

**In The Matter Of:**  
*DNREC - Waste and Hazardous Substances*  
*General Motors Corp.*

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*Hearing*  
*March 13, 2019*

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STATE OF DELAWARE  
DEPARTMENT OF NATURAL RESOURCES  
AND ENVIRONMENTAL CONTROL  
DIVISION OF WASTE & HAZARDOUS SUBSTANCES  
SITE INVESTIGATION RESTORATION SECTION

IN RE:  
Proposed Plan of Remedial Action  
General Motors Corp. Wilmington  
Assembly Plant (DE-1149)  
Operable Unit 5 (OU-5)

Department of Natural Resources  
and Environmental Control  
391 Lukens Drive  
New Castle, Delaware

Wednesday, March 13, 2019  
6:02 p.m.

TRANSCRIPT OF PUBLIC HEARING

BEFORE: LISA A. VEST, HEARING OFFICER

PRESENT:

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(SEE SIGN-IN SHEET FOR ATTENDEES)

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1 THE HEARING OFFICER: I'm going  
2 to go ahead and start the proceedings  
3 tonight. I want to welcome everybody for  
4 taking time out of their busy schedules to  
5 be here.

6 The date is Wednesday,  
7 March 13th, 2019. We're here this evening  
8 to provide a formal platform for the State  
9 of Delaware Department of Natural Resources  
10 and Environmental Control to receive public  
11 comment on the matter at hand, which you can  
12 see the photographs and which will be the  
13 subject matter of the presentation tonight,  
14 the Department's proposed plan of remedial  
15 action for General Motors Corporation  
16 Operable Unit 5.

17 For those of you who have not  
18 met me previously, my name is Lisa Vest, and  
19 Secretary Garvin has appointed me to serve  
20 as the hearing officer for tonight's  
21 proceeding. I believe everyone that was  
22 here tonight has already signed the sign-in  
23 sheet -- if not, they're right here, you can  
24 sign up afterward. We try to keep an



1 accurate record of those who have attended,  
2 so if you have not done so, again, they'll  
3 be available to sign up at the conclusion of  
4 this evening's meeting.

5 I just have a couple preliminary  
6 things that I want to touch base on before I  
7 turn the floor over to Department staff.  
8 Consistent with all public hearings held by  
9 DNREC, the comment that is received for  
10 inclusion into the hearing record is limited  
11 to the subject matter of tonight's hearing,  
12 which, again, is the proposed plan of  
13 remedial action. As is DNREC's policy, at  
14 all formal hearings such as this, each  
15 person wishing to offer comment is asked to  
16 do so in precise of a manner as possible.  
17 We try to keep our hearings throughout the  
18 state consistent across the board. In order  
19 to do that, each person wishing to offer  
20 comment tonight will be granted a total of  
21 three minutes of time to offer verbal  
22 comment. There will be a timer at the end  
23 of the proceedings or at the end of the  
24 presentation, rather, that will give you



1 some visual clues as to how much time you  
2 have left as the three minutes are going  
3 forward.

4 I should also say that if anyone  
5 brought any kind of documentations with them  
6 tonight, reports or studies or anything like  
7 that that you would wish to have included in  
8 the record, you may feel free to present  
9 that to me as well, and I will incorporate  
10 that into the hearing record.

11 I should also point out that the  
12 record will not close for comment at the  
13 conclusion of tonight's proceedings. I am  
14 going to allow the record to remain open for  
15 an additional 15 days following the  
16 conclusion of the hearing tonight. So  
17 anyone that maybe wished to be here but  
18 wasn't able to attend, they are more than  
19 welcome to offer written comment to the  
20 Department as long as it's received either  
21 by myself or by Mr. Galloway on or before  
22 close of business on Thursday, March 28th,  
23 2019. It all bears the same weight. And it  
24 will all go before Secretary Garvin and be



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1 considered by him prior to his making a  
2 decision.

3 I would also remind everybody  
4 that there is a verbatim transcript being  
5 done by the court reporter for tonight's  
6 proceedings. So when you are recognized, if  
7 you wish to offer comment, if you could say  
8 your full name for the record so she's sure  
9 to get you accurately, that would be  
10 wonderful.

