

In The Matter Of:

*Department of Natural Resources & Environmental Control
Regulation No.1102 Natural Minor Permit Application*

*Public Hearing
April 25, 2018*

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Min-U-Script® with Word Index

DEPARTMENT OF NATURAL RESOURCES & ENVIRONMENTAL CONTROL
OF THE STATE OF DELAWARE

RE: Public Hearing on Regulation No. 1102)
Natural Minor Permit Application)
submitted by Walan Specialty Construction)
Products, LLC, to construct a slag)
grinding, drying, and processing facility)
at their proposed 501 Christiana Avenue,)
Wilmington, Delaware facility.)

..

DNREC
391 Lukens Drive
New Castle, Delaware 19720

Wednesday, April 25, 2018
6:00 p.m.

..

BEFORE: Lisa Borin Ogden, Deputy Secretary

ALSO PRESENT: Angela Marconi, DNREC
Brad Klotz, DNREC

-- Transcript of Proceedings --

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1 MS. OGDEN: Good evening, and
2 welcome. I will call this hearing to order. It's
3 now 6:00.

4 I would like to thank everyone for
5 coming. My name is Lisa Borin Ogden, and I am the
6 designee to serve as the hearing officer for
7 tonight's hearing.

8 We are here this evening to offer the
9 public a platform to comment on the permit
10 applications submitted by Walan Specialty
11 Construction Products, LLC.

12 Walan seeks to construct a slag
13 grinding, drying, and processing facility at their
14 proposed 501 Christiana Avenue, Wilmington, Delaware
15 facility.

16 Pursuant to the notice on the State
17 of Delaware Public Meeting Calendar, tonight's
18 hearing was properly noticed and to begin at
19 6:00 p.m.

20 If you have not already done so,
21 please sign in on the sign-in sheets that are over
22 there, indicating whether you wish to present
23 comments tonight. Even if you don't wish to speak
24 tonight, please sign in. We need to keep an



1 accurate record of who is here.

2 We will begin tonight with a
3 presentation by Angela Marconi of DNREC's Division
4 of Air Quality. Thereafter, we will move to a
5 presentation from Compliance Plus Services and from
6 Walan Specialty Construction Products.

7 Finally, we will hear from our
8 speakers. I will go in the order of the names that
9 were written on the sign-in sheets, so please come
10 forward when I call your name. If you could stand
11 there and make sure that you can speak so that the
12 court reporter could hear you.

13 I know we did a lot of
14 preregistration, but I didn't have any names. Did
15 anyone preregister?

16 Okay. In an effort to accommodate
17 everyone tonight who has indicated a desire to
18 speak, we are just going to ask you that you limit
19 your comments to the subject of tonight's hearing,
20 which is the current air quality application
21 submitted by Walan.

22 We are asking that you offer your
23 comments in as precise a manner as possible. Each
24 comment here will be granted an equal amount of time



1 to offer their comments, five minutes, again, and to
2 ensure that everyone can have the opportunity to
3 speak.

4 If you have prepared written comments
5 or statements that you anticipate will take longer
6 than five minutes, I would ask that you present them
7 to me. They will be included in the record. And
8 that perhaps you could then just provide a brief
9 summary tonight for the benefit of those in
10 attendance.

11 There will be no question and answer
12 portion of tonight's hearing. This proceeding is
13 being held to receive comment only. So please
14 direct all your comments to me.

15 Finally, this is just housekeeping:
16 Everyone here tonight should be respectful and
17 considerate of all the comments, even though some
18 may be different from your own. And please turn off
19 your cell phones, either muted or turned off for the
20 proceedings.

21 It is important to note that all
22 comment, whether given verbally this evening at the
23 hearing or received earlier via e-mail or U.S. mail,
24 will bear the same weight, and all will be



1 considered equally by the Secretary prior to him
2 making his decision in this matter.

3 It's also important to note that the
4 ultimate decision with regard to this permit
5 application is made by Secretary Garvin. The
6 hearing tonight acts merely as a platform to enable
7 the Department to clearly vet this permit and for
8 the public to come and provide comment for the
9 Secretary's consideration, if so desired.

