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FOX POINT PARK SITE

MODIFIED PROPOSED PLAN OF REMEDIAL ACTION

Presented For Public Comment

By

The Department of Natural Resources and Environmental Control (DNREC)

November 13, 1992

FOX POINT PARK SITE

PROPOSED PLAN OF REMEDIAL ACTION

1. PURPOSE OF THE MODIFIED PROPOSED PLAN

On September 10, 1992, DNREC issued the original Proposed Plan for the remediation of the Fox Point Park Site. Subsequent to the public comment period, several important issues were raised about the scope and cost of the project. DNREC has addressed these issues in this modified Proposed Plan. The changes from the original Proposed Plan are significant enough to warrant re-opening the public comment period for twenty days.

2. CONTENTS OF THE MODIFIED PROPOSED PLAN

This modified proposed plan is issued under the Delaware Hazardous Waste Cleanup Act (HSCA). Its purpose is to present to the public additional information on the technical approach to reducing risk levels associated with use of the Fox Point site as a park. It will examine the proposed approach and explain why it was selected. It will also discuss other approaches which were rejected. Section Five will summarize the differences between this modified Proposed Plan and the original Proposed Plan issued in September 1992.

The contents of a proposed plan of remedial action are discussed in the draft HSCA regulations, section 8.7. A proposed plan may include:

(a) General description of the proposed remedial action including compliance monitoring.

(b) Brief summary of other alternative remedial actions evaluated in the remedial investigation/feasibility study.

(c) Cleanup levels for each media of concern and the point of compliance where the levels will be met.

(d) Schedule for implementation of the plan of remedial action including the restoration time frame if known.

(e) Institutional controls required for facility use restriction, if any, for the proposed remedial action.

In addition to the above, this plan contains a brief description of the site and the results of the remedial investigation. It concludes with instructions for directing comments or questions about the plan to DNREC.

3. SITE DESCRIPTION

The Fox Point Park Site is a linear tract of about 15 acres on the Delaware River in Wilmington. It is located just north of the Du Pont Edgemoor plant. It is between I-495 and the Amtrack tracks on the west and the Delaware River on the east.

The site consists of fill material comprised of industrial waste (including slag, bricks, timbers, waste ingots and castings) which was placed in the 1960's to a depth of about 16-20 feet throughout the area. Subsequently, the site was used as a trash dump and, in the 1970's, for digested sewage sludge drying and disposal. Two drainage ditches cross the site and flow into the Delaware River.

The Department of Natural Resources and Environmental Control owns the property and intends to develop it as a river front park. Investigations of the site in 1991 indicated the presence of a wide variety of chemical contaminants. The site was then closed to the public. Consequently, a remedial investigation, risk assessment and feasibility study were authorized by the Division of Air and Waste Management under the Delaware Hazardous Substance Cleanup Act of 1991. The specific purpose of the investigation was to assess the human health risk to visitors, park employees and construction workers on the site in its present condition.

The results of the assessment indicate that levels of arsenic, antimony and PCBs in surface soils would present an unacceptable risk of chronic health effects to park visitors and employees due to dermal contact and inadvertent ingestion. A feasibility study was then undertaken to evaluate means to reduce these risks to acceptable levels.

4. THE MODIFIED PROPOSED REMEDIAL ACTION

The proposed remedy for the site (identified as Alternative Five in the feasibility study) isolates the contaminated material from park visitors and employees by placing a layer of impermeable plastic fabric over the 15 acre surface of the site. Layers of sand, clean fill and topsoil will be placed below and above the liner to provide for drainage and support vegetation. The impermeable cap will extend from the new park road on the western side of the site to a walkway which will be constructed along the river bank as one of the park's amenities. Under the proposed remedy, one of the two drainage ditches will be enclosed in a culvert. Placing the culvert will simplify liner installation, improve liner integrity and increase park area available for recreation.

The implementation of this remedy requires:

(1) Clearing, grubbing and grading the site.

(2) Excavating and culverting the southern drainage ditch (Ditch AB), filling around the culvert.

(3) Excavating utility chases and foundations for park buildings in the existing fill material.

(4) Laying down a six inch sand layer over the site.

(5) Installing a 60 millimeter low density polyethylene cap in the area from the new park road to the Delaware River (except under the proposed parking lot).

(6) Laying down a sand-and-fill drainage layer approximately one foot thick with perforated drainage pipes installed.

(7) Adding a four inch layer of top soil and seeding.

(8) Constructing a retaining feature on the eastern perimeter of the lined area.

Park development also includes a new road in the approximate location of the existing unpaved road.

Although the use of the impermeable liner adds to the capital cost of the project, it is expected to have greater long term effectiveness and lower overall maintenance costs than remedies employing fill alone. Any upward migration of contaminants will be intercepted by the plastic. This remedy is, therefore, the most effective in preventing contact with or ingestion of contaminated material. This alternative also provides some environmental protection by preventing the leaching of contaminants due to rain water infiltration through the fill material.

5. SUMMARY OF DIFFERENCES BETWEEN THE ORIGINAL AND MODIFIED PROPOSED PLANS

The principle changes to the original Proposed Plan are as follows:

Culverting The Ditches:

The original plan anticipated placing both ditches in culverts. The estimated cost of culverting and filling the northern ditch is about $200,000. In the modified plan, this ditch will be outside the park boundary and will remain open. This modification is not expected to impact the risk of using the park since the area in question will be outside the park. Access will be controlled with a fence.

Extent Of The Cap:

In the original plan the cap extended to the western fence line of the park. It would have therefore covered an existing natural gas pipeline and interfered with the pipeline owner's leak detection system. The modified plan will terminate the cap at the eastern edge of the park road leaving a strip about 50 feet wide between the road and fence line which will be covered only with clean soil. This modification is still protective of human health since there will be no contact of contaminated soil by park visitors.

The modified plan moves the northern park boundary by about 100 feet to the south, just south of Ditch BC. The extent of the cap will therefore be reduced at a savings of about $100,000.