11 I would also ask that everybody  
12 turn off or mute their phone.

13 Lastly, there is no decision  
14 that has been made prior to tonight's  
15 hearing regarding this proposed plan nor  
16 will one be made at the conclusion or end of  
17 the comment period. All tonight is, is the  
18 formal platform for the public to come and  
19 offer comment. It's a gathering service, so  
20 to speak, for the Secretary to get all the  
21 comment and then he can consider it all  
22 before he makes his decision.

23 That being said, I am going to  
24 turn it over to Department staff for their



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1 presentation.

2 MR. GALLOWAY: Thank you, Lisa.

3 My name is Rick Galloway. I am  
4 the DNREC SIRS Project Manager for the GM  
5 Corporation's Operable Unit 5, which we also  
6 call OU-5.

7 So on January 6, 2019, the DNREC  
8 Site Investigation Restoration Section,  
9 called SIRS, issued a Proposed Plan of  
10 Remedial Action (Proposed Plan) for General  
11 Motors Corporation under Hazardous Substance  
12 Cleanup Act 7 Delaware Code Section 9107(e)  
13 (1).

14 I've already turned in the  
15 exhibits to Lisa. I'm going to read through  
16 the list of exhibits. These are the  
17 materials that were used in the  
18 decision-making process for the Proposed  
19 Plan of Remedial Action for Operable Unit 5.

20 Exhibit 1, July 17th, 2015,  
21 Remedial Investigation Report. There are  
22 Appendices A through H that are linked to  
23 because they are too large to hand in on a  
24 paper copy.



1 Exhibit 2, June 30th, 2017, OU-5  
2 Focused Feasibility Study Report.

3 Exhibit 3, October 9th 2019,  
4 Monitoring Well Abandonment and Installation  
5 Work Plan.

6 Exhibit 4, November 15th, 2018  
7 OU-5 Groundwater Monitoring Results Report.

8 Exhibit 5, December 20, 2018,  
9 VI, or vapor intrusion, evaluation for OU-5  
10 memo.

11 Exhibit 6, January 2, 2019,  
12 legal notice for Proposed Plan of Remedial  
13 Action and public workshop for OU-5.

14 Exhibit 7, January 2nd, 2019,  
15 Proposed Plan of Remedial Action, OU-5.

16 Exhibit 8, February 17, 2019  
17 legal notice for public hearing regarding  
18 the Proposed Plan of Remedial Action, OU-5  
19 General Motors Corp.

20 Exhibit 9 is a March 13, 2019  
21 public hearing presentation regarding the  
22 Proposed Plan of Remedial Action, OU-5,  
23 which is this document itself that I'm going  
24 over.





1 I'm sure you're all aware, but  
2 this is the location of the General Motors  
3 Corporation. During the presentation, you  
4 can refer over to these posters here. There  
5 are two posters. You can refer to that.  
6 You can look at that. That's to help  
7 people. When I'm referring to different  
8 things, you can refer back to that.

9 You can see the building there  
10 that is planned to be demolished. The area  
11 we're talking about right here, this general  
12 area. Boxwood Road, the tracks up there.  
13 Just to give you an idea where that is.

14 Before I go into the documents,  
15 I'm going to give a quick site history.

16 So the site was developed in  
17 1945 by General Motors Corporation as an  
18 automobile assembly plant. Operations were  
19 from 1946 until they, unfortunately, closed  
20 July 2009 during a bankruptcy. In July  
21 2010, Fisker Automotive purchased it.

22 Then I should mention an entity,  
23 Racer, came to being, which stands for  
24 Revitalizing Auto Community's Environmental



1 Response in about 2011, and they are the  
2 entity that was set up by the government  
3 trust to investigate and remediate. So  
4 they're charged with the old GM sites and  
5 investigating and remediating under the  
6 state's supervision.

7 In April 2014, Wanxiang Delaware  
8 Real Estate Holdings purchased it.

9 Then October 2017, Boxwood  
10 Industrial purchased the site.

11 So there are a number of  
12 different buildings on the property: The  
13 main assembly building, which was over  
14 3 million square feet; the wastewater  
15 treatment plant, a portion of which is still  
16 left on the OU-5; pump houses and  
17 powerhouses.

18 There's a lot of different  
19 operations that took place at the site. I'm  
20 not going to go through a full list, but  
21 some of the different activities including  
22 painting, filling cars with fluids, brake  
23 fluids, et cetera, fueling the cars,  
24 wastewater treatment plant for the plant.



