



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

March 16, 2015

Rhode Island Resource Recovery Corporation
C/o Brian N. Card, Director of Operations & Engineering
65 Shun Pike
Johnston, R.I. 02919

Insignificant Alteration – Permit

RE: Wetland Application No. 14-0048 and RIPDES Program File No. RIR 101132 in reference to the property and proposed project located:

Approximately 3,700 feet north of Shun Pike; approximately 1,900 feet southwest of the intersection of Jasmine Lane and Central Avenue; Assessor's Plat 43, Lots 52, 70, & 402, Johnston, RI.

Dear Mr. Card:

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 expansion of an existing compost facility located at the Central Landfill, as illustrated and detailed on site plans submitted with your application. These site plans were received by the DEM on March 7, 2014, December 12, 2014, and March 6, 2015.

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. 14-0048:

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. The approved plan set includes Drawing Number C000 (cover sheet), Drawing Number C100 (sheet 1 of 5), Drawing Number C101 (sheet 2 of 5), these three sheets received by the DEM on March 7, 2014; Drawing Number C200 (sheet 3 of 5) received on December 12, 2014; Drawing Number C800 (sheet 4 of 5) received on March 6, 2015; Drawing Number C801 (sheet 5 of 5) received on December 12, 2014; and Drawing Number C700, (listed as sheet 1 of 1) received on December 12, 2014. 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 on July 1, 2019.
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. You must submit a blasting plan to the Freshwater Wetlands Program for review and receive approval at least thirty (30) days prior to the commencement of excavation and blasting activities on the subject site. The blasting plan shall include a protocol for monitoring ground/surface water elevations in the wetland area delineated by flags WF-201 BF to WF-215 BF prior to, during, and for up to one year after excavation and blasting activities have been completed.
12. Should the excavation and blasting activities on the subject property have a deleterious effect on the existing functions and values of the above noted wetlands, you will be required to re-create the wetlands on the subject property northeast of the wetland area delineated by flags WF-201 BF to WF-215 BF (as has been stated in the documentation that was submitted in the support of this application and received on March 6, 2015). The recreated wetlands must possess the same characteristics, functions and values as the wetland depicted by flags WF-201BF to WF-215 BF. The DEM will assist in siting the appropriate location of this area, if necessary.
13. Upon permanent stabilization of all disturbed soils, temporary erosion and/or sediment controls consisting of silt fence must be removed.
14. 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.
15. 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.

16. The long term operation and maintenance plan (O & M Plan) shall be strictly followed. The long term O & M Plan shall be that entitled "**Rhode Island Resource Recovery Corporation Compost Facility Manual**" dated Revised October 2012. Also, all proposed BMPs shall be maintained in strict accordance with all pertinent required elements of the **Rhode Island Stormwater Design and Installation Standards Manual (RISDISM)**, notably those for wet vegetated treatment systems (WWTSS) and for dry swales.
17. 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.

Additionally, the Program has also 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. RIR 101132**.

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 is 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.

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 limit of disturbance line depicted on the approved site plans.

Kindly be advised that this 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.

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.

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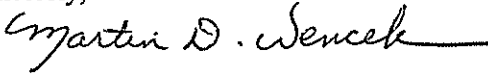
Pursuant to the provisions in Rule 7.09 and Rule 11.04, as applicable, any properly recorded and valid permit is automatically transferred to the new owner upon sale of the property.

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.

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: Traci Pena, DEM, RIPDES Permitting Program
Laurie Grandchamp, DEM, Office of Waste Management
Phillip Jagoda, P.E., Civil & Environmental Consultants, Inc.