



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

June 28, 2012

Pieter N. Roos
Executive Director
Newport Restoration Foundation
51 Touro Street
Newport, RI 02840

RE: Conditional Approval of Proposed Scope of Work for Additional Investigation
Queen Anne Square
Intersection of Mill, Thames, Spring and Church Streets, Newport, Rhode Island
Case No. 2012-010

Dear Mr. Roos:

On November 9, 2011, the Rhode Island Department of Environmental Management (the Department) 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 an efficient manner.

In the matter of the above referenced Site, the City of Newport, in accordance with the Public Involvement requirements under Rhode Island General Laws (R.I.G.L.), Title 23, *Health and Safety*, Chapter 23-19.14, *Industrial Property Remediation and Reuse Act*, Section 23-19.14-5, *Environmental Equity and Public Participation*, as well as Section 7.00, Rule 7.07.A.iii of the Remediation Regulations, scheduled and held a Public Meeting on April 2, 2012. The purpose of the meeting was to obtain information about conditions at the Site and the environmental history at the Site that may be useful in establishing the scope of the investigation of the Site and/or establishing the objectives for the environmental clean-up of the Site. The record of the meeting remained open for a period of ten (10) business days for the receipt of public comments, and concluded at 4:00pm on April 16, 2012.

In response to the public comments submitted at the Public Meeting, as well as other written comments received by the Department's Office of Waste Management (OWM), the City of Newport, the Newport Restoration Foundation (NRF) and/or the Doris Duke Monument Foundation (DDMF), during the public comment period, the following document was prepared:

- Summary Report, April 2, 2012 Public Meeting and 10-Day Comment Period, Queen Anne Square (Assessor's Plat 24 Lot 346), Newport, Rhode Island, RIDEM Case No. 2012-10, (Summary Report), prepared by Sage Environmental, Inc. (Sage), and dated May 3, 2012.

The above referenced Summary Report documents the results of All Appropriate Inquiries, analysis, public comments, and identifies several data gaps in the environmental assessment sampling performed to date which need to be addressed. Subsequently the following document has been submitted to the OWM on behalf of the DDMF:

- Revised Proposed Scope of Work, Queen Anne Square, Newport, Rhode Island, (SOW), prepared by Sage, and dated June 25, 2012.

OWM personnel have reviewed SOW in accordance with Sections 7 and 8 of the Remediation Regulations, and concur with the SOW with the following clarifications, comments, conditions and requests:

1. All soil samples collected for laboratory analysis for volatile organic compounds (VOCs) via EPA Method 8260B shall be grab samples, not composite samples.
2. All soil sample locations, including proposed surface soil sample locations scheduled for only polychlorinated biphenyl (PCB) sampling and analysis, should be screened in the field for the presence of total photoionizable compounds using a photoionization detector (PID) and the proposed jar headspace technique. In the event that staining, odors or elevated PID readings are observed at a sample location, a grab soil sample should also be collected from that location for total petroleum hydrocarbons (TPH) and VOC analysis.
3. The proposed SOW calls for the installation, development and sampling of two (2) additional groundwater monitoring wells (PMW-6 and PMW-7). The Department requests the installation, development and sampling of one (1) additional groundwater monitoring well in the vicinity of soil boring location 22 (i.e. upgradient southeast corner of Site). The purpose of this monitoring well will be to evaluate if there is any evidence of a release to groundwater from an upgradient source migrating onto the Site, including potential historic releases from the gas station formerly located at the corner of Spring and Mill Streets. As with the other two wells, groundwater should be evaluated for the presence of separate phase product using an interface probe and a groundwater sample should be collected and laboratory analyzed for VOCs via EPA Method 8260B. Since some earlier monitoring well installations exhibited limited recharge of groundwater, every effort should be made to insure that each monitoring well is installed to an appropriate depth intercepting the groundwater surface. Field screening and soil sampling should be conducted in a manner consistent with what is proposed for PMW-6 and the Department's preceding comments.
4. Subsequent to the conclusion of the Public Comment period on April 16, 2012, the OWM received a copy of the attached map titled, Disposition Map #4, Historic Hill Project, R.I. R-23, Redevelopment Agency of Newport, RI, prepared by Robert E. Lynch, Professional Engineer, Middletown, R.I., dated August, 1977, revised June, 1979, and again revised September, 1981. This map indicates the historic existence of a well in an area designated as Parcel 7, which appears to be part of the present day Queen Anne Square project Site. The Department requests that an effort be made to locate this well while conducting the field work described in the SOW, and if located and determined to be a viable well, that groundwater be evaluated for the presence of separate phase product using an interface

probe and a groundwater sample be collected and laboratory analyzed for VOCs via EPA Method 8260B.

Please note that prior to the implementation of the Site Investigation field activities, and in accordance with the Industrial Property Remediation and Reuse Act (Rhode Island General Law 23-19.14, Section 11) and the Remediation Regulations, the DDMF or Sage on behalf of the DDMF, must notify all abutting property owners and tenants that further investigation is about to occur. The notice should briefly indicate the purpose of the investigation, the work to be performed and the approximate scheduled date of activities. Please also note that this notice does not require a public comment period.

Please notify the OWM a minimum of 48 hours prior to initiating the investigation activities at the site associated with the previously referenced SOW.

