



RHODE ISLAND

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

OFFICE OF LAND REVITALIZATION & SUSTAINABLE MATERIALS MANAGEMENT

235 Promenade Street, Providence, Rhode Island 02908

PROGRAM LETTER

File No. SR-10-1954

August 24, 2023

Melissa Martin, Manager
R.I. Waterfront Enterprises, LLC
1080 Main Street
Pawtucket, Rhode Island 02860

RE: Site Investigation Report received May 15, 2022
R.I. Waterfront Enterprises, LLC
649 Waterfront Drive, East Providence
Map 7, Block 1, Lot 3

Dear Ms. Martin:

On April 22, 2020, the Rhode Island Department of Environmental Management's (the Department) Office of Land Revitalization and Sustainable Materials Management (LRSMM) enacted the codified 250-RICR-140-30-1, Rules and Regulations for the Investigation and Remediation of Hazardous Material Releases (the Remediation Regulations). The purpose of these regulations is to create an integrated program requiring reporting, investigation, and remediation of contaminated sites in order to eliminate and/or control threats to human health and the environment in an efficient manner. A Program Letter is a document used by the Department to signify that a Site Investigation has been completed and that a Performing Party must conduct public notice in accordance with Sections 1.8.7(A)(2) and 1.8.9 of the Remediation Regulations concerning the findings of the investigation and the proposed remedial alternatives.

In the matter of the above-referenced property (the Site), the Department's Office of LRSMM is in receipt of the following documentation submitted pursuant to the Remediation Regulations in response to the reported release at the Site:

1. Site Investigation Report, received by the Department on May 15, 2022, and prepared by Sage Environmental, Inc.
2. GZA GeoEnvironmental, Inc. - Geotechnical and Subsurface Investigation, November 2017 for Genesee & Wyoming.
3. Beneficial Use Determination (BUD) Application Submittal received June 16, 2023; and
4. Beneficial Use Determination Draft Application (pre- Public Hearing) dated August 18, 2023.

The Department regards the information provided in these report as meeting the requirements pursuant to Section 1.8.8 of the Remediation Regulations. The preferred remedial alternative proposes the following remedy:

1. **Alternative #3** - Implementation of engineering controls, capping and institutional controls (Environmental Land Use Restriction (ELUR) and Soil Management Plan (SMP)) to limit contact with contaminant-impacted soil at the Site.

The Department acknowledges that the site investigation activities are complete. The Department is not yet able to formally approve the SIR, however, due to the necessity to first allow the public to comment on the technical feasibility of the preferred remedial alternative. Outlined in Section 1.8.7(A)(2) and 1.8.9 of the Remediation Regulations are the requirements for public notice after the SIR is deemed complete to all abutting property owners, tenants, easement holders, and the municipality regarding the substantive findings of the completed investigation and the opportunity for public review and comment on the technical feasibility of the preferred remedial alternative. Please submit a draft notification to the Department via E-mail for review and approval prior to distribution. A boilerplate notification to be distributed can be found online under “**Public Notice Reference Documents**” at <http://www.dem.ri.gov/programs/wastemanagement/site/remediation/index.php>. The Department will require a copy of the approved public notice letter and a list of all recipients upon issuance.

The Department will formally approve the SIR in the form of a Remedial Decision Letter (RDL) once Public Notice is completed and upon Department approval of all final responses to relevant public comments. At that point, the Department will require submission of the Remedial Action Work Plan (RAWP) and draft versions of the ELUR and SMP for review and approval in accordance with Sections 1.9 and 1.10 of the Remediation Regulations. Upon receipt of the RDL, be prepared to submit the Remedial Action Approval Application Fee of one thousand dollars (\$1,000.00) in check form made payable to General Treasurer - State of Rhode Island directly to the Office of Management Services.

If you have any questions regarding this letter or would like the opportunity to meet with Department personnel, please contact me by telephone at (401) 222-2797, ext. 2777102, or by E-mail at jeff.crawford@dem.ri.gov.

Sincerely,



Jeffrey Crawford, Project Manager

Environmental Scientist III

Office of Land Revitalization &

Sustainable Materials Management

Cc: Kelly Owens, Supervising Engineer Site Remediation
Susan Forcier, Esq. -RIDEM Legal Services
Mark Dennen, Environmental Scientist IV
Jacob Butterworth, Sage Environmental, Inc.
Michael Donegan, Esq.- Orson & Brusini, Ltd.