



STATE OF DELAWARE
DEPARTMENT OF NATURAL RESOURCES
AND ENVIRONMENTAL CONTROL
DIVISION OF WASTE AND HAZARDOUS SUBSTANCES
SOLID AND HAZARDOUS WASTE MANAGEMENT SECTION

89 KINGS HIGHWAY
DOVER, DELAWARE 19901

TELEPHONE: (302) 739-9403
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February 18, 2019

Ms. Robin Roddy
Chief Operating Officer
Delaware Solid Waste Authority
1128 S. Bradford Street
Dover, DE 19904

Subject: Permit SW-19/01
Reference: DSWA Pine Tree Corners Transfer Station, Permit SW-19/01; File Code: 07.A
19 0218 02.B DSWA PTCTS Permit Cover Letter SW-19-01.doc

Dear Ms. Roddy:

The Department of Natural Resources and Environmental Control (DNREC) Solid and Hazardous Waste Management Section (SHWMS) has renewed the solid waste transfer station permit for the Delaware Solid Waste Authority's (DSWA) Pine Tree Corners Transfer Station located at 276 Pine Tree Road in Townsend. The new permit SW-19/01 will be effective beginning February 22, 2019 and will expire no later than February 22, 2029.

As always, the SHWMS looks forward to working with the DSWA to ensure that the waste operations are conducted in an environmentally acceptable manner pursuant to 7 *Del. C.*, Chapter 60. Please remember that future compliance assessments will be based upon the requirements stipulated in the attached permit.

If you have any questions concerning this letter or the permit, please contact David Perrego at (302) 739-9403.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jason W. Sunde'.

Jason W. Sunde
Environmental Program Administrator
Solid & Hazardous Waste Management Section

JWS: DPP: jmp
DSWA\Pine Tree Corners Transfer Station\Permits\DPP19002

Delaware's good nature depends on you!

cc: David P. Perrego, Senior Environmental Compliance Specialist, SHWMS
R.P. Watson, P.E., BCEE (DSWA)
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 DOVER, DELAWARE 19901

TELEPHONE: (302) 739-9403
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Permit SW-19/01
Permit Type: Transfer Station

Effective Date: February 22, 2019
 Expiration Date: February 22, 2029
 Permittee: Delaware Solid Waste Authority
 1128 S. Bradford Street
 Dover, DE 19904

Pursuant to 7 Del. C. Chapter 60, Section 6003 and Delaware's *Regulations Governing Solid Waste*, approval of the Department of Natural Resources and Environmental Control is hereby granted to operate the Pine Tree Corners Transfer Station located at 276 Pine Tree Road, Townsend, Delaware, subject to the terms and conditions of this permit. All terms and conditions of this permit are enforceable by the Department.

David Perrego
 Senior Environmental Compliance Specialist
 Solid & Hazardous Waste Management Section
 (302) 739-9403

2/18/19

Date

Jason W. Sunde
 Environmental Program Administrator
 Solid & Hazardous Waste Management Section
 (302) 739-9403

2-18-19

Date

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I. GENERAL CONDITIONS:

A. Permit Replaced

Pursuant to Sections 4.1.1.1. and 10 of the State of Delaware's *Regulations Governing Solid Waste* (DRGSW) and 7 *Del C.* § 6003, the Department of Natural Resources and Environmental Control (DNREC) hereby renews the permit for the Delaware Solid Waste Authority (DSWA) to operate a solid waste transfer station located at 276 Pine Tree Road, Townsend, Delaware known as the Pine Tree Corners Transfer Station (PTCTS). Permit SW-19/01 replaces permit SW-06/04.

B. Applicability

This permit applies to the operation of a solid waste transfer station at 276 Pine Tree Road, Townsend, Delaware.

