



RHODE ISLAND

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

OFFICE OF LAND REVITALIZATION AND SUSTAINABLE MATERIALS MANAGEMENT

235 Promenade Street, Room 380

Providence, Rhode Island 02908

February 3, 2026

SECOND PRELIMINARY BUD APPROVAL
SR-26-1078
WF-732

Christopher Crawley, DPW Director
City of Pawtucket
Department of Public Works
250 Armistice Boulevard
Pawtucket, RI 02860

RE: Beneficial Use Determination Application
The Pawtucket Incinerator Landfill
240 Grotto Ave, Pawtucket, RI
Plat 58B Lots 12, 13, 14

Dear Mr. Crawley:

The Rhode Island Department of Environmental Management's (the Department) Office of Land Revitalization and Sustainable Materials Management (LRSMM) has reviewed the following documents for the above referenced property (the Site):

1. Site Investigation Report, City of Pawtucket, Grotto Avenue, Pawtucket, RI, Submitted by Fuss & O'Neill, Inc., dated January 31, 2003;
2. Response to Comments concerning the Pawtucket Incinerator Site Investigation Report Former Pawtucket Incinerator Landfill – Grotto Avenue, Pawtucket, Rhode Island, Submitted by Fuss & O'Neill, Inc., dated September 13, 2004;
3. Combined Remedial Action Work Plan and Closure Plan, Grotto Avenue Landfill, Grotto Avenue, Pawtucket, Rhode Island, Submitted by Fuss & O'Neill, Inc., dated March 7, 2008;
4. Response to Comments Combined Remedial Action Work Plan and Closure Plan, Former Pawtucket Incinerator Landfill - Grotto Avenue, Pawtucket, Rhode Island, Submitted by Fuss & O'Neill, dated May 6, 2009.
5. Remedial Approval Letter; issued by RIDEM, dated June 16, 2009;

6. Pawtucket Grotto Ave Landfill Closure Project- Solid Waste Beneficial Use Determination, Submitted by Pare Corporation, dated October 2023;
7. Financial Assurance, dated December 31, 2023.
8. Supplement to BUD Application, Grotto Avenue Landfill, Submitted by Pare Corporation, dated January 12, 2024;
9. Response to Comments - Beneficial Use Determination, Submitted by Pare Corporation, dated March 28, 2024;
10. BUD Addendum November 2024 / Remedial Action Work Plan Addendum November 2024, Submitted by Pare Corporation, dated November 22, 2024;
11. Pawtucket Landfill Closure Plan Set, Submitted by Pare Corporation, dated November 15, 2024, and;
12. Revised Pawtucket Landfill Closure Plan Set, Submitted by Pare Corporation, dated January 3, 2025.
13. Community Involvement Plan, Submitted by Pare Corporation, dated March 2025.
14. Soils Analytical Data – Quarterly Reports
 - a. Q1 2025 (4/28/25-7/28/25) – prepared by Pare Corporation and dated August 2025;
 - b. Q2 2025 (8/28/25-10/28/25)– prepared by Pare Corporation and dated November 2025;
15. Financial Assurance Continuance, dated January 22, 2026.

Following our review of the above documents and the meeting held on October 29, 2024, to discuss the BUD conditions and required reduction in landfill height, we have determined that the application is acceptable, provided we have additional public outreach as detailed in the attached approval.

This preliminary Beneficial Use Determination (BUD) approval applies exclusively to the BUD aspect of the Site and is independent of the Remedial Action Work Plan (RAWP) review and approval via a Remedial Approval Letter (RAL). As outlined in the following conditions the Department is willing to allow the acceptance of a total of 140,000 cubic yards of fill material, excluding C&D prior to the issuance of an RAL and RIPDES/wetlands permits under the conditions outlined in the attached approval.

Enclosed is the Preliminary BUD approval, with conditions included, for beneficial reuse of urban fill, incinerator ash, street sweepings, catch basin cleanings, dredge spoils and C/D fines, for grading and shaping material for the closure of the former Grotto Ave Landfill.

Please note that your approval will expire on February 3, 2027.

