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DNREC

NOTICE OF JOINT PUBLIC HEARING

The Department of Natural Resources and Environmental Control (Division of Water, Division of Waste and Hazardous Substances, and the Division of Climate, Coastal and Energy) hereby provides public notice of permit applications and federal consistency certification which have been received from Diamond State Port Corporation (DSPC), and of a public hearing (Docket #2020-P-MULTI-0024) to be held by DNREC regarding those applications and federal consistency certification.

A virtual public hearing will be held on the below applications on **Tuesday, Sept. 29, 2020, beginning at 6 p.m.** For additional information on this virtual public hearing, including how to connect for virtual attendance, visit <https://de.gov/dnrehearings>.

The DSPC proposes to construct a new container port on the Delaware River at DSPC's Edgemoor property, located at 4600 Hay Road, Edgemoor, New Castle County, Delaware, 19809. This project will require the applicant to receive permits from the Department's Division of Water and Division of Waste and Hazardous Substances, as well as a Federal Consistency Certification from the Delaware Coastal Management Program.

DIVISION OF WATER – Wetlands and Subaqueous Lands Section

Subaqueous Lands Permit and Water Quality Certification

Port of Wilmington Edgemoor Delaware (Tax Parcels: 0615300006 and 0615300003) - Diamond State Port Corporation (DSPC) proposes to construct a new container port on the Delaware River at DSPC's Edgemoor property located at 4600 Hay Road, Edgemoor, New Castle County, DE. This project will include the construction of an approximately 2,600 foot long wharf structure, dredging of 3.3 million cubic yards of river sediments, excavating the berth and access channel to a depth of -45 feet mean lower low water, bulkheading 3,200 linear feet of shoreline, and occupying approximately 5.5 acres of subaqueous lands. The majority of the dredged materials will be stored in existing Army Corps of Engineer-owned confined disposal facilities with a portion retained on-site to be used as fill material. Shoaling fans are being proposed to reduce the frequency of future maintenance dredging.

The applications for a subaqueous lands permit and water quality certification are on file and may be reviewed online at <https://de.gov/portproject>. For additional information or to schedule an appointment to review this material, contact Gayle Calder, DNREC Wetlands and Subaqueous Lands Section, at Gayle.Calder@delaware.gov or 302-739-6304.

DIVISION OF WASTE AND HAZARDOUS SUBSTANCES – Remediation Section

Notice of the Intent to Implement Corrective Action and Post-Closure Care
Port of Wilmington, Edgemoor Site (Formerly Chemours) under the
Delaware Regulations Governing Hazardous Waste

Pursuant to 7 Del. C., Chapters 60 and 63, Delaware's Regulations Governing Hazardous Waste (DRGHW), the Delaware Department of Natural Resources and Environmental Control (DNREC), Remediation Section (DNREC-RS) has made a preliminary decision to issue a Hazardous Waste Corrective Action Permit to the Diamond State Port Corporation for the implementation of corrective measures and post closure care at the Port of Wilmington Edgemoor site (formerly Chemours) at 4600 Hay Road, Edgemoor, DE. EPA Identification Number: DED000800284. The current corrective action permit has expired, and DNREC proposes to issue a new permit to implement corrective measures and post-closure care activities at the site.

The Port of Wilmington's Edgemoor facility is located at the former location of the Chemours titanium dioxide production facility in Edgemoor, DE. The site is comprised of two parcels for a total of 115 acres. The larger 112-acre parcel is bounded by the Delaware River to the east, industrial facilities to the south, Hay Road to the east and the Fox Point State Park to the north. The smaller 3-acre parcel is located across Hay Road at the former facility main entrance.

The site was operated as a titanium dioxide production facility through 2016. The facility was demolished prior to the property's sale to the Diamond State Port Corporation on February 27, 2017. The site has been proposed for reuse as a shipping container off-loading, storage and transportation facility.

Based upon the findings of the Resource Conservation and Recovery Act (RCRA) Facility Investigation and the Human Health and Ecological Risk Assessment for the facility, active corrective measures are not warranted at the site. Given the site's proposed reuse, a Statement of Basis for a presumptive remedy is proposed as part of the Permit. The presumptive remedy includes: asphalt capping, a contaminated materials management plan to be implemented during construction, groundwater monitoring in conjunction with a post-closure care plan for four (4) surface impoundments currently closed in place, and establishment of an environmental covenant following remedy completion.

The draft permit, including the Statement of Basis, is on file and may be reviewed online at <https://de.gov/portproject>. For additional information, contact Frank Gavas, DNREC Remediation, at Frank.Gavas@delaware.gov or 302-739-9403.

DIVISION OF CLIMATE, COASTAL AND ENERGY – Delaware Coastal Mgmt. Program

Notice of Federal Consistency Certification Submission

A Federal Consistency Certification has been submitted to the Delaware Coastal Management Program for the following:

Port of Wilmington Edgemoor Delaware (2020.0043)

Diamond State Port Corporation (DSPC) proposes to construct a new container port on the Delaware River at DSPC's Edgemoor property, 4600 Hay Road, Edgemoor, New Castle County, DE 19809, Tax Parcel ID 0615300006 and 0615300003. This project will include the construction of an approximately 2,600 foot long, pile-supported wharf structure, dredging of 3.3 million cubic yards of river sediments and underlying soil, excavating the berth and access channel to a depth of -45 feet mean lower low water and bulkheading 3,200 linear feet of shoreline. Dredged materials will be stored in confined disposal facilities and a portion of the dredge will be used as fill. Shoaling fans are being proposed to reduce the frequency of future maintenance dredging.

Additional information concerning this Federal Consistency Certification submission for this project may be reviewed online at <https://de.gov/portproject> or by contacting Kimberly Cole, Administrator, Delaware Coastal Programs, at Kimberly.Cole@delaware.gov or 302-739-9283.

Written comments may be submitted to the Hearing Officer via the online comment form at <https://de.gov/dnreccomments>, via email to DNRECHearingComments@delaware.gov, or via USPS to the below address. The Department will accept public comment through Sunday, November 1, 2020.

Lisa A. Vest, Hearing Officer
Office of the Secretary
Department of Natural Resources and Environmental Control
89 Kings Highway
Dover, Delaware 19901