

PROPOSED PLAN OF REMEDIAL ACTION

Former Pep-Up Site OU-1
Georgetown, Delaware
DNREC Project No. DE-1491



January 2015

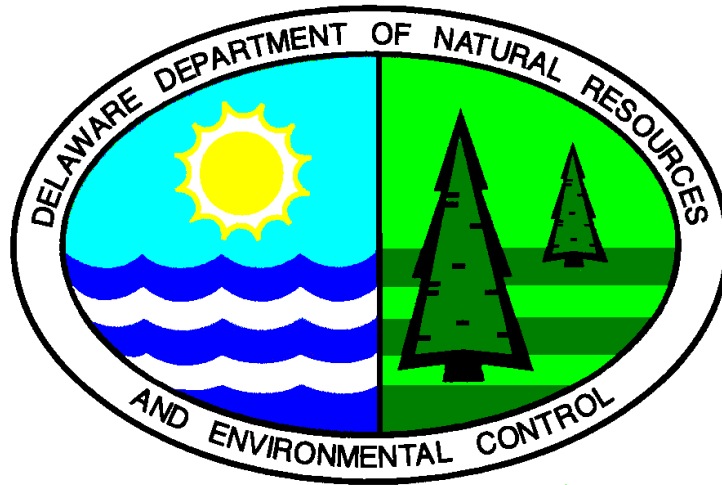
Delaware Department of Natural Resources and Environmental Control
Division of Waste and Hazardous Substances
Site Investigation & Restoration Section
391 Lukens Drive
New Castle, Delaware 19720

CONTENTS

- Figures: 1 & 2
- Glossary of Terms

PROPOSED PLAN OF REMEDIAL ACTION

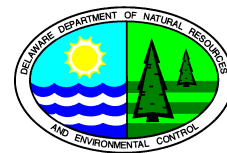
Former Pep-Up Site
Operable Unit 1 (Soil and Soil Gas)
Georgetown, Delaware
DNREC Project No. DE-1491



Approval:

This Proposed Plan meets the requirements of the Hazardous Substance Cleanup Act.

Approved by:
_____ Timothy Ratsep, Environmental Program Administrator Site Investigation & Restoration Section
_____ Date



What is the Proposed Plan of Remedial Action?

The Proposed Plan of Remedial Action (Proposed Plan) summarizes the clean-up (remedial) actions that are being proposed to address contamination found at the Site for public comment. A legal notice is published in the newspaper for a 20-day comment period. DNREC considers and addresses all public comments received and publishes a Final Plan of Remedial Action (Final Plan) for the Site.

What is the Former Pep Up Site, OU-1?

The Former Pep-Up site is located at 310 North Race Street in Georgetown, Delaware, and consists of three tax parcels (135-14.20-108, 135-14.20-110, and 135-14.20-111), totaling approximately 1 acre (Figure 1). The nearest intersection to the Site is New Street and Race Street. The Site consists of an office/warehouse building and open gravel parking area and is zoned commercial (Figure 2).

This proposed plan addresses Operable Unit-1 (OU-1), which consists of the soil and soil gas contamination beneath the Site. Groundwater contamination from petroleum products at the Site is being addressed separately as Operable Unit-2 (OU-2).

What happened at the Former Pep-Up Site?

The Site contained gasoline, kerosene, and heating oil Aboveground Storage Tanks (ASTs) within a concrete berm containment area for fuel storage and distribution, and included a former pump area and truck fueling area. The concrete structures shown in Figure 2 have been removed. A petroleum release occurred likely as a result of historic operations, which impacted the soil and groundwater beneath the Site.

What is the environmental problem at the Former Pep Up Site?

A Brownfield Investigation performed in 2010 at the Site found that the subsurface soil near the former AST contained petroleum contamination over DNREC soil standards for commercial use of the property. The contamination of volatile organic compounds (VOCs) including benzene, and semi-volatile organic compounds (SVOCs) including 2-methyl naphthalene and naphthalene were detected onsite. There is a potential risk to construction workers working in a trench. In addition, calculations indicated that there is a risk from intrusion of benzene vapor into the office building on the Site if cleanup actions are not taken.

