



DNREC  
Site Investigation and Restoration Branch

LEGAL NOTICE

**FINAL BROWNFIELDS REMEDIAL ACTION PLAN FOR THE  
WILMINGTON ROLLING MILLS SITE**

The Site Investigation and Restoration Branch (SIRB), on behalf of the Department of Natural Resources and Environmental Control (DNREC or the Department), adopts the proposed Brownfields Remedial Action Plan (Proposed BRAP) as the Final BRAP for Wilmington Rolling Mills Site (Site). The Site is located on the intersection of 11<sup>th</sup> and Church Streets in Wilmington, Delaware. DNREC issues this Final BRAP under the authority of the Hazardous Substance Cleanup Act (HSCA), 7 Del. C. Chapter 91.

The Site is in the Brownfields Development Program (BDP) under HSCA. The BDP addresses sites that have or may potentially have hazardous substance releases at the site. The BDP is designed to encourage the redevelopment of underutilized and vacant properties throughout the State, while protecting the environment and human health.

The Site consists of two parcels, approximately 3 acres, located near the Brandywine Creek. The Site has been under industrial ownership since the late 1800s. Brownscares, LLC (Brownscares) is the prospective purchaser of this Site. Brownscares plans to construct residential housing on the property. The exact nature of this residential construction has yet to be determined.

Environmental Alliance, Inc., on behalf of Brownscares, LLC, completed a remedial investigation (RI) in October 2003. The RI identified several contaminants of concern at concentrations above the values for Delaware's Uniform Risk Based Remediation Standards (URS) for unrestricted (residential) use. The RI revealed that arsenic, iron, lead and polycyclic aromatic hydrocarbons (PAHs) exceeded the URS values in the surface soils (0-2 feet in depth). No contaminants of concern were identified in the subsurface. In the groundwater, iron, manganese and 1,2-Dichloroethane exceeded the URS values for groundwater.

Based on the RI and risk assessment completed at the site, DNREC's remedy for the site includes the following three elements:

I) Surface Soil (0-2 feet in depth):

- Contaminated surface soil will be addressed either by: 1) capping of all contaminated areas; or 2) consolidation of contaminated material in one area of the site and capping; or 3) excavation and off-site disposal at an approved facility of contaminated material, to meet the objectives of the Final BRAP.

## II) Soil Management Plan during future site development:

1) A DNREC approved Soil Management Plan (SMP) will be developed prior to development of the property. This SMP will document how the surface soil will be managed in accordance with the above requirements.

2) A DNREC approved Erosion and Sediment Control Plan (E&S Plan) will be implemented prior to any property development to prevent any surface soils from discharging from the Site via runoff.

## III) Post-Development

1) A deed restriction preventing earth-disturbing activities will be placed on the Site for areas where contaminated material are capped in place.

2) A Ground Management Zone (GMZ) is already in place for the affected area (i.e., the City of Wilmington). The GMZ will prohibit the installation of any water wells on, or groundwater usage at the Site without prior written approval of DNREC. The existence of the GMZ and its requirements will be noted on the deed for the property.

3) A DNREC approved Operations and Maintenance (O&M) Plan will be developed within 90 days following construction completion. The O&M Plan will provide procedures for evaluating the integrity of the cap and other remediation related activities at the site following construction.

This final BRAP includes remedial actions for groundwater based on the Department's best understanding of the current and anticipated future use of groundwater at or near the site. Groundwater is considered a valuable resource in the State of Delaware. Therefore, if the actual or potential future use of the groundwater resource at or near the site changes, or if it becomes known that groundwater conditions result in an unacceptable risk to public health and/or the environment, additional actions shall be required.

A copy of the Proposed BRAP and the Final BRAP for the site are available at the Wilmington Public Library or at the office of DNREC-SIRB, 391 Lukens Drive, New Castle, DE 19720 and is also posted on DNREC-SIRB's website at <http://www.dnrec.state.de.us/DNREC2000/Brownfields.asp> under the subject "Announcements."

Pursuant to 7 Del. C. § 9107 (e) (2), DNREC invited written comments on this Proposed BRAP. The public comment period began on December 20, 2004 and closed on January 10, 2005. DNREC did not receive any comments to the Proposed BRAP. Pursuant to 7 Del. C. § 9110 (b) (1), the public may appeal this final BRAP within twenty (20) days following the date of this notice. For additional information, please contact Rick Galloway at (302) 395-2600.

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