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1 STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
2
3 RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
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5 OFFICE OF WASTE MANAGEMENT

6 *****
7 PUBLIC HEARING REGARDING
8 DRAFT FIVE-YEAR REVIEW REPORT TO THE
9 ANTHONY CARNEVALE ELEMENTARY SCHOOL
10 AND THE DELSESTO MIDDLE SCHOOL
11 *****

12 Date: February 27, 2012

13 Time: 6:00 p.m.

14 Place: 152 Springfield Street
15 Providence, Rhode Island

16 PRESENT:

17 Susan B. Forcier, Esq.,
18 Senior Legal Counsel, Rhode Island DEM

19 Jeff Crawford, Rhode Island DEM Site Remediation

20 Kelly Owens, Rhode Island DEM Site Remediation

21 Tim Clinton, Fuss & O'Neill

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24 RHODE ISLAND COURT REPORTING
747 NORTH MAIN STREET
25 PROVIDENCE, RHODE ISLAND 02904
(401) 437-3366

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1 (THE HEARING COMMENCED AT 6:06 P.M.)

2 MS. FORCIER: Today is February 27, 2012.

3 The time is now 6:06 p.m. We're here for a public

4 hearing on the draft five-year review report to
5 the Anthony Carnevale Elementary School and
6 DelSesto Middle School. My name is Susan Forcier.
7 I am an attorney for the Rhode Island Department
8 of Environmental Management. Just to set out the
9 procedure for the hearing, I know we don't have
10 many people here, but anyone who wants to comment
11 should sign in and state and spell your name for
12 the record when you give your comments. We have a
13 Spanish interpreter, if necessary. And all
14 comments are being recorded by a stenographer. So
15 please speak slowly and clearly for the record.

16 We are not responding to comments tonight,
17 but we will produce written responses to all
18 comments as an addendum to the final five-year
19 review report, which will be issued within 60 days
20 after the close of the public comment period. The
21 public comment period is currently scheduled to
22 close this Friday, March 2nd at 4:00 p.m.

23 Written comments can be submitted to the
24 Department by then. And we have some handouts that
25 have the address and numbers where those comments

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1 can be submitted. So at this time I'll open the
2 hearing to comment. So I think Steve Fischbach is
3 our first commenter.

4 MR. FISCHBACH: Thank you, Susan. Again,
5 my name is Steven Fischbach, and I work at Rhode
6 Island Legal Services and represent the Hartford
7 Park Residents Association and some other parties
8 in a lawsuit that was filed in 1999 that resulted
9 in this particular five-year review. So we have a
10 great interest in what the review says and the
11 recommendations that DEM will ultimately take.
12 First, I wanted to thank a number of people that
13 were involved in this review, starting with DEM.

14 This is the first time that this agency is
15 actually, to my knowledge, conducting a five-year
16 review of a contaminated site, and in doing so it
17 chose to hire a very well respected consulting firm
18 here in Rhode Island, Fuss & O'Neill, who prepared

19 a fairly comprehensive review of the environmental
20 conditions here. So this is a very good outcome,
21 and we're very pleased with, again, DEM selected
22 Fuss & O'Neill to help guide it in developing
23 protocols for a four- to five-year review and in
24 getting the hearings and the public meetings all
25 together. So we're very thankful for that.

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1 We are also thankful for the U.S.
2 Environmental Protection Agency which provided us
3 with technical assistance through a program called
4 The Technical Assistance Support for Communities
5 Program, whereby there's a contractor hired by EPA
6 to provide communities with technical assistance.
7 And the technical assistance provider approved
8 that EPA provided to us Skeo and Associates. And
9 present here today are two representatives from
10 Skeo Associates, Terri Boguski and Kirby Webster
11 who helped prepare a report and a fax sheet which
12 have been already submitted to DEM, and, as I
13 understand it, are already part of the record. So
14 I don't want to rehash what was in that report in
15 my comments.

