

RECEIPT

DATE

03/24/25

No.

927968

RECEIVED FROM

Clean Delaware, LLC

\$

1550.00

One thousand five hundred fifty and ⁰⁰/₁₀₀ DOLLARS☐ FOR RENT☐ FOR

DE-SW-1739

ACCOUNT

PAYMENT

BAL. DUE

☐ CASH☒ CHECK☐ MONEY
ORDER☐ CREDIT
CARD

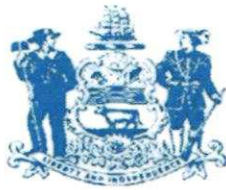
FROM

22686

TO

BY

M.M.



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

RECEIVED

MAR 24 2025

DNREC - WHS

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

SOLID WASTE TRANSPORTER PERMIT APPLICATION

Language Preference: English

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- 1739 Expiration Date June 30, 2025

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 Clean Delaware, LLC

Location Address:	Mailing Address:
33852 Clay Rd. Lewes, DE 19958	P.O. Box 123 Milton, DE 19968

Contact: Gerry Desmond Title: Vice President / General Manager

Business Phone: 302-684-4221 Fax: 302-684-1850

E-mail: gerry@cleandelaware.com

24 hr Emergency Contact Phone: [REDACTED]

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: _____ State: _____ Date: _____

- ☐ Municipality
☐ Public institution
☒ Limited Liability Corporation (LLC) State: DE
☐ 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 4.b.

(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 5.
☐ 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) Brewery waste, dry municipal sludge
☐ 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# 3581980 MC# 7551

- ☐ 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 checked="" 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 checked="" type="checkbox"/>	\$350,000.00 <input 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	\$750,000.00 + MCS-90 <input type="checkbox"/>	\$350,000.00 <input type="checkbox"/>
Contaminated Soils	\$1,000,000.00 + MCS-90 <input type="checkbox"/>	\$350,000.00 <input type="checkbox"/>
Asbestos	(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 11.

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.

- 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);
- 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;
- Describe how drivers are instructed in the following:
 - Knowledge of proper handling procedures for the type of solid waste being transported.
 - Familiarity with the approved accidental discharge containment plan. (Spill Control Plan)
 - Familiarity with the conditions of the solid waste transporter's permit.

✓ Driver Training, attachment 12.

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 15.
☐ 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  Date 3-4-25
Print Name Gerry Desmond Title Vice President / GM

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

Supplemental Attachments for Clean Delaware LLC

4.(b). Michael Steiner, Principal, [REDACTED] 100% owner

5. 33852 Clay Rd. Lewes, DE 19958
13917 Isaacs Rd. Milton, DE 19968

8.(b). DSWA Jones Crossroads Landfill, Sussex County
DSWA Sandtown Landfill, Kent County

10.(d). see attached Certificate of Insurance

11. See attached Spill Control and Safety Plan

12. See attached Driver Training

13. See attached Vehicle List

14. Vehicle Operator List:
Harrell Richards
Eugenio Rodriquez
David Johnson
Russell Campbell
Ted Campbell
Jeff Bush
Emory King
Johnathon McKinney
HaShun Mitchell
Jaquiam Parker

15. See attached N.O.V. 21-SW-38

10.
CERTIFICATE OF LIABILITY INSURANCE

CLEADEL-01

AMILLER

DATE (MM/DD/YYYY)

3/3/2025

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
L & W Insurance Inc.
1154 S Governors Ave
Dover, DE 19904

CONTACT NAME:
PHONE (A/C, No, Ext): (302) 674-3500 FAX (A/C, No): (302) 674-2909
E-MAIL ADDRESS: contact@lwinsurance.com

INSURER(S) AFFORDING COVERAGE

NAIC #

INSURER A : American Select Insurance 19992

INSURER B : Allied Eastern Indemnity Company 11242

INSURER C : Underwriters at Lloyds, London 15792

INSURER D :

INSURER E :

INSURER F :

