



**STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF STATE PLANNING COORDINATION**

March 23, 2010

Barbara Meredith
Brandywine School District
1000 Pennsylvania Avenue
Claymont, DE 19703

RE: PLUS review – 2010-02-03; Brandywine School District Bus Yard Purchase

Dear Ms. Meredith:

Thank you for meeting with State agency planners on March 24, 2010 to discuss the proposed plans for the Brandywine School District bus yard purchase to be located at Edgemoore and Eastlawn Avenues.

According to the information received, you are seeking to purchase a 7.6 acre site that you are currently leasing for bus storage and maintenance.

Please note that changes to the plan, other than those suggested in this letter, could result in additional comments from the State. Additionally, these comments reflect only issues that are the responsibility of the agencies represented at the meeting. **The developers will also need to comply with any Federal, State and local regulations regarding this property. We also note that as City of Wilmington is the governing authority over this land, the developers will need to comply with any and all regulations/restrictions set forth by the County.**

Strategies for State Policies and Spending

This project is located within a Level 1 area according to the *Strategies for State Policies and Spending* and within the City of Wilmington. Investment Level 1 reflects areas that are already developed in an urban or suburban fashion, where infrastructure is existing or readily available, and where future redevelopment or infill projects are expected and encouraged by State policy.

Code Requirements/Agency Permitting Requirements

No State code requirements or agency permitting requirements were noted for this application. If the use of this site changes or if the school district decides to build on this site, you should notify the State Planning Office again to determine if an additional review is required.

Recommendations/Additional Information

This section includes a list of site specific suggestions that are intended to enhance the project. These suggestions have been generated by the State Agencies based on their expertise and subject area knowledge. **These suggestions do not represent State code requirements.** They are offered here in order to provide proactive ideas to help the applicant enhance the site design, and it is hoped (**but in no way required**) that the applicant will open a dialogue with the relevant agencies to discuss how these suggestions can benefit the project.

DelDOT

- While some of the subject land is outside the City limits, all existing and proposed access to it is by means of City streets. Therefore DelDOT does not have jurisdiction. They recommended that the District contact the City regarding any requirements that they might have.

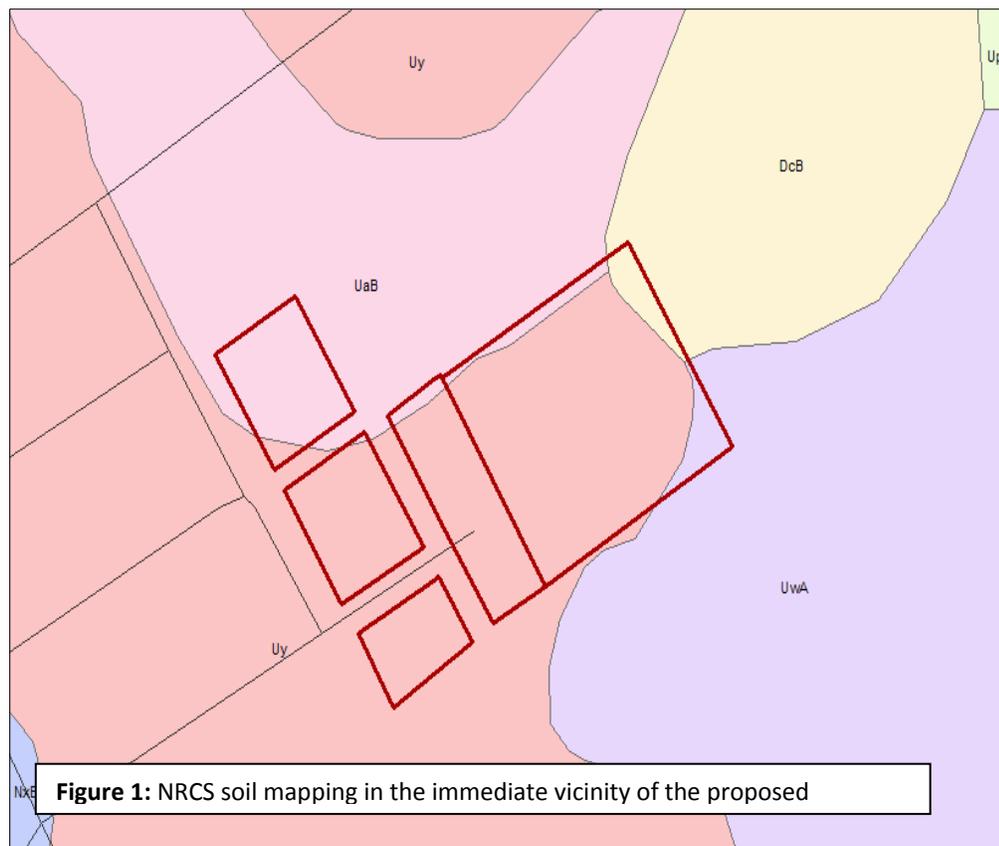
DNREC

Soil and Water – Contact: Gregory Williams - (302) 739-9921, Gregory.Williams@state.de.us

