



**RHODE ISLAND**  
**DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

March 14, 2014

BK# 2255 Pg# 49  
 INST# 00114942

Rhode Island Resource Recovery Corporation  
 c/o Michael J. O'Connell, Executive Director  
 65 Shun Pike  
 Johnston, RI 02919

**REVISED PERMIT**

RE: Application No. 07-0179 in reference to the property and proposed project located:

Approximately 1,550 feet north of Shun Pike; approximately 2,100 feet north-northeast of the intersection of Green Hill Road and Shun Pike; Assessor's Plat 31, Lots 7, 13, 14, 44 & 56 and Assessor's Plat 43, Lots 1, 15, 20-25, 30, 44, 112, 116-123, 125-130, 137-142, 194, 234, 235, 279-283, 402, 433, 592, & 593, Johnston, RI.

Dear Mr. O'Connell:

The Department of Environmental Management's ("DEM") Freshwater Wetlands Program ("Program") has completed its review of Rhode Island Resource Recovery Corporation's **Application for Permit Modification** and has evaluated the proposed modification request to the previously permitted Phase VI Landfill expansion at the Central Landfill in Johnston for: 1) changes to construction sequencing, 2) changes to the leachate collection system from gravity to pumped, 3) changes to slope runoff diversion methods, and 4) changes to the associated proposed drainage facilities, as illustrated and detailed on revised site plans submitted with your application.

Based upon the Program's evaluation of the revised project and pursuant to Rule 11.03 of the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act (Rules), it is the Program's determination that a revised permit for the modified project may be issued under the following terms and conditions:

1. This letter is the DEM's revised permit for this project under the R.I. Fresh Water Wetlands Act, Rhode Island General Laws (RIGL) Section 2-1-18 et seq.
2. This revised permit is specifically limited to the project and site alterations as detailed on the site plans submitted with your application and received by the DEM on March 6, 2014 and as modified in these terms and conditions. A copy of the site plans stamped approved by the DEM is enclosed. Changes or revisions to the project which would alter freshwater wetlands are not authorized without a permit from the DEM.
3. Where the terms and conditions of the revised permit conflict with the approved site plans, these terms and conditions shall be deemed to supersede the site plans.
4. A copy of the stamped approved site plans and a copy of this revised permit must be kept at the site at all times during site preparation, construction, and final stabilization. Copies of this revised permit and the stamped approved plans must be made available for review by any DEM representative upon request.

5. Within ten (10) days of the receipt of this revised permit, you must record this permit in the land evidence records of the Town of Johnston and supply this Program with written documentation obtained from the Town showing this permit was recorded.
6. This revised permit expires on July 1, 2019, unless renewed pursuant to Rule 9.04.

Except as authorized in this revised permit pursuant to the approved site plans, all terms and conditions previously specified in the Program's original permit dated January 19, 2010 (copy enclosed) and the revised permit dated May 19, 2010 (copy enclosed) remain in effect.

Please note that this Department has not verified the wetland edges that are illustrated on the approved revised site plans, as part of this application.

**Kindly be advised that this revised permit is not equivalent to a verification of the type or extent of freshwater wetlands on site. Should you wish to have the types and extent of freshwater wetlands verified, you may submit the appropriate application in accordance with Rule 8.03.**

This revised permit is valid for the applicant and is automatically transferred upon the sale of the property to the new owner in accordance with Rules 7.09 and 11.04.

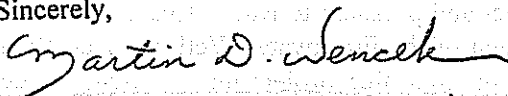
You are required to comply with the terms and conditions of this permit and to carry out this project in compliance with the Rules at all times. Failure to do so may result in an enforcement action by this Department.

In permitting the proposed alterations, the DEM assumes no responsibility for damages resulting from faulty design or construction.

This revised permit does not remove your obligation to obtain any local, state, or federal approvals or permits required by ordinance or law and does not relieve you from any duties owed to adjacent landowners with specific reference to any changes in drainage.

Please contact Daniel Kowal of this Program (telephone: 401-222-4700, ext. 7416) should you have any questions regarding this letter.

Sincerely,



Martin D. Wencek, Permitting Supervisor  
Freshwater Wetlands Program  
Office of Water Resources  
MDW/DMK/dmk

- Enclosures: Copy of original permit letter of 1/19/10  
Copy of revised permit letter of 5/19/10  
Approved revised site plans

xc: Bernard J. Nascenzi, Johnston Building Official  
William M. Anderson, P.E., RI Resource Recovery Corporation  
JR Frey, P.E., Brown and Caldwell  
Eric Beck, DEM, RIPDES Program



RHODE ISLAND  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

May 19, 2010

Rhode Island Resource Recovery Corporation  
C/o Michael O'Connell, Executive Director  
65 Shun Pike  
Johnston, RI 02919-4512

**Permit Modification**

RE: Modification of Insignificant Alteration Permit No. 07-0179 for the proposed project located: Approximately 1,550 feet north of Shun Pike; approximately 2,100 feet north-northeast of the intersection of Green Hill Road and Shun Pike; Assessor's Plat 31, Lots 7, 13, 14, 44 & 56 and Assessor's Plat 43, Lots 1, 15, 20-25, 30, 44, 112, 116-123, 125-130, 137- 142, 194, 234, 235, 279-283, 402, 433, 592, 7 593, Johnston, RI.

