

RECEIPT

DATE

08/19/24

No.

654538

RECEIVED FROM

Donovan Salvage Works

\$650.00

Six Hundred Fifty and 0/100 - DOLLARS

 FOR RENT

DE-SW-1737

 FOR

ACCOUNT	
PAYMENT	
BAL. DUE	

 CASH CHECK MONEY
ORDER CREDIT
CARD

FROM

7272

TO

BY

E.W.



STATE OF DELAWARE
 DEPARTMENT OF NATURAL RESOURCES
 AND ENVIRONMENTAL CONTROL
 DIVISION OF WASTE AND HAZARDOUS SUBSTANCES
 COMPLIANCE AND PERMITTING SECTION

89 KINGS HIGHWAY
 DOVER, DELAWARE 19901

TELEPHONE: (302) 739-9403
 FAX: (302) 739-5060

SOLID WASTE TRANSPORTER PERMIT APPLICATION

Language Preference:

Instructions: You must complete this application in its entirety and attach all applicable documentation. (Note: For applicants renewing an existing permit, this application requires the submission of updated information and documentation. References to material submitted under previous applications are no longer accepted.)

The application must be signed by the company owner or a corporate officer. A check or money order payable to the “State of Delaware” must accompany this application and be sent to:

Delaware Department of Natural Resources and Environmental Control
 Compliance and Permitting Section
 89 Kings Highway
 Dover, DE 19901

1. Type of Permit

- New – **SCRAP TIRES ONLY** Submit a check or money order, payable to the “State of Delaware,” in the amount of \$75.00.
- New – **ALL OTHERS** Submit a check or money order, payable to the “State of Delaware” in the amount of \$350.00.
- Renewal: Permit # DE-SW- 1737 Expiration Date Sept 30, 2024

Please indicate the term for which you desire your permit to be issued. Submit a check or money order, payable to the “State of Delaware,” for the indicated permit fee.

SCRAP TIRES ONLY

- One Year - \$75.00
- Two Years - \$125.00
- Three Years - \$175.00
- Four Years - \$225.00
- Five Years - \$275.00

ALL OTHERS

- One Year - \$350.00
- Two Years - \$650.00
- Three Years - \$950.00
- Four Years - \$1250.00
- Five Years - \$1550.00

2. Release to Public

Do you wish to be included on the list of transporters that is provided to persons requesting a list of Delaware permitted solid waste transporters? Yes No

3. Company Information

Company Name _____

Location Address:	Mailing Address:
20262 Donovans Rd Georgetown DE	PO Box 30 Georgetown DE

Contact: Shannon Kidd Title: Office Manager

Business Phone: 302-856-9501 Fax: 302-858-5127

E-mail: donovansalvageworks@comcast.net

24 hr Emergency Contact Phone: 443-497-6736 (Derck)

4. Company Ownership Information

(a). Please indicate the company type:

- Proprietorship
- Partnership
- Corporation - If company is a corporation, indicate city, state, and date of incorporation.

City: Georgetown State: DE Date: Jan 7, 1995

- Municipality
- Public institution
- Limited Liability Corporation (LLC) State: _____
- Other: (must specify) _____

(b). For each Owner, Partner, or Corporate Officer, attach a list with name, title, mailing address, date of birth, and % ownership. Include all stockholders owning greater than 5% outstanding shares.

Attachment _____

(c). If company is owned by or affiliated with a parent company, attach parent company name, address & mailing address, and % ownership.

- Attachment _____
- No parent company

5. Company locations in Delaware

List name and street address of each company location, including freight terminals, within the State of Delaware.

- Attachment _____
 No Delaware locations

6. Company Affiliates

List name, location and mailing addresses, nature of business relationship of all company Affiliates, which affiliates are engaged in the business of waste transport, treatment, storage, disposal, recovery or reclamation. (Affiliated companies are defined as those companies owned by the same owners, corporate officers, or parent company.)

- Attachment _____
 No affiliates

7. Type of Waste to be Transported

(a). Check all that apply. Refer to Delaware's *Regulations Governing Solid Waste* for definitions of waste categories.

