



STATE OF DELAWARE  
DEPARTMENT OF NATURAL RESOURCES  
AND ENVIRONMENTAL CONTROL  
DIVISION OF WASTE AND HAZARDOUS SUBSTANCES  
COMPLIANCE AND PERMITTING SECTION

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**Permit SW-11/01**

**Permit Type: Transfer Station**

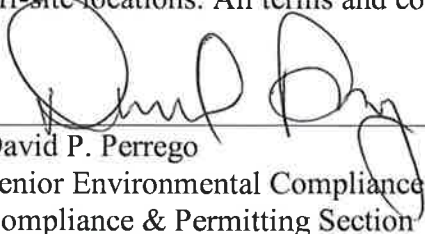
Effective Date: July 21, 2011

**Modified: December 12, 2016  
July 5, 2017  
April 26, 2018  
August 1, 2019**

Expiration Date: July 21, 2021


Permittee: Delaware Solid Waste Authority  
1128 S. Bradford Street  
Dover, Delaware 19904

Pursuant to 7 Del. C., Chapter 60, Section 6003 and 7 DE Admin. Code, Delaware's *Regulations Governing Solid Waste*, approval of the Department of Natural Resources and Environmental Control is hereby granted to operate the Cheswold transfer station located at 54 Fork Branch Road in Cheswold, subject to the terms and conditions of this permit. Permit SW-11/01 also allows for Household Hazardous Waste (HHW) Collection program events to be held on-site and at other off-site locations. All terms and conditions of this permit are enforceable by the Department.

  
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Date

8/1/19

  
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*Delaware's good nature depends on you!*

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## I. GENERAL CONDITIONS

- A. Pursuant to Sections 4.1.1.1 and 4.5 of 7 DE Admin. Code, Delaware's *Regulations Governing Solid Waste* (RGSW) and 7 Del C. Section 6003, the Department of Natural Resources and Environmental Control (DNREC) hereby issues the permit for the Delaware Solid Waste Authority (DSWA) to operate the Cheswold transfer station (the transfer station) located at 54 Fork Branch Road in Cheswold and known as the Cheswold Recycling Center. Permit SW-11/01 replaces permit SW-01/04 which was issued on September 28, 2001.
- B. The modified permit applies to the operation of the transfer station (including collection and temporary storage of yard waste), and the Household Hazardous Waste (HHW) collection events conducted on-site and at other off-site locations.
- C. This permit was issued in accordance with the following documents submitted by the DSWA:
1. *Renew Permit Application for the Cheswold Recycling Center*; letter of intent, dated February 28, 2011.
  2. *Permit Renewal Application for the Cheswold Recycling Center...*; (the Application) letter dated February 28, 2011.
  3. *Cheswold Recycling Center (CRC) Plan of Operations*, revised May 2017.
  4. *Plan of Operations Part 2- Operations Plan for the Household Hazardous Waste Collection Events (HHW Ops Plan)*, updated February 8, 2011.
  5. *REVISED Clean Harbors Operational, Health & Safety Site Plan, household Hazardous Waste (HHW) Collection Events*, updated July 25, 2019.
  6. *Letter of Intent to modify permit SW-11/01*, dated May 4, 2017.
  7. Other plans, letters, procedures, and policy specifically referenced in this permit.
- D. This permit is issued subject to the following general conditions:
1. All operations at the transfer station, including HHW collection events conducted on-site and at other off-site locations, 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 Hazardous Waste*, *Regulations Governing the Control of Water Pollution*, the *Surface Water Quality Standards* and the *Regulations Governing the Control of Air Pollution*.
  2. Access to the transfer station by unauthorized persons shall be prevented by barriers, fences, gates, or other suitable means. The DNREC may, at any reasonable time, enter the transfer station to verify compliance with the permit and Delaware's RGSW.
  3. This permit may be revoked upon violation of any condition contained herein or upon violation of any requirement of Delaware's RGSW after notice and opportunity for hearing in accordance with 7 Del. C., Chapter 60.
  4. In accordance with section 4.1.7.2 of Delaware's RGSW, the Department may initiate modification of a permit if it finds that the existing permit conditions are not adequate or are not necessary to protect human health and the environment.

