

The biweekly E-News Update features current information on the Divisions of Air Quality (DAQ), Waste and Hazardous Substances (WHS), and Water regarding public meetings, workshops, hearings, and regulatory documents available for public comment, as well as general news updates.

Suggestions? Additions? Please call Caroline Miller Horton at 302-739-9400, or send an email to [caroline.miller-horton@state.de.us](mailto:caroline.miller-horton@state.de.us)

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Published by the Divisions of Air Quality, Waste and Hazardous Substances, and Water.

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## **SECRETARY'S ORDERS**

### Secretary's Order No. 2018-A-0055

RE: Approving Final Revisions to Delaware's State Implementation Plan ("SIP"): Revision to Address Section 110 Infrastructure Requirements of the Clean Air Act for the 2015 National Ambient Air Quality Standards ("NAAQS") for Ground-Level Ozone. Hearing officer's report included.

## **UPCOMING AIR, WASTE, & WATER-RELATED HEARINGS, MEETINGS, & EVENTS**

### **Board of Certification for Wastewater Operators Monthly Meeting (Updated)**

DNREC Division of Water / Water / Natural Resources and Environmental Control  
Regular Monthly Meeting of the Board of Certification for Wastewater Operators.

**November 07 at 09:00 AM**, Richardson & Robbins Building, 89 Kings Hwy, Dover DE 19901. Contact: [faye.wheeler@state.de.us](mailto:faye.wheeler@state.de.us), 302-739-9946 or

visit: <https://publicmeetings.delaware.gov/Meeting/50808>

### **On-Site Systems Advisory Board**

DNREC Division of Water / Water / Natural Resources and Environmental Control  
Monthly Meeting

**November 07 at 09:15 AM**, Richardson & Robbins Building, 89 Kings Hwy, Dover DE 19901. Contact [dawn.dryden@state.de.us](mailto:dawn.dryden@state.de.us) 302-739-9948 or visit:

<https://publicmeetings.delaware.gov/Meeting/56845>

### **Water Well Licensing Board**

DNREC Division of Water / Water / Natural Resources and Environmental Control  
Board Meeting, **November 13 at 09:30 AM**, Richardson & Robbins Building, 89 Kings Hwy

Dover DE 19901. Contact [sarah.silves@state.de.us](mailto:sarah.silves@state.de.us) , 302-739-9944 or

visit: <https://publicmeetings.delaware.gov/Meeting/56818>

### **Underground Storage Tank Advisory Committee Meetings**

DNREC Division of Waste and Hazardous Substances / Waste and Hazardous Substances / Natural Resources and Environmental Control

The purpose of the USTAC is for the Department to exchange ideas with and solicit feedback from stakeholders on different matters concerning underground storage tanks in Delaware.

**November 14 at 10:00 AM**, Department of Natural Resources & Environmental Control 391 Lukens Dr., New Castle DE 19720. Contact [alex.rittberg@state.de.us](mailto:alex.rittberg@state.de.us), 302-395-2500. You may also visit: <https://publicmeetings.delaware.gov/Meeting/60752>

## **NOTICE OF PUBLIC HEARING**

The Department of Natural Resources and Environmental Control, Division of Air Quality, will conduct a public hearing on the Regulation No. 1102 Natural Minor Permit Application submitted by Walan Specialty Construction Products, LLC to construct a slag grinding, drying, and

processing facility at their proposed 501 Christiana Avenue, Wilmington, Delaware facility. The processing facility will be permitted to emit 1.318 lbs/hr and 5.776 tons/year Particulate Matter (PM), 1.037 lbs/hr and 4.543 tons/year Particulate Matter (PM10), 0.366 lb/hr and 1.591 tons/year Particulate Matter (PM2.5), 0.004 lb/hr and 0.019 ton/year Sulfur Oxides (SOX), 0.724 lb/hr and 3.171 tons/year Nitrogen Oxide (NOX), 0.608 lb/hr and 2.664 tons/year Carbon Monoxide (CO), 0.040 lb/hr and 0.174 ton/year Volatile Organic Compounds (VOCs) by Permit# APC-2019/0030-CONSTRUCTION.

A public hearing will be held on Tuesday, **November 20 beginning at 6pm** at the DNREC- Division of Waste and Hazardous Substances Office, 391 Lukens Drive, New Castle, DE 19720. The application is available for inspection at the offices of the Division of Air Quality, State Street Commons, 100 W. Water Street, Suite 6A, Dover, DE 19904 and at 715 Grantham Lane, New Castle, DE 19720 or online at (<https://dnrec.alpha.delaware.gov/air/>).

Persons wishing to offer comment on this permit application may do so either orally or in written form at the public hearing on Tuesday, **November 20**. In lieu of attending the hearing, written comments may be submitted to the Hearing Officer via either email to [lisa.vest@state.de.us](mailto:lisa.vest@state.de.us) or via USPS to the following address: Lisa A. Vest, Hearing Officer, Office of the Secretary Department of Natural Resources and Environmental Control, 89 Kings Highway, Dover, Delaware 19901. DIVISION OF AIR QUALITY, STATE STREET COMMONS 100 W. WATER STREET, SUITE 6A DOVER, DE 19904, (302) 739-9402. You may also

visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=4450&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeId=0x010034FD6D348B0CF04392485E93FC15AB3A>

#### **Source Water Protection Citizen Technical Advisory Committee (CTAC) (Updated)**

DNREC Division of Water / Water / Natural Resources and Environmental Control **regularly scheduled meeting, November 21 at 09:00 AM**, Kent County Administration Building, 555 Bay Rd, Dover DE 19901. Contact [douglas.rambo@state.de.us](mailto:douglas.rambo@state.de.us), 302-739-9945. You may also visit: <https://publicmeetings.delaware.gov/Meeting/56117>

#### **NOTICE OF PUBLIC HEARING**

The Department of Natural Resources and Environmental Control, Division of Air Quality, will conduct a public hearing on the 7 DE Admin. Code 1102 natural minor permit applications submitted by Mountaire Farms of Delaware, Inc. for their facility located at 29106 John J. Williams Highway, Millsboro.

1. Application to replace an existing hammermill baghouse with an AirLanco baghouse with 99.99% efficiency by Permit# APC-2014/0093-CONSTRUCTION (Amendment 4). Permitted emissions will remain unchanged at 4.98 TPY PM10.

2. Application to replace an existing pellet cooler with an electric pellet cooler with an existing high efficiency cyclone collector by Permit# APC-2014/0090-CONSTRUCTION (Amendment 2). The existing high efficiency cyclone was determined to meet Best Available Control Technology (BACT) for PM2.5 satisfying 7 DE Admin. Code 1125, Minor New Source Review. Permitted emissions will remain unchanged at 16 TPY PM10.