What clean-up actions have been taken at the Former Pep-Up Site?

(Skip this section if no Interim Action)

In August 2011 over 3,000 tons of petroleum-contaminated soils from the Site were excavated and properly disposed of. The excavation area (Figure 2) was filled in with clean fill. Chemicals were added to the excavation to help breakdown the petroleum contamination. Testing of the indoor air and air under the onsite building slab, after this cleanup action, did not indicate a health risk. Excavation of contaminated soil also significantly reduced the risk to construction workers to acceptable levels.

What does the owner want to do at the Former Pep Up Site?

The Site will be used by Xergy, Inc. for office space and manufacturing activities.

What additional clean-up actions are needed at the Former Pep Up Site?

DNREC proposes the following remedial actions for the Site, which need to be completed before a Certificate of Completion of Remedy (COCR) can be issued.

1. A Remedial Action Work Plan must be submitted to DNREC for approval **within 60 days of** the issuance of the Final Plan of Remedial Action.
2. The Site must be capped with at least one foot of clean fill or impervious material (e.g. buildings, asphalt, or concrete) pursuant to the schedule indicated in the DNREC approved Remedial Action Work Plan.
3. A proposed Environmental Covenant must be submitted to DNREC for approval **within 60 days of the issuance of the approved Long Term Stewardship (LTS) Plan [OR within 60 days of the issuance of the Final Plan of Remedial Action when an LTS is not required]**.
4. An Environmental Covenant, consistent with Delaware’s Uniform Environmental Covenants Act (7 Del.C. Chapter 79, Subchapter II) must be recorded in the Office of the [County] Recorder of Deeds **within 60 days of** the issuance of the Long Term Stewardship Plan. The Environmental Covenant must include the following activity and/or use restrictions:
 - [a.] Use Restriction. Use of the Property shall be restricted solely to those non-residential type uses permitted within Commercial, Manufacturing, or Industrial Districts;
 - [b.] Interference with Remedy. There shall be no digging, drilling, excavating, grading, constructing, earth moving, or any other land disturbing activities on the Property at depths greater than [__ feet] [including any repair, renovation or demolition of the existing structures on the on the Property] without the prior written approval of DNREC;

- [c.] Limitation of Groundwater Withdrawal. No groundwater wells shall be installed and no groundwater shall be withdrawn from any well on the Property without the prior written approval of DNREC-SIRS and DNREC Division of Water;
- [d.] Compliance with the Long Term Stewardship Plan. All work required by the Long Term Stewardship Plan must be performed to DNREC's satisfaction in accordance with the Plan; and
- [e.] Compliance with Contaminated Materials Management Plan. All work required by the Contaminated Materials Management Plan must be performed to DNREC's satisfaction in accordance with the Plan.
- [f.] *[Any other institutional control required by the Final Plan, or any other written directive of DNREC.]*

5. A Contaminated Materials Management Plan (CMMP) must be submitted to DNREC **within 60 days** of the issuance of the Final Plan of Remedial Action. The CMMP will provide guidance to enable construction workers to safely handle any potential contaminated soil and groundwater at the Site.
6. The CMMP will be implemented upon its approval by DNREC.
7. A Long-Term Stewardship Plan shall be submitted to DNREC for approval in accordance with the schedule set forth in the approved Remedial Action Work Plan. The LTS plan will detail: 1) the groundwater monitoring requirements and schedule to be followed in order to monitor the attenuation of the groundwater Contaminants of Concern (COC); and 2) the site-inspection schedule to be followed in order to ensure the long-term integrity of the remedy.
8. The LTS Plan must be implemented **within 60 days** of its approval by DNREC.
9. A Remedial Action Completion Report must be submitted to DNREC **within 60 days** of the completion of the remedial actions required in this Proposed Plan.
10. A request for a Certification of Completion of Remedy (COCR) must be submitted to DNREC **within 60 days** of approval of the Remedial Action Completion Report.