INSURED

Clean Delaware LLC
PO Box 1000
Cheswold, DE 19936

COVERAGES

CERTIFICATE NUMBER:

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 type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:				11/1/2024	11/1/2025	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY				11/1/2024	11/1/2025	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 0				11/1/2024	11/1/2025	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N If yes, describe under DESCRIPTION OF OPERATIONS below		N/A		11/1/2024	11/1/2025	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000
C	Pollution				11/1/2024	11/1/2025	Pollution Liab 1,000,000
A	Equipment Floater				11/1/2024	11/1/2025	Leased/Rented Equip 50,000

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

CERTIFICATE HOLDER

CANCELLATION

DNREC
Solid and Hazardous Waste Mgmt
89 Kings Hwy
Dover, DE 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

11.

SPILL CONTROL PLAN FOR SOLID WASTE HAULERS

- (1) Spill control and safety equipment carried in each vehicle:
 - 1). Reflectors and/or flares
 - 2). Fire extinguisher
 - 3). First aid kit
 - 4). Heavy-duty gloves, hard hat
 - 5). Flashlight
 - 6). GLOVES, HARD HAT, SAFETY GLASSES, REFLECTIVE VEST
- (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 perform the following pre-trip inspections:
 - 1). SEE ATTACHED
 - 2).
- (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:
Name: GERRY DESMOND Phone: CELL [REDACTED]
- (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 one 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.



Clean Delaware Inc.

P.O. Box 123 · Milton · DE 19968

1.888.637.1517 · 302.684.4221 · Fax: 302.684.1850

www.cleandelaware.com

Clean Delaware policy regarding the transportation of solid waste on a roll off dumpster truck:

All drivers/technicians should use extreme care when loading, off loading and transporting solid waste in a roll off container.

If the roll off dumpster is overfull at the job site, the technician should contact the office and/or the site foreman to take steps to compact, organize and condense the load to remain below the top of the can.

All roll off dumpsters should have a decal indicating the maximum fill level for loading.

All dumpsters, during transport will be covered completely by a tarp permanently attached to the truck.

A load filled to the correct level and covered completely should properly prevent the release of solid waste from the roll off dumpster the vehicle is carrying.

Each operator of a roll off truck should be properly trained as to the loading, off-loading, hauling and dumping of the specific vehicle they are operating.

Each Roll Off truck is required to have the following:

CDL-B LICENSE
10 HR ANNUAL SAFETY TRAINING

Safety and emergency equipment

Current Delaware Solid Waste Authority decals

Current Delaware Solid Waste Transporter Permit DE-SW-1739 decals

Copy of the current Delaware Solid Waste Transporter Permit DE-SW-1739

Copy of current and up to date insurance and registration cards

If you are unsure of any aspect of truck or roll off dumpster operation, STOP WHAT YOU ARE DOING AND CONTACT THE OFFICE FOR SPECIFIC INSTRUCTIONS ON CORRECT ACTIONS.

COPY ON FILE IN OFFICE

Signed

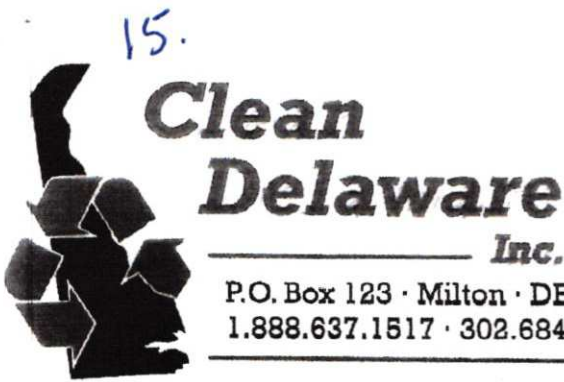
Date

Printed name: _____

Environmental Pumping + Complete Septic Service
Grease Trap Pumping + Portable Toilet Rentals
Residential + Commercial + Industrial

13.

