

# RECEIPT

DATE

10/01/24

No.

654581

RECEIVED FROM

Gem Chem Inc.

\$ 650.00

Six hundred fifty and  $\frac{00}{100}$ 

DOLLARS

 FOR RENT

DE-HW-0503

 FOR

ACCOUNT

PAYMENT

BAL. DUE

 CASH CHECK MONEY  
ORDER CREDIT  
CARD

FROM

23464

TO

BY

M.M.

September 25, 2024

RECEIVED

OCT 01 2024

DNREC - WHS

Attn: WHS Transporters  
DNREC-CAPS  
89 Kings Highway  
Dover, DE 19901

Re: GemChem, Inc. DE-HW-0503 Hazardous Waste Transporter Permit Renewal Application

Dear DNREC representative:

Enclosed you will find GemChem, Inc. renewal application for Hazardous Waste transportation hauler permit and a check in the amount of \$650.00 for a two-year renewal permit. The renewal application is being submitted as our existing permit will expire on December 31, 2024.

If you have any questions on the enclosed, please contact me at your convenience at 717-626-3900 or at [gyoung@gemchemsolutions.com](mailto:gyoung@gemchemsolutions.com).

Sincerely,  
**GemChem, Inc.**



Gordon L. Young  
President

Enclosure



RECEIVED

OCT 01 2024

DNREC - WHS

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

Language Preference:

**HAZARDOUS WASTE TRANSPORTER PERMIT APPLICATION**

**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.)

The application must be signed by the company owner or a corporate officer. A check payable to the "State of Delaware" must accompany this application.

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

**1. Type of Permit**

- New – Submit a check or money order, payable to the "State of Delaware," in the amount of \$350.00.
- Renewal: Permit # DE-HW- 0503 Expiration Date 12/31/24

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.

- 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 hazardous waste transporters?  Yes  No

**3. Company Information:**

Company Name: GemChem, Inc.

Location Address:	Mailing Address:
53 N. Cedar Street	P.O. Box 384
Lititz, PA 17543	Lititz, PA 17543-0384

Contact Person: Gordon Young Title: President

Business Phone: 717-626-3900 Fax: 717-626-3909

E-mail: gyoung@gemchemsolutions.com 24 hr. Emergency Phone: 717-587-7850

EPA Identification Number: PAD009439662

Employer's Federal Tax ID Number: 23-2345272

**4. Type of Company: (Check One)**

- Proprietorship
- Partnership
- Corporation – City, State and Date of Incorporation: Lititz, PA - April 1985
- Municipality
- Public Institution
- Other – Explanation: \_\_\_\_\_

**5. Parent Company Information:**

Parent Company Name: N/A

Parent Company Address: \_\_\_\_\_

\_\_\_\_\_

**6. Ownership/Stockholder Information:**

For each owner, partner, or corporate officer, list the name, title, home address, and date of birth.

List of owners, partners, or corporate officers: Attachment 1

List the name and address of all stockholders owning greater than 5% outstanding shares.

List of stockholders: Attachment 1

Not Applicable

**7. Company Affiliations:**

List all other companies owned by the same owners, corporate officers, or parent company that are engaged in the business of solid or hazardous waste transportation, treatment, storage, disposal, recovery, or reclamation.

- List of company affiliates: Attachment \_\_\_\_\_  
 No company affiliates

**8. Type of Hazardous Waste to be Transported:**

Indicate the waste types to be transported. (Note: Characteristic and listed hazardous wastes identified in Delaware's *Regulations Governing Hazardous Waste* (DRGHW) Part 261 are equivalent to RCRA 40 CFR Part 261 wastes.) Check all that apply.

- Part 261 characteristic or listed hazardous wastes  
 Used or waste oils (as defined by Part 279, Used Oil Management Standards)  
 Spent antifreeze exhibiting a characteristic of hazardous waste  
 PCB-contaminated hazardous waste  
 Spent fluorescent lighting tubes and ballasts when managed as non-universal waste

**9. Treatment, Storage, and Disposal Facilities:**

List all treatment, storage, and disposal facilities that have agreed to accept the hazardous wastes identified above.

- List of treatment, storage, and disposal facilities: Attachment 2

**10. Other Transporter Permits:**

List all hazardous waste transporter permits held in other states.

- List of transporter permits: Attachment 3  
 No hazardous waste transporter permits held in other states

**11. Federal DOT and Motor Carrier Numbers:**

Indicate your Federal DOT number and Motor Carrier number:

DOT# 329728 MC# \_\_\_\_\_

**12. Proof of Insurance:**

The transporter identified in this application must meet or exceed minimum insurance requirements as set forth in DOT Title 49 CFR Part 387. The DNREC Compliance and Permitting Section must be identified as the certificate holder. Also include a current MCS-90 endorsement or affirmation that the endorsement is still in effect.

- Certificate of insurance and MCS-90: Attachment 4

**13. Spill Control and Safety Equipment:**

List all spill control and safety equipment that will be carried on each vehicle.

List of spill control and safety equipment: Attachment 5

**14. Spill Control Plan:**

Attach a copy of the Spill Control Plan that describes prevention, containment, and clean up procedures during transportation. The plan must demonstrate compliance with the requirements outlined in DRGHW Sections 263.30, 263.31, and 263.105. **Spill Control Plans must contain the following Delaware Emergency Reporting Telephone Numbers: 1-800-662-8802 and 302-739-9401.**

Spill Control Plan: Attachment 5

**15. Driver Training:**

Attach a copy of your driver training program. All drivers must be trained in current DOT Motor Carrier Safety Regulations and have knowledge of the proper handling procedures for the type of waste transported, the hazardous waste manifest system, and safe vehicle operation as provided in 49 CFR Parts 383, 390 – 399, and DRGHW Section 263.104. All drivers must be familiar with the approved Spill Control Plan.

Driver Training Program: Attachment 6

**16. Controlled Substance Testing:**

Do you maintain a controlled substance testing program for drivers in your employment (including contract drivers) in compliance with Federal DOT 49 CFR Part 391?

Yes

No, Explain:

**17. Vehicle Identification Information:**

List all vehicles to be used for the transportation of hazardous waste into, out of, or through Delaware. You may use the form provided or another printout that contains all required information.

Vehicle Identification Information: Attachment 7

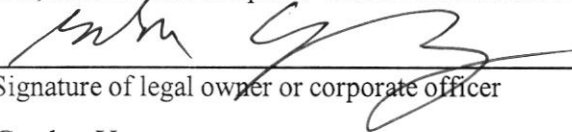
**18. Environmental Record:**

List all criminal citations, arrests or 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 other 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 application.

- Environmental Record: Attachment \_\_\_\_\_
- Not Applicable – No violations within the specified time period

**19. Signature:**

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 of legal owner or corporate officer

Gordon Young  
\_\_\_\_\_  
Printed Name

09/25/2024  
\_\_\_\_\_  
Date

President  
\_\_\_\_\_  
Title

**State of Delaware  
Hazardous Waste Transporter Permit Renewal Application**

**(Attachment #1)**

Prepared by:

GemChem, Inc.  
53 North Cedar Street  
P.O. Box 384  
Lititz Borough, Lancaster County  
Lititz, Pennsylvania 17543

1. Suzanne S. Young  
Vice-President (51% Ownership)  
P.O. Box 384, Lititz, PA 17543-0384

2. Gordon L. Young  
President (49% Ownership)  
P.O. Box 384, Lititz, PA 17543-0384



**State of Delaware  
Hazardous Waste Transporter Permit Renewal Application**

**(Attachment #2)**

Prepared by:

GemChem, Inc.  
53 North Cedar Street  
P.O. Box 384  
Lititz Borough, Lancaster County  
Lititz, Pennsylvania 17543

1. Environmental Enterprises, Inc.  
4650 Spring Grove Ave.  
Cincinnati, OH 45232  
Hazardous Waste TSDf OHD083377010
2. CycleChem, Inc.  
550 Industrial Drive  
Lewisberry, PA 17339  
Hazardous Waste TSDf PAD067098822

**State of Delaware  
Hazardous Waste Transporter Permit Renewal Application**

**(Attachment #3)**

Prepared by:

GemChem, Inc.  
53 North Cedar Street  
P.O. Box 384  
Lititz Borough, Lancaster County  
Lititz, Pennsylvania 17543

PA Hazardous Waste Transporter Permit # PA-AH0259  
MD HWH 572  
VA PAD009439662

**State of Delaware  
Hazardous Waste Transporter Permit Renewal Application**

**(Attachment #4)**

Prepared by:

**GemChem, Inc.**  
53 North Cedar Street  
P.O. Box 384  
Lititz Borough, Lancaster County  
Lititz, Pennsylvania 17543

See attached Certificate of Insurance and MCS-90



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

03/28/2024

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).

