



STATE OF DELAWARE
**DEPARTMENT OF NATURAL RESOURCES AND
ENVIRONMENTAL CONTROL**
DIVISION OF WASTE AND HAZARDOUS SUBSTANCES
89 KINGS HIGHWAY
DOVER, DE 19901

COMPLIANCE &
PERMITTING

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Permit SW-24/01
Solid Waste Facility Permit

Effective Date: **DATE**

Last Modified: n/a

Expiration Date: **DATE**

Permittee: Scrap Tire Solution, Inc.
195 Hay Road
Wilmington, DE 19809

Pursuant to 7 *Del.C.* Chapter 60 and 7 DE Admin. Code §1301, Delaware's *Regulations Governing Solid Waste* (DRGSW), approval of the Department of Natural Resources and Environmental Control (Department) is hereby granted to operate the Scrap Tire Solution, Inc. (STS) solid waste facility on a portion of the property located at 195 Hay Road in Wilmington, Delaware 19809, subject to the terms and conditions of this Permit. All terms and conditions of this Permit are enforceable by the Department.

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Date

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Compliance and Permitting Section
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DEFINITIONS

For the purposes of this Permit, the following definitions shall apply.

Prohibited Waste - Prohibited waste means any waste other than a scrap tire.

Scrap Tire - Scrap tire means a ring-shaped component manufactured of rubber to surround a wheel's rim. A scrap tire includes whole, cut, or partial tires, regardless of condition, received at the STS solid waste facility for subsequent management.

Solid Waste Facility - Solid waste facility means that portion of the 195 Hay Road, Wilmington, Delaware 19809 property [labeled "Scrap Tire Area"] on which STS is permitted to conduct the operations approved herein, as shown in attached Figure 2, *January 2024, Site Plan, "Scrap Tire Area."*

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I. GENERAL CONDITIONS

A. Permit Issuance

1. Pursuant to §4.1.1.1 and §2.5.2 of 7 DE Admin. Code, Delaware's Regulations Governing Solid Waste (DRGSW) and 7 Del C. §6003, the Department of Natural Resources and Environmental Control (DNREC; Department) hereby issues Solid Waste Permit SW-24/XX to Scrap Tire Solutions (STS) for the purpose of receiving and baling scrap tires at 195 Hay Road in Wilmington. Baled scrap tires shall be transported in containers from the STS solid waste facility directly to ports of exit for export to those markets identified in Condition I.C.1.d. of this Permit.
2. This permit applies to the operation of the solid waste facility for the receipt, storage, baling, and transfer of all scrap tires on the property at 195 Hay Road, Wilmington, Delaware, Tax Map Parcel 06-155.00-002.

B. Applicability

This Permit applies to:

1. Operation and maintenance of the STS solid waste facility.
2. Environmental monitoring, recordkeeping, and reporting for the STS solid waste facility.

C. Application Documents

1. The Department issued permit SW-24/01 on **INSERT ISSUE DATE** in accordance with the following documents:
 - a. Initial permit application dated June 20, 2023, and the signed application dated November 3, 2023.
 - b. Plan of Operations dated May 2023 and the revised Plan of Operations dated February 23, 2024.
 - c. Fire Control Plan dated February 23, 2024, as incorporated into Attachment C of the revised Plan of Operations dated February 23, 2024.
 - d. Demonstration of markets provided by Axtron Texchem India PVT LTD, dated February 24, 2023, and Zee & Co LLC, dated March 24, 2023.
 - e. Conceptual Closure Plan dated May 2023.
 - f. Financial Assurance dated December 5, 2023.
 - g. Property lease agreement dated April 3, 2023, as signed on December 11, 2023, and as amended on March 20, 2024.
2. Other plans, letters, procedures, and policies specifically referenced in this Permit.
3. All approved and applicable document applications, or correspondence.

