

In The Matter Of:

Department of Natural Resources & Environmental Control

In re: Delaware Recyclable Products, Inc.

Public Hearing

May 29, 2019

Wilcox & Fetzer, Ltd.

1330 King Street

Wilmington, DE 19801

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WILCOX & FETZER LTD.

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

RE: Public Hearing Regarding)
the Delaware Recyclable Products, Inc.)
(DRPI)'s Industrial Waste Landfill)
Permit Modification Application)

.. .. .

Minquadale Fire Department
129 E. Hazeldell Avenue
New Castle, Delaware

Wednesday, May 29, 2019
6:13 p.m.

.. .. .

BEFORE: Lisa Vest, Hearing Officer

-- Transcript of Proceedings --

WILCOX & FETZER
1330 King Street
Wilmington, DE 19801
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1 MS. VEST: Good evening. Can
2 everybody hear me? Can anybody hear me?

3 I want to thank you all for coming
4 out tonight. I have instructed everybody to
5 speak loudly and project often with their voice
6 to make sure everybody can hear.

7 I want to thank you guys for coming
8 out and spending time out of your busy
9 schedules.

10 The date is Wednesday, May 29,
11 2019, and we are here this evening to provide
12 the formal platform for DNREC to receive public
13 comment on the industrial waste landfill permit
14 modification submitted by Delaware Recyclable
15 Products Inc. for the facility they have at 246
16 Marsh Lane located in New Castle, Delaware.

17 For those of you who may not
18 recognize me, my name is Lisa Vest, and DNREC
19 Secretary Garvin has appointed me to serve as
20 the hearing officer for tonight's formal
21 proceedings.

22 If you have not already signed in,
23 please do so. We are trying -- I think this
24 mic just went out now. Can you all hear me?



1 UNIDENTIFIED SPEAKER: No. You
2 need the miche.

3 MS. VEST: You do have a miche?
4 Okay. Now can you hear me?

5 UNIDENTIFIED SPEAKER: Yes.

6 MS. VEST: Okay. We are going to
7 get through this together.

8 For those of you who may have
9 missed it, by any chance, there were sign-up
10 sheets. It indicates a desire to speak if you
11 wish to do so. But not only that; it helps us
12 keep an accurate record of actually who is here
13 in attendance tonight. So if, for any reason,
14 you did not sign them coming in, I would ask
15 that you please do so when you leave.

16 Again, I want to thank everybody
17 for coming out. It's great audience tonight.

18 At the conclusion of my
19 introductory remarks, I will be turning the
20 hearing over to Department staff. They have a
21 brief presentation to kind of help everybody
22 understand the scope of tonight's hearing,
23 specifically the permit modification currently
24 before the Secretary.



1 There is also going to be a brief
2 presentation tonight given by the applicant.
3 And then, following both those presentations, I
4 will open the floor up to receive comment for
5 those who wish to speak.

6 The order of the commenters will be
7 taken from the sign-in sheets. So, again, if
8 you somehow missed that when you came in, at
9 the conclusion of everybody being recognized, I
10 will have an opportunity to let somebody that
11 maybe missed the sign-up sheet to offer
12 comment.

13 I do also want to say that there
14 has been a tremendous amount of interest with
15 respect to this hearing -- or with respect to
16 this permitting matter.

17 Because of that, we are going to go
18 ahead, and I'm going to make the call right now
19 as hearing officer that we are going to leave
20 the hearing record open beyond tonight's
21 proceedings.

22 I want everybody to be given the
23 opportunity to offer comment for the
24 Secretary's consideration. So it's not going



1 to close at the conclusion of tonight's
2 proceedings.

3 All comment, whether I have already
4 received it -- many people have already
5 e-mailed me and given their comment -- whether
6 I have already got it, whether it comes in
7 verbally tonight at the hearing, or whether it
8 comes in over the next 30 days, all comment
9 bears the same weight, and all comment will be
10 given equal consideration by the Secretary
11 prior to him making a decision.

12 With regard to the public comment
13 which should be offered tonight, there are, as
14 is the case for all DNREC public hearings, some
15 formal protocols that must be adhered to, so
16 I'm going to take a couple of minutes now and
17 go over them with you tonight so we can have a
18 smooth proceeding.

19 Consistent with all public hearings
20 held by DNREC, all comment must be limited
21 solely to the subject matter of tonight's
22 hearing, which again is this pending permit
23 modification submitted to the department by
24 DRPI.



1 Pursuant to the subject matter of
2 this hearing, all comments pertinent to this
3 permit modification will be automatically
4 incorporated into the hearing record that is
5 being generated.

6 As is DNREC's policy at formal
7 hearings such as this, each person wishing to
8 offer comment tonight is asked to do so in as
9 precise a manner as possible.

10 In order to treat everyone equally,
11 each person will be granted a total of three
12 minutes of time in which to offer comment.

13 To facilitate that protocol and to
14 ensure fairness with regard to the amount of
15 time each person is allotted to comment, there
16 will be a visual timer behind me tonight when
17 that time comes to help everyone be aware of
18 the time remaining while commenting.

19 Again, if you have already offered
20 comment, it's already in the record, so there
21 is no need to feel like you have to say it
22 tonight.

23 We are here for a very limited
24 amount of time, and I want to make sure that



1 everybody has an equal amount of time to talk.

2 If, by any chance, you have
3 prepared written comments for the record or
4 statements that you wish to read into the
5 record, you can certainly provide them to me.
6 I will label them as a formal exhibit to the
7 hearing record, and they will be incorporated
8 into it. And then you can use your three
9 minutes just to explain what you have given to
10 me.

11 The three-minute time allotment for
12 each person wishing to offer comment will be
13 strictly enforced at tonight's proceedings.

14 There will be no yielding of time
15 from one commenter to another, again to ensure
16 fairness and equality for each person offering
17 comment.

18 Consistent with DNREC's policy at
19 its public hearings and pursuant to current
20 Delaware Law, all persons wishing to offer
21 verbal comment at tonight's hearing must be
22 physically present in order to be recognized.

23 If there are people who have
24 provided their comment to someone else in lieu



1 of them being unable to be here tonight, then
2 certainly that person can use their three
3 minutes to offer those comments into the
4 record. Okay?

5 There is only one authenticated
6 record of this proceeding, and it is the
7 official court reporter's transcript. Please
8 remember that the transcript is being created
9 to memorialize tonight's formal hearing by the
10 court reporter. As such, she can only hear and
11 accurately describe and transcribe one person
12 at a time.

13 In order to ensure the accuracy of
14 the transcript and to be mindful of the
15 courtesy and the above protocols, please do not
16 speak while another person is speaking, and do
17 not call out from the audience for any reason.

18 If there are members of the news
19 media and others who are here, they are not
20 prohibited from audio or visual recording. We
21 do ask that you do so in a way that is
22 unobtrusive and does not interfere with the
23 ability of others to see and hear.

24 Whether listening or speaking, we



1 ask that everyone here today be respectful and
2 considerate of all comment being offered
3 tonight even though some comment may differ in
4 opinion from your own.

5 Also, I would ask that all cell
6 phones be either muted or turned off for the
7 duration of the proceedings.

8 The statutory purpose of tonight's
9 hearing is to allow citizens to offer comment
10 on this pending application from DRPI.

11 A record consisting of the
12 transcript of the comments given tonight, all
13 the written comments that come in between now
14 and at the close of the record 30 days from
15 now, which is June 28, 2019, all exhibits, and
16 the final hearing officer's report will be
17 reviewed by the Secretary.

18 Secretary Garvin will ultimately
19 issue an order following that review process.
20 It will contain his decision on this
21 application and his reasons therefore.

22 Myself and other DNREC staff
23 members are present to facilitate this hearing
24 but not to participate in the proceedings.



1 There will be no Q and A session permitted
2 during the course of tonight's formal matter.

3 Lastly, it is important to note
4 that no decision has been made yet by DNREC,
5 nor will any decision be made tonight with
6 regard to the pending application. The purpose
7 of tonight's hearing, again, is to provide a
8 formal platform for the public to come and
9 offer their comment and for such comment to be
10 incorporated into the record.

11 The ultimate decision with regard
12 to this matter is made by Secretary Garvin. We
13 are here tonight merely as a mechanism to help
14 enable the Department to vet this modification
15 request to the public and again to provide the
16 platform for the public to offer their comment.

17 That being said, I will now turn it
18 over to Department staff for their
19 presentation.

20 MR. MELITO: Hi, everyone. I'm
21 Mike Melito. I'm with DNREC. I'm the project
22 officer for DRPI.

23 Welcome to the hearing concerning
24 Delaware Recyclable Products' industrial waste



1 permit modification application.

2 Again, I'm Mike Melito. I'm with
3 the Solid and Hazardous Waste Management
4 Section. I will do a brief presentation
5 tonight.

6 Here is a map showing the landfill.
7 The active cells are cells 5A and 5B, which are
8 right down over here, if it's not clear for
9 you. And that's their current operations, I
10 guess for approximately a month now or so.

11 The permit that is still active,
12 not the pending one, it was issued by DNREC on
13 December 30, 2015. It expires on December 30,
14 2025. And it was issued to Delaware Recyclable
15 Products, DRPI.

16 The permit was issued pursuant to 7
17 Delaware Code, Chapter 6, the statute which
18 prohibits the disposal of solid waste without a
19 permit.

20 Under the statute, a permittee is
21 subject to civil, administrative, and criminal
22 penalties for violating any condition of their
23 permit.

24 The statute establishes regulations



1 that govern solid waste facilities, Delaware
2 Regulations Governing Solid Waste.

3 Permit SW 1502 was issued pursuant
4 to the statute and based upon requirements
5 specified by Delaware's Regulations Governing
6 Solid Waste.

7 The permit also specifies other
8 plans and procedures deemed necessary by DNREC.
9 Permit condition 3H2 and 3N2 specifies the
10 Department has an on-site compliance inspector.
11 That person is currently Arron Wayson. He is
12 not here tonight, but he is at the site every
13 single working day. He is permanently
14 stationed there.

15 The sections of the permit, Section
16 1, is their general conditions. Section 2 is
17 construction. Section 3 is operations.
18 Section 4 is environmental monitoring and
19 groundwater control systems. Section 5 is
20 analytical methods. Section 6 is gas controls.
21 Section 7 is reporting. Section 8 is
22 recordkeeping. Section 9 is landfill capping
23 system. And Section 10 is closure and post
24 closure care.



1 The process: The permit
2 modification was deemed administratively
3 complete on 4/1/2019. We public noticed it
4 from 4/11 to 4/26.

5 The hearing request was received by
6 Jea Street on 4/11.

7 Public notice of public hearing for
8 the permit modification application, that was
9 submitted the 28th.

10 And then here we are tonight on the
11 29th.

12 After this, you will get the
13 hearing officer will produce a report. And she
14 will submit it to the Secretary, and the
15 Secretary will ultimately make the decision on
16 this.

17 And basically what will result out
18 of this is that the permit will be approved,
19 permit approved with modifications, or denied.

20 The proposed modifications, as you
21 all know, the big one is 130 to 190 feet.

22 They are also proposing to add
23 additional culverts connecting the perimeter
24 swale to the stormwater ponds. That's for the



1 increased flow because of the increased
2 elevation.

3 Daily monitoring for leachate
4 seeps, that's being increased. That's per
5 Delaware Regulations Governing Solid Waste.
6 That's daily checks that they have to do now.
7 That's something that they have been doing, but
8 we are just adding to this permit modification.

9 And we have also increased the
10 operational cover there. We have put 6 inches
11 of cover over the waste. They, with their
12 current permit, it is every two weeks. The new
13 condition is every week or when windy
14 conditions are present or forecast.

15 So, basically, every single
16 weekend, regardless, the waste will be covered.

17 Okay. And that ends my
18 presentation.

19 And, as you see here on the bottom,
20 there is a link to this public hearing
21 information. All that information will be up
22 there in a timely fashion, and you can look at
23 it.

24 MS. VEST: Exhibits?



1 MR. MELITO: Okay. One more thing
2 before I go is I would like to add some
3 exhibits for the official record here. Okay.
4 Here is the list of my official exhibits that
5 will be entered for tonight's hearing.

6 Number 1 is the checklist for
7 persons applying for a permit or to construct
8 and/or operate a sanitary or industrial
9 landfill.

