This letter is to serve as official notification to you and your company of the existence of the moratorium area and the restrictions on excavations therein. You are reminded that any excavations that are performed within the Town road right of ways must be performed by a drain layer licensed and permitted in accordance with Town Ordinance Sec. 70-3 Excavations.

Your assistance in this matter is appreciated. Should you have any questions, please contact my office.

Sincerely,

David A. Webster
David A. Webster, PE
Director of Public Works

Cc: W. Glenn Steckman, Town Administrator
    Thomas Blakey, Chief of Police
    Joseph R. McLoughlin, II, BETA Group
Work Plan and Health and Safety Plan for Minor Excavations

Town of Tiverton
Bay Street Area
Tiverton, Rhode Island

December 16, 2005

Prepared for:

Department of Public Works
Town of Tiverton
343 Highland Road
Tiverton, Rhode Island 02878

Prepared by:

BETA Group, Inc.
Engineers • Scientists • Planners

6 Blackstone Valley Place, Lincoln, RI 02865  401.333.2382  fax 401.333.9225
315 Norwood Park South, Norwood, MA 02062  781.255.1962  fax 781.255.1974
email: BETA@BETA-erg.com

COPY
TIVERTON 000000010
2. Work Plan

This Work Plan provides direction and information regarding the performance of excavation activities in the Project Area. Given the sensitive nature of the work in this area, work practices are different than those conducted in other, less sensitive areas of Town. The HASP section of this document details the necessary procedures for ensuring worker health and safety during excavation activities. The following Work Plan identifies the types of excavations and includes activities to address contamination issues, management of impacted soils, dust control, and public interaction. All Town employees involved in excavation work in the Project Area should be trained to fully understand the Work Plan and the HASP.

2.1 Types of Excavation

Two types of excavations have been defined within the Project Area: Minor Excavations and Major Excavations. The following defines each of these types of excavations:

- **Minor Excavations:** Minor Excavations consist of excavations less than three (3) feet deep and less than approximately 25 feet in length (for excavations less than 3 feet wide) or less than approximately 75 square feet (for all other excavations). If significant impacted soil is identified during a Minor Excavation, such excavation would be upgraded to a Major Excavation.

- **Major Excavations:** All excavations greater than three (3) feet deep or excavations less than three (3) feet deep that are greater than approximately 25 feet in length (for excavations less than 3 feet wide) or greater than approximately 75 square feet (for all other excavations). Due to the larger area and longer duration of Major Excavations, this document does not cover Major Excavations.

2.2 Hazard Assessment

During all Minor Excavation activities in the Project Area, Town employees should constantly evaluate the condition of soils and the nature of encountered materials. Materials expected to be encountered within this area include coal, coal ash, urban fill (brick, cement, glass, metal), and other non-native materials. Section 4.3 details hazard assessment activities for the protection of worker health and safety. However, should Town employees encounter soils that do not trigger any of the criteria in Section 4.3 but appear to be significantly impacted with oil and/or hazardous materials, work should cease and a comprehensive assessment of the encountered soils should be performed. Assessment criteria to be used by Town employees includes, but is not limited to:

- Significant odors including petroleum, solvent, and/or any unknown odors emanating from the soils or the excavation area.
- Significant non-natural discoloration of soils (i.e., blue, green, or purple soils).
- Evidence of petroleum such as pure petroleum product, petroleum sheens, or oily residues.
- Any other indication of significantly impacted soils.
2.3 Soil Management

To the extent possible, all displaced soils should be returned to the excavation as backfill material. If soils are to be removed from the excavation, they should either be placed immediately into a dump truck for transport or placed on 6 millimeter thick polyethylene sheeting and covered with 6 millimeter thick polyethylene sheeting. At the end of each work day, all removed soils should be transported to the DPW yard and placed in a designated storage area on 6 millimeter thick polyethylene sheeting and securely covered with 6 millimeter thick polyethylene sheeting to prevent wind or stormwater erosion. Upon completion of the excavation project, stockpiled soils should be tested and proper disposal methods should be determined and implemented.

2.4 Dust Management

During excavation activities in the Project Area, Town employees will implement dust control measures consisting of periodic watering down of work areas and cleaning of the work area as necessary. Watering should be conducted prior to implementing any intrusive activities and as areas dry out during the work day. Dust control is imperative to prevent migration of particulate matter and contaminants from the work area to residential or other sensitive areas. The amount of water used shall be controlled so that sediments are not carried off in any excess water.

2.5 Public Interaction

Given the public involvement in the investigation and response actions in the Project Area, it is likely that residents and other public parties may desire to observe work activities and/or question Town employees about the nature of the activities being performed. Observers should be politely asked to remain out of the work area and to observe at a safe distance from all work activities. A police detail should be retained to handle traffic safety issues and to ensure that any observers are not put in harms way.

