

In the Matter Of:

Department of Natural Resources & Environmental Control

7 DE ADMIN. CODE 1126 HEARING

September 29, 2022



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

RE: Motor Vehicle Emissions Inspections Program
7 De Admin. Code 1126
"Motor Vehicle Emissions Inspection Program"

..

Virtual Public Hearing #1
Dial-In Number: 1-408-418-9388
Event Number: 2339 665 6055

Thursday, September 29, 2022
6:00 p.m.

..

BEFORE: Theresa Newman, Hearing Officer

FOR THE DIVISION: James Coverdale, DNREC

-- Transcript of Proceedings --

WILCOX & FETZER
Registered Professional Reporters
1330 King Street - Wilmington, Delaware 19801
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1 MS. NEWMAN: Good evening. I
2 believe that everyone is now connected and
3 ready, so we will now begin the virtual
4 public hearing. My name is Theresa Newman,
5 and Secretary Garvin has appointed me to
6 serve as the Hearing Officer for tonight's
7 formal proceeding.

8 Thank you for taking time out of
9 your busy schedule to connect with us today.
10 The date is Thursday, September 29, 2022.

11 We are here this evening to provide
12 a virtual platform for the State of
13 Delaware's Department of Natural Resources
14 and Environmental Control to conduct its
15 virtual public hearing on Docket Number
16 2022-R-A-0001, the proposed revisions to 7 DE
17 Admin Code 1126, Motor Vehicle Emissions
18 Inspection Program for Sussex County.

19 Immediately following the
20 adjournment of this hearing, we will conduct
21 the same hearing platforms for the proposed
22 revisions to 7 DE Admin Code 1131, Low
23 Enhanced Inspection and Maintenance Program,
24 Kent and New Castle Counties, and proposed

1 amendments to the Delaware State
2 Implementation Plan, Low Enhanced Inspection
3 and Maintenance Program; Plan for
4 Implementation.

5 With that being said, you will hear
6 my same introductory remarks for all three
7 hearings tonight, so please bear with me as
8 we go through the process for each hearing
9 matter.

10 First and foremost, this hearing is
11 being conducted virtually. No one is
12 together in the same room. Everyone is
13 participating independently at their own
14 respective locations.

15 While we are not physically
16 gathered tonight, WebEx does generate a list
17 of those who are virtually present for this
18 proceeding so that the Department will have a
19 record of those who have electronically
20 joined this event.

21 At the conclusion of the
22 introductory remarks, I will be turning the
23 hearing over to the Department staff to
24 provide their presentation for the record

1 being generated in this matter.

2 Whereas the Department would then
3 open up the verbal comment portion of the
4 hearing following the Department's
5 presentation, the Department did not receive
6 registration for verbal comment tonight.

7 It is important to note that the
8 Department did offer the opportunity to
9 register to give verbal comment, as noticed
10 in the legal ads and online. Those that
11 would have wished to provide a verbal comment
12 would have had to register by 12:00 p.m.
13 today, to which there were no registrants by
14 that time.

15 There is a court reporter virtually
16 present who will prepare a verbatim
17 transcript of this hearing pursuant to the
18 statutory requirement for DNREC to have the
19 same prepared. And, as always, that
20 transcript will be posted on the hearing
21 webpage dedicated to this matter as soon as
22 it is received.

23 In addition, I would encourage
24 those who are attending tonight's hearing to

1 also visit the hearing webpage dedicated to
2 this matter for additional details concerning
3 the proposed regulations.

4 The hearing webpage can be found
5 online under the Administrative Law Section
6 of DNREC's website that will be listed at the
7 conclusion of tonight's hearing.

8 Before we begin the presentations,
9 please be advised of the following protocols
10 that remain in place for all DNREC public
11 hearings.

12 All comment received must be
13 limited solely to the subject matter of
14 tonight's hearing. All comment pertinent to
15 the matter of this virtual public hearing
16 will be incorporated into the record
17 generated in this matter.

