

2013-09-16-01

Mackil, Molly J. (DNREC)

From: Mackil, Molly J. (DNREC)
Sent: Wednesday, September 25, 2013 8:48 AM
To: 'cindywilton2@gmail.com'
Subject: FOIA Response
Attachments: PinnacleNPDES Permit.pdf

Ms. Wilton,

In response to your August 30, 2013, FOIA request, for information regarding DNREC, Allen Harim LLC, Pinnacle and the old Vlastic Plant in Millsboro, DE, the Surface Water Discharges (SWDS) of the Division of Water, DNREC, responds:

We have Pinnacle's current National Pollutant Discharge Elimination System (NPDES) Permit and attach it for your use. Other information may be provided or may have already been provided by other State agencies. Please let me know if you have any questions.

Just as an fyi, the SWDS administers seven (7) programs, including Concentrated Animal Feed Operations (CAFO), Biosolids, Municipal Separated Storm Sewer Systems (MS4), Industrial Storm Water, National Pollutant Discharge Elimination System (NPDES), Pesticides, and Wastewater Construction permits.

Molly J. Mackil, P.E., LEED AP
Environmental Engineer IV
Surface Water Discharges Section, Division of Water
Dept. of Natural Resources and Environmental Control
State of Delaware
89 Kings Highway, Dover, DE 19901
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molly.mackil@state.de.us

Mackil, Molly J. (DNREC)

From: Ashby, Bryan A. (DNREC)
Sent: Tuesday, September 24, 2013 6:40 PM
To: Mackil, Molly J. (DNREC)
Subject: FW: Request for Public Records (FOIA) - Attorney-Client Privileged FOIA 2013-09-16-01

Importance: High

FOIA

-----Original Message-----

From: Heineman, Roy W. (DNREC)
Sent: Monday, September 16, 2013 10:42 AM
To: Ashby, Bryan A. (DNREC)
Subject: FW: Request for Public Records (FOIA) - Attorney-Client Privileged FOIA 2013-09-16-01
Importance: High

Bryan; Please have Molly send the same info we sent to Ms. Payan concerning this FOIA request with a cc to me. Please note: Since the confidentiality issue will be addressed by OTS/DOJ, please have Molly indicate that what she is providing is in response to her request. Also, please note the short turn around time-by this Friday. Thanks.

Roy

-----Original Message-----

From: Bothell, Jennifer M. (DNREC)
Sent: Monday, September 16, 2013 10:08 AM
To: Heineman, Roy W. (DNREC); Hill, Nicole D (DNREC)
Subject: FW: Request for Public Records (FOIA) - Attorney-Client Privileged
Importance: High

Roy and Nicole...Hate to be a pest, but I've been sitting on this FOIA while going back and forth with Legal (Dirk) about how to respond to the confidentiality portion of the request below. This request is the same (exactly the same) request that we received from Maria Payan back in the beginning to mid-July, which we responded to (from Air, Solid Waste, Tanks, Brownfields, Water (NPDES permit only), and I have information from Watershed Stewardship. Dirk's been on vacation, but expected back today.

Can we fast track this request, if possible? It's technically due on Friday (I've been out with a sinus infection since Thursday) as we received it on August 30th. If any sections need more time, they can request that from Ms. Wilton directly. I will be figuring out what to do on the confidentiality portion with Legal's guidance.

Roy, I think all you need to send would be the NPDES permit, as that is what we sent to Ms. Payan

Nicole, if I remember correctly, you sent what Air had on the permits via email, and Solid Waste and Tanks asked her to make an appointment to come in to view the files....SIRS has some Brownfields information that may be available on-line (application/certification).

Again, sorry for the lateness of this request, but would appreciate the programs' assistance in trying to get this one done by Friday....If any problems, please let me know. Thanks...Jenny.

-----Original Message-----

From: cindywilton2@gmail.com [mailto:cindywilton2@gmail.com]

Sent: Friday, August 30, 2013 1:20 PM

To: Bothell, Jennifer M. (DNREC)

Subject: Request for Public Records (FOIA)

Date of request: Friday, August 30, 2013

Public Body

To: jennifer.bothell@state.de.us

Other (if selected):

Requestor

Name: Cindy Wilton

Mailing Address

Address1: 27927 possum point road

Address2:

Address3:

City: millsboro State: de Zip: 19966

Contact

Phone: 3029348050 Email:

Records Requested

Any and all information, including emails, phone logs, memos, notes, doodles, agreements, meetings, permit applications, deficiencies, approvals, denials, transfers (with or without modifications or amendments), brownsfield agreement, relating to water, air, wetlands, driveway, construction, E & S, NPDES, Delaware Coastal zone, contamination, water sampling results and any and all information between DNREC and Allen Harim LLC and Pinnacle in regard to new Allen Harim Processing and cook facility at the old Vlastic plant in Millsbore, DE at

29984 pinnacle way dagsboro de. Also please include all confidentially claims that were requested by Allen Harim or associates of Allen Harim

Contact if cost is greater than