

# FINAL PLAN OF REMEDIAL ACTION



## 110 WATER STREET SITE

*110 Water Street  
Newport, Delaware*

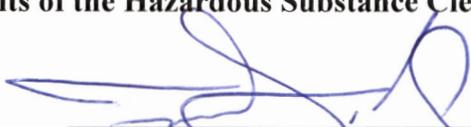
*July 2015  
DNREC Project No. DE-1582*

This Final Plan of Remedial Action (Final Plan) presents clean-up actions required by the Department of Natural Resources and Environmental Control (DNREC) to address environmental contamination at the 110 Water Street Site.

DNREC issued public notice of the Proposed Plan of Remedial Action (Proposed Plan) for the Site on July 5, 2015 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

*July 28, 2015*  
\_\_\_\_\_  
Date



## **PROPOSED PLAN OF REMEDIAL ACTION**

110 Water Street  
Newport, Delaware  
DNREC Project No. DE-1582



July 2015

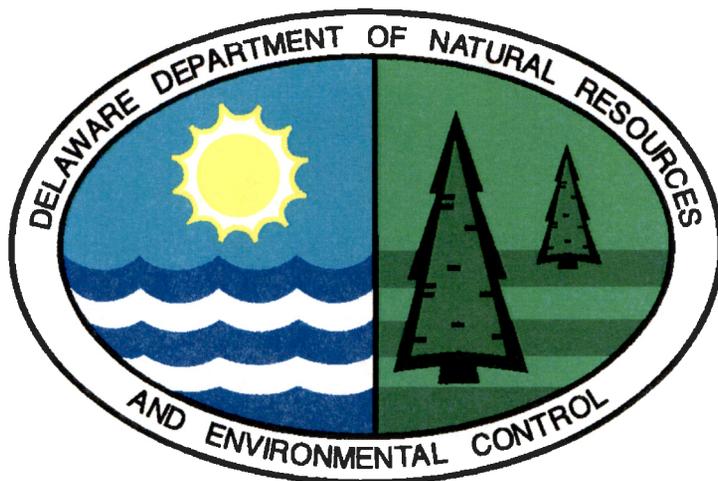
Delaware Department of Natural Resources and Environmental Control  
Division of Waste and Hazardous Substances  
Site Investigation & Restoration Section  
391 Lukens Drive  
New Castle, Delaware 19720

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# PROPOSED PLAN OF REMEDIAL ACTION

110 Water Street  
Newport, Delaware  
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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 a Site. A legal notice is published in the newspaper advertising the Proposed Plan for a 20-day comment period. DNREC considers and addresses all public comments received and publishes a Final Plan of Remedial Action for the Site.

## **What is the 110 Water Street Site?**

The 110 Water Street Site is located at 110 Water Street in Newport, Delaware, and consists of one tax parcel, 20-003.00-090, approximately 0.26 acres in size (Figure 1). It is zoned General Industry (GI). The nearest major intersection to the Site is Water Street and South James Street. Until recently, the Site consisted of a residential building attached to four (4) enclosed garage bays and a paved parking area on the northern and eastern sides of the building (Figure 2). In February 2015, the residential portion of the building was demolished.

## **What happened at the 110 Water Street Site?**

The Site was first developed in 1949 as an office building. A second building was constructed on the property in 1976. Through the years, the property was reportedly utilized by the following types of companies: painting contractor, plastering, janitorial services, generator sales and service, security, automotive and automotive and bicycle repair.

## **What is the environmental problem at the 110 Water Street Site?**

A Brownfield Investigation performed at the Site in 2014 indicated that the following constituents are site-wide contaminants of concern (COCs) in surface soil for an unrestricted use exposure scenario: polycyclic aromatic hydrocarbons (PAHs) - benzo(a)pyrene, benzo(b)fluoranthene, and dibenz(a,h)anthracene. Metals (antimony, arsenic, and lead), a volatile organic compound (VOC) - benzene, and PAHs - benzo(a)pyrene, benzo(b)fluoranthene, dibenz(a,h)anthracene are site-wide COCs in subsurface soil for an unrestricted use exposure scenario. For an outdoor worker in a restricted use setting, who is exposed to both surface and subsurface soils at the Site, arsenic and benzo(a)pyrene are the COCs. Also, a limited area of surface soil beneath one of three aboveground storage tanks (ASTs) recently removed from the Site, was stained and was found to contain concentrations of DRO that could potentially pose an unacceptable risk to site users. Removal of soil impacted with DRO and capping the remainder of the site soils will prevent site users from being exposed to the COCs.