10 That being said, I will now turn the
11 floor over to Angela Marconi, who will be
12 introducing the Department's exhibits and offering
13 some brief introductory remarks into the formal
14 record in this matter.

15 Angela?

16 MS. MARCONI: So I have the
17 application presented by the applicant as well as
18 the request for hearing and other legal ads
19 associated with the application.

20 MS. OGDEN: Let the record reflect
21 that the Department's Exhibits 1 through 14 are
22 hereby entered into the formal hearing record being
23 generated in this matter.

24 MS. MARCONI: Good evening, everyone.



1 Thank you for coming. My name is Angela Marconi. I
2 am the branch manager for Engineering and Compliance
3 with the Division of Air Quality at DNREC.

4 So I'm going to give a brief
5 introduction of the project as it was proposed to us
6 in the permit application and a little information
7 about our process so that you know what to expect as
8 far as what we do when we get a permit application.

9 So, briefly, Lisa is our hearing
10 officer tonight. I'm going to do a short
11 presentation, and then we will have a presentation
12 by the applicant by Craig Holdefer from Compliance
13 Plus and Lisa from Walan. And then we will move on
14 to public comments.

15 So, for the Division of Air Quality,
16 this process started with us in October. We had a
17 pre-application meeting with Compliance Plus to talk
18 about what they would need to include in an
19 application as they moved forward with this project.

20 On December 5th we received the
21 initial application for the construction of a slag
22 grinding, drying, and processing facility.

23 There were several supplemental
24 pieces of information that were received, including



1 updating the legal name and the environmental
2 background statement. In March we received updated
3 zoning information, and then in April we received
4 information about the truck routes that were better
5 anticipated for the facility.

6 The application was public noticed on
7 March 11.

8 So the proposed facility will produce
9 a fine slag material which can be used as an
10 additive in the construction industry.

11 Basically what happens is coarse slag
12 is brought onto the site and dried using natural
13 gas-fired burners. And there are proposed -- there
14 are emissions associated with that.

15 The drying and grinding operations
16 will be enclosed and will utilize a baghouse and
17 other air pollution control equipment to control the
18 dust associated with the process.

19 The process emissions consist of
20 particulate matter, which we have labeled as PM,
21 from materials handling and emissions from the
22 combustion of natural gas which is used to dry the
23 slag material.

24 Particulate matter is controlled in



1 the baghouse, and then the storage silos are
2 equipped with bin vents to also control particulate
3 emissions. And there are dustless load-out chutes
4 with cartridge filters that are used to fill the
5 trucks that would take the finished product offsite.

6 This table shows a summary of the
7 emissions, including the potential to emit, which is
8 like the highest possible emissions. And then the
9 last column shows the requested permitted emissions.

10 So I separated it out. We have two
11 lines for Particulate Matter 10. The first is from
12 processing, which is the grinding, and the other
13 processes associated with the slag. And then the
14 second line of PM10 is the particulate matter from
15 the burner.

16 The nitrous oxide, carbon monoxide,
17 sulfur dioxide, and VOCs are all associated with the
18 natural gas from the drying.

19 The emissions will be monitored using
20 methods based on the material processed and the fuel
21 usage. So that's how we will know how much actual
22 emissions are coming from the facility.

23 UNIDENTIFIED SPEAKER: (Taking
24 picture of screen) Thanks.



1 MS. MARCONI: You are welcome.

2 Following the hearing, if the Secretary approves the
3 permit, DAQ would issue a construction permit that
4 will meet strict air quality standards in compliance
5 with federal and state regulations.

6 Our permits are also, when we issue a
7 permit, we also issue a detailed technical review
8 memo, and we will include conditions that are
9 protective of human health and the environment.

10 It's also possible that permit
11 conditions would be incorporated as a result of the
12 comments that we receive tonight.

13 Once the construction permit is
14 issued, then the facility would be able to be
15 constructed. And when construction is complete, the
16 Division of Air Quality would conduct a construction
17 to operation inspection to ensure that what is
18 constructed complies with what was in the original
19 application.

