FINAL PLAN OF REMEDIAL ACTION

FORMER STRAIGHT LINE FILTERS SITE

701 Christiana Avenue — *May 14, 2012*
Wilmington, Delaware — *DNREC Project No. DE-1488*

This Final Plan of Remedial Action (Final Plan) presents the Department of Natural Resources and Environmental Control's (DNREC's) intention to address environmental contamination at the Former Straight Line Filters Site.

DNREC issued public notice of the Proposed Plan of Remedial Action (Proposed Plan) for the Former Straight Line Filters Site on April 25, 2012 and opened a 20-day public comment period. The Proposed Plan is attached. There were no comments 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.

Timothy T. Ratsep, Program Administrator
Site Investigation and Restoration Section

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PROPOSED PLAN OF REMEDIAL ACTION

Former Straight Line Filters
Wilmington, Delaware
DNREC Project No. DE-1488

April 2012

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

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PROPOSED PLAN OF REMEDIAL ACTION

Former Straight Line Filters
Wilmington, Delaware
DNREC Project No. DE-1488

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

Approved by:

Marjorie A. Crofts, Director
Division of Waste and Hazardous Substances

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Date

Former Straight Line Filters Site

What is the Former Straight Line Filters Site?

The Site was originally part of a larger property known as the Lobdell Car Wheel Company. The Site is depicted on Figure 1. It is currently owned by 701 Port, LLC. 701 Port LLC entered into a Brownfields Development Agreement (BDA) with the Department of Natural Resources and Environmental Control (DNREC) – Site Investigation and Restoration Section (SIRS) to perform a Brownfield Investigation and address contamination determined to be present on the Site.

Tax Parcel Number: 26-066.00-001 (See Figure 2)
Address: 701 Christiana Avenue; Wilmington, Delaware
Nearest major intersection: Christiana Avenue and Terminal Avenue
Area: 1.91 acres
Surrounding Property: Former Straight Line Filters is bounded to the north by the Lobdell Canal, Christiana Avenue to the west, and the Port of Wilmington to the east and south.
Zoning: 26M-2 General Industrial
Site Utilities: Municipal water, municipal sewer, natural gas, and above ground electric are present on the Site.
Surface water: A portion of the Lobdell Canal is located in the northeastern portion of the Site.
Topography: The Former Straight Line Filters portion of the Site has elevations which range from 0 to 10 feet. The Site cover consists of office and warehouse buildings surrounded by bituminous paving and a small structure with a scale situated in the northeastern corner. Trees and shrubs are located along the northern and western boundaries and the Lobdell Canal encroaches onto the northernmost portion of the Site.
Groundwater: Groundwater was encountered at depths ranging from 10 to 20 inches below ground surface. Flow direction beneath Former Straight Line Filters is generally north and east toward the Christina River. (Figure 3)

What happened at the Former Straight Line Filters Site?

The Site was originally part of a larger property known as the Lobdell Car Wheel Company, which included large industrial structures, railroad spurs and lines. The Site is located in a heavy industrial area that includes the Port of Wilmington.

What is the environmental problem at the Former Straight Line Filters Site?

The metals arsenic, iron, lead and manganese; and semi-volatile organic compounds (SVOCs) benzo[a]pyrene, benzo[a]anthracene, and dibenz[a,h]anthracene were found in Site soils at levels above the restricted URS. Lead was found above the URS in Site groundwater.

The following environmental investigations were performed on the Former Straight Line Filters portion of the Site:

- The Site was identified twice in the leaking underground storage tank (LUST) and once in the underground storage tank (UST) databases. DNREC Tank Management Branch (TMB) issued a no further action letter in May 1991.

- 2009: A Phase I Environmental Site Assessment was completed in June 2009. Environmental issues were identified for the Site including issues from historical Site operations; presence of coal, coal slag, and brick suggesting historical fill and/or demolition; and sand blasting of materials. Other issues identified were small amounts of small liquids; potential for lead-based paint; potential for asbestos-containing materials; PCBs, and mercury.

- 2010: A Phase I Environmental Site Assessment was completed by LandmarkJCM in May. Based on the location and historical activities on and around the Site, soil sampling was completed to determine whether or not the environmental condition has been impacted by historical land use.

- 2010: An Interim Action was completed in July, 2010. During the Phase I Environment Site Assessment completed in May 2010, multiple containers of hazardous/regulated substances, chemicals, and pesticides were observed primarily in the laboratory of the warehouse. Miller Environmental was contracted to remove the chemicals from the Site. They were taken to Republic Environmental Systems in Hatfield, Pennsylvania for disposal. A total of three drums of non-hazardous materials and fifteen containers of hazardous materials were removed.