Under the modified plan, the impermeable cap may not extend beneath the parking lot. This change is not expected to have any human health or environmental impact and will be made on a cost basis when material bids are received.

6. OTHER ALTERNATIVE REMEDIAL ACTIONS

The feasibility study screened a variety of remedial approaches and technologies. The following methods were screened out due to lack of feasibility, high costs, problems with implementation in the given time frame or failure to meet the goals of the project:

- Removal and offsite treatment, disposal or recycling.
- Placement of a concrete, asphalt or clay cap.
- In situ bioremediation, vapor extraction or vitrification.
- Fixation of surface soils.

Five alternatives were evaluated in more detail in the feasibility study. A brief summary of the four rejected alternatives follows:

Alterative 1 – No Action: This alternative was rejected because it does not meet the goal of providing safe park space to the public.

Alternative 2 – Limited Access Park: This alternative would leave only a limited area of the park space for active recreation. A small playground and walkways would be covered with clean soil and fenced. There would be no access to the majority of the area. This alternative does not meet the goal of providing a safe, general use of the park.

Alternative 3 – Clean Fill: This alternative would cover contaminated surface soils with a one-foot layer of clean fill. The remedy would be protective in the short term, but over time the potential exists for mingling of the contaminated material with the clean fill resulting in exposure to visitors and employees. Consequently, the surface soils would have to be sampled and monitored, driving up the costs of operating the park.

Alternative 4 – Clean Fill and Permeable Fabric: This alternative would isolate people from the material and reduce upward migration of contamination. However, sampling and monitoring would be required as for Alternative 3.

7. CLEANUP LEVELS

The proposed plan of remedial action will prevent human contact with the surface soils thereby preventing exposure to all contaminants of concern. For the contaminants causing unacceptable risks, the surface soil concentration of PCBs will be reduced to below 400 ug/kg and arsenic to below 6 mg/kg. No cleanup level was established for antimony because 70% of the risk is due to arsenic levels.

8. IMPLEMENTATION AND SCHEDULE

The first step in implementing the proposed plan of remedial action is the detailed design. The design contractor will also prepare bid specifications for the construction work. The Department will solicit bids for clearing, lining, spreading fill and excavation of the ditch. Park building foundations will be constructed concurrently with liner installation as necessary. The schedule calls for the park opening in May 1993.

9. INSTITUTIONAL CONTROLS

In addition to the construction work, the Division of Parks and Recreation will develop operating procedures to prevent damage to the liner or exposure of workers during park maintenance. Rodents and digging animals will have to be controlled. Means of restricting access to the river bank are still being evaluated. These procedures will be in written form and will be incorporated into park employee training and orientation. The effectiveness of the procedures in protection of the remedy will be reviewed annually.

10. PUBLIC PARTICIPATION

The notice of the Modified Proposed Plan of remedial action appeared in The Wilmington News-Journal on November 13, 1992. The public comment period is open until December 4, 1992. Comments received by the Department during this period will be considered for incorporation in the final plan which will be issued shortly thereafter. Please direct questions or comments to:

DNREC Division of Air and Waste Management
Attention: Stephen F. Johnson
715 Grantham Lane
New Castle, DE 19720
Phone number (302) 323-4540

Complete copies of the Remedial Investigation/Feasibility Report may be examined at the address above during regular office hours or at:

Claymont Public Library	Wilmington Institute Library
3303 Green Street	Tenth and Market Streets
Claymont, Delaware	Wilmington, Delaware
Phone: (302) 798-4164	Phone: (302) 571-7416

Please contact the library for information regarding the days and hours they are open for business.

SFJ/mlb
SFJ2266

ATTACHMENT E

FINAL PLAN OF REMEDIAL ACTION

FOX POINT PARK SITE

FINAL PLAN

Presented by

The Department of Natural Resources and Environmental Control (DNREC)

DECEMBER 18, 1992

FOX POINT PARK SITE

FINAL PLAN OF REMEDIAL ACTION

1. ORGANIZATION AND CONTENTS OF THE FINAL PLAN

This Final Plan is issued under the Delaware Hazardous Waste Cleanup Act of 1991 (HSCA). The purpose of this Final Plan is to present the public with DNREC's chosen technical approach to reducing risk levels associated with the use of Fox Point site as a park. The plan incorporates public comments made during the comment periods.

2. SITE DESCRIPTION

The Fox Point Park Site is a linear tract of about 15 acres on the Delaware River in Wilmington. It is located just north of the DuPont Edgemoor plant. It is between I-495 and the Amtrak tracks on the west and the Delaware River on the east.

The site consists of fill material comprised of industrial waste (including slag, bricks, timbers, waste ingots and castings) which was placed in the 1960's to a depth of about 16-20 feet throughout the area. Subsequently, the site was used as a trash dump and, in the 1970's, for digested sewage sludge drying and disposal. Two drainage ditches cross the site and flow into the Delaware River.

The Department of Natural Resources and Environmental Control owns the property and intends to develop it as a river front park. Investigations of the site in 1991 indicated the presence on the site of a wide variety of chemical contaminants. The site was then closed to the public. Consequently, a Remedial Investigation, Risk Assessment and Feasibility Study were authorized by the Division of Air and Waste Management under HSCA. The specific purpose of the investigation was to assess the human health risk to visitors, park employees and construction workers of using the site as a park in its present condition.

The results of the assessment indicate that levels of arsenic, antimony and PCBs in surface soils would present an unacceptable risk of chronic health effects to park visitors and employees due to dermal contact and inadvertent ingestion. A Feasibility Study was then undertaken to evaluate means to reduce these risks to acceptable levels.

3. THE PROPOSED REMEDIAL ACTION

The proposed remedy for the site (identified as Alternative 5 in the Feasibility Study) isolates the contaminated material from park visitors and employees by placing a layer of impermeable plastic fabric over the 15 acre surface of the site. Layers of textiles, sand, clean fill and topsoil will be placed below and above the liner to provide for drainage and support vegetation. The impermeable cap will extend from the eastern edge of the new park road to a low berm which will be constructed along the river bank. Under the proposed remedy, a drainage ditch which traverses the site will be enclosed in a culvert. Placing the culvert will simplify liner installation, improve liner integrity and increase park area available for recreation.

