

March 12, 2014

Ms. Ashley Blauvelt, Senior Sanitary Engineer
Rhode Island Department of Environmental Management
Office of Waste Management – Site Remediation Program
235 Promenade Street
Providence, Rhode Island 02908

Re: **Response to Public Comments**
 Blackstone Valley Preparatory School
 52 Broad Street, A.P. 2 Lot 26
 Cumberland, Rhode Island
 PARE Project No.: 13062.09

Dear Ms. Blauvelt:

On behalf of Civil Broad Street Corporation (Owner), Pare Corporation (PARE) is providing this response to the verbal and written public comments received during the public meeting and public comment period between February 24, 2014 and March 10, 2014 for the above-referenced site. This letter and the associated attachments are intended to fulfill the Rhode Island Department of Environmental Management (RI DEM) requirements set forth in Rule 7.07 of the Rules and Regulations for the Investigation and Remediation of Hazardous Material Releases (Remediation Regulations). Provided below is a summary of the public meeting as well as a list of each public comment and PARE's corresponding response.

PUBLIC MEETING

A public meeting with respect to the contamination discovered at the site was completed on February 24, 2014 at the Blackstone Valley Prep Elementary School, located at 291 Broad Street in Cumberland, RI. The purpose of the meeting was to gather information about potential environmental contamination at the site not previously identified as part of the environmental investigations performed at the site. A copy of the public meeting transcript is attached for your reference. PARE's responses to public comments received during this public meeting are provided in the following section. The public meeting was advertised in the Providence Journal on February 11, 2014 (see attachment). The Notice of a Public Meeting was provided per RIGL Chapter 23-19.14 (*The Industrial Property Remediation and Reuse Act*) and more specifically Section 23-19.14-5 (*Environmental Equity and Public Participation*).

The record of the public meeting was open for ten (10) business days after the meeting for the receipt of public comment and closed at 4:00 PM on March 10, 2014. Public comments relative to the environmental investigation of the proposed project were submitted in writing to: Ms. Ashley Blauvelt, RI Department of Environmental Management - Office of Waste Management, 235 Promenade Street, Providence, RI 02908 or by telephone at (401) 222-2797 ext. 7026.

RESPONSE TO PUBLIC COMMENTS

COMMENT NO. 1: *A representative of the public expressed concern at the public meeting and during the public comment period regarding the potential for petroleum from the former underground storage tanks (USTs) on the southern abutting parcel to have migrated toward the site via shallow groundwater flow or soil. Specifically, the following questions were asked:*

▼



- a. *Have soils also been tested as a possible medium for migration? If not, please explain why. Is it possible that potentially contaminated soils from the former gas station have either migrated or in some way impacted the school site?*
- b. *Is it not possible that when the gas station was closed and demolished, fuel tanks and/or oil-changing waste containers may have remained buried on the property and subsequently corroded?*
- c. *Has full removal of all tanks, barrels, etc. by the former owner been thoroughly documented? If not, how can this potential source of petroleum contamination be dismissed? If not, how can the parents of the future students at the school be assured that their children will in fact be safe there?*

PARE RESPONSE:

- a. A total of twenty-six (26) soil samples have been collected and analyzed from across the site at depths ranging from 2 feet to 11 feet in order to characterize the nature and extent of contaminants present at the site. Of the 26 six samples collected only one had elevated concentrations of petroleum (TPH) in excess of the RI DEM Residential Direct Exposure Criteria. The one sample that had elevated concentrations of petroleum was collected from the soil stockpile excavated from Area 1. It appears as though the elevated petroleum detected in Area 1 was isolated to that area and was not the result of migration from an adjacent parcel, as is evident by the relatively clean samples collected from the excavation sidewalls and bottom. In addition, a number of sidewall and bottom samples were also collected from Area 2, which also had petroleum concentrations below the Residential DEC. As such, it does not appear as though the contamination identified in Areas 1 and 2 is the result of petroleum migration from an adjacent parcel. In addition, there is no evidence that soil from any of the other test pits or borings has been significantly impacted by petroleum. At this time, there is no evidence that petroleum has migrated through soil from an off-site parcel, including the former gas station parcel to the south, and impacted the site.
- b. While it is possible that when the gas station was closed and demolished that fuel tanks and/or oil-changing waste containers may have remained buried on the property and subsequently corroded, it is believed that groundwater in the vicinity of the site flows in a southerly and westerly direction, which would make the former gas station downgradient from the subject site. Nonetheless, given the proximity of the former gas station and the unknown disposition of the former USTs at the gas station, it was deemed prudent to perform an investigation of shallow groundwater beneath the southern edge of the site. The limited groundwater investigation included the advancement of three (3) geotechnical borings along the common property line between the site and the former gas station property. At each location, bedrock was encountered at a depth ranging from 6 feet to 14 feet. Groundwater was not encountered in any of the three boring locations, though water was recorded in one boring but appeared to be perched wash water introduced as part of the drilling process. The results of the limited groundwater investigation effectively eliminated the possibility that shallow groundwater beneath the site has been impacted by the adjacent former gas station facility. Moreover, with the exception of one (1) soil sample collected from the southern side of the property, none (0) of the twenty-six (26) soil samples collected from across the site at depths ranging from 2 feet to 11 feet had concentrations of total petroleum hydrocarbons (TPH) above the RI DEM Residential Direct Exposure Criteria. The one sample that had elevated concentrations of TPH was reported to be a mix of No. 2 heating oil and motor oil – no gasoline was reported in the sample. Therefore, it is the opinion of PARE that former USTs on the southern property have not had an impact on the site.



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- c. While the disposition of the former USTs on the southern abutting parcel is unknown, we do not believe that these USTs have impacted the school site (refer to response to Comment No. 1a). With regard to documentation of full removal of all tanks, barrels, etc. by the former owner, given that the tanks are (or were) not on the school site property, the owner of this project, Civic Builders, has no authority to remove or otherwise investigate the disposition of these tanks. It is the responsibility of the current property owner of the southern abutting parcel (AP 2 Lot 25) to investigate and potentially remove these tanks if they still exist. With respect to the safety of future students of the school, refer to response to Comment No. 5.

COMMENT NO. 2: *A comment was received at the public meeting with respect to PARE's experience with environmental investigations.*

PARE RESPONSE: Pare Corporation has been in business for over 40 years, and during that time has performed environmental site assessments for hundreds of sites in New England. The environmental engineers of Pare Corporation provide environmental site assessments, from performing historical site review and investigations (Phase I); developing and implementing sampling and analysis programs (Phase II); to the development of plans for site remedial action and contaminant mitigation (Phase III). Our personnel have significant experience working with the RI Department of Environmental Management on the investigation and remediation of contaminated properties. Our engineers possess both the technical training and field experience to investigate contaminated sites and make informed and appropriate decisions about the nature and extent of contamination, as well as effective remedial strategies.