20 MS. OGDEN: Excuse me. If you just
21 came in, could you sign in, please? Thank you.

22 MS. MARCONI: Following construction
23 to operation inspection, then DAQ would issue an
24 operating permit. An operating permit would be very



1 similar to the construction permit and will require
2 monitoring, recordkeeping, and reporting.

3 And then, as a follow-up, the
4 Division of Air Quality performs periodic compliance
5 inspections to ensure ongoing compliance with the
6 permit.

7 Some examples of things that we
8 include in a typical permit are requiring the plant
9 and air pollution control devices to meet strict
10 emission limits, to record operating data and retain
11 the data for five years, to report deviations from
12 permitted conditions to the Department, to conduct
13 opacity observations, and to maintain and comply
14 with the dust control plan.

15 That's all I have for tonight. Thank
16 you.

17 MS. OGDEN: Thank you, Angela.
18 Craig? Lisa?

19 MS. DHARWADKAR: Sure. Should I come
20 over here?

21 MS. OGDEN: Sure.

22 MS. DHARWADKAR: Thanks. Welcome
23 everyone, and thank you for coming tonight. My name
24 is Lisa Dharwadkar. I am a vice president at Walan



1 Specialty Construction Products. I am here with my
2 colleague, Millind, and with Craig.

3 All right. To provide you with a
4 little bit of background in our company, we are a
5 family business. My dad started this company about,
6 oh, about 35 years ago. And we are a family owned
7 and operated small business.

8 Our company, our vision for Walan,
9 truly, is that we want to service the growing demand
10 for safer, stronger, longer-lasting structures by
11 producing high-quality granulated --
12 ground-granulated blast furnace slag, which is an
13 additive to cement.

14 In doing this, our company will support
15 sustainability by leveraging a material that
16 ultimately does reduce carbon emissions when used in
17 cement making.

18 Most importantly, our company will create
19 opportunities for job growth, career advancement for
20 our talented workforce in the Wilmington area, while
21 supporting the local economy.

22 Some background on our company: For over
23 30 years, we have been in the mineral grinding
24 business in Pennsylvania, and we have been in full



1 compliance with all PA State air quality
2 regulations.

3 We have been in operation since 1982, as I
4 mentioned. In Adrian, Pennsylvania, we have an iron
5 ore grinding plant, and we do service large clients
6 across the world.

7 Since 1987, we have an iron chromite
8 grinding business in Claysburg, Pennsylvania.

9 We always perform with consideration for
10 the health and safety of our workforce, our
11 partners, and our customers.

12 Our future in Wilmington, looking ahead,
13 various state Department of Transportations are
14 starting to require granulated ground-blast furnace
15 slag as a cement additive in Department of
16 Transportation founded projects. That additive does
17 make the structure stronger and longer lasting.

18 And as, you know, the infrastructure in
19 the country continues to need upkeep and repair and
20 new structures need to come up, they do have to meet
21 certain standards which make them safe.

22 Ground-granulated blast-furnace slag
23 represents the best alternative to lowering
24 emissions of an industry that experiences



1 substantial growth in the construction building
2 sector of the economy.

3 Our proposed location and facility: Where
4 you see the yellow star is the proposed site in
5 Wilmington, Delaware, on Christiana Avenue.

6 Getting into our processing, actually the
7 grinding and the storage of GGBFs, this is a simple
8 diagram here that shows, you know, the trucks will
9 come in from the port to our facility and stockpile
10 the raw material.

11 It will then be put into feed hoppers and
12 get lifted into our grinding mill and dryer. It's a
13 vertical roller mill.

14 That grinding mill, it simultaneously
15 dries and grinds, dries the material. As Angela
16 referred to earlier, there are baghouses on the
17 grinding mill which collect any dust that would come
18 out, and that gets reclassified and cycled back in.
19 That material is way too valuable to let it float
20 out into the air, so we need to pull that back into
21 our process and use all of it.

