



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

RICHARDSON & ROBBINS BUILDING  
89 KINGS HIGHWAY  
DOVER, DELAWARE 19901

OFFICE OF THE  
SECRETARY

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. 2026-WH-0022**

**Issued To:**

**Via FedEx**

Ms. Alexandra Vanaman  
Senior EHS Engineer  
Noramco, Inc.  
500 Swedes Landing Road  
Wilmington, DE 19801

**Via Personal Service Registered Agent**

Noramco, Inc.  
By Serving the Registered Agent:  
The Corporation Trust Company  
Corporation Trust Center  
1209 Orange Street  
Wilmington, DE 19801

Dear Ms. Vanaman:

This is to notify Noramco, Inc., located at 500 Swedes Landing Road, Wilmington, Delaware 19801, that the Secretary<sup>1</sup> of the Delaware Department of Natural Resources and Environmental Control ("Department") has found Noramco, Inc. ("Respondent" or "Noramco") 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

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<sup>1</sup> The head of the Delaware Department of Natural Resources and Environmental Control as appointed by the Governor.

issuing this Notice of Administrative Penalty Assessment and Secretary's Order ("Secretary's Order"), pursuant to 7 *Del. C.* § 6005.

## **BACKGROUND**

Respondent operates a facility, located at 500 Swedes Landing Road, Wilmington, Delaware 19801 ("Facility"), that manufactures active pharmaceutical ingredients. During routine operations, the Facility generates hazardous waste that is subject to the requirements of DRGHW. This includes compliance inspections conducted by the Department.

On February 9, 2026, the Department conducted a hazardous waste compliance inspection (the "Compliance Inspection") at the Facility. At the time of the Compliance Inspection, Respondent was a large quantity generator ("LQG")<sup>2</sup> of hazardous waste. The Facility is assigned EPA ID number DED085693646.

During the Compliance Inspection, the Department identified twelve (12) violations of DRGHW.

As a result of those findings, the Department issued Notice of Violation (NOV) 26-HW-04 on March 19, 2026. Two (2) of the twelve (12) violations were corrected at the time the NOV was issued. The NOV required Noramco

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<sup>2</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 (DRGHW Section 260.10, 2021).

to immediately correct the remaining violations and submit documentation demonstrating corrections on or before April 20, 2026.

On April 17, 2026, Noramco submitted documentation correcting six (6) of the remaining ten (10) violations. After the April 20 compliance deadline, Noramco submitted documentation correcting the remaining four (4) violations. The final outstanding violation was corrected on May 4, 2026.

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

### **1. DRGHW Section 262.11(f) states:**

“Section 262.11 Hazardous waste determination.

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.

...

(f) Recordkeeping for small and large quantity generators. A small or large quantity generator must maintain records supporting its hazardous waste determinations, including records that identify whether a solid waste is a hazardous waste, as defined by §261.3 of these regulations. Records must be maintained for at least three years from the date that the waste was last sent to on-site or off-site treatment, storage, or disposal. These records must comprise the generator's knowledge of the waste and support the generator's determination, as described in paragraphs (c) and (d) of this section. The records must include, but are not limited to, the following types of information: The results of any tests, sampling, waste analyses, or other determinations

made in accordance with this section; records documenting the tests, sampling, and analytical methods used to demonstrate the validity and relevance of such tests; records consulted in order to determine the process by which the waste was generated, the composition of the waste, and the properties of the waste; and records which explain the knowledge basis for the generator's determination, as described in paragraph (d)(1) of this section. The periods of record retention referred to in this section are extended automatically during the course of any unresolved enforcement action regarding the regulated activity or as requested by the Secretary."

At the time of the Compliance Inspection, Department representatives requested hazardous waste determination records for waste sharps<sup>3</sup> observed in the Hazardous Warehouse central accumulation area. The waste sharps are considered a solid waste, and therefore the waste sharps are subject to a hazardous waste determination. Respondent did not have any hazardous waste determination records for the waste sharps.

Failure to maintain records supporting a hazardous waste determination violates DRGHW Section 262.11(f).

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<sup>3</sup> 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. (7 DE Admin. Code § 1301, Delaware's "Regulations Governing Solid Waste," Section 11.3)

On April 17, 2026, Respondent submitted records demonstrating that it has developed written documentation supporting its hazardous waste determination, correcting this violation to the Department's satisfaction.

