



PROPOSED PLAN OF REMEDIAL ACTION

Whittington Woods Site, Operable Unit-3
Bear, Delaware
DNREC Project No. DE-1509



September 2015

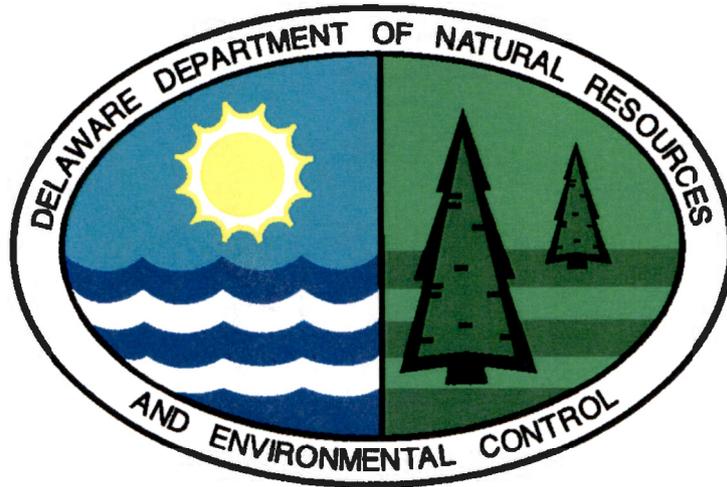
Delaware Department of Natural Resources and Environmental Control
Division of Waste and Hazardous Substances
Site Investigation & Restoration Section
391 Lukens Drive
New Castle, Delaware 19720

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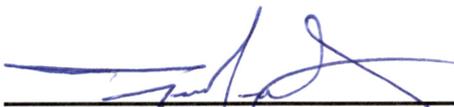
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Approval:

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

Approved by:

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

Date



What is the Proposed Plan of Remedial Action?

This Proposed Plan of Remedial Action (Proposed Plan) summarizes the actions that are being proposed to address contamination found at this Site, and requests public comment. A legal notice is published in the newspaper for a 20-day comment period. DNREC will consider and address all public comments that are received and then will publish a Final Plan of Remedial Action (Final Plan) for the Site.

What is the Whittington Woods Site, Operable Unit 3 (OU-3)?

In July 2011 the current owners of the Whittington Woods Site entered into a Voluntary Cleanup Program (VCP) Agreement to conduct a Remedial Investigation and perform a remedy, if necessary, with the oversight of DNREC. The Whittington Woods Site is located off of Minnie's Lane in Bear, Delaware, as shown on Figure 1. The Site was previously described as Tax Parcels 10-038.00-004 and 10-038.00-005 but has been subdivided into individual building lots and is now tax parcels 10-039.10-622 through 10-038.20-180, 10-038.20-112 through 10-038.20-131, 10-039.30-234, 10-003.30-235, and 10-038.40-146 through 10-038.40-153. The entire Whittington Woods Site is approximately 88.7-acres, zoned residential, and has been approved for an 83-home residential community with open space by New Castle County.

Administratively, DNREC was requested to divide the Site into Operable Units (OUs). The Site was initially divided into two operable units, OU-1 and OU-2 (Figure 1). OU-1 was investigated in 2012, and a Certificate of Completion of Remedy (COCR) was issued by DNREC for OU-1 on July 10, 2013. DNREC was then requested again to divide OU-2 into two operable units, creating a new boundary for OU-2 and a new OU-3 (Figure 2). The future use of OU-3 is community open space. OU-2 is still being investigated and a remedy will be proposed as part of the Remedial Investigation (RI) of OU-2.

This proposed plan addresses OU-3, consisting of 11.98 acres. OU-3 is located in the northeastern corner of the planned subdivision and found in the Record Plan for Whittington Woods as Open Space on Drawings CE-3 and CE-4. OU-3 consists of grasslands, a stream, two ponds, and new growth forest bounded by Brookfield, Taylortown, and the Whittington Woods Subdivision. It is a portion of New Castle County Tax Parcel 10-038.20-112.

What happened at the Whittington Woods Site?

