

# FINAL PLAN OF REMEDIAL ACTION



## Panella Ski Shop

Panella Ski Shop  
Wilmington, Delaware

December 3, 2009  
DNREC Project No.DE-1423

This Final Plan of Remedial Action (Final Plan) presents the Department of Natural Resources and Environmental Control's (DNREC's) determination that: adjacent historical operations have impacted groundwater with a variety of hazardous materials at the site.

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DNREC issued public notice of the Proposed Plan for the Site on November 11, 2009 and opened a 20-day public comment period, which ended on December 2, 2009. The Proposed Plan requires:

That an Environmental Covenant will be instituted on the property that:

1. Restricts use of groundwater.
2. Notifies DNREC if soil-disturbing activities are planned.
3. If new construction is planned, DNREC will be notified and vapor intrusion risks will be evaluated. A vapor barrier system may be needed if any future construction includes a building at this location.

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The Proposed Plan also includes the location of additional information found on the DNREC web page and in the DNREC office at Lukens Drive in New Castle.

There were no comments or questions from the public regarding the Proposed Plan. Therefore, the Proposed Plan was adopted as the Final Plan (see attached).

### **Approval:**

**This Final Plan meets the requirements of the Hazardous Substance Cleanup Act.**

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Kathleen Stiller, Program Manager II  
Division of Air and Waste Management



## PROPOSED PLAN OF REMEDIAL ACTION

Panella Ski Shop Site DE-1423  
Wilmington, Delaware



November 2009

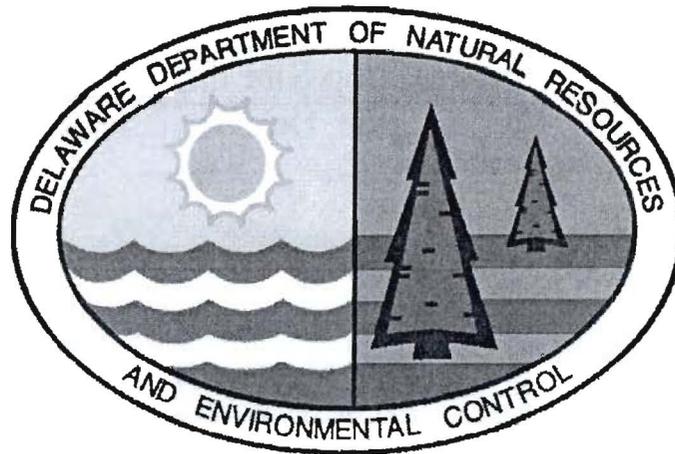
Delaware Department of Natural Resources and Environmental Control  
Division of Air and Waste Management  
Site Investigation & Restoration Branch  
391 Lukens Drive  
New Castle, Delaware 19720

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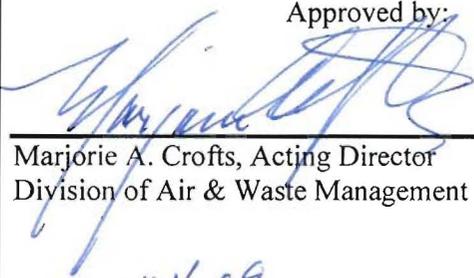
# PROPOSED PLAN OF REMEDIAL ACTION

Panella Ski Shop Site  
Wilmington, Delaware  
DE-1423



**Approval:**

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

Approved by:

Marjorie A. Crofts, Acting Director Division of Air & Waste Management
11.4.09
Date



**What is the Panella Ski Shop Site?** The Panella Ski Shop was a retail ski equipment store previously located at 3916 Concord Pike in Wilmington, DE. The Panella Ski Shop site is a DNREC-certified brownfield owned by Concord Pike Associates, LLC. The building was demolished and the property will be incorporated into the development of a new Taco Bell restaurant as the parking lot. An operating dry cleaner is located adjacent to the northern boundary of the site.

**Tax Parcel Numbers:** 0605100049  
**Address:** 3916 Concord Pike, Wilmington, DE 19803  
**Nearest major intersection:** Mt. Lebanon Road  
**Area:** 0.18 acres  
**Surrounding Property:** Surrounding land use is commercial, with a nearby school and residences.  
**Zoning:** Commercial Neighborhood (CN)  
**Site Utilities:** Full municipal utilities (water, sewer, gas)  
**Surface water:** The Brandywine Creek is 1 mile west of the site.  
**Topography:** Relatively flat  
**Groundwater:** Shallow unconfined aquifer, groundwater flows generally southwest

**What happened at the Panella Ski Shop Site?** The site was residential until the Ski Shop was constructed in 1978. No known contaminant releases occurred. The site is considered a brownfield due to its proximity to the adjacent operating dry cleaner (Royal Cleaners (DE-1435) that is known to be a source of groundwater contamination.