10 The second exhibit is the permit
11 modification application that was sent to
12 DNREC. We received that on the 29th of 2018 --
13 I'm sorry -- 2019.

14 We have acknowledgment of a receipt
15 for a complete application from DNREC to DRPI
16 on April 1.

17 We have the public notice. Number
18 four is the public notice.

19 The application that was in the
20 Wilmington News Journal and Delaware State
21 News. That was run on April 11th.

22 We have an e-mail from Jea Street
23 requesting the hearing. That's Exhibit 5.

24 Exhibit 6 is the notice of public



1 hearing that was published in the News Journal
2 and the State News on the 28th.

3 Number 7 is the applicable sections
4 of the Delaware Regulations Governing Solid
5 Waste, specifically Section 4 and Section 6.

6 Exhibit 8 are the public comments
7 that were received and sent to Lisa.

8 And number nine is a draft
9 industrial waste permit.

10 And the tenth exhibit is my
11 presentation tonight.

12 MS. VEST: Thank you, Mike. Let
13 the record reflect quickly that the
14 Department's Exhibits 1 through 10, as
15 identified just now, are hereby entered into
16 the formal hearing record and will be posted
17 hopefully by tomorrow afternoon on the
18 Department's Public Hearings web page.

19 Does the Department have any
20 further comments it wishes to make at this
21 time?

22 MR. MELITO: No.

23 MS. VEST: Thank you. At this time
24 I would open the floor to representatives from



1 the applicant for their brief presentation.

2 MR. HAMBROSE: So good evening,
3 everyone. My name is John Hambrose. I work
4 for Waste Management, and I'm happy to be here
5 tonight.

6 I want to thank the Department for
7 this opportunity to explain to you the details
8 of our expansion and some of the information
9 about how we operate our landfill. And I thank
10 everyone for coming out tonight to learn about
11 this important project.

12 So I wanted to open with a quick
13 site history. If you noticed on your way in
14 tonight, we have an aerial picture that was
15 taken back in the day when our property, which
16 is 203 acres, was used as a sand and gravel
17 quarry. That use of our property dates back to
18 the late 1940s.

19 So our property has been put to an
20 industrial use for 70 years, and it was then
21 converted for use as a construction and
22 demolition debris landfill in 1983.

23 It has been run as a construction
24 and demolition debris landfill since 1983.



1 Waste Management, the company I work for, has
2 operated the property since 1998.

3 So some of the things we wanted to
4 talk about tonight are things that aren't
5 changing at the landfill with our proposed
6 expansion.

7 And those items include that we
8 will only dispose of waste at the site on
9 weekdays between our normal disposal hours of
10 6:30 in the morning and four in the afternoon.

11 We do not ask to change our daily
12 volume limit, which is 2,400 tons.

13 We do not offer to change in any
14 way the material that we accept at the
15 landfill. We are going to continue accepting
16 construction and demolition debris.

17 That is the type of material that
18 you produce at home when you renovate your
19 kitchen or you replace your roof, or maybe when
20 you build a home or when you renovate an office
21 or build another structure.

22 And we also have no plans to change
23 our commitment to being a good neighbor. In
24 fact, we have come up with some ways to be an



1 even better neighbor than we have been.

2 So how do we build and operate our
3 landfill? This is a tough story to tell in ten
4 minutes, but I'm going to try to do it.

5 We begin by building a liner. And
6 a liner system is an engineered barrier that we
7 put between the waste and the environment. It
8 begins with the construction of a sub base and
9 then the installation of several layers of
10 synthetic materials. We have some samples of
11 those materials here.

12 We then put in place a 2-foot layer
13 of stone that we use as a collection zone where
14 we collect the water that comes through from
15 the waste.

16 You can see the engineered sub
17 base. In the picture at the left in the center
18 is a photo, a recent photo of some of our --
19 I'm sorry. Okay. Here is our liner picture.
20 The sub base is the picture to your left.

21 In the center is the liner, the
22 synthetic liner.

23 And the stone that you see in the
24 photo, that is used to create the 2-foot thick



1 drainage layer that we use to collect the
2 wastewater.

3 And for our disposal operations,
4 all that begins at our scale. And our scale is
5 used to weigh the trucks when they arrive and
6 after they place their waste in the landfill.

7 And we have a photo here of Tracy,
8 our scale master, who uses that monitor there
9 at the top of her workplace to take a look at
10 the contents of our customers' vehicles.

11 And we also train our equipment
12 operators -- and you will see where they work
13 in a second -- but we also train our operators
14 to watch the material coming into the landfill
15 to identify things that should not be in the
16 landfill.

17 So we have got video monitoring and
18 direct visual inspection of the material coming
19 into the landfill.

20 And these are photos taken from our
21 disposal area where our customers' trucks pull
22 in. They deposit the material they bring into
23 the landfill. The customers' trucks then
24 leave, and they scale out empty. And our heavy



1 equipment then is used to compact the waste
2 into the landfill.

3 You can see a compactor in the
4 photo at the right next to the tractor trailer.
5 At the left is a bulldozer.

6 And these machines run back and
7 forth all day long over the waste to pack it
8 into the landfill as tightly as possible to
9 conserve the disposal space we have, and also
10 to sort of weave the waste into the landfill so
11 that it is stable and solid and it stays where
12 we put it.

13 So operational controls: This is
14 the heart of how we protect the environment and
15 the community. And this begins with our
16 landfill gas collection system.

17 And when we complete construction
18 of an area of the landfill, we bring in a drill
19 rig, the photo you see at left. And the drill
20 is used to install a gas well down through the
21 waste that's in the landfill.

22 And then we draw on that landfill
23 with the suction system that takes the gas out
24 of the landfill, draws it through more than 100



1 wells and out to a collection system where we
2 destroy the gas.

3 The gas in the landfill is created
4 by the natural decomposition of the organic
5 matter in our waste. And we draw the gas down
6 to a flare system where the gas is burned.

7 Another area where we work hard to
8 protect the environment is in the application
9 of the operational soil cover, which you heard
10 Mr. Melito mention a few minutes ago, which we,
11 with an approval on the application, will be
12 applying more often to the landfill.

13 We also work hard to control odor
14 and litter and control soil erosion with
15 seeding and vegetative mats.

16 And the soil cover we put on the
17 waste does help us control litter and odor.

18 Another way we control litter is we
19 use portable and permanent litter screens and
20 fences both near the disposal area and near the
21 edge of our property to contain any litter that
22 might blow away on a windy day.

23 We have people on staff every day
24 who pick litter, if that's what the conditions



1 require. And in the case of a windy weather
2 system, we will hire extra people to pick
3 litter.

4 We also control dust and odor by
5 applying fresh water to the waste as it arrives
6 at the landfill. This is especially important
7 in dry conditions that you would experience in
8 the summer.

9 And we use fresh water from our
10 water trucks to wash Marsh Lane to limit the
11 amount of dust that's created by vehicle
12 movement on this paved area. And we also apply
13 fresh water to the unpaved areas on the top of
14 the landfill where trucks move. We do that to
15 control dust.

16 Environmental safeguards are many
17 at DRPI landfill.

18 We collect and control all the
19 stormwater that comes onto the site. We have
20 channels that carry stormwater into two
21 sediment ponds that are in pictures here.

22 These ponds retain the water, allow
23 the sediment to settle out of the water so the
24 sediment does not float off site and go into



1 local waterways.

2 And these ponds also provide a
3 measure of flood control for anybody downstream
4 from us, because they control the rate at which
5 the water flows off of our site.

6 Now, there is another type of water
7 in the landfill, and it's the wastewater. It's
8 the water that goes through the waste. It's
9 rainfall. We collect that water on the liner,
10 and we have a pump system that takes that water
11 and moves it down to the storage tank at the
12 bottom of our property where we pretreat the
13 wastewater for later discharge to the local
14 wastewater treatment plant.

15 We also monitor our environmental
16 performance by testing the water in a battery
17 of 14 groundwater monitoring wells that are
18 placed around our property. Six of those wells
19 are deep. Eight of those wells are shallow.

20 And the blue boxes, they are not to
21 scale, but they indicate the location of those
22 wells and are meant to show you that we have
23 encircled the property with these monitoring
24 systems.



1 By the way, the wells are checked
2 at least twice a year by an independent and
3 certified lab who reports their findings back
4 to the State.

5 Some more things about DRPI
6 Landfill that are not changing:

7 We do not expect any change in the
8 economic impact that we have in this community.
9 Each year the landfill spends up to \$10 million
10 on construction projects, on expenditures with
11 a variety of vendors, on payroll, and on taxes.

12 There will be no change in how DRPI
13 supports the 150 people who we employ in
14 Delaware, both at the landfill and at our
15 hauling company in Wilmington, and our new
16 hauling company in Laurel.

17 And, of course, our site here is
18 part of Waste Management's regional operation.
19 And we have 80 employees for our region who
20 live in New Castle County. And the business
21 that employs them all depends on the operation
22 of DRPI landfill.

23 We also don't expect to see any
24 change in how we support our neighbors. We



1 have had a great relationship with the Terry
2 Children's Center. We help out there every
3 Christmas by providing gifts to the children
4 who live there and who are in the care of the
5 center staff.

6 We have a long and successful
7 relationship with Minguadale Village, where we
8 provide services that help that community.

9 We are regular supporters of the
10 Minguadale Fire Company and its ladies
11 auxiliary.

12 And we have a long-term
13 relationship with the Minguadale Civic
14 Association.

15 And if there is anything about our
16 plans tonight that are changing, it's our
17 support for the Minguadale Civic Association.

18 We have been in constant
19 relationship with Minguadale Civic Association,
20 but dating back before I worked here at DRPI
21 landfill, which is six and a half years ago.
22 And through this conversation -- and it's a
23 conversation that I think you are going to hear
24 some of our elected officials talk about



1 tonight, conversation with your neighbors and
2 transparency -- through this conversation with
3 Minguadale over the course of the last 18
4 months, we have arrived at a community
5 agreement with our neighbors. And we believe
6 that with the continued operation of the
7 landfill, this agreement will provide resources
8 that could transform the neighborhood.

9 So what is the agreement?

10 The agreement is going to provide
11 some lump sum funds to the neighborhood for the
12 neighborhood's use as we progress through the
13 approval process.

14 And then once we expand, if that's
15 approved, we will provide the neighborhood with
16 a revenues based on the landfill's incoming
17 volume, which, over the course of the
18 landfill's remaining operating life, as we
19 propose, the benefits could range from four to
20 five million dollars, and it could range in
21 time from 10 to 20 years.

22 The time period involved is going
23 to vary according to how busy the landfill is.
24 But we have been in conversation with our



1 neighbors for a long time.

2 We believe this could reshape the
3 neighborhood. We look forward to working as
4 partnership with the Minguadale Civic
5 Association. And this agreement provides
6 resources that the neighbors will use as they
7 choose to benefit the entire neighborhood.

8 So before I close, I did want to
9 let the Department know that I would like to
10 enter into the record two letters of support
11 for our project. One is from one of our
12 customers. That's Revolution Recovery. That's
13 a business that recycles building waste and
14 relies on our services so that they can dispose
15 of the material that cannot be recycled.

16 And the other letter is from the
17 president of Cleantech, which is a local
18 company that provides us custodial services at
19 our office. Both of these businesses rely on
20 our business to recycle and to provide jobs for
21 their employees.

22 And I thank you very much again for
23 coming out tonight. DNREC, I thank you for the
24 opportunity to speak tonight. And I will



1 provide you with these letters.

2 MS. VEST: While we are shifting
3 the technology briefly, I want to thank the
4 applicant for that presentation.

5 And a little housekeeping for the
6 record: The two letters of comment referenced
7 one from Tammy Keresty, President of Kleen-Tek,
8 and Jonathan Wybar from Revolution Recovery, I
9 am going to incorporate those into the formal
10 hearing record and mark them combined as
11 Applicant Exhibit 1.

12 And thank you again for that.

13 A few words while we are getting
14 this timer up and running:

15 There is no particular order that I
16 am going in these comments. What we are going
17 to do is we are just going to go straight down
18 the list. I am going to acknowledge the people
19 that have indicated a desire to speak first.
20 And then at the conclusion, if we have time, I
21 will see if anyone has changed their mind.

22 I do want to remind everybody
23 again -- thank you for your courtesy so far --
24 the record is going to remain open through



1 close of business on Friday, June 28, 2019, a
2 full 30 days.

