

State of Delaware

Department of Natural
Resources and
Environmental Control

Division of Air Quality



*Annual
Title V Fee
Committee
Status Report*

Calendar
Year
2010

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**Title V Fee Committee Status Report
June 30, 2011**

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Introduction

Title V is an air pollution control program, based in federal law, designed to standardize air quality permits and the permitting process for major sources of air emissions across the country. The name "Title V" comes from Title V of the 1990 Federal Clean Air Act Amendments, which required that the U.S. Environmental Protection Agency (EPA) establish a national operating permit program. Accordingly, EPA adopted regulations [Title 40 of the Code of Federal Regulations, Chapter 1, Part 70 (Part 70)] which required states and local permitting authorities to develop and submit a federally enforceable operating permit program for EPA approval. As a result, the State of Delaware developed 7 **DE Admin. Code** 1130.

Section 502(b) of the 1990 Clean Air Act Amendments requires that all sources subject to the permitting requirements under Title V of the 1990 Clean Air Act Amendments pay an annual fee, sufficient to cover all reasonable (direct and indirect) costs required to develop and administer the permit program. These requirements were incorporated into 7 Del. Code Chapter 60, Subchapter VIII. These fees must be reviewed periodically (currently every three years) before the authorization expires to consider adjustments. In the State of Delaware, these annual fees cover both "Major Sources" and "Synthetic Minor" sources. EPA defines a Major Source as a facility that emits, or has the potential to emit (PTE) any criteria pollutant or hazardous air pollutant (HAP) at levels equal to or greater than the Major Source Thresholds (MST). The MST for criteria pollutants may vary depending on the attainment status and non-attainment classification (e.g. moderate, serious, severe, extreme) of the geographic area in which the facility is located. Sources may also elect to take voluntary limits to reduce their PTE to below the MST. These sources are called Synthetic Minor sources.

Although we do not anticipate the universe of Major and Synthetic Minor sources to change significantly in the near future, we do anticipate additional requirements based on regulating CO₂ as a Title V pollutant. Delaware revised Regulations 1125 and 1130 effective December 11, 2010. Delaware's revisions incorporate the requirements for the new threshold emissions levels required by a recently issued final federal rule, 75 FR 31514 "Prevention of Significant Deterioration and Title V Greenhouse Gas Tailoring Rule" (June 3, 2010). The compliance date is January 2, 2011. These regulation amendments will require affected facilities to comply with the Greenhouse Gas thresholds for major sources in accordance with the federal rules.

The Title V revenue is intended to ensure a stable level of support for the technically complex activities undertaken by the Department of Natural Resources and Environmental Control (the Department) to ensure both protection of human health and the environment and a reasonable level of service to customers seeking permits and other services. The services provided by the Department supported wholly or partially by this Title V fee revenue are summarized in a later section of this report called "Program Accomplishments" and include:

- Permitting activities;
- Compliance activities;
- Enforcement activities;
- Planning activities;
- Emission inventory activities;

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- Air monitoring activities;
- Small Business Ombudsman activities; and
- Other special accomplishments.

These activities and the fees required to support this work are consistent with the EPA guidance for Title V programs. This report is intended to provide a reasonable amount of accountability over those activities and the fees assessed.

Title V Fee Committee

Delaware Statute established the Title V Operating Permit Program Advisory Committee¹ (also known as the Title V Fee Committee) herein and specified that the membership of this committee include certain emitting business interests as well as members of the public and non-governmental organizations. The purpose or charter of the Title V Fee Committee is to assess whether the fees collected pursuant to 7 Del. Code Chapter 60, Subchapter VIII are adequate to ensure the effective implementation of the Program and to make recommendations to remedy or improve any deficiencies or elements of the Program.

The Title V Fee Committee has been operating for several years, and by working together, has expanded its scope to include renegotiating the Title V fee structure periodically prior to expiration to ensure that the financial needs of the Division of Air Quality and other Title V requirements are being met while the payment burden is distributed fairly across the Major Source and Synthetic Minor facilities. In order to do this, the Division of Air Quality estimated the cost of the Title V Program through a detailed Workload Analysis. The results of the Workload Analysis then set the basis for the total Title V revenue that needs to be collected annually for the next three years. Once the revenue target is set, the Title V Fee Committee works with the Major and Synthetic Minor Sources to determine how the fees will be distributed fairly. See <http://www.awm.delaware.gov/Pages/Title%20V%20Committee%20Information.aspx> for the Workload Analysis that was used during the 2008 round of fee negotiations.

The current Title V Fee Schedule, which was supported by the Title V Fee Committee, was presented to the Delaware General Assembly through House Bill 418. It was passed by the House on June 5, 2008, was passed by the Senate on June 19, 2008, and was signed by the Governor on July 3, 2008. This Title V Fee Schedule applies to Calendar Years 2009, 2010, and 2011. It can be found in 7 Del. Code Chapter 60, Subchapter VIII and is available at: <http://delcode.delaware.gov/title7/c060/sc08/index.shtml#TopOfPage>.

¹ 7 Del. Code Chapter 60 Subchapter VII § 6099 requires that the Committee "...include, but not be limited to, the Secretary of the Department of Natural Resources and Environmental Control, or the Secretary's duly appointed designee; the Director of Air and Waste Management, or the Director's duly appointed designee; 2 members who will represent stationary sources; 1 to be a member of the Chemical Industry Council; a member of the Delaware State Chamber of Commerce; a member representing a public utility; 2 members of a nationally affiliated or state environmental advocacy group; and the chairpersons of the House and the Senate Natural Resource Committees. The Secretary of the Department of Natural Resources and Environmental Control shall serve as the Chair of this Committee."

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The Title V Fee Committee was active in Calendar Year 2010 as we worked to develop a new fee schedule for Calendar Years 2012, 2013, and 2014. The Committee met as a whole on the following dates:

- May 13, 2010 – The Committee met to review the Calendar Year 2009 Title V Fee Committee Status Report and to discuss the path forward for developing the Calendar Years 2012 through 2014 Fee Schedule.
- October 28, 2010 – The Committee met to review the updated Workload Analysis and to begin developing the new fee schedule.

The materials for these meetings are available on the Title V Fee Committee website at: <http://www.awm.delaware.gov/Pages/Title%20V%20Committee%20Information.aspx>.

Title V Fees are billed annually in December for the next calendar year. Title V bills for Calendar Year 2010 were mailed in December 2009. Facilities can choose to pay their bill in one payment or in quarterly payments. If the facility chooses to pay their bill in one payment, it is due by February 1st. If the facility chooses to pay their bill in quarterly payments, the payments are due on February 15th, May 15th, August 15th, and November 15th. If a facility does not pay their bill, they will be sent three reminders. The third reminder is sent certified mail. If after the third reminder the facility still does not pay their bill, enforcement action will be taken.