<b>PRODUCER</b> KNOLL INSURANCE AGENCY, INC. 704 BRIDGE STREET  NEW CUMBERLAND PA 17070	<b>CONTACT NAME:</b> Danielle Lowe <b>PHONE (A/C No. Ext):</b> 717-774-8128 <b>E-MAIL ADDRESS:</b> danielle.lowe@knoll-insurance.com	<b>FAX (A/C, No):</b> 717-901-9414
	<b>INSURER(S) AFFORDING COVERAGE</b>	
<b>INSURED</b> GemChem Inc. P.O. Box 384 Lititz PA 17543	<b>INSURER A:</b> Ironshore Specialty Insurance	<b>NAIC #</b> 25445
	<b>INSURER B:</b> Lebanon Valley Insurance Co	14370
	<b>INSURER C:</b> Arch Specialty Insurance Company	21199
	<b>INSURER D:</b>	
	<b>INSURER E:</b>	
	<b>INSURER F:</b>	

**COVERAGES**

CERTIFICATE NUMBER: 20240328161251569

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	Y	N	IEPUW0014214900	02/20/2024	02/20/2025	EACH OCCURRENCE \$ 1,000,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000
	<input checked="" type="checkbox"/> Professional Liability						MED EXP (Any one person) \$ 10,000
	<input checked="" type="checkbox"/> 1,000,000						PERSONAL & ADV INJURY \$ 1,000,000
GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE \$ 2,000,000	
<input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC						PRODUCTS - COMP/OP AGG \$ 2,000,000	
OTHER:						\$	
B	<b>AUTOMOBILE LIABILITY</b>	N	N	CA00061290	02/20/2024	02/20/2025	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
	<input type="checkbox"/> ANY AUTO						BODILY INJURY (Per person) \$
	<input type="checkbox"/> OWNED AUTOS ONLY <input checked="" type="checkbox"/> SCHEDULED AUTOS						BODILY INJURY (Per accident) \$
	<input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident) \$
						\$	
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR	N	N	XSCUW0014215000	02/20/2024	02/20/2025	EACH OCCURRENCE \$ 1,000,000
	<input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE						AGGREGATE \$ 1,000,000
	DED <input type="checkbox"/> RETENTION \$						\$
<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b>		Y / N				PER STATUTE OTH-ER	
ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)		<input type="checkbox"/> N / A				E.L. EACH ACCIDENT \$	
If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE \$	
						E.L. DISEASE - POLICY LIMIT \$	
C	Business Auto	N	N	FBCAT0499802	02/20/2024	02/20/2025	Single Limit Liability \$1,000,000

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

State of DE Dept of Natural Resources & Environmental Div. is listed as Additional Insured under General Liability with respect to work performed under contract by the insured listed above.

**CERTIFICATE HOLDER****CANCELLATION**

State of DE Dept of Natural Resources & Environmental Div.  
 Air & Waste Mgmt/Solid/Hazard  
 89 Kings Highway  
 Dover PA 19901

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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Pennsylvania **INSURANCE IDENTIFICATION CARD**

(STATE)

AUTOMOBILE

COMPANY NUMBER  
21199

COMPANY  
Arch Specialty Insurance Company

COMMERCIAL  PERSONAL

POLICY NUMBER  
FBCAT0499802

EFFECTIVE DATE  
02/20/2024

EXPIRATION DATE  
02/20/2025

YEAR  
2024

MAKE/MODEL  
Mack

VEHICLE IDENTIFICATION NUMBER  
1M2AN2GCXRM046647

AGENCY/COMPANY ISSUING CARD  
KNOLL INSURANCE AGENCY, INC.  
704 BRIDGE STREET  
NEW CUMBERLAND

PA 17070

INSURED

GemChem Inc.  
P.O. Box 384  
Lititz

PA 17543

SEE IMPORTANT NOTICE ON REVERSE SIDE

THIS CARD MUST BE KEPT IN THE INSURED  
VEHICLE AND PRESENTED UPON DEMAND

IN CASE OF ACCIDENT: Report all accidents to your Agent/Company as soon as possible. Obtain the following information:

1. Name and address of each driver, passenger and witness.
2. Name of Insurance Company and policy number for each vehicle involved.

USDOT Number: \_\_\_\_\_ Date Received: \_\_\_\_\_

Please note, the expiration date as stated on this form relates to the process for renewing the Information Collection Request for this form with the Office of Management and Budget. This requirement to collect information as requested on this form does not expire. For questions, please contact the Office of Registration and Safety Information, Registration, Licensing, and Insurance Division.

A Federal Agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB Control Number. The OMB Control Number for this information collection is 2126-0008. Public reporting for this collection of information is estimated to be approximately 2 minutes per response, including the time for reviewing instructions, gathering the data needed, and completing and reviewing the collection of information. All responses to this collection of information are mandatory. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: Information Collection Clearance Officer, Federal Motor Carrier Safety Administration, MC-RRA, Washington, D.C. 20590.



United States Department of Transportation  
Federal Motor Carrier Safety Administration

**Endorsement for Motor Carrier Policies of Insurance for Public Liability  
under Sections 29 and 30 of the Motor Carrier Act of 1980**

# FORM MCS-90

Issued to GemChem Inc of PA  
(Motor Carrier name) (Motor Carrier state or province)

Dated at 12:01 AM on this 20 day of February, 2024

Amending Policy Number: FBCAT0499803

Effective Date: 02/20/2024

Name of Insurance Company: ARCH INSURANCE COMPANY

Countersigned by:

(authorized company representative)

The policy to which this endorsement is attached provides primary or excess insurance, as indicated for the limits shown (check only one):

- This insurance is primary and the company shall not be liable for amounts in excess of \$1,000,000 for each accident.
- This insurance is excess and the company shall not be liable for amounts in excess \_\_\_\_\_ for each accident in excess of the underlying limit of \_\_\_\_\_ for each accident.

Whenever required by the Federal Motor Carrier Safety Administration (FMCSA), the company agrees to furnish the FMCSA a duplicate of said policy and all its endorsements. The company also agrees, upon telephone request by an authorized representative of the FMCSA, to verify that the policy is in force as of a particular date. The telephone number to call is: 303-534-1171.

Cancellation of this endorsement may be effected by the company or the insured by giving (1) thirty-five (35) days notice in writing to the other party (said 35 days notice to commence from the date the notice is mailed, proof of mailing shall be sufficient proof of notice), and (2) if the insured is subject to the FMCSA's registration requirements under 49 U.S.C. 13901, by providing thirty (30) days notice to the FMCSA (said 30 days notice to commence from the date the notice is received by the FMCSA at its office in Washington, DC).

Filings must be transmitted online via the Internet at <http://www.fmcsa.dot.gov/urs>.

(continued on next page)

**DEFINITIONS AS USED IN THIS ENDORSEMENT**

**Accident** includes continuous or repeated exposure to conditions or which results in bodily injury, property damage, or environmental damage which the insured neither expected nor intended.

**Motor Vehicle** means a land vehicle, machine, truck, tractor, trailer, or semitrailer propelled or drawn by mechanical power and used on a highway for transporting property, or any combination thereof.

**Bodily Injury** means injury to the body, sickness, or disease to any person, including death resulting from any of these.