18 In order to ensure that everyone
19 who wishes to offer comment for the
20 Secretary's consideration is accommodated,
21 the record in this matter shall remain open
22 for a minimum of 15 days following tonight's
23 proceeding.

24 There is only one authentic record

1 of this formal proceedings tonight, and it is
2 the court reporter's official transcript.

3 The statutory purpose of tonight's
4 hearing is to build a record with regard to
5 the Department's proposed actions. A record
6 consisting of the transcript of the hearing
7 tonight, all written comments, all exhibits,
8 and eventually the Hearing Officer's report
9 will be reviewed by Secretary Garvin.

10 The Secretary will ultimately issue
11 an order following that review process
12 containing his decision on this matter and
13 the reasons therefor.

14 Per DNREC's standard hearing
15 protocols, there will be no Q and A or chat
16 session permitted during the hearing. Those
17 who have preregistered to offer verbal
18 comment will be acknowledged to speak at the
19 conclusion of the presentation portion, which
20 I have already mentioned we do not have any
21 registrants, so we will not be calling upon
22 anyone to provide a verbal comment.

23 It is important to note that no
24 decision has already been made by the

1 Department, nor will any decision be made
2 tonight with regard to the proposed
3 regulatory matter.

4 As previously stated, DNREC wishes
5 to ensure that everyone is enabled to offer
6 their comments for inclusion into the record
7 being generated in this matter.

8 In light of the Administrative
9 Procedures Act, the Department is required
10 to, at a minimum, provide a comment period of
11 a minimum of 15 days after the hearing. As
12 noticed in legal ads and online, the
13 Department stated that a public comment
14 period will be open through Friday
15 October 14, 2022.

16 Comments may be submitted through a
17 comment form link on the hearing webpage via
18 e-mail to DNRECHearingComments@Delaware.gov,
19 or via the U.S. Postal Service at the
20 physical address for DNREC indicated on the
21 hearing webpage and/or the public notices
22 previously issued in this matter.

23 Written comments to DNREC may not
24 be submitted using social media platforms

1 such as Twitter, Facebook, YouTube or text
2 messaging.

3 Please remember that all comment
4 received either through USPS or via the
5 electronic mechanisms noted just now, as long
6 as received by the Department on or before
7 October 14th, will bear the exact same weight
8 and will be considered equally by the
9 Secretary prior to making his final decision
10 in this matter.

11 Lastly, the ultimate decision
12 regarding this matter is made by DNREC's
13 Secretary Garvin.

14 This formal proceeding hearing
15 tonight acts as a mechanism to enable the
16 Department to thoroughly vet the regulatory
17 matter to the public and to let the public
18 know the various ways that comment may be
19 submitted for Secretary Garvin's
20 consideration, if so desired.

21 I will now hand it over to James
22 Coverdale with the Division of Air to provide
23 the Department's presentation.

24 MR. COVERDALE: Thank you. Good

1 evening. My name is James Coverdale, and I'm
2 an Environmental Program Manager with the
3 Planning Section, Division of Air Quality, in
4 the Delaware Department of Natural Resources
5 and Environmental Control.

6 Welcome to the Division of Air
7 Quality's virtual public hearing on the
8 proposed amendments to Delaware Inspection
9 and Maintenance Program.

10 Three separate meetings are being
11 held tonight to discuss 7 Delaware
12 Administrative Code 1126, Motor Vehicle
13 Emissions Inspection Program; 7 Delaware
14 Administrative Code 1131, Low Enhanced
15 Inspection and Maintenance Program for Kent
16 and New Castle Counties; and the Delaware
17 State Implementation Plan, Low Enhanced
18 inspection and Maintenance Program Plan for
19 Implementation.

20 Our first public hearing this
21 evening is to receive public comments on the
22 proposed amendments to 7 Delaware
23 Administrative Code 1126, Motor Vehicle
24 Inspection, Emissions Inspection Program,

1 Docket Number 2022-R-A-0001.

2 The objective of the amendments to
3 7 Delaware Administrative Code 1126, Motor
4 Vehicle Emissions Inspection Program is to:

5 1. Expand the model year exemption
6 from five to seven years.

