**Fact Sheet**

**Proposed Remedial Action**

**West Haymarket Park - Former Nature’s Variety, Lincoln, NE**

**Facility ID: 29773 Program ID: 36-336-5301**

The Nebraska Department of Water, Energy, and Environment (DWEE) is providing public notice of its intent to approve a Remedial Action Plan (RAP) for the West Haymarket Park - Former Nature’s Variety in Lincoln, Nebraska. This fact sheet provides background information on the site, a summary of contamination, a description of the proposed final cleanup levels and remedial actions, public participation procedures, and contact information.

**Site Location**: The site is located at 215 South 7th Street, Lincoln, Nebraska 68508. The site is located in the northeast quarter of the northwest quarter of Section 26, Township 10N, Range 6E.

**Nature and Extent of Contamination**: Soil, soil gas, and groundwater at the site have been contaminated as a result of previous operations. The proposed remedial action will address soil and soil gas contamination.

The primary contaminants of concern (COCs) in soil and soil gas are listed in Tables 1 and 2. DWEE compared COC concentrations in soil to Nebraska Voluntary Cleanup Program (VCP) Remediation Goals, Tier 1 Background Levels set for the West Haymarket Park Development Site North (2018), and Risk-Based Corrective Action (RBCA) Risk-Based Screening Levels to determine the significance of contamination. The exposure pathways are:

* Soil:
  + Ingestion, outdoor inhalation, and dermal contact for residents, construction workers, and site visitors.
  + Vapor intrusion inhalation for residents, construction workers, and site visitors.
* Groundwater:
  + Ingestion, inhalation, and dermal contact for residents, construction workers, and site visitors.

**Groundwater Remedial Action Class**: DWEE assigns a remedial action class (RAC) to a groundwater pollution event to determine the importance of remedial action based, in part, on the use of the groundwater in the area (Nebraska Title 118, Appendix A, Step 8). Groundwater that is being used as a public drinking water supply or is within the Wellhead Protection Area of one or more public drinking water supply wells is assigned the highest remedial action class of RAC-1. DWEE typically requires extensive cleanup of groundwater that is classified as RAC-1. When the use of groundwater in the area is more limited, the groundwater is assigned a remedial action class of RAC-2 or RAC-3. Generally, groundwater cleanup will be less extensive for these classifications.

The pollution event for this site has been classified as a RAC-3. This classification was determined due to the site being over a half mile from the nearest domestic well and 4.8 miles outside the nearest wellhead protection area in the Village of Emerald. Additionally, there is an ordinance prohibiting the installation of new wells for domestic purposes within the City of Lincoln. Due to the RAC-3 designation and no vapor intrusion concern from the COCs identified for groundwater, the proposed remedial action will not address groundwater contamiantion.

**Proposed Final Cleanup Levels**: DWEE is proposing the final cleanup levels shown in Tables 1 and 2, below, for the site. The proposed final cleanup levels are based on the requirements to reduce the concentrations of COCs in soil and soil gas in order to prevent exposures of COCs to people from the pathways listed above. Cleanup is not required to achieve the proposed final cleanup levels for the soil gas exposure pathway; however, the proposed remedial action must ensure there are no exposures via the inhalation pathway.

Table 1. Proposed Final Cleanup Levels – Soil

|  |  |
| --- | --- |
| Contaminant | Soil(a) (mg/kg) |
| Benzo(a)anthracene | 1.1 |
| Benzo(a)pyrene | 0.11 |
| Benzo(b)fluoranthene | 1.1 |
| Benzo(k)fluoranthene | 11 |
| Chrysene | 110 |
| Dibenz(a,h)anthracene | 0.11 |
| Dibenzofuran | 18 |
| Indeno(1,2,3-cd)pyrene | 1.1 |
| Naphthalene | 3.8 |
| Arsenic(b) | 10.27 |
| Total Extractable Hydrocarbons as Waste Oil(c) | 3173 |

mg/kg - milligrams per kilogram

(a) SOURCE 1: Nebraska Department of Environment and Energy (NDEE) VCP Remediation Goals, Table A-1: Direct Contact Exposure Pathway (March 2021).

