PROPOSED PLAN OF REMEDIAL ACTION

3022-3028 New Castle Avenue
New Castle, Delaware
DNREC Project No. DE-1577

February 2015

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

01/29/2015
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 3022-3028 New Castle Avenue Site?

The 3022-3028 New Castle Avenue Site is located at 3022 & 3028 New Castle Avenue and 230 Hillview Avenue, New Castle, Delaware, and consists of three tax parcels (10-010.20-534, 10-010.00-017, and 10-010.00-018), totaling approximately 12.9 acres (Figure 1). The nearest intersection to the Site is New Castle Avenue and Hillview Avenue. The Site consists of a garage building, an office/shop building, a residence, open meadow, and dense woodland and is zoned commercial (Figure 2). The Site is divided into two operable units for the purpose of the Proposed Plan. Operable Unit 1 (OU1) is the Library Parcel and Operable Unit 2 (OU2) is the Innovation Center Parcel (Figure 3).

What happened at the 3022-3028 New Castle Avenue Site?

The Site contained areas that were historically covered with small piles of fill, as well as an area that operated as a car sale and repair business. Prior to the car sale and repair business, there was a residence with farm buildings on the Site.

What is the environmental problem at the 3022-3028 New Castle Avenue Site?

A Brownfield Investigation performed in 2014 at the Site found that the surface soil in the western portion of the site contained benzo(a)pyrene, iron, mercury and thallium above DNREC soil standards for residential use. Due to contamination of metals, there is a potential risk for future child recreators who spend more time than normal use (75 hours per year) on the Library Parcel (OU1) of the Site (Figure 3). There is no potential risk to future commercial/industrial workers, future excavation/construction workers, or future adult recreators under normal use of the Library Parcel (OU1). There is no potential risk to future commercial/industrial workers, future excavation/construction workers, or future adult and child recreators under normal use of the Innovation Center Parcel (OU2). In addition, calculations indicated that there is a risk from ingesting groundwater from the entire Site if restrictions are not enacted.

What does the owner want to do at the 3022-3028 New Castle Avenue Site?

The Site will be developed by New Castle County into a public library and innovation center (Figure 3).

What clean-up actions are needed at the 3022-3028 New Castle 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. Submit a Remedial Action Work Plan for DNREC's approval within 60 days after the issuance of the Final Plan of Remedial Action.

2. Cap the Library Parcel (OU1) of the Site with at least one foot of clean fill and marker fabric or impervious material such as buildings, asphalt, or concrete as per the schedule indicated in the DNREC approved Remedial Action Work Plan. If a playground is built on the Library Parcel, cap the area of the playground with at least 2 feet of clean fill and marker fabric. The Innovation Center Parcel (OU2) does not require a cap.

3. Submit an Environmental Covenant for DNREC's approval within 60 days of DNREC approving the Long Term Stewardship Plan.

4. 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 within 60 days of DNREC approving the Long Term Stewardship Plan. The Environmental Covenant will 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.] Interference with Remedy. There shall be no digging, drilling, excavating, grading, constructing, earth moving, or any other land disturbing activities on the Library Parcel (OU1) of the Property [including any repair, renovation or demolition of the existing structures on the on the Library Parcel (OU1) of the Property]without the prior written approval of DNREC-SIRS;

    [c.] 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;

    [d.] Compliance with Long Term Stewardship Plan. All work required by the Long Term Stewardship Plan shall be performed to the satisfaction of DNREC in accordance with the Plan;

[e.] Compliance with Contaminated Material Management Plan. All work required by the Contaminated Materials Management Plan (CMMP) shall be performed to the satisfaction of DNREC in accordance with the Plan.

5. Submit to DNREC a CMMP within 60 days of the issuance of a Final Plan of Remedial Action. The CMMP will allow construction workers to safely handle any potential contaminated soil and groundwater at the Site.

6. Implement the CMMP upon DNREC approval.

7. Submit a Long-Term Stewardship (LTS) Plan as per the schedule set in the DNREC approved Remedial Action Work Plan. The LTS plan will detail the site-inspection schedule to be followed in order to ensure the long-term integrity of the remedy.

8. Implement the LTS Plan within 60 days upon DNREC approval.

9. Submit Remedial Action Completion Report to DNREC within 60 days of the completion of the remedial actions required in this Proposed Plan.

10. Request a COCR within 60 days of DNREC'S approval of the Remedial Action Completion Report.

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

The Site use will be restricted to non-residential (commercial/industrial) purposes by recording the environmental covenant. The CMMP will be completed and available for the Site.

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

The complete file on the Site including the Brownfield Investigation 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 February 1, 2015 and ends at close of business (4:30 pm) on February 23, 2015. Please send written comments to the DNREC office at 391 Lukens Drive, New Castle, DE 19720 to Kathryn Durant, Project Officer or Robert Newsome, Public Information Officer.

