



RHODE ISLAND

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

**State of Rhode Island
Department of Environmental Management
Office of Waste Management**

**EXPRESS
(EXPEDITED POLICY FOR REMEDIATION
OF ENVIRONMENTAL SIMPLE SITES)**

Policy Memo 2013-01
Revised February 20, 2019

This policy is designed to further the Department of Environmental Management Office of Waste Management's (OWM) goals of protecting environmental quality and public health while promoting efficiency, accountability and lean management principles. Implementation of this policy will streamline the way Performing Parties submit information to OWM and the way OWM reviews projects on contaminated sites that do not pose significant environmental or human health risks. Resources that are currently used to review these "EXPRESS" will be spent in reviewing and cleaning up sites that have more significant environmental impacts. In addition, OWM staff often spend considerable time and effort in reviewing submissions that are incomplete or do not provide sufficient information to allow OWM to approve the submittal. Implementation of this policy will require the improvement of the quality of submissions, clarify the requirements for approval of remedial actions on EXPRESS, and significantly reduce the review time.

The type of contaminated sites this policy is specifically tailored to address includes sites with minimal or low risk to human health or environmental receptors. The risk pathways shall typically include only direct contact issues, and not involve extensive ground water or vapor intrusion or indoor air concerns. The policy also relies upon several new areas of consultant certification of information. The policy is targeted to Performing Parties and consultants seeking expedited review, presumptive remedies and confirmation sampling protocols as outlined to streamline the approval process.

This policy establishes submission guidelines for Performing Parties as well as review criteria for OWM. OWM will endeavor to review applications that adequately address all EXPRESS requirements so that the time between initial notification and issuance of the Program Letter on the Site Investigation is thirty (30) days or less and final approval of the remedial action is sixty (60) days or less. In order to meet this review schedule, it is critical that Performing Parties prepare complete submittals in accordance with all of the requirements outlined below. These expedited review / approval procedures, therefore, only permit very minor modifications necessary to finalize a Site Investigation Report (SIR) or Remedial Action Work Plan (RAWP). The timelines also include a fourteen (14) day public notice period.

A. Mandatory Criteria for EXPRESS Eligibility

The following criteria outline the requirements and site conditions that **shall** be met for a site to be potentially considered as an EXPRESS pursuant to 250-RICR-140-30-1, the Remediation Regulations for review and approval:

1. The Site shall not be the location or future location of a school, child-care facility or recreational facility for public use, given mandatory public comment and participation requirements;
2. The Site shall not have groundwater impacts that require active remedial measures (i.e. a typical remedy that requires an Order of Approval);
3. The Site Investigation performed at the Site shall have included the installation of a minimum of three (3) monitoring wells that have been sampled and analyzed for all constituents of the applicable GA or GB Groundwater Objectives as defined in Section 1.9.3(F)(4) and (5), Tables 3 and 4, respectively, of the Remediation Regulations. Wells shall be placed to accurately determine groundwater flow direction and at least one (1) of these monitoring wells shall be located on the hydraulically downgradient property line. In addition, at least one (1) well shall be placed in proximity to any contaminant source areas. None of the monitoring wells may have evidence of sheen or free product contamination present;
4. The preferred remedial alternative for the Site shall be one or a combination of the following presumptive remedies:
 - a. Written commitment for removal of all jurisdictional waste materials (including hazardous materials and solid waste) with pre-approved confirmation sampling consistent with policy (please see Dig and Haul Policy Memo 2012-1);
 - b. Two (2) foot clean soil cap or equivalent with an Environmental Land Usage Restriction (ELUR);
 - c. One (1) foot clean soil over Geofabric material with minimum CBR puncture strength of 220 lbs, with an ELUR;
 - d. Six (6) inch clean sub-base with 4" of asphalt or concrete pavement (minimum) with an ELUR; and
 - e. A presumptive remedy as outlined in Section 1.13.4 (Remedial Options for Jurisdictional Arsenic Releases above 7.0 ppm) of the Remediation Regulations.
Note: These remedies apply to arsenic-only Sites.
5. The SIR and RAWP submittals shall include all of the consultant certification requirements as required in Section C of this policy;
6. The SIR shall be submitted in the format outline in Section D of this policy; and