D. General Conditions

This Permit is issued subject to the following general conditions:

1. This Permit does not relieve STS, nor any of its clients from complying with any other applicable federal, state, or local law, regulation, or ordinance. All construction and operations at the solid waste facility shall be conducted in accordance with all federal, state, county, and municipal environmental statutes, ordinances, and regulations, including but not limited to 7 DE. Admin. Code §1301 Delaware's *Regulations Governing Solid Waste*, 7 DE. Admin. Code §1302 Delaware's *Regulations Governing Hazardous Waste*, 7 DE. Admin. Code §7201 Delaware's *Regulations Governing the Control of Water Pollution*, 7 DE. Admin. Code §7401 Delaware's *Surface Water Quality Standards*, and the Department's Division of Air Quality regulations of 7 DE. Admin. Code §1100.
2. Permit SW-24/01 shall expire no later than **DATE**.
3. The Department may initiate modification of this Permit, including, but not limited to, additional limitations, requirements, and/or special conditions, at any time if the Department finds that the existing permit conditions are either not adequate or not necessary to protect human health and the environment, as set forth in DRGSW Section 4.1.7.2, or in the event the regulations governing activities authorized in this Permit are revised.
4. STS shall petition the Department in writing at least 90 days prior to the anticipated need to implement any change in waste characteristics; changes that will alter the beneficial use of the incoming waste; or changes to processes, operations, or procedures described in the application documents referenced in Condition I.C. of this Permit. STS shall not implement said changes unless and until they have been notified in writing by the Department agreeing to the change(s).
5. Failure to comply with any condition of this Permit or any provisions within the aforementioned documents is a violation of this Permit.
6. Any violation of any condition of this Permit, regulation promulgated by the Department, Secretary's Orders, or provision of 7 *Del. C.* Chapters 60 and 63, shall justify termination of this Permit and implementation of appropriate enforcement action.
7. At least 60 days prior to the date of any proposed permit transfer, STS shall submit all documentation required by DRGSW Section 4.1.8. The actual transfer will be contingent upon the transferee meeting all permit and regulatory requirements; until such time, the current permittee will remain liable for compliance regardless of who owns or operates the solid waste facility.

8. Pursuant to DRGSW Section 4.1.6, STS shall submit a permit application with all supporting documentation to the Department at least 180 days prior to the expiration of this Permit if applicant desires to renew the permit. STS may be required to submit additional documentation as needed at the Department's sole discretion.
9. STS shall immediately make available, upon request, a copy of the most current version this Permit to any representative of the Department or any law enforcement officer.
10. STS shall report all modifications of the lease agreement (Last amended March 20, 2024) to the Department in accordance with Condition V.C.6. of this Permit.

E. Facility Contacts

Primary Contacts: Mr. Erik Gonzalez, Owner/President
(302)-750-0000
Eric@scrap tiresolution.com

Alternate Contact: None

II. CONSTRUCTION (RESERVED)

III. FACILITY OPERATIONS

A. General Operations

STS shall operate this solid waste facility in accordance with this Permit and the Department approved plans, manuals, policies, programs, and procedures cited in Condition I.C of this Permit. This includes but is not limited to the STS *Plan of Operations*. STS shall operate the solid waste facility in a manner that will prevent degradation of adjacent land, air, surface water, or groundwater.

B. Operating Hours

All receiving and baling of scrap tires shall be limited to the hours of 9:00 a.m. to 5:00 p.m. Monday through Saturday. The STS solid waste facility shall not be open to the general public.

C. Access

STS shall control access to the solid waste facility to prohibit the entry of unauthorized individuals. Representatives of the Department may, at any reasonable time, enter the solid waste facility to verify compliance with the conditions of this Permit, DRGSW, and 7 *Del.C.* Chapter 60.

D. Staffing

Sufficient numbers and types of personnel shall be available at the solid waste facility to ensure operations are in accordance with DRGSW, the *Plan of Operations*, and this Permit.

E. Equipment

The following equipment is allowed to be used for the permitted activity, fork-lift or skid-steer, and bailer.

F. Transfer

Baled scrap tires shall be transported in containers from the STS solid waste facility directly to ports of exit for export to those markets identified in Condition I.C.1.d. of this Permit.

G. Acceptable Waste

STS is only permitted to accept scrap tires as defined within this Permit.

