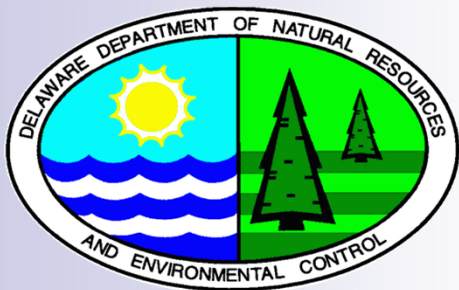


Title V Committee Meeting



November 1, 2018

Blue Skies Delaware; Clean Air for Life

Agenda

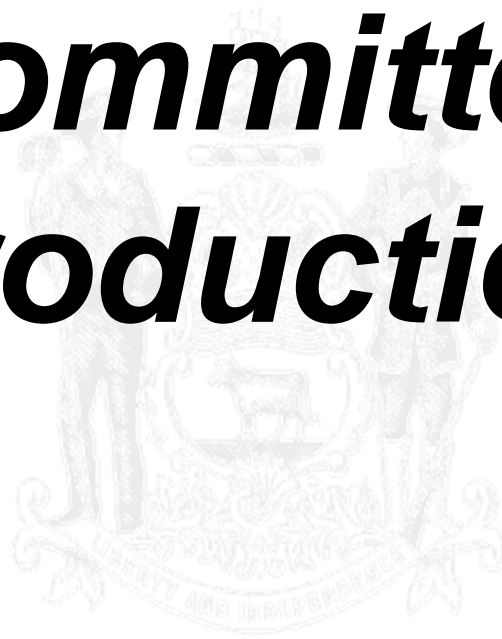
- Introductions 5 min.
- DAQ Staffing Update 5 min.
- 2018 Billing Update 5 min.
- Lars Recycling 5 min.
- Projected 2019 Title V Facility (TV/SM) Listing 5 min.
- 2015 EPA TV Program Review Letter 5 min.
- E-Permitting Strategy Phase One Update 5 min.
- EPA Region 3 - 2018 Title V Permit Fee Accounting Audit 10 min.
- Reg. 2 Program Fee Initiatives Update 30 min.
- Joint (Customer & DAQ) Focused Training 15 min.
- Title V Committee Membership List Strategy & Action Plan 15 min.
- Open Discussion/Questions 10 min.
- Follow-on Action Items 5 min.



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Committee Introductions



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DAQ Staffing Summary

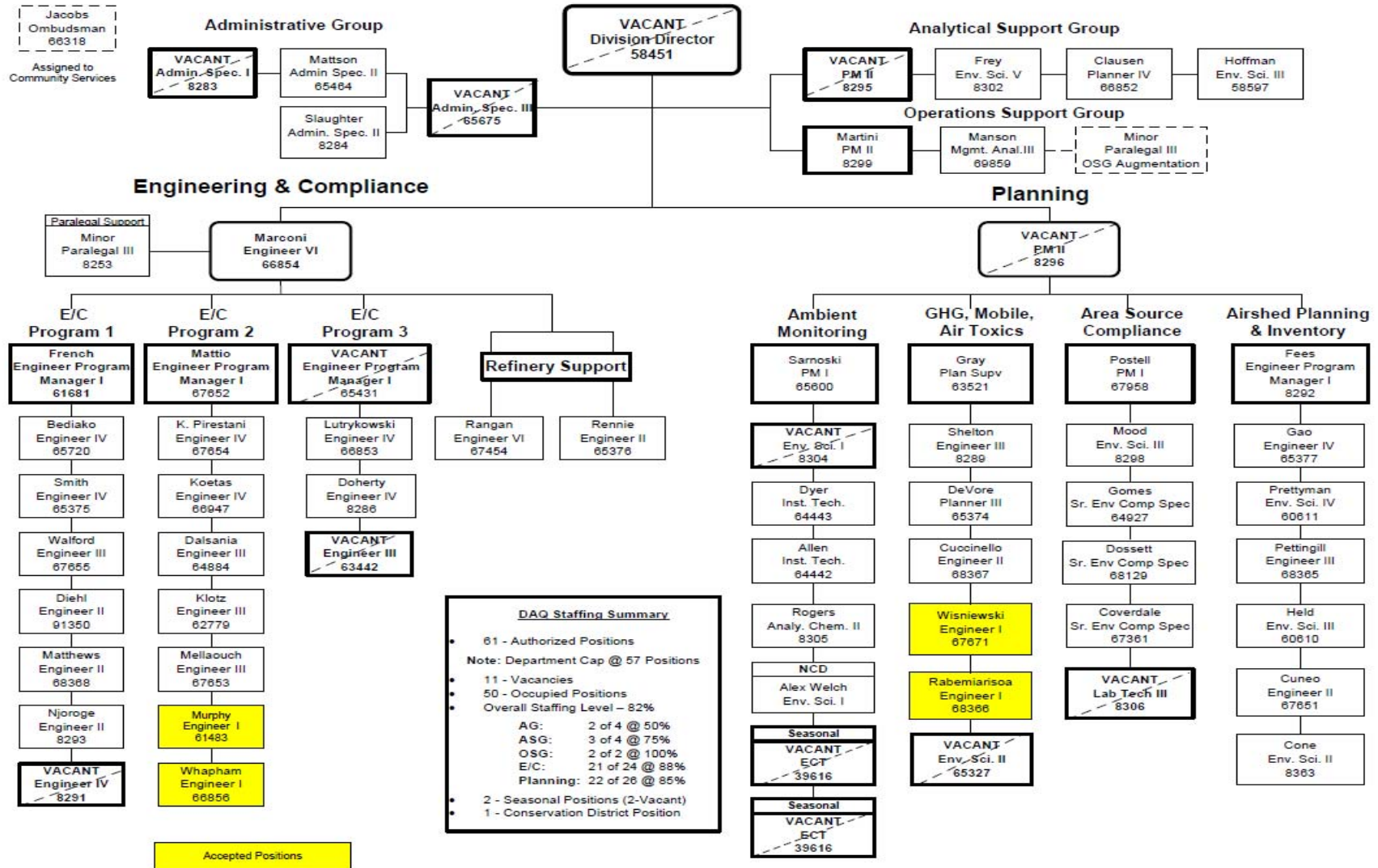
- Current:
 - 61 authorized positions
 - 52 occupied & 9 vacancies
 - Staffing Level - **85%**
- December 31, 2018
 - 61 authorized positions
 - 53 occupied & 8 vacancies
 - Staffing Level - **87%**
- March 31, 2019
 - 61 authorized positions
 - 55 occupied & 6 vacancies
 - Staffing Level - **90%**