**2. DRGHW Section 262.15(a)(5)(ii) states:**

"Section 262.15 Satellite accumulation area regulations for small and large quantity generators.

(a) A generator may accumulate as much as 55 gallons of non-acute hazardous waste and/or either one quart of liquid acute hazardous waste listed in §261.31 or §261.33(e) of these regulations or 1 kilogram (≈2.2 pounds) of solid acute hazardous waste listed in §261.31 or §261.33(e) of these regulations in containers at or near any point of generation where wastes initially accumulate which is under the control of the operator(s) of the process generating the waste, without a permit or interim status and without complying with the requirements of Parts 124, 264 through 266, and 122 of these regulations, provided that all of the conditions for exemption in this section are met. A generator may comply with the conditions for exemption in this section instead of complying with the conditions for exemption in §262.16(b) or §262.17(a), except as required in §262.15(a)(7) and (8). The conditions for exemption for satellite accumulation are:

...

"(5) A generator must mark or label its container with the following:

...

(ii) An indication of the hazards of the contents (examples include, but are not limited to, the applicable hazardous waste characteristic(s) (i.e., ignitable, corrosive, reactive, toxic); hazard communication consistent with the Department of Transportation requirements at 49 CFR Part 172 Subpart E (labeling) or Subpart

F (placarding); a hazard statement or pictogram consistent with the Occupational Safety and Health Administration Hazard Communication Standard at 29 CFR 1910.1200; or a chemical hazard label consistent with the National Fire Protection Association code 704).”

At the time of the Compliance Inspection, Department representatives observed a 250-mL glass vial of waste formic acid in the Quality Control Lab satellite accumulation area. The vial was labeled “Hazardous Waste.” However, there were no labels or markings on the vial that conveyed the hazard(s) of the contents.

Failure to mark hazardous waste containers in a satellite accumulation area with the hazard(s) associated with the waste violates DRGHW Section 262.15(a)(5)(ii).

During the Compliance Inspection, Respondent immediately marked the vial with the associated hazards, correcting this violation to the Department's satisfaction.

### **3. DRGHW Section 262.17 states in part:**

“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. . .

(b) *Accumulation time limit extension.* A large quantity generator who accumulates hazardous waste for more than 90 days is subject to the requirements of Parts 124, 264 through 268, and Part 122 of these regulations, and the notification requirements of 7 Del.C. §6304(a), unless it has been granted an extension to the 90-day period. Such extension may be granted by DNREC if hazardous wastes must remain on site for longer than 90 days due to unforeseen, temporary, and uncontrollable circumstances. An extension of up to 30 days may be granted at the discretion of the Secretary on a case-by-case basis.”

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

“(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. The terms ‘treatment’, ‘storage’, ‘disposal’, and ‘hazardous waste’ are defined in Section 122.2. Owners and operators of hazardous waste management units must have permits during the active life (including the closure period) of the unit.”

At the time of the Compliance Inspection, Department representatives observed a 264-gallon tote accumulating a mixture of hazardous waste hydrochloric acid and water in the East Plant Drum Storage Pad. The tote was dated October 25, 2025 and therefore its contents had been accumulating on

site for one hundred and eight (108) days as of the date of the Compliance Inspection.

A large quantity generator is exempt from permitting requirements provided it accumulates hazardous waste for no more than ninety (90) days as set forth in DRGHW Section 262.17(a). Respondent did not request, nor was it granted, an extension to the 90-day accumulation limit.

Accumulating hazardous waste for more than 90 days without a permit and not obtaining an extension to accumulate waste beyond said 90-day accumulation limit constitutes operating a hazardous waste storage facility. Operating a hazardous waste storage facility without a permit violates DRGHW Section 122.1(c).

On April 17, 2026, Respondent submitted documentation acknowledging that it will not store hazardous waste for more than 90 days. Respondent also confirmed the waste observed during the Compliance Inspection had been properly treated in its wastewater treatment facility and is no longer stored on site, correcting the violation to the Department's satisfaction.

**4. DRGHW Section 262.41 states:**

“(a) A generator who is a large quantity generator for at least one month of a year who ships any hazardous waste off-site to a treatment, storage or disposal facility within the United States must complete and submit to the Secretary EPA Form 8700-13 A/B or a form approved by the Secretary by March 1 of the following year and must cover all generator activities during the previous year.

