



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

OFFICE OF THE  
SECRETARY

RICHARDSON & ROBBINS BUILDING  
89 KINGS HIGHWAY  
DOVER, DELAWARE 19901

PHONE  
(302) 739-9000

**NOTICE OF ADMINISTRATIVE PENALTY ASSESSMENT  
AND SECRETARY'S ORDER**

Pursuant to 7 Del. C. §§ 6005(b)(2) and (b)(3)

**Order No. 2024-WH-0050**

***VIA PERSONAL SERVICE***

**Issued To:**

Matthew Pearson  
EHS Manager  
Dassault Falcon Jet Wilmington Corp  
191 North Dupont Highway  
New Castle, DE 19720

**Registered Agent:**

Corporate Creations Network, Inc.  
1521 Concord Pike  
Suite 201  
Wilmington, DE 19803

Dear Mr. Pearson:

The Secretary of the Department of Natural Resources and Environmental Control ("Department") has found Dassault Falcon Jet Wilmington Corp. ("Respondent" or "Dassault") in violation of 7 Del. C. Chapters 60 and 63, and 7 DE Admin. Code § 1302, Delaware's *Regulations Governing Hazardous Waste* ("DRGHW"). Accordingly, the Department is issuing this Notice of Administrative Penalty Assessment and Secretary's Order ("Secretary's Order"), pursuant to 7 Del. C. § 6005.

### **BACKGROUND**

Respondent operated a private aircraft maintenance and remodeling facility at 191 North DuPont Highway, New Castle, Delaware 19720 ("Facility"). Respondent ceased operations at the Facility in February 2022, but continued to generate hazardous wastes from closure activities through March 18, 2024. Prior to closing the Facility, Respondent was subject to compliance inspections conducted by the Department's Compliance and Permitting Section ("CAPS"), pursuant to 7 DE Admin. Code § 1302.

On October 26, 2023, the Department conducted a compliance inspection ("Compliance Inspection") at the Facility. At the time of the Compliance Inspection, Respondent was classified as a large quantity generator ("LQG")<sup>1</sup> of hazardous waste. The Facility is assigned EPA ID number DED011028438. Based on the information gathered during the Compliance Inspection, the Department found Respondent to be in violation of applicable state statutes and regulations governing the generation and management of hazardous waste.

The Department notified Respondent of the violations identified during the Compliance Inspection by issuing Notice of Violation ("NOV") No. 23-HW-38, dated December 19, 2023. The NOV identified eleven (11) violations of DRGHW and one violation of 7 *Del. C.* Chapter 63. The NOV was received by Respondent on July 31, 2023.

Respondent corrected one (1) of the twelve (12) violations prior to the issuance of the NOV. On January 26, 2024, and January 29, 2024, Respondent submitted documentation to the Department demonstrating correction of the remaining violations.

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<sup>1</sup> Generators of greater than or equal to 1,000 kilograms (≈2,200 pounds) of non-acute hazardous waste in any calendar month and/or greater than 1 kilogram (≈2.2 pounds) of acute hazardous waste in any calendar month are large quantity generators (Delaware's *Regulations Governing Hazardous Waste*, 2021).

**FINDINGS OF FACT AND VIOLATION INCLUDING**  
**REGULATORY REQUIREMENTS**

**1. DRGHW Section 262.11 states:**

*“A person who generates a solid waste, as defined in §261.2, must make an accurate determination as to whether that waste is a hazardous waste in order to ensure wastes are properly managed according to these regulations...”*

At the time of the Compliance Inspection, Department representatives observed over 100 various sized containers of commercial chemical products designated for disposal. Respondent's on-site representative stated that he was unaware that the commercial chemical products to be disposed of were a solid waste, and hazardous waste determinations had not been made. Failure to make a hazardous waste determination at the point of solid waste generation violates DRGHW Section 262.11.