The Whittington Sand and Gravel facility occupied approximately 75% of a 197-acre property owned and operated by Mr. Thomas D. Whittington, Sr. According to information obtained from Mr. Thomas D. Whittington, Jr., his family had acquired the Site in the early 1900s and the Site had been mined for sand and gravel since the early 1940s. Historical aerial photographs

show that prior to the 1940s, the Site had consisted of agricultural fields, with the Whittington family farm on the southern part of the Site.

The OU-3 portion of the Site was mined and then used for recreational purposes by the Whittington Family, including a portion used as a horse pasture and a pond that was used for swimming.

What is the environmental problem at the Whittington Woods Site, OU-3?

As part of the RI, 19 soil samples, two groundwater samples, 12 surface water samples, and 12 sediment samples were collected from OU-3. There were no exceedances of the DNREC Screening Levels in the surface soils. Groundwater did not contain Volatile Organic Compounds (VOCs) that may pose a risk to future residents or Site workers. However, the groundwater pathway may pose a risk of discharging to surface water located on-site. Due to the uncertainties and unquantified potential ecological risks that may be present at the Site, further investigation and assessment is planned as part of the assessment for OU-2. The results of the Ecological Risk Assessment for OU-3 will be submitted as part of the RI for OU-2. At that time, a remedial action will be determined for the ecological risks, if they are shown to be unacceptable.

What clean-up actions have been taken at the Whittington Woods Site, OU-3?

No interim cleanup activities have occurred on the OU-3 portion of the Whittington Woods Site.

What does the owner want to do at the Whittington Woods Site, OU-3?

The OU-1 and OU-2 portions of the Site will be a single family home housing community, built according to the development plan approved by New Castle County. OU-3 has been designated to be open space within the community.

What additional clean-up actions are needed at the Whittington Woods Site, OU-3?

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. Due to deferring of the Ecological Risk Assessment of OU-3 until completion of the Ecological Risk Assessment for both the adjacent OU-2 area and OU-3, DNREC will issue a Conditional COCR for OU-3. Within the Conditional COCR for OU-3, the VCP Responsible Party will agree to provide DNREC with a letter of credit, or other guaranteed securities, in the amount of at least \$50,000.00 in order to secure the performance of remedial action of ecological areas within OU-3, if needed in the future. The letter of credit, or guaranteed securities will remain in place until such time as an acceptable Ecological Risk Assessment for OU-2 and OU-3, is completed and approved by DNREC. When, upon successful completion and approval of an acceptable Ecological Risk Assessment of the above mentioned OU-2/OU-3 areas, the letter of credit will be withdrawn, or the provided guaranteed securities, will be returned to the VCP Responsible Party.

2. Further, the Ecological Risk Assessment for both OU-2 and OU-3 must be completed and submitted to DNREC for approval within 180 days of the issuance of the Final Plan of Remedial Action for OU-3. Failure to do so will result in the COCR for OU-3 being revoked.

What are the long term plans for OU-3 of the Site?

Operable Unit 3 of the Site (OU-3) will be used for community open space.

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 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 Sunday, September 20, 2015 and ends at close of business (4:30 pm) on Monday, October 12, 2015. Please send written comments to the DNREC office at 391 Lukens Drive, New Castle, DE 19720 to Kristen Thornton, Project Officer or Robert Newsome, Public Information Officer.

