PROPOSED PLAN OF REMEDIAL ACTION

0 Miller Road Site

New Castle, DE
DNREC Project No. DE-1394

SCANNED
AUG 26 2007
File = 1394
B8

August 2007

Delaware Department of Natural Resources and Environmental Control
Division of Air and Waste Management
Site Investigation & Restoration Branch
391 Lukens Drive
New Castle, Delaware 19720

CONTENTS

- Proposed Plan: Questions and Answers
- Figures 1-2
- Glossary of Terms
- Attachment: *What is a Proposed Plan?*

PROPOSED PLAN OF REMEDIAL ACTION

0 Miller Road Site

New Castle, DE
DNREC Project No. DE-1394

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

Approved by:

James D. Werner, Director
Division of Air & Waste Management

15 AUG 2007
Date

PROPOSED PLAN
Q&A

0 Miller Road Site
(DE-1394)

What is the 0 Miller Road Site? The Site is located on "Miller Road", a "paper road", between Center Street and Pyles Lane, in the Hamilton Park neighborhood, New Castle, Delaware. It is currently a vacant, wooded lot (Figure 1). The Site is a Delaware-certified Brownfield property, slated for residential development. The current owner is Mr. Emmett Foster.

Tax Parcel Numbers: 10-006.10-019
Address: 0 Miller Road, New Castle, DE 19720
Nearest major intersection: Center Street and Hamilton Street
Area: 2.3 acres
Surrounding Property: The Site is located within the Hamilton Park residential neighborhood. The Norfolk Southern Rail Line is located to the northeast of the Site and a paved parking lot owned by the Port of Wilmington is located to the north.
Site Utility: There are no utilities currently servicing the Site. Once developed, however, the property will have public water supplied by the City of Wilmington and sewer service supplied by New Castle County.
Surface water: The Delaware River is located approximately 1.3 miles east of the Site.
Groundwater: Shallow groundwater at the Site flows toward the South.

What happened at the 0 Miller Road Site? The property was owned and operated by the Crescent Foundry Company from 1902 to 1910. At some point, the Site was also filled with material containing elevated levels of metals. According to the earliest available aerial photograph, the Site has remained a vacant, wooded lot since at least 1937 (Figure 2).

What is the environmental problem at the 0 Miller Road Site? Both the foundry operation and the filling activities likely resulted in elevated levels of metals in soil, including arsenic above the Delaware Default Background Standard of 11 ppm.

On behalf of DNREC, Tetra Tech, Inc. collected soil samples on the Site during numerous sampling events beginning in March 2002, with additional sampling activities occurring in June 2002 and September 2003, as part of an environmental investigation in the entire Hamilton Park neighborhood. Elevated concentrations of arsenic were discovered in the soil samples.
In February 2007, BrightFields, Inc. also collected soil and groundwater samples across the Site on behalf of DNREC, as part of an EPA-funded Site-Specific Assessment (SSA). DNREC identified

arsenic as a contaminant of concern in surface and subsurface soils at the Site based on an analysis of the results obtained from all the sampling events. If the on-site contamination is not remediated, it could potentially pose an unacceptable human health risk to construction workers performing development activities at the Site, as well as, people residing at the Site.

What does the owner want to do at the 0 Miller Road Site? The property owner, Emmett Foster, is planning to build one (1), single family home with a basement, on the Site upon completion of the remedial action for soil.

The plans for site development will include clearing, re-grading, and construction of a single family home, with associated landscaped and paved areas.

What clean-up actions are needed at the 0 Miller Road Site? DNREC's proposed clean-up action involves the placement of a marker fabric atop current surface soils and then the placement of at least 1 foot of DNREC-approved clean fill material to eliminate exposure to surface and subsurface soils contaminated with levels of arsenic above the Delaware Default Background Standard.

The following remedial actions are proposed for the Site:

1. Placement of a marker fabric atop current surface soils to indicate the presence of contaminated soil beneath it, and then the placement of at least 1 foot of DNREC-approved, clean fill material to eliminate exposure to surface and subsurface soils contaminated with levels of arsenic above the Delaware Default Background Standard. All site work, including the installation of utility corridors, is to be performed in accordance with the following DNREC-approved plans: Contaminated Materials Management Plan (CMMP) and a Remedial Action Work Plan.

2. Issuance and implementation of an Operation and Maintenance (O&M) Plan for the Site to assure that all protective measures are properly maintained following site construction.

3. Recording of an environmental covenant consistent with Delaware's Uniform Environmental Covenants Act (Title 7, Del. Code Chapter 79, Subtitle II) by the site owner. The covenant will include a restriction on digging into site soils beneath the soil cap without prior written DNREC approval.

What are the long-term plans for the 0 Miller Road Site after the cleanup? The long-term plans for this property include residential development. To satisfy DNREC's requirements, an O&M Plan will be drafted, and submitted to DNREC for approval. This Plan must be implemented in order to maintain the integrity of the remedy at the Site, as well as to maintain the safety of workers and residents during future site redevelopment. Current and future owners of the property, as well as any subsequent sub-parcels, will be responsible for the implementation of

all aspects and costs associated with the approved remedy. These responsibilities include, but are not limited to, all requirements of the Final Plan of Remedial Action, the following DNREC-approved Plans, O&M Plan and CMMP, and the adherence to the requirements and conditions established in the uniform environmental covenant for the Site.