5. A copy of the most current version of this permit shall be maintained at the transfer station.
6. Any transfer of this permit shall not occur until the requirements of Section 4.1.8 of Delaware's RGSW are satisfied.
7. If DSWA wishes to renew this permit, they shall submit their request in writing not less than 180 days prior to the expiration date in accordance with Delaware's RGSW Section 4.1.6.
8. Permit SW-11/01 shall expire no later than July 21, 2021.

## **FACILITY OPERATION**

- A. Operations at the transfer station shall be conducted in accordance with Delaware's RGSW, this permit, and the Application, including the *Cheswold Recycling Center Plan of Operation*, (the Plan of Operation) revised May 2017.
- B. Sufficient numbers and types of personnel, as specified in the Plan of Operation, shall be available at the site to insure capability for operation in accordance with Delaware's RGSW and this permit.
- C. Household Hazardous Waste. This permit allows for the HHW collection program events to be held on-site and at other off-site locations. The HHW program shall be conducted in accordance with the *Clean Harbors Operational, Health & Safety Site Plan, household Hazardous Waste (HHW) Collection Events (HHW Ops Plan)* submitted annually on or before January 1<sup>st</sup> or within 25 days of a change to the plan (Hereafter referred to as the "HHW Ops Plan").
- D. Acceptable Materials. The transfer station is permitted to receive:
  1. Bagged household waste from local (Delaware) residents.
  2. During HHW collection events, HHW may be accepted at the transfer station and at other off-site locations in accordance with the HHW Ops Plan.
- E. Prohibited wastes. The DSWA shall exercise reasonable care to ascertain whether waste accepted at the transfer station is prohibited waste and shall not accept the following prohibited waste:
  1. Regulated hazardous waste.
  2. Regulated infectious waste.
  3. Licensed radioactive material (as described in the Delaware Radiation Control Regulations), and any radioactive material considered source, special nuclear, or by-product material as defined by Atomic Energy Act of 1954.
  4. Liquid waste as restricted by 40 CFR Part 258.28.
  5. Special solid wastes (wastes that require extraordinary management).
  6. Asbestos containing materials.
  7. Household waste that is not contained in a closed, plastic bag.

F. Solid Waste Storage.

1. All solid wastes delivered to the transfer station shall be transported off-site within 120 hours of delivery to the site.
2. Containers used for the outdoor storage of solid waste shall be covered and designed and maintained to prevent the release of liquids to the environment.
3. Overnight storage at HHW collection program events conducted on-site and off-site is prohibited.
4. Wastes accepted as part of this program will be properly packaged and segregated in accordance with the HHW Ops Plan.
5. While wastes accepted as part of a HHW collection program event are being accumulated, each container shall be properly labeled with the words "Hazardous Waste" or a description of the contents of the container and the date accumulation began.

G. Transfer.

1. All waste materials transported off site shall be taken to a facility permitted to accept those solid wastes.
2. All vehicles transporting waste from the transfer station shall have a valid solid waste transporters permit issued by the DNREC. All vehicles transporting HHW from the transfer station on-site and at other off-site locations shall have a valid hazardous waste transporters permit issued by the DNREC.

H. Litter. Litter resulting from transfer station operations shall be controlled and collected in accordance with the Plan of Operation.

I. Odor Control. Odors shall be controlled in accordance with the Plan of Operation. The DSWA shall operate the transfer station in a manner that nuisance odors, detectable outside the boundaries of the property, are prevented.

J. General maintenance. The transfer station shall be operated in a manner to prevent the establishment of habitats for nuisance organisms such as flies, maggots, roaches, rodents, and similar vermin in accordance with the Plan of Operation.

K. Equipment. All waste handling equipment shall be cleaned routinely and maintained according to the manufacture's specifications. If waste containers are fitted with drain plugs, the plugs shall be in place and working. Waste containers/compactors used on-site shall prevent leachate from contaminating the soil, surface water, or ground water. Leaking containers/compactors shall be removed from service upon discovery, and repaired or replaced.

L. Fire prevention and control shall be conducted in accordance with the Plan of Operation. Open burning is prohibited.

M. Health and Safety.

1. Employees at the site shall work under all appropriate health and safety guidelines established by the Occupational Safety and Health Administration.
2. First aid equipment shall be available at the site.

