

**FINAL RESTORATION PLAN AND
ENVIRONMENTAL ASSESSMENT:**

**Landfill and Resource Recovery, Inc. Superfund Site
North Smithfield, Rhode Island**

Prepared by

**Lead Administrative Trustee: U.S. Department of the Interior,
U.S. Fish and Wildlife Service**

Cooperating Trustee: State of Rhode Island

Issued: June 2002

**Contacts: Molly B. Sperduto or Kenneth C. Carr
U.S. Fish and Wildlife Service
10 Commercial Street, Suite 300
Concord, NH 03301
(603) 223-2541**

A. Introduction and Authority / Purpose and Need for Action

This Final Restoration Plan and Environmental Assessment (RP/EA) has been developed by the natural resource trustees to identify and evaluate alternatives to restore natural resources injured at the Landfill and Resource Recovery Superfund Site (Site). This document describes proposed restoration actions and incorporates public input received during the restoration planning process.

Natural resource trustees representing the U.S. Fish and Wildlife Service, a part of the Department of the Interior (DOI), and the State of Rhode Island have prepared this Final Restoration Plan and Environmental Assessment (RP/EA). Executive Order 12580 designated federal and state trustees for natural resources, as described in Subpart G of the National Contingency Plan, 40 C.F.R. Section 300.600. The Secretary of the Department of the Interior is a designated federal trustee for natural resources including migratory birds, some marine mammals, anadromous fish, endangered species and their respective habitats, and federal lands managed by the Department. The Northeast Regional Director of the U.S. Fish and Wildlife Service has been designated as Authorized Official to act on behalf of the Secretary as trustee for this Superfund Site. The states are designated trustees for all natural resources within their jurisdiction. Under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, as amended, natural resource trustees are authorized to assess and recover compensation for injury to or loss of natural resources resulting from a release of a hazardous substance.

The U.S. Fish and Wildlife Service and the State of Rhode Island are the natural resource Trustees for the Landfill and Resource Recovery Superfund Site (Site). In 1994, the U.S. Fish and Wildlife Service determined that erosion and remedial activities at the Site resulted in the destruction of one acre of palustrine emergent and scrub-shrub wetland habitat. In turn, the loss of this wetland habitat adversely affected wetland-dependent wildlife, primarily migratory birds, utilizing these wetlands. DOI sought to compensate the loss of wetland habitat by requiring the Responsible Party to create 2.5 acres of similar wetland habitat. In a 1997 settlement with the Responsible Party, the DOI received \$200,000 to implement wetland habitat restoration, including all costs associated with planning, restoration, and monitoring.

Prior to expending funds for restoration, CERCLA requires the Trustees to develop a publicly reviewed restoration plan (42 U.S.C. Section 9611(i)). The DOI Natural Resource Damage Assessment Regulations require that the plan list a reasonable number of possible alternatives for restoration, rehabilitation, replacement, and/or acquisition of equivalent resources and the services lost to the public associated with each injured resource (43 CFR, Sections 11.93 and 11.81, DOI Natural Resource Damage Assessment Regulations). In addition, this document constitutes the environmental assessment as defined under the National Environmental Policy Act (NEPA) (40 CFR Part 1502.10), and addresses the potential impact of proposed restoration actions on the quality of the physical, biological, and cultural environment.

B. Background

The Landfill and Resource Recovery, Inc. Superfund Site is situated in North Smithfield, Rhode Island. The Site is up gradient of Trout Brook and Slatersville Reservoir; these then drain into the Branch River which drains into the Blackstone River. Adjacent wetlands to the south, southeast, and east of the Site provide important habitat for numerous migratory bird species, including mallards, wood ducks, great blue herons, several species of raptors and numerous passerine species.