22 Once the material is dried and ground,
23 it's then stored into two silos, which I will show
24 you pictures of similar silos. They are fully



1 contained. And then the product will then get
2 loaded into trucks with the dustless load-out.
3 There will be a scale under the silos that the
4 tanker trucks will come under. And I will show you
5 that, a picture of that here shortly.

6 The grinding operation: We are purchasing
7 a brand new vertical roller mill from a company
8 called Pfeiffer. And that is picture of actually
9 what it will look like and a diagram of how the
10 material is taken to the mill for drying, grinding,
11 and then moved out into the silos.

12 And the product will be stored in silos.
13 You can see the silos here are an example of what we
14 will have. They are fully contained. They have a
15 curtain on the side to avoid any dust blowing. And
16 I will just -- can I point? Is that okay? Can I
17 come over here?

18 MS. OGDEN: Certainly.

19 MS. DHARWADKAR: This picture is the
20 dustless load-out spout, and that is what you see
21 here that comes down and loads the sealed tanker
22 trucks. They open their hatches. This spout comes
23 in and puts the material into the tankers so they
24 can then take it off the property.



1 And this is what a typical bulk
2 tanker truck looks like that will transport our
3 material. It has sealed hatches on the top of the
4 tank.

5 Okay. It's kind of hard to see here
6 with the lighting. But this truck route is, for the
7 receipt of raw material that's going to come in from
8 the port, you can see the route there from the port
9 to the 501 Christiana site is, you know, avoiding
10 the neighborhoods. It's a pretty direct route right
11 from the port to our facility.

12 And then shipment of GGBFs from the
13 facility, this is the outbound truck route. Again,
14 we have, you know, taken care to make sure that the
15 routes that we established would avoid any
16 residential areas.

17 Again, those trucks that you saw
18 earlier are totally sealed, so there is nothing
19 blowing around. And we do have a plan in place to
20 make sure we stay out of the residential areas,
21 so --

22 Okay. And I will turn it over to
23 Craig. It's this left arrow here.

24 MR. HOLDEFER: Okay. I'm going to



1 talk just a little bit about the projected emissions
2 and controls.

3 What I wanted to do here is I just
4 have here a slide which kind of compares the
5 emissions of combustion from the dryer as compared
6 to a boiler, say in a high school, because the
7 emissions are very comparable.

8 And this is the baghouse. Earlier
9 you saw a picture of the whole process, but this is
10 a large baghouse.

11 Basically, a baghouse is just like a
12 big vacuum cleaner. It has probably hundreds of
13 bags in there that actually collect the dust. And
14 the bags are cleaned on a regular cycle. And then,
15 as Lisa mentioned, the material is recycled back in
16 as product.

17 Lisa also mentioned there are bin
18 vents. Okay? These are the control devices up on
19 top of the silo. So when the material falls into
20 the silo, any dust that's already in the silo, that
21 gets pushed out of the silo and is captured by
22 baghouses up on top of the silo.

23 And this, once again, is the dustless
24 load. The picture on the right hand side actually



1 shows the seal on top of the tank truck.

2 And fugitive dust control methods:

3 It's a fairly long list. There will be -- so the
4 material, as received, will have moisture content of
5 about 8 to 10 percent, which really helps to control
6 any kind of fugitive emissions.

7 And also the drop height, when they
8 are moving the material, they are going to try to
9 maintain the drop height as low as possible.

10 And, also, the trucks coming from the
11 port over to the facility, those beds will be
12 covered.

13 And, also, the truck traffic will be
14 limited to paved surfaces at the facility. That
15 will also help to cut down any dust from the
16 roadways.

17 The roadways, if there is any kind of
18 dust on the roadways, those will be cleaned by a
19 water truck and/or a sweeper system.

20 And also the speed limits, the lower
21 the speed limit, there is less chance of any kind of
22 emissions coming off the roadway. So there will
23 also be limits on the speed on the facility.

24 All of the equipment will be



1 inspected on a regular basis and also will be
2 maintained. The whole work area will be kept neat
3 and orderly.

4 If there is possibly a spill of some
5 of the product, then they will make sure that they
6 clean that up as soon as possible.

