



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-0032

Issued To:

Site Contact Via FedEx

Mr. Paul Voss
Property Manager
33548 Old Salt Lane
Lewes, DE 19958

Site Mailing Address Via FedEx

Mr. Norman Jemal
Former Clarios Facility
701 8th Street NW
Washington, DC 20001

**Property Owner
Via FedEx**

Mr. Norman Jemal
Principal
Jemal's 700 Middletown LLC
708 8th Street NW
Washington, DC 20001

**Property Owner
Via Personal Service Registered Agent**

Jemal's 700 Middletown LLC
By Serving the Registered Agent:
Corporation Service Company
251 Little Falls Drive
Wilmington, DE 19808

**Facility Operator
Via FedEx**

Mr. John A. Furgele
Managing Member
0
1630 West Chester Pike
West Chester, PA 19382

**Facility Operator
Via Personal Service Registered Agent**

Construction Services Group, LLC
By Serving the Registered Agent:
Agents and Corporations, Inc.
1201 Orange St. Ste. 600 One
Commerce Center
Wilmington, DE 19801

Dear Mr. Voss:

This is to notify Jemal's 700 Middletown, LLC and Construction Services Group, LLC ("Respondents") that the Secretary¹ of the Delaware Department of Natural Resources and Environmental Control ("Department") has found Respondents 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

Respondents own or operate a former lead-acid battery manufacturing facility located at 700 North Broad Street in Middletown, Delaware ("Facility") which Respondents are decontaminating in preparation for commercial leasing. During decontamination operations, the Facility generates hazardous waste that is subject to the requirements of DRGHW. This includes compliance inspections conducted by the Department.

On April 8, 2026, Department representatives conducted a hazardous waste compliance inspection (the "Compliance Inspection") at the Facility and identified eight (8) violations of DRGHW. At the time of the Compliance Inspection, Respondents were a large quantity generator of hazardous waste

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

("LQG").² The Facility is assigned EPA ID number DED002353092.

On May 20, 2026, the Department issued Notice of Violation (NOV) 26-HW-09. The NOV required Respondents to immediately correct the violations and submit documentation demonstrating that all eight (8) violations had been appropriately corrected on or before June 22, 2026.

On June 20, 2026, Respondents submitted documentation in response to the NOV demonstrating that three (3) of the eight (8) violations had been corrected. On June 22, 2026, Respondents submitted additional documentation demonstrating that a fourth violation had been corrected by the Department's deadline. Respondents subsequently submitted documentation on July 10, July 14, August 7, and August 9, 2026, demonstrating that the remaining four violations were corrected. Proof of these four corrected violations was submitted after the June 22, 2026, deadline.

FINDINGS OF FACT AND VIOLATION INCLUDING REGULATORY REQUIREMENTS

1. DRGHW Section 262.20(a)(1) states:

"(1) A generator who transports, or offers for transport, a hazardous waste for off-site treatment, storage, or disposal, or a treatment, storage, and disposal facility who offers for transport a rejected hazardous waste load, must accurately

² Generators of greater than or equal to 1,000 kilograms ($\approx$ 2,200 pounds) of non-acute hazardous waste in any calendar month and/or greater than 1 kilogram ($\approx$ 2.2 pounds) of acute hazardous waste in any calendar month are large quantity generators (DRGHW Section 260.10, 2021).

prepare a Manifest (U.S. OMB Control Number 2050-0039) on EPA Form 8700-22 and, if necessary EPA Form 8700-22A.”

Subsequent to the inspection, Respondents provided copies of hazardous waste manifests used to ship hazardous waste for the prior 3 years. Upon reviewing the records, Department representatives identified the following manifests were not correctly completed, and therefore inaccurate:

- Manifest 014799678JJK: Analytical records and the land disposal restriction notification³ completed by the site demonstrate that liquid lead waste is hazardous for lead. Despite making a hazardous waste determination that the waste was hazardous, the waste was shipped as non-hazardous waste. The site failed to identify the D008 hazardous waste code for lead on this manifest.
- Manifest 010128275JJK: Analytical results and the land disposal restriction notification form completed by the site demonstrate that sulfuric acid waste shipped on this manifest was hazardous for chromium. Despite having analytical data and identifying the waste was hazardous for chromium, the site failed to identify the D007 hazardous waste code for chromium on this manifest.

³ A land disposal restriction notification form is required to be submitted to the treatment, storage, or disposal facility. It identifies the hazardous waste codes associated with the hazardous waste being shipped to ensure the treatment, storage, or disposal facility treats the waste to required standards before being placed in a landfill.

Failure to accurately complete a hazardous waste manifest violates DRGHW Section 262.20(a)(1).

On June 20, 2026, Respondents submitted documentation indicating they will complete manifests properly in the future. Additionally, Department representatives confirmed that the required correction for Manifest 010128275JJK was completed in EPA's e-Manifest database on June 22, 2026, thereby correcting this violation to the Department's satisfaction.

2. DRGHW Section 268.7(a)(2) states:

"Section 268.7 Testing, tracking, and recordkeeping requirements for generators, reverse distributors, treaters, and disposal facilities.

