

Permit SW-26/03
Solid-Waste Facility Permit

Effective Date: April X, 2026

Last Modified: N/A

Expiration Date: April X, 2031

Permittee: Magnus Environmental (RR-0047)
220 Marsh Ln
New Castle, DE 19720

Pursuant to 7 Del.C. Chapter 60 and 7 DE Admin. Code §1301, Delaware's **Regulations Governing Solid Waste** (DRGSW), approval of the Department of Natural Resources and Environmental Control (Department), Compliance and Permitting Section (CAPS) is hereby granted to operate the Magnus Environmental (Magnus) solid-waste facility on a portion of the property located at 220 Marsh Lane in New Castle, Delaware 19720, subject to the terms and conditions of this Permit. All terms and conditions of this Permit are enforceable by the Department.

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I. GENERAL CONDITIONS

A. Permit Issuance

Pursuant to 7 **DE Admin. Code** §1301 Delaware's **Regulations Governing Solid Waste** (DRGSW) and 7 **Del.C.** §6003, the Department of Natural Resources and Environmental Control (Department) hereby issues Solid Waste Permit SW-26/03 to Magnus Environmental (Magnus) for the purpose of receiving, processing, and baling whole or shredded scrap tires at 220 Marsh Lane in New Castle. Baled scrap tires shall be transported in containers from the Magnus solid-waste facility directly to ports of exit for export and/or to those markets identified in Condition I.C.1.d. of this Permit. Solid-Waste Facility Permit SW-26/03 incorporates the requirements of and replaces Solid-Waste Facility Permit SW-21/02.

B. Applicability

This permit applies to the facility illustrated within figure 1 that shows the limits of the solid-waste facility.

1. Operation and maintenance of the Magnus solid-waste facility.
2. Environmental monitoring, recordkeeping, and reporting for the Magnus solid-waste facility.
3. Closure of the solid-waste facility.

C. Definitions

For the purposes of this Permit, the following definitions shall apply.

CAPS – Compliance and Permitting Section of the WHS

Prohibited Waste - Prohibited waste means any waste other than a scrap tire, with or without rims.

Prudent or practical means: a) Tread depth shall not be less than 2/32 of an inch deep; b) Free from chunking, bumps, knots, or bulges

evidencing cord, ply, or tread separation from the casing or other adjacent materials; and c) Tire cords or belting materials shall not be exposed, either to the naked eye or when cuts or abrasions on the tire are probed.

Scrap Tire - Scrap tire means a ring-shaped component manufactured of rubber to surround a wheel's rim. A scrap tire includes whole, cut, or partial tires, regardless of condition, received at the Magnus solid-waste facility for subsequent management.

A scrap tire is defined as a tire meeting one, or more, of the following criteria: (1) it is no longer prudent or practical for vehicular use, (2) it has not been used on a vehicle for more than 6 months, or (3) it is 6 years or older from its manufacture date.

Solid-Waste Facility – Solid-waste facility means that portion of the 220 Marsh Lane, New Castle, Delaware 19720 property [labeled “Magnus”] on which Magnus is permitted to conduct the operations approved herein, as shown in attached Figure 1.

Waste – For the purposes of this Permit, waste shall include, but is not limited to, all scrap tires and scrap-tire-derived materials or products, until they leave the solid-waste facility to an actual, bona fide market.

WHS – Division of Waste and Hazardous Substances

D. Application and Modification Documents

1. The Department issued permit SW-26/03 on May X, 2026 in accordance with the permit application dated December 16, 2025 which included the following documents :
 - a. Plan of Operations dated March 2026.
 - b. Conceptual Closure Plan dated May 2023.
 - c. Financial Assurance dated December 5, 2023.
 - d. Property lease agreement dated September 21st, 2010, and updated on October 15, 2025, with sublease agreement dated December 3rd, 2025.

And all communications related to the content of the application prior to this Permit being issued.

2. Other plans, letters, procedures, and policies specifically referenced in this Permit.
3. All approved and applicable documents, applications, or correspondence.

