

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

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



Signature and title of Certifier

Jason Neidig, General Manager

Print Name and Title

Note: This form will not be accepted without a written signature. Electronic signatures are not accepted.

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

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<p>(ii) If yes, please identify the potential extent of increased pollution, including any increases in risk to human health, safety or the environment. n/a</p>
<p>(iii) If no, explain how increased pollution will be avoided.</p> <p align="center">All leachate is captured by our drainage system. The drain system is inspected and cleaned weekly. Refuse that is dropped at our facility is quickly pushed into trailers which are covered when full to eliminate debris in and around our facility.</p>
<p>B. What public health and/or safety benefits will result if the temporary suspension is granted?</p> <p>This would avoid a potentially unsanitary situation as the public would continue to be able to drop off refuse at our transfer versus storing garbage at their homes and places of business, or illegally dumping it on back roads.</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.</p> <p>No, other transfer stations and landfills have chosen to close to walk-in customers.</p>
<p>D. Would you possess a unique advantage over your competitors, or others in the same industry, if a suspension is granted?</p> <p>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?</p> <p>We would be forced to further consider closing to walk-in customers which would create a potentially unsanitary environment in our area. Otherwise, we risk losing business from our commercial haulers as they are forced to go elsewhere when we close early because we have reached our maximum tonnage limit.</p>

CERTIFICATION

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.

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<p>D. What alternate compliance options have you explored to address the issues or environmental compliance hurdles with which you are confronted?</p> <p>We have considered closing the transfer station to walk-in customers like most other facilities in our region, but we feel this would lead to potentially unsanitary situations with our public and possible dumping in illegal areas.</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.</p> <p>Many customers opt to drop their refuse at our transfer station versus the more expensive option of using a commercial hauling service. Many of our constituents have lost their jobs as a result of the COVID-19 virus and/or they have reduced incomes. We feel it is fiscally responsible to continue to offer our customers the option to drop their refuse directly at our transfer station.</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.</p> <p>We would like to have this permit requirement lifted through June 30, 2020, since it looks like it will not be any sooner than that before this situation returns to anything close to normal.</p>
<p>G. If applicable, identify how you will account for all reporting obligations for the period of noncompliance.</p> <p>Our daily tonnage received is tracked and recorded.</p>

<p>Evaluate Risk to Public Health and the Environment</p>
<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?</p> <p>No. Our facility, equipment and manpower will allow us to handle this temporary increase in daily tonnage with no impact to the public or environment.</p>
<p>(i) If yes, please identify what pollutants and the nature of the risk. n/a</p>

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Due to the impacts of the COVID-19 virus, we have seen a substantial increase in our total business. We are experiencing increased volume due to two primary reasons:

1. We are finding many customers who are not working and are forced to stay at home are cleaning out their attics, basements, garages, etc. in order to pass the time. These customers are bringing this refuse to us for disposal.
2. Other Transfer Stations and Landfills in our region have opted to close their gates to walk-in customers in response to the COVID-19 virus. In an effort to promote a sanitary environment, we decided to remain open to walk-in customers. We are now experiencing a much higher than normal number of customers from outside our local area visiting our facility to dispose of their refuse.

Reasons for Requested Suspension

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:

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.

Strict compliance will hinder public health and safety because customers will store or accumulate their municipal waste on their properties or dump it illegally.

We are deemed an essential business and, in turn, we have not closed our gates to walk-in customers where many other regional transfer stations and landfills have done so. By remaining open so customers can dispose of refuse in a reasonable manner, we are no experiencing considerably higher daily tonnages than normal and it is forcing us to close our facility early when we approach our 100 ton maximum daily limit. This is impacting business from our commercial haulers as they are not able to dump in our facility when we are closed. This is also causing customers to congregate outside our facility to discuss reasons why the facility is closing early.

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?

As outlined above, the effects of other regional facilities closing has led to an increase in tonnage received at our facility. This has led to us having to close our facility early when we have reached the maximum daily tonnage allowed by our DEP permit.

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?

We have chosen to split our staff in half in every department and work each half group every other week in an effort to isolate department subgroups. Due to this reduction in weekly staffing, we have temporarily suspended activities at our recycling facility.

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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.

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All questions must be completed; if not applicable, type “N/A”.

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), business mailing address, and a point of contact for this request with email and phone number.</p> <p>The Municipal Authority of the City of Sunbury, 462 S. 4th Street, Sunbury, PA 17801 Jason Neidig, jneidig@ptd.net, 570-286-5858</p>
<p>B. Describe what permitted or regulated activity you are engaged in.</p> <p>Our Authority operates a transfer station that collects refuse from commercial haulers and from drive-in customers from our local area. We are permitted through DEP to receive a maximum of 100 tons per any given day with a daily average not to exceed 80 tons per day.</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.</p> <p>Permit #101323 - Permit for Solid Waste Disposal and/or Processing Facility. Permit is issued by the DEP Bureau of Land Recycling and Waste Management - Williamsport office.</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).</p> <p>We are seeking a temporary suspension of our permit tonnage limit of 100 tons per day with a daily average not to exceed 80 tons per day.</p>