7. The RAWP shall be submitted in the format outlined in Section E of this policy.

B. Discretionary Criteria for EXPRESS Eligibility

The following criteria outline additional conditions that the OWM will evaluate for a potential EXPRESS. The OWM **may** include or reject a Site for EXPRESS at its sole discretion based upon evaluation of the following conditions:

1. Sites with minor groundwater exceedances that will not require active remedial measures;
2. Contaminant concentrations that exceed Upper Concentration Limits in soil as referenced in Section 1.9.7 (Upper Concentration Limits) of the Remediation Regulations;
3. The presence of any Underground Injection Control Systems (UIC) at the Site;
4. Contaminant concentrations that exceed the applicable GA or GB Leachability Criteria as referenced in Section 1.9.2(C)(3), Table 2 of the Remediation Regulations and Section 1.9.2(B)(4) (Soil Objectives for Total Petroleum Hydrocarbons (TPH)) of the Remediation Regulations;
5. The Site is jurisdictional under the Leaking Underground Storage Tank (LUST) Program;
6. Sites involving negotiations of a Remedial Agreement between the OWM and Performing Parties; and
7. Sites involving potential impacts of surface water and / or wetlands.

C. Required Consultant Certifications

The environmental consultant for the Performing Party shall submit the following certification statements, signed by an authorized representative of the party specified, for eligibility in the EXPRESS process. These statements may be submitted together as a separate document with the EXPRESS Submission Package (further described in Section F of this policy).

1. I, _____, on behalf of _____ (*consulting firm*), and representing _____ (*Performing Party*) certify that Public Notice has been/will be completed in accordance with Section 1.8.7 (Public Notice) of the Remediation Regulations, and all requirements specified in the OWM's Environmental Justice (EJ) Policy (if applicable) have been satisfied relative to this Site;
2. I, _____, on behalf of _____ (*consulting firm*), and representing _____ (*Performing Party*), certify that the SIR has been submitted in the format outlined in Section D of this policy;

3. I, _____, on behalf of _____ (*consulting firm*), and representing _____ (*Performing Party*), certify that all information contained in the SIR is complete and accurate to the best of my knowledge;
4. I, _____, on behalf of _____ (*consulting firm*), and representing _____ (*Performing Party*), certify that the SIR is a complete and accurate representation of environmental conditions at the Site, and accurately depicts the nature and extent of the contaminate release, and contains all known facts & history surrounding the release, to the best of my knowledge;
5. I, _____, on behalf of _____ (*consulting firm*), and representing _____ (*Performing Party*), certify that all analytical data presented in the SIR was closely compared to the corresponding laboratory certificates of analysis received from _____ (*laboratory*), to ensure report accuracy relative to sample holding times, detection limits at or below applicable standards, and related laboratory procedures; and
6. I, _____, on behalf of _____ (*consulting firm*), and representing _____ (*Performing Party*), certify that all information contained in the RAWP is complete and accurate to the best of my knowledge.

D. EXPRESS SIR Format

To ensure that the SIR is complete, and the proper remedy selection process is conducted effectively and efficiently as possible in the RAWP, the OWM requires that all SIRs approved for EXPRESS be submitted to the OWM in exactly the following format. The OWM may reject an SIR for an EXPRESS at its sole discretion if this format is not followed. If a specific section does not apply to the Site, simply write “not applicable” for that section and explain why it does not apply.

