

**COMMUNITY INVOLVEMENT ADVISORY COUNCIL**

**MEETING MINUTES**

**JUNE 21, 2011**

**SMYRNA AREA REST STOP**

**Members Present:** William Pelham, Robert Frederick, La Vaida Owens-White, Brian Lewis, Marvin Thomas and Harold Truxon.

**Members Absent:** Bruce Allison, Douglas Corey, Dr. Bethany Hall-Long, Dr. Jay Julius, and Pamela Meitner.

**I. Meeting Called to Order**

Chairman Pelham called the meeting to order at 9:36 a.m.

**II. Meeting Protocol Review**

The protocol was mentioned in as evidence on the backside of the member's nameplates.

**III. Review/Approval of Meeting Notes**

The meeting minutes of April 19, 2011 were reviewed and some additions and deletions were made.

**MOTION was made by Mr. Frederick to approve the minutes with the changes and a second was made by Mr. Truxon. All in favor and the motion carried.**

**IV. Community Environmental Project Fund**

**2010 CEPF Report**

**Mr. Brunswick** said he will complete the 2010 report by the end of the week. All the 2010 projects have been completed except for Edgemoor Revitalization which sought job training, employment and energy efficiency training workshops. The project was hindered due to demands on the Energy Office staff and resources that were required to restructure the Weatherization Assistance Program. The revisions in the program involve new training and certification of contractors and workers. The Energy Audit inspections of all the homes are now required to determine the priority weatherization measures for each home. All of the new 2010 work on the program has been suspended to make corrections on work that was done improperly. So, as a result we will have to revisit whether the project can be revised to focus on other issues like the energy efficiency workshops, etc.

**Ms. Owen's White** commented there seems to be a lack of communication between the people of the Weatherization Program and communities which has resulted in some confusion.

**Mr. Brunswick** said that outreach to homeowners and contractors were his responsibility for a while. It was difficult to communicate effectively while the Department was trying to determine exactly what went wrong. The Edgemoor Community residents were to be trained by Local Union 55, but the Union could not train new workers when the graduates of its' previous training program were not finding employment. As a result, Local 55 decided it did not make sense to continue training when existing members could not find employment.

**Mr. Thomas** asked what impact does this have on the \$25,000 we gave to the Edgemoor community. If the program is in limbo, should we try to find out what is going to take place.

**Mr. Brunswick** said that we will have to consider an amendment or extend the project. He said the Weatherization Program has received approval from the US Department of Energy for new program standards and for correcting the work on about 1,200 home and it might be possible to go forward in the coming year.

**Mr. Pelham** suggested that something be sent out to the public to explain what happened.

**Mr. Brunswick** said James will ask the new Weatherization Program Director, Phil Cherry, for an update and James will give a report to the Council at a future meeting. The new contact person is Cordelia Leatherbury and she can be reached at 735-3580.

## **2010 grants**

**Mr. Brunswick** said the 2010 Grants were submitted to Fiscal and are now with the Division of Accounting. Several projects have been submitted for Purchase Orders; the Clean Air Council, the Delaware Museum of Natural History, and the Delaware Ecumenical Council projects.

The Delaware Transit Authority's Deputy Attorney General has asked for a Memorandum of Agreement for the Route 25 extension project rather than our standard Contract for Professional Services. MOA's are the standard practice for agreements between state agencies. He will be meeting with Bob Zimmerman soon to review the draft MOA and get it out to the Delaware Transit Authority.

Duffy's Hope Inc., the urban agriculture project, is in the process of working with the City of Wilmington to acquire a site for their garden. Once that is done and a formal agreement with the City of Wilmington is made, the contract will be drawn up. The Division of Parks and Recreation project sponsor for the Friends of Lums Pond project has delayed the development of that contract to address a few more pressing issues right now. The DNREC Restoration project is still under review by the Secretary.