On January 26, 2024, Respondent submitted waste product surveys (WPS) and Uniform Hazardous Waste Manifests (manifest) to the Department demonstrating that hazardous waste determinations were made and the waste observed during the Compliance Inspection was shipped to an off-site designated facility on December 5, 2023, correcting the violation to the Department's satisfaction.

**2. DRGHW Section 262.17(a)(5)(i)(A) states:**

*“(i) Containers. A large quantity generator must mark or label its containers with the following:*

*(A) The words ‘Hazardous Waste’;”*

At the time of the Compliance Inspection, Department representatives observed two (2) hazardous waste aerosol cans on the floor of the central accumulation area<sup>2</sup>, neither of which was labeled "Hazardous Waste." Additionally, in the Paint Hangar central accumulation area, Department representatives observed a 55-gallon metal drum containing hazardous waste. While the 55-gallon drum was labeled "Non-hazardous Waste – Rags & Debris;" Respondent's on-site representative stated that the label indicated the prior contents of the drum and that the label did not accurately describe the drum's current contents.

Failure to properly label a container accumulating hazardous waste in a central accumulation area with the words "Hazardous Waste" violates DRGHW Section 262.17(a)(5)(i)(A).

On January 26, 2024, Respondent submitted documentation to the Department affirming employees were retrained in the hazardous waste accumulation requirements. The documentation also included information that the hazardous waste observed during the Compliance Inspection was shipped to an off-site designated facility on December 5, 2023, correcting the violation to the Department's satisfaction.

**3. DRGHW Section 262.17(a)(5)(i)(B) states:**

*"(i) Containers. A large quantity generator must mark or label its containers with the following...*

*(B) An indication of the hazards of the contents..."*

The 55-gallon drum identified in Violation #2 was not marked to indicate the hazards associated with the contents of the drum. Failure to mark a container accumulating hazardous waste in a central accumulation area with the hazards associated with the contents of a container violates DRGHW Section 262.17(a)(5)(i)(B).

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<sup>2</sup> "Central accumulation area" means any on-site hazardous waste accumulation area with hazardous waste accumulating in units subject to either §262.16 (for small quantity generators) or §262.17 (for large quantity generators) of these regulations. (DRGHW Section 260.10, 2021).

On January 26, 2024, Respondent submitted documentation to the Department affirming employees were retrained in the hazardous waste accumulation requirements. The documentation also included information that the hazardous waste observed during the Compliance Inspection was shipped to an off-site designated facility on December 5, 2023, correcting the violation to the Department's satisfaction.

**4. DRGHW Section 262.17(a)(5)(i)(C) states:**

*“(i) Containers. A large quantity generator must mark or label its containers with the following...”*

*(C) The date upon which each period of accumulation begins clearly visible for inspection on each container.”*

Neither the two (2) waste aerosol cans nor the 55-gallon drum described in Violation #2 were marked with an accumulation start date. Failure to mark a container accumulating hazardous waste in a central accumulation area with an accumulation start date violates DRGHW Section 262.17(a)(5)(i)(C).

On January 26, 2024, Respondent submitted documentation to the Department affirming that employees were retrained in hazardous waste accumulation requirements. The documentation included confirmation that the hazardous waste observed during the Compliance Inspection was shipped to an off-site designated facility on December 5, 2023, correcting the violation to the Department's satisfaction.

**5. DRGHW Section 262.17(a)(1)(iv)(A) states:**

*“(A) A container holding hazardous waste must always be closed during accumulation, except when it is necessary to add or remove waste.”*

The 55-gallon drum described in Violation #2 was not closed, even though no hazardous waste was being added or removed from the drum. Failure to keep a container accumulating hazardous waste closed in a central accumulation area, except when adding or removing waste, violates DRGHW Section 262.17(a)(1)(iv)(A).

On January 26, 2024, Respondent submitted documentation to the Department affirming employees were retrained in hazardous waste accumulation requirements. The documentation confirmed that the hazardous waste observed during the Compliance Inspection was shipped to an off-site designated facility on December 5, 2023, correcting the violation to the Department's satisfaction.

