



REMEDIAL DECISION LETTER

April 4, 2014

File No. SR-08-1723

Ms. Janelle Bosek
Civic Builders
304 Hudson Street
New York, NY 10013

RE: Blackstone Valley Prep School
52 Broad Street
Cumberland, Rhode Island
Plat Map 2 / Lot 26

Dear Ms. Bosek:

On November 9, 2011, the Rhode Island Department of Environmental Management's (the Department) Office of Waste Management (OWM) 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 a timely and cost-effective manner. A Remedial Decision Letter (RDL) is a formal, written communication from the Department that approves a site investigation, identifies the preferred remedial alternative and authorizes the development of a Remedial Action Work Plan (RAWP) in order to achieve the objectives of the environmental clean-up.

In the matter of the above-referenced property (the Site), the Department's OWM is in receipt of the following documentation submitted pursuant to the Remediation Regulations in response to the reported release at the Site:

1. ASTM Phase I Environmental Site Assessment, received by the Department on January 9, 2014, prepared by PARE Corporation (PARE), submitted by Rhode Island Department of Elementary and Secondary Education (RIDE);
2. Geotechnical Design Basis Report, received by the Department on January 16, 2014, prepared by PARE, and submitted by RIDE;
3. Notification of Release, received by the Department on January 16, 2014, prepared and submitted by PARE;

4. Geotechnical Report Review, received by the Department on January 16, 2014, prepared by Northeast Geotechnical, Inc., and submitted by RIDE;
5. Blackstone Valley Prep School (Response to Letter of Responsibility), received by the Department on January 31, 2014, prepared by Burns & Levinson, LLP and PARE, and submitted by Burns & Levinson, LLP;
6. Draft – Supplemental Evaluation Summary, received by the Department on February 19, 2014, prepared by PARE, and submitted by Civic Builders;
7. Response to Public Comments, received by the Department on March 14, 2014, prepared and submitted by PARE;
8. Site Investigation Report (SIR), received by the Department on March 14, 2014, prepared and submitted by PARE;
9. Public Notice – Blackstone Valley Preparatory School, received by the Department on March 20, 2014, prepared and submitted by PARE.

Collectively, these documents define “Existing contamination” at the Site, and fulfill the requirements of a Site Investigation Report (SIR) as described in Rule 7.08 of the Remediation Regulations. In addition, according to our records, public notice was conducted to all abutting property owners, tenants, easement holders, and the municipality, regarding the substantive findings of the completed investigation in accordance with Rules 7.07(A)(ii) and 7.09 of the Remediation Regulations. The Department has received documentation demonstrating that the requirements of Rhode Island General Laws (R.I.G.L.), title 23, Health and Safety, Chapter 23-19.14, Industrial Property Remediation and Reuse Act, 23-19.14-5, Environmental Equity and Public Participation, have been fulfilled.” The opportunity for public review and comment on the technical feasibility of the proposed remedial alternatives commenced on March 20, 2014 and the period closed on April 3, 2014 at 4:00 pm. No comments were received.

The preferred remedial alternative, as stated in the SIR, consists of the following conceptual measures:

- Complete excavation and proper offsite disposal of all soils impacted with total petroleum hydrocarbons exceeding the Residential Direct Exposure Criteria (RDEC);
- Excavation and offsite disposal of all soils known to contain polycyclic aromatic hydrocarbons (PAHs) and lead at concentrations that exceed the RDEC that are located outside of the proposed building’s footprint, specifically those located in the three areas of concern known as Area-1, Area-2, and S-2;
- Encapsulation of soils containing PAHs and lead at concentrations that exceed the RDEC that are located within the footprint of the proposed building via building foundations;
- Installation of both a vapor barrier and a passive sub-slab ventilation system beneath the

building; and

- Recording of an Environmental Land Usage Restriction (ELUR) on the property deed for the area in which jurisdictional soils are to remain on site. The ELUR shall require the performance of annual inspections to document the status of the ELUR and the condition of the engineered controls. The ELUR shall include a Department approved soil management plan (SMP) which will address any future activities that may disturb on-site soils. The ELUR shall be recorded for the applicable area within the property (Plat 2, Lot 26) in the Land Evidence Records for the Town of Cumberland and a recorded copy forwarded back to the Department within fifteen (15) days of recording.

