

Brownfields Advisory Committee (BAC)
DNREC's New Castle Field Office
391 Lukens Drive
New Castle, Delaware
Sept. 2, 2010*
Meeting Minutes

Attendees:

Marianne Cinaglia, DelEASI
Clay Greer, Ten Bears
Stephanie Hansen, YCST
Debra Heffernan, BSD Board President
Karl Kalbacher, NCC Director of Redevelopment
Rep. Thomas Kovach, Parkowski, Guerke & Swayze
Mark Lannan, BrightFields
Harry Monck, DelEASI
Doug Seavey, Landmark Engineering/JCM Environ.
Rajiv Sinha, Louis Berger Group, Inc.
Bill Smith, Environmental Alliance
Chris Whallon, Duffield

DNREC:

Stephen Johnson
Melissa Leckie
Jim Poling
Tim Ratsep
Alex Rittberg
Qazi Salahuddin
Kathy Stiller
Paul Will
Christina Wirtz
DOJ
Keith Brady

*Note handouts from the Sept. 2 meeting are available online at:

<http://www.awm.delaware.gov/BAC/Pages/BACMeetings.aspx>

Introductions and Opening Remarks – Kathy Stiller welcomed members.

Approval of Minutes from June 3 Meeting – The meeting minutes were approved unanimously.

Status of BF Grants FY10 – Melissa Leckie indicated that SIRB already has \$1.4 million in existing requests for FY11 brownfields grant funding. Also, the first loan recipient in SIRB's Brownfields Revolving Loan Program was announced in August:

<http://www.dnrec.delaware.gov/News/Pages/DNRECannouncesfirstloanrecipientinBrownfieldsRevolvingLoanProgram.aspx>. SIRB administers the \$1.25 million in funding from the EPA. Paul Will and Jim Poling also identified \$90,000 in available Subtitle C funds for targeted brownfields assessments.

Value Stream Mapping - SIRB – Qazi Salahuddin updated the BAC on SIRB's plan to combine the site review with the work plan. This has worked well for several sites, including one that Chris Whallon was working on.

American Recovery and Reinvestment Act (ARRA) Funding for TMB – Alex provided an update on ARRA funded LUST site cleanups. Alex also reminded everyone that ARRA funding can be used for eligible petroleum-contaminated Brownfield sites in DE.

Brownfield Subcommittee Report Outs:

- **Brownfields Financing Subcommittee** – Jim Poling reminded everyone that at our previous BAC meeting, the BF Financing Subcommittee recommendation for reducing the overall brownfields grant funding limits was approved as follows:

Public/nonprofit entities would go from \$1 million to \$500,000 @1:1 and \$125,000 @2:1 for a total of DNREC spending \$625,000 if \$750,000 is spent.

Private entities would go from \$225,000 to \$125,000 @1:1 and \$75,000 @ 2:1 for a total of DNREC spending \$200,000 if \$275,000 is spent.

Jim also reminded the BAC that the BAC had voted to make these changes effective January 2011. In addition, the BAC voted to sunset the BF's VCP program, also as of Jan. 2011.

The BFs Financing Subcommittee's current recommendations are as follows:

- 1) All reimbursement packages should only be submitted to DNREC for an amount of \$1,000 or greater, due to the administrative costs associated with each request.
- 2) Language in the BFs grant funding policy will be changed to reflect new wording "pursuant to the regulations" instead of section references to align with the new draft regulations.
- 3) Creating a new draft motion for O&M costs for comments.

The BFs Financing Subcommittee will provide an e-mail requesting comments on the above changes to the BFs grant funding policy, as well as the new draft motion for O&M costs, prior to the next BAC meeting.

- **Regulatory Development Subcommittee** – Draft HSCA and Brownfields regulations are under legal review. Regulations are scheduled to be completed by spring 2011.
- **Brownfields Outreach and Education Subcommittee** – Kathy suggested reviewing a survey that she recently received from Kentucky's brownfields program. The Outreach and Education Subcommittee will review and provide a new version for BAC approval at the next meeting.

National Brownfields Conference April 3-5, 2011 –The EPA received 856 submissions for 160 possible sessions for the 14th National Conference in Philadelphia. Kathy Stiller, Paul Sample and Harry Monck are participating in the local area planning and marketing sessions for the conference. A bus tour of the Wilmington Riverfront is planned during the conference. Please contact Kathy Stiller for more information at 302.395.2600.

Public Comments/Open Forum – Karl Karlbacher, Stephanie Hansen and Chris Whallon discussed the Coastal Zone Act (CZA) and whether or not the BAC should explore the possibility of a policy change or exemption for the reuse of Brownfields sites in the coastal zone. Kathy Stiller will discuss with Marj Crofts prior to adding it to the BAC agenda. Kathy also reminded everyone that the Division of Air and Waste Management has been split into two separate divisions under the new Office of Environmental Protection within DNREC:

- 1) Division of Air Quality (Director – Ali Mirzakhali)
- 2) Division of Waste and Hazardous Substances (Director – Marjorie Crofts)

Next Meeting – The next BAC meeting will be held on **December 2, 2010** at the Lukens Drive Field Office.

Note: members should feel free to share their experiences on Brownfields projects and bring in a slide or two for the group. Before and after pictures would be greatly appreciated for public outreach purposes.