



TO: Lisa Vest, Hearing Officer

Action Requested

Disposition Requested

- For your Approval/Signature
- Review and Comment
- For your Information

Return to: Rebar
Mail to: _____
Other: _____

Approvals Required Prior to Submission:

	<u>Initials</u>	<u>Date</u>
<u>1 Steven Smailer</u>	<u><i>SS</i></u>	<u>7/29/22</u>
<u>2 Jennifer Roushey</u>	<u>JR</u>	<u>7/29/22</u>
<u>3 John Rebar Jr</u>	<u><i>Je</i></u>	<u>7/28/22</u>
<u>4</u>	<u>_____</u>	<u>_____</u>
<u>5</u>	<u>_____</u>	<u>_____</u>
<u>6</u>	<u>_____</u>	<u>_____</u>

Remarks: TRM for Midway Services, Inc.
Non-Hazardous Liquid Waste Transporters Permit

From: John Rebar Jr Ext. 9327 Date 07/28/2022




STATE OF DELAWARE
**DEPARTMENT OF NATURAL RESOURCES AND
ENVIRONMENTAL CONTROL**
DIVISION OF WATER
RICHARDSON & ROBBINS BUILDING
89 KINGS HIGHWAY
DOVER, DELAWARE 19901

Commercial & Government Services

Telephone: (302) 739-9948

TECHNICAL RESPONSE MEMORANDUM

To: Lisa A. Vest, Hearing Officer

Through: Steven Smailer, P.G., Director, Division of Water (DW) 
Jennifer Roushey, Environmental Program Administrator, DW JR 7.29.22
John Rebar Jr., Environmental Program Manager II, DW JR-7.28.22

From: Katharyn Potter, Engineer II, DW KP-7.28.22

RE: Response to comments received during the Public Hearing (Docket #2020-P-W-0007) held on July 7, 2020, and associated Comment Period, on the proposed State of Delaware Non-Hazardous Liquid Waste Transporters Permit Amendment (Permit No. DE WH-152) authorizing the transportation of septage by Midway Services, Inc. to Clean Delaware, LLC for final disposal.

Date: July 28, 2022

This Technical Response Memorandum (TRM) was prepared at the request of the presiding Hearing Officer to assist in the completion of the Hearing Officer's Report to the Secretary of the Delaware Department of Natural Resources and Environmental Control (the Department). The TRM was prepared by the Division of Water (DW) and provides the information necessary to inform the final decision on the issuance of the proposed State of Delaware Non-Hazardous Liquid Waste Transporters Permit Amendment (Permit No. DE WH-152) authorizing Midway Services, Inc. to transport septage to Clean Delaware, LLC as an additional disposal site. Please note that Clean Delaware, Inc. changed its name to Clean Delaware, LLC in 2004. See Appendix I.

On February 9, 2019, the Department's Division of Water issued a State of Delaware Non-Hazardous Liquid Waste Transporters Permit (Permit No. DE WH-152) authorizing Midway Services, Inc. to operate and maintain its vehicle(s) for the purpose of collecting, transporting through Delaware, and disposing of non-hazardous liquid waste (i.e., septage, holding tank waste, grease trap and/or cooking oil waste) to the Kent County Sewer System. Specifically, Kent County's Pump Station No. 1 located on US-13 in Smyrna or at the Kent County Regional Resources Recovery Facility located at 139 Milford Neck Road in Milford.

On April 3, 2019, the Transporters Permit was amended to also authorize the collection, transportation, and disposal of septage and holding tank waste to the Sussex County Sewer System. Specifically, the Inland Bays Regional Wastewater Treatment Facility located on the north side of County Road 306, between County Road 307 and 303 in Sussex County.

The Transporters Permit is currently in effect until February 8, 2024, and includes septage pumping reporting requirements and vehicle operation, maintenance, and insurance requirements designed for the protection of public health and the environment as required by 7 Del. Admin. C. §7101 *Regulations Governing the Design, Installation and Operation of On-Site Wastewater Treatment and Disposal Systems* (the Regulations).

On January 8, 2020, the Division of Water received an application to amend Midway Services, Inc.'s Transporters Permit to authorize the collection, transportation, and disposal of septage at Clean Delaware, LLC. The septage will be lime treated and land applied in accordance with an Agricultural Utilization Permit (AGU 1702-S-03) issued by the Department. After finding the application was administratively complete, the Division advertised the amendment request on January 12, 2020. A request for a public hearing on the application was received on January 24, 2020. A proposed Draft Non-Hazardous Liquid Waste Transporters Permit Amendment (Permit No. DE WH-152) was prepared and the decision to hold a Public Hearing was advertised. However, the Public Hearing was then postponed because of the emergency impacts of the COVID-19 pandemic. A virtual public hearing for this application was then advertised in the *Delaware State News* on June 17, 2020, and the *News Journal* on June 18, 2020.

A virtual public hearing was held on the Midway Services, Inc.'s application and proposed draft permit amendment on Tuesday, July 7, 2020, at 6:00 PM. To allow the public ample time to review the application, amendment request documents, proposed draft permit, and provide comment, the Hearing Officer left the hearing record open until Friday, July 24, 2020. During the Division's review of the written comments to prepare this *response to comments* document, the Division paraphrased and grouped similar comments together. Comments and the Division's responses follow.

- 1. Why is Midway Services, Inc. seeking authorization to discharge septage at Clean Delaware, Inc. [Clean Delaware, LLC]? The company is authorized to discharge septage to the Kent and Sussex County sanitary sewer systems. Is Midway Services, Inc. prohibited from discharging to those systems? Is the material discharged at [Clean Delaware, LLC] considered more hazardous and therefore not accepted at the County facilities?**

Section 5.3.32 of the *Regulations Governing the Design, Installation and Operation of On-Site Wastewater Treatment and Disposal Systems* (the Regulations) states [in part] that "no person shall haul, convey, or transport any non-hazardous liquid waste in any container" without a [transporters] permit issued by the Department. In addition, the Regulations define "non-hazardous liquid waste" as "any industrial waste or sewage or other wastes or any combination thereof which may potentially alter the chemical, physical or biological integrity of water from its natural state." This waste classification applies to septage (including portable toilet wastewater), grease trap/cooking oil waste, sewage, and biosolids generated by wastewater treatment systems.

The Department issues Non-Hazardous Liquid Waste Transporter Permits that not only authorize the transportation of specific non-hazardous liquid waste types but, also authorizes the facilities that may be utilized for the disposal of each waste stream. Each

disposal facility has specific requirements for what the facility will accept and not every disposal facility can/will accept every regulated waste stream. Therefore, it is not uncommon for a transporter to be authorized to transport and dispose of waste at multiple locations.

Midway Services, Inc. is seeking to add Clean Delaware, LLC to their transporters permit as an authorized facility for the disposal of septage. The permit will still authorize Midway to utilize Kent and Sussex infrastructure and facilities for the disposal of septage and other waste streams. See Appendix II: Kent County's letter authorizing waste disposal at their facilities and Appendix III: Sussex County's letter authorizing waste disposal at their Inland Bays' facility.

2. Is the request for a permit amendment application technically complete? What is the quantity, quality, hauling frequency, and hauling schedule authorized by this permit amendment? What is the source of the septage? What are the limitations (volumes/weight, waste quality, and hauling frequency) associated with hauling septage to [Clean Delaware, LLC]?