3 We have a limited amount of time
4 here, and there are a lot of people that want
5 to speak, so I must keep everybody strictly to
6 the time of three minutes a piece, no
7 exceptions.

8 And I would ask, too, that, you
9 know, if you are hearing the same thing over
10 and over, I'm not in any way trying to deny
11 anyone their right to comment, but just a
12 simple reminder that all comment, whether I
13 have already received it, whether it comes in
14 verbally tonight, or whether it comes in to me
15 over the next 30 days, it all bears the same
16 weight, it's all entered into the record, and
17 it's all going to be offered to the Secretary
18 for his review and his consideration before any
19 decision is made.

20 So rest assured. And there is also
21 the fact that some people just aren't that good
22 or they are terrified at standing up and
23 speaking. You don't have to say it verbally
24 tonight in order to offer your comments.



1 So I just want to give some
2 assurance and peace of mind that if you would
3 rather not talk tonight, that's fine.

4 Make sure you have my card before
5 you leave tonight. It has my e-mail, and it
6 makes just as much sense and bears just as much
7 weight as if you come up here tonight to speak.

8 That being said, are we ready with
9 our technology? Okay.

10 First off the bat, I'm going to
11 recognize Matt Meyer. He has another speaking
12 engagement that he is probably very close to
13 being late at already.

14 So, as fate would have it, you are
15 at the top of this list that I am starting with
16 anyway.

17 So, Mr. Meyer, you can begin. You
18 have three minutes.

19 MR. MEYER: Good evening. Good
20 evening.

21 UNIDENTIFIED SPEAKER: Good
22 evening.

23 MR. MEYER: Thank you to the
24 Secretary of DNREC, to Lisa, and everyone at



1 DNREC for hosting this. Thank you, as well, to
2 Waste Management for the presentation. And
3 thank you, all of you, for coming out tonight.

4 My name is Matt Meyer. I'm the New
5 Castle County Executive.

6 One of the most important things
7 that we do as elected leaders -- I know there
8 are a number of elected leaders here -- is we
9 create a vibrant job environment so that jobs
10 can be created across our county.

11 Part of that vibrant economic
12 environment is making sure that waste is taken
13 care of, that we take care of the environment.

14 I'm standing tonight to let you
15 know, as your County Executive, I, along with I
16 know Councilman Jea Street who is here, and
17 Representative Frank Cooke, a former County
18 police officer who is here, as we expressed in
19 a press release yesterday, will do everything
20 in our power to make sure this increase in
21 height does not happen in our neighborhood.

22 (Applause)

23 It is not appropriate. It is
24 absolutely not appropriate that for 36 years



1 construction debris coming mostly from
2 Pennsylvania, New Jersey, from outside of this
3 county is being put right here in our
4 neighborhood. Not someplace like Cherry
5 Island, not someplace distant from where people
6 live and work and play, for that matter, but
7 right here in the middle, right next to a
8 beautiful Markell Trail where the State and
9 Federal Government just spent over \$20 million
10 to build a beautiful pathway from Wilmington to
11 Old New Castle.

12 If you look left going from
13 Wilmington to Old New Castle, you will see the
14 top of that "Mount Minquadale." Okay? And
15 it's only going to get worse if we permit this
16 permit to go through.

17 In addition, when you call 911,
18 when you have police officers come to your
19 door, New Castle County police officers,
20 paramedics, where do you think they work? They
21 work right there, right next door.

22 We need to take care of our first
23 responders. We need to take care of our law
24 enforcement officials. It is shameful that we



1 would even suggest that we expect our heros to
2 go to work every single day across the street
3 from something like this. (Applause)

4 So I understand and I think we all
5 understand that waste is produced. I just
6 renovated my kitchen. Right? Things get
7 redone. We need to find somewhere to put that
8 waste.

9 But for nearly four decades now,
10 this waste has been coming from Pennsylvania,
11 New Jersey, and being put here. Isn't it time
12 we find a site in Pennsylvania and New Jersey
13 to put our waste?

14 Thank you very much. (Applause)

15 MS. VEST: Thank you, Mr. Meyer.
16 I'm actually not sure if this is an X or a Y
17 for yes, so I'm just going to err on the side
18 of caution. Mike Hojnicki?

19 MR. HOJNICKI: Hojnicki.

20 MS. VEST: Hojnicki. And I
21 apologize in advance for everybody's names that
22 I am going to mess up tonight. (Laughter) I'm
23 trying.

24 MR. HOJNICKI: Thank you. Good



1 evening. Mike Hojnicky, Acting Public Safety
2 Director of New Castle County.

3 I'm here to speak in opposition for
4 increasing the size of the landfill and the
5 risk it could increase for the dust and trash
6 and debris for our workforce.

7 So again, please, DNREC, consider
8 your thoughts of not increasing the height of
9 the landfill. Thank you. (Applause)

10 MS. VEST: Thank you, sir.
11 Representative Cooke?

12 REPRESENTATIVE COOKE: Good
13 evening, everyone.

14 UNIDENTIFIED SPEAKER: Good
15 evening.

16 REPRESENTATIVE COOKE: I have been
17 fighting this a little bit since I worked for
18 Tom Gordon when they first went up to 130 feet.

19 Let me give you a little bit of
20 history real quick of some things that Waste
21 Management skipped over, because they came in
22 in 1988.

23 But, before that, that was a
24 quarry, and that quarry was used for the fill



1 of dirt and stone and things of that nature.

2 Then, after that, it went to
3 industrial waste. And industrial waste at that
4 time were chemicals. And when you talk about a
5 liner, the first phase of that doesn't have a
6 liner at all.

7 I am tired of getting phone calls
8 about putting trees up so that people can't see
9 it.

10 Ms. Diane, could you stand up for a
11 minute, please? In her back yard she used to
12 see the City of Wilmington. She is at the
13 other side of the dump. She has a mound in her
14 back yard. She cannot see Wilmington anymore.

15 One thing I'm really concerned with
16 is CAB, which is the Citizens Advisory Board
17 that Cherry Hill has, that Cherry Island has.
18 We never got one for this landfill.

19 That means the residents, people
20 from DNREC, people from the environmental,
21 people come in and they are on that board. We
22 don't have a board over here at this landfill,
23 and I wonder why.

24 Another thing you need to look



1 at -- and I can't go over everything, because
2 you only get three minutes, and Jea Street is
3 going to speak.

4 Someone asked me about if the liner
5 fails because it's getting compressed -- and we
6 have Artesian here to talk about your runoff
7 and your water, which would affect 10,000 to
8 20,000 citizens in New Castle County. 20,000.

9 So that water has to be fixed or
10 has to have chemicals added to it so you can
11 drink it or use it. I tell you don't drink it
12 anyway. Get yourself a bottle.

13 You have to pay for that to get
14 fixed. The citizens have to pay for that.
15 That comes in your bill.

16 Another thing I want to talk about
17 real quick is that if there is a failure, what
18 are the risks and these funds that you have if
19 something goes wrong, mainly since this is a
20 cancer cluster which the State of Delaware
21 Health Department calls it a "cancer hot spot."
22 That's the new word. You all can put in a
23 suit. They have money for it already set
24 aside.



1 I would like to know what that
2 number is. That goes and tells you what
3 exactly you can get or what happens if you do a
4 major suit of this kind of thing going on.

5 In my police department, my
6 maintenance man must work overtime, because he
7 has to change filters. By the time he starts
8 from the first floor and gets up to the
9 third -- right, Rex? Mr. Meyer? You still
10 here? By the time he gets done his third floor
11 with his filterization, he starts all over from
12 the first floor.

13 If you look at the side of that
14 police station, it's not white no more; it's
15 gray. It's not white; it's gray. So thank you
16 very much. I have more, but time is up.

17 (Applause)

18 MS. VEST: Thank you, sir. Next,
19 Mary Elliott.

20 MS. ELLIOTT: I strongly oppose
21 that DNREC issuing a permit to DRPI to increase
22 the height of the landfill to 190 feet.

23 So much of Delaware's waterways are
24 polluted, and it simply makes no sense to me



1 for a State agency to issue permits for solid
2 waste brought in from other states to be
3 increased when our streams are so polluted
4 right now and the landfill is located so close
5 to the Christiana River.

6 DNREC should be developing plans
7 for cleaning up our state's water systems, not
8 issuing permits to make our water vulnerable
9 and less safe. My name is Mary Jane Elliott
10 from Wilmington, Delaware. Thank you.

11 (Applause)

12 MS. VEST: Thank you, Ms. Elliott.
13 I believe Willie Scott.

14 MR. SCOTT: Yes, my name is Willie
15 Scott. I'm a resident of Wilmington.

16 In a small state with more than 90
17 percent of our rivers, streams, bays, and ponds
18 polluted and being ranked by the CDC as having
19 one of the highest cancer rates in the country,
20 Delaware must seek solutions that improve
21 rather than continue to exacerbate these
22 circumstances.

23 I understand there are no state
24 regulations limiting landfill height, although



1 there should be, but I rely on DNREC to protect
2 and improve the air quality and the water
3 quality and the resulting affects on the health
4 of Delaware citizens.

5 DNREC has the authority to limit
6 land fill size through its permitting process.
7 And allowing the landfilling of an additional
8 8.4 billion cubic yards of waste over an
9 additional 21 years is antithetical to DNREC's
10 stated mission, especially since historically
11 nearly half of DRPI's waste has been from out
12 of state.

13 Landfills are a temporary solution
14 with long-term risks to water, air, and soil
15 quality.

16 In addition to neighborhood
17 communities being continuously exposed to
18 emissions from truck traffic, dust and airborne
19 contaminants are also a problem.

20 Continuing to add 279,000 tons of
21 waste per year into the landfill is not a good
22 long-term solution. We cannot improve air
23 quality and water quality by continuing to do
24 the same old things.



1 DNREC and the State Legislature
2 should instead seek environmentally sustainable
3 solutions to handling Delaware's waste.

4 The Delaware Solid Waste Authority,
5 DSWA, has a Comprehensive Solid Waste
6 Management Plan 502, which includes regional
7 programs and goals aimed at reducing the volume
8 of materials directed to the landfills.

9 As stated in the plan, and I quote,
10 "The Delaware Solid Waste Authority is
11 committed to managing Delaware's solid waste in
12 a way that keeps people safe and the
13 environment clean. The Delaware Solid Waste
14 Statewide Solid Waste Management Plan takes us
15 through the year 2020."

16 And then it includes, "a reliable
17 system to handle Delaware's trash for now into
18 the future," end quote.

19 To that end, the State has made
20 progress in managing Delaware's Solid Waste
21 Authority's three landfills. We have increased
22 recycled waste and methane gas capture and use.

23 I understand DRPI is not a
24 State-owned enterprise and is therefore not



1 under the control or total control of DSWA, but
2 it is regulated by the State.

3 And all landfill waste is a State
4 environmental concern to be addressed in the
5 context of the State's Solid Waste Management
6 Plan.

7 A review of the statewide Solid
8 plans -- I'm sorry -- a review of the Statewide
9 Solid Waste Management Plan is due in 2020.
10 That's next year. That process should be the
11 proper forum for consideration of DRPI's role
12 in the future of the State's Waste Management
13 Plan.

14 DRPI's permit request should be
15 evaluated in that context. (Applause)

16 MS. VEST: Thank you, sir.
17 Councilman Street?

18 COUNCILMAN STREET: Well, I
19 honestly can't do what I intended to do in
20 three minutes, so I'm going to cut straight to
21 the chase.

22 I am councilman for the Tenth
23 District in New Castle County Council. I
24 represent approximately half the city. And



1 outside the city, I represent the Route 9 and
2 13 corridor from Hamilton Park all the way down
3 to part of Collins Park.

4 Here is the harsh reality: The
5 current arrangement with Waste Management and
6 what's proposed here is the epitome of
7 environmental injustice that will not be
8 tolerated any longer.

9 The fact of the matter is, with the
10 acquiescence of DNREC, the north part of my
11 district outside the city is Diamond Materials,
12 whatever that is they're stocking there and
13 blowing all over the place.

14 In the middle of it is this dump.

15 And most recently, you all
16 planted -- allowed a gas bomb be to be planted
17 underneath the Delaware Memorial Bridge.

