# PROPOSED PLAN OF REMEDIAL ACTION

Former Capitol Scrapyard Site
West Street, Dover, DE

DNREC Project No. DE-1171

October 2008

Delaware Department of Natural Resources and Environmental Control
Division of Air and Waste Management
Site Investigation & Restoration Branch
391 Lukens Drive
New Castle, Delaware 19720

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

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**James D. Werner, Director**
**Division of Air and Waste Mangement**

*PROPOSED PLAN*
Q&A

# Former Capitol Scrapyard Site

**What is the Former Capitol Scrapyard Site?** The site is a Delaware certified Brownfield and is currently a vacant property, located on West Street between Division Street and Reed Street in Dover, DE.

Tax Parcel Numbers: ED-05.076.08-06-02.00/000, ED-05.076.08-06-03.00/000, ED-05.076.08-06-04.00/000, ED-05.076.08-06-05.00/000, ED-05.076.08-06-06.00/000, ED-05.076.08-06-07.00/000
Nearest major intersection: West Street and Division Street
Area: 1.37 acres
Zoning: C-2A, Limited Central Commercial
Nearest surface water body: St. Jones River, 3000 ft. east.
Shallow groundwater at the site flows to the southeast.
The site is not within the 100-year flood plain. It is flat.
Other surrounding land use is residential and commercial.
The property has city water and sewer service bordering the site on West Street.
The City of Dover has a water supply well on an adjacent lot. The well is screened in a confined aquifer.

**What happened at the former Capitol Scrapyard Site?** Previous owners used the property as a metal scrap and salvage yard. The site originally contained a scale house, truck scale and an office/warehouse structure that have since been removed. Parts of the site were used previously for fuel oil storage.

The Capitol Scrapyard site has undergone two (2) investigations and several interim remedial actions; including asbestos abatement of buildings slated for demolition, clearance of tires and vegetative debris on the surface, removal and disposal of scrap metal, demolition debris and drums, and soil removal and off-site disposal.

**What is the problem at the former Capitol Scrapyard Site?** There is some minor residual petroleum contaminated soil remaining at the site.

An interim action (IA) soil removal was conducted beginning in September 2007. Approximately 12,000 tons of soil was excavated and disposed of at an appropriate facility based on sampling results. Following excavation, confirmatory samples were collected to document achievement of the clean up goals. During excavation, a 1,000 gallon underground storage tank (UST) was encountered and was removed following Tank Management Branch guidance. Following the UST removal, an area of petroleum impacted soils was encountered on the southern half of the site. Soils in the upper zone were excavated to a depth of

eight (8) feet below final grade and disposed of at an approved facility. Soils in the lower zone (greater than eight (8) feet below final grade) were amended with Oxygen Release Compound Advanced (ORCA) to stimulate the natural aerobic degradation of any remaining petroleum compounds. Following excavation and confirmatory sampling, the excavation was backfilled and compacted with approved materials, covered with topsoil and grass seed.

**What does the owner want to do at the former Capitol Scrapyard Site?** The property owner, Downtown Dover Development Corporation, proposes to sell or lease portions of the property for commercial development and a community center.

All former structures have been demolished. The site has been graded and grass seeded to stabilize the surface pending future development.

**How does DNREC plan to clean up the former Capitol Scrapyard Site?** Based on the results of the interim actions (see above) and the subsequent Remedial Investigation (RI) and Interim Action Report (June 15, 2008), DNREC has identified only minor residual petroleum hydrocarbon contamination remaining in the deeper soils on the southern portion of the site.

DNREC recommends "No Further Action" for the northern half of the site, also known as Operable Unit 1 (OU-1), based on the completed IA and the RI and IA Report.

For the southern half of the site, also known as Operable Unit 2 (OU-2), DNREC recommends the placement of a restrictive environmental covenant consistent with the Uniform Environmental Covenant Act (UECA), limiting the future use of the site to a non-residential land use, requiring DNREC approval prior to excavation below five (5) feet below grade, and the placement of a vapor barrier on any future building constructed on this portion of the site. A Groundwater Management Zone (GMZ) will be placed on OU-2, prohibiting installation of wells and use of shallow groundwater without prior approval of DNREC Division of Water Resources and Division of Air and Waste Management. DNREC will also impose a limited groundwater monitoring program for a period of no less than three years, on a semi-annual sampling period, to verify that residual petroleum hydrocarbons do not affect human health or the environment. An Operations and Maintenance (O&M) Plan, documenting the groundwater monitoring plan and any future inspection activities, will also be required.