Overall Program Costs

See Table 1 for a summary breakdown of Calendar Year 2010 Title V Costs.

Table 1: 2010 Title V Costs

Salary	\$2,175,548
Travel	\$2,092
Contractual	\$458,882
Energy	\$3,347
Supplies	\$9,815
Additional Support Services	\$598,621
Total	\$3,248,305

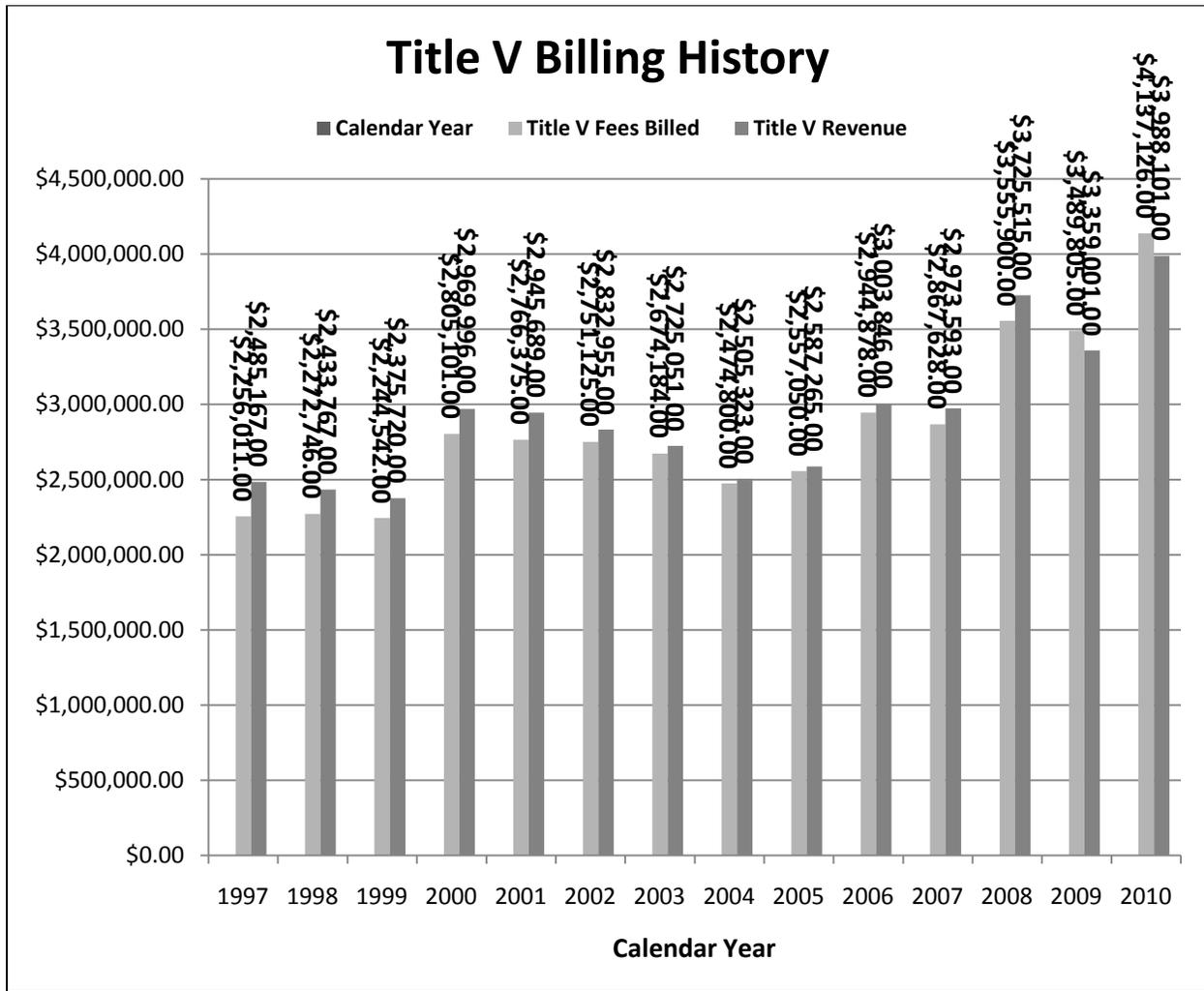
Note: The recent office relocation discussed in the workload analysis cost approximately \$26,000. This cost is reflected in the expenditures in Table 1.

Fees Collected

Title V fees are billed on a calendar year basis (January 1 through December 31), but are spent on a state fiscal year basis (July 1 through June 30). In addition, the calendar year revenue includes interest gained on the Title V account and quarterly payments made by some facilities that were billed in the previous calendar year but not paid until the current calendar year. This makes comparing revenue and expenditures difficult.

The total Calendar Year 2010 Title V revenue was \$3,988,101. See Figure 1 for a history of Title V billing and revenue since 1997.

Figure 1: Title V Billing and Revenue History



In 2010, 79 Synthetic Minor and 64 Title V facilities were billed. A total of \$4,137,126.00 was billed, however, as of December 31, 2010, \$3,938,101.00 was collected. Please note that the amount billed was significantly higher in Calendar Year 2010 as a result of non-payments from previous years. The difference of \$206,376.00 was the result of several non-payments and the quarterly billing collections. Some of these unpaid bills carry over from Calendar Year 2009. Any back fees that are collected in the future will be counted towards the 2011 revenue.

The Title V balance as of December 31, 2010 was \$2,517,945². Using this carryover balance, the total amount of Title V fees billed in 2011, and projected expenses and revenue losses, a Title V balance of \$2,782,474 is projected at the end of 2011. See Table 2 for this projection.

² Please note that this balance is an estimate. During calendar year 2010 the State of Delaware transitioned to a new accounting system called First State Financials (FSF). This transition has created some difficulties in obtaining an exact historical balance.

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Table 2: 2011 Title V Balance Projection

Description	Starting Balance	Revenue	Expense	Resulting Balance
2010 Carryover Balance	\$2,517,945			\$2,517,945
2011 Title V Fees Billed		\$4,246,198		\$6,764,143
2011 Unpaid Title V Bills		-\$559,864		\$6,204,279
2011 Projected Expenditures Based Upon 2010 Expenditures			\$3,248,305	\$2,955,974
Additional Department Overhead			\$100,000	\$2,855,974
Enforcement Salary Support			\$73,500	\$2,782,474
Projected 2011 Carryover Balance				\$2,782,474

Current Staffing Levels

The Division of Air Quality's end of calendar year 2010 staffing level was 91% and 6 positions were vacant. Department wide position reductions in 2009 decreased the Division's authorizations from 75 to 69 positions. Internal reorganization realigned several positions in and between the branches. See Table 3 for a breakdown of staffing levels in each branch within the Division.

