

2/22/2024

Delaware Community Benefits Agreement Coalition

Comments on Scrap Tire Solution Solid Waste Permit (Docket #2023-P-WH-0028)

Hello, my name is Jeffrey Richardson with the Delaware Community Benefits Agreement Coalition. According to DNREC's website on Scrap Tire Management: "Scrap tire piles present a number of environmental, health, and safety hazards to our communities. They are ideal breeding grounds for mosquitoes. A tire fire started by arson or a lightning strike could take days, even weeks, to extinguish because burning rubber is extremely difficult to put out. The smoke from a tire fire contains hazardous gases and the oily liquid runoff from the melted tires can pollute ground water."

Last year, communities near the DuPont Edgemoor location on Hay Rd learned about the dumping of 10,000 tons of tires at a lot on Hay Rd, a few parcels up from the proposed site of the Scrap Tire facility. We experienced the insecurity of living with an enormous, illegal, potentially disastrous environmental time bomb that could have made surrounding communities unlivable, had a fire occurred. The existing safeguards and protections did not protect the public. These concerns have not been addressed. We need, but do not have, transparent, objective, easily accessible reporting, and verification procedures. The public is at risk.

Now we face a permit request for a permanent facility that uses scrap tires as its primary product source. Scrap Tire's statement on safety is not substantive at approximately three or so paragraphs, given the potential air, water, and life-quality

threat represented by the facility. The New Castle County Office of Public Works raised additional concerns in its January 23, 2024 letter.

According to the County Office of Public Works, “the proposed Scrap Tire Area appears to be located above the County’s 66-inch sanitary sewer Force Main and within the County’s 30-foot easement area for the Force Main...The Force Main must remain protected and easily accessible at all times should an emergency arise. This will not be the case if there are twenty containers of tires located on top of the Force Main. Has there been any analysis to determine the affect the weight of the containers, bailing equipment and heavy equipment traffic will have on the Force Main below? Without additional information, the County cannot support the location of the Scrap Tire Area bordering the Pump Station parcel and over the Force Main.”

The concerns of the surrounding communities, particularly the poor, working class communities, and those defined as environmental justice communities have increasingly been devalued. The County itself has raised significant concerns about the impact of the proposed scrap tire facility on public health and safety. The permit should not be approved unless and until the issues raised by communities and by the County are resolved.

The Delaware Community Agreement Coalition is not against development. In fact, many of our members come from communities that have experienced years of under and disinvestment. We are extremely interested in development, as long as it does not cause harm to the health and wellbeing of the citizens or environment, is conducted in a

transparent manner, does not exploit the labor of residents, and deeply engages local residents as partners in the development and planning process.

The promise of jobs has been used over and over again as a hammer to get mostly Black, Brown and poor communities to accept developments and projects that promise everything but frequently under deliver, with little accountability, while compounding the decline in community health and life quality. Frequently the promised number of jobs do not materialize and pay levels and working conditions are often substandard or even dangerous.

The proposed Scrap Tire facility has not met the threshold of public engagement or robust protection of public and environmental health. Until these conditions are met, the permit should not be granted. A list of possible steps forward has been included below:

- Hold public meeting where real exchange can take place
- Engage an objective third party review of safety standards and actions proposed by the company seeking the permit
- Thoroughly review the company seeking the permit and their safety track record
- Develop and make public plans for how public safety and environmental protection will be maintained
- Provide additional reporting on wage scales and working conditions at the proposed facility
- Conduct an assessment of the cumulative impact of the additional truck traffic from the facility, the carbon footprint of the proposed facility, and mitigation measures to protect public and environmental health

The Delaware Community Benefits Agreement Coalition (DCBAC) is comprised of members and allies representing a diverse cross-section of the Delaware community. Current members include local residents, civic organizations, activists, civil rights organizations, and environmental organizations, all seeking the kind of participation that is fundamental to our notions of democracy.

Sincerely,

Jeffrey Richardson

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