



Received
11-21-19

STATE OF DELAWARE
**DEPARTMENT OF NATURAL RESOURCES AND
ENVIRONMENTAL CONTROL**
DIVISION OF WASTE AND HAZARDOUS SUBSTANCES
391 LUKENS DRIVE
NEW CASTLE, DELAWARE 19720

COMPLIANCE &
PERMITTING

PHONE: (302) 395-2500
FAX: (302) 395-2555

November 15, 2019

Ms. Pamela Barnett, P.G.
Cleanup Manager (DE, LA, MA, OH, PA, VA)
RACER Trust
500 Woodward Avenue, Ste 2650
Detroit, MI 48226

FACILITY: Boxwood Industrial Park, LLC Facility: 7-000218
(Former GM Assembly Plant) File Code: 30
Wilmington, DE 19804

SUBJECT: No Further Action Required – Conditional

Dear Ms. Barnett:

The Delaware Department of Natural Resources and Environmental Control Division of Waste and Hazardous Substances – Tanks Compliance Branch (DNREC) has reviewed the OU-2 VI Investigation and Re-Evaluation Report submitted on October 30, 2019 by GHD, applicable site photographs and soil manifests for the following aboveground storage tank (AST):

Tank ID	Size in Gallons/Contents
AST #4	40,000 Gallon/Gasoline

Outcome

Based on DNREC's review of the above documentation, No Further Action (Conditional) is being issued for this AST. Therefore, any residual contamination at this site associated with this AST should not pose a threat to human health and safety, or the environment. Consequently, no further action (NFA) is required at the above-referenced location at this time, *as long as the residual contamination onsite remains undisturbed or the use of the site does not change*. Essentially, the site may be used "as is," *subject to the following conditions:*

- If compounds remaining in the soil or ground water on-site are disturbed in the future by digging, boring, dewatering or other means, please follow the DNREC-Remedial Section (DNREC-RS) Superfund Section approved contaminated materials management plan (CMMP),

- Any impacted excavated soils may not be re-used as "clean fill." Any on-site re-use of excavated soils must be approved in advance by DNREC,
- DNREC's Remediation Section will serve as primary contact for any future site development activities,
- If impacted excavated soils are transported off-site, they must be hauled by a State-licensed solid waste hauler and disposed or remediated in an approved manner, and
- The current owner (DPIF2 DE 1 New Castle, LLC) is no longer responsible for satisfying requirements for Financial Assurance (F/A) pursuant to Part D of Delaware *Regulations Governing Aboveground Storage Tanks* (the AST Regulations).

This NFA letter pertains *only* to the areas associated with AST # 4 at the above-referenced facility. Also, the NFA letter is only applicable under 7 Del. C. Chapter 60, 7 Del. C. Chapter 74A, and DE Admin. Code 1352, State of Delaware *Regulations Governing Aboveground Storage Tanks* (the AST Regulations), and does not represent a determination under any other Federal, State, or local law.

In addition, pursuant to the AST Regulations and 7 Del.C., Chapter 74A, this letter does not release the AST Owners from liability for any future problem related to the ASTs currently and/or formerly at this location. If any new releases are identified, immediate action must be taken to eliminate any threat to public health and safety, and to the environment, and DNREC's Tanks Compliance Branch must be notified.

Next Steps

In all cases, DNREC reserves the right to re-assess the site in the future if new information comes to light regarding possible petroleum contamination.

Requirements Under Other DNREC Sections

This conditional NFA letter does not release the Responsible Parties from any conditions imposed on this facility by any other Branch or Section in DNREC.

If you have any questions, please contact me at (302) 395-2500.

Sincerely,


Kimberly Gould
Environmental Scientist III
Tanks Compliance Branch

BAF:KMG\jmv
KMG2019-034

cc: Barbara Fawcett – DNREC CAPS
Rick Galloway – DNREC RS
M Brainard – Brightfields, Inc.
Samantha Sasnow – GHD
Gene Preston - DPIF2 DE 1 New Castle, LLC
William Lower – Harvey Hanna