

In the Matter Of:

Department of Natural Resources & Environmental Control

WEATHERIZATION ASSISTANCE PROGRAM

January 12, 2022



WEATHERIZATION ASSISTANCE PROGRAM - January 12, 2022

<p>1 DELAWARE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL</p> <p>2 3</p> <p>4 RE: PROPOSED 2022) WEATHERIZATION ASSISTANCE) PROGRAM GRANT APPLICATION)</p> <p>5 6</p> <p>7 Wednesday, January 12, 2022 10:05 a.m. Virtual Hearing</p> <p>8 9</p> <p>10 TRANSCRIPT OF HEARING</p> <p>11</p> <p>12 BEFORE: THERESA NEWMAN HEARING OFFICER</p> <p>13 14</p> <p>15 PRESENT:</p> <p>16 KAREN FORREST, STATE PLANNER II DELAWARE WEATHERIZATION ASSISTANCE PROGRAM</p> <p>17 18 19 20 21</p> <p>22 LEXITAS REPORTING Registered Professional Reporters 1330 King Street Wilmington, Delaware 19801 (302) 655-0477 www.lexitaslegal.com</p> <p>23 24</p>	<p>1 THE HEARING OFFICER: Good 2 morning, everyone. I believe everyone 3 is connected, and we are ready to 4 begin.</p> <p>5 Thank you for taking your 6 time out of your busy schedules today 7 to connect with us. It is Wednesday, 8 January 12, 2022, at 10:05 a.m. We are 9 here this morning to provide a virtual 10 platform for the State of Delaware 11 Department of Natural Resources & 12 Environmental Control to conduct its 13 virtual public hearing on the proposed 14 2022 Weatherization Assistance Program 15 grant application. My name is Theresa 16 Newman. Secretary Garvin has appointed 17 me to serve as the Hearing Officer for 18 today's formal proceeding.</p> <p>19 There have been changes made 20 to DNREC's standard hearing protocols, 21 due to the ongoing COVID-19 pandemic. 22 First and foremost, this hearing is 23 being conducted virtually. Everyone is 24 participating independently in their</p>
<p>1 own respective locations. While we are 2 not physically gathered, WebEx does 3 generate a list of those who are 4 virtually present for this proceeding, 5 so the Department will have a record of 6 those who have electronically joined 7 this event.</p> <p>8 At the conclusion of these 9 introductory remarks, I will be turning 10 the hearing over to the Department's 11 staff to provide their presentation for 12 the record being generated in this 13 matter. Whereas we would then allow 14 the public to provide verbal comments, 15 the Department did not receive any 16 public comment registration prior to 17 the hearing, therefor there will be no 18 verbal comments provided during this 19 virtual platform.</p> <p>20 There is a court reporter 21 virtually present, who will prepare a 22 verbatim transcript of the hearing 23 (pursuant to the statutory requirement 24 for DNREC to have the same prepared)</p>	<p>1 and, as always, that transcript will be 2 posted on the hearing web page 3 dedicated to this matter as soon as it 4 is received. In addition, I would 5 encourage those who are attending 6 today's hearing to also visit the 7 hearing web page dedicated to this 8 matter for additional details 9 concerning the proposed application. 10 The hearing web page can be found 11 online under the Administrative Law 12 Section of DNREC's website that will be 13 listed at the conclusion of today's 14 hearing.</p> <p>15 Before we begin the 16 presentation today, please be advised 17 that the following protocols remain in 18 place for all DNREC public hearings: 19 All comment received must be 20 limited solely to the subject matter of 21 today's hearing. All comments 22 pertinent to the subject matter of this 23 virtual hearing will be incorporated 24 into the record being generated in this</p>

