

FINAL PLAN OF REMEDIAL ACTION



Former NewArc Welding

*30 Commerce Street
Wilmington, Delaware*

*April 14, 2010
DNREC Project No. DE-1345*

This Final Plan of Remedial Action (Final Plan) presents the Department of Natural Resources and Environmental Control's (DNREC's) determination that the following remedial actions will be required at the Former NewArc Welding Site in Wilmington, Delaware:

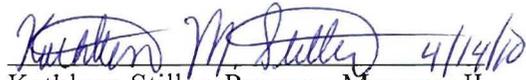
1. The Site will be capped with at least one foot of clean fill or impervious material such as parking lots or buildings.
2. An environmental covenant pursuant to the Uniform Environmental Covenants Act (UECA) will be recorded with the property deed in perpetuity. This institutional control will describe the remaining soil impact identified at the property and will prevent future construction and/or disturbance of site soils without prior approval from DNREC.
3. An Operations and Maintenance plan (O&M plan) for the site will be drafted to assure that the enacted protective measures are properly maintained including maintenance of the cap and landscaped areas.

DNREC issued a public notice of the Proposed Plan for this site on November 22, 2009 and opened a 20-day public comment period. The comment period closed on December 14, 2009. All applicable information regarding this site can be found on the DNREC web page and in the DNREC office on Lukens Drive in New Castle. The Proposed Plan is attached.

There were no comments or questions from the public. Therefore, the Proposed Plan is adopted as the Final Plan.

Approval:

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


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

ATTACHMENT

Former NewArc Welding
Proposed Plan of Remedial Action



PROPOSED PLAN OF REMEDIAL ACTION

Former NewArc Welding Site
Wilmington, Delaware

DNREC Project No. DE-1345



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

CONTENTS

- Proposed Plan: Questions and Answers
- Figures 1-4
- Glossary of Terms
- Attachment: *What is a Proposed Plan?*

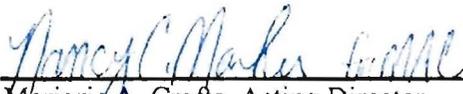
PROPOSED PLAN OF REMEDIAL ACTION

Proposed Former NewArc Welding Site
Wilmington, Delaware
DNREC Project No. DE-1345



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
11/19/09
Date



What is the Proposed Former NewArc Welding Site?

The site comprises approximately 24.6 acres bounded by Commerce Street, Dock Street and the Christina River, in the City of Wilmington. Currently the site is occupied by one tenant, NewArc Welding & Fabricating. The proposed development plan for the property includes an industrial park. The site is currently owned by Christina River LLC. See Figure 1 for location map.

Tax Parcel Numbers: 2605100023, 024 & 029
Address: 30 Commerce Street
Nearest major intersection: Commerce Street and Dock Street
Area: 24.6 acres
Surrounding Property: Surrounding land use is commercial
Zoning: 26W1 – Waterfront Manufacturing
Site Utilities: Electric, water, sewer
Surface water: Christina River borders the site to the east
Topography: Generally level with a slight slope to the east
Groundwater: Approx. 10-20' below ground surface, flows east toward the Christina River

What happened at the Former NewArc Welding Site?

The site was undeveloped and owned by the Christina River Improvement Company prior to the 1890s. In the early 1900s, the northern portion of the site was developed as two industrial facilities: A small oil refining or storage facility (Atlantic Refining Company) and a manufacturing facility (DuPont Motors, Inc.) In the 1950s, the original DuPont Motors facility remained in commercial use as a fire apparatus manufacturer, a milk bottle exchange, a motor freight terminal, a sheet metal shop, a motorcycle repair shop, and a paper and twine company.

What is the environmental problem at the Former NewArc Welding Site?

The subject property is located in an industrial area in the City of Wilmington. Laboratory analysis detected metals, such as lead and arsenic, PCBs, and the semi-volatile organic compounds (SVOC) benzo(a)pyrene and dimethyl phthalate above the DNREC Uniform Risk Based Standard (URS) for restricted use in surface soils. Arsenic, benzo(a)pyrene, dibenz(a,h)anthracene, benzo(b)fluoranthene, and benzo(a)anthracene were also detected above the URS for restricted use in subsurface soils. Several metals were found to exceed the URS for sediment samples. These included barium, cadmium, copper, lead, mercury, nickel, and zinc. Some historic groundwater samples were found to contain arsenic, barium, cadmium, iron, manganese, and zinc above the URS.