The Site is a 28-acre former landfill facility which received domestic, commercial, and industrial wastes since the 1920s. In 1979, after approximately 1 million gallons of waste, including hazardous substances, had been accepted for disposal, the State of Rhode Island ordered the Site to stop accepting hazardous waste. In 1986, the landfill was closed and approximately three-fourths of the Site was covered with a synthetic cap. Pursuant to the September 1997 Remedial Action Report, in 1994 and 1995, the settling defendants upgraded the landfill cover and surface water management systems, and constructed the landfill gas collection and treatment system.

There has been little impact to trust resources due to the migration of hazardous waste out of the landfill. However, indirect injuries to migratory birds have occurred due to erosion and remedial activities impacting wetland habitat adjacent to the Site. Specifically, one acre of palustrine emergent and scrub-shrub wetland habitat was destroyed in perpetuity due to erosion/accretion, re-grading and capping of the landfill. The U.S. Environmental Protection Agency (EPA) had originally intended to mitigate wetland injuries by restoring impacted areas; however, on March 8, 1991, EPA issued an explanation of significant difference (ESD) in which they summarized their intention to eliminate the proposed restoration.

C. Public Notification and Review

CERCLA requires the Trustees to notify the public and any federal, state, or local agencies with special interests or expertise relating to the RP/EA. In partial fulfillment of this requirement, the Trustees published a public notice of the availability of the Draft RP/EA in the Federal Register and The Providence Journal Bulletin. The document was available for review at the North Smithfield Municipal Annex Building, 85 Smithfield Road, North Smithfield, RI 02895.

In addition, copies of the Draft RP/EA were available from the U.S. Fish and Wildlife Service at the following address:

U.S. Fish and Wildlife Service
70 Commercial Street, Suite 300
Concord, New Hampshire 03301
Contacts: Molly Spurduto or Kenneth C. Carr
Phone: 603-223-2541, Fax: 603-223-0104

Interested parties were asked to comment on the Draft RP/EA by May, 31 2002. Very few comments were received. One written comment is reproduced as Appendix A.

D. Proposed Restoration

The Trustees' primary goal is to implement a restoration project that compensates for impacts to wetlands that provide habitat for migratory birds. The concept of restoration in this context may include returning a resource to its prior condition, rehabilitating or replacing a resource, and acquiring other resources to compensate for those which were lost.

1. Specific Restoration Projects Considered

The Trustees must consider a "reasonable number" of possible restoration alternatives (43 CFR, Section 11.81, DOI Natural Resource Damage Assessment Regulations). In our initial review, we identified the following as desirable characteristics for potential projects: the restored habitat should be similar in type to the habitat impacted to provide similar services; the project should be in the same watershed as the impacted wetland; and the project should provide long-term or perpetual benefits to fish and wildlife resources. Based on these characteristics, and on National Environmental Policy Act guidance we identified the following specific potential projects:

a. Alternative A: No Action Alternative

Federal regulations require the consideration of this option. Under the No Action Alternative, no restoration, rehabilitation, replacement, or acquisition actions would occur to compensate for resources injured due to remediation of contamination from the Site.

b. Alternative B: On-Site Wetland Restoration

A narrow band of wetlands at the toe of the landfill on the south and southeast sides was filled during the remedial process, likely from soils associated with the landfill cap. Restoration of on-site wetlands would entail removing the non-contaminated fill and re-grading and planting the restored wetlands.

c. Alternative C: Wetland Restoration in the Vicinity of the Site

Off-site wetland restoration projects were sought in the Blackstone River watershed in Rhode Island. As a basis for the RP/EA, we consulted an inventory of potential projects that was prepared by the U.S. Army Corps of Engineers (Corps) in 1997 (Blackstone River Watershed Reconnaissance Investigation, August 1997). In the Corps' report, approximately 50 habitat restoration projects were identified through coordination with local, state, and federal agencies, and persons familiar with the watershed. Of these projects, only three were located in Rhode Island and they are described in more detail below. In addition to consulting the Corps' plan, we also sought additional restoration ideas from individuals familiar with the watershed.