The public hearing will be held on Monday, **November 26 beginning at 6:00 pm** at the Indian River Senior Center located at 214 Irons Avenue, Millsboro. These applications are available for inspection at the offices of the Division of Air Quality (100 W. Water Street, Suite 6A, Dover, DE 19904 and at 715 Grantham Lane, New Castle, DE 19720) or online at

<https://dnrec.alpha.delaware.gov/air/>. Persons wishing to offer comment on this permit application may do so either orally or in written form at the public hearing on Monday, **November 26**, 2018. In lieu of attending the hearing, written comment may be submitted to the Hearing Officer via either email to [lisa.vest@state.de.us](mailto:lisa.vest@state.de.us) or via USPS to the following address: Lisa A. Vest, Hearing Officer, Office of the Secretary, Department of Natural Resources and Environmental Control, 89 Kings Highway, Dover, Delaware 19901. For more information

visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=4445&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeId=0x010034FD6D348B0CF04392485E93FC15AB3A>

**Source Water Protection Citizen Technical Advisory Committee/Subcommittee Meeting**  
DNREC Division of Water / Water / Natural Resources and Environmental Control  
Subcommittee Meeting, **November 29 at 10:00 AM**, Tidewater Utilities, 1100 S Little Creek Rd,  
Dover DE 19901. Contact: [kimberly.burris@state.de.us](mailto:kimberly.burris@state.de.us), 302-739-9945. You may also  
visit: <https://publicmeetings.delaware.gov/Meeting/60721>

## **DIVISION OF AIR QUALITY**

**OPT-IN!** THE DELAWARE DIVISION OF AIR QUALITY (DAQ) is committed to working with citizens to continuously optimize Delaware's air quality and protect public health, welfare, and the environment. To determine that the DAQ is meeting the air quality needs of the citizens across the state, we encourage you to participate in our opt-in list. In the future you will receive surveys that will allow us to analyze our performance. You can access the opt-in list by clicking: [https://survey.co1.qualtrics.com/jfe/form/SV\\_1RGZGUYt8fSuqkB](https://survey.co1.qualtrics.com/jfe/form/SV_1RGZGUYt8fSuqkB)

**AIR QUALITY PERMITTING PROGRAM** – Notice has been given that the facilities listed below have submitted applications for air quality management permits. The applications, the “draft/proposed” permits, all materials that the applicant has submitted (other than those granted confidential treatment under DNREC rules), and a copy of summary of other materials, if any, considered in preparing the “draft/proposed” permit, may be inspected at the offices of the Division of Air Quality, 100 W. Water Street, Suite 6A, Dover, 19904. **All comments and public hearing requests** should be mailed to the following address: DIVISION OF AIR QUALITY, 100 W. Water Street, Suite 6A, Dover 19904. To submit comments, for additional information, or for an appointment to inspect the application, please contact Tracy Mattson at (302) 739-9402.

### **Title V Permit Renewal Applications**

Notice is hereby given that OSG Ship Management, Inc. having a facility at 100 Passwaters Drive, Milford, Delaware (Big Stone Anchorage), has submitted a request for permit renewal pursuant to 7 DE Admin. Code 1130, Section 7 for Operating Permit: AQM-005/00093 Renewal 4. Based on the data and certifications contained in the application, the Division of Air Quality concludes that the applicant meets all applicable requirements promulgated by the Environmental Protection Agency (EPA) and the Department of Natural Resources and Environmental Control (DNREC). Therefore a “draft/proposed” permit renewal has been prepared.

The application, the “draft/proposed” permit renewal, Permit: AQM-005/00093 Renewal 4, all materials that the applicant has submitted (other than those granted confidential treatment under DNREC rules), and a copy of summary of other materials, if any, considered in preparing the “draft/proposed” permit renewal may be inspected at the offices of the Division of Air Quality, State Street Commons, 100 W. Water Street, Suite 6A, Dover, Delaware and 715 Grantham Lane, New Castle, Delaware. To submit comments, for additional information or for an appointment to inspect the application, please contact Tracy Mattson at the Dover Office at 739-9402.

The “draft/proposed” permit renewal is being submitted to EPA for concurrent processing. If there are no significant comments, the “draft/proposed” permit renewal will be issued as a final permit after expiration of the EPA review period.

A public hearing concerning the permitting action will not be held unless the Secretary of the Department of Natural Resources and Environmental Control receives a request for such hearing within thirty (30) days from the date of this notice, ending **November 6**. A request for a hearing shall be in writing and must show a familiarity with the application and a reasoned statement of the permit renewal's probable impact.

DIVISION OF AIR QUALITY, STATE STREET COMMONS 100 W. WATER STREET, SUITE 6A DOVER, DE 19904, (302) 739-9402. You may also

visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=4422&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeId=0x010034FD6D348B0CF04392485E93FC15AB3A>

## **LEGAL NOTICE - 7 DE Admin. Code 1102 NATURAL MINOR PERMIT APPLICATIONS**

Notice has been given that:

Mountaire Farms Inc., requests an amendment to their operating permit to increase grain receiving at **Rail Pit 1** to 7 days/week at their 11 Daisy Street, Frankford, Sussex County facility. Rail Pit 1 will be permitted to emit 0.87 TPY PM10 by Permit# APC-2001/0287-OPERATION (Amendment 4). The increase in emissions is 0.12 TPY PM10.

The application for this permit may be reviewed at the offices of the Division of Air Quality, State Street Commons, 100 W. Water Street, Suite 6A, Dover, Delaware or 715 Grantham Lane, New Castle, Delaware. For additional information or for an appointment to review the application, please contact Tracy Mattson at (302) 739-9402.

A public hearing on any of the above applications will NOT be held unless the Secretary of DNREC receives a request for a hearing regarding that application within 15 days from the date of this notice, ending **November 12**. A request for a hearing shall be in writing. The request must also show a familiarity with the application and a reasoned statement of the permit's probable impact. All comments and public hearing requests should be mailed to the following address: DIVISION OF AIR QUALITY, STATE STREET COMMONS 100 W. WATER STREET, SUITE 6A, DOVER, DE 19904, (302) 739-9402. For more information

visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=4442&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeId=0x010034FD6D348B0CF04392485E93FC15AB3A>

## **LEGAL NOTICE - 7 DE Admin. Code 1102 NATURAL MINOR PERMIT APPLICATIONS**

Notice has been given that:

Mountaire Farms Inc., requests an amendment to their operating permit to increase grain receiving at **Rail Pit 2** to 7 days/week at their 11 Daisy Street, Frankford, Sussex County facility. Rail Pit 2 will be permitted to emit 3.1 TPY PM10 by Permit# APC-2001/0286-OPERATION (Amendment 4). The increase in emissions is 0.5 TPY PM10.

The application for this permit may be reviewed at the offices of the Division of Air Quality, State Street Commons, 100 W. Water Street, Suite 6A, Dover, Delaware or 715 Grantham Lane, New Castle, Delaware. For additional information or for an appointment to review the application, please contact Tracy Mattson at (302) 739-9402.