COMMENT NO. 3: *A comment was received at the public meeting with respect to the environmental contaminants found at the site, particularly the frequency of this occurrence happening at a construction site and the significance of this particular release.*

PARE RESPONSE: It is the opinion of PARE that these particular contaminants at the concentrations identified at the site are not uncommon in urban areas and that this release was isolated to two small areas of the site. We do not believe that this release represents a significant ongoing risk to human health or the environment.

COMMENT NO. 4: *Several comments were received at the public meeting and in the public comment period with respect to the installation of a vapor barrier beneath the school building.*

PARE RESPONSE: A vapor barrier and passive sub-slab ventilation system are proposed as part of the building construction; even though the risk for vapor intrusion at this site appears to be very low.

COMMENT NO. 5: *A number of questions/comments were received during the public meeting regarding the owner and engineer's consideration of the future safety of school children at the site as it would be impacted by the reported release.*

PARE RESPONSE: PARE engineers evaluated the nature and extent of contaminants present at the site in accordance with the requirements of the RI DEM Remediation Regulations. Based on the results of the environmental investigation, which included a soil boring program, a test pit program, and soil chemical analytical testing, an appropriate remedial measure was developed for RI DEM review and approval. PARE utilized RI DEM's Residential Direct Exposure Criteria (R DEC) published in the Remediation Regulations to evaluate soil data collected as part of the environmental investigation at the property. The R DEC is the RI DEM's most stringent soil criteria for the protection of human health



and the environment. That said, for areas outside of the proposed school footprint with reported contaminant concentrations above this regulatory threshold, PARE proposes the excavation of these contaminated soil "hot spots" until contaminant concentrations are no longer present at the site above this direct exposure criteria. It should be noted that soil observed to contain obvious signs of contamination (i.e., dark black color, strong petroleum odor) at the two release sites has been excavated and encapsulated in polyethylene sheeting on site and is scheduled for off-site removal and disposal at the Rhode Island Resource Recovery Corporation's Central Landfill in Johnston, RI.

For exceedances of the direct exposure criteria located below the proposed school building footprint, PARE proposes capping soil in place utilizing the building foundation as an engineered control over the contaminated soil. This is a standard method of soil remediation and is effective for sites similar to the Blackstone Valley Preparatory School site. The cap will prevent contact with the contaminated soil and limit contaminant mobility. The contaminants reported in soil above their respective regulatory criteria located below the proposed school building footprint are all classified within a subset of semi-volatile organic compounds known as polycyclic aromatic hydrocarbons (PAHs). In total, five (5) PAHs - benzo(a)anthracene, benzo(b)fluoranthene, benzo(g,h,i)perylene, chrysene, and indeno(1,2,3-cd)pyrene – were reported below the proposed school building footprint at concentrations in excess of their respective R DEC. In addition, one (1) PAH – benzo(a)pyrene – was reported in this area at a concentration exceeding its RI DEM Industrial/Commercial Direct DEC. For additional information related to contaminant concentrations reported in soil at the site, refer to the attached Site Plan.

It is important to note that while a number of PAHs were identified below the proposed school building footprint, no PAHs are included on the EPA's list of *Chemicals of Potential Concern for Vapor Intrusion*. PAHs are not readily volatile and therefore represent an insignificant risk of volatilization at the site. Even though vapor intrusion from these chemicals is considered to be an insignificant issue, a vapor barrier and passive sub-slab ventilation system will be installed beneath the building, as originally proposed. An environmental land use restriction will also be implemented with the property deed restricting future soil disturbance below the school building. To conclude, PARE's recommended remedial measure for the site, which includes selective soil removal and disposal, supplemented with engineered and institutional controls in the proposed school building footprint, will fulfill the requirements of the RI DEM Remediation Regulations.

COMMENT NO. 6: *PARE obtained an email correspondence between the Office of the Governor and the RI DEM with respect to a photograph of the former gas station abutting the site to the south, which was circulated by Representative James N. McLaughlin, state representative for District 57 in Cumberland and Central Falls. Representative McLaughlin expressed concern regarding the former gas station and the unknown disposition and removal of the former USTs at the gas station on the southern abutting parcel. The email suggests that the former gas station and the school site are one and the same. A copy of the email correspondence and photograph are attached for your review.*

PARE RESPONSE: We would like to clarify first and foremost that the gas station photo circulated in the above-referenced email is not a photo of the school site, but a photo of the southern abutting parcel (AP 2 Lot 25). While the disposition of the former USTs on the southern abutting parcel is unknown, we do not believe that these USTs have impacted the school site (refer to response to Comment No. 1b, above). With regard to the specific question about whether or not these tanks will be removed as part of this project, given that the tanks are not (and never were) on the school site property, the owner of this project, Civic Builders, has no authority to remove or otherwise investigate the disposition of these tanks. It is the responsibility of the current property owner to investigate and potentially remove these tanks if they still exist.



COMMENT NO. 7: *A public comment was received requesting further study and investigation of:*

- d. *soil samples around the foundation and areas around the Blackstone Valley Prep School which is under construction;*
- e. *contamination near the building, specifically underground gas and home heating oil tanks which may not have been remediated or removed, as well as resultant hazardous chemicals that may persist in the soil; and*
- f. *core drilling to assess subsidence in several locations to the depth of 200 feet as suggested in a report by U.S. Department of Interior pertaining to this same area.*

PARE RESPONSE:

- a. A total of twenty-six (26) soil samples have been collected and analyzed from across the site at depths ranging from 2 feet to 11 feet in order to properly characterize the nature and extent of contaminants present at the site. These 26 locations included areas around and beneath the proposed school foundation.
- b. At this time, the excavation has occurred beneath the entire proposed building foundation and under the building footprint to a depth of 6 to 11 feet below the grade of the former park. No underground storage tanks were discovered during the excavation of the building foundation or footprint. In addition, a number of additional test pits were performed around the site and samples collected to identify if contamination exists near the building. At this time, we believe the site has been adequately characterized and no additional investigation is warranted. Following RI DEM approval of the Site Investigation Report (SIR) for the proposed school, the SIR will be available for public review. In addition, the RI DEM will be including a link titled "Blackstone Valley Prep School" on their site remediation webpage (<http://www.dem.ri.gov/programs/benviron/waste/topicrem.htm>) underneath the section called "Information on Specific Remediation and Brownfield Sites." This link will contain all of the documents associated with this project. A copy of the SIR will also be available for review at the Cumberland Town Hall.
- c. This comment does not pertain to the environmental conditions at the site or provide any additional information on the reported release at the site, and therefore shall not be addressed in this Response to Public Comments letter. Concerns regarding the geotechnical studies and ground stability should be brought to the Town of Cumberland's Building Department at 45 Broad Street, Cumberland, RI 02864 or by telephone at (401) 728-2400 ext. 141.