I. Cumberland Wilderness Area Wetland Restoration, Cumberland, Rhode Island

The 40-acre Cumberland Wilderness Area is in the northeast corner of the Valley Falls Marsh, a large Blackstone River floodplain wetland. Approximately 1.5 acres of wetland were filled with solid waste and debris, with an additional 0.5 acres contaminated with hazardous concentrations of PCBs and lead in the soil. To date, the State has removed much of the solid waste and sediments containing hazardous levels of contaminants from the site, as well as restored the topography and hydrology of the site. Additional restoration would entail removing small, isolated areas of solid waste and debris from the area.

II. Town Line Swamp Restoration, Lincoln, Rhode Island

A marsh situated north of Washington Highway in Lincoln, Rhode Island contains a large stand (approximately 15 acres) of *Phragmites*. Restoration would consist of eradication of *Phragmites* and construction of potholes to improve habitat diversity.

III. Lonsdale Drive-In Site, Lincoln, Rhode Island

As described in the Corps Investigation, "The Lonsdale Drive-In is a 41-acre site located along the Blackstone River in Lincoln, Rhode Island. The site is a broad floodplain terrace that was developed as a drive-in theater in the early 1950s. Prior to construction of the theater, the site provided wet meadow and grassland habitat and, for many years, was used as a pasture. During construction of the drive-in, about 20 acres of the site was cleared and paved with concrete. Deteriorated paved areas of the drive-in are currently sparsely vegetated with grasses, shrubs, and small trees, and provide little wildlife habitat value."

Restoration of the Lonsdale Drive-In Site "would consist of construction of a 7-acre wetland and restoration of 13.4 acres of upland riparian habitat. Constructed wetlands would include 3.6 acres of emergent and open water habitat and 3.4 acres of scrub/shrub and forested wetlands.... The plan includes establishment of a continuous wooded riparian buffer along the Blackstone River. Based on results of wildlife monitoring, uplands would be either maintained as grassland or allowed to develop into forest through natural succession."

Partners in the restoration effort will construct facilities to promote educational and recreational value at the site. These include two small parking areas, hiking trails, an educational kiosk, and possibly a wildlife observation platform.

IV. Blackstone River "Island" Restoration Site

Located on the Blackstone River on the boundary between the Towns of Lincoln and Cumberland, and north of the Pratt dam is an area locally referred to as the "island". This 24-acre piece of land is situated in the center of an oxbow. The island was created in the 1970s when a channel was dredged to straighten the river and create landfill space in the oxbow. The oxbow was never filled, but a borrow pit was constructed on the

newly created island and heavy equipment was left behind. At a minimum, restoration of the island would include removal of dilapidated equipment and improvement of habitat quality at the pond which has formed in the abandoned borrow pit. Further investigation may reveal that extensive trash or possibly hazardous waste may need to be removed as well.

d. Alternative D: Acquisition of Equivalent Resources

Acquisition of equivalent resources entails the purchase and protection in perpetuity of wetland or upland habitats that provide resources similar to those injured by the contamination. Potential protection areas include those lands which provide habitat for endangered, threatened or rare species, migratory birds or other important natural resources. Upland areas that may be threatened by development, and that help maintain the integrity of existing aquatic areas will be considered a priority.

While acquisition of equivalent resources is often the least-preferred alternative because it results in preservation of existing resource values rather than replacement of lost resource values in areas with imminent threats of development, protection can be a good mechanism to secure and promote resource viability by decreasing future direct and indirect impacts.

The Town of North Smithfield and the Blackstone River Valley National Heritage Corridor Commission provided the following potential land protection sites.

I. Buffers Along Upper Slatersville Reservoir

Much of Upper Slatersville Reservoir is surrounded by a 50-foot buffer owned by a local development corporation. Currently undeveloped, the buffer, which is primarily red maple swamp, covers more than a mile of frontage along the Reservoir. Protection of the buffer in perpetuity would help maintain wildlife habitat associated with the wetland and the Reservoir. Further, protection would assist the Town and the Commission with developing access and interpretation of these lands.