(a) Requirements for generators and reverse distributors:

...

(2) If the waste or contaminated soil does not meet the treatment standards, or if the generator chooses not to make the determination of whether his waste must be treated, with the initial shipment of waste to each treatment or storage facility, the generator must send a one-time written notice to each treatment or storage facility receiving the waste, and place a copy in the file. The notice must include the information in column "268.7(a)(2)" of the Generator Paperwork Requirements Table in paragraph (a)(4) of this section. (Alternatively, if the generator chooses not to make the determination of whether the waste must be treated, the notification must include the EPA Hazardous Waste Numbers and Manifest Number of the first shipment and must state "This hazardous waste may or may not be subject to the LDR treatment standards. The treatment facility must make the determination.") No further notification is

necessary until such time that the waste or facility change, in which case a new notification must be sent and a copy placed in the generator's file."

DRGHW Section 268.7(a)(4), Generator Paperwork Requirements Table states:

"4. The notice must include the applicable wastewater/nonwastewater category (see §§268.2(d) and (f)) and subdivisions made within a waste code based on waste-specific criteria (such as D003 reactive cyanide)."

In an email dated April 29, 2026, Respondents provided a land disposal restriction ("LDR") notification for sulfuric acid waste. According to this land disposal restriction notification, the waste codes associated with the sulfuric acid waste were D002 (corrosivity) and D007 (chromium). Analytical results provided by Respondents on April 29, 2026, and Manifest 010128275JJK demonstrate this waste is also hazardous for lead (D008).

Failing to identify that the sulfuric acid waste was hazardous for lead on the land disposal restriction notification is a violation of DRGHW Section 268.7(a)(2).

On June 20, 2026, Respondents submitted a response to the NOV. However, the response was inadequate as it did not address the return to compliance requirements related to the LDR notification. On July 14, 2026, after the compliance deadline, Respondents submitted additional information documenting that the disposal facility had been notified of the error on the LDR notification, correcting the violation to the Department's satisfaction.

3. 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.”

During an April 8, 2026, telephone call with the Department, Respondents informed a Department representative that the Facility's contingency plan was not provided to local emergency responders. Failing to provide the Facility's contingency plan to local emergency responders violates DRGHW Section 262.262(a).

On June 20, 2026, Respondents submitted a response to the NOV. However, the response was inadequate as it did not include confirmation that the contingency plan was received by local emergency responders. On August 7, 2026, after the compliance deadline, Respondents submitted the additional required documentation, correcting the violation to the Department's satisfaction.

4. DRGHW Section 262.261 states in part:

“Section 262.261 Content of contingency plan.

(a) The contingency plan must describe the actions facility personnel must take to comply with §§262.260

and 262.265 in response to fires, explosions, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water at the facility.

...

(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."

In an email dated April 29, 2026, Respondents provided a copy of the Facility's contingency plan to Department representatives. Upon reviewing the contingency plan, Department representatives determined that it was inadequate as it did not describe the actions to be taken in the event of explosions, nor did it list the type and location of emergency equipment on site, violating DRGHW Section 262.261.

On June 20, 2026, Respondents submitted a response to the NOV. However, the response was inadequate as it did not include the locations of emergency equipment. On July 10, 2026, after the compliance deadline, Respondents submitted an updated contingency plan, correcting this violation to the Department's satisfaction.

5. DRGHW Section 262.262(b)(7) states:

"Section 262.262 Copies of contingency plan.

A printed copy of the contingency plan and all revisions to

the plan must be maintained at the large quantity generator's facility and—

...

(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:

...

(7) The identification of on-site notification systems (e.g., a fire alarm that rings off site, smoke alarms); and"

On April 21, 2026, Respondents delivered a hard copy of the Facility's contingency plan quick reference guide to Department representatives. Upon reviewing the quick reference guide, Department representatives determined that it did not identify on-site notification systems.

Failure to have a quick reference guide which identifies on-site notification systems violates DRGHW Section 262.262(b)(7).

On June 20, 2026, Respondents submitted an updated quick reference guide that met all regulatory requirements, correcting this violation to the Department's satisfaction.

6. DRGHW Section 262.17(a)(7)(i)(A) 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:

...
(7) Personnel training.

(i) Training Program

(A) Facility personnel must successfully complete a program of classroom instruction, online training (e.g., computer-based or electronic), or on-the-job training that teaches them to perform their duties in a way that ensures compliance with this part. The large quantity generator must ensure that this program includes all the elements described in the document required under paragraph (a)(7)(iv) of this section."

On April 8, 2026, and again on April 24, 2026, Department representatives requested hazardous waste training records for facility personnel with hazardous waste duties. Respondents failed to provide records demonstrating that employees with hazardous waste duties received hazardous waste training.

On June 20, 2026, Respondents submitted a response to the NOV. However, the response was inadequate, as it did not address the return-to-compliance requirements related to demonstrating that employees with hazardous waste management duties received the required training. It was not until August 9, 2026, after the compliance deadline had lapsed, Respondents submitted documentation correcting this violation to the Department's satisfaction.

7. 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."