COMMENT NO. 8: *A public comment was received with respect to the following safety concerns:*

- a. *I am concerned that environmental investigations have been limit[sic] to the soil samples from a small area and not from the whole site. Therefore I ask if more soil samples shouldn't be necessary?*
- b. *I am concerned with the ground stability. Based on historical and factual events of cave-ins, why not follow the recommendations that more core drilling be done?*

PARE RESPONSE:

- a. Refer to response to Comment No. 7a.
- b. Refer to response to Comment No. 7c.



Ms. Ashley Blauvelt

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COMMENT NO. 9: *A public comment was received with respect to the impact of the proposed school site on local parking.*

PARE RESPONSE: This comment does not pertain to the environmental conditions at the site and therefore shall not be addressed in this Response to Public Comments letter. Concerns regarding parking and traffic impacts should be brought to the Town of Cumberland's Planning Department at 45 Broad Street, Cumberland, RI 02864 or by telephone at (401) 728-2400 ext. 140.

If you have any questions or concerns, please do not hesitate to contact me at your earliest convenience at (401) 334-4100, thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy P. Thies".

Timothy P. Thies, P.E.
Managing Engineer

Attachments: Site Plan
Public Notice
Public Meeting Transcript
Public Comment Email Correspondence and Photograph
Public Comment Period Letters

cc: Ms. Janelle Bosek – Civic Broad Street Corporation
Mr. Andrew Chagnon, P.E. – Pare Corporation
Mr. George G. Palmisciano, P.E. – Pare Corporation
Mr. Sean Coffey – Burns and Levinson

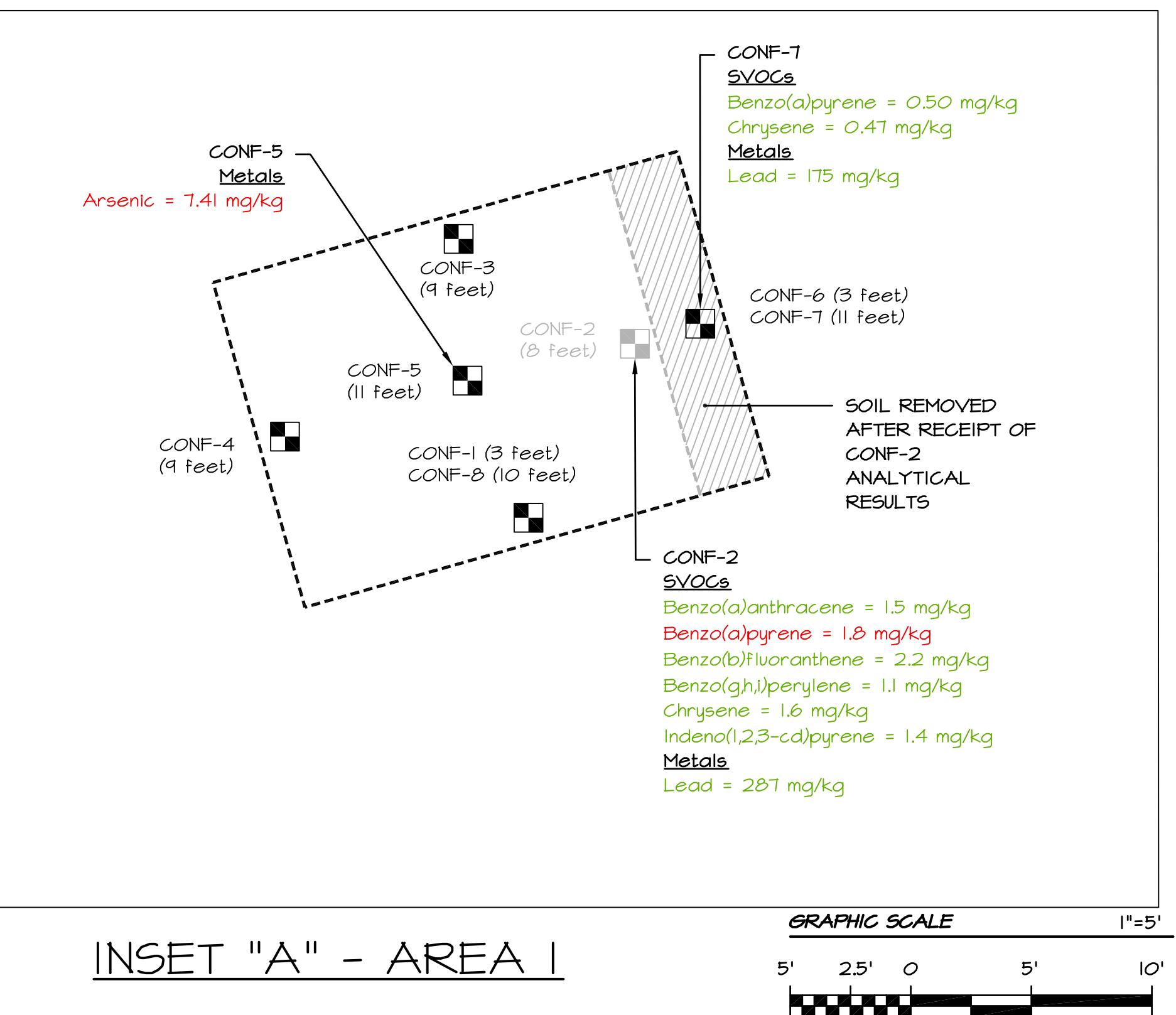
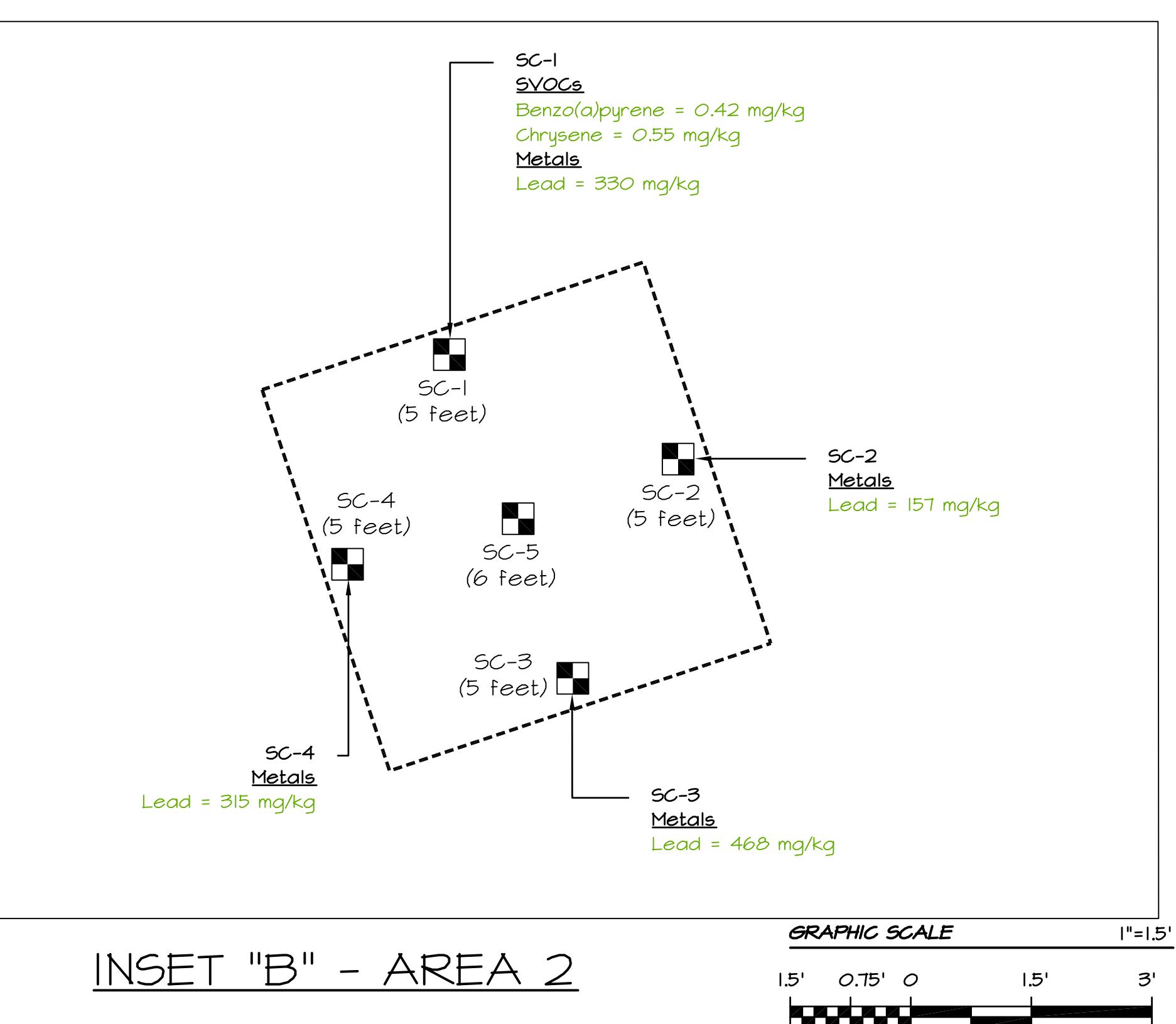
TPT/SPD/abv

