

## **Recycling Permit # SW-22-01**

Effective Date: May 24, 2022  
Expiration Date: May 23, 2025

Facility Name: Eco Plastic Products of Delaware, Inc.  
Mailing Address: 18 Germay Drive  
Wilmington, Delaware 19804

Primary Contact: James Kelley, Executive Director  
(443) 309-0902

Secondary Contact: Charles Falletta; President, Board of Directors  
(302) 757-5767

Primary Location of Permitted Activity: 18 Germay Drive  
Wilmington, Delaware 19804  
New Castle County Tax Parcel Number: 0704320027

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### **I. GENERAL CONDITIONS:**

- A. Pursuant to Delaware's *Regulations Governing Solid Waste* ("DRGSW"), Section 2.5.2, the Department of Natural Resources and Environmental Control ("the Department") hereby issues Recycling Permit #SW-19/07 ("Permit") to Eco Plastic Products of Delaware, Inc. ("EPPD") to accept, process, and temporarily store specific post-consumer, source-separated recyclable plastic wastes for the sole purpose of recycling as detailed below on New Castle County Tax Parcel 0704320027 located at 18 Germay Drive in Wilmington, Delaware (see attached site map). The recyclable plastic wastes EPPD may accept, process, and temporarily store are specifically limited to plastic containers and plastic bags sourced primarily from select schools, libraries, and similar community organizations who have elected to partner or team with EPPD to host collection receptacles. EPPD will process the plastic bags and plastic containers into a plastic lumber-like product from which a variety of consumer items may be assembled. EPPD intends to market both plastic lumber and consumer products made therefrom. The acceptance, processing, or storage of waste other than as described above and herein is prohibited.
- B. This Permit shall be conducted in accordance with the conditions herein and with the following documents, as submitted to the Department: (1) Recycling Permit Application,

dated November 16, 2018, and associated and/or supplemental documentation, such as the submitted *Plan of Operation*, dated June 18, 2019; (2) pre-self-funded, State-approved financial assurance mechanism (Appropriation ID No. 25228, Program Code 40ZE5), dated September 24, 2019, in the amount of \$5,505.00 and related documents; and (3) other procedures and policies specifically referenced in this Permit. Conditions of this Permit shall take precedence over any of the above listed documents. Failure to comply with any condition of this Permit or any provision within the aforementioned documents is a violation of this Permit.

1. The sole purpose of the pre-self-funded, State-approved financial assurance mechanism is to make available funds sufficient to complete facility closure in accordance with the closure requirements provided in Section VI of this permit and in accordance with the approved Conceptual Closure Plan submitted as a portion of EPPD's recycling permit application only in the event that EPPD fails to independently satisfy the referenced closure requirements and plan upon facility closure.
2. In the event that EPPD independently satisfies the facility closure requirements provided in Section VI of this Permit and their approved Conceptual Closure Plan, all EPPD monies retained in the State-approved financial assurance mechanism, as referenced above, shall be returned to EPPD in full.

C. Permit Availability

EPPD shall maintain a copy of this Permit and the *Plan of Operation* at the facility and shall immediately make available, upon request, a copy of this Permit to any representative of the Department or any law enforcement officer.

D. Renewal

Per DRGSW Section 4.1.6, EPPD 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. As such, the Permit renewal application package deadline is Monday, November 24, 2025.

E. Modifications

1. 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.
2. EPPD shall petition the Compliance and Permitting Section of the Department ("the CAPS") in writing at least 90 days prior to the anticipated need to implement any change in waste characteristics; changes that will alter the beneficial use of the incoming waste material; or changes to processes, operations, or procedures described in the application documents referenced in Section I.B. of this Permit. EPPD shall not implement said changes unless and until they have been notified in writing from the CAPS agreeing to the change(s).

F. Permit Transfer

At least 60 days prior to the date of the proposed transfer, EPPD must submit all documentation required by DRGSW Section 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 facility.

G. Revocation or Suspension

This Permit may be revoked or suspended upon violation of any condition of this Permit, DRGSW, or 7 Del. C. Chapter 60.

**II. GENERAL OPERATING CONDITIONS:**

A. Definitions

The following terms, for the purposes of this Permit only, are defined as:

1. Collection facility means *the physical space at a partner host organization property or site where EPPD's collection receptacles are located to include the general associated proximal area. More than one collection facility may be present at a partner host organization property or site.*
2. EPPD personnel means *employees of EPPD and includes volunteers "registered" with EPPD.*
3. Landfill-bound out-throws means *wastes accepted as an incidental portion of the approved incoming waste streams that are composed of either non-recyclable or low quality recyclable materials that have no recyclable value and must be disposed of in a landfill.*
4. Recyclable out-throws means *wastes accepted as an incidental portion of the approved incoming waste streams that are composed of plastics that have limited or no value to EPPD; but, have value to an approved off-site facility which can accept the material for beneficial re-use or recycling.*
5. Out-throws means *wastes accepted as an incidental portion of the approved incoming waste streams that are composed of either non-recyclable or low quality recyclable materials that have limited or no value to EPPD.*
6. Partner host organization (PHO) means *a community organization, such as a school, library, or church, which has agreed to team with EPPD to host collection receptacles.*
7. Source-separated means *a waste which has been intentionally segregated into discrete waste streams based upon composition by the generator for the purposes of recycling.*
8. Recyclable plastic wastes means *discarded or unwanted items composed of polyethylene terephthalate; polyethylene, either high- or low-density; and polypropylene.*
9. Recyclable plastic bags shall, by definition, include other similar products composed of recyclable plastic film.
10. Recyclable containers shall, by definition, include containers composed of recyclable plastic such as rigid plastics, product packaging, food containers, and bottles.

B. Operating Hours

1. The EPPD facility shall operate from 8:00 am to 4:00 pm up to seven (7) days per week.
2. Collection facility hours shall be restricted to the business hours of the PHO.

C. Locations

1. 18 Germay Drive, Wilmington

The EPPD recycling facility shall operate on Tax Parcel Number 0704320027 located at 18 Germay Drive in Wilmington, Delaware, which is owned by Falletta-Tong Associates of 6 Meco Circle, Wilmington, Delaware and leased to EPPD. The lease

is incorporated into this Permit by reference and by inclusion in the Recycling Permit Application.

- a. EPPD shall adhere to the terms of the lease and maintain “good standing” with regard to the lease.
  - b. Future lease agreements (renewals) in which the terms of the lease are unmodified will be automatically incorporated herein.
  - c. Modifications to the terms of the lease agreement, either at the time of renewal or otherwise, which do not result in deviations to the approved *Plan of Operation* or changes to facility operations will be automatically incorporated herein.
  - d. EPPD shall document all violations of the lease, all lease renewals, and all lease modifications and shall retain the records in accordance with Section IV.C.20. of this Permit.
  - e. EPPD shall notify the CAPS, in accordance with Sections V.A.3.d. and V.A.4. of this Permit, of lease termination, all lease violations, and any lease modification with the potential to cause a deviation from the approved *Plan of Operation* or changes to facility operations.
  - f. The CAPS will determine if a change to the terms of the lease agreement, either at the time of renewal or otherwise, with the potential to cause a deviation from the approved *Plan of Operation* or changes to facility operations may be incorporated herein or will require modification of this Permit.
2. Collection Facilities
- a. EPPD’s primary supply of recyclable plastic bags and containers will be from partner community organizations, such as school and libraries, who will host EPPD receptacles where appropriate recyclable plastic wastes may be donated.
    - i. An alternative supply of recyclable plastic bags and containers will be through donations of appropriate recyclable plastic wastes directly to the EPPD facility via hand delivery or a donation slot.
    - ii. A supplemental supply of feedstocks, should the collection facilities and direct donations not provide an adequate supply to meet production demands, will consist of purchased recycled plastic pellets.
  - b. Collection facilities shall be subject to the conditions of this Permit.
  - c. PHOs shall register with EPPD to serve as a collection facility.
  - d. PHOs shall designate a member of their on-site personnel to be the Collection Facility Point-of-Contact (“POC”) responsible for the collection facility and associated activities.
  - e. The information required to register as a collection facility shall be established to comply with the conditions of this Permit but shall, at a minimum, include:
    - i. PHO’s name;
    - ii. PHO’s address;
    - iii. PHO’s phone number;
    - iv. POC name;
    - v. POC title and/or position;
    - vi. POC direct phone number;
    - vii. Daily average/typical population, attendance, or number of visitors at/to the PHO; or, in other words, the estimated number of individuals anticipated to have access to EPPD’s collection receptacles at the PHO, and;
    - viii. Number of EPPD receptacles at the PHO site(s).

- f. EPPD shall provide each PHO with sufficient and appropriate resources to properly manage the collection facility in a manner protective of human health and the environment, and pursuant to the conditions of this Permit.
- g. EPPD shall maintain regular periodic communication with its PHO sufficient to ensure proper collection facility operations.
- h. PHOs shall retain the right to discontinue their partnership with EPPD at any time and remove EPPD's collection receptacles from use.
- i. EPPD shall provide the CAPS' contact information to its PHOs.
- j. EPPD shall provide a copy of this Permit to its PHOs.
- k. EPPD shall remove their collection receptacles from PHO sites at the request of the PHO or should the PHO fail to properly manage the collection facility in compliance with the conditions of this Permit, the DRGSW, and 7 Del. C. Chapter 60.

D. Security and Access

EPPD shall control access to the facility by using barriers, fences, gates, or other suitable means to prohibit the entry of unauthorized individuals. Representatives of the Department may enter the facility to verify compliance with the conditions of this Permit, the DRGSW, and 7 Del. C. Chapter 60.

- 1. The provisions of this Condition shall extend to EPPD's "satellite" collection facilities.
  - a. As such, Department representatives shall be granted unrestricted access, at any reasonable time, to the immediate area of EPPD's collection receptacles at the PHO site/property to verify compliance with the conditions of this Permit, the DRGSW, and 7 Del. C. Chapter 60.
  - b. As such, collection facilities shall be located in such a manner where access to the collection receptacles can be restricted, as warranted.
    - i. EPPD's collection receptacles may be temporarily located out-of-doors; or in other unsecured locations, as appropriate; during the PHO's business hours.
    - ii. EPPD's collection receptacles shall be secured during periods of time when the PHO is not open for business.