7 2. Expand the vehicles covered by
8 the program to include vehicles weighing
9 8,501 pounds to 14,000 pounds gross vehicle
10 weight, beginning with model year 2008.

11 And change the older vehicle
12 testing requirements to include curb idle and
13 gas cap tests.

14 4. To phase-in an increase in the
15 cost of repairs to receive an emission
16 waiver.

17 5. To add anti-tampering language.

18 The amendments maintain consistency
19 with current Federal and State regulations:

20 40 Code of Federal Regulations, 50
21 Subpart S - Inspection and Maintenance.

22 The Clean Air Act (42 U.S.C.
23 7522(a) Section 203.

24 And 21 Delaware Code, Chapter 21,

1 registration of vehicles, Section 2109,
2 Section 2110, and Section 2143.

3 A vehicle inspection and
4 maintenance program is a mandated requirement
5 of the Clean Air Act for any area classified
6 as moderate or above.

7 Sussex County was designated as
8 non-attainment with its classification being
9 marginal under the 1979 one-hour ozone
10 standard.

11 A basic inspection and maintenance
12 testing program was implemented, because
13 Delaware is included in the Philadelphia,
14 Camden, Wilmington Metropolitan statistical
15 area with a population less than 200,000.

16 The vehicle inspection and
17 maintenance program was implemented to help
18 improve air quality by identifying
19 high-emitting vehicles and requiring them to
20 be repaired.

21 Owners of vehicles with high
22 emissions are notified to make repairs so
23 that emissions are within the National
24 Ambient Air Quality Standards.

1 The inspection and maintenance
2 program in Sussex County helps improve air
3 quality standards by identifying
4 high-emitting vehicles that are required to
5 be repaired.

6 Vehicles are required to be tested
7 every two years at the Division of Motor
8 Vehicle as part of the vehicle registration
9 or renewal process. Emissions testing is
10 performed on all gasoline and diesel-powered
11 light-duty vehicles weighing up to
12 8,500 pounds.

13 Vehicles 1967 and older, no
14 emissions tests are required. 1968 through
15 1981, an idle test is required. 1981 and
16 newer, a curb idle test is required. And the
17 newest five model years are exempt.

18 Vehicles with excess emissions or
19 malfunctioning emissions control systems are
20 required to be repaired. To be eligible for
21 an emission waiver for vehicles 1968 to 1980,
22 vehicle owners must spend at least \$75 on
23 emissions-related repairs.

24 Vehicles 1981 or newer registered

1 in Sussex County must spend at least \$200 on
2 emissions-related repairs to qualify for a
3 waiver.

4 On June 20, 2017, House Bill 246
5 was introduced to the General Assembly and
6 was signed into law on September 21, 2017 by
7 Governor Carney. The House Bill was
8 introduced to enhance the customer service
9 experience for all Delaware drivers by
10 increasing the inspection exemption from five
11 to seven years for all new vehicles.

12 This exemption applies to vehicles
13 purchased after January 1, 2012. The
14 legislation reduced the number of inspections
15 by approximately 45,000 vehicles, allowing
16 owners of vehicles with current five-year
17 expirations to easily renew their
18 registration for an additional two years
19 within 90 days of registration expiration.

20 Even though this helped to
21 streamline the testing process at DMV, the
22 45,000 vehicles exempted due to the extension
23 resulted in emissions increases in the entire
24 inspection and maintenance program and

1 resulted in an air quality program.

2 The results of the legislation left
3 no emissions benefit in Sussex County and a
4 deficit that weakened the program in Kent and
5 New Castle County.

6 Delaware is required by the EPA to
7 demonstrate an air quality benefit statewide.
8 By modifying the inspection and maintenance
9 program in all three counties, Delaware is
10 effectively able to apply emissions reduction
11 credits from Sussex County to the deficit in
12 Kent and New Castle Counties to meet Delaware
13 air quality goals.