**Property Damage** means damage to or loss of use of tangible property.

**Environmental Restoration** means restitution for the loss, damage, or destruction of natural resources arising out of the accidental discharge, dispersal, release or escape into or upon the land, atmosphere, watercourse, or body of water, of any commodity transported by a motor carrier. This shall include the cost of removal and the cost of necessary measures taken to minimize or mitigate damage to human health, the natural environment, fish, shellfish, and wildlife.

**Public Liability** means liability for bodily injury, property damage, and environmental restoration.

The insurance policy to which this endorsement is attached provides automobile liability insurance and is amended to assure compliance by the insured, within the limits stated herein, as a motor carrier of property, with Sections 29 and 30 of the Motor Carrier Act of 1980 and the rules and regulations of the Federal Motor Carrier Safety Administration (FMCSA).

In consideration of the premium stated in the policy to which this endorsement is attached, the insurer (the company) agrees to pay, within the limits of liability described herein, any final judgment recovered against the insured for public liability resulting from negligence in the operation, maintenance or use of motor vehicles subject to the financial responsibility requirements of Sections 29 and 30 of the Motor Carrier Act of 1980 regardless of whether or not each motor vehicle is specifically described in the policy and whether or not such negligence occurs on any route or in any territory authorized to be served by the insured or elsewhere. Such insurance as is afforded, for public liability, does not apply to injury to or death of the insured's employees while engaged in the course of their employment, or property transported by the insured, designated as cargo. It is understood and agreed that no condition, provision, stipulation, or limitation contained in the policy, this endorsement, or any other endorsement thereon,

or violation thereof, shall relieve the company from liability or from the payment of any final judgment, within the limits of liability herein described, irrespective of the financial condition, insolvency or bankruptcy of the insured. However, all terms, conditions, and limitations in the policy to which the endorsement is attached shall remain in full force and effect as binding between the insured and the company. The insured agrees to reimburse the company for any payment made by the company on account of any accident, claim, or suit involving a breach of the terms of the policy, and for any payment that the company would not have been obligated to make under the provisions of the policy except for the agreement contained in this endorsement.

It is further understood and agreed that, upon failure of the company to pay any final judgment recovered against the insured as provided herein, the judgment creditor may maintain an action in any court of competent jurisdiction against the company to compel such payment.

The limits of the company's liability for the amounts prescribed in this endorsement apply separately to each accident and any payment under the policy because of any one accident shall not operate to reduce the liability of the company for the payment of final judgments resulting from any other accident.

(continued on next page)

## SCHEDULE OF LIMITS — PUBLIC LIABILITY

Type of carriage	Commodity transported	January 1, 1985
(1) For-hire (in interstate or foreign commerce, with a gross vehicle weight rating of 10,000 or more pounds).	Property (nonhazardous)	\$750,000
(2) For-hire and Private (in interstate, foreign, or intrastate commerce, with a gross vehicle weight rating of 10,000 or more pounds).	Hazardous substances, as defined in <u>49 CFR 171.8</u> , transported in cargo tanks, portable tanks, or hopper-type vehicles with capacities in excess of 3,500 water gallons; or in bulk Division 1.1, 1.2, and 1.3 materials, Division 2.3, Hazard Zone A, or Division 6.1, Packing Group I, Hazard Zone A material; in bulk Division 2.1 or 2.2; or highway route controlled quantities of a Class 7 material, as defined in <u>49 CFR 173.403</u> .	\$5,000,000
(3) For-hire and Private (in interstate or foreign commerce, in any quantity; or in intrastate commerce, in bulk only; with a gross vehicle weight rating of 10,000 or more pounds).	Oil listed in <u>49 CFR 172.101</u> ; hazardous waste, hazardous materials, and hazardous substances defined in <u>49 CFR 171.8</u> and listed in <u>49 CFR 172.101</u> , but not mentioned in (2) above or (4) below.	\$1,000,000
(4) For-hire and Private (In interstate or foreign commerce, with a gross vehicle weight rating of less than 10,000 pounds).	Any quantity of Division 1.1, 1.2, or 1.3 material; any quantity of a Division 2.3, Hazard Zone A, or Division 6.1, Packing Group I, Hazard Zone A material; or highway route controlled quantities of a Class 7 material as defined in <u>49 CFR 173.403</u> .	\$5,000,000

\*The schedule of limits shown does not provide coverage. The limits shown in the schedule are for information purposes only



## YOUR CLAIMS PROCESS IS CHANGING EFFECTIVE MARCH 1, 2023

Effective March 1, 2023, the Third-Party Claim Administrator (TPA) will *begin* to transition from Gallagher Bassett to McNeil & Company. During this transition, *both* McNeil & Company and Gallagher Bassett will handle your claims.

However, to ease this transition, please call McNeil & Company at: 800-822-3747 ext. 525 for all new claims.

Please see page 2. For instructions on reporting a spill claim.

### PLEASE REPORT ALL CLAIMS WITHIN 24 HOURS

When submitting a claim to McNeil & Company, please include the date of loss, policyholder name, policy number, contact information and a brief description of what occurred.

#### TPA Contact information:

McNeil & Company:

Call: 800-822-3747 ext. 525; or

Email: loss\_notice@mcneilandcompany.com.

Gallagher Bassett:

Call: 855-688-2795.

Response Environmental, Inc. (REI):

Call: 1-888-645-9910.

Until further notice, McNeil and Company will distribute claims as shown below:

Type of Claim	TPA
All <u>new</u> (after 3/1/23) Auto Property Damage and Auto Physical Damage	McNeil and Company
Employee Benefits Liability.	McNeil and Company
Auto Bodily Injury	McNeil and Company
General Liability (Truckers Only)	McNeil and Company
Inland Marine/ Cargo Legal Liability	McNeil and Company
Pending claims submitted to Gallagher Bassett prior to 3/1/2023	Gallagher Bassett

**REPORTING A SPILL CLAIM**

Within 24 hours of a spill event:

- 1) Report your claim to Response Environmental, Inc. (REI) by calling 1-888-645-9910; and
- 2) Report your claim to McNeil & Company by:
  - a. Calling: 800-822-3747; or
  - b. Emailing the completed cover sheet below to:  
[loss\\_notice@mcneilandcompany.com](mailto:loss_notice@mcneilandcompany.com)

To:

Re:

Pages: (including cover)

---

**REQUIRED INFORMATION (please print):**

(We must have the following information in order to assist in the timely completion of the first report.)

<b>Client Name: Arch Hazmat Trucking Ins. Program</b>	
Insured Name: Policy Number: Contact Name: Contact Phone Number: Cell Number: Contact Email:	
Year & Make of Insured Vehicle: Last 6 digits of VIN Number: Insured Driver Name/Phone Number	
Claimant Name: Claimant's Contact Phone (Cell) Number:	

**State of Delaware  
Hazardous Waste Transporter Permit Renewal Application**

**(Attachment #5)**

Prepared by:

GemChem, Inc.  
53 North Cedar Street  
P.O. Box 384  
Lititz Borough, Lancaster County  
Lititz, Pennsylvania 17543

GemChem, Inc. spill control and contingency plan for transportation emergencies



# Transportation Contingency Plan For Emergencies

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GemChem, Inc.  
53 N. Cedar Street  
Lititz, PA 17601  
717-626-3900

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Rev. April 24, 2024

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# **GemChem Contingency Plan for Transportation Emergencies**

## **PREFACE**

Act 97, The Solid Waste Management Act of 1980 and Title 25 Chapter 263a. of the PA Department of Environmental Protection (PADEP) Rules and Regulations and 40 CFR Chapter 263 require transporters of hazardous wastes to develop and implement a contingency plan to deal with emergencies affecting the environment, public health, and safety, resulting from an incident while transporting hazardous wastes.

Hazardous waste transporters are required to submit a contingency plan to the Department when requested during the license application process. Two copies of the contingency plan shall be submitted to the department at the time of application for a license for review and approval. If the contingency plan needs to be revised in the future, two copies of the revision shall be submitted to the Department for review and approval.