Section 5.3.32.3 of the of the *Regulations Governing the Design, Installation and Operation of On-Site Wastewater Treatment and Disposal Systems* (the Regulations) states [in part] that a technically complete application must include:

- a) Company and Owner's Information
- b) A list of Class F licensees working for the company
- c) A detailed description of the transport vehicles to include vehicle type, make and model, vehicle year, license number, state of registration, capacity size, number, and all modifications made to prevent spills and leaks
- d) Type(s) of non-hazardous liquid waste being transported
- e) List of all disposal facilities to be utilized, for each waste stream
- f) Approval letters/documents from each disposal facility
- g) An operations plan to include transportation route, days and hours of operation, spill reporting and cleanup plans, plans to keep transportation vehicles clean, and recordkeeping procedures
- h) Certificate of Insurance
- i) Copy of Bond (if applicable)

All required information and documents were submitted as part of the amendment request or were already on-file at the Department (associated with the original permit) and the application for the amendment was deemed technically complete. Appendix IV contains the complete application which was also submitted as an exhibit during the Public Hearing. In accordance with the information associated with the amendment request, Midway Services, Inc. intends to operate a 2016 Peterbilt 386 custom waste hauling truck with a 2,500-gal storage capacity. The company intends to operate Monday through Friday (6:00 AM to 4:00 PM) and Saturdays and Sundays on an emergency basis. The company will collect and transport residential septage throughout Kent and Sussex Counties. The company anticipates approximately 1,113,150 gallons per year of septage waste will be permitted to be discharged at Kent and Sussex County facilities and at Clean Delaware,

LLC. Please note the septage volume is an estimate and the Regulations *do not require* hauling limits in transporters permits. However, septage pumping records are submitted to the Department in accordance with Section 4.12.6.7.1 of the Regulations.

3. Why does DNREC not include requirements for random testing of waste being hauled for pathogens such as hepatitis or the coronavirus or dangerous chemicals and other contaminants such as PFAS, heavy metals, illegal drugs, and their components, etc. that can find their way into groundwater?

The Department issues Non-Hazardous Liquid Waste Transporters Permits to specifically regulate the safe hauling, conveyance, or transport of any non-hazardous liquid waste with the intention of delivering this non-hazardous liquid waste from one location to another over the public roads of the State of Delaware. Midway Services Inc. is seeking to have their Transporters Permit amended to collect, transport, and dispose of septage to Clean Delaware, LLC. Midway is already authorized to collect, transport, and dispose of septage to Kent and Sussex County infrastructure and facilities. While septage can include disease-causing viruses, bacteria, and parasites, along with high levels of organic and inorganic constituents that could impact the environment; the treatment and disposal of the septage is regulated through the treatment and disposal permits of the facilities receiving the waste.

In addition, septage as a waste stream, is well characterized in the scientific literature (see Table 1) and therefore the Department does not require routine or random sampling.

Table 1: Physical and Chemical Characteristics of Septage

Parameter	Average	Minimum	Maximum	Variance
TS	34,106.00	1,132.00	130,475.00	115.00
TVS	23,100.00	353.00	71,402.00	202.00
TSS	12,862.00	310.00	93,378.00	301.00
VSS	9,027.00	95.00	51,500.00	542.00
BOD5	6,480.00	440.00	78,600.00	179.00
COD	31,900.00	1,500.00	703,000.00	469.00
TKN	588.00	66.00	1,060.00	16.00
NH3-N	97.00	3.00	116.00	39.00
TOTAL P	210.00	20.00	760.00	38.00
ALKALINITY	970.00	522.00	4,190.00	8.00
GREASE	5,600.00	208.00	23,368.00	112.00
PH		1.50	12.60	8.00
LAS		110.00	200.00	2.00

Citation: EPA Handbook [EPA-625/6-84-009] *Septage Treatment and Disposal* (1984)

The Transporters Permit does include operational and maintenance requirements to ensure that septage and other non-hazardous liquid wastes are collected and transported in a manner that is protective of public health and the environment. All vehicles used to

transport septage and other waste must be operated and maintained in compliance with all State and Federal Transportation Regulations. Every vehicle used for waste transporting purposes must be equipped with a leak-proof tank or body and must be maintained in a clean and sanitary condition. All pumps, hoses, and vehicle tanks or bodies must be maintained to prevent leakage. Provisions must be made to discharge all liquid waste through a leak-proof hose from the tank compartment of the vehicle; and all waste transporting truck pumping and discharge hoses shall be fitted with automatic shut-off valves at the tank compartment of the vehicle(s). In addition, all vehicles must include a copy of the Transporters Permit and a copy of a Spill and Cleanup Plan. The plan must include the following elements:

- a. Department Notification (spill hotline)
- b. Name of the individual reporting the spill
- c. Date and time the spill occurred
- d. Location of the spill
- e. Identification of the substance spilled
- f. Amount spilled (estimated)
- g. The time and duration of the spill
- h. Description of cleanup activities

Once a transporter safely delivers non-hazardous liquid waste to an authorized facility it is that facility's responsibility to safely treat and/or dispose of the waste in a manner that is protective of public health and the environment. All disposal facilities that receive non-hazardous liquid waste are permitted by the Department. The permits issued to these facilities include effluent limitations (if applicable), monitoring, reporting, and operational requirements. Facilities that receive septage for land application (i.e., Clean Delaware, LLC) have permit requirements that include treatment stabilization (usually with lime), composite sampling for nutrients, metals, pH, and other inorganics, soil monitoring, groundwater monitoring, and land application at specific agronomic rates. In addition, Section 3.20 of the Regulations authorizes the Department to require Permittees to take all necessary actions to eliminate and correct any adverse impact on public health or the environment resulting from Permit noncompliance.

4. What is the impact to public health and the environment of discharging septage at Clean Delaware, Inc.? Comments alleged groundwater contamination at the site and additional discharges will only exacerbate the situation.

Please note, this hearing matter is specific to the transport of non-hazardous liquid waste by Midway Services, Inc. to Clean Delaware, LLC. The land application of the septage is permitted via AGU Permit # 1702-S-03 and is not the subject of this application. It should also be noted that Clean Delaware's AGU Permit # 1702-S-03 was recently advertised for renewal and a virtual public hearing was held on April 27, 2022. There were no public attendees at the public hearing and no comments were received; however, the public hearing website contains a wealth of information concerning current conditions at Clean Delaware and permit conditions that are in place to protect public health and the environment. The public hearing website can be found at:

<https://dnrec.alpha.delaware.gov/events/public-hearing-clean-delaware-agricultural-utilization-permit-renewal/>.

Recommendation

Midway Services, Inc.'s application submittal for the proposed Non-Hazardous Liquid Waste Transporters Permit Amendment is complete and in accordance with applicable Department's regulatory requirements of 7 Del. Admin. C. § 7101 *Regulations Governing the Design, Installation and Operation of On-Site Wastewater Treatment and Disposal Systems*. This permit specifically governs the safe hauling, conveyance, or transport of non-hazardous liquid waste (i.e., septage) with the intention of delivering this waste from one location to another over the public roads of the State of Delaware. The proposed permit is written to be protective of human health and the environment, and consistent with applicable State and Federal Regulations.

Therefore, the Division of Water recommends issuance of the Non-Hazardous Liquid Waste Transporters Permit Amendment (DE WH-152) as proposed and without significant changes to Midway Services, Inc. authorizing the transportation of septage to Clean Delaware, LLC as an additional disposal site. See Appendix V.

Appendix I

Clean Delaware, L.L.C.
P. O. Box 123
Milton, Delaware 19968
302-684-4221 Fax 302-684-1850

August 13, 2004

State of Delaware
D.N.R.E.C.
Division of Water Resources
P. O. Box 1401
Dover, Delaware 19903-1401

Att: Stephen Rohm

RE: Name Change of Permits


Mr. Rohm:

We respectfully request a name change on permits granted to Clean Delaware, Inc.- Delaware Waste Transporters Permit, Permit No. WH-13 and Clean Delaware Land Treatment, Permit No. AGU 0021/92C from Clean Delaware, Inc. to Clean Delaware, L.L.C.

Clean Delaware L.L.C. will continue to follow all guidelines as outlined in the permits.

Thank you for your cooperation with this change.