II. Parcels Near Public Library/Route 5

A small parcel of land (0.25-acre) borders the River to the south and town-owned park lands associated with the Public Library to the north. An additional, larger (2.5-acre) piece of the same parcel lies just across the Branch River. Protection of these properties would improve public access to the town park lands and help maintain lands adjacent to the river in an undisturbed state.

III. Sand and Gravel Extraction Site South of Upper Slatersville Reservoir

Approximately 65 acres of land south of Upper Slatersville Reservoir is currently an active sand and gravel extraction site. Protection of this location may promote future habitat creation efforts.

2. Evaluation of Impacts and Comparison of Projects

The natural resource trustees are required to evaluate each of the possible restoration projects based on all relevant considerations, including the following factors: technical feasibility; the relationship of the expected costs of the proposed actions to the expected benefits; cost-effectiveness; the results of any actual or planned response actions; the potential for additional injury resulting from the proposed actions, including long-term and indirect impacts; the natural recovery period of the injured resources; the ability of the resources to recover with or without alternative actions; the potential effects of the action on human health and safety; consistency with relevant Federal, State, and tribal policies; and compliance with applicable Federal, State, and tribal laws. The following is our evaluation of the specific projects described above:

a. Alternative A: No Action Alternative

Under the no action alternative, injuries to migratory birds and their habitats would be uncompensated. Wetland habitat lost during construction of the landfill cap would not be restored and associated services lost to the public in the past and future would not be compensated. Further, no benefits would be realized from the settlement with the responsible parties at the Landfill and Resource Recovery, Inc. Superfund Site and the obligations of the Consent Decree would not be met.

b. Alternative B: On-Site Wetland Restoration

Restoration of on-site wetlands was considered; however, this is impractical and undesirable for the following reasons. Removing fill from the wetland would risk undermining the landfill and would require, at a minimum, rip rap reinforcement to help assure the stability of the landfill. It is possible that a narrow band of wetland may be recovered; however, a steep wall of rip rap would also be necessary. The total acreage of restored wetland would be unlikely to exceed 1/3 of an acre. Additional erosion into the newly restored wetlands would also be problematic due to the sandy soils on the cap and surrounding the landfill. A portion of the filled wetland lies in a power line right-of-way which receives frequent use by off-road vehicles. Fill removal and wetland restoration may be seriously compromised by continued off-road vehicle use. Restored areas would also be susceptible to contaminants that might seep from the landfill. One nearby seep at the toe of the landfill had elevated levels of contaminants in recent monitoring. Finally, restoration of wetlands adjacent to the landfill would provide less benefit to the public since the area is remote and not frequently visited. For all of these reasons this option is not considered a viable, practical alternative.

c. Alternative C: Wetland Restoration in the Vicinity of the Site

Four potential wetland restoration projects were identified in the vicinity of the Site. An evaluation of each of these follows.

I. Cumberland Wilderness Area Wetland Restoration, Cumberland, Rhode Island

The Cumberland Wilderness Area wetland restoration project has been nearly completed by the State of Rhode Island. To date, the State has spent nearly \$800,000 to remove solid waste from the wetland and restore topography to improve wetland water quality functions. Little restoration, other than removal of several isolated pockets of solid waste and debris, remain to be done at the Cumberland Wilderness Area.

II. Town Line Swamp Restoration, Lincoln, Rhode Island

Restoration of Town Line Swamp would consist of eradication of non-native, invasive *Phragmites* and construction of potholes to improve habitat diversity. However, the parcel's location between an interstate and a state highway jeopardizes the future benefits of restoration at this location. Future road-related contamination could negatively impact the restored area and promote the recolonization of *Phragmites*. Furthermore, recent bird surveys of the area have located nesting sora rails. Disturbance from habitat restoration activities would likely negatively affect existing nesting bird habitat.

