

FINAL PLAN OF REMEDIAL ACTION

Howard Street Property
Wilmington, Delaware

DNREC Project No. DE-1401



January 2009

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

This Final Plan of Remedial Action (Final Plan) for the Howard Street Property presents the Department of Natural Resources and Environmental Control's (DNREC's) determination that the following remedial actions will be required at the site.

DNREC issued public notice of the Proposed Plan for the Howard Street Site on October 29, 2007 and opened a 20-day public comment period. The Proposed Plan requires:

- Clean up actions to address PCB contamination are included in the Hybrid Plan and include excavation and off-site disposal of soil with PCB concentrations greater than 100 mg/kg, consolidation on-site of soil with PCB concentrations greater than 10 mg/kg but less than 100 mg/kg and capping with an asphalt cap, and placing a low permeability soil cover over soil with PCBs greater than 1 mg/kg but less than 10mg/kg where future buildings are planned.
- Clean up actions proposed for other contaminants of concern at the site are: 1) placement of a marker fabric over current surface soils; 2) placement of a 2 foot soil cover or cap, or DNREC approved equivalent, over the marker fabric; 3) implementation of an environmental oversight program during redevelopment to protect workers and properly dispose of excavated soil and recovered groundwater; 4) instituting environmental covenants consistent with the Uniform Environmental Covenants Act that restrict future development to commercial use only and require DNREC notification prior to any soil disturbance; and 5) restrict the use of groundwater through the existing City of Wilmington Groundwater Management Zone (GMZ).

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

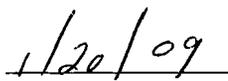
Approval:

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



Kathleen Stiller

Division of Air and Waste Management



Date



PROPOSED PLAN OF REMEDIAL ACTION

Howard Street Property
Wilmington, Delaware
DNREC Project No. DE-1401



October 2007

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

CONTENTS

- Proposed Plan: Questions and Answers
- Figures 1-2
- Glossary of Terms
- Attachment: *What is a Proposed Plan?*

PROPOSED PLAN OF REMEDIAL ACTION

Howard Street Property
Wilmington, Delaware
DNREC Project No. DE-1401



Approval:

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

Approved by:

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

Date



What is the Howard Street Site? The Howard Street Property (the “Site”) is located between Market and Walnut Streets and is bisected by Howard Street (Figure 1). The Site is a Delaware certified Brownfield property owned by the Riverfront Redevelopment Corporation, is currently unoccupied, and is being redeveloped for commercial and retail use.

Tax Parcel Numbers: 26-050.00-016, -018, -019, -020, --021, -022, -023, -028, -065, -066, -069
Address: 310, 502, 504 and 600 S. Market Street; 501 and 503 S. French Street; 201 and 207 C Street
Nearest major intersection: S. Market Street and Howard Street
Area: 8.4 acres
Surrounding Property: Surrounding land use is commercial.
Zoning:
Site Utilities: Water supplies and sewer service provided by the City of Wilmington.
Surface water: The Christina River is located approximately 1,000 feet north of the site.
Topography: Flat. Site is located within 100 year floodplain.
Groundwater: Shallow groundwater generally flows east and north from the site.

What happened at the Howard Street Property? Historical usage of the Site included a metals salvage yard (the former location of Penn Del Recycling Company). The Operations Yard or Scrap Yard was used from the 1950s through 2005 for the processing of scrap metal. The processing consisted primarily of mechanical sorting, but also included torch cutting. A large ‘Baler,’ or car crusher, was used at the site from 1955 through 1987 to crush metal objects and equipment, including electrical transformers and other equipment that historically may have contained polychlorinated biphenyls (PCBs).

What is the environmental problem at the Howard Street Site? Historic activities at the Site have resulted in soil and groundwater contamination. In addition, the fill originally used to fill the low lying areas contributed to soil contamination. Primary contaminants of concern for the Howard Street Property are PCBs, arsenic, lead, and to a lesser extent, polycyclic aromatic hydrocarbons (PAHs).