C. Application Documents

This permit was issued in accordance with the following documents:

1. *Letter of Intent to Renew the Solid Waste Transfer Station Permit Pine Tree Corners Transfer Station, Permit Number SW-06/04*, DSWA letter dated January 5, 2016.
2. *Solid Waste Transfer Station Permit Renewal Application, Pine Tree Corners Transfer Station*, DSWA's application package dated January 5, 2016.
3. *PTCTS – Permit Renewal Application Amendment*, DSWA letter dated June 13, 2018.
4. *Plan of Operation, Pine Tree Corners Transfer Station*, last revised July 2018.
5. *CONCILIATORY AGREEMENT RESOLVING March 30, 2016 Notice of Conciliation Proceedings, Administrative Penalty Assessment and Secretary's Order, Order NO. 2016-WH-0015*, dated May 21, 2018.
6. Other plans, letters, procedures, and policy specifically referenced in this permit.

D. General Conditions

This permit is issued subject to the following general conditions:

1. All operations at the Pine Tree Corners Solid Waste Transfer Station (the transfer station), shall be conducted in accordance with all federal, state, county, and municipal environmental statutes, ordinances, and regulations, including but not limited to Delaware's: *Regulations Governing Solid Waste, Regulations Governing Hazardous Waste, Regulations Governing the Control of Water Pollution, 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, and gates, or other suitable means. The DNREC may, at any reasonable time, enter the transfer station to verify compliance with the permit and DRGSW.

3. This permit may be revoked upon violation of any condition of the permit or any requirement of DRGSW after notice and opportunity for hearing in accordance with 7 *Del. C. Chapter 60*.
4. Permit SW-19/01 shall expire no later than February 22, 2029.
5. In accordance with section 4.1.7.2 of DRGSW, 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.

II. OPERATIONS:

A. General Operations:

Operations at the transfer station shall be conducted in accordance with DRGSW, this permit, and the Application, including the *Plan of Operation Pine Tree Corners Transfer Station*, (the plan of operation) revised July 2018.

B. Staffing:

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 DRGSW and this permit.

C. Waste Handling:

Waste tipping, handling, and loading operations shall be conducted within the facility buildings at all times, with the exception of managing suspected hot loads under Section 5.c *Contingency Plan* in the plan of operation, or any DNREC approved activity.

D. Weight Capacity:

The transfer station shall not accept more than 1,100 tons of solid waste during any single day. Incoming and outgoing wastes shall be weighed by a certified weighmaster on a scale certified correct by the Delaware Department of Agriculture.

E. Acceptable Wastes:

PTCTS is permitted to accept municipal solid waste defined as household waste and solid waste that is generated by commercial, institutional, and industrial sources and is similar to household waste.

F. Prohibited Wastes:

The DSWA shall exercise reasonable care to ascertain whether waste accepted at the facility 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.

G. Waste Screening:

Waste inspection of all incoming loads as well as random waste screening shall be in accordance with the *Delaware Solid Waste Authority Solid Waste Screening Program*, dated September 19, 1997, and Section 4 *Preventing Unauthorized Wastes* of the plan of operation. All transfer station personnel responsible for waste inspection, including scale attendants and equipment operators, shall comply with these procedures.

H. Waste Storage:

1. All waste materials delivered to the transfer station shall be transported off-site within 72 hours of delivery to the site.
2. DSWA shall operate its facilities to minimize, to the fullest extent practicable, the release of liquid solid wastes to the environment by complying with, at a minimum, the following conditions:
 - a) DSWA shall not move loaded transfer trailers from storage buildings until all leaks from loaded transfer trailers that are readily observable during a walk around inspection have ceased. DSWA shall further employ any additional measures while the trailer is still located in the storage building that DSWA determines, in its discretion, will further minimize the likelihood of leaks occurring when the transfer trailer is hitched up and pulled from the storage building to leave the facility.
 - b) In the event DSWA suspects that a transfer trailer may be in need of maintenance or repair, DSWA shall cause such trailer to be unloaded, if necessary, and either serviced onsite or decommissioned. DSWA shall add the trailer's identification number to DSWA's transfer trailer maintenance log. A copy of the transfer trailer maintenance log will be maintained in DSWA's scalehouse at each facility. DSWA shall not permit transfer trailers that are listed on the log as requiring maintenance or repairs to be permitted on site for the purpose of hauling solid waste until all maintenance or repairs, as required in DSWA's discretion, are completed.
 - c) DSWA will use reasonable efforts to contain, cleanup and remove any liquid solid wastes that leak into the environment so that the liquid solid waste is disposed of properly.
 - d) In the event unforeseeable extraordinary circumstances outside of DSWA's reasonable control require storage of loaded transfer trailers outside of the storage building, DSWA will comply with the following with respect to such transfer trailers:

