

**STATE OF RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

OFFICE OF COMPLIANCE AND INSPECTION

**In Re: RHODE ISLAND RESOURCE RECOVERY
CORPORATION**

**File No.: OCI-WP-19-67
X-Ref RIPDES RI0023442
Referral No.: 18-05**

AAD No.: 20-003/WRE

CONSENT AGREEMENT

A. INTENT & PURPOSE

This Agreement is entered by and between the Rhode Island Department of Environmental Management (“RIDEM”) and the RHODE ISLAND RESOURCE RECOVERY CORPORATION (“Respondent”). This Agreement is entered in accordance with Section 42-17.1-2 *et seq.* of the Rhode Island General Laws (“R.I. Gen. Laws”) for the purpose of resolving the alleged violations set forth in a Notice of Violation (“NOV”) issued to Respondent by RIDEM on 24 February 2020.

B. STIPULATED FACTS

- (1) WHEREAS, the property is located at 65 Shun Pike in the Town of Johnston, Rhode Island (the “Property”). The Property includes a facility that is engaged in the recycling and disposal of solid waste (the “Facility”).
- (2) WHEREAS, Respondent owns the Property and operates the Facility.
- (3) WHEREAS, Respondent was issued Rhode Island Pollutant Discharge Elimination System (“RIPDES”) Permit No. RI0023442 (the “Permit”) on 24 April 2015 that became effective on 1 July 2015. The Permit was modified on 23 October 2017, that became effective on 1 November 2017. One activity that the Permit authorizes is Respondent’s discharge of stormwater from retention pond 2 (“Pond 2”) at the Facility to Upper Simmons Reservoir.
- (4) WHEREAS, on 24 February 2020, RIDEM issued a NOV to Respondent alleging certain violations of the Permit and Rhode Island’s *Water Pollution Act* (the “WP Act”), the *Water Quality Regulations* (the “WQ Rules”) and the *Regulations for the Rhode Island Pollutant Discharge Elimination System* (the “RIPDES Rules”)
- (5) WHEREAS, Respondent requested an administrative hearing to contest the NOV.

- (6) WHEREAS, on or about 29 June 2020, Respondent submitted a letter to RIDEM that described Respondent's proposal to comply with the Order section of the NOV (the "Compliance Plan"). The Compliance Plan includes the connection of the Phase V groundwater underdrain system at the Facility (the "Underdrain") to the City of Cranston Water Pollution Control Facility (the "CWPCF") and the expansion and lining of the stormwater retention pond at the Facility identified as Pond 2 ("Pond 2"). The letter is attached hereto and incorporated herein as Attachment A.
- (7) WHEREAS, on or about 4 August 2020, RIDEM issued a letter to Respondent approving the Compliance Plan (the "Plan Approval"). The letter is attached hereto and incorporated herein as Attachment B.
- (8) WHEREAS, on 2 November 2020, Respondent applied to RIDEM for an Order of Approval to connect the Underdrain to CWPCF (the "Application"). The Application is attached hereto and incorporated herein as Attachment C.
- (9) WHEREAS, on 29 December 2020, RIDEM issued a letter to Respondent with comments on the Application (the "Comment Letter"). The letter is attached hereto and incorporated herein as Attachment D.
- (10) WHEREAS, the Administrative Adjudication Division is a division of RIDEM.
- (11) WHEREAS, in lieu of proceeding to an administrative adjudicatory hearing on the NOV and to effect a timely and amicable resolution of the NOV, RIDEM and Respondent hereby agree that it is in the best interest of the parties and in the public interest to resolve the issues raised in the NOV.
- (12) WHEREAS, RIDEM finds that this Agreement is a reasonable and fair settlement and adequately protects the public interest in accordance with the WP Act, the WQ Rules and the RIPDES Rules.
- (13) WHEREAS, the signing of this Agreement is for settlement purposes only and does not constitute an admission by Respondent that the law or regulations have been violated as alleged in the NOV.

C. AGREEMENT

- (1) JURISDICTION – RIDEM has jurisdiction over the subject matter of this Agreement and has personal jurisdiction over Respondent.
- (2) FORCE and EFFECT – This Agreement shall have the full force and effect of a final compliance order issued after a full hearing on the merits pursuant to the Administrative Procedures Act, R.I. Gen. Laws Section 42-35-1 et seq. and R.I. Gen. Laws Section 42-17.7-1 et seq. from which no timely appeal was taken, and which is enforceable in Superior Court in accordance with R.I. Gen. Laws Section 42-17.1-2(21)(vi).

