PROPOSED PLAN OF REMEDIAL ACTION

427 West 7th Street (OU-2)
New Castle, Delaware
DNREC Project No. DE-1574

May 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:

for TTR

Timothy T. Ratsep, Environmental Program Administrator
Site Investigation & Restoration Section

5/7/15

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 and provides the opportunity for public comment. A legal notice is published in the newspaper for a 20-day comment period. After the 20 day comment period, DNREC considers and addresses all public comments received and will publish a Final Plan of Remedial Action (Final Plan) for the Site.

What is the Former 427 West 7th Street Site (OU-2)?

The Site is located at 427 West 7th Street in New Castle, Delaware, and consists of one tax parcel (21-014.00-400), totaling approximately 4.3 acres (Figure 1). Operable Unit 2 (OU-2) consists of approximately 3.53 acres (Figure 2) and addresses the surface and subsurface soil of OU-2 in addition to the groundwater for the entire Site (OU-1 and OU-2). The nearest intersection to the Site is West 7th Street (Route 9) and Umbrella Row. The Site currently contains an approximately 8,000 square foot building formerly used as an auto repair facility, office space, and retail sales of auto parts (Figure 3). The majority of the Site is surfaced with pavement. The rear portion (southern) of the Site is wooded/marsh land.

What happened at the 427 West 7th Street Site (OU-2)?

The Site historical use generally has been consistent from 1992 to 2013 as automotive sales. Prior to 1992, the Site appeared to be vacant and undeveloped with some minor land disturbance noted. The front portion of the Site (OU-1) contains an approximately 5,000 square foot former automotive repair/office/warehouse building which has undergone commercial redevelopment. Adjacent properties are commercial/residential properties and marsh lands. The former New Castle Gas Company formerly operated to the east of the Site.

What is the environmental problem at the 427 West 7th Street Site (OU-2)?

The Site was investigated due to possible releases related to an automotive repair and storage area on OU-2. A Site Specific Assessment (SSA) conducted at the Site in September 2014 found that contaminants of potential concern (COPCs) for surface soil were identified as: arsenic, semi-volatile organic compounds (SVOCs) and thallium. In subsurface soils, COPCs were identified as arsenic, lead, manganese, nickel, SVOCs, thallium, and total petroleum hydrocarbons (TPHs). In sediments, COPCs were identified as: antimony, arsenic, copper, lead, mercury, SVOCs, and vanadium. In groundwater, COPCs were identified as aluminum, arsenic, barium, cadmium, chromium, cobalt, copper, iron, lead, manganese, mercury, naphthalene, nickel, vanadium, and zinc. In surface water, COPCs were identified as aluminum, arsenic, barium, cadmium, chromium, cobalt, copper, cyanide, heptachlor, iron, lead, manganese, mercury, nickel, PCB-1254, SVOCs, thallium, vanadium, and zinc.

What does the owner want to do at the 427 West 7th Street Site (OU-2)?

The development plans for the OU-2 portion of the Site include the renovation of the Site building for the purpose of operating a retail store with portions of the Site being utilized for mix use (commercial and residential). The development plans will be consistent with the Gateway Zoning Classification.

What additional clean-up actions are needed at the 427 West 7th Street Site (OU-2)?

DNREC proposes the following remedial actions for the OU-2 Site, which needs 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 non-wetland portions of the Site with at least one foot of clean fill or impervious material such as buildings, asphalt, or concrete as per the schedule indicated in the DNREC approved Remedial Action Workplan.

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. Interference with Remedy. There shall be no digging, drilling, excavating, grading, constructing, earth moving, or any other land disturbing activities on the Property [including any repair, renovation or demolition of the existing structures on the Property]without the prior written approval of DNREC-SIRS;

    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;

    c. Compliance with the Long Term Stewardship Plan. Perform all work required by the Long Term Stewardship Plan ("LTS Plan"), as issued, approved, modified or amended by DNREC;

    d. Compliance with the Contaminated Materials Management Plan. Perform all work required by the Contaminated Materials Management Plan ("CMMP"), as issued, approved, modified or amended by DNREC.

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 approval of the Remedial Action Completion Report.

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

The development plans for the OU-2 portion of the Site include the renovation of the Site building for the purpose of operating a retail store with portions of the Site being utilized for mix use (commercial and residential). The development plans will be consistent with the Gateway Zoning Classification.