Dear Mr. O'Connell:

Kindly be advised that the Department of Environmental Management's ("DEM") Freshwater Wetlands Program has reviewed Rhode Island Resource Recovery Corporation's ("RIRRC") modification request for its insignificant alteration permit number 07-0179. The request proposed to change the insignificant alteration permit's condition that RIRRC submit an application for modification to its individual Rhode Island Pollutant Discharge Elimination System ("RIPDES") permit from within three (3) months of receipt of the insignificant alteration permit to six (6) months prior to the proposed construction and/or anticipated date of discharge from RIRRC's phase VI storm water ponds. The request was received on April 15, 2010.

After coordination with the RIPDES Program, the Freshwater Wetlands Program has decided to grant RIRRC's modification request. Therefore, as a condition of the insignificant alteration permit no. 07-0179, RIRRC is required to submit an application for a permit modification to RIRRC's individual RIPDES permit no. RI0023442, that includes the modifications to ponds 3 and 4 and the addition of ponds 13 and 14, to the DEM's RIPDES Program at least six (6) months prior to the proposed construction of ponds 13 and/or 14 or modification to ponds 3 and/or 4. The RIPDES application must include the sediment removal elevations for all new and/or modified ponds. RIRRC must receive RIPDES approval prior to the initiation of discharge from any new ponds.

Please be advised that all other conditions of the insignificant alteration permit no. 07-0179 are unchanged and remain in effect. If RIRRC has any questions regarding the requirements of its insignificant alteration permit, please contact Daniel Kowal of the Freshwater Wetlands Program at 401-222-4700, ext. 7416. Should RIRRC have any questions regarding its RIPDES requirements, please contact Joseph Camara of the RIPDES Program at 401-222-4700, ext. 7640.

Sincerely,

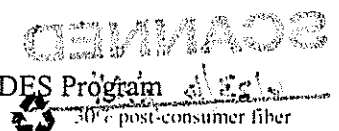
*Martin D. Wencek*

Martin D. Wencek, Permitting Supervisor  
Freshwater Wetlands Program  
Office of Water Resources  
MDW/mdw

xc: Bernard J. Nascenzi, Johnston Building Official  
Armando J. Ricci, P.E., Pare Corporation

Eric Beck, DEM/RIPDES Program

Office of Water Resources/Tel.401-222-4700/Fax.:401-222-3564





RHODE ISLAND

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

January 19, 2010

Rhode Island Resource Recovery Corporation  
C/o Michael O'Connell, Executive Director  
65 Shun Pike  
Johnston, RI 02919-4512

**Insignificant Alteration – Permit**

RE: Application No. 07-0179 in reference to the property and proposed project located:

Approximately 1,550 feet north of Shun Pike; approximately 2,100 feet north-northeast of the intersection of Green Hill Road and Shun Pike; Assessor's Plat 31, Lots 7, 13, 14, 44 & 56 and Assessor's Plat 43, Lots 1, 15, 20-25, 30, 44, 112, 116-123, 125-130, 137-142, 194, 234, 235, 279-283, 402, 433, 592, 7 593, Johnston, RI.

Dear Mr. O'Connell:

Kindly be advised that the Department of Environmental Management's ("DEM") Freshwater Wetlands Program ("Program") has completed its review of your **Request for Preliminary Determination** application and has evaluated the proposed Phase VI expansion of the Central Landfill in Johnston, as illustrated and detailed on site plans submitted with your application. These site plans were received on November 16, 2009.

Our observations of the subject property, review of the site plans and evaluation of the proposed project reveals that alterations of freshwater wetlands are proposed. However, pursuant to Rule 9.00 of the Rules and Regulations Governing the Administration and Enforcement of the Fresh Water Wetlands Act (Rules), this project may be permitted as an **insignificant alteration** to freshwater wetlands under the following terms and conditions:

Terms and Conditions for Application No. 07-0179:

1. This letter is the DEM's permit for this project under the R.I. Fresh Water Wetlands Act, Rhode Island General Laws (RIGL) Section 2-1-18 et seq.
2. This permit is specifically limited to the project, site alterations and limits of disturbance as detailed on the site plans submitted with your application and received by the DEM on November 16, 2009. A copy of the site plans stamped approved by the DEM is enclosed. Changes or revisions to the project which would alter freshwater wetlands are not authorized without a permit from the DEM.
3. Where the terms and conditions of the permit conflict with the approved site plans, these terms and conditions shall be deemed to supersede the site plans.
4. You must notify this Program in writing immediately prior to the commencement of site alterations and upon completion of the project.

