



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-0029

Issued To:

Facility Operator Via FedEx

Mr. Robert N. Eldredge, President
Industrial Resources Network LLC
707 S. Church Street
Wilmington, DE 19801

**Facility Operator Via Personal Service
Registered Agent**

United States Corporation Agents, Inc.
131 Continental Drive
Suite 305
Newark, DE 19713

Dear Mr. Eldredge:

This is to notify Industrial Resources Network LLC ("IRN" or "Respondent") that the Secretary of the Delaware Department of Natural Resources and Environmental Control (the "Department") has found Respondent 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 owns or operates a facility located at 707 South Church Street in Wilmington, Delaware ("Facility"). The Facility receives containers that meet the definition of empty¹ under the federal Resource Conservation and Recovery Act ("RCRA") and the DRGHW ("RCRA-empty containers"), as well as other non-regulated containers. These containers are subsequently reused, transferred to another drum reconditioner, or disposed of. As part of its operations, IRN generates hazardous waste through its drum cleaning process and is subject to the requirements of DRGHW, including compliance inspections conducted by the Department.

IRN most recently notified the Department that it was a large quantity generator ("LQG")² of hazardous waste on September 4, 2026, and has been operating as an LQG since July 21, 2023.

On January 5, 2026, the Department sent IRN an email notifying it that, as an LQG, pursuant to DRGHW Section 262.41(a), it is required to submit an annual hazardous waste report detailing its activities for the previous calendar year. The email stated that the completed annual hazardous waste report was due to the Department, either electronically or in hard copy, by March 1, 2026. The email was not returned to the Department as

¹ A container that previously held hazardous waste but is considered "empty" under DRGHW and no longer regulated as a hazardous waste. Standards for empty containers are found in DRGHW Section 261.7(b)(1).

² 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).

undeliverable, and the Department received no indication that it was not successfully delivered. The Department has since confirmed that the email address is fully functional and accessible by IRN.

On February 2, 23, and 27, 2026, the Department sent IRN email reminders indicating the due date for the annual hazardous waste report was March 1, 2026. After the Department did not receive the report by the due date, the Department sent a follow-up email on March 11, 2026, notifying IRN that the report remained outstanding.

After IRN failed to submit the required annual hazardous waste report, the Department issued Notice of Violation ("NOV") No. 26-HW-06 on May 4, 2026. The NOV was delivered to IRN via FedEx with proof of delivery signed by Respondent's employee on May 6, 2026. The NOV informed IRN of the reporting requirement and requested that a completed annual hazardous waste report be submitted to the Department within thirty (30) days, or by June 5, 2026.

Prior to the NOV due date, Department representatives attempted to contact IRN on multiple occasions regarding the required response. Voicemail messages reminding IRN of the due date were left on May 19 and May 28, 2026. After receiving no response to the NOV by the deadline of June 5, 2026, Department representatives again contacted IRN on June 10, 2026, leaving two (2) voicemails requesting that a representative contact the Department. The Department received no response.

On June 22, 2026, Department representatives contacted Medori Enterprises ("Medori"). Medori is identified as the owner of the property at 707 South Church Street, Wilmington, Delaware in records maintained by the New Castle County government. Medori representatives stated that IRN had not paid rent for several months and that the only way they can contact Mr. Robert N. Eldredge, the president/owner of IRN, is to visit the Facility in person.

On June 30, 2026, Department representatives conducted a compliance inspection at the Facility. At the time of the inspection, the Department confirmed that Respondent was a LQG of hazardous waste. The Facility is assigned EPA ID number DED984075861. The Department conducted follow-up inspections on July 9, 2026, July 28, 2026, August 3, 2026, August 19, 2026, and August 31, 2026.

During the inspections, Department representatives identified nineteen (19) additional violations of DRGHW. One of the violations, storing hazardous waste without a permit, was a significant violation and required the Department to take immediate action. This violation was addressed through a Secretary's Order to Cease and Desist (Order No. 2026-WH-0019). This violation will also be addressed in a subsequent Notice of Administrative Penalty Assessment and Secretary's Order.

