



CHECKLIST FOR PERSONS APPLYING FOR A RECYCLING PERMIT OR COMPOSTING PERMIT

Applications for a Recycling Permit or Composting Permit will not be processed unless all of the following information is provided by the applicant. The following checklist is based upon the specific requirements contained in Delaware's *Regulations Governing Solid Waste* (DRGSW). Please use this checklist to ensure the application contains all necessary documentation.

1. Application for a Recycling Permit or Composting Permit
2. Proof of ownership of the property, or copy of lease agreement
3. Written verification from the local zoning authority that the proposed activity is allowable at the proposed location
4. A Plan of Operation including a site map and complete description of the equipment, process, and operating procedures, as well as the maximum quantity of feedstocks and product to be stockpiled
5. Evidence that the product use will not adversely affect human health and the environment. This may require analyses and other tests. [Waived by the Department.](#)
6. Contracts or letters of intent from buyers showing there is a true market for the product
7. A Conceptual Closure Plan [pursuant to Section 4.4.1 of the DRGSW]
8. Evidence of financial assurance demonstrating financial responsibility for closure, as described in DRGSW Sec. 4.1.11.2
9. Proof that all applicable permits, licenses, and approvals have been obtained or applied for [pursuant to Section 4.4.1 of the DRGSW]
10. Background statement [pursuant to **7 Del. C.** Chapter 79]
11. Submit 3 copies of the completed application package as well as an electronic copy in '.pdf' format. Please submit the application and supporting documentation to:

Adam Schlachter
Department of Natural Resources and Environmental Control
Compliance & Permitting Section
89 Kings Highway
Dover, DE 19901
Adam.Schlachter@Delaware.gov

Checklist Item

#1



RECYCLING PERMIT APPLICATION

INSTRUCTION: The applicant may claim that some of the information presented in this Application is confidential. An applicant wishing to make such a claim should write, preferably in red ink, "Claimed Confidential Information" at each point in the response where such confidentiality is claimed. The applicant must provide an explanation of why the release of such information would constitute an invasion of personal privacy or would seriously affect the applicant's business or competitive situation. The confidentiality determination will be subject to the **FOIA Regulation**, Section 6.

BRIEF DESCRIPTION OF RECYCLING ACTIVITY OR BENEFICIAL USE PROCESS

Accept, process and store source-separated and co-mingled wastes. such as clothing, shoes and toys.

Benefit - keeping reusable items out of landfill.

FACILITY INFORMATION

Facility Name: Phoenix used clothing corp
 Address: 132 Sandy Drive
 City: Newark County: New Castle State: DE
 Zip Code: 19713 Phone: 302-487-5351 Fax:
 Total Site Area (Acres): 1.46 Latitude: 39° 39' 30.5" N Longitude: 75° 46' 16.5" W
 Tax Parcel Number (s): 1803800023
 Expected Service Area: 6400 square feet

BUSINESS OWNER INFORMATION

Owner's Name: Babita Jagannam
 Contact Person: Babita Jagannam Title: owner / operator
 Address: 132 Sandy Drive
 City: Newark State: DE Zip Code: 19713
 Phone: 302-593-9470 Fax: Email: info@phoenixusedclothing.com

FACILITY OPERATOR INFORMATION

Operator's Name: Babita Jagannam
 Contact Person: Babita Jagannam Title: owner / operator
 Address: 132 Sandy Drive
 City: Newark State: DE Zip Code: 19713
 Phone: 302-593-9470 Fax: Email: info@phoenixusedclothing.com

OPERATING HOURS

Daily Operating Hours: 9-5 pm^{am} M-F Daily Business Hours (Open to Public): 9-5 pm^{am} M-F
 Days of Operation: Monday - Friday Number of Operating Days Per Year: 260
 Saturdays by appointment



Delaware Department of Natural Resources and Environmental Control
Compliance and Permitting Section

RECYCLING PERMIT APPLICATION

ESTIMATED QUANTITIES OF RECYCLABLE MATERIAL AND PRODUCT:

Maximum Daily Tonnage of Recyclable Material to be Accepted: 4.8 tons Daily Weekly

Maximum Tonnage of Recyclable Material to be Stored (at any given time): 160 tons

Maximum Tonnage of Product to be Stored (at any given time): 160 tons

NOTE: Maximum daily and weekly tonnages must consider operating hours and days specified on next page.

I certify under penalty of law, that I have personally examined and am familiar with the information submitted in the Application and all supporting documentation and that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information.

Signature of applicant: Babita Jagnani

Date: 11.22.22

Printed Name: Babita Jagnani

Phone: 302-593-9470

Title: Owner / Operator

Email: info@phoenixusedclo.com

Company: Phoenix used clothing corp

Address: 132 sandy Drive

City: Newark

State: DE

Zip Code: 19713

Checklist Item

#2

COMMERCIAL LEASE

This Lease Agreement (this "Lease") is dated as of November 07, 2022, by and between FJN Enterprises LLC ("Landlord"), and Phoenix Used Clothing Corp ("Tenant"). The parties agree as follows:

PREMISES. Landlord, in consideration of the lease payments provided in this Lease, leases to Tenant 6400 Square foot building (the "Premises") located at 132 Sandy Drive, Newark, DE 19713.

TERM. The lease term will begin on November 07, 2022 and will terminate on November 07, 2032.

LEASE PAYMENTS. Tenant shall pay to Landlord lease payments of \$0.00, payable in advance, on the thirty-first of each semi-annual period, for a total lease payment of \$0.00. Lease payments shall be made to the Landlord at 12 Brady Circle, Middletown, Delaware 19709. The payment address may be changed from time to time by the Landlord.

POSSESSION. Tenant shall be entitled to possession on the first day of the term of this Lease, and shall yield possession to Landlord on the last day of the term of this Lease, unless otherwise agreed by both parties in writing. At the expiration of the term, Tenant shall remove its goods and effects and peaceably yield up the Premises to Landlord in as good a condition as when delivered to Tenant, ordinary wear and tear excepted.

USE OF PREMISES. Tenant may use the Premises only for Textile Recycling The Premises may be used for any other purpose only with the prior written consent of Landlord, which shall not be unreasonably withheld. Tenant shall notify Landlord of any anticipated extended absence from the Premises not later than the first day of the extended absence.

FURNISHINGS. The following furnishings will be provided: Office furniture Tenant shall return all such items at the end of the lease term in a condition as good as the condition at the beginning of the lease term, except for such deterioration that might result from normal use of the furnishings.

PARKING. Tenant shall be entitled to use 0 parking space(s) for the parking of the Tenant's customers' /guests' motor vehicle(s).

STORAGE. Tenant shall be entitled to store items of personal property in Used textiles that are clean, dry and has no odor during the term of this Lease. Landlord shall not be liable for loss of, or damage to, such stored items.

PROPERTY INSURANCE. Landlord and Tenant shall each maintain appropriate insurance for their respective interests in the Premises and property located on the Premises. Landlord shall be named as an additional insured in such policies. Tenant shall deliver appropriate evidence to Landlord as proof that adequate insurance is in force issued by companies reasonably satisfactory to Landlord. Landlord shall receive advance written notice from the insurer prior to any termination of such insurance policies. Tenant shall also maintain any other insurance which Landlord may reasonably require for the protection of Landlord's interest in the Premises. Tenant is responsible for maintaining casualty insurance on its own property.

RENEWAL TERMS. This Lease shall automatically renew for an additional period of 10 years per renewal term, unless either party gives written notice of termination no later than 60 days days prior to the end of the term or renewal term. The lease terms during any such renewal term shall be the same as those contained in this Lease.

UTILITIES AND SERVICES. Landlord shall be responsible for all utilities and services incurred in connection with the Premises.

TAXES. Taxes attributable to the Premises or the use of the Premises shall be allocated as follows:

REAL ESTATE TAXES. Landlord shall pay all real estate taxes and assessments for the Premises.

PERSONAL TAXES. Landlord shall pay all personal taxes and any other charges which may be levied against the Premises and which are attributable to Tenant's use of the Premises, along with all sales and /or use taxes (if any) that may be due in connection with lease payments.

TERMINATION UPON SALE OF PREMISES. Notwithstanding any other provision of this Lease, Landlord may terminate this lease upon 60 days days' written notice to Tenant that the Premises have been sold.

DEFAULTS. Tenant shall be in default of this Lease if Tenant fails to fulfill any lease obligation or term by which Tenant is bound. Subject to any governing provisions of law to the contrary, if Tenant fails to cure any financial obligation within 5 days (or any other obligation within 10 days) after written notice of such default is provided by Landlord to Tenant, Landlord may take possession of the Premises without further notice (to the extent permitted by law), and without prejudicing Landlord's rights to damages. In the alternative, Landlord may elect to cure any default and the cost of such action shall be added to Tenant's financial obligations under this Lease. Tenant shall pay all costs, damages, and expenses (including reasonable attorney fees and expenses) suffered by Landlord by reason of Tenant's defaults. All sums of money or charges required to be paid by Tenant under this Lease shall be additional rent, whether or not such sums or charges are designated as "additional rent". The rights provided by this paragraph are cumulative in nature and are in addition to any other rights afforded by law.

CUMULATIVE RIGHTS. The rights of the parties under this Lease are cumulative, and shall not be construed as exclusive unless otherwise required by law.

REMODELING OR STRUCTURAL IMPROVEMENTS. Tenant shall have the obligation to conduct any construction or remodeling (at Tenant's expense) that may be required to use the Premises as specified above. Tenant may also construct such fixtures on the Premises (at Tenant's expense) that appropriately facilitate its use for such purposes. Such construction shall be undertaken and such fixtures may be erected only with the prior written consent of the Landlord which shall not be unreasonably withheld. Tenant shall not install awnings or advertisements on any part of the Premises without Landlord's prior written consent. At the end of the lease term, Tenant shall be entitled to remove (or at the request of Landlord shall remove) such fixtures, and shall restore the Premises to substantially the same condition of the Premises at the commencement of this Lease.

ACCESS BY LANDLORD TO PREMISES. Subject to Tenant's consent (which shall not be unreasonably withheld), Landlord shall have the right to enter the Premises to make inspections, provide necessary services, or show the unit to prospective buyers, mortgagees, tenants or workers. However, Landlord does not assume any liability for the care or supervision of the Premises. As provided by law, in the case of an emergency, Landlord may enter the Premises without Tenant's consent. During the last three months of this Lease, or any extension of this Lease, Landlord shall be allowed to display the usual "To Let" signs and show the Premises to prospective tenants.

