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March 4, 2022

Mr. Jeffery Willis, Deputy Director
Rhode Island Coastal Resources Management Council
Oliver Stedman Government Center
4808 Tower Hill Road, Suite 3
Wakefield, RI 02879

**Subject: Application for State Assent
 Pawtucket Tunnel Construction Spoils
 Reuse at Bucklin Point Landfills
 Narragansett Bay Commission
 Phase III CSO Program**

Dear Mr. Willis,

The Narragansett Bay Commission (NBC) is submitting herewith an Application for State Assent addressing proposed activities at the Bucklin Point Wastewater Treatment Facility (WWTF) in East Providence, RI.

Enclosed for your review are four (4) copies (unless otherwise noted) of the following:

- Administration Documentation, inclusive of:
 - Executed Application Form and Statement of Disclosure;
 - List of Previous Permits;
 - Abutters Information;
 - Proof of Ownership;
 - Coastal Hazard Application Worksheets;
- Project Narrative, including project description and summary of compliance with the Coastal Resources Management Program and Freshwater Wetlands in the Vicinity of the Coast (FWWIVC) Regulations;
- Wetland Field Report;
- Site and Coastal Feature Photographs;
- Design Basis Report;
- Soil Erosion and Sediment Control Plan;
- Stormwater Operation and Maintenance Plan and Long Term Pollution Prevention Plan; and
- Project Plans entitled "Narragansett Bay Commission Phase III Combined Sewer Overflow Program, Pawtucket Tunnel – Construction Spoils Reuse, Bucklin Point Landfills – East Providence, RI", dated February 2022, bound separately.



This information has also been submitted electronically on the enclosed USB drive. Because the project does not require demolition or construction of building structures, a building official form has not been included as part of the administrative documentation.

NBC has embarked on the design and construction of Phase IIIA of its Phase III CSO Program. The Pawtucket Tunnel Design Build project is the largest and most significant project in the Program, currently in the final design and construction phases by the Design Build team of CBNA-Barletta Phase IIIA Joint Venture (CB3A). Pawtucket Tunnel construction will generate approximately 600,000 cubic yards of displaced construction material, in the form of crushed rock at a gradation approximating soil. The activities proposed under this Assent application call for using approximately 160,000 cubic yards of this material for filling on top of the North and South Landfills at the Bucklin Point Wastewater Treatment Facility (WWTF). The sites on which the material is generated and proposed to be used are contiguous properties, both owned and controlled by NBC.

The project is highly beneficial to NBC for several reasons.

- The project is proposed on landfills that have been closed for decades, land which is not actively being used by NBC for other purposes.
- NBC owns and controls the landfill sites, so there will be no disposal tipping fees unlike offsite disposal locations.
- The Bucklin Point WWTF is contiguous to the tunnel launch shaft site, only separated by Nassau Street. This will minimize haul times, allowing more material to be removed from the site with fewer trucks. It will also take trucks off of public roads that would otherwise need to travel to offsite locations.
- Material can be hauled to the Bucklin Point WWTF based on the permitted hours for trucking in accordance with contract requirements and local ordinances. This eliminates reduced material hauling based on operating hours in place at offsite reuse sites or disposal facilities.
- By establishing an approved location for this material that is under the Owner's control, it greatly reduces the risk of the Design-Builder running out of room at the tunnel construction site if material hauling does not keep pace with tunneling (a condition often referred to as being "muck bound" in the tunneling industry).

NBC also has several goals for the project, as follows.

- Maximize the use of displaced tunnel construction material to reduce the amount of material that otherwise requires offsite disposal. This will reduce project costs and reduce schedule risk by providing an Owner-controlled site for displaced tunnel construction material.
- Provide final grades that support potential future site uses. No future uses have been decided on at this time, but options under consideration include passive recreation and renewable energy (e.g., ground mounted solar).
- Provide final grades with stabilized vegetated slopes that promote stormwater runoff in a non-erosive manner.
- Provide final grades that have minimal impact on stakeholders by limiting the final height of each landfill and minimizing encroachment toward property lines.



- Incorporate stormwater controls into the proposed final grades to prevent erosion and reduce nuisance flooding.
- Add a passive landfill gas venting system to mitigate the potential of it migrating offsite.

Based on a pre-application meeting conducted with CRMC on October 27, 2021, it is our understanding that the proposed activities will require a new Assent and they cannot be permitted as a Modification of Assent 2020-02-043 issued for the Phase III CSO Program Master Plan. NBC is also requesting RIDEM authorize the proposed activity as a modification to Orders of Approval previously issued by RIDEM for the closure of both landfills. Modification of these Orders of Approval is being sought in parallel to this Request for State Assent. A public comment period is expected as part of both the CRMC Assent and RIDEM Order of Approval approval process. Based on discussions during pre-application meetings with both agencies, we understand that RIDEM and CRMC can coordinate a joint advertisement for public comment. NBC drafted language for the public comment notification, which the RIDEM Office of Land Revitalization and Sustainable Materials Management has reviewed and provided commented on. This draft language is as follows:

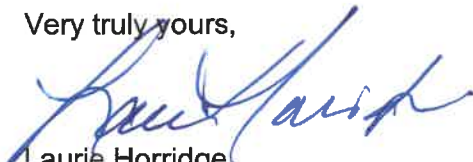
Order of Approval No. 1268, issued by RIDEM on December 4, 1995 approving the closure of the Bucklin Point North Landfill (also known as the BVDC Sludge Landfill), has been modified to allow for the reuse of excavated material generated during construction of the Pawtucket Tunnel as fill material at the landfill site. Similar activity is approved at the Bucklin Point South Landfill. The Bucklin Point South Landfill was created and operated in accordance with Order of Approval 887 issued March 15, 1990 and Order of Approval 954 issued December 24, 1990, before it was ordered closed by RIDEM in 1991. RIDEM has determined that the material excavated during construction of the Pawtucket Tunnel is suitable for the proposed activity and is generated and used on contiguous properties owned and controlled by NBC.

It is understood that CRMC and/or the RIDEM Office of Water Resources may require modification to this draft language once the proposed activities are approved and advertised for public comment. NBC will coordinate final language with both review agencies at that time.

In consideration of the public benefits associated with this project, NBC requests a waiver of the customary filing fee in accordance with CRMC Management Practices Section 4.2.4.

Please do not hesitate to contact the undersigned should you have any questions or require additional information that may assist you in your review of the enclosed information.

Very truly yours,



Laurie Horridge
Executive Director

Enclosures

cc: Mr. Ronald Gagnon, P.E. – Rhode Island Department of Environmental Management