FINDINGS OF FACT AND VIOLATION INCLUDING REGULATORY REQUIREMENTS

1. DRGHW Section 262.41(a) 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.”

Respondent failed to submit its annual report by March 1, 2026. Failing to submit the required annual report violates DRGHW Section 262.41(a).

On September 4, 2026, Respondent submitted the required annual report, correcting this violation to the Department's satisfaction.

2. DRGHW Section 262.18(d)(2) states:

“(d) Re-notification.

...

(2) A large quantity generator must re-notify DNREC by March 1 of each year thereafter using EPA Form 8700-12. A large quantity generator may submit this re-notification as part of its Annual Report required under §262.41.”

Respondent failed to submit its annual report by March 1, 2026. By failing to submit the required annual report, Respondent also failed to re-notify DNREC of its hazardous waste generator activities, which violates DRGHW Section 262.18(d)(2).

On September 4, 2026, Respondent submitted the required annual report, correcting this violation to the Department's satisfaction.

3. DRGHW Section 262.15(a)(4) states:

“(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:

...

(4) A container holding hazardous waste must be closed at all times during accumulation, except:

(i) When adding, removing, or consolidating waste; or

(ii) When temporary venting of a container is necessary

(A) For the proper operation of equipment, or

(B) To prevent dangerous situations, such as build-up of extreme pressure.”

On June 30, 2026, Department representatives observed an open 30-gallon steel drum being used to accumulate hazardous waste solvent. The

drum was labeled "Hazardous Waste – Flammable." At the time of the inspection, hazardous waste was not actively being added to or removed from the drum, nor was temporary venting of the drum necessary. Failing to close a container of hazardous waste violates DRGHW Section 262.15(a)(4).

During the inspection on June 30, 2026, Respondent closed the container, correcting this violation to the Department's satisfaction.

4. DRGHW Section 262.15(a)(5)(i) and (ii) state:

"(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:

- (i) The words 'Hazardous Waste'; and
- (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)."

On June 30, 2026, Department representatives observed a closed 55-gallon drum labeled "Water" with a United States Department of Transportation ("USDOT") pictogram for a miscellaneous hazard and a pictogram indicating an environmental hazard. Respondent stated that the drum was actually being used to accumulate hazardous waste solvent. The drum was not labeled with the phrase "Hazardous Waste," nor did it include any hazard markings indicating the hazardous waste was ignitable. Failing to label the drum with the words "Hazardous Waste" and an appropriate indication of the hazard(s) associated with the contents violates DRGHW Section 262.15(a)(5)(i) and (ii).

During the inspection on June 30, 2026, Respondent labeled the container with the words "Hazardous Waste – Flammable Liquids," correcting this violation to the Department's satisfaction.

5. DRGHW Section 262.15(a)(6) states:

"(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:

- ...
- (6) A generator who accumulates either acute hazardous waste listed in §261.31 or §261.33(e) of these regulations or non-acute hazardous waste in excess of the amounts listed in paragraph (a) of this section at or near any point of generation must do the following:
- (i) Immediately comply with the applicable central accumulation area regulations in §262.16(b) or §262.17(a), or
 - (ii) Immediately remove the excess from the satellite accumulation area to either:
 - (A) A central accumulation area operated in accordance with the applicable regulations in §262.16(b) or §262.17(a);
 - (B) An on-site interim status or permitted treatment, storage, or disposal facility, or
 - (C) An off-site designated facility."

On June 30, 2026, Department representatives observed approximately 102 gallons of hazardous waste in the Facility's satellite accumulation area. This exceeds the 55-gallon accumulation limit for satellite accumulation areas. Department representatives conducted follow-up inspections on July 9, 2026, July 28, 2026, and August 3, 2026. During each of those inspections, the same containers with at least 102 gallons of

hazardous waste were observed in the satellite accumulation area. Exceeding the 55-gallon accumulation limit in a satellite accumulation area and failing to move the excess waste to a central accumulation area or permitted hazardous waste treatment, storage, or disposal facility violates DRGHW Section 262.15(a)(6).

On August 31, 2026, Respondent shipped the hazardous waste off-site to a permitted treatment, storage, or disposal facility, correcting this 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)..."