Table 3: Division of Air Quality Staffing Levels

Branch	Authorized	Occupied	Staffing Level
Director's Staff	8.5	8.5	100%
Air Surveillance	13.0	12.0	92%
Engineering & Compliance	24.5	22.5	92%
Planning	23.0	20.0	87%
Total	69.0	63.0	91%
Temporary Positions	2.0	2.0	100%
Seasonal Positions	1.0	0	0%

During 2010 four employees separated from the Division and two additional employees were hired. See Table 4 for a list of hiring actions taken in calendar year 2010.

Table 4: Calendar Year 2010 Hiring Actions³

Date of Action	Name	Source	Position	Branch	Funding Source
12/30/2010	Koetas, Joseph	External	Eng II	Eng & Comp	Title V
12/30/2010	Walford, Richard	External	Eng II	Eng & Comp	Title V

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Program Accomplishments

Title V Permitting Activities

The Division of Air Quality is responsible for all permitting activities at Title V and Synthetic Minor facilities. In calendar year 2010, the following permitting activities were accomplished:

- 5 Title V Permit Renewals were issued;
- 17 Title V Permit Amendments were issued;
- 9 Synthetic Minor Construction Permits were issued; and
- 14 Synthetic Minor Operating Permits were issued.

The Division of Air Quality is required to issue Title V Renewal Permits within 18 months or 547 days of determination of receipt of a complete application as defined by 7 DE Admin. Code 1130. In calendar year 2010, the Division of Air Quality issued Title V Permit Renewals within 584 days of application receipt on average. The shortest amount of time to issue a Title V Permit Renewal was 525 days, while the longest amount of time was 632 days. In calendar year 2010, the majority of renewals issued were out of the 547 day timeframe. All of these renewals required significant rework from the original Title V permit. Many of the renewals included complex permitting activities such as, incorporation of enforcement actions or incorporation of new source review requirements.

As part of the Value Stream Mapping efforts for the Synthetic Minor permitting program, the Division of Air Quality has committed to issuing Synthetic Minor permits within 3.3 to 4.7 months or 102 to 145 days. A permit issuance range was chosen for Synthetic Minor permits because of the varying complexity of these permits. In calendar year 2009, Synthetic Minor permits were issued within 136 days from receipt and 95 days from the Technically Complete determination on average.

Title V Compliance Activities

Many Title V related compliance activities are undertaken by the Division of Air Quality each year. These activities include on-site compliance evaluations or inspections, stack tests and relative accuracy test audits (RATAs), and report reviews. In calendar year 2010, the following compliance activities were undertaken:

- 57 on-site compliance evaluations were conducted at Title V facilities;
- 62 stack tests and RATAs were conducted at Title V facilities;
- 175 report reviews were conducted for Title V facilities;
- 48 on-site compliance evaluations were conducted at Synthetic Minor facilities;
- 8 stack tests were conducted at Synthetic Minor facilities; and
- 6 report reviews were conducted for Synthetic Minor facilities.

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Title V Enforcement Activities

If the compliance activities described above indicate that a facility is not in compliance with requirements, the Division of Air Quality will pursue enforcement action against that facility. Enforcement actions may take the form of Notices of Violation, Administrative Orders, Consent Decrees or Agreements, or Stipulated Penalties. In some cases, the Department takes no further action depending upon specific circumstances such as whether the violation was self-reported, minor, isolated and corrected quickly. In other cases, the Department seeks and generally obtains substantial fines and penalties. For a complete description of enforcement activities, see the Department of Natural Resources and Environmental Control's "Compliance and Enforcement Response Guide" available at:

<http://www.dnrec.state.de.us/dnrec2000/Admin/Enforcement/Guide/CandEGuide.htm>. In calendar year 2010, the following enforcement activities were completed (please note that this does not include pending enforcement activities):

- 14 Notices of Violation were issued to Title V facilities;
- 1 Administrative Order was issued to a Title V facility;
- 5 Stipulated Penalty Demand Letters were issued to Title V facilities;
- 3 Consent Decrees were issued to Title V facilities;
- 8 Notices of Violation were issued to Synthetic Minor facilities; and
- 1 Administrative Order was issued to a Synthetic Minor Facility.

Title V Planning Activities

There are many planning activities associated with the Title V program. These activities include, but are not limited to:

- Preparing State Implementation Plan (SIP) revisions, including the extensive ozone, fine particulate matter (PM_{2.5}) and visibility SIPs, to ensure progress in attaining and maintaining ambient air quality standards and meeting visibility goals;
- Developing and maintaining comprehensive criteria pollutant and air toxics emission inventories; and
- Developing and maintaining air pollution control regulations in accordance with State and Federal requirements.

The Planning Branch of the Division of Air Quality accomplished the following Title V related planning activities in calendar year 2010:

- State Implementation Plan (SIP) Activities:
 - Supplemented its SIP that addressed the infrastructure requirements of the CAA relative to the 24-hour fine particulate matter (PM_{2.5}) NAAQS;
 - Continued to work with EPA, federal land managers, and other states in planning and analysis for the upcoming Regional Haze Program mid-course review SIP; and

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- Continued progress on local and regional planning issues for the 75 ppb (or lower) 8-hour ozone and 35 $\mu\text{g}/\text{m}^3$ 24-hour $\text{PM}_{2.5}$ SIPs that must be finalized and submitted to the EPA in the 2014/2015 timeframe.
- Regulatory Development Activities:
 - Amended 7 DE Admin. Code 1125, Requirements for Preconstruction Review, and 7 DE Admin. Code 1130, Title V Operating Permits Program, to conform to the requirements of a recent federal rule, 75 FR 31514, “Prevention of Significant Deterioration and Title V Greenhouse Gas Tailoring Rule” (June 3, 2010).
 - Adopted 7 DE Admin Code 1150, Outer Continental Shelf Air Regulations to control the emissions of outer continental shelf sources.
 - Amended 7 DE Admin. Code 1124, Control of Volatile Organic Compound Emissions by incorporating into Section 11.0 the requirements of an Ozone Transport Commission (OTC) model rule designed to reduce emissions from mobile equipment repair and refinishing operations.
 - Completed revisions to the following sections of 7 DE Admin. Code 1138, Emission Standards for Hazardous Air Pollutants by Source Categories:
 - Added a new Section 14 to cover emissions from area source miscellaneous parts or products surface coating operations.
 - Added a new Section 16, to cover emissions from asphalt processing and asphalt roofing products manufacturing operations.
 - Added a new Section 13 to cover emissions from paint stripping operations using chemical strippers containing methylene chloride.
 - Added a new Section 15 to cover emissions from motor vehicle or mobile equipment surface coating operations that spray-apply coatings which contain compounds of cadmium, chromium, lead, manganese or nickel.
 - Completed revisions to the following sections of 7 **DE Admin. Code** 1124, Volatile Organic Compound Reasonably Available Control Technology, based on federal Control Technology Guidelines:
 - Section 8.0, Handling, Storage, and Disposal of Volatile Organic Compounds (VOC).
 - Section 13.0, Automobile and Light-Duty Truck Coating Operations.
 - Section 16.0, Paper Coating.
 - Section 23.0, Coating of Flat Wood Paneling.
 - Section 37.0, Graphic Art Systems.
 - Section 45.0 Industrial Cleaning Solvents.
 - Completed a significant amount of work on the following regulations, which will be completed in 2011:
 - Amending 7 **DE Admin. Code** 1124, Control of Volatile Organic Compound Emissions by revising Section 47.0 Offset Lithographic Printing, to be consistent with EPA’s Lithographic and Letterpress Printing CTG, which was issued in 2006.
 - Amending 7 **DE Admin. Code** 1142, Source Specific Control Requirements, by revising Section 2.0, Large Boilers and Process Heaters at Petroleum Refineries, to provide for an alternative facility-wide NO_x compliance option.

