

April 14, 2025

Michael Piepoli, P.E., Site Manager  
Commonwealth Environmental Systems, L.P.  
99 Commonwealth Road  
Hegins, PA 17938  
via email: [ces@ceslfc.com](mailto:ces@ceslfc.com)

Re: First Environmental Assessment Review  
Commonwealth Environmental Systems Landfill  
Major Permit Modification Application – Southwest Expansion  
Foster, Reilly, and Frailey Townships, Schuylkill County  
Application No. 101615-A242

Dear Mr. Piepoli:

On August 22, 2024, the Department of Environmental Protection (DEP) received an application from Commonwealth Environmental Systems, L.P. for a major modification for the Southwest Expansion at the Commonwealth Environmental Systems (CES) Landfill. A Local Municipality Involvement Process meeting was held on October 24, 2025. The application was found to be complete and officially accepted on November 5, 2025.

**Environmental Assessment Harms vs. Benefits analysis required by §271.126-127**

The CES application is subject to the Environmental Assessment Process regulations and as such, the application included an analysis of the potential impact of the facility on the environment, public health and public safety including a description of the known and potential harms of the proposed project and mitigation plans that explain how each known or potential harm will be mitigated and the extent to which any known or potential harms remain after mitigation. The application also included a description of the benefits of the proposed project. The following summarizes DEP's review of the Environmental Assessment Harms/Benefits Analysis of the CES Southwest Expansion application. The scope of this review is limited to harms and benefits of the proposed expansion and does not consider harms and benefits associated with the current landfill as permitted other than to the extent that past performance can be used as an indicator future performance. The deficiencies identified are based on applicable laws, regulations, and policies.

**Form D Environmental Assessment Deficiencies**

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1. In Attachment D-1 Aquatic Resource Investigation Memorandum, Photograph Numbers 49 and 51 are missing.
2. The application states that a Chapter 105 Joint Permit Application will be submitted to DEP to address the proposed wetland and stream impacts. CES should provide an update as to when this Chapter 105 permit application will be submitted.

3. An updated Notice of Proposed Construction form was submitted to the FAA on December 16, 2024. CES should provide an update on whether a response has been received from the FAA.
4. Section A Geologic:
  - a. The site is currently in a groundwater assessment/abatement process for elevated levels of nitrate in the original southern expansion area. CES should provide an update on the investigation efforts to confirm the source and any updates regarding a treatment system. CES should also provide a copy of the abatement plan to be included and part of the expansion application.
  - b. The permit area includes areas that were both strip-mined and deep mined. This fact should be included in response to this section and CES should explain or reference the applicable parts of the application that detail the results of any geologic investigations and mitigation related to mining.
5. Section E Fish, Game and Plants: CES should provide an update as to which mitigation option for Gebhard Run will be utilized. If the open channel will be used, CES should provide an update regarding the additional permitting and planning through the Pennsylvania Department of Transportation (PADOT).
6. Section F Water Uses: CES should verify whether the Keiffer well was abandoned. This well was approved to be abandoned during the initial Southern Expansion.
7. Section J Traffic: While there is no additional waste intake or traffic proposed, CES should more fully acknowledge and answer the specific questions in this section. Specifically, CES should evaluate if there have been any changes along the approach route since the last Form D was completed regarding:
  - a. Locations on approach routes where bridge and/or roadway conditions (e.g., weight limits, vertical clearance restrictions, one-lane or narrow bridges, insufficient lane widths, or roadway surfaces) may require repair or improvement to accommodate traffic related to the proposed facility.
  - b. Sections of roadway along the approach routes that are congested (e.g., that experience traffic backups or queuing), or are expected to be congested within the next ten years.
  - c. Any new land uses along the approach routes, such as residential, commercial, industrial and agricultural, and identify residences fronting the roadways (50 feet setback or less), schools, hospitals, nursing homes and other significant buildings.
  - d. Locations on approach routes where intersection turning radii are insufficient to allow turns to be made within the physical boundaries of the roadway pavement and without encroaching on opposing travel lanes
  - e. Locations on approach routes where horizontal alignment, lane width, and other factors would result in encroachment onto sidewalk areas, or opposing/adjacent travel lanes, or onto shoulder areas.

- f. Locations on approach routes where shoulders or a roadside clear zone are not present and a combination of factors such as curvature, lane width, etc. would result in off-tracking or run-off-the-road concerns.
  - g. Locations on approach routes which may present under clearance problems.
  - h. Locations on approach routes where sight distance or turning, acceleration or deceleration lane lengths are inadequate for the type, size and weight of vehicles that will be generated by the proposed facility.
  - i. Any other safety-related considerations relative to waste facility traffic on approach routes that has changed since the last Form D was submitted.
  - j. Any new parks, playgrounds, recreation areas, forests, picnic areas, natural landmarks, wild areas, rivers, wetlands, public water supplies, historic sites, or other areas, that may be impacted by traffic to and from the proposed facility.
- 8. Section M Air Quality Impacts: Section 2 states: Based upon site specific meteorological data describe the prevailing wind direction and speed and describe potential adverse air impacts to the surrounding community. CES provided average wind direction and speed for Penn Valley Airport, Pocono Mountains Municipal Airport, and Allentown/Bethlehem/Easton Airport. This does not satisfy the requirement for “site specific meteorological data.” CES needs to obtain site specific data. In accordance with 25 Pa. Code §273.136, prior to the installation of equipment and collection of meteorological data, a protocol for the installation and data collection shall be approved by the Department.
- 9. Section N Benefits and Harms:
  - Harms:
    - a. Traffic Related Dirt and Mud: Landfill vehicles tracking dirt and mud off-site is a potential harm. CES did not identify this as a harm and has not proposed mitigation. CES has procedures for the use of a truck wash at the site. Based on DEP’s inspections and review of records, CES’ mitigation of vehicles tracking dirt and mud off-site is generally effective. However, CES should specifically identify this as a harm and detail any and all mitigation measures used to control and prevent dirt and mud from being tracked off-site.
    - b. Groundwater Impacts: An update on the investigation into the source of the elevated constituents should be provided. Depending on the source, if appropriate, CES should describe any additional mitigation measures which have been developed to prevent similar future occurrences. As stated above, CES should also provide a copy of the abatement plan to be included with and become part of the expansion application.

You must submit a response fully addressing each of the deficiencies set forth above within 60 business days.

If you believe that any of the stated deficiencies is not significant, instead of submitting a response to that deficiency, you have the option of asking DEP to make a decision based on the information with regard to the subject matter of that deficiency that you have already made available. If you choose this option with regard to any deficiency, you should explain and justify how your current submission satisfies that deficiency. Please keep in mind that if you fail to respond, your application may be denied.

Should you have any questions regarding the identified deficiencies, please contact Erika Bloxham at [ebloxham@pa.gov](mailto:ebloxham@pa.gov) or (570) 826-2273 to discuss your concerns or to schedule a meeting. The meeting must be scheduled within the 60-day period allotted for your reply, unless otherwise extended by DEP.

Sincerely,



Roger Bellas  
Program Manager  
Waste Management Program

cc: Dominick DeNaples Jr. w/ enclosures (via email: [dominickd@kslco.com](mailto:dominickd@kslco.com))  
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