

The NPL is designed primarily for informational purposes and to assist EPA management. Section 300.425(e)(3) of the NCP states that the deletion of a site from the NPL does not preclude eligibility for further Fund-financed remedial actions, should future conditions warrant such actions.

#### IV. Basis for Site Deletion

The following information provides EPA's rationale for deleting the Site from the NPL:

##### *Site Location and History*

The Wildcat Landfill Superfund Site is a 44-acre landfill situated on the west bank of the St. Jones River in Kent County, Delaware approximately two and one-half miles southeast of the city of Dover. The Site was operated as a permitted sanitary landfill between 1962 and 1973, accepting both municipal and industrial wastes. Industrial wastes suspected to have been disposed of include latex waste and paint sludges. Throughout its 11 years of operation the landfill routinely violated operating and other permits issued by regulating agencies.

EPA conducted the initial Site Investigation in May 1982. EPA proposed the Site to the NPL on December 30, 1982, and added it to the NPL on September 8, 1983 (48 FR 40673).

##### *Remedial Investigation and Feasibility Study (RI/FS)*

The Delaware Department of Natural Resources and Environmental Control (DNREC) began the remedial investigation (RI) in September 1985 and began the feasibility study (FS) in November 1987. EPA and DNREC issued the RI/FS report in May 1988. The results of the RI were generally as follows:

- The primary contaminants of concern at the Site were trace metals and organic contaminants in on-site groundwater, and inorganics in surface water and sediments in the northwest pond and leachate seeps near the pond.
- The landfill contained some buried, intact drums; the contents of the drums had relatively high concentrations of organic contaminants, primarily styrene.
- Nearby domestic and commercial wells are all to the west or southwest of the Site; none of these wells was contaminated by the landfill. However, wells immediately southwest of the Site were thought to be susceptible to contamination.
- A net loss of 29 acres of wetland environment resulted from placement

of the landfill on pre-existing wetlands.

The FS provided an in-depth analysis of several potential remedial alternatives. The FS concluded that if no action were taken there would be a potential threat to human health and the environment through dermal contact with landfill contents or leachate seeps. There were also potential risks associated with future releases of contaminants from the landfill into the groundwater and, subsequently, into the surface water. The FS provided a detailed analysis of the following alternatives: (1) No action; (2) institutional controls and monitoring; (3) institutional and surface controls; (4a) containment with a soil cap; and (4b) containment with a soil/clay cap. The FS also analyzed EPA and DNREC's preferred alternative, which was a combination of certain elements of the above alternatives. No response activities using CERCLA removal authority were conducted at the Site.

##### *Record of Decision (ROD) Findings*

The Site was divided into two Operable Units, with Operable Unit 1 (OU1) including the landfill proper, and Operable Unit 2 (OU2) including the northwest pond and the so-called racetrack pond or replacement pond, which was created southeast of the landfill. EPA issued a Record of Decision (ROD) for OU1 on June 29, 1988. The ROD for OU1 included:

- Implementation of institutional controls (including groundwater management zones and restrictions on use of the property);
- Posting warning signs;
- Replacement of shallow water supply wells adjacent to the Site;
- Covering exposed wastes on the landfill with soil;
- Off-site disposal of drums;
- Installing one additional groundwater monitoring well; and
- Monitoring of the shallow (Columbia) aquifer.

On November 28, 1988, EPA issued a ROD for OU2. The ROD for OU2 included:

- Draining and back-filling the northwest pond;
- Creating a replacement pond (racetrack pond) to be joined with the existing deepwater pond located southeast of the landfill;
- Installing one monitoring well upgradient of the new racetrack pond to monitor the landfill; and
- Implementation of institutional controls to ensure that the integrity of the newly-created racetrack pond and the filled northwest pond is maintained.

After a period of negotiations with the potentially responsible parties, the State, EPA, and a group of Settlers entered into a Consent Decree for implementation of the Remedial Design/Remedial Action for both operable units. In December 1989 the Settlers submitted Remedial Design (RD) plans and specifications for regulatory review. Black and Veatch Science and Technology Corporation prepared the engineering plans and specifications on behalf of the Settlers. The U.S. Army Corps of Engineers reviewed these plans and provided comments to EPA. In February 1991, the State and EPA granted conditional approval of a revised set of RD plans and specifications.

##### *Remedial Action Activities*

The Settlers proposed Severson Environmental Services as the Remedial Action (RA) Contractor. EPA, after consultation with the State and the U.S. Army Corps of Engineers, approved the use of Severson. The Settlers started construction of the RA for both operable units in July 1991. The U.S. Army Corps of Engineers provided field oversight of the RA for EPA.

During construction a larger-than-anticipated number of drums were discovered along the northern and eastern fringes of the landfill. The State, EPA, and the Settlers subsequently developed a management plan for staging, sorting, and disposing of the unanticipated drums. The State established and continues to maintain a Groundwater Management Zone for the Site and certain areas adjacent to the Site. A pre-final construction inspection was conducted by the State, EPA, and the Settlers on April 1, 1992. The final construction inspection followed on May 14, 1992.

On April 26, 2002, documents entitled "Environmental Protection Easement and Declaration of Restrictive Covenants" were recorded at the Office of Recorder of Deeds for Kent County, Delaware, for each of the parcels comprising the Site in order to implement the institutional controls required by the OU1 and OU2 RODs.

The RA for OU1 and OU2 eliminated the principal threat posed by the Site by reducing the potential for direct contact with the contents of the landfill and the sediments of the northwest pond. The RA also reduced the potential for erosion of landfill contents into the St. Jones River. Finally, the RA provides for monitoring of the groundwater in the vicinity of the landfill to ensure the continued effectiveness of the RA.