Note: Department cap @ 57 positions



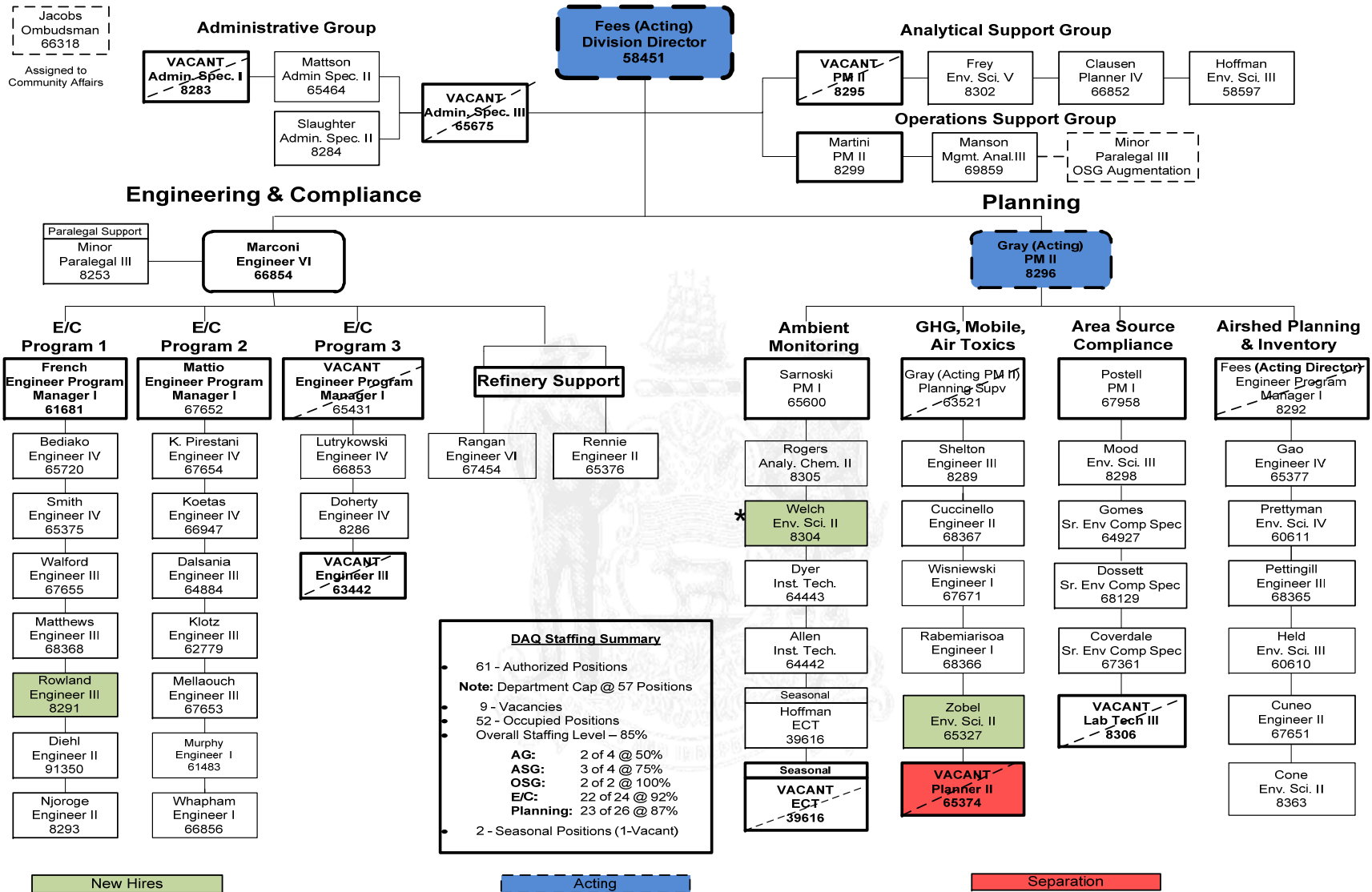
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Division of Air Quality (July 15, 2018)