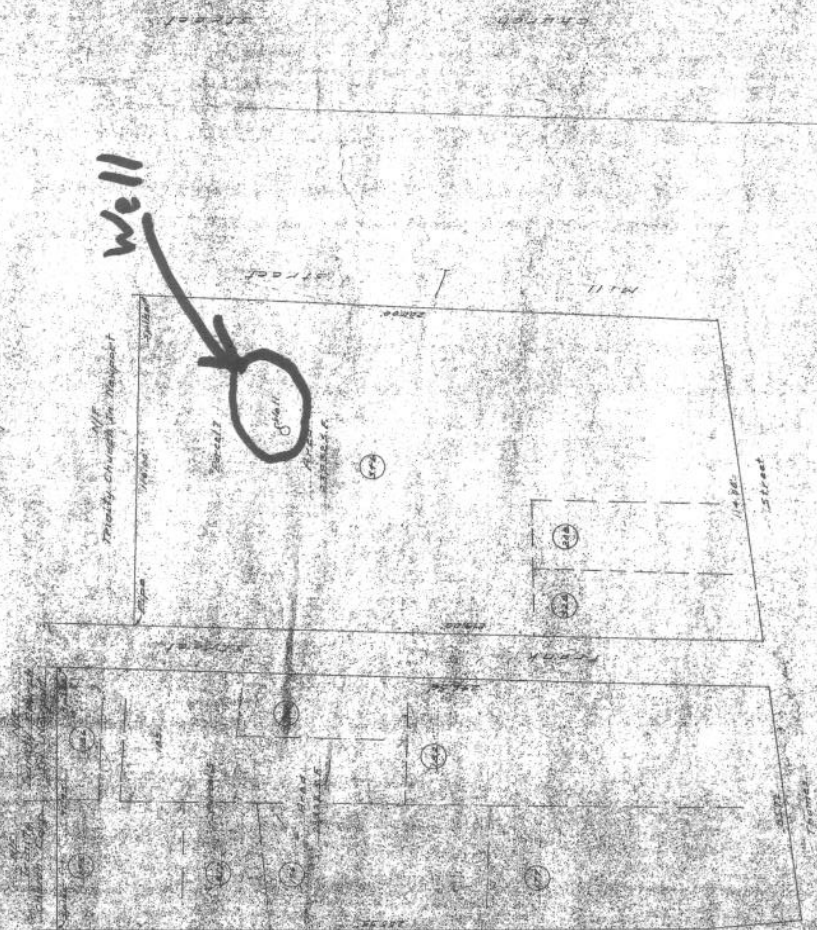
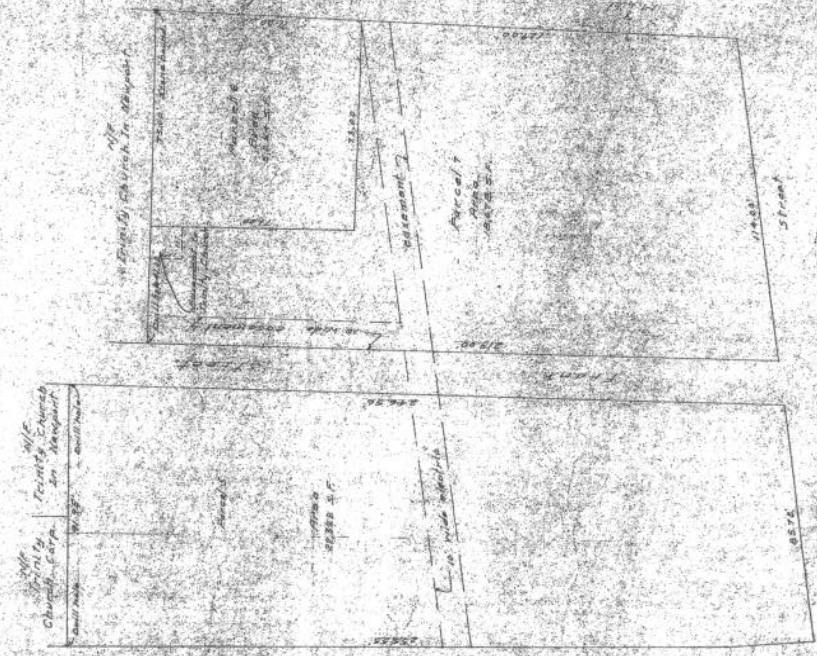
If you have any questions regarding this letter, please contact me by telephone at (401) 222-2797, extension 7109 or by e-mail at joseph.martella@dem.ri.gov.

Sincerely,



Joseph T. Martella II
Senior Engineer
Rhode Island DEM
Office of Waste Management

Cc: Terrence D. Gray, P.E., Assistant Director, RIDEM/AW&C
Leo Hellested, P.E., Chief, RIDEM/OWM
Kelly J. Owens, RIDEM/OWM
Richard M. Bianculli Jr., Esq., RIDEM/OLS
Nicole Poepping, RIDEM/Legislative Liaison
Hon. Stephen C. Waluk, Newport City Council Chairman/Mayor
Ms. Jane Howington, Newport City Manager
Scott D. Wheeler, Newport Department of Public Services
Joseph J. Nicholson, Jr., Esquire, Newport City Solicitor
Jeff Moniz, Farrar Associates
Representative Peter F. Martin, District 75
Senator M. Teresa Paiva Weed, District 13
Bruce Clark, Sage



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