After completion of the public comment period, DNREC will issue a Final Plan of Remedial Action. The site will be eligible for a Certificate of Completion of Remedy at the conclusion of remedial action.

**What are the long term plans for the Site after the cleanup?** DNREC will require a limited groundwater monitoring program for a period of no less than three years, on a semi-annual sampling period, and a uniform environmental covenant on the southern portion (OU-2) of the property only.

Since there are no contaminants of concern remaining on the northern portion (OU-1) of the property, DNREC recommends no further action on this area.

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

The complete file on the site including the DNREC Brownfield Preliminary Assessment and the 2008 Remedial Investigation and Interim Action Report is available at the DNREC office, 391 Lukens Drive in New Castle. Most documents are also found on:

http://www.dnrec.state.de.us/dnrec2000/Divisions/AWM/sirb/

The 20-day public comment period ends on November 8, 2008. Please send written comments to the DNREC office or call Larry Jones, Project Manager, at: 302-395-2600.

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Figure 1 Former Capitol Scrapyard Site Location

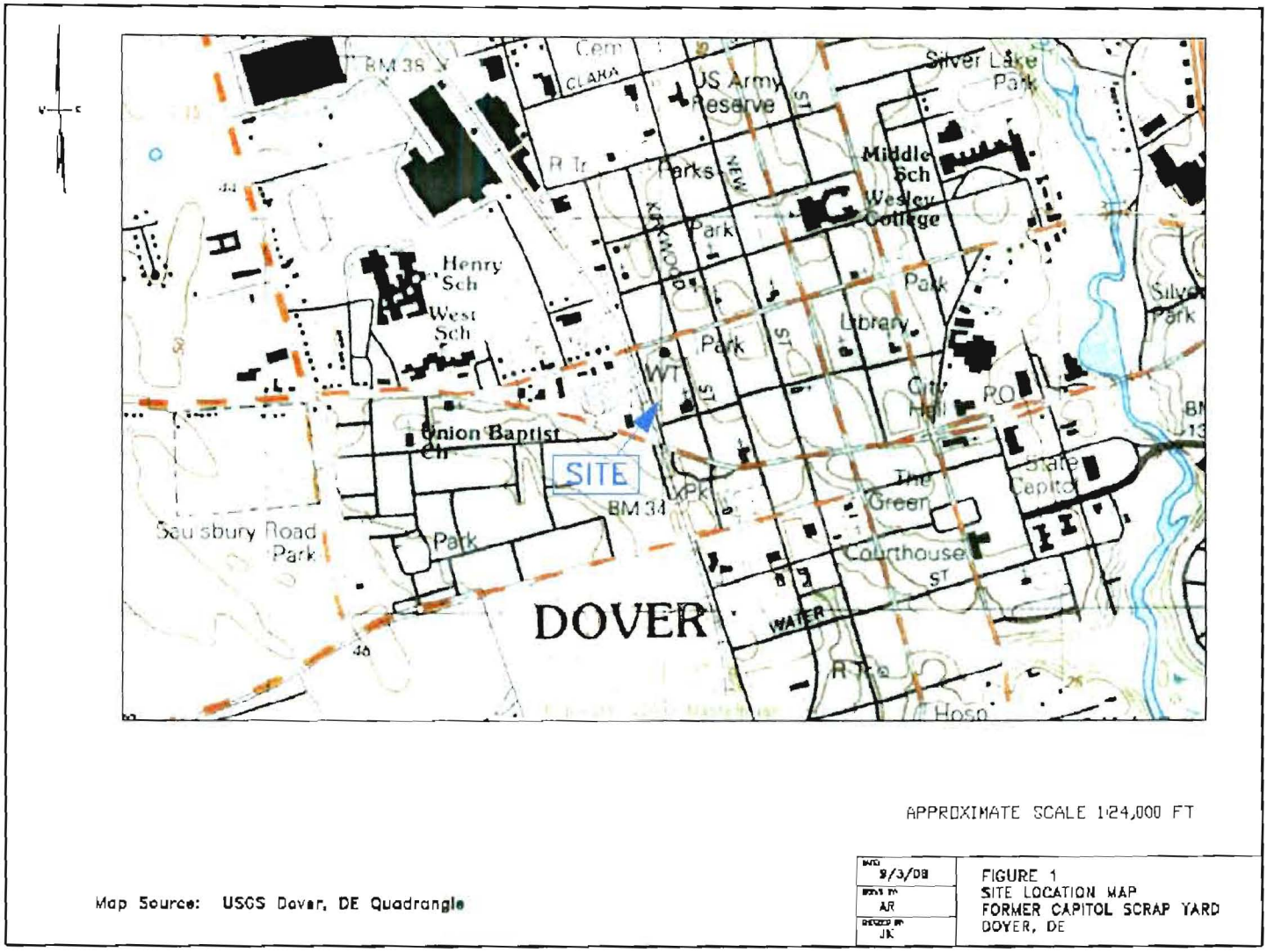