18 As part and parcel to that, we have
19 the highest cancer cluster in the state, which
20 Representative Cooke says, and I believe that's
21 correct, and now a cancer hotspot.

22 But we are at a point where enough
23 is enough.

24 This permit was supposed to be



1 expired in 2025. They are six years up front.
2 That should tell you something. There is a
3 problem with how much is going there and where
4 it's coming from and who it's impacting.

5 Now, I am asking -- and I'm
6 presenting a letter that is written to
7 Secretary Garvin from me -- asking that before
8 you make a decision, a final decision on this,
9 that there be an investigation of the
10 relationship between the Minquadale Civic
11 Association and Waste Management.

12 Because the harsh reality is if I
13 was standing up here and somebody has paid me
14 to stand up and turn around and say that I
15 wanted this permit to go forward and I was
16 getting paid, it would be just like monopoly.
17 I would go straight to jail. Well, bribery is
18 bribery. (Applause)

19 And either it's feasible or it's
20 not feasible. But before you make a decision,
21 make a determination of whether or not there is
22 any impropriety, any illegality.

23 Now, I'm not going to stand here
24 and beg you all to do nothing. You all have



1 failed this community for several decades.

2 I'm going to tell you what I am
3 going to do: I'm a product of the sixties.
4 And in the sixties, success was gained through
5 litigation, demonstration, and legislation.

6 I am going to legislate. I'm not a
7 lawyer, but what I do better than anything else
8 is bring class action litigation when it's
9 necessary and appropriate, and I'm good at it.

10 And third, if put to the test, we will
11 demonstrate. And don't think for one minute this
12 community is not capable of shutting down Route 13,
13 shutting down Route 9 to defend our environmental
14 rights.

15 Now, you all do what you want to do. I'm
16 going to do what I have to do. (Applause)

17 UNIDENTIFIED SPEAKER: Woo hoo!

18 All right! Yeah!

19 MS. VEST: Thank you. Next up,
20 Karl Randall.

21 MR. RANDALL: Good evening, ladies
22 and gentlemen. My name is Karl Randall. I am
23 general counsel of Artesian Water Company. And
24 I'm here tonight on behalf of the company to



1 speak in opposition to this permit
2 modification.

3 UNIDENTIFIED SPEAKER: All right!
4 All right! (Applause)

5 MR. RANDALL: Artesian has been
6 finding increased levels of contaminants in its
7 wells in this area.

8 We know where many of them are
9 coming from. There are other landfills that
10 are superfund sites near here. But we do not
11 know where all of them are coming from.

12 We are doing what is necessary to
13 remove those contaminants, but doing that is
14 expensive. And if you don't know who is
15 responsible, those costs get passed on to our
16 customers, and we do not want that to happen.

17 We have specific concerns about
18 this permit modification.

19 As you heard, the original use of
20 this site was as a borrow pit where the top
21 layers of soil were removed. Below the borrow
22 pit is sand. That sand runs into the Potomac
23 aquifer, which is like a super highway to our
24 public supply wells.



1 The first layers of trash brought
2 to the dump was industrial waste, not
3 construction demolition, and there is no liner
4 below it.

5 The permit application discloses
6 that the six stories of additional trash that
7 they want to put on top, it will cause six feet
8 of compression of the trash below.

9 That being the case, even though
10 they intend to put liners above the old
11 industrial waste, it will be compressed, and
12 there is no liner below.

13 There is a sample leachate system
14 over here that shows a liner underneath a pipe
15 that would collect the water. That, to our
16 understanding, does not exist below that old
17 industrial waste that will be impacted by the
18 weight of the new trash above.

19 And what is below that is our
20 aquifer that reaches our public supply wells.
21 For that reason, we think that there are -- if
22 this was to be approved at all, there would
23 have to be serious changes to what is being
24 requested.



1 I have other experts here who will
2 also speak. They are professional geo --
3 hydrogeologists with a better understanding of
4 some of the technical details. (Applause)

5 MS. VEST: Thank you, Mr. Randall.
6 Christopher Whallon. Christopher Whallon?
7 Whallon?

8 MR. WHALLON: Good evening, ladies
9 and gentlemen. My name is Christopher Whallon.
10 I'm a geologist with Duffield Associates, a
11 local consulting company.

12 I would like to mention just a
13 couple of points about the application.

14 In the submission that DRPI
15 provided, there is a litany of questions about
16 siting. And by and large, the siting is
17 designed to evaluate things like sensitive
18 receptors, land use, valuable aquifers, and
19 natural resources.

20 Most of the questions about siting
21 were addressed by the applicant by saying, "We
22 are not putting new cells in, so we don't need
23 to do anything about it, or there is no
24 impact," or they said, "The studies that are



1 available, provided, show there is no problem."

2 I would like to address those few
3 things real quickly.

4 The first is as to the cells, the
5 Regulations Governing Solid Waste that were
6 referred to by DNREC specifically define "cell"
7 as an engineering structure designed to hold or
8 dispose of solid waste.

9 Now, in this case the cells are
10 going up, over. When they are designing cells,
11 they are putting in new liners, they are
12 putting in leachate control. They're putting
13 in a new gas tank. They are building cells,
14 building the cells up.

15 And so it seems to Artesian Water,
16 who I'm speaking on behalf of tonight, that the
17 questions about valuable aquifers, proximity to
18 natural resources, should be addressed as to
19 the new cells that are being installed.

20 The other questions about some of
21 the natural receptors were dismissed simply by
22 referring to hydrogeologic environmental
23 studies, most of which date 2004 and 2005.

24 This modification is a substantial



1 one and essentially at 20 years or so to the
2 life of the landfill.

3 And it seems to Artesian unwise to
4 make technical determinations about nearby
5 wells, nearby sensitive receptors,
6 environmental issues that are going to remain
7 and stand up into 2040 based on data collected
8 in 2004. And, at least, these studies should
9 be renewed and revised to reflect current
10 conditions. Thank you. (Applause)

11 MS. VEST: Thank you, sir. Peter
12 Demicco? Demicco? Again, I apologize if I'm
13 saying it wrong.

14 MR. DEMICCO: Yes, good evening.
15 My name is Peter Demicco. I am a
16 geohydrologist I have been working in the State
17 of Delaware for many years. I'm a University
18 of Delaware graduate. I won't tell you why
19 that was a long time ago.

20 And I'm going to try to describe
21 some very specific conditions that we want to
22 basically enter into the record to make sure
23 DNREC reviews the information that's
24 appropriate.



1 And the first one is we have all
2 talked about the sand and gravel being removed
3 from the area. Well, that's first and
4 foremost.

5 UNIDENTIFIED SPEAKER: Louder!

6 MR. DEMICCO: Is that better?

7 Sorry about that.

8 MS. VEST: You almost have to keep
9 it right up against your mouth.

10 MR. DEMICCO: First and foremost is
11 here is a schematic from Delaware Geological
12 Survey publication with a reference -- I will
13 give to DNREC that we want these added into the
14 record formally -- that are from 1984
15 Geological Survey publication, and the first
16 one is basically a schematic of the aquifers we
17 have all been talking about.

18 The landfill is located on top of
19 the Potomac aquifer. And they have excavated
20 down into that aquifer. The problem is you
21 couldn't pick a worse site to put a landfill if
22 you were trying.

23 And the examples that we are most
24 familiar with are Delaware Sand and Gravel



1 superfund site and Army Creek superfund site
2 which were being filled with trash prior to
3 this but about the same era.

4 So that is first and foremost a
5 significant problem about this site.

6 Second is in the Potomac aquifer --
7 and we have a map there which describes and
8 locates our specific wells -- we have Collins
9 Park, Castle Hill, Jefferson Farms -- and I
10 will remember the name of the last one in a
11 minute -- but three of those four wells are
12 directly down that little dip we showed in the
13 previous map.

14 And one of the other issues is
15 their application said no new wells. Well, we
16 have three of these locations in the last seven
17 years put in improved wells, replacement wells.
18 They are pumping more water. It's within the
19 allocation limits, but we are now pumping more
20 water. And we do not know what that impact is
21 on their landfill, and they do not have the
22 information available to us.

23 And, finally, we have the
24 application, itself.



1 Surprisingly, the hydro-geo report
2 was only put on the website at DNREC yesterday.
3 I have had less than 24 hours to review it. I
4 do not have details. But I have already looked
5 at it and found some serious implications which
6 are on this cross section. They talked about
7 their monitor wells.

8 MR. SUNDE: Time.

9 MR. DEMICCO: Three of the wells
10 are in the wrong aquifers. That has to be
11 looked at directly. (Applause)

12 MS. VEST: Just for the benefit of
13 the audience here, I want to make sure
14 everybody knows that, as people are giving me
15 these documents, I am marking them, and they
16 are getting entered into the formal hearing
17 record.

18 All of -- Mr. Randall has provided
19 me with normal-sized copies of these blow-up
20 pictures. I am marking all of this
21 documentation Artesian Exhibit 1, and it will
22 be all of them together combined.

23 I also want to recognize that
24 Councilman Street's letter that he offered to



1 me is into the record, and it's marked as
2 Street Exhibit Number 1. And I thank you, sir,
3 for that.

4 I didn't want to be amis with the
5 transcript.

6 The other thing I do want to say
7 quickly before I recognize the next speaker,
8 who is Steve Masterson, that we have a website
9 now. On DNREC's big website, there is a
10 section called Administrative Law.

11 And if you click on that, there is
12 a drop-down tab for public hearings. Every
13 public hearing that we do now -- we didn't do
14 this in the past, and I apologize for that --
15 but every one that we do now gets its own web
16 page.

17 And every document that comes into
18 the record, I ensure that it gets scanned and
19 put in there. Give me 24 hours, and all of
20 this stuff will be up there.

21 When the transcript is done from
22 tonight's hearing, it will go up there. And,
23 ultimately, any kind of technical response
24 document, the hearing officer's report, and the



1 secretary's order, it's a one-stop shop that
2 anybody that's concerned about any public
3 hearing, go to that portion of the website, and
4 you can find that.

5 So I would encourage you to do
6 that. We are not where we need to be yet, but
7 we are getting there. And we are trying.

8 Steve Masterson.

9 MR. MASTERSON: Good evening,
10 everyone. My name is Steve Masterson. I'm the
11 President and CEO of Waste Masters, which is a
12 competitor of Waste Management here in
13 Delaware.

14 We are in New Castle, Davidson
15 Lane. I have about 100 employees that work
16 there.

17 You know, I'm very proud that we
18 live in a country that we can all get together
19 like this and kind of vet our issues one way or
20 the other and be respectful to each other.

21 So I'm going to tell you, you know,
22 my experience is I was in acquisitions. I did
23 work up at North Jersey, New York, and all the
24 way down to the Carolinas.



1 And what I do know right now
2 currently, New York City puts waste in a train.
3 The train comes to Wilmington. I pick it up
4 from Wilmington to take it to Pennsylvania,
5 because the waste infrastructure that we built
6 in the northeast is such a critical mass.

7 So I understand what you are
8 worried about, but you also have to understand
9 a little bit of where we are going, is what
10 eventually happens to the waste that we
11 generate here in Delaware. Where does it go?

12 If it isn't here -- we are a little
13 spoiled over the last many years of having DRPI
14 and DSWA. And as a hauler, I can tell you, you
15 know, we are just going to go further and
16 further away. And as we go further and further
17 away, the cost is passed on to you, the
18 consumer, the businesses and stuff. The it
19 just doesn't eat at my pocket. It eats at
20 everybody's pocket.

21 And, you know, I think it's
22 important that we listen to both sides, because
23 there is an economic impact that will
24 eventually catch up to maybe not our generation



1 but the next generation if we have no place to
2 put the waste. It has to go somewhere.

3 No one wants it in their back yard.
4 I get that. But I also understand that if we
5 don't work together to fix the waste issues, we
6 will have a bigger problem than what apparently
7 it makes it sound like we just don't do these
8 things.

9 So I want to just say in closing is
10 I am a neighbor. I have a lot of employees
11 that work for us that are in your neighborhood.
12 This issue is important to all of us.

13 And just keep your eyes and your
14 ears open and listen to both sides, because I
15 think it's important that we do that.