E. Staffing

- 1. EPPD shall ensure sufficient numbers and types of personnel are available at the facility to ensure capability for operation in accordance with DRGSW, the *Plan of Operation*, and this Permit.
  - a. EPPD shall require volunteers to register, which, at a minimum, means EPPD shall collect basic information regarding those volunteering with EPPD to include name, address, telephone number, and e-mail address.
  - b. In addition, for volunteers who will or potentially will operate a vehicle on EPPD's behalf, EPPD shall maintain a copy of the volunteer's current driver license and vehicle insurance information.
  - c. EPPD shall not engage unregistered volunteers.
- 2. PHOs shall designate a member of their on-site personnel to be the POC responsible for the collection facility and associated activities.
  - a. The designated POC shall be responsible for supporting EPPD's mission on behalf of the PHO and disseminating recycling educational materials provided by EPPD.

- b. The designated PHO personnel shall serve as the POC for both EPPD and the Department.
- c. The designated POC shall be responsible, on behalf of the PHO, for the wastes accepted at the collection facility until such time EPPD accepts the donated wastes.
- d. The designated POC shall be responsible for the proper management and handling of any prohibited wastes placed into EPPD's receptacles at the collection facility which EPPD rejects upon inspection prior to transportation of said wastes to the EPPD facility.
- e. The designated POC shall be responsible for correcting unsatisfactory and/or non-compliant conditions associated with EPPD's collection receptacles at the collection facility.
- f. The designated POC shall be responsible for recordkeeping and notifications required herein.

F. Litter

1. EPPD shall inspect the entire facility daily for general cleanliness.
2. The designated POC shall be responsible for correcting litter associated with EPPD's collection receptacles at the individual collection facility.
  - a. When EPPD personnel are present at a collection facility to retrieve and transport collected recyclable plastic wastes, the EPPD personnel shall visually inspect the immediate area of EPPD's collection receptacles to determine if litter is being adequately controlled.
    - i. The EPPD personnel shall notify their EPPD supervisor of the results of said inspection.
    - ii. The EPPD personnel shall notify the POC of any deficiencies observed with regard to litter control.
  - b. The EPPD personnel shall inquire of the POC whether or not any complaints of litter associated with the collection facility have been received.
3. All litter encountered shall be immediately collected, placed in a covered container, and sent for disposal at an approved disposal facility within 72 hours of the container becoming full or at the Department's request to dispose of the waste (whichever comes first).
4. Fugitive wastes proximal to the EPPD facility that escaped from incoming waste streams and/or out-going shipments of out-throws, incidental wastes, and/or other out-bound wastes shall be considered and managed as litter and shall be included in the daily litter inspection.
5. In an attempt to limit fugitive wastes, in-bound and out-bound loads of wastes shall be transported within enclosed vehicles, tarped, and/or otherwise contained.
6. EPPD shall implement good housekeeping practices and include such practices in personnel trainings, per Condition II.L.2.f. of this Permit.
7. Intentionally segregated out-throws are not considered to be litter and shall be managed in accordance with conditions set forth in Sections III.C.4. (and its sub-Sections), III.I.1.e.ii, III.I.1.f.ii, III.I.1.g, and III.J.1.a.ii. of this Permit.
8. EPPD shall document all litter inspections (at both the EPPD facility and, when inspected by EPPD personnel, at collection facilities) and any complaints received pertaining to litter (at or emanating from the EPPD facility and/or a collection

facility) and shall retain the records in accordance with Sections IV.C.14, IV.C.15, and IV.V.17. of this Permit.

9. EPPD shall notify the CAPS of any complaints of litter, for the EPPD facility or at collection facilities, received by EPPD in accordance with Sections IV.C.14, IV.C.15, and IV.V.17. of this Permit.

G. Dust Control

1. EPPD shall operate its recycling facility in a manner to prevent dust generated from solid waste management activities to migrate beyond the facility boundaries.
2. EPPD shall visually inspect the entire facility daily for dust emissions and/or conditions with the potential to facilitate dust emissions.
3. EPPD shall implement the following dust mitigation practices, as warranted:
  - a. In-bound and out-bound loads of wastes shall be transported within enclosed vehicles, tarped, and/or otherwise contained.
  - b. Exterior facility driveways and parking areas shall be cleaned or wetted, as necessary.
4. In accordance with Sections IV.C.14, IV.C.15, and IV.V.17. of this Permit, EPPD shall maintain detailed records of all dust mitigation practices implemented and of any complaint received pertaining to dust emissions.
5. EPPD shall notify the CAPS of any complaints of dust received by EPPD in accordance with Sections V.A.3.a. and V.A.4. of this Permit.

H. Odor Control

1. EPPD shall operate its recycling facility in a manner to prevent the perception of odors generated from solid waste management activities, including accepting, processing, and storing recyclable plastic bags and containers, to migrate outside of the facility boundaries.
2. EPPD shall inspect the facility daily for odors and/or conditions with the potential to facilitate odor generation.
3. The designated POC shall be responsible for correcting malodorous conditions associated with EPPD's collection receptacles at the individual collection facility.
  - a. When EPPD personnel are present at a collection facility to retrieve and transport collected recyclable plastic wastes, the EPPD personnel shall inspect the immediate area of EPPD's collection receptacles to determine if odors are being adequately controlled.
    - i. The EPPD personnel shall notify their EPPD supervisor of the results of said inspection.
    - ii. The EPPD personnel shall notify the POC of any deficiencies observed with regard to odor control.
  - b. The EPPD personnel shall inquire of the POC whether or not any complaints of malodorous conditions associated with the collection facility have been received.
4. EPPD shall document all odor inspections (at both the EPPD facility and, when inspected by EPPD personnel, at collection facilities), any complaints received pertaining to odors emanating from the EPPD facility and/or a collection facility, and any subsequent odor mitigation practices implemented, and shall retain the records in accordance with Sections IV.C.14, IV.C.15, and IV.V.17. of this Permit.

5. EPPD shall notify the CAPS of any complaints of odors, for the EPPD facility or at collection facilities, received by EPPD in accordance with Sections V.A.3.a. and V.A.4. of this Permit.

I. Vectors

1. EPPD shall operate the recycling facility in a manner to prevent the establishment of habitats for nuisance organisms (such as flies, maggots, roaches, rodents, and similar vermin) and to mitigate nuisances and hazards to public health and the environment.
2. EPPD shall conduct daily visual and olfactory inspections of the facility for the presence of vectors, nuisance organisms, and any conditions that may contribute to the presence of vectors and nuisance organisms.
3. The designated POC shall be responsible for correcting the presence of vectors, nuisance organisms, and any conditions that may contribute to the presence of vectors and nuisance organisms associated with EPPD's collection receptacles at the individual collection facility.
  - a. When EPPD personnel are present at a collection facility to retrieve and transport collected recyclable plastic wastes, the EPPD personnel shall inspect the immediate area of EPPD's collection receptacles to determine if vectors are being adequately controlled.
    - i. The EPPD personnel shall notify their EPPD supervisor of the results of said inspection.
    - ii. The EPPD personnel shall notify the POC of any deficiencies observed with regard to vector control.
  - b. The EPPD personnel shall inquire of the POC whether or not any complaints of vectors associated with the collection facility have been received.
4. Any vector(s) encountered or conditions favorable to the establishment of vector habitats shall be legally remedied immediately.
5. EPPD shall document all vector inspections (at both the EPPD facility and, when inspected by EPPD personnel, at collection facilities), any complaints received pertaining to vectors at or from the EPPD facility and or collection facilities, and all remedies implemented and shall retain the records in accordance with Sections IV.C.14, IV.C.15, and IV.V.17. of this Permit.
6. EPPD shall notify the CAPS of any complaints of vectors, for the EPPD facility or at collection facilities, received by EPPD in accordance with Sections V.A.3.a. and V.A.4. of this Permit.

J. Health and Safety, and Contingency

1. EPPD shall implement Health and Safety practices in accordance sufficient to prevent injury, harm, or exposure to EPPD personnel and visitors and pursuant to the Occupational Safety and Health Administration's ("OSHA") regulations, guidelines, and standards.
2. At a minimum, EPPD's use of personal protective equipment shall be in accordance with 29 CFR Part 1910.132.
3. EPPD shall make first aid equipment immediately available at the site. The readiness of first aid equipment and supplies shall be periodically assessed and addressed, as conditions dictate.
4. Personnel responding to emergencies at the facility shall be appropriately trained, per Section II.L.2.b. of this Permit, and shall be familiar with the EPPD's emergency protocols provided in the approved *Plan of Operation*.



5. EPPD shall maintain capability to react to emergencies in accordance with the EPPD's emergency protocols provided in the approved *Plan of Operation*. EPPD shall react to spills, fires, accidents, and other emergencies so as to protect human health and safety and the environment.
6. EPPD shall maintain a current and correct list of emergency coordinators and emergency contact telephone numbers to include nearby ambulance, hospital, police,

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- and fire services. The most current list shall be prominently displayed in multiple areas throughout the EPPD facility, as appropriate. All personnel shall be informed of its locations and function.
7. EPPD shall provide all personnel with health and safety training appropriate for each employee's or volunteer's duties and responsibilities, per Section II.L.2.a. of this Permit.
  8. EPPD shall document all health and safety training provided to each employee or volunteer and retain the records in accordance with Section IV.C.18. of this Permit.
  9. Fire Safety
    - a. All materials, including but not limited to incoming waste streams, processed recyclables, out-throws, waste, and material handling equipment fuels shall be managed in a manner to prevent the possibility of fires.
    - b. No smoking shall be permitted in or proximal to areas where flammable or combustible, or potentially flammable or combustible, materials are stored in accordance with applicable fire safety regulations.
    - c. Fire prevention and control shall be conducted in accordance with this Section of this Permit and EPPD's "Fire Extinguisher Program" provided in the approved *Plan of Operation*.
    - d. EPPD shall include the local fire response agency in fire safety planning efforts so such first responders are familiar with EPPD's facility, materials present, and facility operations.
    - e. EPPD shall maintain fire suppression equipment in a fully functional condition and in accordance with this Section of this Permit and EPPD's "Fire Extinguisher Program" provided in the approved *Plan of Operation*, as applicable.
  10. EPPD shall conduct a Health and Safety inspection of the entire facility at regular intervals to identify any condition(s) with the potential to harm or injure personnel and/or visitors.
    - a. Health and Safety inspections shall be performed at a frequency sufficient to prevent harm or injury to personnel and/or visitors.
    - b. All identified conditions with the potential to harm or injure personnel and/or visitors shall be remedied immediately.
    - c. In the event an identified condition with the potential to harm or injure personnel and/or visitors cannot be remedied immediately; that portion of the facility or operation shall be immediately isolated and/or suspended pending implementation of a remedy to render the identified condition safe.