Park development also includes a new road in the approximate location of the existing unpaved road and a paved parking lot.

Although the use of the impermeable liner adds to the capital cost of the project, it is expected to have greater long term effectiveness and lower overall maintenance costs than remedies employing fill alone. Any upward migration of contaminants will be intercepted by the plastic. This remedy is therefore the most effective in preventing contact with or ingestion of contaminated material. This alternative also provides some environmental protection by preventing the leaching of contaminants due to rain water infiltration through the fill material.

4. OTHER ALTERNATIVE REMEDIAL ACTIONS

The Feasibility Study screened a variety of remedial approaches and technologies. The following methods were screened out due to lack of feasibility, high costs, problems with implementation in the given time frame or failure to meet the goals of the project:

- Removal and offsite treatment, disposal or recycling.
- Placement of a concrete, asphalt or clay cap.
- In situ bioremediation, vapor extraction or vitrification.
- Fixation of surface soils.

Five alternatives were evaluated in more detail in the Feasibility Study. A brief summary of the four rejected alternatives follows:

Alterative 1--No Action

This alternative was rejected because it does not meet the goal of providing safe park space to the public.

Alternative 2--Limited Access Park

This alternative would leave only a limited area of the park space for active recreation. A small playground and walkways would be covered with clean soil and fenced. There would be no access to the majority of the area. This alternative does not meet the goal of providing a safe general use of the park.

Alternative 3--Clean Fill

This alternative would cover contaminated surface soils with a one-foot layer of clean fill. The remedy would be protective in the short term, but over a period of time the potential exists for mingling of the contaminated material with the clean fill resulting in exposure to visitors and employees. Consequently, the surface soils would have to be sampled and monitored, driving up the costs of operating the park.

Alternative 4--Clean Fill and Permeable Fabric

This alternative would isolate people from the material and reduce upward migration of contamination. However, sampling and monitoring would be required as in Alternative 3.

5. DESCRIPTION OF THE FINAL PLAN

The Final Plan of Remedial Action differs from the original Proposed Plan in the extent of the impermeable cap. These changes were made and discussed in the modified Proposed Plan issued on November 12, 1992. During the first comment period, the Delmarva Power Company, which owns a 24-inch natural gas line crossing the site, raised a concern about the cap. The impermeable cap would interfere with the leak detection system which the company carries out on a monthly basis. The detection system relies on gas from a leak in the pipe rising to the ground surface. The impermeable cap would prevent leaking gas from reaching the surface in the shortest distance. The gas could form a bubble under the cap leading to a potentially explosive condition or escape the cap at some distance from the pipeline where it would not be detected.

The Final Plan, therefore, terminates the western edge of the impermeable cap at the east side of the new park road. The strip between the road and the western fence (varying in width up to about fifty feet) will receive a soil cover, but no fabric cover.

This design will maintain the protectiveness of the remedy but will allow Delmarva and other pipeline owners to perform leak detection activities. It will also permit easier maintenance of the pipelines. The change does not present any disadvantages from the human health standpoint. Park visitors and personnel will be separated from the contaminated material. The risk assessment performed as part of the Remedial Investigation evaluated health risk to park construction workers. Because of more limited exposure frequency and duration, and because sub-surface soils are somewhat less contaminated than surface soils, the health risk to construction workers is less than that to visitors and is in the acceptable range. The absence of the impermeable cover over the pipeline will not pose any unacceptable risks to park visitors or to workers maintaining or checking the pipelines.

The absence of the cap from this area of the site does diminish the mitigation of potential impacts on Delaware River water quality. However, the Department regards maintaining viable gas leak detection as the overriding concern. The area in question is small compared to the area that will be covered with the impermeable cap.

Another change to the extent of the cap was made in the modified Proposed Plan. The park boundaries were adjusted to exclude the northern drainage ditch and about one acre of surface area. This adjustment was made as a cost saving measure.

To implement the design, the following construction activities are expected to occur:

- Clearing vegetation and grading the existing surface.
- Cleaning the two drainage ditches traversing the site; culverting the southern ditch (AB).
- Excavating a shallow liner retaining trench around the perimeter of the area to be lined and providing for foundations/footings/bed for park structures and plantings; excavating utility chases.
- Preparing the surface under all areas of the site which will be covered by the liner.
- Installing the polyethylene liner material and associated fabric covers over the area between the new park road and river.

- Topping the liner with covering material including sub-base for the road and paths; setting footings and foundations as needed.

- Adding approximately one foot of soil cover to the narrow unlined portion of the site between the road and the western fence (over the pipelines).

- Seeding the cover.

- Erecting fencing and signs as needed.

The project will make a transition from remedial construction to park development. The latter will include constructing the park facilities, parking lot, roads, paths, etc. The remedial project will include developing a manual of operations for monitoring the performance of the cover and procedures to use if the cover is penetrated or needs repair.

6. CLEANUP LEVELS

The Final Plan of Remedial Action will prevent human contact with the surface soils thereby preventing exposure to all contaminants of concern. For the contaminants causing unacceptable risks, the surface soil concentration of PCBs will be reduced to below 400 ug/kg and arsenic to below 6 mg/kg.

7. IMPLEMENTATION AND SCHEDULE

The first step in implementing the Final Plan of Remedial Action is the detailed design. The design contractor will also prepare bid specifications for the construction work. The Department will solicit a single bid for clearing, grading, lining, and road construction and all park development. The project requires close coordination between the designers of the remedial work and the designers of the park. The current schedule anticipates the park opening in late 1993.

