

Tax Parcel Number: 07-042.10-055

Prepared By: Department of Natural Resources
and Environmental Control

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New Castle, DE 19720

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New Castle Recorder MISC

CERTIFICATION OF COMPLETION OF REMEDY

The Department of Natural Resources and Environmental Control (DNREC) has reviewed a letter request, dated March 1, 2018, made on behalf of the Revitalizing Auto Communities Environmental Response (RACER) Trust, for a Certification of Completion of Remedy (COCR) for the General Motors Corp. Wilmington Assembly Plant - Operational Unit 1 (OU-1), Operational Unit 2 (OU-2) and Operational Unit 3 (OU-3) (DE-1149), located at 801 Boxwood Road in Wilmington, Delaware. DNREC has reviewed all of the relevant documents necessary to make a determination regarding this request.

The General Motors Corp. Wilmington Assembly Plant (Wilmington Assembly Plant or Site) is located at 801 Boxwood Road in Wilmington, Delaware, and is described on the tax maps of New Castle County as two tax parcels 07-042.10-055 and 07.042-20.010, totaling approximately 142 acres. The nearest intersection to the Site is Boxwood Road and Centerville Road. The Site consists of a 3.2 million square foot Main Assembly Building, a Waste Water Treatment Plant (WWTP), Pump Houses, and a Powerhouse. The Site is zoned heavy industrial.

For purposes of overseeing the environmental remedies being conducted, DNREC divided the Site into six (6) operable units (the OUs). OU-1 consists of the pump house and aboveground storage tanks (AST) L through Tank O in the AST containment area, cover soil, and groundwater; OU-2 consists of the Large AST Area/Truck Unloading Rack and surrounding areas, cover soil, and groundwater; OU-3 consists of the soil and groundwater under the Main Assembly Plant Area as well as the soil and groundwater areas not included in the other OUs; OU-4 consists of the Former Petroleum Dispensing UST Area, cover soil, and groundwater; OU-5 consists of the Former Test Track Area, cover soil, and groundwater; OU-6 consists of 15.01 acres of wooded undeveloped land located to the east of the main GM plant area. OU-6 is identified on the New Castle County tax maps as parcel number 07.042-20.010. It has not been used for industrial activities. Little Mill Creek borders OU-6 to the east.

This COCR pertains to OU-1, OU-2 and OU-3 only.

The Wilmington Assembly Plant Site was sold by Motors Liquidation Corporation (MLC) to Fisker Automotive, Inc. (Fisker) in July 2010. On March 31, 2011, the RACER Trust became responsible for conducting, managing, and funding cleanup at the 89 plant sites formerly

owned by MLC, including the Wilmington Assembly Plant. The Site was purchased from Fisker by Wanxiang Delaware (WX) in April 2014 as part of a purchase of Fisker's assets by the Wanxiang Group. WX held title to the Property until October 2017 when Boxwood Industrial Park LLC purchased the Site.

With respect to the environmental history at OU-1 of the Site, a power steering fluid release occurred in the AST area in 2002. In 2004, after a contaminated soil removal interim action, DNREC issued a No Further Action letter for OU-1. No groundwater impacts were observed.

With respect to the environmental history at OU-2 of the Site, a petroleum release occurred likely as a result of historic leaks from the tanks and piping of the large ASTs located within OU-2. A Remedial Investigation (RI) Report completed in 2015 revealed that the OU-2 area groundwater contained volatile organic compounds (**VOCS**) (acetone, benzene, chlorobenzene, ethylbenzene, methyl tert-butyl ether, toluene, xylene); **SVOCS** (bis (2-theylyhexlphthlate, methylphenol, and naphthalene); and **metals** (arsenic, chromium, lead, manganese, and vanadium) above the residential DNREC drinking water standards.

The RI also found that the surface soil in OU-3 contained the poly-nuclear aromatic hydrocarbon (**PAH**) benzo (a) pyrene and **metals** (antimony, arsenic, cobalt, lead, manganese, mercury and nickel) above the DNREC soil standards for residential use of the property. Groundwater at OU-3 contained **VOCS** (1, 1-dichloroethane, benzene, carbon tetrachloride, chloroform, cis-1,2-dichloroethene, ethylbenzene, tetrachloroethene, trichloroethene and xylenes (total); semi volatile organic compounds (**SVOCS**) (naphthalene); **metals** (aluminum, arsenic, barium, cobalt, iron, lead, manganese, selenium and vanadium). above the residential DNREC drinking water standards. The VOCS in groundwater in OU-2 present a potential vapor intrusion risk

There is a groundwater divide under the Main Assembly Building in OU-3 with half of the water flowing to the east and half flowing to the northeast toward Little Mill Creek. The portion flowing toward Little Mill Creek is not impacting Little Mill Creek. In addition, there are no drinking water receptors located to the northeast of the Site. As previously stated, groundwater for OU-4 will be addressed at a later time in a separate Proposed Plan of Remedial Action.

The RI conformed to the requirements of the Delaware Hazardous Substance Cleanup Act, 7 Del. C. Chapter 91 (HSCA), the Regulations Governing Hazardous Substance Cleanup (Regulations), and all applicable guidance established thereunder.