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- Other Title V Related Activities:
 - Worked with the EPA to address issues related to the proposed Transport Rule (i.e., the replacement for the nitrogen oxides (NO_x) SIP Call and NO_x Budget Trading Program to the Clean Air Interstate Rule (CAIR)). This work is anticipated to save state and industry resources by demonstrating that DE has already mitigated the significant impact on down-wind areas required by the proposed rule;
 - Continued to work with the EPA to address Delaware's CAA 126 petition to mitigate the impact of upwind EGUs on our air quality;
 - Analyzed the impact of the new NO₂ NAAQS on Delaware, and submitted to the EPA a letter that 1) indicted DE air quality likely attains the NAAQS, and 2) DE be designated as unclassifiable based on lack of monitoring data; and
 - Continued to update and implement Delaware's Air Toxics Strategic Plan (ATSP).

Title V Emission Inventory Activities

The Emission Inventory Group is part of the Planning Branch of the Division of Air Quality. The Emission Inventory Group is charged with preparing all necessary inventories of emissions from all sources of air pollution in the State, including stationary sources, area sources, and mobile sources. The information gathered by the Emission Inventory Group is used in many of the planning activities described above. Emissions include criteria air pollutants, air toxics, and greenhouse gases.

The Emission Inventory Group accomplished the following Title V related activities in calendar year 2010:

- 2008 Inventory – Point source data for large sources submitted to EPA's new Emissions Inventory System (EIS) (June 1 deadline);
- 2009 Inventory – Collected point source data through the annual reporting cycle that takes place in the February through April timeframe;
- 2009 Inventory – Point source data for large sources submitted to EPA's EIS (new, shorter turn-around December 31 deadline);
- 2010 Inventory – Began planning for the 2009 point source reporting cycle; and
- Continued participation with a consortium of states that used i-STEPS to find a replacement for i-STEPS. The selected vendor was awarded the contract in late 2009. Working with the vendor, a concept design was developed and an alpha version was ready for in-house testing at the end of 2010.

Title V Air Monitoring Activities

The Air Monitoring Branch of the Division of Air Quality conducts several Title V related activities including:

- Conducting engineering reviews of the plans and methods used for stack testing;
- Reviewing the plans for the installation of continuous emission monitors (CEMS) and subsequent relative accuracy test audits (RATAs);

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- Measuring ambient concentrations of selected air pollutants and selected meteorological parameters; and
- Conducting source emission evaluations with the portable analyzer.

The Air Monitoring activities related to source testing are described in the Title V Compliance Activities section above. The ambient air monitoring program receives funding from several sources to accomplish its monitoring objectives. The Title V program supports approximately 30% of the monitoring activities in the program. In Calendar Year 2010, the Air Monitoring Branch accomplished the following Title V related activities:

- Measured the ambient (outdoor) concentrations of the criteria air pollutants along with selected weather parameters. The monitoring network consists of 10, fixed-site monitoring locations;
- Conducted special studies to address citizen concerns, to evaluate the need to relocate or add additional fixed sites, or to measure the impact of a particular air pollution source; and
- Routinely monitored selected hazardous air pollutants (air toxics) including metals, volatile organic compounds, and carbonyls;

Title V Small Business Ombudsman Activities

The Small Business Assistance Program (SBAP) within the Department of Natural Resources and Environmental Control (DNREC) is a free service available to all new and existing small businesses located in the State of Delaware. The SBAP can help small businesses understand their environmental requirements and help them comply in the easiest and most effective way. The SBAP is a non-regulatory program. The Ombudsman is part of the SBAP which was created through the Clean Air Act Amendments of 1990. The SBAP consists of 1.3 staff members. This includes the Ombudsman who manages the SBAP and an administrative assistant who is shared amongst several programs within DNREC.

The SBAP provides the following services:

- Serves as small businesses initial contact within DNREC;
- Provides specific information for small businesses detailing how to comply with environmental regulations specific to their industry;
- Helps small businesses fill out permit applications, forms and other required paperwork;
- Conducts an environmental assessment at a small business and discusses compliance issues in a confidential manner;
- Keeps abreast of developing regulations and current issues impacting small businesses and shares that information with small businesses through workshops, newsletters, trade association meetings, mailings, websites, and other methods;
- Provides feedback to the Division of Air Quality from small businesses;
- Helps resolve permitting and compliance disputes and cuts red tape;
- Reviews Start Action Notices for impacts to small businesses as new actions are taken by the Department;
- Seeks funding opportunities for special programs that benefit small businesses; and

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- Serves as the Manager of the Regulatory Advisory Service.

Due to the extended absence of the primary Ombudsman, the calendar year 2010 activities of the SBAP office were limited. However, the partial salary of the Ombudsman and the administrative assistant costs were still incurred. These costs are reflected in the expenditures in Table 1 in the Contractual line.

The office provided the following assistance:

- Conducted outreach workshops for the auto body repair industry to inform them of upcoming regulations;
- 14 phone calls made and received;
- 1 Regulatory Service Advisory Meetings; and,
- Provided additional services on an as needed basis.

The SBAP also serves on the following committees:

- Clean Marina Committee;
- Division Program Awareness Training Committee;
- DAWM External Communications Committee;
- EPA Area Source Workgroup;
- Delaware Green Lodging Committee;
- Spearheading the Permitting Efficiency Workgroup;
- Weekly Air Quality Management Administrator's Office Meetings; and,
- Title V Fee Committee (as needed).