16 However, there were some questions that
17 were appended to the report that I just want to
18 make sure that DEM also acknowledges this as also
19 being part of the concerns raised by the community
20 and with suggestions on how to meet those
21 concerns, particularly the concern about
22 contaminants that may be moving into the soil cap
23 with a suggestion that some additional soil
24 samples be taken in areas where there's concern
25 with that may have occurred.

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1 And coupled with that was one, a concern
2 about ground water potentially coming to the
3 surface with the taking of some additional samples
4 to understand whether or not those two things were
5 happening. So as long as DEM understands that

6 those concerns with recommendations are also part
7 of the report because they were appended to a fax
8 sheet. I just wanted to explain that to the
9 agency.

10 In addition, we've had, meaning "we,"
11 myself has had some additional conversations with
12 the folks from Skeo Associates both about the type
13 of analytes that could be, should be tested for
14 and also some concerns about some of the vapors
15 that were found in the soil gas systems.

16 And based on that -- and we will probably
17 supplement this in writing, but just to get it on
18 the record now -- the first recommendation is
19 about sending soil gas samples to a lab off of the
20 soil vapor systems, probably one at the middle
21 school and one at the elementary school before
22 they enter the carbon filter, so as to get a
23 better understanding of the different types of
24 gases that might be underneath the school
25 building.

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1 Because when we send off samples to the
2 lab, based on the perimeter wells, we are getting
3 an understanding of what is on the perimeter as
4 opposed to what may be actually underneath the
5 building. So the folks from Skeo are going to
6 prepare just a very short explanation of that, and
7 we should be able to get it to DEM by Friday.

8 Now, the second issue has to do with some
9 of the additional substances that Skeo Associates
10 has recommended for testing indoor air,
11 specifically, some of the landfill, common
12 landfill gases. And there are six of them that
13 were referenced, actually, in their report. If
14 you will give me one second I will just go over
15 what those were.

16 So on page 11 of the longer report, which,
17 as I understand, is also part of the record, there
18 were eight substances, acetone -- and I'm going
19 to, like, butcher some of these names --
20 acrylonitrile.

21 Well, rather than to take up the time
22 trying to go through this on the record, there are
23 eight substances here that are mentioned that they
24 recommend testing for. We discussed whether PID
25 meters were capable, photo ionization detectors,
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1 whether -- because those are what are used
2 currently to evaluate indoor air conditioners here
3 at the schools -- and whether they were capable of
4 doing testing or sampling for those eight
5 different substances. And we think that they can
6 be used and would ask that that issue be looked
7 into, mainly whether PID meters can be used to
8 monitor the eight substances that were listed on
9 page 11 of the longer report. And I think that's
10 it.

11 Again, since these reports are already
12 part of the record, there's no need to rehash
13 them. And since I am the only person here
14 presenting comments, I don't want to take up
15 people's time since it was already after the
16 middle of the working hours. Again, I just want
17 to thank everyone.

18 The intent behind this is really to just
19 ensure the long-term safety of this school for
20 the people who use it. And sometimes that
21 process has been somewhat contentious, but,
22 really, that's what we're all working towards.
23 And I recognize that DEM and its consultant share
24 that concern. So we're just glad and hopeful that
25 we can continue to move forward.

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1 MS. FORCIER: Thank you. Any additional
2 comments from anyone? Hearing none, the time is
3 now 6:16, and I'll declare this hearing closed.
4 Again, the public record will be open until this
5 Friday, March 2nd at 4:00 p.m., and we will be
6 accepting written comments until that time.
7 Thank you.

8 (THE HEARING CLOSED AT 6:17 P.M.)

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I, Cynthia M. Spagnole, do hereby certify
that I reported in shorthand the foregoing
proceedings, and that the foregoing transcript
contains a true, accurate, and complete record of
the proceedings at the above-entitled hearing.

9 IN WITNESS WHEREOF, I have hereunto set my
10 hand this 19th day of March, 2012.

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CYNTHIA M. SPAGNOLE
CERTIFIED SHORTHAND REPORTER AND
NOTARY PUBLIC

MY COMMISSION EXPIRES JULY 19, 2014

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