(3) APPLICATION – The provisions of this Agreement shall apply to and be binding upon RIDEM, Respondent and its agents, servants, employees, successors, assigns and all persons, firms and corporations acting under, through and for Respondent in the performance of work relating to or impacting the requirements of this Agreement.

(4) CONDITIONS –

- (a) **Within 30 days of execution of the Agreement**, Respondent shall provide to RIDEM a revised Application that fully satisfies the Comment Letter.
- (b) **Within 30 days of RIDEM’s approval of the Application (the “Approval”)**, unless an alternative schedule is approved by RIDEM, Respondent shall initiate the work required as part of the Compliance Plan to construct the sewerage line for the Underdrain to CWPCF as evidenced by the submission of a letter to RIDEM certifying that the work has begun.
- (c) **By 31 December 2021**, unless an alternative schedule is approved by RIDEM, Respondent shall complete all work required as part of the Compliance Plan to construct the sewerage line for the Underdrain to CWPCF and begin discharging the Underdrain flow to CWPCF as evidenced by the submission of a letter to RIDEM certifying that all the work is complete.
- (d) **By 30 April 2022**, unless an alternative schedule is approved by RIDEM, Respondent shall complete all work required as part of the Compliance Plan to decommission the Underdrain as evidenced by the submission of a letter to RIDEM certifying that all the work is complete.
- (e) **By 31 December 2022**, unless an alternative schedule is approved by RIDEM, Respondent shall complete all work required as part of the Compliance Plan to expand Pond 2 as evidenced by the submission of a letter to RIDEM certifying that all the work is complete.
- (f) The Approval and any alternative schedule that may be approved by RIDEM shall be deemed to be a part of the Agreement and non-compliance therewith shall be non-compliance with the Agreement.
- (g) Penalty – Respondent shall perform 1 Supplemental Environmental Project (“SEP”) to satisfy the administrative penalty assessed in the NOV as follows:
 - (i) **By 30 November 2021**, Respondent shall complete the stormwater improvements to Shun Pike as described in Attachment E (attached hereto and incorporated herein) for the SEP. Respondent shall be given a SEP credit of \$100,000 (the “SEP Credit”);

(ii) **By 31 December 2021**, Respondent shall provide to RIDEM a letter stating the following:

1. No Federal or State grants or low interest loans were used to complete the SEP up to the SEP Credit;
2. The actual cost to complete the SEP (the “SEP Cost”) was at least \$100,000 and;
3. The SEP was completed in accordance with this Agreement;

(iii) If Respondent fails to timely complete the SEP, RIDEM shall notify Respondent that it intends to rescind the SEP Credit. Within 14 days of Respondent’s receipt of written notification by RIDEM that RIDEM intends to rescind the SEP Credit, Respondent shall either complete the SEP or demonstrate that good cause exists for the delay in completing the SEP. If Respondent fails to complete the SEP or does not demonstrate good cause for the delay within said 14 days, Respondent shall, within 10 days of Respondent’s receipt of a written notification from RIDEM, submit to RIDEM a check in the amount of the SEP Credit after which Respondent shall be under no further obligation to complete the SEP;

(iv) If the SEP Cost is less than the SEP Credit, Respondent shall, within 30 days of Respondent’s submission of the letter to RIDEM in subsection C(4)(g)(ii) of this Agreement, submit to RIDEM a check in the amount of the difference between the SEP Cost and the SEP Credit;

(v) Penalties that Respondent agrees to pay in this Agreement are penalties payable to and for the benefit of the State of Rhode Island and are not compensation for actual pecuniary loss;

(vi) If Respondent fails to comply with subsections C(4)(g)(i) or C(4)(g)(ii) of this Agreement and fails to remit to RIDEM a payment pursuant to subsections C(4)(g)(iii) or C(4)(g)(iv) of this Agreement on or before its due date, that payment will be considered late and Respondent will be in default. If the payment is not received within 30 days of its due date, interest shall begin to accrue on the entire unpaid balance at the rate of 12 percent per annum. Interest will accrue at this rate beginning with the day after the due date specified in this Agreement until such date all past due installment payments and interest owed are remitted. Interest shall be calculated using the following generally established accounting principle:

Interest due = (number of days late/365) x (0.12) x (amount of unpaid balance); and

(vii) All penalty payments shall be in the form of a check payable to the ***R.I. General Treasurer – Water and Air Protection Account***. All payments shall be delivered to:

Administrator, RIDEM Office of Compliance and Inspection
235 Promenade Street
Providence, RI 02908-5767