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<p style="text-align: right;">5</p> <p>1 matter.</p> <p>2 In order to ensure that</p> <p>3 everyone who wishes to offer comment</p> <p>4 for the Department's consideration is</p> <p>5 accommodated, the record of this matter</p> <p>6 shall remain open through January 26,</p> <p>7 2022.</p> <p>8 There is one authentic</p> <p>9 record of this formal proceeding, and</p> <p>10 it is the official court reporter's</p> <p>11 verbatim transcript.</p> <p>12 Lastly, per DNREC's standard</p> <p>13 hearing protocols, there will be no Q</p> <p>14 and A (or chat) session permitted</p> <p>15 during this hearing</p> <p>16 As previously stated, DNREC</p> <p>17 wishes to ensure that everyone is</p> <p>18 enabled to offer their comments for</p> <p>19 inclusion into the record being</p> <p>20 generated of this matter. Therefore,</p> <p>21 the record will remain open through</p> <p>22 January 26, 2022, so that the public</p> <p>23 may offer written comment, should they</p> <p>24 wish to do so. Comments may be</p>	<p style="text-align: right;">6</p> <p>1 submitted through a comment form link</p> <p>2 on the hearing web page via email to</p> <p>3 DNREC Hearing Comments@delaware.gov or</p> <p>4 via the U.S. Postal Service at the</p> <p>5 physical address for DNREC indicated on</p> <p>6 the hearing web page. Written comments</p> <p>7 to DNREC may not be submitted using</p> <p>8 social media platforms, such as</p> <p>9 Twitter, Facebook, YouTube, or text</p> <p>10 messaging.</p> <p>11 Please remember that all</p> <p>12 comment received through the USPS or</p> <p>13 via electronic mechanisms noted just</p> <p>14 now -- as long as it is received by the</p> <p>15 Department on or before January 26,</p> <p>16 2022, will bear the exact same weight</p> <p>17 and will be considered equally.</p> <p>18 I will now hand it over to</p> <p>19 Karen Forrest, with the Division of</p> <p>20 Climate Coastal and Energy, to provide</p> <p>21 the Department's presentation</p> <p>22 Ms. Forrest, you may begin.</p> <p>23 MS. FORREST: Good morning.</p> <p>24 Thank you, Hearing Officer Newman. My</p>
<p style="text-align: right;">7</p> <p>1 name is Karen Forrest, and I serve as</p> <p>2 State Planner II for the Delaware</p> <p>3 Weatherization Assistance Program.</p> <p>4 This hearing is being held pursuant to</p> <p>5 10 CFR Section 440.14, which requires a</p> <p>6 public hearing to be held on</p> <p>7 weatherization grant applications prior</p> <p>8 to submission to the U.S. Department of</p> <p>9 Energy.</p> <p>10 We have one grant</p> <p>11 application before us today for the</p> <p>12 federal fiscal year 2022 for the</p> <p>13 Weatherization Assistance Program. The</p> <p>14 grant application is available online</p> <p>15 at the DNREC Weatherization Assistance</p> <p>16 Program page at de.gov/wap. It was</p> <p>17 posted on the State calendar and was</p> <p>18 the subject of legal notices in</p> <p>19 newspapers of statewide circulation</p> <p>20 published on Sunday, January 2, 2022 --</p> <p>21 mainly, the News Journal and the</p> <p>22 Delaware State News.</p> <p>23 This application is a new</p> <p>24 weatherization grant representing the</p>	<p style="text-align: right;">8</p> <p>1 first year in a three-year grant cycle.</p> <p>2 It is required by the Department of</p> <p>3 Energy that I inform you that the</p> <p>4 budget for the Weatherization</p> <p>5 Assistance Program has not been</p> <p>6 approved and that it is under</p> <p>7 congressional continuing resolution,</p> <p>8 which expires on February 18, 2022.</p> <p>9 States have been instructed</p> <p>10 to develop their state plans using the</p> <p>11 same funding levels as the Department</p> <p>12 of Energy's 2021 appropriate fund</p> <p>13 outlined in WPN 21-2. The</p> <p>14 Weatherization Assistance Program will</p> <p>15 make the required revisions to the</p> <p>16 State plan when the final allocations</p> <p>17 are announced. The WPN 21-2 used for</p> <p>18 the 2022 application allocation is</p> <p>19 \$783,257, as you will see in the grant</p> <p>20 application before us today.</p> <p>21 In program year 2022, the</p> <p>22 sole subgrantee for Delaware, the</p> <p>23 Energy Coordinating Agency, also known</p> <p>24 as ECA, will be serving the entire</p>

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1 state. ECA was awarded the
2 weatherization contract for Kent and
3 Sussex County in September 2020, while
4 executing the weatherization contract
5 in New Castle County since April of
6 2018.

7 There have been no other
8 significant changes to the
9 implementation of the Weatherization
10 Assistance Program, and DNREC is
11 proposing to use the same rules and
12 procedure currently in place under the
13 2022 grant.

14 That concludes my prepared
15 testimony here today. I do, however,
16 wish to enter four exhibits into the
17 record as follows:

18 Exhibit 1. Confirmation of
19 public notice publication in the News
20 Journal on January 2nd, 2022.

21 Exhibit 2. Confirmation of
22 public notice publication in the
23 Delaware State News on January 2, 2022.

24 Exhibit 3. 2022

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1 the ways you could submit your public
2 comment, if you wish to do so. Again,
3 that needs to be done prior to
4 January 26.

