PROPOSED PLAN OF REMEDIAL ACTION

217 New Road
Wilmington, Delaware
DNREC Project No. DE-1535

March 2013

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

Approved by:

Timothy Ratsep, Environmental Program Administrator
Site Investigation & Restoration Section

3/26/2013
Date

217 New Road
Wilmington, DE

What is the Proposed Plan of Remedial Action?

The Proposed Plan of Remedial Action (Proposed Plan) summarizes the clean-up (remedial) actions that are being proposed to address contamination found at the Site for public comment. A legal notice is published in the newspaper for a 20-day comment period. DNREC considers and addresses all public comments received and publishes a Final Plan of Remedial Action (Final Plan) for the Site.

What is the 217 New Road Site?

The 217 New Road Site is approximately 0.42 acres in size (see Figure 1). It is located to the north of New Road between two sets of railroad tracks and is surrounded by commercial and industrial properties. The Site consists of a single two-story irregular shaped warehouse type building with two apartments, one on each floor. The Site will be redeveloped by Unique Images, a screen printing, embroidery and promotions company. Unique Images entered into a Brownfield's Development Agreement (BDA) with DNREC on December 27, 2012.

What happened at the 217 New Road Site?

Historically, the Site was operated as "Waterbed Land" with the portion of the Site being rented to a construction company for storage. Several piles of solid waste debris have been identified on the site. Site soils consist of fly ash, which was commonly used as fill material in the area of the Site between railroad ties. The Site is bordered on two sides by railroad tracks with a former tannery operation located to the east. The Site was entered into the Brownfields Program due to its proximity to railroad tracks, the presence of the former tannery operation and a recorded complaint through the DNREC-Environmental Crimes Unit indicating an engine oil spill from a CSX Transportation train on July 22, 2010.

What is the environmental problem at the 217 New Road Site?

A Brownfield Investigation (BFI) was conducted in December 2012. Arsenic was detected in surface soil above the screening level criteria. Additional surface soil samples were collected in the area of concern to better characterize the arsenic contamination (see Figure 2). All other chemicals screened for do not present an unacceptable risk for the Site. The results of the investigation indicate that arsenic levels in surface soil present an unacceptable risk for the Site based on an unrestricted and restricted use scenarios.

What does the owner want to do at the 217 New Road Site?

Unique Images, LLC, the Brownfield developer, plans to use the property for a printing business. The owner also wants to retain the option to occupy the apartments with residents.

What additional clean-up actions are needed at the 217 New Road Site?

The following remedial actions are being proposed for the Site, which need to be completed before a Certificate of Completion of Remedy (COCR) can be issued:

1. Solid waste at the Site will be removed and disposed of and the property owner will work to prevent dumping on the site in the future.
2. Arsenic contaminated surface soil will be excavated and disposed of to a maximum of two (2) feet below ground surface dependent on the results of confirmatory sampling during the remedial process.
3. 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 in the event that the results of confirmatory sampling after the excavation warrant it to ensure that land disturbing activities below two (2) feet do not occur without prior approval from DNREC-SIRS.

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

Although the Site will be remediated to an unrestricted use, the property will continue to be used commercially operated by Unique Images, LLC. The apartments may be occupied by residents in the future. The property owner will be vigilant of dumping on the Site in the future.

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

The complete file on the Site including the Remedial Investigation Report and the various reports are available at the DNREC office, 391 Lukens Drive in New Castle, 19720. Most documents are also found on: http://www.nav.dnrec.delaware.gov/DEN3/

The 20-day public comment period begins on March 31, 2013 and ends at close of business (4:30 pm) on April 22, 2013. Please send written comments to the DNREC office at 391 Lukens Drive, New Castle, DE 19720 to Chelsea Halley, Project Officer or Robert Newsome, Public Information Officer.

