



SIERRA CLUB

DELAWARE CHAPTER

TO: Lisa Vest, Hearing Officer

DATE: July 27, 2020

RE: Public Comment on Docket # 2020-P-A-0018 (Application of Croda for a Construction Permit)

The Sierra Club Delaware Chapter would like to formally submit our support of the comments previously submitted by Professor Kenneth T. Kristl on July 23rd, 2020.

We request that you deny the application requesting additional tanks at the Croda site. We feel it is highly inappropriate for this company to expand any further while they still have not carried out their commitments made to the communities in the area after a major leak in 2018. Additionally, we feel it is important that additional air monitoring takes place on a continual basis at the site.

We agree with Professor Kristl in his challenge to the validity of the public hearings being conducted by DNREC. As stated in his comments, the Governor's Emergency Order explicitly states, "The technology used must permit members of the public body to hear the comments of and speak to all those participating, and members of the public to hear the comments of and speak to such members of the public body contemporaneously."

The recent hearings on this application, and on the Title V hearing for the Delaware City Refinery, violated this Emergency Order by not allowing that public body to "hear the comments of and speak to those participating." Taking comments in writing as the only option available is not sufficient to comply with this order. There are many who are likely wanting to comment but who do not have access to the tools and technology needed to participate as you have allowed.

Therefore, we request that you host a public hearing that is open for oral public comment and in full compliance with the Governor's Executive Order for Docket # 2020-P-A-0018 and for Permit: AQM-003/00016 (the Title V Permit for the Delaware City Refinery).

Thank you for the opportunity to file this comment with your office.

Sincerely,

Sherri Evans-Stanton
Chapter Director, Sierra Club Delaware Chapter