

The biweekly E-News Update features current information on the Divisions of Air Quality (DAQ) and Waste and Hazardous Substances (WHS) 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

To subscribe go to: <http://www.dnrec.delaware.gov/dwhs/Info/E-News/Pages/E-News.aspx>

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

SECRETARY'S ORDERS

[Secretary's Order No. 2018-A-0071](#)

RE: Approving Final Regulations to Amend 7 DE Admin. Code 1101, Section 2.0, Definitions and Administrative Principles; 7 DE Admin. Code 1102, Appendix A, Section 15.0, Outdoor Painting and Sand Blasting Equipment; and proposed new Source Category Permit, Removal of Lead-Containing Coatings from Outdoor Water Tanks by Dry Abrasive Blasting. Hearing officer's report included.

UPCOMING AIR & WASTE, RELATED HEARINGS, MEETINGS, & EVENTS

LEGAL NOTICE - PUBLIC HEARING - CANCELLED

The Department of Natural Resources and Environmental Control (DNREC) Division of Air Quality will conduct a public hearing on proposed amendments to 7 DE Admin. Code 1150, Outer Continental Shelf Air Regulations.

7 DE Admin. Code 1150 was promulgated in June 2010 to allow Delaware to regulate air emissions pursuant to the United States Environmental Protection Agency's regulations codified at 40 CFR Part 55, which were issued under Section 328(a)(1) of the federal Clean Air Act. The EPA's regulations apply to all sources of air emissions from within the Outer Continental Shelf (OCS). For Delaware, the OCS is the area that is within 25 miles of Delaware's coastal boundaries along the Atlantic Ocean. This means that air emissions from within the OCS are regulated in the same manner as if the source was located on Delaware's land. In practice, this regulation allows the Department to issue permits for any source to be regulated under 40 CFR Part 55, thereby effectively regulating air pollutants emitted in the OCS consistent with state and federal laws and regulations.

The Division of Air Quality (DAQ) is proposing to amend 7 DE Admin. Code 1150 to incorporate updates to the OCS regulations at 40 CFR Part 55, which have been finalized since the state regulation was adopted in 2010.

The public hearing on proposed amendments to 7 DE Admin. Code 1150, Outer Continental Shelf Air Regulations will be held at **6:00 pm on Monday, January 7, 2019** at the Division of Air Quality's office located at State Street Commons, 100 W. Water Street, Suite 6A, Dover, DE 19904.

The proposed amendments may be inspected at the Department's offices located at State Street Commons, 100 W. Water Street, Suite 6A, Dover, DE 19904.

For additional information or any appointments to inspect the proposed amendments to 7 DE Admin. Code 1150, please contact Mark A. Prettyman with the Division of Air Quality's offices located at State Street Commons, 100 W. Water Street, Suite 6A, Dover, DE 19904, by phone at 302-739-9402, or by email at mark.prettyman@state.de.us.

Interested parties shall submit comments in writing on the proposed regulatory revisions by the end of the comment period, which is close of business on Tuesday, January 22, 2019, to Mark A. Prettyman, and/or statements and testimony may be presented either orally or in writing at the Monday, January 7, 2019 public hearing. Written statements and comments should be addressed to: Mark A. Prettyman, DNREC – Division of Air Quality, State Street Commons 100 W. Water Street, Suite 6A, Dover, DE 19904. THIS IS THE ONLY TIME THIS NOTICE WILL APPEAR. For More information

visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=4497&Source=http%3A%2F%2Fwww>

LEGAL NOTICE - PUBLIC HEARING

The Department of Natural Resources and Environmental Control, Site Investigation and Restoration Section (DNREC-SIRS) will conduct a public hearing on the proposed amendments to 7 DE Admin. Code 1375, Regulations Governing Hazardous Substance Cleanup. The aforementioned Regulations include the Brownfields Development Program, which is intended to provide liability protection to parties who did not cause or contribute to a release of hazardous substance on a real property. The intent of the proposed amendments is to clarify the distinction between a 'certified brownfield' and a 'facility'. The public hearing on the proposed amendments to 7 DE Admin. Code 1375 will be held **January 9, 2019 at 6:00 PM** at the DNREC R&R Auditorium located at 89 Kings Highway, Dover, Delaware 19901.