(b) Any generator who is a large quantity generator for at least one month of a year who treats, stores, or disposes of hazardous waste on site must complete and submit to the Secretary EPA Form 8700-13 A/B or a form approved by the Secretary by March 1 of the following year covering those wastes in accordance with the provisions of Parts 264, 265, 266, and 122 of these regulations. This requirement also applies to large quantity generators that receive hazardous waste from very small quantity generators pursuant to §262.17(f).

(c) Exports of hazardous waste to foreign countries are not required to be reported on the Annual Report form. A separate annual report requirement is set forth at §262.83(g) for hazardous waste exporters.”

At the time of the Compliance Inspection, Department representatives observed a 264-gallon tote accumulating a mixture of waste hydrochloric acid and water in East Plant Drum Storage Pad (as referenced in Violation #3 above).

Noramco did not report the generation and storage of this hydrochloric acid and water waste in its 2025 annual report.

Failure to submit an annual report that identifies all hazardous waste generated during the 2025 calendar year violates DRGHW Section 262.41.

On April 27, 2026, Respondent updated its annual report, correcting this violation to the Department's satisfaction.

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

“(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:

(1) Accumulation of hazardous waste in containers. If the hazardous waste is placed in containers, the large quantity generator must comply with the following:

...

(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 Department representatives requested weekly inspection records for the previous three (3) years. In an email dated February 20, 2026, Respondent explained that because of their transition to a new electronic method for documenting weekly inspections, records from March 2025 to September 2025 were not retrievable from the previously used electronic platform. Additionally, in emails dated March 6, 2026, Respondent confirmed that specific weekly inspection records identified in the table below were also not retrievable:

| Missing Week(s) Date                  | # of Weeks | Central Accumulation Area |
|---------------------------------------|------------|---------------------------|
| February 19, 2023 – February 25, 2023 | 1          | Hazardous Warehouse       |
| March 5, 2023 – March 11, 2023        | 1          | RCRA Pad                  |

| Missing Week(s) Date                    | # of Weeks | Central Accumulation Area                                   |
|-----------------------------------------|------------|-------------------------------------------------------------|
| March 26, 2023 – April 1, 2024          | 1          | Hazardous Warehouse, RCRA Pad, West Storage, and Building O |
| June 25, 2023 – July 1, 2023            | 1          | West Storage                                                |
| July 9, 2023 – July 22, 2023            | 2          | West Storage                                                |
| June 30, 2023 – August 5, 2023          | 1          | West Storage                                                |
| August 6, 2023 – August 12, 2023        | 1          | RCRA Pad                                                    |
| August 27, 2023 – September 2, 2023     | 1          | Hazardous Warehouse                                         |
| September 10, 2023 – September 16, 2023 | 1          | RCRA Pad                                                    |
| October 1, 2023 – October 7, 2023       | 1          | Building O                                                  |
| November 19, 2023 – November 25, 2023   | 1          | Hazardous Warehouse and West Storage                        |
| December 3, 2023 – December 9, 2023     | 1          | RCRA Pad, West Storage, and Building O                      |
| February 2, 2024 – March 2, 2024        | 1          | RCRA Pad and West Storage                                   |
| February 11, 2024 – February 17, 2024   | 1          | Hazardous Warehouse and Building O                          |
| March 3, 2024 – March 9, 2024           | 1          | West Storage                                                |
| March 10, 2024 – March 16, 2024         | 1          | RCRA Pad                                                    |
| April 7, 2024 – April 13, 2024          | 1          | Building O                                                  |
| May 5, 2024 – May 11, 2024              | 1          | Building O                                                  |
| June 2, 2024 – June 8, 2024             | 1          | West Storage                                                |
| November 24, 2024 – November 30, 2024   | 1          | Hazardous Warehouse, RCRA Pad, West Storage, and Building O |
| January 26, 2025 – February 1, 2025     | 1          | Hazardous Warehouse, RCRA Pad, West Storage, and Building O |