7 And, also, the employees will be
8 trained on good housekeeping methods.

9 And, also, daily inspections of the
10 facility will also be made to make sure that there
11 aren't any excess emissions of -- that there aren't
12 any problems with the baghouse or other process
13 equipment.

14 And, also, the results of the
15 inspections and any kind of corrective actions that
16 they will have to take, okay, they will also keep
17 records of all those inspections and the results of
18 the inspections, and then anything that was done to
19 work on any problems or any issues.

20 Okay. Thank you very much.

21 MS. OGDEN: Thank you very much. We
22 will now move to the public comment portion. Has
23 everyone signed in? Forgive me, Councilman Street,
24 would you like to speak first?



1 COUNCILMAN STREET: I would rather go
2 last.

3 MS. OGDEN: As you wish. Marvin
4 Thomas, would you please come forward? Thank you.

5 MR. THOMAS: Are you ready?

6 MS. OGDEN: I am. Mr. Thomas, you
7 have five minutes.

8 MR. THOMAS: I'm taken back a bit
9 since you are not accepting questions this evening,
10 so these are comments.

11 This is a quality of life concern.
12 And all too often our community has to defend our
13 need and right to live free of pollutions that cause
14 cancers and other life-threatening diseases.

15 Not too long ago, a state-of-the-art
16 recycling facility, Peninsula Compost, began
17 operations. The community was assured their
18 operations would not adversely affect residents.
19 But after three years, the operations not only
20 affected residents closest to the facility, but the
21 communities directly in the City of Wilmington were
22 affected by the foul odor from the facility.

23 And no thanks to the Department of
24 Natural Resources and Environmental Control, the



1 state agency mandated to assure that no community is
2 adversely affected by industrial waste. The agency
3 has continuously failed to mandate.

4 I would hope that the application
5 process provides an opportunity for the companies to
6 build a relationship with the communities. Even if
7 the communities ultimately rejected what the
8 companies were requesting, the process, itself,
9 should allow that to happen.

10 On page six of your application, page
11 two of six, the dust control devices, there are a
12 dozen devices identified on that page, and you have
13 selected the bag. Let's hope that the bag is the
14 most effective way of controlling the dust, even
15 though there are a dozen there.

16 Also, the truck route. You mentioned
17 that the truck route -- the truck would not be going
18 through residential areas, but on page three of your
19 report -- of your application -- it looks like you
20 are proposing from 495, to get to I-95, you are
21 going through Fourth Street, King Street, Martin
22 Luther King Boulevard, which are residential areas.

23 So the only other thing is I don't
24 know the date for their operation to begin. And



1 have they received all of the regulatory approvals
2 that are necessary? Thank you.

3 MS. OGDEN: Thank you. The next
4 speaker is Caleb Jervay.

5 MR. JERVAY: Good evening.

6 MS. OGDEN: Good evening.

7 MR. JERVAY: Originally I was not
8 going to speak until I heard the presentation. And
9 since we can't ask questions, which is interesting,
10 I would just make some comments about concerns that
11 I have heard just from this presentation.

12 Like the gentleman before me, I'm
13 concerned about the truck route also. If they do
14 not use the truck routes that he mentioned off of
15 495, and you are going to 95, it has to go through
16 Terminal Avenue, which is residential, or some other
17 residential area.

18 And in the past the companies may not
19 consider going through the neighborhoods, but the
20 drivers, themselves, to save time and for
21 convenience, deviate from the way they are supposed
22 to go. This has happened with other companies
23 transporting materials to and from the port.

24 I have a concern about -- and this is



1 internal, and it's only concerning you, about your
2 employees' safety working in that environment. And
3 what kind of safety do you provide for the
4 employees? They are working in dust.

5 I remember years ago people working
6 with asbestos thought it was safe until later on
7 they found out that it was not.

8 And is this automated or human
9 function, you know, as far as the process of
10 deliberating and collecting the dusts, this, that,
11 and the other? That's for your company to consider.

12 But considering the employees, my
13 concern is she said that this is going to provide
14 increased employment for Delaware. I would like to
15 know personally the process that people can apply
16 for positions at your company. What are the
17 requirements? Will you train those who are
18 unqualified, et cetera?