- **Flood Management. It should be noted that** A large portion of tax parcel 06-152.00-001 is located in FEMA's Floodway for Shellpot Creek. The Regulatory Floodway is the channel of a watercourse and the adjacent land that must be reserved so that the discharge of the base flood does not cause an increase in flood elevations upstream. All of the above mentioned parcel and parts of the other 4 parcels are located in the 1% annual chance floodplain.
- **Sediment and Stormwater Program. If future development is planned for this site,** a detailed sediment and stormwater plan will be required prior to any land disturbing activity taking place on the site. It is recommended that the applicant contact the reviewing agency to schedule a pre-application meeting to discuss the sediment and erosion control and stormwater management components of the plan as soon as practicable. The site topography, soils mapping, pre- and post-development runoff, and proposed method(s) and location(s) of stormwater management should be brought to the meeting for discussion. The plan review and approval as well as construction inspection will be coordinated through DNREC. Contact Elaine Webb at (302) 739-9921 for details regarding submittal requirements and fees.

Water Resources – Contact: John Martin, Watershed Assessment Section, (302) 739-9939, John.Martin@state.de.us

- **Soils Assessment.** According to the New Castle County soil survey update, Udorthents (UwA & UaB) and Urban Land (Uy) were mapped in the immediate vicinity of the proposed construction. Udorthents and Urban Land are soils that have been extensively modified through excavation, filling and/or grading activities. These soils have variable site-specific limitations. It is strongly recommended that a licensed soil scientist evaluate this parcel's soil limitations. (Figure 1).



- **Wetlands.** Based on Statewide Wetland Mapping Project (SWMP) maps, no wetlands were mapped in the immediate vicinity of the project. However, a site soils assessment by a licensed soil scientist is still strongly recommended.
- **Impervious Surfaces and Best Management Practices.** Studies have shown a strong relationship between increases in impervious cover to decreases in a watershed's overall water quality. DNREC strongly encourage that the applicant to be proactive and implement best management practices (BMPs) that reduce surface imperviousness and pollutant runoff. The use of pervious paving materials ("pervious pavers") in lieu of asphalt or concrete, is an example of a BMP that could effectively reduce surface

imperviousness. The establishment of forest cover is another example of an effective BMP. They also suggest that any future development use green roofs, wherever practicable, to reduce pollutant runoff.

- **TMDLs.** Total Maximum Daily Loads (TMDLs) for nitrogen and phosphorus have been promulgated through regulation for the Shellpot Creek watershed. A TMDL is the maximum level of pollution allowed for a given pollutant below which a “water quality limited water body” can assimilate and still meet water quality standards to the extent necessary to support use goals such as, swimming, fishing, drinking water and shell fish harvesting. Although TMDLs are required by federal law, states are charged with developing and implementing standards to support these desired use goals. In the Shellpot Creek watershed, a post-development TMDL reduction level of 35 percent will be required for both nitrogen and phosphorus. Additionally, a 74% reduction in bacteria will also be required.
- A Pollution Control Strategy (PCS) is the regulatory directive requiring the implementation of various best management practices (BMPs) that help reduce transport of nutrient and bacterial pollutant runoff from all waters draining into a “greater” common watershed, with the ultimate objective of achieving the obligatory TMDL reduction requirements for that watershed. However, the PCS for the Shellpot Creek watershed has not been formally completed/adopted to date. In absence of a PCS during the intervening time period, the applicant is strongly encouraged to be proactive and voluntarily commit to the implementation of the following recommended BMPs:
 - 1) Maintain 100-foot buffers from all delineated wetlands (i.e., State and Federally-regulated wetlands)
 - 2) Employ the use of pervious paving materials instead of asphalt or concrete to reduce surface imperviousness, wherever practicable
 - 3) Implement green-roof technologies, wherever practicable
 - 4) Utilize green-technology stormwater management technologies in lieu of open-water stormwater management structures

The Department has also developed an assessment tool to evaluate how your proposed development may reduce nutrients and bacteria to help meet the TMDL requirements. Please contact Lyle Jones at 302-739-9939 for more information on the assessment tool.

