

COVID-19-Emergency Request to Temporarily Suspend
Regulatory Requirements and/or Permit Conditions

In accordance with Governor Wolf's Proclamation of Disaster Emergency of March 6, 2020 and the Governor's powers pursuant to the Emergency Management Code, 35 Pa.C.S. §7301, the Governor has authority to suspend regulatory obligations and other legal obligations within his jurisdiction where strict compliance will prevent, hinder, or delay necessary action in coping with the COVID-19 emergency.

*If you are requesting suspension of a Federal requirement, under only Federal authority, please contact US EPA Region III and refer to the US EPA March 26, 2020 Memorandum (COVID-19 Implications for EPA's Enforcement and Compliance Assurance Program). To the extent the request relates to a federal program delegated to Pennsylvania, Pennsylvania will review requests submitted in this format.

Submit completed and signed requests to the email resource account:
RA-EPCOVID19SuspReq@pa.gov

Background
<p>A. Identify the Regulated Entity or Permittee, including an address for the location of the permitted or regulated activity (if no address, DEP Permit No. can be used), and a point of contact for this request with email and phone number. Clean Earth of Southeast PA, LLC (CESP)- 7 Steel Rd. East, Morrisville PA 19067- Joseph M. Siravo jsiravo@harsco.com. 215.428.1700 x1852</p>
<p>B. Describe what permitted or regulated activity you are engaged in. Residual Waste, Air Quality and Groundwater</p>
<p>C. If you were issued a permit by DEP for the permitted or regulated activity described above, identify the type of permit and permit number. Please list the DEP Office, Conservation District, Oil and Gas District Office, or District Mining Office that issued the permit or authorization. Please see attached</p>
<p>D. Identify what regulatory requirement(s) or permit condition(s) or other requirement(s) you seek a temporary suspension of. Please cite the specific regulatory requirement(s), condition(s) and/or other requirement(s). CESP requests a postponement of the facility's source test from April 2020 to June 2020</p>

Reasons for Requested Suspension
<p>For each regulatory requirement or permit condition or requirement listed above, please state clearly why you are seeking the temporary suspension, addressing at least the following in detail:</p>
<p>A. How will strict compliance with the subject requirement(s) prevent, hinder, or delay necessary action in coping with the COVID-19 emergency? Be as specific as possible. Subcontractors are not deemed essential. Source test preparation activities require personnel and subcontractors to be in close proximity, which would be closer than the</p>

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<p>CDC's guidance for social distancing. Some resources may be delayed to product delays.</p>
<p>B. How has COVID-19 restricted your ability to comply with the environmental regulatory requirement, permit condition or other requirements for which you are seeking a suspension? Temporary delay in source test as described in previous question. The testing would be completed within the permit required timeframe - last year of the permit cycle</p>
<p>C. What other aspects or parts of your operation(s) are being shut down or are not functioning due to the COVID-19 restrictions? And, are you requesting any suspensions or waiver(s) from other government agencies? If so, from what agencies and for what requirements? All facility permits are governed by PADEP. Form U submissions and quarterly reports will be issued to PADEP-SERO contacts by email, but are unable to be physically accepted at PADEP-SERO office. Physical submissions will be resubmitted upon reopening of the regional office.</p>
<p>D. What alternate compliance options have you explored to address the issues or environmental compliance hurdles with which you are confronted? reschedule of source test in June 2020 - The testing would be completed within the permit required timeframe - last year of the permit cycle</p>
<p>E. Do you believe cost gouging or supply hoarding is negatively effecting your ability to comply? If so, please explain and provide cost information and/or availability information from your supply chain history. Supply chain may be impacted - specifically - PPE (masks, gloves, etc) but not due to price gouging and hoarding</p>
<p>F. How long do you expect to be unable to comply with the regulatory requirement(s), permit condition(s) or other requirement and identify what circumstances must exist for you to return to compliance. Specify the period of time for which you are requesting the suspension. Suspensions will not be issued initially beyond June 30, 2020. Source test expected to be performed in June. The testing would be completed within the permit required timeframe - last year of the permit cycle. All other permit conditions will be satisfied during this time.</p>
<p>G. If applicable, identify how you will account for all reporting obligations for the period of noncompliance. All reporting requirements will be sent via electronic mail PADEP offices are closed. Hard copies will be mailed upon reopening of PADEP offices.</p>

