

## Lou Mansolillo

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**From:** Christopher Bicho <cbicho@landingsgroup.com>  
**Sent:** Friday, April 5, 2024 10:25 AM  
**To:** House Environment and Natural Resources Committee  
**Cc:** Sen\_DiPalma; terri62@cox.net; Rep. Carson, Lauren H.  
**Subject:** FW: Fwd: House Bill 2024 — H 8071

Lou, Terri, and Lauren – How do we get this out of Committee on the Senate or House side and to the floor for a vote and get more housing built.

Last night's 10:30pm hearing went well thanks to both of our House Reps. Thank you all for sticking it out.

My support of **Bill H 8071** is that common sense needs to be applied as it pertains to Arsenic regulation in the State of Rhode Island. My observation last night was that everyone on the House Committee gets it; however, there is always a fear of legislating regulation; especially environmental legislation. In this case, the evidence from the surrounding states with equally as qualified scientists set a higher Arsenic threshold than the State of Rhode Island. Due to the breadth of the geological area being impacted, action by our legislature needs to be taken within our jurisdiction because of the resistance within a certain pocket of RIDEM. If you scan the geology from Massachusetts through Rhode Island, Long Island and to New Jersey these other States recognize the naturally occurring background impact and the need for the higher threshold.

**Below are the Arsenic Residential thresholds for the impacted states of Naturally Occurring Arsenic.**

Mass – **20ppm**  
New York – **16ppm**  
New Jersey – **19ppm**

New Jersey used a Naturally Occurring Background risk-based calculations like Rhode island but used a Regional area after being legislated to do so and the results resulted in the 19ppm threshold.

**Other thresholds to compare.**

The United States Government EPA threshold is 20ppm.  
The European Union is **20ppm**.

In addition, the EPA allows up to 10ppm in drinking water.

The Rhode Island Standard is constrained mathematically by artificial state boundaries and has a significant impact on Public Policy. In addition, Rhode Island DEM states in their response letter about the proposed legislation dated March 20, 2024

***“The standard was developed based on the background, or naturally occurring, levels of arsenic in soil in Rhode Island rather than impacts to human health.*”**

The impact of human health is ultimately what is important and based on the surrounding State's thresholds as well the EPA and European Union, it appears 20ppm satisfies the human health limit as well as incapsulates the naturally occurring limits.

In my professional development opinion, Aquidneck Island will experience significant housing shortages and real estate costs due to the cost associated with dealing with arsenic . More importantly, supply of all types of housing [ Affordable and Market Rate] and commercial development will continue to be significantly constrained due to the prohibitive costs to mitigate Arsenic under the 7ppm threshold which is most stringent regulations in the region.

Thank you all for consideration of this important Public Policy Environmental and Housing Legislation.

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**Christopher C. Bicho**  
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**From:** Lou DiPalma <[louis\\_dipalma@yahoo.com](mailto:louis_dipalma@yahoo.com)>  
**Sent:** Friday, April 5, 2024 7:28 AM  
**To:** Lopes, Ed <[ETLopes@bbcgrp.com](mailto:ETLopes@bbcgrp.com)>; Terri Cortvriend <[Terri@oceanlinkinc.com](mailto:Terri@oceanlinkinc.com)>  
**Cc:** Christopher Bicho <[cbicho@landingsgroup.com](mailto:cbicho@landingsgroup.com)>  
**Subject:** Re: Fwd: House Bill 2024 — H 8071

Cool.

[Sent from Yahoo Mail for iPhone](#)

On Thursday, April 4, 2024, 8:02 PM, Lopes, Ed <[ETLopes@bbcgrp.com](mailto:ETLopes@bbcgrp.com)> wrote:

Sorry for the multiple emails. Working off my phone and had multiple server issues.  
Thank you for your support of this Bill.  
Regards,

Ed

**Edward T. Lopes, Jr., PE**  
**Vice President** | Balfour Beatty Communities  
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**From:** Lopes, Ed <[ETLopes@bbcgrp.com](mailto:ETLopes@bbcgrp.com)>  
**Sent:** Thursday, April 4, 2024 7:59:29 PM  
**To:** [houseenvironmentandnaturalresources@rilegislature.gov](mailto:houseenvironmentandnaturalresources@rilegislature.gov)  
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**Subject:** Re: House Bill 2024 — H 8071

Dear House Committee on Environment and Natural Resources,



Please accept this message as our support for House Bill No. 2024 -- H 8071 to increase the acceptable level of Arsenic in the soil to 20ppm, which would be consistent with our neighboring State of MA residential limits. Balfour Beatty Communities is the operator of 689 housing units of military housing in support of Naval Station Newport, this change will be favorable to our ongoing re-development and management efforts. For instance, we have been working with the Town of Portsmouth to transfer approximately 3.6 acres of land (former Navy housing location) to the Town for expansion of their Melville School footprint for parking, sports courts, and other needs. We have been hindered in our efforts due to existing background levels of arsenic that exceed 7ppm, but on average are all less than 20ppm. This area previously contained a home built in the late 1800's and was acquired by the Navy around the 1940's. This land area has remained virtually intact since the Navy acquired this home, so the existing arsenic levels are all naturally occurring background levels.

As a RI registered professional engineer I also support this change as the cost of dealing with arsenic remediation adds substantial costs to all development/redevelopment activities.

Regards,

Ed

RI PE Registration 5522

**Edward T. Lopes, Jr., PE**  
**Vice President, Project Development** | Balfour Beatty Communities  
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Communities

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