Respectfully,


Clean Delaware, L.L.C.
Greg Steiner



Appendix II

Kent



County

RECEIVED
DEC 17 2018
GROUNDWATER

Engineering Division
Phone: 302-744-2430
Fax: 302-736-2100

Department of Public Works
Engineering Division

139 Milford Neck Road
Milford, DE 19963

Environmental Programs
Phone: 302-335-6000
Fax: 302-335-0365

www.co.kent.de.us

December 14, 2018

Ms. Terri Bower
Midway Services, Inc.
3446 Willow Pond Lane
Lincoln, DE 19960

RE: Discharge to Kent County Sewer System

Dear Ms. Bower:

This letter is confirmation that Midway Services, Inc. DE – WH 152 & KC Haul 41-00 is permitted to discharge septage from your truck. Midway Services, Inc. can utilize either Pump Station No. 1 located on US 13 in Smyrna, DE or at the Kent County Regional Resource Recovery Facility located at 139 Milford Neck Road, Milford, DE 19963.

If you should have any questions, please contact us.

Sincerely,

A handwritten signature in cursive script that reads "F. James Burk".

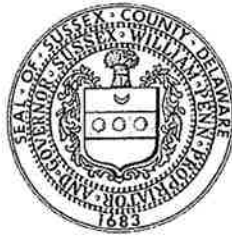
F. James Burk
Environmental Program Manager
jim.burk@kent.co.de.us

cc: J. Webb, Environmental Specialist

Appendix III

FINANCE DEPARTMENT

BILLING (302) 855-7871
COLLECTIONS (302) 855-7831
TREASURY (302) 855-7871
UTILITY PERMITS (302) 855-7719



Sussex County

DELAWARE
sussexcountyde.gov

KATRINA M. MEARS
MANAGER OF BUSINESS SERVICES

June 23, 2022

Midway Services, Inc.
9446 Willow Pond Lane
Lincoln, DE 19960

REF: SUSSEX COUNTY HAULERS LICENSE NO: 46

To whom it may concern:

I am pleased to inform you that your Sussex County Wastewater Hauler License has been approved. The items you recently provided complete our requirements.

The Sussex County Engineering Department authorizes you to discharge wastewater for treatment at the Inland Bays Wastewater Facilities. Discharges will be according to procedures established for the Sussex County Septage Program. Inland Bays will accept liquid and solid materials pumped from a septic tank, cesspool, or holding tank in Sussex County. Industrial wastewater will not be accepted.

This authorization is effective immediately and will expire June 30, 2023. To keep the authorization effective through the expiration date, you must give this office copies of renewed insurance certificates and your business license before they expire.

Should you have any questions, please do not hesitate to contact me at (302) 855-7701.

Sincerely,

Blair Lutz
Utility Account Specialist III

cc: Katrina Mears
Paula Marvel
Katharyn S. Potter



SUSSEX COUNTY, DELAWARE

SUSSEX COUNTY

SEPTIC TANK WASTE HAULERS LICENSE

Midway Services, Inc.

has met the licensing, bonding and insurance requirements of Section 110-113,
Sussex County Code, and is hereby granted License No. 46 to perform such
Waste Hauler work as regulated in said Code.

License expires June 30, 2023

Blair



Appendix IV

WH 152

Potter, Katharyn S. (DNREC)

From: info@midwayseptics.com
Sent: Wednesday, January 08, 2020 10:35 AM
To: Potter, Katharyn S. (DNREC)
Subject: Re: Clean Delaware

We would like to add CDI and we will haul in sewage.

Thank you,
Terri Bower
Office Manager
Midway Services, Inc.
9446 Willow Pond Lane
Lincoln, DE 19960
302-422-8603
midwayseptics.com

On Wed, Jan 8, 2020 at 9:21 AM Potter, Katharyn S. (DNREC) <Katharyn.Potter@delaware.gov> wrote:

Terri;

Thank you for the letter.

As I'm understanding it, you want to add Clean DE back as a disposal facility. What waste stream(s) will you be transporting to Clean DE?

Also, this would entail a public notice and I would need the \$210 public notice fee from you.

The entire amendment process will take approximately 30 days.

Kathy

From: info@midwayseptics.com <info@midwayseptics.com>
Sent: Wednesday, January 08, 2020 8:03 AM
To: Potter, Katharyn S. (DNREC) <Katharyn.Potter@delaware.gov>
Subject: Fwd: Clean Delaware

Good morning!

Please see the attached letter, please tell me what to do next!

Thank you,

Terri Bower

Office Manager

Midway Services, Inc.

9446 Willow Pond Lane

Lincoln, DE 19960

302-422-8603

midwayseptics.com

----- Forwarded message -----

From: **Gerry Desmond** <gerry@cleandelaware.com>

Date: Tue, Jan 7, 2020 at 3:52 PM

Subject: Clean Delaware

To: Terri Bower <info@midwayseptics.com>

Terri-

See attached. We look forward to resuming work with you guys.

Gerry

--
Gerry Desmond
office (302) 684-4221
fax (302) 684-1850
P.O. Box 123. Milton. DE. 19968
www.cleandelaware.com

**Clean Delaware, LLC
P.O. Box 123
Milton, DE 19968**

January 7, 2020

DNREC
Division of Water Resources
89 Kings Highway
Dover, DE 19901

Re: Midway Services

To whom it may concern,

I'm writing to confirm that Clean Delaware, LLC continues to be able to handle and treat sewage pumped from residential septic systems in Kent and Sussex counties by Midway Services of Lincoln, DE. The product will be disposed of at our wastewater treatment facility near Routes 5 and 16 in Milton, DE.

All wastewater received is subject to the terms and conditions of D.N.R.E.C. permit AGU 1702-S-03. Currently, our permit lists Midway Services as an approved hauler to the facility.

Midway Services currently holds a Delaware Waste Haulers license and discharges into the Kent County Treatment Plant.

Please contact me if I can answer additional questions or provide additional information.

Thanks for your attention,



Gerry Desmond
Clean Delaware, LLC



STATE OF DELAWARE
DEPARTMENT OF NATURAL RESOURCES
AND ENVIRONMENTAL CONTROL
DIVISION OF WATER
89 KINGS HIGHWAY
DOVER, DELAWARE 19901

April 3, 2019

Attn: Robert C. Bower
Midway Services, Inc.
9446 Willow Pond Lane
Lincoln, DE 19960

Re: State of Delaware Non-Hazardous Liquid Waste Transporters Permit Number DE WH-152

Dear Mr. Bower:

Enclosed please find Non-Hazardous Liquid Waste Transporters Permit Number DE WH-152 which allows Midway Services, Inc. to transport septage, holding tank waste, grease trap and/or cooking oil waste in the State of Delaware to be disposed of at the Kent County Sewer System and the Sussex County Sewer System (septage; holding tank).

Please be reminded that pumping of portable toilets requires the operator to possess a valid Class F Liquid Waste Hauler license. Also, in accordance with Section 4.12.6.7 of the State of Delaware Regulations Governing the Design, Installation and Operation of On-Site Wastewater Treatment and Disposal Systems, all Class F Liquid Waste Hauler licensees working for your company that pump out septic tanks in Delaware are required to submit quarterly reports to the GWDS documenting the location, the 911 mailing address and amount of septage removed in total gallons from each septic tank, using either the Class F mobile reporting application or the web-based reporting application.

A copy of this permit must be kept with all vehicles used for transport in the State of Delaware.

If you have any questions regarding the permit, please contact me at (302) 739-9948.

Sincerely,

A handwritten signature in cursive script that reads 'Katharyn Potter'.

Katharyn Potter, MS
Environmental Engineer
Groundwater Discharges Section

Enclosure

Delaware's good nature depends on you!



Non-Hazardous Liquid Waste Transporters Permit

Issued by: Department of Natural Resources and Environmental Control
Division of Water
Groundwater Discharges Section
89 Kings Highway, Dover, Delaware 19901
302-739-9948

Midway Services, Inc.
9446 Willow Pond Lane
Lincoln, DE 19960

Permit Number: **DE WH-152**
Issue Date: 2/9/2019
Amended Date: 4/3/2019
Expiration Date: 2/8/2024

Pursuant to the provisions of 7 Del. C., Chapter 60, and the State of Delaware Regulations Governing the Design, Installation and Operation of On-Site Wastewater Treatment and Disposal Systems, permission is hereby granted to Midway Services, Inc. to operate and maintain the vehicle(s) listed in the permit application and any supplemental submissions to the Department's GWDS, operated by Midway Services, Inc., for the purpose of collecting, transporting through Delaware and disposing of the non-hazardous liquid wastes listed in Condition 1 of this permit.

