



## **PROPOSED PLAN OF REMEDIAL ACTION**

0 South Chapel Street  
Newark, Delaware  
DNREC Project No. DE-1614



March 2016

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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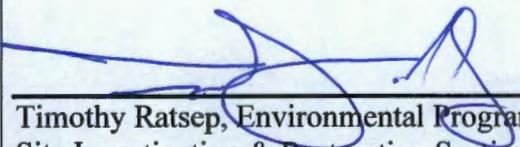
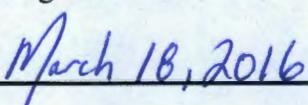
# PROPOSED PLAN OF REMEDIAL ACTION

0 South Chapel Street  
Newark, Delaware  
DNREC Project No. DE-1614



**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 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 0 South Chapel Site?**

The 0 South Chapel site is located at 0 South Chapel Street in Newark, Delaware, and consists of one tax parcel (18-033.00-005), totaling approximately 0.97 acres (Figure 1). The nearest intersection to the Site is South Chapel Street and East Park Place. The Site is an undeveloped lot and is zoned general industrial (Figure 2).

### **What happened at the 0 South Chapel Site?**

According to historical documentation, the Site was used by past owners as a truck storage and possible maintenance area. Past ownership of the Site includes the Philadelphia, Baltimore, and Washington Railroad Company.

### **What is the environmental problem at the 0 South Chapel Site?**

A 2004 Phase I Site Assessment by Tetra Tech, Inc. on behalf of the Delaware Department of Transportation found large amounts of debris on the Site, such as five rusted 55-gallon drums and 20 to 25 five-gallon containers, some of which appeared to contain oil products. Some stained soils were observed on the eastern third of the Site, which appeared to be associated with vehicle maintenance. The 2015 Brownfield Investigation conducted at the site in 2015 identified contaminants of potential concern (COPCs) in site soils as: metals and benzo(a)pyrene. In groundwater, COPCs were metals and the pesticide heptachlor epoxide. The site soils pose an unacceptable risk for residential use.

### **What does the owner want to do at the 0 South Chapel Site?**

The new owner intends to build a warehouse on the site. The facility will then be rented out for commercial use.

### **What additional clean-up actions are needed at the 0 South Chapel 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 proposed Environmental Covenant must be submitted to DNREC for approval within 60 days of the issuance of the Final Plan of Remedial Action.
2. 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 County Recorder of Deeds within 60 days of the issuance of the Final Plan of Remedial Action. 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.] 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;
3. A request for a Certification of Completion of Remedy (COCR) must be submitted to DNREC within 60 days of approval of the Environmental Covenant.

### **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.

### **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 March 23, 2016 and ends at close of business (4:30 pm) on April 12, 2016. 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: Location 0 South Chapel Street  
Figure 2: Aerial 0 South Chapel Street  
Figure 3 & 4: Site Photos





**Figure 2: Aerial 0 South Chapel Street**



**Figure 3 : View from South Chapel Street**



**Figure 4 : View from center of the site towards northeast**

## Glossary of Terms Used in this Proposed Plan

<b>Brownfield Development Agreement (BDA)</b>	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.
<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>Certified Brownfield</b>	A Brownfield that DNREC has determined is eligible for partial funding through the Delaware Brownfields Program
<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>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>Hazardous Substance Cleanup Act (HSCA)</b>	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.
<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>Toxic Substance Cleanup Act (TSCA)</b>	The federal statute requiring and regulating the cleanup of PCBs.