A public hearing on any of the above applications will NOT be held unless the Secretary of DNREC receives a request for a hearing regarding that application within 15 days from the date of this notice, ending **November 12**. A request for a hearing shall be in writing. The request must also show a familiarity with the application and a reasoned statement of the permit's probable impact. All comments and public hearing requests should be mailed to the following address: DIVISION OF AIR QUALITY, STATE STREET COMMONS 100 W. WATER STREET, SUITE 6A, DOVER, DE 19904, (302) 739-9402. For more information

visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=4443&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeId=0x010034FD6D348B0CF04392485E93FC15AB3A>

## **DIVISION OF WASTE AND HAZARDOUS SUBSTANCES**

**SITE INVESTIGATION AND RESTORATION SECTION (SIRS)** is responsible for the identification, evaluation, and remediation of sites in Delaware that have had past releases of hazardous substances. The section manages the contaminated sites under three major programs in accordance with the Hazardous Substance Cleanup Act (HSCA). The three programs are the **Brownfields Development Program, the Voluntary Cleanup Program (VCP), and the HSCA Enforcement Program** (for sites requiring enforcement action).

**The Brownfields Development Program** encourages the cleanup and redevelopment of either the entire property, the expansion of the property, or the reuse of the property which may be hindered by the reasonable held belief that the property may be contaminated. A party seeking to develop such a property negotiates with SIRS for a **Brownfields Development Agreement (BDA)** to perform an investigation and, if necessary, a remedy, for the purpose of addressing the

risks posed by past releases of hazardous substances at these sites. However, a BDA is only available to parties that are not current owners or operators of the site. The **Voluntary Cleanup Program (VCP) Agreement** is available to site owners who want to clean up their sites and are already liable as a potentially responsible party for the site.

#### **NOTIFICATION OF PUBLIC COMMENT FOR A BROWNFIELDS DEVELOPMENT AGREEMENT FOR CITISTEEL, OPERABLE UNIT -7 (DE-0046)**

Pursuant to the Hazardous Substance Cleanup Act (HSCA), 7 Del. C. Chapter 91, §9126, the Department of Natural Resources and Environmental Control (DNREC) is required to issue a public notice within twenty days after entering into negotiations for a Brownfield Development Agreement (BDA). A BDA is an agreement between DNREC and a Brownfield developer with respect to a Certified Brownfield Site that sets forth a scope of work and schedule of remedial activities during the development of the Site.

DNREC's Site Investigation and Restoration Section (DNREC-SIRS) negotiated a BDA with the Delaware Department of Transportation regarding the CitiSteel, Operable Unit 7 Site (Site), located at 4001 Philadelphia Pike in Wilmington, Delaware. Identified by New Castle County as tax parcel number 06-059.00-165, the Site may have had a release of hazardous substances as a result of historical activities on Site. For more information, please see DNREC's navigator at: <http://www.nav.dnrec.delaware.gov/DEN3>.

The public comment period begins Thursday, October 11, 2018 and will close at the end of the business day (4:30 p.m.) on Tuesday, **October 30**. Please submit written comments to the DNREC-SIRS Project Manager, John Cargill at DNREC-SIRS, 391 Lukens Drive, New Castle, DE 19720. A copy of the BDA is available at the office of DNREC – SIRS or by accessing the DNREC-SIRS' site files database.

Learn more about this Site and other Brownfields sites by accessing DNREC-SIRS' web page at <http://www.awm.delaware.gov/SIRB/Pages/Brownfields.aspx> or by contacting the DNREC-SIRS Project Manager, John Cargill at (302) 395-2600 or [john.cargill@state.de.us](mailto:john.cargill@state.de.us). You may also visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=4424&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeld=0x010034FD6D348B0CF04392485E93FC15AB3A>

#### **NOTIFICATION OF PUBLIC COMMENT FOR A BROWNFIELDS DEVELOPMENT AGREEMENT FOR THE 4601 N. MARKET STREET SITE (DE-1684)**

Pursuant to the Hazardous Substance Cleanup Act (HSCA), 7 Del. C. Chapter 91, §9126, the Department of Natural Resources and Environmental Control (DNREC) is required to issue a public notice within twenty days after entering into negotiations for a Brownfield Development Agreement (BDA). A BDA is an agreement between DNREC and a Brownfield developer with respect to a Certified Brownfield Site that sets forth a scope of work and schedule of remedial activities during the development of the Site.

DNREC's Site Investigation and Restoration Section (DNREC-SIRS) negotiated a BDA with Windrush Land Company, LLC regarding the 4601 N. Market Street Site (Site), located at 4601 N. Market Street in Wilmington, Delaware. Identified by New Castle County as tax parcel number 06-139.00-017, the Site may have had a release of hazardous substances as a result of historical activities on Site. For more information, please see DNREC's navigator at: <http://www.nav.dnrec.delaware.gov/DEN3>.

The public comment period begins Thursday, October 18 and will close at the end of the business day (4:30 p.m.) on **November 7**. Please submit written comments to the DNREC-SIRS Project Manager, Mariya Chiger at DNREC-SIRS, 391 Lukens Drive, New Castle, DE 19720. A copy of the BDA is available at the office of DNREC – SIRS or by accessing the DNREC-SIRS' site files database.

Learn more about this Site and other Brownfields sites by accessing DNREC-SIRS' web page at <http://www.awm.delaware.gov/SIRB/Pages/Brownfields.aspx> or by contacting the DNREC-SIRS Project Manager, Mariya Chiger at (302) 395-2600 or [mariya.chiger@state.de.us](mailto:mariya.chiger@state.de.us). You may also visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=4432&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeld=0x010034FD6D348B0CF04392485E93FC15AB3A>

## **NOTIFICATION OF PUBLIC COMMENT FOR A BROWNFIELD DEVELOPMENT AGREEMENT FOR THE SWAIN PROPERTY (DE-1686)**

Pursuant to the Hazardous Substance Cleanup Act (HSCA), 7 Del. C. Chapter 91, §9126, the Department of Natural Resources and Environmental Control (DNREC) is required to issue a public notice within twenty days after entering into negotiations for a Brownfield Development Agreement (BDA). A BDA is an agreement between DNREC and a Brownfield developer with respect to a Certified Brownfield Site that sets forth a scope of work and schedule of remedial activities during the development of the Site.

DNREC's Site Investigation and Restoration Section (DNREC-SIRS) negotiated a BDA with Jack Lingo Asset Management, LLC regarding the Swain Property Site (Site), located at 5877 and 5899 Rehoboth Boulevard, Milford, Delaware. Identified by Sussex County as tax parcel numbers 330.11.00-42 and 330-11.00-42.01, the Site may have had a release of hazardous substances as a result of historical activities on Site. For more information, please see DNREC's navigator at: <http://www.nav.dnrec.delaware.gov/DEN3>.