In groundwater, arsenic, cadmium, cobalt, iron, lead, and manganese were identified as COCs. The property is serviced by United Water Company; and therefore, there is no pathway for site users to be exposed to groundwater COCs via consumption in either a restricted or unrestricted (commercial/industrial) exposure scenario. Should future intrusive activity at the Site extend to depths where groundwater is encountered, there will be a DNREC-approved plan in place to provide guidance on the proper management of potentially-contaminated groundwater.

### **What does the owner want to do at the 110 Water Street Site?**

The Site will be redeveloped by 110 Water Street, LLC for commercial use.

### **What additional clean-up actions are needed at the 110 Water Street 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. A Remedial Action Work Plan must be submitted to DNREC for approval within 90 days of the issuance of the Final Plan of Remedial Action.
2. A Contaminated Materials Management Plan (CMMP) must be submitted to DNREC within 90 days of the issuance of the Final Plan of Remedial Action. The CMMP will provide guidance to enable construction workers to safely handle any potential contaminated soil and groundwater at the Site.
3. The CMMP will be implemented upon its approval by DNREC.
4. The stained soil in the vicinity of an AST previously-located on-site must be excavated and replaced with DNREC-approved material pursuant to the schedule indicated in the DNREC-approved Remedial Action Work Plan.
5. The Site must be capped with either a minimum of one (1) foot of DNREC-approved material atop a marker fabric or impervious cover (e.g. buildings, asphalt, or concrete) on the upland portion, and stabilized along the shoreline with geotechnical fabric and large stone or “rip-rap” (see Figure 3) pursuant to the final engineered site design and schedule indicated in the DNREC-approved Remedial Action Work Plan.
6. A Long-Term Stewardship (LTS) Plan shall be submitted to DNREC for approval in accordance with the schedule set forth in the 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 cap.
7. The LTS Plan must be implemented within 60 days of its approval by DNREC.
8. A draft Environmental Covenant must be submitted to DNREC for approval within 60 days of the issuance of the approved Long Term Stewardship (LTS) Plan.

9. An Environmental Covenant, consistent with Delaware's Uniform Environmental Covenants Act (7 Del.C. Chapter 79, Subchapter II) must be recorded in the Office of the New Castle Recorder of Deeds within 90 days of the issuance of the LTS Plan. The Environmental Covenant must include the following activity and/or use restrictions:

- [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 Property at depths greater than 1 foot ,including any repair, renovation or demolition of the existing structures on the on the Property without the prior written approval of DNREC;
- [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 the Long Term Stewardship Plan. All work required by the Long Term Stewardship Plan must be performed to DNREC's satisfaction in accordance with the Plan; and
- [e.] Compliance with Contaminated Materials Management Plan. All work required by the Contaminated Materials Management Plan must be performed to DNREC's satisfaction in accordance with the Plan.

10. A Remedial Action Completion Report must be submitted to DNREC within 60 days of the completion of the remedial actions required in this Proposed Plan.

11. A request for a Certification of Completion of Remedy (COCR) must be submitted to DNREC within 60 days of approval of the Remedial Action Completion Report.

**What are the long term requirements for the 110 Water Street Site after the cleanup?**

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

## **How can I find additional information or comment on the Proposed Plan for the 110 Water Street Site?**

The complete file on the Site, including the Brownfield Investigation Report, and other 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 July 5, 2015 and ends at close of business (4:30 pm) on July 27, 2015. Please send written comments to the DNREC office at 391 Lukens Drive, New Castle, DE 19720 to Lindsay Hall, Project Officer, or Robert Newsome, Public Information Officer.