- Residential waste
 Commercial waste (from **non-manufacturing, non-processing** businesses and offices)
 Industrial waste (from a manufacturing or industrial process)
 Dry waste: construction/demolition debris
 trees/stumps
 other (must specify) _____
 Ash: municipal incinerator
 coal ash
 other (must specify) _____
 Infectious waste
 Non-hazardous petroleum-hydrocarbon contaminated soils
 Asbestos-containing waste
 Scrap Tires

(b). Does your company collect and transport residential (household) waste from single family homes, condominiums and apartment complexes in Delaware? Yes No

(c). If you answered "YES" to question 7.b., above, does your company provide recycling services to those customers? Yes No N/A

(d). If you offer recycling services, does your company collect and transport the recyclables separately from the waste generated by your customers? Yes No

(e). If you offer recycling services, are the recyclables ultimately taken to an incinerator (waste-to-energy) or landfill? Yes No

8. Treatment, Storage, and Disposal Facilities

- (a). Do you cross state lines with the waste? Yes No
- (b). Identify in an attachment **all** solid waste Treatment, Storage, Disposal Facilities, Reclamation Facilities and Transfer Stations to which the waste will be transported.
 - Delaware Solid Waste Authority locations: (attachment) _____
 - Clean Earth of New Castle, Inc. (thermal treatment facility for PHC-soils)
 - Delaware Recyclable Products, Inc. (dry waste, commercial, industrial, and PHC-soils)
 - Other in-state solid waste facilities, including private facilities: (attachment) _____
 - Out of state solid waste TSD facilities: (attachment) _____

9. Other Transporter Permits

- (a). Attach a copy of your home state solid waste transporter permit. (N/A if Delaware is your home state.)
 - Attachment _____
 - Not applicable-No transporter permit required for these solid waste types in our home state.

- (b). List solid waste transporter permits held in other states.
 - Attachment _____
 - No transporter permits in other states

- (c). Indicate your Federal DOT number and Motor Carrier number:

DOT# 250518 MC# _____

- N/A If N/A, please provide an explanation, on the following page, as to why you are not required to have a DOT or MC number.

10. Proof of Financial Responsibility

The transporter must submit proof of financial responsibility as established in section 7.2.4 of Delaware's *Regulations Governing Solid Waste*. This proof may be established by a Certificate of Insurance, with MCS-90 endorsement where applicable, or by other means approved by the Department. (The Certificate of Insurance must identify the **Department of Natural Resources and Environmental Control, Compliance and Permitting Section** as the certificate holder.)

- (a). Are you for-hire in interstate commerce? Yes No (For-Hire means you are in the business of transporting, for compensation or payment, wastes generated by a company other than your own.)
- (b). Do you transport in the State of Delaware Only (Intrastate)? Yes No
- (c). Do you transport Interstate? Yes No

- (d). Certificate of Insurance must be attached and include minimum automobile liability coverage as follows:

	FOR-HIRE INTERSTATE	ALL OTHERS
Residential Waste	\$750,000.00 + MCS-90 <input type="checkbox"/>	\$350,000.00 <input type="checkbox"/>
Commercial Waste	\$750,000.00 + MCS-90 <input type="checkbox"/>	\$350,000.00 <input type="checkbox"/>
Industrial Waste	\$750,000.00 + MCS-90 <input type="checkbox"/>	\$350,000.00 <input type="checkbox"/>
Dry Waste	\$750,000.00 + MCS-90 <input type="checkbox"/>	\$350,000.00 <input checked="" type="checkbox"/>
Ash	\$750,000.00 + MCS-90 <input type="checkbox"/>	\$350,000.00 <input type="checkbox"/>
Infectious Waste	\$1,000,000.00 + MCS-90 <input type="checkbox"/>	\$750,000.00 + MCS-90 <input type="checkbox"/>
Non-Hazardous Petroleum Contaminated Soils	\$750,000.00 + MCS-90 <input type="checkbox"/>	\$350,000.00 <input type="checkbox"/>
Asbestos	\$1,000,000.00 + MCS-90 <input type="checkbox"/> (For Hire & Private)	\$350,000.00 <input type="checkbox"/>
Scrap Tires Only	\$350,000.00 <input type="checkbox"/>	\$350,000.00 <input type="checkbox"/>

11. Spill Control and Safety

List all spill control and safety equipment which will be carried on each vehicle. (**Note:** Separate lists by type of vehicle and type of waste may be required.) Attach a copy of the Spill Control Plan. The Spill Control Plan **must** contain the following elements: (1) List of safety and spill control equipment carried in the vehicle, (2) Driver preventive measures, (3) Driver immediate corrective actions, (4) Company internal communications, (5) Company external communications including the **Delaware Emergency Reporting Numbers: 1-800-662-8802 and 302-739-9401**, and (6) Cleanup and decontamination measures.

Spill Control Plan: Attachment X

12. Driver Training

IN SUMMARY OR OUTLINE FORM, describe the procedures that your company takes to ensure that all company drivers are safe and competent drivers. Small owner-operators may describe their years of experience and driving record in lieu of a formal program.

