



DNREC Virtual Public Hearing

**FUJIFILM Imaging Colorants, Inc.'s Request for Major Modification to a Coastal Zone Act Permit
(CZA-441M-1)**

Docket No.: 2023-P-CCE-0010

Welcome. Any visual content that is part of this hearing will appear in this window.

You can use your computer audio to listen to this hearing. Use the audio connections menu to turn computer audio on or off. Or you can dial-in to the hearing using the following information:

Dial-In: 1-305-224-1968

Meeting ID: 940 6422 0413

Passcode: 875460

Comments can be offered tonight or by using the DNREC comment form, via email, or by USPS mail as noted on the hearing event page (de.gov/dnrechearings) through **May 18, 2023**.

Introduction



- The Coastal Zone Act regulates new and existing manufacturing, heavy industry, and bulk product transfer activities within the state's designated coastal zone through a permitting system
- The state coastal zone defined in 7 Del. C. §7002(i) generally runs the length of the state along the Delaware River, C&D Canal, Delaware Bay, Inland Bays, and Atlantic Ocean

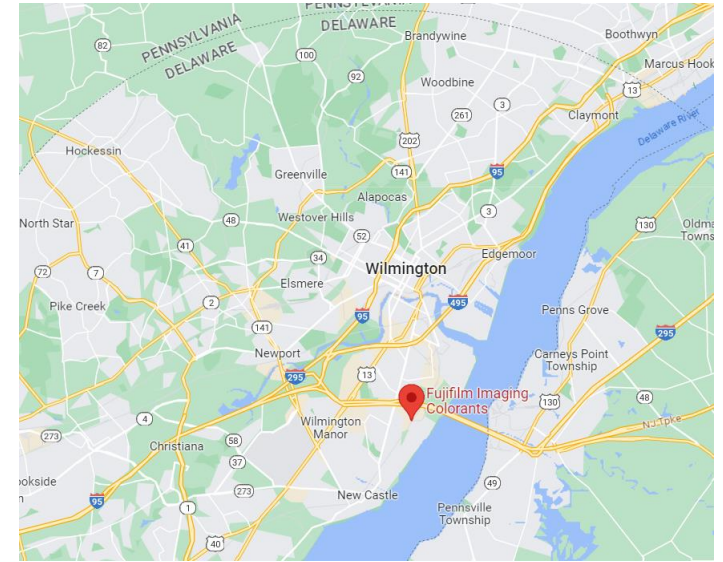


Introduction

- Amendments to *the Regulations Governing Delaware's Coastal Zone*, in 2019 incorporated provisions for a permittee to request a major modification to a substantive term of an existing coastal zone permit, rather than apply for a new one
- Major modification requests require a 20-business day public comment period
- Based on prior public interest in this proposed activity, the Secretary decided a public hearing should be held
- If the Secretary grants a request for modification, only the permit conditions subject to modification are reopened

Background

- FujiFilm Imaging Colorants, Inc. (“FujiFilm”) is a printer ink manufacturing facility located within the coastal zone at 233 Cherry Lane, New Castle, DE 19720
- FujiFilm applied for a standard coastal zone permit in 2021 to manufacture 110 tons per year of high-performance aqueous pigment dispersions for ink jet printer ink (“Project Marconi” or “L44”)
 - Permit was issued July 25, 2021 (CZA-441P)
 - Appeal was filed within 14 days of the notice of the decision
 - Coastal Zone Industrial Control Board upheld DNREC’s decision



Background

- FujiFilm submitted a modification application for this activity on October 20, 2022 that was deemed administratively complete on November 16, 2022
- A substantive error was discovered in the offset calculation
- The public hearing scheduled for December 20, 2022 was canceled
- The October 20, 2022 application was withdrawn
- The error was corrected and the application was resubmitted after additional consultation with DNREC staff

Project Summary

- FujiFilm is proposing to modify permit CZA-441P to increase production from 110 tons per year to 220 tons per year (CZA-441M)
 - Introduce additional equipment to the site and a new boiler building
 - Use same processes to produce the same products described and permitted under CZA-441P
 - Qualifies as a change to a substantive term of the original permit and can be processed as a request for major modification
- Confidentiality granted by the Secretary on April 28, 2021, under CZA-441P applies to this modification