D. COMPLIANCE

- (1) EFFECT OF COMPLIANCE – Compliance with and fulfillment of this Agreement shall be deemed to resolve all issues raised in the NOV.
- (2) FAILURE TO COMPLY – If Respondent fails to comply with the items specified in subsections C(4)(a), C(4)(b), C(4)(c), C(4)(d) or C(4)(e) of the Agreement, Respondent shall pay a stipulated penalty of \$500 per week for each and every week during which the noncompliance continues, except that RIDEM may, for good cause shown, defer or reduce such penalty. The payment of a penalty in accordance with this section shall not preclude RIDEM from seeking any other appropriate remedy (e.g., injunctive relief in Superior Court).
- (3) COMPLIANCE WITH OTHER APPLICABLE LAWS – Compliance with the terms of this Agreement does not relieve Respondent of any obligation to comply with any other applicable laws or regulations administered by, through or for RIDEM or any other governmental entity.
- (4) ADDITIONAL ENFORCEMENT ACTIONS – Upon a determination by the Director that there is a threat to the public health or the environment, or upon discovery of any new information, RIDEM reserves the right to take additional enforcement actions as provided by statute or regulation, including, but not limited to, the issuance of “Immediate Compliance Orders” as authorized by R.I. Gen. Laws Section 42-17.1-2(21). This Agreement shall not restrict any right to hearing or other right available by statute or regulation that Respondent may have regarding any new enforcement action commenced by RIDEM after the execution of this Agreement.
- (5) FUTURE ACTIVITIES AND UNKNOWN CONDITIONS – This Agreement shall not operate to shield Respondent from liability arising from future activities, as of the date of execution of this Agreement.
- (6) SCOPE OF THE AGREEMENT – The scope of the Agreement is limited to violations alleged in the NOV.

- (7) NOTICE AND COMMUNICATION – Communications regarding this Agreement shall be directed to:

David E. Chopy, Administrator
RIDEM Office of Compliance and Inspection
235 Promenade Street
Providence, RI 02908-5767
(401) 222-1360 ext. 77400
david.chopy@dem.ri.gov

Susan Forcier, Esquire
RIDEM Office of Legal Services
235 Promenade Street
Providence, RI 02908-5767
(401) 222-6607
susan.forcier@dem.ri.gov

Joe Reposa, Executive Director
Rhode Island Resource Recovery Corporation
65 Shun Pike
Johnston, RI 02919
(401) 942-1430 ext. 280
jreposa@rirrc.org

Inga Lermontov-Hoit, Director of Engineering
Rhode Island Resource Recovery Corporation
65 Shun Pike
Johnston, RI 02919
(401) 942-1430 ext. 275
IngaL@rirrc.org

David R. Ursillo, Esquire
Rodio & Ursillo, Ltd.
33 Broad Street, Suite 302
Providence, RI 02903
(401) 331-6400
dursillo@rulaw.com

All communications regarding compliance with this Agreement shall be forwarded to the above-referenced addressees by certified mail.

- (8) DEFERRAL – The Director may, for good cause shown, defer any of the compliance dates prescribed herein. Good cause for deferral of any compliance date shall be forwarded to RIDEM in writing at least 15 days prior to the prescribed deadline.
- (9) AMENDMENT – The Agreement may be amended by agreement of the parties in writing.
- (10) EFFECTIVE DATE – This Agreement shall be deemed entered as of the date of execution by all parties.

[SIGNATURES ON FOLLOWING PAGES]

IN WITNESS WHEREOF, the undersigned consent to this Agreement in substance and in form.

RHODE ISLAND RESOURCE RECOVERY CORPORATION

By: _____
Joe Reposo, Executive Director

Dated: _____

By: _____
Dean Huff, CFO

Dated: _____

State of Rhode Island, Department of Environmental
Management

By: _____
David E. Chopy, Administrator
Office of Compliance and Inspection

Dated: _____



June 29, 2020

Mr. David Chopy
Office of Compliance & Inspection
Rhode Island Department of Environmental Management
235 Promenade Street
Providence, Rhode Island 02908-5767

**Re: Rhode Island Resource Recovery Corporation
Rhode Island Pollutant Discharge Elimination System (RIPDES) Permit No. RI0023442
Notice of Violation – February 24, 2020
File No. OCI-WP-19-67 X-ref RIPDES RI0023442
Referral No.: 18-05**

Dear Mr. Chopy:

Rhode Island Resource Recovery Corporation (“RIRRC”) received the Rhode Island Department of Environmental Management’s (“RIDEM”) Notice of Violation, dated February 24, 2020, regarding Total Ammonia and Total Suspended Solids (“TSS”) results from sampling at Outfall 002 – Pond 2. Notice of Violation alleges that RIRRC failed to maintain compliance for Total Ammonia and TSS in Outfall 002 in accordance with Permit No. RI0023442. RIRRC has previously indicated that leachate breakouts from Phase V landfill and construction of Phase VI Area 3 are believed to be the causes of exceedance for Total Ammonia and TSS levels, respectively, seen in Pond 2.