The provisions of the contingency plan shall be carried out whenever emergency situations arise, which endanger public health and safety or the environment. The contingency plan shall be periodically reviewed and updated as necessary. As a minimum, this shall occur when:

1. Applicable regulations are revised.
2. The plan fails in an emergency.
3. The mode of operation changes in a manner that materially increases the potential for fires, explosions, or release of hazardous constituents, or changes the response necessary in an emergency.
4. The list of emergency coordinators changes.
5. The list of emergency equipment changes.
6. As required by the Department.

Contingency plans and their revisions shall be prepared in accordance with Good Engineering Practice by someone who is or has been made familiar with day to day operations. Whenever an outside consultant is employed for this purpose, he must be authorized by the transporter to conduct a thorough study of waste handling and transportation practice.

## Description of Plan Elements

### I. Emergency Reporting

A. In the event of a hazardous waste spill, or a similar emergency during transportation, the driver of the vehicle must make an immediate decision, based on his training as described in Section VIII, to telephone local police, fire, rescue and ambulance departments as needed for the situation.

B. After the driver has contacted local emergency personnel as needed and taken steps to contain the immediate problems of the incident, he will telephone as soon as possible the first available GemChem emergency coordinator he can reach. He will then provide that coordinator with the following information:

1. Name of person reporting incident.
2. Phone number where the person reporting incident can be reached.
3. Date, time and location of the incident.
4. Describe type of transport vehicle and give tractor and trailer identification numbers.
5. Brief description of the type and severity of the incident, including the extent of injuries, if any.
6. For each different waste involved in a spill:
  - a. Shipping name, hazard class, and UN number of the waste.
  - b. Estimated quantity of the material spilled.
  - c. Estimate the extent of contamination of land, water, and/or air.
7. Shipping name, hazard class, and UN number of any other material carried.
8. General description of surrounding area, e.g. roads, landscapes, waterways, etc.
9. What action has already been taken.
10. Which police, fire, rescue departments have already been contacted.
11. If a leak may be involved, highway routes traveled.

C. The GemChem coordinator will then phone all of the above information plus the EPA identification numbers of all parties involved (GemChem EPA ID #PAD 009439662) immediately to:

Emergency Reporting (Continued)

PA DEP 800-541-2050, and National Response Center 800-424-8802.

D. As soon as possible after the incident has been mitigated, the emergency coordinator will submit a written report to the Information Systems Manager, Office of Hazardous Materials Transportation, Research and Special Programs Administration, U.S. Department of Transportation, Washington, DC, 20590 (as required by Title 49 CFR 171.16). The written report must document all available information at the time of writing. Copies of the report must also be sent to all other agencies contacted by phone during the incident, and the generators of the waste in question.

II. List of Emergency Response Numbers

A. Driver to call for local police and fire departments by dialing 911 or 0.

B. National Response Center 800-424-8802.

C. PA DEP (24 hour hotline) 866-825-0208.

D. State of Delaware 800-662-8802 (In state), or 302-739-9401.

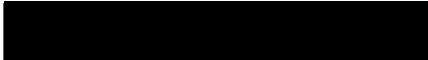
E. In the event other agencies may be involved: PA Emergency Management Agency 717-651-2001.

F. When streams or rivers are involved: PA Fish Commission, Southeast Regional Office in Elm at 717-626-0228. Pollution Hotline, 855-347-4545.

III. List of GemChem Emergency Coordinators

The first person listed shall be the primary emergency coordinator and others shall be listed in the order in which they will assume responsibility as alternates. At all times there shall be at least one of the following persons, either on the installation premises or on call with the responsibility for coordination all emergency response measures. The emergency coordinators shall be thoroughly familiar with all aspects of the contingency plan, all operations and activities, the characteristics of all materials handled, and the location of all records. In addition, these individuals shall have the authority to commit the resources necessary to carry out the contingency plan.

A. Gordon Young, Lititz 717-626-3900 Office



B. Ron Borne, Lititz 717-626-3900 Office





- C. Ben Shelley, Lititz 717-626-3900 Office  
717-381-9399 cell#

IV. List of Emergency Response Contractors for Spill Cleanup

Emergency response contractors, some of whom are capable of providing services on a 24 hour-a-day basis to respond to spills or materials, shall be called if their services are needed for cleanup or containment of spills. The following lists the names of a couple of those contractors, their telephone numbers, and the types of services and equipment they provide.

- A. VLS (formerly ERC)  
1076 Old Manheim Pike  
Lancaster, PA 17601  
717-393-2627

- B. ACV Enviro  
550 Industrial Drive  
Lewisberry, PA 17339  
1-800-777-4557

Equipment:

- Boom equipped trucks containing the following: Containment boom, absorbent booms, absorbent pads, pillows, blankets, wipers, oil snares, plastic bags, oil dry, cleaning solvent, degreaser, vacuum cleaners, generator and lights, miscellaneous tools, including rakes and shovels, rubber boots, protective gear for personnel.
- Trucks, each equipped with spill response materials.
- Additional equipment is available as needed: Backhoe, dump trucks, boats, high pressure pumps, and rollofs.

The above equipment is available with supervisors, drivers, and laborers.

V. GemChem Emergency Equipment: Each vehicle will carry all of the following equipment on every shipment (except for Dodge Ram and Honda Element):

- Fire Extinguisher
- Reflectors and/or flares
- Flash light
- Protective coveralls, organic vapor respirator, gloves, boots, hard hat and face shield

- Emergency patch kit
- Polyethylene bags
- First aid kit and bottle of eye wash solution
- Absorbent material
- One oversize recovery drum
- Broom and shovel

All equipment shall be tested and maintained as necessary to assure its proper operation in time of an emergency. After an emergency, all equipment shall be decontaminated, cleaned and fit for its intended use before normal operations resume.

- VI. External Communication: Cellular phone, landline telephone, or a runner system; whichever is more expedient will be used for following the emergency reporting procedure.
- VII. Routine Decontamination Procedures for Minor Spills: Maintenance and decontamination will take place prior and preceding each delivery. All GemChem equipment and protective clothing used in handling a spill will be transported back to the facility, in Lititz, PA, and inspected, decontaminated, and if necessary destroyed and replaced. This procedure will be done in an area and in such a manner where all wash waters will be contained and collected in appropriate water storage tanks or drums and disposed of at a properly licensed facility.
- VIII. Employee Training Program
- A. All of the previously listed emergency coordinators and all other transportation personnel will be trained in the following subject areas on an annual basis.
1. Inspection and reporting procedures.
  2. General maintenance of all equipment.
  3. Chemicals used in spill control.
  4. A basic American Red Cross course in Emergency Action Principles.
  5. Proper handling of containers (closures, labeling, unloading and loading).
  6. Safety handling of individual waste streams
  7. Driver training.
  8. Contingency plan implementation.
  9. Compliance with all applicable laws and regulations for hazardous waste transportation.
  10. How to identify and handle waste using protective gear.

11. Importance of contacting GemChem coordinators promptly in an emergency.
12. To contact local police or fire departments directly as required.
13. Familiarization with the emergency patch kit and procedures for its use.
14. Use of the DOT Hazardous Materials Emergency Response Guidebook. A copy of this Guidebook is to be maintained in each vehicle, at the Lititz facility and in the home of each emergency coordinator.

IX. Implementation Schedule

This plan has been implemented and is in effect now.

**State of Delaware**  
**Hazardous Waste Transporter Permit Renewal Application**

**(Attachment #6 -Written Driver Training & Vehicle Operators)**

Prepared by:

GemChem, Inc.  
53 North Cedar Street  
P.O. Box 384  
Lititz Borough, Lancaster County  
Lititz, Pennsylvania 17543

GemChem, Inc. provides annual EPA/DOT training to our CDL employee(s). Currently, (3) CDL drivers are employed by GemChem, Inc. and their training certificates are attached.

Current CDL drivers are as follows: Ron Borne, Chris Miller and Eric Stricker

CDL drivers are required to complete **annual training** on EPA/DOT regulations as well as hazardous communications. GemChem, Inc. also completes **annual review** of our transportation contingency plan and how to implement, if necessary. All relevant information including emergency response phone #'s are listed in GemChem's transportation contingency plan.

