



CLOVIS C. GREGOR

Councilor-District Five

118 Trenton Street
Pawtucket, RI 02860

April 26, 2023

To: **Carl J. Johnson**, Director of Zoning & Code Enforcement

RE: **1 Moshassuck Street, Pawtucket, RI
Plat 62A (Lots 295 & 337) and Plat 62B (Lot 340)**

Dear Zoning Director Johnson,

In your capacity as Director of Zoning and as a follow-up to our 04/07/23 brief discussion regarding the above-referenced property, I wish to again bring to your attention what I consider to be an urgent public and environmental safety concern requiring immediate attention and a timely response.

As you know, the referenced property is currently owned by JK Equities/Blackstone Distribution Center, LLC who are currently in the process of demolishing the various buildings at the site in their quest to develop a warehouse distribution center. As I previously stated, my concerns are based on the current excavation activities and conditions of the site which I fear may be endangering our residents' health and safety as well as polluting our local environment including the Moshassuck River and Morley Field. Namely, it would appear that the property owners may not be in compliance with the proper hazardous waste management and containment of hazardous releases as mandated by R.I.G.L. § 23-19.14-1, et seq. (Industrial Property Remediation & Reuse Act); R.I.G.L. § 23-19.1-1, et seq. (Hazardous Waste Management Act) and more importantly, the RIDEM's Rules and Regulations for the Remediation of Hazardous Material Releases and Underground Storage Facilities Used for Regulated Substances and Hazardous Materials (the "Remediation Regulations").

The site's hazardous and highly contaminated condition, include the presence of arsenic, TPH and PAHs detected in the soil along with 6 underground hazardous substance storage tanks. The site's readily observable hazardous release containment measures, however, appear to be either non-existent or otherwise non-conforming or cursory at best. The various stockpiles of contaminated soil, bricks, concrete slabs, construction materials and debris, excavated from the site, are all fully exposed and uncovered. There are no required safety measures in place at the site which would mitigate hazardous materials, dust and contaminants from being carried off into the air, leaching into the ground water or contaminating the Moshassuck River and our site-abutting (only recreational greenspace) Morley Field. *See attached various photos of the site's current condition.

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As you know, the RIDEM's Remediation Regulations specifically require that "appropriate sedimentation and erosion controls, to protect against storm-water and wind erosion (i.e., hay bales, rocks, silt fencing), must be in place and in proper working order at all times." RIDEM's Remediation Regulations as well as the property owners' own Remediation Action Work Plan (RAWP), submitted to the RIDEM for 1 Moshassuck Street, specifically require that all such contaminated material stockpiled on site, must be "placed on and covered with polyethylene sheeting and disposed of within 30 days". See the attached JK Equities/Blackstone Distribution Center's RAWP on file with RIDEM as "File No. SR-26-2013/LUST ID No. 2655-ST".

The concerns, as you can see, have immediate and long-term implications affecting our residents' health and safety as well as the local environment. The current condition and exposure of the site remains environmentally fluid and unsafe in addition to presenting a very real danger of unauthorized entry and creating an attractive nuisance to children and passersby. Moreover, the buildings' surrounding sidewalks are littered with discarded furniture, trash and debris throughout its perimeter so as to constitute a hazardous and an unsanitary condition. Left unabated, I am concerned that it will lead to an infestation for disease carrying rodents. The hazardous and unsanitary condition, as outlined, are not only unacceptably unsafe and unhealthy to our residents, but are contrary to the standards established by City of Pawtucket applicable ordinance as well as R.I.G.L. § 23-27.3-124.1 (Unsafe Conditions) § 23-27.3-124.6.2 (Removal of debris and rubbish).

As such, on behalf of the residents of our community and for their general health, welfare and safety, I respectfully appeal to you, that proper measures be taken to promptly look into this urgent matter so as to confirm the nature and extent of non-compliance as well as confirm the risks to the public and our environment associated with these non-compliant activities at the site. Providing that you are able to confirm the situation to be as dire as I suspect, then I respectfully request that RIDEM be immediately noticed and that you take such other action, as you deem appropriate under the circumstances, until compliance or remedial action has been addressed. Lastly, I respectfully request that the property owners be noticed of the urgent need to promptly and effectively clear all the trash, furniture and debris surrounding the property's perimeter and sidewalks and including their lot behind the 10-Rocks restaurant on the Moshassuck side of the building.

I look forward to your response and thank you for your attention to this urgent public health and safety situation.

Sincerely,

Clovis C. Gregor
Councilor, District 5 (Woodlawn/Oakhill)

cc: Richard Goldstein, City Clerk
Terence Mercer, Council President
Honorable Mayor Donald Grebien