

In The Matter Of:
DNREC - Allen Harim

Hearing
August 21, 2019

Wilcox & Fetzer, Ltd.
1330 King Street
Wilmington, DE 19801
email: depos@wilfet.com, web: www.wilfet.com
phone: 302-655-0477, fax: 302-655-0497



DEPARTMENT OF NATURAL RESOURCES & ENVIRONMENTAL CONTROL
OF THE STATE OF DELAWARE

RE: Public Hearing: Allen Harim On-Site)
Wastewater Treatment and Disposal)
System Permit Application and Artesian)
Wastewater Management Spray Irrigation)
Permit Application)

..

Mariner Middle School
16391 Harbeson Road
Milton, Delaware 19968

Wednesday, August 21, 2019
6:11 p.m.

..

BEFORE: Lisa Vest, Hearing Officer

-- Transcript of Proceedings --

WILCOX & FETZER
1330 King Street
Wilmington, DE 19801
(302) 655-0477
www.wilfet.com



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1 MS. VEST: Can everybody hear me?

2 UNIDENTIFIED SPEAKER: No.

3 MS. VEST: Okay. The time is
4 approximately 6:04 p.m. on Wednesday,
5 September 21, 2019 -- or I'm sorry,
6 August 21, 2019.

7 Thank you, guys, for coming out. I
8 apologize for the uncomfortable seating. I
9 did not know that there were going to
10 actually be cafeteria tables here. Note to
11 self for any further hearings.

12 But I appreciate everybody taking
13 time to come out of their schedules to be
14 here.

15 If anyone, by any chance, missed
16 the sign-in sheets that we have in the back,
17 I would encourage you guys to please sign in.

18 There is a place provided to
19 indicate whether you wish to speak tonight.
20 Even if you do not wish to speak, we would
21 still like to have an accurate count of who
22 attended the hearings.

23 So if you have not already done so,
24 please try to do that before you leave.



1 We are here this evening to provide
2 a formal platform for DNREC to receive public
3 comment on two permit applications that are
4 currently pending before the Department at
5 this time.

6 There has been a little bit of
7 confusion with this, so I want to make it
8 clear.

9 We are dealing with both of these
10 permit applications tonight, but they are two
11 separate applicants.

12 The first one is a permit
13 application filed by Allen Harim Foods for an
14 operations permit for an on-site wastewater
15 treatment and disposal system to treat
16 poultry processing wastewater at the Allen
17 Harim Harbeson processing facility.

18 The second one is Artesian
19 Wastewater Management Inc. has applied for a
20 spraying irrigation operations permit to
21 receive that treated wastewater effluent for
22 storage in a synthetically lined lagoon and
23 disposal via spray irrigation at the Artesian
24 Northern Sussex Regional Water Reclamation



1 Facility.

2 For those of you that may not know
3 me, my name is Lisa Vest, and Secretary
4 Garvin has appointed me to serve as the
5 hearing officer for tonight's proceedings.

6 At the conclusion of these
7 introductory remarks, I will be turning the
8 hearing over to Department staff, who will be
9 making a formal presentation to try to help
10 everybody understand the scope of tonight's
11 hearing, which, of course, are two pending
12 permit applications that I have previously
13 mentioned.

14 There is also going to be a brief
15 presentation tonight given on behalf of the
16 applicants. Following all of those
17 presentations, we will then open the floor to
18 accept comment for the record from those here
19 who have indicated a desire to do so.

20 The order of commenters will be
21 taken directly from the sign-in sheets. So,
22 again, please feel free to grab a seat and
23 sign in if you have not already done so.

24 With regard to the comments wishing



1 to be offered tonight, there are, as is the
2 case with all of our hearings, formal
3 protocols which must be adhered to for this
4 evening.

5 Before I proceed further with
6 reviewing these protocols, I do need to
7 address a matter that was brought to the
8 Department's attention concerning what was
9 actually noticed for tonight's hearing.

10 In the notice that hit the paper,
11 the Department indicated that both the permit
12 application materials and the proposed draft
13 permits would be available for review online.

14 Unfortunately, however, the
15 Department made that statement prematurely,
16 as these draft permits were in the process of
17 being completed at the time that the notice
18 ran in the paper.

19 Now, pursuant to Delaware Law, the
20 Department is only required to provide notice
21 of the permit application. It does not
22 technically require the notice of the draft
23 permit. We do that for the public's behalf
24 and convenience.



1 Some permitting programs do require
2 it, such as the NPDES ones. These
3 operational and construction permits do not.

4 Nevertheless, we wanted to get that
5 up as soon as we could. And in the spirit of
6 transparency and pursuant to the notice that
7 we put out there, we did get them done, they
8 are up online, and I absolutely encourage the
9 public to go online and check them out.

10 I also want to make sure that
11 everyone understands that just because that
12 we now have draft permits up, it is not
13 indicative of any decision being made in this
14 matter.

15 The only thing that the draft
16 permit does is give an example of what such a
17 permit would look like if the Secretary
18 ultimately decides to give it.

19 They are not in operation for this
20 process right now. Draft permits have no
21 value other than informational for you guys
22 to understand what one might look like should
23 the Secretary approve it.

24 And, of course, Secretary Garvin is



1 the one that makes these decisions. There is
2 no decision that's been made already. Just
3 because we have draft permits, it doesn't
4 mean that that's what's going to happen.

5 And Secretary Garvin is only going
6 make a decision once all the comment comes
7 in.

8 To that end, and to further
9 accommodate the public's interest in
10 reviewing all these materials, and to make
11 sure that you guys have an opportunity to go
12 online and look at them, I have made a
13 decision to extend the hearing comment period
14 for a full 30 days from tonight.

15 I typically have the draft permits
16 going up online. It's a standard 15-day
17 notice. So there is nobody that's going to
18 be shortened of a time period to be able to
19 review it and provide comments. So we are
20 going to keep that open.

21 And comment will be received
22 through close of business on Friday,
23 September 20th.

24 The hearing record being open will



1 also ensure that those who possibly couldn't
2 attend tonight's hearing will also be able to
3 provide written comment for the record during
4 that 30-day time period.

5 Also, there may be those of you
6 that have come prepared to offer comment
7 tonight, and after you hear the presentations
8 and hear other comments, you may want to add
9 to your comments. You can completely do that
10 if you wish.

11 Maybe you didn't think you wanted
12 to offer comment, and after you hear
13 everything, you do want to offer comment.

14 So, by all means, leaving the
15 hearing record open through September 20th
16 will ensure that no one was prevented in any
17 manner from offering comment and that the
18 public was given ample opportunity to provide
19 comment for inclusion into the record.

20 That being said, there are some
21 protocols that I am going to go through
22 briefly prior to the beginning of these
23 presentations.

24 Consistent with all public hearings



1 held by DNREC, all comment must be limited
2 solely to the subject matter of tonight's
3 hearing, which again is the pending
4 application submitted to the Department by
5 both Allen Harim and Artesian in this matter.

6 Pursuant to those subject matters,
7 all comments pertinent to these permits will
8 be incorporated into the formal hearing
9 record being generated and will be considered
10 by Secretary Garvin prior to his making a
11 decision in this matter.

12 As is DNREC's policy at all formal
13 hearings such as this, each person wishing to
14 offer comment tonight is asked to do so in as
15 precise a manner as possible.

16 In order to treat everyone equally
17 tonight, each person will be granted a total
18 of three minutes of time in which to comment.

19 To facilitate that protocol and
20 again to ensure fairness, there will be a
21 visual timer that we will put up behind me.
22 It will be on the screen. It will help
23 everyone be aware of how much time is
24 remaining while they are making their



1 comment.

2 Please be mindful that if you have
3 already submitted written comment, either by
4 e-mail or tonight, that information is
5 automatically in the hearing record.

6 Keeping in mind that there are
7 probably a lot of people that want to offer
8 comment, if you have already provided comment
9 in writing, there is no need to do it again
10 tonight. It's already in the record.

11 If you have prepared written
12 comments with you tonight, I would ask that
13 you present the same to me when you have been
14 recognized as the next commenter. I will
15 mark the same. It will become a part -- it
16 will be an actual exhibit that will get
17 attached to the record. And then you can --
18 the three-minute timer will start, and you
19 can briefly summa -- summ -- you can briefly
20 summarize what your comments are. It's been
21 a long day.

22 The three-minute time allotment for
23 each person wishing to offer comment will be
24 enforced for tonight's proceeding. There is



1 no yielding of time from one commenter to
2 another, again to ensure fairness and
3 equality for each person offering comment.

4 Consistent with DNREC's policy at
5 all of its public hearings and pursuant to
6 current Delaware Law, all persons wishing to
7 offer comment tonight must be physically
8 present in order to be recognized.

9 If there are commenters who are
10 present here tonight and wish to offer other
11 people's comments into the record, they may
12 do so, provided that the person whose
13 comments are being entered is fully
14 identified, again for the benefit of the
15 record.

16 In that instance, the speaker who
17 is offering someone else's comments still
18 only gets three minutes total. No one will
19 be granted an additional three minutes for
20 their own views after verbally entering
21 remarks of someone else.

22 There is only one authen -- authen
23 -- (laughter) -- there is only one record of
24 tonight's proceedings, and it is the official



1 court reporter's verbatim transcript which is
2 being prepared tonight.

3 She can only hear and accurately
4 transcribe one voice at a time. In order to
5 ensure accuracy of her transcript and to be
6 mindful of all the other protocols associated
7 with tonight, I would ask that no one please
8 speak while another person is speaking, and
9 do not call out from the audience for any
10 reason.

11 If there are members of the news
12 media present tonight, you are certainly not
13 prohibited from audio or visual recording of
14 these proceedings.