E. General Conditions

This Permit is issued subject to the following general conditions:

1. This Permit does not relieve Magnus, nor any of its client generators, contractors, or persons/entities acting on the behalf of Magnus from complying with any other applicable federal, state, or local laws, regulations or ordinances. All construction and operations at the solid-waste facility shall be conducted in accordance with all federal, state, county, and municipal environmental statutes, ordinances, and regulations, including but not limited to: **7 DE. Admin. Code §1301 Delaware's Regulations Governing Solid Waste**, **7 DE. Admin. Code §1302 Delaware's Regulations Governing Hazardous Waste**, **7 DE. Admin. Code §7201 Delaware's Regulations Governing the Control of Water Pollution**, **7 DE. Admin. Code §7401 Delaware's Surface Water Quality Standards**, and the Department's Division of Air Quality regulations of **7 DE. Admin. Code §1100**.
2. Permit SW-26/03 shall expire no later than May **X**, 2031.
3. Magnus shall not operate the solid-waste facility without a valid and current Department approved financial assurance mechanism that meets the requirements of DRGSW §4.1.11. Magnus shall submit and maintain financial assurance in accordance with DRGSW and this Permit.
4. Pursuant to DRGSW §4.1.6, Magnus shall submit a permit application with all supporting documentation to the Department

- at least 180 days prior to the expiration of this Permit if applicant desires to renew the Permit. The application package should be submitted by **September 17, 2030**, prior to permit expiration date. Magnus may be required to submit additional documentation as needed at the Department's sole discretion.
5. The Department may initiate modification of this Permit, including, but not limited to, additional limitations, requirements, and/or special conditions, at any time if the Department finds that the existing permit conditions are either not adequate or not necessary to protect human health and the environment, as set forth in DRGSW Section 4.1.7.2, or in the event the regulations governing activities authorized in this Permit are revised.
 6. At least 60 days prior to the date of the proposed transfer, Magnus must submit all documentation required by DRGSW §4.1.8. The actual transfer will be contingent upon the transferee meeting all Permit and regulatory requirements; until such time, the current permittee will remain liable for compliance regardless of who owns the solid-waste facility.
 7. Within five (5) days of any modification to a lease agreement on file with CAPS or of notification of lease termination of a lease agreement on file with CAPS, Magnus shall notify CAPS in writing. Magnus shall also provide CAPS a copy of the modified lease agreement or termination notice.
 8. Magnus shall immediately make available, upon request, a readable copy of this Permit to any representative of the Department or any law enforcement officer.
 9. Failure to comply with any condition of this Permit or any provisions within the aforementioned documents is a violation of this Permit.
 10. Any violation of any condition of this Permit, promulgated regulations, Secretary's Orders, or provision of 7 Del.C. Chapters

60 and 63, shall justify termination of this Permit and implementation of appropriate enforcement action.

II. CONSTRUCTION [RESERVED]

III. FACILITY OPERATION

A. General Operations

Magnus shall operate this solid-waste facility in accordance with this Permit and the Department approved plans, manuals, policies, programs, and procedures cited in Condition I.D of this Permit. This includes but is not limited to the Magnus **Plan of Operations**. Magnus shall operate the solid-waste facility in a manner that will prevent degradation of adjacent land, air, surface water, or groundwater.

B. Operating Hours

All receiving, processing, baling, and storing of scrap tires and scrap-tire-derived waste (see definition of Waste in Permit Condition I.C) shall be limited to the hours of 7:00 a.m. to 3:00 p.m. Monday through Friday. Based on need, the facility may stay open later. The solid-waste facility may be open to the general public.

C. Access

Access to the solid-waste facility shall be limited to those times when staff are on duty and to those persons authorized to deliver or remove solid waste to/from the solid-waste facility. Access to the solid-waste facility by unauthorized persons shall be prevented by the use of barriers, fences and gates, or other suitable means. Representatives of the Department may, at any reasonable time, enter the solid-waste facility to verify compliance with the conditions of this Permit, DRGSW, and 7 **Del.C.** Chapter 60.

D. Staffing

Sufficient numbers and types of personnel shall be available at the solid-waste facility to ensure operations are in accordance with DRGSW, the **Plan of Operations**, and this Permit.

E. Equipment

The following equipment is allowed to be used for the permitted activity: fork-lift or skid-steer, tire shredder, and baler.