| Missing Week(s) Date                 | # of Weeks | Central Accumulation Area                                   |
|--------------------------------------|------------|-------------------------------------------------------------|
| February 9, 2025 – February 15, 2025 | 1          | Hazardous Warehouse, RCRA Pad, West Storage, and Building O |
| February 23, 2025 – March 1, 2025    | 1          | Hazardous Warehouse, RCRA Pad, West Storage, and Building O |
| October 5, 2025 – February 13, 2026  | 18         | Building O                                                  |
| October 5, 2025 – October 11, 2025   | 1          | West Storage                                                |
| November 23, 2025 – December 6, 2025 | 2          | West Storage                                                |
| December 28, 2026 – January 3, 2026  | 1          | RCRA Pad                                                    |
| January 4, 2026 – January 10, 2026   | 1          | West Storage                                                |
| January 18, 2026 – January 24, 2026  | 1          | Hazardous Warehouse                                         |

Respondent noted that they were unsure if the above missing records were a result of inspection records being lost, or if they were never documented in the first place.

Failure to inspect a hazardous waste central accumulation area at least weekly and maintain records of those inspections violates DRGHW Section 262.17(a)(1)(vi).

On April 17, 2026, Respondent submitted a procedure indicating that weekly inspections will be conducted and records will be maintained. Respondent also indicated that it updated its procedures to eliminate the use of a digital checklist because it was subject to data loss due to equipment

failure or software updates, correcting the violation to the Department's satisfaction.

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

"(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:

...

(5) Labeling and marking of containers and tanks

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

...

(B) An indication of the hazards of the contents (examples include, but are not limited to, the applicable hazardous waste characteristic(s) (i.e., ignitable, corrosive, reactive, toxic); hazard communication consistent with the Department of Transportation requirements at 49 CFR Part 172 Subpart E (labeling) or Subpart F (placarding); a hazard statement or pictogram consistent with the Occupational Safety and Health Administration Hazard Communication Standard at 29 CFR 1910.1200; or a chemical hazard label consistent with the National Fire Protection Association code 704);"

At the time of the Compliance Inspection, Department representatives observed the following containers of hazardous waste in central accumulation areas at the Facility:

- One (1) 264-gallon tote accumulating waste ethanol and methanesulfonic acid in the East Plant Drum Storage Pad;
- Two (2) 1-liter containers accumulating dilute hydrochloric acid with heavy metals waste in the Hazardous Warehouse;
- Two (2) 250-mL containers accumulating waste sulfuric acid in the Hazardous Warehouse; and
- One (1) 1-gallon container accumulating waste high performance liquid chromatography vials in the Hazardous Warehouse.

None of the observed containers were marked with an indication of the hazard(s) associated with the waste.

Failure to properly mark a hazardous waste container in a central accumulation area with an indication of the hazards of the container's contents violates DRGHW Section 262.17(a)(5)(i)(B).

During the Compliance Inspection, Respondent immediately marked each of the observed containers, except for the tote of ethanol and methanesulfonic acid, with an indication of the associated hazards. In an email dated February 20, 2026, Respondent provided a photo showing that a flammable liquid label was placed on the tote of ethanol and methanesulfonic acid waste, correcting this violation to the Department's satisfaction.

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

“A printed copy of the contingency plan and all revisions to the plan must be maintained at the large quantity generator's facility and - ”

A large quantity generator is required to have a contingency plan for the Facility with contents specified by DRGHW.<sup>4</sup> At the time of the Compliance Inspection, Respondent provided the Department with a copy of its contingency plan as last amended in 2019. Respondent also explained that it was in the process of updating the 2019 contingency plan.

However, it is unclear whether the 2019 contingency plan is the most up to date plan, including all revisions. During a September 16, 2022, hazardous waste compliance inspection, Respondent provided a contingency plan that had been revised in December 2021. On February 28, 2025, Respondent included a contingency plan revised in March 2024 as part of its Tier II Report<sup>5</sup> submitted to the Department.

Given that versions of the contingency plan dated later than 2019 had previously been provided by Respondent, Department representatives requested clarification. At the time the NOV was issued, Respondent had not provided any clarifying information, nor had it provided a more recent revision for review.

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<sup>4</sup> DRGHW Sections 262.260-261.

<sup>5</sup> Tier II Reports are required by the Emergency Prevention and Community Right to Know Act (EPCRA), Section 312. These reports are submitted to the Department's Division of Waste and Hazardous Substances, Emergency Response and Strategic Services Section.

