

April 5, 2021

Delaware Dept. of
Natural Resources and Environmental Control
Division of Air Quality
State Street Commons, Suite 6A
100 W. Water Street, Dover 19904

Attention: Tracy Mattson

This is to request a hearing on the proposed permit by Atlantic Concrete at 16762 Old Orchard Road, Lewes, to build a new concrete plant. There are several reasons DNREC should conduct a hearing on this application.

- 1) There's no evidence of whether a PLUS report was done. I checked the state's PLUS Dashboard and nothing is listed. I think the cement plant has been there for years and was exempt from the process when it was created, but because this is being described as a new facility and new equipment--see page 1 of the application form (p. 6 of the full packet). I don't think it's exempt if they want to build a new plant away from the current plant even if it's on the same site.
- 2) There's no evidence a review was done for compliance with the Source Water Protection Area Ordinance (Chapter 89) and the applicable Delaware Source Water Protection Law of 2001 (7 Del. C. 60, Subchapter VI). I did a search of all the terms I could think of relevant to this ordinance--"wellhead protection," "excellent," "recharge," "89," "source, etc.--and found nothing. I also manually viewed/scanned the packet and don't see these terms mentioned.
- 3) While there is no Wellhead Protection Area at the site, the western/southern portion of the site is covered by an Excellent Groundwater Recharge Area. The FirstMap link to Excellent Groundwater Recharge Areas clearly shows it. The recharge area does not cover the portion of the site where the existing plant is located, but based a comparison of maps and views of pages 12, 16, and 18 with FirstMap and a Google map view, the proposed new plant location will be in the area, so the county Source Water Protection Area ordinance applies.
- 4) The application does not mention whether a concrete crushing operation is planned or will not be included. There's no preliminary map or drawing of the proposed

operation or other details to say whether there will--or won't--be a concrete crushing operation. Because this topic is not discussed, I believe this is another reason a hearing should be held, especially given the dangers of silica dust, crystalline silica, and the silicosis associated with exposure to these particulates. Further, because there is a bicycle and walking path right beside the property, this could be an issue of riders and walkers, as well as residents if a concrete recycling operation is planned for this site.

5) There's no documentation provided regarding Sussex County's approval of this project. Also, there is no information regarding any conditions placed on this site, either the original plant or then newly proposed facility. Do any of the proposed buildings or structures exceed Sussex County height restrictions and therefore require any waivers or conditions?

6) The application incorrectly says this site is NOT in Delaware's Coastal Zone. The DNREC application page 3 (of 5), which is page 8 of the packet, has a section called "Coastal Zone Information" and the first question (#29 on the application) specifically asks: "Is the Facility Located in the Coastal Zone?" Yes or no? A search of DE's ARCGIS/FirstMap shows the site is well within the Coastal Zone.

While I do not oppose the concept of this new plant, there are unanswered questions that should be addressed.

Thanks for your attention. Please contact me if you have questions.

Keith Steck
Resident of Milton, DE and Vice President
Delaware Coalition for Open Government