The public comment period begins on Monday, October 22, 2018 and will close at the end of the business day (4:30 p.m.) on Tuesday, **November 13**. Please submit written comments to the DNREC-SIRS Project Manager, Caleb Melvin, at DNREC-SIRS, 391 Lukens Drive, New Castle, DE 19720. A copy of the BDA is available at the office of DNREC – SIRS or by accessing the DNREC-SIRS' site files database.

Learn more about this Site and other Brownfields sites by accessing DNREC-SIRS' web page at <http://www.awm.delaware.gov/SIRB/Pages/Brownfields.aspx> or by contacting the DNREC-SIRS Project Manager, Caleb Melvin at (302) 395-2600 or [caleb.melvin@state.de.us](mailto:caleb.melvin@state.de.us). You may also visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=4437&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeId=0x010034FD6D348B0CF04392485E93FC15AB3A>

## **NOTIFICATION OF NEGOTIATIONS FOR A BROWNFIELDS DEVELOPMENT AGREEMENT FOR 518 SOUTH HEALD STREET SITE, DE-1688**

Pursuant to the Hazardous Substance Cleanup Act (HSCA), 7 Del. C. Chapter 91, §9126, the Department of Natural Resources and Environmental Control (DNREC) is required to issue a public notice within twenty days after entering into negotiations for a Brownfields Development Agreement (BDA). A BDA is an agreement between DNREC and a Brownfields developer with respect to a Certified Brownfield Site that sets forth a scope of work and schedule of remedial activities during the development of the Site.

DNREC's Site Investigation and Restoration Section (DNREC-SIRS) is negotiating a BDA with Ms. Grace Huang regarding the 518 South Heald Street Site (Site), located at 518 South Heald Street in Wilmington, Delaware. Identified by New Castle County as tax parcel number 26-058.10-071 the Site may have had a release of hazardous substances as a result of historical activities on site. For more information, please see DNREC's navigator at:

<http://www.nav.dnrec.delaware.gov/DEN3>.

Learn more about this Site and other Brownfields sites by accessing DNREC-SIRS' web page at <http://www.awm.delaware.gov/SIRB/Pages/Brownfields.aspx> or by contacting the DNREC-SIRS Project Manager, Caleb Melvin at (302) 395-2600 or [Caleb.Melvin@state.de.us](mailto:Caleb.Melvin@state.de.us). For more information

visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=4444&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeId=0x010034FD6D348B0CF04392485E93FC15AB3A>

## **NOTIFICATION OF NEGOTIATIONS FOR A BROWNFIELDS DEVELOPMENT AGREEMENT FOR THE FORMER NEW ARC WELDING SITE (DE-1345)**

Pursuant to the Hazardous Substance Cleanup Act (HSCA), 7 Del. C. Chapter 91, §9126, the Department of Natural Resources and Environmental Control (DNREC) is required to issue a public notice within twenty days after entering into negotiations for a Brownfields Development Agreement (BDA). A BDA is an agreement between DNREC and a Brownfields developer with respect to a Certified Brownfield Site that sets forth a scope of work and schedule of remedial activities during the development of the Site.

DNREC's Site Investigation and Restoration Section (DNREC-SIRS) is negotiating a BDA with

Commerce Street Properties LLC regarding the Former New Arc Welding Site (Site), located at 30 Commerce Street in Wilmington, Delaware. Identified by New Castle County as tax parcel number 26-051.00.023 the Site may have had a release of hazardous substances as a result of historical activities on site. For more information, please see DNREC's navigator at:

<http://www.nav.dnrec.delaware.gov/DEN3>. Learn more about this Site and other Brownfields sites by accessing DNREC-SIRS' web page at

<http://www.awm.delaware.gov/SIRB/Pages/Brownfields.aspx> or by contacting the DNREC-SIRS Project Manager Lindsay Hall at (302) 395-2600 or [Lindsay.Hall@state.de.us](mailto:Lindsay.Hall@state.de.us). You may also visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=4448&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeld=0x010034FD6D348B0CF04392485E93FC15AB3A>

#### **NOTIFICATION OF NEGOTIATIONS FOR A BROWNFIELDS DEVELOPMENT AGREEMENT FOR THE 1320 EAST 8TH STREET SITE (DE-1689)**

Pursuant to the Hazardous Substance Cleanup Act (HSCA), 7 Del. C. Chapter 91, §9126, the Department of Natural Resources and Environmental Control (DNREC) is required to issue a public notice within twenty days after entering into negotiations for a Brownfields Development Agreement (BDA). A BDA is an agreement between DNREC and a Brownfields developer with respect to a Certified Brownfield Site that sets forth a scope of work and schedule of remedial activities during the development of the Site.

DNREC's Site Investigation and Restoration Section (DNREC-SIRS) is negotiating a BDA with RDC Properties LP regarding the 1320 East 8th Street Site (Site), located at 1320 East 8th Street in Wilmington, Delaware. Identified by New Castle County as tax parcel number 26-045.00-007 the Site may have had a release of hazardous substances as a result of historical activities on site. For more information, please see DNREC's navigator at:

<http://www.nav.dnrec.delaware.gov/DEN3>. Learn more about this Site and other Brownfields sites by accessing DNREC-SIRS' web page at

<http://www.awm.delaware.gov/SIRB/Pages/Brownfields.aspx> or by contacting the DNREC-SIRS Project Manager, Lindsay Hall at (302) 395-2600 or [Lindsay.Hall@state.de.us](mailto:Lindsay.Hall@state.de.us). You may also visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=4447&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeld=0x010034FD6D348B0CF04392485E93FC15AB3A>

**The Proposed and Final Plans of Remedial Action** listed below outline site cleanup activities and covenants and are available online at:

<http://www.dnrec.delaware.gov/whs/awm/SIRB/Pages/SIRBPlans.aspx> under "Announcements." For site-specific information, please see DNREC's Environmental Navigator at:

<http://www.nav.dnrec.delaware.gov/DEN3>

#### **LEGAL NOTICE - PROPOSED PLAN OF REMEDIAL ACTION FOR THE 119 North DuPont Highway Site (DE-1677)**

The Department invites public comment on a proposal to clean-up the 119 North DuPont Highway Site located in Dover. The Site, once used as a parking lot requires a sub-slab vapor intrusion mitigation system or equivalent, a Remedial Action Work Plan, an Environmental Covenant restricting Site use to commercial, a Contaminated Materials Management Plan, a Long Term Stewardship Plan, and a Remedial Action Completion Report.

