



PROPOSED PLAN OF REMEDIAL ACTION

Oyster House Village Site
Rehoboth Beach, Delaware
DNREC Project No. DE-1573



August 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 Ratsep, Environmental Program Administrator Site Investigation & Restoration Section	
Date	8/17/15



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 Oyster House Village Site?

The Oyster House Village Site is located south of Route 1 and west of Oyster House Road, along the west bank of the Lewes and Rehoboth Canal (Figures 1) and consist of 7 parcels (3-34-19.08-42.00, 3-34-19.08-42.0, 3-34-19.08-44.00, 334-19.12-4.00, 334-19.12-4.01, 334-19.08-36.00, 334-19.08-45.00), totaling in 4.2 acres. The nearest intersection to the Site is Route 1 (Coastal Highway) and Oyster House Road. The Site is currently vacant and undeveloped land.

The owner, Sunrise Ventures LLC, has proposed the construction of residential townhome units at the Site. The owner has completed a Remedial Investigation and Focused Feasibility Study under DNREC's Voluntary Cleanup Program.

What happened at the Oyster House Village Site?

The land was used historically for a combination of agricultural and commercial purposes during different time periods. The southern portion of the site was reported to have been occupied by an oyster processor, followed later by automotive and appliance related businesses. In approximately 1960-1961, historical aerials show soil disturbance consistent with historical landfilling in that area. The middle portion of the property was used by the City of Rehoboth Beach for a mulch recycling operation from the 1980s into the 2000s.

What is the environmental problem at the Oyster House Village Site?

The primary impacts to soil (in the South area) were from metals and semi-volatile compounds (SVOCs). Groundwater was impacted primarily by metals, with one instance of a pesticide, and one of a volatile organic compound (VOC) above human health screening levels. Sediment samples exhibited metals above ecological screening levels in a location adjacent to impacted shallow soil. Methane soil gas concentrations were identified during the investigation activities with the distribution correlated to the locations of buried organic fill material in the North Area. The descriptions of defined thicknesses of organic fill are consistent with mulch handled by the former mulch recycling operation.

What does the owner want to do at the Oyster House Village Site?

Sunrise Ventures LLC plans to develop the Site with residential town houses. The development plan calls for the construction of several clusters of town home buildings built on pilings. A storm water retention pond will be centrally located on the property.

What clean-up actions are needed at the Oyster House Village 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. Placement and maintenance of cap over the South Area of the Site where unacceptable soil concentrations are present.
2. A Remedial Action Work Plan (RAWP) must be submitted to DNREC for approval within 60 days of the issuance of the Final Plan of Remedial Action. The RAWP will include a design of the Methane Mitigation Measures as described with Alternative 3 of the Focused Feasibility Study.
3. 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 Sussex County Recorder of Deeds within 60 days of the issuance of the Long Term Stewardship Plan. The Environmental Covenant must include the following activity and/or use restrictions:
 - [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 on the Property] without the prior written approval of DNREC;
 - [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. All work required by the Long Term Stewardship Plan must be performed to DNREC's satisfaction in accordance with the Plan; and
 - [d.] 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.
4. A Contaminated Materials Management Plan (CMMP) must be submitted to DNREC within 60 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.

5. The CMMP will be implemented upon its approval by DNREC.
6. A Long-Term Stewardship 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: 1) the installation of the vapor and methane monitoring system, 2) the site-inspection schedule to be followed in order to ensure the long-term integrity of the remedy.
7. The LTS Plan must be implemented within 60 days of its approval by DNREC.
8. 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.
9. 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 plans for the Site after the cleanup?

The Site will be redeveloped for residential use consistent with applicable zoning. The LTS Plan will be followed.

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

The complete file on the Site including the Remedial Investigation Report and the Focused Feasibility Study 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 August 19, 2015 and ends at close of business (4:30 pm) on September 8, 2015. Please send written comments to the DNREC office at 391 Lukens Drive, New Castle, DE 19720 to Krystal A. Stanley, Project Officer or Robert Newsome, Public Information Officer.