SOURCE OF EXCEEDANCES

Total Ammonia:

Based on the assessment of site conditions and the discharge data from Outfall 002, as well as sampling results from adjacent groundwater wells and Phase V underdrain influent flow, RIRRC believes the source of consistent elevated Total Ammonia levels, in addition to leachate breakouts, to be associated with ammonia levels present in groundwater.

Furthermore, review of operating logs for the Phase V underdrain treatment system (a groundwater source), demonstrated numerous events when overflow occurred into Pond 2 due to high flow events. The overflow discharge consisted of untreated influent flow from Phase V underdrain, therefore containing high levels of ammonia.

Total Suspended Solids:

Over the last several years, ongoing construction has occurred in the Pond 2 watershed area, including reconstruction of Brook Street, which is directly adjacent to the north slope of Pond 2. While erosion and sedimentation (E&S) controls have been installed during all construction periods, large rain events have caused significant washouts directly north of Pond 2 on the south slope of Phase VI. These events contributed to elevated TSS.

REMEDIAL ACTIONS

Total Ammonia:

RIRRC evaluated several remediation options, including:

- Increased Aeration - Study has demonstrated that simple aeration would be ineffective at reducing ammonia concentration because the volume of water affected by traditional aerators for the existing depth of Pond 2 is small in comparison with the total pond volume.
- Chemical additives – Addition of chemicals, such as phosphorus, as part of treatment could reduce ammonia. However, due to Pond 2 discharging directly into a reservoir, phosphorus discharge limits would need to be established, which would most likely not be able to be achieved and therefore require further treatment of discharge.
- Entex Technologies – A combination treatment system which uses proprietary “nanobubble” technology and fixed-film biologic media. “Nanobubble” technology would allow for additional aeration in the pond on a larger scale than traditional aerators are able to offer, while the fixed-film biologic media placed near the outlet would provide final polishing treatment.
 - RIRRC conducted additional weekly Dissolved Oxygen (DO) measurements between October and December 2019 to provide supplementary data for the design of the Entex Technologies treatment system. In March and April 2020, Entex Technologies provided a proposals with design options. Though this “natural” treatment option would be preferred over the use of chemicals, and is shown to be able to reduce ammonia levels below the permit limits, consideration must be given to long-term operation and maintenance (O&M) costs of mechanical components, continued purchase of pure oxygen tanks, fixed-film biologic media replacement, and electrical cost. With a continued groundwater source entering the pond, there would be no end date for this treatment and therefore this treatment cost would extend the life of the landfill.
- Lining of Pond – Pond 2 is currently the only existing pond on-site which is not lined. Average groundwater elevation within Pond 2 limits is approximately 296’, while the average bottom of Pond elevation is 293’. Groundwater in the surrounding area of Pond 2 has shown evidence of ammonia being present, which continually contributes to the source of ammonia into Pond 2. Lining Pond 2 would permanently remove the contributing ammonia source and would not require operation and maintenance of a costly and unpredictable treatment system.

- In order to line Pond 2, bottom of pond elevation would need to be raised. Therefore, the pond would need to be expanded to maintain existing water quality volume. Currently, Pond 2 is physically restricted on all sides without ability for expansion. However, as part of Consent agreement (No. RIA-422) dated June 22, 2017 between RIRRC and RIDEM, Phase V underdrain treatment system will be decommissioned and the flow re-routed to the City of Cranston sewer system. Removal of Phase V underdrain treatment system, located directly west of Pond 2, would allow for expansion of Pond 2.
- As of this date, RIRRC has completed the initial Pond 2 expansion design and stormwater evaluation to demonstrate that the area available within the Phase V underdrain treatment system would be sufficient for the Pond 2 expansion.
- On May 12, 2020, RIRRC received a sewer discharge permit from the City of Cranston in order to allow the discharge of the Phase V underdrain flow.
- Simultaneously, RIRRC began the design of the sewer main and pump station to re-direct the Phase V underdrain flow. The final design is anticipated to be complete by September 2020, at which time it will go out for public bid for construction. The construction project is expected to be awarded in December 2020/January 2021 with the construction ready to begin in the spring of 2021 and the completion of construction date in November 2021. At that time, the Phase V underdrain flow will be discharging directly to the City of Cranston sewer system and the Phase V underdrain treatment system could be decommissioned.
- Final Pond 2 expansion design plans and bid documents will be complete and awarded to allow for construction to begin in the spring of 2022, while the Phase V underdrain treatment system will be decommissioned and removed between November 2021 and February 2022.
- Pond 2 expansion would be complete by September 2022.

