

CIAC MEETING

OCTOBER 19, 2010

SMYRNA AREA REST STOP CONFERENCE ROOM

Members Present: William Pelham, Jay Julius, Pamela Meitner, La Vaida Owens-White, and Bruce Allison. **The Quorum was not met.**

Members Absent: Douglas Corey, Robert Frederick, Dr. Bethany Hall-Long, Brian Lewis, Marvin Thomas and Harold Truxon.

I. Meeting Called to Order

Mr. Pelham called the meeting to order at 9:41 A.M.

II. Meeting Protocol Review

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

III. Approval of Meetings Minutes

MOTION was made by Ms. Meitner with a second by Mr. Julius to approve the meeting notes of August 17, 2010 with a few grammatical changes. All in favor, and the motion passed.

IV. Community Ombudsman Report

I. Weatherization Assistance Program

Mr. Brunswick stated an audit of the old program found a number of issues that will need to be corrected. DHSS inspected 1,300 homes and evaluated the work that was completed. The program was administered by statutory contracts with sub grantees. James is the liaison with the contractors, the homeowners and First State Community. Some of the homeowners were not happy with the work that was done to prepare for the inspections. DNREC is identifying resources that are available. There is \$5 million for weatherization going forward. The new program elements are to restructure the contractual relationship between DNREC and the sub grantees including more decisions being made at the local levels and more accountability by DNREC with sub grantees. The sub grantees will also have to bid on both labor and materials costs for every job.

Over the last two years, the Energy Office has developed higher efficiency standards. All employees who are on the job in an owners' house will require certification. DNREC will invest \$1 million in mandatory training for all contractors' employees. The DHSS staff is not coming over to DNREC so DNREC has been forced to make staff changes. Mr. Brunswick met with DHSS about their healthy homes initiative in which they assess homes for moisture and mold. They want to develop a program to train people affiliated with the community centers to do energy efficiency training. They might incorporate energy efficiency training like the UOD used when working with the people settlement

which resulted in a 35 percent reduction in energy costs for homeowners. There is currently a joint grant application between DHSS and DNREC to develop the training program. Businesses can create energy savings by developing an energy efficiency plan for an entire neighborhood. Under the PACE model, municipalities can float a bond that would finance a low interest loan energy efficiency within their principalities. The PACE model works like the green energy savings. They would fund one model for savings of utility costs. Homeowners would agree to pay at the same rate of current energy bills and the difference goes back to the payment of the loan. One of the keys is to figure out the financing models that low and moderate homeowners could take advantage of. There are many ways for the council to be involved in energy efficiency homes. The CIAC supports pollution mitigation which could be used for energy efficiency.

Mr. Pelham stated he does not feel that the legislature's intent was for energy efficiency.

Mr. Brunswick said he will continue working with the weatherization program and going forward with the development of the new program.

2. Community Environmental Project Fund

The CEPF workshops are scheduled for November 3, 2010 at Lukens Drive and November 8, 2010 at DNREC's auditorium both beginning at 7 p.m. The workshops will be advertised in both the News Journal and Delaware State Newspapers. The funding deadline is January 16, 2011.

Clean Air Council Diesel Difference

Mr. Brunswick said one of the changes was to shift the remaining fund to create a diesel difference program. A new contract was issued for the remaining balance. A meeting of the diesel difference group was held on September 27, 2010 with the goal to reduce diesel emissions. In attendance were representatives from the EPA, Dept. of Public Health, DE City Coalition, Bay Shore Ford, Wilmington Tub, Delmarva Power, Auto Port, DELDOT and Chesapeake Utilities. There is a second meeting scheduled for October 26, 2010. Many of these companies are focused on retrofitting their fleets for all kinds of energy efficiency models. Jim Black will be bringing one of the hybrid bucket trucks to the next meeting. The diesel difference working group is not just looking at diesel, but the move to alternative technologies. One of the major problems of the collaborative project was the exhaust from transportation and diesel engines. There will be one more meeting with the DNREC's Air Quality Branch who has done inspections of all facilities in south Wilmington and New Castle for fugitive dust. They invited companies to come to the meeting so they could ask them to agree voluntarily to permit conditions with cameras to monitor dust issues. The Air Quality Branch has suffered a 40 percent reduction in enforcement officers and as a result, they asked facility operators to fund the replacement of cameras like the ones the Department uses to monitor illegal dumping.