Figure 1: Site Location Map

Figure 2: Site Base Map

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Figure 1: Site Location Map

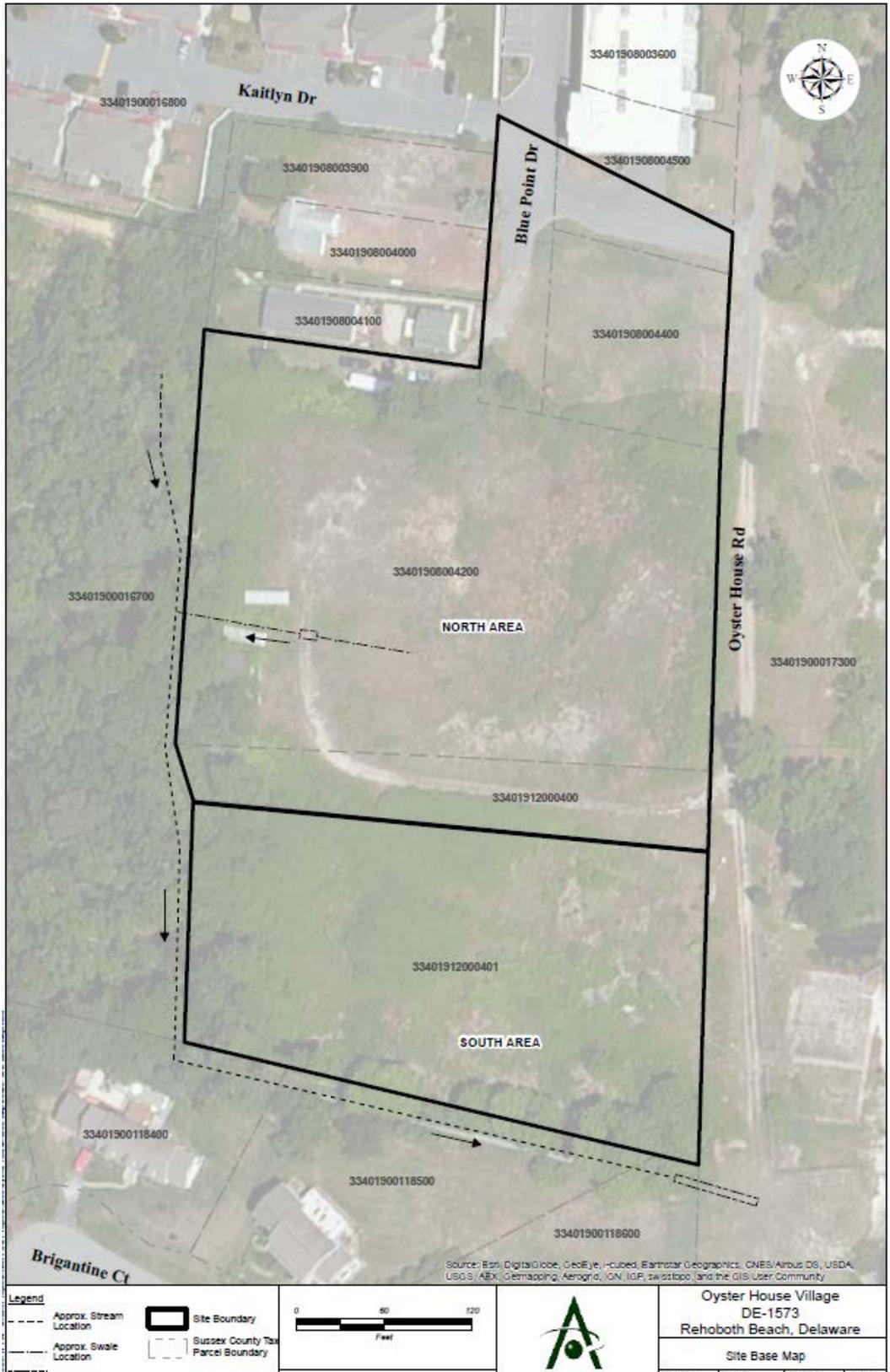


Figure 2: Site Base Map

Glossary of Terms Used in this Proposed Plan

Area of Concern (AOC)	A discrete section of the Site representing the local bounds of contamination in soil or ground water.
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.
Final Plan of Remedial Action	DNREC's adopted plan for cleaning up a hazardous site.
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.
Risk Assessment Guidance for Superfund (RAGS)	An EPA guidance document for superfund sites
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