On June 30, 2026, Department representatives observed a closed 275-gallon plastic container in the Facility's hazardous waste central accumulation area labeled with the words "Hazardous Waste." The container was also marked with a USDOT pictogram indicating a miscellaneous hazard. However, the miscellaneous hazard pictogram is not specific enough to clearly communicate the hazard(s) associated with the waste. Failing to appropriately mark a hazardous waste container with the associated hazard(s) violates DRGHW Section 262.17(a)(5)(i)(B).

During the inspection on June 30, 2026, Respondent marked the container with the word "Toxic," correcting this violation to the Department's satisfaction.

7. DRGHW Section 262.17(a)(5)(i)(C) 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:

...

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

On July 9, 2026, Department representatives observed a closed 275-gallon plastic container labeled “Hazardous Waste – Toxic.” At the time of the inspection, Department representatives estimated the container held approximately 60 to 70 gallons of hazardous waste. The container was not marked with an accumulation start date, which violates DRGHW Section 262.17(a)(5)(i)(C).

During the inspection on July 9, 2026, Respondent marked the container with the date waste began accumulating, correcting this violation to the Department's satisfaction.

8. DRGHW Section 262.255 states:

“The large quantity generator must maintain aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of facility operation in an emergency, unless aisle space is not needed for any of these purposes.”

On June 30, 2026, Department representatives observed several rows of empty containers and a decommissioned tank blocking access to the Facility's hazardous waste central accumulation area. When Department representatives conducted a follow-up inspection on July 9, 2026, Respondent had removed the obstructions, allowing access to the central accumulation area. However, when Department representatives conducted follow-up inspections on July 28, 2026, and August 3, 2026, access to the

central accumulation area had again been obstructed. Failing to maintain adequate aisle space to allow access in the event of an emergency violates DRGHW Section 262.255.

On August 31, 2026, Respondent removed all obstructions in order to ship all hazardous waste stored in the central accumulation area to a permitted hazardous waste treatment, storage, or disposal facility, correcting this violation to the Department's satisfaction.

9. DRGHW Section 262.15(a) states in relevant part:

“(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.”

On June 30, 2026, Department representatives observed a drum-top aerosol can-puncturing device and a lid to a 55-gallon drum. However, the drum itself that had been used to collect hazardous waste liquids from punctured aerosol cans could not be located. During a follow-up inspection on July 9, 2026, Department representatives inquired if the drum associated with the aerosol can puncturing device had been located. Respondent stated that the drum used to collect hazardous waste generated from puncturing

aerosol cans had been moved to the Steel Container Recycling Area to collect waste from cleaning steel drums. The hazardous waste from puncturing aerosol cans was generated in a separate room from the Steel Container Recycling Area and as such, the hazardous waste was no longer at or near the point of generation. The reduced requirements for satellite accumulation areas require that hazardous waste be limited to a total of 55 gallons and to be located at or near the point of generation and under the control of the operator generating the waste. Accumulating hazardous waste in a satellite accumulation area that is not at or near the point of generation violates DRGHW Section 262.15(a).

On August 31, 2026, Respondent shipped the hazardous waste container off site, correcting this violation to the Department's satisfaction.

10. DRGHW Section 273.13(d)(1) states:

“(d) Lamps. A small quantity handler of universal waste must manage lamps in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows:

(1) A small quantity handler of universal waste must contain any lamp in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps. Such containers and packages must remain closed and must lack evidence of leakage, spillage or damage that could cause leakage under reasonably foreseeable conditions.”

On June 30, 2026, Department representatives observed a hazardous waste fluorescent lamp in a fiberboard box in the Lamp Storage Area. Because the lamp was twice as long as the fiberboard box, it was not possible

to close the box. Hazardous waste lamps are subject to the universal waste management requirements in DRGHW Part 273. Failure to contain a lamp in a closed container that is adequate to prevent breakage violates DRGHW Section 273.13(d)(1).

Despite being advised of the violation during the inspection on June 30, 2026, the lamp was observed in the same condition during follow-up inspections on July 9, 2026, July 28, 2026, August 3, 2026, August 19, 2026, and August 31, 2026. This violation has not been corrected and remains outstanding.