**6. DRGHW Section 262.17(a) states:**

*"A large quantity generator may accumulate hazardous waste on site without a permit or interim status, and without complying with the requirements of Parts 124, 264 through 266, and 122 of these regulations, or the notification requirements of 7 Del.C. §6304(a), provided that all of the following conditions for exemption are met:*

*(a) Accumulation. A large quantity generator accumulates hazardous waste on site for no more than 90 days, unless in compliance with the accumulation time limit extension or F006 accumulation conditions for exemption in paragraphs (b) through (e) of this section. The following accumulation conditions also apply: ..."*

**DRGHW Section 122.1(c) states:**

*"(c) Scope of the hazardous waste permit requirement. DNREC requires a permit for the 'treatment', 'storage', and 'disposal' of any 'hazardous waste' as identified or listed in Part 261."*

Based on a records review, the Department identified the following instances where Respondent accumulated hazardous waste at the Facility for more the 90 days:

- Manifest 025623263JJJ line items 8 and 9 show that 5,200 pounds of process waste (i.e., Alodine®<sup>3</sup> chromic acid WPS #155002) was shipped to an off-site designated facility on September 12, 2023. Given Respondent's operations ceased in February 2022, at least 561 days passed before the waste was shipped. The Department therefore concludes that Respondent accumulated the waste for greater than 90 days.

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<sup>3</sup> A chromate conversion coating that protects aluminum and other metals from corrosion.

- Waste Inventory Sheets provided to the Department by Respondent were confirmed by Respondent to be used in planning waste shipments. Respondent's consultant, A. Radcliffe, also confirmed that the Waste Inventory Sheets include only waste placed in central accumulation areas. As such, Waste Inventory Sheets show the following hazardous wastes were accumulated by Respondent for greater than 90 days:

| Waste Name        | Documented Container Date (A) | Final Inventory Date (B) | Number of Days Between A and B |
|-------------------|-------------------------------|--------------------------|--------------------------------|
| Cabinet Shop Dust | November 23, 2020             | September 17, 2021       | 127                            |
| Formica 200       | January 7, 2021               | September 24, 2021       | 305                            |
| STA PUT           | March 12, 2021                | July 9, 2021             | 119                            |
| Paint Waste       | May 13, 2021                  | July 9, 2021             | 183                            |

As described in DRGHW Section 262.17(a), accumulating hazardous waste on site for greater than 90 days requires a hazardous waste permit. As Respondent does not have a hazardous waste permit, Respondent violated DRGHW Section 122.1(c).

On January 29, 2024, Respondent submitted to the Department documentation of training and new procedures implemented to ensure hazardous waste is shipped to an off-site designated facility prior to exceeding the 90-day accumulation limit, correcting the violation to the Department's satisfaction.

**7. DRGHW Section 262.40(a) states:**

*“(a) A generator must keep a copy of each manifest signed in accordance with §262.23(a) for three years or until he receives a signed copy from the designated facility which received the waste. This signed copy must be retained as a record for at least three years from the date the waste was accepted by the initial transporter.”*

At the time of the Compliance Inspection, Department representatives attempted to review hazardous waste manifests for the past three (3) years; however, Respondent was unable to provide manifests for shipments made after November, 2021. On October 30, 2023, Respondent's on-site representative was only able to provide a single manifest, 025623263JJK, despite the fact that six (6) additional hazardous waste shipments were made after November 2021. As a result, the Department concluded that Respondent failed to maintain the following manifests:

| Manifest     | Shipment Date      |
|--------------|--------------------|
| 025623602JJK | July 13, 2023      |
| 024888266JJK | April 21, 2023     |
| 024207206JJK | September 22, 2022 |
| 023544180JJK | February 22, 2022  |
| 023543681JJK | December 7, 2021   |
| 023121397JJK | December 7, 2021   |

Failure to maintain a manifest for three (3) years from the date the waste was accepted by the initial transporter violates DRGHW Section 262.40(a).

