



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
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Permit SW-23/04
Solid Waste Facility Permit

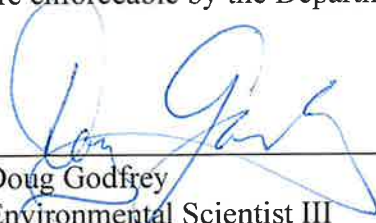
Effective Date: August 15, 2023

Last Modified: n/a

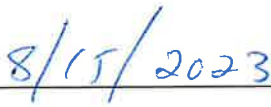
Expiration Date: August 15, 2025

Permittee: ASAP Tire Acquisition LLC DBA Tire Rack Mobile Installation
300 Anchor Mill Road
New Castle, DE 19720

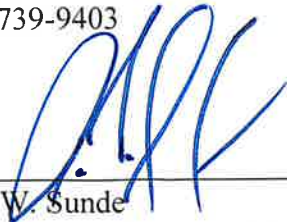
Pursuant to 7 Del.C. Ch. 60, Section 6003 and 7 DE Admin. Code 1301, Delaware's *Regulations Governing Solid Waste*, approval of the Department of Natural Resources and Environmental Control (DNREC; Department) is hereby granted to operate the ASAP Tire Acquisition LLC DBA Tire Rack Mobile Installation solid waste facility located at 300 Anchor Mill Road in New Castle, subject to the terms and conditions of this permit. All terms and conditions of this permit are enforceable by the Department.



Doug Godfrey
Environmental Scientist III
Division of Waste and Hazardous Substances
Compliance and Permitting Section
(302) 739-9403



Date



Jason W. Sunde
Environmental Program Administrator
Division of Waste and Hazardous Substances
Compliance and Permitting Section
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Date

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I. GENERAL CONDITIONS

A. Permit Issuance

In accordance with Delaware's *Regulations Governing Solid Waste* ("DRGSW"), Section 2.5.2, the Department of Natural Resources and Environmental Control (the "Department") issues Solid Waste Facility Permit #SW-23-04 ("Permit") to ASAP Tire Acquisition ("ASAP") for the purpose of aggregating scrap tires for recycling. Stored scrap tires will be picked up from the location by a permitted solid waste transporter and delivered to a permitted recycling facility for processing.

B. Applicability

This permit applies to:

1. Consolidation of scrap tires, environmental monitoring, recordkeeping, and reporting for ASAP.

C. Application Documents

1. The Department issued permit SW-23/04 on August 15, 2023 in accordance with the permit application dated May 8, 2023 which included the following documents:
 - a. Recycling Permit Application, dated May 8, 2023, including all of the checklist items required.
 - b. Proof of market provided by Liberty Tire Recycling. Liberty acknowledges they will use a permitted Delaware Solid Waste Transporter to move tires as they do not have fleet running within the State.
 - c. ASAP Operations Plan
 - d. Conceptual Closure Plan and Financial Assurance.
 - e. All other applicable permits and approvals for the site.

D. General Conditions

This permit is issued subject to the following general conditions:

1. This Permit does not relieve ASAP, nor any of its client generators, from complying with any other applicable federal, state, or local laws, regulations or ordinances. All construction and operations at the recycling facility shall be conducted in accordance with all federal, state, county, and municipal environmental statutes, ordinances, and regulations, including but not limited to the: *Delaware's Regulations Governing Solid Waste, Regulations Governing Hazardous Waste, Regulations Governing the Control of Water Pollution, and the Surface Water Quality Standards.*
2. Permit SW-23/04 shall expire no later than August 14, 2025.

3. 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 §4.1.7.2, or in the event the regulations governing activities authorized in this Permit are revised.
4. ASAP 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. ASAP shall not implement said changes unless and until they have been notified in writing from the CAPS agreeing to the change(s).
5. Failure to comply with any condition of this Permit or any provisions within the aforementioned documents is a violation of this Permit.
6. This Permit may be revoked upon violation of any condition of the permit or upon violation of any requirement of DRGSW after notice and opportunity for hearing in accordance with 7 Del. C., Chapter 60.
7. At least 60 days prior to the date of the proposed transfer, ASAP 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.
8. Pursuant to DRGSW §4.1.6, ASAP shall submit a permit application with all supporting documentation to the Department at least 180 days prior to the expiration of this Permit if applicant desires to renew the Permit. The application package should be submitted by February 14, 2025. ASAP may be required to submit additional documentation as needed at the Department’s sole discretion.
9. ASAP shall immediately make available, upon request, a copy of this Permit to any representative of the Department or any law enforcement officer.