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Division of Air Quality (October 29, 2018)



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* Transfer From NCD Position

Division of Air Quality (Anticipated December 31, 2018)

Jacobs
Ombudsman
66318

Assigned to
Community Affairs

Administrative Group

VACANT
Admin. Spec. I
8283

Mattson
Admin. Spec. II
65464

Slaughter
Admin. Spec. II
8284

TBD
Admin. Spec. III
65675

TBD
Division Director
58451

Analytical Support Group

VACANT
PM II
8295

Frey
Env. Sci. V
8302

Clausen
Planner IV
66852

Hoffman
Env. Sci. III
58597

Operations Support Group

Martini
PM II
8299

Manson
Mgmt. Anal. III
69859

Minor
Paralegal III
OSG Augmentation

Engineering & Compliance

Paralegal Support
Minor
Paralegal III
8253

Marconi
Engineer VI
66854

Planning

Gray (Acting)
PM II
8296

E/C Program 1

French
Engineer Program
Manager I
61681

Bediako
Engineer IV
65720

Smith
Engineer IV
65375

Walford
Engineer III
67655

Matthews
Engineer III
68368

Rowland
Engineer III
8291

Diehl
Engineer II
91350

Njoroge
Engineer II
8293

E/C Program 2

Mattio
Engineer Program
Manager I
67652

K. Pirestani
Engineer IV
67654

Koetas
Engineer IV
66947

Dalsania
Engineer III
64884

Klotz
Engineer III
62779

Mellaouch
Engineer III
67653

Murphy
Engineer I
61483

Whapham
Engineer I
66856

E/C Program 3

VACANT
Engineer Program
Manager I
65431

Lutrykowski
Engineer IV
66853

Doherty
Engineer IV
8286

VACANT
Engineer III
63442

Refinery Support

Rangan
Engineer VI
67454

Rennie
Engineer II
65376

DAQ Staffing Summary

- 61 - Authorized Positions
- Note: Department Cap @ 57 Positions
- 8 - Vacancies
- 53 - Occupied Positions
- Overall Staffing Level - 87%
- AG: 3 of 4 @ 75%
- ASG: 3 of 4 @ 75%
- OSG: 2 of 2 @ 100%
- E/C: 21 of 24 @ 88%
- Planning: 23 of 26 @ 87%
- 2 - Seasonal Positions (1-Vacant)