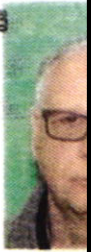
GemChem, Inc. completes a review of drivers' licenses for all employees on an annual basis. If violations are discovered, corrective action would be enforced depending on the moving violation.

*Penny*

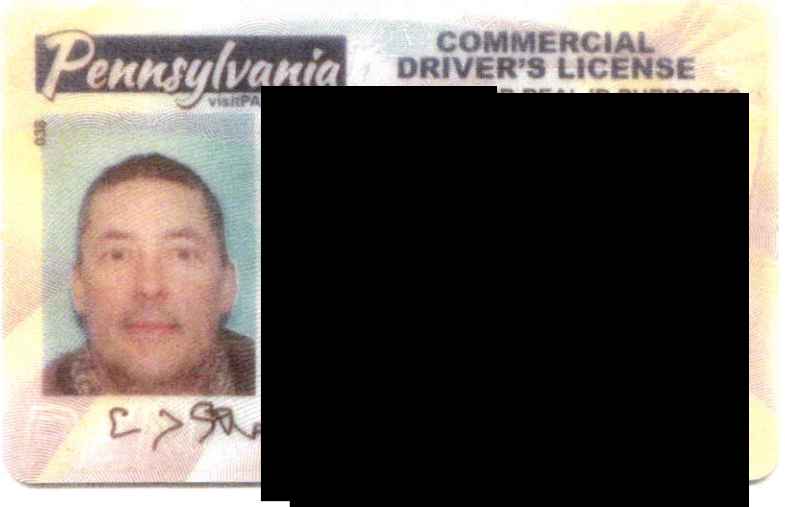


*C*

Pen

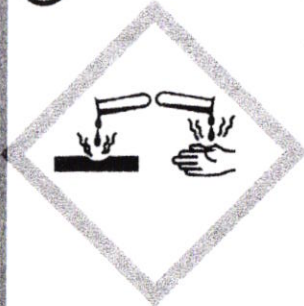


Pen



# Certificate of Completion

**Lititz Compliance Training, LLC**



*This is to certify that*

**Ron Borne**

*Has satisfactorily completed training requirements set by OSHA*

**HAZCOM**

*29 CFR 1910.1200*

**Presented:**  
*April 24<sup>th</sup>, 2024*  
*Lititz, PA*

Certificate #LCT 24006

Certified Environmental Safety & Health Trainer

**Sharon L Flory, CIT**

NESTHA Master Instructor

CCCHST Instructor

BCSP BOARD OF CERTIFICATION



# Certificate of Completion

**Lititz Compliance Training, LLC**



*This is to certify that*

**Ron Borne**



*Has satisfactorily completed training requirements set by OSHA*

**HAZWOPER REFRESHER**

*8 hrs of coursework*

**Presented:**

**April 24<sup>th</sup>, 2024**

**Lititz, PA**

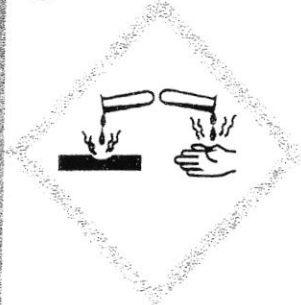
*29 CFR 1910.120*

Certificate #LCT 24003

  
Certified Environmental Safety & Health Trainer  
Sharon L Flory, CIT  
NESTHA Master Instructor  
CCCHST Instructor  
BCSP BOARD OF CERTIFICATION

# Certificate of Completion

**Lititz Compliance Training, LLC**



*This is to certify that*

**Ronald Borne**



*Has satisfactorily completed refresher course training requirements set by the  
Environmental Protection Agency & Department of Transportation:*

**DOT & RCRA Refresher**

*49 CFR 172, 40 CFR 265*

**Presented:**  
April 27<sup>th</sup>, 2022  
Lititz, PA

Certificate #LCT 2225  
Expires 4/2025

  
Certified Environmental Safety & Health Trainer  
Sharon L Flory, CET  
#27400 Expires 6/30/2022  
BCSP BOARD OF CERTIFICATION

# Certificate of Completion

**Lititz Compliance Training, LLC**



*This is to certify that*

**Chris Miller**

*Has satisfactorily completed training requirements set by OSHA*

**HAZCOM**

*29 CFR 1910.1200*

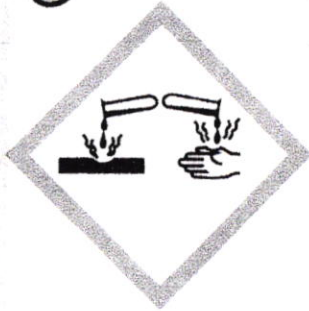
**Presented:**  
*April 24<sup>th</sup>, 2024*  
*Lititz, PA*

Certificate #LCT 24009

  
Certified Environmental Safety & Health Trainer  
**Sharon L Flory, CIT**  
NESTHA Master Instructor  
CCCHST Instructor  
BCSP BOARD OF CERTIFICATION

# Certificate of Completion

**Lititz Compliance Training, LLC**



*This is to certify that*

**Chris Miller**

*Has satisfactorily completed training requirements set by OSHA*

**HAZWOPER REFRESHER**

*8 hrs of coursework*

*29 CFR 1910.120*

**Presented:**  
**April 24<sup>th</sup>, 2024**  
**Lititz, PA**

Certificate #LCT 24005

  
Certified Environmental Safety & Health Trainer  
**Sharon L. Flory, CIT**  
NESTA Master Instructor  
CCCHST Instructor  
BCSP BOARD OF CERTIFICATION

# Certificate of Completion

**Lititz Compliance Training, LLC**



*This is to certify that*

**Chris Miller**



*Has satisfactorily completed refresher course training requirements set by the  
Environmental Protection Agency & Department of Transportation:*

**DOT & RCRA Refresher**

*49 CFR 172, 40 CFR 265*

**Presented:**

*April 27<sup>th</sup>, 2022*

*Lititz, PA*

Certificate #LCT 2228

Expires 4/2025

A handwritten signature in black ink, appearing to read 'Sharon L. Flory'.

Certified Environmental Safety & Health Trainer

Sharon L. Flory, CET

#27400 Expires 6/30/2022

BCSP BOARD OF CERTIFICATION

# Certificate of Completion

**Lititz Compliance Training, LLC**



*This is to certify that*

***Eric Stricker***

*Has satisfactorily completed training requirements set by OSHA*

**HAZCOM**

*29 CFR 1910.1200*

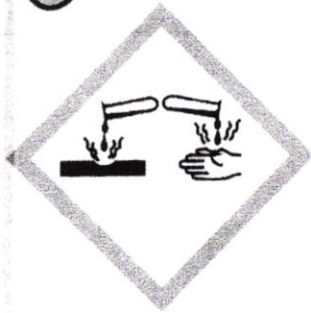
**Presented:**  
*April 24<sup>th</sup>, 2024*  
*Lititz, PA*

Certificate #LCT 24007

  
Certified Environmental Safety & Health Trainer  
**Sharon L Flory, CIT**  
NESTHA Master Instructor  
CCCHST Instructor  
BCSP BOARD OF CERTIFICATION

# Certificate of Completion

**Lititz Compliance Training, LLC**



*This is to certify that*

***Eric Stricker***

*Has satisfactorily completed training requirements set by OSHA*

**HAZWOPER REFRESHER**

*8 hrs of coursework*



**Presented:**

*April 24<sup>th</sup>, 2024*

*Lititz, PA*

*29 CFR 1910.120*

Certificate #LCT 24002

  
Certified Environmental Safety & Health Trainer  
**Sharon L. Flory, CIT**  
NESTHA Master Instructor  
CCHST Instructor  
BCSP BOARD OF CERTIFICATION



# CERTIFICATE OF COMPLETION

This certifies that

**Eric Stricker**

has successfully completed the course

**HAZWOPER 40 HR**



Course Duration  
40.0



Completion Date  
11/23/2023

*Samantha Montalbano*  
Samantha Montalbano, Chief Operating Officer

6504 Bridge Point Parkway, Suite 100 | Austin, TX 78730 | [www.360training.com](http://www.360training.com)

(CUT HERE)

(CUT HERE)

FOLD



This certifies that the person named below  
has successfully completed the

**Eric Stricker**  
**HAZWOPER 40 HR**

*Samantha Montalbano*  
Samantha Montalbano, Chief Operating Officer

11/23/2023  
Completion date

6504 Bridge Point Parkway, Suite 100 | Austin, TX 78730 | [www.360training.com](http://www.360training.com)

This is your pocket card which may be used as proof of training  
completion. This training program is intended to provide  
supplementary job safety training and is not required or  
approved by any regulatory authority.  
Please check Federal, State, and local regulations for additional  
training requirements related to your specific job.

