



Rhode Island
Department of Environmental Management
235 Promenade St., Providence, RI 02908-5767 TDD 401.222.4462

September 21, 2015

Mr. Arthur Palmer
AP Enterprises, LLC
28 Teal Drive
Wakefield, RI 02879

Beneficial Use Determination Expiration

RE Beneficial Use Determination Approval
Former Portsmouth Landfill Plat 20 Lots 1,2,13 and Plat 25- Lot 2
Portsmouth, Rhode Island

Dear Mr. Palmer:

In the above entitled matter AP Enterprises LLC as owner of the former Portsmouth Landfill located north of Park Avenue in Portsmouth, was granted a Beneficial Use Determination Approval on September 20, 2010 (later modified on March 11, 2011) by the Rhode Island Department of Environmental Management (RIDEM) in accordance with the Guidelines on Beneficial Use Determinations ("BUDs") for Source Segregated Solid Waste.

The final renewal of this BUD was issued on September 17, 2015. The BUD contained the following condition:

10. This will be the final renewal for the BUDA. Upon its expiration on September 20, 2015 the BUDA will no longer be subject to renewal. After that time, in accordance with the approved Remedial Action Work Plan of 2010, soil that meets residential exposure criteria can still be brought in for capping the site. Any additional Beneficial Use Determinations will be considered a new application and subject to public notice and public hearing as specified in the BUD policy.

Condition 5 of the original BUD Approval of 2010 states "Placement of the final landfill cap shall commence not later than 180 days after final receipt of the grading and shaping material and finish within one year."

Therefore we would expect final cover placement to begin no later than December 19, 2015 and be complete by September 20, 2016.

If you have any questions or comments regarding this letter, please contact me by telephone at (401) 222-2797 ext. 7112 or by e-mail at mark.dennen@dem.ri.gov.

Sincerely,

Mark M. Dennen, Principal Environmental Scientist
Office of Waste Management