

August 9, 2018
Lisa D. Houser, P.E.
Environmental Engineer Manager
Waste Management Program
Pennsylvania Department of Environmental Protection
208 West Third Street, Suite 101
Williamsport, PA 17701-6448

RE: Camp Hope Run Landfill - Permit # 101719
APS 944978; AUTH 1189259
Phase I Municipal Waste Landfill Application
Boggs Township, Clearfield County


Dear Ms. Houser:

Based on our recent discussions with PA Waste representatives and upon further review of the Camp Rattlesnake access road, there are concerns with providing access to Camp Rattlesnake as depicted in **Exhibit E-2.1 (Rev. May 2018)**.

Consequently, Smith Gardner, Inc. (S+G) on behalf of PA Waste, LLC requests that our previous response to DEP's Comment 1 be removed from the June 6, 2018 Response to Comments along with the corresponding **Exhibit E-2.1** and replaced with the **attached** response provided by PA Waste, LLC.

Should you have any additional questions, comments, or require further clarification, please do not hesitate to contact me at your earliest convenience.

Sincerely,
SMITH GARDNER, INC.

DocuSigned by:

536C05E562A542F...

John M. Gardner, P.E.
Senior Project Manager
john@smithgardnerinc.com
Attachments

Cc: Robert Rovner (PA Waste)
Ramsey Dilibero (PA Waste)
Rita Lubber (PA Waste)

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PA WASTE, LLC
175 BUSTLETON PIKE
FEASTERVILLE, PA 19053-6456
(215) 953-2726

ROBERT A. ROVNER, ESQ. PRESIDENT & CHAIRMAN
RAMSEY DILIBERO, VICE PRESIDENT OPERATIONS

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Dear Ms. Houser:

Based upon further review of the Camp Rattlesnake access road that was previously submitted to DEP by Smith Gardner, Inc. (S+G) on our behalf, there are concerns with providing access to Camp Rattlesnake as depicted in **Exhibit E-2.1 (Rev. May 2018)**. Consequently, PA Waste, LLC requests that S+G's previous response to DEP's Comment 1 be removed from the June 6, 2018 Response to Comments along with the corresponding **Exhibit E-2.1** and replaced with the following response:

Form E - Contractual Consent of Landowner [25 Pa Code § 271.123]

Comment 1: The Right of Way for Camp Rattlesnake is not mentioned nor addressed in the consent form. Please explain how this has been resolved.

***“Response:** There is no Right-of-Way for Camp Rattlesnake. As provided in the deed, which is included in **Attachment E-2** of the June 6, 2018 response package: (1) PA Waste owns the land on which the access road is located in fee title; and (2) Camp Rattlesnake is given a limited right to access their property allowing it to use the road for access to the Camp, **provided its use does not interfere with PA Waste's use** of the same road. Camp Rattlesnake's continued use of the access road would interfere with PA Waste's use of the property and PA Waste has so advised Camp Rattlesnake. When a permit is issued and the*

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Lisa Houser

facility begins construction, the Camp will no longer have any right to use the access road or to use any portions of the property within the boundary of the landfill facility.

Camp Rattlesnake has no "fee title" interest to any property within the permitted area and no consent is needed from Camp Rattlesnake under 25 PA Code §271.123 and its right to use the road for access to the camp does not make it a "landowner" under the regulations, inasmuch as PA Waste is the fee title holder, or "landowner" for property on which the road is located.

PA Waste intends to resolve this matter privately with Camp Rattlesnake and is currently in negotiations with Camp Rattlesnake to either provide an alternative access that would not be located within the boundary of the proposed landfill facility or conditionally purchase the approximate four-acre Camp Rattlesnake parcel such that it becomes the property of PA Waste."

Should you have any additional questions, comments, or require further clarification, please do not hesitate to contact me or S+G at your earliest convenience.

Sincerely,
PA WASTE, LLC



Robert Rovner
President

cc: Joel Bolstein, Esq.
Ramsey Dilibero (PA Waste)
Rita Luber (PA Waste)
John M. Gardner, P.E., S+G