

## **Regulation 1131 – SB215 Workgroup Meeting November 9, 2010**

**Location:** DNREC – Division of Air Quality’s Grantham Lane Facility in New Castle

**Objective of Meeting:** Discuss draft regulatory language for meeting SB215 permitting requirements, address DEEP (CERT) training and certification and linking of CERT to the proposed permitting process.

### **Minutes:**

- Meeting commenced at approximately 18:30 hours and ended at approximately 20:10 hours.
- ATTENDEES: Eight members from the regulated community along with representatives from DNREC, DMV and DelTech were present.
- Documents distributed: SB215 legislation, proposed Regulation 1131 Section 8.0, CERT process flow diagram and regulatory development timeline.
- Ed Osborne indicated that if training opportunities could be found he would attempt to find funding sources from the State Legislature.
- The group agreed to establish ASE-L1 as the minimum standard for becoming a certified emission repair technician (CERT), grandfathering current CERTs with a five year reapplication requirement and linking the process for obtaining certification to the permit.
- Agreement from workgroup that the Certified Manufacturer Emission Repair Technician option would be removed from the regulation.
- The group also agreed in light of funding challenges at DelTech for providing the DEEP training, alternative training opportunities should be established for the program (e.g. working with our Vo-Tech schools via their adult education programs, contracting with an outside provider to teach a class at least annually DelTech’s Industrial Trade Programs, research Maryland’s training program and/or other state training programs).
- The DEEP or an alternative training program should be offered on a routine basis (once/year or every two years).
- SIDEBAR: members from the regulated community presented their concerns that DNREC does not provide sufficient outreach to them on changes in handling waste materials (e.g. aerosol cans and oil filters). The group encouraged DAQ to improve communications with the regulated community especially small businesses.

### **Items and Issues Discussed:**

1. INTRODUCTION: SB 215 requires DNREC to issue permits to all Certified Emission Repair Technicians
  - a. SB 215 legislation requirements
    - i. Title 21 § 2101 (d)
    - ii. Title 7 § 6709
    - iii. Regulation 1131 amend by adding a new Section 8.0

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2. ISSUE: Available training for becoming a Certified Emission Repair Technician
  - a. Training Available:
    - i. DelTech Automotive Program – Stanton Campus
      1. DelTech provided training in 1999 for 276 technicians
        - a. 60-hour and 40-hour classes
        - b. Option to test out of training
        - c. DEEP exam (developed by “ASPIRE”)
      2. NO expiration for this group of CERTs
    - ii. 3<sup>rd</sup> Party Contractor
      1. Trained 76 technicians in 2006
      2. DNREC subsidized the training along with a fee paid by the students
      3. Feedback from students, instruction was excellent and informative
      4. NO expiration for this group of CERTs
    - iii. ASE L1 certification
      1. Test Center (DelTech-Wilmington)
      2. Offered twice a year
      3. Expires every 5 years
  - b. Options
    - i. Redevelop a training program to be offered on continuous basis (once/year or every two years)
    - ii. Grandfather current CERTs for 5 years
    - iii. Allow for ASE L1 or an equivalent as approved by the Department (w/ 5 year expiration)
    - iv. Establish the criteria for an equivalent program to ASE L1 – NEEDS MORE RESEARCH.
3. ISSUE: Linking the certification process to the Permit
  - a. Regulation 1131 amend by adding a new Section 8.0
  - b. Move CERT Appendix into the body of the regulation
  - c. Add section 8.2 to address the permit

NEXT STEPS:

1. Draft language for Section 8.0 incorporating Work Group comments
2. Propose Fee Schedule (as required by SB215 legislation)
3. Schedule 2<sup>nd</sup> Work Group Meeting – Dover Location (November 30, 2010 - proposed)
4. Draft proposed language for Regulation 1131
5. Schedule Work Shops – Kent, New Castle and Sussex County Locations
  - a. Kent County – December 14 (proposed)
  - b. New Castle County – December 15 (proposed)
  - c. Sussex County – December 16 (proposed)
6. Draft Final Proposal for Public Hearing
7. Schedule Public Hearing (January 2011?)

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WORK GROUP ATTENDEES

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