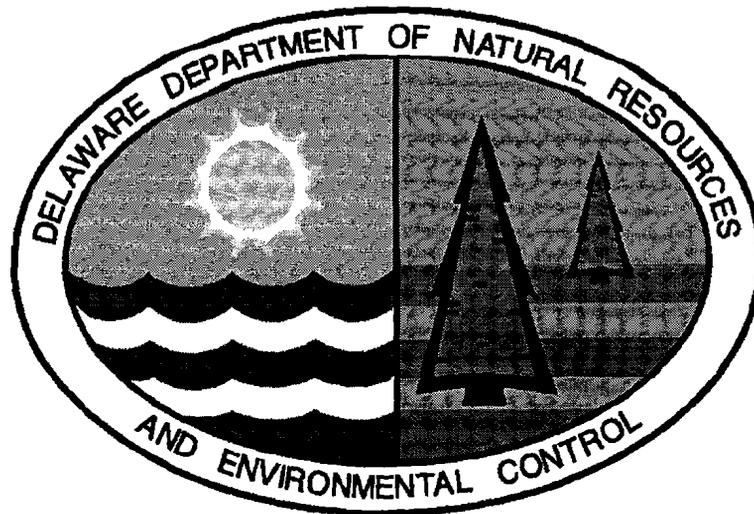


**Terminal Avenue Widening
Final Plan of Remedial Action**

SCANNED

MAY 14 1999

DE1026
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June 1996

**Department of Natural Resources and Environmental Control
Superfund Branch**

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Terminal Avenue Widening Final Plan of Remedial Action

1. Introduction

The Delaware Department of Natural Resources (“Department”) issues this Final Plan of Remedial Action under the provisions of the Delaware Hazardous Substance Cleanup Act (“HSCA”), 7 Del C. Chapter 91, and the Delaware Regulations Governing Hazardous Substance Cleanup (“Regulations”). The Final Plan presents to the public, the Department’s final selection of remedial activities to occur at the Terminal Avenue Widening Site (“Site”), New Castle, New Castle County, Delaware, see Figure 1.

2. Background

The Department reached an agreement with the Delaware Department of Transportation (“DelDOT”), the potentially responsible party (“PRP”), to perform a Remedial Investigation/Feasibility Study (“RI/FS”) under HSCA in May 1995. The investigation concluded in May 1996.

Terminal Avenue (Road 359) is the main thoroughfare for the Port of Wilmington Marine Terminal (“Port”). The reconstruction project is designed to improve the flow of traffic to and from the Port by creating a continuous highway from I-495 and the Port, see Figure 2.

The Terminal Avenue reconstruction project begins at the intersection of Terminal Avenue and Golding Avenue and ends south of the intersection of Terminal Avenue with Christina Avenue, near the Port. The project also includes reconstruction of the intersection of Christina Avenue and Terminal Avenue. The total length of Terminal Avenue involved in the reconstruction is approximately 1,600 feet. The maximum anticipated excavation depth is approximately six (6) feet.

Located along the north side of the Site and within the construction area is the Brandywine Chemical Company, a.k.a. the Halby Chemical Federal Superfund Site (“Halby”). An asphalt plant is located to the south of the Site and a tidal marsh is located to the northeast.

In accordance with the Regulations, the Department set remedial action objectives for land use, resource use, and cleanup levels that are protective of human health and the environment for the Site. The following objectives were determined to be appropriate for the Site:

- To continue to use the Site as a Public Road with supplied public water for all construction activities; and

- That routine construction, excavation and maintenance activities can occur without any special chemical hazard precaution once the remedial action plan is implemented.

These objectives are consistent with the value of the Site as one of the main access roads in and out of the Port, the surrounding land use, the New Castle County zoning policies, the state and federal regulations, and worker health and safety.

3. Proposed Plan and Public Participation

The Department drafted a Proposed Plan of Remedial Action for the Site recommending further action limited to the continued use of the Site by DelDOT as a major access in and out of the Port, the proper handling of contaminated soils excavated and removed from the Site, and the implementation of all health and safety parameters. The notice of Proposed Plan was published on June 11, 1996 in the News Journal Newspaper and the State News Newspaper, see Figures 3 and 4, respectively.