Details of the Proposed Plan are available at the office of DNREC-SIRS at 89 Kings Highway, Dover, DE 19901 or online at: <http://www.nav.dnrec.delaware.gov/DEN3/>

The comment period ends on **October 30**. For additional information, please contact Meghan Crystall, Project Manager at (302) 395-2600 or via email at [Meghan.Crystall@state.de.us](mailto:Meghan.Crystall@state.de.us). You may also

visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=4425&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeld=0x010034FD6D348B0CF04392485E93FC15AB3A>

#### **LEGAL NOTICE - FINAL PLAN OF REMEDIAL ACTION FOR THE 504 KIRWOOD HIGHWAY SITE (DE-1661)**

The Department has adopted a plan regarding the clean-up of Operable Unit 3 (OU-3) of the 504

Kirkwood Highway Site located in Elsmere. The Site was used previously as an auto filling station, an auto parts supply company, and a used car lot. The remedy requires recording an Environmental Covenant to: restrict the property to commercial uses, prevent the withdrawal of groundwater; and the submittal of a DNREC-approved Contaminated Materials Management Plan.

DNREC issued public notice of the Proposed Plan for the 504 Kirkwood Highway Site on September 16, 2018. There were no comments or questions from the public regarding the Proposed Plan. Details of the Final Plan are available at the office of DNREC-SIRS (391 Lukens Drive, New Castle, DE, 19720), or online at: <http://www.nav.dnrec.delaware.gov/DEN3/> For additional information, please contact Kristen Thornton, Project Manager at (302) 395-2600 or via email at [Kristen.Thornton@state.de.us](mailto:Kristen.Thornton@state.de.us). For more information

visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=4429&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeId=0x010034FD6D348B0CF04392485E93FC15AB3A>

### **LEGAL NOTICE - PROPOSED PLAN OF REMEDIAL ACTION FOR THE CitiSteel (Former EVRAZ-Claymont Steel) Operable Unit #2 (DE-0046)**

The Department invites public comment on a proposal to clean up Operable Unit #2 of the CitiSteel (Former EVRAZ-Claymont Steel) Site located at 4001 Philadelphia Pike in Claymont, Delaware. The 165-acre Operable Unit is primarily undeveloped, but was utilized as a former landfill for electric arc furnace dust, for disposal of sediment from dredging of the former cooling water pond drainage swale/old Naamans Creek, and for disposal of slag from former production processes. Site soils need to be kept from the adjacent Naamans Creek, the Delaware River and the small onsite pond during redevelopment activities to protect identified Key Wildlife Habitat. Further, the former cooling pond drainage swale will be closed/filled, select "hotspots" of contaminated soil will be excavated and transported to a permitted disposal facility, petroleum sheen in two on Site monitoring wells will be addressed, and the former electric arc furnace dust landfill located onsite will be protected from disturbance. Additionally, future uses of the Site will be restricted to non-residential uses, groundwater use will be restricted at the Site, and no land disturbing activities will take place without prior written approval from DNREC.

Details of the Proposed Plan are available at the office of DNREC-SIRS (391 Lukens Drive, New Castle, DE, 19720), or online at <http://www.nav.dnrec.delaware.gov/DEN3/>. The comment period ends on **November 5** for additional information, please contact John G. Cargill, Project Manager, at (302)395-2600, or via email to [John.Cargill@state.de.us](mailto:John.Cargill@state.de.us). You may also

visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=4427&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeId=0x010034FD6D348B0CF04392485E93FC15AB3A>

### **LEGAL NOTICE - SECOND AMENDED FINAL PLAN OF REMEDIAL ACTION FOR THE HUDSON PIT SITE (DE-0107)**

The Department has adopted a plan regarding the clean-up of the Hudson Pit Site located in Lewes Delaware. The 2015 Proposed Plan for the Site required excavation and disposal of arsenic impacted soil, capping of subsurface oil sands, excavation of buried organic debris and biodegradable waste, monitoring of groundwater, recording an environmental covenant, and completion and implementation of a Contaminated Materials Management Plan and Long Term Stewardship Plan. The Second Amended Proposed Plan better defined the area of arsenic impacted soil that needed to be excavated and disposed of.

DNREC issued a public notice of the Second Amended Proposed Plan for the Hudson Pit Site on September 23, 2018. There were no comments or questions from the public regarding the Second Amended Proposed Plan. Details of the Second Amended Final Plan are available at the office of DNREC-SIRS (391 Lukens Drive, New Castle, DE, 19720), or online at:

<http://www.nav.dnrec.delaware.gov/DEN3/>

For additional information, please contact Christina Wirtz, Project Manager at (302) 395-2600 or via email at [Christina.wirtz@state.de.us](mailto:Christina.wirtz@state.de.us). You may also

visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=4435&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeId=0x010034FD6D348B0CF04392485E93FC15AB3A>

### **LEGAL NOTICE - FINAL PLAN OF REMEDIAL ACTION FOR THE 600 A STREET SITE (DE-1383)**

The Department has adopted a plan regarding the clean-up of the 600 A Street Site located in Wilmington. The Site, once used as a fuel oil supply company and more recently as an automobile salvage operation, it's contaminated with compounds associated with petroleum and metals. To address contamination, a cap must be installed to limit exposure to surface soil, restrictions on digging, and groundwater, as well as restricting the property to non-residential use. DNREC issued public notice of the 600 A Street Site on September 19, 2018. There were no comments or questions from the public regarding the Proposed Plan. Details of the Final Plan are available at the office of DNREC-SIRS (391 Lukens Drive, New Castle, DE, 19720) or online at: <http://www.nav.dnrec.delaware.gov/DEN3/>. For additional information, please contact Patrick Boettcher, Project Manager at (302) 395-2600 or via email at [Patrick.boettcher@state.de.us](mailto:Patrick.boettcher@state.de.us). You may also

visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=4438&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeId=0x010034FD6D348B0CF04392485E93FC15AB3A>

### **LEGAL NOTICE - FINAL PLAN OF REMEDIAL ACTION FOR THE 3604 DOWNING DRIVE (DE-1670)**

The Department has adopted a plan regarding the clean-up of 3604 Downing Drive located in Wilmington. The Site was once used as a historic landfill, and as part of a city water/wastewater treatment facility requires an Environmental Covenant restricting the use of the Site to non-residential, and limiting groundwater withdrawal. The plan also requires vapor mitigation control systems in the buildings at the Site, as planned.

DNREC issued public notice of the Proposed Plan for 3604 Downing Drive on September 19, 2018. There were no comments or questions from the public regarding the Proposed Plan.

Details of the Final Plan are available at the office of DNREC-SIRS (391 Lukens Drive, New Castle, DE, 19720), or online at: <http://www.nav.dnrec.delaware.gov/DEN3/>

For additional information, please contact Eileen Capitoli, Project Manager at (302) 395-2600 or via email at [eileen.capitoli@state.de.us](mailto:eileen.capitoli@state.de.us). You may also

visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=4436&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeId=0x010034FD6D348B0CF04392485E93FC15AB3A>

### **LEGAL NOTICE - FINAL PLAN OF REMEDIAL ACTION FOR OPERABLE UNIT 1 OF THE 401-425 NEW LONDON ROAD SITE (DE-1680)**

The Department has adopted a plan regarding the clean-up of Operable Unit 1 of the 401 – 425 New London Road Site located in Newark. The Site has operated as a shopping center since the 1960s. Operable Unit 1 of the Site will be subject to the following remedial action: recording of an environmental covenant on the property deed restricting groundwater withdrawal and restricting Site use to commercial.