DANGEROUS MATERIALS. Tenant shall not keep or have on the Premises any article or thing of a dangerous, flammable, or explosive character that might substantially increase the danger of fire on the

Premises, or that might be considered hazardous by a responsible insurance company, unless the prior written consent of Landlord is obtained and proof of adequate insurance protection is provided by Tenant to Landlord.

COMPLIANCE WITH REGULATIONS. Tenant shall promptly comply with all laws, ordinances, requirements and regulations of the federal, state, county, municipal and other authorities, and the fire insurance underwriters. However, Tenant shall not by this provision be required to make alterations to the exterior of the building or alterations of a structural nature.

ASSIGNABILITY/SUBLETTING. Tenant may not assign or sublease any interest in the Premises, nor effect a change in the majority ownership of the Tenant (from the ownership existing at the inception of this lease), nor assign, mortgage or pledge this Lease, without the prior written consent of Landlord, which shall not be unreasonably withheld.

NOTICE. Notices under this Lease shall not be deemed valid unless given or served in writing and forwarded by mail, postage prepaid, addressed as follows:

LANDLORD:

FJN Enterprises LLC
12 Brady Circle
Middletown DE, Delaware 19709

TENANT:

Phoenix Used Clothing Corp
132 Sandy Drive
Newark, DE 19713

Such addresses may be changed from time to time by any party by providing notice as set forth above. Notices mailed in accordance with the above provisions shall be deemed received on the third day after posting.

GOVERNING LAW. This Lease shall be construed in accordance with the laws of the State of Delaware.

ENTIRE AGREEMENT/AMENDMENT. This Lease Agreement contains the entire agreement of the parties and there are no other promises, conditions, understandings or other agreements, whether oral or written, relating to the subject matter of this Lease. This Lease may be modified or amended in writing, if the writing is signed by the party obligated under the amendment.

SEVERABILITY. If any portion of this Lease shall be held to be invalid or unenforceable for any reason, the remaining provisions shall continue to be valid and enforceable. If a court finds that any provision of this Lease is invalid or unenforceable, but that by limiting such provision, it would become valid and enforceable, then such provision shall be deemed to be written, construed, and enforced as so limited.

WAIVER. The failure of either party to enforce any provisions of this Lease shall not be construed as a waiver or limitation of that party's right to subsequently enforce and compel strict compliance with every provision of this Lease.

BINDING EFFECT. The provisions of this Lease shall be binding upon and inure to the benefit of both parties and their respective legal representatives, successors and assigns.

LANDLORD:

FJN Enterprises LLC

By: 
Nalwattie Lallind, Owner

Date: 11/07/2022

TENANT:
Phoenix Used Clothing Corp

By: *Babita Jagnanan*
Babita Jagnanan, Owner

Date: 11/07/2022

Checklist Item

#3



**PLANNING & DEVELOPMENT
CITY OF NEWARK**

220 South Main Street · Newark, Delaware 19711
302.366.7000 · Fax 302.366.7160 · www.cityofnewarkde.us

January 28, 2020

Babita Jagnanan
Recycling Coach
Phoenix Used Clothing

Via Email: babitaj@verizon.net

Dear Ms. Jagnanan:

Regarding your request for a zoning certificate dated January 24, 2020, please be advised that the property known as 132 Sandy Drive (tax parcel 18-038.00-023) in the City of Newark is zoned MI (General Industrial).

The permitted uses of the subject premises can be located on the City's website, Municipal Code Section 32-21, MI district. Section 32-21(a)(1) permits "cleaning, distribution...processing,...and warehousing...". Collecting, processing, warehousing/storage, and distributing used clothing would be an allowable use in this zoning district.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Michael Fortner
City Planner

Checklist Item

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Phoenix Used Clothing

Recycling Facility Plan of Operation

November 7, 2022

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1.0 FACILITY OVERVIEW

1.1.Purpose and Overview

This Plan of Operation (the "Plan") has been prepared pursuant to the requirements specified in Section 4.4.1.3. of Delaware's Regulations Governing Solid Waste ("DRGSW") for the Recycling Facility operated by Phoenix Used Clothing ("PUC"). The PUC recycling operation currently accepts both source-separated and co-mingled ("single-stream") recyclable wastes (e.g. specifically textiles, small household items (e.g. utensils, pots & pans), hard toys, and shoes).

Recyclable wastes (co-mingled and/or source-separated) coming from residential, commercial and industrial enterprises such as educational institutions, commercial shopping areas, and industrial businesses that allow the placement by Phoenix Used Clothing of collection receptacles (i.e. collection bins) to recover recyclable wastes, are brought to the facility for processing.

The facility is located at 132 Sandy Drive in Newark, Delaware. The facility comprises a 1.46-acre parcel located in the Sandy Industrial Park off of Otts Chapel Road in western Newark. This Plan of Operation provides detailed information on the controls and procedures that have been implemented at the PUC facility. This Plan of Operation has also been developed to ensure that all operations conducted are in compliance with all applicable Federal, State, and local laws and regulations pertaining to Recycling Facilities.

1.2.General Description

PUC plans to operate this facility as a Recycling Facility Permit to accept, process, and store source-separated and single-stream recyclable wastes for bulking and transfer off-site as either a commodity or a recyclable waste for further processing at another recycling facility. PUC processes both single-stream and source-separated recyclable wastes using physical and/or mechanical sorting, separating, and sizing techniques.

This Plan of Operation addresses both of these approved recycling operations.

The proposed site encompasses approximately 1.46 acres of land that houses a pre-existing structure. (Tax Parcel 1803800023). The property, as shown on the Site Plan, (see Attachment I), includes a single structure that totals 6,400 square feet. This structure will house all the proposed processing operations. This existing building will be used to support recycling operations. The facility's operating yard provides suitable access and supports unobstructed movement of equipment and trucks at the site. The facility has one commercial scale to weigh Gaylord boxes. This scale will provide appropriate measures to monitor and track

waste receipts and shipments at the facility.

The facility will receive commercial single-stream and source-separated recyclable wastes for processing and sale as a commodity, or as a recyclable waste for further processing at another recycling facility.

The PUC facility is designed to separate or process up to 1250 tons of recyclable wastes per year into marketable recycled products or commodities, including textiles, small household items (e.g. utensils, pots & pans), hard toys and shoes.

1.2.1. State and Local Permits

A copy of all applicable state and local permits required to operate the facility will be kept in the Facility Manager's office. This information will be made available for review by the Department upon request.

1.3. Recyclable Wastes Marketplace Overview

As referenced in Section 1.2, above; PUC seeks approval to accept source separated and single-stream recyclable wastes at the 132 Sandy Drive location for sale to markets. Upon approval, PUC will provide this service to residential, commercial, and institutional facilities. This location will allow PUC to provide local recycling alternatives to these entities and increase their ability to divert solid wastes from disposal consistent with recycling goals.

PUC intends to process recyclable wastes for residential, commercial, and institutional generators that have wastes such as textiles, small household items (e.g. utensils, pots & pans), shoes, and hard toys that lend themselves to repackaging and shipment off-site as a salable commodity.

1.4. End Market Users

PUC identified reliable markets that wish to purchase the high quality and separated wastes that our Recycling Facility will be producing. Selling to these markets aides in the diversion of solid waste, and the wastes produced by PUC serve as a suitable alternative to various natural resources that would be used if our facility did not exist. PUC's extensive relationships make use of local and regional facilities as well as domestic and international end users that can recycle or reuse the separated waste in production of new products.

1.5. Out-Throws/Unprocessable Wastes/Incidental Wastes/Residues

The primary objective of the PUC facility is to ensure that the separated commodities to be sold to various graders and end users are of high quality with minimal contamination (non-recyclable components). During the recovery process, residual wastes, referred to in this Plan as "out-throws", are generated.

Out-throws are composed of either non-recyclable or low-quality wastes (e.g. wet clothing) that have limited or no market value, or wastes which are recoverable but are not composed of the wastes identified in PUC's current recycling permit. These wastes must be managed separately and sent off-site for disposal at an approved facility or sent off-site for further recycling or recovery. It is the goal of the facility to minimize the amount of out-throws that are generated during recycling operations. Accordingly, PUC will maintain a maximum out-throw percentage rate of 3% for recyclable wastes received at the location.

2.0 FACILITY SETTING & DESCRIPTION

2.1.Site Location

The site is located at 132 Sandy Drive, Newark, Delaware, 19713. The site is a 1.46-acre parcel located in the Sandy Industrial Park off Otts Chapel Road in western Newark. A site map is provided in Attachment I. The site is owned by FJN Enterprises LLC. PUC is the tenant. The lease is in effect through January 2023.

2.2.Surrounding Land Use and Topography

The site is located in an MI, general industrial, zoning district. The site is surrounded on three sides by other general industrial facilities. The remaining fourth side shares a boundary with commercial property Arbour Park Persimmon Creek Swim Club. A topographic map of the area surrounding the site is provided in Attachment II.

2.3.Water Resources

The facility is served by public water and sewer. The water supplier has the infrastructure to supply ample water to the facility to meet all operational needs.

The West Branch Christina River is located in the property adjacent to the facility, but the recycling and associated operations does not generate waste that impacts nearby water bodies. There are no water bodies (ponds, lakes, rivers) located on any portion of the facility property.

Groundwater is not currently being used on-site for a supply of process or potable water. All processing activities will take place in enclosed structures equipped with concrete floors.

The proposed operation is designed to minimize potential exposure of wastes to precipitation. This is accomplished by keeping all recyclable wastes inside the existing structure or stored in trailers or covered roll-off containers to keep the waste from being exposed to stormwater. This includes the offloading,

processing, and storage of all incoming recyclable wastes and process out-throws.

3.0 Facility Description & Environmental Management Controls

3.1. Facility Layout and Design

The PUC recycling operation is designed to quickly and efficiently: 1) receive recyclable wastes; 2) process and segregate the waste into individual commodity groups to meet end market criteria and requirements; and 3) ship the recovered wastes out to their final end users to meet the market needs. The facility design and environmental controls are intended to satisfy the minimum design requirements specified in Section 9.3.4. of Delaware Regulations Governing Solid Waste (DRGSW).