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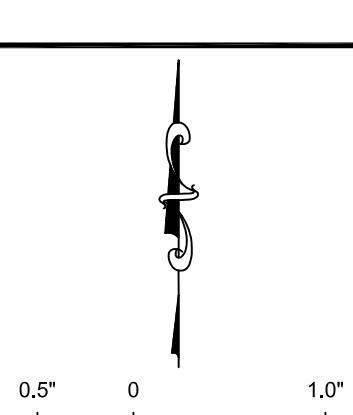

LEGEND

- B13-2: BORING LOCATION (BORINGS COMPLETED BY NEW HAMPSHIRE BORING JULY 4, 2013 TO JULY 11, 2013 AND JULY 23, 2013. BORINGS OBSERVED BY PARE PERSONNEL.)
- TP-1: TEST PIT
- S-1: ENVIRONMENTAL SAMPLING LOCATION (TEST PITS COMPLETED BY W.A. EXCAVATING ON FEBRUARY 4, 2014. SOIL SAMPLING PERFORMED BY PARE PERSONNEL.)
- PROPERTY LINE
- HISTORIC BUILDING (SOURCE: 1965 SANBORN MAP)
- ENGINEERED & INSTITUTIONAL CONTROL (CAP & ELUR)
- SELECTIVE SOIL REMOVAL & DISPOSAL

NOTE: CONCENTRATIONS SHOWN IN RED EXCEED RIDEM I/C DEC
CONCENTRATIONS SHOWN IN GREEN EXCEED RIDEM R DEC


INSET "A" - AREA 1

INSET "B" - AREA 2

Blackstone Valley Preparatory School
52 Broad Street
A.P. 2 Lot 26
Cumberland, Rhode Island



REVISIONS:

PROJECT NO.: 13062.09
DATE: MARCH 2014
SCALE: AS NOTED
DESIGNED BY: SPD
CHECKED BY: TPT
DRAWN BY: SPD
APPROVED BY: TPT
DRAWING TITLE: SITE PLAN

DRAWING NO.:

SHEET NO. 1 OF 2

PROVIDENCE Journal

Ad Order Confirmation

Customer:	CIVIC BUILDERS, INC.	Sales Rep:	Local PJUnassigned
Customer Account:	100226887	Order Taker:	Amy Kelly
Agency:	CIVIC BUILDERS, INC.		
Agency/Parent Account:	100226887		
Ordered By:	Ellen McBurney		
PO Number:			
Ad Order #:	0001221135		
Net Amount:	\$389.29	Payment Method:	Credit Card
Amount Due:	\$389.29	Payment Amount:	\$0.00

Ad Number: 0001221135-01

Color:	Ad Size:	1 X 4.49 In
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Run Dates	Product	Placement/Classification - Position
2/11	Providence Journal	PJ Cls Legals - PJ LG Legal Notices
	PJ Projo.com	Sort Text PN BV PREP PJ Cls Legals - PJ LG Legal Notices
		Sort Text PN BV PREP

PUBLIC NOTICE
Civic Builders is hereby providing Notice of a Public Meeting per RIGL Chapter 23-19.14 (The Industrial Property Remediation and Reuse Act) and more specifically Section 23-19.14-5 (Environmental Equity and Public Participation).

The purpose of this meeting is to discuss the environmental investigations associated with the reuse of 52 Broad Street, Cumberland, RI as a public charter school.

The record for the public meeting shall be open for ten (10) business days after the meeting and will close at 4:00 PM on March 10, 2014. Public comments relative to the environmental investigation of the proposed project must be submitted in writing to: Ms. Ashley Blauvelt, RI Department of Environmental Management - Office of Waste Management, 235 Promenade Street, Providence, RI 02908. For More information regarding this notice, please contact Ashley Blauvelt by telephone at (401) 222-2797 ext. 7026.