1. An Executive Summary including, but not limited to: a list of specific objectives of the Site Investigation identifying all data collected to completely characterize the contaminated-site, the release, the impacts of the release, justification for all sampling locations, depths, and parameters analyzed, and the selection of a remedy;
2. All information previously reported in a Notification of Release required by Section 1.6.1 (Notification of Release) and an Emergency and Short-Term Response Report required by Section 6.09 (Emergency and Short-Term Response Report), if applicable of the Remediation Regulations. The performing party may elaborate and expand on any and all information found in those reports. The performing party shall correct any incorrect information or interpretations contained in those reports prior to their incorporation into the SIR;
3. Documentation of any past incidents or releases (fires, spills, explosions, leaks, etc.);

4. A list of past owners and operators at the contaminated-site including their past uses of the property, a sequencing of property transfers and time periods of occupancy to the extent that this information is available;
5. All previously existing environmental information which characterizes the contaminated-site and all information that led to the discovery of a contaminated-site;
6. A description of the current uses and zoning of the contaminated-site including a brief statement on each active operation performed therewith, a description of the processes employed, a list of all wastes generated, a list of all hazardous materials handled, and a statement summarizing any residential activity on the contaminated-site;
7. A locus map showing the location of the contaminated-site using the U.S. Geological Survey 7.5-minute quadrangle map or a copy of a section of that U.S.G.S. map;
8. A site plan, drawn to scale, showing the locations of all buildings, activities and structures on the contaminated-site including, but not limited to:
 - a. A North arrow;
 - b. Wells;
 - c. Underground injection control systems, septic tanks, underground storage tanks, piping and other underground structures;
 - d. Outdoor hazardous material storage and handling areas, and extent of paved areas;
 - e. The location of all environmental samples previously taken at the contaminated-site (such as: soil borings, test pits, and groundwater wells, highlighting any exceedances of RIDEM Criteria with the corresponding sample depth and media listed);
 - f. Groundwater flow direction;
 - g. All waste management and disposal areas, active and/or historical; and
 - h. Property lines;
9. A general characterization of the property surrounding the area affected by the release including, but not limited to:
 - a. The location and distance to any surface water bodies within five hundred (500) feet of the contaminated-site;
 - b. The location and distance to any environmentally sensitive areas within five hundred (500) feet of the contaminated-site;
 - c. The actual sources of potable water for all properties immediately abutting the contaminated-site;
 - d. The location and distance to all public water supplies which have been active within the previous 2 years and within one (1) mile of the contaminated-site;
 - e. A determination as to whether the release impacts any off-site area utilized for residential or industrial/commercial property or both;
 - f. A determination of the underlying groundwater classification and if the classification is GB, the distance to the nearest GA/GAA area; and
 - g. The total acreage of the contaminated-site;

10. Classifications of surface water and ground water at or surrounding the contaminated-site which could be potentially impacted by the release of hazardous materials;
11. A description of the contamination resulting from the release including, but not limited to:
 - a. Free liquids on the surface;
 - b. Concentrations of hazardous substances which can be shown to present an actual or potential threat to human health, including, but not limited to, any concentrations of hazardous substances in excess of any of the remedial objectives listed in Tables 1 or 2 of Section 1.9.2(C)(Method 1 Soil Objectives) or Tables 3 or 4 of Section 1.9.3(F) (Method 1 Groundwater Objectives); or Section 1.13 (Special Requirements for Managing Arsenic in Soil) of the Remediation Regulations;
 - c. A determination/opinion as to whether the release of hazardous material has the potential to adversely impact an environmentally sensitive area;
 - d. Contamination of man-made structures;
 - e. Odors or stained soil;
 - f. Stressed vegetation;
 - g. The presence of excavated or stockpiled material and an estimate of its total volume;
 - h. Environmental sampling locations, sampling procedures and copies of the results of any analytical testing undertaken at the contaminated-site; and
 - i. A list of the hazardous substances at the contaminated-site;
12. The concentration gradients of hazardous substances throughout the contaminated-site for each media impacted by the release of hazardous materials. To the extent practical, analytical data should be presented in tables;
13. The methodology and results of any investigation conducted to determine background concentrations of hazardous substances identified at the contaminated-site (for arsenic in soil - see Section 1.13 of the Remediation Regulations);
14. A listing and evaluation of the site-specific hydrogeological properties that could influence the migration of hazardous substances throughout and away from the contaminated-site, including but not limited to, where appropriate:
 - a. The depth to groundwater;
 - b. The presence and effects of both the natural and man-made barriers to and conduits for contaminant migration;
 - c. A characterization of the bedrock; and
 - d. The groundwater contours, flow rates and gradients throughout the contaminated-site;
15. A characterization of the topography and surface water and run-off flow patterns, including the flooding potential, of the contaminated-site;
16. The potential for hazardous substances from the contaminated-site to volatilize and any and all potential impacts of the volatilization to structures within and/or off the contaminated-site;