DNREC issued public notice of the Proposed Plan for Operable Unit 1 of the 401-425 New London Road Site on September 30, 2018. There were no comments or questions from the public regarding the Proposed Plan. Details of the Proposed Plan are available at the office of DNREC-SIRS (391 Lukens Drive, New Castle, DE, 19720), or online at:

<http://www.nav.dnrec.delaware.gov/DEN3/>. For additional information, please contact Lindsay Hall, Project Manager at (302) 395-2600 or via email at [Lindsay.Hall@state.de.us](mailto:Lindsay.Hall@state.de.us). You may also visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=4449&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeId=0x010034FD6D348B0CF04392485E93FC15AB3A>

## **DIVISION OF WATER – GROUNDWATER DISCHARGES SECTION**

### **LEGAL NOTICE - On-Site Wastewater Treatment and Disposal System**

**Ogletown Partners, LLC** has applied to construct a full depth gravity on-site wastewater treatment and disposal system. The system has been designed to accommodate a total of 600 gallons of wastewater per day. The system will service two 2-bedroom apartments and two commercial offices with one employee each. The property is located at 1112 Ogletown Road,

Newark, New Castle County, Delaware 19711, tax parcel # 09-015.00-004.

**Henry F. Dupont, Winterthur Museum, Inc.** has applied for an upgrade to an existing on-site wastewater treatment and disposal system. The system has been designed to accommodate 1,030 gallons per day of wastewater. The system will service twenty two employees, a Cold storage building, a Plant management building, and a wash down area. The property is located at 300 Adams Dam Road, Winterthur, DE 19735, tax parcel # 07-012.00-039.

**Tri Pond Acres Property Owners Association** has submitted renewal application for an operation permit for an on-site wastewater treatment and disposal system to serve the Tri Pond Acres subdivision. The system has been designed to accommodate 2,520 gallons per day of wastewater. The site is located at Peppers Corner Rd, Sussex County, tax parcel # 1-34-15-122. The above mentioned applications may be inspected by contacting:

Kathleen Saunders, Groundwater Discharges, 89 Kings Highway, Dover, DE 19901

[Kathleen.Saunders@state.de.us](mailto:Kathleen.Saunders@state.de.us), (302) 739-9948.

A public hearing on the above applications will NOT be held unless the Secretary of DNREC determines that a public hearing is in the public interest or if a written meritorious objection to the application is received within 15 days from this notice. A public hearing request shall be deemed meritorious if it exhibits a familiarity with the application and provides a reasoned statement of the action's probable impact. For more information

visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=4441&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeId=0x010034FD6D348B0CF04392485E93FC15AB3A>

#### **LEGAL NOTICE - Non-Hazardous Liquid Waste Transporters Permit (Renewal)**

Denali Water Solutions LLC has applied to the Groundwater Discharges Section for a renewal of Non-Hazardous Liquid Waste Transporters Permit DE OH-601 which allows for the transport of the noted waste streams to be disposed of as follows: Activated/seed sludge, to be disposed of at Allen Harim Pinnacle Processing Plant (Millsboro); Allen Harim Harbeson Processing Plant; Mountaire Farms Millsboro Processing Plant; Perdue Farms Georgetown Processing Plant and out-of-state permitted facilities; Dissolved Air Flotation (DAF) solids, wastewater, water residuals and food processing residuals, to be disposed of at the New Castle County Sewer System and out-of-state permitted facilities; wastewater to be disposed of at the Allen Harim Harbeson Processing Plant; Dissolved Air Flotation (DAF) solids to be land applied at the Stanley Collier Farm, Harrington, DE in accordance with Agricultural Utilization of Waste Permit #AGU 1602-K-05 (and subsequent amendments); the Stanley Collier Farm is associated with the following tax parcels: 6-00-17600-01-0900; 6-00-17600-01-0600; 6-00-17600-01-0700; 6-00-17600-01-0801; and 6-00-17600-01-0802; Dissolved Air Flotation (DAF), to be land applied in accordance with Agricultural Utilization of Waste Permit #AGU 1703-K-05 (and subsequent amendments); the Farms are associated with the following tax parcels: Schreiber Farm (Feedlot 2): 6-00-15600-01-0800-00001; 6-00-15600-01-0600-00001; 6-00-15600-01-0601-00001; Seeney Farm: 6-00-15600-01-1600-00001; 6-00-16700-01-1400-00001; Cain Farm: 8-00-13000-01-7000-00001; Masten Farm: 8-00-14800-01-2600-00001; 8-00-14800-01-0200-00001; Bergold Farm: 8-00-13900-01-1500-00001; Winkler Farm: 6-00-16000-01-0800-00001; 6-00-16000-01-0200-00001; 6-00-14900-01-0701-00001; Harrison Farm: 8-00-13600-01-1100-00001; Collison Farm: 6-00-15900-01-3300-00001; 6-00-15900-01-3800-00001; 6-00-15900-01-3201-00001; 6-00-14800-01-4400-00001; and Home Farm: 6-00-15600-01-0300-00001.

This is a renewal of existing Permit DE OH-601 with no proposed changes or modifications.

The above mentioned application may be inspected by contacting:

Kathleen Saunders, Groundwater Discharges, 89 Kings Highway, Dover, DE 19901

[Kathleen.Saunders@state.de.us](mailto:Kathleen.Saunders@state.de.us), (302) 739-9948.

If a written meritorious objection to this permit renewal application is received within 15 days from this notice, then a public hearing will be held on Monday, **November 19 at 6:00 p.m.** in the Richardson & Robbins Auditorium (89 Kings Hwy, Dover, DE, 19901). A public hearing on the above application will NOT be held if a written meritorious request for a public hearing is not received in the specified timeframe. A public hearing request shall be deemed meritorious if it exhibits a familiarity with the application and provides a reasoned statement of the action's probable impact. This is the only time this notice will be published. If a public hearing is

requested, the Public Meeting Calendar at <https://publicmeetings.delaware.gov/search?agencyId=177> will be updated to include the above public hearing. For more information visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=4440&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeId=0x010034FD6D348B0CF04392485E93FC15AB3A>

**DIVISION OF WATER - WATER SUPPLY** - The Division of Water hereby gives notice that the following Well permit application has been received. For additional information concerning the applications below, please contact Water Supply Section - 89 Kings Highway, Dover, 19901; email [Water.Allocation@state.de.us](mailto:Water.Allocation@state.de.us); or by phone at (302)739-9945.

**LEGAL NOTICE - Well Permit**

The Town of Georgetown proposes to construct a public water supply well, located 70 feet west of N King Street at Laurel Street, in Georgetown, Sussex County, tax parcel no. 1-35-14.20-0294.00. The well is proposed to be 125 feet deep and 12 inches in diameter. The desired capacity of this well is 1,000 gpm.

