

HSCA Advisory Committee (HAC)
DNREC's New Castle Field Office
391 Lukens Drive
New Castle, Delaware
Dec. 4, 2014*
Meeting Minutes

Attendees:

DNREC

Bill Baldwin, Action Environmental
Marianne Cinaglia, DeLEASI
Krista Comer
Kathy Fox, EA Engineering
Ken and Joanne Haynes, Possum Point/SRAP
Debra Heffernan, State Representative
Mark Lannan, BrightFields
Dotty LeCates, Possum Point/SRAP
Nora Lober, Pennoni
Maria Payans, SRAP
Bill Smith, Environmental Alliance
Bill Stephens, STEPHENS Environmental
Chris Whallon, Duffield
Marian Young, BrightFields

Amy Bryson
Marj Crofts
David Gilden
Greg DeCowsky
Kate Durant
Jill Hall
Stephen Johnson
Barb Kirkland
Melissa Leckie
Robert Newsome
Jim Poling
Morgan Price
Tim Ratsep
Alex Rittberg
Qazi Salahuddin
Paul Will

DOJ

Keith Brady

*Note information regarding the Dec. 4 meeting is available online at:
<http://www.awm.delaware.gov/BAC/Pages/BACMeetings.aspx>

Introductions and Opening Remarks – Tim Ratsep welcomed members.

Approval of September 4 Meeting Minutes – The meeting minutes were unanimously approved.

DNREC News – Marj Crofts reviewed the following DNREC items:

- The HSCA, UST, AST, and ARP bills were signed into law as of October 6, 2014.
- No bills will be pursued this legislative session, though regulatory updates will occur for the different sections.
- Tim Ratsep requested the consultants to provide brownfield costs above what the department pays for to see if there is a need for funding changes.
- Jim Poling also stated that another economic study from the U of D, will be performed in the next few months to look at the Return on Investment for the public sector.

Updates for SIRS: Qazi Salahuddin, Morgan Price, and Melissa Leckie

- Qazi Salahuddin: Continuing to updating the HSCA Guidance document and Risk Assessment updates.
- Morgan Price: Sent out the Risk Assessment Guidance to HSCA Advisory Committee asking for comments. The document outlines the different processes for completing a Risk Assessment.
- Melissa Leckie: Updated amount spent on Brownfield grant so far this year.

Updates for TMS: Alex Rittberg & Amy Bryson

- TMS created a strategic plan for the year and are trying to stay on track with the Strategic Plan. Gave some statistics on how they are on track with the plan.
- Improving coordination with SIRS.
- Miss Utility expanding Statewide.
- Working with Air Quality to handle the changes to the Vapor Recovery systems requirements.
- Overhaul of regulations this year - workshops scheduled (March 10, 12 & 17 – for more info, please see Statewide Calendar at: <https://egov.delaware.gov/pmc/?open>).
- Gave an update to the changes coming from the newly signed bills:
 - Innocent Land Owner defenses
 - Lender Liability
 - Changes in Responsible Party to mirror how HSCA handles PRPs.
- Amy Bryson provided update on the new Heating Fuel Assistance Program. The program will cover tanks that are 1,100 gallons or less and remove a max. of 22 tons of contaminated soil. The work will be completed by vendors on the State Contract and it is expected to take 60 days to complete the removal and submit the invoices.

Brownfield Subcommittee Report Outs:

Regulatory Subcommittee-

- Tim Ratsep: planning on holding regulatory workshops (Feb. 11 & 12 – for more info, please see Statewide Calendar at: <https://egov.delaware.gov/pmc/?open>).
- No decision has been made on allowing golf courses to become Brownfields. Operating on a Brownfield site before a COCR has been issued will be evaluated on a case by case basis. A Responsible Party is not eligible to operate a facility after title transfer.
- Discussed timeframes for requirements under the Proposed and Final Plans - 60 days is the default time frame. For sites in VCP, a Secretary's Order will be triggered if the items are not implemented within the designated timeframe. Requested

comments on how that should be handled for Brownfield sites if the timeframes are not met.

- Proposed and Final Plans will no longer be available in the library, but will be located in DNREC facilities at Lukens Drive in New Castle and the Richardson & Robbins Building in Dover.

Outreach Subcommittee-

- Robert Newsome; no meetings this quarter. Worked with Bill Stevens to create a one-hour continued education credit course for the State Surveying Group - approved for an A-Level course. Plan to present the course at next Brownfields Conference.
- Plan to speak at University of Delaware in the spring. Spoke at the Reach Academy to give an overview of the program to the students.

Finance Subcommittee-

- Jim Poling; no meetings this quarter. Drafted updated Certification Application to reflect policy updates. Final version expected for next meeting.

Eco Group-

- Greg DeCowsky; no meeting this quarter. Currently working on some sites that are potential demo projects. Will be doing some planting in the spring - will need volunteers.
- The group expects to create guidance documents on the use of native plants and sustainable living on sites. Also, see if any possible incentives can be made available for using native plants on Brownfield/VCP sites.

Public Comments

Maria Payans- Requested someone to attend the Environmental Justice meeting for the 29984 Pinnacle Way meeting and no one attended. She would like for someone to contact her. The removal of the Proposed and Final Plans from libraries may not be the best choice because of the elderly citizens.

Next Meeting – The next meeting will be held March 5, 2015 from 9:30-12:30 at the Dover Public Library, 35 Loockerman Plaza, Dover, DE 19901