17. The potential for entrainment of hazardous substances from the contaminated-site by wind or erosion actions;
18. Detailed protocols for all fate and transport models used in the Site Investigation;
19. A complete list of all samples taken, the location of all samples, parameters tested for and analytical methods used during the Site Investigation;
20. Construction plans and development procedures for all monitoring wells. Well construction shall be consistent with the requirements of Section 3.22 of 250-RICR-150-05-3, the Groundwater Quality Rules;
21. Procedures for the handling, storage and disposal of wastes derived from and during the investigation if such procedures deviate from the OWM's Guidelines for the Management of Investigation Derived Waste (Policy Memo 95-01);
22. A quality assurance and quality control evaluation summary report for sample handling and analytical procedures, including, but not necessarily limited to, chain-of-custody procedures and sample preservation techniques;
23. Indicate if the Site has previously been or is currently under the jurisdiction of any program within the Department or Environmental Protection Agency;
24. Any other site-specific factor that the Director has reason to believe is necessary to make an accurate decision as to the appropriate remedial action to be taken at the contaminated-site; and
25. Development of Remedial Alternatives: The SIR shall contain a section proposing remedial alternatives. This section shall contain a minimum of two remedial alternatives other than the no action / natural attenuation alternative. It should be clear which of these alternatives is most preferable. The preferred remedial alternative shall be one or a combination of the presumptive remedies outlined in Section A.4 of this policy. Cost effectiveness, and permanency of the remedial alternatives shall be used to support the selection of the preferred remedial alternative.

E. EXPRESS RAWP Format

To ensure that the RAWP is complete, the OWM requires that all RAWPs approved for EXPRESS be submitted to the OWM in exactly the following format. The OWM may reject a RAWP for an EXPRESS at its sole discretion if this format is not followed. If a specific section does not apply to the Site, simply write "not applicable" for that section and give an explanation why it does not apply.

1. **Remedial Objectives**: The RAWP shall present a remedial action which addresses remedial objectives for all impacted media at the contaminated-site in a manner consistent with

Section 1.9 (RISK MANAGEMENT) of the Remediation Regulations, including, as appropriate, the following:

- a. Groundwater Objectives: The performing party shall propose a remedial objective for all hazardous substances found to have actual or potential impacts on groundwater;
- b. Surface Water and Sediment Objectives: The performing party shall propose a remedial objective for all hazardous substances found to have actual or potential impacts on surface water and/or sediments, that is consistent with the actual and potential uses of the surface water and/or sediment in the impacted area, and the policies and regulations of the Division of Water Resources;
- c. Soil Objectives: The performing party shall propose a remedial objective for all hazardous substances and TPH found to have actual or potential impacts on soil that is consistent with the actual and potential uses of the land in the impacted area. The remedial objective for soil shall also take into account the potential for the hazardous substances to leach into groundwater and/or surface water from these impacted soils and, subsequently, should be consistent with the actual and potential uses of the ground water and/or surface water in the impacted area and the policies and regulations of the appropriate regulatory authority for that resource; and
- d. Air Objectives: The performing party shall propose a remedial objective for all hazardous substances found to have actual or potential impacts on air quality, whether the impact is from gaseous or particulate emissions and/or entrainment on soil. That air objective shall be consistent with the requirements of the Rhode Island Clean Air Act and the rules and regulations promulgated pursuant thereto.

