

PUBLIC NOTICE
BY
THE DELAWARE DEPARTMENT OF NATURAL RESOURCES AND
ENVIRONMENTAL CONTROL
DIVISION OF WASTE AND HAZARDOUS SUBSTANCES
SOLID & HAZARDOUS WASTE MANAGEMENT SECTION
89 KINGS HIGHWAY
DOVER, DE 19901
OF
THE INTENT TO IMPLEMENT CORRECTIVE ACTION
AT THE HERCULES RESEARCH CENTER
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), Solid & Hazardous Waste Management Section (SHWMS) has made a preliminary decision to issue a hazardous waste Permit for Corrective Action to Hercules, LLC, located at 500 Hercules Road in Wilmington, Delaware. The current Corrective Action Permit has expired, and, DNREC proposes to issue a new permit to continue hazardous waste corrective action activities at the locations of the Solid Waste Management Units (SWMUs) and Areas of Concern (AOCs) at this facility.

Hercules LLC, is located approximately five miles west of Wilmington, Delaware at 500 Hercules Road, in New Castle County, Delaware and is surrounded to the north, west and south by residences or proposed residences. To the east are the Red Clay Creek and a small railroad operated by the Wilmington and Western Railroad. The Facility subject to this permit consists of approximately 162 acres of contiguous Hercules LLC property comprising the Hercules Research Center plant and Aqualon Laboratory areas, namely tax parcels 0802000116, 0802700002, 0802700008, and 0802700009.

On July 2, 1991, the Site was issued RCRA Part B Permit ID# HW01A06 (the Part B Permit) for hazardous waste storage greater than 90 days. Prior to renewal of the Part B Permit, Hercules revised their operating procedures so that they no longer store waste greater than 90 days. As a result, the RCRA Part B Permit was terminated in 2004, and Hercules was issued RCRA Corrective Action (CA) Permit ID#HW07A14, dated August 31, 2004. The CA Permit was subsequently extended by DNREC until August 20, 2016. At the time the 1991 RCRA Part B Permit was issued, Hercules owned the adjoining property known formerly known as the Hercules Country Club. This adjoining property was sold in 2001 and the new property owner was notified regarding the status of the Part B Permit, including the corrective action terms of the permit. With this permit renewal, DNREC is approving the removal of the 190-acre former Hercules Country Club parcels (tax parcels 0703100001, 0802700001, and 0802700007) and the 155-acre undeveloped parcels (tax parcels 0702800004, 0702800213, 0802100022, 0802100023, 0802100025, and 0802730064) from the Facility property that was subject to the requirements of the previous Permit. The undeveloped parcels were not included in the RCRA Facility Assessment (RFA) since they were reportedly not used for industrial purposes or management of hazardous waste nor was there any evidence of such activity noted during the Visual Site Inspection (VSI). With the exception of the Waste Oil Storage Tank (SWMU 11) used for Country Club vehicle maintenance, the Country Club parcels were reportedly not used for industrial purposes or management of hazardous waste, nor was there any evidence of such activity noted during the VSI. The Waste Oil Storage Tank was removed under the purview of DNREC-Tank Management Section (TMS), with No Further Action (NFA) required.

DNREC proposes to issue a new permit to continue hazardous waste corrective action activities at the locations of the SWMUs and AOCs at this facility.

Seven Del. C., Chapters 60 and 63 and DRGHW provide the legal and regulatory basis for this permitting action.

Persons wishing to comment upon the draft permit application are invited to submit written comments. The written comments must be received no later than Monday, September 17, 2018. Comments must be sent to DNREC, RE: DED001315647, File Code HW-16, at the address listed at the beginning of this notice. All written comments received prior to the end of the forty-five (45) day comment period will be considered when formulating the final determination. A public hearing may be held if the Department receives a meritorious

request for a hearing prior to the Monday, September 17, 2018 deadline, or if the Secretary deems it to be in the best interest of the State to do so.

The corrective action draft permit is on file and may be reviewed at the Dover office of DNREC (89 Kings Highway) or the New Castle office of DNREC (391 Lukens Drive). For additional information or to schedule an appointment to review this material, call Christopher L. Brown of the Solid & Hazardous Waste Management Section at (302) 739-9403, between the hours of 8:00 a.m. and 4:30 p.m., Monday to Friday.

PLEASE PUBLISH IN THE:

Wilmington News Journal

Delaware State News

DATE: August 1, 2018

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89 Kings Highway
Dover, DE 19901