Questions? [support@360training.com](mailto:support@360training.com)  
visit: [www.360training.com/osh-campus](http://www.360training.com/osh-campus)



**State of Delaware  
Hazardous Waste Transporter Permit Renewal Application**

**(Attachment #7)**

Prepared by:

GemChem, Inc.  
53 North Cedar Street  
P.O. Box 384  
Lititz Borough, Lancaster County  
Lititz, Pennsylvania 17543

Vehicle Identification information





Schedule A No. 1  
 Agreement Dated November 27, 2023  
 Schedule Date November 27, 2023

**MACK LEASING SYSTEM**

Leshar Leasing, Inc.

**SCHEDULE A  
 TRUCK LEASING AGREEMENT**

Consumer Price Index Base 307.671

Customer Name Gem Chem, Inc.

VEHICLE NO.	IN SERVICE DATE	TERM IN MONTH	VEHICLE DESCRIPTION		MAX. GVW LICENSED WEIGHT	ORIGINAL VALUE	DEPREC.	ESTIMATED ANNUAL MILEAGE	FIXED CHARGE PER MONTH	MILEAGE RATE PER MILE	MAINT RATE PER HOUR	
			YEAR & MAKE	SERIAL NUMBER			MONTHLY AMOUNT					
				MODEL								TYPE
1	2	3	4	5	6	7	8	9	10	11	12	13
324230	2/1/24	72	2024 Mack	1M2AN2GCXRM046647		52,000	\$194,827	\$1,509	35,000	\$2,982.00	\$0.95	NA
				AN64	24FT							

Please see terms on following page.

Schedule A No. 1

1. Liability Insurance Responsibility: CUSTOMER Limits: Bodily Injury \_\_\_\_\_ per person  
Bodily Injury \_\_\_\_\_ per accident  
Property Damage \_\_\_\_\_ per accident  
OR Combined Single Limits \$1,000,000 per accident  
\$1,000 deductible.

Physical Damage Responsibility by CUSTOMER \_\_\_\_\_ \$1,000 deductible.

- 2. It is agreed that the prime interest rate as of the date of execution of this Schedule A is NA as set forth by \_\_\_\_\_. In the event the prime interest rate should increase or decrease prior to the date of delivery of the vehicles, Customer agrees that for each quarter point change (0.25) in the interest rate, the Fixed Charge per will be adjusted \_\_\_\_.
- 3. Domicile of vehicle(s) listed on this Schedule: Lititz, PA
- 4. Lessor Base Service Facility location for vehicle(s) listed on this Schedule: Lebanon, PA
- 5. Amount allowable for original painting and lettering per vehicle: 0
- 6. Lessor will wash exterior of each vehicle 0 times per year.
- 7. Vehicle(s) will be operated only in the following states: \_\_\_\_\_
- 8. Lessor \_\_\_\_\_ will supply fuel tax permits and post fuel bonds if required. Lessor \_\_\_\_\_ will file fuel tax returns with each state.
- 9. Allowances / Year: License Fee: \$1,186 Federal Highway Use Tax \$0 Personal Property / Ad Valorem Tax \$0 Customer hereby agrees to reimburse Lessor within 10 days for any and all fees, taxes, charges, costs and/or other amounts incurred by Lessor in excess of the annual allowances set forth herein.
- 10. Estimated Annual Mileage: If the estimated mileage (Column 10) for each or any vehicle shown on the front of the Schedule A increases by 15%, the parties agree to negotiate in good faith the charges, depreciation, and term for that vehicle.
- 11. Mileage Guarantee: Customer agrees that each of the vehicles described on this Schedule A will be operated a minimum number of NA miles within each \_\_\_\_\_ month period during which it is under lease ("Guarantee Period").

The payment of the Mileage Rate per Mile shall be made as provided in the Lease Agreement for miles actually operated.

A settlement of the Mileage Guarantee will be made at the end of each Guaranteed Period as follows:

If miles actually operated during the Guarantee Period are less than the miles guaranteed, then Customer will be billed by Lessor and Customer shall promptly pay to Lessor an amount equal to the difference between the number of miles guaranteed and the miles actually operated, multiplied by the Deficiency Rate per Mile.

If miles actually operated during the Guarantee Period exceed the miles guaranteed, then Customer will be billed by Lessor and Customer shall promptly pay to Lessor an amount equal to (1) the difference between the miles actually operated and the miles guaranteed, multiplied by (2) the difference between the Mileage Rate per Mile specified on Side One of this Schedule and the Excess Rate per Mile specified below.

The Deficiency Rate per Mile shall be \$.05 and the Excess Rate per Mile shall be \$.05 > 40,000 miles per year

Miles operated by vehicles to which the same Mileage Rate per Mile, Deficiency Mileage Rate per Mile, Excess Mileage Rate per Mile, Mileage Guarantee, and Guaranteed Period apply, may be averaged. If the lease of any vehicle is terminated during any Guaranteed Period, the Guaranteed Period and Mileage Guarantee shall be prorated for that vehicle on the basis of the actual portion of such period it was under lease.

This Schedule A is entered into pursuant to that certain Full Service Lease Agreement or National Account Full Service Lease Agreement between the parties hereto.

This Schedule A shall be deemed a separate lease agreement with respect to the vehicle(s) referenced herein, and this Schedule A fully incorporates the terms and conditions of that certain Full Service Lease Agreement or National Account Full Service Lease Agreement, whichever applicable, between the parties dated per notation on this Schedule A.

Leshor Leasing, Inc.

Lessor

Gem Chem, Inc.

Customer

By \_\_\_\_\_

*Gregory S. Leshor*

By \_\_\_\_\_

*Gary Young*

Name \_\_\_\_\_

Gregory S Leshor

Name \_\_\_\_\_

Gary Young

Title \_\_\_\_\_

President

Title \_\_\_\_\_

President/Gem Chem, Inc.

MV-106(4-14) **IRP CAB CARD**

The vehicle described below has been proportionally registered in Pennsylvania and the following jurisdictions at the weights not exceeding those indicated as shown below:

BERGEYS GMC INC  
446 HARLEYSVILLE PIKE  
SOUDERTON, PA 18964-2190

LICENSE PLATE: **AH50819** VALIDATION DATE: **02/16/2024** EXPIRES: **11/30/2024**

ACCOUNT NO: <b>00028682</b>		FLEET NO: <b>6</b>		SUPP NO: <b>16</b>		USDOT NO: <b>000329728</b>		ISSUE DATE: <b>02/16/2024</b>		EQUIPMENT NO: <b>324230</b>		
YEAR: <b>2024</b>	MAKE: <b>MACK</b>	VIN: <b>1M2AN2GCXRM046647</b>				UNLADEN WEIGHT: <b>15,860 LBS</b>		GROSS VEH WT <b>52,000 LBS</b>		GROSS COMB WT: <b>0 LBS</b>		
REGISTRANT NAME: <b>BERGEYS GMC INC</b> STREET ADDRESS: <b>446 HARLEYSVILLE PIKE</b> CITY, STATE, ZIP: <b>SOUDERTON, PA 18964-2190</b>								TYPE: <b>TK</b>	AXLES: <b>3</b>	SEATS: <b>0</b>	FUEL: <b>D</b>	WGT CLASS: <b>15</b>
OWNER: <b>BERGEYS GMC INC DBA BERGEYS LEASING ASSOCIATES</b>								TITLE NO: <b>86875917</b>		O. CODE: <b>PVT</b>		