A copy of this permit must accompany each permitted vehicle and be presented upon request to any law enforcement officer or representative of the Department of Natural Resources and Environmental Control (Department).

This permit is issued subject to the following conditions:

1. Disposal site(s) for all waste(s) transported shall be the following:
 - a. septage, holding tank waste, grease trap and/or cooking oil waste
 - i) Kent County Sewer System and Sussex County Sewer System (septage; holding tank).
2. Permittee shall maintain a current copy of their permit/authorization documentation for each authorized facility listed in Condition 1 on file with the Department's Groundwater Discharges Section (GWDS).
3. All non-hazardous liquid waste shall be transported only to authorized facilities.
4. None of the wastes shall be deposited into ditches, watercourses, lakes, ponds, tidewater sources, landed property or at any point other than the authorized facilities mentioned in Condition 1 above.
5. All waste material collected by permittee shall be transported and disposed of in accordance with the regulations of the Department and upon authorization by the authorized facilities listed in Condition 1 above. None of these wastes may be disposed of within the State of Delaware without specific permission of the Department.
6. The company name, address and permit number shall be displayed on both sides of each vehicle used for hauling purposes in letters not less than three inches high and of a color contrasting the color of the vehicle.
7. Every vehicle used for waste transporting purposes shall be equipped with a leak-proof tank or body and shall be maintained in a clean and sanitary condition. All pumps, hoses, and vehicle tanks or bodies shall be maintained so as to prevent leakage. Provisions shall be made to discharge all liquid waste through a leak-proof hose from the tank compartment of the vehicle.
8. All waste transporting truck pumping and discharge hoses shall be fitted with automatic shut-off valves at the tank compartment of the vehicle(s).
9. All vehicles used for transport shall be operated and maintained so as to be in compliance with all state and federal regulations and not present a hazard to human health or the environment through unsafe vehicle conditions. The permittee is responsible for the operation and maintenance of all vehicles operated under this permit.

10. All transporters shall at all times maintain commercial automobile liability insurance with a combined single limit of at least One Hundred Thousand Dollars (\$100,000). Permittee shall maintain a current copy of a Certificate of Insurance demonstrating compliance with this requirement on file with the Department's Groundwater Discharges Section (GWDS).
11. All transporters shall maintain a current copy of their plan for the prevention, control, and cleanup of accidental discharges on file with the Department's GWDS.
12. Any spill greater than 25 gallons shall be reported to the Department's GWDS in writing within five days of the incident and shall include the date, time, location, and measures taken to contain and clean spill.
13. All transporters of sludge shall adhere to the following conditions:
 - a. Liquid sludge (less than 15% solids) shall be transported in watertight vessels such as tank trucks or other vessels which can provide equivalent protection against spills and leakage.
 - b. Sludge cake (15% - 35% solids) shall be transported in watertight boxes, such as dump trucks, properly sealed to prevent leaks, or cement type vehicles. When sludge cake is transported in dump trucks the following standards shall be met:
 - i) The trucks shall be equipped with splash guards firmly attached horizontally at the front and rear of the trailer;
 - ii) Each splash guard shall cover at least 25% of the trailer's open area; and
 - iii) A minimum two feet of freeboard shall be maintained between the sludge and the top of the trailer unless the top of the trailer is completely sealed.
 - c. Dried sludge (greater than 35% solids) may be transported in open boxes, such as dump trucks, which are properly sealed to prevent leakage. The trucks shall be covered with tarps or the equivalent.
14. All individuals who will be responsible for the removal of the solid and liquid contents of septic tanks, cesspools, seepage pits, holding tanks, portable toilets or any other individual residential on-site wastewater treatment and disposal system shall maintain a Class F Liquid Waste Hauler License (Class F License). While performing any Class F License related work, the Class F Licensee shall keep a copy of their Class F License identification card available for verification.
15. All transporters of septage shall pump on-site wastewater treatment and disposal systems according to the State of Delaware Regulations Governing the Design, Installation and Operation of On-Site Wastewater Treatment and Disposal Systems, amended January 11, 2014.
16. The only repairs a Class F Licensee is authorized to perform are the following: repair, add or replace septic tank and/or holding tank risers, baffles, lids, distribution box lids and effluent filters. No other repairs are authorized to be performed except by a Class E System Contractor who must first obtain a Repair Permit from the Department's GWDS.
17. All transporters are prohibited from pumping out grease traps without first entering into a Grease Trap Maintenance Contract with the property owner. A copy of the contract document must be submitted to the Department's GWDS within 15 days of signing the contract. Permittee may not enter into a Grease Trap Maintenance Contract unless the permittee has an authorized facility to dispose of grease trap waste identified in this permit. Co-mingling of septage and grease trap waste is prohibited, unless specifically approved, in writing, by the authorized facility(ies) that will be receiving the grease trap waste. If a "Grease Trap Maintenance Contract" is voided by either party, the permittee shall notify the Department's GWDS in writing within 30 days.
18. Class F Licensees are prohibited from pumping out holding tanks without first entering into a Sewage Holding Tank Maintenance Contract with the property owner. A copy of the contract document must be submitted to the Department's GWDS within 15 days of signing the contract. If a Sewage Holding Tank Maintenance Contract is voided by either party, the permittee shall notify the Department's GWDS in writing within 30 days.

19. If the permittee is transporting Septage, Holding Tank Waste, or Municipal and/or Industrial Biosolids & Sludge from Package Treatment Plants, the permittee shall maintain a bond, or other security in a form approved by the Department's GWDS, in the amount of Five Thousand Dollars (\$5,000) on file with the Department's GWDS. The bond shall be payable to the State of Delaware and the obligation of the bond shall be conditioned upon the fulfillment of all requirements related to the permit.
20. No waste petroleum or non-domestic waste products may be collected or discharged by any waste transporter unless in accordance with a specific permit for these types of wastes. Transportation of liquid wastes containing any petroleum products will require a permit from the Division of Waste and Hazardous Substances (302-739-9400).
21. This permit does not relieve the transporter of complying with any other applicable Federal, State or local regulations.
22. In the event that regulations or guidelines governing the activity authorized herein are revised, this permit may be reopened and modified after notice and opportunity for a public hearing. At that time, additional limitations, requirements, and/or special conditions may be included in the permit.
23. This permit may be suspended or revoked for violation of any of these permit conditions, Department regulations, orders of the Secretary, provisions of the Environmental Protection Act of 1973 (7 Del. C., Chapter 60), or failure to pay applicable Department fees.
24. A complete renewal application must be submitted to the Department's GWDS at least 45 days prior to the expiration of this permit to ensure renewal prior to expiration.
25. Pursuant to House Bill No. 360, June 25, 1991, Permittees are required to pay an annual permit fee of Four Hundred Fifty Dollars (\$450.00), payable to the State of Delaware. An annual fee invoice will be mailed to each permittee, to the address on file. This fee is due October 1st of each calendar year. Non-payment of the annual fee shall result in revocation of this Permit.
26. All persons who will be responsible for the removal of the solid and liquid contents of septic tanks shall ensure that the required quarterly reports documenting the location, 911 mailing address and amount of septage removed (in total gallons) from each septic tank pumped out in Delaware are furnished to the GWDS.
27. Waste materials which are transported to a landfill, recycling center, composting facility, or a Delaware Solid Waste Authority (DSWA) facility must obtain a Solid Waste transporter permit from the Division of Waste and Hazardous Substances. A Non-Hazardous Liquid Waste Transporter Permit does not relieve a transporter from having to obtain a Solid Waste transporter permit in those circumstances.