## **Community Ombudsman Report**

### **Southeastern Rural Community Assistance Program (SERCAP) Board Appointment**

**Mr. Brunswick** said David Small gave him approval to assume Mr. Truxon's seat on the SERCAP Board. This position allows him to leverage resources and training for wastewater and drinking water systems in low income rural communities. SERCAP has funding and training programs from the US Department of Agriculture, the US Department of Health and Social Services and Housing and Urban Development that can be matched with the Department's resources. Working collaboratively with other agencies is a good strategy to meet the needs of small communities. The work in Slaughterneck is one good example. The Town of Slaughterneck is pursuing a USDA grant to conduct an engineering study to assess the feasibility of a small drinking water and wastewater system. If it is determined to be feasible, the project could qualify for funding from DNREC's Financial Assistance branch for construction.

Taking the collaboration a step further, we will have to engage Sussex County government. The hope is to bring in as many communities as possible to spread the costs among more residents. The follow up meeting will involve Sussex County Council woman, Joan Deaver. There may be several new subdivisions under developments in the Slaughter Neck area. There are rumors of one with 165 units, and another with 330 units. Mr. Truxon mentioned that Bay Health wants to expand and a new hospital might be built on nearby Route 1. Sussex County has passed ordinances in Jimtown and Pinetown that require developers to contribute to the cost of new drinking water and wastewater systems. So, if communities can be in a position to negotiate with developers, and bring new subdivisions into the project they would all make the systems more affordable to low income communities.

### **Trinity Trucking DuPont Company Coastal Zone Program Offset Agreement**

**Mr. Brunswick** said that Dupont Edgemoor is providing a \$225,000 Coastal Zone Offset to fund the construction of alternative power units for Trinity Trucking at New Castle Avenue and Rodgers Road. Trinity Trucking services refrigerated tractor trailers that service Dole Banana and other companies at the Port of Wilmington. The company uses diesel generators to keep the refrigerated trailers running. This creates diesel exhaust exposure to the surrounding communities and the problem is worst when the port is closed for the weekend. This funding will pay for the installation of electrical power to the trailers that eliminate the use of generators. Trinity Trucking anticipates they will need 25 electrification units and they will pay the cost share if any additional funding is needed.

Trinity Trucking will require the trucks that park there to plug into the electrical units and the permits will be established by DNREC. The next step will involve a joint permit hearing with DNREC's Coastal Zone Act Program and the Air Quality Division. The Clean Air Council under the CEPF Diesel Difference project will receive and administer the project funds under an MOU that is being developed with the Division of Air Quality.

**Mr. Pelham** asked why the CZA program is involved.

**Mr. Brunswick** answered that E.I. DuPont de Nemours Company had reached an agreement under the Coastal Zone Act to offset the generation of about 16 tons of Nitrogen Oxide that is generated by two new boilers at the DuPont Edgemoor plant. This project will result in reductions 1.3 times the amount of NOx and SOx. There are going to be additional reductions in particulate matter and carbon monoxide.

**Mr. Thomas** asked if DNREC monitors and assures that companies like Dupont are within the air emissions limits.

**Mr. Brunswick** answered that the Division of Air Quality has an ongoing state-wide air monitoring network, and that it conducts regularly scheduled compliance inspections. Companies are usually required to report any releases that exceed the amounts allowed under their permit agreements.

**Mr. Pelham** asked if the Council could get a sample report from Dupont.

**Mr. Brunswick** answered that the Council could ask Air Quality and CZA to come to an upcoming meeting.

**Mr. Marvin** asked if the contributions made by the three companies to South Bridge Association would cover their offsets.

**Mr. Brunswick** answered that under the Coastal Zone Act there would have to be a certification of the environmental benefits created by the agreement to maintain or plant trees.

### **Brownfield Program Initiatives**

**Vandever Avenue Civic Association** has entered into an agreement with the Brownfields' program to remediate pollution to allow for the construction of a playground. The site for the playground was once a drycleaners. Under the Brownfields' agreement, the lot has to be cleaned up and then the Civic Association will take possession of the property.

### **Thomas Edison School**

Thomas Edison School is located in the Old George Gray School site. The school would like to clean up an adjacent contaminated lot for use as a recreational area. The school has entered into a 99 year lease agreement with a non-profit organization that owns the lot. This has complicated the potential brownfields development agreement, because our Brownfield's regulations prohibit owners or any group affiliated with them from benefitting from a brownfields agreement. The Brownfields Program Administrator, Jim Poling has asked the lot owners to submit an application. He is going to research the project to see if there is some way of avoiding the conflict of interest that is created by their lease agreement.