1           And then a portion of OU-5,  
2           which is -- this is OU-5 in the northeast  
3           corner of the property -- was used to burn  
4           extra wood pallets, and then used as a test  
5           track. So those areas were -- basically,  
6           they took the pallets out. Up until the mid  
7           '60s, they would pour, you know, as was  
8           allowed at the time, they would pour an  
9           accelerant on it like acetone or something  
10          like that, put a little bit of paint on the  
11          pallets and they would burn it to get rid of  
12          the extra pallets. Other areas of the site  
13          were filled. OU-5 likely became  
14          contaminated due to the historic  
15          landfilling.

16                 Again, we're talking about --  
17          this is Operable Unit 5. This is the rest  
18          of the plan. Here's the tracks.

19                 So this is a map showing  
20          impacted soil at OU-5. You can see it also  
21          on this map over here. This green area is  
22          the Test Track. You've also got these other  
23          orange areas. That's MW-29. I can't recall  
24          which one is BH-27 and which one is 34.



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1 They're right here. You can see these are  
2 hot spots right here, the orange ones here,  
3 here, and these three and the green area.  
4 They're the ones we're talking about for the  
5 soil contamination. So this one is MW-29,  
6 BH-34 and BH-27. "BH" just means bore hole  
7 and "MW" means monitoring well.

8 So I'm going to talk now about  
9 the investigation results that were done out  
10 there. So as I talk about the four  
11 exhibits, this is the July 2015 remedial  
12 investigation, I'm just going to be touching  
13 on the OU-5 results.

14 So in that area, there are 123  
15 soil samples analyzed, eight monitoring  
16 wells were sampled. Soil contamination out  
17 there is metal, including antimony, arsenic,  
18 cadmium and lead.

19 There was a risk assessment done  
20 for a number of different pathways, and what  
21 we found was that indoor workers, outdoor  
22 workers and utility workers have a risk  
23 above the standard, which is 1 times 10 to  
24 the minus 5, and which is 1 in a 100,000



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1 cancer risk and/or non-cancer risk, which is  
2 called a Hazard Index of 1. We typically  
3 refer to these as HSCA risk standards.  
4 Anything that's above these standards would  
5 require remediation. So since these were  
6 above those standards, these pathways need  
7 be addressed, indoor workers, outdoor  
8 workers, utility workers.

9 And then there's four areas  
10 identified MW-29, BH-34, BH-27 and the Test  
11 Track Area. There's a map that shows the  
12 four areas.

13 The groundwater contamination  
14 included for metals, volatile organic  
15 compounds, VOCs, and semi-volatiles. So for  
16 metals, you have arsenic, barium, cobalt,  
17 iron and manganese. For VOCs, you have  
18 benzene and ethylbenzene. And for semi-  
19 volatile organic compounds, you have  
20 naphthalene.

21 We continue with July 2015  
22 Remedial Investigation OU-5 Results.  
23 Groundwater at the site presents a possible  
24 drinking water risk above the  $1 \times 10^{-5}$  and



1 and the HI of 1. I say "possible" because  
2 no one is drinking the water on OU-5.

3 And then also during the RI, we  
4 found out that the contamination is not  
5 migrating off of OU-5. So groundwater flows  
6 in this direction through the east towards  
7 Little Mill. And so we sampled Little Mill  
8 Creek during the RI. No metals or  
9 site-related contaminants above HSCA  
10 standards were found in the surface water or  
11 sediment.

12 Now, I'm going to talk about the  
13 June 2017 Focused Feasibility Study, and  
14 that's where the different remedial  
15 alternatives were evaluated.

16 So there's an Alternative 1,  
17 which is no action, and that is simply done  
18 as a way of comparison. That was not a  
19 point that was considered because we had  
20 demonstrated it as a risk. It is just done  
21 as a matter of course by both DNREC and EPA.

22 Then you have Alternative 2,  
23 which is excavation and offsite disposal of,  
24 basically, all soil areas.



1                   Alternative 3, capping with  
2                   limited excavation and offsite disposal of  
3                   soil. And that would include those orange  
4                   hot spot areas being removed and this area  
5                   being capped. We'll get more into that.  
6                   But this area, the Test Track, capped, three  
7                   smaller area hot spots, soil to be removed.  
8                   That's Alternative 3.