[illegible]



P.O. Box 123 · Milton · DE 19968

1.888.637.1517 · 302.684.4221 · Fax: 302.684.1850

www.cleandelaware.com

Tara C. Grazier
DNREC
Division of Waste and Hazardous Substances
89 Kings Highway
Dover, DE 19901

June 23, 2021

Regarding: **Notice of Violation 21-SW-38**

Dear Tara,

This letter serves to affirm that one of Clean Delaware's Roll Off Dumpster trucks was stopped because *"while transporting solid waste did fail to prevent solid waste from escaping from the vehicle causing several articles of solid waste to escape out onto rt 113."*

This letter also affirms that we were negligent in not reporting the violation within 15 days of its occurrence. This past week I stood before a judge at JP court 3 and pledge to all charges and paid a fine.

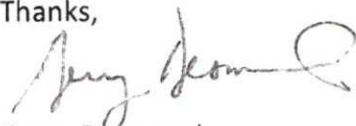
We have made sure that our three trucks are all labelled prominently with DE-SW-1739 and a copy of our permit DE-SW-1739, effective June 20, 2020, and is maintained in each vehicle and available for review upon request. (see attached)

Each truck is equipped with a permanently attached tarp that completely covers the load. Additionally, each dumpster is decaled with a maximum fill line. (see attached)

A policy (or written procedure) has been established by Clean Delaware and for it's technicians to understand and sign off on regarding the transportation of solid waste and the steps to be taken to prevent the release of solid waste to the environment. (see attached)

We believe the violation was a result of the container being overfull and not allowing the tarp to fully cover and secure the load. We will do everything in my power to avoid this occurrence in the future.

Thanks,



Gerry Desmond
General Manager

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DEPARTMENT OF NATURAL RESOURCES AND
ENVIRONMENTAL CONTROL
DIVISION OF WASTE AND HAZARDOUS SUBSTANCES
89 KINGS HIGHWAY
DOVER, DE 19901

COMPLIANCE &
PERMITTING

Phone: (302) 739-6000
Fax: (302) 739-5000

June 3, 2021

Certified Mail
Return Receipt Requested
7019 2280 0001 5628 9224

**NOTICE OF VIOLATION
21-SW-38**

Mr. Gerry Desmond
Clean Delaware, LLC
PO Box 123
Milton, DE 19968

Subject: Notice of Violation
Reference: Delaware Solid Waste Transporter Permit DE-SW-1739

Dear Mr. Desmond:

On April 20, 2021, Delaware's Department of Natural Resources and Environmental Control (DNREC) Natural Resource Police (NRP) stopped a vehicle transporting solid waste. The vehicle, labeled Clean Delaware, LLC is tagged with Delaware license plate number CL121495. At the time the vehicle stop, NRP issued a criminal citation to Clean Delaware, LLC for its failing to prevent the release of solid waste from the vehicle, not carrying a copy of its valid Delaware solid waste transportation permit, and not marking the vehicle with its issued permit number.

By way of this notice, Clean Delaware, LLC is advised that it is found in violation of the statutory and regulatory requirements of 7 Del. C. Chapter 60 and 7 DE Admin. Code §1301, Delaware's *Regulations Governing Solid Waste* (DRGSW), and conditions of the above-referenced permit, including but not limited to the following:

1. Pursuant to issued permit DE-SW-1739, Clean Delaware, LLC is required to carry a copy of its valid Delaware solid waste transporter permit in each vehicle and present the permit to a department representative upon request. Failure to do so is a violation of Permit Condition 5, which reads:

"A copy of this permit must be carried in each transport vehicle and presented upon request to any law enforcement officer or representative of the Delaware Department of Natural Resources and Environmental Control (DNREC)."

- 15
2. Pursuant to issued permit DE-SW-1739, Clean Delaware, LLC is required to prominently display its issued permit number on both sides and the rear of the vehicle. Failure to do so is a violation of Permit Condition 8, which reads:

"The permittee's permit number shall be prominently displayed on both sides and the rear of the vehicle (motorized and containerized units) in figures at least 3 inches high and of a color that contrasts with the color of the vehicle."