H. Waste Acceptance Procedures

1. STS shall not accept scrap tires from transporters who are not in possession of a current and valid Delaware Solid Waste Transporter Permit issued by the Department.
2. STS shall record the quantity of all incoming scrap tires and the quantity of all outgoing baled scrap tires.
3. STS shall record the quantity of all rejected and/or prohibited wastes presented for acceptance.
4. All scrap tires accepted by STS shall be maintained within the solid waste facility until transported in containers from the STS solid waste facility directly to ports of exit for export to those markets identified in Condition I.C.1.d. of this Permit.

I. Prohibited Wastes

STS shall not accept any waste other than that listed in Condition III.G. of this Permit.

J. Waste processing procedures

1. Only acceptable wastes specified in Condition III.G. of this Permit shall be bailed; any additional wastes shall not be processed.
2. Scrap tire storage shall only be performed at the permitted solid waste facility.
3. All loose or baled scrap tires shall be maintained in fully enclosed, and structurally sound containers to prevent precipitation from entering.
4. All containers of loose or baled scrap tires must be locked during non-operating hours.
5. Containers of baled scrap tires shall be removed and transported from the solid waste facility on a periodic basis, but at a frequency to ensure that STS does not exceed their permitted capacity.
6. Containers of baled scrap tires shall be transported in containers from the STS solid waste facility directly to ports of exit for export to those markets identified in Condition I.C.1.d. of this Permit.

K. Prohibited Waste Management Procedures

1. All identified prohibited wastes shall be:
 - a. Segregated from the acceptable waste stream.
 - b. Quantified by waste type and volume.
 - c. Documented in accordance with Condition VI.B.8. of this Permit, to include photo documentation.
 - d. Rejected by being immediately returned to the transporter prior to their leaving the site.
2. STS shall provide the reason for prohibited waste rejection to the transporter and generator.
3. STS shall notify in writing, any transporter or generator who habitually directs prohibited waste to STS and that STS will no longer accept shipments of scrap tires from that transporter or generator.
4. STS shall maintain a record of all written notifications in accordance with Condition VI.B.8. of this Permit.

L. Scavenging

Scavenging is prohibited at the STS solid waste facility.

M. Salvaging

Salvaging is prohibited at the STS solid waste facility.

N. Waste Capacity

1. The maximum capacity for loose and baled scrap tires is:
 - a. Ten (10) containers, not to exceed 53 feet in length each, for the storage of loose scrap tires; and
 - b. Ten (10) containers, not to exceed 53 feet in length each, for the storage of baled scrap tires.
2. At no time shall the maximum capacity limits be exceeded.

O. Waste Storage

1. The acceptance, storage and bailing of scrap tires shall only be conducted within the boundaries of the permitted solid waste facility as indicated in attached Figure 2, *January 2024, Site Plan, "Scrap Tire Area."*
2. No loose or baled scrap tires shall be placed or remain on the ground outside of the operating hours in Condition III.B of this Permit.
3. All loose or baled scrap tires shall be maintained in fully enclosed, and structurally sound containers to prevent precipitation from entering.
4. All containers storing scrap tires must be locked during non-operating hours.

P. Stormwater Management

1. STS shall take all necessary steps to identify and prevent the discharge of pollutants and contaminated stormwater from solid waste facility activities into surface water and shall initiate corrective actions to confirm, quantify, and remediate such discharges.
2. STS shall inspect each operating day for any instance(s) where there is a potential to discharge pollutants and contaminated stormwater from the solid waste facility. STS shall take all necessary steps to correct any findings from the inspection. All findings and corrective actions shall be documented in accordance with Condition VI.B.5. and provided to the Department in accordance with Condition V.C.4 of this Permit.
3. Within 60 days of issuance of this Permit, STS shall obtain applicable authorization from the Department's Division of Water in accordance with 7 DE. Admin. Code §7201, Delaware's Regulations Governing the Control of Water Pollution. In the event authorization is required, but not obtained, the Department may revoke this Permit.

Q. General Maintenance

STS shall implement good housekeeping practices and include such practices within the employee training pursuant to Condition III.Z. of this Permit.