E. Facility Contacts

Primary Contacts: Mr. Alexander Soto, Warehouse Manager
(302) 724-0283
Mr. Christopher Haserick, Lead Technician
(302) 415-9171

Alternate Contact: Mr. Brendan Bridgford, Vice President and GM
(574) 287-2345 Ext 4404

II. FACILITY OPERATION

A. General Operations

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

B. Operating Hours

All receiving, processing, and storing of used tires shall be limited to the hours of 9:00 am to 6:00 pm Monday through Saturday. The ASAP used tire storage container shall not be open and/or accessible to the general public.

C. Access

ASAP shall control access to the used tire storage container to prohibit the entry of unauthorized individuals. Representatives of the Department may, at any reasonable time, enter the facility to verify compliance with the conditions of this Permit, the DRGSW, and 7 *Del. C.* Chapter 60.

D. Staffing

Sufficient numbers and types of personnel shall be available at the solid waste facility to ensure operations are in accordance with DRGSW and this permit.

E. Equipment

No special equipment is needed for the transfer of the scrap tires from the ASAP van to the scrap tire storage container.

F. Transfer

1. All scrap tires collected for recycling shall be taken to a facility permitted to accept those materials.
2. All vehicles transporting solid waste and/or recyclables from the transfer station shall have a valid Delaware Solid Waste Transporter Permit issued by the Department.

G. Acceptable Materials

The ASAP solid waste facility is only permitted to accept scrap tires for recycling.

H. Prohibited Wastes & Prohibited Wastes Management Procedures

1. Prohibited Wastes:

ASAP shall not accept any waste other than scrap tires for recycling. ASAP shall exercise reasonable care to ascertain whether incoming waste is or contains prohibited waste and shall not accept prohibited waste.

2. Prohibited Wastes Management Procedures:

a. All identified prohibited wastes shall be:

- i. Segregated from the authorized waste stream, as necessary.
- ii. Quantified, as practical.
- iii. Documented in accordance with Section IV. of this Permit, to include photo documentation, as warranted.
- iv. Rejected for used tire recycling; and,
- v. Immediately returned to the client generator prior to leaving the site.
 1. ASAP shall provide the reason for rejection for shredding to the client generator.
 2. ASAP shall inform the client generator that ASAP is prohibited from accepting any wastes for used tire recycling from client generators who habitually submit prohibited wastes for used tire recycling to ASAP.

I. Waste Acceptance Procedures

1. ASAP shall quantify and record the quantity of all incoming scrap tires, any rejected and/or prohibited wastes submitted for recycling, and all out-going scrap tires.
2. All scrap tires acquired by ASAP's mobile van shall be transferred to the ASAP scrap tire storage container.

J. Waste Processing Procedures

1. Only authorized wastes as specified in Section III.A. shall be processed (recycled); any additional wastes shall not be processed.
2. All scrap tire storage shall be performed at the ASAP facility.
3. Once a container of scrap tires is full, the container shall be physically secured to restrict movement and facilitate safe transportation.
4. Once the container of scrap tires is full, the permitted solid waste transporter shall pick up the tires on a periodic basis, but at a frequency to ensure that ASAP does not exceed their permitted capacity and deliver them to a properly permitted tire recycling facility.

K. Scavenging

Scavenging is prohibited at the solid waste facility.

L. Waste Capacity

The maximum weight limit for scrap tires stored in the ASAP storage container shall be 4.4 tons (350 tires).

M. Waste Storage

1. Storage of scrap tires shall be only within the ASAP facility.
2. Scrap tires shall be stored only for the duration and purpose of transporting the scrap tire storage container on a periodic basis by a permitted solid waste transporter to a properly permitted tire recycling facility.

N. General maintenance

ASAP shall implement good housekeeping practices and include such practices in employee trainings, pursuant to Section II.I. of this Permit.

O. Odor Control

1. ASAP shall operate the solid waste facility in a manner that nuisance odors, detectable outside the boundaries of the property, are prevented.
2. ASAP shall record all odor complaints they receive concerning the solid waste facility and shall investigate complaints in a timely manner. ASAP shall maintain records of the odor complaints as well as ASAP findings and any actions taken to preclude odors from moving beyond the solid waste facility property boundary.

P. Litter

1. Litter may include any solid waste that is not scrap tires being stored for recycling.
2. ASAP shall inspect the immediate area of their storage container for general cleanliness and litter upon arrival at and immediately prior to departure from the location.
3. All litter encountered shall be immediately collected, placed in a designated enclosed container, and removed from the storage container area daily.
4. ASAP shall document any complaint received pertaining to litter emanating from the solid waste facility and shall retain the records in accordance with Section IV. of this Permit.

5. ASAP shall notify the Department of any complaints of litter received by ASAP in accordance with Section V. of this Permit.