The meeting will be held on:

Date: February 24, 2014
Place: Blackstone Valley Prep Elementary School 1
291 Broad Street,
Cumberland, RI 02864
Time: 5:30 to 7:30 pm

1 STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
2 PROVIDENCE, SC.

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5 IN RE:

6 DEM ENVIRONMENTAL PUBLIC MEETING
7 WITH REGARD TO SITE LOCATED AT
8 52 BROAD STREET WHICH WILL BE USED AS
A PUBLIC K-8 ELEMENTARY CHARTER SCHOOL
FOR 400 STUDENTS ATTENDING
BLACKSTONE VALLEY PREP ES 2.

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12 HEARD at the Blackstone Valley Prep School
13 Multi-Purpose Room, 291 Broad Street, Cumberland,
14 Rhode Island, on February 24, 2014 at 5:30 p.m.

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TEAM ATTENDEES

20 Sean Coffey, Esquire (Burns & Levinson)

21 Civic Builders Team: Mr. David Umansky, CEO
22 Ms. Janelle Bosek

23 Pare Engineering Team: Mr. Tim Thies,
24 Technical Environmental Expert

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SPEAKERS

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6 022414 CIVIC BUILDERS transcript
7 without a microphone? Can everybody hear me? Yeah,
8 okay, good.

9 My name is David Umansky, and I am CEO of Civic
10 Builders, which is the developer, the builder of the
11 project at 52 Broad Street. I'm going to read
12 through some sort of legal-ish information just to
13 set the agenda for the evening, and then we'll end up
14 turning the meeting over to our engineers, Pare
15 Engineering, to go over some technical information.
16 We're having this public meeting per RIGL,
17 Chapter 23-19.14, the Industrial Property
18 Remediation and Reuse Act, and, more specifically,
19 Section 23-19.14-5.

20 The purpose of the meeting is to report on the
21 environmental investigations associated with the
22 reuse of 52 Broad Street and to gather information
23 from the public, any information that the public may
24 have on this topic. We've conducted extensive site
25 investigations. The point here, though, is to say
 what else does anybody know with regard to issues

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1 that Pare is going to discuss? And, just as -- we've
2 had some public meetings on this project before, and
3 just to say that this is -- it's a venue to gather
4 information. It's not a venue to answer questions.
5 We are happy to answer questions. We've provided
6 index cards which are in the back; and, if you would
7 just write down a question, in the appropriate forum
8 we're happy to respond; but this is not the forum for
9 that. This is for us to gather information.

022414 CIVIC BUILDERS transcript
10 As well, I know that over time there are folks
11 who are very excited about the project. We certainly
12 are. There are others who are less excited about the
13 project; and, just particularly in the interest of
14 time, we're focused on the facts with regard to
15 environmental contaminants. We're not here to talk
16 sort of about the politics of doing or the excitement
17 of doing the project or not doing the project.

18 And, as well, by the way, with regard to
19 discussions of mines, this is the not forum to
20 discuss mines.

21 The record shall be open for business -- shall
22 be open for 10 business days after the meeting, which
23 is to say that, after this meeting, if you have
24 initial information, you can send that information
25 either to Civic Builders, to Pare Engineering, or

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1 directly to the Department of Environmental
2 Management for 10 business days.

3 MS. BOSEK: David, only to the DEM, not to us.

4 MR. UMANSKY: I apologize. You'll send it
5 directly to DEM, and that ends on March 10th, 2014,
6 I believe, 4:00 p.m. I have the information as to
7 where you would send that. I guess I'll say that
8 now, and I'll also say it at the end of the meeting.
9 It's to Ashley Blauvelt at the Rhode Island
10 Department of Environmental Management, the Office of
11 Waste Management, 235 Promenade Street, in
12 Providence, 02908.

13 We have a stenographer here to document your

022414 CIVIC BUILDERS transcript
14 comments, and we'll be making the transcript
15 available to the DEM. Please, if you have comments,
16 we're going to ask that you come sort of here in the
17 middle of the room so the stenographer as well as
18 others can hear you. You'll state your name and make
19 sure that your comments are recorded properly.

20 As well, if you have comments a number of times, if
21 you have to come back and comment, please state your
22 name again for the stenographer.

23 Just a bit of history, as a reminder, the site
24 was formerly a single-family residential property
25 with a garage until it was conveyed to the Town in

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1 1968; and the residential structures were demolished
2 sometime between 1968 and 1977; and, in the late
3 70's, the parcel was converted to a park.

4 This site is -- we've started construction on
5 the site to convert it into a K-8 Elementary Charter
6 School for 400 students attending Blackstone Valley
7 Prep ES 2. Construction on the site has been stopped
8 temporarily at the direction of DEM, as we conduct
9 additional environmental investigations and gather
10 this public information that we're seeking today.

11 The civil and environmental engineering company
12 for the project is Pare Corporation based out of
13 Lincoln, and they will present their technical
14 findings of the environmental investigations that
15 have been completed to date. So, I'm in a moment
16 going to turn the floor over to Pare.

17 I just -- as a reminder again, we're here to

022414 CIVIC BUILDERS transcript
18 gather public comment. That's the purpose. If you
19 have questions, we have a separate way to ask
20 questions; and, as well, this is particularly related
21 to any information about the environmental
22 contaminants that were found on the site that Pare is
23 going to present. So, with that, we will turn the
24 meeting over to Pare.

25 MR. THIES: Thank you. My name is Tim Thies.

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1 I'm an engineer with Pare Corporation. I'm an
2 environmental engineer, and we've been working with
3 Civic Builders on the environmental investigation
4 that Dave mentioned.

5 I'll give you a little bit of history about the
6 environmental process for a site like this. Almost a
7 year ago, a little over a year ago, we began what's
8 called the environmental due diligence process for
9 the property, and the industry standard for
10 environmental due diligence for a property like this
11 is to conduct what's called a Phase 1 Environmental
12 Site Assessment or a Phase 1 ESA. A Phase 1 ESA is
13 primarily a records review of a property with
14 interviews of the owner, local officials, and a
15 review of historical information about the property,
16 the purpose of which is to identify the past use of
17 the site which suggests an environmental issue at the
18 property or to identify if there are any records of
19 known environmental issues at the site.

20 So, we performed a Phase 1 ESA; and, not
21 surprisingly, based on the site's history, we didn't

022414 CIVIC BUILDERS transcript
22 find any records of environmental concerns on the
23 property. There were no -- there is no evidence of a
24 buried underground storage tank. There was no
25 evidence that the site had ever been used for

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1 industrial activity. So, there were no red flags
2 that would suggest this property had been impacted in
3 any significant way.

4 Like Dave mentioned, this property was a park
5 going back to the late 1970's, and before that it was
6 a single-family home going back to I think the
7 1850's. So, this property has a history of
8 residential and open space use. So, there's nothing
9 in this property's history that would suggest an
10 environmental concern.