(b) SOURCE 2: Nebraska Department of Environmental Quality Tier 1 Background Level set for the West Haymarket Park Development Site North (2018).

(c) SOURCE 3: NDEE RCBA at Petroleum Release Sites: Tier 1/Tier 2 Assessments & Reports (2023).

Table 2. Proposed Final Cleanup Levels – Soil Gas

|  |  |
| --- | --- |
| Contaminant | Soil Gas(a) (µg/m3) |
| Benzene | 12 |
| Bromodichloromethane | 2.5 |
| Dichlorodifluoromethane | 87 |
| Ethylbenzene | 37 |
| Naphthalene | 2.8 |

µg/m3 - micrograms per meter cubed

1. SOURCE 1: NDEE Voluntary Cleanup Program Remediation Goals, Table A-2: Vapor Intrusion Inhalation Pathway (March 2021)

**Proposed Remedial Actions**: DWEE is proposing the following remedial actions:

* Excavation of soil to the extent necessary to allow 18 inches of clean fill to separate the base of the excavation from the final park design grade in areas of vegetative cover or 6 inches in areas of hard surface cover across the site;
* Transportation of excavated soil offsite to an appropraite and approved landfill for disposal;
* Placement of a high visibility demarcation barrier at the base of the excavation prior to placement of clean fill and/or hard surface covers;
* Import of clean material for use of backfill material;
* Construction of an 18-inch soil cover in landscaped/vegetated areas and hard surface cover in paved areas;
* Maintenance of soil and hard surface covers, land use restrictions, and prevention of groundwater use through activity and use limitations (AULs); and
* Preparation of an environmental operation and maintenance plan to govern long term inspection and maintenance of AULs.

The proposed remedial actions are described in more detail in the RAP, dated July 9, 2025 (DWEE Document ID #20250069946). The RAP and supporting documents are available online at https://dee.nebraska.gov/ by selecting “Public Hearings/Notices” at the bottom of the page, then selecting “West Haymarket Park - Former Nature’s Variety”. This will provide all site documents since the site joined the VCP. To view documents from before the site joined the VCP, please go to https://ecmp.nebraska.gov/PublicAccess/index.html?MyQueryID=340, and type “29773” into the “DEQ Facility Number” field and select “BF” from the “DEQ Program” dropdown box.

Individuals requiring special accommodations or alternate formats of materials should notify the Department by calling 402‑471‑2186. TDD users should call 800-833-7352 and ask the relay operator to call the Department at 402-471-2186. Si necesita traducción de documentos al Español, por favor llame a DWEE al 402‑471‑2186.

**Public Participation Procedures**: Any person may submit written comments regarding the proposed remedial action and may also request a public hearing, in writing, on or before August 11, 2025. A request for a public hearing must state the nature of the issue(s) to be raised and all arguments and factual grounds supporting such position(s). If the Director grants a public hearing, the hearing will be advertised by public notice at least 30 days prior to its occurrence. Comments and hearing requests should be emailed to ndee.vcpbrownfields@nebraska.gov or mailed to:

Tom Buell

Environmental Manager

Remediation Division

Nebraska Department of Water, Energy, and Environment

245 Fallbrook Blvd., Suite 100

Lincoln, NE 68521

*Please note that physical mail must be post-marked no later than August 11, 2025 to be accepted.*

Please contact Taryn Horn at taryn.horn@nebraska.gov or 402‑471‑6411 with questions or for more information.

The DWEE does not discriminate on the basis of race, color, national origin, disability, age, or sex in administration of its programs or activities, and DWEE does not intimidate or retaliate against any individual or group because they have exercised their rights to participate in or oppose actions protected/prohibited by 40 C.F.R. Parts 5 and 7, or for the purpose of interfering with such rights.