- **Water Supply.** The project information sheet state water will be provided by the City of Wilmington via a public water system. DNREC records indicate that part of this project (Parcel Identification 06-152.00-001) is located within the public water service granted to United Water of Delaware under Certificate of Public Convenience and Necessity(CPCN) 88-CPCN-03; however, the other part of this project (Parcel Identification #'s 26-030.00-060,26-030.00-061,26-030.00-062,& 26-031.00-001) is located within the public water service area granted to the City of Wilmington under Certificate of Public Convenience and Necessity 94-CPCN-09. Information on CPCN requirements and applications can be obtained by contacting the Public Service

Commission at (302)736-7547. Should an on-site public well be needed, a minimum isolation distance of 150 feet is required between the well and any potential source of contamination, such as a septic tank and sewage disposal area, furthermore, they must be located at least 150 feet from the outermost boundaries of the project(s). The Division of Water Resources will consider applications for the construction of on-site wells provided the wells can be located and constructed in compliance with all requirements of the Regulations Governing the Construction and Use of Wells. A well construction permit must be obtained prior to constructing any wells.

All well permit applications must be prepared and signed by licensed water well contractors, and only licensed well drillers may construct the wells. Please factor in the necessary time for processing the well permit applications into the construction schedule. Dewatering well permit applications typically take approximately four weeks to process, which allows the necessary time for technical review and advertising.

Potential Contamination Sources exist in the area, and any well permit applications will undergo a detailed review that may increase turnaround time and may require site specific conditions/recommendations. In this case there are the City of Wilmington Groundwater Management Zone 1, an Underground Storage Tank associated with Brandywine School Transportation, and the Governor Printz Industrial Landfill located within 1000 feet of the proposed project. *Ricardo Rios - (302) 739-9944, Ricardo.Rios@state.de.us*

Air and Waste

- **Hazardous Waste Sites.** DNREC's Site Investigation and Restoration Branch (SIRB) has reviewed the proposed project. There are eight (8) SIRB sites found within a ½-mile radius of the proposed development, Governor Printz (DE-1025) located 0.30 miles north, Amtrak Wilmington Refueling Site (DE-0266) located 0.35 miles south, Delaware Oldsmobile Site (DE-1289) located 0.20 miles north, Shell Pot Creek Dump (DE-0077) located 0.22 miles north, 2925 North-east Blvd Site (DE-1413) located 0.36 miles north-west, Speakman Townhomes Site (DE-1347) located 0.37 miles north, and Amtrak Rail yard Maintenance Site (DE-0170) located 84 feet south of the proposed site. The project property is a site also: Purina Section A and Section B (DE-1263, 1264). No salvage yards were found in a ½ mile radius.

Governor Printz entered the SIRB program in 1991. A Phase I assessment was conducted on the site in late 1991. A surficial soil stain and a pile of suspected asbestos siding shingles were the only item of concern. Soil samples detected some TCH but these were found to be in low levels. The site is currently in the remedial process.

Amtrak Wilmington Refueling Site is a portion of an 85-acre active rail yard. Analytical results for petroleum hydrocarbons in soil revealed concentrations typical of a site of this nature and age. More elevated petroleum hydrocarbon concentrations were present in

areas where refueling and maintenance occurred. As a part of the remedial action for the site, wells were installed to collect free product from the ground water and the removal of oil and surface debris (oil-soaked leaves, etc). The site is still going thru the remediation process.

Delaware Oldsmobile Site was previously used as an automobile dealership with several buildings including offices, showrooms, vehicle storage, maintenance areas and parts storage from approximately 1948 to 1998. Soils at the site showed elevated concentrations of petroleum hydrocarbons and arsenic. Groundwater showed elevated concentrations of petroleum related contaminants and several metals including aluminum, arsenic, barium, iron, manganese, and sodium. An Interim Action was performed to remove the impacted soils, asbestos containing material, hydraulic lifts, sump and oil water separators, and arsenic impacted soil was removed.

Shell Pot Creek Dump came to the attention of SIRB in 1985 because of illegal surface dumping of municipal trash. Other forms of waste such as concrete, bricks and building material were also found on the dump site. DNREC's Environmental Protection Officers monitor this area for illegal dumping. The site was given a NFA in late 1985.

2925 Northeast Blvd Site entered SIRB's Voluntary Clean-up Program (VCP) in July of 2005. The site was the location of a former dry-cleaning operation. Contaminants such as lead, copper, PCE, TCE and MTBE were detected at elevated levels. The site is currently going thru pump and treat remediation for ground water.

Speakman Townhomes Site became a SIRB site in the early part of 2005 thru the Brownfields program. The property was historically a brass casting manufacturer and foundry. The contaminants of concern are lead, brass, PCE and TCE. Lead contaminated sands, used in the foundry and casting production, were removed from the property as part of the remedial work plan and a vapor barrier was installed. The site is currently going thru closure proceeding and is still monitored for ground water.