1. All equipment/containers necessary to ensure the operations of the solid-waste facility in accordance with the Magnus Operations Plan, DRGSW, and this Permit shall be maintained at the solid-waste facility.
2. All equipment/containers being utilized to manage solid waste/recyclables shall be routinely cleaned and maintained according to the manufacturer's specifications.

F. Waste Transportation

1. All vehicles transporting solid waste to or from the solid-waste facility shall have a valid Delaware Solid-Waste Transporter Permit issued by the Department permitted to haul solid waste associated with facility operations. Vehicles transporting solid waste must be in compliance with all other applicable federal, state, or local laws, regulations or ordinances of the jurisdiction(s) traveled to reach the next facility permitted to accept those solid wastes.
2. Scrap tires shall not be transferred to customers who will re-sell them as 'used' tires.
3. Any solid wastes transported off-site must go to a facility permitted to accept those solid wastes.
4. A record of transporters (company name, address, and telephone number) hauling wastes to and from the solid-waste facility shall be maintained in accordance with Condition VI of this Permit.

5. A report of the transporters that hauled waste to and from the solid-waste facility shall be submitted to CAPS in accordance with Condition V of this Permit.

G. Acceptable Waste

1. Magnus is permitted to accept only scrap tires, with or without rims, as defined within this Permit.
2. Requests to modify the list of acceptable waste shall be submitted in writing to CAPS. Magnus shall not implement any requested changes to the list of acceptable waste without written approval from or a permit modification by CAPS.

H. Prohibited Wastes

1. The solid-waste facility shall not accept any waste other than what is listed within Condition III.G of this Permit. Magnus shall exercise reasonable care to ascertain whether incoming waste is or contains prohibited waste and shall not accept the following prohibited waste:
 - a. Wastes other than those specified within this Permit.
 - b. Regulated hazardous waste.
 - c. Regulated infectious waste.
 - d. Licensed radioactive material (as described in the Delaware Radiation Control Regulations), and any radioactive material considered source, special nuclear, or by-product material as defined by Atomic Energy Act of 1954.
 - e. Liquid waste as restricted by 40 CFR §258.28.
 - f. Special solid wastes (wastes that require extraordinary management).
 - g. Municipal solid waste.
 - h. Dry waste.
 - i. Asbestos-containing materials.

2. Requests to modify the list of prohibited waste shall be submitted in writing to CAPS. Magnus shall not implement any requested changes to the list of prohibited waste without written approval from or a permit modification by CAPS.
3. Prohibited waste received by the solid-waste facility shall be managed in accordance with the Magnus **Plan of Operation** where waste acceptance procedures are outlined.
4. Reporting the receipt of prohibited waste at the solid-waste facility shall be in accordance with Condition V of this Permit.

I. Waste Capacity

1. The maximum total capacity for loose, baled, shredded scrap, and in-process tires is 230 tons at any time.
 - a. Scrap tires and scrap-tire-derived waste (see definition of Waste in Permit Condition I.C) are not to be stored overnight outside on the ground.
 - b. Scrap tires and scrap-tire-derived waste (see definition of Waste in Permit Condition I.C) are to be stored within covered storage structures or containers.
2. A maximum of ten (10) fully enclosed, locking containers, not to exceed 53 feet in length each, may be used for the storage of loose or baled scrap tires and scrap-tire-derived waste (see definition of Waste in Permit Condition I.C).
3. Records demonstrating compliance with waste-capacity criteria shall be maintained in accordance with Condition VI of this Permit. Reporting shall be in accordance with Condition V of this Permit.

J. Waste Storage

1. No loose, shredded, or baled scrap tires and scrap-tire-derived waste (see definition of Waste in Permit Condition I.C) shall be placed or

remain on the ground outside of the operating hours in Condition III.B of this Permit.

2. Magnus must store the scrap tires and scrap-tire-derived waste (see definition of Waste in Permit Condition I.C) within enclosed impervious containers, within designated areas.
3. Within 60 days of the issuance of this permit, Magnus must ensure that all requirements are met for No Exposure coverage under the Division of Water Industrial Stormwater General Permit Program and associated regulations are adhered to, or seek standard coverage through submission of a Notice of Intent.
4. Records demonstrating compliance with waste storage criteria shall be maintained in accordance with Condition VI of this Permit. Reporting shall be in accordance with Condition V of this Permit.