Signed,



Katharyn Potter, MS
Environmental Engineer
Groundwater Discharges Section, Division of Water
Department of Natural Resources and Environmental Control
89 Kings Highway
Dover Delaware 19901
(302) 739-9948



NON-HAZARDOUS LIQUID WASTE TRANSPORTERS PERMIT APPLICATION

GROUNDWATER

**Groundwater Discharges Section, Division of Water
Delaware Department of Natural Resources and Environmental Control
89 Kings Highway, Dover DE 19901
(302) 739-9948**

1. Permit Number (For renewals only): DE WH-152

2. Company Information

Company Name: Midway Services, Inc. Telephone: 302-422-8203
Fax: 302-422-6710

Address (street, city, state and zip code):
9446 Willow Pond Lane, Lincoln, DE 19960

Company Email Address & Contact Name:
info@midwayseptic.com Terri Bower

3. Owner/President Business Information

Name: Robert C. Bower Business Telephone: Same

Business Address if different from above (street, city, state and zip code):
Same.

4. Vehicle(s) Information (Attach additional sheets if necessary to identify each vehicle used for transport.)

	Vehicle Type (i.e. Tank, trailer, etc.)	Vehicle Make & Model	Vehicle Year	License No. and State of Registration	Capacity (gal)
i.	Truck	Peterbilt 386	2016	CL443010/DE	2500
ii. →	Truck	International	1993	C41516/DE	2300

*(Space)
(Not used)*

Please submit a Certificate of Insurance for each vehicle listed demonstrating commercial automobile liability insurance with a combined single limit of at least \$100,000.

5. Please Check Type(s) of Waste Being Transported and Provide the Information Requested in the Indicated Sections for Each Waste Type Checked

	Waste Type	Quantity Collected	Provide the Information in the Following Sections for Each Waste Type Checked
i.	<input checked="" type="checkbox"/> Septage	<u>1,113,150</u> gal/yr	A
ii.	<input checked="" type="checkbox"/> Holding Tank Waste	<u>180,000</u> gal/yr	A
iii.	<input checked="" type="checkbox"/> Grease Trap Waste and/or Cooking Oil Waste	<u>0</u> gal/yr	B
iv.	<input type="checkbox"/> Portable Toilet Waste	gal/yr	C
v.	<input type="checkbox"/> Municipal or Industrial Biosolids	# wet tons/yr	D
vi.	<input type="checkbox"/> Sludge From Package Treatment Plants	# wet tons/yr	D
vii.	<input type="checkbox"/> Other Non-Hazardous Liquid Waste	gal/yr	E

Documents required for all new permit applications *and* renewals:

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- Attach an Operation Plan detailing the following:
 - a spill reporting and clean-up plan,
 - plans for cleaning vehicles,
 - recordkeeping procedures and
 - days and hours of operation.

- Attach a list of all disposal facilities to be used. Include a copy of the permit/authorization letter from each disposal facility stating the company is currently authorized to discharge the requested waste stream (i.e. septage, holding tank waste, portable toilet waste, etc.) to the facility. Authorization documentation is required for both new and renewal applications.

7 DelC §6023(d): No person shall haul, convey or transport any liquid waste in any container without a license issued by the Department.

Section A. Septage & Holding Tanks
✓ 1. Attach a list of all Class F Licensees currently working for the company. If there are no Class F Licensees currently working for the company, please note according to Section 4.1.6 of the State of Delaware Regulations Governing the Design, Installation and Operation of On-Site Wastewater Treatment and Disposal Systems, all individuals who will be responsible for removal, transportation or disposal of the solid and liquid contents of septic tanks, cesspools, grease traps, seepage pits, holding tanks, portable toilets or other wastewater treatment or disposal facilities must obtain a Class F license before pumping. In order for an individual to obtain a Class F license. <i>For a Class F License application, please contact Dawn Dryden at 302-739-9948.</i>
✓ 2. Part III B, Section 500 of the Guidance and Regulations Governing the Land Treatment of Wastes directs, as a requirement for keeping a permit issued under these Regulations, the permittee to file a bond or other security in the amount of Five Thousand Dollars (\$5,000) with the Department. The bond is to be payable to the Department and the obligation of the bond shall be conditioned upon the fulfillment of all requirements related to the permit. If this application is for permit renewal, please submit a copy of the current Transporters Bond certification.
✓ 3. Applicants for a renewal permit must be in compliance with the Pump Reporting requirements in accordance with the State of Delaware <u>Regulations Governing the Design, Installation and Operation of On-Site Wastewater Treatment and Disposal Systems</u> ('On-Site Regulations'): §4.12.6.7.1: <i>The Class F license shall submit quarterly reports documenting the location, the 911 mailing address and amount of septage removed in total gallons.</i>

Section B. Grease Trap Waste and/or Cooking Oil Waste
✓ 1. Attach a list of all disposal facilities to be used. (u)
✓ 2. Attach an Operation Plan.

Section C. Portable Toilets

✓ 1. Attach a list of all Class F Licensees currently working for the company.
If there are no Class F Licensees currently working for the company, please note according to Section 4.1.6 of the State of Delaware Regulations Governing the Design, Installation and Operation of On-Site Wastewater Treatment and Disposal Systems, all individuals who will be responsible for removal, transportation or disposal of the solid and liquid contents of septic tanks, cesspools, grease traps, seepage pits, holding tanks, portable toilets or other wastewater treatment or disposal facilities must obtain a Class F license before pumping.
For a Class F License application, please contact Dawn Dryden at 302-739-9948.

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NA 2. Quantity of portable toilets you own.

Section D. Municipal and Industrial Biosolids & Sludge From Package Treatment Plants

1. Identify all Facilities the company will service by attaching a table listing the following:

NA

Facility Name of Sludge Generator | Estimated Volume of Sludge to be Transported | Disposal Facility*

* If sludge is to be land applied, include the current Agricultural Utilization Permit Number for that facility.

2. Provide transportation routes from all generating facilities to all applicable disposal facilities.

3. Indicate any treatment the sludge has undergone before transportation (for example anaerobic digestion, aerobic digestion, lime stabilization, composting, or dewatering).

4. Provide results of a laboratory analysis of a representative sample of the sludge which was obtained not more than 6 months before submission of the application unless these results would be submitted as a part of the land application program. The analysis shall include, as a minimum, percent solids, pH, and the dry weight concentration of total nitrogen, ammonium, nitrate, total phosphorous, total potassium, cadmium, copper, mercury, nickel, lead, zinc, arsenic, selenium, and molybdenum.

5. Part III B, Section 500 of the Guidance and Regulations Governing the Land Treatment of Wastes directs, as a requirement for keeping a permit issued under these Regulations, the permittee to file a bond or other security in the amount of Five Thousand Dollars (\$5,000) with the Department. The bond is to be payable to the Department and the obligation of the bond shall be conditioned upon the fulfillment of all requirements related to the permit. **If this application is for permit renewal, please submit a copy of the current Transporters Bond certification.**

Section E. Other Non-Hazardous Liquid Wastes

1. Describe the source, nature and make-up of the non-hazardous liquid waste to be transported.

2. Will any of the wastes contain petroleum products (i.e. oil, gas, grease, etc.)? _____ Yes _____ No

* Transportation of liquid wastes containing any petroleum products will require a permit from the Division of Waste & Hazardous Substances (302-739-9400).

6. Permit Fee

This application will not be considered complete and cannot be processed unless accompanied by a fee in the amount of Four Hundred Fifty Dollars (\$450.00), payable to the State of Delaware, which is required for all new applicants. Pursuant to House Bill No. 360, June 25, 1991, Permittees are subsequently required to pay an annual permit fee of Four Hundred Fifty Dollars (\$450.00), payable to the State of Delaware. **If this application is for permit renewal, please do not submit the Four Hundred Fifty Dollar (\$450.00) fee with this application.** Annual permit renewal billing is done separately by our accounting department.