Other Special Accomplishments

In addition to the standard activities described above, the Division of Air Quality also participates in many special projects. These special projects may or may not be Title V related. However, the results of these projects often impact Title V activities. In calendar year 2010, the Division of Air Quality participated in the following special activities:

- Completed modernization of the DNREC Timekeeping System (TKS). Integrated TKS, Automated Leave Accounting Systems (ALAS) and the First State Financial accounting systems improving the interoperability, accuracy, timeliness, and accountability of employee time;
- Due to the declining facility conditions in the previous office location, completed the relocation of the Dover (DAQ) office to the Blue Hen Corporate Center providing Dover based employees a more professional working environment;
- Continued workforce and succession planning activities to address the long-term management of our workforce demographics (retirement eligible population) and continuing budget cuts;
- Expanded safety training programs to include CPR/AED/First Aid and Drivers Safety Training;

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- After a successful Telecommuting Pilot Program implemented to create efficiencies in facilities, energy, operating costs, and vehicle emissions, committed additional resources to improve and expand telecommuting as an alternate work method across the Division;
- Worked with the Delaware Envirothon Committee supporting high school level environmental education, integrated Air Quality as a key topic/study area for the 2011 Delaware Envirothon Competition. The Division of Air Quality is a Gold Sponsor for the Envirothon program supporting the Delaware and Canon Envirothon International Competition.
- Port Study to assess the baseline impacts and impacts after the diesel retrofits;
- WILMAPCO Conformity Analysis;
- Low carbon fuels activities;
- DPI Generator Dispatch Regulation 1144 Project;
- Consumer Products regulation development;
- Educational programs and public outreaches addressing conserving energy;
- Educational programs or public outreaches addressing school-related anti-idling requirements;
- Public outreach addressing “Community Air Toxics” study;
- Educational information and public outreach on open-burning restrictions;
- Ozone Action awareness outreach;
- Asthma awareness outreach;
- Cancer Consortia activities;
- Completed Delaware’s annual vehicle Inspection and Maintenance program analysis and report;
- Participated in Greenhouse Gas Related activities including:
 - RGGI Auctions;
 - Transportation Climate Initiative
- Continued implementation and evaluation of a new vehicle remote sensing program to provide data to 1) evaluate the effectiveness of our vehicle inspection and maintenance program, and 2) develop strategies to further reduce mobile source related emissions;
- Continued to identify and quantify emissions associated with new residential development in Delaware through the PLUS Process;
- Continued to provide compliance assistance and oversight to auto body shops, dry cleaners, and gasoline delivery vessels for state and federal air regulations;
- Continued to track and provide oversight on vapor recovery tests of regulated gasoline dispensing facilities;
- Completed construction and retrofit activities related to an American Recovery and Reinvestment Act grant for:
 1. Additional school bus diesel retrofits (Brandywine School District; Cape Henlopen School District; Providence Creek School District; Red Clay School District; City of Dover; City of Newark; City of Wilmington);
 2. Smyrna Rest Area truck stop electrification; and
 3. Fort Delaware alternative power.
- Provided advanced modeling support to the Engineering & Compliance Branch when additional modeling was needed to issue permits;

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- Reviewed the modeling protocol, modeling outputs and results for the Evraz Claymont Steel total suspended particulates modeling;
- Identified SO₂ hotspots resulting from point sources as needed for the new 1-hr SO₂ NAAQS;
- Provided necessary modeling info of MiniVol Study to SIERRA Club as part of a FOIA request;
- Provided support to SIRB in their review of the modeling protocol needed for remedial investigation work plan for Burton Island Ash Landfill;
- Conducted Hg deposition modeling analysis for Delaware's watersheds; and
- Conducted an extensive review of the timekeeping system to improve the way hours assigned to all facilities are tracked.

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Source Hours for the Previous Calendar Year

The Title V fee schedule is based upon two components, the Base Fee and the User Fee. The Base Fee is calculated from the total hours spent working on the facility for the previous five years. The User Fee is calculated from the facility's most recent baseline year emission inventory report. The Title V Fee Schedule for Calendar Years 2009 through 2011 is provided in Table 5 below:

Table 5: Calendar Year 2009 through 2011 Title V Fee Schedule

Fee Type	Category	Category Description	2009 Fee	2010 and 2011 Fee
Base Fee	A	> 6,000 Hours	\$207,842	\$243,000
Base Fee	B	5,001 – 6,000 Hours	\$81,255	\$95,000
Base Fee	C	4,001 – 5,000 Hours	\$70,136	\$82,000
Base Fee	D	3,001 – 4,000 Hours	\$60,728	\$71,000
Base Fee	E	2,001 – 3,000 Hours	\$42,766	\$50,000
Base Fee	F	1,501 – 2,000 Hours	\$31,647	\$37,000
Base Fee	G	1,001 – 1,500 Hours	\$21,383	\$25,000
Base Fee	H	667 – 1,000 Hours	\$13,685	\$16,000
Base Fee	I	334 – 666 Hours	\$6,843	\$8,000
Base Fee	J	0 – 333 Hours	\$4,277	\$5,000
Base Fee	K	New Sources that Have Applied for a Permit by December 31, 2008	\$5,132	\$6,000
User Fee	1	> 6,500 Tons	\$149,681	\$175,000
User Fee	2	2,001 – 6,500 Tons	\$106,915	\$125,000
User Fee	3	1,001 – 2,000 Tons	\$42,766	\$50,000
User Fee	4	501 – 1,000 Tons	\$25,660	\$30,000
User Fee	5	201 – 500 Tons	\$11,974	\$14,000
User Fee	6	101 – 200 Tons	\$5,132	\$6,000
User Fee	7	51 – 100 Tons	\$3,849	\$4,500
User Fee	8	26 – 50 Tons	\$2,566	\$3,000
User Fee	9	0 – 25 Tons	\$1,711	\$2,000
User Fee	10	New Sources that Have Applied for a Permit by December 31, 2008	\$2,566	\$3,000

The Base Fee for each facility is obtained by creating reports from the Division of Air Quality timekeeping system. For a detailed description of how a facility's Base Fee was calculated, please contact Amy Mann at (302) 323-4542.

In order to help facilities track their Title V Fee Bill, the hours spent working on each Title V and Synthetic Minor facility are presented in Appendix A for Calendar Years 2006 through 2010. Each Title V and Synthetic Minor facility's 2008 Base Year Emission Inventory is also included.