Figure 2 Former Capitol Scrapyard Base Map

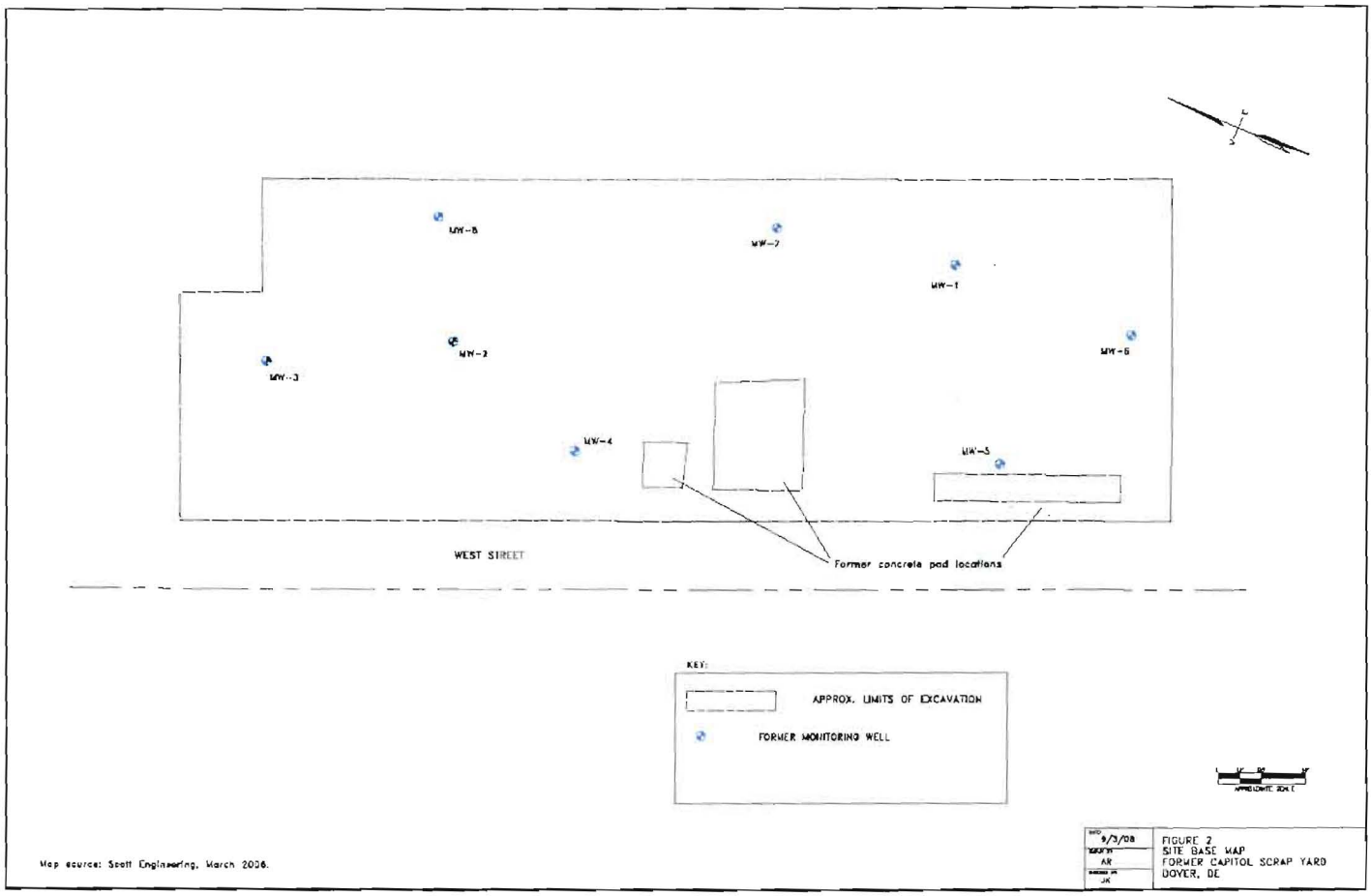

Figure 3 Former Capitol Scrapyard Petroleum Impacted Soils Map

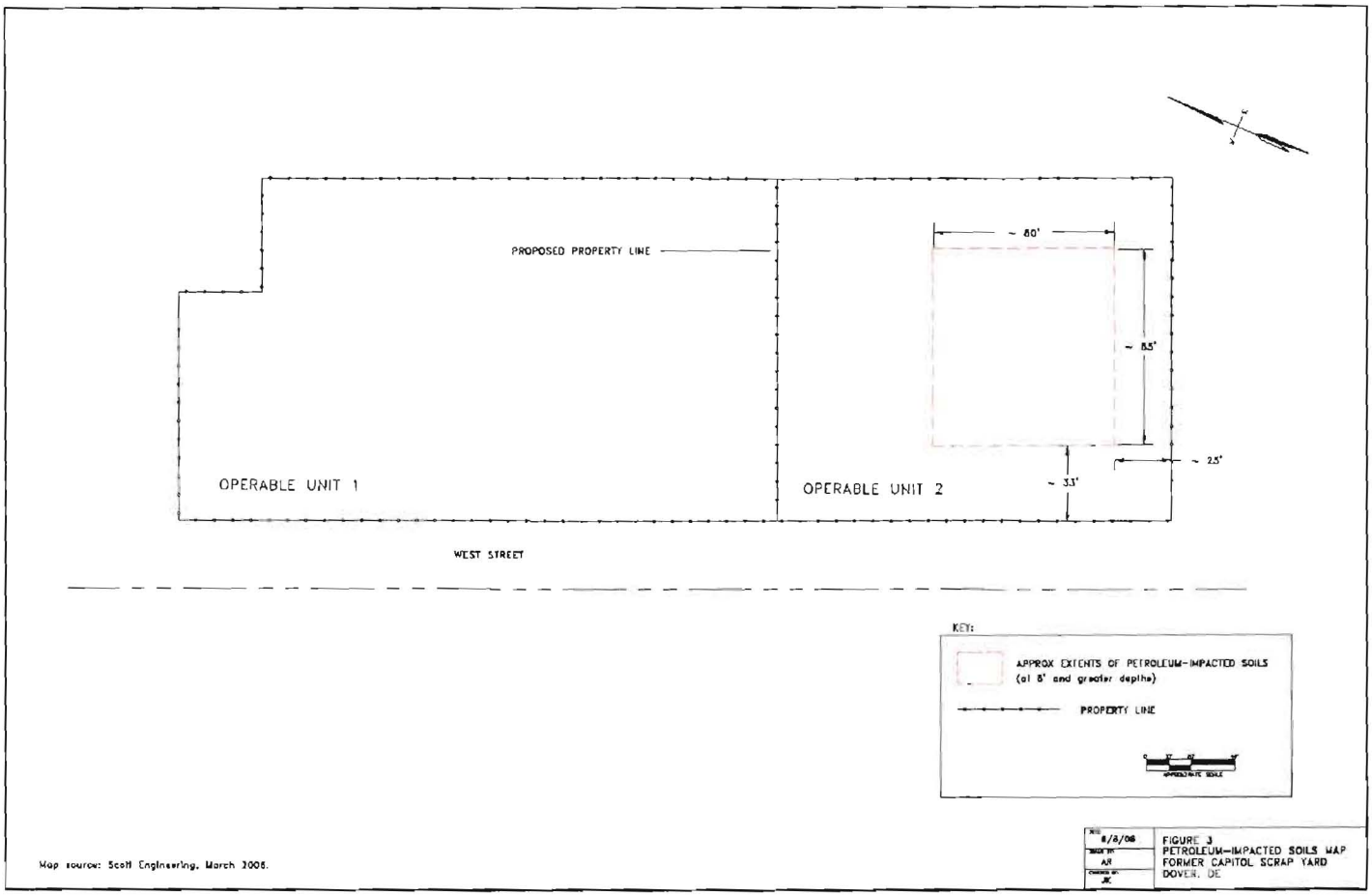

PHOTO 1: PRE-REMEDIATION SITE CONDITIONS

PHOTO 2: PRE-REMEDIATION SITE CONDITIONS

PHOTO 3: FINAL SITE CONDITIONS

PHOTO 4: FINAL SITE CONDITIONS

# Glossary of Terms
# Used in this Proposed Plan

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|---|---|
| **Brownfield** | Property that is vacant or underutilized because of the perception or presence of an environmental problem. |
| **Certified Brownfield** | A brownfield that DNREC has determined is eligible for partial funding through the Delaware Brownfields Program. |
| **Contamination** | The introduction of harmful or hazardous matter into the environment. |
| **Certificate 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. |
| **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 proposal for cleaning up a hazardous site after it has been reviewed by the public and finalized. |
| **Former Capitol Scrapyard Site** | The 1.37 acre parcel of land, a former metal recycling facility, that is the subject of this Plan that is proposed for redevelopment as a commercial business and community center. |
| **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. |
