



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

Office of the
Secretary

Phone: (302) 739-9000
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SECRETARY'S ORDER TO CEASE AND DESIST

Pursuant to 7 *Del. C.* § 6018

Order No. 2026-WH-0020

Issued To:

Facility Operator

Via Hand Delivery:
Mr. Lou Nappi
Vice President
LogiClean, LLC
6300 Philadelphia Pike
Claymont, DE 19703

Property Owner

Via FedEx:
Claymont Properties, LLC
4500 Philadelphia Pike
Claymont, DE 19703

Property Owner

Via Personal Service:
Claymont Properties, LLC
By Serving the Registered Agent:
National Registered Agents, Inc.
1209 Orange Street
Wilmington, DE 19801

Dear Mr. Nappi:

This is to notify LogiClean, LLC ("LogiClean"), facility operator, and Claymont Properties, LLC ("Claymont Properties"), owner of 101 Naamans

Road, Claymont ("Parcel No. 0606000008"), (collectively "Respondents") that the Secretary of the Delaware Department of Natural Resources and Environmental Control ("Department") has found Respondents 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.

This Order is issued pursuant to 7 *Del. C.* § 6018 because the Secretary has determined that Respondents are engaged in activities that constitute ongoing violations of DRGSW and present an imminent risk of continued unlawful disposal of solid waste. Immediate action is necessary to protect public health and the environment.

BACKGROUND

Pursuant to the authority set forth in 7 *Del. C.* Chapter 60, the Department has established the DRGSW to regulate the storage, transportation, handling, and disposal of solid waste, and to assure its safe and adequate management throughout the State of Delaware. These regulations protect public health and the environment from the harmful effect of improper, inadequate or unsound management of solid waste.

On May 12, 2026, the Department's Emergency Response Team ("ERT") responded to an unknown discharge of a solid waste that was composed of liquid, reddish in color, with white foam along the Pennsylvania and Delaware border. At the time of the response, a Department representative collected and analyzed the reddish liquid with a

ThermoScientific TruDefender FTIR spectrometer.¹ Based on this analysis, a positive result for a mixture of cetyltrimethylammonium chloride² (74% of the mixture) and polyethylene glycol dodecyl ether³ (12% of the mixture) was detected. A review of the compounds indicated that they are commonly used as surfactants for various cleaning applications. Pennsylvania representatives, including the Pennsylvania Department of Environmental Protection (“PADEP”) and their contractors, completed a cleanup of the discharged solid waste. A pipe was located as being the source of the discharge and was sealed at the end to prevent additional discharges.

On May 28, 2026, the Department’s ERT responded to a report of a new discharge in the same general area as the May 12, 2026, event; however, the discharge was located in Delaware. A clear liquid with white foam was observed percolating up through the ground surface and ponding across and in the area of an unimproved gravel service road used as an access road to the railroad tracks nearby. The discharge was determined to be occurring on the property, Parcel No. 0606000008, owned by Claymont Properties. After

¹ A ThermoScientific TruDefender FTIR spectrometer is a handheld chemical identification analyzer used to assist in incident response, providing fast, actionable information to aid in chemical identification in order that appropriate response actions to unknown materials can be made.

² Cetyltrimethylammonium chloride is a cationic surfactant that can exhibit hazardous waste characteristics depending on concentration and is considered very toxic to aquatic life.

³ Polyethylene glycol dodecyl ether is a non-ionic surfactant generally considered to have low toxicity; however, in aquatic environments it can increase biochemical oxygen demand leading to oxygen depletion when improperly disposed.

consulting with PADEP, LogiClean was identified as a potential source of liquid waste containing a surfactant based on the publicly available description of services provided.

LogiClean operates a tank trailer, intermediate bulk container, and ISO⁴ container cleaning, transloading and depot business located at 6300 Philadelphia Pike, Claymont, Delaware 19703 (the "Facility"). LogiClean generates solid waste through its tank trailer and container cleaning process and is subject to the requirements of DRGSW, including compliance inspections conducted by the Department.