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

The complete file on the Site including the Brownfield 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 May 10, 2015 and ends at close of business (4:30 pm) on June 1, 2015. 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: Site Location Map
Figure 2: Site Location Aerial
Figure 3 Site Photo
Figure 4: Site Photo

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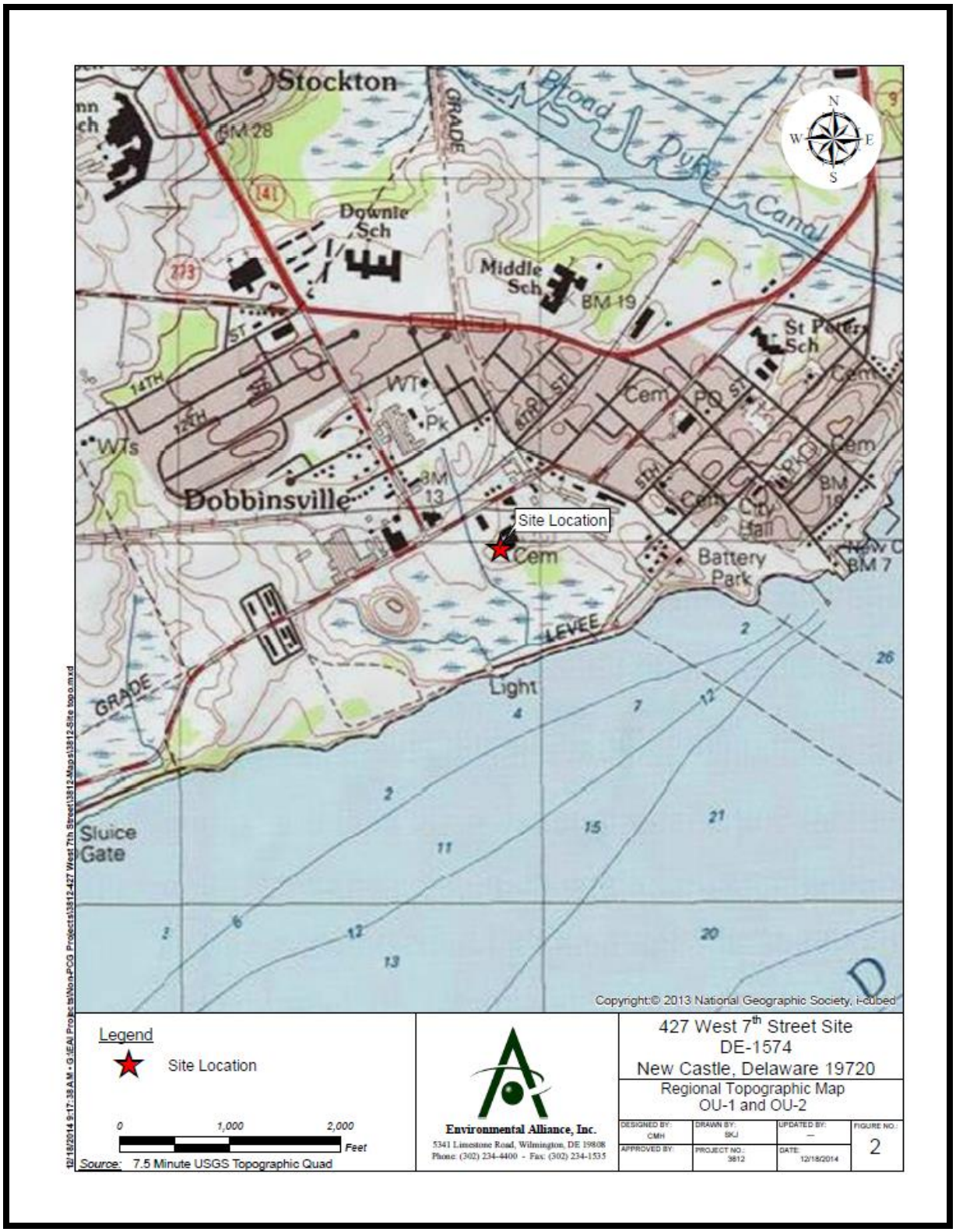

