

# RESOLUTION OF THE CITY COUNCIL

*No. 47*

*Approved* February 12, 2001

WHEREAS, U.S. Gen New England, Inc. (hereinafter "Applicant") is the owner of realty located at 40 Point Street, Providence, Rhode Island (Plat 22, Lot 354); and

WHEREAS, Applicant seeks to remove and relocate an existing above-ground fuel oil tank with a total capacity of 136,000 gallons and to undertake other ancillary construction.

NOW, THEREFORE, BE IT RESOLVED, That Applicant is authorized to install one (1) above-ground fuel oil storage tank with a total capacity of 136,000 gallons and other ancillary improvements listed in its application heretofore provided, however that:

1. All construction is undertaken consistent with the plans presented to the City Council Committee on Public Works Department, the Department of Public Safety, the Department of Public Works, and the Department of Inspection and Standards as those plans may be modified by any of the same. A plan of the same is attached hereto as Exhibit "A."

2. Applicant shall perform any remediation of environmental damage at or originating at the situs which is necessary so as to satisfy the legal requirements of any governmental body or agency. Applicant shall appropriately remove and dispose of or recycle all portions of the existing storage tank.

3. In the event that the construction requires obstruction or displacement of the public way, Applicant shall, for the duration of such obstruction or displacement, obtain the necessary permits, execute an indemnification and hold-harmless agreement satisfactory to the City Solicitor and shall provide insurance (or, if self-insured, a certificate of financial responsibility) in an amount of not less than one hundred thousand dollars (\$100,000.00) listing the City of Providence, its agents, officers, servants, employees, and assigns as additional named insureds. Such policy shall be acceptable to the City Solicitor.

4. Applicant agrees, and that agreement shall be manifested by Applicant, by undertaking any construction pursuant to this Resolution, that any statement(s) or representation(s) made to any municipal department, board or committee are

IN CITY COUNCIL  
SEP 7 2000  
FIRST READING  
REFERRED TO COMMITTEE ON  
PUBLIC WORKS  
Michael P. Clement CLERK  
CB

THE COMMITTEE ON  
Public Works  
Recommends *Be Continued*  
Clairna Best Clerk  
Apr 21, 2000

THE COMMITTEE ON  
PUBLIC WORKS  
Approves Passage of  
The Within Resolution  
Clairna Best Clerk  
Jan. 23, 2001

made a part of this Resolution and any authorization granted hereunder are specifically conditioned upon compliance with said statement(s) and/or representation(s).

5. All work performed hereunder shall be done in a good and workmanlike manner, shall be commenced and completed forthwith and Applicant shall obtain any necessary permits.

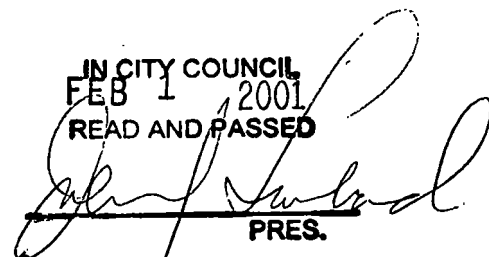

6. All work contemplated herein shall be completed not more than one (1) year after the effective date of this Resolution and in the event said work is not so completed, this Resolution shall automatically and without further action by the city, be rescinded and any grant hereunder rendered void; unless prior to that time a request for extension is made to the Providence City Council.

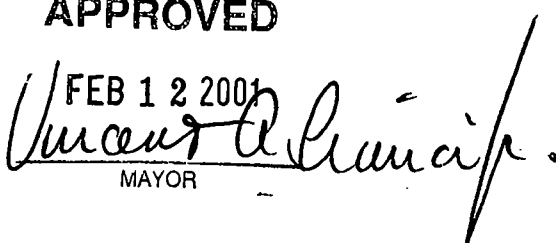
7. Nothing herein shall be construed to contradict or limit or modify any ruling or declaration of the Providence Zoning Board .

8. To the extent applicable, the conditions imposed hereunder shall run to any successor in interest to the proposed oil storage tank.