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Appendix A

Company Name	Type	2010 Hours	2009 Hours	2008 Hours	2007 Hours	2006 Hours	5 Year Total	2008 NO ₂ Emissions (tons/year)	2008 PM ₁₀ Emissions (tons/year)	2008 SO ₂ Emissions (tons/year)	2008 VOC Emissions (tons/year)
3D Fabrications	SM	17.5	8.5	15.0	NO DATA	NEW	41.0	NO DATA	NO DATA	NO DATA	NO DATA
A.I. DuPont Hospital for Children	TV	306.5	401.3	129.0	357.0	282.3	1476.1	12.93	1.56	25.18	0.61
Air Liquide Industrial US LP	TV	15.5	11.0	71.0	35.0	NEW	132.5	0.00	0.00	0.00	0.73
Allen Family Foods, Inc.	SM	17.5	3.5	27.0	17.0	14.6	79.6	14.29	2.48	24.11	0.09
American Air Liquide - Glasgow	SM	9	11.0	71.0	35.0	NEW	126.0	NO DATA	NO DATA	NO DATA	NO DATA
Amtrak Wilmington	TV	134	95.0	148.0	166.0	254.4	797.4	4.06	0.03	0.02	2.35
Arlon, Inc.	SM	178	48.5	164.0	311.0	256.8	958.3	NO DATA	NO DATA	NO DATA	NO DATA
Astra Zeneca - Newark	SM	23.75	34.5	79.0	30.0	33.4	200.7	NO DATA	NO DATA	NO DATA	NO DATA
AstraZeneca Pharmaceuticals, LLC	TV	81	205.0	187.0	131.0	366.6	970.6	7.04	0.15	0.15	1.77
Barclays Bank	SM	57.5	NEW	NEW	NEW	NEW	57.5	NEW	NEW	NEW	NEW
BASF Corporation	TV	346.75	328.0	495.0	654.0	558.9	2382.7	9.81	2.18	0.25	19.01
Bayhealth - Milford Memorial Hospital	SM	76.25	74.8	11.0	22.0	17.2	201.2	5.89	0.75	6.08	0.06
Bayhealth Medical Center - Kent General Hospital	TV	196.75	75.5	141.0	125.0	75.8	614.1	4.30	0.03	0.67	0.23
Bpack Manufacturing, Inc.	SM	108.5	54.5	36.0	76.0	99.5	374.5	0	0.0	0.0	0.0
BPG Office Partners - Crozier	SM	11.5	13.0	28.0	17.0	2.7	72.2	NO DATA	NO DATA	NO DATA	NO DATA
Bracebridge Corp (Bracebridge)	SM	8	20.5	1.0	50.0	28.8	108.3	NO DATA	NO DATA	NO DATA	NO DATA
Bracebridge Corp (Christiana)	SM	17.5	11.5	1.0	15.0	NO DATA	45.0	NO DATA	NO DATA	NO DATA	NO DATA
Bracebridge Corp (Deerfield)	SM	11.5	17.5	2.0	57.0	8.6	96.6	NO DATA	NO DATA	NO DATA	NO DATA
Calpine - Christiana	TV	62	117.5	94.0	171.0	60.7	505.2	1.50	0.15	0.34	0.00
Calpine - Delaware City	TV	11.5	44.5	54.0	106.0	41.4	257.4	1.00	0.19	0.30	0.00
Calpine - Edge Moor	TV	1008.5	790.3	781.0	94.0	655.9	3329.7	1,980.01	449.94	7,110.00	30.89
Calpine - Hay Road	TV	590.5	634.5	633.0	307.0	655.9	2820.9	202.20	36.18	9.80	11.37
Calpine - West	TV	29	42.8	37.0	101.0	36.8	246.6	0.60	0.53	1.22	0.00
Camdel Metals Corporation	TV	44.25	110.3	154.0	38.0	39.6	386.1	0.00	0.00	0.00	3.10
Christiana Care - Christiana Hospital	TV	14	398.8	71.0	146.0	322.9	952.7	16.30	0.53	4.38	0.85
Christiana Care - Wilmington Hospital	SM	30.75	3.0	11.0	17.0	2.4	64.2	6.76	0.12	0.12	0.37

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Christiana Materials, Inc.	SM	106	61.5	68.0	34.0	201.7	471.2	3.35	4.50	0.50	1.51
City of Dover - McKee Run	TV	94.25	414.0	262.0	224.0	120.5	1114.7	32.78	2.49	31.80	0.28
City of Dover – VanSant	TV	47.5	69.0	139.0	44.0	75.2	374.7	1.30	0.23	0.61	0.02
Clean Earth of New Castle	TV	310.5	12.0	146.0	49.0	351.6	869.1	10.67	7.68	24.43	1.50
Coastal Coatings	SM	22	19.0	20.0	53.0	21.4	135.4	NO DATA	NO DATA	NO DATA	NO DATA
Coker Concrete	SM	1	7.0	1.0	25.0	60.3	94.3	0.17	0.03	0.03	0.02
Color Works	SM	14.5	16.5	72.0	106.0	116.3	325.3	NO DATA	NO DATA	NO DATA	NO DATA
Color-Box LLC	SM	21	55.5	134.0	38.5	92.6	341.6	0.74	0.04	0.00	16.12
Computer Sciences Corp	SM	0.5	30.0	16.0	7.0	18.8	72.3	NO DATA	NO DATA	NO DATA	NO DATA
Conectiv Thermal Systems	SM	78.5	30.8	7.0	70.0	98.7	284.9	0	0.0	0.0	0.0
Contractors Materials LLC	SM	44	38.8	NEW	NEW	NEW	82.8	2.01	3.52	0.26	2.48
Corrado Construction	SM	35.25	40.5	113.0	87.0	NEW	275.8	1.12	0.08	0.07	0.06
Croda Inc.	TV	303.25	416.0	318.0	254.0	342.0	1633.3	48.51	0.98	6.79	10.10
Dana Railcar Services, Inc.	SM	6	8.0	27.0	92.0	54.2	187.2	0	0	0	0
Dassault Falcon Jet	TV	107.25	215.0	324.0	152.0	542.1	1340.4	1.25	0.04	0.01	15.86
David A Bramble, Gumboro	SM	1	54.3	179.0	19.0	158.6	411.8	2.26	0.85	1.66	0.15
David A Bramble Inc./Seaford Asphalt Pit	SM	59	122.0	171.3	0.0	0.0	352.3				
Delaware Hospital for the Chronically Ill	SM	82.25	43.8	37.0	74.0	32.9	269.9	NO DATA	NO DATA	NO DATA	NO DATA
Delaware Park	SM	84.25	58.3	130.0	41.0	NEW	313.5	NO DATA	NO DATA	NO DATA	NO DATA
Delaware Recyclable Products, Inc.	SM	91.75	44.5	250.0	78.0	85.8	550.1	3.01	0.93	27.70	1.99
Delaware Solid Waste Authority, Cherry Island	TV	360.75	354.0	561.0	778.0	1405.1	3458.8	1.20	0.70	6.80	24.18
Delaware Solid Waste Authority, Sandtown	TV	291.75	337.8	413.0	568.0	709.4	2319.9	24.50	6.70	7.65	19.00
Delaware Solid Waste Authority, Southern	TV	206	324.5	768.0	1128.0	656.2	3082.7	37.78	9.60	114.40	28.40
Delaware State University	TV	68.5	66.0	110.0	247.0	59.3	550.8	3.20	0.06	0.53	0.16
Department of Corrections - (Young)	SM	27.5	47.3	10.0	27.0	213.7	325.4	NO DATA	NO DATA	NO DATA	NO DATA
Department of Corrections - (Vaughn)	TV	102.25	133.8	86.0	409.0	241.0	972.0	5.66	0.11	0.11	0.58
Dept of Veterans Affairs Medical Center	TV	57.5		192.0	290.0	70.1	609.6	3.87	0.09	0.44	0.20