Ambient Monitoring

Sarnoski
PM I
65600

Rogers
Analy. Chem. II
8305

Welch
Env. Sci. II
8304

Dyer
Inst. Tech.
64443

Allen
Inst. Tech.
64442

Seasonal
Hoffman
ECT
39616

Seasonal
VACANT
ECT
39616

GHG, Mobile, Air Toxics

Gray (Acting PM II)
Planning Supv
63521

Shelton
Engineer III
8289

Cuccinello
Engineer II
68367

Wisniewski
Engineer I
67671

Rabemiarisoa
Engineer I
68366

Zobel
Env. Sci. II
65327

TBD
Planner II
65374

Area Source Compliance

Postell
PM I
67958

Mood
Env. Sci. III
8298

Gomes
Sr. Env Comp Spec
64927

Dossett
Sr. Env Comp Spec
68129

Coverdale
Sr. Env Comp Spec
67361

VACANT
Lab Tech III
8306

Airshed Planning & Inventory

Fees
Engineer Program
Manager I
8292

Gao
Engineer IV
65377

Prettyman
Env. Sci. IV
60611

Pettingill
Engineer III
68365

Held
Env. Sci. III
60610

Cuneo
Engineer II
67651

Cone
Env. Sci. II
8363



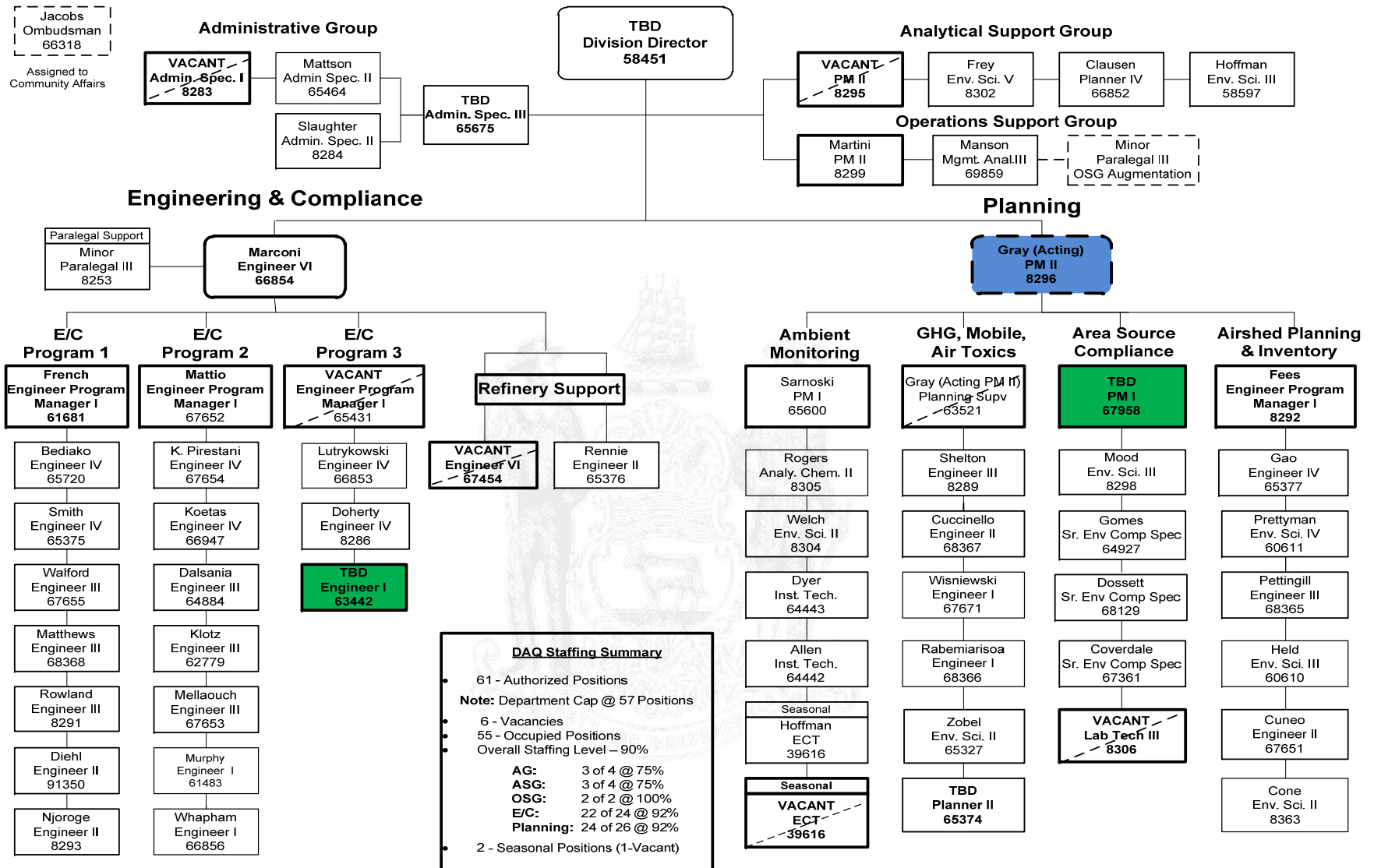
Projected Fill

Acting

Retirement/Separation

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Division of Air Quality (Anticipated March 31, 2019)



Projected Fill

Acting

Retirement/Separation

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2018 Staffing Activities *(through 3/31/2019)*