9. Prior to the commencement of any construction contemplated hereunder the Applicant shall present to the City Clerk the appropriate application form endorsed by all necessary municipal officials. Such endorsements shall be without reservations or condition. Should such application not be presented in completed form sixty (60) days from the effective date hereof, this Resolution shall automatically be rescinded and be a nullity without further action of the city.

10. Such other conditions as His Honor, the Mayor; and the City Solicitor may impose.

IN CITY COUNCIL  
FEB 1 2001  
READ AND PASSED  
  
PRES.  
  
CLERK  
BP

APPROVED  
FEB 1 2 2001  
  
MAYOR



## NIXON PEABODY LLP

ATTORNEYS AT LAW  
One Citizens Plaza  
Providence, RI 02903  
(401) 454-1000  
Fax: (401) 454-1030

Peter V. Lacouture  
Direct Dial: (401) 454-1011  
E-Mail: [placouture@nixonpeabody.com](mailto:placouture@nixonpeabody.com)

October 11, 2000

### FORWARDED VIA HAND DELIVERY

Ms. Claire Bestwick  
Department of City Clerk  
City of Providence  
25 Dorrance Street  
Providence, RI 02903

Re: USGen New England, Inc. – Manchester Street Station Petitions

Dear Ms. Bestwick:

Attached is another set of the following full scale plans as requested by your office:

H-202125  
H-202128  
H-202136

A reduced size copy of Plan H-202125 was attached to the Petition for approval of the construction of a replacement above-ground fuel oil storage tank and reduced size copies of all the plans were attached to the Petition for approval of the relocation of the existing utility lines over the Fox Point Hurricane Barrier.

Please contact me should you need any additional information.

Sincerely,

Peter V. Lacouture

PVL/kmo  
Enclosure

cc: Mr. Ferdinand C. Ihenacho, P.E. (w/o encl. by fax)



Ramzi J. Loqa, P.E.  
Director

Vincent A. Cianci, Jr.  
Mayor



Department of Inspection and Standards  
*"Building Pride In Providence"*

MEMO

DATE: September 29, 2000

TO: Councilman Robert M. Clarkin,  
Committee on Public Works

FROM: Ramzi J. Loqa, *RJL*  
Director

RE: Construction of replacement of above ground fuel oil storage tank at  
45 Gen's Manchester Street Station (No. 2 Fuel Oil).

Please be advised that the owner has filed for a variance with the Building Board of Review due to the location of this tank within the first fire district area since it is classified as a high hazard use. The proposed construction seems to meet the flood plain requirements and all engineering accepted designs. Also, utility lines over the hurricane barrier's electric power utility lines are not regulated by this Department.

RJL/bd



**PG&E National  
Energy Group™**

One Bowdoin Square  
Suite 600  
Boston, MA 02114-2910

617.788.3000  
Fax: 617.788.3100  
Internet:  
[www.gen.pge.com](http://www.gen.pge.com)

Mr. Michael R. Clement  
Providence City Clerk  
City Hall  
25 Dorrance Street  
Providence, Rhode Island 02903

18 December, 2000  
NEG-PCC-0001

Subject: US GEN New England, Inc - Manchester Street Station  
I-195 Relocation Project

Dear Mr. Clement,

Attached for your information and use is Revision 1 of the following drawing:

Drawing No. H-202136 "Trench Cross section at West Dike Hurricane Barrier"

This drawing incorporates comments received from Mr. Fred Ihenacho, Director of the Providence Public Works Department, during the 21 November 2000 City Council Public Works Committee Meeting. Mr. Ihenacho has reviewed and approved the Notes that have been added to the subject drawing.

Please include the subject drawing in the Project Plan package in support of US Gen New England's Petitions to 1.) Construction of an Above Ground Storage Tank and 2.) Relocation of the existing utility lines over the Fox Point Hurricane Barrier.

Please call me at 508-549-5918 or Peter Lacouture at 401-454-1011 if there are any questions or comments.