19 And you mentioned -- this gentleman
20 mentioned if there was a spill. What's considered a
21 spill? And if it's in a closed system, where is the
22 spill going to happen? How do you contain that
23 spill?

24 I worked in industry for years, and a



1 spill was important, especially if you are dealing
2 with something that concerns the health and safety
3 of biological creatures.

4 And I will look up the other stuff
5 online. Thank you.

6 MS. OGDEN: Thank you very much.
7 Mr. Willis, did you want to speak?

8 MR. WILLIS: No.

9 MS. OGDEN: You crossed it out, so I
10 just wanted to make sure. Sandra Smithers?

11 MS. SMITHERS: Good evening. When I
12 came in, the Department said there were no
13 questions, so I will just change my questions and
14 comments.

15 First of all, I did not hear -- and
16 perhaps I missed it, but I don't think so -- what
17 would be the benefit to the communities surrounding
18 this company? That's extremely important.

19 Also, volatile organic compounds,
20 VOCs, recent research indicates that VOCs are as
21 dangerous a pollution as auto emissions. This is
22 research that's been recently done.

23 So we are in an extremely polluted
24 environment. The community surrounding this area



1 are highly polluted. The cancer rates are far above
2 those in comparable areas and in Greenville, which
3 is the standard, or Hockessin.

4 So there are going to be additional
5 volatile organic compounds released into the
6 environment? It would seem to me that that would be
7 a major concern.

8 I noticed that safety and safer,
9 stronger, and long-lasting products are a concern
10 for the company. But there was no mention about the
11 concern about life, the environment for the
12 communities surrounding this company. That's
13 extremely important.

14 How -- my question would have been --
15 and then I will make a comment: I didn't hear
16 anything about the failsafe procedures for a spill.

17 And I think other things have been
18 mentioned. But the control of speed, we can say
19 that speed, the trucks' speed will be controlled,
20 but there is no way to guarantee that any truck
21 leaving the facility will have its speed controlled
22 unless those controls are associated with the
23 trucks, and I don't think that's going to happen.

24 So these are the things that I am



1 extremely concerned about, because this is an
2 extremely polluted area.

3 We have cancer clusters up in
4 Delaware Route 9 corridor. And to have another
5 company come in even saying that there are minute
6 amounts, when you have nitrous oxide or sulfur
7 dioxide being emitted into the environment, in
8 addition to all of the other pollutants that are
9 found along the Route 9 corridor, considering the
10 cancer clusters that we have and the other health
11 considerations, this has not been at all spoken to,
12 and the community needs to have that done. Thank
13 you.

14 MS. OGDEN: Thank you very much.
15 Marie Reed?

16 MS. REED: I want to thank you for
17 allowing me to speak this evening. I am the
18 president of Southbridge Civic Association.

19 Walan Specialty Construction
20 products, a slag grinding, drying, and processing
21 facility, which is permitted to emit nitric oxide,
22 sulfur oxide, and carbon monoxide to the
23 environment, which is also associated with the
24 following health and environmental impacts:



1 Nitrogen oxide can cause and
2 contribute to a variety of health problems and
3 adverse environmental impacts, such as ground-level
4 ozone, acid rain, global warming, water quality
5 deterioration, and visual impact.

6 Affected populations include
7 children, people with lung disease, such as asthma,
8 and exposure to these conditions can cause damage to
9 the lung tissue for people who work or exercise
10 outside.

11 Sulfur dioxide, in high
12 concentrations, can affect breathing, may cause
13 excessive respiratory and cardiovascular disease.

14 Sensitive populations include
15 asthmatics, individuals with bronchitis, emphysema,
16 children, and the elderly.

17 It is also primarily contributed to
18 acid deposition and acid rain. Carbon monoxide can
19 cause harmful health affects by reducing oxygen
20 delivery to the body's organs and tissues,
21 as well as adverse affects on cardiovascular and
22 central nervous systems.

23 It can also contribute to the
24 foundation of smog, ground-level ozone which causes



1 respiratory conditions. Now, tell me, Walan
2 Construction, how will this support our community?
3 Thank you.

