

**RI Department of Environmental Management
Environmental Land Usage Restriction (ELUR)
Annual Compliance Self-Evaluation Form**
(Please type or print)

Site Name: Queen Ann Square Property Owner: City of Newport
RIDEM File No.: 2012-010 Owner Mailing Address: 43 Broadway
RIDEM Project Manager: Joseph T. Martella Newport RI 02840
ELUR Recording Date: _____ Inspection Date: 12/15/2015
Owner Telephone Number: 401-845-5802 E-Mail: swheeler@cityofnewport.com

This Annual Compliance Self-Evaluation Form is not appropriate for use on sites that require the use of any active remediation systems (e.g. active SSDS, ongoing air or groundwater monitoring, etc.) unless explicit, written permission has been granted by the Department.

1. Site Description

- a. Site Address: Queen Anne Square, bordered by Thames St, Mill St & Church St, Newport RI 02840
- b. Plat: 24 Lot(s): 346
- c. Is the ELUR applicable to the entire site?
 Yes No

If no, please describe the portion of the property subject to the ELUR: _____

- d. What does the ELUR restrict? (Select all that apply)

Residential Uses
 Groundwater
 Exposure to Site Soils
 Infiltration of Water
 Subsurface Structures
 Other (Please Explain): _____

2. Groundwater

- a. Are there any known or observed groundwater wells present?
 Yes No
- b. Are these well(s) used for drinking water?
 Yes No Not Applicable

If no, please state what they are used for (i.e. irrigation, cooling, etc.): _____

- c. Are there environmental monitoring wells present?
 Yes No

3. Engineered Controls (e.g. asphalt, concrete, building foundations, landscaped areas, etc.)

a. Please provide a brief description of the engineered control(s) (e.g. building foundations, one foot of clean fill over a geotextile liner, etc.): Vegetative and mulch cap over 12" of approved fill and soil over approved geotextile.

b. Overall Condition of Engineered Control(s)

Good Non-compliant
 Acceptable Not Applicable (Sites where only groundwater is restricted)

c. Are there any areas on the property that have broken concrete, cracked asphalt, potholes, eroded landscaping, etc.?

Yes No

If yes:

Please provide a description of the area(s) of concern: There were two primary areas of concern. Pedestrian foot traffic around a bench in the heavily shaded south east corner of the park had killed the grass. The second location was around the large stone in the center of the park where children jumping off and climbing on the rock had killed the surround grass.

Could water infiltrate through these areas into underlying contaminated soils?

Yes No N/A; Infiltration Not Restricted

When will the area(s) of concern be repaired? Both areas have been fully restored. The shaded bench and its pad were removed and replaced with loam and seed that has become established. The mulch around the center stone was replaced with flexi pave permeable poured in place rubber surfacing that will withstand heavy wear. <http://kbius.com/kbi-products/kbi-flexi-pave/>

d. Has there been any soil disturbance or excavation into the cap (engineered control) in the last year?

Yes No

If yes:

How large was the area of disturbance? Approximated 5' x 8' or the size of the bench pad removed prior to application of loam and seed.

Please provide the reason or cause for disturbance or excavation: To eliminate the pedestrian traffic killing the grass in the shady south east corner of the park the bench and accompanying pad need to be removed. Note the excavation depth was less than 1/2 the 12" cap and only concrete and brick were removed.

Was this disturbance or excavation approved by the Department?

Yes, Date of Approval: _____

No **(No excavation occurred below the engineered under liner that would trigger a RIDEM approval request)**

Was the Soil Management Plan (SMP) properly followed?

Yes No

If no, please explain: _____

Was any soil taken offsite?

Yes No

- e. Within the past year has there been any construction at the property unauthorized by the department?

Yes No

If yes:

Please explain: _____

Did this construction disturb site soils, the existing building or capped surfaces (asphalt, concrete, or landscaped areas)?

Yes No

If yes, please specify: _____

- f. Have there been any subsurface structures (underground storage tanks, below grade foundations, septic systems, storm water systems, french drains, etc.) constructed or installed since the remediation was completed?

Yes No

If yes:

Please Explain: _____

Was permission of the Department's Office of Waste Management obtained?

Yes, Date of Approval: _____

No

g. Condition of landscaped areas
 Good Acceptable Non-compliant N/A

h. Does this site effectively limit exposure to contaminated subsurface soil?
 Yes No

4. Property Use

a. Are there any residential uses on the property (i.e. houses, apartments or condominiums, etc.) except as previously agreed upon by the Department?
 Yes No

If yes, please explain: _____

b. Are there any schools, daycare facilities or recreational facilities on the property except as previously agreed upon by the Department?
 Yes No

If yes, please explain: _____

c. Has the property use changed in anyway since the ELUR was recorded?
 Yes No

If yes, please explain: _____

5. Fencing (if applicable)

a. Overall Condition of the Fencing
 Good Acceptable Non-compliant No Fence Required

b. Does the fencing effectively limit the ELUR area?
 Yes No N/A

6. Overall Assessment

Does this site meet the standard imposed in the ELUR?
 Compliant Non-compliant

7. Observations, comments, and areas of concern

In addition to installing a more resilient wear surface, <http://kbius.com/kbi-products/kbi-flexi-pave/>, around the large stone and eliminating a bench to reduce foot traffic the Queen Ann Square Maintenance Trust and the City of Newport took additional steps to improve the vegetative cap.

RIDEM restrictions on the inclusion of compost in the soil medium has reduced its ability to retain nutrients and water and reduced its porosity. Turf experts consulted recommended the application of Sand-Aid Soil Conditioner to improve cation exchange capacity and minimize nutrient leaching. Staff heavily core aerated the park before applying Sand Aid, a wetting agent to address hydrophobic soil conditions and a slow release fertilizer. This will be followed by a second round of spring aeration and over seeding. The long term goal is to reduce irrigation and fertilization needed to maintain the vegetative cap.

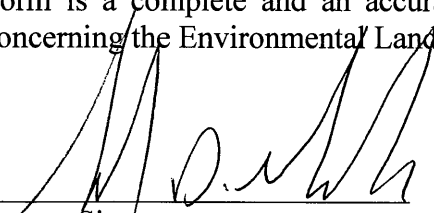
To address minor settlement adjacent to the brick walkways Kirby Landscaping was retained in the spring by the Trust to install new sod adjacent to some of the foundations and walkways

8. Please attach photos that document compliance with the ELUR, potential areas of concern, and the current state of the engineered controls.



Certification of Property Owner

I Scott D. Wheeler certify to the best of my knowledge that this Annual Compliance Evaluation Form is a complete and an accurate representation of the site and contains all known facts concerning the Environmental Land Use Restriction imposed on the site.



Signature

City of Newport, Rhode Island
Owning Company (If applicable)

Scott D Wheeler
Printed Name

Buildings & Grounds Supervisor / Tree Warden
Title

12/19/2015
Date

Certification of the Inspector (if different than Owner)

I _____ certify to the best of my knowledge that this Annual Compliance Evaluation Form is a complete and accurate representation of the site and contains all known facts concerning the Environmental Land Use Restriction imposed on the site.

Signature

Environmental Company Name

Printed Name

Title

Contact Information (If Applicable)

Telephone Number

E-Mail Address