

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
THE TOWN OF NORTH SMITHFIELD**

**AN ORDINANCE OF THE TOWN COUNCIL,
REGARDING GROUNDWATER WELLS NEAR STAMINA MILL SITE**

It is ordained by the Town Council of the Town of North Smithfield as follows:

That the Code of Ordinances shall be amended to add **Chapter 8, Article V**, to read as follows:

SECTION 1. Legislative Findings and Purpose

It is here declared that the public health and safety requires the cessation of well construction and well pumping activity within an area here defined as the Stamina Mill Remediation District. The scope of this district has been delineated by the United States Environmental Protection Agency as that area, due to groundwater patterns and proximity to the Stamina Mill Superfund site on School Street in Forestdale, North Smithfield, whose well pumping activities have the potential capacity to draw contaminants from the groundwater affected by the site. Furthermore, each lot in the delineated area has, for many years, been connected to a primary public water supply.

SECTION 2. No person shall install, construct or connect a groundwater well in any location within the Stamina Mill Groundwater Remediation District as defined on the attached maps, and attached schedule of included lots.

SECTION 3. No person shall use, pump from or in any way operate a groundwater well in any location within the Stamina Mill Groundwater Remediation District as defined on the attached map, and attached schedule of included lots.

SECTION 4. The Building Inspector is authorized to enforce the provisions of this chapter and to institute such proceedings, including proceedings to enjoin the above prohibited activities within the Stamina Mills Groundwater Remediation District, as necessary to effectuate the requirements of this chapter.

SECTION 5. Any person, firm, corporation or other entity who knowingly violates Sections 2 or 3 hereof shall be subject to a fine of not less than two hundred and fifty dollars (\$250.00), nor more than five hundred dollars (\$500.00). Each and every violation of this ordinance, and each and every day the violation continues or is repeated, shall constitute a separate offense. All such fines shall inure to the benefit of the town.

SECTION 6. The Building Inspector shall give copies of any violations issued pursuant to Section 4 or 5 above to (a) the Project Manager of the Stamina Mill Superfund Site, Office of Waste Management, Rhode Island Department of Environmental Management (RIDEM), 235 Promenade St., Providence, RI 02908, and (b) the Remedial Project Manager for the Stamina Mills Superfund Site, US Environmental Protection Agency (EPA) 1 Congress St., Suite 1100, Boston, MA 02114-2023, and shall provide written notice to the above of the repeal or modification of this ordinance or of any judicial decision that repeals or modifies this ordinance. The Building Inspector shall also

provide to RIDEM and EPA an annual report on September 1 of the number and nature of violations in the prior year ending June 30. The Building Inspector may consult with and coordinate with RIDEM and EPA concerning the management of this ordinance.

SECTION 7. This ordinance shall not apply to any investigative monitoring well installed by or at the request or order of any federal, state, or local governmental authority.

SECTION 8. The Town Administrator shall request from the EPA, following the next EPA five-year review, and no later than January 1, 2011 substantiation of the continued necessity of this ordinance.

SECTION 9. This ordinance shall take effect on the date of passage in accordance with the Town Charter. There are two (2) attachments to the ordinance. One is a revised map of what the ordinance will include as well as a list with the involved lots affected by the ordinance.

Approved in form: 
Mark C. Hadden, Town Solicitor

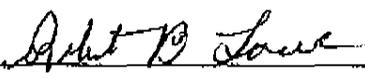
Received by Town Clerk:  Date: April 19, 2006
Debra A. Todd

