

## Klotz, Bradley A. (DNREC)

---

**From:** Marconi, Angela D. (DNREC)  
**Sent:** Monday, July 25, 2022 2:05 PM  
**To:** Mann, Amy (DNREC); Klotz, Bradley A. (DNREC)  
**Subject:** FW: Request for Public Hearing for Highline Warren LLC Permit Request of 7/17/2022  
**Attachments:** TR-HW DNREC 7-17-2022 PDF.pdf; Original 12-30-2012 Permit App.jpg

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

FYI

**From:** Anne K <aykbrlk296@gmail.com>  
**Sent:** Saturday, July 23, 2022 6:59 PM  
**To:** Marconi, Angela D. (DNREC) <Angela.Marconi@delaware.gov>  
**Cc:** Childears, Jennifer L (DNREC) <jennifer.childears@delaware.gov>  
**Subject:** Request for Public Hearing for Highline Warren LLC Permit Request of 7/17/2022

Hi, Angela,

I'm attaching the letter that I put together for the above request, along with one other attachment (the 12/30/2012 original Permit Request for this business way back then). Please let me know that you received it when you get in to work on Monday. I actually hope that DNREC would put this request on hold as they did with the October 2019 request (when DNREC conducted the investigation) without having to go through the public hearing but I plan to attend if they do schedule it.

Thank you for all your help.

Anne Koiv  
(302) 593-2118

102 Lindbergh Ave  
Silview  
Wilmington, DE 19804

July 22, 2022

Division of Air Quality  
State Street Commons, Suite 6A  
100 W. Water Street  
Dover, DE 19904

To Whom It May Concern:

**Ref.: 7 DE Admin. Code 1102 Natural Minor Permit Applications: Highline Warren LLC**

This letter is an official request to hold a public meeting regarding the above Permit Application from Highline Warren LLC (formerly Twinco Romax LLC) (hereafter referred to as TR/HW) that was posted in the News Journal on 7/17/2022. This request for increasing the throughput of raw materials should not be approved for a number of reasons. I will try to keep this letter as brief as possible but there is also a lot of historical information that is also relevant that I will list in an attachment.

Currently, however, the increase in throughput will significantly impact the already ridiculous amount of truck traffic that Silview and Pleasant Hills residents have been subjected to for 9 years now (particularly on Lindbergh Ave and MacArthur Dr) plus TR/HW also requests an increase in operating hours to 24/7 for 52 weeks of the year, which subjects all of us to many more 18-wheelers all through the night and weekends so that we have no respite from the trucks at all. I can't confirm that the chemicals (2 of 3 which are dangerous, flammable, and and have health hazards) are actually being delivered by "train", since we have multitudes of tanker trucks also going to TR/HW. If there is a "train", the distance that those chemicals need to be pumped to the tanks is considerable and could result in accidental releases. With increased throughput and operating hours, the truck traffic **WILL** increase further deteriorating our air quality (which is under your jurisdiction) and our quality of life and value of our houses, plus more concerns over the safety of all of our residents.

Particularly detrimental to our air quality and quality of life are the emissions of the chemicals being used and the HDPE DEF (High Density Polyethylene Diesel Exhaust Fluid) from the bottle production line. We already have an abundance of diesel fumes in our neighborhoods from the multitude of tractor trailers up and down our streets, and particularly when these trucks take the incorrect streets requiring them to figure out how to maneuver the turns to get to TR/HW, all the while idling and emitting their diesel fumes since many times it's over the 15-minute legal time limit. The Permit Application attachments indicate that none of the tanks (6 ASTs and 4 inside holding tanks) are having emissions recorded by a monitoring system even though it indicates that the emissions are vented directly to the atmosphere!! **At least the outside tanks should have monitoring systems regardless if the increase is approved.** BTW – When was the installation of the inside tanks approved? I don't recall seeing that one and there are no permits listed for either the ASTs or the inside tanks under the Parcel Details for this site (only the one for the concrete pads and one for the inside bathroom/office area fitouts). I know that Agilent Technologies (down the street from TR/HW) at least uses degreasers/scrubbers for their VOCs to protect the air quality.