- i. In the event DSWA's personnel observe a leak(s) from a transfer trailer(s), DSWA shall immediately place temporary containment vessels, such as buckets or plastic "baby pools," to capture, where practicable, liquid solid wastes leaking from the trailer in order to prevent the release of liquid solid wastes to the environment. DSWA shall monitor the leaks and containment vessels to ensure that the containment vessels do not overflow. DSWA shall dispose of all collected liquid solid wastes by transferring such liquids to the facilities' leachate collection systems. DSWA shall not move leaking transfer trailers until all the leaks have ceased or the leaks are otherwise addressed, unless the trailer is being moved in order to address the leaks or to a location where the liquid solid wastes can be captured and prevented from being released to the environment.
- ii. In the event that leaks are located in areas where a containment vessel will not fit, the trailer will, as quickly as practicable, be returned to the facility transfer station building or tarping area until the leak or leaks have ceased or the leaks are otherwise addressed.
- iii. DSWA will use reasonable efforts to contain, cleanup and remove any liquid solid wastes that leak into the environment so that the liquid solid waste is disposed of properly.
- iv. DSWA shall not store loaded transfer trailers in the open staging area during non-operating hours if room for storage is available inside the transfer station building or tarping area. In the event a loaded transfer trailer must be left in the open staging area during non-operating hours, DSWA shall take measures while the trailer is still inside the transfer station building that DSWA determines, in its discretion, will mitigate the likelihood that leaks will occur when the trailer is moved to the open staging area to be stored during non-operating hours. Under no circumstances will a trailer that is actively leaking or that was observed leaking be permitted to be stored in the open staging area during non-operating hours.
- v. DSWA shall inspect all transfer trailers that are used for storage of solid waste outside of buildings which have failed, on a regular-basis, to prevent the release of liquid solid wastes to the environment. A transfer trailer is considered to have failed to prevent the release of liquids to the environment on a regular basis when DSV/A must employ the measures outlined in this Condition II.H.2 to capture leaks from the trailer two (2) or more times in a single week. DSWA shall inspect the trailer to determine whether the trailer is in need of maintenance or repair in order to minimize the likelihood that the trailer will release liquid solid waste to the environment. In the event that DSWA suspects that a trailer requires maintenance or repair, DSWA shall remove the trailer from service and add the trailer's identification number to DSWA's transfer trailer maintenance log. A copy of the transfer trailer maintenance log will be maintained in the scalehouse. DSWA shall not permit transfer trailers that are listed on

Solid Waste Permit SW-19/01

the log as requiring maintenance or repair to be permitted on site for the purpose of hauling municipal solid waste until all maintenance or repairs, as required in DSWA's discretion, are completed.

3. Loaded transfer trailers staged outside overnight shall be covered with an impermeable tarp or otherwise enclosed to prevent the entrance of precipitation.

I. Waste Transfer:

1. All solid wastes transported off site shall be taken to a facility permitted to accept these solid wastes.
2. All vehicles transporting waste from the transfer station shall have a valid solid waste transporters permit issued by the DNREC.
3. In their contracts with transporters hauling waste from the transfer station, the DSWA shall stipulate that the contractor maintain a valid solid waste transporter permit issued by the DNREC. DSWA shall investigate and determine the current validity of the permit if it has reason to suspect a permit is not valid.
4. The DSWA shall not allow any tractor and semitrailer vehicle having 5 axles to depart the transfer station with a gross vehicle weight in excess of 80,000 pounds.

J. Litter Control:

The DSWA shall provide for litter control and removal on the site, to include the litter controls in the plan of operation. The DSWA shall provide for litter removal along roads approaching the site if accumulations of litter are clearly the result of the operation of the transfer station.

