



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

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**Permit SW-16/01**  
**Permit Type: Transfer Station**

Date of Issue: January 25, 2016

**Date of Expiration: January 25, 2026**

Permittee: Waste Management of Delaware, Inc. (WMDI)  
300 Harvey Drive  
Wilmington, DE 19804

Pursuant to 7 Del. C., Chapter 60, Section 6003 and the *Delaware Regulations Governing Solid Waste*, approval of the Department of Natural Resources and Environmental Control is hereby granted to operate the WMDI Newport transfer station located at 300 Harvey Drive in Wilmington, Delaware, subject to the terms and conditions of this permit. All terms and conditions of this permit are enforceable by the Department.

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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 of the State of *Delaware Regulations Governing Solid Waste (DRGSW)* and 7 Del. C., Section 6003, the Department of Natural Resources and Environmental Control (DNREC) hereby issues a permit for Waste Management of Delaware, Inc. (WMDI) to operate a solid waste transfer station at 300 Harvey Drive in Wilmington, New Castle County, Delaware.
- B. This permit applies to operation of the WMDI Newport transfer station (the transfer station) on the property identified in the *Permit Renewal Application for the Newport Solid Waste Transfer Facility, prepared by Civil & Environmental Consultants, Inc., (CEC) for Waste Management of Delaware, Inc., and submitted September 2015. (Application)*
- C. This permit was issued based upon the information provided in the following WMDI submittals:
1. *Permit Renewal Application for the Newport Solid Waste Transfer Facility, prepared by Civil & Environmental Consultants, Inc. (CEC) for Waste Management of Delaware, Inc., and submitted September 2015.*
  2. *Operations and Maintenance Plan prepared by Waste Management of Delaware, Inc., revised November 2015.*
  3. *WMDI Letter of intent, Kurt Pilarski to Nancy Marker, dated September 1, 2015.*
  4. *Other plans, letters, procedures, and policies specifically referenced in this permit.*
- D. This permit is issued subject to the following general conditions:
1. All operations at 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 the: *Delaware Regulations Governing Solid Waste ("DRGSW"), Delaware Regulations Governing Hazardous Waste ("DRGHW"), Delaware Regulations Governing the Control of Water Pollution, the Delaware Surface Water Quality Standards and the Delaware 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 the DRGSW.
  3. This permit may be revoked upon violation of any condition of the permit or any requirement of the DRGSW after notice and opportunity for hearing in accordance with 7 Del. C., Chapter 60.
  4. Any transfer of this permit shall not occur until the requirements of Section 4.1.8 of the DRGSW are satisfied.

5. Permit SW-16/01 shall expire no later than January 25, 2026.
6. In accordance with section 4.1.7.2 of the 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 the DRGSW, this permit, and the Application. Operations, including wastewater management and waste handling/storage shall be conducted in a manner protective of human health and the environment.
- B. Staffing: Sufficient numbers and types of personnel shall be available at the site to insure capability for operation in accordance with the DRGSW, and this permit. Staffing shall include at a minimum one operations attendant, one scale operator, and one facility manager.
- C. Waste Handling: Waste tipping, handling, and loading operations shall be conducted within the transfer building at all times.
- D. Weight Capacity: The transfer station shall not accept more than 300 tons of solid waste during any single day. Incoming and outgoing wastes shall be weighed by a State of Delaware certified weighmaster on a scale certified correct by the Delaware Department of Agriculture.
- E. Acceptable Wastes: The transfer station is permitted to accept the following wastes at the transfer station in accordance with the DRGSW: 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 transfer station staff 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 done for all wastes tipped. All transfer station personnel responsible

for waste inspection, including weighmasters and 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. Transfer trailers used for storage of solid waste outside the building shall be designed and maintained to prevent the release of liquids to the environment.
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 waste materials 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. The WMDI 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: WMDI shall provide for litter removal and general cleanliness of the entire site. WMDI shall also 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: The transfer station shall be operated in a manner so 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 at the transfer station to protect human health and the environment and to keep solid waste from accumulating on site. Nuisance control shall be conducted in accordance with the DRGSW.

O. Facility Wastewater:

1. WMDI shall ensure that the wastewater collection and containment systems at the transfer station are operated, inspected and maintained in a manner to prevent the discharge of leachate and wash down water to the environment.

2. The leachate and wash down water from the transfer building shall be collected, contained, and directed to the sanitary sewer system. WMDI shall maintain all permits necessary to discharge waste water to the sanitary sewer system.
  3. Stormwater drains around the transfer station building shall be kept clean of debris.
- P. Operational Inspections: Daily operational inspections of the facility shall be conducted daily during active operation of the transfer station and recorded.
- 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.
- R. Training: WMDI shall ensure that all employees assigned duties at the transfer station shall receive, the required training listed in the Training List below. The Training List (1-5) 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.
  3. Health and safety procedures.
  4. Fire prevention and protection.
  5. Emergency first aid.
- S. Contingency:
1. WMDI shall maintain capability to react to emergencies in accordance with the Contingency Plan. WMDI shall react to spills, fires, accidents and other emergencies so as to protect public health and safety and to protect the environment.
  2. WMDI shall maintain a current and correct Emergency Telephone List at the transfer station and shall notify the DNREC within 5 business days of any changes therein. The most current list shall be prominently displayed in the scale house and in the transfer building and all operating personnel informed of its location and function.
  3. Staff responsible for operations or emergency response at the transfer station shall be familiar with the Contingency Plan.
  4. Fire prevention and control shall be conducted in accordance with the Plan of Operation.
- T. Scavenging is prohibited at the transfer station.