R. Leachate Management (RESERVED)

S. Odor Control

1. STS shall operate the solid waste facility in a manner that nuisance odors, detectable outside the boundaries of the property, are prevented.
2. STS shall record all odor complaints received concerning the solid waste facility and shall investigate complaints in a timely manner.
3. STS shall document any complaint received pertaining to odors emanating from their activities and any subsequent odor mitigation practices implemented and shall retain the records in accordance with Condition VI.B.7 of this Permit.
4. STS shall notify the Department of any complaints of odors received by STS in accordance with Condition V.C.5. of this Permit.

T. Inspections

1. STS shall conduct daily inspections of the solid waste facility, with a record of the inspections maintained for a minimum of three (3) years. Inspections must, at a minimum, evaluate the following:
 - a. Presence of litter or unauthorized waste. All litter and unauthorized waste must be removed and properly disposed of.
 - b. No Smoking signs are placed in accordance with the submitted *Fire Control Plan*.
 - c. No scrap tires on the ground during non-operating hours.
 - d. All containers of loose and bailed scrap tires are locked during non-operating hours.
2. Any deficiencies identified during the inspections required by this section shall be recorded and with the correction of the deficiency recorded within twenty-four (24) hours unless written approval is obtained from DNREC to extend the deadline by which the correction must be made.
3. STS shall maintain records of all inspections as well as any findings and any actions taken in accordance with Condition VI.B.5. of this Permit.

U. Litter

1. Litter shall include any prohibited waste.
2. STS shall document any complaint received pertaining to litter emanating from the solid waste facility and shall retain the records in accordance with Condition VI.B.7 of this Permit.
3. STS shall notify the Department of any complaints of litter received by STS in accordance with Condition V.B.6. of this Permit.

V. Noise Control

1. STS shall operate the solid waste facility in a manner to prevent noise generated from the scrap tire activities from interfering with any person's enjoyment of life or property.
2. STS shall implement noise mitigation.
3. STS shall document any complaint received pertaining to noise emanating from their activities and any subsequent noise mitigation practices implemented and shall retain the records in accordance with Condition VI.B.7 of this Permit.
4. STS shall notify the Department of any complaints of noise received by STS in accordance with Condition V.B.6 of this Permit.

W. Dust Control

The solid waste facility shall be operated in a manner to prevent dust emissions from causing a condition of air pollution (injurious to human, plant, or animal life or unreasonably interfering with the enjoyment of life and property).

X. Health and Safety

1. STS shall implement Health and Safety practices in accordance with Occupational Safety and Health Administration ("OSHA") requirements.
2. STS shall provide all employees with health and safety training appropriate for each employee's duties and responsibilities, pursuant to Condition III.Z. of this Permit.
3. At a minimum, STS's use of personal protective equipment (PPE) shall be in accordance with 29 CFR Section 1910.132.
4. First aid equipment shall be maintained and immediately available at the solid waste facility.

5. STS shall document all health and safety training provided to each employee and retain the records in accordance with Condition VI.B.6. of this Permit.
6. Fire Safety
 - a. All wastes and materials present at or in the STS solid waste facility to include, but not limited to, scrap tires, any associated or ancillary wastes, and any collected litter shall be managed in a way to prevent the possibility of fires.
 - b. Flammable or combustible, or potentially flammable or combustible waste and materials shall be stored in accordance with all applicable fire safety regulations.
 - c. No smoking shall be permitted in or near the permitted solid waste facility. Smoking shall only be allowed in designated areas at least 50 feet from the solid waste facility.
 - d. STS shall review annually and update the *Fire Control Plan* as needed.
 - e. Employees shall be trained in the proper procedures for responding to a fire at or in the solid waste facility in accordance with Condition III.Z.1.c. of this Permit.
 - f. If a fire is detected, STS shall immediately implement the *Fire Operations Plan* by calling 911 to request assistance from the local firefighting agencies. STS shall immediately notify the Department of any fire in accordance with Condition V.D.1. of this Permit.

Y. Contingency

1. STS shall maintain capability to react appropriately to emergencies. STS shall react to spills, fires, accidents, and other emergencies so as to protect human health and safety and the environment.
2. STS shall maintain a current and correct list of emergency contact telephone numbers to include nearby ambulance, hospital, police, and fire services. The most current list shall be immediately available at the solid waste facility. All operating personnel shall be informed of its location and function.
3. Staff responding to emergencies at the facilities shall be appropriately trained, pursuant to Condition III.Z. of this Permit.