Q. Noise Control

1. ASAP shall operate its facility in a manner to prevent noise generated from storing scrap tires activities from interfering with any person's enjoyment of life or property.
2. ASAP shall implement noise mitigation, as necessary.
3. ASAP shall document any complaint received pertaining to noise emanating from their solid waste facility and any subsequent noise mitigation practices implemented and shall retain the records in accordance with Section IV. of this Permit.
4. ASAP shall notify the Department of any complaints of noise received by ASAP in accordance with Section V. of this Permit.

R. Dust Control

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

S. Health and Safety

1. ASAP shall implement Health and Safety practices aligned with Occupational Safety and Health Administration ("OSHA") guidance.
2. ASAP shall provide all employees with health and safety training appropriate for each employee's duties and responsibilities, pursuant to Section II.I. of this Permit.
3. At a minimum, ASAP's use of personal protective equipment (PPE) shall be in accordance with 29 CFR Part 1910.132.
4. First aid equipment shall be maintained and available at the solid waste facility.
5. ASAP shall document all health and safety training provided to each employee and retain the records in accordance with Section IV. of this Permit.

T. Fire Safety

1. All wastes and materials present at or in the scrap tire storage container to include, but not limited to, tires; any associated or ancillary wastes; and any collected litter shall be managed in order to prevent the possibility of fires.

2. Flammable or combustible, or potentially flammable or combustible, materials shall be stored in accordance with applicable fire safety regulations.
3. No smoking shall be permitted in or near the scrap tire storage container.
4. ASAP shall develop a fire management plan, which shall be implemented immediately, reviewed annually, and updated as needed.
5. Employees shall be trained in the proper procedures for responding to a fire at and in a scrap tire storage container in accordance with Section II.I.
6. ASAP shall maintain fire suppression equipment in operating condition, in a fully functional condition, and in accordance with Section II.H.4. of this Permit, as applicable.
7. If a fire is detected, ASAP shall call 911 to request assistance from the local firefighting agencies. ASAP shall immediately notify the Department of any fire in accordance with Section V.A.2. of this Permit.

U. Contingency

1. ASAP shall maintain capability to react appropriately to emergencies. ASAP shall react to spills, fires, accidents, and other emergencies so as to protect human health and safety and the environment.
2. ASAP shall maintain a current and correct list of emergency contact telephone numbers to include nearby ambulance, hospital, police, and fire services. The most current list shall be immediately available at the solid waste facility. All operating personnel shall be informed of its location and function.
3. Staff responding to emergencies at the facility shall be appropriately trained, pursuant to Section II.I. of this Permit.

V. Training

1. ASAP shall provide all employees who are to work with scrap tire storage with training appropriate for each employee's duties and responsibilities.
 - a. Training shall be required initially and annually thereafter, unless otherwise specified by a nationally recognized training provider (for example, the American Red Cross as a training provider for First Aid).
 - b. Initial training shall be provided within 180 days of hire.
 - c. Training shall include, but is not limited to, the following topics:
 - i. Health and safety procedures
 1. Emergency response
 2. Emergency first aid
 3. Cardiopulmonary resuscitation (CPR)

- ii. Fire prevention and protection
- iii. Spills and accidents responses
- iv. PPE use and care
- v. Facility inspections
- vi. Good housekeeping practices

2. ASAP shall document all trainings for employees and retain the records in accordance with Section IV of this Permit.

III. MONITORING

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

IV. REPORTING

A. Closure Costs/Financial Assurance.

No later than December 31st of each year, ASAP shall submit an updated closure cost estimate to support the financial assurance associated with this permit. Cost estimates shall be adjusted for inflation except for new cost estimates not previously made. ASAP shall provide a detailed listing of all projected costs used to estimate the closure costs for the transfer station. Financial assurance must be updated if costs increase above the amount currently on record with the Department.

B. Annual Operations Report

No later than March 1st of each year, ASAP shall submit an Annual Operations Report. ASAP shall provide this report in a format acceptable to the CAPS. The Annual Operations Report shall summarize solid waste facility operations for the previous calendar year and include:

1. Type and weight of scrap tires received.
2. A list of transporters that hauled waste from the facility during the year covered by the report.
3. Destination of the solid waste and the type and weight of waste taken from the solid waste facility and delivered to its final destination.
4. Summary of fires, spills, and uncontrolled releases that occurred at the solid waste facility.
5. Descriptions of all construction or corrective work conducted at the solid waste facility in accordance with DNREC approved plans or to achieve compliance with DRGSW.