Previous investigations performed at the site from 1994 to 2005 and identified several contaminants of concern (COCs). In 2005, Ten Bears submitted a Brownfields Investigation Report for the Site. Finally, in 2008, JCM Environmental conducted a Limited Phase II Environmental Site Assessment within the designated encroachment area which borders the American Scrap and Waste property.

The data from previous investigations was used to identify environmental conditions at the Site and to

evaluate whether those conditions would pose an unacceptable risk to the proposed future industrial or commercial users of the property after its redevelopment.

Based on a review of the laboratory analysis results, COCs exist throughout the Site. It was determined that the calculated risk present at the site was above the DNREC cancer risk of 1E-05.

What does the owner want to do at the Former NewArc Welding Site?

The current owner plans to develop the site for commercial use.

The site is planned for development as an industrial park.

What clean-up actions are needed at the Former NewArc Welding Site?

DNREC's Proposed Plan includes capping the site with at least one foot of clean fill or impervious material such as parking lots or buildings. Capping is proposed at the Site to prevent exposure to surface and subsurface soils. It is also proposed that an area of isolated, emergent wetlands (6.64 acres) will be filled. Approval for wetland work will be handled by the U.S. Army Corps of Engineers and the DNREC Wetlands Section.

The following cleanup actions are proposed for the site:

1. The Site will be capped with at least one foot of clean fill or impervious material such as parking lots or buildings.
2. An environmental covenant pursuant to the Uniform Environmental Covenants Act (UECA) will be recorded with the property deed in perpetuity. This institutional control will describe the remaining soil impact identified at the property and will prevent future construction and/or disturbance of site soils without prior approval from DNREC.
3. An Operations and Maintenance plan (O&M plan) for the site will be drafted to assure that the enacted protective measures are properly maintained including maintenance of the cap and landscaped areas.
4. Upon successful completion of items 1- 3 a Certificate of Completion of Remedy for the Site will be issued.

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

The Site will be used for commercial retail purposes only. No additional uses are planned for the property.

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

The complete file on the site, including the Brownfields 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 23, 2009, and ends at close of business (4:30 pm) on December 14, 2009. Please send written comments to the DNREC office or call Wendy March, Project Manager, at:

302-395-2600.

Figure 1. Former NewArc Welding Location



Figure 2. Former NewArc Welding Buildings



Figure 3. View adjacent to Christina River

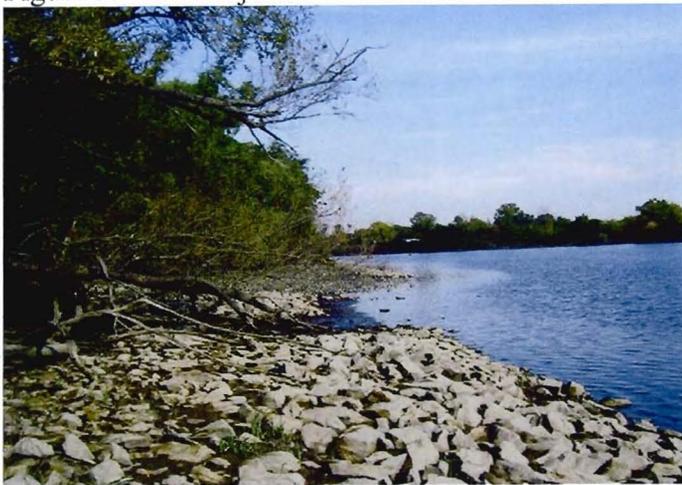


Figure 4. View facing City of Wilmington



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.
Contaminant of Concern (COC)	These are potentially harmful substances at concentrations above acceptable levels (e.g. metals and PAH).
Certificate 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.
DNREC Uniform Risk-based Standards (URS)	DNREC guidance document for COC concentrations
*Exposure	Contact with a substance through inhalation, ingestion, or direct contact with the skin. Exposure may be short term (acute) or long term (chronic).
Environmental Site Assessment	Environmental studies of a site including sampling of soils, groundwater, surface water, sediment and/or wastes on the property.
Final Plan of Remedial Action	DNREC's proposal for cleaning up a hazardous site after it has 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 substances releases and requires cleanup with oversight of the Department.
Proposed Plan of Remedial Action	A plan for cleaning up a hazardous site submitted by DNREC and subject to public comments.
Risk	Likelihood or probability of injury, disease, or death.

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