During the public comment period, the Department responded to several inquires, however, the Department did not receive any objections to or substantive comments on the Proposed Plan. In addition, during the public comment period, the Department did not receive a request for a public informational meeting.

4. Further Action

In view of the Remedial Action Objectives:

- To continue to use the Site as a Public Road with supplied public water for all construction activities;
- That routine construction, excavation and maintenance activities can occur without any special chemical hazard precaution once the remedial action plan is implemented;

and in view of the contaminants present at the Site, the Final Plan of Remedial Action is as follows:

- The site will continue to be used as a road reconstructed and maintained under the jurisdiction of the Delaware Department of Transportation.
- The soils excavated from the site as a function of the road reconstruction will be disposed of properly and no stockpiling of excavated material will be allowed.
- The Department of Transportation or its representative will conduct oversight during all phases of the reconstruction.

- The Department of Natural Resources will be present as needed during the reconstruction to assist the Department of Transportation in resolving environmental issues.
- The contractor shall monitor for dust and mist and take measures to maintain these indicators at permissible levels.
- The accumulation of surface water in excavation from a storm event will be disposed of properly in that the discharge will enter the nearest catch basin so as to not accumulate and/or to transport hazardous material from the Halby Chemical Site.
- The work will be conducted as per all appropriate state and federal regulations.

5. Declaration

This Final Plan of Remedial Action for the Terminal Avenue Widening Site is protective of human health, welfare and the environment and is consistent with the requirements of the Delaware Hazardous Substance Cleanup Act.