The facility layout is depicted in Attachment III. As shown in Attachment III, all the receiving and processing of recyclable wastes will be conducted inside the building. The building serves as the facility's primary internal storage area. This storage area is used for both recycled products/commodities as well as processed out-throws. The facility's outdoor yard has storage space to accommodate any additional storage needs such as trailer storage limited to wastes to be recycled or empty trailers/shipping containers.

The facility is equipped to accommodate the management of incoming and outgoing shipments at the site. Traffic management at the site is intended to facilitate the efficient movement of recyclable wastes and out-bound commodities at the facility.

3.1.1. Facility Capacity

The facility has the capacity to accept and process up to 4.8 tons per day of recyclable wastes (including source-separated, single-stream recycling wastes). The facility will average approximately 2.5 tons per day during routine operations.

Recyclable wastes are processed directly following receipt at the facility. The facility is designed to store incoming recyclable wastes during normal operating conditions. The facility has the ability to store up to a maximum of 160 tons of incoming waste in the building. Recyclables stored in excess of the building capacity would be stored in trailers/export containers in the adjacent yard to protect them from precipitation.

3.2. Facility Access & Traffic Management

Access and egress to the site will be provided through the main shipping/receiving dock located on Sandy Drive. All vehicles entering and exiting the site are required to check-in at the facility's office.

3.2.1. Operating Hours

The facility may receive recyclable wastes Monday through Friday, 9:00 AM to 5:00 PM; the facility operating hours, and Saturday by appointment only. Although continual operations are not anticipated to be routine, extended hours may be required, as needed, to affect maintenance and repairs at the facility and/or manage periods of peak deliveries.

3.2.2. Site Security

Access to the warehouse receiving/storage facility is either through the front office door (key locked) or through a six-foot (6-ft.) high chain link fence with a single gate which is closed and locked during non-operating hours. The building has cameras to monitor security at the facility. The drop-off area in the parking lot at the front of the building contains bins which are secured with locks. Unsecured items that do not fit in bins or are brought by individuals with physical limitations that prevent access to the bins may be placed in a covered shed monitored with lighting and camera. The shed is emptied daily and items are moved to the warehouse receiving area.

3.2.3. Area Roadway and Truck Routing

Wastes will be delivered to and from the site using Otts Chapel Road and Sandy Drive. These access roadways provide major traffic routes that are designed for heavy vehicle usage and can handle the traffic volume expected to access the facility.

3.2.4. Traffic Volumes and Potential Impacts

Traffic volume is expected to be 5-10 cargo vans per day and 15-20 passenger vehicles containing private individual recyclables. This increase is insignificant and will not adversely affect the present levels of service on these roads.

3.2.5. Internal Traffic Management and Procedures

3.2.5.1. Signs and Directional Routing

After checking in at the office, trucks arriving at the site for shipments will use the shipping/receiving dock at the site.

3.3. Nuisance Dust, Odors, and Vector Management

3.3.1. Dust Management

Due to the nature of the wastes to be accepted at the recycling center,

dusts are not expected to be generated in any significant quantities during storage, handling, or processing. As stated previously, all waste unloading and processing occurs indoors within the existing structure. Outdoor storage will consist of solely containerized (trailer, shipping container) recyclable wastes.

Accordingly, dust from waste handling activities are not expected to create a nuisance. If dust becomes an issue in the future, PUC will take corrective measures to prevent dust from becoming a nuisance.

3.3.2. Odor Control

As with dust, odors are not expected to be an issue due to the types of wastes that will be recycled at the facility. The recyclable wastes accepted by the facility are not expected to contain liquids or putrescible wastes. In addition, many of the recyclable wastes received at the site are processed immediately after receipt. Consequently, there is minimal opportunity at the site for odors to develop. The facility storage and process areas will be inspected once each operating day. During this inspection, if any odors are detected that may cause an off-site nuisance; the odors will be reported to the Facility Manager who will be responsible for prompt mitigation of any odor source(s).

3.3.3. Vector Attraction Reduction

PUC will conduct a site inspection of the facility periodically, not less than once weekly. During that inspection, potential for nuisance organisms will be monitored. Any potential habitat or population of nuisance organisms will be reported to the Facility Manager. The Facility Manager will be responsible for prompt corrective action to eliminate the potential for nuisance vectors.

3.3.4. Litter Control

Good housekeeping practices will be utilized to minimize litter at the facility. Monitoring the facility grounds for litter will be part of the daily facility procedures. If litter is observed during the daily site inspection, litter will immediately be collected and placed in the appropriate container for subsequent disposal at an approved disposal site.

3.4. Process Areas and Controls

The facility provides approximately 3,000 square feet of covered indoor area to receive, process, package, and store incoming recyclable wastes and out-bound commodities. The building has a fully intact metal roof and side walls that surround the unit. There are overhead metal doors that provide access to the designated receiving areas in the building and access to the commodity storage

area for shipping the recycled products and out-throws off-site. The interior of the building has a concrete floor to provide full containment for wastes managed on the floor. There are no drains or sumps within the building.

The main receiving area is located on the northeast corner of the building as shown on the Facility Layout (Attachment III), where incoming recyclable wastes are initially deposited. This receiving area will be utilized to manage incoming single-stream recyclable wastes and to store processed out-throws.

The processing of single-stream recyclable wastes begins at the receiving area located in the northeast corner of the building. Fully separated wastes are deposited in the receiving area. PUC employs hand sorting measures during waste processing.

PUC utilizes the interior south side of the building to store the individual recycled products after processing. This storage area is within close proximity of the shipping area to facilitate loading of trucks.

The combined storage capacity at the facility, including unprocessed, partially processed, and processed wastes will be limited to 160 tons. Bulk product storage includes skids of cased wastes or loose wastes (small household items, hard toys, and shoes) in Gaylord boxes. These bulk wastes will be segregated from other recyclable wastes and stored separately within the processing building.

Gaylord boxes that are ready to be shipped to market will be loaded via forklift.

4.0 Waste Management and Processing Procedures

4.1. Statement of Impacts to Human Health and the Environment

PUC does not handle or process materials in such a way as to introduce new environmental concerns. Nothing received at the facility is laundered, cleaned, chemically treated, burned, or combined with other products to produce a chemical or combustible reaction, etc.

4.1.1. Acceptance and processing of waste

PUC relies on community collections for its incoming recyclables. It has little control over the content and quality of items placed into clothing bins. Occasionally, non-acceptable items are received. When received at the facility, they are treated as out-throws.

4.1.2. Handling of out-throws

Nothing identified as waste is reintroduced into the environment. It is disposed of through established compliant waste management containers.

4.1.3. Product

Acceptable items received are processed “as is”, sorted and placed into the appropriate gaylord container for distribution/shipment.

4.2. Waste Acceptance Procedures

4.2.1. Acceptable Recyclable Wastes

The proposed facility will accept single-stream recyclable wastes and source-separated recycled wastes from various generators as outlined in Section 1.3, above. The recyclable wastes that are considered acceptable specifically include textiles, small household items (e.g. utensils, pots & pans), hard toys, and shoes that are clean, dry and have no odor. For a more comprehensive list of acceptable textiles, see Attachment IV. Any non-recyclable wastes or out-throws received with incoming wastes will be segregated and managed as described in Section 4.2.3, below. PUC will not accept the following wastes at the recycling center:

- Liquid wastes;
- Infectious wastes (as defined in Section 3.0 of DRGSW); and/or
- Hazardous waste [as defined in Delaware's Regulations Governing Hazardous Waste (DRGHW)].

Any unacceptable wastes that are discovered after arrival at the facility will be rejected as described in Section 4.1.4, below.

4.2.2. Receipt/Log-In

Wastes will be delivered to the site in cargo vans at various times during established working hours/days.

4.2.3. Vehicle Unloading and Inspection Procedure

4.2.3.1. Bulk Intake (Larger contributions/shipments)

All vehicles driven by PUC employees and contracted freight carriers will unload at the designated dock. The dock is covered to ensure that all wastes delivered to the site are unloaded in the covered area.

4.2.3.2. Private contributions

Private vehicle contributors are directed to place items in the bins and/or shed in the front parking lot drop-off center. PUC employees remove wastes placed in the drop-off center periodically (at least daily from the shed) and take them to the receiving area within the facility.

4.2.3.3. Inspection Procedure

All incoming wastes will be visually inspected for any unacceptable wastes by facility operators when the vehicle is unloaded onto the receiving area floor. If any unacceptable waste is identified during the inspection, facility personnel will follow the rejection procedures outlined

in Section 4.1.4, below.

4.2.4. Rejection of Unacceptable Wastes

If any unacceptable (non-hazardous) wastes are delivered to the facility, PUC will photo-document the incident and contact the bin-servicing company to describe the reason for the rejection. The bin-servicing company will be responsible for retrieving the rejected waste or will be charged accordingly for proper disposal.

In the event that hazardous waste is discovered, PUC will immediately contact the Compliance & Permitting Section (CAPS) of the Department. The waste will be containerized and segregated from the recyclable wastes at the site, as soon as is practicable.

Hazardous waste will be removed within 72 hours, unless otherwise authorized by the Department. All removal and disposal shall comply with all applicable sections of DRGHW. A copy of the hazardous waste manifest used to represent the shipment off-site shall be submitted to the Department and a copy shall be maintained by PUC on-site for three (3) years and made available for DNREC review upon request.

4.3. Processing

The processing area is located within the facility. The wastes will be offloaded from the dock, placed in Gaylord boxes, and transported into the processing area. Boxes will be manually sorted and packed in Gaylords into categories, separating textiles, hard toys, shoes, and small household items.

4.3.1. Processing Equipment

The facility operates processing equipment, as required, to meet the demands of the individual end markets and to produce consumable commodities from the wastes received. The types of equipment used include, but are not limited to:

- Pallet jack
- Electric forklift

4.3.2. Segregation of Out-Throws/Unprocessable Wastes/Incidental Wastes/Residues

As indicated above, the goal of the facility is to continuously improve the quality of the wastes to be sold to end markets as well as to reduce land disposal of recyclable wastes. As a result, unmarketable wastes, known as out-throws, are generated during processing that must be segregated from

the marketable recyclables and managed separately. Out-throws will be generated throughout the sorting process as the recycled products being produced are refined.

4.3.2.1. Storage of Out-Throws

Out-throws will be stored in a container in the yard pending removal by a contracted garbage disposal company (Waste Masters).