Water Supply Section, 89 Kings Highway, Dover, DE 19901, (302) 739-9945, [Water.Allocation@state.de.us](mailto:Water.Allocation@state.de.us)

A public hearing on the above applications will NOT be held unless the Secretary of DNREC determines that a public hearing is in the public interest or if a written meritorious objection to the application is received within 15 days from this notice. A public hearing request shall be deemed meritorious if it exhibits a familiarity with the application and provides a reasoned statement of the action's probable impact. For more information

visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=4453&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeId=0x010034FD6D348B0CF04392485E93FC15AB3A>

**DIVISION OF WATER - SURFACE WATER DISCHARGES** – The Division of Water hereby gives notice that the following permit applications have been received.

**LEGAL NOTICE - DNREC – Division of Water, Surface Water Discharges Section**

Wastewater Facilities Construction Permit Application

The Delaware Department of Natural Resources and Environmental Control, Division of Water, hereby gives notice that a permit application has been received from:

Artesian Wastewater Management, Inc. of Newark, Delaware, to construct approximately twenty thousand, three hundred and twenty linear feet of eight inch (20,320 LF of 8") sewer forcemain from Woodfield Preserve Subdivision on Broadkill Road to an existing forcemain on Cave Neck Road. The forcemain will run southwest from Woodfield Preserve Subdivision (Broadkill Road) to the northern side of Coastal Highway (DE Route 1), then southeast along DE Route 1, Paynter Road and Lockerman Road, then southwest along the Lockerman Road/ DE Route 1 intersection, cross to the southern side of DE Route 1 and run southeast along DE Route 1, then southwest along Cave Neck Road, and tie into an existing 8" Sussex County forcemain. The entire forcemain is located in Sussex County, Delaware.

Questions regarding the applications and plans for the above are available for inspection by contacting: Dr. Davison Mwale (PhD), Environmental Finance, Office of the Secretary, 97 Commerce Way, Suite 106, Dover, DE, 19904, (302) 739-9941.

A public hearing concerning the above application will NOT be held unless the Secretary of DNREC determines that a hearing is in the public interest or if a written meritorious request for a hearing is received on or before **October 31**. A request for a public hearing shall be deemed meritorious if it exhibits a familiarity with the application and provides a reasoned statement of the permit's probable impact. For more information

visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=4433&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeId=0x010034FD6D348B0CF04392485E93FC15AB3A>

## **LEGAL NOTICE - DNREC – Division of Water, Surface Water Discharges Section - Public Hearing**

The Department of Natural Resources and Environmental Control, Division of Water, (Department) will conduct a public hearing on Perdue Foods, LLC (Perdue) National Pollutant Discharge System (NPDES) Permit No. DE 0000469 (State Number WPCC 3011G/74) reissuance application to discharge treated process wastewater, sanitary wastewater, boiler blowdown, and storm water from their facility located at 20621 Savannah Rd in Georgetown, Sussex County, to Savannah Ditch. The facility is a poultry processing plant.

There are two (2) outfalls at this site which discharge to Savannah Ditch. Outfall 002 consists of discharge from the process wastewater treatment system and Outfall 004 consists of stormwater from a grassed non-process area. The wastewater treatment system consists of screening, anaerobic lagoons, activated sludge, chemical precipitation, clarification, and ultraviolet (UV) disinfection. Sanitary wastewater is treated in a batch aerobic treatment system and is then pumped to the ultraviolet disinfection unit.

The public notice of the Department's receipt of the application and of reaching a tentative determination was published in the Wilmington News Journal and the Delaware News on August 26, 2018. The Department received one public hearing request on September 24, 2018. The issues outlined in the request include concerns over impacts of the discharge in the receiving waters, the schedule of compliance for permit limits, notification of discharge violations to waterways users, contamination in receiving waters, pollutant monitoring and analysis in receiving waters, efficiency of the treatment process, and implementation of TMDLs in the permit. The public hearing will be held on **November 27 at 6pm** at Georgetown Middle School, located at 301 West Market St, Georgetown, DE 19947. The purpose of the hearing is to provide the public an opportunity to comment on the aforementioned permit application, and will include presentation from DNREC staff.

On the basis of staff review and application of lawful standards and regulations, the Department proposes to issue a NPDES permit for the facility above, subject to certain effluent limitations and conditions. This proposal is tentative pending the development of a formal hearing record, including the public hearing, and a final decision by the DNREC Secretary.

Persons wishing to comment on the applications and draft permit may do so either orally or in written form at the public hearing on **November 27**. In lieu of attending the public hearing, written comment may be submitted to the Hearing Officer via either email to [Lisa.Vest@state.de.us](mailto:Lisa.Vest@state.de.us) or via USPS to the following address:

Lisa A. Vest, Hearing Officer, Office of the Secretary, Department of Natural Resources and Environmental Control, 89 Kings Highway, Dover, Delaware 19901

The application, draft fact sheet, and draft permit are available for inspection at <http://www.dnrec.delaware.gov/wr/information/swdinfo/pages/individual.aspx> or copies may be obtained by contacting: Division of Water, Surface Water Discharges Section, 89 Kings Highway Dover, Delaware 19901, (302) 739-9946. You may also visit:

<http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=4446&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeld=0x010034FD6D348B0CF04392485E93FC15AB3A>

## **DIVISION OF WATER - WETLANDS SECTIONS**

### **Subaqueous Lands Lease Application**

Louis Nepa and Sharyn Luzier (234-24.00-57.00)-To maintain a 4 by 50 foot long pier, a 6 by 32 foot long dock, a boat lift with 4 associated pilings, 5 mooring pilings, and to install a PWC lift on an existing piling at 3 Creek Drive, Winding Creek Village, Millsboro, Sussex County, DE

Anne Schuind (3-34-14.05-29.00)-To install a 6 by 16 foot floating kayak dock and two support pilings adjacent to an existing fixed dock in the Lewes and Rehoboth Canal at 5 Harbor Road, North Shores, Rehoboth Beach, Sussex County, DE

### **Subaqueous Lands Lease Supplemental**

Patrick Welch (134-21.00-41.00)-To construct a 4 by 8 foot long walkway connecting an existing pier and boatlift in Dirickson Creek at 37404 Merryman Lane in Frankford, Sussex County, DE

Subaqueous Lands Permits Applications  
Robert and Paige Stewart (5-33-12.16-167.00)-To install a 5 by 14 foot long floating PWC dock at