- (a). Include requirements for special licenses (e.g. CDL, including any special endorsements), any special training received, including dates training was received (e.g. asbestos training), and any ongoing company programs. (e.g. weekly safety meetings or annual refresher courses);
- (b). Include your company procedure for periodic checks of the driver's records for moving violations, and your company policy on progressive counseling/discipline based on points;
- (c). Describe how drivers are instructed in the following:
 - (i) Knowledge of proper handling procedures for the type of solid waste being transported.
 - (ii) Familiarity with the approved accidental discharge containment plan. (Spill Control Plan)
 - (iii) Familiarity with the conditions of the solid waste transporter's permit.

Driver Training, attachment X

13. Vehicle Identification

On the form provided with this application, list **MAKE, MODEL, YEAR, SERIAL NUMBER, LICENSE PLATE NUMBER, STATE OF REGISTRATION, MANUFACTURER'S GVWR and OWNERSHIP** of all vehicles used for the transportation of solid waste. You must list both motorized and container units. (If you maintain a list of company vehicles in a computer database you may submit a print out of the vehicles provided it contains the information requested herein.)

NOTE: You must notify CAPS in writing of any changes to information contained within this application, such as additions or deletions of vehicles, in accordance with conditions of the issued permit.

Vehicle List Attached

14. Vehicle Operator Information

Is a list of all vehicle operators attached? Yes

What tax form do you submit to the IRS for your vehicle operators?

- Form W-2
 Form 1099-Misc
 Other

15. Environmental Record

List all criminal citations, arrests, convictions, civil or administrative violations, and civil or administrative enforcement actions, and the disposition(s) thereof for the violation or alleged violation of any environmental statute, regulation, permit, license, approval, or order, regardless of the state in which it occurred. Indicate whether it was a local, state, or federal violation or alleged violation. List all such items for the applicant, and if the applicant is other than an individual, for any employee while employed by the applicant, or any partner, officer, or director of the applicant as an individual or for any former business of such partner, officer, or director. For civil or administrative violations or alleged violations, list all such items for the last five (5) years from the date of the application. Information submitted under this section is subject to verification. **Failure to submit complete and accurate information may lead to permit denial or revocation.**

- Attachment _____
 No violations within the specified time period

16. Certification

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this application and all attachments and that, upon personal knowledge and information, the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information.

**Signature Michael R Herbert Date 8-7-24
Print Name Michael R Herbert Title Own/President

****A legal owner or corporate officer must sign the application****

SPILL CONTROL PLAN FOR SOLID WASTE HAULERS

- (1) Spill control and safety equipment in each vehicle:
 - 1) Reflectors and/or flares
 - 2) Fire extinguisher
 - 3) First aid kit
 - 4) Heavy-duty gloves, hard hat
 - 5) Flashlight
 - 6) Absorbent Pads/granular absorbent
 - 7) Hazmat Bag
 - 8) Protective gloves/goggles
- (2) All loads will be enclosed, covered, or tarped to prevent accidental discharge of the waste during transport to the disposal facility.
- (3) The driver will be performing the following pre-trip inspection:
 - 1) Inspect truck and trailer according to DOT Regulations.
 - 2) Inspect load to ensure proper containment & cover.
- (4) If there is an accident or other emergency which causes a portion of the load to be spilled, the driver, if uninjured, will contact the following designated company coordinator:

Derek Sicker (General Manager) 443-497-6736
- (5) The designated coordinator will contact the state and municipal authorities where the accident occurred. If the accident or spill has the potential to cause environmental damage, (either due to the nature of the waste, location of the accident or additional factors such as leaking oil, gasoline or hydraulic fluid) the person contacted will notify the state emergency response team, by calling on of the following numbers:

Delaware: 911, (302) 739-9401 or 1-800-662-8802 *(Other numbers may be listed as follows, however, the listed Delaware numbers **must** be included in the spill control plan.)*

Maryland:
New Jersey:
- (6) The designated coordinator will contract for clean-up services with another company. *(This is optional, however, if another company is to be contracted, please append a list of cleanup companies by either region or state.)*
- (7) This plan will be carried in all vehicles, along with the permit.

UNIT # YEAR MAKE MODEL VIN # PLATE # REG STATE GVWR REGISTERED COMPANY

TRACTOR TRAILERS

22	1998	FREIGHTLINER	CONFLD	1FUJDSEB3WL802684	CL112752	DE	80,000	ALLSTATE SALVAGE INC
28	1995	FREIGHTLINER	120	1FUJDZYB3SH597949	CL118383	DE	80,000	ALLSTATE SALVAGE INC
29	2004	WEST STAR	490	5KJJALCK04PN44112	CL118665	DE	80,000	ALLSTATE SALVAGE INC
35	2007	PETERBILT	CON	1XPFD49XX7N692351	CL120963	DE	80,000	ALLSTATE SALVAGE INC
36	2007	FREIGHTLINER	CON	1FUJALCK27DX56800	CL121680	DE	80,000	ALLSTATE SALVAGE INC
38	2007	FREIGHTLINER	FLD132	1FUJAPCK67DY81239	CL121892	DE	80,000	ALLSTATE SALVAGE INC
39	2006	PETERBILT	378	1XPFDU9X36N887352	CL121993	DE	80,000	ALLSTATE SALVAGE INC
40	1995	FREIGHTLINER	120	1FUJFSEBSXH566016	CL123994	DE	80,000	ALLSTATE SALVAGE INC