3. Pursuant to issued permit DE-SW-1739, Clean Delaware, LLC is required to fully enclose or cover a vehicle engaged in waste transportation to prevent the discharge or release of solid waste to the environment. Failure to do so is a violation of Permit Condition 11, which reads:

"Each vehicle engaged in the transportation of solid waste must be fully enclosed or covered to prevent the discharge or release of solid waste to the environment."

4. Pursuant to issued permit DE-SW-1739, Clean Delaware, LLC is required to report all environmental violations to the Department within fifteen (15) days. Failure to do so is a violation of Permit Condition 20, which reads:

Environmental Violations: Permittee is responsible for reporting all proposed and final notices of violation, criminal citations, tickets, arrests, convictions, civil or administrative penalties proposed or assessed whether against the company, its owners or operators, corporate officers, and company employees including but not limited to drivers, operating under the authority of this permit involving any environmental statute, regulation, permit, license, approval or order. Such report shall be made to the Department within 15 days of the date issuance regardless of the state in which it occurred.

Upon receipt of this notice, Clean Delaware, LLC must immediately comply with the above-cited requirements and unless otherwise specified, submit documentation demonstrating compliance to DNREC within thirty (30) days. Submitted documentation is to include, but is not limited to:

1. Written affirmation that all Clean Delaware, LLC's vehicles engaged in the transportation of solid waste will maintain in each vehicle a copy of the current and valid Delaware solid waste permit.
2. Photographs demonstrating that the issued permit number is placed on both sides and the rear of the identified vehicle.
3. A written procedure to be shared with all Clean Delaware, LLC employees engaged in the transportation of solid waste the steps to be taken to prevent the release of solid waste to the environment.
4. Written affirmation that all future environmental violations incurred by Clean Delaware, LLC or any of its employees will be reported to the Department within fifteen (15) calendar days.

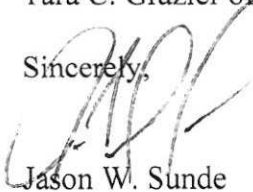
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Please submit all requested information to:

Tara C. Grazier
Delaware Department of Natural Resources and Environmental Control
Compliance and Permitting Section
89 Kings Highway
Dover, DE 19901
Tara.grazier@delaware.gov

If you have any questions regarding the content of this Notice, please do not hesitate to contact Tara C. Grazier of DNREC's Compliance and Permitting Section at 302.739.9403.

Sincerely,



Jason W. Sunde
Environmental Program Administrator
Compliance and Permitting Section

JWS:TCG:cr
TCG2135.doc

Davis, DaQuan (DNREC)

From: Davis, DaQuan (DNREC) on behalf of WHStranporters
Sent: Tuesday, April 8, 2025 9:49 AM
To: Gerry Desmond
Subject: RE: Incomplete DE SW Transporter Permit Application (De-SW-1739)

Categories: Egress Switch: Unprotected

Thank you.



DaQuan L. Davis

Environmental Scientist I

Division of Waste and Hazardous Substances

✓ 302-739-9403
✓ WHStranporters@delaware.gov
✓ 89 Kings Hwy SW, Dover, DE 19901
✓ dnrec.delaware.gov



From: Gerry Desmond <gerry@cleandelaware.com>
Sent: Friday, April 4, 2025 12:29 PM
To: WHStranporters <WHStranporters@delaware.gov>
Subject: RE: Incomplete DE SW Transporter Permit Application (De-SW-1739)

Good Afternoon, DaQuan,

Please see attached documentation provided to address our permit renewal deficiencies.
I hope this fulfills your request.