On January 26 and January 29, 2024, Respondent submitted to the Department copies of the previously unavailable designated facility signed manifests, correcting the violation to the Department's satisfaction.

**8. DRGHW Section 262.263(d) states:**

*“The contingency plan must be reviewed, and immediately amended, if necessary, whenever...”*

*(d) The list of emergency coordinators changes...”*

At the time of the Compliance Inspection, Department representatives reviewed Respondent's contingency plan. The contingency plan identified Mr. C. Tittle as one of the emergency coordinators. According to Respondent's onsite representative, Mr. C. Tittle has not been employed at the Facility since March 2022. Failure to amend the contingency plan whenever the list of emergency coordinators changes violates DRGHW Section 262.263(d).

On January 26, 2024, Respondent submitted to the Department, a revised contingency plan and quick reference guide, correcting the violation to the Department's satisfaction.

**9. DRGHW Section 262.262(a) states:**

*“(a) The large quantity generator must submit a copy of the contingency plan and all revisions to all local emergency responders (i.e., police departments, fire departments, hospitals, and State and local emergency response teams that may be called upon to provide emergency services). This document may also be submitted to the Local Emergency Planning Committee, as appropriate. Documentation of written submission and receipt must be maintained at the facility for three (3) years from the requirement last being applicable*

At the time of the Compliance Inspection, while Respondent had maintained copies of the U.S. Postal Service Certified Mail Receipts demonstrating Respondent's contingency plan was mailed to local emergency responders, the delivery section of the receipts was incomplete, and therefore did not demonstrate that the contingency plan was received by the addressees. Further, Respondent was unable to locate any records demonstrating receipt of the contingency plan by the addressees. Subsequent to the Compliance Inspection, Department representatives attempted to confirm receipt of the mailed contingency plans using the United States Postal Service's online tracking feature; however, the tracking numbers searched yielded no delivery results. Failure to retain documentation demonstrating receipt of the contingency plan by local emergency responders violates DRGHW Section 262.262(a).

On January 26, 2024, Respondent submitted to the Department documentation demonstrating delivery of a revised contingency plan and quick reference guide to local police, fire, and hospitals, correcting the violation to the Department's satisfaction.

**10. DRGHW Section 262.17(a)(7)(iii) states:**

*“(iii) Facility personnel must take part in an annual review of the initial training required in paragraph (a)(7)(i) of this section.”*

At the time of the Compliance Inspection, Respondent's on-site representative explained that “EPA RCRA Training” was last offered to employees with hazardous waste management responsibilities on March 17, 2021. Of the employees responsible for hazardous waste management in the past three (3) years, only M. Pearson and S. Wilson continued to be employed after facility operations ceased in early 2022. While both M. Pearson and S. Wilson received “DOT Hazardous Materials Transportation for Shippers” training in 2022, this training does not satisfy the hazardous waste training requirements. Failing to ensure employees with hazardous waste management responsibilities receive annual hazardous waste training violates DRGHW Section 262.17(a)(7)(iii).

On January 26, 2024, Respondent submitted to the Department documentation showing that M. Pearson and S. Wilson completed hazardous waste training on January 17, 2024, correcting the violation to the Department's satisfaction.

**11. DRGHW Section 262.17(a)(1)(vi) states:**

*“(vi) Inspections. At least weekly, the large quantity generator must inspect central accumulation areas. The large quantity generator must look for leaking containers and for deterioration of containers caused by corrosion or other factors. See paragraph (a)(1)(ii) of this section for remedial action required if deterioration or leaks are detected. A written record of the inspections and remedial actions taken, if necessary, must be maintained onsite for a minimum of 3 years.”*

At the time of the Compliance Inspection, Respondent could not demonstrate weekly inspections of Respondent's central accumulation areas occurred as follows.