JUR	WEIGHT	JUR	WEIGHT	JUR	WEIGHT	JUR	WEIGHT	JUR	WEIGHT	JUR	WEIGHT	JUR	WEIGHT
PA	52,000	AL	52,000	AR	52,000	AZ	52,000	CA	52,000	CO	52,000	CT	52,000
DC	52,000	DE	52,000	FL	52,000	GA	52,000	IA	52,000	ID	52,000	IL	52,000
IN	52,000	KS	52,000	KY	52,000	LA	52,000	MA	52,000	MD	52,000	ME	52,000
MI	52,000	MN	52,000	MO	52,000	MS	52,000	MT	52,000	NC	52,000	ND	52,000
NE	52,000	NH	52,000	NJ	52,000	NM	52,000	NV	52,000	NY	52,000	OH	52,000
OK	52,000	OR	52,000	RI	52,000	SC	52,000	SD	52,000	TN	52,000	TX	52,000
UT	52,000	VA	52,000	VT	52,000	WA	52,000	WI	52,000	WV	52,000	WY	52,000
AB	23,586	BC	23,586	MB	23,586	NB	23,586	NL	23,586	NS	23,586	ON	23,586
PE	23,586	QC	5 AXL	SK	23,586	**	****	**	****	**	****	**	****

It is the registrant's responsibility to ensure that the information listed on the IRP cab card is correct.

The apportioned cab card must be carried in the vehicle to which it is issued and must be presented on demand, for inspection by law enforcement officers.

We hereby acknowledge this day that I/We have received notice of provisions of Section 3709 of the Vehicle Code.

  
SIGNATURE  
MOTOR CARRIER RESPONSIBLE FOR SAFETY  
GEMCHEM INC  
PO BOX 384  
LITITZ, PA 17543-0384

Safety USDOT Number: 000329728



PENNSYLVANIA'S LITTERING LAW - Section 3709 of the Vehicle Code provides for a fine of up to \$300 for dropping, throwing or depositing, upon any highway, or on any other public or private property without the consent of the owner thereof or into or on the waters of this Commonwealth from a vehicle, any waste paper, scrapings, ashes, household waste, glass, metal, refuse or rubbish or any dangerous or detrimental substance, or permitting any of the preceding without immediately removing such items or causing their removal.  
In any violation of Section 3709, I may be subject to a fine of up to \$300 upon conviction, including any violation resulting from the conduct of any other persons operating, in possession of or present within this vehicle with my permission, if I do not with reasonable certainty identify the driver of the vehicle at the time the violation occurred.

## Davis, DaQuan (DNREC)

---

**From:** Gordon Young <[gyoung@gemchemsolutions.com](mailto:gyoung@gemchemsolutions.com)>  
**Sent:** Tuesday, October 8, 2024 1:27 PM  
**To:** WHStransporters  
**Subject:** RE: Delaware Hazardous Waste Transporter Permit Application  
**Attachments:** GemChem MCS-90 Form.pdf; State of DE Dept of Natural Resources.pdf

DaQuan,

Please find attached revised GemChem MCS-90 which is for our box truck (policy # FBCAT0499803) Arch Specialty Insurance listed on attached insurance certification. Please let me know if you need anything else. The other auto policy on the Cert is for support vehicles which do NOT transport waste and are not applicable to our transportation permit. Thank you,

GORDON YOUNG President  
[www.gemchemsolutions.com](http://www.gemchemsolutions.com)  
53 N. Cedar St., Lititz, PA 17543  
Office 717-626-3900  
Mobile 717-587-7850

**From:** Davis, DaQuan (DNREC) <[daquan.davis@delaware.gov](mailto:daquan.davis@delaware.gov)> **On Behalf Of** WHStransporters  
**Sent:** Tuesday, October 8, 2024 10:14 AM  
**To:** Gordon Young <[gyoung@gemchemsolutions.com](mailto:gyoung@gemchemsolutions.com)>  
**Subject:** RE: Delaware Hazardous Waste Transporter Permit Application

Okay great.



## DaQuan L. Davis

Environmental Scientist I

**Division of Waste and Hazardous Substances**

☎ 302-739-9403

✉ [daquan.davis@delaware.gov](mailto:daquan.davis@delaware.gov)

📍 89 Kings Hwy SW, Dover, DE 19901

🌐 [dnrec.delaware.gov](http://dnrec.delaware.gov)



**From:** Gordon Young <[gyoung@gemchemsolutions.com](mailto:gyoung@gemchemsolutions.com)>  
**Sent:** Friday, October 4, 2024 9:57 AM  
**To:** WHStranporters <[WHStranporters@delaware.gov](mailto:WHStranporters@delaware.gov)>  
**Subject:** RE: Delaware Hazardous Waste Transporter Permit Application

Mr. Davis,

I reviewed our policy and yes it appears the MCS-90 policy doesn't match our current insurance policy #. We believe this was a clerical error by insurance broker and have a message into our insurance broker. We hope to have an answer and update early next week and I will forward information requested. Thank you,

GORDON YOUNG President  
[www.gemchemsolutions.com](http://www.gemchemsolutions.com)  
53 N. Cedar St., Lititz, PA 17543  
Office 717-626-3900  
Mobile 717-587-7850

**From:** Davis, DaQuan (DNREC) <[daquan.davis@delaware.gov](mailto:daquan.davis@delaware.gov)> **On Behalf Of** WHStranporters  
**Sent:** Thursday, October 3, 2024 2:17 PM  
**To:** Gordon Young <[gyoung@gemchemsolutions.com](mailto:gyoung@gemchemsolutions.com)>  
**Subject:** Delaware Hazardous Waste Transporter Permit Application

Hi Mr. Young,

Thank you for submitting your application to obtain your Delaware hazardous 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 12- The MCS-90 endorsement form policy doesn't match your automotive liability insurance on your certificate of insurance. Please provide an MCS-90 endorsement form that does. The policy number is CA00061290.

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](mailto:daquan.davis@delaware.gov)

📍 89 Kings Hwy SW, Dover, DE 19901

🌐 [dnrec.delaware.gov](http://dnrec.delaware.gov)





# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
06/28/2024

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).

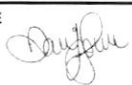
<b>PRODUCER</b> KNOLL INSURANCE AGENCY 704 BRIDGE STREET  NEW CUMBERLAND PA 17070		<b>CONTACT NAME:</b> Danielle Lowe <b>PHONE (A/C, No, Ext):</b> 717-774-8128 <b>FAX (A/C, No):</b> 717-901-9414 <b>E-MAIL ADDRESS:</b> danielle.lowe@knoll-insurance.com	
<b>INSURED</b> GemChem Inc. P.O. Box 384 Lititz PA 17543		<b>INSURER(S) AFFORDING COVERAGE</b> <b>NAIC #</b>	
		<b>INSURER A:</b> Ironshore Specialty Insurance      25445	
		<b>INSURER B:</b> Lebanon Valley Insurance Co      14370	
		<b>INSURER C:</b> Arch Specialty Insurance Company      21199	
		<b>INSURER D:</b>	
		<b>INSURER E:</b>	
		<b>INSURER F:</b>	

**COVERAGES**      **CERTIFICATE NUMBER:** 20240628135001950      **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"/> <b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Professional Liability <input checked="" type="checkbox"/> 1,000,000 GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC OTHER:	Y	N	IEPUW0014214900	02/20/2024	02/20/2025	EACH OCCURRENCE \$ 1,000,000
	DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000						
B	<input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input checked="" type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY <input type="checkbox"/>	N	N	CA00061290	02/20/2024	02/20/2025	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
	BODILY INJURY (Per person) \$						
A	<input type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED      RETENTION \$	N	N	XSCUW0014215000	02/20/2024	02/20/2025	EACH OCCURRENCE \$ 1,000,000
	AGGREGATE \$ 1,000,000						
C	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N	N	FBCAT0499803	02/20/2024	02/20/2025	PER STATUTE    OTH-ER
	E.L. EACH ACCIDENT \$						
	Business Auto						Single Limit Liability \$1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)  
State of DE Dept of Natural Resources & Environmental Div. is listed as Additional Insured under General Liability with respect to work performed under contract by the insured listed above.

