

**HSCA Advisory Committee  
Via Conference Call  
December 5, 2019  
Draft Meeting Minutes  
9:00 am**

**Attendees:**

Patty Cannon, Delaware Division of Small Business  
Angelo Fatega, Pennoni Associates  
Kathy Fox, EA Engineering, Science, & Technology, Inc.  
Albert Fralinger, DRBA  
Representative Debra Heffernan  
Jennifer Kmiec, Committee of 100  
Nora Lober, Pennoni Associates  
Philip Mica, Richards, Layton, & Finger  
Doug Seavey, Landmark Services  
Bill Smith, Environmental Alliance  
Chris Wallon, Duffields & Associates

**DNREC:**

Chris Brown  
Amy Bryson  
Eileen Butler  
Mariya Chiger  
Elizabeth LaSorte  
Melissa Leckie  
Dannielle Pratt  
Tim Ratsep  
Qazi Salahuddin  
Jason Sunde  
Kristen Thornton  
Paul Will  
Christina Wirtz  
Sandra Woolston

**Introductions/Opening Remarks and approval of minutes:** Qazi Salahuddin opened the meeting and thanked everyone that was able to call in. Introductions were made of DNREC attendees and participants attending via conference call.

- There was one correction to be noted for the September 5, 2019 minutes, regarding the Certification of Completion of Remedy (COCRs) on page 4 of the draft minutes. A motion was made to approve the minutes once the correction has been made, and the minutes were approved.

**Department/Division Updates:** Tim Ratsep gave an update on recent DNREC updates.

- The current Chief of Staff, Kristin Barnekov-Short, will be leaving DNREC to bring her experience and skills to a Wilmington Non-Profit agency.
- The current Chief Operating Officer, Robert Zimmerman, has accepted the Chief of Environmental Finance position which will leave the Chief Operating Officer position vacant, this change will be effective the week of December 9, 2019.
- There are several pending retirements within the public affairs office.
- The Division of Watershed has relocated to the Enterprise Business Park, the entire division is now in one place. There will be other movement of areas now that there is space in the Richardson & Robbins (R&R) building from the Watershed move.
  - Boat Permits can still be obtained on the first floor of the R&R building.
- Emergency Response has reclassified positions with the new title of On Scene Coordinator (OSC). Jamie Bethard has been reclassified as the Chief of On Scene Coordinators within the Emergency Response Branch. These changes have already gone into effect.

- Judy Jordan has been realigning the Emergency Response and Strategic Services Section for more streamlined services and those changes will be announced to the committee as they take effect.
- A new re-organization chart was sent with the advisory committee information; however, Sandy will continue to send them as they are updated for the most recent contact information.

**Personnel Updates:** Personnel Changes for the Remediation Section (RS), Emergency Response & Strategic Services (ERSS) Section, and the Compliance and Permitting Section (CAPS) were noted by each sections Program Administrator or Representative.

***Remediation Section:*** Qazi Salahuddin noted that there are currently two vacant Hydrologist II positions open, one under the Superfund Branch, and one under Corrective Action. Interviews have been completed and the selections are being made.

***Emergency Response and Strategic Services:*** Eileen Butler, Planner V, for the ERSS section noted that there are currently no changes within the section to be reported.

***Compliance and Permitting Section:*** Jason Sunde noted that there are no new reports and that the section is fully staffed.

**Subcommittee Report-outs:**

***Technical Subcommittee:*** Paul Will and Todd Keyser are the new Co-Chairs for the Technical Subcommittee. Paul reported on the subcommittee's current status. The committee last met on November 14, 2019, with 6-7 attendees. The focus was on three main topics:

- Discussion on determination points for ending groundwater monitoring on sites.
  - Some solutions discussed were a better defining of end goals for the monitoring. How much information would be needed, and the number of monitoring events required. As well as, making sure the long-term stewardship plan states the end goals for the monitoring.
  - The subcommittee was asked to provide when they think groundwater monitoring can cease and any ideas/responses will be brought before the technical staff for review.
- Discussion regarding the use of off-site wells to define plumes. The subcommittee discussed the use of screening techniques to better place wells, and that some screening techniques may not currently be reimbursable under the current Reimbursement Guidance and the Remediation Section will review this.
- Lastly, the subcommittee discussed data usability for HSCA approved labs. It was agreed that the DNREC-RS Chemist will prepare a list of assessment requirements and provide some examples. The RS Chemist also discussed the possibility of preparing a template for the consultants to use for their submittals. The hope is that these examples will help with what the department's requirements are, while allowing for internal flexibility to prepare more concise lab narratives and reports.
- Any questions regarding the subcommittee discussion, please feel free to reach out to Paul or Todd. Paul thanked everyone that attended the subcommittee meeting and plans to try to meet again prior to the next Advisory Committee meeting.