Amtrak Rail yard Maintenance was a concern for SIRB due to concerns regarding spills from oil contaminated with PCB's. Thru sampling, contamination in the form of heavy metals, waste oils, polycyclic aromatic hydrocarbons (PAH's), creosote products, and other potentially hazardous contaminants were present in significant amounts both in the ground and in surface water drainage canals located on the eastern portion of the plant. The site is currently going thru the remediation process.

The Purina property (Section A and B) was investigated through two separate investigations occurring simultaneously. The Site was the location of the Ralston Purina Company that manufactured domestic animal food. The site's contaminants of concern were PCB's and PAH's. Both Purina Section A and B have entered into SIRB's Brownfield program for further investigation.

In addition to continuing with the Brownfields process, during the investigation, should a release or imminent threat of a release of hazardous substances be discovered during the course of development (e.g., contaminated water or soil), construction activities should be discontinued immediately and DNREC should be notified at the 24-hour emergency number (800-662-8802). SIRB should also be contacted as soon as possible at 302-395-2600 for further instructions. *Krystal Stanley - (302) 395-2644, Krystal.Stanley@state.de.us*

- **Tank Management Branch.** There are ten (10) inactive LUST sites located within a quarter mile of the proposed development including one onsite.

Name: Brandywine School Transportation Depot (Inactive)
Facility ID: 3-001020
Project: N9707096

Name: DuPont Eastlawn Avenue (Inactive)
Facility ID: 3-000074
Project: N9010091

Name: Bank of Delaware Exhibits East (Inactive)
Facility ID: 3-001440
Project: N9307133

Name: Merchandise Mart Mobil (Inactive)
Facility ID: 3-000094
Project: N9306107

Name: Pepsi Cola Bottling Company (Inactive)
Facility ID: 3-000177
Project: N9107137
Project: N9406146

Name: Central Transport (Inactive)
Facility ID: 3-001745
Project: N9810189

Name: Wilmington Fire Station #3 (Inactive)
Facility ID: 3-000986
Project: N9307141

Name: U-HAUL CENTER OF N.E. BLVD (Inactive)
Facility ID: 3-000524
Project: N9003012

Name: Interstate Brands Corporation (Inactive)
Facility ID: 3-000170
Project: N0301007

Name: Furness Electric Co (Inactive)
Facility ID: 3-001030
Project: N9904070

Should any underground storage tanks or petroleum contaminated soil be discovered by any person during construction, the DNREC-TMB and the DNREC Emergency Response Hotline must be notified within 24 hours at (302) 395-2500 and (800) 662-8802, respectively.

If contamination is encountered, PVC pipe materials will need to be replaced with ductile steel and nitrile rubber gaskets in the contaminated areas.

Also, please note that if any aboveground storage tanks (ASTs) less than 12,500 gallons are installed, they must be registered with the TMB. If any ASTs greater than 12,500 gallons are installed, they are also subject to installation approval by the TMB. *Elizabeth Wolff* - (302) 395-2500, Elizabeth.Wolff@state.de.us

- **Hazardous Waste Generators.** There are three (3) hazardous waste generators within a quarter mile of the proposed development. Amtrak Wilmington Maintenance Facility (DED060058062) which is a Large Quantity generator of hazardous waste. Pepsi Cola (DER000001081) which is a Small Quantity Generator of hazardous waste. Nixon Uniform Service Inc (DEN200900008) which is a Conditionally Exempt Small Quantity Generator of hazardous waste. Should your facility plan to generate hazardous waste you will have to register as a hazardous waste generator with DNREC-SHWMB. *Bryan Ashby* - (302) 739-9403, Bryan.Ashby@state.de.us

Division of Historical and Cultural Affairs

- According to our observations and evaluation, there are no known historic or cultural resources in this project area, such as archaeological sites or National Register-Listed property on or near this proposed project site.
- However, since Delaware has a strong agricultural and rural heritage, there is a possibility that could be a historic-period or prehistoric-period archaeological site historically associated with Delaware's agricultural or rural heritage, which have not been found, but may contain important information about Delaware's history.
- In addition, prior to any demolition or ground-disturbing activities, the developer may want to consider hiring an archaeological consultant to examine the parcel for archaeological sites, including a cemetery or unmarked human remains. If you have any questions or concerns, please contact Terence Burns at 302-736-7404.

Following receipt of this letter and upon filing of an application with the local jurisdiction, the applicant shall provide to the local jurisdiction and the Office of State Planning Coordination a written response to comments received as a result of the pre-application process, noting whether comments were incorporated into the project design or not and the reason therefore.

Thank you for the opportunity to review this project. If you have any questions, please contact me at 302-739-3090.

Sincerely,

A handwritten signature in cursive script that reads "Constance C. Holland".

Constance C. Holland, AICP
Director, Office of State Planning Coordination

CC: City of Wilmington