**What is the environmental problem at the Panella Ski Shop Site?** The site was certified as a brownfield in a letter dated December 5, 2007. The environmental concern on the property is the identification of dry cleaner-related chemicals (primarily PCE and TCE) in groundwater underlying the site. Additionally, an underground storage tank (UST) containing heating oil was present at the site and was removed in May 2007. The removed UST was approved as closed with no further action by the DNREC Tank Management Branch.

*An Environmental Site Assessment was conducted in 2007 in which soil borings were conducted and soil and groundwater was sampled. Groundwater beneath the site contains PCE and TCE. A Brownfield Investigation was conducted during 2008 in which soil and groundwater were sampled for a variety of potential contaminants. No additional concerns were identified. The presence of PCE*

*and TCE in the groundwater presents a potential concern with regards to inhalation of indoor air and for subsurface construction activities.*

**What does the owner want to do at the Panella Ski Shop Site?** The ski shop store building has been demolished, and will be used in the future as parking area for the proposed Taco Bell Restaurant on the adjacent parcel to the south.

*Concord Pike Associates, LLC, is the owner of the property. The building was demolished in June 2009 and the land is currently serving as temporary additional parking for the adjacent Taco Bell.*

**What clean-up actions have been taken at the Panella Ski Shop Site?** A 1,000-gallon underground storage tank that contained heating oil was removed in May 2007. Petroleum -contaminated soil surrounding the tank was removed, disposed of off-site, and DNREC-TMB issued a No Further Action letter for the tank closure. Following building demolition the basement was backfilled with clean fill soil during an interim response action.

**What additional clean-up actions are needed at the Panella Ski Shop Site?** The land will become part of the permanent expanded parking area for the Taco Bell restaurant immediately south of the site. Because the groundwater beneath the property has been impacted by PCE and TCE from the dry cleaner operation to the north, the proposed remedy includes placing an Environmental Covenant on the property to prohibit installation of drinking water wells and providing for notification to DNREC if soil-disturbing activities are planned. The cleanup actions would need to be re-evaluated if new construction was ever considered.

The following cleanup actions are proposed for the site:

*An Environmental Covenant will be instituted on the property that:*

- 1. Restricts use of groundwater.*
- 2. Notifies DNREC if soil-disturbing activities are planned.*
- 3. If new construction is planned, DNREC will be notified and vapor intrusion risks will be evaluated. A vapor barrier system may be needed if any future construction includes a building at this location.*

**What are the long term plans for the Site after the cleanup?** The site will continue to be used as parking area for the Taco Bell restaurant after remodeling.

*DNREC plans to issue a Certificate of Completion of Remedy for the site after the implementation of the uniform environmental covenants at the site.*

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

The complete file on the site including the Brownfield Investigation Report 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 November 11, 2009 and ends at close of business (4:30 pm) on December 12, 2009. Please send written comments to the DNREC office or call Todd Keyser, Project Manager, at:  
302-395-2600.