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Diamond Materials LLC	SM	67.5	45.5	83.0	316.0	164.3	676.3	4.75	8.32	0.62	5.85
Diamond Materials LLC - Roving Crusher	SM	72.5	75.3	NEW	NEW	NEW	147.8	4.26	0.299	0.279	0.226
Dover Air Force Base	TV	232.6	428.5	100.0	430.0	170.1	1361.2	38.83	2.27	22.28	31.04
Dover Downs	SM	175.25	3.5	162.0	65.0	77.8	483.5	1.43	0.02	0.02	0.08
DuPont Chestnut Run	TV	206.5	200.0	119.0	190.0	383.9	1099.4	45.48	11.09	139.66	2.22
DuPont EdgeMoor	TV	396.25	676.3	481.0	557.0	737.3	2847.8	31.75	25.59	16.88	99.85
DuPont Experimental Station	TV	502.25	527.3	497.0	694.0	499.9	2720.4	156.29	38.09	437.70	6.43
DuPont Red Lion	TV	48.25	231.3	60.0	363.5	115.3	818.3	13.42	0.08	46.74	1.11
DuPont Stine Haskell	TV	123	205.0	22.0	16.0	235.0	601.0	16.18	0.76	8.43	2.52
DuPont Wilmington Office Building	TV	166.5	340.0	271.0	60.0	224.6	1062.1	18.62	4.54	57.17	0.11
EAR Specialty Composites	TV	110	126.5	147.0	179.0	340.1	902.6	0.59	0.03	0.00	4.68
Eastern Shore Natural Gas, Bridgeville	SM	16	9.3	9.0	50.0	2.2	86.4	2.90	0.02	0.00	0.21
Eastern Shore Natural Gas, Delaware City	SM	53.5	47.8	4.0	19.0	79.0	203.3	4.49	0.00	0.00	2.49
Edgemoor Materials, Inc.	SM	11.5	126.3	8.0	7.0	25.4	178.2	2.97	2.57	0.33	3.17
Evraz Claymont Steel	TV	1183.75	1482.3	1163.0	1488.0	881.7	6198.7	189.74	77.31	42.16	66.89
First State Investors	SM	14.5	25.3	35.0	NEW	NEW	74.8	NO DATA	NO DATA	NO DATA	NO DATA
FMC Corporation	TV	50.5	17.5	315.0	101.0	169.4	653.4	29.57	16.75	0.18	1.34
Formosa Plastics Corporation	TV	168.75	146.3	542.0	283.0	461.9	1601.9	24.61	26.91	0.12	41.97
FP International, Inc.	TV	32.75	31.3	89.0	23.0	148.6	324.6	0.69	0.00	0.00	16.66
Garrison Energy Center, LLC (not operational - no billing)	TV	262.5	NEW	NEW	NEW	NEW	262.5	NEW	NEW	NEW	NEW
GE Energy Ceramics Composites	SM	10	50.5	53.0	47.0	151.4	311.9	NO DATA	NO DATA	NO DATA	NO DATA
General Motors Corporation (to become Fisker Automotive)	TV	0	139.3	293.0	393.0	457.1	1282.4	Closed	Closed	Closed	Closed
Hanesbrand, Inc.	SM	0	32.5	84.0	6.0	158.8	281.3	NO DATA	NO DATA	NO DATA	NO DATA
Hanover Foods	TV	36.5	50.8	89.0	148.0	88.9	413.1	3.87	0.21	1.80	0.15
Harris Manufacturing, Inc.	TV	18.75	90.0	65.0	126.0	165.2	465.0	0.00	0.00	0.00	8.92
Hercules Inc. Research Center	TV	263.25	285.5	194.0	181.0	325.8	1249.5	5.57	0.76	8.88	1.23
Hirsh Industries, Inc.	TV	231.75	106.5	145.0	63.0	259.8	806.1	1.32	0.04	0.01	26.32

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Honeywell International	SM	32.5	30.5	152.0	242.0	275.3	732.3	0.00	0.00	0.00	2.99
ICM of Delaware Bay Road	SM	170	91.5	45.0	118.0	229.2	653.7	7.70	3.76	4.71	3.58
ICM of Delaware Georgetown	SM	40.75	166.3	7.0	NO DATA	26.2	240.2	2.37	1.96	2.50	1.38
IKO Production Wilmington, Inc.	SM	497.25	270.3	114.0	244.0	221.9	1347.4	0	0	0	0
ILC Dover, LP	SM	103	70.3	28.0	100.0	20.0	321.2	0.00	0.00	0.00	10.61
Indian River Power LLC	TV	618.25	1073.5	1292.0	811.0	850.0	4644.7	6,579.40	1,606.12	24,643.18	40.08
Ineos Films	SM	71	0.5	41.0	211.0	NEW	323.5	NO DATA	NO DATA	NO DATA	NO DATA
International Petroleum Corp	SM	102	11.0	1.0	8.0	130.7	252.7	0	0	0	0
Invista	TV	572	386.3	763.0	776.0	515.0	3012.2	940.87	217.31	3,260.48	26.13
JP Morgan Chase	SM	0	0.5	29.0	21.0	NEW	50.5	NO DATA	NO DATA	NO DATA	NO DATA
JP Morgan Chase Governor Printz	SM	0	NO DATA	5.0	9.0	NEW	14.0	NO DATA	NO DATA	NO DATA	NO DATA
JP Morgan Chase Stanton	SM	9.5	NO DATA	7.0	7.0	NEW	23.5	NO DATA	NO DATA	NO DATA	NO DATA
Justin Tanks, LLC	TV	23.25	68.7	281.0	39.0	29.3	441.2	0.29	0.03	3.43	12.31
Kraft Foods North America Inc. Dover	SM	6	76.0	NO DATA	33.0	407.1	522.1	NO DATA	NO DATA	NO DATA	NO DATA
Kuehne Company	TV	453	227.5	108.0	93.0	42.2	923.7	0.73	0.00	0.00	0.04
Linde, LLC (BOC Gases)	SM	245	102.5	178.5	102.5	13.0	641.5	NO DATA	NO DATA	NO DATA	NO DATA
Macdermid Inc.	TV	23.5	155.0	397.0	422.0	242.5	1240.0	3.29	0.00	0.00	5.03
Magco, Inc.	SM	14.5	NEW	NEW	NEW	NEW	NEW	NO DATA	NO DATA	NO DATA	NO DATA
Magellan Midstream Partners	TV	517.75	633.8	173.0	648.0	512.6	2485.1	2.57	0.30	5.48	1.83
Material Recovery	SM	20.5	7.0	13.0	126.0	178.3	344.8	NO DATA	NO DATA	NO DATA	NO DATA
McConnel Johnson, North Market	SM	8	0.5	NO DATA	14.0	NEW	22.5	NO DATA	NO DATA	NO DATA	NO DATA
Medal, L.P. Air Liquide	SM	4	0.0	83.0	53.0	104.2	244.2	3.62	0.01	0.01	2.18
Metal Masters Foodservice Equipment Corp.	SM	45.5	136.0	84.0	43.0	66.5	375.0	NO DATA	NO DATA	NO DATA	NO DATA
Micropore	SM	98.5	87.5	NEW	NEW	NEW	186.0	0.00	0.00	0.00	6.48
Middletown Materials LLC	SM	41	22.5	5.0	NO DATA	101.5	170.0	NO DATA	NO DATA	NO DATA	NO DATA
Mike Davidson Excavating	SM	44	112.3	79.0	58.0	NEW	293.3	NO DATA	NO DATA	NO DATA	NO DATA