9                   And then 4 is where mixing of  
10                  the soil with different treatments.

11                  And Alternative 3 was chosen  
12                  because it met the goals, remediation goals,  
13                  to be protective of human health and  
14                  environment and also most cost effective.

15                  So I'm going to talk about  
16                  needing some additional studies out there  
17                  after the RI. A number of additional wells  
18                  were installed. So in November 2018, there  
19                  was a groundwater monitoring results report.  
20                  Additional wells were installed at the edge.  
21                  You can actually see them on this. There is  
22                  some additional wells in there. They were  
23                  down-gradient of the flow of the source  
24                  area.



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1           Samples were collected. And  
2 arsenic, cobalt, iron and manganese were  
3 over risk standards.

4           Looking at the ecological  
5 evaluation, there is still not an impact to  
6 offsite based on the results that they found  
7 out there, and then again looking back at  
8 the RI results, it's not surprising since  
9 there are no metals, no related contaminants  
10 above the HSCA Standards in surface water or  
11 sediments.

12           And then it came to DNREC's  
13 attention there was a potential for building  
14 in OU-5, and so because of the building,  
15 there was -- there is some contamination in  
16 the soil and groundwater -- there is  
17 potential for that contamination to migrate  
18 from the groundwater and soil up through the  
19 ground into a building. So because of that,  
20 we asked the consultants to do an evaluation  
21 of that. So they looked at the soil and  
22 groundwater data, reevaluated to evaluate  
23 the risk. There was an area, BH-27 which is  
24 in this area, which was borderline, but we





1 decided that in order to just eliminate any  
2 risk, that area would be removed as well to  
3 get rid of any possible vapor intrusion  
4 risk. So at this point when that soil is  
5 removed, there will be no vapor intrusion  
6 above HSCA standards to people in that  
7 building.

8           So getting close to the end  
9 here. We're at the proposed plan, and this  
10 is the proposed remedy. So this is taken  
11 straight out of the proposed plan, the  
12 remedy.

13           So, first, was prepare a  
14 Remedial Action Work Plan and for the four  
15 different areas that we've identified on  
16 page 3 that I've talked about before within  
17 120 days of issuing the final plan. Soil  
18 from three of the areas will be excavated  
19 and backfilled. So these three areas here  
20 that I mentioned previously will be  
21 excavated and backfilled with clean soil.  
22 And then the Test Track Area would be capped  
23 to prevent any contact with any of those  
24 workers, indoor, outdoor and destruction



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1 workers. So at this point, it would be a  
2 temporary cap, and then in five years, the  
3 building or permanent cap would have to be  
4 placed on that. And I'll get into more  
5 about monitoring of that in just a moment.

6           Next, an Environmental Covenant,  
7 which is essentially, a deed restriction  
8 would be placed on the property. There's  
9 already a similar list on the other parcels  
10 that have been completed, OU-1, 2 and 3, and  
11 includes: restricting the property to  
12 commercial use only; limiting any  
13 groundwater withdrawal because we talked  
14 about the groundwater impacts; and then  
15 there is also what's called a Contaminated  
16 Material Management Plan, which we also  
17 refer to as a "CMMP." I'll get into that in  
18 just a minute. But whoever is working  
19 onsite has to follow the CMMP. They're also  
20 required to follow a Long-Term Stewardship  
21 Plan, which I'll get into in a minute as  
22 well.

23           So speaking of the Long-Term  
24 Stewardship Plan, LTS. The LTS is going to



1 include inspections of the temporary cap and  
2 permanent cap to make sure that the Test  
3 Track Area would be protected and it's going  
4 to cover the soil. There's going to be an  
5 inspection of that. There's also going to  
6 be groundwater monitoring of the perimeter  
7 wells over here and some other wells to make  
8 sure that groundwater conditions don't  
9 change and things don't migrate offsite. If  
10 things do happen to change, then it would  
11 require DNREC to reevaluate what is going on  
12 and see if an additional or different remedy  
13 is needed.

14           The Contaminated Materials  
15 Management Plan, CMMP, that I mentioned  
16 earlier, that would be particularly for  
17 construction workers, and that would  
18 indicate how to handle the soil and/or  
19 groundwater that would be encountered could  
20 be contaminated, would also indicate that  
21 they're to prevent any soil from migrating  
22 through the air or runoff when doing any  
23 kind of work out there.

