



RHODE ISLAND  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

**LETTER OF NON-COMPLIANCE**

June 8, 2016

**File No. SR-28-0973**

(Formerly Case No. 2006-010)

**LNC No. OWM-SR-337**

**CERTIFIED MAIL**

Mr. John R. Galvin  
MSC Realty, Inc.  
110 Royal Little Drive  
Providence, RI 02904

RE: National Plating  
946 Eddy Street  
Providence, Rhode Island  
Plat Map 47 / Lots 153 and 802

Dear Mr. John R. Galvin:

On January 20, 2006, the Department of Environmental Management (the Department) issued a Letter of Responsibility (LOR) to National Plating, LLC for the above-referenced property (the Site) pursuant to the Rules and Regulations for the Investigation and Remediation of Hazardous Material Releases (the Remediation Regulations). The LOR required that National Plating LLC, as owner of the property, bring the Site into compliance in accordance with the Remediation Regulations and, if necessary, be prepared to conduct remediation of hazardous materials at the Site.

On June 5, 2006, the Department issued a Remedial Approval Letter (RAL) that required the encapsulation of Site soils via existing building foundations and asphalt as well as the addition of an approved cap over the eastern portion of the site to be comprised of a minimum of three (3) inches of asphalt. The RAL further required that an Environmental Land Usage Restriction (ELUR) was to be recorded on the deed for the property to require the performance of annual inspections to document the condition of the engineered controls.

On August 1, 2012, the Department received a copy of a recorded ELUR that did not contain all of the necessary exhibits. Furthermore, according to Department records, annual reporting, as required by the ELUR, has not been completed for any year following the recording of the ELUR.

On June 7, 2016, Department personnel conducted a site inspection of the Site and observed the following deficiencies:

1. Deficiency 1: Severely damaged asphalt in poor condition through which jurisdictional soils and vegetation are exposed; and
2. Deficiency 2: The eastern portion of the site does not appear to have been capped in accordance with the RAL.


As of June 7, 2016, MSC Realty, Inc. is identified as the current owner of the Site by the City of Providence Tax Assessor's Office and as such, MSC Realty, Inc. is a Responsible Party as defined by Rule 3.70 of the Remediation Regulations.

In order to complete the requirements of the Remediation Regulations, the Department is requiring that you submit, in writing, MSC Realty, Inc.'s intentions to bring this site into compliance in accordance with the Remediation Regulations by July 8, 2016.


**If you do not fully comply with the aforementioned requirements, the Department will initiate the appropriate enforcement actions that may include administrative penalties for non-compliance.**

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. 7163, or by E-mail at [jacob.lautman@dem.ri.gov](mailto:jacob.lautman@dem.ri.gov).

Sincerely,

  
Jacob Lautman  
Sanitary Engineer  
Office of Waste Management

Authorized by,

  
Ashley L. Blauvelt  
Senior Sanitary Engineer  
Office of Waste Management

cc: Kelly J. Owens, RIDEM/OWM