Figure 1: Site Location Map

Figure 2: Site Layout and Surrounding Land Uses

Figure 3: Proposed Remediation Plan

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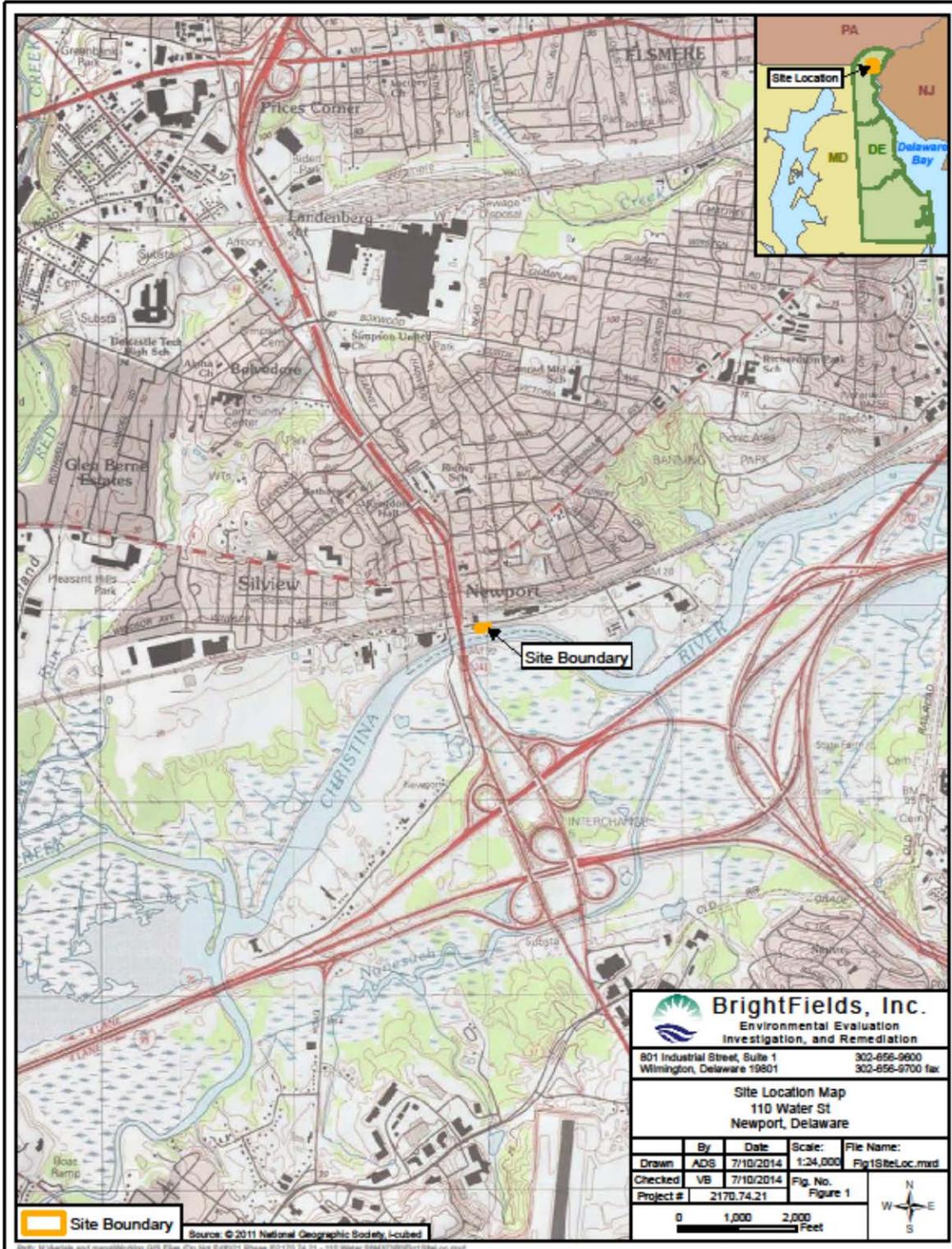


