# FINAL PLAN OF REMEDIAL ACTION

Lippincott Property Site

*Market Street*
*Wilmington, Delaware*

*January, 2009*
*DNREC Project No. DE-1430*

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This Final Plan of Remedial Action (Final Plan) states the Department of Natural Resources and Environmental Control's (DNREC's) intention to address environmental concerns at the Lippincott Property Site.

DNREC issued public notice of the Proposed Plan for the site on December 7, 2008 and opened a 20-day public comment period. The Proposed Plan required no further remediation at the Lippincott Property Site.

The Proposed Plan also includes the location of additional information found on the DNREC web page and in the DNREC office at Lukens Drive in New Castle.

There were no comments or questions from the public. Therefore, the Proposed Plan was adopted as the Final Plan (see attached).

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

Kathy Stiller-Banning

Kathy Stiller-Banning, Program Manager II
Site Investigation and Restoration Branch
Division of Air & Waste Management

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# PROPOSED PLAN OF REMEDIAL ACTION

The Lippincott Property
Wilmington, Delaware
DNREC Project No. DE-1430

December 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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# PROPOSED PLAN OF REMEDIAL ACTION

The Lippincott Property
Wilmington, Delaware
DNREC Project No. DE-1430

**Approval:**

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

Approved by:

James D. Werner, Director
Division of Air & Waste Management

3 Dec 2008
Date

## What is The Lippincott Property?

The site consists of approximately two-thirds of one city block that is bordered by Market Street to the west, King Street to the east, 3rd Street to the south, and 4th Street to the north. *(See Figure 1. Site Location Map)* The property is currently occupied by vacant buildings and is in the process of being renovated into a mixed use complex. It is a *Certified Brownfield Site.*

**Tax Parcel Numbers:** 26-043.10-257, 26-043.10-252, 26-043.10-251, 26-043.10-250, and 26-043.10-249.
**Address:** 300 to 318 N. Market Street; 7 and 9 E. Third Street; and 4 E. Fourth Street, Wilmington, Delaware.
**Nearest major intersection:** E. 3rd Street and N. Market Street
**Area:** ± 0.25 acres
**Surrounding Property:** Surrounding land use is primarily commercial
**Zoning:** Central Retail
**Site Utilities:** Water, sewer gas, electric utilities are present on site.
**Surface water:** The Christina River is approximately 1,300 feet south of the site.
**Topography:** The site is generally flat with elevations ranging from 10 to 15 feet above mean sea level
**Groundwater:** The site overlies the *Wilmington Complex.* Groundwater is inferred to flow to the southeast from the site topography.

## What happened at The Lippincott Property?

The property has been historically used as the Third Street Market, Swan Hotel, Hardin Tools, a barber shop, a gun store, gas company office, oil cloth and carpets shop, photo shop, drugstore, liquor warehouse, bakery, ice cream shop, and offices. The majority of the buildings on the property were vacant for nearly ten years, which caused damage to the interior and exterior structure of the building. A possible leaking above ground storage tank (500-gallon) was identified in the Phase I investigation. Asbestos and lead-based paint were also found.

The photo at right shows the rear of the buildings during renovation.

## What were the environmental problems at The Lippincott Property?

- Stained soils caused by a 500-gallon above ground storage tank were noted during a Phase I Environmental Site Assessment.

- Asbestos and lead risks were identified within the buildings, prior to renovation.

- BrightFields, Inc. performed a Brownfield Investigation in February 2008. A total of six Geoprobe® soil borings and one hand auger boring were advanced. Fourteen soil samples were analyzed at Test America Laboratories, in Edison, New Jersey. During the investigation BrightFields attempted to collect a grab groundwater sample to evaluate the site characteristics. The grab groundwater sample could not be collected because the borehole collapsed. Based on previous site uses and soil data collected, it was determined that groundwater beneath the site is unlikely to be impacted by site related contaminants.