24           And then we have the Remedial



1 Action Completion Report, which just  
2 documents all the remedial actions that were  
3 performed at the site.

4 And then lastly, the Certificate  
5 of Completion of Remedy, which is called  
6 COCR, and that is the document that DNREC  
7 gives to the property to be able to say that  
8 all remedial actions were successfully  
9 completed.

10 This is my contact information.  
11 Our email address has changed from  
12 state.de.us to Delaware.gov. Phone number.  
13 Then this is the website you can click on to  
14 find out about the public hearing.

15 And that is the conclusion of my  
16 presentation.

17 THE HEARING OFFICER: Thank you,  
18 Rick.

19 Let the record reflect that  
20 DNREC Exhibits 1 through 9 as identified  
21 just now by Department staff are hereby  
22 entered into the formal hearing record.

23 (DNREC Exhibits 1 through 9  
24 received in evidence.)



1 THE HEARING OFFICER: Does the  
2 Department have any additional comments it  
3 wishes to make at this time?

4 MR. GALLOWAY: No.

5 THE HEARING OFFICER: Thank you.  
6 That being said, it's time to open the floor  
7 for any comment that may wish to be offered.  
8 Again, just as a reminder, the record will  
9 not close tonight for comment. It will  
10 remain open through close of business 15  
11 days from now, which is Thursday,  
12 March 28th. All comment to be included must  
13 be received in writing. So, in other words,  
14 you can't call up and have that count. But  
15 email, U.S. mail, it all counts. It all  
16 bears the same weight whether it comes in on  
17 the afternoon of the 28th or whether it's  
18 given verbally tonight.

19 And as a reminder, this is not  
20 like the public workshops where there may be  
21 a back and forth with a Q and A. This is  
22 just a time to offer comment for the record.

23 That being said, I'm just going  
24 to go in the order that people signed up in,



1 and then I'll have an opportunity for  
2 people, if they said no previously and now  
3 they want to make a comment, by all means,  
4 you can do it at that time.

5 So first name up, Bill Dunn.

6 MR. GALLOWAY: Did you want to  
7 mention something about the bars?

8 THE HEARING OFFICER: Oh, yes.  
9 So this is just to help gauge the  
10 commenter's time. When Mr. Galloway starts  
11 it, you'll see three bars that appear.  
12 They'll gradually shade in. The first bar  
13 is green, the second bar is yellow, the  
14 third bar is red. Each bar constitutes one  
15 minute of time. When you get down to the  
16 third bar being fully red, that's the  
17 conclusion of your time.

18 And again, if there's any  
19 documentation or any materials that you wish  
20 to supplement your comments, you can give  
21 that to me now or you can forward it to me  
22 within the next 15 days, and it all bears  
23 the same weight.

24 I'm sorry. Mr. Dunn, you have



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1 the floor.

2 MR. DUNN: William H. Dunn,  
3 President of Milltown-Limestone Civic  
4 Alliance. I'm also vice president of the  
5 Civic League for New Castle County.

6 I've been following this since  
7 it first got going. Also, the MLCA has  
8 called for a couple of different hearings  
9 regarding land cleanup and HSCA sites and  
10 that type stuff, and historically, it's been  
11 a 30-day window as far as public comment.  
12 If you could give that consideration.

13 In this circumstance, as noted  
14 by Mr. Galloway, there are numerous bodies  
15 that come into play as far as how the costs  
16 will be bared by the broader group as far as  
17 cleanup. Me and a number of officers of the  
18 organization that I represent think a more  
19 extensive cleanup should be considered.  
20 I've attended the workshops and had  
21 discussions with some of the engineers who  
22 participate in this process. You have Racer  
23 Trust that has some funds available, General  
24 Motors, as well as the Chinese company that



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1 has some ability to address environmental or  
2 some obligation to address environmental  
3 issues as well. Digging up two feet of  
4 material from that portion of the property  
5 might be a little too extensive, but  
6 nonetheless, should be considered, and a  
7 minimum should be at least a foot, which is  
8 not being proposed.

9           There are any number of  
10 additional metals that were not mentioned.  
11 I think some of the samples actually had low  
12 quantities of mercury and numerous other  
13 things that are on that property that are  
14 concerning.