15 We do ask that any equipment that's
16 used is done in a way that it's unobtrusive
17 and does not interfere with the ability of
18 others to see and hear what is being said.

19 Whether listening or speaking, we
20 do ask that everyone here today be respectful
21 and considerate of all comment offered
22 tonight, even though some comment may, in
23 fact, differ in opinion from your own.

24 Additionally, I would also ask that



1 all cell phones be either muted or turned off
2 for the duration of these proceedings.

3 Again, the statutory purpose of
4 tonight's hearing is to allow citizens to
5 provide comment for the record on these
6 pending permit applications from both Allen
7 Harim and Artesian.

8 A record consisting of the
9 transcript of verbal comments given tonight,
10 all written comments received through
11 September 20th, all exhibits, and the Hearing
12 Officer's Report will all be turned in and
13 reviewed by Secretary Garvin.

14 The Secretary will ultimately issue
15 an order following that review process. The
16 order will contain his decision on these
17 applications and the reasons therefore.

18 Myself and other DNREC staff
19 members who are present tonight are here to
20 help facilitate the receipt of comment but
21 not to participate in the proceedings. There
22 is no Q and A session permitted during the
23 course of our formal hearings.

24 Again, it is important to note that



1 no decision has been made by the Department,
2 nor will any decision be made tonight with
3 regard to these permit applications.

4 The hearing record being generated
5 in this matter will, once again, remain open
6 for an additional 30 days.

7 Comment may be submitted through a
8 comment forum link on the hearing page, via
9 email to DNREC hearing comments at
10 delaware.gov, or via the U.S. mail to me at
11 the address that's indicated on the hearing
12 page and the public notice.

13 If you don't have that, please come
14 up to me after the hearing. I can give you a
15 business card.

16 It should be noted that written
17 comments to DNREC may not be submitted
18 through social media platforms such as
19 Twitter, Facebook, You Tube, or text
20 messaging.

21 That being said, I am going to turn
22 the floor over to Department staff, who I
23 believe will begin their presentations.

24 MR. DIORIO: I have a question on



1 point of information.

2 MS. VEST: Yes.

3 MR. DIORIO: Is it three minutes
4 per permit, or three minutes total?

5 MS. VEST: No, no. It's three
6 minutes per person that wishes to offer
7 comment.

8 MR. DIORIO: Per permit hearing?

9 MS. VEST: Just in general.

10 MR. DIORIO: In general?

11 MS. VEST: In general. Yes.

12 MR. CARUTHERS: Good evening,
13 everyone. My name is Derrick Caruthers. I'm
14 with DNREC's Groundwater Section, Groundwater
15 Discharge Section.

16 I am here to talk about the
17 operation permit application for the Allen
18 Harim site.

19 The facility is a poultry
20 processing facility which offers an on-site
21 wastewater treatment system.

22 The wastewater treatment system
23 consists of screening, grit removal,
24 dissolving air flotation device, anoxic



1 biological nutrient removal, basins, aeration
2 cells, flocculation tank, clarifiers.

3 So, basically, it's taking out the
4 big chunks, treating after that, and then
5 disinfecting in the end with the chlorination
6 and dechlorination.

7 Incorporated into this design is
8 the ability to divert anything that is deemed
9 off-spec. So anything that is -- that the
10 Department will not allow to get sent to
11 ANSRWRF will be diverted to a different
12 portion of the treatment plant so that it has
13 to get treated again.

14 And that's pretty much what those
15 last two points say.

16 This is a site map of the Allen
17 Harim site. It's about a quarter of a mile
18 south of the 5-9 intersection in Harbeson.

19 Probably, most of you probably
20 can't see it. But there is four monitoring
21 wells that are around the lagoons up there.
22 And I think they are kind of important just
23 to mention. You will see why in a second.
24 But I just wanted to let you know that there



1 are some monitoring wells out there.

2 So there is going to be influent
3 limitations. That's these limitations on
4 what's coming into the plant from the poultry
5 processing facility.

6 There will be a daily average
7 influent flow from the facility that's not
8 allowed to exceed 2 million gallons per day.

9 There is a maximum influent flow
10 from an off-site facility, the Pinnacle
11 Processing facility, and that's at
12 40,000 gallons per day.

13 And the same for the Dagsboro
14 Hatchery is also at 40,000 gallons per day.

15 The effluent limitations that are
16 in the permit, or would be in the permit,
17 that's going to be what the limitations are
18 once the wastewater has come into the
19 treatment facility, been treated, and ready
20 to be sent to ANSRWRF.

21 The average effluent flow shall not
22 exceed 1.5 million gallons per day, averaged
23 over a seven-day period, and it can't exceed
24 2 million gallons per day.



1 So we can't send any more out than
2 1.5 over seven days and not two in one day.

3 The total nitrogen concentration
4 can't exceed 30 milligrams per day, so
5 30 milligrams per liter on a daily average.

6 And the total nitrogen
7 concentration can't exceed 45 milligrams per
8 day just for that day.

9 So the 30 milligrams is an average.
10 The 45 is for that day.

11 The total residual chlorine can't
12 be less than one, but then it also can't be
13 more than four. So that's to ensure we are
14 getting the proper level of disinfection to
15 make sure that any of the bad bugs that are
16 in the wastewater are killed prior to them
17 getting sent to the ANSRWRF site.

18 And the same for the fecal
19 coliform. It can't exceed 20 colonies per
20 100 milligrams -- 100 milliliters -- at
21 anytime. So that's the same thing. The
22 fecal coliforms are the same as the bad bugs,
23 the bad bacteria. We are making sure that
24 it's at an acceptable level.



1 There is additional effluent
2 limitations. The pH has to be between 5.5
3 and nine.

4 Turbidity can't exceed five.

5 The BOD and the TSS are at ten.

6 The chloride concentration of the
7 effluent has to be less than 250. And the
8 sodium has to be less than 210.

9 Those are some -- I guess they are
10 pretty much standard effluent limitations for
11 the type of wastewater that is used for spray
12 irrigation.

13 So, again, just to make sure that
14 what we are putting down on cross is safe for
15 the environment.

16 This is a list of the influent and
17 effluent monitoring requirements that would
18 be incorporated into the operation permit.

19 There is monitoring frequency and
20 both for influent and effluent. So there is
21 a fairly extensive amount of parameters that
22 would be required to be monitored.

23 And that goes as far as twice a
24 month, three times per week, quarterly,



1 continuous. There is plenty of different
2 frequencies.

3 They also, for this particular
4 site, have required or supposed to require
5 monitoring for process controls during the
6 actual treatment.

7 So when the wastewater is getting
8 treated into the plant, it's also going to
9 get tested. Anything from outside of the
10 parameter is going to get diverted back to
11 the head of the plant so that it has to get
12 retreated.

13 So these are the parameters that
14 will be monitoring more closely than the
15 previous parameters to make sure that we can
16 require diversion prior to it leaving the
17 Allen Harim site and going to the ANSRWRF
18 site.

19 Those four monitoring wells that I
20 had tried to show you before, those four
21 monitoring wells will be monitored for these
22 parameters to make sure that we don't have
23 anything that might try to leave those
24 lagoons that they were surround -- that they



1 were around, so ...

2 And those are monitored quarterly,
3 as well. So we're also trying to make sure
4 that everything is on the Allen Harim site
5 that's supposed to be on that site.

6 And the key permit requirements,
7 they have to, obviously, be compliant with
8 the effluent limits that are specified in the
9 permit.

10 We have got diversion of off-spec
11 wastewater, temporary storage, and additional
12 treatment, the monitoring and recording that
13 they will have to send on a regular basis to
14 us.

15 We will use that to evaluate
16 wastewater treatment efficiency and determine
17 if compliance is an issue and incorporate
18 that into the permit conditions.

19 And the facility is definitely
20 going to be regularly inspected by the
21 Department, at a very minimum on an annual
22 basis, but, more than likely, more than
23 annual.

24 There is also a requirement for the



1 permittee to have a Delaware license
2 certified operator for the wastewater
3 treatment plant.

4 There is an old lagoon cleanout
5 requirements that will be incorporated into
6 the operation permit to make sure that they
7 are following that.

8 It's typical that they have to have
9 proper sludge disposal.

10 They will also have to have
11 implementation and maintenance of the
12 stormwater plan to control stormwater runoff
13 at the site.

14 And these permits will expire, and
15 the permittee will regularly have to apply
16 for a permit renewal.

17 And that's everything I have for
18 the Allen Harim side.

19 I will turn it over to John Rebar,
20 the program manager.

21 MR. REBAR: Good evening,
22 everybody. So my name is John Rebar. I'm
23 the program manager for the Groundwater Large
24 Systems Section.



1 I am going to discuss the spray
2 irrigation operation permit application
3 for -- that was submitted by the Artesian
4 Waste Management Company. And it's for the
5 Artesian Northern Sussex Regional Water
6 Recharge Facility, also called ANSRWRF.

7 Um, so they have -- so Artesian
8 Wastewater Management has submitted an
9 application to do spray irrigation
10 operations.

11 Um, they are going to receive
12 treated wastewater effluent from Allen
13 Harim's wastewater treatment plant.

14 They are going to store it in a
15 synthetically lined lagoon. And then they
16 are going to dispose it via spray irrigation.

17 And the design average daily flow
18 is 1.5 MGD, or a million gallons per day.
19 And the peak flow is going to be about
20 2 million gallons per day.

21 So the facility is designed to
22 uti -- reuti -- utilize reclaimed wastewater
23 for irrigation.

24 It's going to be sprayed on



1 privately owned agricultural land that is
2 under a lease held by Artesian.