Nicholas A. Di Pasquale, Director
Division of Air and Waste Management

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Figure 1: Site Location Map

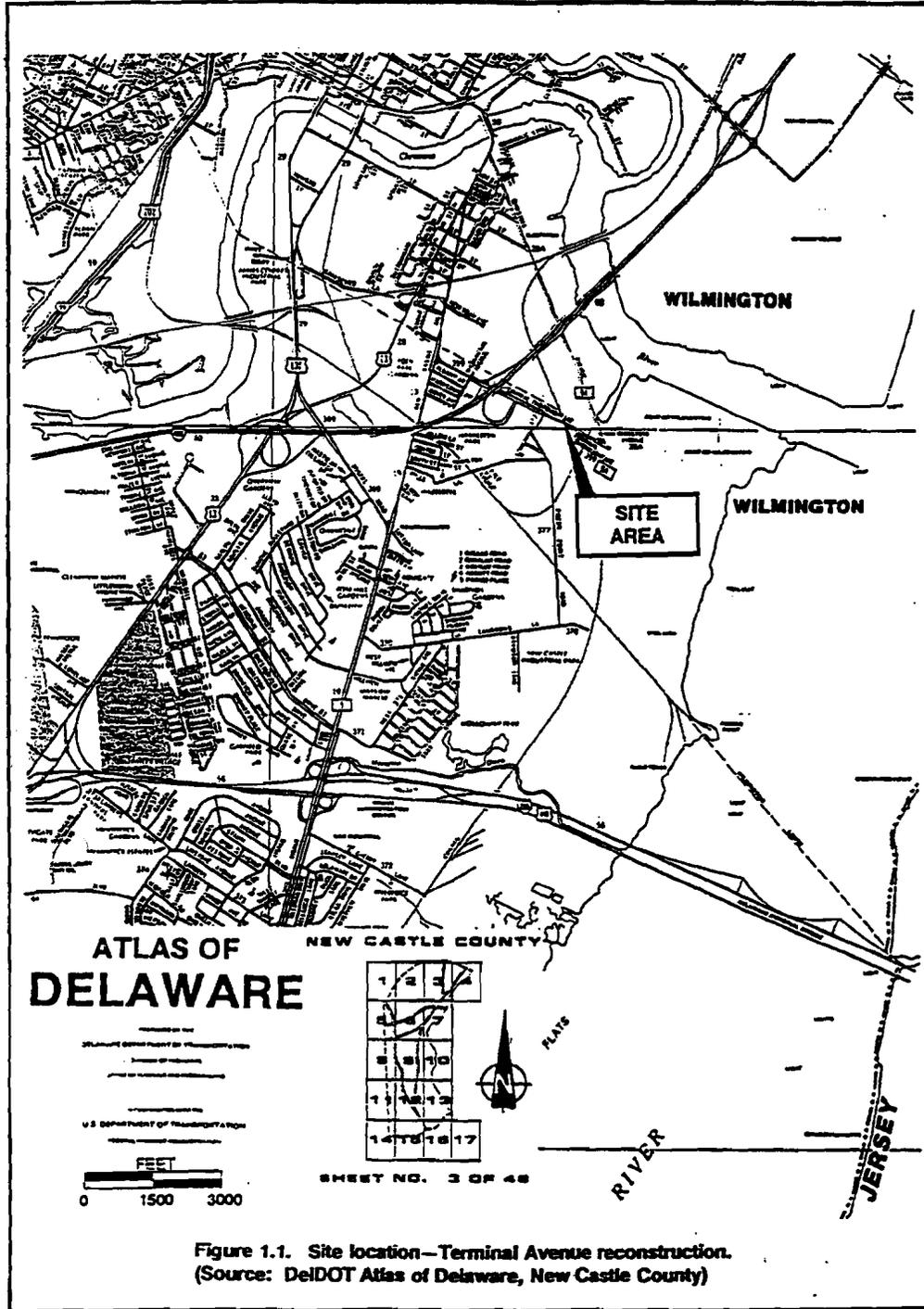


Figure 1.1. Site location—Terminal Avenue reconstruction.
(Source: DelDOT Atlas of Delaware, New Castle County)