RIRRC believes that lining of Pond 2 and eliminating the contributing groundwater ammonia source as well as decommissioning the underdrain system, which occasionally overflows into Pond 2, would be the best and most effective long-term remedial option.

Total Suspended Solids:

RIRRC continues to work with contractors and holds them accountable for E&S controls maintenance and repairs. Moreover, RIRRC placed compost on the southern slope of Phase VI to establish vegetation and limit significant washout and erosion events.

RIRRC believes that lining Pond 2, along with continued ongoing site inspections and leachate breakout control, will resolve exceedances referenced in the Notice of Violation.

Please do not hesitate to contact me at with any questions or if you require additional information.

Respectfully,

RHODE ISLAND RESOURCE RECOVERY CORPORATION

Inga Lermontov-Hoit

Digitally signed by Inga Lermontov-Hoit
DN: cn=Inga Lermontov-Hoit, o=RIRRC, ou,
email=inga@rirrc.org, c=US
Date: 2020.06.29 13:04:47 -04'00

Inga Lermontov-Hoit
Project Engineering Manager



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF WATER RESOURCES
235 Promenade Street, Providence, Rhode Island 02908

August 4, 2020

Ms. Inga Lermontov-Hoit
Director of Engineering
Rhode Island Resource Recovery Corporation
65 Shun Pike
Johnston, RI 02919

**RE: Rhode Island Resource Recovery Corporation (RIRRC) Comment Letter
RIPDES Permit Number RI0023442**

Dear Ms. Lermontov-Hoit,

This letter relates to RIRRC's requirements under Consent Agreement RIA-422, which established a compliance schedule for RIRRC to come into compliance with the Total Phosphorus and Total Iron limits for the Phase V underdrain treatment system (Outfall 016).

The Office of Water Resources (OWR) has reviewed RIRRC's June 29, 2020 letter in response to the February 24, 2020 Notice of Violation (NOV) File No. OCI-WP-19-67. As indicated in RIRRC's June 29th letter, RIRRC has elected to decommission the Phase V underdrain treatment system (Outfall 016) and connect to the City of Cranston's Water Pollution Control Facility sewer system. Therefore, under Paragraph 12(b)(ii) of RIA-422, since RIRRC will be eliminating the discharge of the underdrain treatment system to surface waters, **RIRRC must submit to the OWR an Application for Order of Approval for the design and construction of the necessary infrastructure (pump station, sewer lines, etc.) to connect the discharge from the underdrain treatment system to the Cranston sewer system (the "OA application").** The OA application shall be submitted to OWR within ninety (90) days of receipt of this letter and an OA must be issued prior to RIRRC beginning construction on the sewer connection.

Per Paragraph 12(b)(ii), the OA application must include plans; the appropriate fee, technical specifications and design calculations; a summary of all local and State approvals/permits that will be required; and a proposed schedule to obtain all required approvals, construct the recommended compliance alternative, and eliminate the discharge to surface waters. Although RIRRC has already obtained an industrial user discharge permit from the City of Cranston on May 12, 2020, the OA application must still include a comparison of the expected pollutant loads proposed to be discharged to the sewer against the loads used in Cranston's latest local limits analysis. If the proposed loads are inconsistent with the Local Limits Analysis, then RIRRC must include an assessment of the need for additional/revised pretreatment limits. Upon issuance

Ms. Lermontov-Hoit
Page 2 of 2

of an OA, RIRRC shall construct the connection to the Cranston sewer system and eliminate the discharge to surface waters in accordance with the approved schedule.

If you have any questions relative to the contents of this letter please contact me at (401) 222-4700, extension 7274, or by email at travis.babikoff@dem.ri.gov.