The proposed amendments may be inspected at the Department's offices located at 391 Lukens Drive in New Castle, Delaware, 19720, or on the DNREC-SIRS Website at the following link: <http://www.dnrec.delaware.gov/dwhs/SIRB/Pages/default.aspx>

For additional information, or to make an appointment to inspect the proposed amendments, please contact Jill Williams-Hall at the DNREC-SIRS, 391 Lukens Drive, New Castle office at 302-395-2600 or jill.hall@state.de.us.

Persons wishing to comment on the aforementioned proposed amendments may do so either orally or in written form at the public hearing on January 9, 2019. The hearing record will remain open for receipt of comment through close of business on Thursday, January 24, 2019. 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 or via USPS to the following address:

Lisa A. Vest, Public Hearing Officer
DNREC – Office of the Secretary
89 Kings Highway, Dover DE 19901

THIS IS THE ONLY TIME THIS NOTICE WILL APPEAR. For more information

visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=4494&Source=http%3A%2F%2Fwww.dnrec.delaware.gov/Lists/Public%20Notices%20Items%2Easpx&ContentTypeId=0x010034FD6D348B0CF04392485E93FC15AB3A>

NOTICE OF PUBLIC HEARING - Change of date for Bloom Energy (Diamond State Generation Partners, LLC) Public Hearing

Please be advised that the date for DNREC's public hearing on Regulation No. 1102 Natural Minor construction permit applications submitted by Bloom Energy (Diamond State Generation Partners, LLC) to replace all fuel cells at Bloom's Red Lion site located at 1593 River Road, New Castle and Bloom's Brookside site located at 512 E. Chestnut Hill Road, Newark, previously scheduled for Thursday, Dec. 27, 2018, has been rescheduled for **Thursday, Jan. 10, 2019 at 6 PM** at the DNREC Division of Waste and Hazardous Substances Office, 391 Lukens Drive, New Castle, DE 19720.

The 13 Bloom Energy 200 kW ES5-BABAAA servers to be located at the Brookside site totaling 2.6 MW, will be permitted to emit 0.0012 tons per year of SO₂, 0.019 tons per year NO_x, 0.387 tons per year CO, and 0.181 tons per year VOC by Permit# APC-2019/0032-CONSTRUCTION. The 134 Bloom Energy 200 kW ES-5700 servers to be located at the Red Lion site totaling 26.8 MW will be permitted to emit 0.011 tons per year of SO₂, 0.19 tons per year of NO_x, 3.71 tons per year of CO, and 1.73 tons per year of VOC by Permit# APC-2019/0031-CONSTRUCTION. The application, draft permit and technical memorandum may be inspected 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.

Persons wishing to offer comment on this permit application may do so either orally or in written form at the public hearing on Thursday, Jan. 10, 2019. In lieu of attending the hearing, written comments may be submitted to the Hearing Officer via either email to 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. For more information
visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=4511&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeld=0x010034FD6D348B0CF04392485E93FC15AB3A>

NOTIFICATION OF PUBLIC HEARING FOR THE A.M. DOMINO, JR. SALVAGE SITE (DE-1173)

Pursuant to the Hazardous Substance Cleanup Act (HSCA), 7 Del. C. § 9109(a)(3)(c), the Department of Natural Resources and Environmental Control's Site Investigation and Restoration Section has scheduled a public hearing at the request of Respondent, A.M. Domino, Jr., regarding the issuance of Secretary's Order 2018-WH-0054, requiring remedial actions to be completed at the A.M. Domino, Jr. Salvage Site (Site), pursuant to the Final Plan of Remedial Action for the Site.

The public hearing will be held at 10 a.m. on Wednesday, **January 16, 2019** at the offices of DNREC-SIRS, 391 Lukens Drive, New Castle, Delaware 19720.

Please contact DNREC's project officer, Eileen Capitoli at 302-395-2600 with any questions. For more information about the Site, please see DNREC's navigator at:

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

visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=4524&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeld=0x010034FD6D348B0CF04392485E93FC15AB3A>

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_1RGZGUYt8fSuqkE

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.

LEGAL NOTICE

NOTICE OF EXTENDED PUBLIC COMMENT PERIOD for Regulation No. 1102 Natural Minor Permit Application submitted by Walan Specialty Construction Products, LLC
DOVER – In response to numerous requests from community associations, environmental advocates, and members of the public who attended a Nov. 20 DNREC public hearing on Walan Specialty Construction Products, LLC's application for a construction permit administered by DNREC's Division of Air Quality, the Department has extended the public comment period on the company's permit application through close of business Dec 31.