On 1/9/2020, Senator Walsh and Representative Williams received a letter from Shawn Garvin from DNREC with copies of 2 letters sent to Chris Seay (dated 12/4/2019 and 12/23/2019) plus the inspection report from DNREC's inspection of TR/HW. The following items listed were recommended to be corrected and **I would like confirmation from DNREC that these items have indeed been corrected (and when) and that DNREC will continue to do regular inspections** since TR/HW failed to maintain accurate records and report what were perceived as exceedances: **(My questions are in bold/underline)**

- Key Card System or a Security Guard to ensure that only authorized access to the facility occurs
- Requiring TR/HW to submit weekly reports to demonstrate compliance with existing permits and to continue submitting weekly spread sheets of permit emissions tracking data until otherwise notified. **(Have they been told to stop this and, if so, WHY, when they had been out of compliance at the time of this inspection??)**
- Updated storm water plan needed to be submitted to DNREC for review
- Add a spill kit outside by AST **(WHY only "a" spill kit when there are currently 6 ASTs??)**
- Label all outfalls on the site
- Clean up trash on site
- Label all pipes coming out of the building
- My Questions:
  - **Have ALL 6 of the ASTs had proper danger labels and such added, that are large enough to be visible from 100 yards (where the residents from Windsor Ave in Silview live)??**

- The few times I met with the TR/HW GM (prior to Seay), I observed employees smoking outside by the tanks. A bit scary to me!! NO SMOKING OUTSIDE on their grounds should be allowed such as the DuPont Experimental Station adopted some time before 2001 due to the chemicals on site. Only smoking in your own car was permitted on site.

In this 1/9/2020 letter, DNREC stated that the residents' concerns about the truck traffic does not fall under their jurisdiction. HOWEVER, the already high diesel fumes being brought through our neighborhood by these trucks does fall under DNREC's Division of Air Quality, as did the same issue for the truck traffic on Lambson Lane (2019) and the Port of Wilmington (2022). Plus the approval of this type of permit IS your jurisdiction and you created this problem when you approved it originally (Jan 2013) before a logical access road was designed!!

The 11/18/2021 BrightFields Inc. letter about the Process Filling Line Permit Revision details 5 pages of the training for the employees to properly manage the process. It appears to be an intricate process. I would like to know what caliber of education/experience their employees have for this type of work. When I had visited TR/HW for a few meetings with the former GM (before Seay), the ones that were there (plus some stories he shared with me) did not leave me feeling that these employees are invested in proper training required for safe operations. There used to be a lot of turnover at that time too I was told then. I can't speak to current situations since Seay came in, he never returned my calls.

All the permits indicated that this facility is not in a coastal area. And although it isn't "on the coast", it is directly next to the wetlands and close enough to Hershey Run (involved with the Koppers Co Inc Superfund Site) that any accidental release to the ground, etc., could negate that remediation. Since TR/HW already sits on a remediated Superfund Site that was from the previous owners, it seems like this adds insult to injury.

This facility should NEVER have been approved for this site since the original Permit Application that was posted on 12/30/2012 listed an incorrectly spelled address (**Cromwell instead of Crowell**)(I have attached a copy although I know you have it). When I met with DNREC in 2019, I was told it was a "typo". Regardless, as soon as the typo was discovered, all operations should have been halted and it should have been reissued for public comment. And since this site was basically "landlocked" without using small 1940's residential streets for industrial tractor trailer traffic, it should NEVER have even been considered!!

Until an alternative access to this currently "landlocked" site is remedied or until TR/HW relocates (possibly to their other facility in Pencader Industrial Park in Glasgow, where a train track is much closer??), TR/HW MUST NOT BE ALLOWED to increase throughput, production, AND/OR hours/days of operation.

