind erosion (i.e. hay bales, rocks, silt fencing). These appropriate sedimentation and erosion controls must be in place and in proper working order at all times until all disturbed areas are stabilized and capped as proposed. Within reason, the storage location will be selected to limit the unauthorized access to the materials (i.e. away from public roadways/walkways). No regulated soil will be stockpiled on-site for greater than thirty (30) days. In the event that stockpiled soils pose a risk or threat of leaching hazardous materials, a proper leak-proof container (i.e. drum or lined roll-off) or secondary containment will be required and utilized.
6. The Office of LRSMM no longer requires the submittal of analytical data prior to clean fill being brought to a Site. It is the sole responsibility of the Performing Party and their consultant to analyze the material, certify that the material meets the Department's Residential Direct Exposure Criteria (RDEC), as defined by the Remediation Regulations, for all constituents, and is suitable for use on the Site. The Office of LRSMM strongly suggests that enough representative samples of the clean fill are collected prior to moving the material to the Site to satisfy the Performing

Party and their consultant that the material meets the RDEC. Please note that the Office of LRSMM reserves its rights to sample the fill, if suspect, to confirm compliance with the RDEC.

7. All regulated soil remaining onsite shall be encapsulated by an engineered control consistent with those described in the Department approved RAWP.
8. Dust suppression techniques (i.e. watering) must be employed at all times during all soil disturbing/handling activities at the site in order to minimize the generation of fugitive dust.
9. Compliance sampling for the excavation in the vicinity of TP-7 on Lot 10-76 shall be laboratory analyzed for lead. Please note that if soil exceeding the Department's Residential Direct Exposure Criteria (RDEC) is to remain onsite then a draft Environmental Land Usage Restriction (ELUR) and Soil Management Plan (SMP) must be submitted to the Office of LRSMM for review and approval prior to recording.
10. Within sixty (60) days of completion of the work described in the Department approved RAWP, a Closure Report detailing the remedial action and including any disposal documentation shall be submitted to the Office of LRSMM.
11. Within sixty (60) days of completion of the work described in the Department approved RAWP, the final Department approved ELUR shall be recorded in the Town of Bristol Land Evidence Records for the property and a stamped, certified copy returned to the Department within fifteen (15) days of recording. Upon receipt of a copy of the recorded (stamped) ELUR, the Office of LRSMM will issue a Letter of Compliance.
12. Following recording of the ELUR, the site shall be maintained and annually inspected to evaluate the compliance status of the site with the ELUR. Within thirty (30) days of each annual inspection, an evaluation report shall be prepared and submitted to the Office of LRSMM detailing the findings of the inspection and noting any compliance violations at the site.
13. Should a sub-slab depressurization system (SSDS) shall be installed within the footprint of the building, as part of the operation and maintenance of the remedy, the sub-slab pressure shall be measured and the SSDS annually inspected to ensure that the SSDS is operating properly. As part of the annual ELUR inspection of the remedy, the efficacy of the SSDS shall be documented. Within thirty (30) days of each annual inspection, an evaluation report shall be prepared and submitted to the Office of LRSMM detailing the findings of the inspection and noting any compliance violations at the site.
14. Any changes in the activities detailed in the RAWP shall be reported to the Office of LRSMM by telephone within one (1) working day and in writing within five (5) business days.
15. The Office of LRSMM shall be notified forty-eight (48) hours prior to initiating the remedial activities at the site associated with the Department approved RAWP.
16. The Office of LRSMM shall be immediately notified of any site or operation condition that results in non-compliance with this RAL.


At this time, the Office of LRSMM offers its concurrence with the proposed remedial action for the property. The Department approves the RAWP provided that all activities and procedures detailed in the RAWP and RAWP Addendum are strictly adhered to. Furthermore, this letter continues to place primary responsibility for the construction, operation, maintenance, and monitoring of the approved RAWP and its associated implementation on Brady Sullivan Properties. As the Voluntary Party and Performing Party, Brady Sullivan Properties is expected to implement the RAWP in an expeditious and professional manner that prevents non-compliance with this RAL and said RAWP and is protective of human health and the environment.

Please note that at this time the Department does not approve the ELUR for recording in the Land Evidence Records with the Town of Bristol. Please forward an electronic version of the draft ELUR and the post-construction SMP in red line / strikeout format for Department review and approval. The draft ELUR and SMP shall be reviewed and approved by the Department, followed by recording of the approved ELUR, at the completion of all remedial work.

This RAL does not remove your obligation to obtain any other necessary permits from other local, State, or Federal agencies.

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. 277-7105, or by E-mail at [Rachel.simpson@dem.ri.gov](mailto:Rachel.simpson@dem.ri.gov).

Sincerely,



Rachel T. Simpson  
Environmental Scientist III  
Office of Land Revitalization &  
Sustainable Materials Management

Authorized by,



Jeffrey P. Crawford  
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Office of Land Revitalization &  
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Cc: Kelly J. Owens, RIDEM/LRSMM  
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