



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

OFFICE OF WATER RESOURCES
235 Promenade Street, Providence, Rhode Island 02908

June 14, 2018

CERTIFIED MAIL

91 7108 2133 3939 5700 3204

Hopkins Hill Road Realty, LLC
c/o Stephen A. Cardi II
400 Lincoln Avenue
Warwick, RI 02889

RE: LETTER OF NON-COMPLIANCE
Hopkins Hill Road Realty, LLC
Hopkins Hill Road, Plat 55, Lot 6 and Plat 56, Lot 3, West Greenwich, RI 02817

Dear Mr. Cardi II:

The Department of Environmental Management Office of Water Resources (DEM) wishes to extend its appreciation for Hopkins Hill Road Realty's staff cooperation and assistance during DEM's May 4th, 2018 inspection of Hopkins Hill Road Realty facility at the above-mentioned address. As you are aware the purpose of the inspection was to determine if Hopkins Hill Road Realty, LLC has discharges which require permit coverage under the Rhode Island Pollutant Discharge Elimination System (RIPDES) Program.

The DEM's records show that the DEM completed a review of Application for Permit Modification (Application No. 03-0197) in October 13th, 2004. Hopkins Hill Road Realty was informed in the October 13th, 2004 letter of the need to apply for and receive an approval from the DEM RIPDES program for the permitting of stormwater discharges associated with industrial activity. In addition, during the May 4th, 2018 inspection the DEM confirmed that the abovementioned facility is currently discharging stormwater associated with industrial activity and process water associated with sand and gravel washing operations which require RIPDES authorization. According to our records stormwater and process water discharges from Hopkins Hill Road Realty, LLC facility are not currently authorized and therefore these discharges are in violation of the Clean Water Act and state law. As a result, by July 16, 2018 Hopkins Hill Road Realty, LLC must either:

1. Submit to the DEM an individual RIPDES permit application for authorization of sand and gravel wash-water and stormwater discharges (Forms 1, 2C, and 2F). Copies of the required forms are available at the following website:

<http://www.dem.ri.gov/programs/water/permits/ripdes/appforms.php>; or

2. Eliminate all overflow discharges of sand and gravel wash-waters and submit to the DEM a Multi Sector General Permit (MSGP) application, referred to as a Notice of Intent (NOI)

form, and a copy of the facility's Stormwater Management Plan (SWMP) which satisfies the requirements of the MSGP. The SWMP must include a narrative description of modifications made to the sand and gravel wash-system to eliminate the discharge of sand and gravel washwaters. Copies of the NOI form and MSGP are available at the following website:

<http://www.dem.ri.gov/programs/water/permits/ripdes/stormwater/industrial.php>; or

3. Eliminate all discharges from the facility including discharges of sand and gravel washwaters operation and stormwater discharges and submit to the DEM documentation demonstrating that these discharges have been eliminated.

Please be advised that the processing of an application for this facility is independent of any action that might be taken by the DEM for discharging without a permit. However, receipt of your application as indicated above will be considered along with all relevant information when the DEM determines the need for formal enforcement.

If you have any questions regarding this letter or the 2013 MSGP, please do not hesitate to contact me or Margarita Chatterton at (401) 222-4700 extensions 7201 or 7605 respectively or via email at Abed.Ragab@dem.ri.gov and margarita.chatterton@dem.ri.gov.

Sincerely,



Abdulrahman Ragab
Sanitary Engineer
RIPDES Program

cc: Joseph Haberek, P.E., RIDEM (electronic)
Margarita Chatterton, RIDEM (electronic)
Crystal Charbonneau, RIDEM (electronic)
David Chopy, RIDEM (electronic)
Pat Hogan, RIDEM (electronic)
David Turin, EPA (electronic)
Bernard Alderson, Hopkins Hill Sand & Stone, LLC/Cardi Corporation (electronic)