As long as the County keeps approving new huge Warehouses up and down our tiny state (and with the existing Delaware City refineries), our State's air quality will always be terrible! I can't imagine ANY tractor owner/operator EVER trading their diesel tractor for an EV or being able to afford an EV tractor so the horrible diesel fumes will never go away and more trucks means more fumes and more accidents, etc. (so much for the clean air initiative in Delaware!). Also, Delaware is under quarantine for Spotted Lantern Flies asking all of us to inspect our cars before bringing them in from other states. Ha Ha! These trucks come in from all over the East Coast even as far away as Ohio and Tennessee (and the Amazon trucks and trains come from probably all over the USA, plus what gets unloaded at the Port of Wilmington from overseas!). I'm absolutely certain THEY are not inspecting their trucks for hitchhiking bugs. They won't even clean the snow from on top of their trailers!

And if a hurricane hits our area, Silview and Pleasant Hills will be vaporized and we are getting more crazy weather in Delaware with climate change:

2000-2008 – 11 Hurricanes, 7 Tropical Storms, 2 Tornadoes

2010-2019 – 5 Hurricanes, 2 Tropical Storms, 8 Tornadoes

2020 – 2 Hurricanes, 1 Tropical Storm, 6 Tornadoes

2021 – 2 Hurricanes, 2 Tornadoes

It's only a matter of time.

Sen Walsh's assistant sent an email to 33 Silview and Pleasant Hills residents and at least 8 of them commented back to her and the rest of us on the list that this request had better not be approved. I asked the ones that I know to send a letter to DNREC also but I don't hold out a lot of hope that it will happen which is why I absolutely needed to request this hearing. Thank you.

Respectfully submitted,

Anne Y. Koiv  
(302) 593-2118

Attachments (Historical Info; 12/30/2012 Permit Application)

**Historical Documentation** (I have copies of all the documents referenced below if anyone doesn't have access to them)

8/9/2002 – A letter from Kenneth Bieri (Asst. Planning Division Manager) and Valerie Cesna (Planner II) to Brent Shaffer, Esq (from Young Conaway Stargatt & Taylor, LLP) lists the property that is now rented to TR/HW as being located at Crowell Road and **Harding Ave.** in Pleasant Hills (NOT in Silview and NOT on Lindbergh!) **(I cannot confirm but was told that Harding was blocked off after this time; either Harding or Kentucky would be a straight shot into the offending property eliminating some of the traffic issues!!)**

11/15/2012 – Remedial Action by DNREC for clean up of existing Brownfield at 1 Crowell Road, indicating that public notice was issued 10/24/2012 and no public comment was received in the 20 days allotted. The public comment period for this clean up action ended on 11/13/2012 and Timothy Ratsep from DNREC approved the clean up **(not sure if DNREC or Crowell Associates LLC paid for the clean up??)**.

12/10/2012 – Permit issued to TR/HW for installing 2 concrete pads with wall (38'4" x 71'10" x 14'6"). No permits were listed after the pads were installed about the installation of the actual 35,000 gallon tanks to hold the **three** chemicals (although **four** were listed on their original request for tanks – methanol, denatured ethanol, propylene glycol, and **isopropanol**).

12/10/2012 – A letter to Dan Ribnick at TR/HW from Erich Schuller from DNREC granting approval to TR/HW to install the 6 tanks they requested approval for; this was **PRIOR** to the 12/30/2012 DNREC Legal Notice for a public hearing to even construct the bottle filling process line (as noted below). **Interesting?? Putting the cart before the horse?**

12/30/2012 – DNREC issued a public notice for a Permit Application for Twinco Romax, LLC, to construct a bottle filling process line at their **1 Crowell Road, Wilmington, Delaware** facility. This was the notice that no one responded to from Silview or Pleasant Hills mainly because the street name was incorrectly spelled so no one thought it was here. **When the former Sears site was sold to the parent company of United Refrigeration in 2009, the continued access to TR/HW should have been grandfathered as part of the sale so that this situation would never have developed. Someone dropped the ball on here!!**

October 15, 2019 – Letter to Bradley Klotz (DNREC's Div of Air Quality) from Ken Hannon (Brightfields, Inc.) indicating they wanted to increase the material handling by the plant's filling line which would likely also increase the throughput to the plant's above ground storage tanks. This letter also indicated there would be increased emissions anticipated from the ASTs so they were asking for a revised air permit.