8. INSTITUTIONAL CONTROLS

In addition to the construction work, the Division of Parks and Recreation will develop operations procedures to prevent damage to the liner or exposure of workers during park maintenance. This will include a prohibition on driving stakes for horseshoes, volleyball, etc. Additional building plans will have to be carefully reviewed for impacts on the liner and surface drainage. Rodents and digging animals will have to be controlled. Means of restricting access to the river bank are still

being evaluated. These procedures will be in written form and will be incorporated into park employee training and orientation. The effectiveness of the procedures in protection of the remedy will be reviewed annually.

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ATTACHMENT F

COPIES OF PUBLISHED INFORMATION AND NEWSPAPER ARTICLES ON THE SITE

Volunteers-turned-pro get their first paid assignment

By JIM PARKS
Special to Crossroads

FOX POINT — Two women who, as volunteers, spearheaded establishment of the Delaware Greenways project have turned pro.

Gail Van Gilder and Edith M. Carlson recently formed Answers Inc., a private consulting firm intended to help community organizations and other groups foster public-interest activities.

They were hired last month by the Fox Point Association to promote development of the Fox Point State Park, which is planned to stretch along the banks of the Delaware River between Edgemoor and Claymont. The park site is now closed for an environmental cleanup. Development of a small first phase is scheduled for completion by next summer.

"Fox Point is our first client. From here we intend to make ourselves available to others we can help," said Van Gilder.

Before the association approved spending $25,000 to hire Van Gilder and Carlson part-time for a year, its members heard ringing endorsements from several community representatives, including state Rep. David Ennis and New Castle County Councilman Richard C. Cecil.

One participant at the meeting, however, objected to paying someone to continue work done thus far on a volunteer basis. He invoked the memory of the late Marston Fox, a resident and civic leader in the Penny Hill area. Fox took on the former Pennsylvania Railroad more than a quarter-century ago to block efforts to fill the land between its right-of-way and the river for industrial development.

Carlson — who wasn't at the meeting — bristled during an interview at a suggestion that some people might consider hiring a paid staff as "cheapening" a civic crusade. "If there's a feeling that bringing professional expertise to a worthwhile project is bad, that's just illogical thinking," she said.

She compared such linkage to the well-established role of nonprofit organizations. They routinely parlay efforts by paid staff and volunteers to enhance their effectiveness, she said.

Van Gilder said changed lifestyles have seriously crimped volunteer actively.

"Our role is to be a catalyst to channel the energy — to provide the support system that makes them [the volunteers] more effective. Without that kind of help they can burn out quickly," Carlson added.

Carlson said present-day reality demands that public projects such as Fox Point Park require not only time but also money from the public.

"There are some, but not nearly enough, state and federal funds available. With all the budget cuts, that [situation] doesn't look like it's going to change very soon. If we want the park, we can sit around and wait for it until we can get tax money — or we can go out and raise the funds ourselves and then use them to leverage what is available from government, foundations and other sources," she said.

While most of their civic work until now has been on a volunteer basis, both women have long since coated their amateur status with professional veneer. Van Gilder worked a year for the state Department of Natural Resources and Environmental Control as executive director of the Coastal Heritage Greenway Council. Carlway Council Inc.

Carlson and Van Gilder met as neighbors for a common cause. Carlson lives in Weldin Park and Van Gilder used to live in adjacent Forest Hills Park and was president of the Weldin Communities Association when those and other Brandywine Hundred communities opposed plans a few years ago to build a major shopping complex on the Rock Manor golf course.

Both admit to having been novices when it came, literally, to fighting city hall. Wilmington Mayor Daniel S. Frawley and his administration were pushing the project. But they learned quickly and meshed well as a team.

Frawley and developer Blue Ball Associates eventually gave up the plan. The golf course was designated as keystone of a northern greenway envisioned to link Fox Point Park on the Delaware with Alapocas Park on the Brandywine.

That, said Van Gilder, was the reason for their success. "Rather than being against the mall, we were for the park," she said.

Carlson said their approach should not be considered anti-development. "Development is going to come. We want to shape it in a way that is positive," she said.

Having spent last year in her native New York state before returning to Delaware and taking up residence in Greenville, Van Gilder said Long Island provides a vivid demonstration of what a consensus resolution.

"There you have the ultimate example of 'NIMBY' [not in my backyard] in action. They just opposed everything. The result is that companies are laying off and taxes have gone sky high. They wanted exclusivity. They got exclusivity and, now that it's time to pay for it, they find they can't afford it," she said.

The same principles, Carlson said, apply to park development. "Everybody has their concept of a park but it's not the same concept. A park can be active, a place for recreation, but there's also other purposes for parks. We need places where we can go to relax or to think or to just take a walk. All parks shouldn't be the same," she said.

The women said they have not formulated specific plans for what they will be doing for the Fox Point Association. Their contract calls for them to provide fundraising, public relations and liaison with government agencies.

"We need to get the message out about how unique that park is. We have to garner support, from the business community, from the residential community, from beyond the immediate area," Carlson said.

Special to Crossroads/ROBERT CRAIG

PROVIDING ANSWERS: Gail Van Gilder (left) and Edith M. Carlson stand on the grounds of the Caulfiel Estate, which may be purchased to link Bellevue and the Fox Point State Park. The two make up Answers Inc., a consulting firm.

PROFILES

NAME: Edith M. Carlson
AGE: 44
RESIDENCE: Weldin Park
EDUCATION: University of California at San Diego, B.A. with honors, chemistry with a minor in literature.
PROFESSIONAL EXPERIENCE: Chemical marketing research with Stanford Research Institute, FMC Corp. and ICI Americas.
COMMUNITY INVOLVEMENT: Co-founder of Northern Delaware Greenway Council Inc. The council is the successor to Rock Manor Park Preservation Council Inc., formed to provide an alternative to a proposed shopping center at Rock Manor golf course.