15           The VOCs on OU-4. In the last  
16 workshop that I had a conversation with the  
17 engineers and stuff, there has been  
18 migration of VOCs that move down. They've  
19 been recognized across the street. And the  
20 natural migration across the property would  
21 be down to where he's referred to, little  
22 Millcreek, which would bring it back into  
23 OU-5. So containment is an issue.

24           As he mentioned that there was a





1 proposal for a building. So now they're  
2 proposing a temporary cap previous to the  
3 construction. Then I assume after the  
4 construction is done a permanent cap will be  
5 defined around the building and under the  
6 building.

7 And digging up the property, if  
8 DNREC doesn't take an active oversight of  
9 dust generated in the process, it creates  
10 problems.

11 And finally, the issue of deed  
12 restrictions. New Castle County has  
13 authority over all property in New Castle  
14 County. Numerous members and probably the  
15 majority of seated members of county council  
16 have adamantly spoken against New Castle  
17 County Government being held responsible for  
18 upholding deed restrictions on property.  
19 This is one of the cornerstones of what  
20 they're saying they're going to do as far as  
21 addressing the long-term concerns about  
22 pollution on that property. And that being  
23 the case, this should not move over, move  
24 forward until you get county government to



1 approve -- to uphold those deed  
2 restrictions. You are dumping a legal  
3 responsibility on them, and they have done  
4 everything they could to get out from under  
5 other deed restrictions of New Castle  
6 County. And I can give you a list.

7 THE HEARING OFFICER: Okay.

8 MR. DUNN: I'm sure I'll have  
9 further public comment.

10 THE HEARING OFFICER: Thank you,  
11 Mr. Dunn.

12 Bill Lower is a maybe.

13 MR. LOWER: I'll speak. Thank  
14 you, Lisa.

15 Bill Lower, Harvey Hanna &  
16 Associates and Boxwood Industrial Park. We  
17 own the property purchased from WX back in  
18 October of 2017.

19 Just two very brief comments.  
20 We support the agency's position for Option  
21 3 for the remediation of OU-5. We feel that  
22 it best represents sound environmental  
23 stewardship while protecting taxpayer  
24 resources. The money that will be



1 addressing the contamination is our taxpayer  
2 funds going all the way back via Racer Trust  
3 to the stimulus program in 2009.

4           Secondly, the new building.  
5 Ultimately, when we get to the redevelopment  
6 of the site in the future, in addition to  
7 the cap surrounding the building, the new  
8 building will help entomb any residual  
9 contamination for future generations. Thank  
10 you.

11           THE HEARING OFFICER: Thank you,  
12 sir.

13           At this point, there are others  
14 who have signed up, but they all indicated  
15 that they did not wish to speak. Is there  
16 anybody that has changed their mind and  
17 wishes to speak?

18           MS. LAUSHEY: I'm Sue Laushey.  
19 I live in Roselle. I'm part of the Brack Ex  
20 Roselle Civic Association. And I have a  
21 couple questions pertaining to the 13 pages.

22           One, I was ready to be inundated  
23 with papers tonight. I see there is one  
24 over there that Mr. Galloway had of the



1 overhead, but is there any for us as a  
2 handout so we can take it back to -- many of  
3 my community had to work. As you see, the  
4 attendance isn't great. And I not that long  
5 ago received my notice in an email. So with  
6 people being so busy with their lives, I  
7 think that we need some kind of papers.

8 I also am concerned about other  
9 contaminants other than what was listed on  
10 here and was wondering if there is going to  
11 be any more extensive research done because  
12 there is many more contaminants that are  
13 unhealthy to the area. There is a swimming  
14 pool club that's very close. There are  
15 residential homes right next to the plant  
16 and thousands and thousands of other  
17 community residential homes in the area, of  
18 which many we're not scientists, any of us,  
19 and this is a lot to absorb, and I don't  
20 know that this 15-day window is reasonable,  
21 either, for any of us to come back with  
22 whatever questions, concerns, whatever we  
23 may have, after we bring this back to our  
24 communities. That's a lot of people and a



1 lot of information for me to bring back to  
2 them.

3 THE HEARING OFFICER: Okay. I  
4 appreciate your concerns. Let me just add  
5 this.

6 The link that Mr. Galloway put  
7 up at the end of the presentation is the  
8 link to the website. If you go on that, you  
9 you can find all of the exhibits, all of the  
10 documents, including the copy of the  
11 PowerPoint. I'll give you mine.

