



RHODE ISLAND

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

OFFICE OF LAND REVITALIZATION AND SUSTAINABLE MATERIALS MANAGEMENT

235 Promenade Street, Room 380

Providence, Rhode Island 02908

July 21, 2023

Mark House
Program Manager
Verdantas LLC
1005 Main Street, Suite 8120
Pawtucket, RI 02860

Dear Mr. House:

The Rhode Island Department of Environmental Management's (RIDEM) Office of Land Revitalization and Sustainable Materials Management (LRSMM) has reviewed your June 7th, 2023 Beneficial Use Determination (BUD) application for reuse of soils from 655 Frenchtown Road in East Greenwich. After reviewing the application and required data submission as well as holding the required public hearing, we find the application acceptable.

Therefore, enclosed is the BUD approval, with conditions included, for the reuse of impacted soils at levels above residential standards from 655 Frenchtown Road, East Greenwich, RI, to What Cheer Flower Farm (WCFF) located at 28 Agnes Street in Providence, RI for use as construction fill. Your approval will expire on July 21, 2024.

Sincerely,

Nathan Arruda
Environmental Scientist
Office of Land Revitalization and Sustainable Materials Management
401-222-2797, ext. 2777511

CC: Leo Hellested, Environmental Administrator – DEM/LRSMM

Mark Dennen, Supervising Environmental Scientist – DEM/LRSMM
Kasie McKenzie, Environmental Engineer – DEM/LRSMM
Rachael Simpson, Senior Environmental Scientist- DEM/LRSMM
Kelly Owens, Associate Supervising Engineer – DEM/LRSMM

SOLID WASTE BENEFICIAL USE DETERMINATION (BUD)

CONDITIONS FOR RE-USE OF IMPACTED SOILS FOR CONSTRUCTION FILL

July 2023

Verdantas LLC, has submitted for approval on behalf of Pennrose LLC, and What Cheer Flower Farm (collectively the “Applicants”), this BUD request to allow the beneficial reuse of impacted soils from 655 Frenchtown Road, East Greenwich, RI, to What Cheer Flower Farm (WCFF) located at 28 Agnes Street in Providence, R.I. Said soils have been designated for use as construction fill, at the WCFF site. Based upon the representations made in the application, the RIDEM Office of Land Revitalization and Sustainable Materials Management (OLRSMM) hereby grants approval for the reuse of these soils under the following conditions:

1. The impacted soil must be handled and processed in accordance with this approval and the BUD application submitted by the Applicants, on June 7, 2023
2. The Applicants shall ensure that the transportation and delivery of impacted soils to the WCFF site is done in compliance with any/all RIDOT and City of Providence requirements, so as to mitigate any negative impacts on the neighborhood and local area. In addition, the maximum permissible amount of material transported to 28 Agnes Street per day shall be capped at 1000 cubic yards of impacted soils.
3. The stockpiling of impacted soils on site, prior to placement, shall not exceed a maximum of 5000 cubic yards. All stockpiling of soils shall be in the designated area according to Section 6 (a.) of the BUD application, to await future processing and final placement.
4. Erosion and Stormwater controls shall be conducted according to Section 6(j) of the BUD application, with the use of, but not limited to, vegetative cover, silt fences and filter socks/berms. The Applicants shall also undertake all measures necessary to ensure adequate dust control.
5. This approval only pertains to the reuse of the impacted soil as construction fill at the WCFF site (28 Agnes Street), as described in Section 4 of the BUD application.
6. The facility shall provide the Department, its authorized officers, employees, and representatives, and all other persons under Department oversight, an irrevocable right of access to the facility at all reasonable times for the purposes of performing inspections, investigations, testing, and examining records. The Department or other authorized designated personnel shall have the right to access the facility at all reasonable times for the above-stated purposes without prior notice. Refusal to permit reasonable inspections, tests and investigations shall constitute valid grounds for denial, revocation or suspension of this BUD approval; and/or issuance of a Notice of Violation with Administrative Penalty.
7. This approval shall expire on July 21, 2024. The Applicants may request an annual renewal of this approval that may be granted with approval from the RIDEM’s Director.
8. RIDEM’s granting of this approval does not affect the responsibility of The Applicants to meet all zoning and other local ordinances and comply with any other State or Federal requirements, including but not limited to any additional applicable DEM permitting and approvals.

9. This approval may be modified, amended, suspended, or revoked at the discretion of RIDEM.
10. The Applicants have completed public notice, and this approval is granted based upon representations by the Applicants that they have complied with all provisions RIGL 23-18.9-16.
11. The Applicants shall keep all records and data for a period of at least 1 year. All records shall be made available to representatives of the Office of LRSMM upon request. If renewal of this BUD permit is needed, an electronic copy of the previous year's records and data shall be included in the application.

Leo Hellested

Leo Hellested PE, Administrator
Office of Land Revitalization and Sustainable Materials Management

July 21, 2023

Date