While this alternative would restore wetland habitat, some of which is similar to that which was affected near the Landfill and Resource Recovery Superfund Site, the habitat is partially degraded due to its proximity to the road and future degradation is likely. Furthermore, efforts to improve habitat diversity may negatively affect existing habitat for a bird species of concern. For these reasons this alternative is not proposed.

III. Lonsdale Drive-In Site, Lincoln, Rhode Island

This project is being undertaken by the U.S. Army Corps of Engineers. It is fully evaluated in the Corps' NEPA assessment of the project (Ecological Restoration Report/Environmental Assessment: Lonsdale Drive-In Environmental Restoration Project - Lincoln, Rhode Island June, 2001), which is incorporated into this RP/EA by reference.

Restoration of the Lonsdale Drive-In Site would result in the restoration of approximately 20 acres of riverside habitat: 7 acres of wetland (3.6 acres of emergent and open water habitat and 3.4 acres of scrub-shrub and forested wetlands) and 13.4 acres of upland riparian habitat. Facilities, including hiking trails and an interpretive kiosk, would be constructed to promote educational and recreational value at the site.

This project offers a unique opportunity to restore a large block of riparian and wetland habitat along the lower Blackstone River, approximately 17 river-miles downstream of the Landfill and Resource Recovery Superfund Site. In addition to restoration of the

immediate site, the success of this restoration project will also complement the nearby Valley Falls Marshes, one of the most highly valued freshwater marsh systems in Rhode Island. The project also benefits public use by providing opportunities for wildlife education and observation, as well as limited recreation along the Blackstone River.

Five alternative restoration proposals for the project were evaluated by an interdisciplinary team, including representatives from the U.S. Army Corps of Engineers, R.I. Department of Environmental Management, the R.I. Natural Heritage Program, the U.S. Fish and Wildlife Service, the University of Rhode Island, and the National Marine Fisheries Service.

In the Corps' NEPA assessment of the project (Ecological Restoration Report/Environmental Assessment: Lonsdale Drive-In Environmental Restoration Project - Lincoln, Rhode Island June, 2001) numerous endorsements for the restoration were received, including statements of support from the U.S. Environmental Protection Agency, U.S. Fish and Wildlife Service, R.I. Department of Environmental Management, and the R.I. Historical Preservation and Heritage Commission. Organizations such as the Blackstone River Valley National Heritage Corridor Commission and the Sierra Club also praised the project, citing it as a top priority. Local citizens also commended the Corps' proposed restoration, and a nearby boy scout troop volunteered to build birdhouses and interpretive signs.

The Corps' recommended plan is cost effective, and is within the available budget of the partners. The total cost of the recommended restoration plan for the Lonsdale Drive-In is estimated to be \$1,830,000. The Corps will provide 65% of the total cost, leaving the State and other partners to raise \$640,500. Of this amount, \$450,000 is expected to be the credited real estate costs for the value of the project lands. The natural resource trustees would provide the remainder, nearly \$200,000, from the Superfund Site settlement.

This project meets and exceeds the goals of the Landfill and Resource Recovery Superfund Site settlement by restoring well over 2.5 acres of wetland habitat similar to that which was injured at the Superfund Site and providing public opportunities for wildlife observation and education. Restoring the Lonsdale Drive-In is of further interest to the Trustees because the Drive-In was initially purchased with supplemental environmental project funds derived from the Landfill and Resource Recovery Superfund Site settlement. Restoring this site would fulfill a goal held by many during the settlement negotiations.

IV. Blackstone River "Island" Restoration Site:

Restoration of the Island would remove debris from wetlands and seek to improve habitat quality in a pond that has formed from an abandoned borrow pit. At this time, restoration is not favored because too little is known about the site. The State is

currently reviewing ownership information for the location. Furthermore, little is known about the history of dumping in the area, including whether or not contaminated material has been disposed at the site. This would necessitate a detailed investigation of presence/extent of contamination that would further delay potential restoration and compromise restoration funds. Cost and extent of any restoration are highly uncertain as well.

d. Alternative D: Acquisition of Equivalent Resources

Several parcels with limited potential for development and that provide some wildlife habitat were considered for protection. Permanent protection would prevent development and related threats to associated wetlands, including erosion, physical disturbance, contaminant runoff, and septic leachate.