K. 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.

L. Vectors:

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) and to mitigate nuisances and hazards to human health and the environment.

M. Dust Control:

The transfer station 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).

N. General Maintenance:

Good housekeeping practices shall be employed in accordance with the plan of operation. The DSWA shall provide for routine maintenance and general cleanliness of the entire site.

O. Facility Wastewater:

All wastewater discharge from the transfer station or resulting from transfer station operations shall be collected in the leachate storage tanks. The leachate shall be transported off site for disposal by an appropriately licensed transporter. Leachate shall be taken to a facility permitted to accept the wastewater. The DSWA shall prevent wastes and debris from accumulating in the drains, pipes and collection chambers serving the tipping floors.

P. Operational Inspections:

Operational inspections of the facility and equipment shall be conducted in accordance with the Plan of Operation. The DSWA shall maintain records of these inspections in accordance with Section IV of this permit. Operational inspections shall include the following:

1. At a minimum, operating staff shall inspect the facility each operating day to identify and correct problems with leachate collection and storage, litter, operating equipment, general housekeeping, odors, and vectors.
2. In accordance with Section 2 *Methods of Operation and Maintenance* of the plan of operation, at a minimum, operating staff shall inspect equipment each operating day to identify and correct problems.
3. Operating staff shall inspect the facility at least once each week to identify and correct problems with first aid kits, personal protective equipment, and spill kits.

Q. 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. Use of personal protective equipment shall be in accordance with 29 CFR Part 1910.132 as a minimum.
3. First aid equipment shall be available at the site.
4. All firefighting equipment shall be maintained in operating condition and kept clear of obstructions at all times.

R. Training:

All employees assigned duties at the transfer station (except the secretary/receptionist) 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

Solid Waste Permit SW-19/01

training provider for First Aid), training shall be required initially and annually thereafter. Initial training for waste screening shall be completed within 60 days of hiring and all other training shall be completed within 180 days of hiring.

1. Operational and contingency procedures.
2. Waste screening (reference the *Delaware Solid Waste Authority Solid Waste Screening Program*, dated September 19, 1997).
3. Health and safety procedures.
4. Fire prevention and protection.
5. Emergency first aid.

S. Contingency:

1. Fire prevention and control shall be conducted in accordance with the plan of operation. The DSWA shall maintain records of these inspections in accordance with Section IV of this permit. Open burning is prohibited.
2. 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. These lists shall be prominently displayed at the transfer station and all operating personnel informed of their location and function.

T. Traffic:

Residential vehicles shall normally use Building No. 1 and commercial vehicles shall normally use Building No. 2 provided:

1. They are under the direct supervision of the appropriate transfer station personnel.
2. Provisions have been taken to prevent them from backing into the lower tipping floor (the pit).
3. The waste they dispose of is unloaded onto the tipping floor and not directly into the lower tipping floor.

U. Salvaging Operations:

Salvaging shall be conducted in accordance with the plan of operation, Section 1.e *Salvaging*, in a manner protective of human health and the environment. Salvaging operations shall not interfere with the proper management of wastes at the facility.

V. Scavenging:

Scavenging is prohibited at any transfer station.

III. REPORTING:

A. Financial Assurance:

No later than March 1st 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 1st 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. A complete list of commercial haulers that hauled waste to and 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 transfer station and delivered to its final destination.
4. Summary of fires, spills, and uncontrolled releases that occurred at the transfer station.
5. Descriptions of any intentional or accidental deviations from the plan of operation.
6. Descriptions of all construction or corrective work conducted on the site in accordance with DNREC approved plans or to achieve compliance with DRGSW.

C. Emergency Reporting:

1. The DSWA shall notify the Solid and Hazardous Waste Management Section immediately, or if after business hours, the environmental emergency toll free hotline at 1-800-662-8802 in the event of:
 - a. Fire or explosion involving the transfer station site.
 - b. Receipt of prohibited waste at the transfer station.
 - c. A release of leachate (10 gallons or more) outside of the buildings.
 - d. Any spill or uncontrolled release that may endanger human health or the environment.
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.