Failure to maintain the most recent revision of the contingency plan at the Facility violates DRGHW Section 262.262.

On April 20, 2026, Respondent submitted an updated contingency plan, correcting the violation to the Department's satisfaction.

**8. 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.”

A large quantity generator is required to have a contingency plan for the Facility. The contents of a contingency plan are specified by DRGHW. At the time of the Compliance Inspection, Respondent provided the Department with a copy of the contingency plan amended in 2019 (see Violation #7 above). Department representatives requested documentation demonstrating local emergency responders had received a copy of the Facility's contingency plan.

While Respondent provided Department representatives with copies of letters mailed to local emergency responders and an Excel spreadsheet documenting arrangements made with local emergency responders, Respondent was unable to provide records documenting local emergency

responders had received a copy of the contingency plan. Respondent stated that FedEx delivery receipts used to be maintained on-site but had been lost over time.

Failure to maintain records documenting receipt of the contingency plan by local emergency responders violates DRGHW Section 262.262(a).

On April 17, 2026, Noramco responded to the NOV requesting additional time to update its contingency plan and submit it to local emergency responders but did not provide an estimated timeframe in which they expected to complete the update. Given Respondent had already had more than two months to update the contingency plan, the Department declined to extend the compliance deadline in the NOV.

On May 4, 2026, after the NOV's April 20 compliance deadline, Respondent submitted documentation demonstrating the updated contingency plan had been submitted to local emergency responders, correcting the violation to the Department's satisfaction.

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

“(b) A large quantity generator that first becomes subject to these provisions after January 21, 2021 or a large quantity generator that is otherwise amending its contingency plan must at that time submit a quick reference guide of the contingency plan to the local emergency responders identified in paragraph (a) of this section or, as appropriate, the Local Emergency Planning Committee. The quick reference guide must include the following elements:

- (1) The types/names of hazardous wastes in layman's terms and the associated hazard associated with each hazardous waste present at any one time (e.g., toxic paint wastes, spent ignitable solvent, corrosive acid);

- (2) The estimated maximum amount of each hazardous waste that may be present at any one time;
- (3) The identification of any hazardous wastes where exposure would require unique or special treatment by medical or hospital staff;
- (4) A map of the facility showing where hazardous wastes are generated, accumulated, and treated and routes for accessing these wastes;
- (5) A street map of the facility in relation to surrounding businesses, schools, and residential areas to understand how best to get to the facility and also evacuate residents and workers;
- (6) The locations of water supply (e.g., fire hydrant and its flow rate);
- (7) The identification of on-site notification systems (e.g., a fire alarm that rings off site, smoke alarms); and
- (8) The name of the emergency coordinator(s) and 24-hour/7-day emergency telephone number(s) or, in the case of a facility where an emergency coordinator is continuously on duty, the emergency telephone number for the emergency coordinator."

At the time of the February 9, 2026, Compliance Inspection, Respondent provided the Department with their contingency plan amended in 2019 (see Violation #7 above), and a working draft of their contingency plan quick reference guide. The draft quick reference guide provided did not include the locations of water supply nor did it identify on-site notification systems, and was therefore incomplete. Respondent explained that the quick reference guide was still being developed.

While the contingency plan provided was amended in 2019, Department representatives concluded that the 2019 plan was not the most recent revision of the Facility's contingency plan. During a hazardous waste inspection on September 16, 2022, Respondent provided Department

representatives with a contingency plan that had been revised in December 2021. Additionally, Respondent provided a contingency plan that had been revised in March 2024 as part of its Tier II Report submitted to the Department. As such, Department representatives concluded that the contingency plan has been amended at least twice since January 21, 2021, and thus Respondent is required to have a quick reference guide and to submit that quick reference guide to local emergency responders.

Previously, after the inspection on September 16, 2022, Department representatives reminded Respondent of the regulation, which was new at the time,<sup>6</sup> requiring them to develop a quick reference guide. Despite the reminder, Respondent was unable to provide a final quick reference guide during the Compliance Inspection conducted more than three (3) years after the reminder, and more than five (5) years after the requirement went into effect.

As Respondent had not developed a quick reference guide, it follows that Respondent did not submit a quick reference guide to local emergency responders.