3 Um, the proposed, um, irrigation
4 sites are going to include both wooded and
5 agricultural fields. They are going to, um,
6 be utilized in both current and future
7 phases.

8 And so by the future phases, will
9 be about 17 -- well, a little over
10 1,700 acres of land.

11 The current permit that is being
12 applied for is only for what are called
13 Fields F and G. And then there is a phased
14 plan to incorporate Fields D and E at a
15 future time.

16 These sites have been permanently
17 placed in agricultural -- in an agricultural
18 preservation easement by the Delaware
19 Agricultural Lands Preservation Foundation.

20 So the effluent has been received
21 at the Allen Harim site. A high level of
22 treatment is going to meet what our regs call
23 the unlimited public access criteria.

24 The nitrogen will be controlled via



1 polishing by crop uptake per our regulations.

2 And it's also important to note
3 that the Artesian facility also has
4 capability for disinfecting the stored
5 wastewater if additional treatment is
6 required for the spray irrigation.

7 So this is a site map of the area.
8 The one thing I wanted to note on these is
9 the -- it will show up in a second -- is the
10 number of monitoring wells, piezometers,
11 lysimeters, and surface water monitoring
12 locations that we have established throughout
13 the site.

14 So we have a strong level of
15 monitoring that ensures the groundwater is
16 protected.

17 So the unlimited public access
18 means that all the wastewater has to go
19 through a biologically -- a biological
20 treatment process.

21 It has to be filtered. It has to
22 be disinfected. And it has to meet certain
23 parameters.

24 In this case the BOD5 has to be



1 10 milligrams per liter.

2 Fecal Coliform can be no more than
3 20 colonies per minimal.

4 Suspended solids needs to be
5 10 milligrams per liter.

6 And turbidity has to be -- which
7 turbidity is a measurement of how clear the
8 water is -- has to be 5 NTUs.

9 So our regulations -- our
10 regulations require the facility to achieve
11 an annual -- an average annual concentration
12 of 10 milligrams per liter of particulate
13 underneath the spray fields, as verified by
14 the in-field monitoring, all those monitoring
15 wells that we showed you earlier.

16 The pertic -- the pertico -- now I
17 can't speak. (Laughter) The percolate total
18 nitrogen -- excuse me (taking a drink of
19 water) -- is estimated monthly using a
20 nitrogen balance spreadsheet, which we have
21 on our website, and it uses various measures
22 to calculate what that particulate is on a
23 monthly basis.

24 Um, the whole design of this



1 facility is so that the total nitrogen
2 concentration for the facility results in
3 this 10 milligrams per liter.

4 And that's taking into effect the
5 number of acres, the application rate, the
6 types of crops and fertilizers uses, et
7 cetera.

8 So, in order to reach that ten, the
9 facility is designated -- it's been designed
10 to produce an effluent of 30 milligrams per
11 liter.

12 We are going to have certain
13 parameters in any kind of draft permit that
14 will give us additional control if it's over
15 30.

16 So they would have to do additional
17 sampling. Potentially, they would have to
18 look into some engineering solutions, and
19 potentially redesign the system if they were
20 not able to achieve that 30.

21 The reason why the 30 is important
22 is because all the different crops --
23 whoops -- all the different crops have
24 different nitrogen loading limits associated



1 with them. So the farming fields are going
2 to be planted with a wide variety of barley,
3 soybeans, cover crops, et cetera, and that is
4 going to help take up the nitrogen.

5 And so, because certain crops have
6 a certain nitrogen uptake, you can do some
7 calculations based on the application rate to
8 how much water you actually send out to the
9 fields. And so we have calculations in the
10 permit that will indicate how much water can
11 actually go out into each field.

12 So, as I said, what's going to
13 happen is Allen Harim is going to treat the
14 wastewater. They are going to send it to the
15 ANSRWRF facility.

16 Normally, in order to dispose
17 properly of all that wastewater or the
18 wastewater to all the fields that ANSRWRF
19 has, normally you would only require
20 65.2 million gallons of storage.

21 This facility has a 90-million
22 gallon -- a 90-million gallon capacity. This
23 excess capacity is intended for the phase two
24 expansion. There's additional fields, as I



1 had mentioned. But it also can be used
2 in the case of an emergency.

3 And it's important to note that we
4 are permitting -- we're currently proposing
5 to permit two fields. One of those fields
6 alone is sufficient to achieve the average
7 daily design flow and total storage of the
8 irrigation.

9 So they have doubled up a number of
10 parameters.

11 So this means that it was designed
12 at a conservative maximum disposal rate of
13 1.65. The on-site regulations will allow up
14 to 2.5. So they have actually proposed a
15 more conservative disposal rate.

16 There is the opportunity, should
17 they need it, to seek separate, seek
18 additional permissions to spray, but they are
19 not allowed to go over that 2.5.

20 So just like how the Allen Harim
21 permit had a bunch of sampling requirements,
22 this permit will also have sampling
23 requirements.

24 And they are at different



1 frequencies and different types of sampling.
2 Some of them are grabbed. Some of them are
3 composite, which means it's a sample taken
4 over time.

5 Their storage: The storage lagoon
6 has an extra 15 days of storage. An
7 additional three feet of storage -- freeboard
8 that can be utilized for emergency
9 situations.

10 Um, if off-spec wastewater -- um,
11 so there is, obviously, there is a diversion
12 training at the Allen Harim facility. If
13 something were to happen and off-spec
14 wastewater did reach the ANSRWRF facility,
15 um, we have a number of different
16 contingencies that could be utilized,
17 including temporary suspended spray
18 operations, because they have this additional
19 um, time and freeboard. Um, you can do
20 additional monitoring. And then, um, there
21 is also the possibility of bringing in --
22 well, they already have chlorination. There
23 is also the possibility of additional
24 treatment, as well.



1 So the phase one construction
2 currently has more than the minimum required
3 land for spray disposal at the design flow
4 rate.

5 Um, there is 110 additional acres
6 to provide some flexibility within
7 operations. Um, and if additional challenges
8 arise, additional fields can be brought into
9 operational use.

10 So, with that, I'm going to end my
11 presentation. Did we want to do the hearing
12 exhibits before?

13 MS. VEST: Yes. If you have
14 exhibits, go ahead and put them in.

15 MR. REBAR: All right. Daniel, if
16 you could leave that up for a few minutes.

17 I'll do Allen Harim first.

18 Okay. So I have the Allen Harim
19 application for the operational permit.

20 And there is a series of documents
21 that make up this packet. Do you want me
22 to --

23 MS. VEST: That's fine.

24 MR. REBAR: Okay.



1 MS. VEST: Are they all posted on
2 the website?

3 MR. REBAR: They are all posted on
4 the website.

5 (Handing packet to Ms. Vest)

6 MR. REBAR: And then I have an
7 additional -- two more exhibits for Allen
8 Harim. I have the draft permit. (Handing)
9 And the Power Point presentation. (Handing)

10 MS. VEST: Does that conclude the
11 Department's exhibits for Allen Harim?

12 MR. REBAR: It does.

13 MS. VEST: Okay. Let the record
14 reflect that the Expandex file filled with
15 the Allen Harim application documents, all of
16 which are posted as of right now on the
17 hearing website, that will be exhibit --
18 Department Exhibit Allen Harim 1.

19 A copy of the draft permit will be
20 Department Allen Harim Exhibit 2.

21 And a copy of the Power Point that
22 was presented just now will be Department
23 Allen Harim Exhibit Number 3.

24 MR. REBAR: Oh, I do have one



1 additional -- it's actually within that
2 expanded file.

3 MS. VEST: Okay.

4 MR. REBAR: It is the legal notice
5 for tonight's hearing.

6 MS. VEST: Okay. The record so
7 reflects.

8 MR. REBAR: Thank you.

9 MS. VEST: Continue.

10 MR. REBAR: I have another
11 application for -- or another series of
12 exhibits.

13 I have the application for the
14 Artesian's ANSRWRF facility.

15 Again, it includes a wide variety
16 of documents, um, that make up the package.
17 These documents are also on the website. And
18 the hearing public notice is also in this
19 file, as well.

20 MS. VEST: Okay.

21 MR. REBAR: I have three more
22 exhibits.

23 MS. VEST: Okay.

24 MR. REBAR: I have a file of all of



1 the public comments received to date on both
2 the Allen Harim and ANSRWRF applications.

3 MS. VEST: Okay.

4 MR. REBAR: I have the draft permit
5 for the ANSRWRF facility.

6 MS. VEST: Okay.

7 MR. REBAR: And I have the Power
8 Point presentation for the spray operation
9 application.

10 And I have one other additional.

11 MS. VEST: Okay.

12 MR. REBAR: Within the Allen Harim
13 application packet was the -- is a copy of
14 the Regulations Governing the Design,
15 Installation, and Operation of On-Site
16 Wastewater Treatment and Disposal Systems.
17 They are our regs that we utilize to
18 development our permits.

19 MS. VEST: Okay. Fair enough. Let
20 the record reflect, just for clarification,
21 that when these get posted, we will have a
22 summary sheet up there, so it will be easy
23 for people to navigate and see that.

24 Again, there are three exhibits



1 identified for Allen Harim received by the
2 Department with the addition of a legal
3 notice exhibit as well as a copy of the regs
4 which govern that permit.

5 MR. REBAR: Correct.

6 MS. VEST: With regard to Artesian,
7 there is the permit application, itself, the
8 draft permit, the Power Point associated with
9 it, and your public comments folder
10 containing all public comment contained to
11 date.

12 MR. REBAR: Correct.

13 MS. VEST: All right. And, again,
14 we will have some sort of summary sheet -- I
15 will see to that -- so it will be easy to
16 navigate for those that want to look at it
17 online.