### III. REPORTING:

- A. Financial Assurance: No later than March 1<sup>st</sup> of each year, WMDI 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. WMDI shall provide a detailed listing of all projected costs used to estimate the closure costs for the Transfer Station. This submittal shall be made to the DNREC Solid & Hazardous Waste Management Section (SHWMS).
- B. Annual report: No later than March 1<sup>st</sup> each year, WMDI shall submit an annual report to the SHWMS. This annual report shall summarize transfer station operations for the previous year and include:
1. Type and weight of waste received.
  2. A list of transporters that hauled waste to and from the facility during the year covered by the report. The list shall include only those transporters with at least one vehicle having a gross vehicle weight of over 26,000 pounds.
  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 or conditions of this permit.
  6. Descriptions of all construction or corrective work conducted on the site in accordance with DNREC approved plans or to achieve compliance with the DRGSW.
- C. Emergency Reporting:
1. WMDI shall notify the SHWMS 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 transfer station building.
    - d. Any spill or uncontrolled release that may endanger human health or the environment.
  2. WMDI shall submit a written notification to the DNREC no later than five (5) 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. Include a reference number if reported to the Environmental Emergency hotline.
    - c. Materials, quantities and area involved. For spills and releases, include a sketch showing location and dimensions of contaminated area.



- d. Agencies notified.
- e. Narrative describing how the incident occurred and the actions taken by WMDI 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 or anticipated, WMDI shall report to the DNREC, any intentional or accidental deviation from any approved plan.
2. WMDI shall provide written notification to the DNREC within five (5) business days anytime the weight restrictions or storage time limits are exceeded.
3. WMDI shall maintain a current and correct Emergency Telephone List at the transfer station and shall notify the DNREC within five (5) business days of any changes therein.

**IV. RECORDKEEPING:**

A. The following information must be recorded in a timely manner and the records retained by WMDI 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 transfer station each day.
2. A record of the transporters (company name, address, and telephone number) hauling wastes to and from the facility. Records shall include only those transporters with at least one vehicle having a gross vehicle weight of over 26,000 pounds.
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. Operational inspections.
6. 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.
7. Records of odor, litter and dust complaints received by WMDI concerning the facility.

B. A copy of the most current version of this permit shall be maintained at the scale house, in the transfer building and at the office of the WMDI Facility Manager.

**V. CLOSURE:**

A. At least 60 days prior to the date when waste will no longer be accepted for transfer at the facility, WMDI 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 of the transfer station shall meet the closure requirements set forth in the DRGSW. After closure has been completed, the DNREC may require that WMDI conduct monitoring and/or maintenance activities at the site to prevent or detect and mitigate any adverse environmental or health impacts.

Permit Synopsis

May 9, 2001: The permit was modified to include construction for improving the general condition of the building as well as adding a small addition.

June 7, 2002: Permit was modified to delete the following sentence: "Municipal solid waste collected in Delaware may not be brought to this transfer station and must be managed and disposed of in accordance with Delaware law and Delaware Solid Waste Authority (DSWA) regulations." This modification is considered a minor modification in accordance with section 4.A.7.d.(3) of the DRGSW. The second modification for the hours of operation was granted for a one-day period on Sunday June 9, 2002. This modification was also considered a minor modification.

September 17, 2002: A Permit Extension until December 17, 2002 was granted due to the ongoing review of the applications submitted on June 17, 2002 and September 3, 2002. The Department is waiting for receipt of information including checklist items 7 and 8, and a letter from the Town of Newport regarding the proposed hours of operation.

December 17, 2002: A Permit Extension until March 17, 2003 was granted in accordance with Section 4.A.6 of the DRGSW, as the permit application has not been deemed complete.

March 17, 2003: A Permit Extension until June 17, 2003 was granted in accordance with Section 4.A.6 of the DRGSW. The Department has additional comments concerning information submitted for the Operations Plan, Environmental Assessment, and the Engineering Report. The Permit is being extended to allow sufficient time for WMDI to address these comments.

June 17, 2003: A Permit Extension until December 17, 2003 was granted in accordance with Section 4.A.6 of the DRGSW, as the permit application has not been deemed complete.

December 17, 2003: A Permit Extension until March 17, 2004 was granted in accordance with Section 4.A.6 of the DRGSW, as the permit application has not been deemed complete.

March 17, 2004: A Permit Extension until June 17, 2004 was granted in accordance with Section 4.A.6 of the DRGSW, as the permit application has not been deemed complete.

June 17, 2004: A Permit Extension until January 17, 2005 was granted in accordance with Section 4.A.6 of the DRGSW, as a request for a public hearing has been received and the hearing process and comment period is expected to last six months.

November 3, 2004: The permit was modified to make the permit more consistent with other facility permits issued for solid waste transfer stations.

December 28, 2004: A Permit Extension until June 17, 2005 was granted in accordance with Section 4.A.6 of the DRGSW, as a request for a public hearing has been received and the hearing process and comment period is expected to last an additional four months.

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June 15, 2005: A Permit Extension until September 17, 2005 was granted in accordance with Section 4.A.6 of the DRGSW, as a request for a public hearing has been received and the hearing process and comment period is expected to last an additional four months.

September 16, 2005: A Permit Extension until March 17, 2006 was granted in accordance with Section 4.A.6 of the DRGSW, as a request for a public hearing has been received and the hearing process and comment period is expected to last an additional four months.

March 3, 2006 Permit renewal issued per the December 28, 2005 Secretary's Order (No. 2005-A-0051). No increase in waste tonnage or operating hours included. Permit number modified from SW-97/01 to SW-06/02. SW-06/02 is effective until March 3, 2006.

January 25, 2016: Permit renewal issued for new permit SW-16/01, no requested changes to operations. Permit will expire January 25, 2026.

NCM: DPP: drb  
WMDI Newport Transfer Station \Permits\DPP16001