Classification	Name	Funding	Responsibilities	Gain	Loss	Date
Planner III	Lauren DeVore	50% TV, 50% Grant	Develops policies, regulations, and designs strategies to include Delaware's transportation sector.		1	10/3/18
Scientist	Rachel Zobel	50% TV, 50% Grant	General air quality management, analysis and policy development to include air toxics and mobile sources.	1		10/29/18
Engineer	Eric Rowland	80% TV, 20% Grant	TV, SM & NM permitting, compliance & enforcement.	1		10/29/18
Admin Spec III	TBD (Hiring)	100% Grant	Administrative Support Group leader.	1		TBD
Planner III	TBD (Hiring)	50% TV, 50% Grant	Develops policies, regulations, and designs strategies related to Delaware's transportation sector.	1		TBD
Program Manager I	Tom Postell	50% Grant, 30% I&M, 20% TV	Area Sources Program Manager and DAQ Leadership Team.		1	12/31/18
Engineer VI	Ravi Rangan	100% TV	Refinery permitting, compliance & enforcement.		1	12/31/18
Program Manager I	TBD	50% Grant, 30% I&M, 20% TV	Area Sources Program Manager and DAQ Leadership Team.	1		TBD
Engineer I	TBD	80% TV, 20% Grant	TV, SM & NM permitting, compliance & enforcement.	1		TBD
Totals				6	3	



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Staffing Activity - TV Budget Impact

October 2018 – March 2019

Classification	TV Funding	Estimated Total Salary & EOCs	Gain	Loss	TV Salary
Planner III	-0.5	\$68,800		1	(\$34,400)
Scientist	0.5	\$63,000	1		\$31,500
Engineer III	0.8	\$92,000	1		\$73,600
Admin Spec III	0	\$52,000	1		\$0
Planner III	0.5	\$68,800	1		\$34,400
Program Manager I	-0.2	\$92,000		1	(\$18,400)
Engineer VI	-1	\$130,000		1	(\$130,000)
Program Manager I	0.2	\$92,000	1		\$18,400
Engineer I	0.8	\$81,000	1		\$64,800
Totals	1.1		6	3	\$39,900



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Billing Update

2017 Delinquent Facility

■ Lars Recycling

- ☐ Facility Abandoned
- ☐ Permit Cancelled (Oct. 2018)
- ☐ Legal Action Underway, claiming the following:
 - 2016 & 2017 Delinquent Fees @ \$18,400.00
 - 2017 Late Fees @ \$4,029.50
 - 2018 Fees @ \$9,650.00
- ☐ Total Claim: \$32,079.50



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2018 Billing Update *(as of October 29, 2018)*

- 129 Facilities Billed \$50447.12
 - 77 SM
 - 52 TV
 - Fee Credits Awarded: **\$363,311.00**
- 2018 Total Amount Billed: **\$2,881,779.00**
- Status as of October 15, 2018:
 - Fully Paid: 123 of 129 (96.1%)
 - Partial Payment: 2 of 129 (1.6%)
 - No Payment: 4 of 129 (2.3%)
 - Fees Collected: **\$2,821,791.98** (97.9%)
 - Balance Due **\$59,987.35**



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2018 Overdue Facilities (as of October 30, 2018)

2018 Overdue Facilities			
Facility ID	Name	Amount	Status
1000300924	Amazon.com DEDC, LLC	\$8,452.00	Payment Expected Prior to 12/31/2018
1077700162	Coker Concrete	\$13,210.60	Anticipate Delinquent Status 1/1/2019
1000300907	Lars Recycling, LLC	\$32,079.50	Legal Action In Progress, Permit Canx
		\$53,742.10	



Anticipated Delinquencies (as of January 1, 2019)

Anticipated Delinquent Facilities	
Facility ID	Name
1077700162	Coker Concrete
1000300907	Lars Recycling, LLC

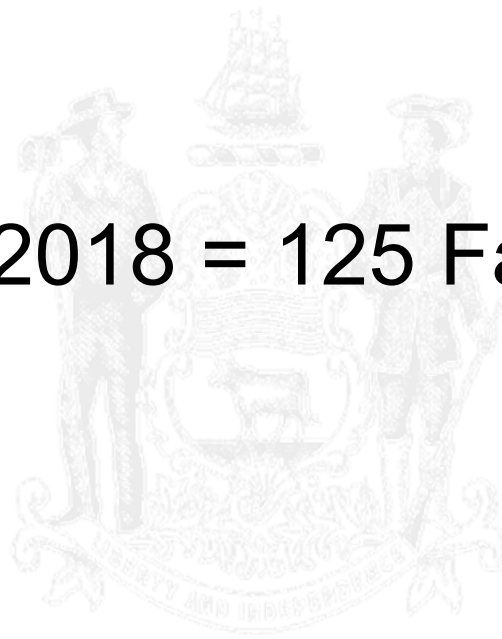


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Title V Facility List Updates