- Shed: Department representatives observed weekly inspection records dated November 27, 2020; December 25, 2020; January 1, 2021; and January 28, 2022. The inspection records dated November 27 and December 25, 2020 were marked "Holiday" and the inspection record dated January 1, 2021 was also marked "Holiday." The inspection record dated January 28, 2022 was blank. Since none of the inspection records for these dates were completed, the Department concludes that no inspections were completed. Further, Respondent did not provide weekly inspection records for the time period between October 26, 2020 to April 9, 2021 and for the time period of October 1, 2021 to October 26, 2023.
- Paint Hangar: While the Department is unable to determine each week during the past three (3) years that Respondent was accumulating hazardous waste at the Paint Hangar central accumulation area, the Department has concluded that each week the 55-gallon drum of hazardous waste identified in Violation #2 was being accumulated in the Paint Hangar central accumulation area, weekly inspections were required. Respondent did not provide weekly inspection records for the Paint Hangar central accumulation area.

Failure to conduct inspections of a central accumulation area at least weekly and maintain written records of the inspections for a minimum of three (3) years violates DRGHW Section 262.17(a)(1)(vi).

On January 26, 2024, Respondent submitted documentation to the Department, demonstrating Respondent implemented new procedures to ensure weekly inspections of central accumulation areas are performed and the records maintained, correcting the violation to the Department's satisfaction.

**12. 7 Del. C. Section 6319(d) states:**

*“(d) The annual assessment payments shall be paid to the Department October 1 of each year, the first of said assessment payments to be due October 1, 1987, in accordance with the Department fee regulations. The assessments paid to the Department under this section are hereby appropriated to the Division of Waste and Hazardous Substances and shall be used to carry out the purposes of this chapter.”*

An initial invoice for 2022 hazardous waste waste-end assessment fees was mailed to Respondent on or about July 21, 2023. A copy of the original invoice was mailed to respondent on or about October 23, 2023. Additionally, the invoice was emailed to Respondent's on-site representative on July 26, 2023, and October 4, 2023. On October 10, 2023, Respondent's on-site representative advised Department representatives of difficulties when attempting to pay the invoice online. Subsequently, a hardcopy of the invoice was hand-delivered by Department representatives at the time of the Compliance Inspection. Respondent neither shared their difficulties with the Department nor attempted to resolve them until October 1, 2023. Respondent ultimately remitted payment by check, with the check received by the Department on November 27, 2023. Failure to pay the hazardous waste end assessment fee invoice by October 1 of each year violates 7 Del. C. §6319(d).

Respondent, having submitted to the Department payment of the 2022 waste-end assessment fee on November 27, 2023, corrected the violation to the Department's satisfaction.

**CONCLUSIONS**

Based on the foregoing, the Department has concluded that Respondent has violated the above-cited statutory and regulatory provisions.

### **ASSESSMENT OF PENALTY**

Pursuant to 7 *Del. C.* § 6005(b)(3), the Secretary may impose an administrative penalty of not more than \$10,000.00 for each day of violation detailed in this Secretary's Order. This Secretary's Order is written notice to Respondent, that, based upon its findings, the Department is assessing Respondent an administrative penalty for the violations identified in this Secretary's Order. In assessing the administrative penalty, 7 *Del. C.* § 6005(b)(3) instructs the Secretary to consider the following factors: (1) the nature, circumstances, extent and gravity of the violation, or violations; (2) the ability of the violator to pay; (3) any prior history of such violations; (4) the degree of culpability; (5) the economic benefit or savings (if any) resulting from the violation; and (6) such other matters as justice may require. A brief discussion of these factors is set forth below.

**1. The Nature, Circumstances, Extent and Gravity of the Violation, or Violations:**

The nature, circumstances, extent, and gravity of the violations are significant. This Secretary's Order identifies and describes one (1) statutory violation and eleven (11) regulatory violations. Failing to ensure compliance with the statutory and regulatory requirements for hazardous waste, including failing to make hazardous waste determinations and operating without a hazardous waste permit, are significant deviations from the statutory and regulatory requirements cited herein.

**2. Respondent's Ability to Pay:**

The record contains no information that the Respondent lacks the ability to pay the administrative penalty assessed.

