



REMEDIAL DECISION LETTER
CASE No. 2012-033

October 8, 2013

I-195 Redevelopment District Commission
c/o Jan A. Brodie, Executive Director
315 Iron Horse Way, Suite 101
Providence, RI 02908

RE: I-195 Redevelopment District
Former Interstate 195
Providence, Rhode Island
Proposed parcels 1A, 2, 5, 6, 8, 9, 14, 15, 22, 25, 27, 28, 30, 34, 35, 37, 41, 42, P2, P3, P4

Dear Ms. Brodie:

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. Supplemental Site Investigation Work Plan, received by the Department on September 6, 2012, and prepared by Fuss & O'Neill (F&O);
2. Environmental Fact Sheet, received by the Department on September 10, 2012, and prepared by F&O;
3. Notification of Release, received by the Department on February 6, 2013, and prepared by F&O;

4. Phase I Environmental Site Assessment, received by the Department on April 23, 2013, and prepared by F&O;
5. Site Investigation Report, received by the Department on April 23, 2013, and prepared by F&O;
6. E-mail correspondence entitled I-195 Redevelopment District SIR Comment Response, received by the Department on June 27, 2013, prepared and submitted by F&O; and
7. Copies of the post-site investigation public notice package, received by the Department on September 10, 2013, prepared and submitted by F&O.

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, the municipality, and the 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 September 2, 2013 and, due to an extension in the comment period, the period closed on October 4, 2013. No written comments were received.

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

- The encapsulation of all site soils exceeding the Department's Method 1 Residential Direct Exposure Criteria with a Department approved two foot or equivalent engineered cap (i.e. two feet of clean soil, one foot of clean soil over a geofabric liner, four inches of asphalt or concrete over six inches of clean soil, or building foundations);
- The construction of a sub slab ventilation system in the building foundations of all habitable structures on parcels 8 and 25;
- The maintenance and monitoring of the engineered controls through the recording of an institutional control in the form of a Department approved Environmental Land Usage Restriction (ELUR) and Soil Management Plan (SMP), followed by annual compliance certification of the ELUR; and
- The implementation of a limited design investigation in the northwestern portion of parcel 35 in order to determine if additional remedial measures are required, which may include a sub slab ventilation system for onsite habitable structures. This limited design investigation will also include additional groundwater sampling from wells MW-123 and MW-14-4 to determine if post remedial groundwater monitoring is warranted.

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 one-hundred and twenty (120) 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) for the entire District, signifying Department approval. Please note that the RAL for the entire District will not give specific approval for specific remedial activities at each individual parcel. A separate addendum shall be required for each individual parcel identifying site specific remedial measures to ensure all applicable exposure pathways at each individual parcel are appropriately addressed. Following review and approval of each addendum, the Department will issue individual parcel specific Remedial Approval Letters.

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 the I-195 Redevelopment District Commission 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 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. 7147, or by E-mail at tim.fleury@dem.ri.gov.

Sincerely,



Timothy M. Fleury
Senior Engineer
Office of Waste Management

Cc: Terry Gray, Assistant Director, Office of the Director
Leo Hellested, Chief, Office of Waste Management
Kelly Owens, Supervisor, Office of Waste Management
Ron Gagnon, Chief, Office of Customer & Technical Assistance
Colin Kane, Chairman, I-195 Redevelopment District Commission
Lambri Zerva, Rhode Island Department of Transportation
Phillip Kydd, Rhode Island Department of Transportation
Michael Walker, Rhode Island Economic Development Corporation
John Chambers, Fuss & O'Neill
Patrick Dowling, Fuss & O'Neill

Attachment: Remedial Action Approval Application Fee Form