

FINAL PLAN OF REMEDIAL ACTION



333 S. Governors Avenue Site (DE-0359)

*333 South Governors Avenue
Dover, Delaware*

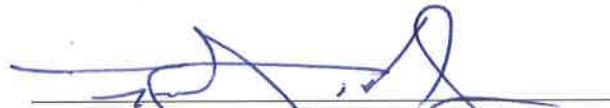
*April 2014
DNREC Project No. DE-0359*

This Final Plan of Remedial Action (Final Plan) presents actions required by the Department of Natural Resources and Environmental Control (DNREC) to address environmental contamination at the 333 S. Governors Avenue Site in Dover.

DNREC issued public notice of the Proposed Plan of Remedial Action (Proposed Plan) for the Site on May 16, 2014 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

April 9, 2014

Date



PROPOSED PLAN OF REMEDIAL ACTION

333 South Governors Avenue Site
Dover, Delaware
DE-0359



March 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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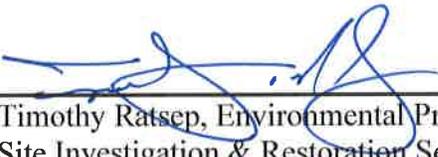
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333 South Governors Avenue Site
Dover, Delaware
DE-0359



Approval:

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

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| 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 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 333 South Governors Avenue Site?

The 333 South Governors Avenue Site is located in Dover at the intersection of South Governors Avenue and Bank Lane as shown in Figure 1. The Site is 0.18 acres in area and consists of one tax parcel (TP#2-05-07709-04-4700). The location of the Site is approximately 400 feet east of a US EPA Superfund site, the Dover Gas Light Site, with known groundwater contamination extending underneath the 333 South Governors Avenue Site. The Site is certified as a Brownfield. There is one small unused building on the property (Figure 2).

What happened at the 333 South Governors Site?

The Site is the former location of a service station. An investigation was performed under the Delaware Brownfields program to determine whether activities associated with the service station contributed to the known groundwater contamination problem. The investigation found 6 large underground storage tanks (USTs) that formerly stored gasoline and fuel oil.

What is the environmental problem at the 333 South Governors Site?

The USTs were investigated as potential sources of soil and ground water contamination. However, testing demonstrated that the tanks had not leaked and that the groundwater contamination present on the Site is related to the Dover Gas Light Site.

What clean-up actions have been taken at the 333 South Governors Site?

In September/October 2013, the USTs were removed under the regulatory authority of the DNREC Tanks Management Section (TMS). The TMS issued a "No Further Action" letter for the Site in December, 2013.

What does the owner want to do at the 333 South Governors Avenue Site?

The Site, zoned commercial, is suitable for restricted use, but specific redevelopment plans are not final at this time.

What additional clean-up actions are needed at the 333 South Governors Avenue Site?

Because the tanks were removed, and a risk assessment determined that there are no unacceptable soil conditions, DNREC will not require any additional clean-up activity at the Site.

Consistent with “Regulations Governing HSCA,” the groundwater contamination problem that originates at the Dover Gas Light Site will be addressed as part of that project which is on-going.

The risk assessment addressed surface and subsurface soil and the potential for vapor migration into surrounding buildings and properties. Using a model that predicts indoor air quality from concentrations of volatile contaminants in groundwater, DNREC determined that indoor air quality may present an unacceptable use if a building on the Site were occupied as a permanent residence.

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

1. 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:

[a.] Use Restriction. Use of the Property shall be restricted solely to those non-residential type uses permitted within Commercial, Manufacturing, or Industrial Districts;

[b.] Limitation of Groundwater Withdrawal. No groundwater wells shall be installed, and no groundwater shall be withdrawn from any well, on the Property without the prior written approval of DNREC-SIRS and DNREC Division of Water.

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

There are no conditions present on the Site requiring restrictions to the non-residential use of the site. The Site is located within a Groundwater Management Zone (GMZ) which covers central Dover from Queen Street eastward to the St Jones River. The GMZ precludes the installation of monitoring or supply wells without pre-review by DNREC.

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

The complete file on the Site including the Site Specific Assessment and the Supplemental Risk Report are available at the DNREC office, 391 Lukens Drive in New Castle, 19720 and the Dover Public Library. Most documents are also found on:

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

The 20-day public comment period begins on March 16, 2014 and ends at close of business (4:30 pm) on April 7, 2014. Please send written comments to the DNREC office at 391 Lukens Drive, New Castle, DE 19720 to Stephen F. Johnson, Project Officer, or Robert Newsome, Public Information Officer.

Figure 1: Site Location in Dover

Figure 2: View of the Site from Bank Lane

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Figure 1. Site Location in Dover



Figure 2. Street Level View of Site

Glossary of Terms Used in this Proposed Plan

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|---|---|
| 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. |
| 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 adopted plan for cleaning up a hazardous site. |
| Groundwater Management Zone | A geographical area where DNREC restricts drilling for ground water because it is contaminated |
| 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. |
| Human Health Risk Assessment (HHRA) | An assessment done to characterize the potential human health risk associated with exposure* to site related chemicals. |
| Preliminary Risk Assessment | A quantitative evaluation of only the most obvious and likely risks at a site |
| Risk | Likelihood or probability of injury, disease, or death. |
| Restricted Use | Commercial or Industrial setting |
| 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). |
| 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 |
| US EPA | United States Environmental Protection Agency |
| UST | Underground Storage Tank |