On Oct. 19, DNREC received a Regulation No. 1102 Natural Minor Construction Permit Application submitted by Walan Specialty Construction Products, LLC to construct a slag grinding, drying, and processing facility at the company's proposed facility at 501 Christiana Avenue in Wilmington.

Anyone wishing to submit written comment for DNREC Secretary Shawn M. Garvin's

consideration regarding Walan Specialty Construction Products, LLC's construction permit application may do so by emailing DNREC Hearing Officer Lisa Vest at lisa.vest@state.de.us, or by USPS to Ms. Vest's attention c/o of DNREC Office of the Secretary, 89 Kings Highway, Dover, DE 19901. Comments must be submitted in written form, and must be received by the Department no later than **close of business (4:30 pm) on December 31** for inclusion in the formal hearing record.

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=4501&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeId=0x010034FD6D348B0CF04392485E93FC15AB3A>

Legal Notice - Federally Enforceable 7 DE Admin. Code 1102 Permit Applications

Notice is hereby given that Siemens Healthcare Diagnostics Inc. requests a federally enforceable 7 DE Admin. Code 1102 construction permit **APC-2019/0024-CONSTRUCTION**

(NSPS)(GACT)(FE) for the construction of one (1) emergency generator, rated 35 kW (69 HP) at Route 896 & Corporate Blvd, Newark, New Castle County, Delaware. The engine used in this generator set complies with U. S. EPA regulations under the provisions of 40 CFR 89, Non-Road Tier 2 emissions limits. Permitted emissions based on 150 hours per year are 0.001 TPY HC, 0.03 TPY NOx, 0.01 TPY CO, 0.001 TPY PM, and 0.002 TPY SO2.

Upon completion of construction, the Department will incorporate the operating conditions and limits of 7 DE Admin. Code 1102 Construction permit into the facility's existing Synthetic Minor permit (Permit: APC-83/0397-OPERATION (Amendment 7)(SM)) via an Administrative Amendment.

The application, the "draft/proposed" construction permit, all materials that the applicant has submitted (other than those granted confidential treatment under DNREC rules), and a copy or summary of other materials, if any, considered in preparing the "draft/proposed" permit may be inspected at the office of the Division of Air Quality, State Street Commons, 100 W. Water Street, Suite 6A, Dover, DE 19904. To submit comments, for additional information or for an appointment to inspect the public file, please contact Tracy Mattson in the Dover office at (302) 739-9402.

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

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 30 days from the date of this notice, ending **January 2, 2019**. 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=4488&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeId=0x010034FD6D348B0CF04392485E93FC15AB3A>

LEGAL NOTICE - Federally Enforceable 7 DE Admin. Code 1102 PERMIT APPLICATIONS

Notice is hereby given that Siemens Healthcare Diagnostics Inc. requests a federally enforceable 7 DE Admin. Code 1102 construction permit **APC-2019/0033-CONSTRUCTION**

(NSPS)(GACT)(FE) for the installation of one (1) natural gas fired emergency generator, rated 200 kW (302 HP) at Route 896 & Corporate Blvd, Newark, New Castle County, Delaware. The generator complies with the emission limitations of 40 CFR Part 60 Subpart JJJJ. Permitted emissions based on 150 hours per year are 0.1 TPY NOx, 0.05 TPY HC, 0.2 TPY CO, 0.002 TPY PM, and 0.002 TPY SO2.

Upon completion of construction, the Department will incorporate the operating conditions and limits of 7 DE Admin. Code 1102 Construction permit into the facility's existing Synthetic Minor permit (Permit: APC-83/0397-OPERATION (Amendment 7)(SM)) via an Administrative

Amendment.

The application, the "draft/proposed" construction permit, all materials that the applicant has submitted (other than those granted confidential treatment under DNREC rules), and a copy or summary of other materials, if any, considered in preparing the "draft/proposed" permit may be inspected at the office of the Division of Air Quality, State Street Commons, 100 W. Water Street, Suite 6A, Dover, DE 19904. To submit comments, for additional information or for an appointment to inspect the public file, please contact Tracy Mattson in the Dover office at (302) 739-9402.