Z. Training

1. STS shall provide all employees who are to work with the solid waste facility operation with training appropriate for each employee's duties and responsibilities.
 - a. Training shall be required initially and annually thereafter, unless otherwise specified by a nationally recognized training provider (for example, the American Red Cross as a training provider for First Aid).
 - b. Initial training shall be provided within 30 days of hire.
 - c. Training shall include, but is not limited to, the following topics:
 - i. Health and safety procedures

1. Emergency response
 2. Emergency first aid
 3. Cardiopulmonary resuscitation (CPR)
 - ii. Fire prevention and protection
 - iii. Spills and accidents responses
 - iv. PPE use and care
 - v. Solid waste facility inspections
 - vi. Good housekeeping practices
 - vii. Inspections
2. STS shall document all trainings for employees and retain the records in accordance with Condition VI.B.6. of this Permit.

IV. MONITORING

The Department will evaluate the need to conduct monitoring activities on a case-by-case basis.

V. REPORTING

A. Closure Cost/Financial Assurance.

No later than March 31st of each year, STS shall provide an updated closure cost estimate for the solid waste facility, taking into account inflation. STS shall provide a detailed listing of all projected costs used to estimate the closure cost for the solid waste facility. If the cost estimate has increased over the amount of financial assurance previously provided, STS shall accordingly provide additional funds within six (6) weeks of the submission of the updated closure cost estimate.

B. Quarterly Reporting

STS shall submit quarterly reports by the 15th day of April, July, October, and January. The quarterly reports shall summarize operations for the previous quarter and include the following information for the applicable quarter (information shall be presented in a tabular format, as appropriate, and each listed item shall be explicitly addressed to include zero quantities or currently not applicable topics):

1. A record showing the daily quantity of scrap tires received.
2. A list of transporters that transported scrap tires to the solid waste facility.
3. A record providing the number of containers of baled scrap tires exported daily and their ports of exit.
4. A record demonstrating the market to which each container of baled scrap tires was shipped.

5. Detailed descriptions of all instances of deviations from any approved plan or noncompliance with this Permit.
6. Summary of all complaints received by STS.
7. Summary of all incidents requiring notification and emergency reporting made to the Department pursuant to the conditions of this Permit.

C. Additional Reporting.

1. STS shall maintain a current and correct emergency contacts and emergency services list at the solid waste facility and shall notify the Department within five (5) business days of any changes therein.
2. STS shall notify the Department in writing within 24-hours of discovery of any exceedance of the waste capacity specified within Condition III.N. of this Permit.
3. If STS is unable to comply with any of the reporting requirements within this Permit, STS must provide written notice and justification to the Department two (2) weeks prior to the reporting deadline.
4. Upon discovery, STS shall immediately (within 24 hours of discovery) report to the Department any intentional or accidental deviation from any approved plan and this Permit.
5. Within five (5) business days of occurrence, STS shall report all modifications of the lease agreement (Last amended March 20, 2024) to the Department, along with a copy of the modified lease or termination notice. Any reduction in the duration of the lease, including lease termination, shall provide the Department with cause to reduce the duration of this Permit.

D. Notification and Emergency Reporting.

1. STS shall notify 9-1-1 immediately upon the occurrence of the following events.
 - a. Fire or explosion involving the solid waste facility.
 - b. Any spill or uncontrolled release that may endanger human health or the environment.
2. STS shall within 24-hours of any of the following events shall notify the Department by telephoning the Department's Division of Waste and Hazardous Substances' Compliance and Permitting Section (CAPS) by telephone at 302.739.9403.
 - a. Fire or explosion involving the solid waste facility.
 - b. Receipt of prohibited waste at the solid waste facility.