Figure 1: Site Location
Figure 2: Proposed Sample Location

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Figure 1- Site Location

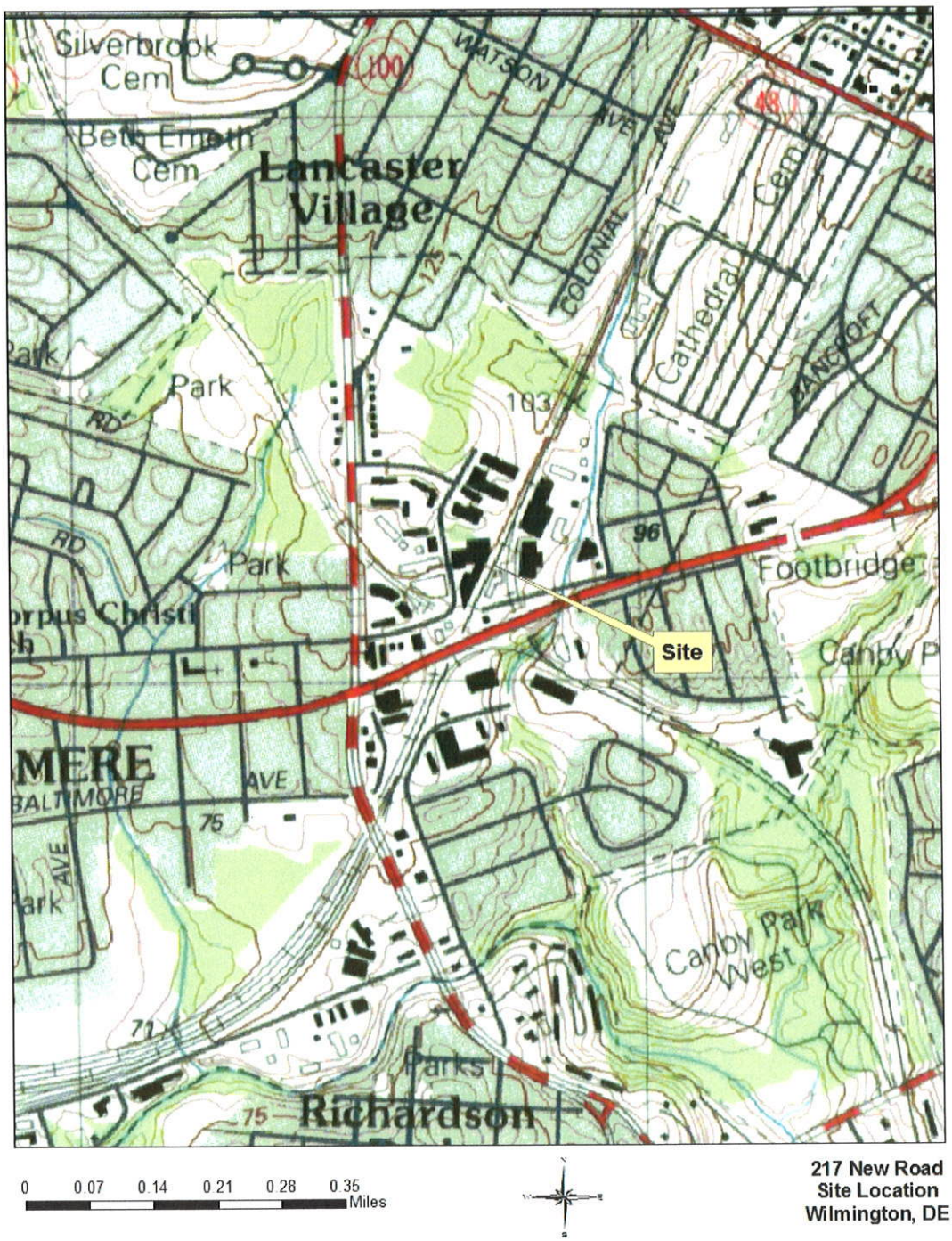
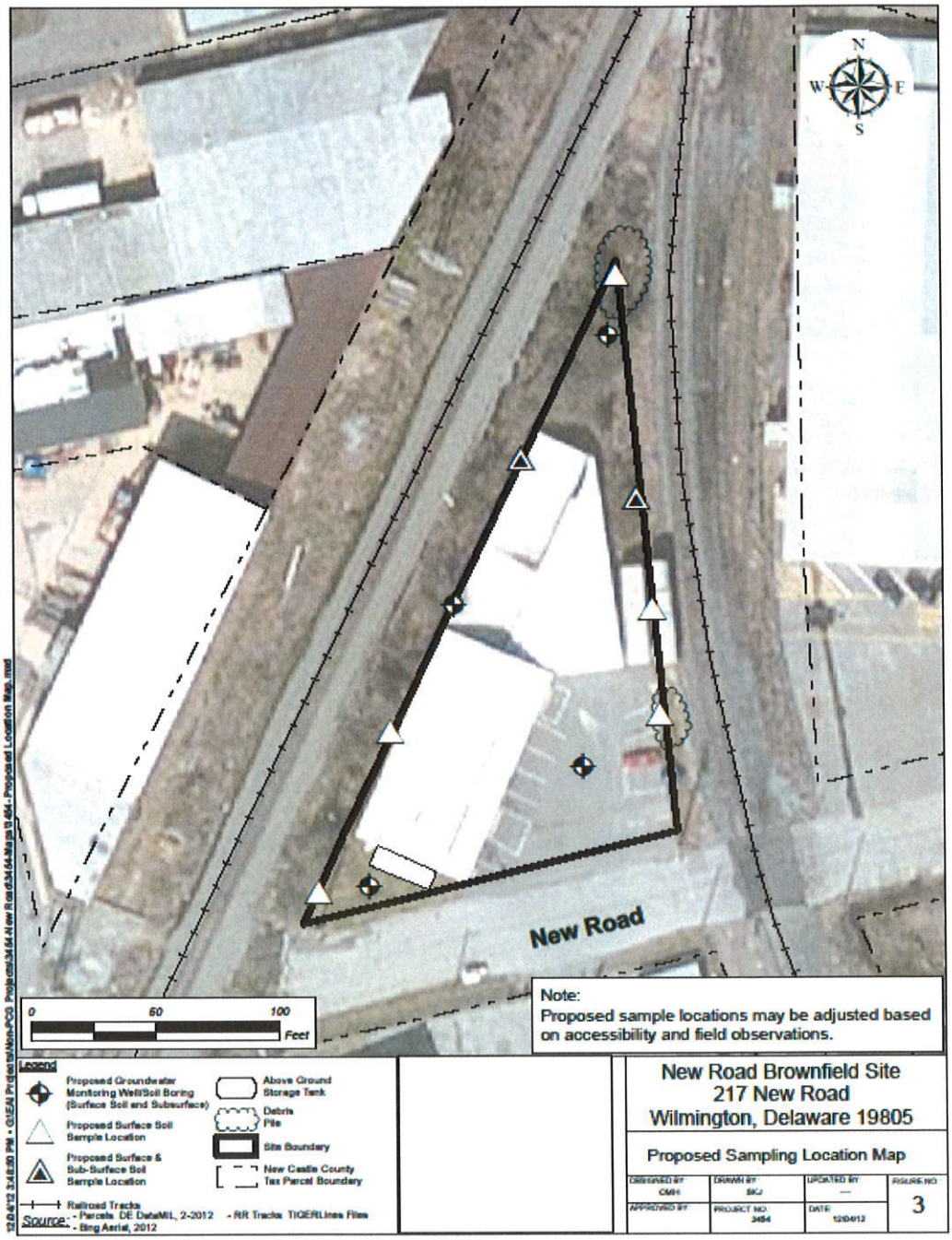


Figure 2- Proposed Sample Locations



Glossary of Terms Used in this Proposed Plan

Area of Concern (AOC)	A discrete section of the Site representing the local bounds of contamination in soil or ground water.
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.
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.
Certified Brownfield	A Brownfield that DNREC has determined is eligible for partial funding through the Delaware Brownfields Program
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.
Contaminant of Concern (COC)	Potentially harmful substances at concentrations above acceptable levels.
Final Plan of Remedial Action	DNREC's adopted plan for cleaning up a hazardous site.
Risk	Likelihood or probability of injury, disease, or death.
Restricted Use	Commercial or Industrial setting
SIRS	Site Investigation Restoration Section of DNREC, which oversees cleanup of sites that were contaminated as a result of past use, from dry cleaners to chemical companies
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