Michael G. Kane, P.E.  
Project Engineer

Enc

W Freddo – Manchester Street w/o att  
M Croker – Manchester Street w/o att  
H Stowe – Power Engineering; Foxboro w/o att  
P Lacouture (Nixon-Peabody) w/4 att  
F Ihenacho P.E. – Providence Public Works Department w/o att  
J D'Amico, Esq - Providence City Solicitors w/o att

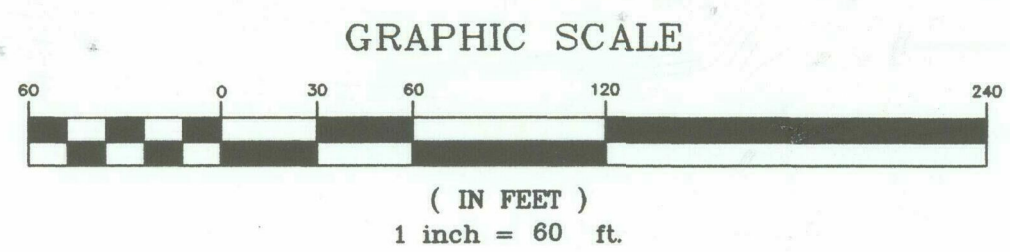
PG&E Generating (PG&E Gen) and any other company referenced herein that uses the PG&E name or logo are not the same company as Pacific Gas and Electric Company, the regulated California utility. Neither PG&E Gen nor these other referenced companies are regulated by the California Public Utilities Commission. Customers of Pacific Gas and Electric Company do not have to buy products from these companies in order to continue to receive quality regulated services from the utility.