Figure 1



Figure 2

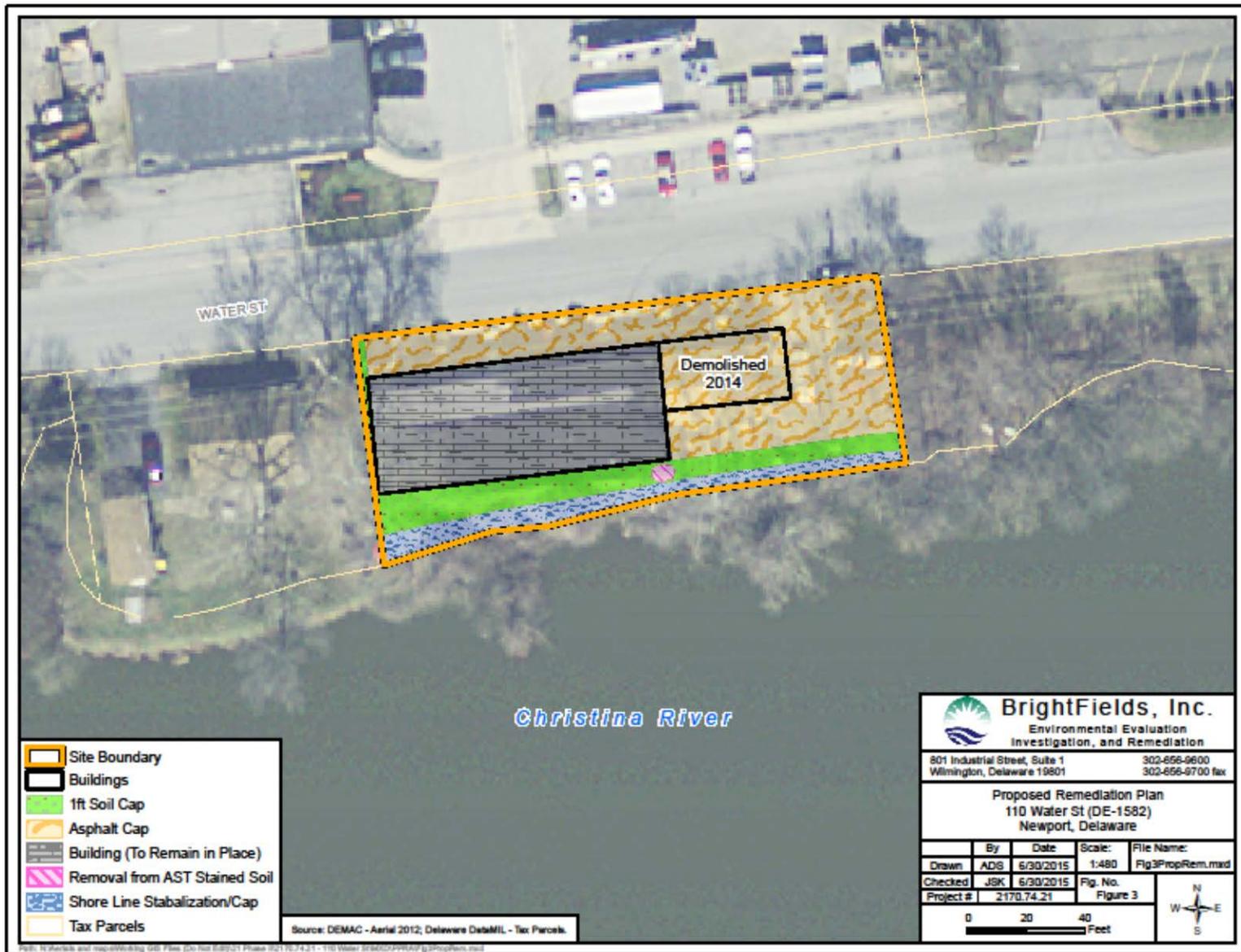


Figure 3

## Glossary of Terms Used in this Proposed Plan

<b>Brownfield Investigation (BFI)</b>	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.
<b>Certification of Completion of Remedy (COCR)</b>	A formal determination by the Secretary of DNREC that remedial activities required by the Final Plan of Remedial Action have been completed.
<b>Contaminant of Concern (COC)</b>	Potentially harmful substances at concentrations above acceptable levels.
<b>Contaminated Materials Management Plan</b>	A written plan specifying how potentially contaminated material at a Site will be sampled, evaluated, staged, transported and disposed of properly.
<b>Exposure</b>	Contact with a substance through inhalation, ingestion, or direct contact with the skin. Exposure may be short term (acute) or long term (chronic).
<b>Final Plan of Remedial Action</b>	DNREC's adopted plan for cleaning up a hazardous site.
<b>Risk</b>	Likelihood or probability of injury, disease, or death.
<b>Restricted Use</b>	Commercial or Industrial setting
<b>SIRS</b>	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
<b>Unrestricted Use</b>	Residential setting