March 22, 2018

Mindy Anthony
Department of Natural Resources and Environmental Control
Solid & Hazardous Waste Management Section
89 Kings Highway
Dover, DE 19901

RE: Beneficial Use Determination Renewal Application
Allan Myers DE, Inc. – Dover

Dear Ms. Anthony:

Please find enclosed supplemental information regarding the recent Beneficial Use Determination Application for Allan Myers DE, Inc.'s (Myers) Dover Asphalt plant located at 3700 Bay Road, Dover, DE 19901. This application is to renew permit #38/090118B. The following information is included with this correspondence:

- **Attachment 1 – Updated site plan**
- **Attachment 2 – Updated background statement**

In the event that manufacturer's waste asphalt shingles must be removed from the Dover facility, Allan Myers MD, Inc. will accept the waste at no cost at one of its Maryland hot mix asphalt plants for incorporation into its asphalt manufacturing process. The cost associated with loading and transporting the shingles from Dover to the Allan Myers MD, Inc. North East facility is $7.12 per ton. Allan Myers is currently permitted to store up to a total of 15,000 tons of processed and unprocessed shingles at its Dover facility. The cost to load and transport 15,000 tons of shingles from Dover to North East is $106,800.00.

If you have any questions or need additional information, please do not hesitate to call me at (610) 222-3182.

Sincerely,

David Schnackenberg

ATTACHMENT 1

UPDATED SITE PLAN

ALLAN MYERS

Allan Myers DE, Inc. - Dover

ATTACHMENT 2

UPDATED BACKGROUND STATEMENT

ALLAN MYERS

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

ENVIRONMENTAL PERMIT APPLICATION BACKGROUND STATEMENT

Pursuant to 7 Del. C. Chapter 79

FILING STATUS:

This Background Statement is being filed with DNREC because:

☐ 1. It is an initial application for a new permit (or permits) and the applicant or applicant company has not held a permit issued by DNREC for a period of 5 or more years [See 7 Del. C. § 7902(a) and (b)];

☐ 2. It is required on an annual basis because the applicant or applicant company has been designated a chronic violator pursuant to 7 Del. C. § 7904 [See 7 Del. C. § 7902(a)(7) and (b)(2)]; or

☐ 3. It is required on an annual basis as the applicant or applicant company has been found guilty, pled guilty or no contest to any crime involving violation of environmental standards which resulted in serious physical injury or serious harm to the environment as defined in 7 Del. C. § 7902(c) [See 7 Del. C. § 7902(a)(7) and (b)(2)].

☒ 4. Permit renewal application

APPLICANT OR APPLICANT COMPANY'S NAME OR COMPANY'S NAME FILING STATEMENT	Allan Myers DE, Inc.
DATE OF APPLICATION OR DATE OF STATEMENT	
PERMIT(S) BEING APPLIED FOR OR STATEMENT FOR FILING STATUSES 2 OR 3	☒ Permit Type(s) BUD #38/090118B ☐ Statement for filing Statuses 2 or 3—If filing under these statuses, attach a statement of the date of designation as Chronic Violator or the date of Conviction/Plea.
OTHER DNREC PERMITS HELD	☐ N/A – No other permits held with DNREC ☒ List of all DNREC permits currently held with dates of issuance and expiration attached. Permit copies attached

ENVIRONMENTAL PERMIT APPLICATION BACKGROUND STATEMENT

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

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

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

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

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

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

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

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

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

☐ N/A

☒ Information attached

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

☒ N/A

☐ Description attached

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

☒ N/A

☐ Information attached

Items for Filing Statuses 2 or 3 Only

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

☒ N/A

☐ Yes – Information Attached.

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

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

STATE OF DELAWARE – DEPT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL

ENVIRONMENTAL PERMIT BACKGROUND STATEMENT

CERTIFICATION

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

David Schnackenberg

SIGNATURE—APPLICANT OR OFFICER OF APPLICANT / STATEMENT COMPANY

DATE: 3-22-2018

NAME: David Schnackenberg

TITLE: Environmental Manager

COMPANY NAME: Allan Myers DE, Inc.

ADDRESS: 638 Lancaster Avenue
Malvern, PA 19355

TELEPHONE: 610-222-3182

FAX NUMBER:

REGISTERED AGENT NAME: The Corporation Trust Company

ADDRESS: 1209 Orange St., Wilmington, DE 19801

TELEPHONE: 302-658-7581

FAX NUMBER: 302-655-2480

SWORN TO AND SUBSCRIBED

BEFORE ME THIS 22 DAY OF

March, 2018.

Roxanne Louise Wax

NOTARY PUBLIC SIGNATURE (SEAL)

Roxanne Louise Wax

PRINTED NAME OF NOTARY PUBLIC

Chester County, Pennsylvania

STATE / COUNTY

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
Roxanne Louise Wax, Notary Public
East Whiteland Twp., Chester County
My Commission Expires May 13, 2021
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

MY COMMISSION EXPIRES ON: May 13, 2021

jmb:20-24.doc/Rev. 8/2012