



DEBRA J. HEFFERNAN
STATE REPRESENTATIVE
6TH District

HOUSE OF REPRESENTATIVES
STATE OF DELAWARE
411 LEGISLATIVE AVENUE
DOVER, DELAWARE 19901

COMMITTEES
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Natural Resources, Chair
Capital Improvement, Vice-Chair
Health & Human
Development
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Natural Resources Committee Meeting Minutes

5.8.19

Chair Heffernan called the meeting to order at 4:11 p.m. Members present included Vice Chair Griffith and Reps. Bush, Carson, Collins, Gray, and Kowalko. Rep. Brady was also present. For a list of guests present, please see the attendance list below

Chair Heffernan introduced **HB 119, AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO QUALIFIED AGENCIES AUTHORIZED TO RECEIVE GRANTS FROM THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL**. She said the bill would allow non-profit corporations like the Diamond State Sustainability Corporation to be eligible to receive grants approved by the Water Infrastructure Advisory Council that assists low and moderate income residents and communities in lower Delaware. She added the bill would help many communities.

Rep. Kowalko asked if the funds coming from the Delaware Department of Natural Resources and Environmental Control (DNREC) are in their budget or fines that were levied.

Secretary Shawn Garvin of DNREC answered that it would allow the non-profits to draw from the state revolving loan money the state receives from the federal government. He added this is related to DNREC's focus on underserved communities.

President Jeremy Kalmbacher of the Diamond State Sustainability Corporation (DSSC) stated the organization helps low and moderate income communities with family community septic systems. DSSC would be eligible for the grants and still follow the same process as municipalities.

Chair Heffernan requested a motion.

A motion was made by Vice Chair Griffith and seconded by Rep. Carson to release HB 119 from committee; motion carried. Yes= 7 (Heffernan, Griffith, Bush, Carson, Collins, Gray, Kowalko); No= 0; Absent= 3 (Bentz, Postles, Shupe). The bill was released from committee with a F=0, M=8, U=0 vote.

Chair Heffernan called on Rep. Brady to introduce **HB 130, AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO RECYCLING AND WASTE REDUCTION**. Rep. Brady stated the goal of the bill is to minimize adverse impacts on the environment. As of January 1, 2021, the bill would enforce that no store can provide single-use carryout plastic bags. The bill would exempt plastic bags used to wrap frozen foods, sold in packages, used to transport live animals, used to transport chemicals and other caustic materials, non-handled bags used to protect a purchased item, provided to contain an unwrapped food item, and non-handled bags designed to be placed over clothing on a hanger. Stores are encouraged to provide paper or reusable bags at no cost to people participating in the Temporary Assistance for Needy Families and the Women, Infants, and Children programs. Stores with 7,000 or more square feet in retail, or ones with 3 locations each with 3,000 square feet must adhere to this bill.



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Rep. Collins asked how the word “uses” in the definition of “reusable bag” is determined.

Rep. Brady answered that it is an American Society for Testing and Materials standard in the industry.

Chair Heffernan opened the floor for public comment.

Cheryl Siskin, a member of the executive committee of the Delaware Sierra Club, expressed their strong support for the bill because plastic bags have created enormous environmental problems. Her full testimony is included with this set of minutes.

Sherry Marsico, a member of the public, stated how plastic debris litters roads, storm drains, rivers, streams, and trees. Plastic bags come from crude oil and has a useful life of approximately 20 minutes and then spends the next 1,000 years in a landfill. Delaware would join California and Hawaii in banning single-use plastic bags. She cited that in San Jose and Seattle, cities that implemented a ban, trash dumped into a landfill decreased by 50 percent in 5 and 7 years, respectively. She supports the bill and wants Delaware to be a leader on the issue.

Patty Isaacs-Hansen, a member of the public, explained her support of the bill because hundreds of millions of plastic bags are used in Delaware each year. Plastic bags pollute streets, sidewalks, trees, parking lots, roadways, and rivers. Her full testimony is included with this set of minutes.

Trē Sullivan, a member of the Board of Directors for Plastic Free Delaware, noted 4,000 Delaware residents signed a petition to curb plastic pollution. She added her support for the bill because legislation is the only way out of the predicament.

Co-chair John Mears of the St. Peter’s Church Green Team agreed with previous statements and called the bill a necessary first step.

Owner Robert Tunnell of Blue Hen Disposal spoke in support of the bill because they are a major item of contamination at their single-stream recycling facility and a major source of litter.