18 Does that conclude the Department's
19 presentation at this time?

20 MR. REBAR: It does.

21 MS. VEST: Thank you. At this
22 point I would ask the applicants to offer
23 their presentation for the record. I believe
24 it's going to be a joint presentation.



1 MR. KONSTANSKI: Good evening,
2 everybody. Good evening, everybody. My name
3 is Daniel Konstanski, and I am the engineer
4 of record for the ANSRWRF project.

5 So staff did a great job of
6 covering all the different pieces, both in
7 terms of monitoring and some of the
8 corrective actions.

9 What I would like to do is briefly
10 take a couple of minutes to go through how it
11 all kind of works together and how it is
12 fitting together.

13 (One of the applicants said something to
14 the speaker.)

15 Yeah. I introduced myself first.
16 Along with me -- I am going to be the only
17 speaker tonight to try to save on time. But
18 here we do have Dave Spacht and Rodney Wyatt.
19 Dave is the president of Artesian Wastewater
20 who is going to be running the ANSRWRF
21 facility.

22 And then we also have Tracy Allen
23 from Allen Harim, who is in charge of their
24 operations at their wastewater treatment



1 plant.

2 And Rodney is our Director of
3 Operational Compliance.

4 So, starting at Allen Harim, staff
5 already showed you a version of this. What I
6 would like to point out, so we have the
7 wastewater treatment plant, which is the
8 entire back side of the complex here.

9 So we have got the poultry
10 production here. And then there is where
11 Allen Harim has already spent around
12 \$30 million upgrading the plants.

13 And what we have installed, as part
14 of the staff was mentioning some of the
15 metering and monitoring that goes on, we have
16 a metering and monitoring of the building
17 that is installed directly downstream of the
18 treatment plant discharge.

19 So this monitoring is going on as
20 soon as the effluent comes off of the
21 wastewater treatment plant.

22 And staff mentioned, although I
23 want to paint the broad picture of how all of
24 these work together.



1 So we are calling them our four
2 prongs of monitoring. So we have the
3 monitoring program, and then we have
4 corrective action.

5 So the monitoring program consists
6 of four parts.

7 There is the continuous monitoring
8 of what we are calling the indicator
9 constituents.

10 There is the direct monitoring of
11 the regulating constituents.

12 And those first two are going to
13 occur at Allen Harim. Those are what are
14 going on in that metering and monitoring
15 building.

16 Then those are followed up by two
17 more at the ANSRWRF facility once the flow
18 reaches it.

19 The first is, again, a second
20 direct measurement of regulated constituents.
21 And then, finally, a fourth and final check
22 of the effluent once it is out in the field
23 below the root zone.

24 So, as John mentioned, the effluent



1 is being sent in the concentration that there
2 is still the useful nutrients for the plants.
3 That's part of the environmental benefits of
4 ANSRWRF, that we are taking something that is
5 currently lost to the stream and using it as
6 a benefit for the agricultural community.

7 But, obviously, we want to make
8 sure that those plants are doing what they
9 are supposed to do, so there is a final check
10 in the field, both in the area of the woods,
11 the timberland, as well as the cropland.

12 And then staff already did a great
13 job of covering the limits, the unlimited
14 public access in terms of concentrations that
15 we'll be held to. So these are the same-name
16 constituents that they mentioned, so I will
17 move on, as those were already covered in
18 detail.

19 So, going through these real
20 quickly in some detail.

21 Prong one is the continuous
22 monitoring of indicators at Allen Harim. A
23 lot of these constituents can't be directly
24 measured on a continuous basis, things like



1 nitrogen or BOD. Those are tests that have
2 to be sent to a lab, and that requires a
3 certain amount of time for them to come back.

4 So what we did was we took several
5 indicators that we are using as -- these are
6 things that would also show fluctuations in
7 the event that some of those things that
8 aren't directly regulated are having an
9 issue.

10 So these serve as an early warning
11 system, if you will, of something going wrong
12 in the effluent.

13 And it's something we can monitor
14 continuously. It's tied into both Allen
15 Harim's. It's called their skatus system,
16 which is what allows them to monitor all
17 different probes, as well as Artesian's, so
18 this is something we monitor jointly.

19 Then, as was mentioned by staff,
20 from two direct measurement of all those
21 regulated constituents, they showed you the
22 schedules of all the different things that
23 have to be monitored and the frequency that
24 those have to be monitored at.



1 And a lot of those -- we call this
2 the inside of that metering and monitoring
3 building. I mentioned so you can see we prop
4 the pipes up out of the ground. We have got
5 the monitoring and sample ports where samples
6 can be pulled.

7 And an important thing to note
8 about this is this is what's called a
9 composite sample. So it's not just a quick
10 snapshot. It's something that we take little
11 samples all throughout the day, aggregate
12 them together so that you get a picture of
13 what's happening over the course of the
14 entire -- so you don't miss something if you
15 happen to pull it at the right time.

16 Once it leaves the Allen Harim
17 site, it arrives, after an eight-mile
18 pipeline, up at the ANSRWRF facility. This
19 is the 90-million-gallon unit staff
20 mentioned.

21 It comes in on the inlet side here,
22 and it's eventually pulled out over here at
23 our pump station. This is where we have the
24 second set of direct measurements where we



1 are pulling samples there, as well, in a very
2 similar way to how we were doing it at Allen
3 Harim.

4 So those will be taken again per
5 the schedule that staff laid out.

6 And it's important to note all of
7 these direct measurements, both the ones
8 being taken at Allen Harim and the ones being
9 taken at ANSRWRF, they are sent to an
10 independent, third-party EPA certified lab.

11 So this is not results that we're
12 doing ourselves. We get the results
13 independently of one another, so the lab will
14 send them, both Allen's and Artesian's. But
15 that is not something that we are doing
16 ourselves. Those are sent to a third party.

17 And then, finally, we have out in
18 the fields. So we have an array, as John
19 showed you in his map -- and I have a very
20 similar one -- we have got an array of
21 installations out there.

22 As you can see here, these are
23 directly in the field measuring exactly what
24 is making it the past the root zone beneath



1 the plants.

2 So this is the lysimeter here. We
3 also have monitoring wells and piezometers.

4 And this is a very similar map to
5 what he had. Our dots are a little bigger,
6 so maybe you can see it a little bit easier.

7 As you can see, this is Field G
8 here, and this is Field F up here.

9 So there are installations in the
10 fields, in the timberland, and also at the
11 edges so we can see what's migrating off the
12 site.

13 There are over 30 monitoring wells
14 across the complex, as well as additional
15 lysimeters and piezometers throughout.

16 So, again, as John mentioned,
17 monitoring is great. But what are you going
18 to do if there is an issue? What corrective
19 actions do we have?

20 First and foremost, as he
21 mentioned, diversion, the 10 million-gallon
22 lagoon at Allen Harim. You see here. So
23 this, again, this is the outside of that
24 metering and monitoring building that we



1 mentioned.

2 You see over here, there is this
3 pipeline that ties into that complex of pipes
4 that I showed you earlier.

5 That's the diversion pipe. So
6 there is a single valve in there. If there
7 is a problem that comes back with one of the
8 continuous monitors or something that comes
9 back from one of those EPA labs, you throw
10 that one valve. It immediately puts it right
11 into here. This is an old picture of the
12 lagoon. It's going to be empty, obviously,
13 by the time that we start running it.

14 And the metering and monitoring
15 building right here, right out into there.

16 And, as you can see, the plant here
17 is fairly large. This is not a small system
18 that they have.

19 And so there are a lot of options
20 for while that water is being held and put
21 into that diversion lagoon, to make
22 operational changes and corrections within
23 the plant.

24 And then, once it reaches ANSRWRF



1 again -- John did a great job of covering
2 these -- we have the ability to cease
3 spraying.

4 And we have right now, again, as he
5 said, we have a 90-million-gallon lagoon with
6 only 67-million gallons required.

7 And that's what the plan is for
8 that. At additional capacity, it can be
9 allocated to other customers.

10 However, there is a minimum amount
11 at the top, the top 3 feet of the lagoon,
12 that is always available. It's about -- it's
13 millions of gallons that will always be
14 available to hold excess water in the event
15 that we need to cease spraying.

16 And then we also have the
17 additional fields that he mentioned. So,
18 right now, Field F is completely above and
19 beyond what we anticipate is going to be
20 needed based on the uptake levels of the
21 crops.

22 So that is completely additional
23 fields that we can bring online so that if,
24 in the event that, say, nitrogen does come at



1 a higher concentration than the plant can
2 uptake, what we can do is we can spread it
3 out across more land, and then it loads the
4 plants at the correct rate.

5 And then, finally, we do have the
6 ability to do temporary treatment.

7 First and foremost, we have the
8 ability to chlorinate. We do know that we
9 need to disinfect the water.

10 And we also have the ability, if
11 needed, there is portable treatment that
12 protects the filtration, biological
13 treatment, things of that nature, that we
14 have the ability to hook up on the back side
15 of the lagoon before the effluent is sent out
16 to the fields, if need be.

17 And just a brief word on the daily
18 operations that's being proposed in this O&M
19 manual.

20 So what I want to stress here is
21 this is not a static operation. Our
22 operators who are going to be running this
23 facility day in and day out, we have
24 developed a whole suite of tools and



1 different items for them to use, that each
2 day it's going to be a matter of taking into
3 account what are the real-world conditions
4 today? What has been the rainfall? Where
5 are we at in the growth cycle?

6 This isn't a turn it on, leave it,
7 and forget it. This is an actively managed
8 facility making sure that we are constantly
9 adjusting for the real-world conditions out
10 in the fields and the cropland so that we
11 don't overload it.