K. Equipment

EPPD intends to manually sort incoming recyclable plastic wastes as described in Section III.I.1. Once sorted, EPPD intends to process the segregated recyclable plastic bags and containers, as defined in Section II.A. of this Permit, utilizing electro-mechanical equipment. To create consumer items from EPPD's recycled product, EPPD personnel will utilize a variety of common manual and electro-mechanical carpentry and woodworking tools.

1. The electro-mechanical equipment to be used at the EPPD facility to process segregated recyclable plastic bags and containers, as previously defined, includes, but is not limited to:
  - a. Densifiers;
  - b. Granulators;

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- c. Tumblers, and;
- d. Extruders.
2. Additional processing equipment may include, but is not limited to:
  - a. Molds;
  - b. A floor scale, and;
  - c. A table-top scale.
    - i. Each scales' calibration, floor and table-top, shall be checked or verified on at least a quarterly basis by weighing an item of known mass.
    - ii. EPPD's scales, both floor and table-top, shall be recalibrated as recommended by the scales' manufacturers, or annually, at a minimum.
    - iii. EPPD shall retain all scale check/verification and calibration records for all scales, floor and/or table-top, in accordance with Section IV.C.12. of this Permit.
3. The electro-mechanical equipment to be used at the EPPD facility to assemble consumer items from their recycled product includes, but is not limited to:
  - a. Drill presses, and;
  - b. Cross-cut saws.
4. EPPD will also likely utilize a variety of common manual equipment in the assembly of their consumer items including, but not limited to:
  - a. Screwdrivers;
  - b. Wrenches;
  - c. Pliers;
  - d. Hammers;
  - e. Tape measures, and;
  - f. Other similar hand tools.
5. The equipment to be used for the on-site transportation and handling of unprocessed and partially processed wastes, recycled products, and finished consumer items includes, but is not limited to, (a) propane-fueled forklift(s).
6. Processing, material handling, and consumer goods assembly equipment shall be selected and operated in compliance with the Department's Division of Air Quality (DAQ) regulations.
7. Operation, Inspection, and Maintenance
  - a. EPPD shall operate, inspect, and maintain all equipment using adequately trained individuals and in accordance with the manufacturer's recommendations; permits; all applicable local, state, and federal ordinances, laws, and regulations; and this Permit.
  - b. EPPD shall inspect all equipment prior to equipment start-up and/or at shut-down, as well as at regular intervals adequate to prevent equipment failure and pursuant to manufacturers' recommendations.
  - c. EPPD shall maintain and operate all equipment in a manner that protects EPPD's personnel, the public, and the environment.
  - d. EPPD shall document all equipment operation, inspection, and maintenance training provided to personnel and retain the records in accordance with Section IV.C.18. of this Permit.
  - e. EPPD shall document all inspections and maintenance of all equipment and retain the records in accordance with Section IV.C.19. of this Permit.

L. Training

1. EPPD shall provide personnel with training appropriate for each employee's or volunteer's duties and responsibilities within 30 days of hire or volunteering.
2. As job duties dictate, personnel training shall include, but is not limited to:
  - a. Health and safety;
  - b. Emergency response;
  - c. Equipment operation, inspection, and maintenance;
  - d. Prohibited wastes identification;
  - e. Safe and proper handling of prohibited wastes, and;
  - f. Good housekeeping practices.
3. EPPD shall ensure that all personnel assigned with duties at the facility receive, at a minimum, the required training on an annual basis, if not more frequently.
4. EPPD shall document all trainings for personnel and retain the records in accordance with Section IV.C.18. of this Permit.
5. Collection Facilities
  - a. Within 30 days of the effective date of this Permit, EPPD shall prepare an educational training presentation that EPPD shall provide to POCs and their associates, as appropriate, as well as supporting materials such as signs to be posted near EPPD's collection receptacles at collection facilities, reference materials including a copy of this Permit, applicable contact information, checklists, inspection forms, etc.
  - b. EPPD shall seek Department approval for its Collection Facility Educational Training Presentation, all associated resources to be provided, and any future updates thereto.
  - c. EPPD shall not place its collection receptacles at a collection facility until the educational training program has been presented and the collection facility has been provided with the resources necessary to operate the collection facility in full compliance with the conditions of this Permit, the DRGSW, and 7 Del. C. Chapter 60.
  - d. EPPD shall re-present the educational training program to the appropriate collection facility staff sufficiently frequently to prevent non-compliance with the conditions of this Permit, the DRGSW, and 7 Del. C. Chapter 60, but no less than biannually.
  - e. The Collection Facility Educational Training Program shall include, but is not limited to:
    - i. An overview of EPPD's recycling and manufacturing process;
    - ii. A review of the conditions of EPPD's Recycling Permit relevant and applicable to collection facility operations;
    - iii. Acceptable waste;
    - iv. Prohibited waste;
      - 1) Identification of prohibited wastes
      - 2) Proper handling and management of prohibited wastes
      - 3) Proper handling and management of rejected wastes;
    - v. Waste inspection procedures and requirements
    - vi. Litter, dust, and vector corrective actions and complaints;
    - vii. Spill prevention and control/clean-up;

- viii. Resources and telephone numbers, as provided in Section III.F.5. of this Permit, to include, but not limited to:
    - 1) The CAPS
    - 2) The Environmental Emergency Hotline
    - 3) The DAQ's Asbestos Management Program
    - 4) The Delaware Solid Waste Authority ("DSWA");
  - ix. Recordkeeping requirements;
  - x. Notification requirements, and;
  - xi. Procedures to un-volunteer or un-partner with EPPD.
- f. EPPD shall document all collection facility training presentations to include, but not limited to, the names and signatures of attendees and/or participants in accordance with Section IV.C.18. of this Permit.

### **III. OPERATIONS:**

#### **A. General**

- 1. EPPD shall conduct its operations in accordance with all federal, state, county, and municipal statutes, ordinances, and regulations.
- 2. EPPD shall conduct its operations in accordance with this Permit and the Permit application materials, including the *Plan of Operation* dated June 18, 2019.
- 3. Operations shall be conducted in a manner protective of public health and the environment.

#### **B. Capacity**

- 1. EPPD shall not accept more than two tons (2 T) of wastes during any given calendar week, defined as the seven (7)-day period from Sunday through the immediately following Saturday.
- 2. Collection facilities shall not accumulate more recyclable plastic wastes at any one (1) time than the capacity of EPPD's collection receptacles.

#### **C. Waste Handling**

- 1. In-bound recyclable plastic wastes shall enter the EPPD facility from Germay Drive via a gated, asphalt-paved driveway and parking lot located along the northerly extent of the facility.
- 2. All waste handling, management, and processing activities shall be performed within the EPPD facility building, as detailed below and in Sections III.G. through III.J. of this Permit, with the exception of the following two (2) activities:
  - a. Recyclable plastic waste collection shall be performed at locations of schools, libraries, and similar community organizations who have volunteered to partner with EPPD.
  - b. Temporary storage pending proper disposal or recycling of out-throws, incidental wastes, generated wastes, and litter shall be within appropriate enclosed containers located on the exterior portions of the EPPD facility.
- 3. No wastes may be delivered, accepted, sorted, processed, or otherwise handled and/or managed via the front door of the EPPD facility building.
- 4. All wastes originating from or generated at EPPD's facility which have the potential to be recycled under Delaware's current, commercially available recycling programs regardless of EPPD's opinion of contamination and/or suitability for recycling, shall be segregated to be transported to a material recovery facility (MRF) for further

processing for the purpose of recycling. Segregation of out-going wastes for off-site disposal or recycling shall be based solely upon the composition of the waste and shall not consider the condition of the waste.

- a. The MRF is charged with the responsibility to determine if recyclable wastes are of sufficient quality to be returned to the economic mainstream.
- b. Current Commercial Recycling Programs
  - i. EPPD's out-throws and wastes may consist of film plastics, rigid polystyrene ("PS"), and/or clear polyethylene terephthalate ("PET") that EPPD deems unsuitable for processing, potentially due to contamination.
  - ii. As of the Effective Date of this Permit, film plastic and PS recycling services are not commercially available, thus film plastic and PS out-throws and wastes shall be diverted for proper disposal at a permitted landfill.
  - iii. As of the Effective Date of this Permit, clear PET is acceptable for commercial recycling, thus clear PET out-throws and wastes shall be segregated for transportation to a MRF for further processing for the purposes of recycling.
  - iv. However, commercial waste recycling capabilities may increase (or decrease) over time. EPPD shall maintain a current working knowledge of commercial recycling programs and the acceptability of various recyclable wastes.
  - v. EPPD shall manage out-throws and wastes pursuant to the commercial recycling program current at the time the segregated out-throws and wastes are removed from the EPPD facility.

