

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

Office of the  
Secretary

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## SECRETARY'S ORDER TO CEASE AND DESIST

Pursuant to 7 *Del. C.* § 6018

**Order No. 2026-WH-0011**

**Issued To:**

Via Certified Mail, Return Receipt      Via Personal Service Registered Agent

Andrew T. Parsell  
Parsell Funeral Homes &  
Crematorium  
16961 Kings Highway  
Lewes, Delaware 19958

Parsell Funeral Enterprises  
16961 Kings Highway  
Lewes, Delaware 19958

Dear Mr. Parsell:

This is to notify Parsell Funeral Homes & Crematorium, along with Parsell Pet Crematorium (collectively "Respondent") that the Secretary of the Delaware Department of Natural Resources and Environmental Control ("Department") has found Respondent in violation of 7 *Del. C.* Chapter 60 and 7 *Del. Admin. C.* § 1301, Delaware's "Regulations Governing Solid Waste" ("DRGSW"). Accordingly, the Department is issuing this Secretary's Order to Cease and Desist, pursuant to 7 *Del. C.* § 6018.

## BACKGROUND

1. The Department has established the DRGSW which regulate the storage, transportation, handling, and disposal of solid wastes, and to assure the safe and adequate management of solid wastes within the State of Delaware, pursuant to the authority set forth in 7 *Del. C.* Chapter 60. Said regulations, protect the public health and safety, the health of organisms and the environment from the harmful effect of improper, inadequate or unsound management of solid wastes.
2. In addition to operating a funeral home and crematory for human remains, Respondent also provides pet cremation services at their facility located at 16961 Kings Highway, Lewes, Delaware 19958 ("Facility").
3. Respondent was issued permit APC-2014/0072, to operate a Matthews Cremation Division, Model IEB-16<sup>1</sup> pet crematory by the Department's Division of Air Quality on July 16, 2015. Respondent has not received any additional permits from the Department since that time.
4. On May 19, 2026, and again on May 22, 2026, the Department confirmed with two veterinary hospitals that, in addition to accepting deceased pets for transportation and cremation at its facility, Respondent also accepts for transportation and management infectious waste, including, but not limited to, sharps.
5. The transportation of infectious waste and management of infectious waste each require a permit.
6. Respondent's transportation and management of infectious waste has occurred in the past and is continuing to occur.

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<sup>1</sup> A model/brand of pet crematory.

7. Respondent has neither a permit to transport solid waste nor a permit to accept and manage solid waste at its facility.

### **APPLICABLE REGULATORY CITATIONS**

Section 3 of DRGSW defines "Solid Waste" as:

"Solid Waste" means any garbage, refuse, rubbish, sludge from a waste treatment plant, water supply treatment plant or air pollution control facility and other discarded material, including solid, liquid, semisolid or contained gaseous material resulting from industrial, commercial, mining and agricultural operations, and from community activities,...

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Section 3 of DRGSW defines "Special Solid Waste" as:

"Special Solid Wastes" means those wastes that require extraordinary management. They include but are not limited to: abandoned automobiles, white goods, used tires, waste oil, sludges, dead animals, agricultural and industrial wastes, infectious waste, municipal ash, septic tank pumpings, and sewage residues.

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Section 3 of DRGSW defines "Solid Waste Management" or "Management" as:

"Solid Waste Management" or "Management" means the systematic administration of the activities which provide for the collection, source separation, storage, transportation, processing, treatment, or disposal of solid waste.

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Section 11.3 of DRGSW defines “Infectious Waste,” which includes “Sharps,” as:

“Infectious Waste” means those solid wastes which may cause human disease and may reasonably be suspected of harboring human pathogenic organisms, or may pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of or otherwise managed. Types of solid wastes designated as infectious include but are not necessarily limited to the following. . .

**Sharps** means any discarded article that may cause puncture or cuts. Such wastes include, but are not limited to, needles, intravenous (IV) tubing with needles attached, scalpel blades, glassware and syringes that have been removed from their original sterile containers. For the purpose of these regulations, only sharps from human or animal health care facilities, human or animal research facilities or human or animal pharmaceutical manufacturing facilities shall be regulated as sharps.”

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Section 3 of DRGSW defines “Transportation” as:

“Transportation” means the movement of solid waste by air, rail, water, over the roadway, or on the ground.

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Section 3 of DRGSW defines “Transporter” as:

“Transporter” means any person engaged in the transportation of solid waste.

## FINDINGS

Upon the Department's information and belief, the Department has concluded Respondent is in violation of 7 *Del. C.* Chapter 60 and DRGSW, including, but not limited to:

### 1. Section 6003(a)(4) of Title 7:

“(a) No person shall, without first having obtained a permit from the Secretary, undertake any activity:

...

(4) In a way which may cause or contribute to the collection, transportation, storage, processing, or disposal of solid wastes, regardless of the geographic origin or source of such solid wastes...”

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### DRGSW Section 7.1.1:

“No person shall transport solid waste, without first having obtained a permit from the Department, unless specifically exempted by these Regulations.”

Sharps are considered infectious waste. Infectious waste is a special solid waste. Transportation of any special solid waste requires a solid waste transportation permit prior to transporting. Respondent's past and continued transportation of infectious waste without having first obtained a permit to transport solid waste, violates 7 *Del. C.* §6003(a)(4) and DRGSW Section 7.1.1.

**2. Section 6003(a)(4) of Title 7:**

“(a) No person shall, without first having obtained a permit from the Secretary, undertake any activity:

...

(4) In a way which may cause or contribute to the collection, transportation, storage, processing, or disposal of solid wastes, regardless of the geographic origin or source of such solid wastes...”

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**DRGSW Section 4.1.1.1**

“No person shall engage in the construction, operation, material alteration, or closure of a solid waste facility, unless exempted from these regulations under subsection 2.3, without first having obtained a permit from the Department.”

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Sharps are considered infectious waste. Infectious waste is a special solid waste. Management of infectious waste requires a solid waste management permit prior to acceptance of said infectious waste. By accepting sharps, an infectious waste, without having first obtained a solid waste management permit, Respondent has violated 7 *Del. C.* §6003(a)(4) and DRGSW Section 4.1.1.1.

**ORDER**

IT IS HERBY ORDERED, based on the foregoing findings and pursuit to the authority vested in the Secretary by 7 *Del. C.* § 6018, that Respondent:

1. Cease and desist in transporting infectious waste in the State of Delaware without first obtaining a Delaware solid waste transporter permit; and
2. Cease and desist from operating a solid waste management facility by refraining from the acceptance of infectious waste.

The Department reserves the right to take additional enforcement actions regarding these or other violations at the facility, 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) and (c)(1).

You may appeal this order to the Environmental Appeals Board within twenty (20) days of receipt pursuant to 7 *Del. C.* § 6008.

Pursuant to 7 *Del. C.* § 6018 this order expires: (1) after 30 days of its issuance, or (2) upon withdrawal of said order by the Secretary, or (3) when the order is suspended by an injunction, whichever occurs first.

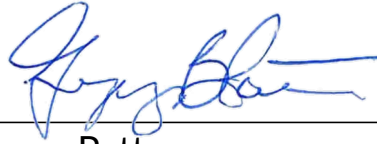
If you have any questions, please contact or have your attorney contact Travis Groski, Esq., Deputy Attorney General, at (302) 484-8964.

Parsell Funeral Homes & Crematorium  
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May 31, 2026

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Date



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Gregory Patterson  
Secretary  
Delaware Department of Natural Resources  
and Environmental Control

cc: Travis Groski, Esq., Deputy Attorney General  
Timothy Ratsep, Division Director