12 And, ultimately, this is where we
13 will end up. We have got over 13 miles of
14 infrastructure that we have put in, a
15 combination of solid sets -- I can think of
16 those as kind of glorified yard sprinklers.
17 They stand about yag high. They throw the
18 water a little further than in your yard --
19 in the woods. And then using the
20 center-pivot irrigators out in the fields.

21 Records of all of that is going to
22 be kept, submitted to DNREC, will be
23 available to the public for anyone who wishes
24 to review them. And this equipment will be



1 inspected on a regular basis, making sure
2 that we are not, you know, don't have any
3 broken pipes anywhere or anything of that
4 nature.

5 We got a brand new Kubota for the
6 operators. They are very excited about it.

7 And that is what we have.

8 So, again, it's just all working
9 together in this partnership between us and
10 Allen Harim with these four prongs with the
11 way that we are monitoring it and then these
12 corrective actions that we have available.

13 So thank you very much for your
14 time. I appreciate everyone coming out. And
15 I will turn it back over to staff.

16 MS. VEST: Does the applicant have
17 any exhibits that they wish to provide?

18 MR. KONSTANSKI: We will provide
19 this Power Point presentation.

20 MS. VEST: Okay.

21 MR. KONSTANSKI: I don't have it
22 printed out for you, but we will get it to
23 you.

24 MS. VEST: Okay. If you can get



1 that to me tomorrow just by e-mail --

2 MR. KONSTANSKI: Not a problem.

3 MS. VEST: -- and I will get it on
4 the web.

5 MR. KONSTANSKI: Easily done.

6 MS. VEST: Okay.

7 MR. KONSTANSKI: Oh, and the video
8 that was -- we also have a video that just
9 kind of summarizes some of what I just said
10 here for people to watch, if they like, as
11 well.

12 MS. VEST: As soon as you get that
13 to us, I will make sure that that gets up on
14 the web.

15 MR. KONSTANSKI: We will send it to
16 you.

17 MS. VEST: Thank you.

18 As I said before, I now have all
19 the sheets from the sign-in from the back of
20 the table.

21 I am just going to go in no
22 particular order, just in the order by which
23 people signed up.

24 But, again, I can't stress enough,



1 there is a lot of detailed information that
2 was just presented.

3 By all means, take advantage of the
4 website that's dedicated to this hearing, go
5 look at it, print it out, review it.

6 I know my eyes are too bad, if I
7 was sitting in the back, I wouldn't have been
8 able to tell half of that.

9 But, by all means, take the time,
10 check it out. And all comment that comes in
11 bears the same weight, whether it's in this
12 folder already having been received by the
13 Department, whether it comes in to me over
14 the next 30 days in an e-mail or through the
15 comment forum, or in the mail, or if it's
16 offered verbally tonight.

17 It all bears the same weight, as
18 long as it comes in before close of business
19 on September 20th.

20 So take advantage of it. Check it
21 out. And while we are, because of time
22 restraints and location, limited to three
23 minutes per speaker tonight, you are
24 unlimited in the amount of documents and



1 comments that you can provide to me. So take
2 advantage of it.

3 First up, in no particular order,
4 Mr. Keith Steck.

5 MR. STECK: Thank you. My name is
6 Keith Steck. I live in the Town of Milton.

7 Thank you for the opportunity to
8 comment on this. I appreciate the fact we
9 are going to have 30 more days to review the
10 draft permits. I will submit written
11 comments regarding that.

12 The first thing I would like to say
13 is I have not seen or heard addressed to
14 date, and I do not believe in documents
15 tonight, there is a critical operational
16 question:

17 What happens when the Artesian
18 lagoon reaches full capacity and the
19 conditions do not pass drain or the lagoon
20 cannot otherwise accept Harim wastewater due
21 to lagoon constraints?

22 I think that's an important
23 question I think a lot of people have been
24 asking, but there isn't an answer.



1 There are other questions. One
2 question is do not -- do operational plans
3 require Harim Harbeson to stop sending water
4 to the Artesian lagoon and discharge
5 wastewater into -- back into the Beaver Dam
6 Creek in any circumstances? And what are
7 those circumstances?

8 Um, equally important is the public
9 to have access to certain documents that I do
10 not believe that we had access to. One of
11 these is a letter that Harim was writing to
12 Artesian regarding their agreements for this
13 functioning. This document was required as
14 part of the instructions for the Artesian
15 pipeline construction application.

16 The other documents are Artesian's
17 amended design and development report in
18 2017. That's really critical, because it
19 tells what's supposed to be done, this back
20 and forth between DNREC and Artesian of what
21 they wanted them to do.

22 Another question or another
23 document I think that needs to be developed
24 or included and hasn't been that I can find



1 is a document that specifically talks about
2 the physical connection between the Harbeson
3 facility and the two, two pipelines to
4 Artesian, one pipeline to the wastewater
5 treatment facility behind Meadows at Beaver
6 Creek, and then, of course, a pipeline going
7 to the Artesian facility north of here.

8 So I believe that there is some
9 reference to that in some of these documents,
10 but there is not documents getting to the
11 details of it.

12 Another issue is contingency plans.
13 I believe that there is a need for a very
14 detailed contingency plan, not just saying
15 severe weather or that -- or rain has
16 developed, but in case of an accident, a
17 vehicle striking the building, some other
18 situation like that. That's not addressed.

19 And I have not completed review of
20 the Artesian plan, but I do note they have a
21 much more in-depth and detailed contingency
22 plan.

23 I will be submitting comments, and
24 I will yield the rest of my time.



1 MS. VEST: Thank you, Mr. Steck.

2 We are having a bit of
3 technological difficulty back there.

4 MR. REBAR: Do you have a
5 stopwatch? (Laughter)

6 MS. VEST: I started mine on my
7 phone. Are we going to forego the visual?
8 Can we get it up and running?

9 MR. REBAR: For right now.

10 MS. VEST: Okay. Keep trying. We
11 will keep track of it. Okay. Thank you, Mr.
12 Steck, for your comments. Next up, G. U.
13 Terrell, I believe.

14 MR. TERRELL: Yeah, good evening my
15 name is George Terrell. I live on Highway
16 30. And I also -- my property has the Ingram
17 Branch between 16 and 9, that section of the
18 Ingram Branch.

19 The pipeline is just across the
20 street from my house. And my question about
21 it is that the idea of testing for the
22 effluents and everything and the levels of
23 toxins or whatever is in it, but I'm
24 concerned a little bit about the volume, like



1 the amount that's, you know, that's delivered
2 from the plant is the amount that's getting
3 delivered at the lagoon.

4 Because we know that they had
5 several blowouts and failures in the pipeline
6 during the testing procedures, and my stream
7 turned dark black, like something came up out
8 of the bed of the stream during one of the
9 pumpings of whatever the effluent was they
10 were testing the pipeline with.

11 We saw several excavations when
12 they were getting the pipeline back up.

13 I would like some reassurance that
14 the pipeline is going to be secure from Point
15 A to Point B. It's not just what's being
16 delivered and sprayed down there; it's what's
17 being put into the ground between the two
18 points, which is approximately 9 miles.

19 And everyone who lives along there
20 has well water.

21 And, plus, we have a very pretty
22 stream of wetlands that we are trying to keep
23 as pristine as possible.

24 So, you know, how they are going to



1 test continuous movement of water from Point
2 A to Point B is going to be up to them.

3 I'm actually a merchant seaman that
4 worked in the petroleum industry, so we
5 worked with volumes of liquid all the time.
6 And the delivery from Point A to Point B is
7 very important.

8 And pipelines -- this is going to
9 go back to the idea of petroleum -- pipelines
10 are notorious for leaking more so than the
11 delivery from ships and barges and vice
12 versa. So a lot can be lost before anybody
13 notices it by the sheer volume that is in the
14 pipeline.

15 So I guess my point is that I would
16 like a retesting or a continuous testing and
17 monitoring of the volume and whether or not
18 there is any pressure of volume loss during
19 the transport of liquid from Point A to Point
20 B.

21 And how they are going to do that
22 is going to be an engineering issue, but it's
23 something that I think is very important to
24 be considered, considering the fact that they



1 did have several places where they did
2 excavations, but apparently they had several
3 blowouts during the original testings.

4 And that's really my point right
5 there. So I will yield whatever time I have
6 left to whoever else wants to talk.

7 MS. VEST: Thank you, sir.

8 MR. TERRELL: Thank you.

9 MS. VEST: I apologize right off
10 the bat if I get this name wrong. James and
11 possibly Giordina Yelenozsey.

12 Okay. I apologize. And I should
13 say, while James is coming up, if any of you
14 have any kind of disability or it hurts to
15 get up -- and I know these are not the nicest
16 tables that we have got here -- by all means,
17 just let us know, and I will have Theresa
18 bring the mike to you guys. So I apologize.

19 MR. YELENOZSEY: I'm James
20 Yelenozsey. I live in Milton.

21 Milton does not need the state's
22 chicken dumping grounds. I worked in a water
23 treatment plant that kept primary, secondary,
24 tertiary treatment, too.



1 I don't see any advantage to
2 Artesian spreading partially treated chicken
3 waste on farmers' property.

4 We don't need any smells in our
5 draining water, especially the plans to be
6 amended for the future to include all of
7 Allen Harim plants, the sludge.

8 Everything looks great on paper,
9 but I don't think anyone has seen anything
10 work perfectly.

11 I don't think DNREC would even
12 allow such a drastic change of plans without
13 getting approval of residents who haven't had
14 no say. The lagoon has been forced on Milton
15 by DNREC and corporate.

16 With the companies seeking
17 approval, I would vehemently oppose any
18 approval, because I do not want any
19 chemicals, including EHS chemicals, to be
20 stored on site, permanent or temporary. I do
21 not want any chemicals, including extremely
22 hazardous substance chemicals to be pumped
23 in.