Sincerely,

Mark Dennen

Mark Dennen
Supervising Environmental Scientist
Office of Land Revitalization & Sustainable Materials Management

cc: Tim Thies, Project Manager – Pare Corporation
Alasdair Cunningham, Project Manager – Charter RI Landfill Services, LLC
Kasie McKenzie, Environmental Engineer III – RIDEM / LRSMM
Nathan Arruda, Environmental Scientist II – RIDEM/LRSMM
Walid Ali, Environmental Engineer III – RIDEM / LRSMM

**SOLID WASTE
PRELIMINARY BENEFICIAL USE DETERMINATION (BUD)**

**CONDITIONS FOR THE USE OF BUD MATERIALS FOR
LANDFILL GRADING AND SHAPING**

FEBRUARY 2026

PARE Corporation and Charter RI Landfill Services, LLC have submitted for approval on behalf of the City of Pawtucket (collectively the “Applicants”) detailed in the BUD Application, to allow the beneficial reuse of Construction and Demolition Debris fines (c/d fines), urban fill, street sweepings, catch basin cleanings, dredge spoils, incinerator ash, asphalt, brick and concrete (ABC) as part of the Pawtucket Grotto Avenue Landfill Closure. The approximately 450,000 cubic yards of BUD material will be overlain by an impermeable engineered cap as detailed in the RAWP.

Based on the information provided in the application and supporting documents, the Department’s Office of LRSMM grants approval for the reuse of these BUD materials, provided that the application details are strictly followed, and the following conditions are met:

Pre- RAL BUD Material Acceptance:

1. In order to expedite the project, the Department will allow some temporary stockpiling of material prior to the issues of a Redial Approval Letter (RAL) and wetlands/stormwater approvals. This stockpiling shall be done in accordance with the following conditions:
 - a. All other conditions in this approval, regarding the nature, storage and management of incoming material shall be complied with.
 - b. No more than a total of 140,000 cubic yards shall be accepted prior to issuance of the RAL
 - c. No C&D fines shall be accepted prior to issuance of the RAL.
 - d. Requirements of Community Involvement Plan and Public Notice Section below shall continue to be maintained until the completion of landfill closure.
 - e. Requirements for Financial Assurance in the below section shall continue to be maintained until the completion of landfill closure.
 - f. Stockpiling of this material shall be within the footprint of the current fill area not closer than 75 feet from the outer edge of the existing footprint of the landfill.

Contamination Levels and Testing Frequency:

2. The acceptable contamination level for the material taken onto Site must not exceed the Table 1 “BUD Acceptance Criteria” as listed in the Response to Comments from Pare Corporation on March 28, 2024.
3. The testing frequency and analytical methods for testing the material taken onto Site must follow Table 2 “BUD Material Testing Schedule” as listed in the Response to Comments from Pare Corporation on March 28, 2024.

4. The organic content of the C/D material shall not exceed 25% by weight and the sulfate content must not exceed 1%.
5. Incoming loads of BUD material with high organic content shall be distributed over a large area, such that the total layer thickness does not exceed 2 feet. If incoming loads of organic material cannot be distributed over a large area, either due to space constraints or construction phasing limitations, it must be blended with inert soil to reduce the overall organic content of the material to less than 10%.
6. No hazardous waste shall be accepted from any off-site sources for treatment, storage or disposal at the Site.
7. The Department will not allow the deposition of soils or other solid waste that have exhibited a characteristic of hazardous waste based on TCLP testing, whether or not such materials have been stabilized to allow them to pass TCLP.

BUD Material Quantities:

8. The amount of material brought onto Site must not exceed 450,000 cubic yards.
9. The overall final elevation of the landfill upon final capping must not exceed 116 feet.
10. While c/d fines, urban fill, street sweepings, catch basin cleanings, dredge spoils, incinerator ash, asphalt, brick and concrete (ABC) are acceptable BUD materials, the majority of the material shall be urban fill soil with a low organic content.

BUD Material Management:

11. C/D fines will not be stockpiled for future placement after arrival. All incoming loads of C/D fines will be covered with 6-12 inches of inert soil immediately after placement. At all times there will be a stockpile of no less than 2,000 cubic yards of inert material at the receiving facility.
12. To minimize gypsum content and odors, the receiving facility will source C/D fines only from facilities that separate wallboard and drywall from their process. Documentation of the C/D material's origin must be maintained throughout the project to verify that the wallboard was properly segregated.
13. The incoming material must be handled and processed in accordance with this approval and all BUD application information and supported documents submitted PARE Corporation and Charter RI Landfill Services, LLC.
14. The Applicants shall ensure that the transportation and delivery of BUD materials to the Site is done in compliance with any/all RIDOT and City of Pawtucket requirements, so as to mitigate any negative impacts on the neighborhood and local area. In addition, the maximum permissible amount of material transported to the Site, per day shall be capped at 1000 cubic yards of material.
15. The maximum quantity of C/D BUD material to be stored at the Site at any one time shall not exceed 2,000 cubic yards.
16. Erosion controls around the perimeter of the Site, temporary erosion controls near the working area of the Site and any stockpiles, dust control, tracking pads, and tire/wheel

washing stations and water trucks must be utilized to prevent dust, offsite tracking, odor and erosion in accordance with Section 2.6 of the BUD application dated October 2023. If nuisance conditions exist, then a corrective action plan must be developed and submitted to the Department within 30 days.