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Mountaire Farms Frankford	SM	102.5	41.3	127.0	27.0	55.7	353.5	8.60	15.78	33.96	0.05
Mountaire Farms Millsboro	TV	494.25	156.0	276.0	167.0	54.2	1147.4	33.15	23.57	163.30	0.20
Mountaire Farms Selbyville	TV	100.5	75.0	125.0	267.0	38.7	606.2	17.56	4.31	54.52	0.10
Nanticoke Memorial Hospital	SM	27.75	28.8	25.0	24.0	16.4	121.9	NO DATA	NO DATA	NO DATA	NO DATA
Noramco Inc.	SM	54	95.5	175.0	97.0	127.9	549.4	0.64	0.02	0.02	1.89
NRG Dover Energy Center	TV	320.25	324.0	183.0	282.0	251.1	1360.3	357.90	92.22	1,870.74	2.35
Orient Corporation of America	SM	243.25	197.3	42.0	61.0	22.7	566.2	NO DATA	NO DATA	NO DATA	NO DATA
OSG America	TV	243.25	394.8	305.0	221.0	339.2	1503.2	0.02	0.00	0.00	1,461.90
Pat's Aircraft LLC	SM	95	90.5	40.0	3.0	178.9	407.4	NO DATA	NO DATA	NO DATA	NO DATA
Pennsy Supply Inc. Terminal Ave	SM	17	11.0	0.0	27.0	187.6	242.6	0	0	0	0
Pennsy Supply Inc./Portable Crusher	SM	NODATA	NO DATA	NO DATA	NO DATA	NO DATA	0.0	NO DATA	NO DATA	NO DATA	NO DATA
Perdue Agri-recycle LLC	SM	55.5	271.8	111.0	227.0	124.5	789.7	3.37	12.84	7.25	0.03
Perdue Farms Inc. - Georgetown	TV	115.5	63.0	53.0	119.0	42.4	392.9	17.16	7.26	113.61	0.12
Perdue Farms Inc. - Milford	SM	26.75	52.0	31.0	19.0	51.0	179.8	6.76	0.55	16.87	0.20
Perdue Grain & Oilseed LLC (Bridgeville)	SM	73.5	22.0	20.0	80.0	151.8	347.3	12.76	35.19	76.80	0.08
PGR Holdings	SM	102.5	37.0	44.0	24.0	143.0	350.5	0.82	0.54	0.13	0.30
Pinnacle Foods Corporation	SM	25.75	12.3	5.0	13.0	0.0	56.0	12.98	3.13	39.32	0.83
Premcor Refining Group	TV	3182	4835.3	5741.0	4968.0	6782.4	25508.7	2,524.68	446.46	2,547.57	433.70
Premcor Refining Group	TV	107.75	22.0	77.0	52.0	222.5	481.3	0.19	0.02	0.00	32.76
Prince Minerals	SM	133	56.5	156.0	175.0	NO DATA	520.5	0.32	0.29	0.00	0.00
Printpack, Inc.	TV	259.75	602.8	82.0	119.0	491.0	1554.5	2.44	0.01	0.01	41.77
Proctor & Gamble, Dover Wipes	SM	0.5	16.5	75.0	85.0	51.2	228.2	0	0	0	0
River Asphalt	SM	16	28.3	20.0	211.0	92.0	367.2	9.29	0.76	11.79	3.01
River II LLC	SM	66	44.5	63.0	121.0	245.9	540.4	5.22	4.32	5.50	3.03
Rohm and Haas Electronic Materials	TV	286.5	158.3	250.0	199.0	211.6	1105.4	3.98	0.12	0.06	7.13
Sea Watch International LTD	SM	19.5	32.3	85.0	73.0	11.2	220.9	6.03	0.03	0.04	0.33
Seaford Concrete Products	SM	47.75	NEW	NEW	NEW	NEW	47.8	NEW	NEW	NEW	NEW

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Siemens Medical Solutions	SM	32.5	15.5	39.0	NO DATA	37.9	124.9	NO DATA	NO DATA	NO DATA	NO DATA
SPI Pharma Inc.	SM	90.25	79.0	24.0	34.0	14.4	241.7	NO DATA	NO DATA	NO DATA	NO DATA
St. Francis Hospital	SM	0	19.0	32.0	56.0	45.0	152.0	3.96	0.03	0.03	0.25
Strobert Tree Service	SM	141.25	5.5	76.0	98.0	NEW	320.8	NO DATA	NO DATA	NO DATA	NO DATA
Sunoco	TV	482.5	411.5	290.0	342.0	1127.8	2653.8	83.05	66.39	17.01	94.30
The News Journal	SM	15	40.5	64.0	20.0	49.0	188.5	NO DATA	NO DATA	NO DATA	NO DATA
Transflo Terminal Services Inc.	SM	40.25	2.0	22.0	11.0	191.1	266.3	NO DATA	NO DATA	NO DATA	NO DATA
University of Delaware, Newark	TV	264.25	196.0	423.0	479.0	62.2	1424.5	21.86	0.37	2.54	6.01
Veolia Water	TV	31.5	224.0	82.0	19.0	45.0	401.5	2.49	0.16	0.52	3.47
Verisign	SM	12	69.0	2.0	23.0	NEW	106.0	NO DATA	NO DATA	NO DATA	NO DATA
Warren Beasley Power Station	TV	193	104.5	73.0	341.0	327.9	1039.4	2.09	0.87	0.12	0.22
WL Gore and Associates	SM	27	152.5	84.0	56.0	166.3	485.8	0	0	0	0