**3. Prior History of Violations:**

While Respondent incurred violations of DRGHW during eight (8) previously conducted inspections between 2001 and 2019, this was not a factor in the administrative penalty assessment.

**4. Degree of Culpability:**

The degree of culpability is significant. Had Respondent employed reasonable oversight measures as DRGHW require, these violations would not have occurred.

**5. Economic Benefit or Savings Resulting from the Violation(s):**

With respect to the economic benefit, the record contains no information that Respondent incurred any meaningful economic benefit from these violations, and thus this was not a factor in the administrative penalty assessment.

**6. Such Other Matters as Justice May Require:**

Lastly, considering such other matters as justice may require, the Secretary has determined that the penalty assessed is proportional to the violations cited herein and calculated to deter Respondent, and those similarly situated, from engaging in future violations.

Pursuant to 7 *Del. C.* § 6005(b)(3), this is written notice to Respondent that on the basis of its findings, the Department is assessing the Respondent an administrative penalty of \$10,000.00 for the violations identified in this Secretary's Order.

Respondent shall submit one check to the Department in the amount of \$10,000.00 to pay the administrative penalty within 30 days from the receipt of this Secretary's Order. The check shall be made payable to the "State of Delaware" and shall be directed to Leslie Reese, 89 Kings Hwy SW, Dover, Delaware 19901.

**PUBLIC HEARING AND APPEAL RIGHTS**

This Secretary's Order affects Respondent's legal rights and is effective and final upon receipt by Respondent. Pursuant to Section 6008 of Title 7 of the Delaware Code, any person whose interest is substantially affected by this action of the Secretary may appeal to the Environmental Appeals Board within **20 days** of the receipt of the Secretary's Order. In the alternative, Respondent may, pursuant to 7 *Del. C.* § 6005(b)(3), request a public hearing on the Secretary's Order within **30 days** of receipt of the Secretary's Order. A public hearing pursuant to 7 *Del. C.* § 6005(b)(3) would be conducted pursuant to 7 *Del. C.* § 6006, and the Secretary's order following the hearing would be subject to appeal, pursuant to 7 *Del. C.* § 6008, by any person substantially affected.

**Respondent is further advised that the above assessed administrative penalty shall be due and owing within 30 days of Respondent's receipt of this Secretary's Order.** In the event of nonpayment of the administrative penalty assessed above, and after Respondent has exhausted all legal appeals, if any, a civil action may be brought by the Secretary in Superior Court for collection of the administrative penalty, including interest, attorneys' fees and costs, and the validity, amount and appropriateness of such administrative penalty and/or costs shall **not** be subject to review pursuant to 7 *Del. C.* §§ 6005(b)(3) and (c).

To request a public hearing pursuant to 7 *Del. C.* § 6005(b)(3), please submit your request, in writing, to:

Department of Natural Resources and Environmental Control  
Office of the Secretary  
89 Kings Highway  
Dover, DE 19901  
Telephone: (302) 739-9000

To submit an appeal to the Environmental Appeals Board pursuant to 7 *Del. C.* § 6008, you must file your written statement of appeal and submit a check, made payable to: "Environmental Appeals Board," for the \$50.00 filing fee, to:

Department of Natural Resources and Environmental Control  
Office of the Secretary  
Attn: Assistant to the Environmental Appeals Board  
89 Kings Highway  
Dover, DE 19901  
Telephone: (302) 739-9000

For additional information on filing an appeal with the Environmental Appeals Board and what information you must include in your written statement of appeal, please refer to the Environmental Appeals Board Regulations, codified at 7 DE Admin. C. § 105.