NAME: Gail Van Gilder
AGE: 49
RESIDENCE: Greenville
EDUCATION: Cornell University, Ithica, N.Y.
PROFESSIONAL EXPERIENCE: Spent about 10 years as a member of botanical expeditions in southeast Asia and South America, including one of the earliest expeditions to classify species in Amazon rain forests. Real estate sales representative; research analyst and personnel manager with a chemical market research firm in New York state; vice president of a residential development firm in New York; independent property title agent.
COMMUNITY INVOLVEMENT: President of the Weldin Communities (civic) Association; co-founder with Carlson of Northern Delaware Greenway Council Inc.; executive director of the Coastal Heritage Greenway Council. Recipient in 1991 of the Delaware Distinguished Service Award.

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Legal Notices 500

DNREC announces comment period on modified proposed plan and availability of administrative record for Fox Point Park, Delaware Superfund Site, Fox Point, Delaware

The Delaware Department of Natural Resources and Environmental Control (DNREC) seeks comment on the modified proposed remedial action plan to address contaminated soil associated with the Fox Point State Park located off Interstate 495 in New Castle County, Delaware.

The modified proposed plan, which is based on the recently completed remedial investigation and feasibility study report, describes all alternatives for remediating the soil at the site. The modified proposed plan is available at the following locations:

DNREC Offices
715 Grantham Lane
New Castle, DE
Claymont Public Library
3303 Green Street
Claymont, DE
Wilmington Institute Library
10th and Market Streets
Wilmington, DE
Fox Point Association Offices
Mount Pleasant High School
Washington Street Extension and Marsh Road
Wilmington, DE

The public is encouraged to review the modified proposed plan and submit comments. DNREC will not finalize the plan until the close of public comment period which begins on November 13, 1929 and ends on December 4, 1992.

A public meeting on the modified proposed plan will not be held unless the Secretary receives a request for such a hearing before the close of the comment period. A request for a hearing must be made in writing stating the reasons and purposes for making the request.

Comments regarding the modified proposed plan may be directed to Stephen Johnson at (302) 323-4540 or by writing

Stephen Johnson
DNREC
715 Grantham Lane
New Castle, DE 19720

11/13NJ A/18242
O/76367

Legal Notices 500

DNREC announces comment period on modified proposed plan and availability of administrative record for Fox Point Park, Delaware Superfund Site, Fox Point, Delaware

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Washington Street Extension and Marsh Road
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Stephen Johnson
DNREC
715 Grantham Lane
New Castle, DE 19720

11/13NJ A/18242
O/76367

Update

A monthly publication from the Division of Air & Waste Management for the residents of Fox Point
Volume 1 Number 3 December 1992

DNREC makes changes to Fox Point remediation plan

Responding to public comment and further departmental study, DNREC modified the plan for the remedial design at Fox Point Park.

The changes were important enough to warrant reissuing the remedial plan for another comment period, which was announced in the all editions of the Wilmington News Journal on November 12. No remarks were received during the second period, which ended December 4.

Examining differences in remedy

One area of difference is the extent of the impermeable cap. Delmarva Power has a 24-inch natural gas line which crosses the western edge of the site. The pipeline is checked monthly for leaks with a gas "sniffing" device. An impermeable cap over the pipeline would interfere with leak detection and could cause a buildup of gas if a leak occurred.

The solution is to use a permeable soil cover over the pipeline right-of-way. This satisfies Delmarva and is still protective because there will be no contact with contaminated material by park visitors.

The modified plan also alters the scope of the park remediation. In the original plan, DNREC anticipated culverting and filling two drainage ditches which cross the site.

The estimated cost of this work turned out to be much higher than expected because of the large quantity of fill material needed.

The alternative approach would end the park on what is known as Parcel B, just south of the second drainage ditch. The park area will be smaller by about one acre, but the savings will be significant.

The existing vegetation line along the ditch will be preserved so that the northern park boundary fence will not seem so bare. The southern ditch will be culverted as described in the original plan.

Remediation, development coordinated

The remedial design has required considerable coordination with the park development plan.

Features of the remedial design include grubbing and grading the site, using an impermeable liner in conjuncton with other textile covers for drainage and protection, installing a perimeter drain and a dispersion field, and building a wing wall for the culvert.

An attractive three-and-a-half-foot-high, decorative fence will run along the river bank. Park structures and plantings will be contained in mounds preventing penetration of the cap. Water, sewer, and electrial service will run above the cap and adjacent to the park road.

Park features will include a new paved road and parking lot, two picnic pavilions, a restroom/maintenance structure, and play equipment. The memorial area will be separated from the recreational area by trees. A pathway running along the river will connect several vistas and the memorial area.

Project bidding to open next month

Work will be done under a single contract for all construction. The bid documents are expected to be ready by the end of January.

Construction is now anticipated to take 245 days, which means the park will not be ready for the 1993 season.

For more information, contact
Stephen Johnson, project officer
Paula Savini, public information officer
DNREC
(302) 323-4540

NJ 9/9.?

Residents speak out on Fox Point

FOX POINT — Edith Carlson says a full generation missed the chance to use Fox Point State Park, and the people who contaminated the site should pay to clean up the mess and to compensate for the loss.

Meantime, she and other community leaders urged state officials Tuesday night to look at contamination of the entire 168 acres and not just the 15 acres at the south end of the property.

N.V. Raman, head of the state Superfund Program, said there are no immediate plans to study the north end of the property.

Snell, Carlson and about a dozen other local leaders attended a public meeting Tuesday on the state's plans for the park.

The park closed a year ago after state environmental officials found that dirt tainted with arsenic and antimony could pose a health risk. The state has spent $400,000 to determine the extent of contamination on the 15 acres at the south end. Cleanup, expected to cost another $2 million, will be paid for by the state Superfund Program.

Officials will take public comments on the cleanup plans through Oct. 2.

THE NEWS JOURNAL FRIDAY, SEPT. 11, 1992

Fox Point a low risk

By MOLLY MURRAY
Staff reporter

NEW CASTLE — Widespread soil contamination at Fox Point State Park could pose cancer and other health threats for frequent park users, although the risk is remote, state environmental officials said Thursday.