Evaluate Risk to Public Health and the Environment

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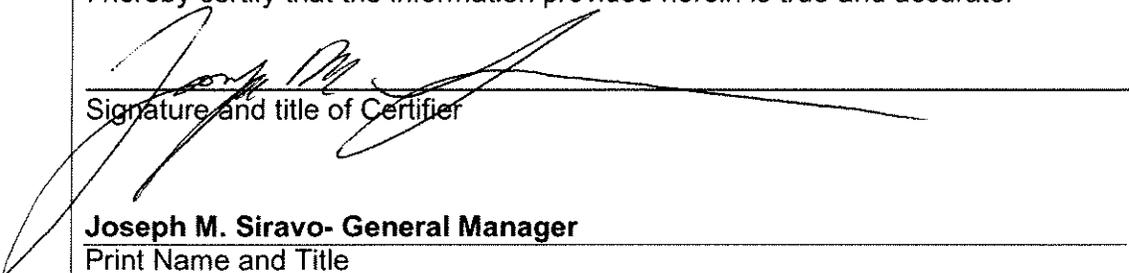
<p>A. Will the temporary suspension, if granted, result in an increase in the risk of additional pollution (e.g. increased emissions, increased concentrations of any pollutant and/or releases of new or more pollutants) and/or will it result in less monitoring, reporting, and/or supervision of pollution incidents, accidents or equipment failures? No increase or risk of additional pollution will occur.</p>
<p>(i) If yes, please identify what pollutants and the nature of the risk.</p>
<p>(ii) If yes, please identify the potential extent of increased pollution, including any increases in risk to human health, safety or the environment.</p>
<p>(iii) If no, explain how increased pollution will be avoided. Operational hours and daily acceptance limits will be maintained in accordance with facility permits.</p>
<p>B. What public health and/or safety benefits will result if the temporary suspension is granted? all work performed by CESP employees adhere to CDC guidelines pertaining to COVID-19</p>
<p>C. Is the restriction on your ability to comply generally applicable to others engaged in your industrial classification or industry? If no, please explain why your situation is unique. yes</p>
<p>D. Would you possess a unique advantage over your competitors, or others in the same industry, if a suspension is granted? no</p>
<p>E. What would be the negative consequences to your operation if the temporary suspension is not granted? What would be the negative consequences to the Commonwealth's response to the COVID-19 emergency if your requested temporary suspension is not granted? subcontractors required to perform the source test have not been deemed essential by the state of Pennsylvania. Employees would be required to not maintain social distancing per CDC guidelines. PPE and testing supplies may be delayed.</p>

CERTIFICATION

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Pursuant to the prohibition against unsworn falsification to authorities, 18 Pa.C.S.A. §4904, I am an authorized representative of the requestor and have personal knowledge of the facts set forth in this temporary suspension request.

I hereby certify that the information provided herein is true and accurate.



Signature and title of Certifier

Joseph M. Siravo- General Manager

Print Name and Title

Submit completed and signed requests to the email resource account:
RA-EPCOVID19SuspReq@pa.gov

Clean Earth, Inc. Operating Facilities

Regulatory Permit Information

Clean Earth of Southeast Pennsylvania, LLC

7 Steel Road East

Morrisville, PA 19067

<i>Permit Description</i>	<i>Permit Number</i>	<i>Issuing Agency¹</i>	<i>Regulatory Contacts</i>		<i>Permit Issue Date</i>	<i>Permit Expiration Date</i>
			<i>Name</i>	<i>Phone Number</i>		
Synthetic Minor Operating Permit	<u>SMOP 09-00102</u>	PADEP	Janine Tulloch-Reid	484-250-5065	4/18/2016	4/18/2021
Solid Waste Processing Facility Permit	<u>301254</u>	PADEP	Jim Wentzel	484-250-5960	7/19/2017	7/19/2027
Residual Waste General Permit for Beneficial Reuse	WMGR074	PADEP	Ron Hassinger	717-787-9870	4/26/2011	7/29/2022
Water Quality Management Permit	0993205-T1	PADEP	Keith Dudley	610-832-6092	6/30/2016	6/30/2021

¹ Agency Abbreviations

- PADEP Pennsylvania Department of Environmental Protection

**Permit under review for renewal.