



RHODE ISLAND  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

**REMEDIAL APPROVAL LETTER**  
**CASE No. 2010-019**

February 18, 2013

Mr. Joseph Dias, Chief  
Planning and Development  
Rhode Island Department of Environmental Management  
235 Promenade Street  
Providence, RI 02908

RE: Trestle Trail Bike Path  
Trestle Trail Right-of-Way  
Coventry, Rhode Island

Dear Mr. Dias:

On November 9, 2011, the Rhode Island Department of Environmental Management's (the Department) Office of Waste Management (OWM) amended the 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 a timely and cost-effective manner. A Remedial Approval Letter (RAL) is a document used by the Department to approve remedial actions at contaminated sites that do not involve the use of complex engineered systems or techniques (i.e. groundwater pump and treat systems, soil vapor extraction systems, etc.).

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

1. Limited Subsurface Soil and Groundwater Investigation, received by the Department on May 3, 2010, and prepared by Vanasse Hangen Brustlin, Inc. (VHB);
2. Hazardous Material Release Notification Form, received by the Department on May 5, 2010, and prepared by the Department's Division of Planning and Development;
3. Property Abutter Notification Regarding the Trestle Trail Recreational Path, received by the Department on June 22, 2011, and prepared by VHB;
4. Response to Public Comments, received by the Department on August 19, 2011, and prepared by VHB;

5. Site Investigation Report Addendum, received by the Department on January 25, 2012, and prepared by VHB;
6. Response to Site Investigation Report Addendum Comments, received by the Department on March 2, 2012, and prepared by VHB;
7. E-mail correspondence RE: ESS Report 1112243, received by the Department on March 7, 2012, and prepared by VHB;
8. Copies of the post-site investigation public notice, received by the Department on April 5, 2012, and prepared by VHB;
9. Remedial Action Work Plan, received by the Department on August 9, 2012, and prepared by VHB;
10. Response to Remedial Action Work Plan (RAWP) Comments September 20, 2012, received by the Department on February 4, 2013, and prepared by VHB; and
11. Remedial Action Work Plan (revised), dated February 1, 2013, received by the Department on February 4, 2013, and prepared by VHB.

Together these documents fulfill the requirements of Section 8.00 (Risk Management) and Section 9.00 (Remedial Action Work Plan) of the Remediation Regulations.

The preferred remedial alternative involves the encapsulation of all soils exceeding the Department's Residential Direct Exposure Criteria (RDEC) with a Department approved engineered cap (i.e. two (2) feet of clean fill, four (4) inches of asphalt above six (6) inches of clean fill, one (1) foot of clean fill above a geotextile fabric, or four (4) inches of stone dust above eight (8) inches of clean fill underlain by a geotextile fabric), consistent with the Remedial Action Work Plan (RAWP), dated February 1, 2013. All soils exceeding the Department's RDEC that can not be encapsulated onsite shall be disposed of at a licensed disposal facility in accordance with all local, State, and Federal laws, regulations, and requirements. This remedy also calls for the maintenance and monitoring of the engineered controls through the recording of an institutional control in the form of a Department approved Environmental Land Usage Restriction (ELUR) and Soil Management Plan (SMP), followed by annual compliance certification of the ELUR.

Based upon review and consideration of the above referenced documents, the Department approves the RAWP, dated February 1, 2013, and subsequent documents, through this RAL provided that:

1. All work must be performed in accordance with all applicable regulations and the Department approved RAWP.
2. Start of the work described in the Department approved RAWP must be initiated within one hundred and eighty (180) days of issuance of this RAL.