K. Waste Acceptance/Processing Procedures

1. Magnus shall not accept scrap tires from transporters who are not in possession of a current and valid Delaware Solid Waste Transporter Permit issued by the Department.
2. Magnus may accept scrap tires generated at a Delaware residence and transported by the generator, provided that no more than five (5) scrap tires are accepted in this way in any given month.
3. Magnus shall quantify, by weight and type, all acceptable incoming waste and all rejected/prohibited waste that arrives at the solid-waste facility. Records shall be maintained in accordance with Condition VI of this Permit. Reporting shall be in accordance with Condition V of this Permit.
4. All scrap tires accepted by Magnus shall be maintained covered within the solid-waste facility, until transported in containers from the Magnus solid-waste facility directly to ports of exit for export and/or to those markets identified in Condition I.D.1.d. of this Permit.

5. Magnus shall quantify, by weight, and destination of all out-going waste from the solid-waste facility. Records shall be maintained in accordance with Condition VI of this Permit. Reporting shall be in accordance with Condition V of this Permit.
6. Magnus shall accept and reject incoming waste at the solid-waste facility in accordance with the Magnus **Plan of Operation**, where waste acceptance procedures are outlined.
7. Records demonstrating compliance with waste acceptance procedures shall be maintained in accordance with Condition VI of this Permit. Reporting shall be in accordance with Condition V of this Permit. Scrap tire storage shall only be performed at the permitted solid-waste facility.
8. All loose, shredded, or baled scrap tires and scrap-tire-derived waste (see definition of Waste in Permit Condition I.C) shall be maintained in fully enclosed and structurally sound container(s), or structure(s), that will prevent precipitation from entering. Tarpred containers such as roll-offs are not acceptable except within an appropriate locked structure.
9. The storage structure(s) and any container(s) of loose or baled scrap tires and scrap-tire-derived waste (see definition of Waste in Permit Condition I.C) must be locked during non-operating hours.
10. Containers of baled scrap tires and scrap-tire-derived waste (see definition of Waste in Permit Condition I.C) shall be removed and transported from the solid-waste facility on a periodic basis, but at a frequency to ensure that Magnus does not exceed their permitted capacity.

L. Prohibited Waste Management Procedures

1. Only waste specified within Condition III.H shall be handled/ processed at the Magnus facility.

2. Waste handling/processing shall be performed in accordance with the Magnus **Plan of Operation**, where waste management/processing procedures are outlined and limited to those areas approved by the Department.
3. Magnus must adhere to all Waste Capacity (Condition III.I) and Waste Storage (Condition III.K) requirements at all times. Waste shall be removed from the solid-waste facility at a frequency to ensure compliance with waste capacity and waste storage criteria.
4. Transportation of waste from the solid-waste facility must comply with all other applicable federal, state, or local laws, regulations or ordinances while waiting to be in-transit and then while in-transit to a facility permitted to accept the waste.
5. Records demonstrating compliance with waste processing procedures shall be maintained in accordance with Condition VI of this Permit. Reporting shall be in accordance with Condition V of this Permit.
All identified prohibited wastes shall be:
 - a. Segregated from the acceptable waste stream.
 - b. Quantified by waste type and volume.
 - c. Documented in accordance with Condition V.B.5. of this Permit, to include photo documentation.
 - d. Rejected by being immediately returned to the transporter prior to their leaving the site.
6. Magnus shall provide the reason for prohibited waste rejection to the transporter and generator.
7. Magnus shall notify in writing, any transporter or generator who habitually directs prohibited waste to Magnus and that Magnus will no longer accept shipments of scrap tires from that transporter or generator.
8. Magnus shall maintain a record of all written notifications in accordance with Condition VI.B.8. of this Permit.

L. Scavenging

Scavenging is prohibited at the Magnus solid-waste facility.

M. Salvaging

Salvaging is prohibited at the Magnus solid-waste facility.