ROLLOFFS

303	2006	FREIGHTLINER	M2	1FVSC5CV06HW37649	CL119347	DE	73,000	ALLSTATE SALVAGE INC
304	2003	MACK	600	1M2P267C33M066241	CL120438	DE	65,000	ALLSTATE SALVAGE INC
305	2001	MACK	600	1M2P268CX1M057063	CL123006	DE	76,670	ALLSTATE SALVAGE INC

TRAILERS

512	2006	CTSI	MAGNA DUMP	1C93440256S770826	25-1300A	ME	N/A	ALLSTATE SALVAGE INC
522	2006	CTSI	DEMO DUMP	1C93440246S770378	25-1169A	ME	N/A	ALLSTATE SALVAGE INC
524	2007	MONTONE	DEMO DUMP	1M9SD40277S567999	25-1170A	ME	N/A	ALLSTATE SALVAGE INC
527	2007	CTSI	MAGNA DUMP	5TU3440257S000576	25-1168A	ME	N/A	ALLSTATE SALVAGE INC
531	2007	CTSI	MAGNA DUMP	5TU3440267S000800	25-1166A	ME	N/A	DONOVAN SALVAGE WORKS INC
532	2016	EAST	DUMP	1E1F9U288GR056819	25-1167A	ME	N/A	DONOVAN SALVAGE WORKS INC
590	2017	EAST	DUMP	1E1F9V381HR059794	504-4667	ME	N/A	DONOVAN SALVAGE WORKS INC
591	2018	EAST	DUMP	1E1F9U283JR063717	535-6566	ME	N/A	DONOVAN SALVAGE WORKS INC

FIRST NAME	LAST NAME	DOB	DOH	YRS EXP	DL#	DR LIC EXP
TONY	DONOWAY		04/15/16	21		04/26/29
JASON	DONOWAY		06/29/21	7		03/10/29
IRWIN	SICKLER		07/29/16	19		03/08/25
KYLE	GORHAM		8/11/23	9		12/27/25
DASHAY	WAYMAN		12/21/22	12		2/25/27
TYRELL	CORNISH		3/10/23	4		6/11/26
KARL	DI SALVO		2/15/24	30		12/7/31
LEE	JANSON		7/1/22	15		9/26/28
JOHN	CREED JR		5/21/24	23		8/27/29

4. (b) Michael R Herbert

Owner



100%

5. 20262 Donovans Rd
Georgetown, DE 19947

6. Allstate Salvage Inc.
20262 Donovans Rd PO Box 30
Georgetown, DE 19947
(Trucks and Trailers)

8. DSWA
Landfill Ln
Georgetown, DE 19947

10. (c) We transport scrap metal to other states (Interstate) to other companies to sell.

11. Spill Control Plan is attached.

12. We have on staff a DOT Supervisor and Safety Coordinator which takes care of all Driver Qualifications, make sure all equipment is in working order, and keep up to date on all requirements required through Federal DOT Regulations. We do Monthly driver safety meeting which all attendance is a must. Drivers must provide yearly driving records and up to date DOT Physical cards. Those who do not follow company policy will lose work for a period determined by management.

All tractor-trailer Drivers must have a CLD w/Class A or B.

All Drivers must be familiar with the proper handling procedures of transporting any products, must know the accidental discharge containment plan and always keep it in their truck, and must know the conditions of the solid waste transporter's permit which our DOT Supervisor will go over and refresh on every Driver's Meetings.

13. Permanent Lease Agreements for all the Tractor-Trailers from Allstate Salvage Inc. to Donovan Salvage Works Inc is attached.

15. I have attached just the first page of the Notice of Administrative Penalty Assessment and Secretary's Order because it is several pages long. The APASO list the past and present violations but if needed I will send the whole order. The first page has the Order No.

I have also attached the indictment of criminal charges that have not been settled due to the postponement of the court dates. I have included the new court date they have set.

And I have attached an email we received from our lawyer stating the terms of the Consent Decree that has not been signed yet but are in the process of being agreed upon by both parties.

If there is anything else you need to complete this application, please feel free to contact me @ donovansalvageworks@comcast.net.

