



RHODE ISLAND

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

REMEDIAL DECISION LETTER

File No. SR-28-1809

November 14, 2017

Mr. Jeff Watts
The Estate of Joseph Cardente
P.O Box 56
Hanover, ME 04237

RE: Portland Transmission
290 Smith Street
Providence, Rhode Island
Plat Map 67 / Lots 87 & 91

Dear Mr. Jeff Watts:

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. Hazardous Materials Release Notification, received by the Department on May 16, 2016, and prepared by Lake Shore Environmental, Inc. (LSE);
2. Site Investigation Report, received by the Department on September 2, 2016, and prepared by LSE;
3. Response to Department Comments –SIR, received by the Department on November 10, 2016, and prepared by LSE;
4. Site Investigation Addendum, received by the Department on April 3, 2017, and prepared

by LSE;

5. Email correspondence between Lake Shore Environmental and the Department, dated May 4, 2017;
6. Short Term Response Action Closure Report, received by the Department on September 21, 2017 and prepared by LSE; and
7. Public Notice – Combined Post SIR & Short Term Response Action Closure Report received by the Department on October 23, 2017 and prepared by LSE.

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 and Environmental Justice Focus Area, 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 October 23, 2017 and the period closed on November 13, 2017. No comments were received.

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

- The encapsulation of site soils that exceed the Department’s Method 1 Residential Direct Exposure Criteria (RDEC) with Department approved engineered controls consisting of a minimum of two (2) feet of clean fill or equivalent e.g. one (1) foot of clean fill underlain with a geotextile fabric, four (4) inches of asphalt or pavement above six (6) inches of clean subgrade, and/or building foundations;
- Monitored natural attenuation of site groundwater at MW-1 for LNAPL. Groundwater will be monitored on a quarterly basis for the first year, then biannually until such time that three consecutive quarters of compliant groundwater are obtained.
- The integrity of the cap shall be preserved through the recording of an Environmental Land Usage Restriction (ELUR) on the deed for the entire property. The ELUR shall require the performance of annual inspections to document the status of the ELUR and the condition of the engineered controls at the Site. The ELUR shall prohibit the usage of groundwater as drinking water. In the event of post remediation redevelopment concerning the building foundation, the ELUR shall require the excavation of site soils containing TPH quantities exceeding the Upper Concentration Limits (UCLs). The ELUR shall include a soil management plan (SMP), which will address post remediation activities that disturb onsite soils. The ELUR, once approved by the Department, shall be recorded for the property (Plat Map 67, Lots 87 & 91) in the Land Evidence Records for the City of Providence 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 a Remedial Approval Letter (RAL), 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; and/or
- Failure by the voluntary party, Champion Realty Corporation, or any future holder of any interest in the Property to adhere to the terms and conditions of the Department approved RAWP, schedule, RAL, 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. 7163, or by E-mail at jacob.lautman@dem.ri.gov.

Sincerely,

A handwritten signature in black ink that reads "Jacob Lautman". The signature is written in a cursive style with a large, prominent "J" and "L".

Jacob Lautman
Sanitary Engineer
Office of Waste Management

Cc: Kelly Owens, RIDEM/OWM
Ashley L. Blauvelt, RIDEM/OWM
Dave Hazebrouck, LSE

Attachment: Remedial Action Approval Application Fee Form