12 MS. LAUSHEY: That would be  
13 wonderful. Thank you.

14 THE HEARING OFFICER: But  
15 anybody can get that. For those that may  
16 wish to, I do have my business cards here.  
17 If you can't find it on the DNREC website,  
18 by all means, email me and I'll give you the  
19 link.

20 MS. LAUSHEY: I thought it would  
21 be nice for every civic association to have  
22 a copy of this to give to their community.  
23 Thank you very much.

24 THE HEARING OFFICER: I



1 understand. Anyone else?

2 Yes, sir.

3 MR. COREA: Mario Corea,  
4 organizer with Laborers' Eastern Region  
5 Organizing Fund and member of Local 199,  
6 Laborers' International Union of North  
7 America. Hopefully you guys can help me  
8 understand this.

9 When this was purchased, Racer  
10 did a whole sweep of the entire building to  
11 take a look as far as contaminants,  
12 including lead, things that are listed on  
13 here. Asbestos I'm assuming is one of the  
14 things that they should have looked into.

15 I have a bit of concern. We got  
16 word from workers currently at the GM plant  
17 that the remediation company had to stop  
18 work because of asbestos. Now, I'm assuming  
19 they're certified workers, but they weren't  
20 containing the contamination out the way.  
21 I'm assuming. I'm not sure.

22 So was that not looked into when  
23 this was purchased before the demolition  
24 started taking place? Because if it was, at



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1 the last meeting, it was said there is no  
2 asbestos within the whole GM plant to where  
3 we're now being told by workers they are  
4 working with asbestos. And OSHA came out  
5 for whatever reason. Where is the  
6 disconnect? That's my concern because, yes,  
7 there is a lot of people around that area.  
8 You know, it's a big building. You start  
9 demoing the building -- I don't know if you  
10 guys know how asbestos works -- it becomes  
11 airborne. It's extremely, extremely  
12 dangerous. So that's my concern with that.

13 THE HEARING OFFICER: Thank you,  
14 sir.

15 And for the record, 'cause these  
16 kind of hearings aren't, you know, happening  
17 every day, all of the concerns and the  
18 comments that are being incorporated into  
19 the record by the transcript tonight, once  
20 the record finally closes, I will instruct  
21 the Department to review all of the comments  
22 and concerns that came in and I will ask  
23 them to prepare a response memo regarding  
24 the same. Once that has been completed,



1 that will more than likely be incorporated  
2 into my final report and, of course, that  
3 will become part of the record which is  
4 available for the public to review as well.

5 Is there anyone else that wishes  
6 to offer comment?

7 Okay. Well, again, as I've said  
8 before, no decision is made on this. This  
9 is just the platform for people to come and  
10 offer their comment. Again, I have copies  
11 of my business card up here. If anyone  
12 wishes to come take that, by all means,  
13 please do so. When you go online, if you  
14 want to look at the exhibits that were  
15 entered into the record or -- well, one of  
16 them being a copy of the formal PowerPoint.  
17 If you can't find it online, you just go to  
18 DNREC. On the main page of our website, you  
19 will see a column for "Administrative Law."  
20 There is a dropdown tab that says "Public  
21 Hearings." If you click on that, you'll  
22 find this one. It's right near the top  
23 because it goes chronologically. And that  
24 will take you into a page that's nothing but





1 all things pertaining to this hearing  
2 tonight. And you will be able to access  
3 everything on the record. But if you can't  
4 find it, by all means, contact me.

5 There being no additional  
6 comment that wishes to be offered at this  
7 time, I am going to conclude the hearing.

8 With respect to the concerns  
9 about 15 days not being enough, I will take  
10 that under advisement. For now, though, the  
11 record will remain open for at least 15  
12 days. I want to thank everybody for coming  
13 tonight. This hearing is adjourned.

14 (Hearing concluded at  
15 6:37 p.m.)

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CERTIFICATE OF REPORTER

I, Lucinda M. Reeder, Registered Diplomate Reporter, Certified Real-time Reporter and Notary Public, do hereby certify that the foregoing record is a true and accurate transcript of my stenographic notes taken on March 13, 2019 in the above-captioned matter.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 21st day of March 2019 at Wilmington, Delaware.



Lucinda M. Reeder, RDR, CRR

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