4 MS. OGDEN: Thank you. Councilman
5 Street? Oh, I'm sorry.

6 MS. HERRON: I wasn't planning to
7 speak, but is it okay?

8 MS. OGDEN: Of course. And your
9 name, please?

10 MS. HERRON: Hi. My name is
11 Stephanie Herron. I'm a member of the Delaware
12 Concerned Residents for Environmental Justice.

13 And we came to support our friends
14 from the Route 9 Civic Association and the
15 Southbridge Civic Association.

16 And I also had a few questions, but I
17 know that you don't want to respond to questions,
18 which is fine, so you don't have to respond.

19 The Delaware Concerned Residents for
20 Environmental Justice's mission is to inform and
21 empower communities to take action to protect the
22 fundamental right to clean air, clean water, land,
23 and food.

24 One thing that I noticed in your



1 presentation, which I thought was very informative,
2 was that you said, "We always perform with
3 consideration for the health of our employees,
4 partners, and customers."

5 And I think that that's great. But
6 there wasn't any mention in your presentation of how
7 you performed in protection of your neighbors.

8 And given what we have heard from
9 other folks who live nearby, I think that that's
10 pretty important, especially given that folks who
11 live in these areas were recently identified in a
12 2017 report by the Union of Concerned Scientists to
13 have cancer risks that are 12 to 33 percent higher
14 than Delaware's average, and respiratory risks that
15 are 24 to 71 percent higher than Delaware's average.

16 The culprit, the number one culprit
17 that was identified in the report was car and heavy
18 truck traffic, and particularly Formaldehyde,
19 benzene, and acetaldehyde -- I don't know how to
20 pronounce that one -- acetaldehydes from truck
21 traffic.

22 So, given that your facility, which
23 would have a lot of increased trucks, tonight there
24 weren't specifics in your presentation, so I'm not



1 sure exactly how many tanker trucks you expect to
2 come in and out every day; or if the emissions or
3 the expected emissions from those tanker trucks, are
4 those included in the air permit?

5 That's another thing that I had a
6 question about. And then, also, I heard you say
7 that you have a plan in place to make sure that the
8 trucks stay out of residential areas.

9 But, as we heard, a lot of that area
10 nearby is residential, and it would be pretty
11 difficult to get in and out without going through
12 any residential areas.

13 And, further, a lot of these
14 pollutants that come from especially heavy truck
15 traffic are regional pollutants, and they don't just
16 stay in the one little, you know, square foot where
17 they are emitted.

18 So, given the already very high
19 impacts from cumulative impacts from multiple
20 polluting facilities in the area, I think that it's
21 extremely important that every new source be really
22 analyzed and looked at in the context of the
23 pollution from other sources in the area, because
24 folks who are living nearby aren't only being



1 exposed to pollution from one source individually at
2 a time. There is no sections in their lungs. So
3 these pollutants are mixing together and having
4 affects on people's health and quality of life, as
5 we have heard.

6 And then the other -- I'm sorry. I'm
7 looking up the report right now. And the other
8 thing I wanted to note that I think is a pretty
9 shocking and upsetting, particularly to residents of
10 these seven communities, including Southbridge,
11 Oakmont, Dudley, which are very nearby to the site
12 make up only one percent of Delaware's overall
13 population but are located near more than 35 percent
14 of the state's polluted sites.

15 So, again, this isn't anything
16 specifically, you know, negative to your project,
17 but I think that you really need to take into
18 account the fact that there are multiple cumulative
19 impacts of many different things impacting this
20 community, and that it's really not appropriate to
21 look at things with this silent view, because that
22 isn't how people live.

23 So thank you for the opportunity to
24 comment.



1 MS. OGDEN: Thank you. Is there
2 anyone who hasn't signed in or has changed their
3 minds and would like to comment?

4 MR. WILLIS: Yes.

5 MS. OGDEN: Mr. Willis?

6 MR. WILLIS: Let me explain I may be
7 mistaken, but the one thing I didn't hear was hours
8 of operation.

9 I mean, is this going to be a 24-hour
10 a day, seven-day-a-week operation, is it going to be
11 just a nine to five? It's very important.