16 (Fire whistle activates)

17 And with that, I think the tornado
18 is coming, so thank you everyone. (Applause)

19 MS. VEST: Thank you, sir. Chris
20 Rost? Chris Rost?

21 MR. ROST: Good evening. My name
22 is a Chris Rost. I work for Foley Cat
23 Incorporated. We are a caterpillar dealer up
24 on Route 40 that was formerly Ransom



1 Caterpillar. It was there for 101 years. We
2 were bought last year, about a year and a half
3 ago, by Foley Caterpillar.

4 And we are a vendor for the
5 landfill. We are out at the landfill three and
6 four times a week. And there is probably 700
7 employees that work for my company, 45 of which
8 are based out of the Bear, Delaware, store.

9 And I believe that it has an
10 impact, and I'm sure we are not the only vendor
11 who depends on them, and it helps all of our
12 families to be able to survive and make a
13 living. So thank you. (Applause)

14 MS. VEST: Thank you, sir. Next up
15 is Joseph Krupovich, maybe.

16 And just so -- and I apologize for
17 this. It was a suggestion, and it's a good
18 one. As this speaker is coming up, just so the
19 next one can prepare themselves, Randy Powell
20 is on deck.

21 MR. KRUPOVICH: Okay. Good
22 evening, everyone. My name is Joe Krupovich.
23 I'm the Senior District Manager within the GMA,
24 the Greater Mid-Atlantic Area, and I oversee



1 the Delaware operations.

2 So the GMA's footprint oversees --
3 it stretches across six states -- New Jersey,
4 New York, Eastern and Central Pennsylvania,
5 Delaware, Maryland, and slightly into Virginia.

6 So what do I think are some of the
7 positive impacts of DRPI?

8 Well, I can say that for the
9 hauling operations in Delaware, we employ 162
10 employees, 92 in Wilmington and 77 down in our
11 Laurel location. So we have two collection
12 operations.

13 So DRPI is integral to the disposal
14 operations within both of our collection sites.

15 Secondly, you know, there is a
16 regional economic impact. DRPI assists the
17 regional economy by providing a cost-effective
18 disposal alternative to their customers for
19 building or renovating homes, offices, or other
20 structures.

21 In other words, it's a
22 cost-effective disposal for a lot of folks
23 everywhere.

24 And then, finally, disposal space



1 preservation. DRPI preserves disposal space in
2 other regional landfills that might receive C&D
3 material that DRP currently accepts.

4 So within our Delaware operations,
5 we deliver between let's say 1,200 to 1,500 ton
6 to the DRPI landfill per month. So we would
7 need to figure an alternative for all that
8 volume and have to divert it elsewhere.

9 I thank DNREC for the opportunity
10 to extend my comments tonight. Thank you.

11 (Applause)

12 MS. VEST: Thank you, sir. As
13 Mr. Powell approaches, Kelly MacIntosh, you are
14 on deck.

15 MR. POWELL: How are you doing? My
16 name is Randy Powell. I work for Reilly
17 Sweeping. We are a local street sweeping
18 company in the tristate area.

19 I employ 18 to 20 people locally
20 here in the Newark area. And we do street
21 sweeping for DRPI to help keep the dust down,
22 the dirt from exiting the facility.

23 So I can't speak to the
24 environmental impact, but I can tell you the



1 economic impact. You know, the work that we do
2 for them and the revenue generated helps
3 support our families, and this all trickles
4 down to buying parts, purchasing fuel, and that
5 helps other people support their families.

6 So the impact that this landfill
7 has trickles down to a lot of people in the
8 community.

9 As the other speakers said, they
10 also provide a cost-effective disposal for the
11 demo material which will also help keep Cherry
12 Island going longer.

13 And I urge you guys to support the
14 vertical increase. (Applause)

15 MS. VEST: Thank you. As Kelly
16 MacIntosh approaches, Rick Klonowski is up
17 next.

18 MS. MACINTOSH: Good evening,
19 ladies and gentlemen. My name is Kelly
20 MacIntosh. And I'm the operations specialist
21 for DRPI.

22 Um, I am usually the first person
23 that you see when you come to our office. I
24 see a lot of people from McDell, especially,



1 because they are there for help. And we are
2 always trying to help people.

3 I have worked at Waste Management
4 for a total of 11 years. And where I'm
5 stationed now at DRPI, I have met a lot of
6 really nice people. And they have needed a lot
7 of help, and we have helped them. Some have
8 left my office crying and have broken my heart.

9 Please, please, our families, your
10 family, my family, we need your help as much as
11 you need our help.

12 We depend on the landfill to
13 support our families one way or the other. You
14 may not work there, but honestly, we are
15 helping you. We are helping the environment.

16 We are dedicated to you, the
17 community, and the environment. I see what we
18 do for the environment. I see it every day.
19 Every single day I see it. And I shake my head
20 because it's a lot.

21 Um, I do ask DNREC please, please
22 go for the vertical expansion. And thank you
23 for letting me speak. (Applause)

24 MS. VEST: As Rick begins to speak,



1 Lee Jarmon, you are up next.

2 MR. KLONOWSKI: Hello everybody.
3 My name is Rick Klonowski. I am the district
4 manager who runs DRPI landfill.

5 I made some bullet points so I make
6 sure I do not go over the three minutes.

7 I want to start off by thanking
8 Lisa and DNREC for giving me an opportunity to
9 speak on behalf of Waste Management.

10 Just to tell you guys a little bit
11 about myself, you know, I'm a native to New
12 Castle County. I grew up in Delaware City.

13 But I have lived all over New
14 Castle. I have lived Chelsea Estates,
15 Wilmington Manor. I lived in Castle Hills. I
16 have lived in Collins Park.

17 I went to McCullough Elementary
18 right in Garfield Park. I went to William Penn
19 High School.

20 I have got eight years' experience
21 in the landfill business, but before that I had
22 construction experience. I worked for
23 Pettinaro when I ran the Riverfront Project.
24 And I helped build part of that walkway that



1 was mentioned earlier. I'm very proud of the
2 work we did at the Riverfront.

3 And that background in construction
4 has led me into where I am now with building of
5 the landfills.

6 I worked for a lot of these
7 construction companies that dump at our site,
8 local companies. JJID, which is James Julian
9 Incorporated of Delaware; Brandywine
10 Construction; Mumford and Miller.

11 You know, as I grew up being a
12 teenager, I worked for all of these companies
13 that still come to our landfill to get the
14 reduced rate that we are able to provide them
15 to dump their C&D, to keep them in business, to
16 keep their families fed as well as my own
17 employees.

18 Now, I stand here before you to let
19 you know that I run this place above and beyond
20 what is required for our permit. I have a guy
21 on site every single day, who is a DNREC
22 inspector, who goes around to check and make
23 sure that I am running this place properly.

24 We have spent a quarter million



1 dollars this year alone just doing upgrades to
2 this site, to the equipment, and the addition
3 to wastewater treatment plant upgrades,
4 addition of a second flare to burn off the gas,
5 all these things we are doing to make sure we
6 are in compliance with our permit, but also we
7 go above what is required.

8 Um, you know, I just want to talk
9 about my friends and family. You know, they
10 are all from this area, as well. I run this
11 place as if my friends and family live around
12 here, because they do. My son lives five miles
13 from here, you know.

14 I'm just going to keep it short and
15 sweet, because I just wanted to let you know
16 kind of a little bit about me, my background.
17 I grew up right here in the same location as
18 you guys, and I do consider that, you know.

19 In closing, I would just like to
20 ask, you know, DNREC please approve this
21 expansion, not just for me and for my
22 employees, but for all the construction
23 companies that come there and dump and rely on
24 us for employment, as well.



1 Thank you for your time.

2 (Applause)

3 MS. VEST: As Mr. Jarmon
4 approaches, Councilman Dave Carter is next.

5 MR. JARMON: Good evening,
6 everyone. My name is Lee Jarmon. I am the
7 president of Overview Gardens Garfield Park
8 Civic Association.

9 These communities are adjacent to
10 Minquadale. As a matter of fact, I live right
11 behind the fire hall. There are over 800 homes
12 in Overview Gardens and Garfield Park.

13 UNIDENTIFIED SPEAKER: Speak up!

14 MR. JARMON: 800. Can you hear me
15 now? 800 homes in Overview Gardens and
16 Garfield Park.

17 Not only that. These communities
18 include houses of worship, daycare facilities.
19 As a matter of fact, one sits right outside the
20 Minquadale entrance gate.

21 There are schools. McCullough
22 School is on the east end of Minquadale. And
23 there are businesses here also.

24 There is the public safety building



1 which is right across the street.

2 In addition to that, there is a
3 state service center not too far from the
4 landfill.

5 It is not a good life to live near
6 a landfill. Our lifestyle is completely
7 different from others who live in communities
8 that don't have landfills.

9 This permit request is an assault
10 to our communities, environmental injustice,
11 and the true meaning and purpose of why we
12 celebrate Earth Day.

13 I stand here tonight to let you
14 know that the communities of Overview Garden
15 and Garfield Park request denial of this
16 permit. Thank you so much. (Applause)

17 MS. VEST: Thank you, Mr. Jarmon.
18 And for the record, your letter dated May 29,
19 2019 will be formally incorporated into the
20 record as Jarmon Exhibit 1. And I thank you,
21 sir.

22 I know I'm going to say this name
23 wrong. It's Priscilla, and two down is a
24 William, and I'm going to assume it's the same



1 name, B-L-A-I --

2 MS. BLOODSWORTH: Bloodsworth.

3 MS. VEST: That's it! (Laughter)

4 Priscilla, you are up next following Councilman
5 Carter.

6 COUNCILMAN CARTER: Good evening.

7 I'm Dr. David Carter, Councilman for the Sixth
8 District of New Castle County.

9 I'm here to express my concern
10 about this permit, to ask that it be denied.

11 I would also request that DNREC
12 initiate immediately an alternative analysis to
13 better handle our waste instead of continuing
14 to place this in our underserved communities
15 because it's the path of least resistance and
16 the easiest to do.

17 I want to talk a little bit about a
18 couple of questions I had, a couple of
19 questions on the existing permit. And I will
20 then speak a little bit about my concerns,
21 following up with my colleague, Councilman
22 Street, about environmental injustice, and then
23 perhaps some history about the site from back
24 when Secretary Toby Clark and I in the late



1 eighties and nineties went to this site as part
2 of the restoration work we were doing in the
3 Christiana River and told the district that it
4 would be shut down in 20 or 25 years and become
5 available for the park development.

6 So there is a long history here and
7 a changing moving target.

8 With regard to SW1502, it's unclear
9 to me why we are already seeking a permit three
10 years into a ten-year permit, whether we have
11 missed broadly or very largely the calculations
12 that went into that additional permit that we
13 are asking for this.

14 Also, the permit, the existing
15 permit, references several locations in the
16 document that the final maximum elevation, the
17 "final maximum elevation" was 130 feet.

18 My understanding at that time was
19 that was going to be the ultimate end elevation
20 and not to go higher than that, why we are
21 changing that, and really look at that data.

22 I would also like to request that I
23 be given the data for the loading, the hauling,
24 and the source of that material that's going



1 in. I can put a FOIA request in tomorrow, and
2 I will request that the record be open until
3 DNREC is able to give us that data and five to
4 ten days to run the analysis to review it.

5 I don't know how long it will take
6 the Secretary to meet that data request.
7 Sometimes it's not real quickly.

8 I am concerned deeply about the
9 environmental and social justice issues. I
10 have worked in this area for many years.

11 I worked at Southbridge, originally
12 sent in because of the contaminations around
13 that and because of problems with the landfill.

14 We have to stop just putting this
15 waste in these communities that have the
16 biggest burden, disproportional burden. It's
17 wrong, and we have to stop it.

18 I'm also concerned about the
19 agreements. When I worked with Southbridge,
20 they did a community benefit agreement or
21 promised a whole lot of things. For the
22 Peninsula Composting, which was permitted by
23 DNREC Solid Waste, it did not work out. Things
24 changed under that permit. And for years they



1 had to deal with an unbearable stench that
2 DNREC was unable to take action to stop.

3 MR. SUNDE: Time.

4 COUNCILMAN CARTER: I will have
5 some more things for the record later. Thank
6 you.

7 MS. VEST: Thank you, Dr. Carter.
8 Priscilla Bloodsworth. And I believe William
9 Bloodsworth, as well.

10 MS. BLOODSWORTH: No.

11 MS. VEST: No?

12 MS. BLOODSWORTH: Thank you very
13 much. I am here as a concerned neighborhood.
14 I hear them saying that they are
15 neighbors. Do they really live in this area
16 where we live?