5 Thank you all for joining
6 today, and this hearing is now
7 concluded at 10:12 a.m.

8 Thank you.

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1 Weatherization Assistance Program grant
2 application.

3 Exhibit 4. Public hearing
4 notice as published on the State Public
5 Meeting Calendar on January 4th, 2022.

6 And now I'll turn it back
7 over to Hearing Officer Theresa Newman.

8 Thank you.

9 THE HEARING OFFICER: Thank
10 you, Ms. Forrest.

11 I have electronic versions
12 of the Department's proposed exhibits,
13 and I hereby mark these exhibits as
14 Department's Exhibits 1 through 4.
15 (Department Exhibits 1
16 through 4 received in evidence.)

17 THE HEARING OFFICER: As the
18 department has concluded their
19 presentation please note that the
20 hearing record will remain open through
21 January 26, 2022. I want to thank you
22 all for attending the virtual public
23 hearing.

24 There is on the screen all

12

1 I N D E X

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3 DEPARTMENT'S EXHIBITS

4

5 NO. REC'D

6 Exhibit 1 confirmation of
7 public notice publication in
8 the News Journal on
9 January 2nd, 2022..... 10

10 Exhibit 2 confirmation of
11 public notice publication in
12 the Delaware State News on
13 January 2, 2022..... 10

14 Exhibit 3 2022 Weatherization
15 Assistance Program grant
16 application..... 10

17 Exhibit 4 public hearing notice
18 as published on the State Public
19 Meeting Calendar on
20 January 4th, 2022..... 10

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1 State of Delaware)
2 New Castle County)
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CERTIFICATE OF REPORTER

4 I, Lucinda M. Reeder, Registered
5 Diplomat Reporter, Certified Real-time
6 Reporter and Notary Public, do hereby
7 certify that the foregoing record is a
8 true and accurate transcript of my
9 stenographic notes taken on January 12,
10 2022 in the above-captioned matter.

11 IN WITNESS WHEREOF, I have
12 hereunto set my hand and seal this 12th
13 day of January 2022 at Wilmington,
14 Delaware.