It is imperative that all questions from residents or other public parties be politely directed to the Director of Public Works. It is also imperative that all work activities be conducted in accordance with this Work Plan/HASP to ensure compliance with all applicable regulations and to avoid exposure to contaminants for residents of this area.
June 19, 2003

James Towers
Town Administrator
Tiverton Town Hall
343 Highland Road
Tiverton, Rhode Island 02878

Re: Review of Soil Analyses
Bay View Recreational Center, Tiverton, Rhode Island

Dear Mr. Towers:

The Rhode Island Department of Health (HEALTH) has reviewed the results of the soil analyses conducted on soils collected from the Bay View Recreational Center in Tiverton, Rhode Island. Based on our review of the data, HEALTH concludes that the Bay View Recreational Center is safe for both children and adults to use for sports and other play activities.

The soil sampling analytical results are summarized in Table 1. Most soil samples contained few target constituents. Of the constituents that were detected, most were detected at concentrations below their Rhode Island Department of Environmental Management (RIDEM) Method 1 Residential Direct Exposure Criteria ("criteria"). These criteria are protective of regular, long-term contact with soil at residences and recreational areas. One location (BVRC-6) contained several PAHs and the metal lead at concentrations slightly above their criteria. However, these constituents were located at 2 to 4 feet below the ground surface and are not likely to be contacted during use of the recreational center. Arsenic and beryllium were also detected in several soil samples at concentrations above their criteria but at natural background levels. Overall, average constituent concentrations either met their criteria or are at natural background levels. These findings show that the recreational center is safe to use on a regular basis for normal recreational activities.

As we've discussed in recent public meetings, it is always prudent for people to follow the soil exposure safeguards previously provided to them, here or at any location. I have provided you with some additional copies of these safeguards for your use.

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1 Analyzed constituents included volatile organic compounds, semi-volatile organic compounds, total cyanide, and priority pollutant metals.

2 Polycyclic aromatic hydrocarbons, which could be present in soil from coal gasification waste, from burning of organic material, from petroleum products, or other sources.
If you have any further questions, please contact me at (401) 330-1220.

Sincerely,

[Signature]

Cynthia Fuller, MPH

Office of Environmental Health Risk Assessment
Rhode Island Department of Health
(HEALTH)

Enclosure: Soil Exposure Safeguards

C: Walter Combs, Jr., PhD, HEALTH
   Robert Vanderslice, PhD, HEALTH
   Jeffrey Crawford, RIDEM
   Tim Regan, EA
Soil Exposure Safeguards

Use these soil exposure safeguards to protect yourself and your family from exposure to contaminants in soil.

Give Kids and Pets a Safe Place Outside

Don't let children play in soil suspected of being contaminated.
Don't engage in activities that might introduce soil into your mouth.
Don't let pets play in bare soil; they can track the soil into your home.
Build a sandbox for kids to play in.
Build a wooden deck for outdoor activities.
Park cars on asphalt or gravel to avoid creating bare soil areas.
Cover bare soil in high traffic areas, such as walking paths, with permanent barriers, such as:
- Asphalt, concrete, or cement
- Flagstones or bricks underlain with landscape fabric or sand.
Cover bare soil in low traffic or play areas with maintained, non-permanent barriers, such as:
- Grass (water and fertilize regularly, reseed bare spots in spring or early fall)
- Gravel (two-inch thickness)
- Bark or other mulch material (six-inch thickness)

Fight Dust Inside

Take off your shoes before entering your home to avoid tracking soil in.
Damp mop and wipe surfaces to control dust. Vacuum cleaners do not reduce dust and may stir it up into the air.
Wash toddler toys and pacifiers often.
Wash clothes dirtied with soil separately from other clothes.
Wash your hands and face after working in soil, especially before eating.

Follow Safe Gardening Practices

Don't grow homegrown fruits and vegetables in contaminated soil.
Grow fruits and vegetables in large pots filled with clean soil.
Grow fruits and vegetables in raised beds filled with clean soil. Learn more about raised beds from the University of Missouri at this link: http://www.fse.missouri.edu/agrability/GardenWeb/Raised.html
Wear gardening or leather gloves while working in the garden or yard.
Scrub homegrown fruits and vegetables with soap and water or a solution of vinegar and water before eating or preparing. Peel fruits and vegetables grown in the soil, such as carrots.
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
COUNTY OF NEWPORT

At a meeting of the Town Council of the Town of Tiverton, County and State aforesaid, held at the Tiverton Town Hall on the 25th day of August 2003 A.D. at 7:00 p.m.