Organizer Stephanie Herron of the Environmental Justice Health Alliance for Chemical Policy Reform strongly supported the intent of the legislation and goal of reducing single use plastic. Plastic bags are usually made from oil and oil refineries are disproportionately located in low-income communities and communities of color. These communities deal with the negative health effects of plastic production.

Chuck Wagner member of Plastic Free Delaware, expressed his support for the bill.

Jigar Patel, a student at Odyssey Charter School, supported the bill because less than 2 percent of plastic film is recycled while the remaining contributes to litter pollution, and passage of the bill would help everyone.

Grace Degnars, a student at Odyssey Charter School, spoke in support of the bill because of the harm plastic bags can cause to animals and sea creatures.



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Shannon Quinn, a student at Odyssey Charter School, explained her support for the bill to help protect future generations.

Jasmine Ryarire, a student at Odyssey Charter School, expressed support for the bill because plastic bags harm the environment and the solution is reusable bags.

Hayden Gi, a student at Odyssey Charter School, stated his support for the bill.

Paul Terranova, a student at Odyssey Charter School, added his support for the bill.

Rusty Lloyd, a student at Odyssey Charter School, spoke in support of the bill.

Lincoln Willis, on behalf of the Delaware League of Local Governments, added their support for the bill.

Advocacy Coordinator Laura Miller of the Delaware Nature Society outlined their support for the bill. Her full testimony is included with this set of minutes.

Sabin Lowe, a student at Newark Charter High School and representing their Marine Science Club, supported the bill to help reduce climate emissions.

Tara Cain, a student at Newark Charter High School and representing their Marine Science Club, expressed support for the bill because it will reduce the danger from micro-plastics.

Justin Duca, a student at Newark Charter High School and representing their Marine Science Club, spoke in favor of the bill to protect and leave behind a clean Earth.

Owner Richard Kenny of Shoprite of Delaware spoke against the bill because it claims to be an anti-litter bill, but paper is not good for the environment and successful models place fees on both paper and plastic. Plastic bags are littered by the consumers, not the stores. He added the bill still mandates stores accept recycled bags despite not using them anymore.

Executive Director Julie Miro Wenger of the Delaware Food Industry Council asked the state to reconsider a bill that places a fee or bans both paper and plastic because this bill will not change behavior or cause less consumption.

Chris Edginton, community coalition member of the Sussex Health and Environment Network, expressed support for the bill.

Alonia Needs, a member of the public, gave her full support for the bill because we must think about the impact on future generations.

Rep. Kowalko said all plastic, especially reusable plastic bags, poses a serious environmental health threat to every creature on this planet. They threaten the delicate balance of nature and is a result of the use and abuse of fossil fuels. We can decrease the use of fossil fuels and mitigate the ramifications of them. This bill is a step to help stop this. He added that we have to look at the problem as a concern for future



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generations and the environment. He said he stands by all the people who spoke in support of the bill today.

Chair Heffernan requested a motion.

A motion was made by Rep. Kowalko and seconded by Rep. Bush to release HB 130 from committee; motion carried. Yes= 8 (Heffernan, Griffith, Bush, Carson, Kowalko, Collins, Gray); No= 0; Absent= 3 (Bentz, Postles, Shupe). HB 130 was released from committee with a F=1, M=5, U=0 vote.

Chair Heffernan adjourned the meeting at 5:06 p.m.

Respectfully submitted by:

Davis Braun

In attendance:

Christine Schiltz, Parkowski Guerke & Swayze
Jeremy Kalmbacher, Diamond State-Sustainability Corporation
Cheryl Siskin, Sierra Club and Plastic Free Delaware
Sherry Marsico, a member of the public
Patti Isaacs-Hansen, a member of the public
Trē Sullivan, Plastic Free Delaware
John Mears, St. Peter's Episcopal Church Green Team
Robert Tunnell, Blue Hen Disposal
Sabin Lowe, Newark Charter High School
Tara Cain, Newark Charter High School
Justin Duca, Newark Charter High School
Laura Miller, Delaware Nature Society
Lincoln Willis, Delaware League of Local Governments
James DeChene, Delaware State Chamber of Commerce
Brenna Goggin, Delaware Nature Society
Richard Kenny, Shoprite of Delaware
Julie Miro Wenger, Delaware Food Industry Council
Chris Edginton, Sussex Health and Environment Network
Alonia Needs, a member of the public
Chuck Wagner, Plastic Free Delaware
Stephanie Herron, Environmental Justice Health Alliance
Jigar Patel, Odyssey Charter School
Grace Degnars, Odyssey Charter School

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