Cleaning up the problem would cost $1.6 million to $2.2 million, the state estimated. The contamination and cleanup are outlined in a consultant's report, which confirmed earlier test results that led the state to close the park a year ago.

"There's a very wide range of contamination, it's at low levels and it's spread evenly across the area," said Stephen Johnson, a state environmental engineer who is serving as project officer. "There is some health risk to very long-term exposure at the site."

State environmental officials believe problems at the 15-acre park along the Delaware River could be corrected by covering the contaminated soil with a thick layer of plastic similar to the material used to line landfills. The plastic would seal the tainted soil in place and keep rain from passing through.

A layer of sand, earth and topsoil above the plastic would complete the treatment.

The contamination and cleanup are detailed in a $400,000 study by New Jersey consultants Camp, Dresser & McKee Inc. The public will be asked to comment on the cleanup proposal at a meeting at 7 p.m. Sept. 22 in Mount Pleasant High School.

Two factors shaped the state's cleanup plan:

- Contamination at the park is so widespread that traditional cleanup methods such as excavating soil aren't practical.
- State and local leaders want to reopen Fox Point State Park for public use, hopefully by Memorial Day 1993.

"We want to go out of our way to make sure it is safe for the public," said N.V. Raman, head of the state Superfund program. The cleanup will be the first handled under the state program.

Gary Foggin, president of the Fox Point Association, said the cleanup proposal seems to make sense.

"We're pleased that they're moving along at a pretty good pace," Foggin said. "If we're going to make it into a park, people are going to be going there regularly. ... You can't take a chance."

Most of the contamination probably came from sludge from the Wilmington Sewage Treatment Plant that was spread on the property in the 1970s, Johnson said. Some of the toxins may also be coming from fill brought to the site in the 1960s to stabilize the Delaware River shoreline, he said.

In all, close to 40 soil and water samples were collected in May and June.

The problem contaminants were antimony (a chemical used in electroplating) and arsenic (a chemical used in pesticides, medicines, the manufacture of semiconductors and glass).

People would most likely be exposed to the arsenic and antimony if they swallow the soil by accident. State officials believe it would take years of frequent exposure before people would suffer any health impacts.

Arsenic, a known carcinogen, can cause lung, skin, liver and bladder problems. Antimony can cause liver damage.

Lead and polychlorinated biphenyls were also found in levels that exceeded the standards, but they are not believed to pose a health risk, according to the state's findings.

Traces of the pesticide dieldrin were found in surface water samples. Water in the area drains into the Delaware River, Johnson said.

State officials believe the water contamination poses no health risk for people but plan additional study of the environmental impact to the river, said Stephen N. Williams, a state program manager who is working on the cleanup plan.

Delaware State News, Saturday, September 12, 1992

Fox Point soil found to be toxic

NEW CASTLE – State environmental officials are warning that soil contamination at the Fox Point State Park poses cancer and other health risks.

While emphasizing the health risk is low, state officials said Thursday contamination at the 15-acre site along the Delaware River near New Castle is widespread.

Officials have estimated it will cost up to $2.2 million to clean up the problem.

The area is currently closed to the public, but officials hope to complete the cleanup in time for a Memorial Day opening next year. The cleanup effort will be the first handled under the state's Superfund program.

Most of the contamination probably came from sludge from the Wilmington Sewage Treatment Plant that was spread on the property in the 1970s.

THE WHALE, SATURDAY, SEPTEMBER 12, 1992

Dolphin Holding Its Own At Jersey Rehab Center

The beached striped dolphin rescued by rangers Sept. 5 at Delaware Seashores State Park is "holding its own" at the Marine Mammal Stranding Center in Brigantine, N.J., Delaware stranding coordinator Lisa Gelvin-Innvaer said yesterday. The 120-pound dolphin is not swimming well and may have a touch of pneumonia, she said she had been told, adding that because of its weakened condition there is a strong possibility it will never be returned to the ocean.

DNREC announces comment period on proposed plan and availability of administrative record for Fox Point Park, Delaware Superfund Site, Fox Point, Delaware.

The Delaware Department of Natural Resources and Environmental Control (DNREC) seeks comment on the proposed remedial action plan to address contaminated soil associated with the Fox Point State Park located off Interstate 495 in New Castle County, Delaware.

The proposed plan, which is based on the recently completed remedial investigation and feasibility study report, describes all alternatives for remediating the soil at the site. The RI/FS and the proposed plan are available at the following locations:

Superfund Branch
Division of Air and
Waste Management
715 Grantham Lane
New Castle, DE
Claymont Public Library
3303 Green Street
Claymont, DE 19703

DNREC has evaluated the following applicable alternatives for addressing groundwater contamination at the site:

1 - no action
2 - limited access park
3 - clean fill over contaminated soil
4 - permeable fabric cap over contaminated soil with a clean fill cover
5 - impermeable fabric cap over contaminated soil with a clean fill cover

DNREC's preferred alternative is alternative #5. This alternative provides long-term effectiveness, incurs lower maintenance costs, and addresses possible ecological concerns.

The public is encouraged to review the RI/FS reports and the proposed plan and to submit comments on any or all of the alternatives. DNREC will not make the final alternative selection until the close of the public comment period which begins on September 12, 1992 and ends on October 2, 1992.

A public meeting to discuss the proposed plan will be held on Tuesday, September 22 at 7 p.m. at Mt. Pleasant High School Cafeteria, Washington Street Extension and Marsh Road, Wilmington, DE.

Comments or questions regarding the proposed plan may be directed to Stephen Johnson at (302) 323-4540 or by writing

Stephen Johnson
DNREC
715 Grantham Lane
New Castle, DE 19720

9/11NJ A/16083
O/45866

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PUBLIC NOTICE

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Delaware

Maryland St

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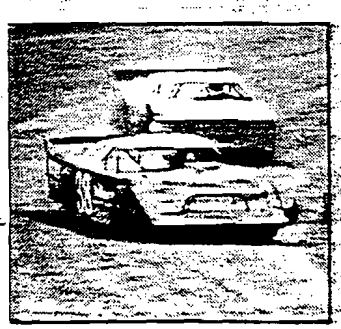
Iraq says OK to search

Iraq agrees to permit weapons inspectors to search the Agriculture Ministry in Baghdad, ending a three-week standoff — Nation/World, Page 4.