Posted Date: April 19, 2006

First Reading: May 1, 2006

Second Reading: May 15, 2006

Flaherty yes Thibault yes Yazbak yes Zwolenski yes Lovett recused

Approved by Town Administrator: 
Robert B. Lowe

PLAT-LOT	LOCATION	Well ID	HOUSE NUMBER	RATIONALE
005-136	MAPLE AVE	I-30	53	Current/previous contamination generally > 10 ug/L
005-137	MAPLE AVE		55	Current/previous contamination generally > 10 ug/L
005-269	MAPLE AVE	I-14	51	Current/previous contamination generally > 10 ug/L
005-135	MAPLE AVE			Current/previous contamination generally > 10 ug/L
005-134	MAPLE AVE	I-33	47	Current/previous contamination generally > 10 ug/L
005-132	MAPLE AVE	I-32		Current/previous contamination generally > 10 ug/L
005-133	MAPLE AVE		43	Current/previous contamination generally > 10 ug/L
005-435	SCHOOL ST	I-31	134	Current/previous contamination generally > 10 ug/L
005-138	SCHOOL ST	I-20	130	Current/previous contamination generally > 10 ug/L
005-139	SCHOOL ST	I-24	128	Current/previous contamination generally > 10 ug/L
005-140	SCHOOL ST	I-7	126	Current/previous contamination generally > 10 ug/L
005-141	SCHOOL ST		124	Current/previous contamination generally > 10 ug/L
005-142	SCHOOL ST	I-28	122	Current/previous contamination generally > 10 ug/L
005-143	SCHOOL ST		120	Current/previous contamination generally > 10 ug/L
005-144	SCHOOL ST		118	Current/previous contamination generally > 10 ug/L
005-145	SCHOOL ST	I-37	116	Current/previous contamination generally > 10 ug/L
005-146	SCHOOL ST		114	Current/previous contamination generally > 10 ug/L
005-147	SCHOOL ST		112	Current/previous contamination generally > 10 ug/L
005-148	SCHOOL ST	A-152	110	Current/previous contamination generally > 10 ug/L
005-149	SCHOOL ST		108	Current/previous contamination generally > 10 ug/L
005-150	SCHOOL ST		104	Current/previous contamination generally > 10 ug/L
005-151	SCHOOL ST			Current/previous contamination generally > 10 ug/L
005-170	SCHOOL ST		100	Current/previous contamination generally > 10 ug/L
005-284	FREITAS LANE	I-13	16	Current/previous contamination generally > 10 ug/L
005-286	FREITAS LANE	I-12	20	Current/previous contamination generally > 10 ug/L
005-277	FREITAS LANE	I-21	19	Current/previous contamination generally > 10 ug/L
005-393	FREITAS LANE	I-34	10	Current/previous contamination generally > 10 ug/L
005-022	FREITAS LANE	I-35		Current/previous contamination generally > 10 ug/L
005-288	SCHOOL ST	I-1	191	Potential pumping influence
005-180	SCHOOL ST		189	Potential pumping influence
005-159	SCHOOL ST	I-17	187	Potential pumping influence
005-158	SCHOOL ST	I-22	183	Potential pumping influence
005-157	SCHOOL ST	I-3	181	Potential pumping influence
005-156	SCHOOL ST	I-8	179	Potential pumping influence
005-155	SCHOOL ST	I-38	177	Potential pumping influence
005-154	SCHOOL ST	I-18	175	Potential pumping influence
005-153	SCHOOL ST		173	Potential pumping influence
005-035	SCHOOL ST	A-167	162	Potential pumping influence
005-257	SCHOOL ST		152	Potential pumping influence
005-346	SCHOOL ST			Potential pumping influence
005-168	SCHOOL ST			Potential pumping influence
005-249	SCHOOL ST			Potential pumping influence
005-130	SCHOOL ST			Potential pumping influence
005-330	KIRBY LANE	I-5	15	Potential pumping influence
005-331	KIRBY LANE	I-6	19	Potential pumping influence
005-332	KIRBY LANE			Potential pumping influence
005-328	KIRBY LANE	I-10	9	Potential pumping influence
005-329	KIRBY LANE	I-25	11	Potential pumping influence
005-368	KIRBY LANE			Potential pumping influence
005-344	KIRBY LANE			Potential pumping influence
005-345	KIRBY LANE	I-36	8	Potential pumping influence
005-309	KIRBY LANE	I-15	14	Potential pumping influence
005-342	KIRBY LANE			Potential pumping influence
005-034	MAPLE AVE		62	Potential pumping influence
005-282	MAPLE AVE	I-11	50	Potential pumping influence
005-286	MAPLE AVE	I-43	46	Potential pumping influence
005-178	MAPLE AVE	I-44	44	Potential pumping influence
005-252	MAPLE AVE	I-45	42	Potential pumping influence
005-243	MAPLE AVE			Potential pumping influence
005-316	MAPLE AVE		32	Potential pumping influence
005-315	MAPLE AVE	I-26	30	Potential pumping influence
005-259	MAPLE AVE	I-27	60	Potential pumping influence
005-265	MAPLE AVE	I-41	58	Potential pumping influence
005-264	MAPLE AVE			Potential pumping influence
005-437	MAPLE AVE	I-42	54	Potential pumping influence
005-199	MAPLE AVE	I-16	29	Potential pumping influence
005-186	MAPLE AVE		31	Potential pumping influence
005-209	MAPLE AVE	I-39	33	Potential pumping influence
005-231	MAPLE AVE	I-40	37	Potential pumping influence
005-230	ROSELAWN AVE	I-23	16	Potential pumping influence
005-412	ROSELAWN AVE	I-2	18	Potential pumping influence
005-409	ROSELAWN AVE	I-19	23	Potential pumping influence
005-446	ROSELAWN AVE	I-9	21	Potential pumping influence
005-289	INDUSTRIAL DRIVE	A-75	120	Potential pumping influence