The remedial objectives for each media should be expressed, wherever possible or appropriate, as a residual concentration of hazardous material or hazardous substance. However, for remedial actions which include no action/natural attenuation or combinations of engineering and institutional controls which involve containment of contaminated media, the RAWP shall demonstrate that the proposed remedial action will address the remedial objectives for all impacted media at the contaminated-site in a manner consistent with Section 1.9.1 (Remedial Objectives) of the Remediation Regulations. OWM approval of this demonstration shall serve as the Remedial Objective Approval pursuant to Section 1.9.11 (Remedial Objective Approvals) of the Remediation Regulations. This demonstration may be in addition to the documentation of compliance with Section 1.9 (RISK MANAGEMENT) required by Section 1.8.4 (Development of Remedial Alternatives) of the Remediation Regulations.

The remedial objectives shall also consider and manage any short-term risks to human health and the environment associated with the remedial action implementation.

The performing party shall estimate the time period necessary to meet all appropriate remedial objectives for groundwater, surface water, sediment, soil and air. In every case, a remedial action should be designed, whenever practicable, as a permanent solution to meet the remedial objectives for hazardous substances in all affected media in the shortest time frame feasible.

2. **Proposed Remedy**: The RAWP shall clearly explain the proposed remedy and justify the ability of the remedy to meet the remedial objectives. For remedies that include on-site

treatment and/or containment of contaminated media, the RAWP shall include the best management practices proposed to:

- a. Prevent the infiltration/migration of hazardous substances at levels harmful to human health or the environment;
 - b. Prevent direct contact with hazardous substances at levels harmful to human health and the environment;
 - c. Eliminate volatilization and entrainment of hazardous substances; and
 - d. Minimize and manage surface runoff from the area including during and after the remedial action. The plan shall identify all locations of existing and/or proposed infiltration systems.
3. **Points of Compliance**: The RAWP shall clearly indicate the locations, for each impacted medium where hazardous substances will be measured in order to determine if the remedial objectives have been met. These points will be designated Points of Compliance. Remedial actions will be initially focused on meeting remedial objectives set for the contaminated-site, and compliance shall be measured throughout that contaminated-site.

Pre-approved confirmation sampling is as follows (NOTE: all samples shall be grab samples, no composite sampling will be accepted, and samples shall be biased towards previously known areas of contamination):

- a. For excavations with no side greater than 25 feet and no deeper than 5 feet; 1 sample per side and 1 bottom (minimum of 5 samples);
 - b. For excavations with any side walls greater than 25 feet and no deeper than 5 feet; 1 per every 25 feet of side wall and 1 bottom sample every 625 square feet; and
 - c. For excavations with any sidewalls greater than 25 feet and deeper than 5 feet; 1 sample per 25 feet of sidewall and 1 sample every 5-foot of wall height and 1 bottom sample every 625 square feet.
4. **Proposed Schedule for Remediation**: The RAWP shall include a proposed specific schedule for implementing the proposed remedial action.
5. **Contractors and/or Consultants**: The performing party shall include the names, addresses and telephone numbers of the contact persons of any contractors or consultants hired to implement or operate the remedy proposed in the RAWP. The responsibilities of each consultant and/or contractor shall be clearly explained. If the actual consultant or contractor has not been determined at the time of application, the expected duties of each company shall be explained and the OWM shall be notified as soon as the specific companies are selected.
6. **Site Plan**: The RAWP shall include a site plan. The site plan submitted as part of the Site Investigation, conducted pursuant to Section 1.8.3(A)(8), of the Remediation Regulations shall be amended to include any further information available to the performing party, and the locations of all proposed remedial units and monitoring points. The Points of Compliance shall also be clearly marked on the site plan.