- January 1, 2018 = 129 Facilities
 - 77 SM
 - 52 TV
- October 31, 2018 = 125 Facilities
 - 74 SM
 - 51 TV



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Confirmed Facility Modifications

Facility ID #	Company Name	Class	Status	Date	Fee Impact
1000300593	Conectiv Thermal Systems	SM	Now NM Facility. SM Permit Cancelled.	2/6/2018	\$9,650.00
1000500146	Perdue AgriBusiness, LLC.	SM	Company Closed. No active Permits.	4/23/2018	\$11,700.00
1000500037	Nanticoke Memorial Hospital	SM	Now NM Facility. SM Permit Cancelled.	9/27/2018	\$9,650.00
1000300907	Lars Recycling, LLC.	SM	Facility abandoned. Permit cancelled. Pursuing legal action to collect delinquent account @ \$32,079.50.	10/2/2018	\$9,650.00
Fee Totals					*\$40,650.00

* Before-Credit Fees Depicted. Potential Fee Credit Impact = \$4,620.00



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Pending Facility Modifications

Facility ID #	Company Name	Class	Status	Date	Fee Impact
1000300027	Formosa Plastics Corporation	TV	Company Closed. TV Permit Active.	TBD	\$54,180.00
1000300083	Linde LLC	SM	Applied for NM Status in 2018. SM Permit Active.	TBD	\$9,650.00
1000300106	AstraZeneca Pharmaceuticals LLC, - Fairfax	SM	Applied for NM Status in 2018. SM Permit Active.	TBD	\$32,450.00
1000300367	Heritage Crystal Clean	SM	Company Temp Closed. Permit Active.	TBD	\$9,800.00
1000300782	Bilcare Research Inc	SM	Applied for NM Status in 2018. SM Permit Active.	TBD	\$9,800.00
1000300919	New Haven Packaging, LLC	SM	Applied for NM Status in 2018. SM Permit Active.	TBD	\$9,800.00
1000300001	DHSS- Herman Holloway Campus	TBD	New Facility Awaiting Formal Fee Designation.	TBD	TBD
Fee Totals					*\$125,680.00

* Before-Credit Fees Depicted. Potential Fee Credit Impact = \$10,628.00



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2015 EPA Program Review Comments

- No notable deficiencies noted
- EPA satisfied with permit preparation & content
- Engineers performing multi-functional roles significant benefit
- Implemented concurrent review, “meaningful process improvement”
- Workforce Development & Training programs strong (BP)
 - Ease travel restrictions, increase training opportunities (R)
- Posting Draft/Proposed Permits online (R)
 - OTS & DAQ Fully Support - IT System Modernization
- Permit Issuance, no significant backlog (BP)
- Compliance, no significant delays to permit issuance
- EPA & DNREC Implementation Agreement, agreed in principal
- Committee monitors program, fees, costs & revenue (BP)



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DNREC ePermitting Phase I

- 51 DNREC Permitting programs initially recommended for incorporation into Phase I
- Governance Committee will review & filter
 - ☐ Consolidate and/or eliminate when possible
 - ☐ Balance cost, risk & value to DNREC
 - ☐ Assess the value to DNREC customers
 - ☐ Reprioritize & sequence Phase I List
- Governance Committee
 - ☐ Steve Smailer Division of Water
 - ☐ Jamie Rutherford Division of Watershed Stewardship
 - ☐ Angela Marconi Division of Air Quality
 - ☐ Karen Bennett Division of Fish & Wildlife
 - ☐ Jason Sunde Division of Waste & Hazardous Substances
 - ☐ Brian Krasts Information Technology Applications Team



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Air Related ePermitting Phase I