This request was put on hold because DNREC decided to conduct an investigation of the facility on 10/29/2019. Some of the results of that investigation are detailed in the body of my letter.

12/3/2019 – Article titled "Chemicals Near My Home" published in News Journal: DKY Automotive LLC (also known as TR/HW) at 1 Crowell Rd was listed; it lists toxic chemical releases at this site as being Methanol, which is a flammable, mobile, colorless liquid that is miscible with water. Health hazards are listed as being through inhalation or ingestion, possibly causing blurred vision, headaches, dizziness, and nausea. Neurological damages, specifically permanent motor dysfunction, may result. Methods of release were listed as Air, Water, Underground, and Other (being chemical disposed in landfills, through land treatment or released into surface impoundments). That report has not been updated since 12/3/2019 so I have no new information.

All the historical information for 1 Crowell Road lists it as part of Pleasant Hills (even the NCC Parcel Information lists it as being in Pleasant Hills, making MacArthur the logical access road IF no other access is identified; but they don't want the trucks either). Therefore, the access to the property should NEVER have been from Lindbergh Ave particularly since the almost 90 degree turn at the end of Lindbergh to get to TR/HW on a road that is not even the size of my 2-car driveway!

12/4/2020 – I witnessed one of the trucks going to TR/HW coming down Silview Ave and then making a tight turn across the corner of that property onto Woodbine Ave and then making a turn onto Lindbergh while turving part of 100 Lindbergh's yard and the corner of my front garden (102 Lindbergh). The truck driver DID NOT STOP so I got in my car and followed him to TR/HW and approached the driver about it. He gave me his boss' phone number (in Minnesota!!!) to report it. They did send me a check to pay my landscaper's estimate to fix the garden and the neighbor's yard. However, this is what we put up with regularly. In the winter, the trucks can't make it up a snow covered hill to get onto Rt. 4 and last winter the police had to come in to assist.

7/11/2022 – My new neighbor across the street was having her Xfinity internet line installed which goes to her house from my side of the street. A truck came barreling through the All-Way Stop (which is constant, we stopped calling police because they never come or don't come until much later). When that truck got in front of mine and her houses, it snapped her new internet line. Luckily for her, the cable man was still there and re-ran the line higher onto her roof. It barely clears the top of the trucks even now.

## LEGAL NOTICE

### 7 DE Admin. Code 1102 NATURAL MINOR PERMIT APPLICATIONS

Notice has been given that:

Twinco Romax, LLC, requests a permit to construct a bottle filling process line at their 1 Cromwell Road, Wilmington, Delaware facility. The process has the potential to emit (PTE) 8.65 tons/yr of volatile organic compounds (VOCs) and 8.65 tons/yr of hazardous air pollutants (HAPs). By Permit# APC-2013/0073-Construction actual emissions will not exceed 2.98 tons/yr of VOCs and 2.77 tons/yr of HAPs.

The application for this permit may be reviewed at the offices of the Division of Air Quality, Blue Hen Corporate Center, 655 S. Bay Road, Suite 5 N, Dover, Delaware or 715 Grantham Lane, New Castle, Delaware. For additional information or for an appointment to review the application, please contact Laura Bogus at (302) 739 9402.

A public hearing on any of the above applications will NOT be held unless the Secretary of DNREC receives a request for a hearing regarding that application within 15 days from the date of this notice, ending Monday, January 14, 2013. A request for a hearing shall be in writing. The request must also show a familiarity with the application and a reasoned statement of the permit's probable impact.

All comments and public hearing requests should be mailed to the following address:

DIVISION OF AIR QUALITY  
BLUE HEN CORPORATE CENTER  
655 S. BAY ROAD  
DOVER, DE 19901