14 The Department initiated a Start
15 Action Notice Number 2018-04 to implement
16 changes to Regulation 1126. This Start
17 Action Notice was approved by the Department
18 Secretary, and notification was sent to the
19 General Assembly on April 18, 2018.

20 The Department prepared some draft
21 amendments to Regulation 1126 for a May 23,
22 2018 public workshop, and public comments
23 were requested.

24 The Division of Air Quality worked

1 with the Division of Motor Vehicles on
2 suggested regulatory language. The Division
3 of Air Quality also conducted several
4 modeling scenarios using the EPA's motor
5 vehicle emissions simulator to support the
6 inspection and maintenance program. The
7 modeling will be discussed and presented on
8 another slide.

9 The Department also presented the
10 information at a public workshop held on
11 May 25, 2022 at 10:00 a.m. and 6:00 p.m.
12 Comments were again requested.

13 The Department published those
14 proposed amendments in the September 1, 2022
15 Delaware Register.

16 By exempting two model years of
17 vehicles from the program, the passage of
18 House Bill 246 caused an emission increase of
19 17 tons of nitrogen oxides, NOx, and
20 12.9 tons of volatile organic compounds,
21 VOCs, in the programs in New Castle and Kent
22 Counties.

23 Sussex County experienced zero
24 increases of NOx but a 1.7-ton increase in

1 VOCs.

2 Delaware must demonstrate to the
3 EPA that revisions to regulations do not
4 interfere with attainment and maintenance of
5 any National Ambient Air Quality Standards in
6 effect at the time of revision.

7 Due to an increase in pollution
8 resulting from the legislative mandate, the
9 Division of Air Quality staff analyzed
10 several scenarios to offset emission
11 increases.

12 The Department worked with the
13 Division of Motor Vehicle to identify program
14 options to solve the increases realized by
15 the expansion of the exempt vehicles on
16 receiving the vehicle emissions test.

17 In the course of those discussions,
18 the Division of Motor Vehicles further
19 requested the two-speed idle test be
20 eliminated for all older vehicles in Kent and
21 New Castle County.

22 In order to account for the
23 emissions increases attributed to the
24 legislation and the Division of Motor

1 Vehicles' request, the Department modeled
2 several scenarios using the motor vehicle
3 emissions simulator 2014B in order to
4 establish a cohesive statewide emissions
5 inspection and maintenance program and
6 present the Division recommendations to
7 Department and to the Department of
8 Transportation senior leaderships for
9 consideration.

10 Following consultation with the
11 staff at Region 3 Environmental Protection
12 Agency, Region 3 staff agreed that the
13 emissions reductions attributed to onboard
14 diagnostic testing programs in Sussex County
15 could be used to offset, in part, the
16 emissions increases attributed to the vehicle
17 emissions extension.

18 Considering the input from the EPA
19 and the Division of Motor Vehicle, the
20 Department modeled and analyzed the seven
21 following cases:

22 Case 1 established a model baseline
23 for the program with a five-year exemption.
24 This baseline was used to compare changes in

1 emissions from the different modeling cases.

2 Case 2 demonstrates the impact of
3 House Bill 246 with emission increases of
4 17 tons of NOx and 14.6 tons of VOCs combined
5 for all three counties.

6 These increases would interfere
7 with the attainment and maintenance of the
8 current Nation Ambient Air Quality Standards.

9 Case 3 modeled the testing
10 requirements of onboard diagnostic tests for
11 vehicles up to 14,000 pounds, a single-speed
12 idle test for vehicles up to 8,500 pounds,
13 and the seven model-year exemption.

14 The modeling for Sussex County
15 demonstrated emission reductions, but in Kent
16 and New Castle it demonstrated an increase to
17 both NOx and VOCs in excess of the increase
18 from the exemption extension.

19 Case 4 modeled the testing
20 requirements of an onboard diagnostic test
21 for vehicles up to 14,000 pounds, a two-speed
22 idle test for vehicles up to 8,500 pounds,
23 and the seven model-year exemption.