What are the long term plans for the Site after the cleanup?

The Site use will be restricted to non-residential (commercial/industrial) purposes by recording the environmental covenant. The CMMP will be completed and available for the Site.

How can I find additional information or comment on the Proposed Plan?

The complete file on the Site including the **Remedial Investigation Report or Brownfield Investigation (chose one)** and the various reports are available at the DNREC office, 391 Lukens Drive in New Castle, 19720. Most documents are also found on:

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

The 20-day public comment period begins on **April 25, 2015** and ends at close of business (4:30 pm) on **May 15, 2015**. Please send written comments to the DNREC office at 391 Lukens Drive, New Castle, DE 19720 to _____, Project Officer or Robert Newsome, Public Information Officer.

Figure 1: **List**

Figure 2: **List**

RMG:xxx; RMGXXXXX.doc; DE 1491 II B 8

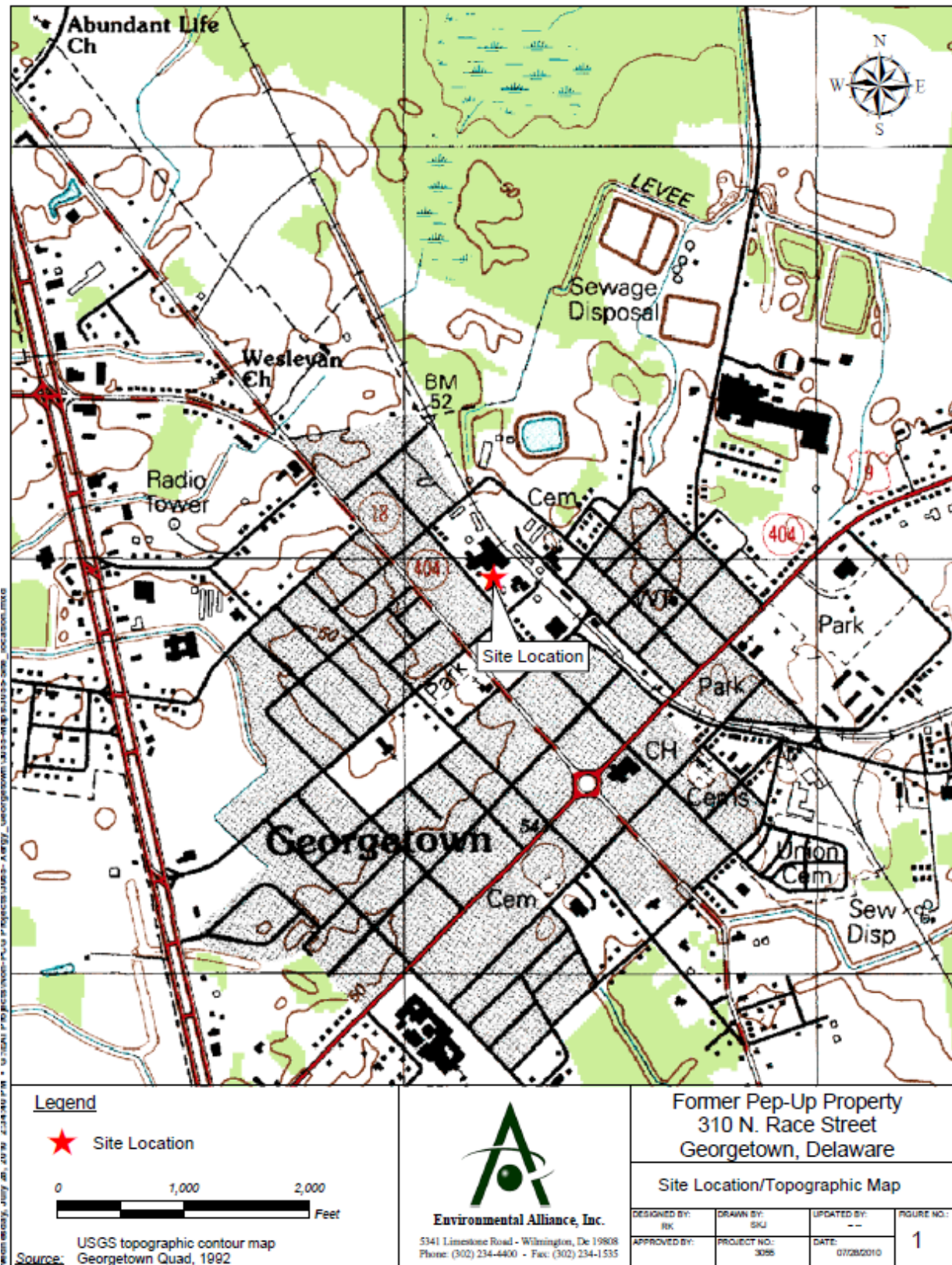


Figure 1

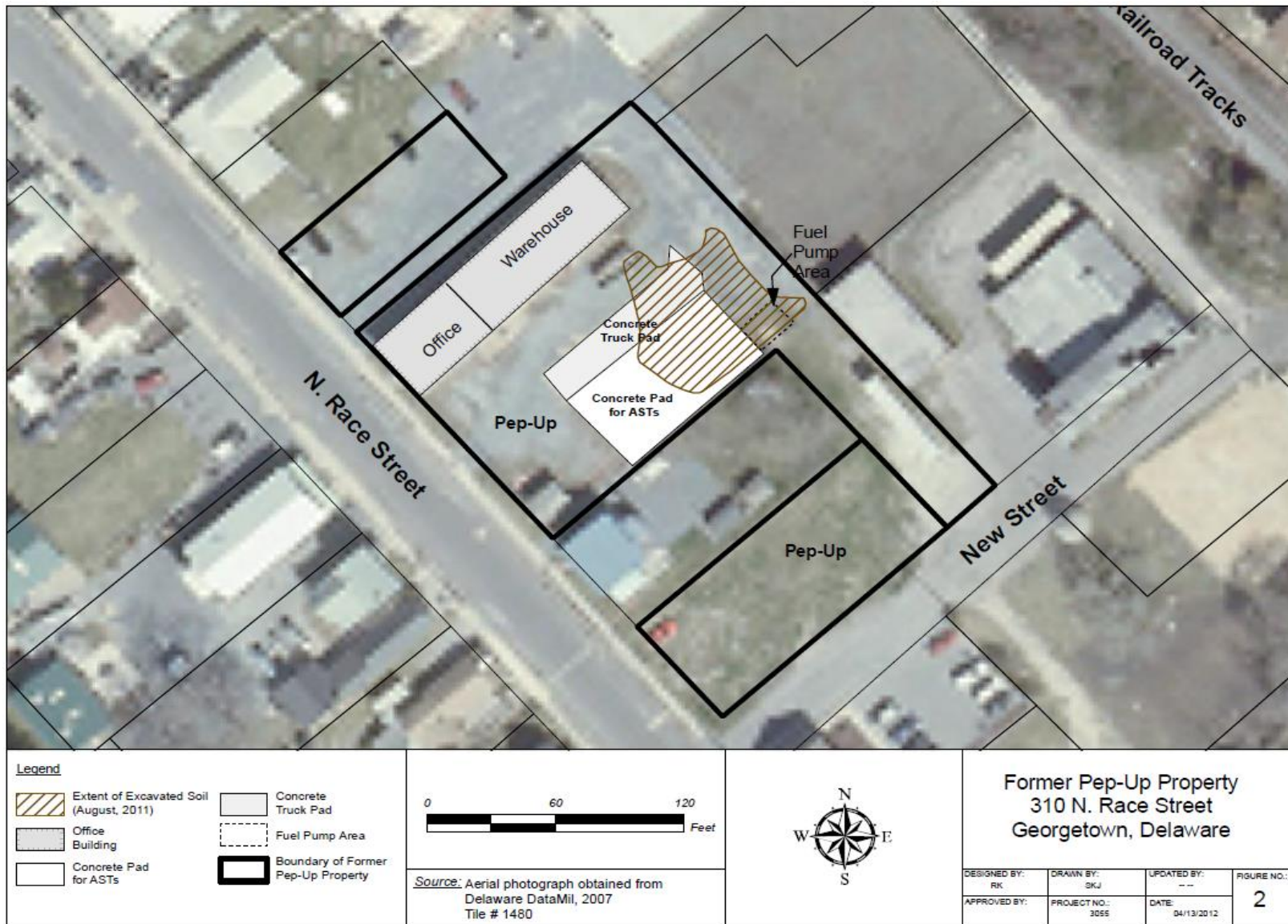


Figure 2

Glossary of Terms Used in this Proposed Plan
(REMOVE ONES NOT USED IN PP)

Area of Concern (AOC)	A discrete section of the Site representing the local bounds of contamination in soil or ground water.