7. **Design Standards and Technical Specification**: The RAWP shall include all design standards and technical specifications necessary for the design of the proposed remedy. Design standards and technical specifications will include, where appropriate:
- a. Identification of the materials of construction of all portions of the remedy;
 - b. The type of equipment to be used, including unit capacity and dimensions;
 - c. The results of any laboratory or pilot-scale tests conducted to determine the effectiveness of the proposed remedial action; and
 - d. Any manufacturer's literature and/or technical guidance documents on the construction, implementation and/or operation of proposed units.

These portions of the RAWP shall be prepared under the supervision of a Registered Professional Engineer in the State of Rhode Island and stamped by that engineer prior to submittal.

8. **Set-up Plans**: The RAWP shall explain any pre-operational staging or construction requirements which shall be completed prior to the installation and operation of the proposed remedial actions. These pre-operational staging or construction activities may include the installation of pads, liners, or berms; any intrusive activities; or any contaminated-site contouring or grading which may be necessary. The Set-Up Plan shall show how any construction or staging activities will be done in a manner in compliance with any applicable laws, rules and regulations.
9. **Effluent Disposal**: The RAWP shall include specific plans for the management and disposal of any products or by-products from the proposed remedial action. This section shall also identify what regulations shall be complied with during, and what permits or approvals shall be obtained prior to, any planned effluent disposal actions.
10. **Contingency Plan**: The RAWP shall include a Contingency Plan which clearly explains the procedures to be followed and the persons to be notified in the event of an unexpected incident involving hazardous materials at the contaminated-site. The Contingency Plan shall include, at a minimum, the following information:
- a. The names and telephone numbers of all emergency coordinators;
 - b. All emergency response procedures and arrangements; and
 - c. A description of the procedures necessary for the prevention of ignition and/or reaction of any flammable material or reactive materials, where appropriate.

The Contingency Plan shall be available at the contaminated-site at all times during the implementation and operation of the remedial action.

11. **Operating Log**: The RAWP shall include a proposed Operating Log which clearly and completely records activities on-site and shows how the implementation and operation of the remedial action is progressing. This Operating Log shall include, at a minimum, the following information:

- a. Time periods of operation of the remedial unit and approximate flow rates;
- b. Records of any analyses conducted as part of the remedial action;
- c. Instances of implementation of the Contingency Plan; and
- d. An inspection plan designed to insure the proper operation of the proposed remedial unit. Operating treatment units shall be inspected at least weekly unless an alternative inspection frequency is approved by the EXPRESS.

Documentation of these inspections and any problems found and/or repairs made shall be included.

The Operating Log shall be readily available at the contaminated-site during implementation and operation of the remedial action. A copy of this log shall be submitted to the OWM annually unless an alternative submittal frequency is approved by the OWM for the duration of the active operation of the treatment unit.

The Operating Log shall be kept for at least three (3) years following completion of the remedial action.

12. **Security Procedures**: The RAWP shall include a description of the security procedures proposed to prevent unknowing access to the contaminated-site or key features identified at the contaminated-site. This section shall include descriptions of any natural boundaries or any existing or proposed walls or fences surrounding the contaminated-site. Means to control entry to the contaminated-site or key features identified at the contaminated-site shall also be clearly explained.
13. **Shut-Down, Closure and Post-Closure Requirements**: The RAWP shall contain a section outlining the procedures required to shut-down and close the remedial units. This section shall also outline any proposed post-closure activities, including monitoring and/or institutional controls restricting future land usage at the contaminated-site. All post-closure groundwater monitoring shall be done in accordance with a program meeting the requirements of Section 3.12 of the Groundwater Quality Rules.
14. **Institutional Controls and Notices**: The RAWP shall indicate a methodology for providing notice to the general community and contain specific plans and implementation procedures for land usage restrictions, restrictions on the use of groundwater on the contaminated-site, and institutional controls in accordance with Section 8.09 (Institutional Controls) of the Remediation Regulations for all remedial actions that are not determined by the OWM to provide a permanent solution.
15. **Compliance Determination**: The RAWP shall include a section outlining the procedures to be employed in order to demonstrate that the remedial objectives for the contaminated-site have been met. Such compliance determination shall be proposed in a manner consistent with Section 1.9.10 (Compliance Sampling) of the Remediation Regulations.