11. DRGHW Section 273.14(e) states:

“(e) Each lamp or a container or package in which such lamps are contained must be labeled or marked clearly with one of the following phrases: ‘Universal Waste—Lamp(s)’, or ‘Waste Lamp(s)’, or ‘Used Lamp(s)’.”

On June 30, 2026, Department representatives observed the hazardous waste fluorescent lamp referenced in Violation #10. There were no labels on the lamp or the box to indicate the lamp was a waste. Specifically, neither the lamp nor the fiberboard box containing the lamp were labeled with any of the following phrases: “Universal Waste—Lamp(s),” or “Waste Lamp(s),” or “Used Lamp(s).” Failing to label universal waste lamps with one of the appropriate phrases violates DRGHW Section 273.14(e).

Despite being advised of the violation during the inspection on June 30, 2026, the lamp was observed in the same condition during follow-up

inspections on July 9, 2026, July 28, 2026, August 3, 2026, August 19, 2026, and August 31, 2026. This violation remains outstanding.

12. DRGHW Section 273.15(c) states:

“(c) A small quantity handler of universal waste who accumulates universal waste must be able to demonstrate the length of time that the universal waste has been accumulated from the date it becomes a waste or is received. The handler may make this demonstration by:

- (1) Placing the universal waste in a container and marking or labeling the container with the earliest date that any universal waste in the container became a waste or was received;
- (2) Marking or labeling each individual item of universal waste (e.g., each battery or thermostat) with the date it became a waste or was received;
- (3) Maintaining an inventory system on-site that identifies the date each universal waste became a waste or was received;
- (4) Maintaining an inventory system on-site that identifies the earliest date that any universal waste in a group of universal waste items or a group of containers of universal waste became a waste or was received;
- (5) Placing the universal waste in a specific accumulation area and identifying the earliest date that any universal waste in the area became a waste or was received; or
- (6) Any other method which clearly demonstrates the length of time that the universal waste has been accumulated from the date it becomes a waste or is received.”

On June 30, 2026, Department representatives observed the hazardous waste fluorescent lamp referenced in Violations #10 and #11.

Respondent was unable to demonstrate the length of time that the lamp had been present at the Facility. Failing to demonstrate the length of time universal waste is accumulated on site violates DRGHW Section 273.15(c).

Despite being advised of the violation during the inspection on June 30, 2026, the lamp was observed in the same condition during follow-up inspections on July 9, 2026, July 28, 2026, August 3, 2026, August 19, 2026, and August 31, 2026. Respondent remained unable to demonstrate the length of time the lamp had been present at the Facility. This violation remains outstanding.

13. 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.”

On June 30, 2026, Department representatives reviewed paper hazardous waste manifests provided by Respondent. Only initial generator copies of manifests were provided. Specifically, Manifests 026971845JJK, 026971844JJK, 026972201JJK, and 026972202JJK were observed in the Respondent's records. Respondent was unable to provide manifests that were signed by the designated facility indicating the hazardous waste had been received at an appropriate hazardous waste treatment, storage, or disposal facility. Failing to maintain copies of manifests signed by the designated facility violates DRGHW Section 262.40(a).

During a follow-up inspection on August 3, 2026, Department representatives again requested designated-facility signed copies of these manifests. Respondent stated that the Facility has not maintained designated-facility signed copies of these manifests and inquired how to obtain copies of the manifests. Department representatives provided guidance as to how to obtain the required records.

During a follow-up inspection on August 31, 2026, Respondent provided copies of two (2) of the four (4) designated-facility signed manifests. Respondent further inquired how to obtain the remaining records and requested information regarding how to log in to the Facility's RCRAInfo account, which is the electronic manifesting system for the United States Environmental Protection Agency ("EPA"). Department representatives provided the requested guidance.

On September 4, 2026, Respondent was able to log into its RCRAInfo account and provided the four (4) missing manifests, correcting this violation to the Department's satisfaction.

14. DRGHW Section 262.262 states in part:

"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) 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.

(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..."