17. BUD material approved under this preliminary BUD approval shall only be delivered to the Site in accordance with the City of Pawtucket ordinances.

Project Completion Timeline

18. The Landfill Closure and BUD project must be completed in its entirety within five years from the commencement of work at the Site.
19. This approval shall expire on February 3, 2027. The Applicants may request an annual renewal of this approval that may be granted with approval from the RIDEM's Director.

Financial Assurance

20. The applicants must post financial assurance in the amount of \$3,280,000.00 (Three Million Two Hundred Eighty Thousand Dollars and Zero Cents) for the entirety of the project until the completion of landfill closure. These documents must be submitted to the Department in a mechanism as described in Solid Waste Regulation 2.3.29. Said assurance shall be required to ensure the project will be completed and/or any unused solid waste/beneficial reuse material will be properly removed and disposed of upon completion of the project or if project operations cease for any reason.

BUD Reporting and Submittals

21. Quarterly status reports must be submitted to the Department, providing a summary of all activities from that quarter. The report should include:
 - a. The volume, description, source location and photos of BUD materials accepted on Site.
 - b. Documentation on the generator of the BUD material, including but not limited to the name, address, phone number, and contact information and the chemical and physical properties of the BUD material.
 - c. Sampling analytical data.
 - d. Summary table(s) comparing analytical data to Table 1 "BUD Acceptance Criteria".
 - e. A figure showing where the materials were spread and/or stockpiled on the Site.
 - f. A summary of grading activities completed in accordance with the approved RAL.
 - g. A quarterly Site inspection conducted by an environmental professional to review overall Site activities and progress toward achieving final grade design elevations.

Each quarterly report must be submitted to the Department within 30 days after the end of the quarter.

22. The Applicants shall keep all records and data for a period of at least 1 year. All records shall be made available to representatives of the Office of LRSMM upon request. Upon renewal of this BUD permit, an electronic copy of the previous year's records and data shall be included in the application.

Community Involvement Plan (CIP) & Public Notice

23. In addition to the previous public outreach and meetings, since the Site is in an Environmental Justice (EJ) area, and is close to schools and residences, the CIP as submitted in March 2025 must be maintained and followed for the entirety of the project until the completion of landfill closure.

Remedial Action Work Plan and Remedial Approval Letter

24. This BUD approval is part of a larger remedial alternative and must align with those forthcoming approvals. The Remedial Action shall include an engineered cap installed with a passive gas ventilation system to mitigate gas buildup. If there are odor issues, additional gas mitigation measures may be necessary. The details of the remedial action shall be reviewed and approved in writing by the Department with a Remedial Approval Letter prior to the acceptance of any material beyond the initial 140,000 cubic yards.

Other Conditions

25. The Applicants shall provide the Department, its authorized officers, employees, and representatives, and all other persons under Department oversight, an irrevocable right of access to the facility at all reasonable times for the purposes of performing inspections, investigations, testing, and examining records. The Department or other authorized designated personnel shall have the right to access the facility at all reasonable times for the above-stated purposes without prior notice. Refusal to permit reasonable inspections, tests and investigations shall constitute valid grounds for denial, revocation or suspension of this BUD approval; and/or issuance of a Notice of Violation with Administrative Penalty.
26. RIDEM's granting of this approval does not affect the responsibility of The Applicants to meet all zoning and other local ordinances and comply with any other State or Federal requirements, including but not limited to any additional applicable DEM permitting and approvals.
27. This approval may be modified, amended, suspended, or revoked at the discretion of RIDEM.
28. The Department shall be immediately notified of any Site or operation condition that results in non-compliance with this preliminary BUD approval.
29. The Department shall receive written notification at least 72-hours prior to the start of work on Site.

Kevin Gillen

Kevin Gillen, Administrator
Office of Land Revitalization and Sustainable Materials Management

2-2-2026

Date