DSPC MINUTES OF BOARD MEETING
Public Session

June 15, 2026, at 9:00 a.m.
Buena Vista, 661 S. Dupont Hwy, New Castle, DE
And Virtual

DSPC Board of Directors:

Charuni Patibanda-Sanchez	Chair	Present
Fred Sears, II	Vice Chair	Present
Karen Bifferato	Director	Present
Darius Brown	Director	Present*
David Burt	Director	Present
Joshua Bushweller	Director	Present*
Ronald “Kimoko” Harris	Director	Not Present
Shante Hastings	Director	Present*
Debra Heffernan	Director	Present*
Robert “Jerry” Medd	Director	Present
Ruth Ann Miller	Director	Present*
Michael Smith	Director	Present

Also Present:
Bobbi DiVirgilio, DSPC Secretary
Joel Heller, DSPC Treasurer
Brian Devine, DSPC Interim Executive Director
Katherine Betterly, Morris Nichols
Tom McGonigle, Barnes & Thornburg
Carter Dillon*
Chris Rubino, KCI Technologies
Darryl Baker, Representative of Holt Logistics
Diego Lopez, Enstructure*
Eryn Dinyovszky, Enstructure*
Eugene Young, Enstructure*
Jen Pawloski*
George Lynch, KCI Technologies
Kyle Connor*
Laurie Stovall, Enstructure*
Richard Korn*
Sophia Voight*
Zoom User Identified as “Anthony F” *

**Attended Virtually*

I. Chair Welcome

The meeting was called to order at 9:03 a.m. with Charuni Patibanda-Sanchez, Chair of the Board, presiding. The Chair welcomed everyone to the public session and each of the members of the Board of Directors introduced themselves.

II. Executive Session

A motion was made and seconded at 9:04 a.m. to enter executive session to discuss strategy sessions involving legal advice and to discuss the content of documents excluded from the definition of public record in §10002 of Title 29.

III. Public Session

At 9:38 a.m. the meeting returned to public session. The Chair welcomed everyone back to the public session.

IV. Consideration of Public Session Minutes of the May 22, 2026 Meeting

The Chair confirmed all the members received and reviewed the minutes from the public session of the May 22, 2026 Board meeting. **Board Director Burt made a motion to approve the public session minutes, and Board Director Smith seconded the motion. With no opposition, the motion was carried unanimously.**

V. Consideration of the Executive Session Minutes of the May 22, 2026 Meeting

The Chair confirmed all the members received and reviewed the minutes from the executive session of the May 22, 2026 Board meeting. **The Vice Chair made a motion to approve the executive session minutes, and Board Director Burt seconded the motion. With no opposition, the motion was carried unanimously.**

VI. DSPC Updates and Executive Director Report

The Chair welcomed Interim Executive Director Devine to provide his report. The Executive Director reported as follows:

- Port Environment Compliance Progress:
  - Enstructure continues to be responsible for environmental compliance at the Port of Wilmington ("POW") and Edgemoor.
  - Resource Conservation and Recovery Act ("RCRA") monitoring was completed at Edgemoor during for the first quarter and second quarter monitoring is ongoing.
  - DSPC filed its annual status report with the Delaware River Basin Commission.
  - The City Fire Marshall continues to conduct regular inspections at the Port of Wilmington ("POW"). Some maintenance issues were identified and have been addressed by Enstructure.
  - The Delaware Department of Natural Resources and Environmental Control ("DNREC") Sediment and Stormwater group conducted their annual inspection at POW, which identified some minor issues related to maintenance of aging infrastructure. Those issues are currently being addressed.

- External Engagement:
  - DSPC will continue to participate in the United States Army Corps of Engineers ("USACE") Philadelphia District's Dredge Materials Management Planning Effort through 2026.
  - WILMAPCO's study of 12th Street traffic will continue through the summer and fall. This study will focus on the truck traffic. WILMAPCO is holding a community information session on June 16th at the Neighborhood House.

