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STATE OF RHODE ISLAND  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF WASTE MANAGEMENT

PROCEEDINGS AT HEARING :  
IN RE: :  
RENEWAL PERMIT APPLICATION FOR: :  
NORTHLAND ENVIRONMENTAL, LLC :  
..... :

DATE: DECEMBER 2, 2008  
TIME: 1:30 P.M.  
PLACE: SECOND FLOOR  
235 PROMENADE STREET  
PROVIDENCE, RHODE ISLAND

PRESENT:  
YAN LI, PRINCIPAL ENGINEER  
LAURIE GRANDCHAMP, SUPERVISING ENGINEER

RHODE ISLAND COURT REPORTING  
747 NORTH MAIN STREET  
PROVIDENCE, RI 02904  
(401) 437-3366

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(COMMENCED AT 1:38 P.M.)

MS. LI: Good afternoon. My name  
is Yan Li and I'm a principal engineer in the  
Office of Waste Management. With me today is  
Laurie Grandchamp, who is the supervising engineer  
in the Office of Waste Management.

Today is the formal public hearing on

8 the renewal permit application for Northland  
9 Environmental, LLC. The Northland Environmental,  
10 LLC has been operating at 275 and 252 Allens  
11 Avenue for 28 years. Phillip Services Corporation  
12 owns 100 percent of Northland Environmental, LLC.  
13 Northland currently receives liquid and solid  
14 waste by highway transportation in various  
15 containers.

16 There are silver recovery operations and  
17 waste bulking and transfer operations on site.  
18 Once Northland accepts the waste, nothing can be  
19 stored on the site for more than one year.  
20 Groundwater in the area has been monitored  
21 according to the requirement of the permit  
22 conditions.

23 Northland has also established the  
24 required insurance coverage and provided for the

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1 insurance for the closure and postclosure of the  
2 site.

3 The maximum storage capacity of the  
4 facility is limited to the following: Hazardous  
5 waste container storage capacity is 331,905  
6 gallons. Nonhazardous waste container and rolloff  
7 storage capacity is 132,854 gallons. Hazardous  
8 waste tank capacity is 115,000 gallons.  
9 Nonhazardous waste tank capacity is 176,000  
10 gallons.

11 The public notice was published in the  
12 Providence Journal on October 1st of 2008. The  
13 public comment period began November 2, 2008 and  
14 will stay open for 30 days after today's hearing,  
15 ending January 2nd, 2009.

16 Written comments may be submitted to the  
17 department here at 235 Promenade street,  
18 Providence, Rhode Island 02908. You can send the  
19 comments to attention of Ms. Yan Li in the Office  
20 of Waste Management. Within 90 days after the  
21 close of the public comment period, the Office of  
22 Waste Management will make a final decision to  
23 issue or deny the renewal permit.

24 Today's hearing is not a question and

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1 answers session but rather an opportunity for the

2 public to place their comments on the record.  
3 Substantive comments will be responded to in  
4 writing.

5 Now, we'll begin accepting comments. If  
6 you would like to make a comment, please put your  
7 name in the back of the room on the list. If you  
8 would please come and talk and speak clearly, and  
9 state your name and your address. I'll call the  
10 first name, Patrick Conley.

11 MR. CONLEY: My name is Dr.  
12 Patrick Conley. I'm the owner of land along  
13 Allens Avenue to the north of this site.  
14 Basically I own plat 46, lot 481; plat 46, lot  
15 489; plat 46, lot 630, which was formally lots 317  
16 and 319 which have been consolidated.

17 So, I'm very, very close to the site. I  
18 speak basically not only as a landowner close to  
19 that site, but as a person not from Des Moines,  
20 but who has lived in South Providence or owned  
21 land in South Providence for a period of 70 years.

22 I have acquired the area along Allens  
23 Avenue and refurbished the old Northeast Petroleum  
24 dock as part of a proposed development of that

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1 area. It's a development that coincides with the  
2 recommendations and the proposed comprehensive  
3 plan that is now under in the final phase and  
4 which hopefully will be soon enacted by the City  
5 of Providence.

6 At the present time and since 1994, the  
7 area in which the site is, east of Allens Avenue  
8 is located, 252 Allens Avenue has been zoned W-3  
9 which is industrial waterfront, marine purpose.  
10 Now I don't know if this company exports the  
11 hazardous waste by ship, I would tend to think  
12 not, but I don't see that as being a marine  
13 purpose.

14 More than likely because you mentioned  
15 28 years of operation, I don't know if it was all  
16 on the easterly side of Allens Avenue, it would be  
17 grandfathered because that area was an industrial  
18 area, it was zoned M prior to the rezoning in  
19 1994.

20 The point in a way is when I grew up in

21 that area that was an industrial zone, the New  
22 York, New Haven and Hartford Railroad ran tracks  
23 along Allens Avenue and was taken over by the  
24 Providence Worcester railroad and those tracks had

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1 spurs going into all those businesses.

2 Right now, we're in a postindustrial  
3 area or era, and the city I think recognizes that,  
4 I certainly recognize that. And the city in its  
5 comprehensive plan envisions the extension of  
6 downtown along the Providence River, all the way  
7 to Harbor Junction, all the way to the foot of  
8 Thurbers Avenue down to what would be 434 Allens  
9 Avenue, a large vacant lot there that is at the  
10 red light where Thurbers Avenue comes into Allens.

11 Now, in view of the long-range plans of  
12 the city to develop that area, to incorporate it  
13 into an expanding downtown, which is moving  
14 southward as a result of the relocation of I-195,  
15 it seems to me extraordinarily unwise to  
16 perpetuate such a toxic and noxious use in an area  
17 slated for general business and commercial at the  
18 very least, commercial development.