- 1) ALL DIMENSIONS ARE TO THE CENTERLINE OF PIPE OR STRUCTURE UNLESS OTHERWISE INDICATED. LAYOUT DIMENSIONS ARE FOR REFERENCE ONLY AND BE VERIFIED IN THE FIELD, AND ARE SUBJECT TO CHANGE PENDING UNFORESEEN FIELD CONDITIONS.
- 2) ALL WATERLINES SHALL BE CLASS 52 CEMENT LINER DUCTILE IRON PIPE, OR AS OTHERWISE DIRECTED BY THE OWNER.  
ALL WATERLINES SHALL BE INSTALLED WITH FOUR (4) FEET MINIMUM COVER OVER THE CROWN OF THE PIPE.
- 3) ALL FITTINGS SHALL BE RESTRAINED AGAINST MOVEMENT, BY CONCRETE THRUST BLOCKS AND/OR CLAMPS, YOKES AND TIE RODS, AS SHOWN ON THE DRAWINGS OR AS OTHERWISE REQUIRED TO SATISFACTORILY RESTRAIN ALL FITTINGS AND APPURTANCES.
- 4) THE CONTRACTOR SHALL INSTALL APPROPRIATE WARNING TAPE IN THE WATER MAIN, ELECTRICAL COMMUNICATIONS TRENCHES, IN ACCORDANCE WITH STATE STANDARD SPECIFICATIONS, OR AS DIRECTED BY THE ENGINEER.
- 5) CONTRACTOR SHALL MAKE APPROPRIATE CHANGES IN THE HORIZONTAL AND/OR VERTICAL ALIGNMENT OF ALL UTILITY LINES IN WAY OF EXISTING OR PROPOSED UTILITY LINES OR UNFAVORABLE SUBSURFACE CONDITIONS. ALL CHANGES SHALL REQUIRE REVIEW AND APPROVAL OF THE ENGINEER. THE CONTRACTOR SHALL SUBMIT AS BUILT DRAWINGS.
- 6) THIS PLAN DOES NOT GUARANTEE THE EXISTENCE OR NONEXISTENCE OF UNDERGROUND UTILITIES. PRIOR TO ANY CONSTRUCTION OR EXCAVATION THE CONTRACTOR SHALL VERIFY THE EXISTENCE AND LOCATION OF, OR NON-EXISTENCE OF, ANY UNDERGROUND UTILITIES. THE CONTRACTOR WILL USE DILIGENCE IN LOCATING UNDERGROUND UTILITIES AND SHALL BE RESPONSIBLE FOR NOTIFYING "DIG SAFE" AT 1-800-225-4977 AT LEAST THREE BUSINESS DAYS PRIOR TO COMMENCEMENT OF EXCAVATION.
- 7) LOCATIONS AND DEPTHS OF EXISTING UNDERGROUND PIPES, CONDUITS, AND STRUCTURES AS SHOWN, ARE APPROXIMATE ONLY, BASED ON FIELD SURVEYS OF THE BEST AVAILABLE INFORMATION. THE CONTRACTOR SHALL MAKE, AT HIS OWN EXPENSE, SUCH SUPPLEMENTAL INVESTIGATIONS, INCLUDING TEST PITS, AS HE DEEMS NECESSARY TO DETERMINE THE EXACT LOCATIONS OF UTILITIES AND STRUCTURES. ANY EXPENSE AND/OR DELAY OCCASIONED BY THE KNOWN UTILITIES AND STRUCTURES, OR DAMAGE THERETO, SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR AT NO ADDITIONAL CHARGE TO THE OWNER, THE ENGINEER, OR THE STATE OF RHODE ISLAND.
- 8) ALL GRASSED AREAS WITHIN THE ON-SITE PORTIONS OF THE PROPERTY DISTURBED BY THE CONTRACTOR'S OPERATIONS SHALL BE FINE GRADED, LOADED AND SEEDDED. WHERE EXISTING GRADES ARE TO REMAIN UNCHANGED, AND SOD IS IN PLACE, ALL AREAS DISTURBED BY CONSTRUCTION SHALL BE RE-SODDED UNLESS OTHERWISE DIRECTED BY THE OWNER.
- 9) ALL EXISTING PAVEMENT SCHEDULED TO REMAIN AND DAMAGED BY CONSTRUCTION SHALL BE IMMEDIATELY REPAIRED AND/OR REPLACED AT NO ADDITIONAL EXPENSE TO THE OWNER.
- 10) THE CONTRACTOR SHALL INSTALL AND MAINTAIN SHEETING AND BRACING AS NECESSARY TO PROTECT PERSONNEL AND THE PUBLIC ON OR NEAR THE SITE, PREVENT INJURIOUS CAVING OR EROSION, OR LOSS OF GROUND, MAINTAIN AT ALL TIMES PEDESTRIAN AND VEHICULAR TRAFFIC, AND PROTECT ADJACENT STRUCTURES.
- 11) THE CONTRACTOR SHALL COORDINATE ALL UTILITY SHUTOFFS, ABANDONMENTS, INTERRUPTIONS AND THE LIKE WITH THE RESPECTIVE UTILITY COMPANY, AGENCY, OR THE PROPERTY OWNER. ANY DAMAGE INCURRED ON ANY UTILITY LINE, PIPE STRUCTURE, ETC. SHALL BE RESTORED IMMEDIATELY TO THE ORIGINAL CONDITION BY THE CONTRACTOR AT THE CONTRACTOR'S EXPENSE.
- 12) THE CONTRACTOR SHALL NOTIFY OPERATORS WHO MAINTAIN UNDERGROUND UTILITY LINES IN THE AREA OF PROPOSED EXCAVATION OR BLASTING AT LEAST TWO (2) WORKING DAYS, BUT NOT MORE THAN TEN (10) WORKING DAYS, PRIOR TO COMMENCEMENT OF EXCAVATION OR DEMOLITION. ALL EXISTING WATER, GAS, SEWER, AND OTHER UTILITIES SHALL BE MAINTAINED AT ALL TIMES DURING CONSTRUCTION.
- 13) REFER TO THE UTILITIES PLAN FOR EXISTING AND PROPOSED UTILITY LOCATION AND SIZES.



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3									
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1									
REV NO.	DATE	ISSUED FOR I-195 RELOCATION PROJECT	BY	CHK	PPV	WMA	ENGR	APPR	
SCALE: 1" = 60'		DATE: 8/1/2000							
PG&E Generating									
MANCHESTER ST. STATION – UNIT C PROVIDENCE, RI.									

SITE PLAN  
PROPOSED CONDITIONS  
SHEET 1 OF 4

PG&E Generating  
ENGINEERING & DESIGN RESOURCES  
BOSTON, MA.

DRAWING NO.	REV.
-202125	0

PHILIP P. VIRGADAMO

NO. 3050

REGISTERED

PROFESSIONAL ENGINEER

**GZA** | **GZA**  
**GeoEnvironmental, Inc.**  
140 Broadway Providence, Rhode Island  
(401) 421-4140 fax (401) 751-8613