11 So, the result of the Phase 1 didn't suggest
12 that any more investigation was required. However,
13 we were out there doing a geotechnical investigation
14 as part of the structural design for the building,
15 and our geotechnical engineers are trained to look
16 for, you know, potential environmental concerns as
17 they're doing their geotechnical program, which is
18 essentially geotechnical borings that they did all
19 over the site. So, they did about 13 or 14
20 geotechnical borings across the site; and, during
21 that program, they did not identify any specific
22 issues, specific environmental concerns at the site.

23 So, we went through the Phase I process, and we
24 went through the geotechnical process for the site,
25 and we didn't identify any significant environmental

1 issues. So, we proceeded through construction, and
2 we actually began excavation for some of the
3 foundations; and, during that excavation process, we
4 found a very minor amount of what appeared to be
5 petroleum-impacted soil. So, we found some soil that
6 was discolored and had a strong petroleum odor. So,
7 at the time, we stopped construction. We went out
8 there, and we did a little bit of investigation to
9 see how extensive this impacted soil was; and what we
10 found was that it was not particularly extensive. It
11 was actually limited to a very small spot on the
12 site, this dashed line on this site plan
(indicating). This is the property here. This is
14 the old home that used to be on the site. And what
15 we wound up doing as part of the investigation, you
16 know, we were digging out there with a backhoe. We
17 wound up digging up most of this contaminated soil as
18 part of the investigation. We stockpiled it on
19 plastic. We covered it on plastic, all good
20 practices for an investigation of this nature; and,
21 like I said, we stopped construction at the time.

22 We had the material analyzed, the soil analyzed.
23 As soon as we got the lab data back which confirmed
24 our suspicions that it was petroleum-impacted soil,
25 we notified the Department of Environmental

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1 Management that we suspected we had a release at this
2 site.

022414 CIVIC BUILDERS transcript

3 We met with them and agreed that more investigation
4 was warranted at the property.

5 So, we went out there, and we supplemented our
6 geotechnical program with additional test pits. We
7 went around the site and did additional environmental
8 investigation through the advancement of test pits.
9 We found one other minor spot even smaller than the
10 first, same sort of material. It was a
11 petroleum-impacted soil. It had strong petroleum
12 odor. We excavated that as well. We put it on the
13 same stockpile with the plastic. We covered it with
14 plastic, and in the rest of the site we didn't find
15 anything else. We did a number of test pits
16 throughout the site, and we didn't find any other
17 petroleum that exceeded any residential criteria.

18 We had some metals in our first one, the
19 contaminants that we found in this first release
20 area. It included petroleum, metals, and what we
21 call semi-volatile organics which are related to
22 petroleum. We didn't find any other metals of
23 significant concern around the site. We found some
24 naturally-occurring metals in the soils but nothing
25 that exceeded the residential criteria outside of

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1 these two release areas.

2 We did find a number of low levels -- excuse me,
3 low level contamination in a couple of other spots
4 which we're going to eventually excavate and take off
5 the site; but, in essence, what we found is that this
6 release that we identified was really limited to
Page 9

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7 these two very small spots on the site; and so, at
8 this point, we have prepared a site investigation
9 report which we are getting ready to submit to the
10 environmental -- the Department of Environmental
11 Management; but, as part of that process, like David
12 mentioned, we're doing a public hearing to gather
13 more information about the site, to find out if
14 there's other concerns at the site that haven't been
15 addressed as part of our site investigation activity;
16 and that's really the purpose of this. Once we
17 complete this public hearing process, we will submit
18 our findings to the Department of Environmental
19 Management, and then we will proceed with the
20 development of a remedial action work plan, which is
21 essentially a means to clean up what small areas we
22 did find on site.

23 Once we develop the remedial action work plan,
24 it will be submitted to the Department of
25 Environmental Management for approval; and, once we

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1 get approval, we'll actually implement the plan, and
2 we'll file a closure report once that plan is
3 implemented. So, we're in this process right now of
4 investigating; and, eventually, we're going to clean
5 up what minor contamination we did find; but, as part
6 of that, we'd like to gather more information about
7 the site, if anybody has more information about the
8 site as it pertains to any environmental concerns, if
9 you have anything. Anything you'd like to add?

10 MR. UMANSKY: No. So, with that, we'd like to
 Page 10

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11 invite public comment again. We'd ask that -- ma'am,
12 you're welcome to --

13 MS. CLEMENTE: This is not a comment. It's a
14 question. So, maybe if you answer it, I will know if
15 I have a comment.

16 THE COURT REPORTER: Can I have your name,
17 please.

18 MS. CLEMENTE: Alice Clemente. When you say
19 petroleum, is that heating oil or something that
20 could come from a gas station?

21 MR. THIES: What we found is that the petroleum
22 out there is about a fifty-fifty part mix between
23 heating oil and old motor oil.

24 MS. CLEMENTE: Okay. Okay, when I was a
25 child -- let's see, this is Broad Street, right?

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1 MR. THIES: Yes.

2 MS. CLEMENTE: There was a gas station right
3 here, right (indicating on the map)?

4 MR. THIES: That's right.

5 MS. CLEMENTE: Right. Is it possible that maybe
6 there's something under there, like say a gas tank --
7 I mean an oil, whatever, that might be leaching over
8 there?

9 MR. THIES: When we did the Phase 1 ESA, we did
10 identify this former gas station here. We believe
11 that groundwater is flowing in a southerly direction,
12 so --

13 MS. CLEMENTE: It wouldn't go up? It couldn't
14 leach that way?

022414 CIVIC BUILDERS transcript

15 MR. THIES: Well, we don't believe that it would
16 have.

17 MS. CLEMENTE: Have you tested this side?

18 MR. THIES: Well, what we did as part of the
19 geotechnical program is, because we had the gas
20 station here, even though we don't think it was going
21 to come backward to our site, we put a couple of
22 borings along the common property line to test
23 groundwater; and what we had found is that in our
24 borings here, we didn't hit groundwater at all.
25 We went right down to ledge, and there was no

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1 groundwater. So, the possibility that this would
2 have migrated through groundwater to our site --

3 MS. CLEMENTE: It could.

4 MR. THIES: Well, there was no groundwater.

5 MS. CLEMENTE: I know. It could still from the
6 soil. It could do that. You really should check
7 that.

8 MR. UMANSKY: Great. Can we invite anybody else
9 up who has any other information to share on this
10 issue? Sure, do you want to state your name and --

11 MR. McLAUGHLIN: State Representative
12 Jim McLaughlin. In reference to the -- if you look
13 at 2307, DEM, for anybody that had some questions, I
14 have the original copies from DEM, their official
15 report. I brought them with me as information for
16 you people, you know, who have children going to
17 this. I will leave them -- the original copy of DEM,
18 their report and findings, okay.