Thanks for your help,
Gerry Desmond

From: Davis, DaQuan (DNREC) <daquan.davis@delaware.gov> **On Behalf Of** WHStranporters
Sent: Thursday, April 3, 2025 10:06 AM
To: Gerry Desmond <gerry@cleandelaware.com>
Subject: Incomplete DE SW Transporter Permit Application (De-SW-1739)

Hello Mr. Desmond,

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 items listed below:

- **Section 9(b)-** What other states do you transport waste to?
- **Section 10-** *For-hire* means transporting passengers, regulated property, or household goods owned by others for compensation. Do you transport any of the following? If so, please provide an MCS-90 endorsement form with the policy number TRA1938311.
- **Section 12-** Please confirm that all the driver training requirements are done. Requirements include:
 - (a). 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.
- **Section 13-** Are all vehicles registered in Delaware?
- **Section 16-** Please have the owners sign and date the application.

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

Thank you,



DaQuan L. Davis

Environmental Scientist I

Division of Waste and Hazardous Substances

302-739-9403

WHStranporters@delaware.gov

89 Kings Hwy SW, Dover, DE 19901

dnrec.delaware.gov



DaQuan Davis
DNREC
Division of Waste and Hazardous Substances

Addendum to DE SW 1739 addressing deficiencies in original application

4/4/25

Section 9(b) Clean Delaware does not transport solid waste out of the state

Section 10 Clean Delaware is a "For Hire" company. Please see attached MCS-90 document

Section 12 Clean Delaware conducts driver training throughout the calendar year including:

- a) Drivers must hold a valid CDL-B driver's license and receive 10 hours annual training regarding Safe Driving/Jobsite Safety. Each driver is required to have a valid DOT Medical Card and agree to Random Drug Testing. Monthly driver "Tailgate Talks" past topics provided by our Workmen's Compensation provider include: Distracted Driving, Preventing Not-at-Fault Accidents, Safety with Battery operated tools, Lone worker safety, Winter weather slips and falls prevention guide, Back care, Prevent Eye injuries, Eye safety, Severe Weather tips, Step ladders, music listening devices, winter weather safety.
- b) CDL drivers in Delaware must report traffic convictions to both their employer and DE DMV within 30 days of conviction. In addition, each May, Clean Delaware checks driver records for all employees for moving violations. Our insurance carrier assesses driver safety and will disallow drivers with 10 or more points to drive. In those cases, we offer progressive training to get drivers back into compliance.
- c) (i) Proper handling procedures for the type of solid waste being hauled include first understanding what the material is, C&D debris, tires, concrete, organic waste, branches and stumps, etc. Each driver is instructed to determine what disposal facility can receive the load prior to being dispatched. Clean Delaware has a written policy (attached) on proper handling of each load.
(ii) All Clean Delaware drivers are required to familiarize themselves with the Clean Delaware Spill Prevention Plan for Solid Waste Haulers (attached). Drivers also have periodic training on spill control throughout the year.
(iii) Prior to driving any of our vehicles, drivers are trained, informed, and required to read over and understand The Clean Delaware solid waste transporter's permit. A copy is also located inside each truck.

Section 13 All vehicles in the Clean Delaware fleet are registered in the State of Delaware

Section 16 Please see attached signature page. The one provided was originally signed by Gerry Desmond, a corporate officer of the company. Attached please see the owner's signature, too.

Thanks,



Gerry Desmond

**ENDORSEMENT FOR
MOTOR CARRIER POLICIES OF INSURANCE FOR PUBLIC LIABILITY
UNDER SECTIONS 29 AND 30 OF THE MOTOR CARRIER ACT OF 1980**

Issued to CLEAN DELAWARE LLC of ATTN: MICHAEL STEINER
CLEAN DELAWARE INC, LLC of PO BOX 1000
CHESWOLD DE 19936

Dated at DOVER DE this 1st day of November, 2024

Amending Policy Number: [REDACTED] Effective Date: 11/01/24

Name of Insurance Company: American Select Insurance Company

Countersigned by: Erik Kaufmann
 Authorized Company Representative

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

- ☒ 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 330-837-6402.

Cancellation of this endorsement may be effected by the company of 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).

DEFINITIONS AS USED IN THIS ENDORSEMENT

Accident includes continuous or repeated exposure to conditions 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.

