



STATE OF RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
BUREAU OF ENVIRONMENTAL PROTECTION
OFFICE OF COMPLIANCE AND INSPECTION
235 Promenade Street, Suite 220
Providence, RI 02908-5767

CERTIFIED MAIL

LETTER OF NON-COMPLIANCE
OC&I/SW NO. 20-40

Lee Beausoleil
Artak Avagyan
100 Hay Street
West Warwick, RI 02893

Dear Messrs. Beausoleil and Avagyan:

On 8 May 2020, a representative of the Rhode Island Department of Environmental Management's Office of Compliance and Inspection ("DEM") observed solid waste on property located at 175 Post Road in the City of Warwick, Rhode Island, otherwise identified as Warwick Tax Assessor's Plat 291, Lot 45 (the "Property"). The investigation revealed approximately 30 cubic yards of solid waste deposited on the ground, which consisted of plastic bags filled with mixed solid waste, mattresses, wood waste, used tires, plastic waste, furniture, piping, cardboard, windows and other mixed solid waste.

Based upon the foregoing facts, the Director of DEM has reasonable grounds to believe that you are or may be in violation of the following statutes:

1. **Section 23-18.9-5 of the Rhode Island General Laws** ("R.I. Gen. Laws §23-18.9-5") – prohibiting the disposal of solid waste at other than a solid waste management facility licensed by the Director.
2. **R.I. Gen. Laws §23-18.9-8** – prohibiting the operation of a solid waste management facility without first obtaining a license from the Director of DEM.

In order to rectify the alleged violations, DEM is hereby requiring that you shall complete the following remedial actions:

1. **Within 60 days of receipt of this Letter of Non-Compliance**, remove all solid waste from the Property. The solid waste in question shall not be burned or buried on the Property. All solid waste removed from the Property shall be disposed of at a licensed solid waste management facility or recycling facility.

Telephone 401.222.1360 | www.dem.ri.gov | Rhode Island Relay 711

2. **Within ten days of completion of the solid waste removal project**, submit, to the undersigned at the letterhead address, written verification that the solid waste in question has been disposed of at a licensed or permitted solid waste management facility or recycling facility.

Failure to comply with the remedial actions set forth above will result in the issuance of additional enforcement action by this Office, which may include the assessment of administrative monetary penalties. Please be advised that substantial penalties, as high as \$25,000 per violation, are authorized for violations of the referenced statutes.

If there are any questions or concerns regarding the alleged solid waste violations, or if you wish to schedule an appointment for an informal meeting, then you may contact me or Daniel Lawton of this Office at (401) 222-1360, Ext's 7527 or 7262, or via electronic mail at: richard.lefebvre@dem.ri.gov or daniel.lawton@dem.ri.gov. Thank you for your cooperation in this matter.

Sincerely,

Richard S. Lefebvre
Principal Environmental Scientist
Office of Compliance and Inspection

XC: John Hassett, DEM/OC&I

**RI DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OC&I - HAZARDOUS WASTE COMPLIANCE PROGRAM**

**COMPLIANCE EVALUATION INSPECTION REPORT
SMALL QUANTITY GENERATOR**

Inspection Subject

Company Name (d/b/a):

175 Post Road Realty, LLC

Site Address:

Pawtuxet Industrial Park/Venturi Avenue
Warwick, RI 02888

EPA Identification Number:

Phone Number:

401.255.7325

Plat & Lot Number:

Reason for Inspection:

Compliance Monitoring

Complaint Response

Compliance History (include past 5 years)

Inspection	Action	Date	Description
			175 Post Road Realty, LLC has not had a hazardous waste compliance inspection for RCRA compliance within the past five years.

Inspection Data

RIDEM Inspector(s):

John Hassett - Senior Environmental Scientist, RIDEM - Hazardous Waste Compliance Section

Company Representatives and titles:

Mr. Artak Avagyan - Property Owner

Inspection Date:

5/8/2020

Start Time:

11:00 am

End Time:

12:40 pm

Inspector's Signature:



Date Signed:

5/20/2020

10/6/2020

RI DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF COMPLIANCE & INSPECTION

SOLID WASTE FIELD INSPECTION REPORT

Complaint Information

Complaint Number: 10922
Inspection Date: 10/6/2020
Begin Time: 11:29 AM
Previous Inspection Date:

Inspection Re-Inspection Attempt
Inspector: Daniel Lawton
End Time: 12:00 PM

Site Detail

Site Name: Beausoleil, Lee & Avagyan, Artak J/T
Street Address: 175 Post Road
City/Town: Warwick State/Zip: RI Assessor's Plat/Lot: Plat 291, Lot 45

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Site Contact Information PHONE: _____

Last Name: same
Street Address: 100 Hay Street
City/Town: West Warwick

First Name:
State/Zip: RI 02893

Findings

I inspected the property for solid waste and observed a pile of building demolition rubble that contained painted concrete, brick, Styrofoam, wood, metal, plastic, an asphalt adhesive or roofing material, and a fibrous insulative material. The pile measured 30 feet by 90 feet by 5 feet estimated average height, which equals approximately 500 cubic yards of solid waste. Some of the materials in the pile may be recyclable or exempt from regulation but I estimated that there is at least 3 cubic yards of solid waste in the pile.

I also observed a large amount (estimated 800 cubic yards) of plastic tanks and pipe. The tanks and pipe appeared to be in new condition and stored for future use. If it is determined that the pipe is abandoned, it could be considered solid waste.

The TOTAL ESTIMATED solid waste volume, at this site, at the time of inspection, is 500 cubic yards.

Pictures taken of the site, as viewed, are attached for the record.

Inspector's Signature: _____

9/20/21

RI DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF COMPLIANCE & INSPECTION

SOLID WASTE FIELD INSPECTION REPORT

Complaint Information

Complaint Number: 10922
Inspection Date: 9/20/2021
Begin Time: 2:25 PM
Previous Inspection Date: 10/6/2021

Inspection Re-Inspection Attempt
Inspector: Daniel Lawton
End Time: 2:50 PM

Site Detail

Site Name: Beausoleil, Lee & Avagyan, Artak J/T
Street Address: 175 Post Road
City/Town: Warwick

State/Zip: RI

Assessor's Plat/Lot: Plat 291, Lot 45

Site Contact Information

PHONE: _____

Last Name: same
Street Address: 100 Hay Street
City/Town: West Warwick

First Name:

State/Zip: RI 02893

Findings

I reinspected the property. The pile of building demolition rubble containing painted concrete, brick, Styrofoam, wood, metal, plastic, an asphalt adhesive or roofing material, and a fibrous insulative material was still there. I measured the pile to confirm the previous dimensions, equating to a volume of 500 cubic yards of solid waste.

The plastic tanks and pipe were also still there. I estimated that the volume of these materials is still 800 cubic yards.

I also observed approximately 2 cubic yards of miscellaneous solid waste, such as furniture, tires, scrap lumber, white goods and other mixed solid waste.

I observed an area at the southeast end of the property where piles of soil were recently deposited. The soil piles were within 100 feet of a stream.

The TOTAL ESTIMATED solid waste volume, at this site, at the time of inspection, is 502 cubic yards.

Pictures taken of the site, as viewed, are attached for the record.

Inspector's Signature: _____

Daniel Lawton

Digitally signed by Daniel
Lawton
Date: 2021.09.27 13:55:48 -04'00'