4.3.2.2. Disposition and/or Recovery

PUC will extend every effort to ensure that wastes that may be suitably reclaimed are directed to appropriate facilities for further processing; however, volume is expected to be low; thus, as stated in 4.2.2.1 above, out-throws will generally be removed by a contracted garbage disposal company (Waste Masters).

4.4. Recyclable Product Management

4.4.1. Product Storage Area

The facility has ample storage space to stockpile the various recycled products and commodities produced. The building can store up to 160 tons of these commodity wastes to support plant operation. Wastes ready for shipment off-site will be segregated by waste type. Wastes will be stored in segregated Gaylord boxes.

4.4.2. Storage and Inventory Control

4.4.2.1. Storage Duration

Pursuant to Section 9.4.2.2.4. of DRGSW, non-putrescible recyclable wastes may be stored for up to 30 days, unless otherwise authorized by the Department. PUC requests that this period be extended for the storage for its final processed commodity to allow the facility up to three (3) months to move these wastes off-site. This request is based on PUC's demonstrated need for this additional time, consistent with Section 9.4.2.2.4.1. of DRGSW, due to the dynamics of the end reuse or recycle markets and unpredictable accumulation rates. For example, in certain instances, separated wastes may not accumulate quickly enough to generate a truckload of waste in 30 days. Consequently, additional time is required to accumulate sufficient quantities to allow the facility the opportunity to utilize efficiencies in bulk transportation rates.

Additionally, the recycled products/commodities produced by PUC are subject to market demand that may fluctuate with end market reuse facilities. The fluctuation may change based on seasonal conditions, economic factors (e.g., fuel costs, etc.), or other changes in market needs. The extended storage time allows PUC to postpone deliveries of certain commodities to optimize waste movement and appropriately respond to fluctuations in market demands.

PUC's designated storage areas give the facility the ability to store up to 160 tons of processed commodities. PUC anticipates that while select recycled commodities may require extended storage times, the majority of the product inventory will be turned over more frequently. Consequently, PUC believes that, consistent with Section 9.4.2.2.4.2. of DRGSW, there is sufficient storage space at the facility to accommodate the approved extended storage times.

In accordance with Section 9.4.2.2.4.4. of DRGSW, PUC has implemented an inventory methodology that will be utilized to ensure recyclables do not remain on-site for more than three (3) months. The inventory methodology at the site is a rotational method where the first wastes in are the first wastes shipped out. This is further described in Section 4.3.2.2, below.

4.4.2.2. Inventory Control

PUC will use Excel spreadsheets to monitor and determine waste inventory by type, quantity, and date processed. The weight of filled individual Gaylord boxes will be recorded along with the date it was weighed and waste type (clothing, shoes, toys, household items). Processed wastes are managed on a first-in/first-out principle to ensure that inventory turnover does not exceed the storage limits specified in Section 4.3.2.1, above. PUC will maintain both a physical and electronic record of the facility's inventory on-site as provided in Section 8.0, below.

4.4.3. Alternative Storage of Processed Wastes

Items will be stockpiled in storage areas based on end market demands. The facility's outdoor yard has storage space to accommodate any additional storage needs such as trailer storage limited to wastes to be recycled. These items include, but are not limited to, skids of textiles, small household items (e.g. utensils, pots & pans), hard toys, and shoes, Gaylord boxes.

4.4.4. Out-Throws/Unprocessable Wastes/Incidental Wastes/Residues Alternative Storage

As described in Section 4.2.2.1, above, out-throws will be stored in a container in the yard pending removal by a contracted garbage disposal company (Waste Masters). Pursuant to Section 9.4.2.8.1. of DRGSW, processed out-throw residuals may only be stored on-site for up to three (3) days, without prior Department approval. PUC requests permission to store out-throws on-site in a designated Waste Masters container outside the building up for to 30 days prior to shipment off-site for disposal provided the volume of out-throws at the facility never exceeds the capacity of the Waste Masters container. The accumulation rate of out-throws will vary, and the additional time will permit the facility to ensure that the appropriate quantities are accumulated prior to removal by the contracted garbage disposal company.

4.4.5. Shipping

Commodities will be shipped from our PUC facility. Customers will provide the transportation. This could include enclosed trailers, box vans, overseas shipping containers. The method of shipment will be adjusted based on the demands of the end market users and transportation efficiencies.

4.5. Additional Management Conditions/Procedures

Section 7.0, below, discusses the site Contingency and Emergency Response Plan to address responses and methods to prevent facility-wide emergencies. However, in the unlikely event of a catastrophic situation that causes an unanticipated facility outage, PUC will extend every effort to minimize the downtime. If the plant is out of service and unable to process recyclable wastes for an extended period, PUC intends to continue to accept single-stream, and/or source-separated recyclable wastes and direct ship them to other regional recycling facilities. This measure will enable PUC to establish itself as a highly reliable market for single-stream and source-separated recyclable wastes.

PUC will implement a quality control and preventative maintenance program which will include inspections and routine maintenance as outlined in Section 5.0, below. The preventative maintenance program will include regular service and pre-scheduled equipment maintenance in accordance with the manufacturer's guidelines. These measures will be undertaken by site personnel to avoid unscheduled equipment downtime. However, not all equipment breakdowns can be avoided. In the event of equipment failure, the facility maintenance team will complete repairs as quickly as possible. When conditions merit, outside vendors will be utilized to make prompt repairs and minimize downtime.

5.0 Facility Inspection and Maintenance Procedures

5.1. Routine Inspections of Storage and Process Areas

5.1.1. Facility Inspections

PUC's Facility Manager, or a designee, will conduct a visual check of all related vehicles, equipment, site operations, as well as an evaluation of site conditions outlined in Section 3.3, above. The inspections will be documented, along with corrective actions, in the event something of concern is discovered. It is also the responsibility of the Facility Manager to evaluate each situation as it arises during the operation of the recycling center. Accordingly, at the Facility Manager's discretion, he/she may determine that a situation is serious and requires the immediate shutdown of these operations.

On a daily basis, the PUC's Facility Manager will also conduct a visual inspection of the facility grounds, receiving, processing, and storage areas of the facility as well as the perimeter of the property for any evidence of unintentional releases, and will document in the event something of concern is discovered.

5.1.2. Unsatisfactory Conditions

Any unsatisfactory conditions found during inspections such as odors, dust, or litter will be immediately reported to the appropriate member of the facility's management team. Management will address such concerns at the earliest opportunity. If conditions pose an immediate threat to human health or the environment or could result in significant damage to the facility or operating equipment, the Facility Manager will stop operations and take immediate corrective actions to address the condition(s).

5.2. Routine Maintenance of Processing Equipment

PUC currently utilizes a preventative maintenance program that calls for review and service of machinery/equipment per manufacturer's recommended guidelines. PUC currently employs limited machinery/equipment (i.e. forklift) and conducts routine inspections of that equipment. The inspections will follow manufacturer's recommended guidelines and will be performed by a qualified technician for the purpose of minimizing unexpected down time.

6.0 Training

PUC will provide its employees with the training necessary to safely and competently complete their assigned tasks and duties. With 90 days of hire, the facility manager, or his designee, will provide PUC employees with health and safety, operations, and administrative training necessary to be successful. The training will begin with a plant

tour of process operations, followed by a hands-on training period in the area where the employee will work.

PUC will maintain documentation of any required training provided at the facility. Training will include, at a minimum, the following documentation of employee information:

- The name of the employee receiving training;
- The name of the trainer;
- A brief description of training provided;
- The date the training was completed; and,
- A signature of the employee documenting attendance.

6.1. Health & Safety

All facility employees will work under appropriate health and safety guidelines established by the Occupational Safety and Health Administration (OSHA). First aid equipment will be maintained and available in the facility office. Emergency telephone numbers of nearby ambulance, hospital, police, and fire services will be prominently displayed at appropriate areas on-site.

The training program will also ensure certain facility personnel are properly trained with the knowledge to effectively respond to emergency situations. These employees are shown the location of emergency equipment, such as fire extinguishers, absorbent materials, and first aid supplies, and are given appropriate instruction on the equipment use. Employees are also informed of the recognition of and proper handling procedures for wastes that may have potentially harmful effects.

6.2. Operational

All employees who are required to utilize equipment for the proper operation of the facility will be appropriately trained in the operation and maintenance of the equipment prior to use. Employees will also receive training on workflow, process documentation procedures, facility inspection procedures, etc. Refresher training will be provided to employees annually, or as otherwise recommended by the equipment manufacturer.

6.3. Administrative

All employees will be provided training on administrative topics such as timekeeping, accrual and utilization of paid time off, personnel records access, accessing training opportunities, etc. Such training will be offered to employees as policies and procedures change or when an employee's supervisor determines improved competency in relevant topics is warranted.

7.0 Contingency and Emergency Response Plan Procedures

PUC's contingency and emergency response plan, as outlined below, covers these topics:

- Building unavailability
- Temporary loss of personnel
- Loss of market

Building unavailable

- 1) In the event that the building is unavailable due only to a local impact (i.e. not a disaster affecting the surrounding geographic supplier demographic/market) transport wastes immediately offsite to another recycling partner.
- 2) If necessary, prior to transport to offsite partner, temporary containers can be housed in the facility yard, given that it is not impacted by the emergency event.
- 3) In the event of natural disaster, expectation would be that inflow of wastes (i.e. volume of wastes being placed in bins) would likewise be impacted, so the need to process and transport would be reduced for the duration of the outage.

Unable to get to building (loss of personnel)

- 1) Collection and transport to the facility: If service contractor collecting from bins is unavailable, contingency is
 - a) (short term outage) that facility manager or designee will collect wastes from bins on a risk-based approach (i.e. collect from locations known to fill up more rapidly than others) and
 - b) (long term outage) Outsource to more than one service provider, thus ensuring capacity to collect additional waste as needed.
- 2) In the event that facility personnel are not available to receive and process incoming waste due only to a local impact (i.e. sickness or other personal issues preventing them coming to work) transport immediately to offsite recycling partner.
- 3) In the event that neither the collection servicer/transport nor the facility staff is available, given the small size of the operation, the facility manager or designee will be responsible for collecting waste from the bins on the risk-based approach described above, and/or supervise removal of collection bins from locations to stop the inflow of waste.