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<sup>6</sup> The requirement to develop a quick reference guide was promulgated on January 1, 2021, and became effective on January 21, 2021. Respondent had previously provided a contingency plan revised in March 2024 as part of its Tier II Report, allowing the Department to conclude that Respondent had amended its contingency plan and was therefore subject to this regulation.

Failure to develop a quick reference guide meeting all regulatory requirements and failing to submit that quick reference guide to local emergency responders violates DRGHW Section 262.262(b).

On April 17, 2026, Noramco responded to the NOV requesting additional time to update its contingency plan and quick reference guide and submit those documents to local emergency responders, but did not provide an estimated timeframe for them to complete their update. Given Respondent had already had more than two months to update the contingency plan and quick reference guide, the Department declined to extend the compliance deadline in the NOV. This violation remains outstanding.

**10. DRGHW Section 262.263 states in part:**

"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 Respondent provided a printed copy of the site's contingency plan amended in 2019 (see Violation #7 above). Department representatives found that the contingency plan listed A. Mimm, J. Simon, D. Tennet, and Y. Patel as emergency coordinators. However, Respondent indicated that not one of the four emergency coordinators listed was currently employed by Respondent.

Failure to immediately amend a hazardous waste contingency plan following a change to the list of emergency coordinators violates DRGHW Section 262.263(d).

On April 17, 2026, Respondent responded to the NOV requesting additional time to update their contingency plan and submit it to local emergency responders, but did not provide an estimated timeframe in which they expected to complete their update. Given Respondent had already had more than two months to update the contingency plan, the Department declined to extend the compliance deadline in the NOV.

On April 20, 2026, Respondent submitted an updated contingency plan, correcting the violation to the Department's satisfaction.

**11. DRGHW Section 264.1031 states:**

**"In light liquid service"** means that the piece of equipment contains or contacts a waste stream where the vapor pressure of one or more of the organic components in the stream is greater than 0.3 kilopascals (kPa) at 20oC, the total concentration of the pure organic components having a vapor pressure greater than 0.3 kilopascals (kPa) at 20oC is equal to or greater than 20 percent by weight, and the fluid is a liquid at operating conditions.<sup>7</sup>

**DRGHW Section 265.1052(a)(1) states:**

"Section 265.1052 Standards: Pumps in light liquid service.

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<sup>7</sup> In practical terms, it refers to pumps, valves, and other equipment that come into contact with volatile liquids, thereby making them subject to emissions leak monitoring requirements.

(a)(1) Each pump in light liquid service shall be monitored monthly to detect leaks by the methods specified in §265.1063(b), except as provided in paragraphs (d), (e), and (f) of this section.”

At the time of the Compliance Inspection Department representatives requested January 2026 air monitoring records for pumps subject to DRGHW Section 265.1052. Respondent was unable to provide records for January 2026, so the Department has concluded monthly monitoring did not occur.

Failure to monitor pumps monthly violates DRGHW Section 265.1052(a)(1).

On April 17, 2026, Respondent submitted monitoring records, correcting the violation to the Department's satisfaction.

**12. DRGHW Section 265.1057(c)(1) states:**

“Section 265.1057 Standards: Valves in gas/vapor service or in light liquid service.

...

(a) Each valve in gas/vapor or light liquid service shall be monitored monthly to detect leaks by the methods specified in §265.1063(b) and shall comply with paragraphs (b) through (e) of this section, except as provided in paragraphs (f), (g), and (h) of this section and §§ 265.1061 and 265.1062.

(b) If an instrument reading of 10,000 ppm or greater is measured, a leak is detected.

(c)(1) Any valve for which a leak is not detected for two successive months may be monitored the first month of every succeeding quarter, beginning with the next quarter, until a leak is detected."

At the time of the Compliance Inspection, Department representatives requested air monitoring records for valves subject to DRGHW Section 265.1057.

Upon review, Department representatives identified the only record provided for Valves SW1005, SW1007, and SW1008 was for the second quarter of 2023, dated June 30, 2023. In an email dated March 6, 2026, Respondent stated that Valves SW1005, SW1007, and SW1008 were identified as "removed from service" in the third quarter of 2023 and subsequently removed from the monitoring program. This does not explain why quarterly valve monitoring did not occur in the first quarter of 2023.

Because these records were not provided, the Department has concluded that Valves SW1005, SW1007, and SW1008 were not monitored quarterly. Failure to monitor valves, quarterly, violates DRGHW Section 265.1057(c)(1).