The Department hereby approves the SIR, with the above identified preferred remedial alternative, and requires a RAWP be submitted for review and approval, and implemented, to achieve the objectives of the environmental clean-up, in accordance with the following conditions:

1. In accordance with Sections 8.00 and 9.00 of the Remediation Regulations, a RAWP, ELUR, and SMP shall be submitted for Department review and approval within sixty (60) days from the date of this letter. The RAWP shall describe all of the technical details, engineer design elements, and schedules associated with the implementation of the proposed remedy. All of the subsections outlined in Section 9.00 of the Remediation Regulations must be included in order to facilitate the review and approval of the RAWP. If an item is not applicable to this Site, simply state that it is not applicable and provide an explanation in the RAWP.
2. Pursuant to Rule 10.02 of the Remediation Regulations, an application fee for Remedial Action Approvals in the amount of one thousand (\$1,000.00) dollars shall be made payable to the State of Rhode Island General Treasurer and remitted to the Office of Management Services with the attached Remedial Action Approval Application Fee Form. Receipt of this Remedial Action Approval Application Fee is required prior to the Department's RAWP review.
3. Once the Department reviews the RAWP for consistency with Sections 8.00 and 9.00 of the Remediation Regulations, any written comments generated and forwarded as a result of the review(s) shall be incorporated forthwith into a RAWP Addendum, to be submitted for final approval.
4. Upon finalization of the RAWP, the Department will issue an Order of Approval (OA) signifying Department approval. All remedial measures required by the Department shall be implemented, in accordance with the approved schedule, to ensure all applicable exposure pathways at the site are appropriately addressed.

Please be advised that the Department reserves the right to require additional actions under the aforementioned Remediation Regulations at the Property should any of the following occur:

- Conditions at the Site previously unknown to the Department are discovered;
- Information previously unknown to the Department becomes available;
- Policy and/or regulatory requirements change; or
- Failure by Civic Builders or any future holder of any interest in the Property to adhere to the terms and conditions of the Department approved RAWP, schedule, OA, ELUR, and/or SMP for the Property.

If you have any questions regarding this letter or would like the opportunity to meet with Department personnel, please contact me by telephone at (401) 222-2797, ext. 7026, or by E-mail at ashley.blauvelt@dem.ri.gov.

Sincerely,



Ashley L. Blauvelt
Senior Sanitary Engineer
Office of Waste Management

cc: Terrance Gray, Assoc. Director for Environmental Protection, RIDEM/Office of the Director
Leo Hellested, Chief, RIDEM/OWM
Matthew DeStefano, Deputy Chief, RIDEM/OWM
Kelly J. Owens, Assoc. Supervising Engineer, RIDEM/OWM
Susan Forcier, Esq., RIDEM/Legal Services
Nicole Pollock, Legislative Liaison, RIDEM/Office of the Director
Joseph da Silva, RI Dept. of Elementary and Secondary Education
Timothy P. Thies, PARE Corporation

Attachment: Remedial Action Approval Application Fee Form



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

REMEDIAL ACTION APPROVAL APPLICATION FEE FORM

Rule 10.02 of the Department's Rules and Regulations for the Investigation and Remediation of Hazardous Material Releases, requires an application fee for Remedial Action Approvals in the amount of one thousand (\$1,000) dollars. Please submit this form and check, made payable to the State of Rhode Island General Treasurer, directly to:

**R.I. Department of Environmental Management
Office of Management Services - Rm 340
235 Promenade Street
Providence, RI 02908**

Please complete this page and attach it to the check or money order. This information must be provided to coordinate your fee with the application submitted.

Site Name: Blackstone Valley Prep School

Address: 52 Broad Street

City, State, Zip: Cumberland, RI 02864

Case Number: SR-08-1723

Contact Person: Tim Thies, PARE Corporation

Phone No: (401) 334-4100

RIDEM Project Manager: Ashley Blauvelt, OWM

FOR RIDEM OFFICE USE ONLY:

Fee Amount Received: _____

Date Received: _____

Check#: _____

Receipt Account:

10.074.3765103.03.461043

cc:74:3481 Leg.17-18-841