37043 Blue Bill Drive, Swann Keys, Selbyville, Sussex County, DE  
Scott C. Panichelli (533-12.16-118.00)-To install a PWC Lift with one associated piling at 37040 Mallard Drive, Swann Keys, Selbyville, Sussex County DE  
Mark and Barbara Sunner (2-34-24.00-113.00)-To construct a 5 by 25 foot long dock and to repair 194 linear feet of bulkhead at 99 Creek Drive, Winding Creek Village, Millsboro, Sussex County, DE  
New Castle County (1900500379)-To replace a 20-foot long, 20-inch diameter sewer main across Little Mill Creek adjacent to 131 Scarborough Park Drive in Wilmington, New Castle County, DE  
Steven Pedrick (3-34-22.00-16.00)-To install a 6 by 20 foot long floating dock and a 3 by 12 foot long gangway attaching to an existing fixed dock at 14 Marshall Road, Rehoboth Beach, Sussex County, DE  
Village of Arden (1600400001)-To conduct stream restoration and drainage improvement activities at Perkins Run in the Sherwood Forest near the intersection of Marsh Road and Avery Lane, Arden, New Castle County, DE  
Thomas and June Power (1-34-23.12-1.00)-To install 85 linear feet of a rip-rap revetment in the Little Assawoman Bay at 1008 N. Schulz Road, Fenwick Island, Sussex County, DE  
Wilmington Community Rowing Foundation, LLC (26-050.00-037)-To install two (2) 10 by 30 foot long aluminum gangways, two (2) 12 by 40 foot long floating docks, two (2) 10 by 15 foot long floating drive on boat docks, two (2) 8 by 20 foot long floating docks and a 10 by 120 foot long floating dock in the Christina River at 501 A Street, Wilmington, New Castle County, DE  
W & D Cropper Family LP (233-7.00-52.00 for dredge activity; 233-11.00-90.00 for disposal Location) To mechanically dredge 1,350± cubic yards of newly dredged material to a depth of -4' MLW in Pepper Creek at 31197 Helms Landing Road, Dagsboro, DE and to dispose of the dredged material via dump truck approximately .34 miles to an existing upland disposal site located west of Shell Road, Dagsboro, Sussex County, DE

#### **Subaqueous and Wetlands Application**

IPOD, LLC (334-14.05-30.00)-To replace a 16 by 28 foot long grandfathered dock and remove a 180 square foot unauthorized pier extension in the Lewes and Rehoboth Canal at 3 Harbor Road, North Shores, Rehoboth Beach, Sussex County, DE  
DNREC, Division of Fish and Wildlife (2-00-07900-01-0300-00001)-To temporarily impact 16,000 square feet of State-regulated wetlands for a construction access in order to repair an observation tower at the Little Creek Wildlife Management Area, Dover, Kent County, DE  
Subaqueous Lands Renewal Applications

Brice and Kathleen Cropper (5-33-12.00-84.00)-To maintain a 5 by 72 foot long pier, a 8 by 21 foot long dock,, a 6 by 15 foot long PWC dock, and 3 freestanding pilings at 37198 Shangri La Drive, Selbyville, Sussex County, DE

#### **Subaqueous Lands Permit, Water Quality and Wetlands Application**

DNREC, Division of Watershed Stewardship (TP# N/A for dredge activity; 334-25.00-11.00 for disposal location) – To hydraulically maintenance dredge 50,000± cubic yards to -6.5 feet MLW in Massey's Ditch running from the Rehoboth Bay to the Indian River Bay and to hydraulically dredge 50,000± cubic yards of new material to -6.5 feet MLW a portion of which is located north of Middle Island and for a channel located north of Lynch Thicket and to dispose of both maintenance and newly dredged material via hydraulic pipeline through the Indian River Bay and Rehoboth Bay and along 60 linear feet of State-regulated wetlands for beach nourishment along 4,000 linear feet of ocean beach located north of the Indian River Inlet, at Delaware Seashore State Park, Rehoboth Beach, Sussex County, DE

These Documents/Applications above are available for review by contacting:

Gayle Calder, Wetlands and Subaqueous Lands Section, 89 Kings Highway, Dover, DE 19901 (302) 739-9943, FAX (302) 739-6304. You may also

visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=4431&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeId=0x010034FD6D348B0CF04392485E93FC15AB3A>

## **CONTACT INFORMATION**

**24-Hour Environmental Report and Spill Notification Line - 1-800-662-8802**

Aboveground Storage Tanks - 302-395-2500  
Air Quality - New Castle Office - 302-323-4542  
Air Quality – Kent & Sussex – 302-739-9402  
Asbestos New Castle - 302-323-4542  
Asbestos Kent & Sussex - 302-739-9402  
Biosolids Permits - 302-739-9946  
Boiler Safety - 302-395-2500  
Brownfields - 302-395-2600  
Community Ombudsman - 302-739-9040  
Community Services - 302-739-9959  
Delaware Estuary Program - 302-739-9283 (Delaware Coastal Management Program)  
Division of Air Quality Director's Office - 302-739-9402  
Division of Energy & Climate - 302-735-3480  
Division of Waste and Hazardous Substances Director's Office - 302-739-9400  
Division of Water Information - 302-739-9950  
Dock/Dredging/Bulkheads/Rip-Rap/Wetlands & Subaqueous Lands - 302-739-9943  
Emergency Prevention and Response - 302-739-9404  
Environmental Crimes Unit - 302-739-9401 or 1-800-662-8802  
Environmental Laboratory - 302-739-9942  
Hazardous Waste - 302-739-9403  
Hazardous Chemical and Toxic Release Inventories – 302-739-9404  
Industrial Stormwater Permits - 302-739-9946  
Loans & Grants for Wastewater and Septic's (Environmental Finance) - 302-739-9941  
Medical Waste - 302-739-9403  
Non-Hazardous Liquid Waste Transporters - 302-739-9948  
On-site Wastewater Licensing Program - 302-739-9948  
Open Burning - 302-739-9402  
Outreach Ombudsman - 302-395-2600  
Recycling - 302-739-9403  
Septic System Permits - Large Systems (Community & I/A) Statewide - 302-739-9948  
Septic System Permits - Small Systems for Kent & New Castle Counties - 302-739-9947  
Septic System Permits - Small Systems for Sussex Co. & Holding Tank Compli. Program - 302-856-4561  
Site Investigation & Restoration Section (Superfund/Brownfields) - 302-395-2600  
Small Business Ombudsman - 302-739-9069  
Solid Waste - 302-739-9403  
Source Water Protection - 302-739-9945  
Surface Water Discharge Permits (NPDES) - 302-739-9946  
Underground Injection Control & Spray Irrigation - 302-739-9948  
Underground Storage Tanks - 302-395-2500  
Wastewater Collection, Conveyance, and/or Treatment Facility Construction Permits - 302-739-9946  
Wastewater Treatment Facility Operators - 302-739-9946  
Water Allocation Permits - 302-739-9945  
Water Testing - Drinking Water (Division of Public Health) - 302-741-8630  
Water Supply - 302-739-9945  
Well Driller's License - 302-739-9944  
Well Permits & Licensing - 302-739-9944  
Wells - 302-739-9944  
Wetlands and Subaqueous Lands Section - 302-739-9943