Sincerely,



Travis Babikoff
Environmental Engineer I
DEM/OWR/RIPDES Program

ecc:

Crystal Charbonneau, DEM
David Chopy, DEM
Joseph Haberek, DEM
Alex Pinto, DEM
Joshua Currier, RIRRC



ATTACHMENT C

November 2, 2020

65 Shun Pike
Johnston, RI 02919-4512
TEL: (401) 942-1430
FAX: (401) 946-5174
www.rirrc.org

Mr. Travis Babikoff
Environmental Engineer
Rhode Island Department of Environmental Management
Office of Water Resources
235 Promenade Street
Providence, RI 02908-5767

**RE: Rhode Island Resource Recovery Corporation (RIRRC)
RIPDES Permit Number RI0023442
Consent Agreement RIA-422**

Dear Mr. Babikoff:

In accordance with Rhode Island Department of Environmental Management's (RIDEM's) letter dated August 4, 2020 and under requirements of Consent Agreement RIA-422, attached please find the Application for Order of Approval for the design and construction of the "Phase IV and Phase V Underdrain Discharge Relocation" to City of Cranston Sewer System. Included in the submission is the Application for Order of Approval form, copy of the check, stamped engineering design plans, and a copy of the Industrial Wastewater Discharge Permit to the City of Cranston Sewer System.

Please do not hesitate to contact me should you require additional information or have questions.

Sincerely,

Joshua Currier
Project Engineer



RHODE ISLAND
 DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
 OFFICE OF WATER RESOURCES
 235 Fromentauk Street, Providence, Rhode Island 02908

December 29, 2020

Mr. Joshua Carrier, Project Engineer
 Rhode Island Resource Recovery Corporation
 65 Shun Pike
 Johnston, RI 02919

RE: Rhode Island Resource Recovery Corporation (RIRRC)
 Phase IV and Phase V Underdrain Discharge Relocation to Sewer
 Application for Order of Approval (DEM File No. 20-01)

Dear Mr. Carrier:

The Rhode Island Department of Environmental Management, Office of Water Resources (OWR) is in receipt of the above-referenced Application for Order of Approval (the "Application") and associated design documents filed on November 2, 2020 and has completed an administrative review to determine the completeness of the Application as well as a technical review of the proposed design to determine compliance with TR-16 design guidelines and OWR policies. Based on this review, OWR has the following comments which must be addressed prior to issuing an Order of Approval for the project:

1. Section 2a (page 2) of the Application form must be signed by a designated official from the City of Cranston as the owner of the collection system and wastewater treatment facility that will ultimately receive the flow from the proposed system. If any portion of the downstream sewer system is owned by the Town of Johnston, a designated official from the town must also sign the application. Please resubmit the Application form with the necessary signatures.
2. The Application includes a copy of the Industrial Wastewater Discharge Permit (the "Permit") issued by the City of Cranston for the project. The Permit indicates the maximum allowable daily flow for the project is 400,000 gpd whereas the Project Data listed on page 3 of Application form indicates 400,000 gpd is the total average daily design flow. Please provide additional design calculations for the anticipated flow from the project including average and peak flows from Phases IV and V and update the Application form, as necessary. In addition, please update section 1a of the Application form to indicate a pretreatment discharge permit is required for the project.
3. Section 3 of the Project Data listed on the Application form is missing the average daily flow and design flow for the Cranston Wastewater Pollution Control Facility. Please contact the city for this information and update the Application form.
4. While the Permit issued by the City indicates a maximum allowable daily flow of 400,000 gpd for the project, the City of Cranston's current Local Limits Evaluation (LLE) only allocated a total of 200,000 GPD to RIRRC. Please coordinate with the city on updating the LLE to reflect the higher flow.

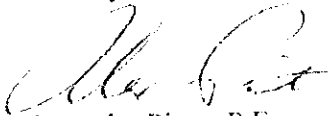
5. The Contract Specifications indicate a pre-bid conference was held on September 28, 2020 and bids were due by October 19, 2020. What is the status of the contract and schedule for construction?
6. Please provide design computations for the project, including but not limited to the sizing of pipes and the pump station, as well as available capacity in the existing 8" force main and gravity sewer on Green Hill Lane in accordance with TR-16 design guidelines.
7. It is unclear in the drawings if the existing Phase IV underdrain pump station is to remain or will be decommissioned. If the Phase IV pump station is to remain please clarify where the station will discharge and update the drawings, as necessary.
8. Drawing No. C004 indicates that Sedimentation Pond #2 is "to remain." Please clarify if pond #2 will remain as active emergency backup and, if so, explain if the pond will be interconnected with the proposed system.
9. It appears the proposed pump station design does not include an emergency backup generator. Please address how operation of the pump station will be maintained during a power outage and, if necessary, include emergency backup power as part of the pump station design.
10. It appears the project will require bypassing of the existing 8" force main on Green Hill Road to connect the new pump station force main. Please submit a bypass plan as part of the proposed design and update the contract specifications, as necessary.