Temporary loss of market

It is important to maintain a minimum level of activity to ensure expected operational levels. This is achieved through relationships with multiple recycling partners, both regionally and globally-placed, to ensure that some level of activity is maintained in the event a specific region (due to economic factors) or global partner (due to changes in leadership or regulation) is impacted, resulting in temporary loss of market. In the event of complete (long term) loss of market, bins will be removed from collection locations, halting the intake of wastes. Existing processed waste awaiting removal from the facility will be directed to alternative recycling partners.

8.0 Recordkeeping

8.1.Operating Records

For each incoming vehicle that arrives at the facility, the following information will be collected and recorded:

- Weight of the waste received;
- Name and address of transporters;
- Type of recyclable waste delivered.

Records for rejected loads, including the reason for rejection, will be maintained.

Records of shipments of commodities to markets will be recorded and maintained electronically and can be provided as requested. The records will include:

- Weight of waste shipped;
- Type of waste; and,
- Name and address of the customer.

The facility will maintain, and make available, all records outlined in this Plan of Operation for DNREC's review upon request, and as addressed in Section 9.4.3. of DRGSW.

These will include:

- Records documenting the information on in-bound and out-bound shipments as defined in Section 8.1, above;
- Inventory Records
- Records of injuries or incidents where the Contingency and Emergency Response Plan was implemented;
- Training records;
- Records of any fire or safety inspections.

8.2.Incident Reports

Reports of any significant operating issues or emergencies will be maintained onsite. This includes injuries, vehicular accidents, fires, spills, and releases that occur at the facility or any loads received at the facility.

8.3.Periodic Reports

8.3.1. Quarterly Facility Report

PUC will submit to the Department a quarterly report summarizing facility operations for the preceding calendar quarter in accordance with Section 9.4.4 of DRGSW. The report will summarize all processing and

monitoring activities conducted in the previous calendar quarter. The quarterly report will include all bullet points below:

- Quantity of each type of recyclable waste accepted at the facility.
- Quantities of any prohibited wastes delivered (or attempted to be delivered) to the facility, to include the type of prohibited waste, delivery date or attempted delivery date, generator name and address, disposition of prohibited waste, and date of disposition.
- Total quantity of stored processed wastes as of quarter-end.
- Summary of the percentage of out-throws generated each month.
- Summary of all non-routine incidents whether notification was made as required or not.
- A detailed description of any deviations, whether intentional or accidental, from the approved Plan of Operation.
- Summary of all instances of non-compliance with the permit.

Reports will be submitted by the 15th of the month after the quarter end.

8.3.2. Annual Facility Report

PUC will submit to the Department an annual report summarizing facility operations for the preceding calendar year in accordance with Section 9.4.4 of DRGSW. The report will summarize all processing and monitoring activities conducted in the previous calendar year. The report will include the following information:

- Quantity of each type of recyclable waste accepted at the facility.
- Quantities of any prohibited wastes delivered (or attempted to be delivered) to the facility, to include the type of prohibited waste, delivery date or attempted delivery date, generator name and address, disposition of prohibited waste, and date of disposition.
- Total quantity of stored processed wastes as of year-end.
- Summary of the percentage of out-throws generated each month.
- A summary of all shutdowns, fires, explosions, spills, non-permitted or uncontrolled releases, or other emergencies that occurred at the facility.
- A discussion of the feasibility of recycling wastes that are currently being received by the facility but are not being recycled;
- A detailed description of all construction or corrective work conducted at the site
- A detailed description of any deviations, whether intentional or accidental, from the approved Plan of Operation.
- Summary of all instances of non-compliance with the permit.

Annual report is due by February 15th of each year after the calendar year being reported.

8.3.3. Annual Financial Assurance Review

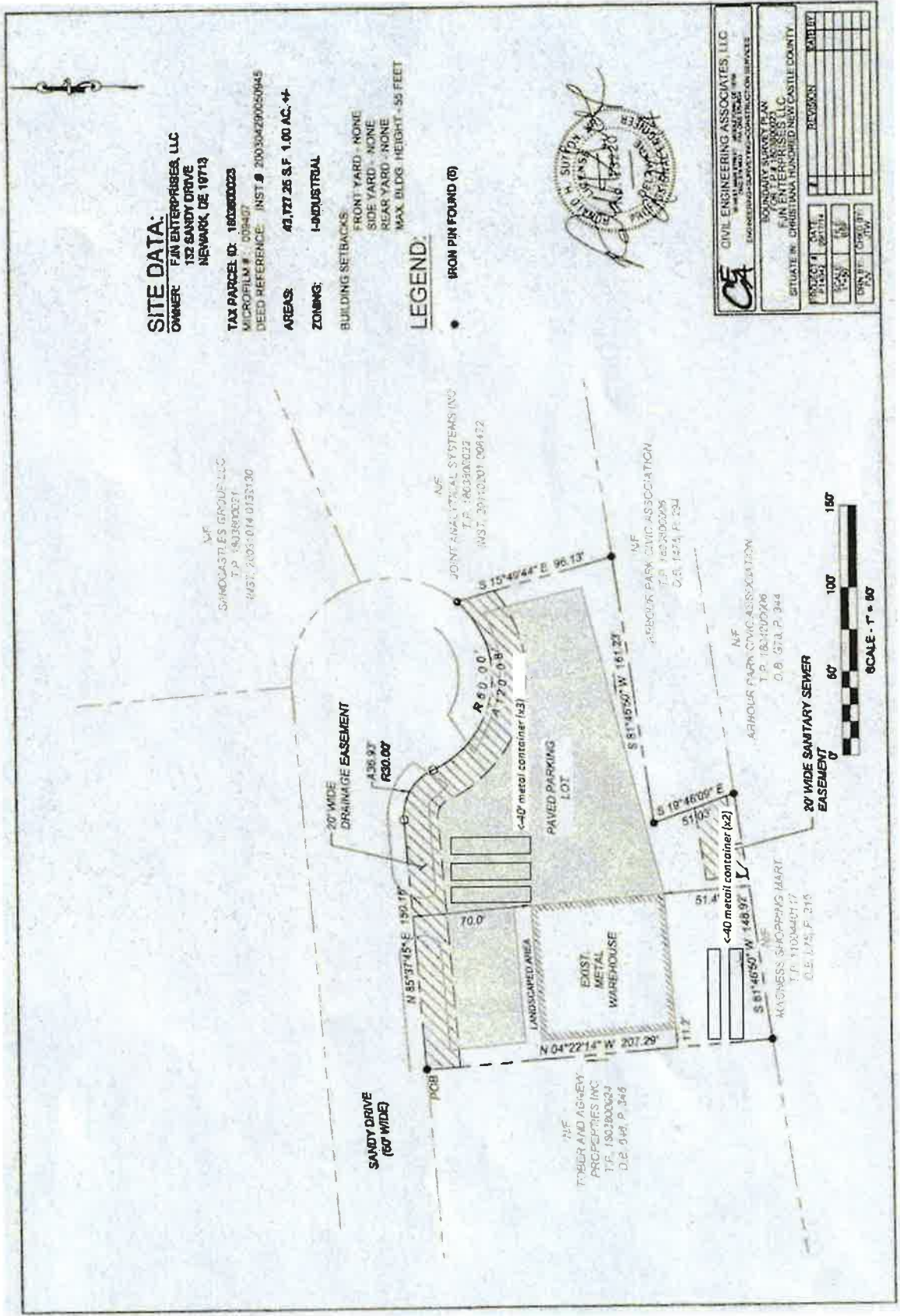
Annually, PUC will submit to the Department a review of its conceptual closure plan for the facility. In the event that the annual review indicates that the conceptual closure plan is not consistent with current facility operations, PUC will submit an updated conceptual closure plan. In addition, PUC will annually recalculate estimated closure costs to compensate for modifications to the conceptual closure plan and/or to adjust for common economic variables. The update will include adjustments for inflation, facility expansion, wage rates, equipment rental rates, and any other applicable requirements which impact the cost of closure. DRGSW provides multiple mechanisms to furnish Financial Assurance to the State. Concurrent with the annual review of its conceptual closure plan and estimate closure costs, PUC will review and consider its selected financial assurance mechanism with regard to the variety of financial assurance options available.

8.3.4. Annual Recycling Report

In accordance with the Universal Recycling Law, the facility will submit an annual report to the Department no later than February 15th of each year. The report will include all recycling activities pursuant to the reporting guidelines established by the Department and the Recycling Public Advisory Council.