- 2010: A Limited Phase II Environmental Site Assessment was completed by LandmarkJCM. Six of the twelve soil samples collected were analyzed. SVOCs and metals were found to be above the Delaware URS.

- 2010: A Brownfield Investigation (BFI) was completed by LandmarkJCM in July. Forty soil samples, one sediment sample and three groundwater samples were collected. The metals: arsenic, iron, lead, manganese, and SVOCs: benzo[a]pyrene, benzo[a]anthracene, and dibenz[a,h]anthracene were found in Site soils at levels above the restricted URS. Lead was found above the URS in Site groundwater.

What does the owner want to do at the Former Straight Line Filters Site?

The owner of the Site is would like to pursue commercial redevelopment.

What remedial actions are proposed at the Former Straight Line Filters Site?

Asbestos containing materials (ACM's) are present in all site buildings. Identified ACM's will need to be remediated if they will be disturbed during construction or redeveloped of the Site.

DNREC requires the following remedial actions be performed on the Former Former Straight Line Filters Site:

1. Capping the Site with at least one foot of clean fill or impervious material such as buildings, asphalt, or concrete.

2. Recording of an Environmental Covenant consistent with Delaware's Uniform Environmental Covenants Act (Title 7, Del. Code Chapter 79, Subtitle II) (UECA) will be recorded in the Office of the Recorder of Deeds to include the following prohibitions:

- Interference with Remedy
- Limitation of Groundwater withdrawal and compliance with GMZ
- Restrict the Site to commercial/industrial use
- Land disturbing activities without prior written approval by DNREC
- Compliance with the Long Term Stewardship (LTS) Plan

3. Developing and implementing a DNREC-approved LTS Plan. The LTS plan will detail the procedures and practices, including regular inspections, to ensure long-term integrity of the Remedy.

What are Long Term Stewardship requirements are proposed for the Former Straight Line Filters Site?

The Long Term Stewardship requirements proposed for the Former Straight Line Filters portion of the Site include: continued adherence to the DNREC-approved LTS Plan and the Environmental Covenant recorded on the property deed.

DNREC will issue a Certification of Completion of Remedy (COCR) for the Former Straight Line Filters Site following the completion of the aforementioned remedial actions.

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

The complete file on the Site, including the Environmental Site Assessment and the Brownfield 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/

The 20-day public comment period begins on Wednesday, April 25, 2012 and ends at close of business (4:30 pm) on Tuesday, May 15, 2012. Please send written comments to the DNREC Lukens Drive office or call either Robert Newsome, Public Information Office or Wendy March, Project Managers.

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Glossary of Terms Used in this Proposed Plan

Contaminants of Concern (COC)	These are potentially harmful substances at concentrations above acceptable levels (e.g. metals and PAHs).
Certification 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.
Final Plan of Remedial Action	DNREC's adopted plan for cleaning up a hazardous site.
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	DNREC's initial plan for cleaning up a hazardous site, which is subject to public comment before being adopted as final.
Site Inspection (SI)	Environmental study of a site which includes the sampling of soils, groundwater, surface water, sediment and/or wastes on the property, as appropriate. This evaluation is performed on behalf of the United States Environmental Protection Agency (U.S. EPA).
Brownfield Investigation (BFI)	Thorough environmental study of a site which includes 1) sampling of site environmental media and/or wastes on the property and 2) conducting a preliminary risk assessment using the data collected to determine the risk posed to human health and the environment.
Risk	Likelihood or probability of injury, disease, or death.
Brownfield Development Agreement (BDA)	This legal agreement is between a potential developer of a Delaware-certified Brownfields Site and the DNREC. The developer agrees to investigate and cleanup a Brownfields property under the oversight of the Department in exchange for liability protection.
Uniform Environmental Covenant Act (UECA)	Deed restrictions on the site. These can include restrictions on soil intrusion, groundwater usage or usage of the site based on the extent of the cleanup.
Uniform Risk-Based Remediation Standards (URS)	A set of concentration criteria for various contaminants potentially present in site media that are developed for protection of human health and the environment

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-SIRS or at DNREC's Delaware Environmental Navigator website:

http://www.nav.dnrec.delaware.gov/DEN3/

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 during a weekday evening, at a location near the site. Citizens can request a public meeting if DNREC did not already schedule one.

The public may comment on the Proposed Plan by letter or email, or at the public meeting. DNREC considers all comments and questions from the public before the Proposed Plan is finalized and adopted as a Final Plan.

Figure 1: Site Location Map

Figure 2: Former Straight Line Filters Location Map