On April 17, 2026, Respondent acknowledged that all equipment will be monitored as required, correcting the violation to the Department's satisfaction.

## **CONCLUSIONS**

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

## **ASSESSMENT OF PENALTY**

Pursuant to 7 *Del. C.* § 6005(b)(3), the Secretary may impose an administrative penalty of not more than \$40,000.00 for each day of each violation detailed in this Order. This 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 Assessment and Order. In assessing this 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 each 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 Order identifies and describes twelve (12) regulatory

violations. Failing to ensure compliance with the regulatory requirements for the management of hazardous waste, including failing to properly label hazardous waste containers, operating a hazardous waste facility without a permit by storing waste longer than the time limit allowed for large quantity generators, failing to maintain the most up-to-date copy of its contingency plan on-site, failing to update its site contingency plan and quick reference guide, failing to submit its contingency plan to local emergency responders, failing to conduct inspections of hazardous waste containers in central accumulation areas, failing to include all hazardous waste streams generated in its annual report, failing to maintain records of hazardous waste determinations, and failing to monitor valves and pumps for air emissions, are all significant deviations from the regulatory requirements cited herein.

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

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

**3. Prior History of Violations:**

Respondent's prior history of violations was not a factor in assessing the administrative penalty.

**4. Degree of Culpability:**

The degree of culpability is significant. Had Respondent employed reasonable oversight measures as DRGHW require, the 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 the 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 has been 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 the above findings and factors, a multi-day administrative penalty of \$58,580.00 is assessed for the violations identified in this Order.

Respondent shall submit one check to the Department in the amount of \$58,580.00 to pay the administrative penalty within thirty (30) days from the receipt of this Assessment and Order. The check shall be made payable to the "State of Delaware" and shall be directed to: Enforcement Coordinator, DNREC-Office of the Secretary, 89 Kings Highway 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 7 *Del. C.* § 6008, any person whose interest is substantially affected by this action of the Secretary may appeal to the Environmental Appeals Board within **twenty (20) days** of the receipt of the Secretary's Order. Respondent may also, pursuant to 7 *Del. C.* § 6005(b)(3), request a public hearing on the Secretary's Order within **thirty (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 thirty (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. Code § 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 civil penalties for past violations, an action under 7 *Del. C.* § 6005(b)(2) seeking civil 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 administrative 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 \$1,850.00 in costs, which 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 \$1,850.00 within thirty (30) days of receipt of this Secretary's Order to Enforcement Coordinator, DNREC-Office of the Secretary, 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 costs that the Department has incurred to date in abating the violations contained in this Secretary's Order, as well as all additional recoverable costs incurred by the Department as a result of Respondent's continued non-compliance and/or Respondent's appeal. 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 Respondent does not wish to exercise its legal rights to a hearing or appeal, Respondent may pay the administrative penalty of \$58,580.00 and the Department's costs in the amount of \$1,850.00 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, Respondent waives 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 Travis Groski, Deputy Attorney General, at (302) 484-8964.

Noramco, Inc.

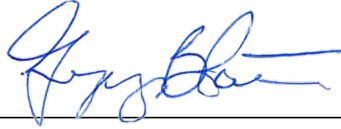
Notice of Administrative Penalty and Secretary's Order

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August 2, 2026

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Date



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Gregory Patterson

Secretary

Delaware Department of Natural Resources  
and Environmental Control

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

**WAIVER OF STATUTORY RIGHT TO A HEARING**

**Noramco, Inc.** 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. **Noramco, Inc.** will pay the administrative penalty in the amount of \$58,580.00 by sending a check payable to the "State of Delaware" within thirty (30) days of receipt of this Assessment and Order. The check shall be directed to Enforcement Coordinator, DNREC-Office of the Secretary, 89 Kings Highway SW, Dover, Delaware 19901.
  
2. **Noramco, Inc.** will pay the Department's Costs in the amount of \$1,850.00 by sending a check payable to the "State of Delaware" within thirty (30) days of receipt of this Secretary's Order. The check shall be directed to Enforcement Coordinator, DNREC-Office of the Secretary, 89 Kings Hwy SW, Dover, Delaware 19901.

**Noramco, Inc.**

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

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

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

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