



RHODE ISLAND  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

September 17, 2012

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

RE: Comments Received During the Public Notice and Comment Period  
Regarding the Preferred Remedial Alternative at 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 Department's Office of Waste Management (OWM) has received the following document concerning public comments regarding the technical feasibility of the preferred remedial alternative and environmental conditions at the Site, submitted in accordance with Rules 7.07 and 7.09 of the Remediation Regulations:

1. Electronic mail from Dale R. Clark to the Department Subject: Stay of Execution, received via email on September 10, 2012.

The public comment period started on August 31, 2012, for the receipt of public comments, and concluded at 4:00pm on September 14, 2012. During the public comment period, the Department's Office of Waste Management (OWM) received the single public comment email listed above. A copy of this written comment email is attached to this letter.

Please review the submitted comments and prepare a written response as appropriate. It is the Department's understanding that Sage Environmental, Inc. (Sage), on behalf of the Doris Duke Monument Foundation (DDMF), will be preparing a comprehensive response to the comments in the email and submitting it to the Department for review and approval.

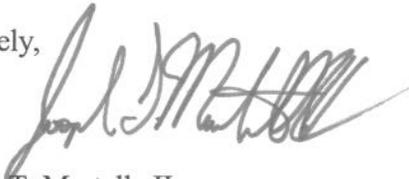
The Department will formally approve the SIR in the form of a *Remedial Decision Letter* upon Department approval of all final responses to relevant public comments. At that time, the Site will enter the Remediation phase, and the DDMF will be required to submit a Remedial Action Work Plan (RAWP) and a draft Environmental Land Usage Restriction (ELUR) and Soil Management Plan (SMP) for Department review and approval in accordance with Sections 8.0 and 9.0 of the Remediation Regulations. The RAWP shall describe all technical details associated with the implementation of the approved remedy.

All correspondence regarding this Site should be sent to the attention of:

Joseph T. Martella II – Senior Engineer  
RIDEM / Office of Waste Management  
235 Promenade Street  
Providence, RI 02908

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](mailto: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., Associate Director for Environmental Protection, RIDEM  
Leo Hellested, P.E., Chief, RIDEM/OWM  
Kelly J. Owens, RIDEM/OWM  
Richard M. Bianculli Jr., Esq., RIDEM/OLS  
Nicole Poepping, Legislative Liaison, RIDEM  
Eric Beck, RIDEM/OWR/RIPDES  
Hon. Henry F. Winthrop, 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

**Joseph Martella**

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**From:** Robert Clark [ ]  
**Sent:** Monday, September 10, 2012 10:45 PM  
**To:** Joseph Martella  
**Subject:** Stay of execution  
**Follow Up Flag:** Follow up  
**Flag Status:** Green

Joe, I made a point of going over to Queen Anne Square Park this morning. I went up with Andy Seagl and we measured it all off and it looks like there right on there asumption on just ware that well would so be. you had mentioned that you were working on some sort of agreement on the soil removal with N.R.F. or such? I would like to know more of the soil removal?. If they are allowed to destrub the exsisting soils it may unearth contamites that could put Joe-public at a health risk. I ask that a stay of excution be put in place on this said project until residents and citizens can resolve such issues. These grounds are a health risk and to remove ground soil will desturb such containinetes in the park "Queen Anne Square" .Call me at 401- We as concerned citizens of Newport want a safe and healthy park for all.

Thank-you!

Dale R. Clark