Lucinda M. Reeder, RDR, CRR

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<hr/> <p align="center">\$</p> <hr/> <p>\$783,257 8:19</p> <hr/> <p align="center">1</p> <hr/> <p>1 9:18 10 7:5 10:05 2:8 12 2:8 18 8:8</p> <hr/> <p align="center">2</p> <hr/> <p>2 7:20 9:21,23 2018 9:6 2020 9:3 2021 8:12 2022 2:8,14 5:7,22 6:16 7:12,20 8:8, 18,21 9:13,20,23,24 21-2 8:13,17 26 5:6,22 6:15 2nd 9:20</p> <hr/> <p align="center">3</p> <hr/> <p>3 9:24</p> <hr/> <p align="center">4</p> <hr/> <p>440.14 7:5</p> <hr/> <p align="center">A</p> <hr/> <p>a.m. 2:8 accommodated 5:5 addition 4:4 additional 4:8 address 6:5 Administrative 4:11 advised 4:16 Agency 8:23</p>	<p>allocation 8:18 allocations 8:16 announced 8:17 application 2:15 4:9 7:11,14,23 8:18,20 applications 7:7 appointed 2:16 approved 8:6 April 9:5 Assistance 2:14 7:3,13,15 8:5,14 9:10 attending 4:5 authentic 5:8 awarded 9:1</p> <hr/> <p align="center">B</p> <hr/> <p>bear 6:16 begin 2:4 4:15 6:22 budget 8:4 busy 2:6</p> <hr/> <p align="center">C</p> <hr/> <p>calendar 7:17 Castle 9:5 CFR 7:5 chat 5:14 circulation 7:19 Climate 6:20 Coastal 6:20 comment 3:16 4:19 5:3,23 6:1,12 comments 3:14,18 4:21 5:18,24 6:6 Comments@delaware.gov 6:3 concludes 9:14 conclusion 3:8 4:13 conduct 2:12 conducted 2:23 Confirmation 9:18,21 congressional 8:7</p>	<p>connect 2:7 connected 2:3 consideration 5:4 considered 6:17 continuing 8:7 contract 9:2,4 Control 2:12 Coordinating 8:23 County 9:3,5 court 3:20 5:10 COVID-19 2:21 cycle 8:1</p> <hr/> <p align="center">D</p> <hr/> <p>de.gov/wap. 7:16 dedicated 4:3,7 Delaware 2:10 7:2,22 8:22 9:23 Department 2:11 3:5,15 6:15 7:8 8:2,11 Department's 3:10 5:4 6:21 details 4:8 develop 8:10 Division 6:19 DNREC 3:24 4:18 5:16 6:3,5,7 7:15 9:10 DNREC's 2:20 4:12 5:12 due 2:21</p> <hr/> <p align="center">E</p> <hr/> <p>ECA 8:24 9:1 electronic 6:13 electronically 3:6 email 6:2 enabled 5:18 encourage 4:5 Energy 6:20 7:9 8:3,23 Energy's 8:12 ensure 5:2,17</p>
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<p>enter 9:16</p> <p>entire 8:24</p> <p>Environmental 2:12</p> <p>equally 6:17</p> <p>event 3:7</p> <p>exact 6:16</p> <p>executing 9:4</p> <p>Exhibit 9:18,21,24</p> <p>exhibits 9:16</p> <p>expires 8:8</p> <hr/> <p style="text-align: center;">F</p> <hr/> <p>Facebook 6:9</p> <p>February 8:8</p> <p>federal 7:12</p> <p>final 8:16</p> <p>fiscal 7:12</p> <p>foremost 2:22</p> <p>form 6:1</p> <p>formal 2:18 5:9</p> <p>Forrest 6:19,22,23 7:1</p> <p>found 4:10</p> <p>fund 8:12</p> <p>funding 8:11</p> <hr/> <p style="text-align: center;">G</p> <hr/> <p>Garvin 2:16</p> <p>gathered 3:2</p> <p>generate 3:3</p> <p>generated 3:12 4:24 5:20</p> <p>Good 2:1 6:23</p> <p>grant 2:15 7:7,10,14,24 8:1,19 9:13</p> <hr/> <p style="text-align: center;">H</p> <hr/> <p>hand 6:18</p> <p>hearing 2:1,13,17,20,22 3:10,17,22 4:2,6,7,10,14,21,23 5:13,15 6:2,3,6, 24 7:4,6</p>	<p>hearings 4:18</p> <p>held 7:4,6</p> <hr/> <p style="text-align: center;">I</p> <hr/> <p>II 7:2</p> <p>implementation 9:9</p> <p>inclusion 5:19</p> <p>incorporated 4:23</p> <p>independently 2:24</p> <p>inform 8:3</p> <p>instructed 8:9</p> <p>introductory 3:9</p> <hr/> <p style="text-align: center;">J</p> <hr/> <p>January 2:8 5:6,22 6:15 7:20 9:20,23</p> <p>joined 3:6</p> <p>Journal 7:21 9:20</p> <hr/> <p style="text-align: center;">K</p> <hr/> <p>Karen 6:19 7:1</p> <p>Kent 9:2</p> <hr/> <p style="text-align: center;">L</p> <hr/> <p>Lastly 5:12</p> <p>Law 4:11</p> <p>legal 7:18</p> <p>levels 8:11</p> <p>limited 4:20</p> <p>link 6:1</p> <p>list 3:3</p> <p>listed 4:13</p> <p>locations 3:1</p> <p>long 6:14</p> <hr/> <p style="text-align: center;">M</p> <hr/> <p>made 2:19</p> <p>make 8:15</p>	<p>matter 3:13 4:3,8,20,22 5:1,5,20</p> <p>mechanisms 6:13</p> <p>media 6:8</p> <p>messaging 6:10</p> <p>morning 2:2,9 6:23</p> <hr/> <p style="text-align: center;">N</p> <hr/> <p>Natural 2:11</p> <p>Newman 2:16 6:24</p> <p>News 7:21,22 9:19,23</p> <p>newspapers 7:19</p> <p>noted 6:13</p> <p>notice 9:19,22</p> <p>notices 7:18</p> <hr/> <p style="text-align: center;">O</p> <hr/> <p>offer 5:3,18,23</p> <p>Officer 2:1,17 6:24</p> <p>official 5:10</p> <p>ongoing 2:21</p> <p>online 4:11 7:14</p> <p>open 5:6,21</p> <p>order 5:2</p> <p>outlined 8:13</p> <hr/> <p style="text-align: center;">P</p> <hr/> <p>pandemic 2:21</p> <p>participating 2:24</p> <p>permitted 5:14</p> <p>pertinent 4:22</p> <p>physical 6:5</p> <p>physically 3:2</p> <p>place 4:18 9:12</p> <p>plan 8:16</p> <p>Planner 7:2</p> <p>plans 8:10</p> <p>platform 2:10 3:19</p>
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<p>platforms 6:8</p> <p>Postal 6:4</p> <p>posted 4:2 7:17</p> <p>prepare 3:21</p> <p>prepared 3:24 9:14</p> <p>present 3:4,21</p> <p>presentation 3:11 4:16 6:21</p> <p>previously 5:16</p> <p>prior 3:16 7:7</p> <p>procedure 9:12</p> <p>proceeding 2:18 3:4 5:9</p> <p>program 2:14 7:3,13,16 8:5,14,21 9:10</p> <p>proposed 2:13 4:9</p> <p>proposing 9:11</p> <p>protocols 2:20 4:17 5:13</p> <p>provide 2:9 3:11,14 6:20</p> <p>provided 3:18</p> <p>public 2:13 3:14,16 4:18 5:22 7:6 9:19,22</p> <p>publication 9:19,22</p> <p>published 7:20</p> <p>pursuant 3:23 7:4</p> <hr/> <p style="text-align: center;">R</p> <hr/> <p>ready 2:3</p> <p>receive 3:15</p> <p>received 4:4,19 6:12,14</p> <p>record 3:5,12 4:24 5:5,9,19,21 9:17</p> <p>registration 3:16</p> <p>remain 4:17 5:6,21</p> <p>remarks 3:9</p> <p>remember 6:11</p> <p>reporter 3:20</p> <p>reporter's 5:10</p> <p>representing 7:24</p> <p>required 8:2,15</p> <p>requirement 3:23</p>	<p>requires 7:5</p> <p>resolution 8:7</p> <p>Resources 2:11</p> <p>respective 3:1</p> <p>revisions 8:15</p> <p>rules 9:11</p> <hr/> <p style="text-align: center;">S</p> <hr/> <p>schedules 2:6</p> <p>Secretary 2:16</p> <p>Section 4:12 7:5</p> <p>September 9:3</p> <p>serve 2:17 7:1</p> <p>Service 6:4</p> <p>serving 8:24</p> <p>session 5:14</p> <p>significant 9:8</p> <p>social 6:8</p> <p>sole 8:22</p> <p>solely 4:20</p> <p>staff 3:11</p> <p>standard 2:20 5:12</p> <p>state 2:10 7:2,17,22 8:10,16 9:1,23</p> <p>stated 5:16</p> <p>States 8:9</p> <p>statewide 7:19</p> <p>statutory 3:23</p> <p>subgrantee 8:22</p> <p>subject 4:20,22 7:18</p> <p>submission 7:8</p> <p>submitted 6:1,7</p> <p>Sunday 7:20</p> <p>Sussex 9:3</p> <hr/> <p style="text-align: center;">T</p> <hr/> <p>taking 2:5</p> <p>testimony 9:15</p>	<p>text 6:9</p> <p>therefor 3:17</p> <p>Theresa 2:15</p> <p>three-year 8:1</p> <p>time 2:6</p> <p>today 2:6 4:16 7:11 8:20 9:15</p> <p>today's 2:18 4:6,13,21</p> <p>transcript 3:22 4:1 5:11</p> <p>turning 3:9</p> <p>Twitter 6:9</p> <hr/> <p style="text-align: center;">U</p> <hr/> <p>U.S. 6:4 7:8</p> <p>USPS 6:12</p> <hr/> <p style="text-align: center;">V</p> <hr/> <p>verbal 3:14,18</p> <p>verbatim 3:22 5:11</p> <p>virtual 2:9,13 3:19 4:23</p> <p>virtually 2:23 3:4,21</p> <p>visit 4:6</p> <hr/> <p style="text-align: center;">W</p> <hr/> <p>weatherization 2:14 7:3,7,13,15,24 8:4,14 9:2,4,9</p> <p>web 4:2,7,10 6:2,6</p> <p>Webex 3:2</p> <p>website 4:12</p> <p>Wednesday 2:7</p> <p>weight 6:16</p> <p>wishes 5:3,17</p> <p>WPN 8:13,17</p> <p>written 5:23 6:6</p> <hr/> <p style="text-align: center;">Y</p> <hr/> <p>year 7:12 8:1,21</p> <p>Youtube 6:9</p>
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