PA. 9/27/2018

7. Public Notification Fee

Pursuant to 7 Del. C., Chapter 60, §6004, an advertisement shall be placed in a newspaper of general circulation in the county(ies) in which the activity is proposed and in a daily newspaper of general circulation through the State, notifying the public that the application has been received by the Department and offering a brief description of the nature of the proposed activity. In accordance with 7 Del. C., Chapter 60, §6004, the cost of such advertisement shall be borne by the applicant. This application will not be considered complete and cannot be processed unless accompanied by an advertising fee in the amount of **\$210.00**, payable to the State of Delaware.

8. Certification

I certify that all information submitted as part of this application is true and correct to the best of my knowledge and belief.

Signature of Applicant:

RCB

Date:

12/13/2018

Printed Name of Applicant:

Robert C. Bower

Title of Applicant:

President

This application must be signed by an official owner, operator or authorized representatives of your operation such as an operations manager, superintendent or person of equal responsibility.

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Midway Services, Inc.
9446 Willow Pond Lane
Lincoln, DE 19960
Phone: 302-422-8603 Fax: 302-422-6761

Operation Plan Spill Response, Reporting and Cleaning

Contact: Robert C. Bower

Contact Phone Numbers: 302-422-8603 (office) or 302-422-0194 (home)
302-542-5844 (cell)

Hours of Operation: Monday thru Friday (6 am – 4 pm)
Saturday & Sunday hours available for emergency

Notification of Spill Response:

The Class F employees that represent Midway Services, Inc. have been trained to respond to Spill Response, Reporting and Clean-up. In the event of a spill, the following actions should be taken.

The order of actions may depend on the existing conditions:

- Notify 24 hour Delaware Department of Natural Resources and Environmental Control (DNREC) Complaint and Spill Notification Line @1-800-622-8802.
- Notify the office of Midway Services, Inc. at 1-302-422-8603
- The office will notify the immediate supervisor of Class F Licensee to be dispatched to the site of the spill.
- Class F Licensee is to check cause and stop source of spill when possible without undue risk if personal injury.
- Restrict all sources of ignition without undue risk to personal injury.
- Make spill scene **OFF LIMITS** to unauthorized personnel.
- Report to acting "on-scene" coordinator upon spill response team arrival and provide assistance until the response team is fully operational.
- Incident Report (Safety Tracking Tool) must be completed for the Spill Incident.

Response Information:

- When notifying the DNREC Complaint and Spill Notification Line and the office of Midway Services, Inc., the following information should be provided if known or can be reasonably be determined:
 1. Name of the individual reporting the spill.
 2. Date and time the spill occurred (estimated time is accepted).
 3. Number of injured personnel and nature of injuries.
 4. Location of spill.
 5. Substance spilled or released.
 6. Amount spilled (estimated).
 7. Time spill occurred (estimated).
 8. Extent in which the spill has traveled.
 9. Has spilled been contained? Signs posted?
 10. Any other pertinent information (i.e. other potential hazards).

Information will be recorded on an Incident Reporting (Safety Tracking) form. The supervisor shall be responsible to review report and implementing corrective action to prevent repeat incidents. In the event of work injury, the Risk Management contact must be notified to initiate Workers' Compensation process.

Emergency Response Equipment/Procedures:

- Warning signs are posted where hazardous materials are stored, handled or spill has occurred.
- Refer to Emergency Response Manual and **MSDS (Material Safety Data Sheet)** file located in the office and Shop area of Midway Services, Inc.
- Supervisory personnel will perform routine inspections of equipment to ensure equipment is in good working order (no signs of wear and tear, leakage, ect) and spill kit and emergency kit is located on the vehicle prior to each use of the vehicle.
- Spill kit to be located on vehicle within easy access of Driver.
- Spill Kit to include Personal Protective Equipment for Driver and Supervisor that includes gloves, shoe covers, pants and shirt cover-up, goggles and mask. Spill Kit also includes disposable drum, absorbent material, shovel and bag to cover shovel after use and bag to dispose of protective equipment.

Containment, Cleanup and Disposal

- Due to the material composed of in the spill: Containment, Cleanup and Disposal of the material of the spill at location and cleaning of vehicle will be coordinated with DNREC Emergency Response Team (1-800-622-8802).

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Posting Requirements:

- Hazard warning Information/Signs/Placards are posted at the spill site of Spill.
- Site-specific contingency plan and MSDS will be posted in prominent locations at Midway Services, Inc. shop area and with the Pumping vehicle.
- Spill plan is updated on an annual basis or anytime there is a change in operations or materials stored or at anytime the plan has failed. Plan will be reviewed at this time for State and Federal Regulations compliance.
- Employees to receive annual training of requirements or anytime there is a change in operations or anytime the plan has failed.

Acknowledgement of receipt of Spill Response, Reporting and Clean-up policy:

Print Name and Signature _____ Date: _____

Class F License (Liquid Waste Transporter)

Midway Services, Inc. Authorized Representative:

Print Name and Signature _____ Date: _____

Midway Services, Inc.

9446 Willow Pond Lane; Lincoln, DE 19960
E-Mail: info@midwayseptics.com
Phone: 302-422-8603 Fax: (302) 422-6761

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12/12/2018

DNREC-GWDS
89 Kings Highway
Dover, DE 19901


Mrs. Potter,

Our current Class F Licensees are:

Chase Bower-5875
Robert Bower – 2019
Terri Bower-4614
Gary Freeman- 5603
Mark Norman-5197

If you have any question, please contact the office.

Thank you,



Terri Bower
Midway Services, Inc.
Office Manager



MIDWA-3

OP ID: EV

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

12/13/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER L & W Insurance Agency P.O. Box 918 Dover, DE 19903 William J. Strickland	CONTACT NAME: PHONE (A/C, No, Ext): E-MAIL ADDRESS:	FAX (A/C, No):
	INSURER(S) AFFORDING COVERAGE	
INSURED Midway Services Inc. Robert Bower, Jr. 9446 Willow Pond Ln Lincoln, DE 19960	INSURER A: Utica Mutual	
	INSURER B: Republic Franklin Ins	
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

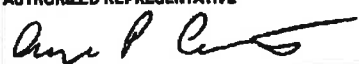
INSR LTR	TYPE OF INSURANCE	ADD'L SUBR INSR	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS			
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC		CPP4288830	02/01/2018	02/01/2019	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 Emp Ben. \$ 1,000,000			
		A	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS	BAC4279588	02/01/2018	02/01/2019	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (PER ACCIDENT) \$ \$		
							UMBRELLA LIAB EXCESS LIAB	<input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE	EACH OCCURRENCE \$ AGGREGATE \$ \$
							DED <input type="checkbox"/> RETENTION \$		
							WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/> N/A	WC4288106

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

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GROUNDWATER**CERTIFICATE HOLDER****CANCELLATION**

DNREC-1 STATE OF DELAWARE DNREC Fax: 302-739-7764 PO BOX 1401 DOVER, DE 19903	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
---	---

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P.O. Box 918
1154 South Governors Ave.
Dover, Delaware 19903



Phone (302) 674-3500
(302) 856-7828
Fax (302) 674-2909

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December 13, 2018

State of Delaware
DNREC
89 Kings Hwy
Dover DE 19901

Ref: Midway Services, Inc.

The Non-hazardous Liquid Transporters bond, written through Hartford Fire Insurance Company, Bond No. 44BSBFH5410, with a \$5,000 limit, is in full force and effect and is paid-in-full through the period January 15, 2020.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeremy Allwein", is written over a horizontal line.