3. Firefighting equipment shall be maintained and shall be in operating condition. Such equipment shall be kept clear of obstructions at all times.
- N. Training. All transfer station attendants shall receive, as a minimum, the training listed below. Unless otherwise specified by a nationally recognized training provider (for example, the American Red Cross as a training provider for First Aid), training shall be required initially and annually thereafter. All training shall be completed within 180 days of hiring.
1. Operational and contingency procedures.
  2. Fire prevention and protection.
  3. Emergency first aid and CPR.
- O. Contingency. Operations during emergency situations shall be conducted in accordance with the Plan of Operations. The DSWA shall maintain a current and correct emergency contacts and emergency services list at the transfer station and shall notify the DNREC within five (5) business days of any changes therein. The list shall be prominently displayed at the transfer station and all operating personnel informed of its location and function.
- P. HHW Collection Event Operations.
1. The HHW collection sites shall be maintained and operated to minimize the possibility of a fire, explosion, or any unplanned, sudden, or non-sudden release of waste to air, soil, or water which could threaten human health or the environment. Operation of the HHW collection event shall be in accordance with the HHW Ops Plan.
  2. A copy of the HHW Ops Plan shall be maintained at the transfer station and at the command center established for every off-site HHW collection event.
  3. Wastes accepted as part of the off-site HHW collection services shall not be stored at the site overnight.
  4. While HHW is being accumulated on site, each container shall be properly labeled with the date accumulation began. The words "Hazardous Waste" or the contents of the container shall be clearly indicated.
  5. HHW and conditionally exempt wastes shall be transported from the site by a transporter permitted to transport hazardous wastes within the state of Delaware.
  6. Employees handling HHW must complete initial and continuing training designed to ensure that site personnel are able to respond effectively to emergencies by familiarizing them with emergency procedures, equipment and systems as applicable. Training shall include, as a minimum, training for general site workers in accordance with 29 CFR 1910.120 section (e), including forty (40) hours of initial training. Eight hour refresher training shall be required annually, once initial training has been completed. Training must have been satisfactorily completed within the past year (364 days) in order to be considered current.
- Q. Scavenging is prohibited at the transfer station.

### III. REPORTING

- A. Financial Assurance. No later than December 31<sup>st</sup> of each year, the DSWA shall submit their financial statements for the most recently completed fiscal year along with an updated and reasonably accurate cost estimate of closure for the transfer station. Cost estimates shall be adjusted for inflation except for new cost estimates not previously made. DSWA shall provide a detailed listing of all projected costs used to estimate the closure costs for the transfer station.
- B. Annual report. No later than March 1<sup>st</sup> each year, the DSWA shall submit an annual report to the DNREC. This annual report shall summarize transfer station operations for the previous year and include:
1. Type and weight of waste received.
  2. Type and weight (or volume) of materials salvaged (i.e. yard waste).
  3. A list of transporters that hauled waste from the facility during the year covered by the report.
  4. Destination of the solid waste and the type and weight of waste taken from the transfer station and delivered to its final destination.
  5. Summary of fires, spills, and uncontrolled releases that occurred at the transfer station.
  6. Descriptions of any intentional or accidental deviations from the Plan of Operation.
  7. Descriptions of any intentional or accidental deviations from the Yard Waste Plan of Operation.
  8. Descriptions of any intentional or accidental deviations from the HHW Ops Plan.
  9. Descriptions of all construction or corrective work conducted on the site in accordance with DNREC approved plans or to achieve compliance with Delaware's RGSW.
  10. Quantity and types of wastes received and processed at HHW collection program events, including wastes collected at HHW collection programs held off-site.
  11. Waste transporters used for the HHW collection program events must include point of contact, company business name, address and phone number.
- C. Emergency Reporting.
1. The DSWA shall notify the DNREC immediately (1-800-662-8802) in the event of:
    - a. Fire or explosion involving the transfer station.
    - b. Receipt of prohibited waste at the transfer station.
    - c. Any spill or uncontrolled release that may endanger human health or the environment.
    - d. Any spill which occurs outside of the containment at the HHW collection event and involving household hazardous waste. Immediate notification shall also be required for contained spills of HHW exceeding one gallon (or ten pounds).
  2. The DSWA shall submit a written notification to the DNREC no later than five business days following any event requiring "Emergency Reporting". The notification shall include the following:
    - a. Date and time of occurrence/discovery.
    - b. Date and time reported to DNREC.