17 And we are really concerned,
18 because we breathe this air. We have children.
19 We have grandchildren. And we have daycares in
20 this area. But do you live in this area?
21 Where do you live? That's my question.

22 And listening to Cooke and Jea
23 Street and some of these things I have heard
24 tonight, I'm just really saddened by that. The



1 food, the air quality, the contamination, I
2 just feel that enough is enough.

3 UNIDENTIFIED SPEAKER: That's
4 right!

5 MS. BLOODSWORTH: And I really mean
6 that. Enough is enough. We do not need the
7 landfill to go any higher.

8 We have our policemen. I don't
9 know how they are working over there with
10 everything, the air quality over there.

11 And just looking at our children
12 who are coming up now, I don't know what kind
13 of disease they might have drinking that water,
14 taking a bath in the water.

15 I mean, you really need to think
16 about it. Let's really think about this.
17 Let's not think about how much money we are
18 going to make in this deal.

19 UNIDENTIFIED SPEAKER: That's
20 right!

21 (Applause)

22 MS. BLOODSWORTH: This is all I
23 have to say. I'm not taking up much time.

24 MS. VEST: Next up -- am I correct



1 that William did not want to speak? Okay.
2 Cindy Sierra, I believe?

3 UNIDENTIFIED SPEAKER: No.

4 MS. VEST: No? Okay. Here we go.
5 Brenda, it might be Timmons, Simmons?

6 UNIDENTIFIED SPEAKER: Timmons.

7 MS. VEST: Okay. Timmons. Is she
8 here? Does she still wish to speak?

9 UNIDENTIFIED SPEAKER: No, she
10 left.

11 MS. VEST: She left. Okay. Thank
12 you.

13 UNIDENTIFIED SPEAKER: I can speak
14 for her.

15 MS. VEST: Would you like to? Hold
16 on. (Handing mic) Ask her to identify
17 herself.

18 MS. WILLIAMS: My name is Dora
19 Williams, and I am from Garfield Gardens. And
20 Brenda is our president of our civic
21 association.

22 And there has been lots said
23 tonight. And we should not go to 190 feet.
24 That's too much. I think that Councilman



1 Street has been very generous when he said
2 140 feet. So that will save some jobs. But
3 190, I think, is out of the question. And we
4 are opposed to it. Thank you. (Applause)

5 MS. VEST: Thank you, ma'am. Next
6 up, Jim Santarpio. And next up Reverend
7 Simmons.

8 MR. SANTARPIO: Thank you. Good
9 evening. My name is Jim Santarpio. I own
10 Advana Scale Company.

11 We sell, service, install scales
12 and weighing equipment. I have personally
13 worked at that landfill for 25 years.

14 Um, I'm here to support the
15 expansion permit. Waste management is a class
16 act. They do things right.

17 We have five technicians that live
18 locally that service that. When they come to
19 do jobs at the landfill, they are eating lunch
20 locally, they are going out and getting
21 supplies locally. So it really helps the area.

22 And I just wanted to say I'm in
23 support of the permit application. Thank you.
24 (Applause)



1 MS. VEST: Thank you, sir.
2 Reverend Simmons is up next, and then Caitlin
3 Delcollo.

4 REVEREND SIMMONS: Thank you. Good
5 afternoon, everyone.

6 UNIDENTIFIED SPEAKER: Good
7 afternoon.

8 REVEREND SIMMONS: I think that
9 it's a sad thing to allow our community to
10 continue to be contaminated.

11 I read a letter at my church with
12 regards to this meeting to allow people to
13 know, to let people know what's going to
14 happen. And this is what I see:

15 We allow this landfill to be
16 increased to 190 feet. Children are outside
17 playing. The dust blows through the wind.
18 They breathe it. It lands on the cars. People
19 leaving going down the highway, it's blowing in
20 the wind.

21 We cannot permit this thing to
22 happen. It is detrimental to our health, to
23 our communities, to our children.

24 You talk about the people who work



1 for you, and I'm sure that they are being paid
2 well. You're making money.

3 But at the same time, the money
4 cannot pay for the cancer that people will get
5 as a result of this trash being heightened.

6 We have to stop and think about
7 what you are doing to this community.

8 Take it up to Greenville. Take it
9 anywhere. And, in fact, put it in your back
10 yard and see how you feel. (Laughter and
11 applause) And this would change your attitude
12 towards this waste piling up.

13 Now, the other most critical point
14 that I want to make here is that not only do we
15 have a cancer cluster in our neighborhood. And
16 you go from Claymont all the way down to below
17 Delaware City.

18 All of this waste not only in the
19 air but in the ground, and now you contaminate
20 the water that we drink. I mean really? So
21 what's going to happen when we begin to drink
22 this water? Our children drink it. Their
23 children, if they live that long, drink it.

24 You are going to have more cancer.



1 And we don't have enough medical centers here
2 now to take care of this type of a problem.

3 And so I think that it will be good
4 for you, DNREC, to really examine and think
5 about what you are suggesting might happen,
6 because if we allow this to happen, we are all
7 going to be in trouble, not only here, but
8 generations to come. Thank you. (Applause)

9 MS. VEST: Thank you, sir.
10 Caitlin? Okay. And as she approaches, I
11 believe it's Dan Harmon or Harvin.

12 MS. DELCOLLO: Thank you. My name
13 is Caitlin Delcollo. I'm here on behalf of
14 State Senator David McBride. He,
15 unfortunately, couldn't be here tonight.

16 But he had received some feedback
17 from some of his constituents in opposition to
18 this. And so I'm going to submit their written
19 testimony to Lisa for the record. Thank you.
20 (Applause)

21 MR. HAHN: Good evening. My name
22 is Dan Hahn, and I am the president of Furness
23 Electric in Wilmington, Delaware.

24 I'm proud to say we are nearing our



1 75th year as a third generation family
2 business.

3 We have over 200 highly skilled
4 electricians working for us. Many of these men
5 and women have worked at DRPI Landfill, as we
6 maintain their operations, and we also do
7 capital work for them.

8 We have been maintaining that site
9 for as long as I can remember from previous
10 operators back in the eighties.

11 DRPI's business is not only
12 important to Furness Electric as a local
13 company employing Delawareans; it's important
14 to the men and women who actually do the work.

15 DRPI hires the best skilled
16 tradespeople to maintain the plant to make
17 capital improvements. Our workers have logged
18 countless hours over there throughout the
19 years.

20 These are highly compensated jobs,
21 and the money certainly flows back to Delaware
22 and the local community.

23 My crews live in Delaware. They
24 shop here. They eat here. They send their



1 kids to school here. These men and women are
2 rooted in Delaware.

3 Furthermore, we buy most of our
4 materials locally. In fact, we utilize vendors
5 like Rumsey, United, and Graybar right here in
6 New Castle.

7 DRPI's health and ability to expand
8 and thrive has a impact on so many Delaware
9 businesses and citizens.

10 We need to support companies that
11 come to our state that have employed our
12 residents and utilized our local contractors
13 and vendors. These are the type of companies
14 we want here.

15 We are in full support of DRPI's
16 expansion and respectfully request DNREC's
17 approval. Thank you for your time. (Applause)

18 MS. VEST: All right. We have got
19 a long ways to go still.

20 Matthew Sarver. And after him,
21 John Ellis and Sandra Smithers are the next
22 two. And thank you all for your patience.

23 MR. SARVER: Thank you. Matt
24 Sarver. I'm a board member of the Christina



1 Conservancy. We are a non-profit here in the
2 local area, and our mission is to promote the
3 preservation, restoration, and conservation of
4 natural and historical resources in the
5 Christina Watershed.

6 We have several concerns and
7 questions regarding the hydrogeologic
8 conditions of this site that were, in part,
9 discussed by the experts earlier this evening
10 and what this might mean for communicative
11 impacts of future leachates into the Christina
12 River, which is the last freshwater tidal river
13 remaining in Delaware, in a river that's
14 already bearing a century-old burden of legacy
15 contaminants, which we know are going to
16 require massive public investment to clean up
17 in current and future generations.

18 So I anticipate we will make more
19 detailed comments in writing. I want to thank
20 DNREC for extending the comment period on this
21 permit. (Applause)

22 MS. VEST: Okay. John Ellis?

23 MR. ELLIS: What I was going to say
24 has already been said.



1 MS. VEST: Okay. Thank you, sir.
2 Sandra Smithers. And after her, Adriel
3 Gonzalez.

4 MS. SMITHERS: Good evening,
5 everyone. I just have a couple of things that
6 I would like for DNREC to consider.

7 It's very important. I have lived
8 in this community all of my life, from the
9 building of Dunleith, the first
10 African-American community for African-American
11 World War II veterans.

12 And I have seen all kinds of things
13 happen in our communities that we had no voice
14 in.

15 And I have seen environmental
16 contaminants be placed in our community, and we
17 had no voice in it.

18 And I become very emotional when I
19 listen to people talk about the impact of this
20 landfill on their jobs, people who don't live
21 here.

22 It's important that Delaware have
23 economic development. However, that economic
24 development should not be borne on the



1 shoulders of people who are poor (applause) and
2 people who have no voice.

3 It troubles me when I hear a
4 company who talks about what they have done for
5 community immediately surrounding them. For
6 their information, contamination does not stop
7 at the boundaries of Minguadale.

8 UNIDENTIFIED SPEAKER: Amen!

9 MS. SMITHERS: We live outside of
10 it.

11 They talk about capping the
12 landfill on the weekends. We have five other
13 days in the week. What happens during those
14 days?

15 This is very important. We have
16 borne the brunt of contaminations. We have
17 borne the brunt of corporations building their
18 corporations. But how many of these companies
19 employ people from our community? How many
20 electricians and plumbers and other people are
21 employed from our communities?

22 I think this needs to be
23 considered. I hope DNREC will consider it.
24 The fact that every community resident who has



1 stood up here tonight has said that they are
2 opposed to it and they live with these
3 contaminations.

4 So I hope that DNREC will consider
5 what the community has to say this evening, not
6 necessarily those who stand to profit by
7 extending the landfill with no consideration of
8 our health and our future benefit. Thank you.
9 (Applause)

10 MS. VEST: Adriel Gonzalez? Are
11 you still here? Going once. Assuming that
12 Adriel is not here, Nancy Willing? And after
13 that, Carlton Guy. I see a no and a yes. I'm
14 not sure.

15 UNIDENTIFIED SPEAKER: (Speaking
16 from floor without a microphone)

17 MS. VEST: I can't hear you, sir.

18 MS. WILLING: I appreciate the
19 opportunity to speak tonight. I didn't really
20 plan to. I planned to come and listen.

21 But I have heard rumors of the
22 funds that were going to specific people, so
23 I'm glad that information was shared tonight,
24 because that's a concern.



1 I don't really have that much more
2 to say except for it's very alarming to have
3 heard the testimony from the hydrogeologists
4 and the testimonies from Artesian. I don't
5 think that can be overlooked.

6 I don't think this can be anything
7 but denied on the premise of no liner under an
8 old industrial waste that potentially is going
9 to cause all kinds of problems with the
10 compression that's going to happen with the
11 six-story addition here.

12 So that's all I have to say. I
13 appreciate the community coming out. It seems
14 like the crowd is about half and half.

15 But I do have to say that economic
16 development and jobs have to be balanced, that
17 the residents have a right to their health.
18 And this does not seem like a sound plan that
19 is sustainable or healthy for the community.

20 (Applause)

21 MR. PARKER: Can I speak on behalf
22 of the gentleman that left?

23 MS. VEST: Sure. On behalf of
24 Carlton Guy?



1 MR. PARKER: Yes.

2 MS. VEST: Sure. If you could just
3 say that.

4 MR. PARKER: Okay.

5 MS. VEST: And the next gentleman
6 is going to identify himself and speak on
7 behalf of Carlton Guy. And after that, David
8 Trincia is up.

9 MR. PARKER: Hi. My name is James
10 Parker. I am the Oakmont Civic Association
11 president, and I'm also the chair of the Route
12 9/13 Alliance, which is over 23 communities.

13 Um, we have -- sorry about my
14 little map. But, I mean, if you look at it, we
15 have 23 communities. We have Corrado around
16 it. We have Diamond State. We have the port.
17 We have the scrapyard. We have the tire place.
18 We have Penske, which is diesel.