The risk assessment performed as part of this Brownfield Investigation report determined that the site contaminants do not pose an unacceptable risk to human health or the environment. The cumulative risk posed by the surface soil to an indoor worker is $2.31 \times 10^{-6}$, which is within DNREC acceptable levels.

## What clean-up actions have been taken at The Lippincott Property?

- Lead and asbestos-containing building materials have been removed from the property.

- All storage containers identified in the Phase I investigations were removed from the basements of the buildings.

Asbestos Removal:

Asbestos-containing building materials identified in the Harvard Environmental survey reports were removed during the time period from January 2006 to December 2007 in two separate phases.

During this time period the lead based paint was addressed and abated in conjunction with construction activities.

## What does the owner want to do at The Lippincott Property?

Market Preservation Associates is renovating the property into mixed use complex consisting of retail, small office tenants, and residential on the upper floors.

The Lippincott Project plans to combine nine buildings into two mixed-use complexes. The project will incorporate the historic buildings with redevelopment by renovating all buildings to facilitate mixed use operations.

## What additional clean-up actions are needed at The Lippincott Property?

Based on the results of the Brownfield Investigation, no additional clean up actions are necessary for the Site.

Proposed Remedial Action: No further remedial action is required for The Lippincott Property.

## What are the long term plans for the Site after the cleanup?

In its current condition The Lippincott Property is suitable for the proposed mixed use operations. DNREC will not require additional monitoring.

There is no required remediation necessary at the Lippincott Property. DNREC shall issue a *Certificate of Completion of Remedy* for the site.

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

The complete file on the site including the Brownfield 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 begins on December 7, 2008 and ends at close of business (4:30 pm) on January 7, 2009. Please send written comments to the DNREC office (391 Lukens Drive, New Castle 19720) or call Stephen F. Johnson, Project Manager, at:

302-395-2600.

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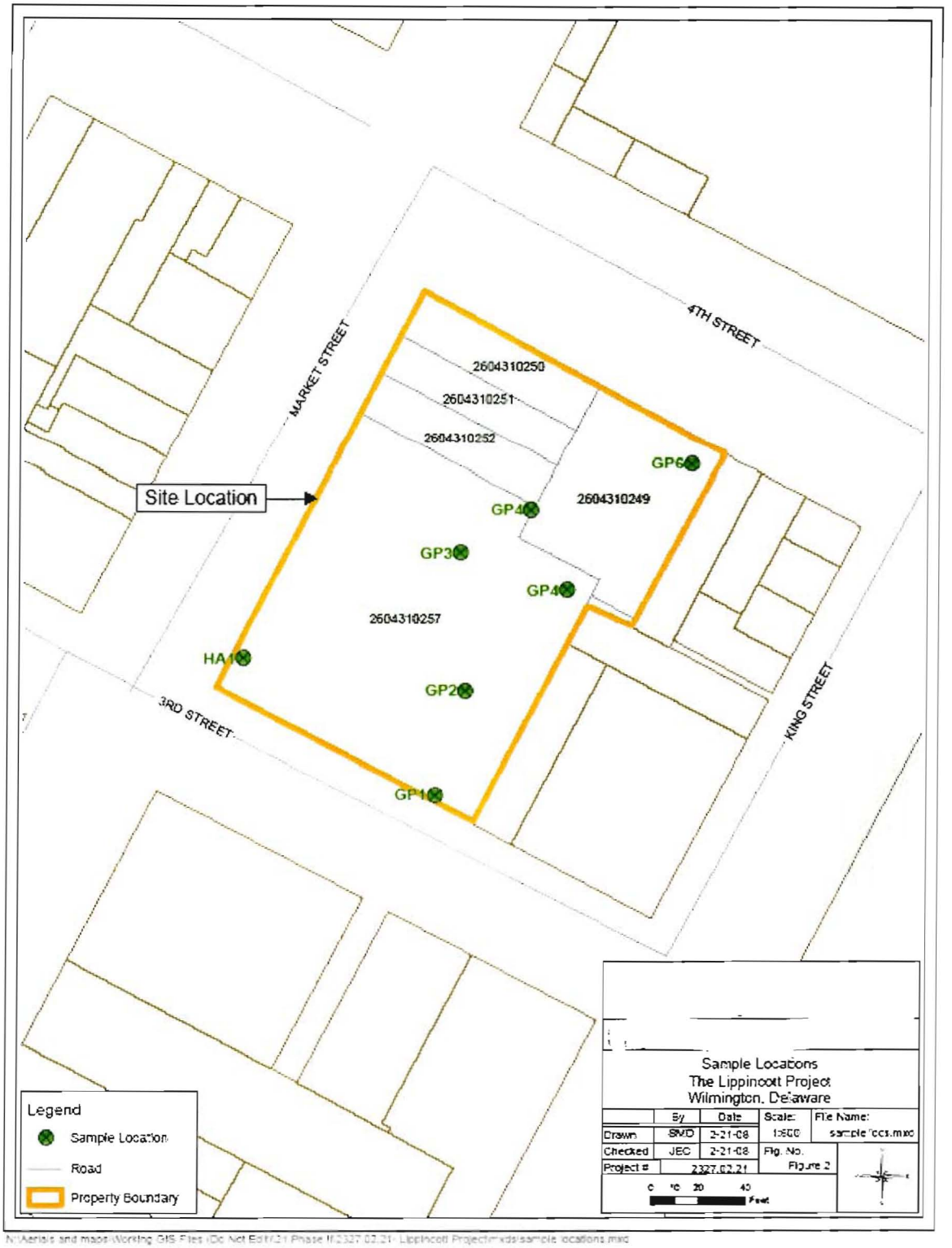


