



PROGRAM LETTER
File No. SR-22-1765

June 1, 2017

CERTIFIED MAIL

Mr. Stephen Ostiguy
Church Community Housing Corp. (CHCC)
50 Washington Square
Newport, Rhode Island 02840

RE: Coffey's Texaco (former)
48 Touro Street
Newport, Rhode Island
Plat Map 17 / Lot 230

Dear Mr. Ostiguy:

On November 9, 2011, the Rhode Island Department of Environmental Management's (the Department) Office of Waste Management (OWM) enacted the amended 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 petroleum and hazardous material contaminated sites in order to eliminate and/or control threats to human health and the environment in an efficient manner. A Program Letter is a document used by the Department to signify that a Site Investigation has been completed and that a Performing Party must conduct public notice in accordance with Rules 7.07(A)(ii) and 7.09 of the Remediation Regulations concerning the findings of the investigation and the proposed remedial alternatives.

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. Office of Waste Management – Site Remediation Section - Hazardous Material Release Form (Appendix C), received via Email by the Department on February 9, 2015, and prepared by Newport Environmental, Inc. (NEI);
2. Phase I Environmental Site Assessment, Coffey's Texaco, 48 Touro Street, Newport, Rhode Island, 02840, dated June 9, 2014, received by the Department on February 13, 2015 and prepared by NEI;
3. Phase II Limited Subsurface Investigation, Coffey's Texaco, 48 Touro Street, Newport,

Rhode Island, 02840, dated June 16, 2014, received by the Department on February 13, 2015 and prepared by NEI;

4. Site Investigation Report for Coffey's Texaco, 48 Touro Street, Newport, Rhode Island, received by the Department on April 25, 2016, and prepared by NEI; and
5. Addendum to April 2016 Site Investigation Report, Coffey's Texaco, 48 Touro Street, Newport, RI, 02840, received by the Department on May 31, 2017, and prepared by NEI.

The Department regards the information provided in these reports as meeting the requirements pursuant to Rule 7.08 of the Remediation Regulations. The preferred remedial alternative proposes the following remedy:

Petroleum impacts to soils and groundwater in the vicinity of the current underground storage tanks (USTs) shall be addressed in accordance with and under the jurisdiction of the Office of Waste Management's Underground Storage Tank Management Program. During tank closure activities the two (2) hydraulic lifts in the existing building and any associated soil contamination shall be remediated.

If sufficient funding is available at the time of the remedial activity, the existing building will be demolished and the soil below will be characterized to determine its suitability as backfill in the UST excavations. Otherwise, the existing building will remain in place and unoccupied, with the concrete slab operating as a temporary cap, until such time as sufficient funding for building demolition is raised. Should any reuse of the existing building, or any future building be proposed, a comprehensive evaluation of sub slab soil gas concentrations and implementation of an appropriate vapor mitigation plan shall be required before occupancy.

Existing asphalt shall be stripped from exterior areas of the property for proper off-site disposal. The top two (2) feet of any remaining surface soil/fill shall be stripped off and placed in the UST excavations as backfill up to a depth of two (2) feet below grade, with any excess soil/fill stockpiled for proper offsite disposal. Clean fill shall be imported to the property to construct a two (2) foot thick soil cap in exterior site areas as well as the interior locations where the hydraulic lifts were removed, or across the footprint of the former building as applicable.

An Environmental Land Usage Restriction (ELUR) shall be recorded on the deed for the entire Site (Plat 17 / Lot 230). The ELUR shall require the performance of annual inspections to document the status of the ELUR and the conditions of the engineered controls. The ELUR shall include a Department approved post remediation soil management plan (SMP) which shall address any future activities that may disturb Site soils. The ELUR shall be recorded for the entire property in the Land Evidence Records for the City of Newport and a recorded copy forwarded back to the Department within fifteen (15) days of recording.

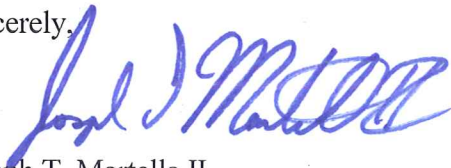
The Department acknowledges that the site investigation activities are complete. The Department is not yet able to formally approve the SIR, however, due to the necessity to first allow the public to comment on the technical feasibility of the preferred remedial alternative. Rules 7.07(A)(ii) and 7.09 of the Remediation Regulations outline the requirements for public notice after the SIR is

deemed complete to all abutting property owners, tenants, easement holders, and the municipality regarding the substantive findings of the completed investigation and the opportunity for public review and comment on the technical feasibility of the preferred remedial alternative. Please submit a draft notification to the Department via E-mail for review and approval prior to distribution. A boilerplate notification to be distributed can be found online at <http://www.dem.ri.gov/programs/wastemanagement/site-remediation/index.php>. The Department will require a copy of the approved public notice letter and a list of all recipients upon issuance.

The Department will formally approve the SIR in the form of a Remedial Decision Letter (RDL) once Public Notice is completed and upon Department approval of all final responses to relevant public comments. At that point, the Department will require submission of the Remedial Action Work Plan (RAWP) and draft versions of the ELUR and SMP, for review and approval in accordance with Sections 8.00 and 9.00 of the Remediation Regulations. Upon receipt of the RDL, be prepared to submit the Remedial Action Approval Application Fee of one thousand dollars (\$1,000.00) in check form made payable to General Treasurer -State of Rhode Island directly to the Office of Management Services.

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. 7109, or by E-mail at joseph.martella@dem.ri.gov.

Sincerely,



Joseph T. Martella II
Senior Engineer
Office of Waste Management

Cc: Kelly J. Owens, RIDEM.OWM
Sofia Kaczor, RIDEM/OWM/UST
Bruce Clark, NEI