SCHEDULE OF LIMITS - PUBLIC LIABILITY

The Motor Carrier Act of 1980 requires limits of financial responsibility according to type of carriage and commodity transported by the motor carrier. It is the MOTOR CARRIER'S obligation to obtain the required limits of financial responsibility.

THE SCHEDULE OF LIMITS SHOWN BELOW DOES NOT PROVIDE COVERAGE. The limits shown in the schedule are for information purposes only.

SCHEDULE OF LIMITS - PUBLIC LIABILITY		
Type of Carriage	Commodity Transported	Minimum Insurance
(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



Clean Delaware Inc.

P.O. Box 123 · Milton · DE 19968

1.888.637.1517 · 302.684.4221 · Fax: 302.684.1850

www.cleandelaware.com

Clean Delaware policy regarding the transportation of solid waste on a roll off dumpster truck:

All drivers/technicians should use extreme care when loading, off loading and transporting solid waste in a roll off container.

If the roll off dumpster is overfull at the job site, the technician should contact the office and/or the site foreman to take steps to compact, organize and condense the load to remain below the top of the can.

All roll off dumpsters should have a decal indicating the maximum fill level for loading.

All dumpsters, during transport will be covered completely by a tarp permanently attached to the truck.

A load filled to the correct level and covered completely should properly prevent the release of solid waste from the roll off dumpster the vehicle is carrying.

Each operator of a roll off truck should be properly trained as to the loading, off-loading, hauling and dumping of the specific vehicle they are operating.

Each Roll Off truck is required to have the following:

Safety and emergency equipment

Current Delaware Solid Waste Authority decals

Current Delaware Solid Waste Transporter Permit DE-SW-1739 decals

Copy of the current Delaware Solid Waste Transporter Permit DE-SW-1739

Copy of current and up to date insurance and registration cards

If you are unsure of any aspect of truck or roll off dumpster operation, STOP WHAT YOU ARE DOING AND CONTACT THE OFFICE FOR SPECIFIC INSTRUCTIONS ON CORRECT ACTIONS.

COPY ON FILE IN OFFICE

Signed _____

Date _____

Printed name: _____

Environmental Pumping + Complete Septic Service
Grease Trap Pumping + Portable Toilet Rentals
Residential + Commercial + Industrial

12.

12.

Clean Delaware Driver Training

Due diligence for hiring and maintaining drivers include:

Driver Application including: personal description, driver's license information, education, driving experience, accident record, traffic convictions, employment history

Investigation into safety performance history

Driver's right to due process

Seat Belt Use

Company policy on cell phone use and distracted driving

Statement of violations

Previous drug testing verification

Statement of prior on-duty time

Continuing education training for safety- 10 hours per year

Random drug testing

All trucks equipped with "DriveCam" in vehicle camera system

11. ATTACHMENT

CLEAN DELAWARE SPILL CONTROL PLAN FOR SOLID WASTE HAULERS

- (1) Spill control and safety equipment carried in each vehicle:
 - 1). Reflectors and/or flares
 - 2). Fire extinguisher
 - 3). First aid kit
 - 4). Heavy-duty gloves, hard hat
 - 5). Flashlight
 - 6). DOLOMITE LIME IF PRODUCT CONTAINS SANITARY WASTE
- (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 perform the following pre-trip inspections:
 - 1). CLEAN DELAWARE'S "DRIVER'S VEHICLE INSPECTION REPORT" DAILY
 - 2). INSPECT LOAD, GATES, TARPS. ONCE LOADED
- (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:
Name: GERRY DESMOND Phone: [REDACTED]
- (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 one 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.) NATE TROUT, SERVICE ENERGY [REDACTED]
- (7) This plan will be carried in all vehicles, along with the permit.

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

ALL VEHICLES REGISTERED IN DELAWARE

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 15.
☐ 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 Gerry Desmond Date 3-4-25

Print Name Gerry Desmond Title Vice President / GM

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

MICHAEL STEINER

4-4-25
PRINCIPAL