Numerous environmental investigations have been completed at the Site. The Remedial Investigation/Feasibility Study (RI/FS) Report issued in September 2007 summarized and presented all non-PCB data and evaluated clean up options. PCB contamination in soil and groundwater was summarized and presented in a Self-implementing On-Site Cleanup and Disposal of PCB Remediation Waste/Risk Based Disposal Approval Plan (Hybrid Plan) submitted in October 2007 to DNREC and USEPA Region 3. The results indicate localized PCB contamination of surface and subsurface soil in the former scrap yard areas, widespread lead and arsenic contamination in soil related to historic fill, and PCB and arsenic groundwater contamination. Groundwater is not used for drinking and the groundwater to surface water interface poses no risk to the Christina River.

What does the owner want to do at the Howard Street Property? The Riverfront Development Corporation intends to redevelop the site to be used for retail and commercial purposes (Figure 2).

What clean-up actions have been taken at the Howard Street Property? Two 2,000 gallon gasoline underground storage tanks (USTs) and one 1,000 gallon heating oil UST were removed from the Site. Former Site buildings were demolished and removed from the Site. Trees and brush were cleared and grubbed and this material, along with approximately 10 tons of concrete, was removed from the Site.

What additional clean-up actions are needed at the Howard Street Property? Clean up actions to address PCB contamination are included in the Hybrid Plan and include excavation and off-site disposal of soil with PCB concentrations greater than 100 mg/kg, consolidation on-site of soil with PCB concentrations greater than 10 mg/kg but less than 100 mg/kg and capping with an asphalt cap, and placing a low permeability soil cover over soil with PCBs greater than 1 mg/kg but less than 10mg/kg where future buildings are planned. Clean up actions proposed for other contaminants of concern at the site are: 1) placement of a marker fabric over current surface soils; 2) placement of a 2 foot soil cover or cap, or DNREC approved equivalent, over the marker fabric; 3) implementation of an environmental oversight program during redevelopment to protect workers and properly dispose of excavated soil and recovered groundwater; 4) instituting environmental covenants consistent with the Uniform Environmental Covenants Act that restrict future development to commercial use only and require DNREC notification prior to any soil disturbance; and 5) restrict the use of groundwater through the existing City of Wilmington Groundwater Management Zone (GMZ).

What are the long term plans for the Site after the cleanup? The long term plans and DNREC requirements for this property will include imposing environmental covenants recorded on the property deed which will restrict the property to commercial use only. In addition, an Operation and Maintenance (O&M) and Long Term Monitoring (LTM) Plan will be prepared and submitted to DNREC for approval in order to maintain the integrity of the remedy at the Site. The Plan will include inspection and repair requirements for the soil cover/asphalt cap and monitoring of groundwater. Current and future owners of the property will be responsible for implementing all aspects and costs of the approved remedy, including all requirements of the final plan, the approved O&M and LTM plan, and adherence to the requirements and conditions established in the uniform environmental covenants for the Site.

DNREC plans to issue a Certificate of Completion of Remedy for the site after the completion of clean-up, the redevelopment of the property, and the implementation of the uniform environmental covenants at the site.

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

The complete file on the site including the Remedial Investigation and Feasibility Study Report are 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 October 29, 2007 and ends at close of business (4:30 pm) on 6 November 19, 2007. Please send written comments to the DNREC office or call Larry Jones, Project Manager, at: 302-395-2600.