During the inspection on June 30, 2026, Department representatives requested a copy of the Facility's contingency plan. Respondent provided a contingency plan most recently updated in 2023. However, the EPA conducted an inspection at the Facility in 2025 and identified five (5) issues with the contingency plan that required amendment and correction in order to comply with DRGHW. On March 19, 2025, Respondent corrected those issues. Despite amending the contingency plan in 2025 to demonstrate compliance, Respondent provided the 2023 version to Department representatives during the June 30, 2026 inspection.

On August 3, 2026, Department representatives again requested a copy of the Facility's most up-to-date contingency plan. Respondent did not have a printed copy readily available but printed one for Department representatives to review. The contingency plan provided had been updated since the inspection on June 30, 2026, as it removed reference to the Facility's emergency coordinator who ended his employment with the company between July 9, 2026 and July 28, 2026. While Respondent was

able to provide an updated contingency plan, Respondent failed to maintain a printed copy of the plan, which violates DRGHW Section 262.262.

As Respondent provided the printed copy of the contingency plan to Department representatives for the Department's records, Respondent has not yet demonstrated that it maintains a printed copy at the Facility. As such, this violation remains outstanding.

15. DRGHW Section 262.261(e) states:

"(e) The plan must include a list of all emergency equipment at the facility (such as fire extinguishing systems, spill control equipment, communications and alarm systems (internal and external), and decontamination equipment), where this equipment is required. This list must be kept up to date. In addition, the plan must include the location and a physical description of each item on the list, and a brief outline of its capabilities."

On June 30, 2026, Respondent provided a contingency plan most recently updated in 2023. As detailed in Violation #14, the EPA inspected the Facility in 2025 and identified five (5) issues with the contingency plan that required amendment and correction in order to comply with DRGHW. One of the identified issues was that the contingency plan did not include the location of emergency equipment, as required by DRGHW Section 262.261(e). On March 19, 2025, Respondent corrected that violation. Despite amending the contingency plan in 2025 to demonstrate compliance, Respondent provided the 2023 version to Department representatives during the inspection on June 30, 2026.

As detailed in Violation #14, on August 3, 2026, Department representatives again requested a copy of the Facility's most up-to-date contingency plan. Respondent provided a copy that was updated after the inspection on June 30, 2026. However, the updated contingency plan still did not identify the location of emergency equipment, which violates DRGHW Section 262.261(e). This violation remains outstanding.

16. DRGHW Section 262.17(a)(7)(iii) 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:

...

(7) Personnel training.

...

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

On June 30, 2026, Department representatives requested annual hazardous waste training records for employees from 2023 through 2026. Respondent was able to provide training records demonstrating that

employees received training in 2023. However, Respondent was unable to provide training records after that time.

On August 3, 2026, Respondent stated that the employees had not been trained in 2025 or to date in 2026. Respondent did not specifically state whether training had been provided in 2024, but was unable to produce training records demonstrating that training had been conducted. Failing to train employees in 2024 and 2025 violates DRGHW Section 262.17(a)(7)(iii). This violation remains outstanding.

17. DRGHW Section 262.17(a)(1)(vi) 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:

(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.”

On June 30, 2026, Respondent provided weekly inspection records for the Facility's hazardous waste central accumulation area. Upon review, Department representatives identified that the following weekly inspection records were missing:

Dates	Number of Missing Weeks
October 26, 2025 - November 1, 2025	1
November 30, 2025 - January 3, 2026	5
January 25, 2026 - February 14, 2026	3
March 1, 2026 - March 7, 2026	1
June 7, 2026 - June 27, 2026	3

Failing to conduct and maintain records of weekly inspections violates DRGHW Section 262.17(a)(1)(vi). This violation remains outstanding.

18. DRGHW Section 262.40(b) states:

“(b) A generator must keep a copy of each Annual Report and Exception Report for a period of at least three years from the due date of the report.”

On June 30, 2026, Respondent was unable to provide a copy of its 2024 Annual Report, which violates DRGHW Section 262.40(b). This violation remains outstanding.