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- b. Date and time reported to DNREC (Include reference # if reported to the toll free hotline).
- 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 this permit or any approved plan.
2. The DSWA shall provide written notification to the DNREC within five business days anytime the maximum weight capacity (permit condition II.D) or storage time limits (permit condition II.H) are exceeded or when vehicles are diverted due to the facility approaching the weight restriction.
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.

IV. RECORDKEEPING:

A. Record Maintenance and Accessibility

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 and for each week.
2. A record of all commercial transporters (company name, address, and telephone number) hauling wastes to and 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 random waste screening conducted at the transfer station.
6. Fire inspections.
7. Operational inspections.
8. Training records that document all required training for all transfer station staff. Records shall indicate, at a minimum, employee name, position, date of hire, date of training, type of training, and training provider.
9. Records of odor complaints received by the DSWA concerning the facility.

Solid Waste Permit SW-19/01

B. Permit Accessibility

A copy of the most current version of this permit shall be maintained at the scale house, transfer station Building No. 1, and Building No. 2.

V. CLOSURE:

A. Closure Submittals

At least 90 days prior to the date when waste will no longer be accepted for transfer at the facility, DSWA shall submit the following for DNREC approval:

1. Written notification of intent to close.
2. An updated closure plan to include:
 - a. A detailed description of the methods, procedures, and processes to be used to clean, sample, and close the transfer station.
 - b. An updated estimate of the cost of closing the facility.
 - c. The closure schedule.
3. A description of the post-closure use of the facility.

B. Closure Requirements

Closure of the transfer station shall meet the closure requirements set forth in DRGSW. After closure has been completed, the DNREC may require that DSWA conduct monitoring and/or maintenance activities at the site to prevent or detect and mitigate any adverse environmental or health impacts.

JWS: DPP: jmp

DSWA\Pine Tree Corners Transfer Station\Permits\DPPxxxxx

Solid Waste Permit SW-19/01

Permit Synopsis

July 21, 2006: Permit SW-06/04 was issued to replace SW-01/02. In this permit the daily tonnage limit was increased from 550 tons to 1100 tons, and the average daily tonnage, which was previously 350 tons per day, was eliminated. The scavenging condition was revised to eliminate conditions addressing the managing of tires, white goods, and yard waste, as these activities are considered recycling. This permit regulates, in accordance with Delaware's *Regulations Governing Solid Waste*, the Delaware Solid Waste Authority's Transfer Station on their property at 276 Pine Tree Road, Townsend, Delaware.

July 15, 2016: Permit extended to further evaluate the DSWA's compliance requirements with Secretary's Order 2015-WH-0015 issued March 30, 2016, and the permit renewal application documents submitted January 5, 2016. Permit extended to December 15, 2016.

December 14, 2016: Second extension to further evaluate the DSWA's compliance requirements with Secretary's Order 2015-WH-0015 issued March 30, 2016, and the permit renewal application documents submitted January 5, 2016. Permit extended to June 15, 2017.

June 15, 2017: Third extension to further evaluate the DSWA's compliance requirements with Secretary's Order 2015-WH-0015 issued March 30, 2016, and the permit renewal application documents submitted January 5, 2016. Permit extended to December 15, 2017.

November 27, 2017: Fourth extension to further evaluate the DSWA's compliance requirements with Secretary's Order 2015-WH-0015 issued March 30, 2016, and the permit renewal application documents submitted January 5, 2016. Permit extended to June 15, 2018.

June 14, 2018: Fifth extension, additional time still needed for DSWA to provide all required information in the application.

December 6, 2018: Sixth and final extension. SHWMS has received all of the required information to deem the application complete.

February 22, 2019: Permit renewal of SW-06/04. Removed references to HHW which are now designated for DSWA sites and off-site collection locations under a separate permit. Modified language in Condition II.H *Waste Storage* per Secretary's Order and Conciliatory Agreement (2016-WH-0015), effective May 21, 2018. New permit SW-19/01 effective.