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Figure 1: Location Map

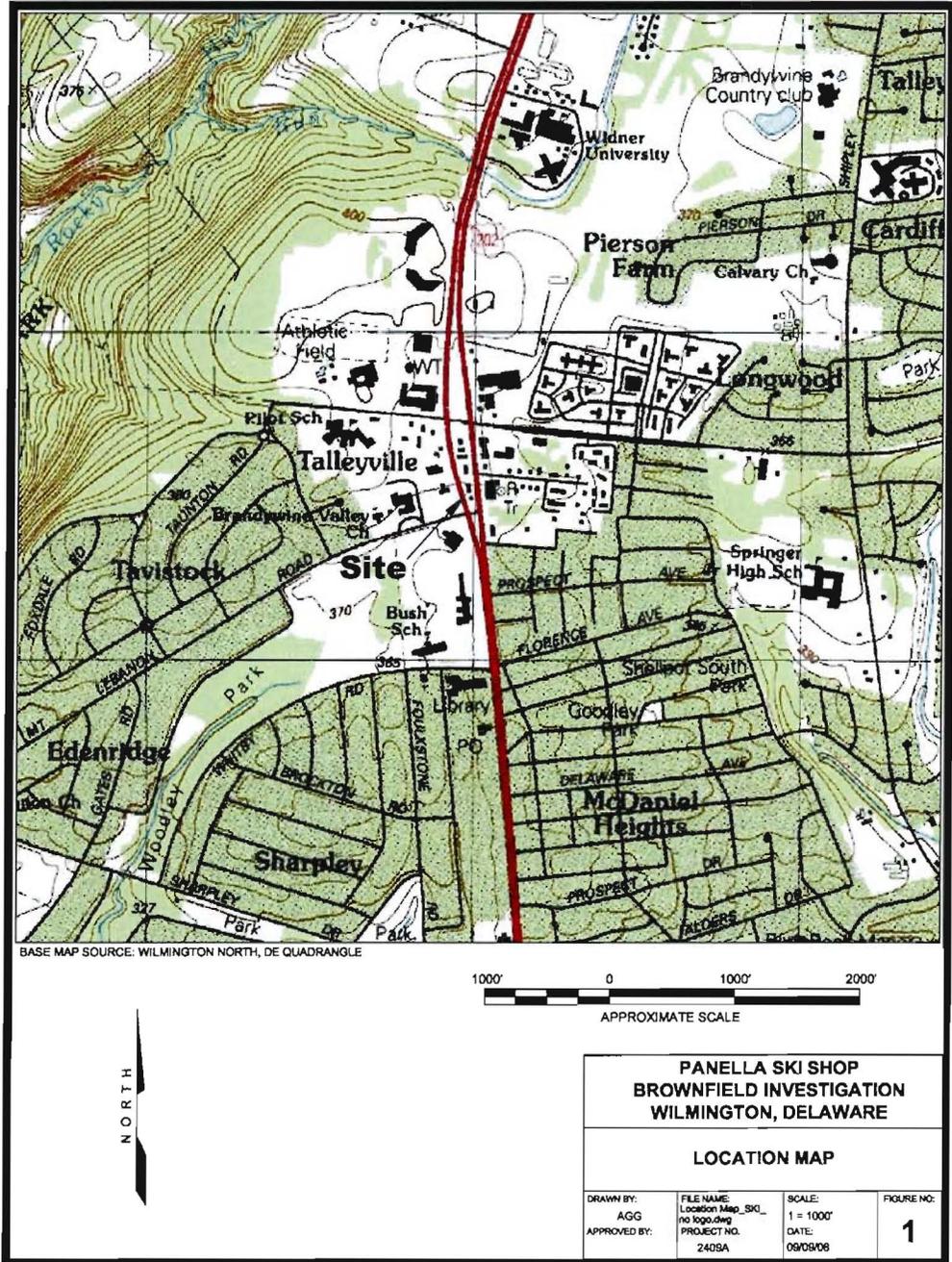


Figure 2: Site Photos



1. Building prior to demolition



2. Demolition activities



3. Adding clean fill to basement opening



4. Aerial view of Panella Ski Shop vicinity



## Glossary of Terms Used in this Proposed Plan

<b>Brownfield</b>	Property that is vacant or underutilized because of the perception or presence of an environmental problem.
<b>Certified Brownfield</b>	A brownfield that DNREC has determined is eligible for partial funding through the Delaware Brownfields Program.
<b>Contaminant of Concern (COC)</b>	These are potentially harmful substances at concentrations above acceptable levels (eg metals and PAH).
<b>Certificate of Completion of Remedy (COCR)</b>	A formal determination by the Secretary of DNREC that remedial activities required by the Final Plan of Remedial Action have been completed.
<b>*Exposure</b>	Contact with a substance through inhalation, ingestion, or direct contact with the skin. Exposure may be short term (acute) or long term (chronic).
<b>Final Plan of Remedial Action</b>	DNREC's proposal for cleaning up a hazardous site after it has been reviewed by the public and finalized.
<b>Hazardous Substance Cleanup Act (HSCA)</b>	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.
<b>Human Health Risk Assessment (HHRA)</b>	An assessment done to characterize the potential human health risk associated with exposure* to site related chemicals.
<b>Proposed Plan of Remedial Action</b>	A plan for cleaning up a hazardous site submitted by DNREC and subject to public comments.
<b>Risk</b>	Likelihood or probability of injury, disease, or death.
<b>Risk Assessment Guidance for Superfund (RAGS)</b>	An EPA guidance document for superfund sites
<b>Site Specific Assessment (SSA) and Site Inspection (SI)</b>	Environmental studies of a site including sampling of soils, groundwater, surface water, sediment and/or wastes on the property.

## **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 site. More detailed information can be found in the reports and documents approved by DNREC. All of the documents and reports created by DNREC 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 frequently 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 did 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.

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