N. Stormwater Management

1. Magnus shall take all necessary steps to identify and prevent the discharge of pollutants and contaminated stormwater from solid-waste facility activities into surface water and shall initiate corrective actions to confirm, quantify, and remediate such discharges.
2. Magnus shall inspect each operating day for any instance(s) where there is a potential to discharge pollutants and contaminated stormwater from the solid-waste facility. Magnus shall take all necessary steps to correct any findings from the inspection. All findings and corrective actions shall be documented in accordance with Condition VI.B.5. and provided to the Department in accordance with Condition V.C.4 of this Permit.

O. General Maintenance

Good housekeeping practices shall be employed to protect human health and the environment and to keep solid waste from accumulating at the solid-waste facility. This includes operating the solid-waste facility in a manner to prevent the establishment of habitats for vectors/nuisance organisms such as flies, maggots, roaches, rodents, and similar vermin.

P. Odor Control

1. Magnus shall operate the solid-waste facility in a manner that nuisance odors, detectable outside the boundaries of the property, are prevented.

2. Magnus shall record all odor complaints received concerning the solid-waste facility and shall investigate complaints in a timely manner. A record of all odor complaints and any actions taken shall be maintained in accordance with Condition VI of this Permit.
3. Magnus shall document any complaint received pertaining to odors emanating from their activities and any subsequent odor-mitigation practices implemented and shall retain the records in accordance with Condition VI.B.8 of this Permit.
4. Magnus shall notify the Department of any complaints of odors received by Magnus in accordance with Condition V.B.6. of this Permit.

Q. Litter

1. Litter shall include any prohibited waste.
2. Magnus shall document any complaint received pertaining to litter emanating from the solid-waste facility and shall retain the records in accordance with Condition VI.B.7 of this Permit.
3. Magnus shall notify the Department of any complaints of litter received by Magnus in accordance with Condition V.B.6. of this Permit.

R. Noise Control

1. Magnus shall operate the solid-waste facility in a manner to prevent noise generated from the scrap tire activities from interfering with any person's enjoyment of life or property.
2. Magnus shall document any complaint received pertaining to noise emanating from their activities and any subsequent noise mitigation practices implemented and shall retain the records in accordance with Condition VI.B.7 of this Permit.

4. Magnus shall notify the Department of any complaints of noise received by Magnus in accordance with Condition V.B.6 of this Permit.

S. Dust Control

The solid-waste facility shall be operated in a manner to prevent dust emissions from causing a condition of air pollution (injurious to human, plant, or animal life or unreasonably interfering with the enjoyment of life and property).

T. Operational Inspections

While the solid-waste facility is operating, Magnus shall conduct operational inspections of the facility and shall maintain those records in accordance with Condition VI of this Permit. As a minimum, operational inspections shall consist of the following:

1. Operating staff shall inspect the facility each operating day to identify and correct problems with access, operating equipment, waste capacity, waste storage (containers and time limits), general housekeeping, odors, noise, and vectors.
2. Operating staff shall inspect the facility at least once each week to identify and correct problems with first aid kits, personal protective equipment, and spill kits.
3. Magnus shall maintain records of all inspections as well as any findings and any actions taken in accordance with Condition VI.B.5. of this Permit.

U. Health and Safety

1. Magnus shall implement Health and Safety practices in accordance with Occupational Safety and Health Administration ("OSHA") requirements.

2. Magnus shall provide all employees with health and safety training appropriate for each employee's duties and responsibilities, pursuant to Condition III.Z. of this Permit.
3. At a minimum, Magnus's use of personal protective equipment (PPE) shall be in accordance with 29 CFR Section 1910.132, and 134 if needed.
4. First aid equipment shall be maintained and immediately available at the solid-waste facility.
5. Magnus shall document all health and safety training provided to each employee and retain the records in accordance with Condition VI.B.7. of this Permit.