24 I know you can't guarantee that the



1 permit will be in compliance, fines levied by
2 DNREC for noncompliance. It's really a joke
3 out of it, actually there's expenses.

4 (Applause)

5 MS. VEST: Thank you, sir. Anthony
6 and Susan Scarpa.

7 MR. SCARPA: Thank you. My name is
8 Anthony Scarpa, and I am one of the
9 cofounders of Keep Our Wells Clean.

10 I have a housekeeping matter that I
11 would like to ask DNREC. On October 30th of
12 2018, the Secretary of DNREC entered into a
13 conciliation order by consent with Allen
14 Harim imposing a \$300,000 fine plus \$7,888 to
15 cover DNREC's abatement expenses.

16 The fine was for NPDES permit
17 violations at the Harbeson/Dagsboro Allen
18 Harim facilities.

19 Allen Harim was supposed to pay
20 \$150,000 plus the \$7,888 of fine within 30
21 days. And within 60 days -- and this is an
22 agreement that was signed by the president of
23 Allen Harim, Joe Moran.

24 Within 60 days of the order, Allen



1 Harim was supposed to enter into an agreement
2 to fund a \$150,000 environmental improvement
3 project with the Nature Conservancy related
4 to improving water quality by limiting
5 agricultural runoff and groundwater transfer
6 into the Broadkill River watershed.

7 Attached to my comments is an
8 e-mail chain with John Hinkson, Department of
9 Communications Coordinator for the Nature
10 Conservancy in Delaware, confirming that
11 Allen Harim has not given any money or
12 entered into any agreement with the
13 Conservancy as ordered by the Secretary of
14 DNREC.

15 I would like to find out whether or
16 not this \$300,000 fine was ever paid.
17 Because, if it has not been paid, Allen Harim
18 should not be here tonight, and DNREC should
19 not be addressing their application for an
20 operating permit.

21 If you have an outstanding fine to
22 the State of Delaware, then this should
23 disqualify Allen Harim for even consideration
24 in this matter at this point.



1 Also, on public hearing page notice
2 date, time, and location, Allen Harim is
3 applying for an operations permit for on-site
4 wastewater treatment and disposal system to
5 treat up to 4 million gallons a day of
6 poultry processing wastewater.

7 Just below that, Artesian, in their
8 permit, is asking for the disposal permission
9 for 1.5 to 2 million gallons per day of
10 chicken wastewater.

11 Why would Allen Harim be seeking a
12 permit to treat 4 million gallons if you only
13 have disposal capacity for two?

14 Further, Allen Harim's treatment
15 system operations and maintenance plan was
16 compiled but not submitted to DNREC until
17 July 24, 2019, only one week before the
18 public announcement was put online.

19 Did DNREC engineers even have an
20 opportunity to review it?

21 Further, the final design of the
22 wastewater treatment system upgrade and
23 expansion phase two by Reed Engineering on
24 November 23, 2015, almost four years ago, was



1 included in the application, but it was
2 abandoned in 2016 by Allen Harim. Why is it
3 even in the application?

4 I have many more comments which I
5 will submit in writing.

6 MS. VEST: Thank you, Mr. Scarpa.

7 (Applause)

8 MS. VEST: Daniel Konstanski?

9 MR. KONSTANSKI: That was me that
10 already spoke.

11 MS. VEST: Oh, I knew that.

12 MR. KONSTANSKI: Just signing in
13 like you told me. Following the rules.

14 MS. VEST: It's been that kind of
15 day, folks. Jeff Horn.

16 MR. HORN: I waive my comments.

17 MS. VEST: Okay. Thank you. Lew
18 and Donna? (Laughter) Can I get away with
19 not trying to butcher your last name?

20 MR. PODOLSKE: Sure.

21 MS. VEST: Thank you.

22 MR. PODOLSKE: Hi. I'm Lew
23 Podolske.

24 MS. VEST: That's it. (Laughter)



1 MR. PODOLSKE: I'm a homeowner in
2 the Millsboro Possum Point area.

3 I just have a couple comments.
4 First, one of the classic definitions of
5 insanity is doing the same thing over and
6 over and over again and expecting a different
7 result. (Loud applause and whistling)

8 In the Millsboro area, we have the
9 Allen Harim Pinnacle plant, which is a
10 Brownfield site, officially called a
11 Brownfield site because of the use of
12 wastewater irrigation systems by the prior
13 owner, Smith.

14 In Millsboro, as you must all be
15 aware, we also have Mountaire, which for
16 something like 20 years has violated its
17 permits about spray irrigation of wastewater,
18 leading to huge pollution problems, including
19 medical problems for some of the neighbors in
20 that area.

21 So why do we continue to allow
22 these companies to put in systems that depend
23 on that technology where, if everything goes
24 perfectly, as one of the earlier speakers



1 mentioned, we will get the balance of the
2 absolute maximum allowable pollutant?

3 And when was the last thing human
4 beings did that ever worked perfectly with no
5 problems?

6 So we know that, you know, rain can
7 cause problems with runoff, freezing weather
8 can cause problems with runoff.

9 Their system design seems like it's
10 really pushing the envelope. And, yet, we
11 are supposed to expect that everything will
12 go well and will work perfectly.

13 The other thing I am concerned
14 about, of course, is that it's again more of
15 a corporate bait and switch.

16 The Allen Harim plant at Pinnacle
17 was supposed to be developing a
18 state-of-the-art wastewater treatment system
19 on site so that all of the water that was
20 used in that facility would be clean and
21 would not have to go anywhere.

22 Instead, they got an agreement to
23 temporarily truck things for treatment at
24 Harbeson. And now we can see that that's



1 supposed to become a permanent fixture with
2 trucks of wastewater going up and down the
3 roads, including past schools, over bridges
4 with environmentally sensitive areas.

5 And I also find it hard to believe
6 that that whole processing system that they
7 have going at the Allen Harim plant is only
8 going to produce 40,000 gallons per day.

9 That really stretches stability.

10 So I think, you know, we would like
11 to see them put in place the state-of-the-art
12 facility they were supposed to put in place,
13 the same as to, I believe in Harbeson, where
14 they had committed to a state-of-the-art
15 facility which they are now not going to
16 build, and instead we are going to go and use
17 the same technology that has failed
18 repeatedly throughout Delmarva. Thank you.

19 (Loud applause)

20 MS. VEST: Andrea Green?

21 MS. GREEN: I have comments with
22 respect to both of the permit applications
23 that I will hand up to be entered into the
24 record.



1 MS. VEST: Sure. Sure.

2 MS. GREEN: My name is Andrea
3 Green. I live in Milton, a resident of this
4 area for about seven years at this point.

5 Again, along with Mr. Scarpa,
6 founded Keep Our Wells Clean, as the
7 community group concerned about the
8 environmental hazards in our area, and
9 particularly the wastewater issues.

10 And I am rather disappointed that
11 we only have a total of three minutes with
12 respect to two separate applications, two
13 separate permit applications, giving us a
14 minute and a half for each of these
15 applications.

16 However, I have a couple of
17 important points I would like to raise.

18 First of all, with respect to the
19 Artesian permit application, the application
20 is not consistent with the conditional use
21 that was granted by Sussex County. That's
22 Sussex County Ordinance 1923, which
23 specifically states in one particular
24 respect, "Irrigation rates are to be



1 determined by crop utilization and uptake
2 limits, not by wastewater disposal needs."

3 That is not what's in this permit
4 application. And, in other words, the permit
5 application is in violation of the
6 conditional use that was granted by the
7 County.

8 Additionally, there is nothing in
9 the application that shows us what the actual
10 agreement is between Artesian and either the
11 owner of the land or the farmer.

12 Where is that agreement? What does
13 it say? Who has control? When can spraying
14 be done? Are they saying that spraying can
15 be done when crops aren't in the field?

16 Without seeing that, we have no
17 idea whether this is actually a viable
18 system.

19 Additionally, Sussex County
20 Ordinance Number 1922, which approved the
21 land that Artesian is using, was approved for
22 a sanitary waste facility. That's for public
23 sewers, sewers for homes in the area. It was
24 to be public in nature, and that was the



1 specific condition in the conditional use.

2 This is an industrial use, not for
3 homeowners in the area. It is not public in
4 nature.

5 Additionally, both DNREC and
6 Artesian made misrepresentations, based on my
7 reading of their applications, to the
8 Environmental Appeals Board in a prior
9 hearing that Keep Our Wells Clean had
10 recently.

11 They specifically stated -- and I
12 have the testimony attached to my comments --
13 that they would not accept non-compliant
14 wastewater.

15 That's clear -- they are clearly
16 going to get non-compliant wastewater,
17 because the testing doesn't come back, and
18 millions of gallons of water, potentially
19 non-compliant wastewater, will have flowed
20 through that pipeline.

21 Additionally, it says that the
22 diversion -- one of the counsel specifically
23 indicated, "The diversion lagoon will exist
24 before an operational permit is granted."



1 If you read the documents, there is
2 no diversion lagoon in existence at this
3 point.

4 And, in fact, the documentation
5 indicates that DNREC contacted Allen Harim
6 and indicated that they had questions and
7 problems with respect to the proposal
8 regarding the diversion lagoon and wanted to
9 know why it won't be ready until June of
10 2021.

11 So I have lots of other comments,
12 but apparently my time has expired. Thank
13 you.

14 MS. VEST: Thank you, Ms. Green.

15 (Loud applause)

16 MS. VEST: Shelly Cohen.

17 MS. COHEN: I also live in Milton,
18 but I live within the town. So, I'm
19 concerned, even though I don't have a private
20 well, I'm concerned this is actually pretty
21 close to where I live.