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

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 30 days from the date of this notice, ending Wednesday **January 2, 2019**. 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=4499&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeld=0x010034FD6D348B0CF04392485E93FC15AB3A>

Title V Significant Permit Modification Applications

Notice is hereby given that Delaware Municipal Electric Corporation having a facility at the Warren F. "Sam" Beasley Power Station on 217 Artisan Drive, Smyrna, Delaware, has submitted a request for significant permit modification pursuant to 7 DE Admin. Code 1130, Section 7 for operating Permit: AQM-001/00152 (Renewal 3)-Revision 1. 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" significant permit modification has been prepared. This "Draft/Proposed" significant permit modification revises numerical limits for NOx emissions for both combustion turbines during startups and shutdowns. Furthermore, visible emissions monitoring requirements for the 750 kW Black Start emergency generator have been revised for consistency with recent permits issued for similar sources. Facility-wide emission limits remain unchanged.

The application, the "Draft/Proposed" significant permit modification, (AQM-001/00152 (Renewal 3)-Revision 1), 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" significant permit modification 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" significant permit modification is being submitted to EPA for concurrent processing. If there are no significant comments, the "Draft/Proposed" significant permit modification 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 January 15, 2019. A request for a hearing shall be in writing and must show a familiarity with the application and a reasoned statement of the significant permit modification'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=4522&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeld=0x010034FD6D348B0CF04392485E93FC15AB3A>

DIVISION OF WASTE AND HAZARDOUS SUBSTANCES

SOLID AND HAZARDOUS WASTE MANAGEMENT SECTION - The Solid and Hazardous Waste Management Section (SHWMS) hereby gives notice that a permit application has been received from the following companies to transport regulated RCRA hazardous and/or non-hazardous solid wastes in, out of, or through the State of Delaware. The renewal application and associated documents are available for review during business hours at our agency Solid & Hazardous Waste Management Section office at 89 Kings Highway, Dover and also at our Lukens Drive office at 391 Lukens Drive in New Castle.

PUBLIC NOTICE - Permits Pending

The Department of Natural Resources and Environmental Control, Division of Waste and Hazardous Substances, hereby gives notice that a permit application has been received from the following companies to transport regulated RCRA hazardous and/or non-hazardous solid wastes in, out of, or through the State of Delaware:

Auchter Industrial Vac Service, Inc.; Danielz Shredding, LLC DBA Proshred Southern New Jersey; JM Express, Inc.; Joseph J. Danielle; Linwood Burbage; Milford Housing Development; Orange Cans; Safety-Kleen Systems;

The applications may be inspected by appointment from 8:00 AM to 4:30 PM Monday through Friday at the offices of DNREC. For additional information or an appointment to inspect the applications, please contact Tara Grazier, DWHS/SHWMS, 89 Kings Hwy, Dover, DE 19901, 302.739.9403.

A public hearing concerning these applications will NOT be held unless the Secretary of DNREC, in care of Karen J'Anthony, receives a meritorious request for a hearing by **January 3, 2019** which is within fifteen (15) days from the date of this notice. A request for a hearing must be in writing and shall state the nature of the issues to be raised at the hearing. It must also show a familiarity with the application and a reasoned statement of the activity's probable impact. For more information

visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=4528&Source=http%3A%2F%2Fwww.%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeId=0x010034FD6D348B0CF04392485E93FC15AB3A>

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 NEGOTIATIONS FOR A BROWNFIELDS DEVELOPMENT AGREEMENT FOR THE 501 EAST FRONT STREET SITE (DE-1693)

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 Rust Point LLC regarding the Site (Site), located at 501 East Front Street in Wilmington, Delaware. Identified by New Castle County as tax parcel numbers 26-043.00-022 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 Ms. Mariya Chiger, at (302) 395-2600 or Mariya.Chiger@state.de.us. You may also

visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=4518&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeId=0x010034FD6D348B0CF04392485E93FC15AB3A>

LEGAL NOTICE - NOTIFICATION OF NEGOTIATIONS CONCERNING A VOLUNTARY AGREEMENT FOR THE MILTON RAILS TO TRAILS SITE (DE-1460)

Pursuant to the June 2000 amendment to the Hazardous Substance Cleanup Act (HSCA), 7 Del. C. § 9107 (a)(1), the Department of Natural Resources and Environmental Control (DNREC) is required to issue a public notice announcing the onset of negotiations concerning Voluntary Cleanup Program (VCP) Agreements, as well as any voluntary settlement agreements requiring a remedy, between DNREC and potentially responsible parties.