I. Buffers Along Upper Slatersville Reservoir

Protection of the buffer strips surrounding the reservoir would provide an opportunity to create walking trails along the reservoir and increase public access to existing park lands. However, it would provide little compensation for wetland resources lost at the Landfill and Resource Recovery Superfund Site. The potential for development of the buffer parcels is minimal due to the narrow width of the parcels, limited road frontage, proximity to the reservoir, and prevalence of wetlands.

II. Parcels Near Public Library/Route 5

The 0.25-acre parcel adjacent to the public library currently contains a small structure and a disintegrated parking area interspersed with grass. Future development may be possible in this location. Protection of such a small parcel, however, would have little benefit to wildlife. Greater benefits would be achieved by including the 2.5-acre parcel across the Branch River in any protection effort. Protection of these parcels would greatly improve public access to town park lands and help maintain lands adjacent to the river in an undisturbed state. While land protection may be pursued, restoration options better meet the goal of the settlement: to create or restore 2.5 acres of wetland habitat.

III. Sand and Gravel Extraction Site South of Upper Slatersville Reservoir

As an active sand and gravel extraction site, this location does not currently meet our restoration goals. In the future it may provide potential habitat restoration or creation opportunities.

3. Comments Regarding the Restoration Plan

Several oral comments regarding typographical errors were received and these errors were corrected. One written comment was received (see Appendix A). The commenter agreed with the findings in the plan and requested that any surplus funds be applied to Alternative C.IV., specifically to remove the excavator from the island described in the Blackstone River "Island" Restoration Site alternative. Based on current cost projections, the Trustees estimate that the entire \$200,000, plus interest will be needed to complete the restoration of the Lonsdale Drive-

In Site, the preferred alternative. Should any excess funds remain, the Trustees will consider the commenter's request. The Trustees believe that public support for the Lonsdale Drive-In Site Restoration, as evidenced by the Corps' Environmental Assessment for the project, is the reason that there were so few written comments on the Draft RP/EA.

4. Proposed Restoration Action

Based on an evaluation of the potential benefits and impacts of the various restoration alternatives, restoration of the Lonsdale Drive-In Site is proposed. This alternative maximizes the benefit to wetland-dependent wildlife. While several other options provide for restoration of wetlands, they involve wetlands of poorer quality than the Lonsdale Drive-In Site. Another option considers a wetland restoration site where ownership is unclear and contamination may be present. Furthermore, these projects benefit smaller areas (up to approximately 15 acres) of wetland habitat, whereas the Lonsdale Drive-In Site project would directly benefit 20 acres of riparian habitat and indirectly benefit 20 acres of adjacent upland. In cooperation with partners, facilities built at the site would promote educational and limited recreational value to the public. The Trustees also favor this alternative because it builds on the protection that was achieved at the Lonsdale Drive-In Site as a result of the Landfill and Resource Recovery Settlement. Finally, there is overwhelming public support for this project as evidenced by the Corps' Environmental Assessment for the project. For all of these reasons, we believe that the Lonsdale Drive-In Site project provides the best opportunity to restore services lost to the environment and to the public as a result of activities at the Landfill and Resource Recovery, Inc. Superfund Site.

E. List of Agencies, Organizations, and Parties Consulted for Information

Mark Barask, Office of the Solicitor, Department of the Interior
Nancy Brittain, John H. Chafee, Blackstone River Valley National Heritage Corridor
Commission
Rick Enser, RIDEM, Natural Heritage Program
Anna Krasko, U.S. Environmental Protection Agency
Shelley Duclarme, RIDEM, Office of Waste Management
Leo Hellested, RIDEM, Chief, Office of Waste Management
James McGuinn, RIDEM, Division of Planning and Development
Duban Montoya, U.S. Army Corps of Engineers
Robert W. Sutton, RIDEM, Division of Planning and Development
Town of North Smithfield

