

195 District Environmental Permitting Status June 2026

Substantial due diligence and environmental investigations have been performed on the land within and adjacent to the I-195 Redevelopment District (District) to support environmental permits and authorizations from state agencies having jurisdiction over development projects. These investigations, conducted by multiple parties during different stages of the highway relocation and redevelopment planning process, have resulted in a thorough understanding of the environmental conditions and the associated regulatory and financial implications.

In 2012, Fuss & O'Neill, on behalf of the District, conducted a District-wide environmental investigation. The data generated during this investigation was compiled with the historical data available from previous studies in a comprehensive *Site Investigation Report (SIR)*, which was submitted to and approved by the Rhode Island Department of Environmental Management (RIDEM) in a *Remedial Decision Letter* dated October 8, 2013. This formal regulatory approval confirmed the following for all land within the District:

- Site Investigation activities have been completed in accordance with the applicable regulatory requirements of RIDEM's Remediation Regulations and to the satisfaction of RIDEM.
- Appropriate public notices have been completed, and that RIDEM has concurred with the proposed site-wide remedy.
- The final remedy, to be implemented concurrent with the development of individual parcels within the District, consists of capping existing soil with clean fill or structures, and the implementation of a vapor barrier below enclosed structures to be constructed at specific parcels.

In 2014, Fuss & O'Neill, on behalf of the District, prepared a District-wide *Remedial Action Work Plan (RAWP)* and long-term *Soil Management Plan* covering all development parcels, which was submitted to and approved by the Rhode Island Department of Environmental Management (RIDEM) in a *Remedial Approval Letter* dated October 9, 2014. This formal regulatory approval identified the following remedial approach for all land within the District:

- The encapsulation of all on-site soils in accordance with the cross-sectional details and specifications included in the *RAWP* including several engineered cap options (i.e., landscape cap, pavement cap, building footprint cap).

- The construction of vapor barriers for any habitable structures located on District parcels 8 and 25.
- The maintenance and monitoring of the engineered controls through the recording of an institutional control in the form of a RIDEM-approved Environmental Land Usage Restriction (ELUR) and Soil Management Plan (SMP), followed by annual compliance certification of the ELUR. Each parcel will be subject to an individual ELUR.

Selected parcel developers are responsible for the preparation of a limited submission, in the form of a Consistency Determination, to RIDEM to demonstrate that the proposed development plan is consistent with the conditions of the approved *RAWP*. The necessary documentation for this consistency review will include a description of the proposed development, information about how the proposed plan is consistent with the approved *RAWP*, and a site plan depicting the layout of the proposed development identifying the location of the different pre-approved soil cap types (i.e., landscape cap, pavement cap, building footprint cap, vapor barrier as needed). This submittal is also an opportunity for developers to seek modifications or variances from the pre-approved *RAWP*, if desired. The District requests that prior to submission of the Consistency Determination to RIDEM by the development team, the District be given an opportunity to review the document to assist in resolution of any potential issues or common regulatory comments to streamline the formal review and regulatory approval.

Numerous development teams associated with completed or in-progress development projects in the District have successfully navigated the RIDEM Site Remediation process to date in an expedited manner.

The following key documents pertaining to the completed environmental permitting activities are available for review:

- *Phase I Environmental Site Assessment*, March 29, 2013 by Fuss & O'Neill
- *Site Investigation Report*, April 9, 2013 by Fuss & O'Neill
- *RIDEM Program Letter*, July 3, 2013
- *RIDEM Remedial Decision Letter*, October 8, 2013
- *Remedial Action Work Plan*, July 1, 2014
- *RIDEM Remedial Approval Letter*, October 9, 2014
- RIDEM Rules and Regulations for the Investigation and Remediation of Hazardous Material Releases ("Remediation Regulations"): <https://rules.sos.ri.gov/regulations/part/250-140-30-1>