Figure 1: Site Location Map
Figure 2: Site Map
Figure 3: Operable Units

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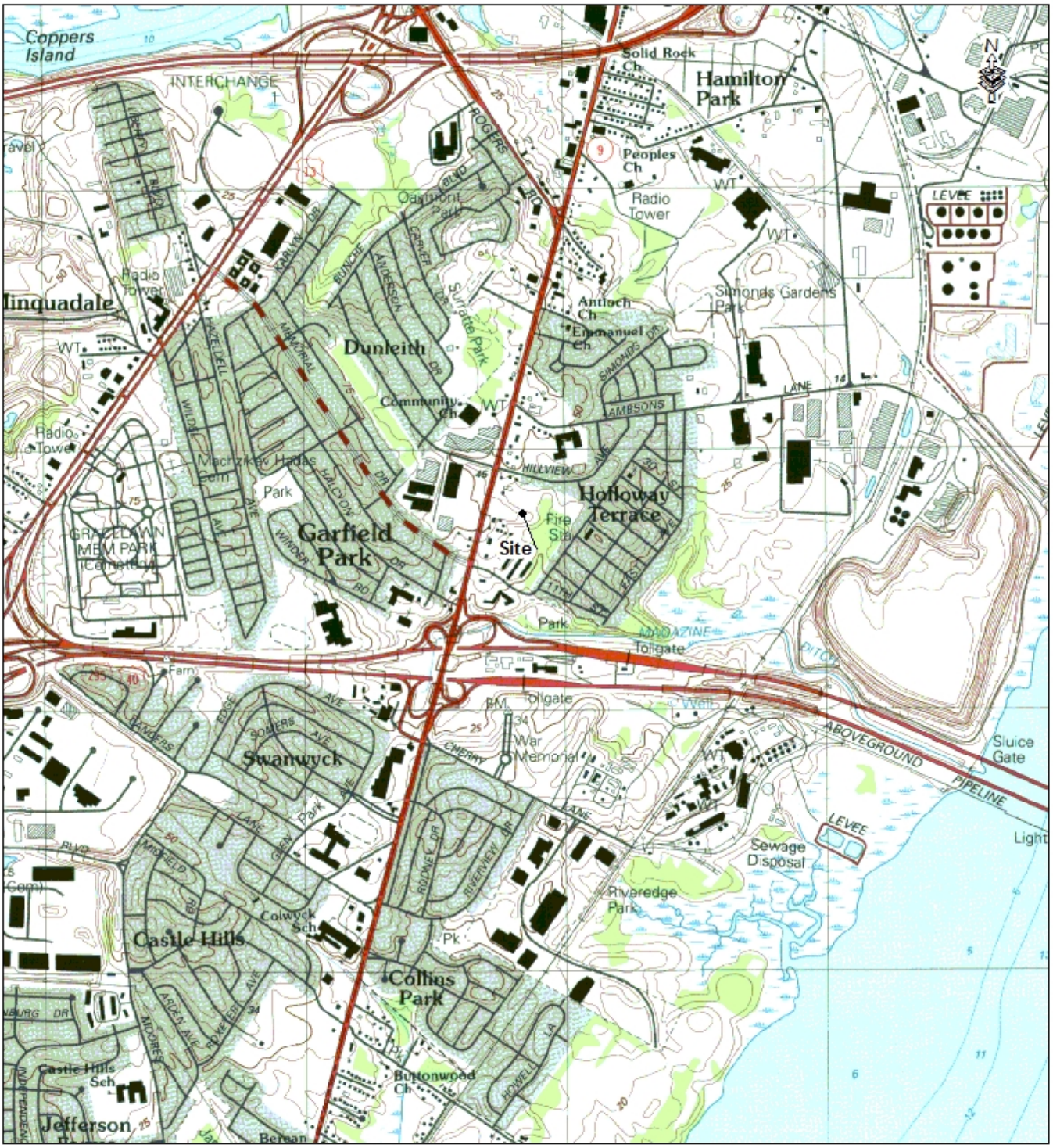

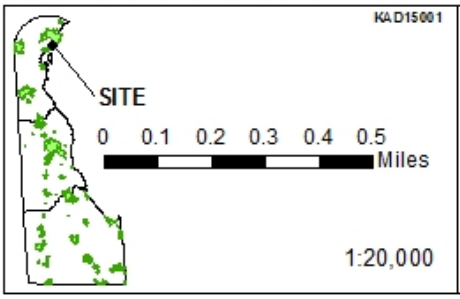

DELAWARE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL

WHS
Site Investigation & Restoration Section
391 Lukens Dr.,
New Castle, DE 19720
302.395.2600

FIGURE 1
SITE LOCATION MAP
3022-3028 NEW CASTLE AVE
NEW CASTLE, DE (DE-1577)
USGS 7.5 MIN TOPO

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January 2015

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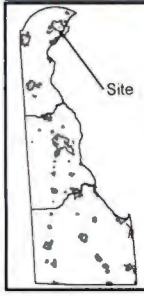

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2012 AERIAL

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0 1:3,000 400 Feet

WHS-SIRS
391 LUKENS DR.
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302.395.2600

FIGURE 2
SITE MAP
DE-1577
3022-3028 NEW CASTLE AVE

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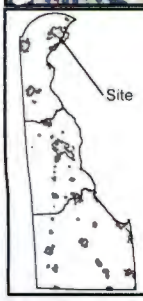

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0 1:3,000 400 Feet

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NEW CASTLE DE 19720
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FIGURE 3
OPERABLE UNITS
3022-3028 NEW CASTLE AVE
NEW CASTLE, DE (DE-1577)

Glossary of Terms Used in this Proposed Plan

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.
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.
Contaminated Materials Management Plan	A written plan specifying how potentially contaminated material at a Site will be sampled, evaluated, staged, transported and disposed of properly.
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.
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