24 For Sussex County this model case

1 deviated from the baseline model, that Sussex
2 County does not currently have a two-speed
3 idle requirement.

4 Case 5 modeled for an onboard
5 diagnostic test for vehicles up to
6 8,500 pounds and no testing of pre-1996
7 vehicles.

8 This case resulted in substantial
9 increases in VOCs in New Castle and Kent
10 Counties above the emission increase from HB
11 246.

12 The reduction in Sussex County was
13 not sufficient to overcome the increase in
14 Kent and New Castle Counties.

15 Case 6 modeled for an onboard
16 diagnostic test for vehicles up to
17 14,000 pounds and no testing of pre 1996
18 vehicles. Similar to Case 5, this also
19 resulted in an increase in VOCs in New Castle
20 and Kent Counties above the emission
21 increases from the exemption extension.

22 Reductions in Sussex County were
23 not sufficient to overcome the increase in
24 Kent and New Castle Counties.

1 Case 7 modeled the testing
2 requirements of an onboard diagnostic test
3 for the vehicles up to 14,000 pounds, a
4 single-speed idle test, and gas cap test for
5 vehicles up to 8,500 pounds, and the seven
6 model-year exemption.

7 Emission reductions for Sussex
8 County was sufficient to cover the emission
9 increases in Kent and New Castle.

10 Case 7 was selected and included in
11 the revision to the proposed revision to 7
12 Delaware Administrative Code 1126, as it
13 demonstrates to the EPA that this revision
14 will not interfere with attainment and
15 maintenance of any National Ambient Air
16 Quality Standards in effect at the time of
17 the revisions and incorporates the Division
18 of Motor Vehicles' request to eliminate the
19 two-speed idle test.

20 The proposed amendments can
21 encourage proper vehicle maintenance and
22 discourage tampering of vehicle emission
23 controls by vehicle owners.

24 Reducing vehicle emissions will

1 improve air quality, will help maintain a
2 healthy environment, and will help improve
3 health-related impacts.

4 The proposed amendments will also
5 ensure Delaware's vehicle owners comply with
6 the Federal Clean Air Act requirements of the
7 EPA vehicle emissions standards.

8 Ones vehicle owners ensure that
9 their vehicles are fixed and within
10 standards, people may begin to notice
11 spending less at the pumps. These actions
12 could also help reduce hospital visits for
13 respiratory related problems, and result in
14 cleaner air quality.

15 To comply with House Bill 246
16 legislation, the Department proposed
17 amendments to expand the model-year exemption
18 from five to seven years to meet the
19 performance standard.

20 To meet the emission credits
21 shortfall in the I&M program, the Department
22 proposes amendments to change the older
23 vehicle testing requirements to include curb
24 idle and gas cap tests and visual inspections

1 to make sure the vehicle has a catalytic
2 converter installed.

3 The Department proposed an
4 expansion of vehicles model year 2008 and
5 newer but increased the weight of vehicles
6 that must get an onboard diagnostic test for
7 all light-duty and medium-duty gasoline and
8 diesel vehicles weighing up from 8,501 pounds
9 up to 14,000 pounds.

10 The onboard diagnostic test is a
11 less-invasive test where the Division of
12 Motor Vehicle associate inserts a plug from a
13 computer into the vehicle's onboard dashboard
14 connector to download information about the
15 performance of the vehicle's system.

16 To qualify for a waiver, vehicle
17 owners must spend the required expenditures
18 on repairs and ensure the vehicle is
19 operating to manufacturer's standards.

20 As discussed previously on slide
21 two, the Department proposed that the waiver
22 cost be phased in and increased for needed
23 repairs.

24 The Department proposed that the

1 waiver threshold for 2023 through 2024
2 increase to \$450.

3 And the Department further proposes
4 that the waiver threshold be increased to
5 parity with Kent and New Castle County by
6 2025 to 2026.