19 So all these chemical things are
20 around us, circling around us.

21 Underneath of us we have the cancer
22 cluster center, the Brownfields. So when our
23 kids lay on the ground, they get contaminated.
24 They stand up and jump, they get contaminated.



1 Exactly what is going on here?

2 Once again, she is right. A lot of
3 you do want to keep you all jobs. I get it.
4 You have a job. You want to take care of
5 things.

6 Well, guess what? You all got a
7 health plan. We don't have a health plan. So
8 you all can get your all co-pay and go in there
9 and get your all medicine.

10 Our co-pay will be borrowing some
11 money from somebody. That's our co-pay.

12 We don't have a health clinic in
13 our area.

14 So, as you sit up here and you want
15 to talk about how much it's benefiting your
16 company and everything, why don't you think
17 about hmm, you know what I'm gonna do? I'm
18 gonna take \$100 out of my paycheck and I'm
19 gonna give it to you all community just in case
20 one of you all kids get sick. Do you all want
21 to do that? Join me.

22 So, you know, I'm just saying I
23 lived here for 52 years. I was born off of
24 Pilot's Lane, and then I moved into Oakmont.



1 And I have seen it.

2 And, I mean, I think when we get to
3 the age of 50, we should start looking back
4 trying to help the next generation. We lived
5 our life. But we should be helping the next
6 generation.

7 And like she said, if you don't
8 want it in your back yard, don't come up here
9 talking. So I think that's all I have to say.

10 Oh, that's what I had. Yeah. So
11 when Corrado had the accident, when Corrado had
12 their accident, the bridge got 200,000, DNREC
13 got 10,000, and the community got a magnet.
14 (Holding up magnet - laughter and applause)

15 MS. VEST: Thank you, sir. David
16 Trincia.

17 And briefly before Mr. Trincia
18 speaks, I just want to note that Penny Dryden
19 had said that she was going to speak. I guess
20 she had to leave.

21 She provided me her written
22 comments, and I will enter them into the record
23 as Dryden Exhibit 1.

24 After Mr. Trincia, Dee Durham is



1 up.

2 MR. TRINCIA: Good evening,
3 everyone. My name is David Trincia. I am the
4 civic association president for this community
5 of Minquadale.

6 This landfill has been here for 22
7 plus years of me fighting to get this thing
8 shut down in that period of time for almost 22
9 years.

10 I have lost every hearing that I
11 went against this happening.

12 When Waste Management came to me
13 asking me again about a height extension, I
14 thought to myself, what's in it for the
15 community? We are already contaminated. That
16 landfill is going nowhere. It's already at
17 130 feet. They are not going to dig that out
18 of there and take it someplace. It's there for
19 our life.

20 And I thought to myself, I ain't
21 gonna fight this again and lose it again and
22 get nothing for this community.

23 So we started having meetings with
24 Waste Management -- and I'm talking the



1 association -- and I basically went back to the
2 floor of our association. And I said, "Look,
3 this is how it's going to be. I could fight
4 it, and I'm willing to do that for you." I
5 said, "But there is no guarantee, with my track
6 record, of us winning this thing."

7 And I says, "Here Is what Waste
8 Management is offering the community to help
9 better the community."

10 These guys attend every one of our
11 civic meetings. They know the background of
12 this community. They know how hard we are
13 fighting to get things done in this community
14 between roads, curbs, sound barriers. You name
15 it, you know, we come up with nothing.

16 So when Waste Management talked to
17 the association, we went out and hired a lawyer
18 to look at the document to make sure that it
19 was real.

20 We hired a CPA to deal with the tax
21 ramifications of this money.

22 We hired a trust company to handle
23 the money, and the projects in the community
24 will go through the trust company.



1 And these guys have been, second to
2 none, has helped this community. I said this
3 way back when when Matt Williams -- and he is
4 deceased now, he committed suicide, which was a
5 manager.

6 UNIDENTIFIED SPEAKER: Hold on.

7 MR. TRINCIA: And I says, Matt,
8 this is not the typical community I want or
9 business I want in my back yard, but I said you
10 are here, we have to deal with you. Thank you.
11 (Applause)

12 MS. VEST: Thank you, sir. Dee
13 Durham is up next. And I was just given
14 documents, and they will be entered into the
15 record, as well. Thank you. Dee Durham, you
16 are up next, and after that, Stephanie Herron.

17 MS. DURHAM: My name is Dee Durham.
18 I'm a member of New Castle County Council. I'm
19 here to support my colleague, Jea Street, and
20 his constituents tonight.

21 I'm also a member of the Recycling
22 Public Advisory Committee of DNREC. But I also
23 wear another hat of co-chair and co-founder of
24 Zero Waste First State, which was spun off of



1 our work of plastic pollution and the Delaware
2 Plastic Pollution Action Coalition, which is
3 endorsed by over 40 organizations throughout
4 the state.

5 Our mission includes education and
6 advocacy initiatives to move Delaware towards a
7 zero waste future.

8 As such, fostering an increase in
9 landfill height is 180 degrees opposite of
10 where we should be heading.

11 No job is worth your health.
12 Adding insult to injury, two thirds of the
13 waste brought to this landfill is from out of
14 state, as you have heard already tonight. But
15 what community benefit is that? Why are we not
16 working towards reducing those wastes?

17 I just attended the construction
18 and demolition debris conference last week
19 where it was talked about, and the leads
20 criteria and that sort of thing where there are
21 ways to recycle a lot of this stuff, and I get
22 the impression that a lot of the debris coming
23 to this landfill is not sorted for recycling,
24 including the gypsum drywall, which is part of



1 why there are odors in the community.

2 I don't care how well lined or
3 capped the landfill is. Sooner or later, it's
4 not a matter of if, but when. If there is
5 going to be leakage into the watershed and into
6 our air, into the water we drink, the air we
7 breathe, I find the name of this DRPI landfill
8 sort of ironic.

9 How about we think outside the box
10 for once and not approve the requested height
11 increase and, instead, work to reduce the waste
12 instead of just building higher and higher and
13 higher in these landfills. (Applause)

14 MS. VEST: Thank you, ma'am.
15 Stephanie Herron, and immediately thereafter,
16 Bill Dunn.

17 MS. HERRON: Thank you. My name is
18 Stephanie Herron. I'm with the Environmental
19 Justice Health Alliance for Chemical Policy
20 Reform.

21 The Environmental Justice Health
22 Alliance for Chemical Policy Reform is a
23 national collective of grass roots
24 organizations that work on environmental



1 justice, including the Delaware Concerned
2 Residents for Environmental Justice.

3 The Delaware Concerned Residents
4 for Environmental Justice, along with EJHA, and
5 the concerned scientists put together this
6 report, The Environmental Justice for Delaware,
7 which I would like to enter a copy of for the
8 record. But it's also available online.

9 I just wanted to say a few things
10 about this report in support of all of the
11 comments that have been made already and
12 support the comments that Councilman Street and
13 Councilman Carter made earlier, and just echo
14 that this proposed landfill increase is exactly
15 like Councilman Street said.

16 It's one more example of
17 environmental injustice and, quite frankly,
18 environmental racism in Delaware.

19 So I'm going to enter a copy of
20 this report for the record. (Applause)

21 The seven communities studied in
22 this report are already experiencing a cancer
23 risk and a respiratory risk at a significantly
24 elevated over the wealthier and whiter



1 communities in Delaware.

2 This is unjust, and it's
3 unacceptable.

4 In particular, I would like to draw
5 your attention to the recommendations at the
6 back of the report, especially recommendation
7 four, five, and seven. I am not going to read
8 them all out for the sake of time.

9 I just want to make sure I don't
10 forget anything. But I am going to say that it
11 is way beyond time for DNREC to take a holistic
12 just and equitable approach to protecting the
13 health of all Delawareans.

14 I am asking DNREC to look at the
15 cumulative impacts, as Mr. Parker talked about,
16 of all the facilities, as well as the truck
17 traffic from the Port of Wilmington from this
18 landfill and from all the other facilities
19 surrounding these communities.

20 These families living in these
21 neighborhoods cannot segregate out the
22 pollution from Corrado, from the air pollution
23 from the port, from the water pollution from
24 the landfill.



1 And DNREC needs to consider the
2 holistic and cumulative risks these communities
3 are facing.

4 At a minimum, there needs to be a
5 cumulative health risk assessment before any
6 new permits should be given in this community.

7 (Loud applause -- People yelling yeah!)

8 MS. VEST: Stephanie, give me that
9 document. Mr. Dunn. And following that --
10 it's past 8:00, but I am going to stay until we
11 get these last few in -- Stephen Fatcher is up
12 next. And following that, Crystal Taylor.
13 Thank you.

14 MR. DUNN: I'm Bill Dunn, Vice
15 President of the Civic League for New Castle
16 County, which represents civic groups all over
17 the county.

18 I would like to talk to one of the
19 gentlemen over here that spoke earlier.

20 I appreciate the record being held
21 open for 30 days. I have not gotten an
22 opportunity to review the whole material, and I
23 intend to go back and look it over.

24 But a couple of things that quickly



1 come to mind.

2 What was stated on the front end
3 was that 2015 the permit request went in. They
4 got a request for, I assume, 50, 60 feet of
5 increase at that point in time at the minimum.

6 And here we are four years later,
7 and they want an additional 60 feet on top of
8 that.

9 That seems quite excessive in a
10 ten-year period.

11 The other thing is their primary
12 waste collection is construction waste from
13 redevelopment projects and whatnot. And,
14 typically, that stuff to one extent or another
15 contains asbestos.

16 In their presentation on the front
17 end, they talked about as the material comes
18 in, they dump it on the top of the hill and
19 then roll their equipment back and forth over
20 top of it.

21 That asbestos material might come
22 in in a heavy bag and all that stuff. As soon
23 as they start rolling those heavy earthmovers
24 back and forth over it, you have liberated all



1 the asbestos dust, and it's flowing into these
2 communities and impacting these people's
3 overall lives.

4 The other thing that I found very
5 distinguishable was the comments from the
6 hydrologists regarding what they have seen in
7 the wells from Artesian.

8 In my final comments after I have
9 reviewed the rest of the material, I am going
10 to make a recommendation at this point that
11 DNREC delay their final decision on increasing
12 this beyond the 30 days, and as much as 180
13 days, so that additional wells can be bored
14 around the perimeter of the property so that we
15 can look at what is leaching out of the present
16 containment that exists on that property.

17 Short of understanding what the
18 existing problems are from the load that's
19 being applied, as was highlighted by somebody
20 previously, you are going to compress and
21 compact as you add more and more footage on top
22 of it, which is going to create more and more
23 of a problem further down in the pile.

24 DNREC has a formal responsibility



1 to oversee the health and welfare of the people
2 in the State of Delaware.

3 And without proper analysis of
4 wells that are specifically put around the
5 perimeter and evaluated for all the toxins that
6 might be leaching out of this thing, there is
7 no way that they should go ahead with their
8 approval at this time. Thank you. (Applause)

9 MR. FATCHER: How are you doing,
10 everybody? Thanks for the opportunity to
11 speak. I'm Steve Fatcher. I have been with
12 Waste Management for 14 years.

13 Some of you guys might recognize
14 the voice. When you don't get your garbage
15 picked up, I'm the one you call and yell at on
16 the phone. I'm that guy. Hi. (Laughter)

17 So I've worked in the landfill.
18 I've worked chasing the trash truck. I have
19 done it all. I've got it on me, rolled around
20 in it, all that fun stuff.

21 But we have a lot of people in this
22 area who are definitely going to be impacted if
23 we don't get the vertical expansion for the
24 landfill.



1 I represent the driving teams plus
2 the 200 employees. They had the number wrong.
3 There is a lot of people in this area, your
4 neighbors, your business partners. We will all
5 be affected.

6 Um, we operate very closely with
7 DNREC, everything legal, everything ethical.
8 We do it to a T. We train every day.

9 Our employees do care about the
10 area. And I'm not aware of anything that we
11 have ever cut a corner on or ever done wrong
12 for that matter.

13 Just to go back a little back story
14 about me to get a little personal: I have been
15 with the company 14 years. This is the only
16 job I ever had.

17 I was in the military before this.
18 I did two combat tours, came home. In '04 and
19 '05 you really couldn't find a job. I don't
20 know if you guys could, but I couldn't.