Ms. Meitner stated that the council had given grants to work on fugitive dust and she is concerned that this is not a good thing to be involved in. If a project does not spend all the monies, it should go back into the fund and be reallocated through the competitive process. Organizations can purposely under spend just so they have money left over to spend on different projects. She urges the Secretary and the council not to do this. Ms. Meitner asked for Mr. Brunswick to convey the council concerns to the Secretary.

Mr. Pelham said he agrees in principal but there can be exceptions.

Mr. Pelham asked if there was any reason why Mr. Brunswick could have come to the meeting and provided additional information from Clean Air Council rather than going directly to the Secretary.

Mr. Brunswick said it could have been done but would have delayed the process and forced the project into another year. He said he does meet with the Secretary or Dave Small to express the councils concerns.

Mr. Pelham asked if there is any monitoring equipment on the Southbridge sites with the fugitive dust problem that sample the air in a regular scientific way.

Mr. Brunswick said that Air Quality receives funding to do monitoring and most recently to monitor for hazardous air pollutants in that area. Regular monitoring is very expensive and man intensive. Air Quality knows there are issues throughout the whole state and but has a limited budget and limited staff.

Terry Brixen an Air Quality environmental scientist said that regular monitoring costs hundreds of thousands of dollars per year and some of the technology has not been developed yet.

Mr. Brunswick said there were two air monitoring sites in Claymont which resulted in a Secretary's Order. The equipment was leased by Global Community Monitoring. Volunteers have to be trained on a regular schedule and they could not sustain the volunteer monitoring. He also met with civic associations to check for interest in monitoring but may have to close the project down. The Delaware City Citizen Group is interested in monitoring and is doing surveys between communities to compare.

Mr. Pelham said DRNEC should pay for the equipment to be set up and to protect people living there.

Mr. Brunswick said there is continuous monitoring state wide.

Ms. Brixen stated there are very specific monitoring sites because of the strict federal guidelines and it is very hard to get funding and staff.

Mr. Pelham said the council has spent a lot of time on fugitive dust in that area.

Mr. Brunswick said there is still some work as a result of the project that is under way. Mapcos did a projection on the exposure of residents of diesel exhaust. They are working to reroute the traffic. There is another project with the Port of Wilmington which proposes a new staging area for the fleet vehicles that service the Port and arrival time intervals without idling. Wilmington Tug wants to look at the possibility of retrofitting tugs and fazing them out. Mr. Brunswick had a meeting on October 16, 2010 with AMTRAC, DART, and the Port of Wilmington where they focused on retrofitting their fleets.

The Nature Conservancy

Debbie Heaton said their project has been completed and they were able to match contributions with donors back in July and August. They saved twenty nine acres of farm and forest lands from residential development and the land is protected forever.

Mr. Julius asked if they are looking at purchasing more land.

Ms. Heaton said there always are looking in to more land, but they are not currently working on a new project with the CIAC. They do not know what is on the horizon.

DE Ecumenical Council

Mr. Brunswick said the DE Ecumenical Council asked for an extension at their last meeting and submitted their final report. The extension was to conduct an air quality education program, address air quality projects, ground level ozone, and carbon dioxide sulfur oxide. They discussed air quality problems in workshops and informed communities of the health problems of poor air and the impact on the environment. They also want to train people on how to respond on the poor air quality days. They published two booklets on air quality and environmental health and distributed them to 506 people, 52 child and day care centers, and 51 senior citizens centers. They also trained 174 clergy and lay leaders.

Asthma Action Project

Mr. Brunswick said the Asthma Action Group consists of a core group of 5 volunteers to monitor the whole year. They then lost 3 of the 5 people and were not able to sustain the project. He spoke with Denny Larson about finishing the project. Mr. Larson is developing a report of the project.