D. Feedstocks and Feedstock Sources

1. EPPD shall manufacture its products from recyclable plastic bags and containers, as defined in Section II.A. of this Permit.
  - a. Specifically, EPPD shall utilize high-density polyethylene ("HDPE", #2) primarily, and low-density polyethylene ("LDPE", #4) secondarily.
    - i. While EPPD's recycling process is designed to use polyethylene ("PE"), other recyclable plastics may be used in minor proportions, to include:
      - 1) Polypropylene ("PP", #5);
      - 2) Rigid PS (#6), and;
      - 3) Opaque or colored PET ("PETE", #1);
    - ii. And to exclude:
      - 1) Polyvinyl chloride ("PVC", #3);
      - 2) Foam PS (also known as Styrofoam), and;
      - 3) Clear PET.
2. EPPD intends to source its feedstocks from:
  - a. Collection receptacles located at schools, libraries, churches, and other similar community organizations who have volunteered to partner with EPPD;
  - b. Donations of recyclable plastic wastes offered via the donation slot in the EPPD facility building;
  - c. Donations of recyclable plastic wastes hand-delivered to the EPPD facility, and;
  - d. Purchase of recycled plastic pellets to supplement supplies sourced as indicated above.
3. Collection Facilities

- a. Collection facilities are schools, libraries, churches, and other similar community organizations who have volunteered to partner with EPPD and allow EPPD to locate collection receptacles at their property or site.
- b. EPPD shall register PHOs as collection facilities pursuant to Sections II.C.2.c. and II.C.2.e. of this Permit.
- c. Generally, a pair, or pairs, of collection receptacles are placed at each collection facility; one (1) receptacle for recyclable plastic bags and another receptacle for recyclable plastic containers.
  - i. Preferably, the collection receptacles will be designed such that they are able to contain all donated wastes, to include liquids, not only acceptable recyclable plastic wastes.
    - 1) While at the collection facility, EPPD personnel shall check the collection receptacles for accumulations of prohibited, especially liquid, wastes.
    - 2) In the event, that accumulations of prohibited, especially liquid, wastes are present within the collection receptacles, EPPD shall
      - a) Report the accumulation of prohibited waste to the EPPD supervisor, and;
      - b) Replace the collection receptacle with a clean dry receptacle free of prohibited wastes, or;
      - c) Assist collection facility personnel to properly remove all prohibited wastes from the receptacle.
  - ii. Pursuant to Section II.D.1.b. of this Permit, collection receptacles at collection facilities shall be located securely or shall be able to be secured.
  - iii. Signage shall be affixed to the exterior of the EPPD collection receptacle or posted conspicuously proximal to the collection receptacles.
    - 1) The signage shall be labelled in such a manner to be as visible and as legible as sufficient to serve its purpose.
    - 2) The signage shall inform/notify donators of/that:
      - a) Acceptable wastes;
      - b) Prohibited wastes, and;
      - c) Any wastes not placed into the receptacle are required to be disposed of as a prohibited waste.
    - 3) Collection receptacles shall not be located at collection facilities without accompanying signage.
- d. EPPD will regularly dispatch personnel to collection facilities to retrieve and transport recyclable plastic wastes collected in EPPD's receptacles for processing.
  - i. EPPD shall dynamically adjust the frequency of retrieval of recyclable plastic wastes accumulated at collection facilities to ensure that the quantity of donated recyclable plastic wastes at collection facilities never exceeds the capacity of EPPD's collection receptacles.
  - ii. EPPD personnel shall inspect the immediate area of the collection receptacles at collection facilities for litter, odors, and vectors pursuant to Sections II.F.2.a, II.H.3.a, and II.I.3.a. of this Permit.



- iii. The EPPD personnel shall inquire of the POC any information pertaining to complaints of or corrective actions associated with litter, odors, and vectors pursuant to Sections II.F.2.b, II.H.3.b, and II.I.3.b. of this Permit.
  - iv. EPPD personnel shall determine if prohibited, especially liquid, wastes have accumulated in the collection receptacles.
  - v. In accordance with Section III.G. of this Permit, EPPD personnel shall visually and olfactorily inspect the accumulated recyclable plastic wastes for prohibited wastes, shall reject prohibited wastes, and shall return prohibited wastes to the POC for proper management.
  - vi. EPPD has accepted accumulated recyclable plastic wastes from the collection facility upon loading the accumulated recyclable plastic wastes into a vehicle for transport to the EPPD facility.
  - vii. To transport recyclable plastic wastes from the collection facility to the EPPD facility, EPPD personnel shall utilize only privately owned, properly insured, personal vehicles.
    - 1) EPPD personnel engaged in the transportation of recyclable plastic wastes from collection facilities to the EPPD facility must hold a valid driver license in accordance with applicable laws and regulations.
    - 2) Vehicles operated by EPPD personnel to transport recyclable plastic wastes on behalf of EPPD must be properly insured in accordance with applicable laws and regulations.
    - 3) EPPD shall not utilize unlicensed drivers or uninsured vehicles to transport recyclables plastic wastes from collection facilities to the EPPD facility.
  - viii. Recyclable plastic wastes retrieved from collection facilities shall be delivered into the EPPD facility building via one (1) of four (4) doors located along the northern extent of the EPPD facility building.
4. Donation Slot
- a. Donations of recyclable plastic wastes offered by random unknown and unidentified private individuals.
  - b. Recyclable plastic wastes are delivered into the EPPD facility building via a small donation slot located immediately east of the central overhead door along the northerly extent of the EPPD facility building.
    - i. The donation slot shall empty into a collection bin, box, or other similar receptacle capable of containing the delivered wastes.
      - 1) The collection receptacle shall be designed in such a manner to contain all donated wastes, to include liquids, not only acceptable recyclable plastic wastes.
        - a) EPPD personnel shall inspect the donation slot collection receptacle daily, at a minimum, for accumulations of prohibited, especially liquid, wastes.
        - b) Upon determining a presence of prohibited wastes within the donation slot collection receptacle, EPPD shall expeditiously and properly remove all prohibited wastes from the receptacle, or replace the receptacle until the prohibited wastes can be removed.
      - 2) The donation slot shall be designed and constructed in such a manner to allow the slot to be secured (locked closed) as warranted.

- 3) Signage shall be affixed to the exterior of the EPPD facility building directing waste donations to the donation slot.
    - a) The signage shall be constructed of resilient and weather-resistant materials.
    - b) The signage shall be labelled in such a manner to be as visible and as legible as sufficient to serve its purpose.
    - c) The signage shall inform/notify donors of/that:
      - i) Acceptable wastes;
      - ii) Prohibited wastes, and;
      - iii) Any donated wastes not placed through the donation slot are required to be disposed of as a prohibited waste.
    - d) The required signage shall be affixed as required within 30 days of the effective date of this Permit.
    - e) The donation slot shall be secured (locked closed) when the required signage is not present.
  - ii. The donation slot shall only be utilized by random unknown and unidentified private individuals who are not associated with EPPD at the time of the delivery.
    - 1) Commercial haulers, whether appropriately permitted or not, shall not utilize the donation slot.
    - 2) EPPD personnel shall not utilize the donation slot.
5. Hand-Delivered Donations
- a. Donations of recyclable plastic wastes offered by random unknown and unidentified private individuals.
  - b. Recyclable plastic wastes are delivered into the EPPD facility building by hand-carrying the quantity of recyclable plastic wastes and handing said quantity of recyclable plastic wastes to EPPD personnel to be inspected and weighed.
6. Purchased Recycled Plastic Pellets
- a. The purchase and use of recycled plastic pellets from purveyors of such recycled products shall be unrestricted.
- E. Acceptable Wastes
1. The wastes EPPD may accept are strictly limited to:
    - a. Post-consumer source-separated recyclable plastic bags as previously defined;
    - b. Post-consumer source-separated recyclable plastic containers as previously defined;
    - c. Non-LDPE shrink wrap and;
    - d. Other post-consumer source-separated recyclable plastic items approved by the Department in writing prior to acceptance of such recyclable plastic wastes.
  2. EPPD shall only accept recyclable plastic wastes delivered to the EPPD facility:
    - a. In personal, properly insured vehicles privately owned and operated by EPPD personnel;
    - b. As a direct donation from random unknown unidentified private individuals;
    - c. By commercial vehicles with a valid Delaware general solid waste transporter permit;
    - d. Generated on-site, or;
    - e. Via a method of transport that does not require licensing, insuring, or permitting, such as "on foot" or by non-motorized bicycle.

F. Prohibited Wastes

1. EPPD shall visually and olfactorily inspect wastes to be delivered to the facility and exercise reasonable care to ascertain whether said wastes are or contain prohibited waste(s), and shall not accept or shall segregate prohibited wastes including, but not limited to:
  - a. Any waste composed of a recyclable plastic that is not a bag or container, as defined in Section II.A. of this Permit;
    - i. Excepting those recyclable plastic wastes for which the Department has issued prior written approval pursuant to Condition III.E.1.c.
  - b. Any waste not composed of a recyclable plastic;
  - c. Any waste composed of, in any part, PVC;
  - d. Any waste composed of, in any part, PS;
  - e. Municipal solid waste, other than recyclable plastic wastes, as defined in Section III.E.1. of this Permit;
  - f. Food waste;
  - g. Construction and demolition debris;
  - h. Yard waste;
  - i. Electronic waste;
  - j. Universal waste;
  - k. Infectious waste;
  - l. Liquid waste;
  - m. Sanitary waste;
  - n. Radioactive waste;
  - o. Household hazardous waste;
  - p. Hazardous waste, as defined in Delaware's *Regulations Governing Hazardous Waste*;
  - q. Asbestos-containing material (ACM);
  - r. Mixed wastes where incidental unacceptable wastes exceed ten percent (10%) by volume of the total quantity by visual estimate;
  - s. Any waste transported by any non-permitted commercial hauler, by any commercial hauler whose permit is expired or not currently valid, or by any commercial hauler whose permit is not endorsed for general solid waste;
  - t. Any waste which cannot be definitively determined to be an acceptable waste in accordance with Condition III.E. of this Permit;
  - u. Any waste, whether otherwise acceptable or not, which was left outside at the EPPD facility rather than:
    - i. Donated via hand-delivery;
    - ii. Placed through the donation slot, or;
    - iii. Delivered into the EPPD facility building from a collection facility by EPPD personnel via one (1) of the doors along the northerly extent of the EPPD facility building, and;
  - v. Any waste, whether otherwise acceptable or not, which was left exterior to a collection receptacle at a collection facility, rather than placed into the collection receptacle.
2. Reasonable care shall include rejection of any waste that cannot be definitively determined to be an acceptable waste, as defined in Condition III.E. of this Permit
3. Prohibited wastes shall:

- a. If identified prior to acceptance:
  - i. Be immediately rejected;
  - ii. Not be accepted, and;
  - iii. Be immediately returned to the collection facility or donator for proper management, which may require immediate action.
- b. If identified after acceptance, be:
  - i. Handled appropriately by trained personnel only;
  - ii. Segregated from the delivery/load immediately;
  - iii. Managed lawfully, and;
  - iv. Removed, lawfully, from the site within 72 hours of receipt and/or acceptance.
4. EPPD shall provide training to its personnel and collection facility personnel in the identification of the types of prohibited wastes and appropriate response actions per Conditions II.L.2.d. and II.L.2.e. of this Permit.
5. EPPD shall respond to prohibited wastes incidents in accordance with the conditions of this Permit and in a manner protective of human health and the environment.
  - a. Recyclable wastes not suitable for EPPD's processing shall be appropriately containerized pending transportation off-site for further processing for the purpose of recycling in accordance with Sections III.C.4. (and its sub-Sections), III.I.1.e.ii, III.I.1.f.ii, III.I.1.g, and III.J.1.a.ii. of this Permit.
  - b. Municipal solid waste, excluding recyclable wastes, and food waste shall be appropriately containerized pending transportation off-site for proper disposal.
  - c. For (suspected) construction and demolition debris, yard waste, electronic waste, universal waste, and household hazardous waste; contact:
    - i. CAPS at (302) 739-9403 during regular business hours.
    - ii. Note that universal wastes that are no longer intact are hazardous wastes.
  - d. For (suspected) infectious waste, liquid waste, sanitary waste, radioactive waste, hazardous waste, and/or ACM; contact:
    - i. The CAPS at (302) 739-9403 during regular business hours, or;
    - ii. Environmental Emergency Hotline at (800) 662-8802 after business hours.
    - iii. Note that universal wastes that are no longer intact are hazardous wastes.
  - e. Additional resources:
    - i. DSWA's Citizens' Response Line at (800) 404-7080.
    - ii. For ACM, DAQ's Asbestos Management Program at (302) 323-4542.
    - iii. For illegal dumping, Environmental Crimes Unit ("ECU") at (800) 662-8802.
    - iv. For (uncontrolled) releases or spills, Environmental Emergency Hotline at (800) 662-8802.
6. EPPD shall notify the CAPS of all prohibited wastes delivered to the facility in accordance with Sections V.A.2. or V.A.3. of this Permit, as appropriate, and V.A.4. of this Permit.
7. EPPD shall document the type and quantity of all identified prohibited wastes, to include the location where the identification occurred (at the collection facility or at EPPD's facility) and the EPPD personnel who retrieved said waste(s) from the collection facility.
8. EPPD shall contact the collection facility from which the prohibited waste originated to explain that identification of prohibited wastes in future collected accumulations

originating from the particular collection facility may result in removal of EPPD's collection receptacles from the collection facility.

G. Waste Inspection

1. Waste inspection is the process by which a quantity or accumulation of wastes offered for processing to the EPPD facility are visually and olfactorily evaluated to identify prohibited wastes.
2. Waste inspection shall be performed only by appropriately trained EPPD personnel.
3. Waste inspection may be performed prior to or after waste acceptance.
  - a. EPPD shall expend every practical effort to visually and olfactorily inspect waste prior to acceptance.
4. Inspection and sorting of delivered recyclable plastic wastes shall be performed within the EPPD facility building.
5. Quantities of recyclable plastic wastes accumulated at collection facilities shall be visually and olfactorily inspected for prohibited wastes by appropriately trained EPPD personnel at the collection facility prior to loading the accumulated wastes for transport to the EPPD facility.
  - a. Identified prohibited wastes shall be immediately rejected and returned to the collection facility for proper handling and management.
  - b. Prohibited wastes identified at a collection facility shall not be transported to the EPPD facility.
6. Quantities of recyclable plastic wastes attempting to be hand-delivered by unknown unidentified private individuals shall be visually and olfactorily inspected for prohibited wastes immediately upon the attempted delivery and prior to accepting said wastes.
  - a. EPPD shall request that the donating individual remain present in the EPPD facility building until an inspection of the donated waste has been executed.
  - b. When prohibited wastes are identified in a quantity of recyclable plastic wastes that are being donated, EPPD shall not accept the prohibited waste.
  - c. Identified prohibited wastes shall be immediately rejected and returned to the unknown unidentified private individual attempting donation for proper handling and management.
7. Quantities of recyclable plastic wastes transported to the EPPD facility from a collection facility or placed through the donation slot shall be visually and olfactorily inspected for prohibited wastes expeditiously upon delivery.
8. When prohibited wastes are identified in a quantity of recyclable plastic wastes transported to the EPPD facility from a collection facility or placed through the donation slot, EPPD shall accept and appropriately segregate the prohibited waste, then manage it pursuant to Condition III.F.3.b. of this Permit.

H. Waste Acceptance

1. Waste acceptance is the point in time and space when and where a waste becomes the regulatory and legal responsibility of EPPD to manage appropriately henceforth.
  - a. For recyclable plastic wastes sourced from collection facilities, waste acceptance occurs when EPPD's personnel loads the accumulated wastes into their vehicle for transport to the EPPD facility.
  - b. For recyclable plastic wastes offered to EPPD for recycling via EPPD's donation slot, waste acceptance occurs when the recyclable plastic wastes pass through the slot.
  - c. For donations of recyclable plastic wastes hand-delivered to the EPPD facility, waste acceptance occurs after EPPD has inspected and accepted the waste, allowing the donator to leave the facility with any prohibited wastes that EPPD rejected.
2. Receipt of recyclable plastic wastes at the EPPD facility shall be pursuant to Sections III.D.3, III.D.4, and III.D.5. of this Permit.
3. All incoming waste, rejected waste, produced product, and outgoing waste shall be weighed and recorded.
  - a. All incoming and outgoing loads of wastes shall be weighed by properly trained EPPD personnel utilizing a calibrated scale.
  - b. EPPD shall retain all records of the weights of each delivery/load of incoming waste, rejected waste, produced product, and outgoing waste in accordance with Sections IV.C.3. through IV.C.10. of this Permit.
4. EPPD shall not exceed the weekly capacity established by Condition III.B.1. of this Permit during any calendar week.
  - a. In the event wastes in excess of the weekly tonnage limit are accepted, EPPD shall notify the CAPS in accordance with Section V.A.3.f. of this Permit.
5. Each delivery of wastes shall be visually and olfactorily inspected by properly trained EPPD personnel for prohibited wastes expeditiously upon receipt pursuant to III.G.
  - a. Prohibited wastes shall be immediately segregated from the load, lawfully managed, and lawfully removed from the site within 72 hours of receipt and/or acceptance.
  - b. EPPD shall address all prohibited wastes in accordance with Section III.F.3, II.F.5, and II.F.6. of this Permit.

I. Waste Processing

Accepted recyclable plastic containers and bags shall be sorted, densified, and/or granulated to create plastic pellets and/or "flake", as defined in Section III.I.2.a.ii. of this Permit. EPPD-produced plastic pellets/flake may be supplemented with purchased plastic pellets and/or flake depending upon collected/donated supplies and business demands. Coloring agents and sawdust may be mixed with the pellets/flake, which is subsequently fed into an extruder. The extruder heats the plastic mixture. The heated plastic is extruded into an appropriate mold for the particular item being manufactured.

1. Sorting

- a. Inspection and sorting of delivered recyclable plastic wastes shall be performed within the EPPD facility building.
- b. EPPD anticipates receiving recyclable plastic containers separate from recyclable plastic bags, as collection facilities will have an individual receptacle for bags and an individual receptacle for containers in the event both streams are accepted.

- c. However, donated recyclable plastic wastes received via the donation slot or hand-delivery may or may not be segregated appropriately.
- d. Post-sorting processing of recyclable plastic bags and recyclable plastic containers differs. As such, EPPD personnel shall sort all accepted recyclable plastic wastes to segregate bags from containers, or to confirm that bags and containers are segregated appropriately.
- e. Bags
  - i. Bags shall be sorted to:
    - 1) Remove any wastes or materials unsuitable for further processing (out-throws), which shall include bags composed of:
      - a) Clear PET;
      - b) PVC, and;
      - c) PS
    - 2) Remove any foreign objects (contamination) from the recyclable plastic bags.
  - ii. Separatable contaminants, contaminated recyclable bags, and out-throws shall be sorted appropriately and placed into receptacles labeled “Recyclable”, “Recyclable Out-Throws”, and “Landfill-Bound Out-Throws” based upon composition.
  - iii. Recyclable plastic bags are further sorted by color, as follows:
    - 1) Clear and white bags, and;
    - 2) Other colored bags.
  - iv. Clear and white bags will be placed in one (1) receptacle and colored bags will be placed in another receptacle.
  - v. The fully sorted recyclable plastic bags will be processed further when the receptacle(s) is/are full.
- f. Containers
  - i. Containers shall be sorted to:
    - 1) Remove any wastes or materials unsuitable for further processing (out-throws), which shall include containers composed of:
      - a) Clear PET;
      - b) PVC, and;
      - c) PS.
    - 2) Remove any foreign objects (contamination) from the recyclable plastic containers.
  - ii. Separatable contaminants, contaminated recyclable containers, and out-throws shall be sorted appropriately and placed into receptacles labeled “Recyclable”, “Recyclable Out-Throws”, and “Landfill-Bound Out-Throws” based upon composition.
  - iii. Recyclable plastic containers are further sorted by composition, as follows:
    - 1) PEs (HDPE and LDPE), and;
    - 2) All other recyclable plastics, excluding PVC and PS.
      - a) Container composition shall be determined by markings incorporated into the containers at the time of manufacturing.
  - iv. HDPE and LDPE containers will be placed in one receptacle and containers composed of all other recyclable plastics, excluding PVC and PS, will be placed in another receptacle.