<b>CERTIFICATE HOLDER</b>  State of DE Dept of Natural Resources & Environmental Div. Air & Waste Mgmt/Solid/Hazard 89 Kings Highway Dover DE 19901	<b>CANCELLATION</b>  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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For FMCSA Use Date Received: \_\_\_\_\_

Please note, the expiration date as stated on this form relates to the process for renewing the Information Collection Request for this form with the Office of Management and Budget. This requirement to collect information as requested on this form does not expire. For questions, please contact the Office of Registration, Financial Responsibility Filings Division.

A Federal Agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB Control Number. The OMB Control Number for this information collection is 2126-0008. Public reporting for this collection of information is estimated to be approximately 2 minutes per response, including the time for reviewing instructions, gathering the data needed, and completing and reviewing the collection of information. All responses to this collection of information are mandatory. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: Information Collection Clearance Officer, Federal Motor Carrier Safety Administration, MC-RRA, Washington, D.C. 20590.



Endorsement for Motor Carrier Policies of Insurance for Public Liability under Sections 29 and 30 of the Motor Carrier Act of 1980

FORM MCS-90

Issued to GemChem Inc of Pennsylvania 329728 (Motor Carrier name) (Motor Carrier state or province) (USDOT Number)

Dated at 12:00 midnigh on this 8th day of October, 2024

Amending Policy Number: FBCAT0499803 Effective Date: 02/20/2024

Name of Insurance Company: ARCH Insurance Company

Countersigned by: [Signature] (authorized company representative)

The policy to which this endorsement is attached provides primary or excess insurance, as indicated for the limits shown (check only one):

- Selected: This insurance is primary and the company shall not be liable for amounts in excess of \$ 1,000,000 for each accident.
This insurance is excess and the company shall not be liable for amounts in excess of \$ \_\_\_\_\_ for each accident in excess of the underlying limit of \$ \_\_\_\_\_ for each accident.

Whenever required by the Federal Motor Carrier Safety Administration (FMCSA), the company agrees to furnish the FMCSA a duplicate of said policy and all its endorsements. The company also agrees, upon telephone request by an authorized representative of the FMCSA, to verify that the policy is in force as of a particular date. The telephone number to call is: 303-534-1171

Cancellation of this endorsement may be effected by the company or the insured by giving (1) thirty-five (35) days notice in writing to the other party (said 35 days notice to commence from the date the notice is mailed, proof of mailing shall be sufficient proof of notice), and (2) if the insured is subject to the FMCSA's registration requirements under 49 U.S.C. 13901, by providing thirty (30) days notice to the FMCSA (said 30 days notice to commence from the date the notice is received by the FMCSA at its office in Washington, DC).

Filings must be transmitted online via the Internet at https://www.fmcsa.dot.gov/registration.

(continued on next page)

## DEFINITIONS AS USED IN THIS ENDORSEMENT

**Accident** includes continuous or repeated exposure to conditions or which results in bodily injury, property damage, or environmental damage which the insured neither expected nor intended.

**Motor Vehicle** means a land vehicle, machine, truck, tractor, trailer, or semitrailer propelled or drawn by mechanical power and used on a highway for transporting property, or any combination thereof.

**Bodily Injury** means injury to the body, sickness, or disease to any person, including death resulting from any of these.

**Property Damage** means damage to or loss of use of tangible property.

**Environmental Restoration** means restitution for the loss, damage, or destruction of natural resources arising out of the accidental discharge, dispersal, release or escape into or upon the land, atmosphere, watercourse, or body of water, of any commodity transported by a motor carrier. This shall include the cost of removal and the cost of necessary measures taken to minimize or mitigate damage to human health, the natural environment, fish, shellfish, and wildlife.

**Public Liability** means liability for bodily injury, property damage, and environmental restoration.

The insurance policy to which this endorsement is attached provides automobile liability insurance and is amended to assure compliance by the insured, within the limits stated herein, as a motor carrier of property, with Sections 29 and 30 of the Motor Carrier Act of 1980 and the rules and regulations of the Federal Motor Carrier Safety Administration (FMCSA).

In consideration of the premium stated in the policy to which this endorsement is attached, the insurer (the company) agrees to pay, within the limits of liability described herein, any final judgment recovered against the insured for public liability resulting from negligence in the operation, maintenance or use of motor vehicles subject to the financial responsibility requirements of Sections 29 and 30 of the Motor Carrier Act of 1980 regardless of whether or not each motor vehicle is specifically described in the policy and whether or not such negligence occurs on any route or in any territory authorized to be served by the insured or elsewhere. Such insurance as is afforded, for public liability, does not apply to injury to or death of the insured's employees while engaged in the course of their employment, or property transported by the insured, designated as cargo. It is understood and agreed that no condition, provision, stipulation, or limitation contained in the policy, this endorsement, or any other endorsement thereon,

or violation thereof, shall relieve the company from liability or from the payment of any final judgment, within the limits of liability herein described, irrespective of the financial condition, insolvency or bankruptcy of the insured. However, all terms, conditions, and limitations in the policy to which the endorsement is attached shall remain in full force and effect as binding between the insured and the company. The insured agrees to reimburse the company for any payment made by the company on account of any accident, claim, or suit involving a breach of the terms of the policy, and for any payment that the company would not have been obligated to make under the provisions of the policy except for the agreement contained in this endorsement.

It is further understood and agreed that, upon failure of the company to pay any final judgment recovered against the insured as provided herein, the judgment creditor may maintain an action in any court of competent jurisdiction against the company to compel such payment.

The limits of the company's liability for the amounts prescribed in this endorsement apply separately to each accident and any payment under the policy because of anyone accident shall not operate to reduce the liability of the company for the payment of final judgments resulting from any other accident.

(continued on next page)

<b>SCHEDULE OF LIMITS — PUBLIC LIABILITY</b>
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Type of carriage	Commodity transported	January 1, 1985
(1) For-hire (in interstate or foreign commerce, with a gross vehicle weight rating of 10,001 or more pounds).	Property (nonhazardous)	\$750,000
(2) For-hire and Private (in interstate, foreign, or intrastate commerce, with a gross vehicle weight rating of 10,001 or more pounds).	Hazardous substances, as defined in <a href="#">49 CFR 171.8</a> , transported in cargo tanks, portable tanks, or hopper-type vehicles with capacities in excess of 3,500 water gallons; or in bulk Division 1.1, 1.2, and 1.3 materials, Division 2.3, Hazard Zone A, or Division 6.1, Packing Group I, Hazard Zone A material; in bulk Division 2.1 or 2.2; or highway route controlled quantities of a Class 7 material, as defined in <a href="#">49 CFR 173.403</a> .	\$5,000,000
(3) For-hire and Private (in interstate or foreign commerce, in any quantity; or in intrastate commerce, in bulk only; with a gross vehicle weight rating of 10,001 or more pounds).	Oil listed in <a href="#">49 CFR 172.101</a> ; hazardous waste, hazardous materials, and hazardous substances defined in <a href="#">49 CFR 171.8</a> and listed in <a href="#">49 CFR 172.101</a> , but not mentioned in (2) above or (4) below.	\$1,000,000
(4) For-hire and Private (In interstate or foreign commerce, with a gross vehicle weight rating of less than 10,001 pounds).	Any quantity of Division 1.1, 1.2, or 1.3 material; any quantity of a Division 2.3, Hazard Zone A, or Division 6.1, Packing Group I, Hazard Zone A material; or highway route controlled quantities of a Class 7 material as defined in <a href="#">49 CFR 173.403</a> .	\$5,000,000

\*The schedule of limits shown does not provide coverage. The limits shown in the schedule are for information purposes only.