Students have a hand in parking

It's not the kind of parking that parents worry about. Instead, this is a fund raiser for band students — Workplace, Page 9.



Pettyjohn, Elliott win air features

Ricky Elliott and Kenny Pettyjohn win feature races

State Superfund: Clean-up process is slow going

By Mike Yaple
Staff writer

DOVER — Since it began two years ago, the Delaware Superfund collected $5.52 million, but only a half million dollars have been spent so far. And no sites have been cleaned.

That may seem like government in slow motion, but such is the nature of the Superfund program.

Before contaminated sites can be cleaned, state officials must go through the lengthy process of investigation, which takes a year or two.

It starts with finding the responsible parties who contributed or created the site, then negotiating an agreement of how much each pays, taking samples, performing studies to determine the risk the contaminants pose to the environment, and then choosing the best alternative for clean-up.

Only then does the clean-up process begin, using such means as pumping and filtering groundwater or excavating contaminated dirt. That can take anywhere from one or two years to one or two decades.

"The most frustrating part is the agreement," said N.V. Raman, administrator of the Delaware Superfund program. "Once you have that under your belt, things start moving."

He added, "Once we start cleaning up the sites, we'll start spending the money very quickly."

There are 20 federal Superfund sites in Delaware on the Environmental Protection Agency's priority list.

The state Superfund, enacted by the General Assembly in June of 1990, targets the lower priority sites not on the EPA list. There are 76 state Superfund sites in Delaware.

The Delaware Superfund is financed with a tax on petroleum at the wholesale level. Superfund officials anticipated getting $5 million a year, but it was trimmed back to $3.5 million annually when legislators said crude could not be taxed as well as the products it is turned into.

Even with the smaller revenue, Mr. Raman hopes to be working

See Superfund — Page 2

Superfund

Continued from Page 1

on about 10 sites at a time by next year.

Of the 76 state Superfund sites, officials are focusing on 23.

The leader of the pack is the Fox Point State Park in Wilmington, a site contaminated when rail companies backfilled slag more than 50 years ago. Officials hope to use the park as a high-profile model of how the system works.

"We have completed investigations at Fox Point and are at the point of preparing a report to identify a remedy," said Mr. Raman. He hopes the remedy will be announced by the end of August, and clean-up itself to be complete by Memorial Day of next year.

While investigations into the other 22 sites throughout Delaware are in early stages, a few are further along in the process. Those include:

- Castle Ford, a 1.5 acre dealership in New Castle County, found to have elevated levels of trichloroethene. An agreement has been struck with the owners, and field work is expected to begin this fall.
- Motor Wheel in Newark, a manufacturing plant of railroad wheels from 1858 to 1982, was found with contaminants in the groundwater, as well as solvents and thinning agents in the soil. Field work is expected to start this summer.
- Investigation work at the Lewes Coal Gas site in Georgetown will start in September, said Mr. Raman. The former coal gasification plant was found with tar buried in the ground in the early 1900s.

The Lewes Coal Gas site is one of the roughly 14 "orphan" Superfund sites where officials can not find a responsible party.

Few Superfund sites are created by midnight haulers illegally dumping hazardous waste in the woods. Most were former landfills and dump sites, or old industrial complexes disposing of waste the only way they knew how at the time.

"Out of sight, out of mind used to be the concept," said Mr. Raman. "But that's coming back to haunt us. There were no stringent laws in those days."

"Thirty years ago, all your waste went to the municipal landfill," said Gary B. Patterson, director of the Delaware Petroleum Council. "Thirty years later, you're roped into doing a clean-up."

"If you're a little family company, it would be catastrophic," said Jack E. Reinhard, vice president of natural gas operations for Chesapeake Utilities.

The utility company and the state are both responsible parties of the Dover Gas Light site on Bank Street, a state Superfund site created when a predecessor of Chesapeake Utilities created gas from coal, with the byproduct being coal tar. The company, with assistance from insurance funds, has been able to absorb most of the costs.

"The effect on our rate has been minimal," said Mr. Reinhard.

He said the state "has been pretty fair all along." Of the Chesapeake Utilities' operations in Delaware, Maryland and Florida, he said "Delaware is the easiest people to work with. They seem to work within reason."

Even Kent County officials worked hard this year to get its Houston Landfill off the EPA's Superfund list and on to the state's Superfund list. County officials believed they would get better treatment through the state's system.

W. Roger Truitt, a Baltimore attorney representing Kent County, said in May that EPA officials "pretty much assume everything's a worst-case scenario," and that he expects to see "a more reasonable, practical, realistic approach" from the state.

But the slow process is something business leaders notice.

"There doesn't seem to be a tremendous amount of progress," said William Wood, director of the Chemical Industry Council.

As for industry's reaction to being forced to clean up hazardous wastes, he said they take their lumps and do what they have to do.

"The public will not blame government for abandoned toxic wastes, they'll blame industry," said Mr. Williams. "It's in our own best interests to clean up abandoned toxic waste."

Serving the Brandywine
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I N G S

a year

in 1965.

Helen Fox, a native of Milford who now divides her time between the Methodist County House on Kennett Pike and the family home in Rehoboth Beach, picked up some of her husband's fondness for the side slope of Penny Hill soon after their marriage.

"He was always off to meetings and worked very hard for the betterment of the area and the benefit [of] the people who lived there. That, and our family and the outdoors, were his life," she said. He died in 1982.

The battle for what is now Fox Point Park began when the railroad moved to create additional industrial land along its right-of-way by filling part of the

See REBIRTH — Page 4

Rebirth: Park cleanup set

FROM PAGE 1

river. Fox reasoned that the river belonged to the public and instigated a suit to halt the expansion.