022414 CI VI C BUI LDERS transcript

19 What I'm concerned about is the -- if you look
20 at the requirements from DEM, they state, like
21 Woonsocket, they put in a pad and a vapor barrier,
22 okay. As to the extent there was a gas station on
23 the side, okay, of this building, and it operated in
24 the early 1950's. You know, it went through several
25 owners. You know, I obtained this information.

15

1 Someone sent me an email. They didn't want to be,
2 you know -- but I have that documentation.

What I am concerned about is if this thing is to be built, okay, that a vapor barrier be put in between this area. That -- I was told I couldn't mention the structural integrity of the building. I also have reports from the Department of Land and Mines, Safety and Management. If anybody would care to see those, I have over 60 to 70 copies, okay. I've done extensive research on this from September, and their final report is in here; and, if you want to make an informed decision, you can read it and make up your own minds. I know it's not easy for you, not easy for me. I'm not the most popular guy; but, if 400 kids are going there, they're going to be safe. That's my job as a state representative. We are going to form a committee at a State level because we have three active mines in the State -- inactive mines, I should say, all right, which is Portsmouth, Cranston and Blackstone Mining Company. There was Dexter and Roger Williams mines, all active during the period from 1807 up to the 1900's. So,

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23 with that said, you know, I'll leave the information
24 for you. If you'd care to read it, you're more than
25 welcome. My concerned parents, I want to thank you,

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1 but that's all I have.

2 MR. UMANSKY: Sir, with regard to the
3 information that you have on the gas station, can you
4 please forward that to the DEM.

5 MR. McLAUGHLIN: I plan on meeting with
6 Director Coit, March 3rd.

7 MR. UMANSKY: Very good.

8 MR. McLAUGHLIN: Because I've had discussions
9 with DEM. Unfortunately, DEM tells me, and I don't
10 want to reiterate the mines again, they have no
11 professional knowledge in this State, nor statute,
12 professional opinion that could actually deal with
13 these mines; and this is what I've been told.
14 I referred to the Federal Government. These are the
15 people in 2005; they came down. They abated the
16 problem at the Lusitania parking lot. This problem
17 can be abated at no cost, you know, to the taxpayers.
18 So I'm told. They have a reclamation form that needs
19 to be filled out. I don't have a problem. Let's get
20 it resolved. There is an existing problem. I'm
21 looking to the future, and I will not be responsible
22 for 400 kids that are going there, you know, unless
23 it's safe. That's all I have to say.

24 MR. UMANSKY: Sir, I'm just going to say again
25 that please forward -- I understand you have a

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1 meeting with the Director, but please forward
2 anything within the comment period to the Director.

3 MR. McLAUGHLIN: Yes, sir.

4 MR. UMANSKY: Okay. Does anybody else have any
5 other information pertaining to the environmental
6 contaminants that were identified at the site?

7 MR. FIGUEIREDO: Nuno Figueiredo. Would you say
8 that your company in Lincoln is a company that's been
9 doing this for a while?

10 MR. THIES: Uh-huh.

11 MR. FIGUEIREDO: Is this a common incident that
12 would be found in a construction being built? Is
13 this a common problem that would be found anywhere
14 else, or is this something that's distinct to this
15 particular situation where we're building?

16 MR. UMANSKY: I just want to tell you, we're
17 really not here to answer questions. We are happy to
18 answer questions, if you'd write them down; but I
19 don't want to take part in a situation where they're
20 responding to some questions and not others. We're
21 not responding to --

22 MR. FIGUEIREDO: I understand that; but,
23 basically, my concern is how -- can you basically
24 elaborate on how significant of a problem this is
25 maybe, if it is significant at all?

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1 MR. UMANSKY: I think Pare said that they view
2 this as a minor problem. I think that was the word

3 022414 CIVIC BUILDERS transcript
4 that was used earlier. So, just to reiterate what
5 they said earlier --

6 MR. THIES: Yes, I don't believe this to be a
7 significant occurrence.

8 MR. FIGUEIREDO: And in regards to the
9 construction of a vapor barrier, would you say that
10 that would be not needed, considering you said that
11 it's highly unlikely that it would flow upstream?

12 MR. UMANSKY: So, with regard to -- with regard
13 to the way we're going to be -- the means with which
14 we're going to respond to the contaminants that were
15 found, we're going to work with this process and then
16 with DEM. We'll come up with the solutions which
17 will also be publicly made available. So, I think
18 it's premature to say exactly what's a good idea or
19 not a good idea. We have to make that decision with
DEM.

20 MR. FIGUEIREDO: Okay, one more question, last
21 one. Would it be safe to say that, along with both
22 your companies and the assistance of the State,
23 you're doing everything possible to build a safe
24 school for my children?

25 MR. UMANSKY: That's safe to say.

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1 MR. FIGUEIREDO: Thank you.

2 MR. UMANSKY: Thank you. Does anybody else have
3 comments or information with regard to the
4 contaminants that were identified? Sir?

5 MR. DaCOSTA: Yes, Manny DaCosta, reigning Town
6 Council for District 1. I don't have any

022414 CIVIC BUILDERS transcript
7 information. I applaud Representative McLaughlin's
8 efforts. He's been tirelessly working with this, but
9 I have a few concerns, though. You explained that
10 the geotechnical and the soil samples were performed,
11 and basically nothing turned up. Now we find that
12 something was there after the fact. Is it possible
13 that we still overlooking or not considering all the
14 dangers that may be there concerning soil stability
15 and further contaminants in the ground? That's
16 question one.

17 And, in addition to that, just to follow up on
18 Mr. Figueredo's question about the safety of the
19 children, are we doing everything we can to ensure
20 when the building is complete and the kids attend
21 classes there that we'll have a safe structure, first
22 of all, and environmentally protected and clean areas
23 for them to play on the playground as well? So, just
24 concerns.

25 Like the rep. said, it's not a popular issue.

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1 It's a very sensitive subject, but we need to tackle
2 this with objectivity and look under every rock and
3 any possibility that we're not overlooking any minor
4 details, as it's obvious that this may have been done
5 on the preliminary findings of the soil and the
6 geotechnical condition of the site. Okay, thank you
7 for the attention.

8 MR. UMANSKY: Does anybody else have anything to
9 share, any other information? (Pause and no response
10 from anyone.) Okay, as nobody else has anything to

022414 CIVIC BUILDERS transcript
11 share, I would say that we're going to close this
12 meeting, and thank you all -- sorry, do you?