**Regulatory Subcommittee:** Qazi Salahuddin is the Chair of the Regulatory Subcommittee. The committee last met on December 2, 2019, jointly, with the Finance Subcommittee, with 2 attendees.

- The subcommittees discussed a current proposal that would require any Brownfield Investigation be drafted in final form within 12 months of application submittal.
- The subcommittee also discussed requiring a conceptual idea of the plan which will help better prepare for sampling. The conceptual idea will improve the quality of sampling depending on what the plan is. It was discussed requiring this to be included in the conceptual site model, possibly. Once the Brownfield Investigation is completed there will be better data to determine if modification is needed.
- These discussions would streamline the process and move the sites along so the project can be completed within 24 months of the Brownfield Development Application.

**Q. Some projects have gone through several plans, due to unforeseen delays, would the proposal discussed account, and/or, include the plans with different criteria?**

A. *Yes, if there is just cause the project can be expanded longer than the 24 month deadline, and larger projects will be taken into consideration.*

- The 24 month deadline would be the default and if a project takes longer, a schedule can be approved by DNREC; however, the new proposal is an effort for all parties to keep the projects moving.
- If anyone has any other comments or questions, please forward to Sandy.
- **Chapter 74:** Eileen Butler reported out on the status of amendments to Chapter 74. The hearing officer's report is complete, and the Secretary's Order has been signed by the Secretary.
- **UST Regulations:** The UST regulations. will be published on January 1, 2020 and promulgated on January 11, 2020.
- **Delaware Risk Based Corrective Action Program (DERBCAP):** Chris Brown spoke regarding DERBCAP Guidance which has been in use since around 2000 and has been recently updated. The DERBCAP is for Petroleum Underground and Aboveground Storage Tank (UST) (AST) Sites providing for quantitative risk based decision-making at petroleum release sites.
- The Guidance was sent to committee participants, via email with today's agenda and minutes from the September 5, 2019 meeting. Chris is reaching out to the committee for review of the guidance and any comments. Comments are appreciated by January 10, 2020.
  - Of particular interest are the risk based screening levels, Tables 2 & 4. Any comments regarding the guidance document can be emailed to Hydrologist, Stephen Peterson at [Stephen.Peterson@delaware.gov](mailto:Stephen.Peterson@delaware.gov).
  - All comments are appreciated, and will be collected and reviewed.

**Outreach Subcommittee:** Christina Wirtz, Chair of the Outreach Subcommittee reported out on the current status of outreach events.

- Jill Williams-Hall has been working with Public Affairs on the three county Brownfield brochures. The brochures look much more professional, the verbiage is the same on each brochure; however, a before and after picture will represent each county. The Kent County

brochure was sent to the committee via email. Christy sent the brochures to the subcommittee for review and comments and will adjust with any changes. A separate brochure is being created for non-profits.

- Recent outreach events have included the Coastal Cleanup and attendance at the Realtors Conference.
- A Public Information session is being held this evening at the Blades Fire Hall in Blades, DE from 6:30 pm to 8:00 pm, to discuss the proposed listing of Blades groundwater on the Environmental Protection Agency's (EPA) National Priority List. DNREC and the EPA will both be present to answer any questions the attendees may have.

***Ecological Subcommittee:*** Kristen Thornton and Marian Young are the Co-Chairs for the Ecological Subcommittee and Kristen gave an update on the subcommittee's status.

- Kristen and Marian are looking to schedule a subcommittee meeting in January, 2020. There is no set date yet; however, once set, the committee will be invited to attend.
- The subcommittee has been working on incorporating tasks into the Brownfield Reimbursement that can be included in policy and how these tasks will be reimbursed.

**New Business:** None

Meeting Adjourned: 9:40 am