Brownfield Development Agreement (BDA)	This legal agreement is between a potential developer of a Delaware-certified Brownfields Site and the DNREC. The developer agrees to investigate and cleanup a Brownfields property under the oversight of the Department in exchange for liability protection.
Brownfield Investigation (BFI)	Thorough environmental study of a site which includes 1) sampling of site environmental media and/or wastes on the property and 2) conducting a preliminary risk assessment using the data collected to determine the risk posed to human health and the environment.
Certified Brownfield	A Brownfield that DNREC has determined is eligible for partial funding through the Delaware Brownfields Program
Certification of Completion of Remedy (COCR)	A formal determination by the Secretary of DNREC that remedial activities required by the Final Plan of Remedial Action have been completed.
Contaminant of Concern (COC)	Potentially harmful substances at concentrations above acceptable levels.
Contaminated Materials Management Plan	A written plan specifying how potentially contaminated material at a Site will be sampled, evaluated, staged, transported and disposed of properly.
Exposure	Contact with a substance through inhalation, ingestion, or direct contact with the skin. Exposure may be short term (acute) or long term (chronic).
Final Plan of Remedial Action	DNREC's adopted plan for cleaning up a hazardous site.
Groundwater Management Zone	A geographical area where DNREC restricts drilling for ground water because it is contaminated