Jeremy Allwein
Attorney-In-Fact



DEC 17 2018

GROUNDWATER

POWER OF ATTORNEY

Direct Inquiries/Claims to:

THE HARTFORD
BOND, T-4

P.O. BOX 2103, 690 ASYLUM AVENUE
HARTFORD, CONNECTICUT 06115

call: 888-266-3488 or fax: 860-757-5835

Agency Code: 44 430092

KNOW ALL PERSONS BY THESE PRESENTS THAT:

- Hartford Fire Insurance Company, a corporation duly organized under the laws of the State of Connecticut
- Hartford Casualty Insurance Company, a corporation duly organized under the laws of the State of Indiana
- Hartford Accident and Indemnity Company, a corporation duly organized under the laws of the State of Connecticut
- Hartford Underwriters Insurance Company, a corporation duly organized under the laws of the State of Connecticut
- Twin City Fire Insurance Company, a corporation duly organized under the laws of the State of Indiana
- Hartford Insurance Company of Illinois, a corporation duly organized under the laws of the State of Illinois
- Hartford Insurance Company of the Midwest, a corporation duly organized under the laws of the State of Indiana
- Hartford Insurance Company of the Southeast, a corporation duly organized under the laws of the State of Florida

having their home office in Hartford, Connecticut (hereinafter collectively referred to as the "Companies") do hereby make, constitute and appoint, up to the amount of UNLIMITED :
 TIMOTHY F. CONLEY, SANDRA E. KESSLER, DAVIS H. WOOD, ANDREW P. COUSINS OF DOVER, DELAWARE

their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety(ies) only as delineated above by , and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof, on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, and as authorized by a Resolution of the Board of Directors of the Companies on January 22, 2004, the Companies have caused these presents to be signed by its Assistant Vice President and its corporate seals to be hereto affixed, duly attested by its Assistant Secretary. Further, pursuant to Resolution of the Board of Directors of the Companies, the Companies hereby unambiguously affirm that they are and will be bound by any mechanically applied signatures applied to this Power of Attorney.



Scott Sadowsky

Scott Sadowsky, Assistant Secretary

M. Ross Fisher

M. Ross Fisher, Assistant Vice President

STATE OF CONNECTICUT }
 COUNTY OF HARTFORD } ss. Hartford

On this 3rd day of March, 2008, before me personally came M. Ross Fisher, to me known, who being by me duly sworn, did depose and say: that he resides in the County of Hartford, State of Connecticut; that he is the Assistant Vice President of the Companies, the corporations described in and which executed the above instrument; that he knows the seals of the said corporations; that the seals affixed to the said instrument are such corporate seals; that they were so affixed by authority of the Boards of Directors of said corporations and that he signed his name thereto by like authority.



CERTIFICATE

Scott E. Pascka

Scott E. Pascka
Notary Public
My Commission Expires October 31, 2012

I, the undersigned, Assistant Vice President of the Companies, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is still in full force effective as of January 15, 2009
 Signed and sealed at the City of Hartford.



Gary W. Stumper

Gary W. Stumper, Assistant Vice President

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Bond Number: 44BSBFH5410

Effective Date: January 15, 2009

Expiration Date: Continuous

**BOND TO ACCOMPANY AND FOR STATE OF DELAWARE
NON-HAZARDOUS LIQUID TRANSPORTERS PERMIT NO. _____**

KNOW ALL MEN BY THESE PRESENTS that: Midway Service, Inc.

of Lincoln in the County of Sussex
and State of Delaware as principal, and Hartford Fire Insurance
Company

of Hartford in the County of Hartford
and State of Connecticut as surety, legally authorized to do business in

the State of Delaware, are held firmly bound unto the State of Delaware in the sum of Five
Thousand Dollars (\$5,000), to be paid to the said State of Delaware for the use and benefit of the
Department of Natural Resources and Environmental Control of said State, for which payment
well and truly to be made, we do bind ourselves, our and each and every of our heirs, executors,
administrators, successors, and assigns, jointly and severally for and in the whole firmly by these
presents.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH that if the said above
bounden principal, Midway Service, Inc.,
who has been issued by the Department of Natural Resources and Environmental Control of the
State of Delaware a certain permit designated as Permit No. WH-152, and dated
February 9 2009, for the transportation of non-hazardous liquid waste, and is
required to file with the Department of Natural Resources and Environmental Control a bond or
other security, shall fulfill all the requirements of 7 Del. C. Chapter 60, the Guidance and
Regulations Governing the Land Treatment of Wastes, and Permit No. WH-152, then
this obligation shall be void or else to remain in full force and virtue.

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Signed and sealed this 15th day of January, 2009.

SIGNED, SEALED AND DELIVERED IN
the presence of:

Witness: Jeani Bower

CORPORATE SEAL

Midway Service, Inc.
NAME OF PERMITTEE

BY: [Signature]
President
TITLE

CORPORATE SEAL

Attest:

[Signature]

Hartford Fire Insurance Company
NAME OF SURETY

BY: [Signature]
Timothy F. Conley, Attorney-In-Fact

NOTE: If Attorney-In-Fact does not hold a current Delaware Agent's License
(Resident or Non-Resident), this bond must be countersigned below:

NAME OF DELAWARE LICENSE AGENT
(Resident or Non-Resident)

LICENSE NUMBER

BY: _____
ADDRESS: _____

Midway Services, Inc.
9446 Willow Pond Lane
Lincoln, DE 19960

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Phone: 302-422-8603

Fax: 302-422-6761

Plan for cleaning vehicles:

The vehicles are to be cleaned bi-weekly.

The vehicles are to be washed in our yard at the main shop.

Other locations must be approved.

Record keeping procedures:

Electronic and/or paper files are maintained for 7 years in the office and/or in the storage area provided in the main shop. All paper records are shredded at 7 years.

Appendix V



STATE OF DELAWARE
**DEPARTMENT OF NATURAL RESOURCES AND
ENVIRONMENTAL CONTROL**

DIVISION OF WATER
RICHARDSON & ROBBINS BUILDING
89 KINGS HIGHWAY
DOVER, DELAWARE 19901

Commercial & Government Services

Telephone: (302) 739-9948

DATE

Attn: Robert C. Bower
Midway Services, Inc.
9446 Willow Pond Lane
Lincoln, DE 19960

Re: State of Delaware Non-Hazardous Liquid Waste Transporters Permit Number DE WH-152

Dear Mr. Bower:

Enclosed please find Non-Hazardous Liquid Waste Transporters Permit Number DE WH-152 which allows Midway Services, Inc. to transport septage, holding tank waste, grease trap and/or cooking oil waste in the State of Delaware to be disposed of at Kent County Sewer System; Sussex (septage; holding tank); and Clean Delaware, LLC. (septage).

Please be reminded that pumping of portable toilets requires the operator to possess a valid Class F Liquid Waste Hauler license. Also, in accordance with Section 4.12.6.7 of the State of Delaware *Regulations Governing the Design, Installation and Operation of On-Site Wastewater Treatment and Disposal Systems*, all Class F Liquid Waste Hauler licensees working for your company that pump out septic tanks in Delaware are required to submit quarterly reports to the Division of Water documenting the location, the 911 mailing address and amount of septage removed in total gallons from each septic tank, using either the Class F mobile reporting application or the web-based reporting application.

A copy of this permit must be kept with all vehicles used for transport in the State of Delaware.

If you have any questions regarding the permit, please contact me at (302) 739-9948.

Sincerely,

Katharyn Potter

Katharyn Potter, MS
Environmental Engineer
Division of Water

Enclosure



Non-Hazardous Liquid Waste Transporters Permit

Issued by: Department of Natural Resources and Environmental Control
Division of Water
89 Kings Highway
Dover, Delaware 19901
302-739-9948

Midway Services, Inc. 9446 Willow Pond Lane Lincoln, DE 19960	Permit Number: DE WH-152 Issue Date: 2/9/2019 Amended Date: TBD Expiration Date: 2/8/2024
--	--

Pursuant to the provisions of 7 Del. C., Chapter 60, and the State of Delaware Regulations Governing the Design, Installation and Operation of On-Site Wastewater Treatment and Disposal Systems, permission is hereby granted to Midway Services, Inc. to operate and maintain the vehicle(s) listed in the permit application and any supplemental submissions to the Department's Division of Water, operated by Midway Services, Inc., for the purpose of collecting, transporting through Delaware and disposing of the non-hazardous liquid wastes listed in Condition 1 of this permit.