Figure 2: Site Map

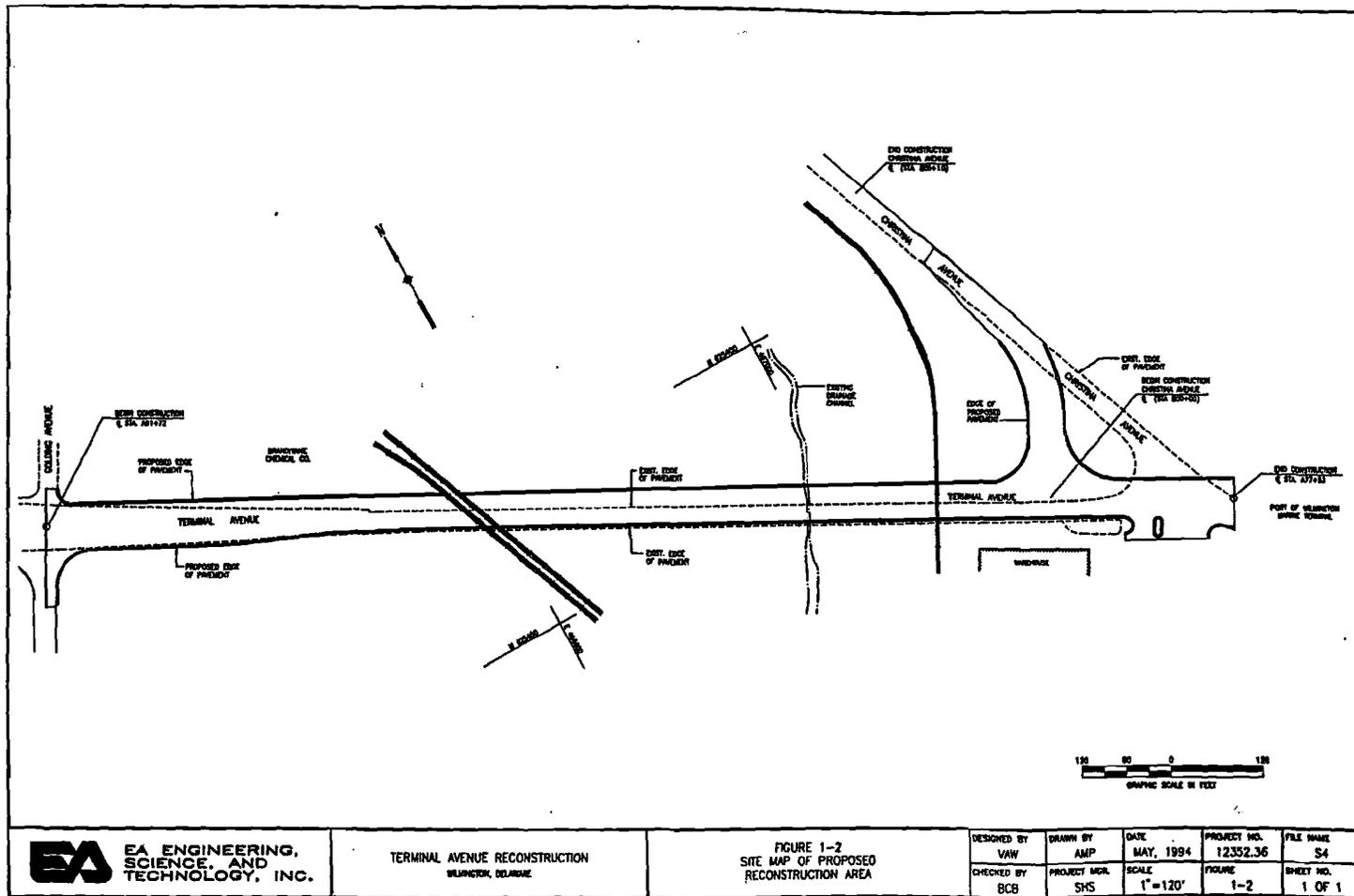


Figure 3: Public Notice of Proposed Plan - News Journal

**PROPOSED PLAN OF
REMEDIAL ACTION
FOR THE
TERMINAL AVENUE
WIDENING SITE**

The Delaware Department of Natural Resources and Environmental Control (DNREC) Announces the Release of the Proposed Plan of Remedial Action for the Terminal Avenue Widening Site located in New Castle, Delaware under the authority of the Hazardous Substance Cleanup Act (HSCA).

DNREC reached an agreement with the Delaware Department of Transportation (DelDOT) to perform a comprehensive environmental investigation and risk assessment of the Terminal Avenue Widening Site which is the main thoroughfare for the Port of Wilmington Marine Terminal located in New Castle County, Delaware. The investigation was performed under the authority granted to the Secretary of DNREC by the Delaware Hazardous Substance Cleanup Act, 7 Del. C. Chapter 91.

The results of this investigation concluded that the Terminal Avenue Widening Site, in its present condition, presents an unacceptable risk to public health, welfare or the environment.

According to the Proposed Plan of Remedial Action, DNREC recommends the following: a) Restriction of the site's use to a roadway maintained by DelDOT; b) Proper disposal of soils and a restriction against stockpiling soils in lieu of disposal; c) Oversight of contractors by DelDOT or its representative during the work; d) Monitoring by the Contractor for dust and mist and maintaining these indicators at permissible levels; e) Proper handling and disposal of storm water accumulated at the Site so as to prevent the transportation of hazardous materials from the Halby Chemical Site; f) Oversight by DNREC to resolve any environmental issues encountered during the construction; and g) conduct work as per all appropriate state and federal regulations. A copy of the Proposed Plan of Remedial Action for the Terminal Avenue Widening Site is available at the following location:

DNREC's
New Castle Office
715 Grantham Lane
New Castle, De 19720
(302) 323-4540

DNREC invites written comments on this Plan. The comment period begins on Tuesday, June 11, 1996 and ends at 4:30 p.m. on June 30, 1996. Comments may be submitted in writing to Jane Biggs Sanger by 4:30 p.m. On June 30, 1996 at the above address.

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Figure 4: Public Notice of Proposed Plan - State News

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PUBLIC NOTICES

because for people must know

MAP



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Ash Gut
held on June

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PUBLIC NOTICE

State Legal Notices

**LEGAL NOTICE
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