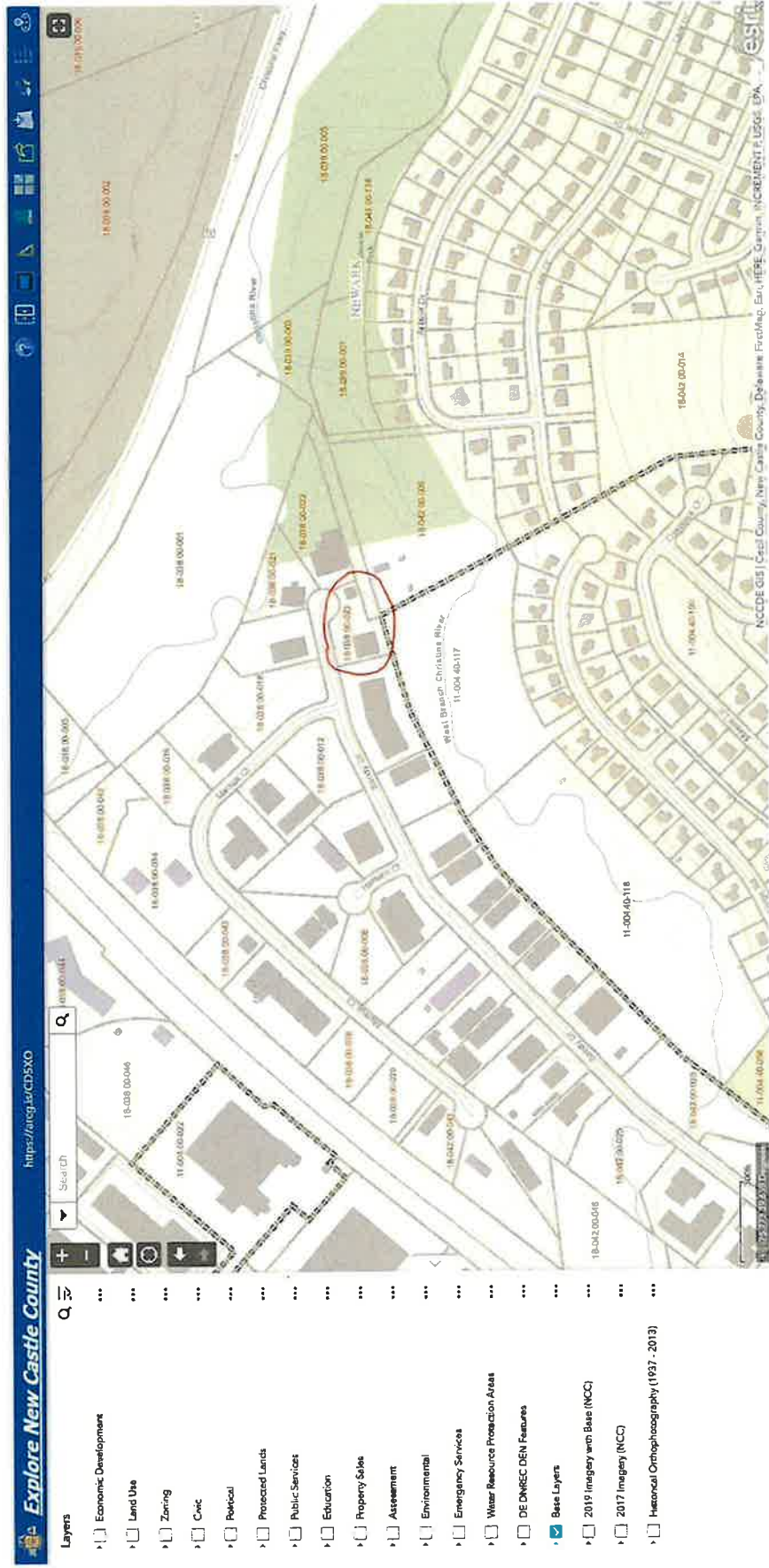
9.0 Attachment - I

9.1. Site Plan



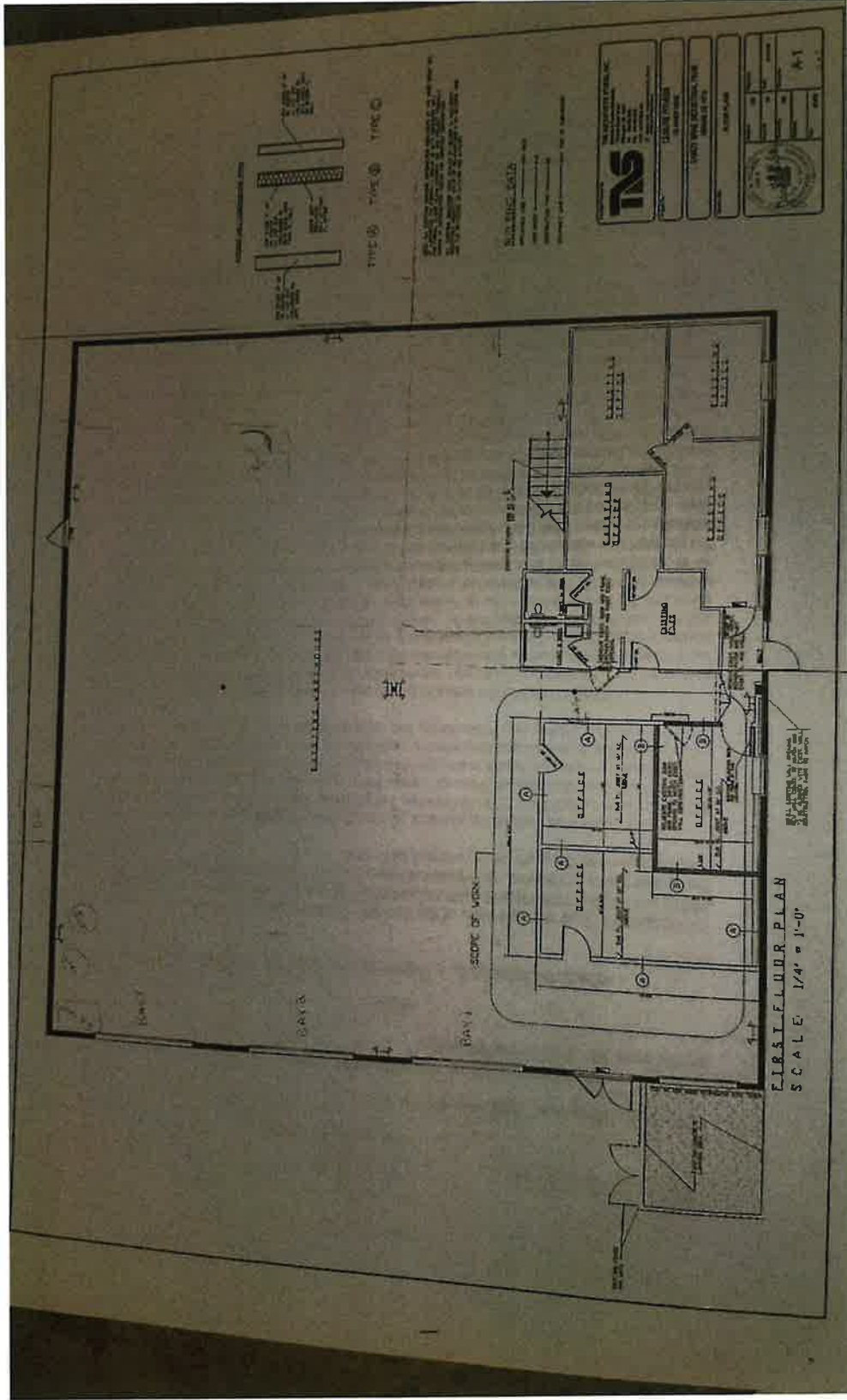
10.0 Attachment -II

10.1. Topographic Site Map



11.0 Attachment - III

11.1. Facility Layout



12.0 Attachment - IV

12.1. Acceptable Items to Recycle/Reuse

Acceptable Items to Reuse/Recycle Include:

Bedding:
(sheets, pillowcases,
blankets)
Belts
Boots
Bras
Coats
Costumes
Curtains/Draperies
Dresses
Flip flops
Hats
Jackets
Jeans

Jerseys
Napkins
Pajamas
Pants
Purses
Scarves
Shirts
Shoes
Shorts
Skirts
Slippers
Socks

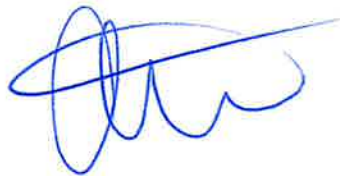
Stuffed animals
Suits
Sweaters
Sweatpants
Sweatshirts
Table linens
Ties
Towels
T-shirts
Undergarments



Checklist Item

#5

Waived by the
Department.



Adam Selbatter

Checklist Item

#6

Commodities *plus, inc*



Used Clothing Broker / Textile Recycling Consultant

P.O. Box 517

Middletown, DE 19709 U.S.A

Web site: www.buyandsellrags.com

Telephone #: 1-302-376-5219

Fax #: 1-302-376-5230

E-mail: commoditiesplus@verizon.net

November 8, 2022

To Whom It May Concern:

As the President and Owner of Commodities Plus, Inc, a minority and woman owned and operated company, I am writing this letter in support for Babita Jagnanan, Phoenix Used Clothing.

We are a used clothing and secondary materials broker and have been in business since 2001.

We are able to purchase all of the materials collected by Babita Jagnanan, Phoenix Used Clothing.

Should something happen to Babita Jagnanan or Phoenix Used Clothing, we would be able to buy all of the materials from you. We will provide our own logistics.

If you have any question (s) or need additional information, kindly contact me via email or on my direct line 1-302-545-4087.

Sincerely,

Shanta Lallind, Owner & President

THE SOLUTION TO YOUR USED CLOTHING NEEDS!



Whitehouse & Schapiro, LLC
Generations Dedicated to Recycling

**7200 STANDARD DRIVE
HANOVER, MD 21076**

**Office: 410-356-8003
Toll Free: 800-586-5616
Fax: 410-356-9003**

11/17/2022

To Whom It May Concern:

As the President of Whitehouse and Schapiro, LLC, my family's company, I am writing a letter in support for Ms. Babita Jagnanan.

We are a used clothing and secondary materials distributor, collector, and exporter, and have been in this business since the early 1900's. Our former President, William Schapiro, in addition to being a former President of our industry's trade association, Secondary Materials and Recycled Textiles Association (SMART), served on the United States Government's Industry Trade Advisory Committee on Textiles and Clothing. I currently serve on the Board of Directors for SMART.

We are excited to work with Ms. Babita Jagnanan and her company, Phoenix Used Clothing. We would like to buy credentials from her. We pledge to back her, and should something happen to her company, we would be able to buy the credentials directly from you and provide our own logistical services.

We trust Ms. Babita Jagnanan is an honorable, trustworthy and productive businesswoman.

If you have any questions, please feel free to contact me at the below phone number any time.

Sincerely,

**Brian S. London
President
Whitehouse and Schapiro, LLC
DIRECT: 443-380-2738
www.webuyrags.com**

www.webuyrags.com

Checklist Item

#7

Phoenix Used Clothing Conceptual Closure Plan

August 4, 2022

Contents

Background 3

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Background

Babita Jagnanan has worked in the textiles industry for the past eighteen years with graders closing and relocating plants in the US and Canada; thus, Phoenix Used Clothing has experience in large plant closures.

The closure of Phoenix Used Clothing would have similar requirements, but on a much smaller scale. In addition to any processed goods (bales and Gaylords), which can be sold "as-is", we would have to dispose of any waste, which could include textiles, hard toys, shoes, and small household items. Since the waste is immediately stored in Gaylord boxes upon arrival at the facility, it could be sold as "credential" or "as-is" clothing (no repackaging or resorting necessary). There is a ready market for both the processed and unprocessed waste, so dumping should be unnecessary.

We do not plan on keeping a large inventory of processed wastes. Most items are packed for order.

We estimate the cost for closing to be approximately \$21,865.90. This would consist of:

- Disposal of all inventory
- Equipment Removal
- Cleaning the facility

Once closed, the building would revert to its owners.

Removal of In-process Inventory

Inventory of recycled material would consist of textiles in plastic bags, toys, Gaylord boxes & small household items. Receipt of new wastes at the warehouse can be halted simply by stopping collections. We have estimated the maximum amount of this material to be about 12.5 tons. We also keep about 100 Gaylord boxes.