As indicated in the General Conditions of the Application for Order of Approval, this project must be consistent with the municipality's Wastewater Facilities Plan for OWR to issue an Order of Approval. OWR has made a preliminary determination that this project is consistent with the City of Cranston's Wastewater Facilities Plan. However, we are awaiting additional information and clarification from the city to make a final determination.

Please provide a written response to the above comments and submit revised design documents including one (1) hard copy of the design computations and two (2) hard copies each of the plans and specifications for the project. Upon satisfactorily addressing the comments, OWR will issue the Order of Approval.

If you have any questions, contact me at 222-4700 extension 7227 or at alex.pinto@dem.ri.gov.

Sincerely,



Alexandre Pinto, P.E.
Environmental Engineer III
Wastewater Planning & Design Program

cc: Inga Lermontov-Hoit, RIRRC
Travis Babikoff, DEM



January 8, 2021

Mr. David Chopy
Office of Compliance & Inspection
Rhode Island Department of Environmental Management
235 Promenade Street
Providence, Rhode Island 02908-5767

**Re: Rhode Island Resource Recovery Corporation
Rhode Island Pollutant Discharge Elimination System (RIPDES) Permit No. RI0023442
Notice of Violation – February 24, 2020
File No. OCI-WP-19-67 X-ref RIPDES RI0023442
Referral No.: 18-05**

Dear Mr. Chopy:

In response to fees associated with the Notice of Violation (File No. OCI-WP-19-67 X-ref RIPDES RI0023442) issued by Rhode Island Department of Environmental Management (RIDEM) dated February 24, 2020, Rhode Island Resource Recovery Corporation (RIRRC) proposes to undertake a Supplemental Environmental Project (SEP) as part of the settlement of an enforcement action.

Stormwater management and preservation of water quality has been an evident challenge on Shun Pike and Green Hill Road in Johnston, Rhode Island. As industrial/commercial developments continue to expand, both the quantity and quality of stormwater runoff are issues that are becoming difficult to overlook, particularly during rain events. The challenge of how to better handle stormwater, while it floods the heavily traveled roads, is a hardship to the Town of Johnston without ability to upgrade local drainage infrastructure or ability for enforcement of industrial/commercial developments to modify their stormwater controls. Though RIRRC is unable to limit the quantity of runoff from the contributing developments, as part of a SEP, RIRRC proposes to improve the way stormwater is conveyed off the road and limit flooding at low points. This will further allow the sediment from stormwater runoff to settle out with the use of proper structural stormwater Best Management Practices (BMPs) prior to reaching wetlands, thereby limiting the rapid degradation of a downstream wetland and Upper Simmons Reservoir.

Proposed work will include regrading and paving portions along Shun Pike, clearing of accumulated sediment along Shun Pike and the adjacent wetland, dredging of a sedimentation pond, and cleaning of a catch basin. RIRRC submits the enclosed depiction of proposed locations of improvements, along with pictures of existing conditions during a rain event, for your review and comments.

Upon your review, should RIDEM have any questions please feel free to contact me at (401) 942-1430.

