



PROPOSED PLAN OF REMEDIAL ACTION

City of Newark Bikeway Site
(Newark-Pomeroy Rail to Trail)
Newark, Delaware
DNREC Project No. DE-1194



August 2010

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

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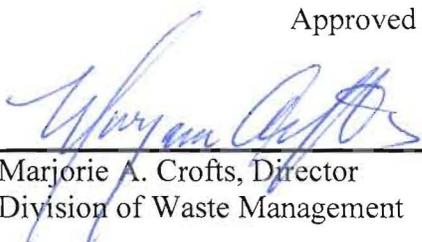
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Approval:

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

Approved by:

Marjorie A. Crofts, Director Division of Waste Management
8.2.10
Date



What is the City of Newark Bikeway (Newark -Pomeroy Rail to Trail) Site?

The Newark-Pomeroy Rail-to-Trail site is a two-mile section of an abandoned freight rail line located between the Amtrak railroad tracks located at the southern end of South Chapel Street, and North College Avenue on the northern end of the site within the city limits of Newark (Figure 1). The right-of-way is currently underutilized as an abandoned right-of-way. The Delaware Department of Transportation (DelDOT) has proposed to redevelop the site for a public-access walking/biking trail.

Tax Parcel Numbers: 18-020.00-0263/18-033.00-082

Address: 0 Delaware Ave./0 South Chapel St., Newark

Nearest major intersection: Site lies between Amtrak railroad tracks at the southern end of South Chapel Street and extends to North College Avenue.

Area: 7.88 acres

Surrounding Property: Surrounding land use is a mixture of residential and commercial

Zoning: MI – General Industrial

Site Utilities: The Property vicinity is served with public water and sewer utilities by the City of Newark. There are no utilities that serve the site.

Surface water: The closest major surface water body is White Clay Creek, located approximately 100 feet from the northern-most portion of the City of Newark Bikeway Site.

Topography: The topography is predominately flat to rolling hills

Groundwater: Potomac Aquifer

What happened at the Newark-Pomeroy Rail to Trail site?

The Pomeroy and Newark Railroad ran between the towns of Pomeroy, PA, and Newark, DE, for a 26-mile length, and on to Delaware City, DE, for a total of 39 miles. The segment of the Pomeroy to Newark Railroad from the Delaware-Pennsylvania state line was abandoned in 1939. The site is a 2-mile section of an abandoned rail line of former Pomeroy and Newark Railroad located within the City of Newark. This section of the railroad is situated between the Amtrak railroad tracks located at the southern end of South Chapel Street and North College Avenue (Figure 1).

What is the environmental problem at the Newark-Pomeroy Rail to Trail Site?

Fill material used for the railroad bed typically include coal ash which potentially contains elevated concentrations of poly-nuclear aromatic hydrocarbons (PAHs) and metals. In addition, herbicides and pesticides were typically sprayed along the railroad bed as part of the

maintenance of the rail line right-of-way. A Remedial Investigation was recently conducted that showed that the surface soil was found to consist of approximately a one foot layer of black ash fill with topsoil underlain by orange-brown, medium-fine sand, with some silt. Laboratory analyses of soil samples collected during the RI detected some Contaminants of Concern (COC), including metals and PAHs at concentrations above DNREC's Uniform Risk-Based Standards (URS) for protection of human health in a Critical Water Resource Area, Unrestricted-Use setting.

Historical use of the site as an active railroad line has left residual material exposed at concentrations above DNREC's standards for recreational use.

What does the owner want to do at the Newark-Pomeroy Rail to Trail Site?

DelDOT plans to redevelop the Property as a public-access walking/biking trail. The redevelopment generally consists of removing any debris and constructing an approximately 10foot wide asphalt paved trail and associated storm-water management, landscaping and other ancillary features. The proposed redevelopment will provide a recreational and aesthetic benefit to the Newark community. DelDOT and future owners of the property will be responsible for the implementation and associated cost of the DNREC-approved O&M Plan, and the adherence to the requirements and conditions established in the uniform environmental covenant for the site.

What clean-up actions have been taken at the former Newark-Pomeroy Rail to Trail Site?

The contaminants at the Site are not an immediate threat to human health or the environment. No emergency remedial actions or other remediation activities have been performed to date.

What additional clean-up actions are needed at the former Newark-Pomeroy Rail to Trail Site?

DNREC required that the following Cleanup Actions be undertaken at the site:

1. The placement of a paved path in combination with a layer of clean soil borrow material over a marker fabric as a cap to restrict the possibility of future direct contact with the surface soil materials;
2. The placement of an Environmental Covenant consistent with Delaware's Uniform Environmental Covenant Act (UECA) by the owner within 90-days following adoption of the Final Plan of Remedial Action to (1) restrict the future use of the Site to recreational use and (2) prohibit the disturbance of the cap by the performance of land-disturbing activities on the Site without written approval of DNREC-SIRB;
3. A DNREC-approved Operation and Maintenance (O&M) Plan will be written to detail the inspection of the clean soil cap to insure the protectiveness of the remedy.

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

DelDOT and future owners of the property will be responsible for the implementation and associated cost of the DNREC-approved O&M Plan, and the adherence to the requirements and conditions established in the uniform environmental covenant for the site.

DNREC plans to issue a Certificate of Completion of Remedy for the site after the completion of clean-up, the redevelopment of the property, approval of the O&M plan and the implementation of the uniform environmental covenants at the site.