## **Southbridge Urban Agriculture**

This is an Association of African American doctors who are exploring three lots in the brownfields inventory in the Southbridge area to develop as an urban agriculture project. The project would eventually provide low cost fruits and vegetables to meet the nutritional needs of the surrounding community. There has been an initial meeting with DNREC and the group will be meeting with the Delaware Economic Development Office.

**Mr. Brunswick** said as a result of funding for the DE City pilot bus services, DART will present an award to the Secretary on Wednesday.

### **V. April 19, 2011 DNREC Secretary Invitation**

**Mr. Pelham** said he wants to put some issues to rest and move forward. He had a conversation with Dave Small, Deputy Secretary, who promised to be at the Council's August meeting. One of the issues was the Secretary's decision to not fund the Aerospace project before the council received an audit and made a recommendation. As a result of the issues and the discussion at the last meeting the Council decided to ask the Secretary to come and talk to us.

**Mr. Brunswick** said he referred the Aerospace project to the Energy Office. The Energy Office is a more appropriate source of funding support than our CEPF fund. The Secretary was concerned with the demand that funding for the project would create on the CEPF

**Mr. Pelham** asked if the Secretary has funded a similar project.

**Mr. Brunswick** said that Delaware is a partner with six other states in the Regional Greenhouse Gas Initiative (RGGI). Under RGGI the Energy Office generates funding for these kinds of projects from the sale of tax credits and was the more appropriate place for that sort of funding than CEPF funds. Because the Aerospace site is in Kent County, they are also eligible for \$25,000 from the DE Electric Cooperative.

**Mr. Pelham** said the other issue was DNREC's establishing a reserve fund from the CEPF funds for the Ombudsman annual salary. That issue was discussed at a meeting last year. Ms. Meitner made a motion at that time to allow the ombudsman's salary to come from the CEPF monies.

**Mr. Pelham** also said that House Bill 197 has been proposed. The Bill is different in that there is a specific dimensional requirement of whether the project is close enough to the point of violation. Representative Longhurst and Senator McBride forget that Delaware is very small and only 35 miles wide and most everything that occurs in one place effects the rest of the state.

**Mr. Brunswick** said the way the council was allowed to consider other areas because of air violations would make up 75 percent of the violations. Air transport and pollution rarely remains in one area. Many communities have argued they are impacted by air pollutions. HB 197 would restrict any funding of project 10 miles or more from the violations and this would largely impact Kent and Sussex County.

**Mr. Pelham** said that at the northern end of the state the 10 miles accounts for most of New Castle County. Some may argue that since air is the biggest culprit, the wind moves from the Northwest. The wind actually moves from South East in the majority of days at 12 miles an hour. He said he thinks this kind of legislation narrows our focus and will cause problems. He also said the council has had imaginative projects to fund from all over the state which helps the whole state to become environmentally sound. This bill will leave out a lot of communities and neighborhoods.

**Mr. Brunswick** said the bill will be discussed tomorrow at noon at the meeting of the Natural Resources and Energy Committee in the House chambers. James was asked by the Secretary to provide comments for his review before the Department's comments are passed onto the Governor regarding this bill.

**Mr. Frederick** made a motion that SB197 that pollutions know no boundaries this bill would adversely affect Kent and Sussex Counties by placing unnecessary obstacles for the citizens in Delaware to receive funding for environmental projects. An email with this motion should go to the Legislatures and cc the Secretary.

**MOTION was made by Mr. Frederick with a second by Ms. White. All in favor and the motion passed.**

## **VI. Open Forum**

There will be two vacancies on the Council in October. Dave Small is working with Lydia Prigg from the Governors' office to fill them.

## **VII. Adjournment**

**MOTION was made by Mr. Frederick to adjourn the meeting with a second by Mr. Truxon. All in favor and the motion passed.**

**Respectfully submitted,**

*s/Gail L. Henderson*

Gail Henderson  
Administrative Specialist II, DNREC

*The notes of this meeting are not intended to be a verbatim record of the topics that were presented or discussed. They are for the use of the Community Involvement Advisory Council members and the public in supplementing their personal notes and recall of presentations.*