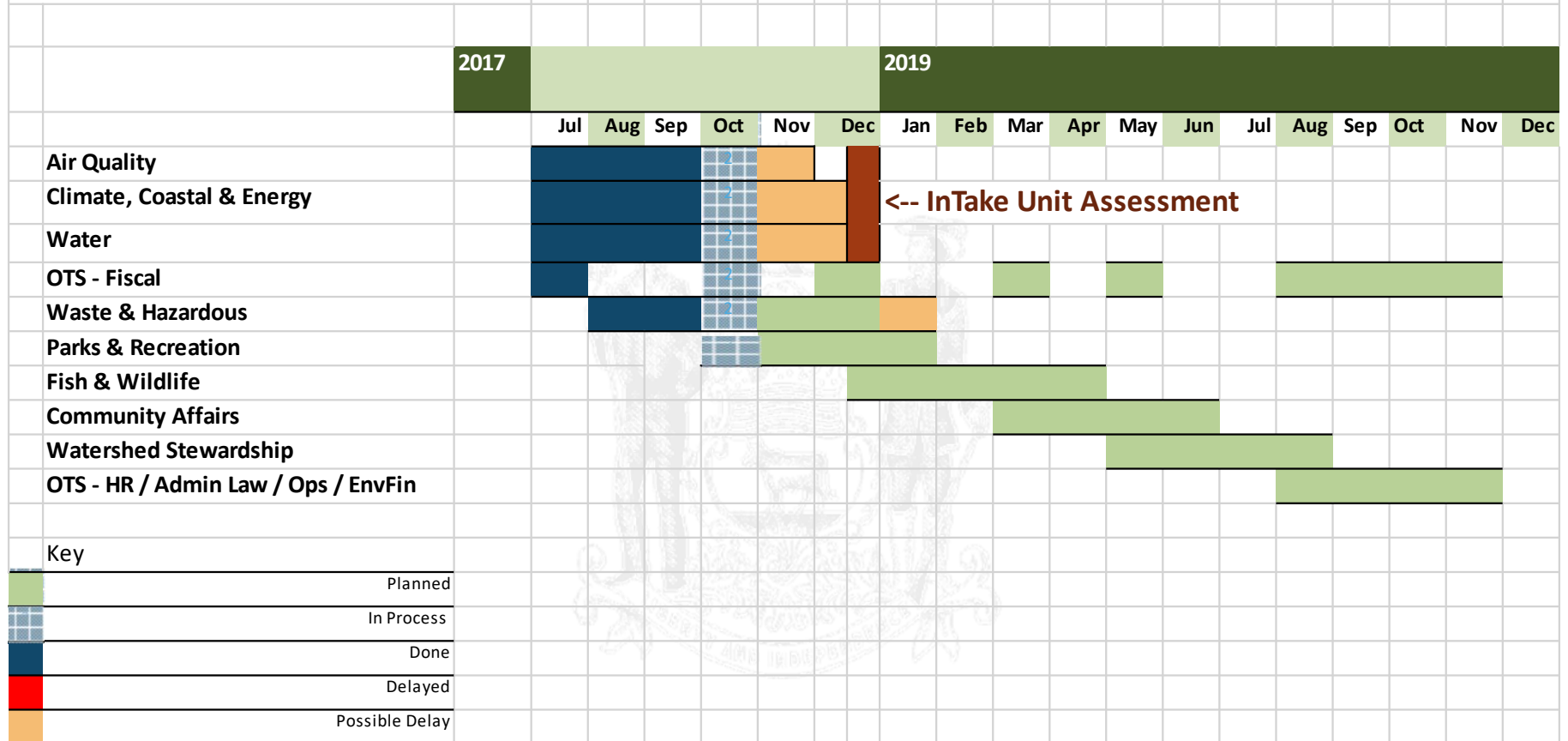
Title	Division	Program	Description
Air DE	DAQ	Permitting	Custom web application used by internal DNREC staff as main data entry application for Air permits, compliance, and enforcement data.
Air Permit Pipe Line	DAQ	Permitting	Custom web based application for internal use that graphs the status of pending air permits.
Air Quality	DAQ	Permitting	Custom web application for public to apply for certification for Gasoline Delivery Vessel (GDV) and Senate Bill (SB) 215 certifications/permits.
Track Board	DAQ	Permitting	Custom web application used by one to ten DNREC staff for displaying air permitting status information on a large monitor in the lobby for the public to view in DAQ offices. Data classification is public.
SB215Admin	DAQ	Permitting	This is an internal custom web application for administering the applications received online for SB215 certifications/permits.



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DNREC ECM Project Updates

ECM - 2017/2018 Forecast Plan



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EPA Region 3 TV Permit Fee Accounting Audit

- Conducted by EPA Region 3 office
 - ☐ July 23-25, 2018
 - ☐ Audited CY 2017 data
- EPA final report under development
- Primary audit objectives:

Determine if...

- ☐ TV Fees are sufficient to support the program.
- ☐ TV Monies are spent on allowable costs.
- ☐ Non-TV revenue is used to support the program.



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TV Permit Fee Accounting Audit

- EPA initial observations & feedback
 - Primary audit objectives efficiently achieved
 - Excellent two-part fee structure (base & user fees)
 - Very strong TV Advisory Committee (model program)
 - Requested & presented to Region 3 Air Directors
 - Comprehensive annual program reports
 - Unique & effective fee credit program
 - Inappropriate utilization of TV Funds (Budget Sweep)
 - Funding Source for Ombudsman Position



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Reg. 2 Permitting Fees

- Continue to explore efficiencies
 - Streamlined procedures for standard permitting (emergency generators, concrete plants)
 - Updated Desk Reference to house templates and reference information
 - Publicize success story to encourage new facilities
- OTS update on NM Program Fees
- The path forward?
 - Sub-committee or Working Group
 - Consider options & recommend potential alternatives?