The amendment states that DNREC must provide "public notification within 20 days after entering into negotiations for a voluntary cleanup settlement agreement with any person that agrees to perform a remedy."

The Site Investigation and Restoration Section (SIRS), on behalf of DNREC, initiated the VCP in February 1995 in an effort to lessen the time and cost required in cleaning up contaminated sites by reducing litigation. VCP Agreements are available, upon application to DNREC, to potentially responsible parties or prospective purchasers who may be liable for the contamination of a property, but who wish to settle their liabilities with DNREC under HSCA.

DNREC is negotiating a VCP Agreement with Delaware Department of Transportation regarding the Milton Rails to Trails Site, located at DeIDOT Right of Way, Milton, Delaware. The approximate 40 acre Site is identified on the maps of Sussex County as tax parcel number 235-20.00-11.00. The Site may have had a release of hazardous substances as a result of historic activities. For Site-specific information, please see DNREC's Environmental Navigator at <http://www.nav.dnrec.delaware.gov/DEN3>. For additional information, please contact the project officer Patrick Boettcher at (302) 395-2600 @state.de.us. You may also

visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=4525&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeId=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 SOUTH GARASCHE LANE SITE (OPERABLE UNIT-2) (DE-1681)

The Department invites public comment on a proposal to clean-up Operable Unit 2 of the South Garasches Lane Site located in Wilmington. The Site, historically filled marshlands and used as a means of automotive conveyance to adjacent the commercial properties (including salvage yards and automotive repair facilities) requires the removal and disposal of polychlorinated biphenyl (PCB)-impacted soils; construction of a cap; and, the recording of an Environmental Covenant restricting property use types, interference with remedy, limiting groundwater withdrawal, compliance with the Long-Term Stewardship (LTS) Plan, and compliance with the Contaminated Materials Management Plan (CMMP).

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 **December 26**. For additional information, please contact Morgan McGee-Solomon, Project Manager at (302) 395-2600 or via email at Morgan.McGee-Solomon@state.de.us. You may also

visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=4509&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeId=0x010034FD6D348B0CF04392485E93FC15AB3A>

LEGAL NOTICE - PROPOSED PLAN OF REMEDIAL ACTION FOR THE FORMER TIMKO BROTHERS' LANDFILL SITE (DE-0055)

The Department invites public comment on a proposal to clean-up of the Former Timko Brothers' Landfill Site located in Wilmington. The Site, once used as a landfill for the disposal of construction debris, inert materials, and residential waste, including furniture and refrigerators, requires the removal and disposal of polychlorinated biphenyl (PCB) impacted soils, and the recording of an Environmental Covenant restricting property use to non-residential, limiting groundwater withdrawal, and compliance with a Contaminated Materials Management Plan (CMMP).

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 **December 26**. For additional information, please contact Eileen Capitoli, Project Manager at (302) 395-2600 or via email at eileen.capitoli@state.de.us. You may also

visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=4507&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeId=0x010034FD6D348B0CF04392485E93FC15AB3A>

LEGAL NOTICE - FINAL PLAN OF REMEDIAL ACTION FOR THE 101 SOUTH DUPONT HIGHWAY NEW CASTLE SITE (DE-1581)

The Department has adopted a plan regarding the clean-up of the 101 South DuPont Highway New Castle Site located in New Castle. The Site, once used as gasoline service station, requires a restriction on the use of groundwater and groundwater monitoring.

DNREC issued public notice of the Proposed Plan for the 101 South DuPont Highway New Castle Site on November 4, 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 Mariya Chiger, Project Manager at (302) 395-2600 or via email at mariya.chiger@state.de.us. You may also

visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=4510&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeId=0x010034FD6D348B0CF04392485E93FC15AB3A>

LEGAL NOTICE - AMENDED FINAL PLAN OF REMEDIAL ACTION FOR THE South Wilmington Stormwater Pilot Site (DE-1500)

The Department has adopted an amended plan regarding the clean-up of the South Wilmington Stormwater Pilot Site located at in Wilmington, Delaware. The 23-acre wetland Site was historically filled with industrial waste and soil. The Site owner is designing a large scale wetland restoration to relieve area flooding and to provide park space for area residents. The original Amended Final Plan of Remedial Action, issued in March 2017, was amended due to a small change in overall wetland design.