- v. Recyclable plastic containers will be immediately further processed upon completion of sorting activities.
- g. Out-throws
  - i. Ultimately, the sorting process(es) shall result in accumulations of processable recyclable plastic bags, processable recyclable plastic containers, and unprocessable or unsuitable out-throws.
  - ii. Landfill-bound out-throws, recyclable out-throws, and out-throws are defined in accordance with Conditions II.A.3, II.A.4., and II.A.5, respectively.
  - iii. Out-throws will likely consist of, but are not limited to:
    - 1) Wastes unsuitable for further processing;
      - a) Contaminated otherwise acceptable recyclable plastic wastes;
      - b) PVC, or;
      - c) Clear PET;
    - 2) Prohibited wastes per Section III.F.1. of this Permit, or;
    - 3) Contaminants.
      - a) Foreign objects which are able to be separated from the acceptable, suitable, and processable recyclable plastic wastes.
  - iv. Once segregated from acceptable, suitable, and processable recyclable plastic wastes during the sorting process, out-throws shall be weighed and the daily total weight recorded in accordance with Section IV.C.7. of this Permit.
  - v. Out-throws shall be managed pursuant to Sections III.C.4. (and its sub-Sections), III.I.1.e.ii, III.I.1.f.ii, III.I.1.g, and III.J.1.a.ii. of this Permit.
  - vi. EPPD shall ship landfill-bound out-throws off-site to an appropriate approved facility for proper disposal within 72 hours of the appropriate receptacle reaching capacity, or at the Department's request.
  - vii. EPPD shall ship recyclable out-throws off-site to an appropriate approved facility for further processing, recycling, and/or reuse prior to the 31<sup>st</sup> day of receipt of the waste.
  - viii. EPPD shall calculate a monthly out-throw rate on the first operating day of each month for the preceding calendar month.
    - 1) EPPD shall calculate their out-throw rate as follows:

$$\left(\frac{W_{OT}}{W_{A,T}}\right) \times 100 = OTR, \text{ as a percentage}$$

Where:  $W_{OT}$  = total weight of out-throws;  
 $W_{A,T}$  = total weight of accepted wastes, and;  
OTR = out-throw rate percentage.

- a) The total weight of out-throws ( $W_{OT}$ ) shall include:
  - i) All wastes deemed unsuitable for processing which were sorted out of and segregated, for the purpose of off-site disposal or off-site recycling, from accepted wastes sourced from either collection facilities and/or donated directly to EPPD.



- b) The total weight of out-throws ( $W_{OT}$ ) shall not include:
    - i) Any prohibited wastes rejected at the collection facility and returned to the collection facility for proper handling and management;
    - ii) Any prohibited wastes refused for acceptance at the EPPD facility;
    - iii) Any wastes generated on-site not suitable for EPPD's recycling process, for example office paper, coffee grounds, and/or clear PET containers;
    - iv) Any recyclable plastic wastes resulting from the extrusion of excess melted recyclable plastic wastes;
    - v) Any imperfectly extruded products, and;
    - vi) Product scraps generated during the assembly of consumer items.
  - c) The total weight of accepted wastes ( $W_{A,T}$ ) shall include:
    - i) All accepted wastes from collection facilities;
    - ii) All wastes donated via either the donation slot or hand-delivered, and;
    - iii) All acceptable recyclable plastic wastes, pursuant to Section III.E. of this permit, which are generated on-site and processed.
  - d) The total weight of accepted wastes ( $W_{A,T}$ ) shall not include:
    - i) Any recyclable plastic wastes resulting from the extrusion of excess melted recyclable plastic wastes;
    - ii) Any imperfectly extruded products;
    - iii) Product scraps generated during the assembly of consumer items;
    - iv) Any recyclable plastic pellets and/or flake purchased to supplement those recyclable plastic wastes obtained from collection facilities or donated to the EPPD facility;
    - v) Any purchased coloring agents, or;
    - vi) Any saw dust.
- 2) EPPD shall not exceed a 15% out-throw rate.
- a) In the event EPPD does exceed the 15% out-throw rate limit, EPPD shall notify the CAPS pursuant to Section V.A.5. of this Permit.

## 2. Densification and Granulation

### a. Processes

- i. Densification is a process by which plastic film wastes are shredded or ground as well as heated to produce a plastic pellet-like waste material.
- ii. Granulation is a process by which plastic wastes are ground or shredded to produce a shredded plastic waste material commonly referred to as "flake."
- iii. Densification and granulation shall be performed within the EPPD facility building.

### b. Bags

- i. Sorted recyclable plastic bags shall be further processed when the storage receptacle for the sorted recyclable plastic bags reaches capacity, in accordance with Condition III.I.1.e.v. of this Permit

- ii. Further processing of sorted recyclable plastic bags shall consist of densification.
  - iii. When densification results in pellets larger than desired, the oversized pellets may be subsequently granulated.
  - iv. Clear and white bags will be densified, and subsequently granulated as necessary, separately from colored bags.
  - v. Pellets produced from clear and white bags shall be stored segregated from pellets produced from colored bags.
- c. Containers
- i. Sorted recyclable plastic containers shall be further processed upon completion of the sorting process, in accordance with Condition III.I.1.f.v. of this Permit
  - ii. Further processing of sorted recyclable plastic containers consists of granulation.
  - iii. HDPE and LDPE, collectively, will be granulated separately from the mixture of all other recyclable plastic wastes, excluding PVC and PS.
  - iv. Flake produced from HDPE and LDPE, collectively, shall be stored segregated from flake produced from the mixture of all other recyclable plastic wastes, excluding PVC and PS.
3. Extrusion
- a. Extrusion is the process by which recyclable plastic pellets and/or, flake, mixed with additives, is heated and extruded into a variety of different molds to manufacture a variety of recycled plastic intermediate products and/or recycled plastic consumer goods.
  - b. Extrusion and associated tasks described below shall be performed within the EPPD facility building.
  - c. Recyclable plastic pellets and/or flake shall be placed into an electro-mechanical tumbler with properly proportioned quantities of additives, as appropriate for the desired product to be manufactured.
    - i. Authorized additives are limited to:
      - 1) Purchased coloring agents or colorants, and;
      - 2) Sawdust.
  - d. The recyclable plastic pellets and/or flake with the appropriate additives shall be tumbled for a period of time sufficient to effectively homogenize the mixture.
  - e. The homogenized mixture shall be transferred to and fed into the extruder to heat and melt the mixture.
  - f. The extruder shall not be operated at temperatures exceeding 400° Fahrenheit.
  - g. The melted mixture shall be extruded/injected/transferred into the appropriate mold to manufacture the desired product.
  - h. Often, the extrusion process results in a minimal quantity of excess melted, then solidified, plastic waste. The excess extruded plastic waste shall be segregated in a designated container pending weighing to facilitate calculation of a daily weight of wastes stored. Once weighed, the generated plastic extruder wastes shall be stored pending recycling. Excess extruded plastic waste may be stored co-located with imperfectly extruded product which is also pending re-incorporated into

EPPD's recycling process. Generated plastic waste shall be recycled into the manufacturing process. Generated plastic wastes shall be granulated and incorporated into and stored with either the HDPE and LDPE flake or the "other mixed plastics flake", as appropriate, pending further extrusion activities.

- i. Molds shall be placed into a cooler, consisting of a water bath, until temperatures are sufficiently cool to solidify the recycled plastic contents of the mold and to render the molds safe to handle (minimize risk of burns).
  - j. Once adequately cooled, the mold shall be removed from the water bath in such a manner as to reduce, as practicable, the potential to create slip, trip, and fall hazards due to wet flooring. Spilled fluids shall be dried expeditiously.
  - k. From the opened molds, product shall be moved to an appropriate, potentially temporary, storage location.
  - l. At the completion of each day of extrusion, all products extruded that day shall be weighed and the total daily weight shall be recorded and maintained pursuant to Section IV.C.5. of this Permit.
  - m. Once weighed, extruded products may be moved to a permanent storage location pending sale or use in the assembly of consumer items.
4. Products and Assembly
- a. EPPD's products will either result directly from the extrusion process or will be assembled from extruded elements.
  - b. All assembly of consumer items shall be within the EPPD facility building.
  - c. The extruded product consists of, but is not limited to, plastic lumber.
  - d. Consumer items assembled from extruded products include, but are not limited to:
    - i. Benches;
    - ii. Bicycle racks;
    - iii. Picnic tables;
    - iv. Golf accessories;
    - v. Parking blocks, and;
    - vi. Sand boxes
  - e. EPPD's extruded plastic lumber is anticipated to require very little additional finishing effort to produce a marketable product ready for sale.
  - f. EPPD's assembled consumer items will require additional effort beyond extrusion to produce a marketable product ready for sale.
    - i. Additional effort may include, but is not limited to:
      - 1) Cutting extruded elements to length;
      - 2) Drilling of holes;
      - 3) Finishing/sanding, and/or;
      - 4) Assembly.
    - ii. Tools required in the consumer items manufacturing process include, but are not limited to, those pieces of equipment and tools specified in Section II.K.3. through II.K.5.
      - 1) EPPD personnel shall be sufficiently trained to properly and safely utilize all electro-mechanical and manual tools necessary to complete their duties and assigned tasks.

- g. Product scraps generated from the assembly of consumer items shall be segregated, quantified, and stored pursuant to Section III.J.2.1.i. of this Permit pending re-incorporation into EPPD's recycling process.