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Joint Training Initiatives

- Resurrect past customer training events
 - **Who:** Companies, consultants & DAQ?
 - **What:** Determine training needs?
 - **How:** Face-to-Face, webinars, site visits, & eLearning?
 - **When:** Frequency?

Recommendation: Form a joint sub-committee to answer these questions and develop an action plan.



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TV Committee Requirements

7 Del. C. § 6099 Title V Operating Permit Program Advisory Committee.

There shall be established a "Title V Operating Permit Program Advisory Committee," hereinafter referred to as "Committee." The Committee members shall be appointed by the Governor and shall include, but not be limited to, the Secretary of the Department of Natural Resources and Environmental Control, or the Secretary's duly appointed designee; the Director of the Division of Air Quality, or the Director's duly appointed designee; 2 members who will represent stationary sources; 1 to be a member of the Chemical Industry Council; a member of the Delaware State Chamber of Commerce; a member representing a public utility; 2 members of a nationally affiliated or state environmental advocacy group; and the chairpersons of the House and the Senate Natural Resource Committees. The Secretary of the Department of Natural Resources and Environmental Control shall serve as the Chair of this Committee. The Committee shall provide the Governor and the General Assembly with a report on or before February 1 of each year, for the previous calendar year, identifying the amounts and sources of fees collected pursuant to § 6097 of this title, the expenditures made by the Department to implement the Program, information regarding the performance of the Program, whether the fees collected by § 6097 of this title are adequate to ensure the effective implementation of the Program, and recommendations to remedy or improve any deficiencies or elements of the Program.



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Committee List

Maintenance Strategy

- Requirements (CliffNotes Version)
 - Committee members shall be appointed by the Governor
 - Shall include, but not be limited to:
 - Secretary of DNREC or Secretary's duly appointed designee;
 - Director of the Division of Air Quality, or designee;
 - Two members who will represent stationary sources;
 - 1 to be a member of the Chemical Industry Council;
 - A member of the Delaware State Chamber of Commerce;
 - A member representing a public utility;
 - Two members of a nationally affiliated or state environmental advocacy group; and
 - Chairpersons of the House and Senate Natural Resource Committees.



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Committee List Maintenance Strategy

- How – Organizing and maintaining membership
 - ListServe
 - Not viable, the service only captures name and e-mail address
 - Procure a cloud-based service
 - Possible, however do not believe that membership is large enough to justify
 - Excel spreadsheet updated and maintained by DAQ staff responsible for scheduling meetings
 - Recommended
- Path forward?



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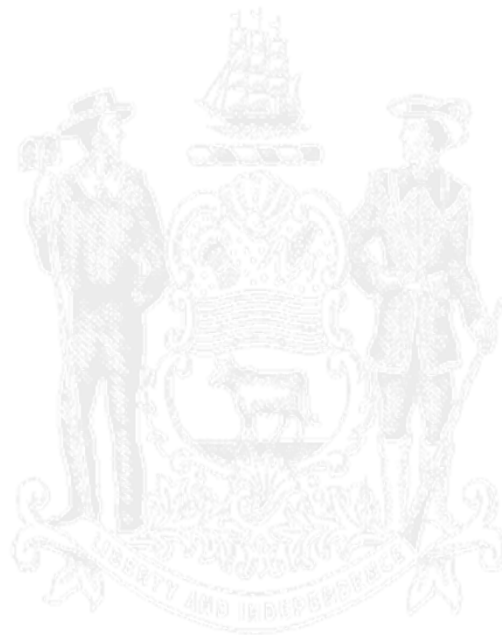
Action Items

■ DAQ Follow-up

1. ?
2. ?
3. ?

■ Committee:

1. ?
2. ?
3. ?



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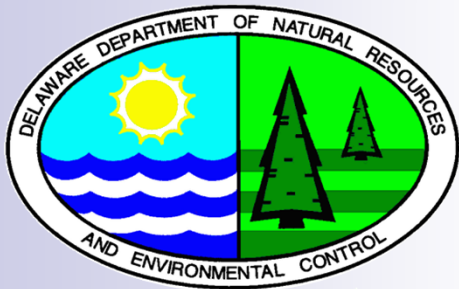


Next Meeting?



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Closing Comments



November 1, 2018

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