



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

Department of Environmental Management  
DIVISION OF SITE REMEDIATION  
291 Promenade Street  
Providence, R.I. 02908-5767

**LETTER OF RESPONSIBILITY  
CASE #95-022**

John Carney, President  
Blackstone Valley Electric Company  
750 West Center Street  
PO Box 543  
West Bridgewater, MA 02379

12 September 1995

**CERTIFIED MAIL**

RE: Property of the Pawtucket Water Supply Board  
Myrtle Street  
Cumberland, Rhode Island

Tidewater Coal Gasification Plant  
Tidewater Street  
Pawtucket, Rhode Island

Dear Mr. Carney:

A Letter of Responsibility is a preliminary document used by the Rhode Island Department of Environmental Management (RIDEM) to indicate its position with regard outstanding environmental issues relating to Rhode Island General Law 23-19.14 and the Rules and Regulations for the Investigation and Remediation of Hazardous Materials Releases (the "Regulations"). This letter has been issued to Blackstone Valley Electric Company who has been identified as a responsible party for the above listed sites. The purpose of this document is to define the relationship between the Department and a Responsible Party and to initiate informal discussions relating to these issues in lieu of formal proceedings.

Please be advised of the following facts relating to the Cumberland site:

1. On 20 March 1985, a representative of the Massachusetts Department of Environmental Quality and Engineering notified the RIDEM that ferric ferrocyanide contaminated wood chips and soil had been found on property owned by the Pawtucket Water Supply Board (plat 1-69, lot 2) in Cumberland, Rhode Island.

This waste material had been previously found by Massachusetts officials at a nearby site off Mendon Road in Attleboro, Massachusetts. Subsequent sampling of the waste found on the Rhode Island property indicated total cyanide at 8,595 parts per million and a pH of 2.95 and was thus determined to be a hazardous waste.

2. The source of this waste was the former Tidewater Coal Gasification Plant in Pawtucket, Rhode Island. This facility was operated by the Blackstone Valley Gas and Electric Company from the late 1800's until 1963. In 1963 the Valley Gas company was formed by the Federally mandated separation of gas and electric utilities and the subsequent purchase by Valley Gas of certain assets of the former Blackstone Valley Gas and Electric. This action also created the Blackstone Valley Electric Company as successor in title to the properties of the former Blackstone Valley Gas and Electric.

3. Starting in April 1986 and continuing through October 1986, in compliance with the Rhode Island Hazardous Waste Management Act, personnel from RIDEM and its remedial contractor conducted an emergency removal action and excavated and disposed of approximately 600 yards of contaminated soil and wood chips from the property. This emergency removal action was prompted by the waste being hazardous and its location in a recharge area of a public water supply.

4. Costs to RIDEM for this work at the time of its completion was \$163,962.02. The present worth of this amount using an annual interest rate of 7 % is \$296,381.70.

5. Subsequent to the removal action there were discussions between Department personnel and representatives of Blackstone Valley Electric Company. The outcome of those discussions was an agreement in principal to stay enforcement and cost recovery proceedings pending the outcome of the similar Massachusetts case.

6. On 7 November 1994, District Judge Tauro of the United States District Court of Massachusetts issued a summary judgement in the case of the Commonwealth of Massachusetts (plaintiff) v. Blackstone Valley Electric Company (defendant) (CA No. 87-1799-JLT). The judgement was in favor of the plaintiff requiring the defendant to reimburse the Commonwealth for all response costs associated with the excavation and disposal of similar waste found at the nearby site off Mendon Road in Attleboro, Massachusetts.

Please be advised of the following facts relating to the Pawtucket site:

1. The former Tidewater Coal Gasification Plant in Pawtucket, Rhode Island was operated by the Blackstone Valley Gas and Electric Company from the late 1800's until 1963. This property is identified in the records of the City of Pawtucket as Lots 645, 647, 648, 649 and 662 of Assessor's Plat 65.
2. The Blackstone Valley Electric Company is the current owner and operator of the property located on Lots 645, 647 and 649 of Plat 65 and the former owner and operator of Lot 648 of Plat 65 all in Pawtucket, Rhode Island and as such is a **Responsible Party** as defined by Rule 3.66 of the Regulations.
3. EUA Service Corporation commissioned Weston to excavate fourteen (14) test pits on the above referenced property on November 12 through 17, 1987. According to the report, Investigations at the No. 1 Station Site, dated May 1988, free oils were observed in several test pits during excavation. Subsequent analyses of soil samples also indicated elevated levels of cyanide and polynuclear aromatics (PNA's). This constitutes a **Release of Hazardous Substances** to the environment as defined in Rules 3.64 and 3.30 of the Regulations.

As a result of the above findings, RIDEM, requests that Blackstone Valley Electric comply with the following:

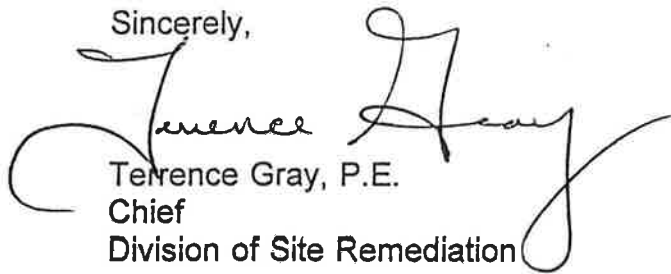
1. Remit to the Department a certified check in the amount of \$296,381.70 made payable to **State of Rhode Island General Treasurer**.
2. Submit to the Department for review and approval, a **Remedial Investigation Work Plan** to address the **Releases of Hazardous Substances** that have occurred on Lots 645, 647, 648 and 649 by 13 November 1995.
3. Upon Department approval, implement the Plan in accordance with the approved schedule.

Be advised that Blackstone Valley Electric, as a **Responsible Party**, is responsible for complying with the above mentioned Laws and Regulations. Failure to comply may result in further enforcement actions.

Please notify this office within seven days of the receipt of this letter of your plans. All correspondences should be sent to the attention of Timothy M. O'Connor. If you have any questions regarding this letter or would like the opportunity to meet with Department personnel, please contact Mr. O'Connor at (401) 277-3872 extension 7101.

John Carney  
September 12, 1995  
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Sincerely,

A handwritten signature in cursive script, appearing to read "Terrence Gray". The signature is written in black ink and is positioned above the typed name and title.

Terrence Gray, P.E.  
Chief  
Division of Site Remediation

cc: James W. Fester, P.E.  
Timothy M. O'Connor, P.E.  
Claude Cote, Esq.  
John Voorhees, Esq.  
Michael Cassidy, City of Pawtucket