Our policy is to sort/ pack waste on a daily basis into required categories during normal working hours. We do not anticipate having a lot of unprocessed wastes due to the size of our operation and available market.

Worst Case Scenario

The worst-case scenario for closure would be to have 160 tons of waste on-site at the recycling facility. The waste would be packed in Gaylord boxes, because all incoming waste is loaded into Gaylord boxes upon receipt at the dock.

Receipt of any new material would be stopped immediately by removing the collection boxes. Thus, the disposal problem would be limited to on-site inventory, which will not exceed 160 tons.

Disposal of this quantity of material would require:

- 11 – 30yd. roll offs (14 – 15 tons capacity each) if the waste is to be dumped

None of the materials are hazardous.

Actual disposal would straightforward. Gaylord boxes would be carried on a forklift (available in the building) to the roll offs and dumped.

Note: Gaylords containing wastes are heavy (600 lbs.) and would require the use of a pallet jack or forklift to move them. The simplest approach would be to use a forklift to move the Gaylords next to the roll-offs and off load the bags by hand.

Two people would be required to do this work.

Total Costs of this worst-case scenario would be as follows:

A roll-off holds approximately 15 tons of material, so 11 roll-off containers needed to service 160 tons of disposal*:

11 containers @ \$100.00/container delivery charge: \$1,100.00
11 hauls @ \$200/haul: \$2,200.00
\$99/ton for disposal @ 160 tons: \$15,840.00
2 people @ 3 hrs/cont to load; 66 hours @ \$26.15/hour: \$1,725.90

Total: \$21,865.90

*See Attachment 1 for quote from Waste Masters

Most Likely Scenario

The most likely scenario is that our inventory will consist of a combination of textiles & toys packed in plastic bags. At any given time, we could have approximately 40 Gaylords of packaged goods to ship. Plastic bags are sorted and packed into Gaylord boxes soon after arrival at the facility. Whenever a Gaylord of separated bags accumulates, it is processed, so there should never be more that 20 Gaylords of unprocessed materials in the inventory at any given time.

Processing of a Gaylord of bags takes approximately 20 minutes.

In a most likely scenario, these wastes could be sold to Mid-West Textile Co. provided that an arrangement is made ahead of time. Mid-West would be responsible for transportation from the Phoenix Used Clothing facility. See letter from Mid-West Textile Co. in Attachment I.

The most effective way to load the processed and unprocessed wastes would be by forklift into the truck provided.

Total cost for most likely scenario would be as follows:

40,000 lbs. sold at market value of \$.20 per lbs. (sold to Mid-West)	\$4,000.00
2 people for 6 hrs. each @\$26.15/hour.	\$313.80
Total	\$3,686.20 profit

Costs for Equipment Removal and Clean-up

The large equipment consists of a forklift, pallet jack, scale, and baler. The equipment belongs to the landlord and will remain in the building.

Clean up of the building would require approximately 2 hours – warehouse to be swept.

2 people x 2 hours/day X \$26.15/hour	\$104.60
Total	\$104.60

Attachments

Attachment 1

Quote for roll offs from Waste Masters



Waste Masters
Solutions Rates-July

Attachment 2

Letter from Mid-West Textile Co.



Letter from Mid-West.pdf

Checklist Item

#8



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

COMPLIANCE & PERMITTING

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

1/18/2023

NOTE: Bank account information and check number were redacted for privacy.

CASH ONLY IF ALL CheckLock™ SECURITY FEATURES LISTED ON BACK INDICATE NO TAMPERING OR COPYING

Phoenix Used Clothing Corp.
 132 Sandy Dr.
 Newark, DE 19713
 302-593-9470
 #keepingtextilesoutoflandfill

WELLS FARGO BANK, NA
 310 DOVE RUN CENTER BLVD
 MIDDLETOWN, DE 19709
 62-86/311

1/18/2023

PAY TO THE ORDER OF State of Delaware

\$ **21,865.90

Twenty-One Thousand Eight Hundred Sixty-Five and 90/100 ***** DOLLARS

State of Delaware
 89 Kings Highway SW
 Dover DE 19901

Bhavin Jain

MEMO



Details on Back



Includes CheckLock™ Secure Check

Check 0683 received from Phoenix Used Clothing to be deposited in State Act 40ZEG for Financial Assurance.

Signed *[Signature]*

Adam Schlaefer
 Program Manager II
 Waste Management &
 Collection Branch

[Signature]

Babita Jagannan
 Owner/operator
 Phoenix Used Clothing Corp.

Checklist Item

#9

**State of Delaware
Office of Supplier Diversity**

Division of Small Business

820 North French Street, 10th Floor
Wilmington, DE 19801

Telephone: 302-577-8477

Email: OSD@delaware.gov

Phoenix Used Clothing

8 Tamar Court
Bear, DE 19701

OSD Certification Number: DE20053532

OSD Certification(s)

MBE, WBE

Shavonne H. White

Shavonne H. White

Director, Office of Supplier Diversity

OSD Certification Date: 05/12/2020

OSD Expiration Date: 05/11/2023



STATE OF DELAWARE
DEPARTMENT OF NATURAL RESOURCES AND
ENVIRONMENTAL CONTROL

DIVISION OF WATER
RICHARDSON & ROBBINS BUILDING
89 KINGS HIGHWAY
DOVER, DELAWARE 19901

PHONE
(302) 739-9945

Resource Protection Section
Environmental Compliance Branch

November 4, 2022

Ms. Babita Jagnanan
Phoenix Used Clothing
132 Sandy Dr.
Newark, DE 19713

Dear Ms. Jagnanan:

Thank you for your inquiry into our Industrial Stormwater General Permit Program. After reviewing your NAICS/SIC code, we have determined that your facility does not require coverage under the General Permit Program. No further action is needed at this time.

If you have any further questions, you can reach me at Nicole.Smith@delaware.gov or at 302-739-9945.

Sincerely,

A handwritten signature in blue ink that reads "Nicole L. Smith".

Nicole L. Smith
Environmental Program Manager I

Ecopy: Zachary Taylor - Zachary.Taylor@delaware.gov

Linda McDonald
Waste Masters Solutions
19 Davidson Lane
New Castle De 19720

September 12 2022

Babita Jagnanan
132 Sandy Drive
Newark DE 19701

Dear Facility Owner,

Waster Masters Solutions agrees to manage all wastes, up to

160 tons of processed and un-processed material, at Phoenix Used Clothing Corp Service's facility located at 132 Sandy Drive Newark, DE in the event the facility closes, and wastes remain on-site.

Management of these wastes includes providing equipment and operators to perform waste loading, providing drivers and trucks to transport the waste to our facility located at 19 Davidson Lane New Castle De,

DE, and processing of all wastes into a marketable product at our site. Our facility is fully permitted and authorized to accept this type of waste and has the capacity to do so.

Delaware Solid Waste Transporter Permit: DE-SW-000

Recycling Facility Permit:

This agreement is extended to the State of Delaware in the event the State is responsible for cleaning up Phoenix Used Clothing Corp Service's site in Newark, DE.

This agreement is valid through September 30, 2023.

Sincerely,

Linda McDonald

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-----Original Message-----

From: Mann, Amy (DNREC) <Amy.Mann@delaware.gov>

To: Babita Jagnanan <babitaj@verizon.net>

Sent: Thu, Aug 11, 2022 7:12 am

Subject: RE: no impact from facility operations

Dear Babita,

Based upon the information you have shared I do not believe there are any air permitting requirements for your facility.

Thanks,
Amy



Amy S. Mann, P.E.

Administrator, Engineering & Compliance

📞 302-323-4542 📠

📧 Amy.Mann@delaware.gov

📍 715 Grantham Lane, New Castle, DE 19720

🌐 dnrec.delaware.gov



From: Babita Jagnanan <babitaj@verizon.net>

Sent: Wednesday, August 10, 2022 3:21 PM

To: Mann, Amy (DNREC) <Amy.Mann@delaware.gov>

Subject: Re: no impact from facility operations

Hello,

1. No, dry clean or launder the items?
2. No, boilers or other fuel burning equipment in your facility

Thanks for working with me to resolve this.

Sincerely,

Babita Jagnanan

Phoenix Used Clothing

302-593-9470

www.facebook.com/Phoenixusedclothing

www.instagram.com/phoenixused.clothing

www.phoenixusedclothing.online

Keeping textiles out of landfill is a priority

“There is no such thing as ‘away’. When we throw anything away it must go somewhere.”

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-----Original Message-----

From: Mann, Amy (DNREC) <Amy.Mann@delaware.gov>
To: Babita Jagnanan <babitaj@verizon.net>
Sent: Wed, Aug 10, 2022 1:23 pm
Subject: RE: no impact from facility operations

Hi Babita,

Thank you so much for reaching out. I have a few additional questions:

1. Do you dry clean or launder the items?
2. Do you have boilers or other fuel burning equipment in your facility?

Thanks,
Amy



Amy S. Mann, P.E.

Administrator, Engineering & Compliance

📞 302-323-4542
✉️ Amy.Mann@delaware.gov
📍 715 Grantham Lane, New Castle, DE 19720
🌐 dnrec.delaware.gov



From: Babita Jagnanan <babitaj@verizon.net>
Sent: Wednesday, August 10, 2022 10:56 AM
To: Mann, Amy (DNREC) <Amy.Mann@delaware.gov>
Subject: Fwd: no impact from facility operations

Amy,

Phoenix Used Clothing Corp collects reusable clothing and household goods at our facility located at 132 Sandy Drive Newark DE 19713. Items are placed into gaylord boxes and placed into the secondary textile industry. Items are free of contamination. There are no generators/conveyor belts used in the handling of these items.

We are in the process of getting a permit from DNREC and they are requesting :
Division of Air Quality letter stating there is no impact from facility operations.

Please let me know if you have any questions/concerns.

Sincerely,
Babita Jagnanan
Phoenix Used Clothing
302-593-9470

www.facebook.com/Phoenixusedclothing

www.instagram.com/phoenixused.clothing

www.phoenixusedclothing.online

Keeping textiles out of landfill is a priority

“There is no such thing as ‘away’. When we throw anything away it must go somewhere.”