13 MR. DaCOSTA: No, I'm done.

14 MR. UMANSKY: Okay. So, with that, then we'll
15 close this meeting and thank everybody for coming
16 and -- oh, yes, yes, yes. And, just as a reminder,
17 the comment period is open for I think 10 business
18 days, until March 10th, and that comment should be
19 sent to -- I apologize. So, the comment period is
20 open until March 10th at 4:00 p.m., and that the
21 comments should be sent to Ashley Blauvelt at the
22 DEM. Yes, sir?

23 MR. McLAUGHLIN: Just one other thing. After
24 the meeting, ladies and gentlemen, if you care to get
25 the reports, I have the reports here. It's

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1 informational reports from the Department of Land and
2 Mines Interior and DEM, their actual findings. So, I
3 would be more than happy to share it with you.

4 MR. UMANSKY: Okay. So, thank you, all. The
5 meeting is now adjourned.

6 (MEETING ADJOURNED AT 6:00 P.M.)

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1 C E R T I F I C A T I O N

2 I do hereby certify the foregoing pages to
3 be a complete, true and accurate transcript,
4 according to my stenographic notes, of the DEM
5 Environmental Public Hearing held at the Blackstone
6 Valley Prep School, 291 Broad Street, Cumberland,
7 Rhode Island, on February 24, 2014 at 5:30 p.m.

8

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10 Andrew J. D'Angelo
Court Reporter

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022414 CIVIC BUILDERS transcript

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Shane Driscoll

From: Tim Thies
Sent: Friday, March 07, 2014 9:07 AM
To: Shane Driscoll
Subject: FW: McLaughlin, Public Comment
Attachments: 1253_001.pdf

From: Blauvelt, Ashley (DEM) [<mailto:ashley.blauvelt@dem.ri.gov>]
Sent: Wednesday, February 26, 2014 10:54 AM
To: Tim Thies
Subject: FW: McLaughlin, Public Comment

Hi Tim,

Public Comment that needs to be address at the end of the comment period.

-Ashley

Ashley L. Blauvelt, Sanitary Engineer
RI Department of Environmental Management
Office of Waste Management
235 Promenade Street
Providence, RI 02908
(401) 222-2797 ext. 7026
ashley.blauvelt@dem.ri.gov

From: Owens, Kelly (DEM)
Sent: Wednesday, February 26, 2014 10:46 AM
To: Blauvelt, Ashley (DEM)
Subject: FW: McLaughlin

Ashley,

Please forward to Pare Engineering and have them respond in writing to the question below as part of their response to public comments.

Thank you,
Kelly

From: Pollock, Nicole (DEM)
Sent: Tuesday, February 25, 2014 5:33 PM
To: Owens, Kelly (DEM)
Subject: Fw: McLaughlin

From: Brock, Kate (GOV)
To: Pollock, Nicole (DEM)
Sent: Tue Feb 25 17:11:36 2014
Subject: FW: McLaughlin

Rep McLaughlin is circulating the attached image (which apparently is where the school is being built) and is wondering whether we are removing the gas tanks or are making sure they are removed. I assume the answer is yes?

Kate Brock
Policy Analyst and Legislative Liaison
Office of Governor Lincoln D. Chafee
State House, Room 128
Providence, RI 02902
401-450-5427 (Cell)
401-222-8137 (Office)
Kate.Brock@governor.ri.gov

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From: Canon Rm 128 [<mailto:canonrm128@governor.ri.gov>]
Sent: Tuesday, February 25, 2014 4:55 PM
To: Brock, Kate (GOV)
Subject: Attached Image



March 2, 2014

Ms. Ashley Blauvelt
RI Department of Environmental Management
Office of Waste Management
235 Promenade St.
Providence, RI 02908

Re: Proposed school at 52 Broad Street, Cumberland, RI

Dear Ms. Blauvelt:

As a full or part-time abutter for the last 70 years to the site under construction, I am writing to repeat the question that I raised at the public meeting on February 24, 2014 re the source of petroleum contamination that has been found at the site. In response to my question about whether the petroleum might have migrated from the remains of the gas station that once occupied a portion of the space now serving as a parking lot for the Lusitania Club, I was assured by those conducting the meeting that groundwater has been ruled out as a pathway for contamination from the remains of that gas station. When I asked whether *soils* have also been tested as a possible medium for migration, the answer was that, no, the proponents had *not* considered that possibility, nor did they give any reason for such an omission. My question thus remains unanswered.

Is it not possible that when the gas station was closed and demolished, fuel tanks and/or oil-changing waste containers may have remained buried on the property and subsequently corroded? Has full removal of all tanks, barrels, etc. by the former owner been thoroughly documented? If not, how can this potential source of petroleum contamination be dismissed? If not, how can the parents of the future students at the school be assured that their children will in fact be safe there? Such an investigation is clearly in order at this time.

In any structure that will house young children for a significant amount of time, health and safety must be of the highest priority.

Sincerely yours,

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DEPT. OF ENV. M.
MARCH 6 PM 2:21

Blauvelt, Ashley (DEM)

From

Sent: Monday, March 10, 2014 11:35 AM

To: Blauvelt, Ashley (DEM)

Subject: Blackstone Valley Prep Request for Further Study

Dear Ms. Blauvelt:

With regard to items referenced in your **Letter of Responsibility File No. SR-08-1723**, I am requesting further study and investigation of:

- Soil samples around the foundation and areas around the Blackstone Valley Prep School which is under construction.
- Contamination near the building, specifically underground gas and home heating oil tanks which may not have been remediated or removed, as well as resultant hazardous chemicals that may persist in the soil.
- Core drilling to assess subsidence in several locations to the depth of 200 feet as suggested in a report by U.S. Dept. of Interior pertaining to this same area.

As Civic Builders continues with construction, I am also requesting assurance and verification that a vapor barrier and corresponding ventilation system will be installed throughout the school building.

I would appreciate any information you have available regarding ongoing assessment of this property.

Sincerely,

March 10, 2014

Dear Mrs. Blauvelt;

I am writing to you to express my safety concerns regarding 52 Broad St, Cumberland RI.

I am concerned that environmental investigations have been limit to the soil samples from a small area and not from the whole site. Therefore I ask if more soil samples shouldn't be necessary?

Additionally, I am concerned with the ground stability. Based on historical and factual events of cave-ins, why not follow the recommendations that more core drilling be done?

Thank you for your attentions and assistance on this issue

Best regards

RECEIVED
D.E.M. / O.W.M.
2014 MAR 10 PM 2 02

To whom it may concern,

The object of this letter is to point out that I'm not against the school.
I'm not for the school on Broad St.

The parking plan is not going to work out also, We'll have cars parked all over.
I can't even get out of my driveway at times.

I take my grandchildren to school everyday & pick them up ^{in the} ~~now~~ afternoon. There is always a lot of traffic on Broad St.

Also I understand they have discovered the soil being contaminated. That isn't good.

RECEIVED
M. / O. W. M.
10 PM 2 02