V. Fire Management and Safety

1. Fire prevention and management shall be in accordance with the Magnus **Plan of Operation** title or other document where fire safety/management items are outlined.
2. Fire management equipment and systems shall be maintained and shall be in fully functional condition. Fire management equipment and systems shall be kept clear of obstructions at all times. Inspections of the fire management equipment and systems shall be in accordance with the Magnus **Plan of Operation**, where fire safety/management items are outlined. Records of the inspections shall be maintained in accordance with Condition VI of this Permit.
3. Magnus shall ensure that all employees and contractors have been trained on the solid-waste facility's fire management procedures and retain a record of the training in accordance with Condition VI of this Permit.
4. Magnus shall notify CAPS in the event of a fire at the solid-waste facility in accordance with Condition V of this Permit.

W. Training

1. In addition to trainings required by the Magnus **Plan of Operation**, where training items are outlined, each employee and contractor shall have trainings covering the following topics:
 - a. Operational Procedures
 - b. Inspection Requirements
 - c. Waste Screening
 - d. Health and Safety Procedures
 - e. Emergency First Aid and CPR (biennially)
 - f. Emergency Response and Contingency Procedures
 - g. Spills and Accidental Releases
 - h. Fire Prevention and Management

Unless otherwise specified, training will be provided by a nationally recognized training provider (e.g., the American Red Cross as a training provider for First Aid). Initial training for waste screening shall be completed within 60 days of hiring. All other initial trainings shall be required to be completed within 180 days of hiring. Employees and contractors shall receive annual refreshers for all required trainings unless otherwise specified by a nationally recognized training program (e.g., CPR).

2. Magnus shall retain a record of employee and contractor trainings in accordance with Condition VI of this Permit.

X. Contingency

1. Magnus shall maintain capability to react appropriately to emergencies. Magnus shall react to spills, fires, accidents, and other emergencies so as to protect human health and safety and the environment.
2. Equipment specified for use during emergencies shall be properly maintained and readily available for use.
3. Magnus shall maintain a current and correct list of emergency contact telephone numbers to include nearby ambulance, hospital,

police, fire services, and Emergency Coordinator(s). Emergency telephone numbers of nearby ambulance, hospital, police, fire services, and Emergency Coordinator(s) shall be prominently displayed within the main office.

4. Magnus shall notify CAPS in writing within five (5) business days of changes to Emergency Coordinator(s).
5. A reliable telephone or radio communication system shall be provided at the solid-waste facility.
6. Employees and contractors responding to emergencies at the solid-waste facility shall be appropriately trained, pursuant to Condition III.Z of this Permit. A record of the training must be maintained in accordance with Condition VI of this Permit.

IV. MONITORING

The Department will evaluate the need to conduct monitoring activities on a case-by-case basis.

V. REPORTING

A. Financial Assurance.

1. No later than March 31st of each year, Magnus shall demonstrate adequate financial assurance with a valid financial assurance mechanism for closure and post-closure care of the solid-waste facility in accordance with the requirements of DRGSW.
2. Magnus shall submit proof of financial assurance and an updated and reasonably accurate cost estimate for the closure and post-closure care of the solid-waste facility. Cost estimates shall be adjusted for inflation except for new cost estimates not previously made. Magnus shall provide a detailed listing of all projected costs used to estimate the closure and post-closure costs of the solid-waste facility.

3. Magnus shall provide the Department documentation demonstrating that the Department is afforded any negotiated rates or contracts between Magnus and solid-waste disposal and/or management vendors.

B. Annual Operations Report

No later than March 31st of each year, Magnus shall submit an Annual Operations Report. Magnus shall provide this report in a format acceptable to CAPS. The Annual Operations Report shall summarize the solid-waste facility operations for the previous calendar year and include:

1. A cover letter and digital version of the entire report.
2. Type and weight of solid waste received.
3. Tabulation and summary of all rejected loads for the reporting year.
4. Type and weight (or volume) of materials salvaged (e.g., yard waste).
5. A list of transporters that hauled waste to or from the solid-waste facility in a commercial capacity required to obtain a Delaware Transporter Permit in accordance with DRGSW §7.0.
6. Destination of the solid waste, by type and weight, taken from the solid-waste facility and delivered to its final destination.
7. Summary of fires, spills, and uncontrolled releases that occurred at the solid-waste facility.
8. Descriptions of all construction or corrective work conducted at the solid-waste facility in accordance with plans approved by the Department or to achieve compliance with DRGSW.
9. A summary of all complaints received by the solid-waste facility during the reporting year.