TAK: tlw
TAK07023.doc
DE 1401 II B 8



FIGURE 1 - Site Location Map

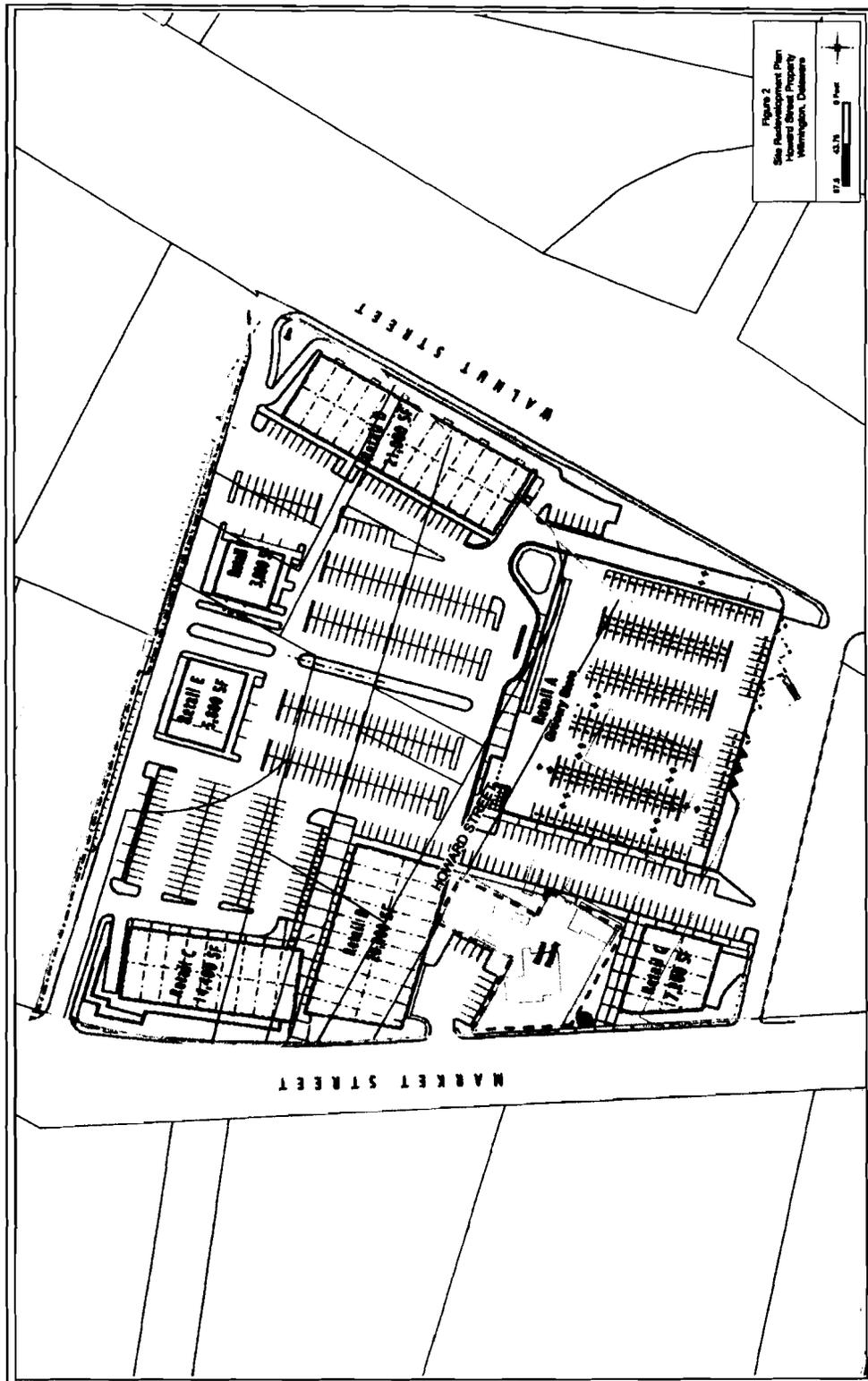
From USGS Wilmington South Quadrangle
Wilmington Del - N.J.
7.5 minute series, 1993

Howard Street Property
Wilmington, Delaware

0 2,000

SCALE (feet)





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.
Certified Brownfield	A brownfield that DNREC has determined is eligible for partial funding through the Delaware Brownfields Program.
Contaminant of Concern (COC)	These are potentially harmful substances at concentrations above acceptable levels (eg metals and PAH).
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.
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.
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.
Risk Assessment Guidance for Superfund (RAGS)	An EPA guidance document for superfund sites
Self-implementing On-Site Cleanup and Disposal of PCB Remediation Waste/Risk Based Disposal Approval Plan	A Plan submitted to EPA and DNREC detailing the cleanup approach for PCB contamination in soil and groundwater that complies with the requirements of the federal Toxic Substances Control Act.
Site Specific Assessment (SSA) and Site Inspection (SI)	Environmental studies of a site including sampling of soils, groundwater, surface water, sediment and/or wastes on the property.

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.