DNREC issued public notice of the Amended Proposed Plan for the Site on November 11, 2018. There were no comments or questions from the public regarding the Amended Proposed Plan. Details of the 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 John G. Cargill, Project Manager, at (302) 395-2600 or via email at John.Cargill@state.de.us. You may also

visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=4515&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeId=0x010034FD6D348B0CF04392485E93FC15AB3A>

LEGAL NOTICE - PROPOSED PLAN OF REMEDIAL ACTION FOR THE Former J&H Auto Salvage/ELLEDALE MARKET Site DE-1469

The Department invites public comment on a proposal to clean-up the Former J&H Auto Salvage/Ellendale Market Site located in Ellendale. The Site, once used as a service station and an auto salvage yard, will be subject to the following remedial actions: requiring the submittal of a Remedial Action Work Plan which specifies the actions to be performed to provide the public water supply to the Site and to monitor the groundwater impacts in the future; recording of an environmental covenant on the property deed restricting groundwater withdrawal, and requiring compliance with a Contaminated Materials Management Plan, and a Long-Term Stewardship Plan.

Details of the Proposed Plan are available at the office of DNREC-SIRS at 21309 Berlin Road, Suite 2, Georgetown, DE 19947 or online at: <http://www.nav.dnrec.delaware.gov/DEN3/> The comment period ends on **January 2, 2019**. For additional information, please contact Robert C. Asreen, Jr., Project Manager at (302) 395-2600 or via email at robert.asreen@state.de.us. You may also

visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=4521&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeId=0x010034FD6D348B0CF04392485E93FC15AB3A>

LEGAL NOTICE - PROPOSED PLAN OF REMEDIAL ACTION FOR THE Former J&H Auto Salvage Operable Unit OU-1 Offsite Groundwater Site DE-1469

The Department invites public comment on a proposal to clean-up the Former J&H Auto Salvage Operable Unit OU-1 Site located in Ellendale. The Site, consists of the Mt. Zion AME Church and associated structures, a small cemetery, a recreational center and adjacent building, several wooded and grass covered lots, and a mobile home will be subject to the following remedial actions: requiring the submittal of a Remedial Action Work Plan which specifies the actions to be performed to provide the public water supply to the Site and to monitor the groundwater impacts in the future; recording of an environmental covenant on the property deed restricting groundwater withdrawal, and requiring compliance with a Contaminated Materials Management Plan, and a Long-Term Stewardship Plan.

Details of the Proposed Plan are available at the office of DNREC-SIRS at 21309 Berlin Road, Suite 2, Georgetown, DE 19947 or online at: <http://www.nav.dnrec.delaware.gov/DEN3/> The comment period ends on **January 2, 2019**. For additional information, please contact Robert C. Asreen, Jr., Project Manager at (302) 395-2600 or via email at robert.asreen@state.de.us. You may also

visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=4520&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeId=0x010034FD6D348B0CF04392485E93FC15AB3A>

LEGAL NOTICE - FINAL PLAN OF REMEDIAL ACTION FOR THE HESSLER PROPERTY SITE (OPERABLE UNIT 2) (DE-1203)

The Department has adopted a plan regarding the clean-up of Operable Unit 2 of the Hessler Property Site located at 401 Garasches Lane and 610 South Market Street Wilmington. The Site was heavily filled with construction waste and other debris and most recently used as a lay-down and storage area for steel products. OU-2 consists of the shallow soils (the top two (2) feet of soil) located on tax parcel 26-057.00-05. The remedy will require the following: Construction and maintenance of a lined and fenced sediment stockpile area, recording an environmental covenant restricting digging and the use of groundwater, and submittals for DNREC's approval of a Contaminated Materials Management Plan and a Long Term Stewardship Plan.

DNREC issued public notice of the Proposed Plan for the Hessler Property OU-2 Site on November 21, 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.dnrec.delaware.gov/whs/awm/SIRB/Pages/SIRBPlans.aspx>

For additional information, please contact Kristen Thornton, Project Manager at (302) 395-2600 or via email at Kristen.Thornton@state.de.us. You may also

visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=4526&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