J. Storage

1. Limits

a. Quantities

- i. At any given time, EPPD shall store a maximum of a combined total of five tons (5) of unprocessed and partially processed recyclable plastic wastes, recycled plastic products, and recyclable out-throws that can be further marketed.
- ii. A maximum of zero tons (0 T) of landfill-bound out-throws and non-recyclable wastes generated on-site shall be stored at the EPPD facility, with the following exceptions:
  - 1) Minor quantities of landfill-bound out-throws accumulated in appropriate receptacles during the sorting of incoming accepted wastes, in which case the maximum quantity shall be the capacity of the receptacle.
    - a) The landfill-bound temporarily stored in the receptacles utilized during the sorting process shall be transferred into the exterior receptacles upon reaching capacity, but no less than daily.
  - 2) Quantities of landfill-bound out-throws accumulated in appropriate receptacles located exterior to the EPPD facility building while pending proper disposal or off-site recycling, in which case the maximum quantity shall be the capacity of the receptacle.
    - a) EPPD shall ship landfill-bound out-throws off-site to an appropriate approved facility for proper disposal and/or processing for further recycling or recovery within 72 hours of the appropriate receptacle reaching capacity, or immediately upon the Department's request.

b. Time

- i. EPPD shall develop, and seek Department approval for, an inventory control system, to be implemented within 30 days from the effective date of this Permit, which enables EPPD to determine the length of time all recyclable plastic wastes, out-throws, and products have been present at the EPPD facility.
- ii. Putrescible out-throws shall be stored at the facility for a maximum of three (3) days.
  - 1) Prior to the fourth (4<sup>th</sup>) day of on-site storage, putrescible out-throws shall be transported off-site to an appropriate solid waste facility for proper disposal.
- iii. Non-putrescible out-throws, including recyclable out-throws and landfill-bound out-throws, and unprocessed and partially processed recyclable plastic wastes shall be stored at the facility for a maximum of 30 days.
  - 1) Prior to the 31<sup>st</sup> day of on-site storage, unprocessed and partially processed recyclable plastic wastes are required to be either:
    - a) Processed into a product, or;
    - b) Transported off-site for recycling.

- 2) Prior to the 31<sup>st</sup> day of on-site storage, non-putrescible out-throws are required to be transported off-site to:
  - a) An appropriate solid waste facility for proper disposal for landfill-bound out-throws, or;
  - b) A materials recovery facility for further processing for the purpose of recycling for recyclable out-throws.
- iv. Products shall be stored at the EPPD facility for a maximum of 90 days
  - 1) On the 91<sup>st</sup> day of storage of a product, EPPD shall either:

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- a) Disassemble, as needed, the excess product and granulate it, or;
- b) Discontinue collection and acceptance of recyclable plastic wastes until compliance with storage limits can be achieved.
- 2) On the 181<sup>st</sup> day of storage of a product, EPPD shall:
  - a) Give or sell the excess product to a party willing to accept it;
  - b) Disassemble, as needed, the excess product and granulate it;
  - c) Transport the excess product off-site to:
    - i) An out-of-state gasification/pyrolysis/incineration facility for further processing, or;
    - ii) As only a last resort, an appropriately permitted landfill for proper disposal.
  - d) Or, suspend all operations, other than marketing/sales, until compliance with storage limits can be achieved.
- c. Non-Compliance with Established Limits
  - i. In the event EPPD fails to comply with the limits established herein, either purposely or inadvertently, and prior to implementing any of the provided corrective actions, EPPD shall notify the Department in accordance with Sections V.A.3.f. and/or V.A.5. of this Permit, as appropriate.
  - ii. In the event that the implemented corrective action incorporates a discontinuation or suspension of any operational process, such as collection of recyclable plastic wastes or all operations excepting marketing/sales, EPPD shall petition the Department for approval to resume the process or operations.
2. Locations
  - a. Wastes, products, and/or materials of any kind shall not be located or stored within the exterior portions of the EPPD facility, with the following exceptions:
    - i. Out-throws, incidental wastes, generated wastes, and litter shall be temporarily stored pending proper disposal or recycling within appropriate enclosed containers located on the exterior portions of the EPPD facility building,
    - ii. All wastes (excluding unsorted and unsorted incoming recyclable wastes), recyclable out-throws, and products stored in fully enclosed and locked containers on the exterior portions of the EPPD facility building, with prior Department approval for the container and its location, and;
    - iii. Containerized propane used to fuel EPPD's forklift shall be secured within a fenced area located upon the loading dock along the exterior of the western extent of the EPPD facility building.
  - b. No recyclable plastic wastes or products may be stored within the EPPD facility building which has been reserved for and shall be utilized strictly as administrative offices.
  - c. Minor quantities of accepted unprocessed recyclable plastic wastes which were donated to EPPD via the donation slot may be temporarily stored within the collection receptacle associated with the donation slot.
    - i. The quantity stored in the collection receptacle shall not exceed the capacity of the collection receptacle.

- ii. Donated recyclable plastic wastes shall be removed from the collection receptacle associated with the donation slot on a daily basis, meaning each operating day, at a minimum.
  - d. Accepted unsorted recyclable plastic wastes; sorted plastic wastes; recyclable plastic waste pellets and flake, coloring agents, and/or sawdust shall be stored in an appropriate container, such as a Gaylord.
  - e. Satisfactorily extruded recycled plastic items shall be stored upon (a) shelving unit(s).
  - f. Unsatisfactorily extruded recycled plastic items, solidified excess extruded melted recyclable plastic wastes, and product scraps generated from the assembly of consumer items shall be stored within an appropriate container, such as a Gaylord, or upon (a) shelving unit(s) sections designated for such wastes, pending re-incorporation into EPPD's recycling process.
  - g. Assembled recycled plastic products shall be stored appropriately with respect to general safety and good-housekeeping practices.
- K. Operational Inspections
- 1. EPPD shall perform the following inspections on a daily basis in accordance with Conditions II.F.1, II.G.2, II.H.2, and II.I.2. of this Permit, respectively:
    - a. Litter;
    - b. Dust;
    - c. Odors, and;
    - d. Vectors.
  - 2. EPPD shall inspect all equipment, in accordance with Condition II.K.7.b. of this Permit.
  - 3. EPPD shall conduct a Health and Safety inspection of the entire facility at regular intervals to identify any condition(s) with the potential to harm or injure personnel and/or visitors, pursuant to Condition II.J.10. of this Permit.
  - 4. When at collection facilities, EPPD personnel shall inspect collection facilities for:
    - a. Litter;
    - b. Odors, and;
    - c. Vectors;Pursuant to Conditions II.F.2.a, II.H.3.a, and II.I.3.a of this Permit.
  - 5. When at collection facilities, EPPD personnel shall inspect collection receptacles for accumulations of prohibited, especially liquid, wastes per Condition III.D.3.c.i.1) of this Permit.

**IV. RECORDKEEPING:**

- A. EPPD and collection facilities shall record the information required by Section IV.C. and IV.D. of this Permit, respectively. The records shall be kept onsite for a period of three (3) years and shall be made immediately available to the Department for review upon request.
- B. Collection facilities shall periodically provide copies of all collection facility records required by Section IV.D. of this Permit to EPPD. EPPD shall obtain copies of all collection facilities records required by Section IV.D. of this Permit from their POCs.
- C. EPPD shall maintain the following written records:
  - 1. Volunteer registration information.

2. PHO registration information.
3. Daily waste collection records documenting the weight and types of wastes retrieved from each collection facility or donated directly to the EPPD facility.
  - a. When prohibited wastes are rejected at and returned to the collection facility, daily waste collection records shall provide a general description and an approximate quantity of the rejected and returned waste.
  - b. When prohibited wastes are rejected and returned to random unknown unidentified private donors, a description and estimated quantity of the prohibited waste is not required in the daily waste collection records.
4. Daily waste acceptance records to include type and total weight of wastes accepted by the EPPD facility.
5. Daily out-throw generation records to include weight and percentage of out-throws, as outlined in Section III.I.1.g.viii. of this Permit. Landfill bound and recyclable out throws should be tracked separately to show the destination of material.
6. Daily non-recyclable wastes disposal records to include the weight of each out-bound shipment of landfill-bound out-throws and/or other wastes with the corresponding name(s) and address(es) of the receiving disposal facility(ies).
7. Daily recyclable wastes “disposal” records to include the weight of each out-bound shipment of recyclable out-throws and/or other wastes with the corresponding name(s) and address(es) of the receiving material recovery facility(ies).
8. Daily prohibited and rejected wastes records to include weight of prohibited and/or rejected wastes, generator or source of the prohibited/rejected waste, the reason for rejection, type and/or description of prohibited/rejected waste, disposition of the prohibited/rejected waste with name and address of the receiving facility, name of transporter utilized to remove the prohibited rejected waste and corresponding Transporter Permit/Identification Number, and any supplemental documentation required due to type of prohibited waste (e.g. hazardous waste manifest).
9. As applicable, transporters (company name, address, telephone number, solid waste transporter number, number of loads delivered and/or removed, weight of each load delivered and/or removed, generator and/or recipient of each load delivered and/or removed, and content of each load delivered and/or removed) delivering recyclable waste materials to the facility or removing solid wastes from the facility.
10. Scale calibrations / re-calibrations, certifications / re-certifications, and verification checks.
11. Daily inventory control records for the total weight of all wastes and products on-site, out-throws; and materials handling equipment fuels.
12. All daily litter, dust, odor, and vector inspections performed at the EPPD facility.
13. Any litter, dust, odor, or vector complaints received by EPPD concerning the facility.
14. Any litter, odor, or vector complaints pertaining to EPPD’s collection facilities.
15. All litter, dust, odor, and/or vector mitigation activities implemented at either the EPPD facility or at any of EPPD’s collection facilities, to include date and time of implementation, method of mitigation, and any contracted mitigation services.
16. All training provided to personnel including that provided to collection facilities.
17. All operational inspections and all equipment inspections and maintenance.
18. Lease termination, all lease violations, all lease renewals, and all lease modifications.
19. Information sufficient to meet the requirements of Section V of this Permit of all incidents and emergencies.



- D. Collection facilities shall maintain the following written records:
1. Any corrective actions pertaining to litter, odor, and vectors associated with EPPD collection receptacles.
  2. Any complaints pertaining to litter, odor, and vectors associated with EPPD's collection receptacles.
  3. Any spills or releases associated with EPPD's collection receptacles and any subsequent clean-up activities.
  4. Proper disposal records for any rejected:
    - a. Construction and demolition debris;
    - b. Electronic waste;
    - c. Universal waste;
    - d. Infectious waste;
    - e. Liquid waste;
    - f. Sanitary waste;
    - g. Radioactive waste;
    - h. Household hazardous waste;
    - i. Hazardous waste, and;
    - j. ACM.
  5. Any conditions associated with EPPD's collection receptacles that the collection facility deems unsatisfactory.