DNREC will potentially be able to issue a Certification of Completion of Remedy (COCR) for the Site following the placement of the 1-foot soil cap, and the issuance of the O&M Plan and the recording of the uniform environmental covenant on the property deed.

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

The complete file on the Site, including the Site-Specific Assessment, is available at the DNREC office, 391 Lukens Drive in New Castle. Most documents are also found on:

http://www.dnrec.state.de.us/dnrec2000/Divisions/AWM/sirb/

The 20-day public comment period begins on **August 27, 2007** and ends at close of business (4:30 PM) on **September 17, 2007**. Please send written comments to the DNREC office or call Lindsay J. Hall, Project Manager, at 302-395-2600.

0 100 200 Feet

1:2,000

DNREC
SITE INVESTIGATION &
RESTORATION BRANCH
391 LUKENS DR
NEW CASTLE, DE 19720-2774
302.395.2600

FIGURE 1
SITE LOCATION MAP
0 MILLER ROAD SITE
(DE1394)

Site Photographs
0 Miller Road
New Castle, Delaware

After Clearing of Brush and Saplings - View from Center Street Looking Northeast
February 22, 2007

After Clearing of Brush and Saplings - View from Center Street Looking East
February 22, 2007

After Clearing of Brush and Saplings - View from South Street Looking North
February 22, 2007

After Clearing of Brush and Saplings - View from South Street Looking East
February 22, 2007

FIGURE 2

Glossary of Terms
Used in this Proposed Plan

Brownfield	Property that is vacant or underutilized because of the perception or presence of an environmental problem.
BrightFields, Inc.	HSCA-certified environmental consultant
Certified Brownfield	A brownfield that DNREC has determined is eligible for partial funding through the Delaware Brownfields Program.
Contaminant of Concern (COC)	These are potentially harmful substances at concentrations above acceptable levels (e.g. metals).
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.
Environmental Protection Agency (EPA)	Federal agency whose mission is to protect human health and the environment
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 plan for cleaning up a hazardous site which has already been reviewed by the public and finalized.
Hazardous Substance Cleanup Act (HSCA)	Delaware Code Title 7, Chapter 91. The law that enables DNREC to identify parties responsible for hazardous substance releases and requires cleanup with oversight of the Department.
"paper road"	A named road appearing on historical maps that is no longer physically present.
Proposed Plan of Remedial Action	A plan for cleaning up a hazardous site issued by DNREC that is subject to public comments.
Parts per million (ppm)	A unit of measure that approximately equals 1 in a million.
Risk	Likelihood or probability of injury, disease, or death.
Site-Specific Assessment (SSA)	Environmental studies of a site including sampling of soils, groundwater, surface water, sediment and/or wastes, if present, on the property.
TetraTech, Inc.	HSCA-certified environmental consultant
Uniform Environmental Covenants Act (UECA)	Title 7, Del. Code Chapter 79, Subtitle II. The law that enables DNREC to impose activity and/or use restrictions on a site.

What is a *Proposed Plan?*

A Proposed Plan of Remedial Action (Proposed Plan) is a summary of how DNREC plans to clean up a contaminated site. A Final Plan of Remedial Action (Final Plan) is the adoption of the Proposed Plan, after all comments made by the public within the comment period of twenty days have been considered and addressed by DNREC.

The Delaware State Legislature passed the Hazardous Substance Cleanup Act (HSCA) in 1990. The Legislature made sure that members of the public would be informed about environmental problems in their own neighborhoods and have a chance to express their opinion concerning the clean-up of those environmental problems before DNREC takes action.

After DNREC studies a site, it summarizes the problems there and proposes one or more possible solutions in a Proposed Plan. The Proposed Plan contains enough information to allow lay persons to understand the environmental issues at the site, if any. More detailed information can be found in the reports and documents approved by DNREC. All of the documents and reports created by DNREC and/or consultants during the course of the investigation of the site are available to the public at the offices of DNREC-SIRB or at DNREC's website:

http://www.dnrec.state.de.us/dnrec2000/Divisions/AWM/sirb/sitefiles.asp.

DNREC issues the Proposed Plan by advertising it in at least one newspaper in the county where the site is located. The legal notices for the Proposed Plans and the Final Plans usually run on Wednesdays or Sundays in the legal classified section of the News Journal and/or the Delaware State News. The public comment period begins on the day (Wednesday), or the day after (Sunday) the newspaper publishes the legal notice for the Proposed Plan.

DNREC sometimes holds public meetings during the comment period. Those meetings are usually held near the site in the evening. Citizens can request a public meeting if DNREC does not already schedule one.

Comments are collected at the public meetings, by phone or in writing. DNREC considers all comments and questions from the public before the Proposed Plan is finalized and adopted as a Final Plan.

LJH:ebg
LJH07027
DE 1394 II B 8