| **Brownfield Preliminary Assessment** | An environmental study of a site including sampling of soils, groundwater, surface water, sediment and/or wastes on the property. |
| **Proposed Plan of Remedial Action** | A plan for cleaning up a hazardous site submitted by DNREC and subject to public comments. |
| **Risk** | Likelihood or probability of injury, disease, or death. |
| **Interim Action** | Actions taken prior to the selection of a remedial action to prevent, minimize or mitigate threats to public health, welfare or the environment. |

## What is a *Proposed Plan?*

A Proposed Plan of Remedial Action (Proposed Plan) is a summary of how DNREC plans to clean up a contaminated site. A Final Plan of Remedial Action (Final Plan) is the adoption of the Proposed Plan, after all comments made by the public within the comment period of twenty days have been considered and addressed by DNREC.

The Delaware State Legislature passed the Hazardous Substance Cleanup Act (HSCA) in 1990. The Legislature made sure that members of the public would be informed about environmental problems in their own neighborhoods and have a chance to express their opinion concerning the clean up of those environmental problems before DNREC takes action.

After DNREC studies a site, it summarizes the problems there and proposes one or more possible solutions in a Proposed Plan. The Proposed Plan contains enough information to allow lay persons to understand the site. More detailed information can be found in the reports and documents approved by DNREC. All of the documents and reports created by DNREC or consultants during the course of the investigation of the site are available to the public at the offices of DNREC-SIRB or at DNREC's website:

http://www.dnrec.state.de.us/dnrec2000/Divisions/AWM/sirb/sitefiles.asp .

DNREC issues the Proposed Plan by advertising it in at least one newspaper in the county where the site is located. The legal notices for the Proposed Plans and the Final Plans usually run on Wednesdays or Sundays in the legal classified section of the News Journal and/or the Delaware State News. The public comment period begins on the day (Wednesday), or the day after (Sunday) the newspaper publishes the legal notice for the Proposed Plan.

DNREC frequently holds public meetings during the comment period. Those meetings are usually held near the site in the evening. Citizens can request a public meeting if DNREC did not already schedule one.

Comments are collected at the public meetings, by phone or in writing. DNREC considers all comments and questions from the public before the Proposed Plan is finalized and adopted as a Final Plan.