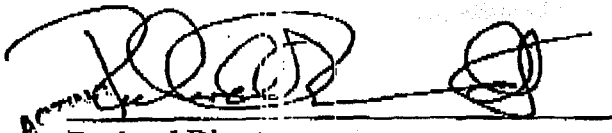
FINDING OF NO SIGNIFICANT IMPACT

FINAL RESTORATION PLAN AND ENVIRONMENTAL ASSESSMENT:
LANDFILL AND RESOURCE RECOVERY, INC. SUPERFUND SITE

The U.S. Department of the Interior and the State of Rhode Island have completed a Final Restoration Plan and Environmental Assessment (RP/EA, cited below) that will restore, replace, and/or acquire the equivalent of the natural resources injured, destroyed or lost as a result of contamination from the Landfill and Resource Recovery, Inc. Superfund Site in North Smithfield, Rhode Island. Plan activities include restoration of approximately 20 acres of riverside habitat, including 7 acres of wetland at the former Lonsdale Drive-In in Lincoln, Rhode Island.

The public was notified of the availability of the draft RP/EA for review and comment on April 24, 2002, by publication in the Federal Register and The Providence Journal Bulletin. After a public comment period of 30 days, several comments in favor of the project were received. These comments, and any corrections or additions have been addressed in the Final RP/EA.

Based on a review and evaluation of the information contained in the Final RP/EA and in the U.S. Army Corps of Engineers environmental assessment of the proposed restoration (cited below), I have determined that the proposed actions do not constitute a major Federal action which would significantly affect the quality of the human environment within the meaning of Section 102 (2) (c) of the National Environmental Policy Act of 1969. Accordingly, the preparation of an environmental impact statement on the proposed action is not required.



Regional Director

7-8-02

Date

Supporting Reference:

Final Restoration Plan and Environmental Assessment: Landfill and Resource Recovery, Inc. Superfund Site April, 2002. U.S. Fish and Wildlife Service.

Ecological Restoration Report/Environmental Assessment: Lonsdale Drive-In Environmental Restoration Project - Lincoln, Rhode Island June, 2001. U.S. Army Corps of Engineers.

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UNITED STATES FISH & WILDLIFE SERVICE

ENVIRONMENTAL ACTION STATEMENT

Within the spirit and intent of the Council of Environmental Quality's regulations for implementing the National Environmental Policy Act (NEPA) and other statutes, orders, and policies that protect fish and wildlife resources, I have established the following administrative record and have determined that the action of the Final Restoration Plan and Environmental Assessment for the Landfill and Resource Recovery, Inc. Superfund Site, North Smithfield, Rhode Island:

- is a categorical exclusion as provided by 516 DM 6 Appendix 1 and 516 DM 6, Appendix 1. No further documentation will therefore be made.
- XX is found not to have significant environmental effects as determined by the attached Environmental Assessment and Finding of No Significant Impact.
- is found to have significant effects, and therefore further consideration of this action will require a notice of intent to be published in the Federal Register announcing the decision to prepare an EIS.
- is not approved because of unacceptable environmental damage, or violation of Fish and Wildlife Service mandates, policy, regulations, or procedures.
- is an emergency action within the context of 40 CFR 1506.11. Only those actions necessary to control the immediate impacts of the emergency will be taken. Other related actions remain subject to NEPA review.

Other supporting documents (list):

Final Restoration Plan and Environmental Assessment, including public comments.

Ecological Restoration Report/Environmental Assessment: Lonsdale Drive-In Environmental Restoration Project - Lincoln, Rhode Island (U.S. Army Corps of Engineers)



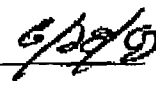
Region 5 NR/DAR Coordinator



Date



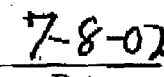
(4) Region 5 NEPA Coordinator



Date



ACTING (7) Regional Director / DOI designated Authorized Official



Date