

HSCA Advisory Committee
DNREC's Lukens Field Office
391 Lukens Drive, New Castle DE 19720
Sept. 7, 2017
Meeting Minutes

Attendees:

Jess Anderson, Michael Baker
Bill Baldwin, Action Environmental
Todd Coomes, RL&F, by phone
Kathy Fox, EA
Nora Lober, Pennoni
Doug Seavey, Landmark
Nick Santella, BSTI
Lorraine Sheldon, Emory Hill
Marian Young, Brightfields

DNREC

Kate Durant
Melissa Leckie
Jim Poling
Tim Ratsep
Alex Rittberg
Qazi Salahuddin
Lori Spagnolo
Paul Will
Christina Wirtz

Presenters:

Simeon Hahn, NOAA
Robb Wright, NOAA

State Division of Research

Julie Fedele, Sunset Committee

Introductions and Opening Remarks – Tim Ratsep welcomed old and new members.

Approval of June 1, 2017 Meeting Minutes – The meeting minutes were unanimously approved.

Updates for TMS – Alex gave an update on the UST and Boiler Safety regulations and federal grants. UST regulations will be submitted to the EPA for review by the spring, with state program approval anticipated for next October. The popular Heating Fuel UST Closure Assistance Program has reached a milestone - over 500 projects! However, significant reductions in funding are expected due to budget cuts, which may impact this program in the future.

Updates for SIRS – Tim provided an overview of state and federal funding. The CORE grant was cut by 50% this year; last year by 40%. The state HSCA Fund is also down, with significant reductions projected each fiscal year until it expires in 2021. The Joint Sunset Committee is reviewing the fund, as well as the 15% limit on administrative costs under HSCA. As part of the HSCA discussion, Tim introduced Julie Fedele, Joint Sunset Committee Analyst, with the Legislative Council. Julie provided the following link to the Sunset Committee webpage for HAC members and staff: <http://legis.delaware.gov/Chambers/Sunset>
Julie is reviewing the process and will attend the next HAC meetings. In addition, DNREC will implement a new membership form for HAC members in the next few weeks.

Paul Will discussed brownfields funding with approx. \$30,000 per site available until Oct. 1. Qazi discussed the Preliminary Assessment/Site Investigation (PA/SI) grants. Melissa discussed the status of the brownfields grant funding: \$1.5 million has been spent to date, \$1 million is

available until June 30, 2018. There will only be \$1.5 million available in FY19, with no assurance of funding in FY20. Therefore, DNREC will not accept any applications once projected brownfields grant funding amounts reach \$1.5 million in FY19.

NOAA Presentation on Environmental Response Management Application (ERMA) – Simeon Hahn and Robb Wright discussed the new system for managing NOAA data associated with environmental injuries from marine and coastal hazardous waste releases and oil spills. Using NOAA's Data Integration Visualization Exploration and Reporting (DIVER) and ERMA, you can search, visualize, and download data associated with storms, releases, and oil spill events. Robb used the DuPont Hay Road facility as an example to review the PCB congener 209 contamination in the Delaware Bay. Links for DIVER and ERMA can be found at: <https://www.diver.orr.noaa.gov/> Once Robb has time to submit the presentation to us, it will be available at: <http://www.dnrec.delaware.gov/dwhs/BAC/Pages/BACMeetings.aspx>

HAC Subcommittee Report-outs:

- **Regulatory Subcommittee – Tim Ratsep & Alex Rittberg** – Tim discussed the new start action notice (SAN) for the HSCA regulations that will include the new definition of brownfields. The changes to the regulations will also limit the responsibilities of brownfield developers to contaminant plumes within the property boundaries (i.e., no plume chasing). Cleanup of offsite contamination will remain the responsible parties' liability unless none are available or have the ability to pay, in which case it would be the state's responsibility. The SAN is available at: <http://www.dnrec.delaware.gov/dwhs/BAC/Pages/BACMeetings.aspx>
- **Technical Subcommittee** – Qazi Salahuddin discussed the subcommittee's meetings and proposed actions including review of the Guidance on Mass Loading.
- **Finance Subcommittee** – Jim discussed amendments to Brownfields Certification Application, and reiterated changes to the HSCA regulations.
- **Outreach & Education Subcommittee** – Christina discussed the new draft brownfields brochure and shared appreciation for terrific comments from Patty Cannon (DEDO) and Marj Crofts. Christina asked the HAC for comments and feedback by Sept. 25. Christina also introduced Lorraine Sheldon, with Delaware Real Estate Women, and discussed potential new opportunities with the group to increase brownfields awareness.
- **Ecological Revitalization & Green Restoration Group** – Kate discussed the EcoHAC's last meeting on July 24 at the Kalmar Nyckel site, which was planted with sustainable landscaping two years ago. Marian discussed the EcoHAC's meeting with the NCCo. Resource Technical Advisory Committee. The county wants to promote native plantings. The subcommittee plans to invite Claudia West to the Dec. 14 meeting.
- **New Business/Public Comments** – None

Next Meeting – Due to a conflict with the Brownfields Conference in Pittsburg during the 1st week of Dec., the next HAC meeting will be scheduled for the following week on Dec. 14, 2017 from 9:00-12:30 at DNREC's Lukens Field Office. (DECEMBER MEETING - CANCELED)