21 So chasing a garbage truck probably
22 wasn't the most dignified means of employment
23 for a lot of people, but for me, even my
24 competitors, my business partners, this is what



1 we do, you know.

2 So I ask you guys to reconsider.
3 DNREC, thanks for giving me the opportunity.
4 People in Minguadale, I'm Steve, so, you know,
5 I'll give you my card so you can just call my
6 office and yell at me about the trash pickup.
7 I'll see you guys Tuesday. (Applause)

8 MS. VEST: I insist on staying
9 until we get these done.

10 Crystal Taylor, is she still here?
11 Oak. And following Ms. Taylor, Pam Kitchens,
12 Kitcherens, realtor, is she still here?

13 MS. TAYLOR: Hello. My name is
14 Crystal Taylor. I'm not going to speak very
15 long, because there has been enough said about
16 the pollution and all of the high cluster of
17 Route 9 and 13, and all of the church members
18 that we have lost.

19 There is also a lot of Alzheimers
20 in our females.

21 I didn't hear anyone say, but my
22 next-door neighbor had a friend that said he
23 couldn't stand the smell, so he moved about two
24 and a half years ago from Minguadale.



1 That's all I'm going to say.

2 (Applause)

3 MS. VEST: Did Pam ever show up?
4 Is Pam Kitcherens or Kitchens here? Okie doke.
5 Jeff Hypes.

6 UNIDENTIFIED SPEAKER: He left.

7 MS. VEST: Left. Jea Street?

8 COUNCILMAN STREET: You want me to
9 come back? (Laughter)

10 MS. VEST: I see what you did
11 there. (Laughter) No, you're on the list
12 twice.

13 COUNCILMAN STREET: Awe!
14 (Laughter)

15 MS. VEST: Okay. Last one. And we
16 just -- we just kind of bled over the
17 8:00 p.m., so thank you, you guys, for your
18 patience. Moran Snedny, Snedy?

19 MS. MORAN: Suendy?

20 MS. VEST: Yes. Probably right.
21 (Laughter) The last speaker of the evening.

22 MS. MORAN: My name is Suendy
23 Moran. I live on Altoona Avenue, west
24 Minquadale.



1 I'm basically right there. My
2 house, there is ducks, deers, snakes, foxes.
3 What kind of animal is it that doesn't come
4 from my neighbor? I call him my neighbor,
5 because he is right there.

6 There has been meetings with our
7 Minguadale association. Not a lot of people do
8 come out. Some people do.

9 We have said many times we don't
10 want it to go higher because of the safety of
11 our children, my neighbors, myself.

12 It hasn't been heard. And, if it
13 has, nothing has been done.

14 I do got to say in their behalf,
15 they have helped in some way our neighborhood
16 with things that we have either said,
17 requested, or made comment. I do want to say
18 that. I mean, it is true. It's not a lie.

19 But, yet, there is more people
20 involved. It's not just west Minguadale. It's
21 more streets on the other side. It's more
22 people from across from 13, Rose Hill.

23 Thank you guys for actually like
24 coming out and saying something for us as well,



1 too. It's not just us.

2 I have listened to the pollution,
3 listened to all the stuff that is against us
4 and our health.

5 I have also listened for those that
6 have said about their jobs. Yes, we all need
7 our jobs.

8 I don't work for them, but I work
9 for a living, because we need to work for our
10 families.

11 But yet, let's switch houses for
12 those that don't live in our neighborhood. You
13 come. You guys come out here and live in our
14 houses, and we go live in your houses. Let's
15 switch.

16 You guys come and see, listen,
17 smell what we are there. Yes, we bought our
18 houses. Yes, we are the ones that took that
19 decision. But it wasn't our decision for have
20 the landfill right next to us.

21 But you guys are not like -- your
22 families are fine. You guys have health
23 insurance. Some of these people don't.

24 So why should we support to go



1 higher? Have you guys even thought about what
2 happens if there is an earthquake or anything,
3 that what can happen to the houses that are
4 right there? My house?

5 I'm totally against it. I don't
6 support it. And thank you for the ones that
7 are actually the same, in the same side as I
8 am.

9 For those that are for it, you guys
10 come and live over there. Okay?

11 Thank you. (Applause)

12 MS. VEST: Thank you, ma'am.

13 At this point we basically did it.
14 We got it in within two hours. That concludes
15 the people that have indicated they wish to
16 comment.

17 MR. KENNEDY: I signed up. You
18 didn't call me.

19 MS. VEST: Oh.

20 MR. KENNEDY: Check back on the
21 sheet.

22 MS. VEST: Did you say yes that you
23 wanted to speak?

24 MR. KENNEDY: Yes.



1 UNIDENTIFIED SPEAKER: And I had a
2 question mark by mine, because I wasn't sure.
3 I had maybe.

4 MS. VEST: Okay. Well, we will
5 extend it for these two, if you can identify
6 yourself for the record.

7 MR. KENNEDY: Hi. My name is Mike
8 Kennedy. I live on west side of Minquadale.
9 Do I need this, or can you hear me? (Referring
10 to microphone)

11 UNIDENTIFIED SPEAKER: You need it.

12 MR. KENNEDY: Do I need it? Okay.
13 So now I'll tune it down a little bit.

14 I live on the west side of
15 Minquadale. I'm with Dave on this agreement
16 thing that we had, because, as far as I can see
17 from the law, there is no way we are going to
18 be able to stop the dump. Okay?

19 So that is the reason why Dave and
20 the rest of us all worked on this agreement we
21 had with Waste Management. Okay?

22 MR. ELLIS: I didn't agree on it.

23 MR. KENNEDY: Well, then why in the
24 hell weren't you at the meeting, then?



1 MR. ELLIS: I was.

2 MR. KENNEDY: No, you weren't!
3 Goddamnit, I haven't seen you in one Goddamn
4 fucking meeting!

5 MS. VEST: Sir. Sir.

6 MR. ELLIS: You better get glasses,
7 then! You better get glasses!

8 MR. KENNEDY: I don't care if I'm
9 upsetting you!

10 MR. ELLIS: That's what happens
11 when you breathe the air around the landfill.
12 That's what we have. That's what caused it!

13 (Master Corporal Chamberlain says
14 something to Mr. Kennedy.)

15 MR. KENNEDY: All right. But the
16 thing of it is, folks, that Artesian Water put
17 in a well. Surprise, surprise. There was
18 already contamination there, and now it's
19 leaking into the well.

20 The only way that's going to be
21 fixed is you have to dig down, take all of that
22 out. And you know that's not going to happen.

23 So basically what it comes down to
24 is either you take the agreement and get



1 something, or you don't take the agreement, and
2 it goes through and you get nothing.

3 UNIDENTIFIED SPEAKER: I'm getting
4 nothing now! I live in Lawless! (Laughter)

5 UNIDENTIFIED SPEAKER: Are you
6 getting paid for all this?

7 MR. KENNEDY: No, I'm not.

8 UNIDENTIFIED SPEAKER: It sounds to
9 me like it is.

10 MR. KENNEDY: I have nothing to do
11 with Waste Management.

12 MS. VEST: Sir, does that conclude
13 your comment?

14 MR. KENNEDY: That concludes my
15 comment.

16 MS. VEST: I apologize for that
17 outburst.

18 MS. TAYLOR: Good evening,
19 everyone. My name is Shontella Taylor.

20 I wasn't going to speak, but I just
21 decided I needed to say a little something.

22 And what I am asking you today is
23 to please just stop playing and preying on our
24 emotions.



1 Unfortunately, what I find is that
2 whenever folks and companies go into a room to
3 discuss plans and projects, by the end of it
4 all, it's already done, at least in their
5 minds. They already know their plan of action.
6 And nine times out of ten, it is self
7 interests.

8 This is what I see and what I hear
9 tonight. And I can guarantee you, you are not
10 families.

11 You will hear a lot, though, about
12 we are keeping jobs and bringing new jobs. You
13 are making this personal and filled with
14 emotions on both sides, employees and
15 community.

16 I don't believe anyone wants to
17 take away the jobs and the hard work that the
18 people and business have been doing. That's
19 not in our makeup. We all have to want to live
20 and to live with a quality of life.

21 I need for you to just be -- I need
22 for you just to be open and honest about what's
23 really going on. Expose everything, the good,
24 the bad, the ugly, the mysterious. Don't make



1 decisions for us.

2 I grew up here as a young child. I
3 remember going outside playing and even
4 barbecuing with the family and the community.
5 And you still had that stench in the air, and
6 it was definitely coming from the landfill.

7 I don't want my child, other
8 children and generations, especially our
9 seniors, to have to continue to experience
10 that. Because we want to have good memories.
11 We want to see our loved ones live a longer
12 life.

13 And it just dawned on me as I was
14 sitting here earlier that those individuals
15 that are for the expansion, I just -- it seems
16 like you are for it just to keep your jobs
17 versus what it's going to do to our health.

18 And then I don't believe that the
19 economic impact outweighs my health, your
20 health, and the quality of life for our
21 children and our seniors.

22 I'm against the vertical expansion.
23 And I'm tired, but I'm not too tired to fight.
24 (Applause)



1 MS. NEEMAN: Excuse me. Can I say
2 something, please? I didn't sign up.

3 MS. VEST: Last one, because we are
4 already over time. But, yes. Can you identify
5 yourself for the record?

6 MS. NEEMAN: Everybody has got a
7 good point. Really? You can all hear me. I
8 know you all can hear me.

9 (Microphone is given to speaker.)

10 MS. NEAMAND: Hi. I'm Kathy
11 Neamand. I'm vice president of Minquadale
12 Civic Association.

13 I sit here, and I listen to it all.
14 Do you know how hard I fought? Let me tell you
15 something.

16 I have not heard one person mention
17 Corrado over there. Not one person.

18 MR. PARKER: (Pointing at paper)
19 Right there, I mentioned Corrado.

20 MS. NEAMAND: No, no, no. Corrado.
21 Corrado.

22 COUNCILMAN STREET: Oh, okay.

23 MS. NEAMAND: Corrado, Minquadale.
24 When Corrado dumped that cement, that busted-up



1 cement over there illegal, and we tried to stop
2 them from using that crusher, where in the hell
3 was everybody at?

4 MS. VEST: Okay.

5 MS. NEAMAND: Where was everybody
6 at when we tried to stop it? They let them
7 crush it anyhow.

8 If you go there -- I live on
9 Newport Avenue. Fortunately, I live on the
10 side where the Motor Vehicle is.

11 You go down Newport Avenue.
12 Corrado has got a pile of dirt up there that's
13 just as bad, as high as that.

14 And nobody -- I have called the
15 County and whoever I could on Corrado.
16 Corrado, I have been over there, and I have
17 seen Corrado run those trucks up and down and
18 spray their dirt all over the place.

19 I tell you one thing, I don't like
20 what's going on in New Castle County. But I
21 tell you one thing, if I do call over Waste
22 Management and say that you got a cloud of dust
23 over there, "No problem, Kathy. We'll get out
24 there tomorrow."



1 Or I have seen people in my
2 community need a dumpster. They delivered one.

3 REPRESENTATIVE COOKE: Free? Free?

4 MS. NEAMAND: Yes, free.

5 REPRESENTATIVE COOKE: There you
6 go! Free.

7 MS. NEAMAND: Yes, it's free.

8 (People speaking at same time.
9 Undecipherable)

10 MS. NEAMAND: What I am saying is
11 why can't somebody look at Corrado over there,
12 too?

13 UNIDENTIFIED SPEAKER: Okay. All
14 right.

15 MS. NEAMAND: Please, please look
16 at it. (Applause)

17 MS. VEST: Okay. And I want to
18 thank everybody for their patience and their
19 cooperation and their courtesies in letting
20 everybody speak their mind.

21 Obviously, not everybody's opinions
22 are the same. And I appreciate it.

23 It is all incorporated into the
24 record.



1 I want to remind everyone again
2 that the record will remain open through close
3 of business on Friday, June 28, 2019.

4 If you would like to, please stop
5 up and get a business card from us, from me.

6 If you have any questions as to
7 where you can find these documents that are
8 going to be entered into the record, by all
9 means, I can point you there.

10 So, again, I want to thank
11 everybody for attending tonight. This hearing
12 is adjourned.

13 (Concluded at 8:20 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 2nd day of June 2019.



Lorena J. Hartnett
Registered Professional Reporter

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