A copy of this permit must accompany each permitted vehicle and be presented upon request to any law enforcement officer or representative of the Department of Natural Resources and Environmental Control (Department).

This permit is issued subject to the following conditions:

1. Disposal site(s) for all waste(s) transported shall be the following:
 - a. septage, holding tank waste, grease trap and/or cooking oil waste
 - i) Kent County Sewer System;
 - ii) Sussex (septage; holding tank);
 - iii) **Clean Delaware, LLC (septage).**
2. Permittee shall maintain a current copy of their permit/authorization documentation for each authorized facility listed in Condition 1 on file with the Department's Division of Water.
3. All non-hazardous liquid waste shall be transported only to authorized facilities.
4. None of the wastes shall be deposited into ditches, watercourses, lakes, ponds, tidewater sources, landed property or at any point other than the authorized facilities mentioned in Condition 1 above.
5. All waste material collected by permittee shall be transported and disposed of in accordance with the regulations of the Department and upon authorization by the authorized facilities listed in Condition 1 above. None of these wastes may be disposed of within the State of Delaware without specific permission of the Department.
6. The company name, address and permit number shall be displayed on both sides of each vehicle used for hauling purposes in letters not less than three inches high and of a color contrasting the color of the vehicle.

7. Every vehicle used for waste transporting purposes shall be equipped with a leak-proof tank or body and shall be maintained in a clean and sanitary condition. All pumps, hoses, and vehicle tanks or bodies shall be maintained so as to prevent leakage. Provisions shall be made to discharge all liquid waste through a leak-proof hose from the tank compartment of the vehicle.
8. All waste transporting truck pumping and discharge hoses shall be fitted with automatic shut-off valves at the tank compartment of the vehicle(s).
9. All vehicles used for transport shall be operated and maintained so as to be in compliance with all state and federal regulations and not present a hazard to human health or the environment through unsafe vehicle conditions. The permittee is responsible for the operation and maintenance of all vehicles operated under this permit.
10. All transporters shall at all times maintain commercial automobile liability insurance with a combined single limit of at least One Hundred Thousand Dollars (\$100,000). Permittee shall maintain a current copy of a Certificate of Insurance demonstrating compliance with this requirement on file with the Department's Division of Water.
11. All transporters shall maintain a current copy of their plan for the prevention, control, and cleanup of accidental discharges on file with the Department's Division of Water.
12. Any spill greater than 25 gallons shall be reported to the Department's Division of Water in writing within five days of the incident and shall include the date, time, location, and measures taken to contain and clean spill.
13. All transporters of sludge shall adhere to the following conditions:
 - a. Liquid sludge (less than 15% solids) shall be transported in watertight vessels such as tank trucks or other vessels which can provide equivalent protection against spills and leakage.
 - b. Sludge cake (15% - 35% solids) shall be transported in watertight boxes, such as dump trucks, properly sealed to prevent leaks, or cement type vehicles. When sludge cake is transported in dump trucks the following standards shall be met:
 - i) The trucks shall be equipped with splash guards firmly attached horizontally at the front and rear of the trailer;
 - ii) Each splash guard shall cover at least 25% of the trailer's open area; and
 - iii) A minimum two feet of freeboard shall be maintained between the sludge and the top of the trailer unless the top of the trailer is completely sealed.
 - c. Dried sludge (greater than 35% solids) may be transported in open boxes, such as dump trucks, which are properly sealed to prevent leakage. The trucks shall be covered with tarps or the equivalent.
14. All individuals who will be responsible for the removal of the solid and liquid contents of septic tanks, cesspools, seepage pits, holding tanks, portable toilets or any other individual residential on-site wastewater treatment and disposal system shall maintain a Class F Liquid Waste Hauler License (Class F License). While performing any Class F License related work, the Class F Licensee shall keep a copy of their Class F License identification card available for verification.

15. All transporters of septage shall pump on-site wastewater treatment and disposal systems according to the State of Delaware Regulations Governing the Design, Installation and Operation of On-Site Wastewater Treatment and Disposal Systems, amended January 11, 2014.
16. The only repairs a Class F Licensee is authorized to perform are the following: repair, add or replace septic tank and/or holding tank risers, baffles, lids, distribution box lids and effluent filters. No other repairs are authorized to be performed except by a Class E System Contractor who must first obtain a Repair Permit from the Department's Division of Water.
17. All transporters are prohibited from pumping out grease traps without first entering into a Grease Trap Maintenance Contract with the property owner. A copy of the contract document must be submitted to the Department's Division of Water within 15 days of signing the contract. Permittee may not enter into a Grease Trap Maintenance Contract unless the permittee has an authorized facility to dispose of grease trap waste identified in this permit. Co-mingling of septage and grease trap waste is prohibited, unless specifically approved, in writing, by the authorized facility(ies) that will be receiving the grease trap waste. If a "Grease Trap Maintenance Contract" is voided by either party, the permittee shall notify the Department's Division of Water in writing within 30 days.
18. Class F Licensees are prohibited from pumping out holding tanks without first entering into a Sewage Holding Tank Maintenance Contract with the property owner. A copy of the contract document must be submitted to the Department's Division of Water within 15 days of signing the contract. If a Sewage Holding Tank Maintenance Contract is voided by either party, the permittee shall notify the Department's Division of Water in writing within 30 days.
19. If the permittee is transporting Septage, Holding Tank Waste, or Municipal and/or Industrial Biosolids & Sludge from Package Treatment Plants, the permittee shall maintain a bond, or other security in a form approved by the Department's Division of Water, in the amount of Five Thousand Dollars (\$5,000) on file with the Department's Division of Water. The bond shall be payable to the State of Delaware and the obligation of the bond shall be conditioned upon the fulfillment of all requirements related to the permit.
20. No waste petroleum or non-domestic waste products may be collected or discharged by any waste transporter unless in accordance with a specific permit for these types of wastes. Transportation of liquid wastes containing any petroleum products will require a permit from the Division of Waste and Hazardous Substances (302-739-9400).
21. This permit does not relieve the transporter of complying with any other applicable Federal, State or local regulations.
22. In the event that regulations or guidelines governing the activity authorized herein are revised, this permit may be reopened and modified after notice and opportunity for a public hearing. At that time, additional limitations, requirements, and/or special conditions may be included in the permit.
23. This permit may be suspended or revoked for violation of any of these permit conditions, Department regulations, orders of the Secretary, provisions of the Environmental Protection Act of 1973 (7 Del. C., Chapter 60), or failure to pay applicable Department fees.
24. A complete renewal application must be submitted to the Department's Division of Water at least 45 days prior to the expiration of this permit to ensure renewal prior to expiration.

25. Pursuant to House Bill No. 360, June 25, 1991, Permittees are required to pay an annual permit fee of Four Hundred Fifty Dollars (\$450.00), payable to the State of Delaware. An annual fee invoice will be mailed to each permittee, to the address on file. This fee is due October 1st of each calendar year. Non-payment of the annual fee shall result in revocation of this permit.
26. All persons who will be responsible for the removal of the solid and liquid contents of septic tanks shall ensure that the required quarterly reports documenting the location, 911 mailing address and amount of septage removed (in total gallons) from each septic tank pumped out in Delaware are furnished to the Division of Water.
27. Waste materials which are transported to a landfill, recycling center, composting facility, or a Delaware Solid Waste Authority (DSWA) facility must obtain a Solid Waste transporter permit from the Division of Waste and Hazardous Substances. A Non-Hazardous Liquid Waste Transporter Permit does not relieve a transporter from having to obtain a Solid Waste transporter permit in those circumstances.

Signed,

Katharyn Potter

Katharyn Potter, MS
Environmental Engineer
Division of Water

Signature:



Email: steven.smaller@delaware.gov






Midway.TRM.DW.Action.Slip_07-28-22

Final Audit Report

2022-07-29

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