This notice is several pages long so I just sent the page for the Order No.



53 pages long

STATE OF DELAWARE
DEPARTMENT OF NATURAL RESOURCES
AND ENVIRONMENTAL CONTROL

Office of the
Secretary

89 KINGS HIGHWAY
DOVER, DELAWARE 19901

Phone: (302) 739-9000
Fax: (302) 739-6242

**NOTICE OF ADMINISTRATIVE PENALTY ASSESSMENT
AND SECRETARY'S ORDER**

Pursuant to 7 Del. C. §§6005(b)(2) and (b)(3)

Order No. 2022-WH-0021

Via Personal Service¹:

Facility Operator

Donovan Salvage Works, Inc.
20262 Donovans Road
Georgetown, DE 19947
Attn: Derek Stickler

Via Personal Service¹:

Property Owner

Herbert Holdings, LLC
P.O. Box 30
Georgetown, DE, 19947
Attn: Michael Herbert, President

Via Personal Service¹:

Facility Operator Registered Agent

Michael Herbert
P.O. Box 30
20262 Donovans Road
Georgetown, DE 19947

Via Personal Service¹:

Property Owner Registered Agent

Harvard Business Services, Inc.
16192 Coastal Highway
Lewes, DE 19958

The Secretary of the Department of Natural Resources and Environmental Control ("Department") has found Donovan Salvage Works, Inc., facility operator, and Herbert Holdings, LLC, property owner (collectively referred to as "Respondents" or "Donovan") in violation of 7 Del. C. Chapters 60 and 63 and 7 Del. Admin. C. § 1102: Permits, 7 Del. Admin. C. § 1301: Delaware's Regulations Governing Solid Waste ("DRGSW"), 7 Del. Admin. C. §1302:

¹ All service made in person was effected by a DNREC Environmental Crimes Unit Officer.

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TO: DONOVANS SALVAGE WORKS, INC

ID #:

20262 Donovans RD
Georgetown DE 19947

MAIL

DONOVANS SALVAGE WORKS, INC, HAVING BEEN CHARGED IN THE SUPERIOR COURT OF THE STATE OF DELAWARE ON 01/05/2024, FOR THE OFFENSE(S) OF:

IS23090699W	DE07630900H1	HAZARDOUS WASTE
IS23090700W	DE07630900H1	HAZARDOUS WASTE
IS23090701W	DE07630900H1	HAZARDOUS WASTE
IS23090702W	DE076309000I	HAZARDOUS WASTE
IS23090703W	DE07601300a1	VIOLATE REG
IS23090704W	DE07601300a1	VIOLATE REG
IS23090705W	DE07601300a1	VIOLATE REG
IS23090706W	DE07601300a1	VIOLATE REG
IS23090707W	DE07601300a2	POLLUTANT
IS23090708W	DE07601300a2	POLLUTANT

IN VIOLATION OF THE DELAWARE CODE, ON OR ABOUT 11/01/2021 AGAINST THE LAW, PEACE, AND DIGNITY OF THE STATE OF DELAWARE.

THEREFORE, YOU ARE COMMANDED TO APPEAR IN THE SUPERIOR COURT OF THE STATE OF DELAWARE FOR CASE REVIEW ON

Monday, 03/18/2024 AT 09:00 AM

AT THE COURTHOUSE, THE CIRCLE, GEORGETOWN, DELAWARE.

NOTIFY YOUR ATTORNEY IMMEDIATELY OF YOUR CASE REVIEW DATE. YOUR ATTORNEY SHOULD CONTACT YOU CONCERNING ANY PLEA OFFER WHICH MAY BE EXTENDED BY THE STATE PRIOR TO THE ABOVE DATE.

IF YOU DO NOT HAVE AN ATTORNEY, CONTACT ONE IMMEDIATELY. IF YOU CANNOT AFFORD AN ATTORNEY, IMMEDIATELY CONTACT THE PUBLIC DEFENDER'S OFFICE AT (302) 856-5310.

IF YOU HAVE ANY OTHER QUESTIONS, PLEASE CALL THE CASE SCHEDULING OFFICE AT (302) 855-7055.

PLEASE BRING THIS SUMMONS WITH YOU.