    - DSPC encourages use of its website for the community to submit their feedback.
- Delaware Container Terminal ("DCT") Development Progress:
    - The preliminary development phase has been completed, and the project construction will continue.
    - Pursuant to Resolution #26-05, DSPC entered into an amendment to the Joint Development Agreement between DSPC and Enstructure.
    - DSPC approved the execution of the construction phase agreements for DCT.
    - The DCT project delivery team continues to engage with regulatory agencies on construction, submissions, reviews and approval activity through DNREC's Sediment and Stormwater Group, DNREC's Remediation Section of the Division of Waste and Hazardous Substances and the USACE.
    - DSPC's consultants have been collecting pre-construction samples near the Brandywine and Christina rivers documenting the presence of the target mitigation species.
    - DSPC representatives attended the May open house and site tours of the DCT site hosted by Enstructure.

- DSPC Grant Updates
    - DSPC continues to work with the site operations team on the implementation, negotiation and solicitation of grant opportunities.
    - The EPA Clean Port Grant is continuing through the procurement phase.
    - DSPC has executed the PIDP grant. This is a $50 million federal grant in support of a portion of the DCT project.
    - DSPC continues to work with MARAD on the negotiation of a $2 million grant through the Community Project Funding for POW dock repairs.
    - DSPC submitted a 2026 PIDP grant application which would support additional infrastructure improvements in POW.

VII. Port Wilmington Update

The Chair welcomed the President of Enstructure Mid-Atlantic, Eryn Dinyovszky, and Eugene Young, Senior Vice President of Enstructure, to the meeting and asked that they provide an update on the POW.

Ms. Dinyovszky began the Port Wilmington update by stating that due to the reduction in STS crane downtime, Chiquita Explorer 73 had its most productive period of the year. She added that Enstructure has made a multi-million-dollar investment in two mobile harbor cranes and additional equipment for POW. Ms. Dinyovszky concluded this update by stating that this equipment will improve flexibility and reliability across port operations.

VIII. Edgemoor Expansion Update

The Chair invited Enstructure to provide an update on the expansion project.

Diego Lopez of Enstructure provided a brief update on the Edgemoor expansion, stating that the preliminary state design has been finalized and Enstructure intends to move into construction in June.

Eugene Young of Enstructure commented that the next community tour of DCT will occur on June 20th and asked for anyone who is interested in attending to please sign up as soon as possible. Mr. Young noted that representatives from the Edgemoor Port Terminal Truck Routing Feasibility Study will be available at this tour to answer questions and provide information about traffic planning. Following a question from a Board Director, Mr. Young noted that the registration deadline (initially June 15th) was extended following addition of the representatives from the Edgemoor Port Terminal Truck Routing

Feasibility Study.   Executive Director Devine added that the details of this community tour have been advertised on social media and other means for public information.

There being no further questions or discussion, Enstructure thanked DSPC for their continued support.

IX. Action Items/Resolutions

a. **<u>Resolution #26-06 – Authorizing of Tolling Agreement</u>**: Ms. Betterly briefed the Board on this resolution, noting that it will allow DSPC to enter into a tolling agreement with Richard E. Pierson Construction Co. and Enstructure to suspend the statute of limitations enabling the parties to discuss a resolution.   She further explained that this is related to a letter of protest that Enstructure received from a vessel owner regarding alleged damage sustained by their vessel at the POW on or about January 7, 2026.

   Before taking questions and comments from the Board, the Chair invited the public to make comments on this resolution only, noting general public comments can be made at the end of the meeting. No public comments were made.

   There being no questions or further discussion from the Board, the Chair invited a motion. **Accordingly, a motion to approve was made by Board Director Burt and seconded by Board Director Medd. With no opposition, Resolution #26-06 was unanimously approved.**

X. General Public Comment

Being no further questions or comments from the Board, the Chair opened the meeting for public comments. No public comments were made.

With there being no further questions or comments, the Chair thanked all for attending. **The Chair made a motion to adjourn, and the Vice Chair seconded the motion. With no opposition, the meeting was adjourned at 10:02 a.m.**

Minutes Respectfully Submitted by Bobbi DiVirgilio