CONCLUSIONS

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

SECRETARY'S ORDER

As Respondent has failed to comply with the cited requirements of DRGHW, and 7 *Del. C.* Chapters 60 and 63, the Department requires that Respondent demonstrate compliance with the applicable laws and regulatory requirements to resolve the outstanding violations. Therefore, in consideration of the foregoing findings, notice is hereby given, pursuant to 7 *Del. C.* § 6005(b)(2), that Respondent shall achieve compliance by undertaking the following actions.

In a manner in full compliance with all applicable laws and regulatory requirements, Respondent shall, within 30 days of receipt of this Order, submit:

1. A photograph showing that the lamp in the Lamp Storage Area near the hazardous waste central accumulation area is placed in a closed box and the box is labeled with one of the following phrases: "Universal Waste—Lamp(s)," or "Waste Lamp(s)," or "Used Lamp(s)." [Violations #10 and #11]
2. Documentation demonstrating that Respondent will track the amount of time universal waste has been accumulated at the Facility. Respondent may submit a photograph showing the box

- containing lamps has been marked with the original accumulation start date or submit a written statement detailing the method that will be utilized to track the length of time universal waste is accumulated. Respondent shall also acknowledge that universal waste can only be accumulated for one (1) year. [Violation #13]
3. A written statement confirming that a printed copy of the Facility's most recently updated contingency plan is maintained on site. [Violation #14]
 4. An updated contingency plan showing the location of emergency equipment. [Violation #15]
 5. Training records demonstrating that all employees handling hazardous waste have received hazardous waste training in 2026. [Violation #16]
 6. A written statement confirming that weekly inspections of the Facility's hazardous waste central accumulation area will be conducted and records of those inspections maintained for three (3) years. [Violation #17]
 7. A written statement confirming that hazardous waste annual reports will be maintained for three (3) years. [Violation #18]

Direct the required submissions to:

Melissa A. Ferree
Department of Natural Resources and Environmental Control
Division of Waste and Hazardous Substances
Compliance and Permitting Section
89 Kings Highway
Dover, Delaware 19901
Melissa.Ferree@delaware.gov

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 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. Failing to ensure compliance with the regulatory requirements for the management of hazardous waste, including failing

to properly label and close hazardous waste and universal waste containers, failing to demonstrate the length of time hazardous waste and universal waste is accumulated on site, failing to retain manifests, failing to conduct and maintain weekly inspection records, failing to conduct training, and failing to maintain annual reports are significant deviations from the regulatory requirements cited herein.

2. Respondents' Ability to Pay:

While the Department believes that IRN may have limited ability to pay, the nature, circumstances, extent and gravity of Respondent's violations demand that a penalty be issued.

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 indicates that Respondent incurred economic benefit from failing to provide hazardous waste training to its employees. That deferred cost was factored into the penalty calculation.

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 \$71,440.00 is assessed for the violations identified in this Order.

Respondent shall submit one check to the Department in the amount of \$71,440.00 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.

Respondent is advised that the above administrative penalty covers only the violations identified in this Order. An additional violation, storing hazardous waste without a permit, was addressed through a Secretary's Order to Cease and Desist (Order No. 2026-WH-0019) and will also be addressed in a subsequent Notice of Administrative Penalty Assessment and Secretary's Order.

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.

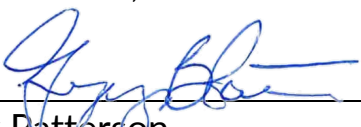
PAYMENT

If Respondent does not wish to exercise its legal rights to a hearing or appeal, Respondent may pay the administrative penalty of \$71,440.00 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 Lucinda Cucuzzella, Deputy Attorney General, at 302-777-8874.

September 22, 2026

Date



Gregory Patterson
Secretary
Delaware Department of Natural Resources
and Environmental Control

cc: Lucinda Cucuzzella, Deputy Attorney General
Timothy Ratsep, Division Director

WAIVER OF STATUTORY RIGHT TO A HEARING

Industrial Resources Network LLC 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. **Industrial Resources Network LLC** will pay the administrative penalty in the amount of \$71,440.00 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.

Industrial Resources Network LLC

Date: _____

By: _____
(Signature)

Title: _____

Name: _____
(Print)