5. A copy of the stamped approved site plans and a copy of this permit must be kept at the site at all times during site preparation, construction, and final stabilization. Copies of this permit and the stamped approved plans must be made available for review by any DEM representative upon request.
6. Within ten (10) days of the receipt of this permit, you must record this permit in the land evidence records of the Town of Johnston and supply this Program with written documentation obtained from the Town showing this permit was recorded.
7. The effective date of this permit is the date this letter was issued. This permit expires four (4) years from the date of issue.
8. Any material utilized in this project must be clean and free of matter which could pollute any freshwater wetland.
9. Prior to commencement of site alterations, you shall erect or post a sign resistant to the weather and at least twelve (12) inches wide and eighteen (18) inches long, which boldly identifies the initials "DEM" and the application number of this permit. This sign must be maintained at the site in a conspicuous location until such time that the project is complete.
10. Temporary erosion and sediment controls detailed or described on the approved site plans shall be properly installed at the site prior to or commensurate with site alterations. Such controls shall be properly maintained, replaced, supplemented, or modified as necessary throughout the life of this project to minimize soil erosion and to prevent sediment from being deposited in any wetlands not subject to disturbance under this permit.
11. Upon permanent stabilization of all disturbed soils, temporary erosion and/or sediment controls consisting of silt fence must be removed.
12. You are responsible for the proper operation, maintenance and stability of any mitigative features, facilities, and systems of treatment and control which are installed or used in compliance with this permit to prevent harm to adjacent wetlands.
13. You are obligated to install, utilize and follow all best management practices detailed or described on the approved site plans in the construction of the project to minimize or prevent adverse impacts to any adjacent freshwater wetlands and the functions and values provided by such wetlands.
14. All plantings of shrubs, trees or other forms of vegetation as shown or detailed on the approved plans, or detailed in this permit, must be installed as soon as possible after completion of final grading; weather and season permitting.
15. You must provide written certification from a registered land surveyor or registered professional engineer that the stormwater drainage system including any and all basins, piping systems, catch basins, culverts, swales and any other stormwater management control features have been constructed/installed in accordance with the site plans approved by this permit. This written certification must be submitted to this Program within twenty (20) days of its request or upon completion of the project.

16. This Program has made specific revisions to the approved site plans. These revisions are clearly marked in red on the approved plans. This project must take place in compliance with these revisions. Specifically, 1) all proposed temporary and permanent vegetative clearing and surface or subsurface disturbance (LOD) associated with the proposed Pond 13 drainage outfall to Upper Simmons Reservoir has now been enclosed on sheets 4, 9, 11, 19, 21, & 29 of 35 and 2) install silt fence at the LOD associated with the proposed Pond 13 drainage outfall to Upper Simmons Reservoir in the areas indicated on sheets 4, 9, 11, 19, 21, & 29 of 35.

Within three (3) months of receipt of this permit, submit an application for a permit modification to RIRRC's Individual RIPDES permit #: RI0023442, that includes the modifications to ponds 3 and 4 and the addition of ponds 13 and 14, to the DEM's RIPDES Program. The application must include the sediment removal elevations for all new and/or modified ponds. RIRRC must receive RIPDES approval prior to the initiation of discharge from any new ponds.

Please be advised that a permit is required from this Program prior to the commencement of any relocation of existing buildings/facilities or potential siting of new buildings/facilities or any activity which impacts or alters freshwater wetlands pursuant to Section 2-1-21(a) of the Freshwater Wetlands Act and the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act.

Please note that this Department has not verified the wetland edges that are illustrated on the approved site plans, as part of this application. Therefore, you must strictly adhere to the LOD depicted (including that portion extended in red by this Program) on the approved site plans.

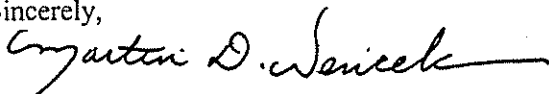
This permit is valid for the applicant and is automatically transferred upon the sale of the property to the new owner in accordance with Rule 11.04.

You are required to comply with the terms and conditions of this permit and to carry out this project in compliance with the Rules at all times. Failure to do so may result in an enforcement action against you by the DEM. In permitting the proposed alterations, the DEM assumes no responsibility for damages resulting from faulty design or construction.

This permit does not remove your obligation to obtain any local, state, or federal approvals or permits required by ordinance or law and does not relieve you from any duties owed to adjacent landowners with specific reference to any changes in drainage.

Please contact Daniel Kowal of this office (telephone: 401-222-4700, ext. 7416) should you have any questions regarding this letter.

Sincerely,



Martin D. Wencek, Permitting Supervisor  
Freshwater Wetlands Program  
Office of Water Resources  
MDW/DMK/dmk

Enclosure: Approved site plans

xc: Bernard J. Nascenzi, Johnston Building Official  
Eric Beck, DEM/RIPDES Program  
Armando J. Ricci, P.E., Pare Corporation