The Department, to the extent necessary, reserves the right to take additional enforcement actions regarding these and other violations by Respondent, including but not limited to one or more of the following: an action under 7 *Del. C.* § 6005(b)(1) seeking penalties for past violations, an action under 7 *Del. C.* § 6005(b)(2) seeking penalties for continuing violations, an action in the Court of Chancery pursuant to 7 *Del. C.* § 6005(b)(2) seeking a temporary restraining order or an injunction, and the imposition of civil penalties and recovery of the Department's costs and attorney's fees pursuant to 7 *Del. C.* §§ 6005(b)(3) & (c)(1). Nothing in this document shall be deemed to estop, or in any way preclude any additional enforcement action for these or any other violations, including administrative and civil penalties for each day of violation, or an action for the recovery of Department costs expended in abating these violations.

#### **SECRETARY'S ORDER FOR COST RECOVERY**

Pursuant to 7 *Del. C.* § 6005(c), Respondent is liable for all expenses incurred by the Department in abating the violations detailed in this Secretary's Order. "Such expenses shall include, but not be limited to, the costs of investigation, legal fees and assistance, public hearings, materials, equipment, human resources, contractual assistance and appropriate salary and overtime pay for all state employees involved in the effort notwithstanding merit system laws, regulations or rules to the contrary." (7 *Del. C.* § 6005(c)(1)).

Respondent is liable for \$4,407.00 in costs, which costs the Department has incurred to date in abating the violations detailed in this Secretary's Order. The Department has attached to this Secretary's Order a detailed billing of expenses detailing these costs. Respondent shall remit a check payable to the State of Delaware in the amount of \$4,407.00 within thirty (30) days of receipt of this Secretary's Order to Leslie Reese, 89 Kings Hwy SW, Dover, Delaware 19901.

In the event that Respondent appeals this Secretary's Order pursuant to 7 Del. C. § 6008 or requests a public hearing pursuant to 7 Del. C. § 6005(b)(3), or in the event Respondent fails to comply with this Secretary's Order, the Department will rescind the detailed billing attached to this Secretary's Order. The Department will issue Respondent a new detailed billing and Cost Recovery Order following exhaustion of Respondent's appeal rights that will include all additional recoverable costs incurred by the Department. Respondent is further advised that Respondent may challenge the Department's final detailed billing in accordance with 7 Del. C. § 6005(c)(2).

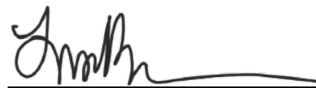
### **PAYMENT**

If Respondents do not wish to exercise their legal rights to a hearing or appeal, Respondents may pay the administrative penalty of \$10,000.00 and the Department's costs in the amount of \$4,407.00 prior to the end of the appeal period, in the manner described in the attached "**Waiver of Statutory Right to A Hearing.**" By doing so, Respondents waive the right to a hearing and the opportunity to appeal or contest this Secretary's Order.

If you have any questions, please contact, or have your attorney contact Matthew Ferrer, Esq., Deputy Attorney General at 302-395-2500.

December 6, 2024

Date



For Shawn M. Garvin, Secretary

cc: Timothy Ratsep, Division Director  
Matthew Ferrer, Esq., Deputy Attorney General

**WAIVER OF STATUTORY RIGHT TO A HEARING**

**Dassault Falcon Jet Wilmington Corp.** hereby waives its right to a public hearing and its opportunity to appeal or contest this Secretary's Order, and agrees to the following:

1. **Dassault Falcon Jet Wilmington Corp.** will pay the administrative penalty in the amount of \$10,000.00 by sending a check payable to the State of Delaware within 30 days of receipt of this Secretary's Order. The check shall be directed to Leslie Reese, 89 Kings Hwy SW, Dover, Delaware 19901.
  
2. **Dassault Falcon Jet Wilmington Corp.** will pay the Department's Costs in the amount of \$4,407.00 by sending a check payable to the State of Delaware within 30 days of receipt of this Secretary's Order. The check shall be directed to Leslie Reese 89 Kings Hwy SW, Dover, Delaware 19901.

**Dassault Falcon Jet Wilmington Corp.**

Date: \_\_\_\_\_

By: \_\_\_\_\_  
(Signature)

Title: \_\_\_\_\_

Name: \_\_\_\_\_  
(Print)