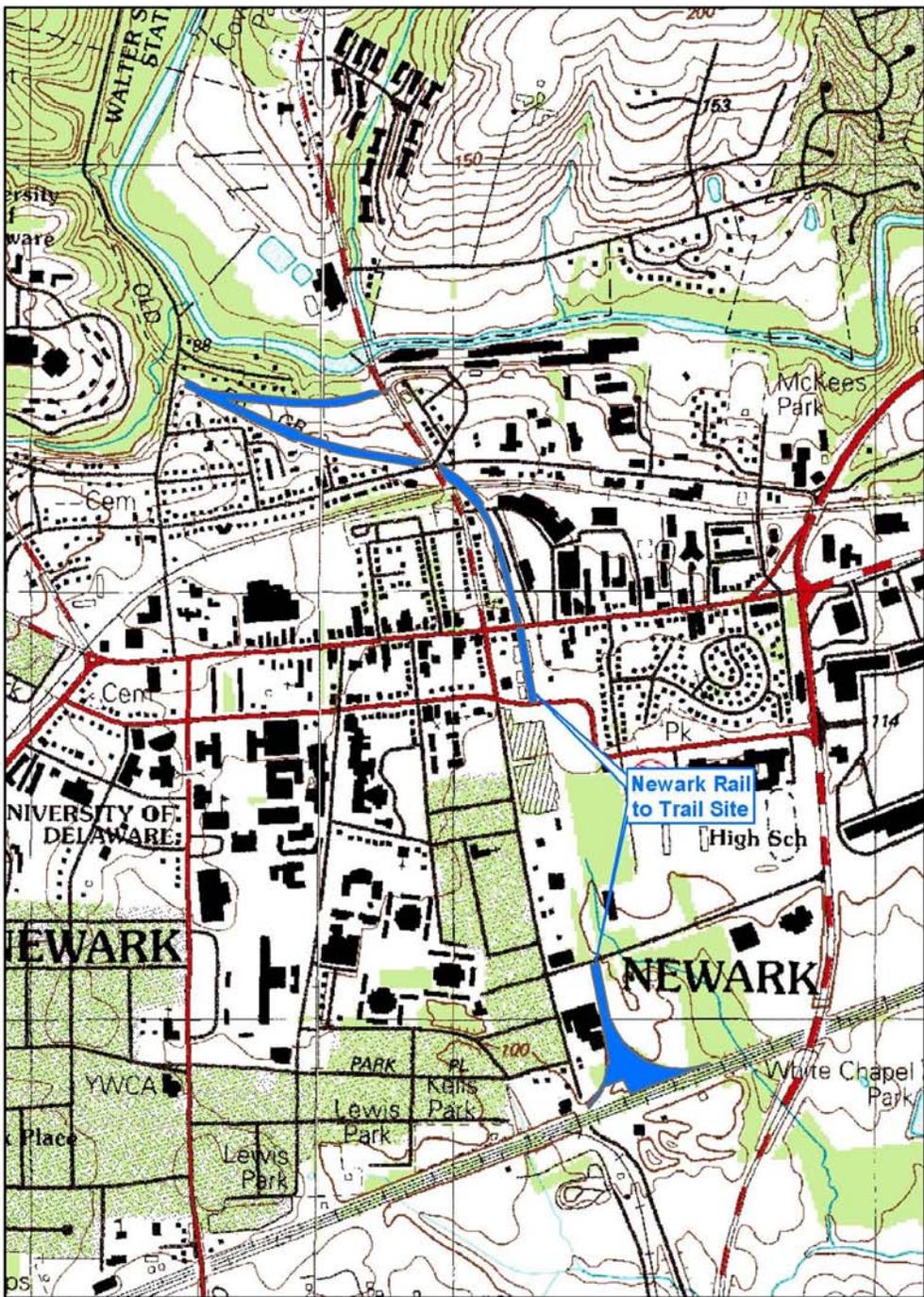
How can I find additional information or comment on the Proposed Plan?

The complete file on the site including the Remedial Investigation Report is available at the DNREC office, 391 Lukens Drive in New Castle. Most documents are also found on:

<http://www.nav.dnrec.delaware.gov/DEN3/Search/FacilitySearch.aspx>

The 20-day public comment period begins on August 4, 2010 and ends at close of business (4:30 pm) on August 24, 2010. Please send written comments to the DNREC office or call Todd Keyser, Project Manager, at: 302-395-2600.

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Source: Topo data from USGS DLO; Roads from DeDOT.



Figure 1
 Site Location Map
 Newark Pomeroy Rail to Trail Site
 Newark, New Castle Co., DE

0 150 300 600
 Feet
 1 inch = 300 feet

This map is provided by Tetra Tech solely for display and reference purposes and is subject to change without notice. No claims, either real or assumed, as to the absolute accuracy or precision of any data contained herein are made by Tetra Tech, nor will Tetra Tech be held responsible for any use of this document for purposes other than which it was intended.



Figure 2 - Abandoned Right-of -Way

Glossary of Terms Used in this Proposed Plan

Contaminant of Concern (COC)	These are potentially harmful substances at concentrations above acceptable levels (eg 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.
*Exposure	Contact with a substance through inhalation, ingestion, or direct contact with the skin. Exposure may be short term (acute) or long term (chronic).
Final Plan of Remedial Action	DNREC's 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.
Risk Assessment Guidance for Superfund (RAGS)	An EPA guidance document for superfund sites

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 cleanup 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.