**V. NOTIFICATION AND REPORTING:**

A. Incidental Notification and Reporting

EPPD shall notify the CAPS of all incidents and emergencies.

1. EPPD and its collection facilities shall take immediate reasonable action to correct or remedy all incidents and emergencies in order to ensure human health and protect the environment.
2. Emergency Incidents  
EPPD and its collection facilities shall *immediately* notify the CAPS by telephone at (302) 739-9403 (or, if after business hours, the Environmental Emergency toll-free hotline at 1-800-662-8802) in the event of:
  - a. An emergency including, but not limited to, fire, explosion, spill, or unintentional or unpermitted release, on-site vehicle accident resulting in personal injury or property damage sufficient to threaten site operations, injury requiring hospitalization, occupational exposures to personnel, facility evacuation, and natural disaster.
  - b. Any facility shutdown resulting from an emergency, per Section V.A.2.a of this Permit.
  - c. Receipt of suspected asbestos-containing, infectious, liquid, sanitary, radioactive, or hazardous prohibited wastes at the facility.
3. Non-Emergency Incidents  
EPPD shall notify the CAPS by telephone at (302) 739-9403 or by e-mail within 24 hours or the following business day in the event of:
  - a. Complaints pertaining to litter, dust, odors, or vectors originating from the EPPD facility or its collection facilities.
  - b. Receipt at the facility of the following prohibited wastes:

1. Municipal solid wastes;
  2. Construction and demolition wastes;
  3. Electronic waste;
  4. Universal waste, and;
  5. Wastes delivered by unpermitted or inappropriately permitted transporters.
- c. Any sudden or unanticipated facility shutdown not resulting from an emergency, per Section V.A.2.a of this Permit, that results in solid waste being diverted from the facility.
  - d. Lease termination, any violation of the lease agreement, or any lease modification with the potential to cause a deviation from the approved *Plan of Operation* or changes to facility operations.
  - e. Facility changes including, but not limited to, changes in the company ownership, company name, company officials, management staff, and operators, as well as changes to POC.

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- f. Any exceedance of any limit established herein, excluding the 20% out-throw limit (See Section V.A.5 of this Permit).
- g. Any failure to comply with any condition of this Permit.
4. EPPD shall submit a detailed written notification by either e-mail or hardcopy to be received by the CAPS no later than five (5) business days following any incident, emergency or otherwise, as listed in Sections V.A.2 and V.A.3 of this Permit. The notification shall include the following.
  - a. Date and time of occurrence/discovery.
  - b. Date and time reported to the Department. Include a reference number if reported to the Environmental Emergency hotline. When applicable, reports required to be submitted to the Department per Delaware's "Reporting of a Discharge of a Pollutant of Air Contaminant" regulations are in addition to and not in lieu of those herein.
  - c. For spills or releases, materials, quantities, and area involved.
  - d. A sketch of the scene of the incident, showing location and approximate dimensions.
  - e. List of agencies notified.
  - f. Narrative describing how the incident occurred and actions taken by EPPD and other response personnel, as applicable, to remedy the situation.
  - g. Report of injuries and/or damage.
  - h. Delaware solid waste transporter number, if the incident involves a permitted transporter.
  - i. In the event of a complaint, name, address, and phone number of the person making the complaint, as well as the content of the complaint.
  - j. Proposal for follow-up remedial actions including a schedule for implementation.
  - k. Any additional information seemingly relevant or material to the incident.

5. Out-Throw Limit

In the event the monthly out-throw percentage exceeds the 20% limit established by Condition III.I.1.g.vii. of this Permit, EPPD shall notify the CAPS in writing, by either e-mail or hardcopy, to be received no later than the 15th day of the following month and shall include an explanation for the exceedance as well as corrective actions to be taken to prevent the exceedance in the future.

6. EPPD shall document and retain the records of all incidents, whether an emergency or otherwise, in accordance with Section IV of this Permit sufficient to meet the notification and reporting requirements stipulated in Section V of this Permit.

B. Quarterly Reporting

EPPD shall submit quarterly reports to the CAPS via e-mail or in hardcopy no later than the 15<sup>th</sup> day of the month following the end of the quarter (1<sup>st</sup> quarter report is due by April 15<sup>th</sup>, 2<sup>nd</sup> quarter report is due by July 15<sup>th</sup>, 3<sup>rd</sup> quarter report is due by October 15<sup>th</sup>, and 4<sup>th</sup> quarter report is due by January 15<sup>th</sup>). 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):

1. A list of current collection facilities to include the name, address, and phone number of each collection facility and name, title or position, and direct phone number for each POC.

2. A list of collections by collection facility to include dates of collection, corresponding number of receptacles, , corresponding total weight of accepted waste, and a description and estimated quantity of any rejected prohibited wastes returned to the collection facility.
  3. Total weight of wastes accepted at the facility each operating day.
    - a. Total aggregated weight of wastes sourced from collection facilities.
    - b. Total aggregated weight of wastes donated directly to the EPPD facility.
  4. Total weekly weight of prohibited wastes rejected from accepted waste streams.
  5. A list, by collection facility, of prohibited wastes segregated at the EPPD facility from wastes accepted from collection facilities to include a description and weight of the prohibited wastes.
  6. Daily weight of landfill-bound out-throws disposed of with the corresponding name(s) and address(es) of the receiving disposal facility(ies), as well as the solid waste transporter permit identification number of the hauler utilized. This includes all wastes either disposed of in an on-site dumpster or directly transported off-site.
  7. Daily total weight of each out-bound shipment of recyclable out-throws and/or other wastes with the corresponding name(s) and address(es) of the receiving material recovery facility(ies), as well as the solid waste transporter permit identification number of the hauler utilized.
  8. Daily total weight of products sold.
  9. Daily total of all waste and product stored, excluding landfill-bound out-throws.
  10. Summary of the percentage of out-throws generated each month.
  11. Summary of all notifications made to the CAPS or incidents requiring notification per Section V.A of this Permit, whether notification was made as required or not.
  12. A detailed description of any deviations, whether intentional or accidental, from the approved *Plan of Operation*.
  13. Summary of all instances of non-compliance with this Permit.
- C. Annual Reporting
1. Annual Recycling Facility Report

No later than March 1st of every year, EPPD shall submit an annual report to the CAPS. This annual report shall summarize operations for the previous calendar year and include the following information (information shall be presented in a tabular format, as appropriate).

    - a. A list of all sites which partnered with EPPD as a collection facility at any time throughout the reporting year to include the name and address of the collection facility, the date range of partnership, the corresponding annual total weight of accepted wastes, and the corresponding total weight of prohibited wastes delivered to the EPPD facility.
    - b. Total annual weight of wastes accepted at the facility.
      - i. Total aggregated annual weight of wastes sourced from collection facilities.
      - ii. Total aggregated annual weight of waste donated directly to the EPPD facility.
    - c. Total annual weight of prohibited wastes accepted at the EPPD facility.
    - d. Total weight of out-throws and other wastes sent off-site for recycling.
    - e. Total weight of out-throws and other wastes sent off-site for disposal.
    - f. Summary of the percentage of out-throws generated each month.

- g. A detailed discussion of the feasibility of recycling materials currently being received by the facility but that are not being recycled.
  - h. A summary of all shutdowns, fires, explosions, spills, non-permitted or uncontrolled releases, or other emergencies that occurred at the facility.
  - i. A summary of all deviations, whether unintentional or not, from the approved *Plan of Operation*.
  - j. A detailed description of all construction or corrective work conducted at the site.
  - k. A summary of all instances of non-compliance with this Permit.
2. Financial Assurance  
No later than December 31st of every year, EPPD shall submit an updated financial assurance document, as required in DRGSW Section 4.1.11. The submittal shall also include an updated estimate of the cost of third-party closure of the facility that has been adjusted for inflation. If the Department determines at any time that current financial assurance is inadequate for the site's current actual conditions, the Department reserves the right to require an increase in financial assurance in order to assure EPPD's compliance with DRGSW 4.1.11.2.1.
3. Annual Recycling Report  
In accordance with the Universal Recycling Law, specifically 7 *Del. C. § 6056(1)*, EPPD shall submit an annual report detailing recycling activities no later than February 15th of every year. The report shall follow the reporting guidelines developed by the Department and the Recycling Public Advisory Council.
- D. Written notifications and reports, excluding the Annual Recycling Report (Section V.C.3.), shall be submitted via e-mail or regular mail, as specified above, to:

Zack Taylor  
DNREC-CAPS  
89 Kings Hwy.  
Dover, DE 19901  
[Zachary.Taylor@Delaware.gov](mailto:Zachary.Taylor@Delaware.gov)

## **VI. CLOSURE:**

- A. At least 180 days prior to the date when recyclable waste materials will no longer be accepted, EPPD shall submit the following for the Department's approval:
  1. Written notification of EPPD's intent to close the facility;
  2. An updated closure plan, including a detailed description of the methods, procedures, and processes to be used to clean and close the facility;
  3. An updated estimate of the third party cost of closing the facility, and;
  4. The closure schedule.
- B. Closure of the facility shall meet the closure requirements set forth in DRGSW.

**VII. PERMIT MODIFICATION AND RENEWAL HISTORY**

- A. December 4, 2019 - Recycling Permit #SW-19/07
  - 1. Initial Recycling Permit limiting storage of plastic wastes, processed and unprocessed, to a one-ton (1-T) maximum.
  - 2. Issued for a one-year (1-yr.) period. Expiration: December 4, 2020.
    - a. Initial Permit issued for one year (1 yr.) to provide EPPD an opportunity to:
      - i. Strengthen its Proof of Market, and;
      - ii. Improve its Plan of Operation.
- B. May 11, 2022 - Recycling Permit #SW-22-01
  - 1. New permit drafted to increase tonnage and address reporting requirement changes.

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Jason W. Sunde  
Environmental Program Administrator  
Compliance and Permitting Section

Date

**Site Map**  
Eco Plastic Products of Delaware  
18 Germay Drive, Wilmington, DE 19804