7 The Department proposed that the
8 repairs must be completed by a certified
9 emission repair technician and turn in a
10 completed vehicle emission repair report form
11 with the stamped receipt by the certified
12 emissions repair technician to the Division
13 of Motor Vehicle to obtain a waiver.

14 Any repair receipts older than 90
15 days cannot be tallied towards waivers
16 required expenditure amounts to ensure that
17 vehicles are operating at EPA and
18 manufacturer specifications.

19 These amendments will ensure a
20 consistent program is in place to address air
21 quality issues that lead to human health
22 problems.

23 The Clean Air Act Section 203(a)
24 gives the United States EPA the authority to

1 enforce tampering violations. The Division
2 of Air Quality is amending the Regulation
3 1126 to include new language to address the
4 sale and use of illegal defeat devices.

5 Additionally, the Department
6 identified a non-substantive amendment. The
7 amendment is included in the errata table for
8 1126.

9 Now we would like to enter 34
10 exhibits shown on the following seven slides
11 into the public record to support the
12 proposed amendments to 7 Delaware
13 Administrative Code 1126, Motor Vehicle
14 Emissions Inspection Program.

15 Exhibit 1: Department Technical
16 Support Document.

17 Exhibit 2: 40 CFR 51 Subpart S,
18 Inspection/Maintenance Program Requirements.

19 Exhibit 3: 21 Delaware Code
20 Section 2109, period of registration
21 effective date.

22 Exhibit 4: 21 Delaware Code,
23 Section 2110, renewal of registration, new
24 car and plate cancellation of renewal by

1 owner prior to effective date.

2 Exhibit 5: 21 Delaware Code,
3 Section 2143, inspection of a motor vehicle
4 before registration, exception vehicle
5 outside of state.

6 Exhibit 6: Delaware House Bill
7 246.

8 Exhibit 7: Start Action Notice
9 2018-04 approved by the Department Secretary
10 on April 12, 2018.

11 Exhibit 8: Memo to General
12 Assembly from the Office of the Secretary
13 announcing Start Action Notice 2018-04 dated
14 April 12, 2018.

15 Affidavit and legal notice in the
16 April 29, 2018 Delaware State News that
17 advertised the May 23, 2018 public workshop.

18 Exhibit 10: Affidavit for the
19 April 29, 2018 News Journal that advertised
20 the May 23, 2018 public workshop.

21 Exhibit 11: Legal notice for the
22 April 29, 2018 News Journal that advertised
23 the May 23, 2018 public workshop.

24 Exhibit 12: Register notice for 7

1 Delaware Administrative Code 1126 published
2 in the Delaware Register of Regulations on
3 September 1, 2022.

4 Exhibit 13: Proposed amendments to
5 7 Delaware Administrative Code 1126,
6 published in Delaware Register of Regulations
7 on September 1, 2022.

8 Exhibit 14: Department
9 presentation for the May 23, 2018 public
10 workshop.

11 Exhibit 15: Department sign-in
12 sheet for the May 23, 2018 public workshop.

13 Exhibit 16: Affidavit for the
14 May 1, 2022 Delaware State News that
15 advertised the 10:00 a.m. and 6:00 p.m.
16 May 25, 2022 public workshops.

17 Exhibit 17: Legal notice for the
18 May 1, 2022 Delaware State News that
19 advertised the 10:00 a.m. and 6:00 p.m.
20 May 25, 2022 public workshops.

21 Exhibit 18: Affidavit for the
22 May 23 Cape Gazette that advertised the
23 10:00 a.m. and 6:00 p.m. May 25, 2022 public
24 workshops.

1 Exhibit 19: Legal notice in the
2 May 3, 2022 Cape Gazette that advertised the
3 10:00 a.m. and 6:00 p.m. May 25, 2022 public
4 workshops.

5 Exhibit 20: Notice for public
6 workshops of the Delaware State Public
7 Meeting Calendar, September 19, 2022.

8 Exhibit 21: Department news
9 release published on May 13, 2022 announcing
10 DNREC to update vehicle emission testing
11 requirements.