10. A summary of all instances requiring notification and emergency reporting to CAPS pursuant to the conditions of this Permit during the reporting year.
11. Descriptions of any intentional or accidental deviations from the Magnus **Plan of Operation**.

C. Quarterly Reporting

Magnus shall submit quarterly reports by the 15th day of April, July, October, and January. The quarterly reports shall summarize operations for the previous quarter and include the following information for the applicable quarter (information shall be presented in a tabular format, as appropriate, and each listed item shall be explicitly addressed to include zero quantities or currently not applicable topics):

1. A record showing the daily quantity of scrap tires received.
2. A list of transporters that transported scrap tires and scrap-tire-derived waste (see definition of Waste in Permit Condition I.C) to the solid-waste facility.
3. A record providing the number of containers of baled scrap tires exported daily and their ports of exit.
4. A record demonstrating the market to which each container of baled scrap tires was shipped.
5. Detailed descriptions of all instances of deviations from any approved plan or noncompliance with this Permit.
6. Summary of all complaints received by Magnus.
7. Summary of all incidents requiring notification and emergency reporting made to the Department pursuant to the conditions of this Permit.

D. Additional Reporting.

1. For any samples and analytical data received, a single Electronic Data Deliverable (EDD), or multiple EDDs, that utilize the current DNREC EDD format and reference values shall be submitted. The current format and reference values can be found at <https://earthsoft.com/products/edp/edp-format-for-dnrec/>. The EDD(s) will contain the following:
 - a. Monitoring data being reported.
 - b. Any previously submitted EDD(s) requiring administrative corrections. Administrative corrections to a previously submitted EDD must be submitted as a standalone EDD.
2. Magnus shall maintain a current and correct emergency contacts and emergency services list at the solid-waste facility and shall notify the Department within five (5) business days of any changes therein.
3. Magnus shall notify the Department in writing within 24 hours of discovery of any exceedance of the waste capacity specified within Condition III.N. of this Permit.
4. If Magnus is unable to comply with any of the reporting requirements within this Permit, Magnus must provide written notice and justification to the Department two (2) weeks prior to the reporting deadline.
5. Upon discovery, Magnus shall immediately (within 24 hours of discovery) report to the Department any intentional or accidental deviation from any approved plan and this Permit.
6. Within five (5) business days of occurrence, Magnus shall report all modifications of the lease agreement (Last amended December 3, 2025) to the Department, along with a copy of the modified lease or termination notice. Any reduction in the duration of the lease, including lease termination, shall provide the Department with cause to reduce the duration of this Permit.

E. Notification and Emergency Reporting.

1. Magnus shall notify 911 immediately upon the occurrence of the following events.
 - a. Fire or explosion involving the solid-waste facility.
 - b. Any spill or uncontrolled release that may endanger human health or the environment.
2. Within 24 hours of any of the following events, Magnus shall notify the Department by telephoning the Department's Division of Waste and Hazardous Substances' Compliance and Permitting Section (CAPS) by telephone at (302) 739-9403.
 - a. Fire or explosion involving the solid-waste facility.
 - b. Receipt of prohibited waste at the solid-waste facility.
 - c. Any spill or uncontrolled release that may endanger human health or the environment.
3. Magnus shall submit a written notification to the Department no later than five (5) business days following any event requiring "Notification and Emergency Reporting" within Permit Conditions V.D.1 or V.D.2. The notification shall include the following:
 - a. Date and time of occurrence/discovery.
 - b. Date and time reported to the Department.
 - c. The waste and materials, and the quantities involved.
 - d. Agencies notified.
 - e. Narrative describing how the incident occurred, and the actions taken by Magnus and other response personnel.
 - f. Report of injuries/damage.
 - g. Proposal for follow-up or remedial actions including schedule.

F. Assessment of Corrective Measures

If the Department deems that any corrective measures are needed, Magnus is to report on the implementation and usage of those measures and include the following:

1. Date implementation began.

2. Whether the corrective measures could be fully implemented.
3. Notes on if the issue(s) that brought about the corrective action changed.