Figure 1: Map of OU-1 and OU-2

Figure 2: Map of OU-2 and OU-3

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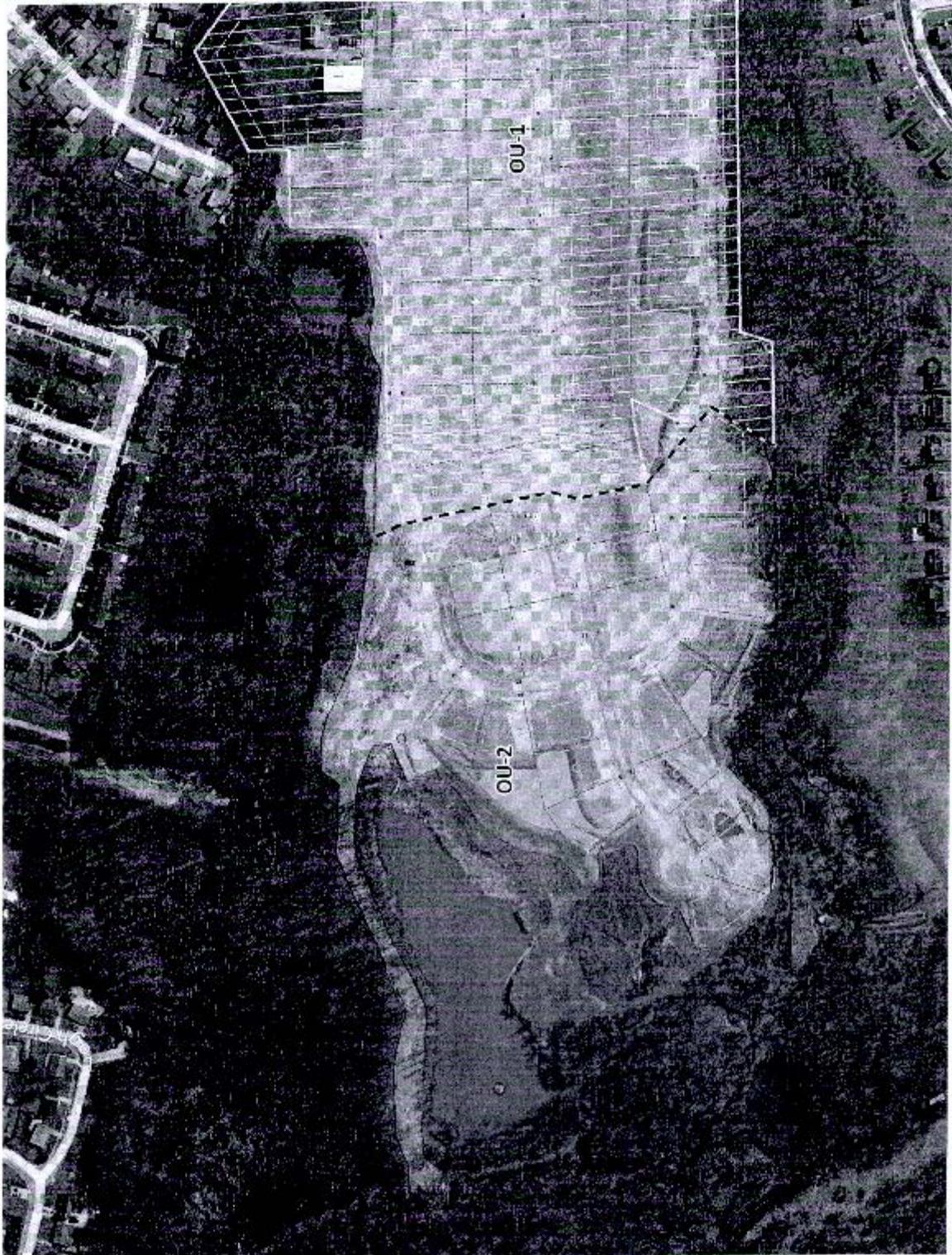