12 I attend a great deal of these public
13 hearings. This is the first time I have had one
14 where just comment only and not questions answered.
15 Thank you.

16 MS. OGDEN: Thank you. Councilman?

17 COUNCILMAN STREET: Thank you very
18 much for the opportunity. And I wanted to go last,
19 because I wanted to make the point that, if I'm
20 last, the record in this public hearing is you
21 haven't heard any support from the community for
22 this.

23 I have been a councilman now in my
24 fourteenth year. And during those 14 years, you, as



1 DNREC, have presented this community with factual
2 scientific records which make it clear that this
3 area has the highest cancer cluster rate in the
4 entire state. According to your records and what's
5 been presented to residents in Hamilton Park, you
6 are aware of the problem with ground contamination
7 that's documented by your records.

8 And in my 14 years serving with State
9 Representative JJ Johnson, we have fought off
10 Peninsula Compost; we have fought off the proposal
11 for fly ash in the Minguadale Landfill; we have
12 fought off and still fighting the ongoing request
13 for raising the height of the landfill in
14 Minguadale.

15 And the biggest complaints that I
16 have been getting over the past 14 years is truck
17 traffic, especially going through Hamilton Park and
18 Holloway Terrace. And this is just going to
19 exacerbate all of that and make it worse.

20 And nowhere else in the state that I
21 am aware of has, by law, heavy industry been allowed
22 to occupy itself adjacent to residential areas. And
23 some of those situations would be outlawed now,
24 illegal by state rules and regulations, but existing



1 industries are grandfathered.

2 And so, even though they wouldn't
3 pass the merits of the law under state and county
4 rules now, to the extent that they are
5 grandfathered, this community continues to suffer
6 irreparable harm.

7 There is a letter in the record from
8 Mr. Smithers which I fully acquiesce. You should
9 have received a joint letter from State
10 Representative Johnson and I. We stand in
11 opposition.

12 And here is the harsh reality: You
13 all can do what you want to do, and we are going to
14 do what we have to do. And you let Peninsula
15 Compost go forward, and then we had to fill up
16 Roseville Community Center with several hundred
17 people. And I made it clear we were about to bring
18 class action litigation.

19 And the harsh reality is we are not
20 going to stand idly by and continue to take it.
21 This community is not going to continue to take it.

22 You have presidents of civic
23 associations here who represent people. And I
24 represent the people who live on the Route 9



1 corridor. I don't represent Southbridge. But
2 Mr. Thomas's remarks has made it clear that truck
3 traffic going through Southbridge and then having to
4 go up Fourth Street.

5 Well, when you get over that bridge
6 at the end of Fourth Street, I represent everything
7 down off that entire area up to 495. So, in that
8 regard, I'm also speaking as a person representing
9 half the city.

10 This is just a matter of fundamental
11 unfairness, and I believe that you have a
12 responsibility to see to it that the things that
13 this community has had to endure, really over the
14 last 50 years, cannot and should not continue.

15 At the end of the day -- and this
16 cliché is older than I am -- if you ain't part of
17 the solution, you're part of the problem.

18 MS. OGDEN: Thank you.

19 Everyone has spoken who intended to?
20 At this time we will close the record on public
21 comment, and we will close the hearing.

22 I would like to thank you all for
23 coming, and I do appreciate your time. Thank you
24 very much. (6:47 p.m.)



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CERTIFICATE

I, Lorena J. Hartnett, a Notary Public and Registered Professional Reporter, do hereby certify that the foregoing is an accurate and complete transcription of the proceeding held at the time and place stated herein, and that the said proceeding was recorded by me and then reduced to typewriting under my direction, and constitutes a true record of the testimony given by said witnesses.

I further certify that I am not a relative, employee, or attorney of any of the parties or a relative or employee of either counsel, and that I am in no way interested directly or indirectly in this action.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office on this 29th day of April 2018.



Lorena J. Hartnett
Registered Professional Reporter

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