VI.RECORDKEEPING

A. General Recording and Maintenance

The following information must be recorded and maintained by Magnus until Closure is complete or the end of the Post-Closure Care Period, whichever is longer. This information must be available for inspection in Delaware, with reasonable notice, by representatives of the Department:

1. All documents cited in Condition I.D of this Permit.
2. Records of all inspections required by this Permit.
3. Records of all periodic inspections of the solid-waste facility required during its operating life.
4. Reports required by this permit.
5. Deeds, leases, covenants, and any land use agreements in effect. The deed notation, or some other instrument that is normally examined during the title search, will in perpetuity notify any potential purchaser of the property that the land has been used as a solid-waste disposal facility, and the use of the land is restricted under DRGSW.
6. Records of all complaints received from the public concerning odors, dust, and litter at the solid-waste facility during its operating life.
7. Records of any corrective actions required at the solid-waste facility.

B. On-Site Records

The following information must be recorded, and the records retained by Magnus for at least three (3) years. The records shall be kept on-site and made immediately available to the Department when requested.

1. A daily record of the number of scrap tires received by the solid-waste facility each day.
2. A daily record of the transporters (company name, address, permit number and telephone number) hauling scrap tires to the solid-waste facility.
3. A daily record of any Delaware resident (name, phone number, and number of scrap tires delivered to the solid-waste facility) dropping off scrap tires (five tires per month maximum) as described in Condition III.K.2 of this permit.
4. A daily record of the number of containers transported offsite each day and the ports of exit.
5. A record of fires, spills, explosions, and uncontrolled releases that occurred at the solid-waste facility, and of hot loads or prohibited waste received.
6. Daily inspection records.
7. Training records that document each employee's hire date and all required training for all solid-waste facility staff.
8. Records of litter, noise, or odor complaints received by Magnus concerning the solid-waste facility. This record shall include the date of complaint, type of complaint, and the action taken to remedy the complaint.
9. Records of notifications to transporters or generators who habitually direct prohibited waste to Magnus.

VII. CLOSURE

A. Closure in Accordance with DRGSW.

Magnus shall close the Magnus solid-waste facility in accordance with DRGSW and this Permit. Minimal closure expectations include, but are not limited to the following:

1. Should Magnus cease receiving, shredding, bailing, or otherwise processing scrap tires, all scrap tires and scrap-tire-derived waste (see definition of Waste in Permit Condition I.C) shall be properly transported and disposed of or recycled offsite.
2. By the cessation date provided by Magnus, Magnus shall lawfully remove from the solid-waste facility all scrap tires, scrap-tire-derived waste (see definition of Waste in Permit Condition I.C), all associated and/or ancillary wastes, and all collected litter.

B. Notification

Magnus shall immediately notify the Department in writing of the estimated date that the operation of the solid-waste facility is planned to cease. At least ninety (90) days prior to the date when waste will no longer be accepted at the solid-waste facility, Magnus shall submit to the Department the following:

1. Written notification of intent to close including the request to modify this Permit to allow closure.
2. An updated closure plan.
3. The closure schedule.
4. A description of the post-closure use of the solid-waste facility.

C. General Closure Activities

Closure activities shall not commence until the Department has:

1. Given public notice regarding the requested permit modification to close the solid-waste facility.
2. Modified the solid-waste facility permit to allow closure in accordance with the closure plan and DRGSW.
3. Magnus shall complete closure of the solid-waste facility in accordance with the approved schedule; however, closure must be completed within ninety (90) days of the date on which the permit was modified to allow closure.
4. Closure of the Magnus solid-waste facility shall meet the closure requirements set forth in DRGSW.
5. After closure has been completed, the Department may require that Magnus conduct monitoring and/or maintenance activities at the site to prevent or detect and mitigate any adverse environmental or health impacts.

VIII. POST-CLOSURE CARE

A. Post-closure care

Post closure care and monitoring (if applicable) shall be in accordance with DRGSW and this Permit. Post-closure care shall be in accordance with the post-closure care permit and the approved post-closure care plan approved by the Department.

B. Post-closure Land Use

If applicable, Magnus shall implement a post-closure land-use plan approved by the Department.

Figure 1, February 2026, Site Plan, "Scrap Tire Area."