**Figure 1. Location of the Lippincott Property in Wilmington, Delaware**

# Glossary of Terms
# Used in this Proposed Plan

| | |
|---|---|
| **Brownfield** | Property that is vacant or underutilized because of the perception or presence of an environmental problem. |
| **Brownfield Investigation** | A comprehensive study of environmental media at a certified brownfield site to determine the nature and extent of contamination present |
| **Certified Brownfield** | A brownfield that DNREC has determined is eligible for partial funding through the Delaware Brownfields Program. |
| **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. |
| **Final Plan of Remedial Action** | DNREC's proposal for cleaning up a hazardous site after it has been reviewed by the public and finalized. |
| **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 provides the regulatory framework for the Department's site cleanup programs. |
| **Proposed Plan of Remedial Action** | A plan for cleaning up a hazardous site submitted by DNREC and subject to public comments. |
| **US EPA** | United States Environmental Protection Agency |
| **The Wilmington Complex** | Fine-grained mafic and felsic gneiss, interlayered at the decimeter scale. The mafic layers contain plagioclase, pyroxene and hornblende, and are commonly boudinaged. The felsic layers contain quartz, feldspar and less than 10% pyroxene. Original igneous textures are obscured by a penetrative foliation and granulite metamorphism. The body of Rockford Park Gneiss at the highpoint is surrounded by the Brandywine Blue Gneiss, which is overall more felsic. Foliation dips moderately to steeply northwest. The Wilmington Complex is separated from metasedimentary rocks a few miles west by the Rosemont shear zone, a major boundary showing dextral fault motion, one of many in a complicated system of faults that sheared up the Laurentian margin during docking of Avalonia. |
| **SIRB** | Site Investigation Restoration Branch of DNREC, which oversees cleanup of sites that were contaminated as a result of past use, from dry cleaners to chemical companies. |
| **Mixed Use** | The practice of allowing more than one type of use in a building or set of buildings. In planning zone terms, this can mean some combination of residential, commercial, industrial, office, institutional, or other land uses. |

## 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.

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