3. All excavated regulated soil, if not encapsulated onsite, shall be disposed of off-site at an appropriately licensed disposal facility in accordance with all local, State, and Federal laws. Copies of the material shipping records and manifests associated with the disposal of the material shall be included along with the Closure Report.
4. Areas of the site where contaminated soils are to be excavated must be staged and temporarily stored in a designated area, as proposed in the RAWP, of the site with proper polyethylene covers. Any stockpiled materials, including clean fill, must be underlain and covered with polyethylene sheeting and be secured at the end of each day with all appropriate erosion and sediment controls to limit the loss of the cover and protect against storm-water and wind erosion (i.e. hay bales, rocks, silt fencing). These appropriate sedimentation and erosion controls must be in place and in proper working order at all times until all disturbed areas are stabilized and capped as proposed. Within reason, the storage location will be selected to limit the unauthorized access to the materials (i.e. away from public roadways/walkways). No regulated soil will be stockpiled on-site for greater than sixty (60) days. In the event that stockpiled soils pose a risk or threat of leaching hazardous materials, a proper leak-proof container (i.e. drum or lined roll-off) or secondary containment will be required and utilized.
5. The OWM no longer requires the submittal of analytical data prior to clean fill being brought to a Site. It is the sole responsibility of the Performing Party and their consultant to analyze the material, certify that the material meets the Department's RDEC, as defined by the Remediation Regulations, for all constituents, and is suitable for use on the Site. The OWM strongly suggests that enough representative samples of the clean fill are collected prior to moving the material to the Site to satisfy the Performing Party and their consultant that the material meets the RDEC. Please note that the OWM reserves its rights to sample the clean fill, if suspect, to confirm compliance with the RDEC.
6. All regulated soil remaining onsite shall be encapsulated by an engineered control consistent with those described in the Department approved RAWP.
7. Dust suppression techniques (i.e. watering) must be employed at all times during all soil disturbing/handling activities at the site in order to minimize the generation of fugitive dust.
8. Within sixty (60) days of completion of the work described in the Department approved RAWP, a Closure Report detailing the remedial action and including any disposal documentation shall be submitted to the OWM.
9. Within sixty (60) days of completion of the work described in the Department approved RAWP, the final Department approved ELUR shall be recorded in the Town of Coventry Land Evidence Records for the property and a stamped, certified copy returned to the Department within fifteen (15) days of recording. Upon receipt of a copy of the recorded (stamped) ELUR, the Department will issue a Letter of Compliance.
10. Following recording of the ELUR, the site shall be maintained and annually inspected to

evaluate the compliance status of the site with the ELUR. Within thirty (30) days of each annual inspection, an evaluation report shall be prepared and submitted to the OWM detailing the findings of the inspection and noting any compliance violations at the site.

11. Any changes in the activities detailed in the RAWP shall be reported to the OWM by telephone within one (1) working day and in writing within five (5) working days.
12. The OWM shall be notified forty-eight (48) hours prior to initiating the remedial activities at the site associated with the Department approved RAWP.
13. The OWM shall be immediately notified of any site or operation condition that results in non-compliance with this RAL.

At this time, the OWM offers its concurrence with the proposed remedial action for the property. The Department approves the RAWP, dated February 1, 2013, provided that all activities and procedures detailed in the RAWP and subsequent documents are strictly adhered to.

Please note that at this time the Department does not approve the ELUR for recording in the Land Evidence Records with the Town of Coventry. Please forward an electronic version of the draft ELUR and the post-construction SMP in red line / strikeout format for Department review and approval. The approved ELUR and SMP shall be reviewed and approved by the Department, followed by recording, at the completion of all remedial work.

This RAL does not remove your obligation to obtain any other necessary permits from other local, State, or Federal agencies.

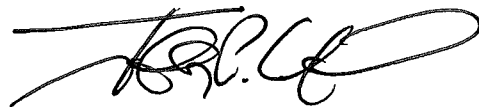
If you have any questions regarding this letter or would like the opportunity to meet with Department personnel, please contact me by telephone at (401) 222-2797, ext. 7147, or by E-mail me at [tim.fleury@dem.ri.gov](mailto:tim.fleury@dem.ri.gov).

Sincerely,



Timothy M. Fleury  
Senior Engineer  
Office of Waste Management

Authorized by,



Jeffrey P. Crawford  
Principal Environmental Scientist  
Office of Waste Management

Cc: Kelly Owens, RIDEM / Office of Waste Management  
Robert Bailey, RIDEM / Division of Planning and Development  
Anita Marshall, Rhode Island Department of Transportation  
Suzanna Courtemanche, Vanasse Hangen Brustlin, Inc.  
Hugh Neenan, Prime Engineering, Inc.  
Guy Lefebvre, Coventry Parks Department