22 And a lot of other people have, you
23 know, have that concern, too, that this is
24 people all connected. This is going into the



1 groundwater, the aquifer we all share.

2 And we do have huge concerns.

3 I just want to get my notes up.

4 Excuse me.

5 So some of my comments border on
6 what some of the other people said.

7 But I also have this concern --
8 some people touched base on this -- it seems
9 like these business entities, these
10 operations are either being fuzzed -- where
11 does one begin, and where does one end?

12 Why are we having two hearings at
13 the same time for supposedly two different
14 business operations?

15 Why are the names changing all the
16 time?

17 The Allen Harim facility in
18 Harbeson is only supposed to be processing
19 wastewater for the chicken -- processing
20 wastewater that develops at the facility.
21 They are not supposed to be taking on
22 wastewater from the old Pinnacle site or from
23 the Hatchery.

24 Those are different types of waste.



1 It also includes human waste from the
2 employees.

3 So now it's all going to go into
4 one big, toxic soup. And is the treatment
5 standard -- I mean, are they even going to
6 keep the treatment standard that they have
7 now?

8 To me, that's unclear. I know you
9 flashed some stuff up there, but those
10 numbers seem to be pretty high.

11 And I'm not a scientist, so I
12 just -- but I looked at lab reports from
13 private wells, and that seems to be kind of
14 out of bounds.

15 And how can we go with this old,
16 this archaic idea that the land will purify
17 all this toxic mess that we are throwing into
18 it?

19 It just doesn't make sense.

20 And I find it really scary. And
21 then when you talk about the different
22 entities and the different names and how it's
23 all melding together and everything, it's
24 like, well, if you cause a problem, who has



1 that -- who has the liability? Who do you go
2 see?

3 I know that was put to you once at
4 a couple of those Artesian meetings when you
5 were on Route 1. And you said, "Well, we
6 know where you are at." But that didn't
7 really answer the question.

8 Who holds the liability if somebody
9 has a health problem, if something else
10 happens, if somebody starts having one
11 miscarriage after another, if they can't --
12 if they have a private well and they can no
13 longer use their water, where once they
14 could?

15 I mean, where does that financial
16 and the liability issues, who do you go to?

17 And other people -- it's the
18 country, and this is like one big operation.
19 This water is flowing from Allen Harim to the
20 Artesian site.

21 And it's like, well, without
22 looking at that agreement between these
23 companies, these three companies -- I imagine
24 it's three; maybe it's more -- well, you



1 don't know. There, you know, there should be
2 a definite differentiation somewhere along
3 the line. (Bell ringing)

4 Am I done?

5 MS. VEST: You are done. I
6 apologize. I wasn't trying to do that to
7 you. My phone has a mind of its own.

8 MS. COHEN: So I'm concerned about
9 the liability.

10 And then to backtrack for a second,
11 this project should never have been in this
12 area.

13 What makes -- what was the
14 rationale from having one company's
15 wastewater, that they should have been
16 responsible for it in handling and making
17 their proper investments to clean it up, what
18 made them think it was a good idea to now
19 pass it through 9 miles of pipeline, spraying
20 all these fields?

21 And pretty much you're covering --
22 I don't know what the square miles are, but
23 about 14 miles of area.

24 MS. VEST: Ms. Cohen, time is up.



1 MS. COHEN: Okay.

2 MS. VEST: I have to be fair. I'm
3 sorry.

4 MS. COHEN: Sure.

5 (Loud applause)

6 MS. VEST: Tom DiOrio?

7 MR. DIORIO: Thank you. My name is
8 Tom DiOrio. And I used to be a resident of
9 the Town of Milton several years ago. And
10 now I live outside the town -- county
11 limits -- and I have a private well.

12 I have a four-page letter which I
13 would like to submit into the record. And I
14 will just do some highlighting of the
15 information here.

16 It's estimated by Federal and State
17 authorities that 92 percent of the water in
18 the State of Delaware is polluted by
19 nitrates, bacteria, algae, chemicals,
20 pesticides.

21 And the cause of most of these
22 result from corporate chemical and
23 agricultural land-related pollution. As
24 citizens, we are advised against swimming in



1 our lakes, rivers, and bays.

2 We are cautioned about eating the
3 fish caught in our waters in many cases, or
4 not to drink the water in our wells and, in
5 some cases, in our towns.

6 This project is flawed, and I think
7 the permitting process is flawed.

8 The project does nothing to lessen
9 water and well pollution. It only adds to
10 it. Because it's a known fact that the
11 majority of private wells in this area are
12 already contaminated with high levels of
13 nitrates.

14 And the answer to the present
15 contamination is not to add any additional
16 contamination to it.

17 Thirty parts per million. EDA says
18 10 parts is a maximum. My well, without any
19 treatment, is already over 15. I have a
20 treatment system on it.

21 So you are adding, no matter how
22 much you add to it, even if it's only five
23 parts per million, you are adding additional
24 pollutants. This is not going to do anything



1 but raise the contamination level.

2 And the fact that you cannot
3 guarantee that 100 percent of the nitrates
4 sprayed on the soils would be taken up by
5 crops that are only grown four to five months
6 of the year. Give me a break.

7 Adjacent to this project is an
8 already known pollutant where this Artesian
9 system is, Clean Delaware, which sprays human
10 sewage, minimally treated, on the site.

11 This site is adjacent to the
12 Russell Collins community in Milton, whose
13 wells have recorded excessive nitrate levels,
14 some as high as 90 parts per million. The
15 guideline is 9. That's 10. So it's at 90.

16 The State of Delaware is one of
17 three states that I am aware of that allows,
18 still allows this type of sewage disposal,
19 one and three. Okay?

20 This processing is flawed because
21 the well -- the residential wells survey that
22 they use for this permit was dated back in
23 2009. That's ten years old. There are many
24 more new homes in this area since this



1 project was built.

2 There have been no hydraulic
3 studies or made public that would demonstrate
4 the impact this facility would have with the
5 aquifers.

6 MS. VEST: Mr. DiOrio.

7 MR. DIORIO: Time up?

8 MS. VEST: Yes.

9 MR. DIORIO: I was just getting
10 started.

11 (Laughter -- loud applause)

12 MS. VEST: Just as a little
13 housekeeping thing, I want to make sure
14 everybody knows, those that have been
15 providing written comments, they will go up
16 just along with everything else.

17 For the record, Ms. Green's
18 statements are being marked as -- and
19 documents are being marked as Green
20 Exhibit 1. They will go up.

21 And Mr. DiOrio's documentation will
22 also go up identified as DiOrio Exhibit 1.

23 MR. DIORIO: Okay. Thank you.

24 MS. VEST: Thank you. Ken and



1 Joanne Haynes, you had a question mark. Did
2 you want to or?

3 MS. HAYNES: Oh, yeah.

4 (Laughter in audience)

5 MS. HAYNES: Hello. My name is
6 Kenny Haynes. I'm from Millsboro.

7 And I see everybody here is old
8 enough to remember Rocky and Bullwinkle,
9 (Laughter) Sherman, Peabody, and the Wayback
10 Machine.

11 Let me go in the Wayback Machine
12 back to June 10 of 2013.

13 We met in the Millsboro Fire Hall
14 when Allen Harim had just bought the Pinnacle
15 Plant.

16 And along with the owners of Harim
17 was the agricultural secretary at that time,
18 Mr. Key. He had an amazing claim, and he
19 said they are going to build a
20 state-of-the-art water system that we can
21 drink the water. And I accused him of having
22 a bottle of hoochie. (Laughter)

23 But nothing ever happened with the
24 state-of-the-art system.



1 Then a few years ago, I was at the
2 Wayback meeting when Harbeson Harim -- or,
3 yeah, Harbeson Harim got the 11 and a half
4 million dollars to build, again, a
5 state-of-the-art water system. Nothing
6 happened.

7 Now it's supposed to be up here.
8 Well, excuse me for a minute.

9 (Pulling up pant legs to knee high)

10 (Laughter)

11 I'm done. It's just getting a little
12 deep up here. Sorry.

13 (Laughter and loud applause)

14 MS. VEST: Mrs. Haynes, did you
15 wish to speak?

16 MRS. HAYNES: Yes.

17 I'm going to stand right here.

18 Well, here we go again. Allen
19 Harim. I have asked you the first time I met
20 yous, don't go in the old Vlastic building.
21 You did.

22 We haven't been happy with you at
23 all in any of your decisions, in any of them.

24 We have been told that we complain



1 too much. But we live right there.

2 We smell everything.

3 The river, you can't crab, can't
4 fish.

5 I don't even get my grandchildren
6 in the damn water anymore, because it's
7 filthy. It's the worst part of the Indian
8 River.

9 Now, I wonder if any of you people
10 live right in Millsboro. I bet you you
11 don't. I would call you a fool.

12 This is wrong. Delaware is for
13 (inaudible) Start worrying about the people.

14 (Loud applause)

15 MS. VEST: Thank you, Mrs. Haynes.
16 Mohammed Akhter? Octer?

17 DR. AKHTER: Good evening. My name
18 is Mohammed Akhter. I'm a medical doctor
19 with a public health degree from Johns
20 Hopkins.

21 I had the good fortune to serve as
22 director of health for State of Missouri and
23 also for Washington, D.C.

24 And I also serve on the Washington,



1 D.C.'s Water and Sewer Authority, so I know
2 something about these matters.

3 My concern is about the health of
4 this community. I live in Sussex County.

5 This kind of project would not be
6 considered without having a health impact
7 study done of the surrounding communities.