- c. Any spill or uncontrolled release that may endanger human health or the environment.
3. STS shall submit a written notification to the Department no later than five (5) business days following any event requiring "Notification and Emergency Reporting" within Permit Conditions V.D.1 or V.D.2. The notification shall include the following:
 - a. Date and time of occurrence/discovery.
 - b. Date and time reported to the Department.
 - c. The waste and materials, and the quantities involved.
 - d. Agencies notified.
 - e. Narrative describing how the incident occurred and the actions taken by STS and other response personnel.
 - f. Report of injuries/damage.
 - g. Proposal for follow-up or remedial actions including schedule.

E. Assessment of Corrective Measures

If the Department deems that any corrective measures are needed, STS is to report on the implementation and usage of those measures and include the following:

1. Date implementation began.
2. Whether the corrective measures could be fully implemented.
3. Notes on if the issue(s) that brought about the corrective action changed.

VI. RECORDKEEPING

A. General Recording and Maintenance

The following documents are to be kept by STS until the post-closure of STS has concluded.

B. On-Site Records

The following information must be recorded, and the records retained by STS for at least three (3) years. The records shall be kept on-site and made immediately available to the Department when requested.

1. A daily record of the number of scrap tires received by the solid waste facility each day.
2. A daily record of the transporters (company name, address, permit number and telephone number) hauling scrap tires to the solid waste facility.

3. A daily record of the number of containers transported offsite each day and the ports of exit.
4. A record of fires, spills, explosions, and uncontrolled releases that occurred at the solid waste facility, and of hot loads or prohibited waste received.
5. Daily inspection records.
6. Training records that document each employee's hire date and all required training for all solid waste facility staff.
7. Records of litter, noise, or odor complaints received by STS concerning the solid waste facility. This record shall include the date of complaint, type of complaint, and the action taken to remedy the complaint.
8. Records of notifications to transporters or generators who habitually direct prohibited waste to STS.

VII. CLOSURE AND POST-CLOSURE CARE

A. Closure in Accordance with DRGSW.

STS shall close the STS solid waste facility in accordance with DRGSW and this Permit. Minimal closure expectations include, but are not limited to the following:

1. Should STS cease receiving or bailing scrap tires, all scrap tires shall be properly transported, and disposed of or recycled offsite.
2. By the cessation date provided by STS, STS shall lawfully remove from the solid waste facility all scrap tires, all associated and/or ancillary wastes, and all collected litter.

B. Notification

STS shall immediately notify the Department in writing of the estimated date that the operation of the solid waste facility is planned to cease. At least ninety (90) days prior to the date when waste will no longer be accepted at the solid waste facility, STS shall submit to the Department the following:

1. Written notification of intent to close including the request to modify this Permit to allow closure.
2. An updated closure plan.
3. The closure schedule.
4. A description of the post-closure use of the solid waste facility.

C. General Closure Activities

Closure activities shall not commence until the Department has:

1. Given public notice regarding the requested permit modification to close the solid waste facility.
2. Modified the solid waste facility permit to allow closure in accordance with the closure plan and DRGSW.
3. STS shall complete closure of the solid waste facility in accordance with the approved schedule; however, closure must be completed within ninety (90) days of the date on which the permit was modified to allow closure.
4. Closure of the STS solid waste facility shall meet the closure requirements set forth in DRGSW.
5. After closure has been completed, the Department may require that STS conduct monitoring and/or maintenance activities at the site to prevent or detect and mitigate any adverse environmental or health impacts.

D. Post-closure Care

Post-closure care (if applicable) shall be in accordance with DRGSW and this Permit. Post-closure care shall be in accordance with the post-closure care permit and the approved post-closure care plan approved by the Department.

E. Post-closure Land Use

If applicable, STS shall implement a post-closure land use plan approved by the Department.

PERMIT SYNOPSIS

SW-24/01

DATE OF ISSUANCE. The Department's Division of Waste and Hazardous Substances, Compliance and Permitting Section issued Solid Waste Facility Permit SW-24/01 for the operation of the Scrap Tire Solution, Inc. (STS) solid waste facility. STS is permitted to accept scrap tires, as defined in this Permit, for bailing. Baled scrap tires are then to be transported in containers from the STS solid waste facility directly to ports of exit for export to those markets identified within this Permit.

Figure 2, January 2024, Site Plan, “Scrap Tire Area.”