Hazardous Substance Cleanup Act (HSCA)	Delaware Code Title 7, Chapter 91. The law that enables DNREC to identify parties responsible for hazardous substances releases and requires cleanup with oversight of the Department.
Human Health Risk Assessment (HHRA)	An assessment done to characterize the potential human health risk associated with exposure* to site related chemicals.
Poly chlorinated biphenyls (PCBs)	A synthetic, carcinogenic chemical formerly used in a wide variety of industrial applications but banned from most uses by the US EPA in 1979.
Preliminary Risk Assessment	A quantitative evaluation of only the most obvious and likely risks at a site
Risk	Likelihood or probability of injury, disease, or death.
Risk Assessment Guidance for Superfund (RAGS)	An EPA guidance document for superfund sites
Restricted Use	Commercial or Industrial setting
Site Inspection (SI)	Environmental study of a site which includes the sampling of soils, groundwater, surface water, sediment and/or

	wastes on the property, as appropriate. This evaluation is performed on behalf of the United States Environmental Protection Agency (U.S. EPA).
SIRS	Site Investigation Restoration Section of DNREC, which oversees cleanup of sites that were contaminated as a result of past use, from dry cleaners to chemical companies
Toxic Substance Cleanup Act (TSCA)	The federal statute requiring and regulating the cleanup of PCBs.
US EPA	United States Environmental Protection Agency