8 (Loud applause)

9 Lower Delaware, you know, we aren't
10 doing it.

11 A health impact study is very
12 important to do, because no matter how good
13 the engineering work is, no matter how good
14 the people are, accidents do happen.

15 And when they do happen, it damages
16 the environment and health of the people.

17 If you have a baseline that you can
18 measure what the impact is, you can not only
19 treat the people, but you can also compensate
20 them for the damage that's done to their
21 property, their home values, and so on and so
22 forth.

23 My second point, as we know it, is
24 that history tells me, informs me, our recent



1 history, that when a leak takes place and
2 contaminate the drinking water in the big
3 cities like Washington, D.C., Wisconsin, or
4 now cancers, newer, more recently, newspaper
5 provide front-page stories. Everybody runs
6 around, fixes the problem.

7 When the same thing happens in a
8 small, little town such as us, nobody cares.

9 MS. PAYAN: That's right.

10 DR. AKHTER: If we get violations
11 and contamination of water, the stories
12 appear in the local papers, but they
13 disappear in a couple of days.

14 But the contaminated water that
15 people drink can remain in the system for
16 years to come and manifest itself in the form
17 of cancer and heart disease.

18 Do you think there is any surprise
19 that in two Zip Codes, Zip Code 19966, which
20 is Millsboro, and in Zip Code number 19939,
21 Dagsboro, has the highest rate of cancer and
22 heart disease in the State of Delaware?

23 MS. PAYAN: Yes.

24 DR. AKHTER: It didn't happen by



1 accident. It happened because the things are
2 contaminated, we are all living and drinking
3 contaminated water, vegetables and food
4 that's grown in contaminated water.

5 And we need to fix this problem.

6 And, finally, the last point I want
7 to make is it's 2019. We can't apply
8 Nineteenth Century solutions. (Loud applause
9 during comment - cuts out speaker) Have to
10 manage to doing the business that will not
11 only enhance the industry -- we love the
12 industry. Okay? They should prosper. But
13 also protect the health of our people.

14 Thank you so very much.

15 (Loud applause and whistling)

16 MS. VEST: Lou and Ellie Col'on? I
17 apologize if I got the name wrong.

18 MR. COL'ON: I would like to submit
19 a letter to the editor that I wrote to the
20 Cape Gazette. It only made it to the
21 website.

22 Good evening, everyone. I live in
23 Milton. Along with myself and Ellen, we're
24 on the Milton Sustainability Committee.



1 Everything that I wanted to ask or
2 comment on was addressed tonight.

3 Um, one question is I would like to
4 know where DNREC's legal counsel was when
5 they were reviewing applications.

6 If Sussex County's use says one
7 thing, but the applications say something
8 else, where was legal counsel? Where were
9 their heads? I would really like to know.

10 Most of the commenters made
11 reference to -- I have to take my glasses off
12 to read -- impact studies. Where are they?

13 Was there an air quality, a flora,
14 a fauna, a real estate values, air quality,
15 traffic studies?

16 The doctor mentioned health
17 studies. Things that, you know, we take for
18 granted, were never touched.

19 I'm new to the area, but I have
20 learned a lot in the last year.

21 Clean Delaware was mentioned. A
22 31-day permit issued in 1986 never enforced?
23 They are still operating?

24 You know, the other thing, as a



1 special projects manager under (inaudible)
2 part of my job is to seek out the
3 alternatives.

4 What alternatives were sought for
5 this?

6 You can take waste and make energy.
7 Where is the think hole? Everything that's
8 happening flies in the face of everything
9 that we are doing. We are fighting ghosts.

10 We are supposed to be sustainable.
11 What I see you guys proposing is not
12 sustainable.

13 It just takes one accident.

14 The waters are already ruined in
15 this area. You mentioned regulating
16 constituents. What is that? Define that.

17 What happens when capacity is
18 reached? That was another question.

19 I mentioned the discrepancies
20 between the county -- the conditional use of
21 the two permits.

22 Oh, the 90-million-gallon capacity.

23 Define emergency, and define
24 process.



1 I think those have all been touched
2 on, but there is no real definition that I
3 have heard.

4 That's pretty much it. You know,
5 if you go into the Cape Gazette, you can
6 Google my name, Lou Col'on, C-O-L-O-N, and
7 read the letter that I wrote.

8 Because there is money in treated
9 waste that could be turned into energy. Your
10 sludge could be pelletized.

11 You know, I wrote a letter that
12 most entrepreneurs would jump on. Nothing
13 was done.

14 Thank you.

15 (Loud applause)

16 MS. VEST: Thank you, Mr. Col'on.

17 And, again, for recordkeeping
18 purposes, the copy of his article provided to
19 me just now is marked as Col'on Exhibit 1.

20 Maria Payan?

21 UNIDENTIFIED SPEAKER: Go ahead,
22 Marie!

23 MS. PAYAN: Thank you. Thank you
24 for the opportunity to comment.



1 The first thing a lot of us touched
2 on, but I want to reiterate, spray field
3 waste is not new state-of-the-art technology.

4 This is old technology. It is a
5 cheap way of getting rid of the waste at the
6 expense of all of our health and water.

7 (Applause)

8 Our geology here is sand with a
9 higher water table, easily prone to
10 contamination and transport, as Lou made the
11 point.

12 So Vlastic site, you can't use the
13 fields there. The Hatchery site, those
14 fields are done. Mountaire, those fields are
15 done.

16 Oh, I was at a meeting this
17 morning, because as much as I heard what was
18 going to get done if something went wrong, I
19 have people that don't have water still
20 today.

21 So be careful with their promises,
22 because it doesn't happen.

23 The ten -- it's going to lead at
24 30 milligrams per liter from Harim. And



1 the -- it's going to go in the fields at 9.9
2 if everything goes correctly.

3 Ten is the regulatory limit of the
4 Safe Drinking Water Act set many, many years
5 ago. It is not a no-adverse affect level for
6 health.

7 More recent studies have found
8 increased risks of birth defects at much
9 lower levels. As a matter of fact, at five.

10 Not only that. Cancer, Blue Baby
11 Syndrome, gastric cancer, thyroid cancer,
12 bladder cancer, ovarian cancer, non-Hodgkin's
13 lymphoma.

14 The proposed wastewater system
15 irrigation will permanently threaten the
16 residential drinking water.

17 They were talking about the wells
18 contaminated here by (inaudible) 68 percent.
19 45 of 66 wells. And some of the limits go, I
20 believe, up to 53, five times the limit.

21 The area of soils are unsuitable
22 for any of this spray irrigation.

23 The water table is shallow,
24 9.2 feet below ground surface. Soil modeling



1 evidenced seasonal soil saturation documented
2 at 3.2 feet below ground surface.

3 A 2008 soil investigation within
4 Field G -- 2008 -- documented 36 of 80, or
5 45 percent of the soil borings, with
6 saturation at 5 feet below the ground surface
7 or less.

8 In other words, 86.25 percent of
9 the soils documented are in inadequate for
10 such water filtration and treatment.

11 Artesian's own consultants have
12 concluded that several areas of concern exist
13 in Field G, including close depressions in
14 fields and woods and areas of ponding along
15 Route 16, Saw Mill Road, south of G130 and
16 G137, shallow features within Field G, avoid
17 the triangular area. Really?

18 MS. VEST: Ms. Payan.

19 MS. PAYAN: Yes?

20 MS. VEST: Your time is up. I'm
21 sorry.

22 MS. PAYAN: Oh, time is up.

23 MS. VEST: Do you have any
24 documents that you wish to --



1 MS. PAYAN: No. I am going to look
2 at what went up today, and I will be
3 providing them.

4 MS. VEST: Okay. Thank you.

5 (Loud applause)

6 MS. VEST: I have now gone through
7 all of the sign-in sheets.

8 And, again, I just want to assure
9 you that every comment that comes in, it all
10 bears the same weight.

11 And while we are limited to time
12 restraints here, there is absolutely no limit
13 to what you can submit.

14 If you spoke tonight and want to
15 submit, that's fine. If you want to submit
16 three sets of stuff, that's fine.

17 If you haven't already made a point
18 of looking at that link or at the hearing
19 page that we have -- is there any way that we
20 can put that last slide back up, so if people
21 want to take a picture of that link with
22 their tablet or with their phone, they have
23 got it?

24 I also have my business cards up



1 here. If anybody has any problem or wants to
2 provide me with their e-mail address or
3 e-mail me over the next few days and say, "I
4 can't find the link," by all means, I will
5 make sure that you can find it.

6 There is a vast amount of
7 information up there.

8 MR. HORN: Madam Chairman?

9 MS. VEST: Yes.

10 MR. HORN: A question about
11 housekeeping. I waived my three minutes.
12 Can I assign that to someone else?

13 MS. VEST: No. No.

14 But there is a vast amount of
15 information up here. Please take advantage
16 of it. Review it.

17 And all comment bears the same
18 weight, again, whether it was offered here
19 tonight verbally or anything else, or
20 anything like that.

21 I want to thank everybody for
22 coming out. I know the tables were kind of
23 uncomfortable. I do apologize.

24 Again, come see me if you need a



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business card. Thank you, everybody, for attending. This meeting is adjourned.

(Concluded at 7:37 p.m.)

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CERTIFICATE

I, Lorena J. Hartnett, a Notary Public and Registered Professional Reporter, do hereby certify that the foregoing is an accurate and complete transcription of the proceeding held at the time and place stated herein, and that the said proceeding was recorded by me and then reduced to typewriting under my direction, and constitutes a true record of the testimony given by said witnesses.

I further certify that I am not a relative, employee, or attorney of any of the parties or a relative or employee of either counsel, and that I am in no way interested directly or indirectly in this action.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office on this 26th day of August 2019.



Lorena J. Hartnett
Registered Professional Reporter

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