- c. Materials and quantities involved.
- d. Agencies notified.
- e. Narrative describing how the incident occurred and the actions taken by the DSWA and other response personnel.
- f. Report of injuries/damage.
- g. Proposal for follow-up or remedial actions including schedule.

D. Additional Reporting.

1. As soon as noticed, the DSWA shall report to the DNREC, any intentional or accidental deviation from any approved plan.
2. The DSWA shall provide written notification to the DNREC within five business days anytime the waste storage time limit of 120 hours is exceeded.
3. The DSWA shall maintain a current and correct "Emergency Contacts" and "Emergency Services" list at the transfer station and shall notify the DNREC within 5 business days of any changes therein.

E. HHW Event Reporting.

1. DSWA shall provide DNREC, as per condition III.B.10 of this permit, the types and quantities of HHW received and processed during the HHW collection events.
2. The lists of emergency numbers and contacts (Appendix to the HHW Ops Plan) shall be kept current by the DSWA to ensure that the list is accurate at the time of each HHW collection event. Once the Appendix is changed by the DSWA, a copy must be provided to the Department prior to the next HHW collection event.
3. The DSWA shall provide written notification to the DNREC within five business days anytime HHW is found to have been stored overnight at the transfer station.
4. At least 15 days prior to each HHW temporary collection event, the DSWA shall provide a public announcement (print, digital media, and/or radio ads) to include date, time, and specific location of each event.

**IV. RECORDKEEPING**

- A. The following information must be recorded in a timely manner and the records retained by the DSWA for at least three 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 transfer station each day.
  2. A record of the transporters (company name, address, and telephone number) hauling wastes from the facility.
  3. A record of the type and weight of solid waste delivered from the transfer station to its final destination each day.
  4. A record of fires, spills, explosions, and uncontrolled releases that occurred at the facility, and of hot loads received.
  5. Records of operational inspections, including those for the yard waste stockpile.
  6. Training records that document all required training for all transfer station staff.
  7. Records of odor complaints received by the DSWA concerning the facility.
  8. Copies of all manifests used for the shipment of HHW for period of at least three years.
  9. Training records for personnel handling HHW at the HHW collection events.



**V. CLOSURE**

- A. At least sixty (60) days prior to the date when waste will no longer be accepted at the facility, DSWA 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.
  
- B. Closure activities shall not commence until the Department has:
  - 1. Given public notice regarding the requested permit modification to close the facility.
  - 2. Modified the transfer station permit to allow closure in accordance with the closure plan.
  
- C. The DSWA shall complete closure of the transfer station in accordance with the approved schedule; however, closure must be completed within six months of the date on which the permit was modified to allow closure.
  
- D. Closure of the transfer station shall meet the closure requirements set forth in Delaware's RGSW. Closure of the HHW site shall meet the closure performance standard set forth in Delaware's *Regulations Governing Hazardous Waste*, Section 265.111. After closure has been completed, the DNREC may require that the DSWA conduct monitoring and/or maintenance activities at the site to prevent or detect and mitigate any adverse environmental or health impacts.

Permit SW-11/01

## Modification Synopsis

July 21, 2011: Permit SW-11/01 replaces Permit SW-01/04.

November 22, 2016: Modified permit SW-11/01 per DSWA letter of intent, dated 9/29/16, to modify operating parameters. DSWA intends to add trash compactor and remove multiple 6-yd<sup>3</sup> containers, increase operating days to Mondays thru Saturdays, and extend the maximum time waste may accumulate on site from 72-hours to 120-hours. SHWMS memo in file justifying minor modification.

June 20, 2017: Modified permit SW-11/01 to account for administrative changes in the Plan of Operation's Emergency Coordinator Contact List.

April 26, 2018: Minor permit modification transferring HHW off-site collection event program permit language to Cheswold from the closure of the former Pigeon Point transfer station (Delaware Recycling Center).

August 1, 2019: Minor modification with an update to the HHW Operation Plan and modified section references to Compliance & Permitting Section.

JWS:DPP:jmp  
Cheswold Transfer Station\Permit\DPP/19021