F. EXPRESS Overview and Typical Schedule

Day 1 – Performing Party submits EXPRESS Submission Package including the EXPRESS Application (Appendix A) / Notification Form, Notification of Release Form, SIR, RAWP, \$1,000 Remedial Action Approval Application Fee and draft EJ public notice documents (only if Site is in an EJ area). See Sections D and E for Special Requirements of EXPRESS SIR and RAWP, respectively. The Performing Party shall also submit a signed statement certifying that Public Notice will be completed in accordance with Section 1.8.7 (Public Notice) of the Remediation Regulations and Section C of this policy. Copies of all Public Notices with a list of who was notified shall be submitted in the Closure Report.

Day 7 or sooner – Performing Party makes presentation to DEM describing the results of the SIR, the remedial action(s) proposed in the RAWP, and the applicability of the Site to the EXPRESS criteria. If the Site is in an EJ area, OWM will provide written approval of the EJ public notice documents for distribution / posting.

Day 10 or sooner – Issuance of a Letter of Responsibility (LOR) or Voluntary Procedure Letter (VPL) to Performing Party. OWM will either approve or reject the Site for EXPRESS at this time based upon the Site's applicability to the criteria outlined in Sections A and B (above). OWM will indicate whether the Site has been accepted or rejected for EXPRESS in the LOR or VPL. If the site is approved for the EXPRESS, DEM will begin reviewing the SIR. Any Site that is deemed ineligible to be considered as an EXPRESS will be referred to the OWM, Site Remediation Program for standard processing.

Day 30 or sooner – Issuance of a Program Letter to the Performing Party if the SIR is determined to be complete and the preferred remedial alternative meets the requirements of Section A.4 above. The Performing Party conducts post-Site Investigation public notice to all abutters and tenants. This public notice period lasts fourteen (14) calendar days (days). OWM begins reviewing the RAWP.

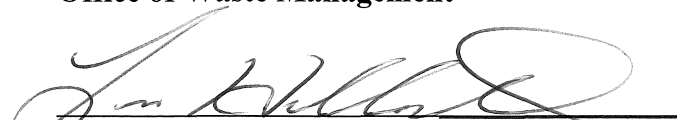
NOTE: If OWM determines that the SIR is incomplete or requires minimal additional site investigation activities the OWM will issue SIR Comments. This may not disqualify the Site from EXPRESS. The Performing Party shall fully address all of OWM's comments within thirty (30) days of receipt of the SIR Comment Letter. OWM will endeavor to review the response and respond to the Performing Party within ten (10) days. If the comments have been addressed to the satisfaction of the OWM, a Program Letter will be issued. If the comments have not been completely addressed, the Performing Party will be notified that the Site no longer qualifies as an EXPRESS. The Site will then transfer for standard review and processing within the OWM, Site Remediation Program. OWM will not issue more than one (1) SIR Comment Letter for an EXPRESS. If OWM issues one (1) SIR Comment Letter and all issues are addressed within thirty (30) days, the Site's EXPRESS schedule may be impacted by forty (40) days, to account for the ten (10) days review period for OWM.

Day 44 or sooner – The Site's 14-day Public Notice period ends. Any comments that are generated shall be responded to by the Performing Party. The Performing Party shall submit a signed statement to the OWM certifying that Public Notice has been completed in accordance with Section 1.8.7 (Public Notice) of the Remediation Regulations and that all comments have been addressed.

