

SOLID WASTE BENEFICIAL USE DETERMINATION (BUD)

CONDITIONS FOR RE-USE OF VARIOUS MATERIALS IN SUPPORT OF SITE REDEVELOPMENT

July 30, 2025

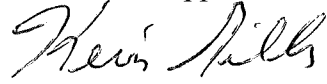
Sage Environmental, Inc., has submitted for approval of a Beneficial Use Determination (BUD) application on behalf of RI Waterfront Enterprises, LLC, (collectively the “Applicants”). This BUD request to allow the beneficial reuse of various materials at the Key (South Key/South Quay) located at 649 Waterfront Drive in East Providence, R.I. Said materials have been designated for use as regrading material at the South Quay site. Based upon the representations made in the application, the RIDEM Office of Land Revitalization and Sustainable Materials Management (LRSMM) hereby grants approval for the reuse of such soils under the following conditions:

1. This BUD approval is part of a larger remedial alternative overseen by the Department’s Site Remediation Program and, as such, site activities must also comply with the conditions and approvals issued by the Site Remediation Program, in addition to the following conditions listed below.
2. All incoming material must be handled and processed in accordance with this approval and the BUD application submitted by the Applicants, on December 9, 2024.
3. The Applicants shall ensure that the transportation and delivery of impacted and/or jurisdictional soils to the South Quay site is done in compliance with any/all RIDOT and City of East Providence requirements, to mitigate any negative impacts on the neighborhood and local area. Based on the LRSMM response to your BUD Expansion and Request, dated October 30, 2024, we have lifted the material cap for ABC (asphalt, brick, and concrete with no solid waste) material specifically. However, all other BUD materials received at 649 Waterfront Drive per day shall be capped at 1,000 cubic yards of material.
4. The stockpiling of BUD material on site, prior to placement, shall not exceed a maximum of 10,000 cubic yards. The 10,000 cubic yard limit is cumulative and can include a combination of ABC material and other BUD materials, but the total volume cannot exceed 10,000 cubic yards. All stockpiling of BUD materials shall be stockpiled and stored separate from the ABC material, and shall be in the designated area according to Section 6 (a) of the BUD application to await future processing and final placement.
5. A monthly summary shall be electronically sent to the Department which shall list the volume of ABC material accepted onsite, the source location, the sampling analytical data, and a Site figure that depicts the location the material was spread and/or stockpiled on the site. RI Waterfront Enterprises LLC and/or their consulting engineers are responsible for tracking the delivered tonnage and/or volume, source of the material,

and analytical data. Please send all documentation to Nathan Arruda via email at Nathan.Arruda@dem.ri.gov.

6. An annual status report shall be submitted to the RIDEM, which will summarize all BUD materials and quantities received by the Site and associated grading activities completed in accordance with the Materials Management Plan (MMP). The annual report shall include monthly site inspections and analytical data of BUD material to be completed by your consultant, which shall detail all site activities and the progress made in achieving final grade design elevations. Both the annual report, and monthly site inspections shall be submitted to the RIDEM prior to the BUD expiration date of December 31, 2025.
7. Erosion and Stormwater controls shall be installed according to Section 6(j) of the BUD application, including the use of, but not limited to, vegetative cover, silt fences, and filter socks/berms. The Applicants shall also undertake all measures necessary to ensure adequate dust control.
8. This approval only pertains to the reuse of the approved materials as fill for the redevelopment project at the South Quay site (649 Waterfront Drive), as described in Section 4 of the BUD application.
9. 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.
10. This approval shall expire on December 31, 2025. The Applicants may request an annual renewal of this approval no later than 30 days before the expiration date, which may be granted with approval from the RIDEM.
11. 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.
12. This approval may be modified, amended, suspended, or revoked at the discretion of RIDEM.

13. 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. If renewal of this BUD permit is needed, an electronic copy of the previous year's records and data shall be included in the application.



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

7/30/25
Date