Fox did much of the technical research to support the case.

Although the suit was lost, the fill program was halted by bankruptcy of the railroad — by then known as Penn Central — and passage of the landmark Coastal Zone Act for which Fox had campaigned. Fox then lobbied for the state to acquire the 171 acres. It did, for $500,000 (half federal funds), and in 1981 turned the property over to New Castle County for development as a park.

The environmental problem, observers believe, is largely traceable to wetland filling, a common and largely unregulated practice until about 1970. The Johnson monograph says the land was built up with silt dredged from the river and hopper cars full of slag from steel mills.

Small at DNREC said the first step in the cleanup will be to have a contractor and consultant obtain and analyze more samples of the ground. That is to begin this month.

"We think we know what's there, but we want to be sure — and we want to know if there is anything else that we don't already know about," Small said. The consultant will prepare a plan for removing the hazardous material.

Helen Fox said one thing for which her husband did not crusade was to be memorialized by lending his name to a park and the surrounding community.

"'Fox Point' was a compromise," she said.

You have to look closely at the map to find it, but there is a small point jutting into the river where Stoney Creek flows into the Delaware in the midsection of the park. A marina at that place is penciled into the long-range development plan.

"As far as anybody could tell that [point] didn't have a name so they said they'd name it after Marston and name the park after it," she said. "That was OK with him because he thought, after a few years, people would say the point got its name because that was where foxes used to come down to the river."

State acts on polluted park

By MOLLY MURRAY
Sussex Bureau reporter

FOX POINT — State environmental officials took the first step Thursday toward cleaning up contaminated soil at Fox Point State Park — the first site to be tackled under Delaware's new Superfund program.

The park closed in September, several months after state tests revealed high levels of arsenic and lead in the soil.

"We've got this program off and running," said Edwin H. "Toby" Clark II, secretary of the state Department of Natural Resources and Environmental Control. "Today is a milestone for the protection of Delaware's environment."

Fox Point and 21 other sites have been targeted for cleanup under the first phase of the Delaware Superfund program. In all, about 75 sites are believed to need state attention because of contamination of soil or ground water.

The 168-acre park, along the Delaware River at Edgemoor, is one of three sites getting immediate attention.

State officials also said Thursday they had signed cleanup agreements with property owners at the two-acre Motor Wheel Corp. site on Ogletown Road in Newark and the five-acre Castle Ford site on Wilmington Road in New Castle.

Concerns at those two sites include pollution from past manufacturing processes.

In soil tests conducted at Fox Point in April 1991, environmental officials found high levels of toxic chemicals. Five months later, after The News Journal inquired about the results, state officials closed the park amid concern that chemicals could pose a health threat to small children.

The plan now is to coordinate the cleanup with development of park recreation areas. The first step, begun Thursday, involves detailed sampling of the soil and ground water to determine the extent of contamination.

A detailed cleanup plan is expected to completed in the next few months. Actual cleanup work should begin by year's end. No cost estimate has been made.

Clark said he hopes the park will reopen a year from now.

The state Superfund program was created in 1990 by the General Assembly.

The News Journal Friday May 22, 1992
A1

State begins Superfund cleanup

By Mike Yaple
Staff writer

CLAYMONT — State officials kicked-off the state Superfund clean-up program on Thursday at Fox Point State Park, one of three sites where work will start.

Fox Point State Park was closed last year by the Department of Natural Resources and Environmental Control after lead, chromium, and heavy metals were found.

"About 50 or 60 years ago, Conrail transported material like slag and backfilled that area," said N.V. Raman, director of the state Superfund department. The state now owns the property, and $367,000 will go toward an in-depth study and remediation plan. At the site now is a drill rig collecting soil samples.

The other two sites where testing will begin are Castle Ford in New Castle and Motor Wheel in Newark. These two properties got an early start in the program because the owners "were willing to go ahead" with testing, according to David S. Small, spokesman for the natural resource department.

"These are the first three of 22 sites, and there will be more to come in the very near future," said Mr. Raman.

The state Superfund sites are ones that are not considered severe enough to make the federal Superfund list. There are 20 federal Superfund sites in Delaware, and 75 state Superfund sites.

Fox Point Park was started first because "The priority there is to get it reopened as soon as possible," said Mr. Small.

"We are on schedule to meet our commitment to have the first phase of the project completed, and that portion of the park reopened for public use by May 1993," Edwin H. "Toby" Clark II, secretary of the natural resources department, said in a written announcement.

Most Superfund sites were factories or dump sites created before there were regulations governing how to handle hazardous waste.

The state Superfund was created by the General Assembly in 1990. It is funded with a tax on petroleum products at the wholesale level.

Mr. Raman said the natural resources department initially expected $5 million each year, but last year legislators exempted crude oil from the tax.

"We have been getting only $3.5 million, so there is a shortfall," he said. "That would delay the clean-up ultimately."

Mr. Raman added, "We're planning in the next 10 years to clean-up 40 sites or so."

Superfund listings

The 22 state Superfund sites currently being targeted under the Hazardous Substance Cleanup Act include:

Site name	City
Motor Wheel	Newark
Newport City Landfill	Newport
Eastern Disposal Rubble Pit	Dover
Sussex County Landfill No. 4	Lincoln
Kenton Landfill	Kenton
Sussex Lumber Co.	Lewes
Sussex County Landfill No. 1	Brigeville
Du Pont Haskell Labs.	Newark
Georgetown Coal Gas	Georgetown
Smyrna Coal Gas	Smyrna
Lewes Coal Gas	Georgetown
Fox Point Park	Wilmington
Clayton Twp. L/F	Clayton
Duck Creek Pond Dump	Clayton
Container Corp	Wilmington
Calyville Dump	Christiana
Wilmington Coal Gas Co.	Wilmington
Emulsion Products	Seaford
Holy Cross Landfill	Dover
Castle Ford	New Castle
First State Steel Drum	Bear
Krewatch Farms	Seaford

Staff report