VII. Approvals

Following completion of the action and review of the submittals described herein, the Department will issue an approval or response per Section 1.7.11 of the Remediation Regulations.

**Leo Hellested, PE, Chief
RI Department of Environmental Management
Office of Waste Management**


Policy Approval Date: February 20, 2019

EXPRESS Eligibility Application/Notification

Contact Name:
Contact Address:
Contact Telephone:

Site Name:
Site Address:

Site Land Usage (Residential or Commercial/Industrial):
Adjacent Land Usage (Residential or Commercial/Industrial):

Location/Extent of Release:

Date of Discovery:

Source of Release:

Hazardous Materials and Concentrations:

Site groundwater classification (GAA, GA, GB):

Nearest Surface Water or Wetland (if greater than 500 feet please state):

Measures Taken or Proposed to be Taken in Response to Release:

Signature: _____

Date: _____

Printed Name: _____

DIRECTIONS: *Under each item listed below, please review the question in regards to the Site in question and check the box if the listed criteria are met. If answering in the affirmative to the question, please place a check mark or “X” in the box. If an item is not applicable, please print N/A.*

- The Site **IS NOT** the location or future location of a school, child-care facility or recreational facility for public use.

- The Site **DOES NOT** have any groundwater impacts that require active remedial measures which constitute issuance of an Order of Approval.

- The Site Investigation performed at the Site included the installation of a minimum of three (3) monitoring wells that have been sampled and analyzed for all constituents of the applicable GA or GB Groundwater Objectives as defined in Section 1.9.3(F)(4) and (5), Tables 3 and 4, respectively, of the Remediation Regulations. Also, none of the monitoring wells have evidence of free product contamination present.

The preferred remedial alternative for the Site is one or a combination of the following presumptive remedies:

- Removal and off-site disposal of all jurisdictional waste materials with pre-approved confirmation sampling consistent with policy;
- Two (2) foot clean soil cap or equivalent with an Environmental Land Usage Restriction (ELUR);
- One (1) foot clean soil over Geofabric material with minimum CBR puncture strength of 220 lbs, with an ELUR;
- Six (6) inch clean sub-base with 4” of asphalt or concrete pavement (minimum) with an ELUR; and
- A presumptive remedy as outlined in Section 1.13.4 (Remedial Options for Jurisdictional Arsenic Releases above 7.0 ppm) of the Remediation Regulations. **Note: These remedies apply to arsenic-only Sites.**

- The SIR and RAWP submittals include all of the consultant certification requirements as required in Section C of this policy.

- The SIR is in the **EXACT FORMAT OUTLINED** in Section D of this policy.

- The RAWP is in the **EXACT FORMAT OUTLINED** in Section E of this policy.

If your Site has any of the following conditions, please place a check mark or “X” in the box.

- Sites with groundwater exceedances that will not require active remedial measures.

- The Site has contaminant concentrations exceeding Upper Concentration Limits in soil as referenced in Section 1.9.7 of the Remediation Regulations.
- The presence of any Underground Injection Control Systems (UIC) at the Site.
- The Site has contaminant concentrations that exceed the applicable GA or GB Leachability Criteria as referenced in Section 1.9.2(C)(3), Table 2 of the Remediation Regulations and Section 1.9.2(B)(4) (Soil Objectives for Total Petroleum Hydrocarbons (TPH)) of the Remediation Regulations.
- The Site is jurisdictional under the Leaking Underground Storage Tank Program.
- The Site requires negotiations of a Remedial Agreement.
- The Site has potential impacts of surface water and / or wetlands.

Please submit Application / Notification to:

**Mr. Matthew DeStefano, Deputy Chief
RIDEM / Office of Waste Management
235 Promenade Street
Providence, RI 02908**

Appendix B EXPRESS Process Flow Chart