12 Exhibit 22: Department
13 presentation given at the 10:00 a.m. and
14 6:00 p.m. virtual public workshop held on
15 May 25, 2022.

16 Exhibit 23: The Department sign-in
17 sheet from the 10:00 a.m. virtual public
18 workshop held on May 25, 2022.

19 Exhibit 24: The Department sign-in
20 sheet from the 6:00 p.m. virtual public
21 workshop held on May 25, 2022.

22 Exhibit 25: Department survey and
23 response summary from the 10:00 a.m. and
24 6:00 p.m. virtual public workshops held on

1 May 25, 2022.

2 Exhibit 26: Affidavit from the
3 Delaware State News dated August 28, 2022
4 that advertises today's hearing.

5 Exhibit 27: Legal notice from the
6 Delaware State News dated August 28, 2022
7 that advertises today's hearing.

8 Exhibit 28: Affidavit from the
9 News Journal dated August 28, 2022 that
10 advertised today's hearing.

11 Exhibit 29: Legal notice from the
12 News Journal dated August 28, 2022 that
13 advertised today's hearing.

14 Exhibit 30: Notice for today's
15 hearing on the Delaware State Public Meetings
16 Calendar dated August 28, 2022.

17 Exhibit 31: Legal notice for
18 today's hearing as posted on the website for
19 DNREC public hearings dated August 28, 2022.

20 Exhibit 32: Regulatory Flexibility
21 Analysis and Impact Statement Form, published
22 in Delaware Register of Regulations,
23 September 1, 2022.

24 Exhibit 33: Errata table for

1 non-substantive changes.

2 Exhibit 34: The Department
3 presentations at today's hearing.

4 The Department would like to thank
5 you for joining us in the public hearing for
6 7 Delaware Administrative Code, Motor Vehicle
7 Emissions Inspection Program, Docket Number
8 2022-R-A-0001.

9 Comments may be submitted in
10 writing using the online form at
11 Delaware.gov/Dnrec Comments, or via e-mail to
12 the DNRECHearingComments@delaware.gov, or by
13 U.S. mail to Theresa Newman, Hearing Officer,
14 DNREC Office of the Secretary, 89 Kings
15 Highway, Dover, Delaware, 19901.

16 The public record will remain open
17 until October 14, 2022. Thank you.

18 MS. NEWMAN: Thank you, Mr.
19 Coverdale. Does this conclude the
20 Department's presentation?

21 MR. COVERDALE: This concludes the
22 department's presentation.

23 MS. NEWMAN: Thank you. I have
24 received the electronic versions of the

1 proposed exhibits by the Department that were
2 submitted. And I hereby mark the exhibits as
3 Department's Exhibits 1 through 34.

4 As Mr. Coverdale has just mentioned
5 the various ways to submit your public
6 comment, we will be accepting those comments,
7 again, until October 14, 2022.

8 I want to thank you all for
9 attending this virtual public hearing.

10 The hearing for Docket Number
11 2022-R-A-0001 is now adjourned at 6:29 p.m.

12 (Concluded at 6:29 p.m.)
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CERTIFICATE

1
2 I, Lorena J. Hartnett, a Notary Public and
3 Registered Professional Reporter, do hereby certify
4 that the foregoing is an accurate and complete
5 transcription of the proceeding held at the time and
6 place stated herein, and that the said proceeding
7 was recorded by me and then reduced to typewriting
8 under my direction, and constitutes a true record of
9 the testimony given by said witnesses.

10 I further certify that I am not a relative,
11 employee, or attorney of any of the parties or a
12 relative or employee of either counsel, and that I
13 am in no way interested directly or indirectly in
14 this action.

15 IN WITNESS WHEREOF, I have hereunto set my
16 hand and affixed my seal of office on this 5th day
17 of October 2022.

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23 Lorena J. Hartnett
24 Registered Professional Reporter

7 De Admin. Code 1126 Hearing - September 29, 2022

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