



PROPOSED PLAN OF REMEDIAL ACTION

721 Terminal Avenue Site
Wilmington, Delaware

DNREC Project No. DE-1558



January 2014

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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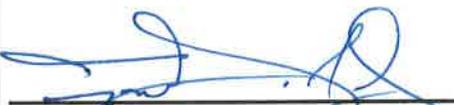
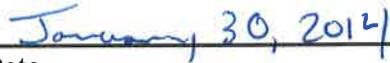
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Approval:

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

Approved by:

Timothy Ratsep, Environmental Program Administrator Site Investigation & Restoration Section

Date



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. The Proposed Plan is issued to solicit public comment. A legal notice is published in the newspaper for a 20-day comment period. The Department of Natural Resources and Environmental Control (DNREC) considers and addresses all public comments received and subsequently publishes a Final Plan of Remedial Action (Final Plan) for the Site.

What is the 721 Terminal Avenue Site?

A review of historical aerial photos indicated that no existing or previous development has occurred on the Site from 1937 to present. It was noted that as adjacent lands were developed over time, some drainage improvements and soil disturbances occurred on the Site. The Site is located at 721 Terminal Avenue in Wilmington and consists of tax parcel 2606600006. The Site comprises approximately 2.1 acres bounded by to the northeast by Terminal Avenue, to the southwest by Rittenhouse Industrial Park, and to the west by the Norfolk & Southern Railroad (See Figure 1). The Site is undeveloped and consists of emergent wetlands in the western and central portions, and scrub-shrub vegetation with scattered trees in the eastern and southern portions along Terminal Avenue. A drainage ditch flows toward the northeast and off-site through a corrugated pipe under Terminal Avenue. A stone-paved driveway provides limited access along the southeastern property line. The Site has been designated as a Certified Brownfields Site. 273 Property Associates, LLC entered into a Brownfields Development Agreement (BDA) with DNREC to perform a Brownfield Investigation and address contamination determined to be present on the Site.

What happened at the 721 Terminal Avenue Site?

The Site is located in a historically industrial area. According to information provided by the seller to the buyer, arsenic concentrations as high as 55 mg/kg have been detected in surface and subsurface soils. Minor amounts of diesel-range organics (DROs) have also been detected. Also, piles of solid waste were encountered during a preliminary site inspection.

What is the environmental problem at the 721 Terminal Avenue Site?

The Site is located in a historically industrial area. The Brownfield Investigation Report completed by Landmark Science & Engineering in December 2013 found exceedances to DNREC's Standards of metals and semi-volatile organic compounds (SVOCs) in Site soils and groundwater exceedances of metals, one volatile organic compound (VOC) and one pesticide. Contamination could have potentially entered the Site from upstream runoff, tidal movement, past soil disturbances, imported fill material, or dumping by trespassers.

What clean-up actions have been taken at the 721 Terminal Avenue Site?

No clean-up actions have been taken at the Site.

What does the owner want to do at the 721 Terminal Avenue Site?

The current owner plans to pursue commercial development of the Site.

What clean-up actions are needed at the 721 Terminal Avenue Site?

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

1. The Site will be capped with at least one foot of clean fill or impervious components such as parking lots or buildings. A marker fabric will be placed between the impacted material and the newly placed cap.
2. Develop and implement a DNREC-approved Long-Term Stewardship (LTS) Plan. The LTS Plan will assure that the enacted protective measures are properly maintained including maintenance of the cap and landscaped areas and detail the inspection schedule to be followed in order to ensure the long-term integrity of the remedy.
3. Record an Environmental Covenant, consistent with Delaware's Uniform Environmental Covenants Act (Title 7, Del. Code Chapter 79, Subtitle II) (UECA), in the office of the Recorder of Deeds to include the following:
 - Restrict land use to non-residential (e.g. commercial/industrial);
 - Prohibit interference with remedy;
 - Prohibit land-disturbing activities without prior written approval by DNREC;
 - Prohibit the installation of groundwater wells for drinking water purposes without the prior written approval of DNREC;
 - Identify the Site as located within a Groundwater Management Zone (GMZ); and
 - Comply with the Long-Term Stewardship Plan.

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

The Site will be restricted to non-residential (commercial/industrial) purposes only in accordance with the recording of an environmental covenant. All other requirements set forth in the environmental covenant and LTS Plan shall be adhered to.

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, 19720. Most documents are also found on:

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

The 20-day public comment period begins on February 5, 2014, and ends at close of business (4:30 pm) on February 25, 2014. Please send written comments to the DNREC office at 391 Lukens Drive, New Castle, DE 19720 to Wendy March, Project Officer or Robert Newsome, Public Information Officer.

Figure 1: 721 Terminal Avenue Location Map

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Figure 1: 721 Terminal Avenue Location Map

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.
Brownfield Investigation (BFI)	Thorough environmental study of a site which includes 1) sampling of the 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.
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).
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.
Long Term Stewardship (LTS) Plan	A plan describing the activities necessary to provide for continued effectiveness and integrity of a response activity after implementation of the remedial action is completed.
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.
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.