19 So for that reason, I would say that a  
20 renewal of a hazardous waste facility license for  
21 an area which is quite obviously at the present  
22 time under consideration by the city for rezoning  
23 and other uses would be inopportune and unwise.

24 Also, of course, we have jurisdictional

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1 problems here. DEM controls the site to a certain  
2 degree is why you're holding your hearings but a  
3 portion of that lot on the easterly side of Allens  
4 Avenue, at least 200 feet of it, lies within the  
5 jurisdiction of the Coastal Resources Management  
6 Council.

7 Why they are not here mystifies me.  
8 They were very concerned about my 26-foot by  
9 14-foot tiki bar on my dock on my site, but seemed  
10 not to worry about the possibilities of hundreds  
11 of thousands of gallons of noxious hazardous waste  
12 and nonhazardous waste spilling and perhaps  
13 leaching into the Providence River. I guess  
14 that's their call.

15 But to have a hazardous waste facility  
16 on a navigable waterway and on the upper reaches  
17 of the bay which we have been attempting for  
18 decades to clean, seems to me also extraordinarily  
19 unwise. I would certainly think that there are  
20 other sites equally close to the interstate in  
21 more remote areas that would be more suitable for  
22 hazardous waste storage and transfer.

23 I own a number of industrial sites. I  
24 own an EPA site, the Stamina Mills up in North

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1 Smithfield, a little over five acres that I'd be  
2 more than happy to make available for the  
3 hazardous waste disposal needs of Northland here.

4 Why it has to be on the Providence River  
5 in the way in the path of an expanding downtown  
6 mystifies me. It may have been a good idea once  
7 when that area was not slated for redevelopment.

8 Where it was in the backwater, where it  
9 had been a forgotten area that made it the  
10 repository of X-rated clubs and other very  
11 intensive toxic industries, but in view of what's  
12 moving forward, seems to be very unwise to grant a  
13 renewal of this permit and allow that business to  
14 perpetuate in the face of obvious redevelopment.

15 MS. LI: Thank you. I'm going to  
16 call the next person, Erik. Could you state your  
17 name for the record?

18 MR. BRIGHT: My name is Erik  
19 Bright and I am co-director of Partnership for  
20 Creative Industrial Space. I'm also a tenant at  
21 200 Allens Avenue, at least 40 -- actually 50,000  
22 square feet of commercial space at 200 Allens  
23 Avenue. And with the provision to be able to  
24 sublease that space to which my company, PCIS,

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1 subleases to 43 businesses, and 107 full-time  
2 employees that have their offices in 200 Allens  
3 Avenue.

4 First, I want to speak as the  
5 co-director and for the tenants in our building.  
6 There recently was an accident and I don't know  
7 how long that was, do you know, Pat?

8 MR CONLEY: A month-and-half

9 perhaps.

10 MR. BRIGHT: A month-and-a-half  
11 ago, there was an accident on that site. And that  
12 sort of made -- we had been aware of use there but  
13 the accident certainly raised some red flags as to  
14 exposure, both for our tenants and also for the  
15 well-being of the businesses down there.

16 I recognize that this type of business  
17 is probably not desirable in many locations and  
18 understand too the hardship that it would place on  
19 the business to have to relocate and so I don't  
20 take it lightly, but I don't think, one, for the  
21 well-being of our tenants, but I would say mainly  
22 I don't think it's an appropriate site to have  
23 that type of toxic materials coming in and out.

24 And anytime you're loading and or

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1 unloading, there's the possibility of an accident.  
2 And I think being on the bay and along the  
3 waterfront, an area that hopefully will be more  
4 and more frequently used by the public as the  
5 constituents in South Providence gain access to  
6 the waterfront that they've been denied, I think  
7 it would be a serious waste for the use of that  
8 waterfront area to continue to have this type of  
9 business on the waterfront.

10 It doesn't make any sense. And I do  
11 agree that there are plenty of other industrial  
12 sites, preferably sites that are already  
13 contaminated that would be a smarter use to grant  
14 this type of a permit. Thank you.

15 MS. LI: Thank you. Ma'am, would  
16 you like to put your comments on the record?

17 MS. CARNEVALE: I'm his business  
18 partner. I would reiterate, if that's all you  
19 need. But I would probably have pretty much the  
20 same to say.

21 MS. LI: Okay.

22 MR. BRIGHT: Can I ask a question?

23 MS. LI: Sure.

24 MR. BRIGHT: I don't know your

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1 names, are you both with DEM?

2 MS. LI: We both are.

3 MS. GRANDCHAMP: Yes. I'm with  
4 DEM, I'm Laurie Grandchamp.

5 MS. LI: And that is John Stiller  
6 regional environment health and safety director.

7 MR. BRIGHT: Okay. Sorry, I  
8 didn't know.

9 MS. LI: We can keep this open.  
10 Sometime some people show up, open, 20 minutes.

11 MR. CONLEY: We have said our  
12 piece. We will forever hold it.

13 (OFF THE RECORD)

14 MS. LI: If nobody else would like  
15 to speak for today's hearing, this concludes the  
16 public hearing. Thank you for your comments.

17 (CLOSED AT 2:18 P.M.)

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1 C E R T I F I C A T E  
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5 I, Claudia J. Read, Notary Public, do hereby  
6 certify that I reported in shorthand the foregoing  
7 proceedings, and that the foregoing transcript  
8 contains a true, accurate, and complete record of  
9 the proceedings at the above-entitled hearing.

10  
11 IN WITNESS WHEREOF, I have hereunto set my  
12 hand this 5th day of January, 2009.  
13  
14  
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17 CLAUDIA J. READ, NOTARY PUBLIC/CERTIFIED COURT REPORTER  
18 MY COMMISSION EXPIRES NOVEMBER 2, 2012.  
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