3. California Air Board Conference Call

Mr. Brunswick had a conference call with the California Air Board about air monitoring projects. The California Air Board had community groups on board and members of county boards were interested in our Ombudsman and CIAC program. They were looking for ways to develop a funding model. They set aside a portion of money from penalties to continue to fund air monitoring projects. Hamilton County will train residents in a community to do air monitoring and provide equipment and the Dept. of Environmental Protection will pick up the samples, analyze them and publish the results of the air sampling. They are looking to replicate some monitoring and target communities in hot spots. They want to use some penalty funds to purchase air monitoring equipment, train residents, and work in conjunction with communities. They want to respond to problem issues, identify pollutants, and work directly with facilities to reduce pollutants. They asked for copies of the enabling legislative for the CIAC penalty fund and council.

V. Southeast Regional Community Assistance Partnership (SERCAP)

Ms. Campagnini said that in 1990 the Town of Ellendale wanted to improve their water quality and wastewater but were unable to sustain and implement a wastewater distribution system on their own. The Town asked for extensive testing of their wells or for Sussex County to expand their water distribution. Over the past year the Office of Drinking, the Office of State Planning, DNREC, and Artesian determined the funding sources, the service area, and the user cost. They made their decision based on the reports of what would be affordable and decided to incorporate the annex areas of Ellendale and the areas outside of the sewer. Their proposal was for a water system at the rate of \$32 a month per citizens.

The project would be completed in two phases at a cost of 3.6 million dollars to the Office of Drinking Water. They will include the annex areas at no cost to Ellendale for the capacity element. There will be storage tanks with deep monitoring wells. Artesian will train residents on how to sustain their own treatment. Artesian has the water rights for this area. They had to update their charter and the Governor certified their long range plan. They will provide workshops and training to help residents see the connection

between drinking water and wastewater. They will help people get new wells and new septics. Slaughter Neck residents came with concerns about contamination of wells with dioxide. They provided a public notice and replaced the day care center water well. They then tested along the water flow area and found no contamination of the other wells.

Mr. Brunswick said there was talk about a 45 home community that had wells and cess pools. There are actually 405 homes that have problems. They had a workshop to help people to apply for loans to replace their cesspools.

Mr. Pelham asked if Ellendale had asked for a grant from us.

Ms. Campagnini said that last fall they did not look for funding because they had already received funding from someplace else. They will be looking at it for the second phase of this project. The more funding they can get, the more they will be able to expand out and provide service to more people.il

Mr. Brunswick said by doing the outreach and gaining citizens involvement, community problems are identified on a larger scale which help in attaining federal, state and county funding.

VI. Open Forum

John Nicholas spoke on behalf of retired David Gates who wrote a report regarding repealing the regional gas initiative. Mr. Nicholas said that Mr. Gates also believes that global warming is a myth. Mr. Nicholas also said that DNREC will impact his electric bill. He said that 160 million dollars will be added to the homeowners electric bill from the installation of solar panels and windmills and that all costs should be listed as separate items in the bill. He also mentioned the possibility that bats are lured into turbines because of the spinning of the blades and as a result he demands that DNREC stop the operation of the turbine when the bats are active.

Mr. Pelham said the next meeting is on December 7, 2010. He also said that Mr. Corey has only attended 2 meetings this year.

Mr. Brunswick said that Phil Cherry is the staff person who reports to the Governor's Office regarding DNREC Boards.

Mr. Pelham asked that Phil Cherry send Mr. Corey a letter. He also said that Mr. Lewis works night shifts at the prison and made a request that we change the date and time so he can attend the meetings. Mr. Pelham asked about changing to the third Thursday rather than the third Tuesday.

Mr. Julius said the meetings should remain on Tuesdays.

Ms. Meitner said she has a conflict twice a year with Thursdays.

Mr. Pelham said the council should ask Mr. Corey if he could make every other Tuesday and look into replacing Mr. Corey.

Mr. Frederick said that Thursdays are fine with him. He agreed that the council should ask Phil Cherry to see about replacing Mr. Corey but the letter should come from Mr. Brunswick. The council was set up by the legislature for 11 members representing specific interests groups and businesses.

Ms. Meitner said that Statue may not specify the quorum requirements and if it does not then the quorum requirement could be changed from 6 to 5.

Mr. Allison asked if Mr. Brunswick had spoken with David Small about the legality of a conference call for a quorum.

Mr. Brunswick said it he was not clear about the legality of a conference call and he would speak with David Small.

Ms. Meitner suggested the council look into changing the quorum requirements.

VII. ADJOURN

The meeting adjourned at 11:42 a.m.

Respectfully submitted,

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.