Figure 1: 427 West 7th Street Location

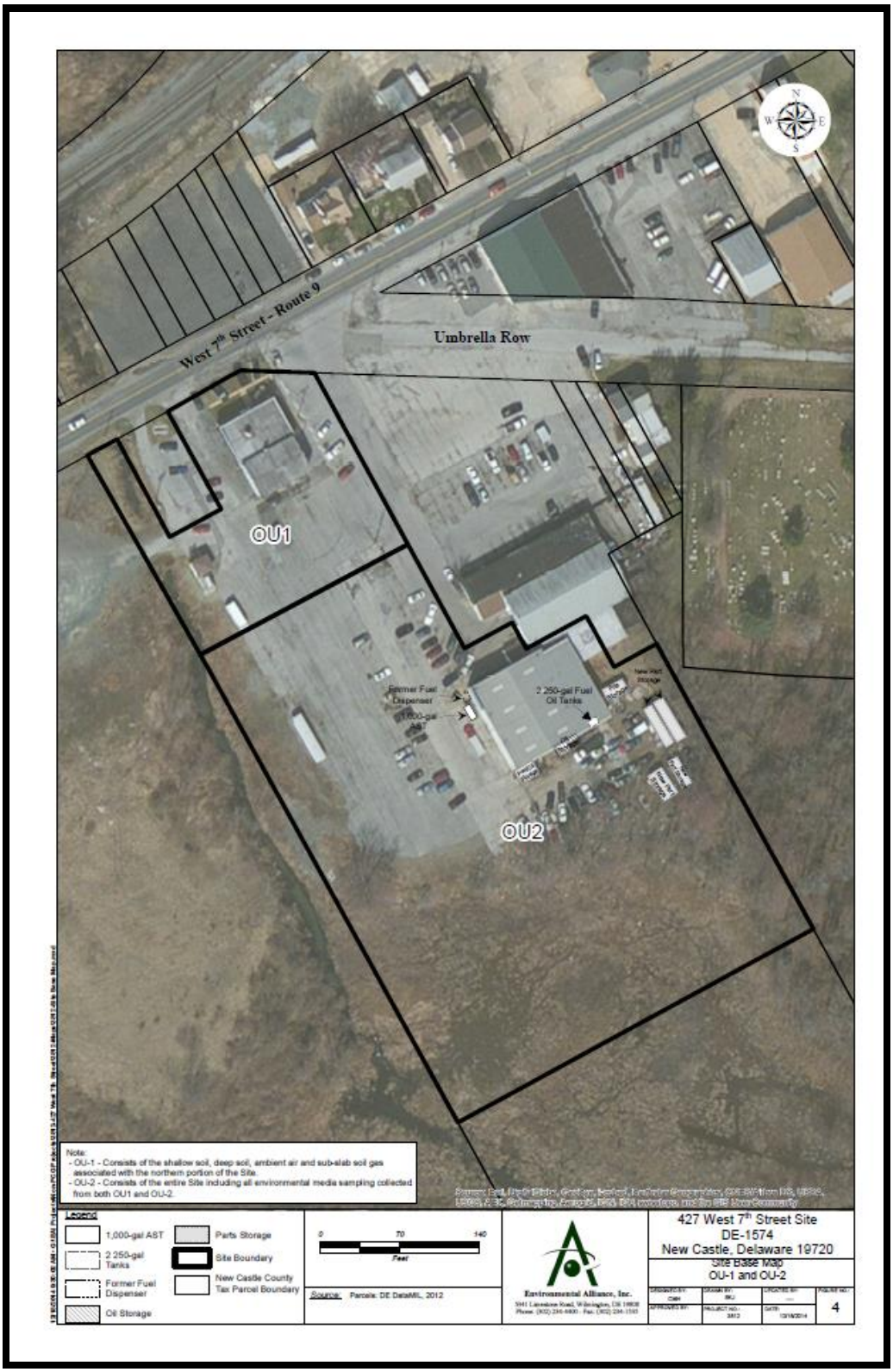

Figure 2: 427 West 7th Street Location Aerial

Figure 3: 427 West 7th Street (OU-2) - Front of Building

Figure 4: 427 West 7th Street (OU-2) – Rear of Building Leading to Marsh

Glossary of Terms Used in this Proposed Plan

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.
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.
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.
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.
Risk Assessment Guidance for Superfund (RAGS)	An EPA guidance document for superfund sites
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