On May 28, 2026, Department Representatives met a LogiClean representative at the Facility and asked if a red colored surfactant containing cetyltrimethylammonium chloride and polyethylene glycol dodecyl ether was used or generated at the Facility. The LogiClean representative indicated that they do not use these specific surfactants or dyed/colored surfactants so that they do not impart the color on the client's property while cleaning. The Department Representative asked for and received permission to place green, fluorescent dye in the Facility's sump pit as a tracing indicator to assess if there is a connection between the sump and the discharge occurring at Parcel No. 0606000008.

On May 29, 2026, the green, fluorescent tracer dye was observed

⁴ An ISO container is a shipping container constructed according to the International Organization for Standardization designed for intermodal transport.

contained in the discharge occurring at Parcel No. 0606000008 verifying that a connection exists between the sump located at the Facility and the discharge. New Castle County Public Works was consulted as to the ownership of the pipe and they have indicated that the piping from the Facility to the discharge location on Parcel No. 0606000008 is private and is not part of the New Castle County sewer system.

APPLICABLE REGULATORY CITATIONS

1. Section 3 of DRGSW, specifically the definition of “Disposal” states in part:

“... means the discharge, deposit, injection, dumping, spilling, leaking, or placing of any solid waste into or upon any land or water.”

2. Section 3 of DRGSW, specifically the definition of “Solid Waste” states in part:

“... 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,...”

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Department has determined that Respondents’ continued discharge to the environment and disposal of solid waste without a permit poses a significant risk to public health and the environment.

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

1. Section 6003(a)(4) of Title 7 states in part:

“(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...”

2. DRGSW Section 4.1.1.1 states:

“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.”

On May 26, 2026, Department representatives observed the discharge of solid waste upon the land located at Parcel No. 0606000008 and based on the tracer dye testing the solid waste originated from, in part, the Facility. Disposal of solid waste without first obtaining a permit is a violation of 7 *Del. C.* §6003(a)(4) and DRGSW Section 4.1.1.

ORDER

Cease and Desist

IT IS HEREBY ORDERED, based on the foregoing findings and pursuant to the authority vested in the Secretary by 7 *Del. C.* § 6018, that Respondents shall immediately cease and desist operating a solid waste disposal facility without a permit.

Effective immediately, Respondent shall:

1. Cease and desist discharging solid waste to the sump located at the Facility and disposing solid waste at Parcel No. 0606000008 until the Department determines that Respondents have returned to compliance.
2. Within ten (10) days, provide the Department with a plan to address the proper disposal of the solid waste located at Parcel No. 0606000008.
3. Upon the Department's approval of the plan, immediately implement the plan to properly dispose of the solid waste within 60 days of approval.

Nothing in this Order shall be construed as a waiver of any enforcement authority available to the Department. The Department expressly reserves the right to pursue any additional enforcement actions regarding these or other violations by the Respondents, 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; 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); and any other relief authorized under Title 7 of the Delaware Code.

Pursuant to 7 *Del. C.* § 6008, any person whose interest is substantially affected by this action of the Secretary may appeal this Order to the Environmental Appeals Board **within twenty (20) days of receipt of this Order**. Filing an appeal does not stay the effectiveness of this Order unless a stay is granted for good cause.

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

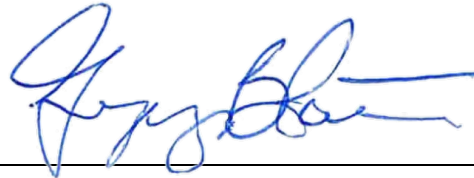
statement of appeal, please refer to the Environmental Appeals Board Regulations, codified at 7 DE Admin. Code § 105.

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 Mathew Lintner, Deputy Attorney General, at 302-577-5375.

July 19, 2026

Date



Gregory Patterson
Secretary
Delaware Department of Natural Resources
and Environmental Control

cc: Mathew Lintner, Deputy Attorney General
Timothy Ratsep, Division Director