On November 19, 2015, DNREC issued each Proposed Plan of Remedial Action (Proposed Plan) for OU-1, OU-2 and OU-3 and advertised the public comment period in the News Journal and the Delaware State News from November 22, 2015 through December 14, 2015. Since there were no public comments to any of the Proposed Plans, DNREC adopted the Proposed Plans as the Final Plans of Remedial Action (Final Plans) for OU-1, OU-2 and OU-3. DNREC's Final Plans called for the following actions to be taken at OU-1, OU-2 and OU-3, with the exception that OU-1 would not require a LTS Plan:

- 1) An Environmental Covenant, consistent with Delaware's Uniform Environmental Covenants Act (7 Del. C. Chapter 79, subchapter II) must be recorded in the Office of the New Castle County Recorder of Deeds within 90 days of the issuance of the Final Plan of Remedial Action. The Environmental Covenant must include the following activity and/or use restrictions and limitations:

- [a.] Use Restriction. Use of the Property shall be restricted solely to those non-residential type uses permitted within commercial, manufacturing, or industrial districts respectively, as those district types and uses are permitted pursuant to the corresponding zoning district classification of the New Castle County Code;
- [b.] Limitation of Groundwater Withdrawal. No groundwater wells shall be installed and no groundwater shall be withdrawn from any well on the Property without the prior written approval of DNREC-SIRS and DNREC's Division of Water;
- [c.] Compliance with Contaminated Materials Management Plan (CMMP). All work required by the Contaminated Materials Management Plan must be performed to DNREC's satisfaction in accordance with the CMMP; and
- [d.] Compliance with the Long Term Stewardship (LTS) Plan. **For OU-2 and OU-3**, all work required by the Long Term Stewardship Plan must be performed to DNREC's satisfaction in accordance with the LTS Plan.

The Environmental Covenant concerns only OU-1, OU-2, and OU-3 all of which are located within New Castle County tax parcel 07-042.10-055. The Environmental Covenant, as described above, was recorded in the Office of the Recorder of Deeds for New Castle County on March 22, 2018 at Instrument Number: 20180322-00131180.

- 2) A Long-Term Stewardship (LTS) Plan shall be submitted to DNREC for approval. The LTS plan will detail: 1) the groundwater monitoring requirements and schedule to be followed in order to monitor the attenuation of the groundwater Contaminants of Concern (COC); 2) the site-inspection schedule to be followed in order to ensure the long-term integrity of the remedy. If based on the groundwater data, groundwater contamination appears to be migrating out of OU-2 and presents a risk then DNREC will consider active remedies to address the risk; and 3) Prior to re-use of existing structures or any new construction perform a vapor intrusion evaluation which depending on existing data and location may include sampling.

DNREC approved the LTS Plan on May 12, 2017.

- 3) A Contaminated Materials Management Plan (CMMP) must be submitted to DNREC within 60 days of the issuance of the Final Plan of Remedial Action. The CMMP will

provide guidance to enable construction workers to safely handle any potential contaminated soil and groundwater at the Site.

DNREC approved the CMMP on January 4, 2017.

- 4) Remedial Action Completion Report must be submitted to DNREC within 60 days of the completion of the remedial actions required in the Final Plan.

DNREC approved the Remedial Action Completion Report on March 26, 2018.

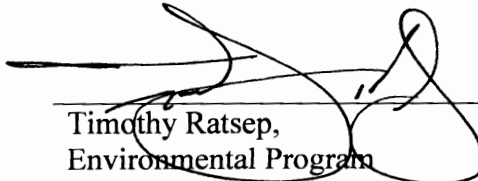
Based upon its review, DNREC certifies that a remedy consistent with the Environmental Covenant, the LTS Plan, the CMMP, HSCA and the Regulations has been completed at the Site.

If circumstances change or any new information becomes available relating to the release of a hazardous substance at the Site in excess of applicable risk levels, DNREC reserves the right to require additional measures to be taken in order to ensure that a remedy is conducted that is protective of both human health and the environment.

Pursuant to 7 Del. C. § 9105(e), any person who owns, operates or otherwise controls activities at the Site after the date of issuance of this Certification shall not, by virtue of that later ownership, operation or control, be liable for any release or imminent threat of release addressed in this Certification, or for any future release or imminent threat of release attributable to conditions existing prior to the issuance of this Certification, provided such person does not interfere with, or permit any interference with, any aspect of the remedy addressed by this Certification of Completion of Remedy.

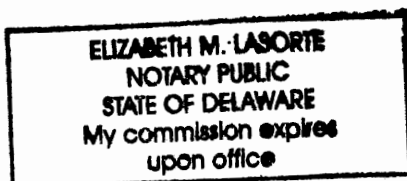
Finally, pursuant to 7 Del. C. § 9115(b), the Owner is required to promptly record this Certification of Completion of Remedy in the Office of the New County Recorder of Deeds.

March 27, 2018
Date of Issuance


Timothy Ratsep,
Environmental Program
Administrator
DNREC, Site Investigation
and Restoration Section

SWORN TO AND SUBSCRIBED before me this 27th day of March, 2018.


NOTARY PUBLIC



Commission Expires
Upon Office.