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Delaware

Page 1

The First State

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "PHOENIX USED CLOTHING CORP." IS DULY INCORPORATED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL CORPORATE EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE EIGHTEENTH DAY OF JANUARY, A.D. 2023.

AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL REPORTS HAVE BEEN FILED TO DATE.

AND I DO HEREBY FURTHER CERTIFY THAT THE SAID "PHOENIX USED CLOTHING CORP." WAS INCORPORATED ON THE THIRTY-FIRST DAY OF JANUARY, A.D. 2020.

AND I DO HEREBY FURTHER CERTIFY THAT THE FRANCHISE TAXES HAVE BEEN PAID TO DATE.



7655113 8300

SR# 20230172094

You may verify this certificate online at corp.delaware.gov/authver.shtml

A handwritten signature in black ink, appearing to read "JBULLOCK", is written over a horizontal line. Below the line, the text "Jeffrey W. Bullock, Secretary of State" is printed in a small font.

Authentication: 202518522

Date: 01-18-23

Checklist Item

#10



DELAWARE DEPARTMENT OF NATURAL RESOURCES
AND ENVIRONMENTAL CONTROL ("DNREC")

ENVIRONMENTAL PERMIT APPLICATION
BACKGROUND STATEMENT

Pursuant to 7 Del. C. Chapter 79

FILING STATUS:

This Background Statement is being filed with DNREC because:

- 1. It is an initial application for a new permit (or permits) and the applicant or applicant company has not held a permit issued by DNREC for a period of 5 or more years [See 7 Del. C. § 7902(a) and (b)];
- 2. It is required on an annual basis because the applicant or applicant company has been designated a chronic violator pursuant to 7 Del. C. § 7904 [See 7 Del. C. § 7902(a)(7) and (b)(2)]; or
- 3. It is required on an annual basis as the applicant or applicant company has been found guilty, pled guilty or no contest to any crime involving violation of environmental standards which resulted in serious physical injury or serious harm to the environment as defined in 7 Del. C. § 7902(c) [See 7 Del. C. § 7902(a)(7) and (b)(2)].

APPLICANT OR APPLICANT COMPANY'S NAME OR COMPANY'S NAME FILING STATEMENT	Phoenix used Clothing corp
DATE OF APPLICATION OR DATE OF STATEMENT	1.31.20
PERMIT(S) BEING APPLIED FOR OR STATEMENT FOR FILING STATUSES 2 OR 3	<input checked="" type="checkbox"/> Permit Type(s) Recycling <input type="checkbox"/> Statement for filing Statutes 2 or 3—If filing under these statuses, attach a statement of the date of designation as Chronic Violator or the date of Conviction/Plea.
OTHER DNREC PERMITS HELD	<input checked="" type="checkbox"/> N/A - No other permits held with DNREC <input type="checkbox"/> List of all DNREC permits currently held with dates of issuance and expiration attached.

ENVIRONMENTAL PERMIT APPLICATION BACKGROUND STATEMENT

Please note: Companies filing statements pursuant to Chapter 79 have the right to identify information to be afforded confidential status pursuant to 7 Del. C. § 7903(b) and the requirements set forth in Section 6, "Requests for Confidentiality" of the DNREC *Freedom of Information Act Regulation*.

PROVIDING ALL OF THE INFORMATION REQUESTED IN THIS FORM SATISFIES THE REQUIREMENTS OF 7 DEL. C. CHAPTER 79 ("ENVIRONMENTAL PERMIT APPLICATION BACKGROUND STATEMENT") UNLESS THE DELAWARE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL ("DNREC") OR THE DELAWARE DEPARTMENT OF JUSTICE DETERMINES THAT ADDITIONAL SUBMISSIONS ARE NECESSARY. FAILURE TO PROVIDE THE INFORMATION REQUESTED OR PROVIDING ERRONEOUS INFORMATION IS GROUNDS FOR DENYING OR REVOKING AN ENVIRONMENTAL PERMIT/APPROVAL/LICENSE, AND FOR CIVIL AND/OR CRIMINAL PENALTIES.

A. (Authority - 7 Del. C. § 7902(a)(1&2) & § 7905) Attach a complete list (full names) of all current members of the applicant company's board of directors, all current corporate officers, all persons owning more than 20% of the applicant's stock or other resources, all subsidiary/affiliated companies with type of business performed, street addresses, all parent companies with addresses, all companies with which the applicant's company shares two or more members of the board of directors, and the name(s) of the person(s) serving as the applicant's local chief operating officer(s) with respect to each facility covered by the permit in question or for the statement required for filing Statuses 2 or 3. [Note: For companies that do not have a *facility* located in Delaware, no listing for the local chief operating officer(s) is required].

- Information attached
- Information attached, except for local chief operating officer as there is no facility located in the State of Delaware.

B. (Authority - 7 Del. C. § 7905) Please check one of the following selections below, showing type of ownership for the applicant or applicant/statement company:

- Proprietorship List the state, county, book record and page number where the certificate is found (Attach hereto).
- Partnership List the state, county, book record and page number where the certificate is found (Attach hereto).
- Corporation (LLCs included) List the city, state, date of incorporation, corporation file number, current corporate standing, registered agent, and address of the registered agent (Attach hereto).
- Municipality
- Public Institution/
Government Agency
- Other _____

C. (Authority - 7 Del. C. § 7902(a)(3) & § 7905) Have any of the following been issued to or agreed to by the applicant or applicant/statement company, any employee, person, entity, or subsidiary/affiliated company, specified in response to Item A, for violation of any environmental statute, regulation, permit, license, approval, or order, regardless of the state in which it occurred, during the five years prior to the date of this application/statement

OFFENSE	YES	NO
Notice of Violation(s)		✓
Administrative Order(s)		✓
Administrative Penalty(ies)		✓
Civil Action(s)		✓
Civil Penalty(ies)		✓
Civil and/or Administrative Settlement Agreement(s)		✓
Permit/License/Approval Revocation		✓
Arrest(s)		✓
Conviction(s)		✓
Criminal Penalty(ies)		✓
Criminal Plea Bargain		✓

D. (Authority - 7 Del. C. § 7902(a)(3), (a)(4) & § 7905) If you answered "yes" to any of the actions listed in Item C above for the applicant or applicant company or any other person identified in Item A, attach a description of the incidents or events leading to the issuance of each action, regardless of the state in which it occurred, for the 5 years prior to the date of the statement, and the disposition of each action, what state the action/offense occurred in, and any actions that have been taken to correct the violations that led to such enforcement action.

- N/A
- Information attached

E. (Authority - 7 Del. C. § 7902(a)(5) & § 7905) Attach a description of any felony or other criminal conviction for a crime involving harm to the environment or violation of environmental standards of any person or entity identified in Item A above that resulted in a fine greater than \$1,000 or a sentence longer than 7 days, regardless of whether such fine or sentence was suspended.

- N/A
- Description attached

F. (Authority - 7 Del. C. § 7902(a)(6) & § 7905) Attach copies of any and all settlements of environmental claims involving the applicant, associated with actions identified in response to Item D above, whether or not such settlements were based on agreements where the applicant did not admit liability for the action.

- N/A
- Information attached

Items for Filing Statuses 2 or 3 Only

G. (Authority - 7 Del. C. § 7902(a)(7) and § 7905) If the applicant or applicant/statement company has been found guilty, pled guilty or no contest, to any crime involving violation of environmental standards which resulted in serious physical injury or serious harm to the environment attach a summary of the events involved and a copy of the disposition of the action (See 7 Del. C. § 7902(c) for definitions of "serious physical injury" or "serious harm to the environment" before answering this question.)

N/A

Yes – Information Attached.

H. (Authority - 7 Del. C. § 7902(a)(8)) – If the applicant or applicant/statement company has been designated a chronic violator under 7 Del. C. § 7904, a detailed written report from an independent inspector who has inspected the applicant's premises for the purpose of detecting potential safety and environmental hazards to employees and the surrounding community. The Secretary may waive the duty to submit a detailed written report upon a showing of good cause by the applicant. A showing by the applicant that the acts which caused it to be designated as a chronic violator did not jeopardize public health shall constitute "good cause" under this paragraph.

I. (Authority - 7 Del. C. § 7902(a)(7)) – If the applicant or applicant/statement company has been designated a chronic violation under § 7904 of this Title, **OR** has been found guilty or pled no contest to any crime involving violation of environmental standards which resulted in serious physical injury or serious harm to the environment, a statement made under oath by the applicant or applicant/statement company's local chief operating officer with respect to the facilities covered by the permit, stating that: (a) disclosures made by the applicant/reporting company under federal and state environmental statutes and regulations during the preceding calendar year have been, to the chief operating officer's knowledge, complete and accurate, and (b) that the facility has implemented policies, programs, procedures, standards or systems reasonably designated, in light of the size, scope, and nature of facility operations to detect deter and promptly correct any noncompliance with state environmental statutes and regulations. The statement filed pursuant to this paragraph shall include an acknowledgement by the affiant that intentionally false statements submitted in compliance with this paragraph constitute criminal perjury as defined at 11 Del. C. §§1221-1222.

STATE OF DELAWARE - DEPT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL
ENVIRONMENTAL PERMIT BACKGROUND STATEMENT
CERTIFICATION

I HEREBY CERTIFY THAT I HAVE READ THE PRECEDING SUBMISSION, HAVE PROVIDED ALL OF THE INFORMATION REQUESTED, AND THAT ALL OF THE INFORMATION PROVIDED IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Baba _____ DATE: 2.3.2020
SIGNATURE—APPLICANT OR
OFFICER OF APPLICANT / STATEMENT COMPANY

NAME: Babita Jagannan

TITLE: owner

COMPANY
NAME: Phoenix used clothing

ADDRESS: 130 Sandy Drive
Newark DE 19713

TELEPHONE: 302-593-9470

FAX NUMBER: -

REGISTERED
AGENT NAME: Harvard Business services Inc

ADDRESS: 16192 Coastal Highway Lewes DE 19958

TELEPHONE: 800-345-2677

FAX NUMBER: 302-645-1289

SWORN TO AND SUBSCRIBED

BEFORE ME THIS 3 DAY OF

February, 2020.

Lilma Devi Jagannan
NOTARY PUBLIC SIGNATURE (SEAL)

LILMA DEVI JAGANNAN
PRINTED NAME OF NOTARY PUBLIC

DE NCC
STATE / COUNTY

MY COMMISSION EXPIRES ON: 12/21/21

