

**Tim O'Connor & Company, LLC**  
environmental consultation

May 31, 2024

Ms. Kasandra McKenzie  
Environmental Scientist  
Rhode Island Department of Environmental Management  
235 Promenade Street  
Providence, Rhode Island 02908-5767

Re: Quarterly Report – 1st Quarter 2024  
Former Portsmouth Landfill

Dear: Ms. McKenzie:

This Quarterly Report is submitted on behalf of AP Enterprise, LLC (APE) regarding the former Portsmouth Landfill (the Property). This report covers activities conducted during the period of January 1 to March 31, 2024.

**Construction Activities**

Landscaping work was completed using hand tools to encourage vegetative growth on areas along the western and northern limits of disturbance.

Photos of the Property are attached as Appendix A.

**Soil Accepted**

No soil was accepted during this period.

**Complaints**

RIDEM received a complaint regarding site conditions which resulted in a site inspection by RIDEM on February 23, 2024. During the inspection RIDEM noted several concerns relative to site conditions and the Consent Agreement entered between RIDEM and APE on January 30, 2020. An April 4, 2024 letter from RIDEM's Office of Compliance & Inspection specified a number action items which are reviewed below along with APE's ongoing or proposed response action items:

1. *Final grading which includes spreading of the soil stockpile on site, bring in loam or compost for a vegetative support layer and mixing in the existing woodchips into the grading layer.*

**APE Response:** Final grading construction activities were initiated on April 29, 2024. APE will spread and grade the stockpiled cover soils per the Coastal Resources Management Council approved plan dated March 17, 2023. During this process the large wood chips which are scattered and also piled in some areas on the southern portion of the site surface will be worked into the spread soil to minimize their occurrence on the site surface.

2. *Vegetative growth on the entirety of the landfill.*

**APE Response:** APE fully understands the need to vegetate the site as part of the capping project. The northern most portion of the site and the vast majority of the side slopes are currently vegetated. With regard to the remainder of the site, during the current final grading work, APE is setting aside the organic topsoil layer that has accumulated over time and will reuse it as topsoil once final grading is completed. This soil will be supplemented with compost to create a viable surface to support vegetation. APE will then seed these areas and cover them with hay.

3. *Slope stabilization and stormwater management to prevent erosion, especially at the site entrance as noted in the 8/18/23 and 2/23/24 inspection reports.*

**APE Response:** The project team views the slopes to be in generally very good condition with sufficient vegetation and not having erosion control concerns. However the site entrance and the adjacent area have had erosion problems on several occasions. DiPrete Engineering made a submittal to RIDEM on May 9, 2024 explaining how APE proposes to address this matter. It is important to note that erosion of cover material onto Park Avenue has not been observed during recent inspections of the site.

4. *Landfill maintenance including mowing the existing vegetation, perimeter fence repair and small tree removal from the slopes as noted in the inspection report from 2/23/24.*

**APE Response:** APE mowed the landfill earlier this spring and is currently in the process of addressing problematic vegetation growth on the slopes. Large weeds and trees growing on the slopes or in close proximity to the slopes are being cut by hand and will be removed from the site. As this work proceeds around the site perimeter, trees and tree limbs are being removed from the fence and the fence is being repaired.

5. *Repair or replacement of the damaged soil gas points (SG-3A, SG-3B, SG-3C, SG-3E & SG-3F) noted in the 3/7/24 quarterly Environmental Monitoring Report prepared by Atlas Technical Consultants LLC.*

**APE Response:** APE will work with the monitoring consultants to have the points replaced once the cap is completed.

**Schedule**

The APE project team estimates that all of the landfill has at least 24 inches of final cap soil on it and there is a sufficient volume of soil stockpiled on site to finish the capping project. Earthwork to use the excess capping soil and establish final site grades is ongoing. APE anticipates having the earthwork completed during the latter part of spring of this year and vegetation established by the fall of this year.

**Monitoring**

The results for the April monitoring round will be submitted in the near future under a separate cover.

Please feel free to contact me should you have any questions regarding this matter.

Sincerely

TIM O'CONNOR & COMPANY, LLC

A handwritten signature in blue ink, appearing to read "T. M. O'Connor", with a horizontal line above it and a flourish at the end.

Timothy M. O'Connor, PE, LEED-AP  
Principal

# **Appendix A – Photographs**



**Photo 1 – View west at Park Avenue site entrance**



**Photo 2 – Western limit of disturbance near Park Avenue entrance**





**Photo 3 – Vegetation work area along western limit of disturbance**



**Photo 4 – Vegetation work area along northern limit of disturbance**





**Photo 5 – Central portion of the site**



**Photo 6 – Active work area in central portion of site**