SWORN AND SUBSCRIBED THIS 4TH DAY OF MARCH, 2024,

Myrtle A. Thomas

SUPERIOR COURT
SCHEDULING ORDER

DEFENDANT: DONOVANS SALVAGE WORKS, INC
I.D.#: 2309009597
CRA#: IS23090699W
LEAD CHARGE: HAZARDOUS WASTE
ARREST DATE: 01/05/2024

BASED ON THE INFORMATION PROVIDED BY COUNSEL THIS DATE, THE FOLLOWING DATES HAVE BEEN ESTABLISHED BY THE COURT AND WILL CONTROL THE SUBSEQUENT COURSE OF THIS CASE UNTIL FINAL DISPOSITION. THESE DEADLINES WILL NOT BE ALTERED BY THE COURT FOR ANY REASON UNLESS YOU CAN PROVIDE JUST CAUSE FOR AN EXTENSION OF THE DEADLINES:

DISCOVERY DEADLINE: _____

FILING OF PRETRIAL MOTIONS: _____

FINAL CASE REVIEW DATE: _____ TIME: _____

FINAL PLEA DATE: _____ TIME: _____

TRIAL DATE: _____ TIME: _____

() JURY () NON-JURY # DAYS: _____

OTHER: CCR: 9-16-24 TIME: 9am

NOTE: BOTH STATE AND DEFENSE COUNSEL ARE RESPONSIBLE FOR CONTACTING WITNESSES, VICTIMS, INTERPRETERS, AND ALL OTHER PERSONS NEEDED FOR TRIAL TO DETERMINE THEIR AVAILABILITY ON THE ASSIGNED TRIAL DATE. THE CASE SCHEDULING OFFICE MUST BE NOTIFIED WITHIN FIFTEEN (15) DAYS FROM THE DATE OF THIS ORDER ON THE UNAVAILABILITY OF REQUIRED PERSONS SO THAT AN ALTERNATE DATE CAN BE ASSIGNED. FAILURE TO DO SO MAY RESULT IN A DENIAL OF ANY TRIAL CONTINUANCE REQUESTS FOR THAT REASON.

ROBERT H. ROBINSON, JR.

MARK H. CONNER

CRAIG A. KARSNITZ

JUDGE

DATED: 07/15/2024

OC: PROTHONOTARY
OC: CASEY L EWART
JAMES D NUTTER
DONOVANS SALVAGE WORKS, INC

CD37

DNREC

To DonovanSalvageWorks@Comcast.Net <donovansalvageworks@comcast.net> •
Donovan Dot <dsw.dot.supervisor@comcast.net>

Please pass on the following to Mike H.

DNREC has preliminarily agreed to the much more lengthy compliance schedule to go in a Consent Decree as we discussed a few weeks ago – the idea being that you cannot do this all at once, but taking this more slowly will make it more manageable. In sum it is as follows:

Water

1. *Within 15 days of receipt of the Consent Decree, Donovan's shall submit a Notice of Intent (NOI) request to obtain permit coverage in accordance with §9.1.3 of 7 DE Admin. Code 7201 State of Delaware Regulations Governing the Control of Water Pollution (Water Pollution Regulations).*
2. *Within 60 days of receipt of the Consent Decree, Donovan's shall submit a Storm Water Plan in accordance with §9.1.5 of the Water Pollution Regulations.*
3. *Within 90 days of approval of the Storm Water Plan or receipt of the Consent Decree, whichever is later, Donovan's shall submit quarterly routine inspection results in accordance with §9.1.5.7.4 of the Water Pollution Regulations.*
4. *Within 90 days of approval of the Storm Water Plan or receipt of the Consent Decree, whichever is later, Donovan's shall submit comprehensive site evaluation results in accordance with §9.1.5.7.4 of the Water Pollution Regulations. Comprehensive site evaluations may substitute for a periodic inspection if it is conducted during the regularly scheduled periodic inspection.*
5. *Within 90 days of approval of the Storm Water Plan or receipt of the Consent Decree, whichever is later, Donovan's shall submit training records in accordance with §9.1.5.7.6 of the Water Pollution Regulations.*
6. *Within 90 days of approval of the Storm Water Plan or receipt of the Consent Decree, whichever is later, Donovan's shall submit quarterly visual monitoring results in accordance with §9.1.4 of the Water Pollution Regulations.*
7. *Within 90 days of approval of the Storm Water Plan or receipt of the Consent Decree, whichever is later, Donovan's shall submit analytical monitoring results for the facility's stormwater outfalls. All outfalls shall be sampled semiannually in accordance with §9.1.4 of the Water Pollution Regulations, and results shall be submitted to the Department for review to observe effectiveness of BMP implementation.*
8. *Within one year of receipt of the Consent Decree, Donovan's shall submit a surface impoundment improvement plan for Department review and approval that details any proposed improvements to the surface water impoundments and an operations plan to assure no future discharge from the impoundments occurs. Donovan's will submit to the Department within 9 months of receipt of the Consent Decree proof of engagement of an environmental consultant. These long-term corrective actions, once in place, will supersede the current interim pumping activities; however, periodic pumping can also be part of the proposed long-term solution. The plan shall include any drawings and design documentation detailing the current and proposed design specifications of the impoundments. A construction permit application for the proposed improvements shall be submitted to the Department in accordance with Section 4 of the Water Pollution Regulations within 60 days of surface impoundment improvement plan approval. Construction of the improvements shall begin within 60 days of construction permit issuance.*

Waste/Remediation - These proposals are, by their nature, more general. We agreed that the Consent Decree will likely be worded along the lines of "Donovan's, through its environmental consultant, shall submit a plan to investigate _____, with a minimum of _____" for each action point below.