MEMBERS PRESENT

Claudette Linhares, President
Manuel Cabral, Vice President
Donald Bollia  Tracy Connors
Lori Doyle  Louise Durfee
John Fernandes

Town Administrator, James F. Towers and
town Solicitor William Harach, Esq. were also present.

President Linhares opened the meeting with the Pledge of Allegiance.

MINUTES:

Regular Town Council Meeting held on August 12, 2003

A motion was made by Mr. Cabral, seconded by Mr. Fernandes, to accept the minutes of the aforementioned meeting. The motion passed unanimously.

Executive Session held on August 12, 2003

A motion was made by Mr. Cabral, seconded by Mr. Fernandes, to accept the minutes of the aforementioned Executive Session. The motion passed unanimously.

PROCLAMATIONS, PROMOTIONS AND AWARDS:

Tiverton Little League – State 9-10 All-Stars Softball Champions

President Linhares, assisted by Councilor Doyle, presented Proclamations of Congratulations from the Town and Proclamations by Governor Carcieri to each of the team members and their coaches in recognition of their Division 2 Championship and their undefeated State Softball Championship. The audience joined in, offering their congratulations to the athletes and coaches.

T.F.D. – Swearing in of Captain Passwater

This agenda item was withdrawn.

OLD BUSINESS:

T.N.A.C.T. - Judson St. – Status of Site Investigation Report (SIR) on Additional Road Testing
A representative from E.N.A.C.I. was present to inquire into the status of the SIR on additional road testing. Mr. Tim Regan of EA Engineering responded to the question presented. He informed those present that a draft report would be finalized and forwarded to Mr. Jeff Crawford of R.I.D.E.M. (DEM) after which it would be released to the public. He further indicated that, based on the results of the testing, DEM could order additional tests in the area. He stated that he would get back to E.N.A.C.I. with the results of Phase III testing, which was recently completed. He expects to forward a finalized report to DEM within the next two weeks.

E.N.A.C.I. - Judson St. -- Status of Letter to DEM and Department of Health

Mr. Regan continued to provide responses to questions presented by E.N.A.C.I. He stated that he would look into making contact with the two organizations to cement contacts for the Bay Street area residents at both.

E.N.A.C.I. - Judson St. -- Issuance of Building Permits in the Bay Street Area

Residents expressed a concern regarding the issuance of building permits in the area by the Town due to contaminated soil and the possible release of contaminants into the air. Mr. Walker, the Building Inspector indicated that the building site was not on the list for testing according to DEM, and that the Town has no jurisdiction to stop building on the site.

A lengthy discussion ensued during which it was opined that, because of the great health and safety risk, there should not be any excavation taking place in the area. Zoning Ordinances should be modified relating to the building process and soil testing should be required before the issuance of a building permit. The Town Administrator suggested the creation of an emergency moratorium on land excavation projects in the contaminated area until such time as all test results have been received.

Mr. Connors moved that the Council take action to create an emergency moratorium of a certain defined area, which is bounded by State Avenue on the North, the Sakonnet River on the West, Lopes Road on the South and Church Street, extended to State Avenue and Lopes Road on the East, exempting regulatory testing. Mrs. Doyle seconded the motion.

A brief discussion continued regarding projects already in place and building permits already issued. The North Tiverton Water District has a project requiring the installation of a water line which will be placed on hold until test results have been received. The Town Solicitor, William Harsch was requested to review the status of pending permits and to prepare a formal moratorium after all information is received.

The motion to create the emergency moratorium passed unanimously.

The Administrator will mail notification to all property owners in the moratorium area via first class mail.

Mr. Connors moved that the Council requests the Planning Board to draft appropriate phraseology in Tiverton Zoning Ordinances that better protect public health and safety by establishing prudent policies regarding excavations that might inadvertently expose the public to contaminated soils. Also, that the Council requests the Planning Board to place a high priority on completing they’re recommended zoning changes. Ms. Durfee seconded the motion, which passed unanimously.

NEW BUSINESS:
### Property Information

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<td>Location: 76 CANONICUS ST</td>
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<tr>
<td>Zone: R30</td>
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<tr>
<td>Census:</td>
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<td>State Code: One Family Residence</td>
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<td>Total Acres: 0.404362</td>
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### Ownership

| Owner: GUILHERME ANTONIO M & |
| Account #: 07-1745-00 |
| Last Sale: 07/15/1974 |
| Book/Page: 00115/0140 |
| Grantor: |
| Sale Price: $0 |

### Valuation

| Land: $8,600 |
| Building: $103,700 |
| Total: $112,300 |

### Ownership History

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### Miscellaneous Improvements

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