



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
235 Promenade Street, Providence, RI 02908-5767 TDD 401-222-4462

Certified Mail

91 7108 2133 3936 0744 5415

November 13, 2013

Brian McFadden
Senior Project Manager
Pick n Pull
10850 Gold Center Drive, Suite 325
Rancho Cordova, CA 95670

Insignificant Alteration – Permit

Re: Application No. OCTA 13-020; RIPDES # RIR101102; UIC # 001584 and MSGP RIPDES # RIR50M015 in reference to the property and proposed project located:

Project located approximately 1750 ft south of the intersection of Green Earth Way and Shun Pike in Johnston and approximately 200 ft west of Interstate 295 southbound in Johnston. Entrance to property located immediately east of the cul-de-sac at the terminus of Green Earth Way. Town of Johnston Tax Assessor Plat 31 Lots 66, 67, and 68.

Dear Mr. McFadden,

Kindly be advised that the Department of Environmental Management ("DEM") has completed its review of your **Request for Preliminary Determination** application. This review included several site inspections of the above referenced property ("subject property") and the evaluation of a Swamp (> 3 acres) and its associated 50 ft Perimeter Wetland as well as a Forested Wetland (< 3 acres). The proposed project consists of the development of an automobile recycling facility within the existing industrial commercial subdivision located north and south of the junction of Scituate Avenue and Shun Pike in the Town of Johnston. The proposed alterations are illustrated and detailed on site plans received August 16, 2013 and November 12, 2013.

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 per Rule 6.03 of the Rules and Regulations Governing the Administration and Enforcement of the Fresh Water Wetlands Act (Rules). However, pursuant to Rule 9.00 of the 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. OCTA 13-020:

1. This letter is the DEM's permit for this project under the R.I. Fresh Water Wetlands Act, Rhode Island, 30% post-consumer fiber

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 August 16, 2013 and November 12, 2013. 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 the Office of Customer and Technical Assistance 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 or Town of Johnston 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 the Department with written documentation 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 or in accordance with the *Tolling Laws* pursuant to R.I. General Laws 42-17.1-2.5, extending the permit expiration to July 1, 2017.
8. Any material utilized in this project must be clean and free of matter that 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 or the DEM issues a Notice of Completion of Work for the project.
10. Temporary erosion and sediment controls used to incorporate best management practices for stormwater management 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. Prior to the commencement of site alterations, permanent buffer zone markers (to demarcate the 50 ft perimeter wetland) must be installed along the limit of disturbance depicted on site plans. Acceptable permanent markers include 4"X 4" pressure treated timber posts, galvanized fence posts with cap, or granite or concrete bounds. Markers must extend a minimum of 24" above grade. A permanent-type tag or sign labeled RIDEM Buffer Zone must be placed on each marker. No alterations of any kind are permitted beyond these markers without first obtaining the necessary permits from this Office. Buffer zone markers were located in the field during inspections that were installed from wetlands application # 03-0552. Additional markers must be placed along the limit of disturbance detailed on site plans due to the close proximity to the 50 ft

Perimeter Wetland. **No alterations of any kind are permitted beyond these markers without first obtaining the necessary permit from the Office of Customer and Technical Assistance.**

12. Immediately upon installation of the buffer zone markers, this Office must be contacted to arrange an on-site inspection. Once proper installation has been confirmed by, work may be initiated on the project as herein approved.
13. Upon stabilization of all disturbed soils, temporary erosion and or sediment controls consisting of staked hay bales must be removed.
14. 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.
15. As previously noted, you must notify the Department in writing upon completion of the project. Upon receiving this notification, the Department shall issue a Notice of Completion of Work, in the form of a letter, provided that an on-site inspection of the project by the Department determines the work has been done in accordance with this permit and any conditions or renewals thereof.
15. This Office has made a specific revision to the approved site plans. This revision is clearly marked in red on approved site plans. The project must take place in compliance with this revision.
16. Artificial lighting authorized by this permit must be directed away from all vegetated wetlands areas. Where this isn't possible, the use of deflectors to concentrate lighting away from vegetated wetlands must be employed.
17. **Special Condition for Multi Sector General Permit** – In accordance with Part 1.C.3 (b) of the Multi Sector General Permit (MSGP), new facilities which are commencing to discharge storm water associated with industrial activity after April 30, 2011 will be granted authorization sixty (60) days after the submittal of a complete Notice of Intent (NOI). The Department has received and reviewed your submittal dated 16 August 2013. Therefore, according to this rule you were able to commence discharge on 16 October 2013. The permittee (applicant) is responsible for upholding all permit conditions and any other state or Federal regulations. The permittee must immediately begin complying with the applicable benchmark monitoring requirements under Part VI.B. as if the permittee was in the first year of permit coverage.
18. **Special Condition for the General Permit for Storm Water Discharge Associated with Construction Activity** - Additionally, the Office has reviewed this project in accordance with the standards of the RIPDES General Permit for Storm Water Discharge Associated with Construction Activity ("CGP"). Construction Activities which disturb one (1) or more acres of land and where storm water runoff is directed, via a point source, into a separate storm sewer system or into the waters of the State, are required to seek coverage under the Rhode Island Pollutant Discharge Elimination System (RIPDES) storm water permit. Our review has determined that the project has been designed to meet the requirements of the 2013 GP. This determination therefore includes your final authorization to discharge storm water associated with construction activity under the CGP. For future references and inquiry, your permit authorization number is RIPDES No. **RIR101102**.

Both the owner and the contractor retained to undertake the construction activity are required to

comply with all terms and conditions of the CGP. This includes maintaining the Soil Erosion and Sediment Control (SESC) Plan, performing the required inspections and maintenance of the selected Best Management Practices (BMPs), and retaining inspection records. Further information on the requirements of the CGP are available at:

<http://www.dem.ri.gov/pubs/regs/regs/water/ripdesca.pdf>.

Please be aware that the RIDEM's Rules and Regulations Governing the Establishment of Various Fees require that RIPDES CGP permit holders to pay an Annual Fee of \$100.00. An invoice will be sent to the owner on record in May/June of each year if the construction was still active as of December 31st of the previous year. The owner will be responsible for the Annual Fee until the construction activity has been completed, the site has been properly stabilized, and a completed Notice of Termination (NOT) has been received by the RIPDES Program. A copy of the NOT can be found attached to the CGP on the web page referenced above.

Kindly be advised that this permit is not equivalent to a verification of the type or extent of freshwater wetlands on the subject property. Should you wish to obtain such verification, you may submit an application in accordance with Rule 8.03.

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 the Department.

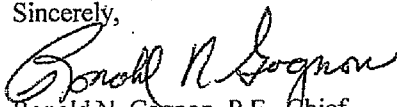
Pursuant to the provisions in Rule 7.09 and 11.04, as applicable, any properly recorded and valid permit is automatically transferred to the new owner upon sale of the property.

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.

If you have any questions regarding this matter, you may contact me at 401-222-4700 extension 7500 or Ann Battersby at 401 222-4700 extension 7284.

Sincerely,



Ronald N. Gagnon, P.E., Chief
Office of Customer and Technical Assistance

Cc: Russ Parkman, GZA
Todd Greene, GZA
Ernie Panciera, RIDEM Groundwater Protection
Eric Beck, RIDEM RIPDES
Margarita Chatterton, RIDEM RIPDES

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Enclosure: Approved site plans