MTBE: 18 Months

- At the minimum we need 2-3 collocated off-site monitoring wells to determine the shallow and deep groundwater flow in the eastern portion of the site, and to see if any MTBE is coming from the County Seat Gardens. Along with the off-site wells, some (let the consultant propose) on-site monitoring wells should be resampled for VOCs. Groundwater elevations at the Former Georgetown Dump should be included in the areawide groundwater elevation map.

PFAS: 18 Months

- Review of the private well data and installation of 2-3 nested on-site monitoring wells up to the depth of the private wells. Resampling some of the on-site groundwater monitoring wells for PFAS.
- Ongoing filtration operations and maintenance at private wells
 - Donovans initially pushed back claiming the costs would be prohibitive. DNREC offered to reduce the sampling frequency: treated water tested annually, raw water tested biennially, reevaluate after 4 years. Donovan's has not officially agreed to this, but Mike Teichman is working on it.

Surface and Sediment: 24 Months

- Collecting surface water and sediment samples off the east end of the property where rain water collects.

Surface water discharge: 24 Months

- Address BrightFields recommendation to further investigate the localized area of impacted soil and water immediately adjacent/downgradient of the rainwater discharge valve at the smelter building pad.

Tanks: 24 Months

- Addressing three RI Tanks Areas of Concern (AOC) and the 2022 AST locations with TPH-DRO above 1,000 mg/kg (2 AOC and AST areas overlap totaling in 7 Tank's locations). At these locations, grab groundwater samples should also be analyzed for Tanks contaminants (VOCs and SVOCs).

Mercury: 24 Months

- Investigate a potential mercury release in the area of the railcar deconstruction where crushed fluorescent lamps were observed. This is little more than grabbing a handful of dirt near where they broken fluorescent tubes were found and testing it for mercury.

Finally, she also said the air side would like you to purchase and install something called a "purple air" monitor. Apparently it is relatively inexpensive (\$250 or so). This is the link to the air monitor: <https://www2.purpleair.com/products/purpleair-pa-ii> The unit needs power and wifi to operate

W-06-SWD-58

JIM ELLIS - DONOVAN SALVAGE WORKS INC.

Program	Surface Water Discharges Section
Served Date	10/04/2006
Violator	JIM ELLIS - DONOVAN SALVAGE WORKS INC.
Address	20262 DONOVAN ROAD GEORGETOWN DE 19947
DNREC Contact	AMBER MOORE3027399946
Location Address	4160 DOWNS CHAPEL RD CLAYTON DE
Site Business	SALVAGE
Date Discovered	06/23/2006
Violation Date	10/04/2006
Corrected	
Nature of Violation	FAILURE TO UPDATE AND SUBMIT STORM WATER PLAN
Impact Description	

2011-11448	Donovan Salvage Works Inc.
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Program	Permitting and Regulation
Served Date	02/22/2011
Violator	Donovan Salvage Works Inc.
Address	
DNREC Contact	Foster, Paul Edward
Location Address	20262 Donovans Road Georgetown DE 19947
Site Business	Salvage Yard
Date Discovered	12/08/2010
Violation Date	10/21/2009
Corrected	Yes 01/21/2011
Nature of Violation	Co. failed to request a construction to operation inspection for Secondary Aluminum Sweat Furnace in order to obtain an operating permit from the Dept. before it began operating the equipment. Operating permit issued 1/21/11 following 12/8/10 construction to operation inspection. ---- (a)No person shall, without first having obtained a permit from the Secretary undertake any activity (1) In a way which may cause or contribute to the discharge of an air contaminant ---- (b)(1)No person shall without first having obtained a permit from the Secretary construct, install, replace, modify or use any equipment or device or other article which may cause or contribute to the discharge of

	an air contaminant." ---- The applicant shall, upon completion of the construction, installation, or alteration, request that the Department grant approval to operate.
Impact Description	