Figure 1

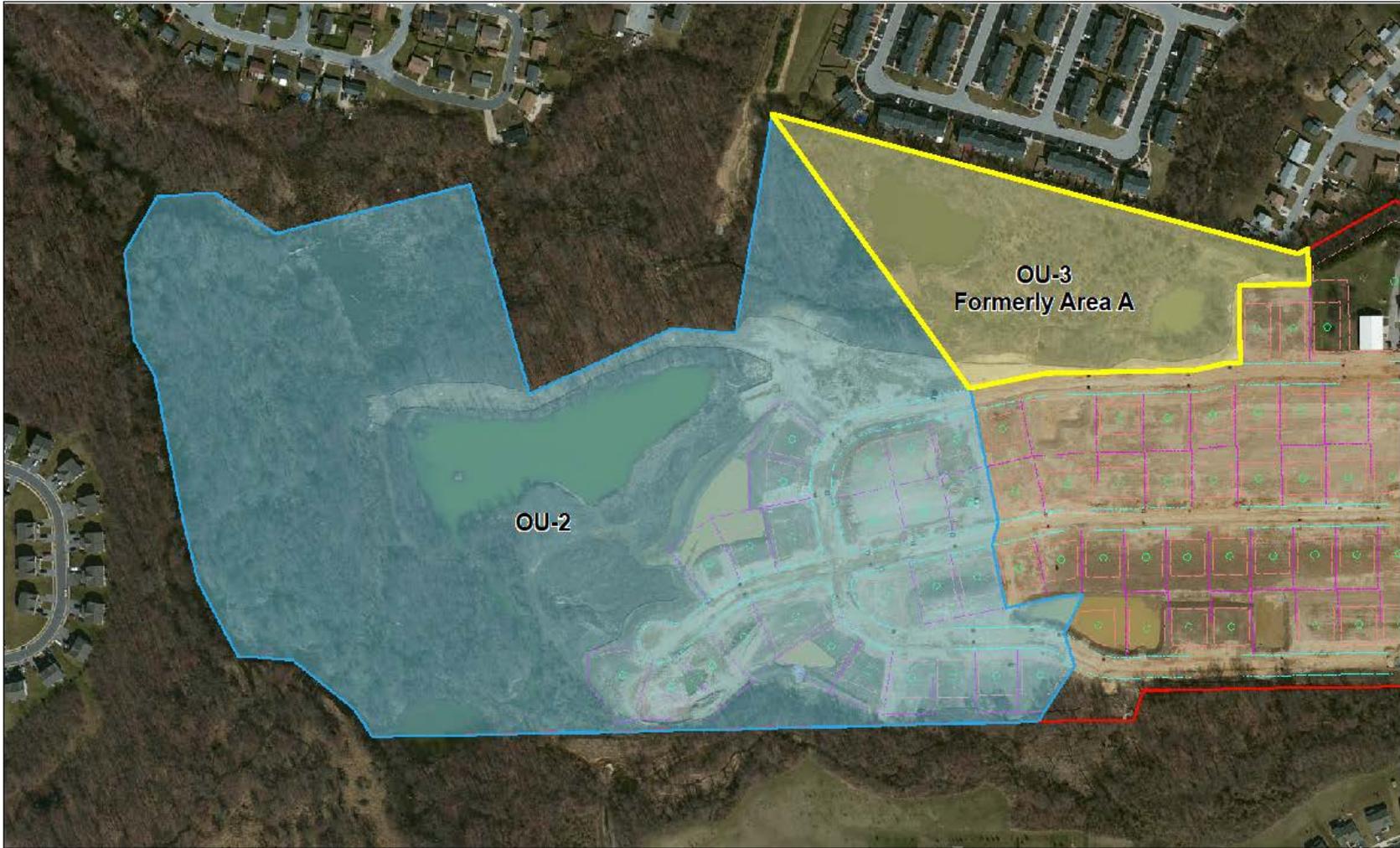


Figure 3
OU-3
Whittington Woods

One Corporate Commons, Suite 301
100 W. Commons Blvd.
New Castle, DE 19720
302-325-9377



Figure 2

Glossary of Terms Used in this Proposed Plan

Background Level	The concentration of substances widely present in the soil, sediment, air, surface water or groundwater in the vicinity of a facility, or at a comparable reference area, due to natural causes or human activities other than releases from, or activities on, the facility, as determined by the Department.
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.
Ecological Risk Assessment	An assessment done to characterize the potential ecological risk associated with exposure* to site related chemicals.
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.
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.
Oversight	Supervision by the Department of a person's work on any aspect of a remedy during the performance of that work, including the Department's review of any work done prior to the Department's supervision that now requires the Department's approval.
Proposed Plan of Remedial Action	A written plan, issued by the Department for public comment, describing the appropriate remedial action under the Act at a facility for the current or anticipated land use to protect public health or welfare or the environment.
Remedial Investigation	An evaluation of a release or imminent threat of release of a hazardous substance at a facility to determine the nature, extent, and impact of the release and the collection of data necessary to conduct a feasibility study of remedial alternatives.
Risk	Likelihood or probability of injury, disease, or death.
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
Uniform Risk-Based Remediation Standards (URS)	A set of concentration criteria for various contaminants potentially present in site media that are developed for protection of human health and the environment

Voluntary Cleanup Program	The remedial process established by the Department under 7 Del.C. Ch. 91, into which a party voluntarily enters into, provided the application is approved by the Department, for the purpose of conducting a remedy at a facility
Voluntary Cleanup Program Agreement	A legal and administrative document entered into between the Department and the VCP applicant that provides for the performance of a remedy at a facility, and the reimbursement of the Department's oversight costs, by the applicant.