Major Modification Review

- FujiFilm and DNREC coordinated for several months over multiple application revisions to reach administrative completeness
 - Coordinated with other sections within DNREC
 - DNREC requested more information regarding:
 - Emissions calculations
 - Offset proposal – focus on onsite emissions reductions
 - Public engagement
 - Local hiring preferences
- FujiFilm submitted a final application on February 9, 2023



Major Modification Review

- Secretary declared the application administratively complete on April 3, 2023
- The application was noticed and made available for public comment on April 12, 2023
 - The News Journal
 - Delaware State News
 - DNREC website (English and Spanish)
 - Direct email to Coastal Zone Act Email List subscribers
- The hearing was added to the Delaware Public Meeting Calendar on April 19, 2023

Environmental Impacts

Air emissions would result from:

- 2 natural gas boilers
- HVAC unit

Negative environmental impacts must be more than offset

Note: emission levels are below the Environmental Protection Agency (EPA) level of concern for impacts to human health

Pollutant	Air Emissions (tons per year)
Nitrogen Oxides (NO _x)	0.991
Carbon Monoxide (CO)	2.244
Particulate Matter (PM)	0.302
Sulfur Dioxide (SO ₂)	0.024
Total Organic Compounds	0.437
Nitrous Oxide (N ₂ O)	0.026
Carbon Dioxide (CO ₂)	4,769.318

Environmental Impacts

- Wastewater and stormwater would remain within permitted levels
- No increase in impervious surface
- Solid waste disposal would occur offsite; mitigated through reuse and recycling
- Employees are trained on spill response and spill kits are readily accessible

Community Impacts

- Economic
 - Local hiring preferences
 - Local contracting, construction materials
 - Increased tax revenue
- Public Engagement Plan
 - Involvement with WILMAPCO Route 9 Corridor Public Health Subcommittee
 - Site visit invitation for civic association leaders

Offset Proposal

FujiFilm proposes to offset new emissions by:

- Retiring 2 smaller boilers with uncontrolled NO_x emissions
- Replacing 3 propane operated forklifts with electric forklifts (and utilizing solar power for all electric forklifts – including previous project)
- Purchasing 1 NO_x emission reduction credit from Division of Small Business

Pollutant	New Emissions (TPY)	Total Offset (TPY)
NO _x	0.991	1.667
CO	2.244	3.510
PM	0.302	0.319
SO ₂	0.024	0.025
TOC	0.437	0.517
N ₂ O	0.026	0.092
CO ₂	4,769.318	5,074.535

Emissions would be more than offset

Emission Reduction Credit

- The Delaware emission reduction credit (ERC) banking system was approved by the EPA.
- The EPA recognizes that in order to avoid increases in emissions without hindering economic growth, proposed emission increases from new or modified facilities can be balanced by equivalent or greater reductions from existing sources.
- ERCs are for real, surplus, enforceable, permanent, and quantifiable emissions.

Public Hearing

- The purpose of this public hearing is to solicit public comment on the major modification application submitted by FujiFilm
- No decision on the modification application will be made tonight
- The public comment period is open through May 18, 2023
- The DNREC Secretary will make a decision once the record has been closed and reviewed

List of DNREC Exhibits

1. CZA Major Modification Application
2. Request for confidentiality
3. Secretary's Assessment Report
4. The News Journal Affidavit of Publication
5. Delaware State News Affidavit of Publication
6. DNREC website public hearing notice - English
7. DNREC website public hearing notice - Spanish
8. DNREC public hearing webpage
9. Public notice to Coastal Zone Act Email List
10. Delaware Public Meeting Calendar notice
11. DNREC hearing presentation





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Thank you for joining us. We will accept comments on this matter through **May 18, 2023.**

You can submit comments by using the DNREC comment form,
via email, or by USPS mail as noted on the hearing event page.

A copy of the Court Reporter's full, verbatim transcript will be posted on this hearing's webpage
as soon as it becomes available.

For more information, find the event page for this hearing on the DNREC Public Hearings page
(de.gov/dnrechearings).