2022-12641	Donovan Salvage Works Inc.
Program	Permitting and Regulation
Served Date	05/23/2022
Violator	Donovan Salvage Works Inc.
Address	
DNREC Contact	Mann, Amy S
Location Address	20262 Donovans Road Georgetown DE 19947
Site Business	Salvage Yard
Date Discovered	04/13/2022
Violation Date	08/30/2020
Corrected	No
Nature of Violation	Semi-annual reports were not submitted until 3-11-22 and were inaccurate ---- As specified in §63.1516(b), the owner or operator shall submit semiannual reports within sixty (60) days after the end of each six (6)-month period. When no deviations of parameters have occurred, the owner or operator shall submit a report stating that no excess emissions occurred during the reporting period. A report shall be submitted if any of these occur during a six (6)-month reporting period: 1) An excursion of a compliant process or operating parameter value or range (e.g., afterburner operating temperature, or other approved operating parameter). 2) An action taken during a startup, shutdown, or

	malfunction was not consistent with the procedures in the SS&M [means Startup, Shutdown, and Malfunction] Plan. 3) An affected source was not operated according to the requirements of 40 CFR Part 63, Subpart RRR.
Impact Description	

2023-12760	Donovan Salvage Works Inc.
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Program	Permitting and Regulation
Served Date	09/06/2023
Violator	Donovan Salvage Works Inc.
Address	
DNREC Contact	Mann, Amy S
Location Address	20262 Donovans Road Georgetown DE 19947
Site Business	Salvage Yard
Date Discovered	08/08/2023
Violation Date	07/19/2023
Corrected	Yes 07/20/2023
Nature of Violation	Facility experienced two 3 hour blocks where afterburner was operated at less than 1600 degrees. ---- Operational Limitations: The owner or operator shall comply with the following operational limits: The owner or operator shall install, operate, and maintain an afterburner on the sweat furnace. The afterburner shall be maintained such that the three (3)-hour block average operating temperature of the afterburner is at or above 1,600°F (872°C) and the residence time is 0.8 seconds or greater. Satisfying the requirements of this Condition shall be considered sufficient to demonstrate compliance with the

	Dioxins/Furans emission limits of Condition 2.1.6. Thus, no initial or subsequent performance test for the D/F emission limits of Condition 2.1.6 shall be required.
Impact Description	Operating afterburner below 1600 degrees increases potential for excess PM and HAP emissions

Davis, DaQuan (DNREC)

From: DONOVAN SALVAGE WORKS <donovansalvageworks@comcast.net>
Sent: Tuesday, August 20, 2024 8:15 AM
To: WHStranporters; Davis, DaQuan (DNREC)
Subject: Re: Missing DNREC As the Certificate Holder on Certificate of Insurance
Attachments: COI SOLID WASTE TRANS PERMIT.pdf

Good Morning,

Sorry about that. I should have checked before sending.

If there is anything else you need just let me know... Thanks!

Shannon Kidd

Office Manager

Donovan Salvage Works Inc

302-856-9501

302-858-5127 fax

donovansalvageworks@comcast.net

On 08/19/2024 3:54 PM EDT WHStranporters <whstranporters@delaware.gov> wrote:

Hi Ms. Kidd,

Thank you for submitting your application to renew your Delaware solid waste transporter permit. Upon review, I have found that some information is missing or needs to be updated. Please address the item listed below:

- Section 10- Provide an updated Certificate of Insurance and add the Department of Natural Resources and Environmental Control address in the Certificate Holder section the address is 89 Kings HWY, Dover, DE 19901.

Please provide the information requested above via e-mail within five (5) days.

Thank you,

DaQuan Davis



DaQuan L. Davis

Environmental Scientist I

Division of Waste and Hazardous Substances

☎ 302-739-9403

✉ daquan.davis@delaware.gov

📍 89 Kings Hwy SW, Dover, DE 19901

🌐 dnrec.delaware.gov





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
08/13/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

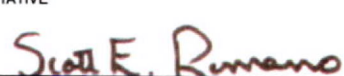
PRODUCER Keystone Alliance Insurance Services, LLC 634 Hoffman Blvd Spring City PA 19475		CONTACT NAME: Tiffany Renninger PHONE (A/C, No, Ext): (610) 792-5353 FAX (A/C, No): (484) 369-5229 E-MAIL ADDRESS: tiffany@keystonealliance.net	
		INSURER(S) AFFORDING COVERAGE INSURER A: Axis Insurance Company	NAIC # 37273
INSURED Donovan Salvage Works, Inc. 20262 Donovans Rd. Georgetown DE 19947		INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** CL2481308657 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER:			AXSCA002479-00	12/20/2023	12/20/2024	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ \$
A	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY <input type="checkbox"/> AUTOS ONLY			AXSCA002479-00	12/20/2023	12/20/2024	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						<input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER Department of Natural Resources & Environmental Control Compliance Permitting 89 Kings Highway Dover DE 19901	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
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