Respectfully,
RHODE ISLAND RESOURCE RECOVERY CORPORATION

Inga Lermontov-Hoit

Inga Lermontov-Hoit
Director of Engineering

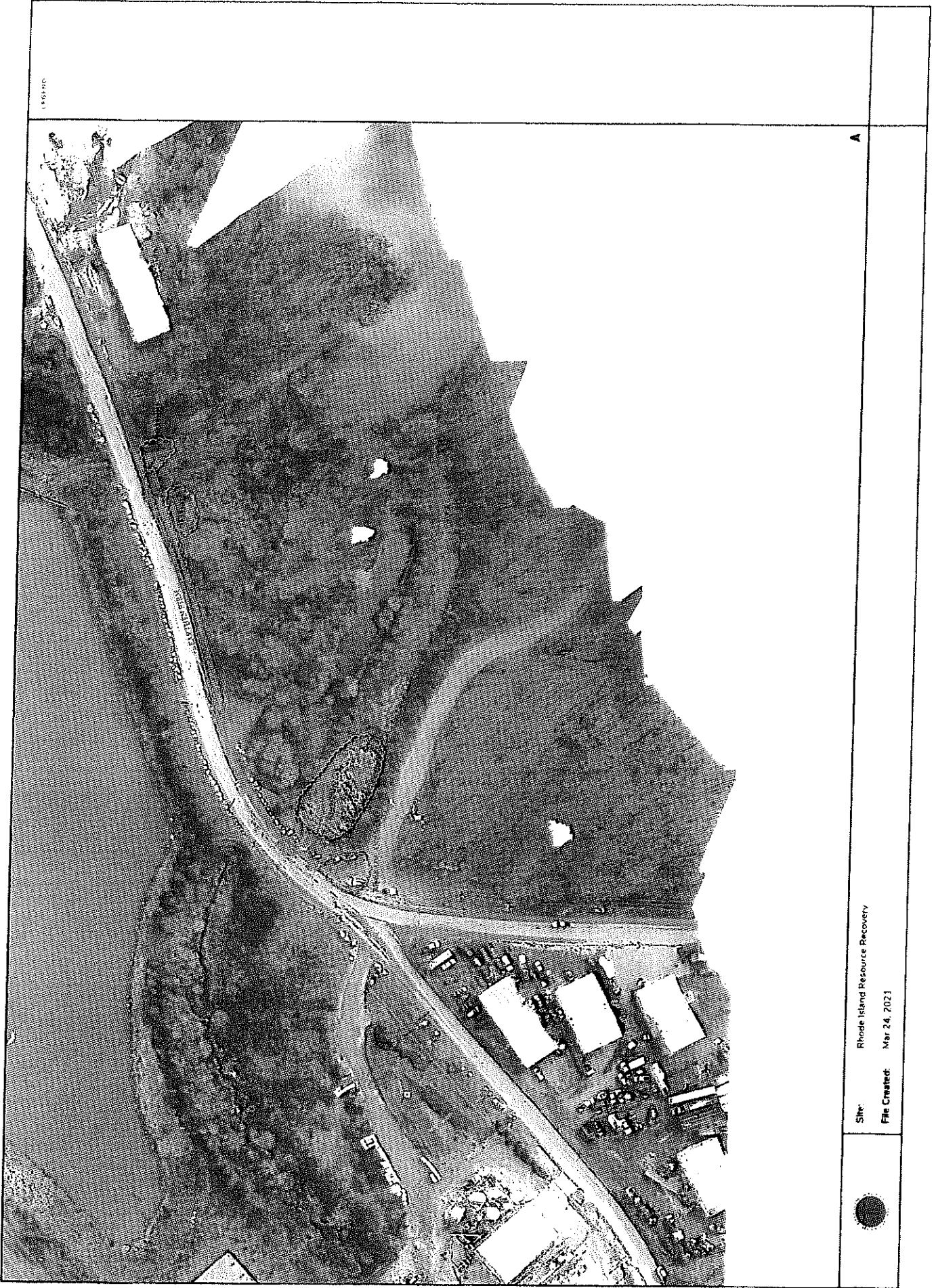
Estimate SEP Cost

March 2021

(WP-19-67 AAD No. 20-003/WRE)

Personnel	Employee Unit Rate (per Hour)	Estimated Hours	Extended Cost
Operator	\$ 42.15	150	\$ 6,322.50
Operator	\$ 43.35	150	\$ 6,502.50
Operator	\$ 43.35	150	\$ 6,502.50
Operator	\$ 43.35	75	\$ 3,251.25
Operator	\$ 43.35	75	\$ 3,251.25
Laborer	\$ 33.84	150	\$ 5,076.00
Laborer	\$ 33.84	75	\$ 2,538.00
Supervisor	\$ 69.60	75	\$ 5,220.00
Grounds Personnel	\$ 25.92	30	\$ 777.60
Grounds Personnel	\$ 25.92	30	\$ 777.60
		Labor Subtotal	\$ 40,219.20
Equipment	Equipment Rate (per Hour)	Estimated Hours	Extended Cost
BH-22 excavator	\$ 31.86	150	\$ 4,779.00
BH-20 excavator	\$ 30.16	150	\$ 4,524.00
Off Road Truck	\$ 45.00	150	\$ 6,750.00
Off Road Truck	\$ 45.00	75	\$ 3,375.00
Off Road Truck	\$ 45.00	75	\$ 3,375.00
		Equipment Subtotal	\$ 22,803.00
3rd Party Estimates	Rate per U/M	U/M	Extended Cost
Paving	\$ 0.39	2000	\$ 780.00
Police Officer Detail (per hour)	\$ 46.33	300	\$ 13,899.00
Police Cruiser Detail (per hour)	\$ 30.00	300	\$ 9,000.00
Police Admin Fee (per hour)	\$ 15.00	300	\$ 4,500.00
Berm	\$ 45.00	350	\$ 15,750.00
Loam (per ton)	\$ 13.00	60	\$ 780.00
		3rd Party Subtotal	\$ 44,709.00
PROJECT TOTAL			\$ 107,731.20

ATTACHMENT E



Site: Rhode Island Resource Recovery

File Created: Mar 24, 2021

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