6. Descriptions of any intentional or accidental deviations from the ASAP *Operations Plan*.

C. Quarterly Reports

ASAP shall submit quarterly reports to the CAPS electronically no later than the 15th day of the month following the end of the quarter (1st quarter report due by April 15, 2nd quarter report due by July 15th, 3rd quarter report due by October 15th, and 4th quarter report due by January 15th). The quarterly reports shall summarize operations for the previous quarter and include the following information for the applicable quarter (information shall be presented in a tabular format, as appropriate, and each listed item shall be explicitly addressed to include zero quantities or currently not applicable topics):

1. The quantity of scrap tires accepted.
2. The quantity of tires sent for recycling including the name of the receiving facility(ies).
3. Reports from all final recycling facilities including quantity of scrap tires that were recycled and any associated proof/certification of recycling or equivalent documentation.
4. Reports from all ultimate or final recycling facilities, if different from the receiving facility above, including the quantity of scrap tires that were recycled and any associated proof/certification of recycling or equivalent documentation.
5. Quantity of associated and/or ancillary wastes and/or litter sent for disposal, recycling, or reuse; the date material was sent and the facility that received the material for disposal or processing.
6. Detailed descriptions of all instances, whether intentional or not, of deviations from or noncompliance with this Permit.
7. Summary of all notifications made to CAPS or incidents requiring notification pursuant to Sections II H, II I, II O, II P, II Q, II S and II T of this permit.

D. Additional Reporting.

1. ASAP shall maintain a current and correct emergency contacts and emergency services list at the solid waste facility and shall notify the Department within five (5) business days of any changes therein.
2. If ASAP is unable to comply with any of the reporting requirements within the permit, ASAP must provide written notice and justification to the CAPS two (2) weeks prior to the reporting deadline.

3. Upon discovery, the ASAP shall report to the Department any intentional or accidental deviation from any approved plan and this permit.

E. Notification and Emergency Reporting.

1. ASAP shall notify the Department immediately (within 24 hours of discovery) in the event of the following events. If any of these events occur during business hours, ASAP should report to the Department's Division of Waste and Hazardous Substances' Compliance and Permitting Section by telephone to 302.739.9403. At all other times report the emergency to the Division of Waste and Hazardous Substances' TOLL-FREE 24-HOUR LINE 1.800.662.8802.
 - a. Fire or explosion involving the solid waste facility.
 - b. Receipt of prohibited waste at the solid waste facility.
 - c. Any spill or uncontrolled release that may endanger human health or the environment.
 - d. Any time the solid waste capacity limit of 4.4 tons (350 tires) is exceeded.
2. ASAP shall submit a written notification to the Department no later than five (5) business days following any event requiring "Notification and Emergency Reporting". The notification shall include the following:
 - a. Date and time of occurrence/discovery.
 - b. Date and time reported to the Department.
 - c. Materials and quantities involved.
 - d. Agencies notified.
 - e. Narrative describing how the incident occurred and the actions taken by ASAP and other response personnel.
 - f. Report of injuries/damage.
 - g. Proposal for follow-up or remedial actions including schedule.
3. Written notifications and reports shall be submitted electronically to Doug Godfrey at: Doug.Godfrey@delaware.gov.

V. RECORDKEEPING

A. On-Site Records

The following information must be recorded in a timely manner and the records retained by ASAP for at least three (3) years. The information shall be kept on-site or made available to the DNREC within a reasonable period of time after being requested.

1. A record of the type and weight of waste received by the solid waste facility each day.

2. A record of the type and weight of solid waste delivered from the solid waste facility to its final destination each day.
3. A record of fires, spills, explosions, and uncontrolled releases that occurred at the facility, and of hot loads received.
4. Training records that document all required training for all solid waste facility staff.
5. Records of odor complaints received by ASAP concerning the facility.

VI. CLOSURE

A. Closure in Accordance with DRGSW.

ASAP shall close the solid waste facility in accordance with DRGSW and this permit. Minimum closure expectations include, but are not limited to, the following:

1. Should ASAP cease the recycling of scrap tires, all scrap tires shall be properly disposed of or recycled.
2. By the cessation date provided by ASAP, ASAP shall remove from the State of Delaware all scrap tires, all associated and/or ancillary wastes, and all collected litter.

B. Notification

At least ninety (90) days prior to the date when waste will no longer be accepted at the solid waste facility, ASAP shall submit to the Department the following:

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

C. General Closure Activities

Closure activities shall not commence until the Department has:

1. Given public notice regarding the requested permit modification to close the transfer station.
2. Modified the solid waste facility permit to allow closure in accordance with the closure plan and DRGSW.

3. ASAP shall complete closure of the solid waste facility in accordance with the approved schedule; however, closure must be completed within six (6) months of the date on which the permit was modified to allow closure.
4. Closure of the solid waste facility shall meet the closure requirements set forth in DRGSW.
5. After closure has been completed, the DNREC may require that ASAP conduct monitoring and/or maintenance activities at the site to prevent or detect and mitigate any adverse environmental or health impacts.

D. Post-closure Care

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

E. Post-closure Land Use

ASAP shall implement the post-closure land use plan approved by the Department.

ASAP Permit SW-23/04

PERMIT MODIFICATION SYNOPSIS

August 15, 2023: Initial permit (SW-23/04) was issued for two (2) years.