Subsequent to the inspection, Respondents provided hard copies of inspection records for its hazardous waste central accumulation area. Upon reviewing the inspection records, Department representatives determined that records were not provided for the weeks of April 27, 2025, and December 21, 2025.

Failure to maintain records documenting that the central accumulation area was inspected at least weekly violates DRGHW Section 262.17(a)(1)(vi).

On June 20, 2026, Respondents submitted documentation indicating weekly inspections would be routinely conducted in the future, correcting this violation to the Department's satisfaction.

8. DRGHW Section 262.17(a) 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..."

DRGHW Section 122.1(c) states in part:

"Purpose and scope of Part 122.

...

(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."

Subsequent to the inspection, Respondents provided hard copies of inspection records for its hazardous waste central accumulation area. These records show that as of November 20, 2025, fifteen (15) containers of hazardous waste were accumulated in the central accumulation area. Based on a review of hazardous waste manifests, the hazardous waste being accumulated on November 20, 2025, was not shipped off site until March 17, 2026 (reference Manifest 021628671FLE). Based on this information, the

Department determined that these fifteen (15) containers were accumulated for at least 117 days, exceeding the 90-day accumulation limit by at least 27 days.

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

Because Respondents failed to comply with the 90-day accumulation limit exemption from permitting, the Facility is subject to the permitting requirements of DRGHW Section 122.1(c). 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 June 20, 2026, Respondents submitted documentation indicating they would not accumulate hazardous waste for more than 90 days, correcting this violation to the Department's satisfaction.

CONCLUSIONS

Based on the foregoing, the Department has concluded that Respondents 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 Respondents that, based upon its findings, the Department is assessing Respondents 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 eight (8) regulatory violations. Failing to ensure compliance with the regulatory requirements for the management of hazardous waste, including failing to properly complete a hazardous waste manifest, failing to properly complete a land disposal restriction notification, failing to provide the site's contingency plan to local emergency responders, failing to have a contingency plan that addresses all requirements, failing to have a contingency plan quick reference guide that addresses all requirements, failing to provide hazardous waste training, failing to maintain weekly inspection records, and storing hazardous waste for more than 90 days without a permit, are all significant deviations from the regulatory

requirements cited herein.

2. Respondents' Ability to Pay:

The record contains no information that Respondents lack the ability to pay the administrative penalty assessed.

3. Prior History of Violations:

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

4. Degree of Culpability:

The degree of culpability is significant. Had Respondents 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 Department determined that Respondents realized an economic benefit by avoiding the costs associated with providing required hazardous waste training to its employees. Accordingly, the Department included these avoided costs in 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 Respondents, and those similarly situated, from engaging in future violations.

Pursuant to 7 *Del. C.* § 6005(b)(3), this is written notice to Respondents that on the basis of the above findings and factors, a multi-day administrative penalty of \$124,480.00 is assessed for the violations identified in this Order.

Respondents shall submit one check to the Department in the amount of \$124,480.00 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 Respondents' legal rights and is effective and final upon receipt by Respondents. 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. Respondents 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.

Respondents are further advised that the above assessed administrative penalty shall be due and owing within thirty (30) days of Respondents' receipt of this Secretary's Order. In the event of nonpayment of the administrative penalty assessed above, and after Respondents have

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), Respondents are 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)).

Respondents are liable for \$4,065.00 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. Respondents shall remit a check payable to the State of Delaware in the amount of \$4,065.00 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 Respondents appeal 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 Respondents fail to comply with this Secretary's Order, the Department will rescind the detailed billing attached to this Secretary's Order. The Department will issue Respondents 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 Respondents' continued non-compliance and/or Respondents' appeal. Respondents are further advised that Respondents may challenge the Department's final detailed billing in accordance with 7 *Del. C.* § 6005(c)(2).

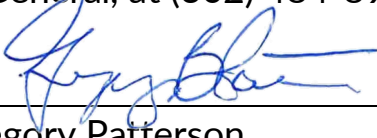
PAYMENT

If Respondents do not wish to exercise its legal rights to a hearing or appeal, Respondents may pay the administrative penalty of \$124,480.00 and the Department's costs in the amount of \$4,065.00 prior to the end of the appeal period, in the manner described in the attached "**Waiver of Statutory Right to A Hearing.**" By doing so, Respondents waive the right to a hearing and the opportunity to appeal or contest this Secretary's Order.

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

October 4, 2026

Date



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

Jemal's 700 Middletown, 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. **Jemal's 700 Middletown, LLC** will pay the administrative penalty in the amount of \$124,480.00 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. **Jemal's 700 Middletown, LLC** will pay the Department's Costs in the amount of \$4,065.00 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.

Jemal's 700 Middletown, LLC

Date: _____

By: _____
(Signature)

Title: _____

Name: _____
(Print)

WAIVER OF STATUTORY RIGHT TO A HEARING

Construction Services Group, 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. **Construction Services Group, LLC** will pay the administrative penalty in the amount of \$124,480.00 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. **Construction Services Group, LLC** will pay the Department's Costs in the amount of \$4,065.00 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.

Construction Services Group, LLC

Date: _____

By: _____
(Signature)

Title: _____

Name: _____
(Print)