



June 16, 2026

Mr. D. Scot Haan, Secretary and Operations Manager
Environmental & Recycling Services, Inc.
1100 Union Street
Taylor, PA 18517
via email: tessdutch@aol.com

Re: Major Modification Application for Phase IV Redesign
Environmental & Recycling Services, Inc.
Application# 100932-A251
APS No. 1138570 Auth No. 1529352
Taylor Borough, Lackawanna County

Dear Mr. Haan:

Your application for a major permit modification is hereby approved. This approval is based on the information in the application entitled "ERSI Construction/Demolition Landfill Major Modification Phase IV Disposal Area" received by the Department on June 3, 2025. Supplemental information was received on the following dates: June 5, 2025, June 9, 2025, October 21, 2025, December 18, 2025, and March 6, 2026.

Enclosed as part of this approval is a permit modification Form 13-A and a Comment-Response Document. Any conditions stated on the Form 13-A modifies and replaces permit conditions regarding your operating permit. All other items and conditions from your permit shall remain in force and effect.

Any person aggrieved by this action may appeal the action to the Environmental Hearing Board (Board) pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. § 7514, and the Administrative Agency Law, 2 Pa. C.S. Chapter 5A. The Board's address is:

Environmental Hearing Board
Rachel Carson State Office Building, Second Floor
400 Market Street
P.O. Box 8457
Harrisburg, PA 17105-8457

TDD users may contact the Environmental Hearing Board through the Pennsylvania Relay Service, 800-654-5984.

Appeals must be filed with the Board within 30 days of receipt of notice of this action unless the appropriate statute provides a different time. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

A Notice of Appeal form and the Board's rules of practice and procedure may be obtained online at www.ehb.pa.gov or by contacting the Secretary to the Board at 717-787-3483. The Notice of Appeal form and the Board's rules are also available in braille and on audiotape from the Secretary to the Board.

IMPORTANT LEGAL RIGHTS ARE AT STAKE. YOU SHOULD SHOW THIS DOCUMENT TO A LAWYER AT ONCE. IF YOU CANNOT AFFORD A LAWYER, YOU MAY QUALIFY FOR FREE PRO BONO REPRESENTATION. CALL THE SECRETARY TO THE BOARD AT 717-787-3483 FOR MORE INFORMATION. YOU DO NOT NEED A LAWYER TO FILE A NOTICE OF APPEAL WITH THE BOARD.

IF YOU WANT TO CHALLENGE THIS ACTION, YOUR APPEAL MUST BE FILED WITH AND RECEIVED BY THE BOARD WITHIN 30 DAYS OF RECEIPT OF NOTICE OF THIS ACTION.

If you have any questions regarding this matter, please contact Matthew Glogowski at (570) 830-3128.

Sincerely,

Roger Bellas

Roger Bellas
Environmental Program Manager
Waste Management Program

Enclosures – Form 13-A and Comment-Response Document

cc: Kevin Bodner, Martin and Martin, Inc. via email: knbodner@yahoo.com (w/enc.)
Taylor Borough via email: cbellucci@taylorborough.com (w/enc.)
Lackawanna County Planning Commission via email: donatoml@lackawannacounty.org (w/enc.)
Lackawanna County Commissioners via email: reedlo@lackawannacounty.org,
castellaniJ@lackawannacounty.org and koruszkoa@lackawannacounty.org (w/enc.)

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF WASTE MANAGEMENT**FORM NO. 13-A**
MODIFICATION TO SOLID WASTE DISPOSAL AND/OR PROCESSING PERMIT

Under the provisions of Act 97, the Solid Waste Management Act of July 7, 1980, Solid Waste Permit
Number 100932 issued on (date original permit was issued) October 6, 1995 to
(permittee) Environmental and Recycling Services, Inc. (ERSI)
(address) 1100 Union Street
Taylor, PA 18517

is hereby modified as follows:

1. This major permit modification is being issued pursuant to the Pennsylvania Solid Waste Management Act of July 7, 1980, and the Municipal Waste Management Regulations effective September 14, 2002.
2. This major permit modification is based on the information in the application package received by the Department on June 3, 2025, titled "ERSI Construction/Demolition Landfill Major Permit Modification Phase IV Disposal Area". Supplemental information was received on June 5, 2025, June 9, 2025, October 21, 2025, December 18, 2025, and March 6, 2026. The major modification application was prepared by Martin and Martin, Incorporated and included the following documents:
 - a. General Information Form
 - b. Form A – Application for Municipal or Residual Waste Permit
 - c. Form B – Professional Certification
 - d. Form B1 – Application Form Certification
 - e. Form MRW-C – Identification of Interests and Compliance History
 - f. Form D – Environmental Assessment for Municipal and Residual Waste Management Facilities
 - g. Form 1 – Facility Plan
 - h. Form L – Contingency for Emergency Procedures
 - i. Form X – Radiation Protection Plan
 - j. Form 14 – Operation Plan
 - k. Form L – Contingency Plan for Emergency Procedures
 - l. Form Q – Request for Equivalency Review
 - m. Form 25 – Leachate Management – Phase II
 - n. Form 6 – Geologic Information – Phase I
 - o. Form 7 – Hydrogeologic Information – Phase I
 - p. Form I – Soil Erosion and Sedimentation Controls
 - q. Form 18 – Water Quality Monitoring System – Phase II
 - r. Form 24 – Liner System – Phase II

The following conditions apply to this permit modification:

1. The ERSI Phase IV Expansion Stage 1 through Stage 5 shall be constructed within the permitted disposal area as per the approved major modification application.

2. The permittee shall install a liner system, leachate collection system, and leachate detection system within Stage 1 through Stage 5 of the Phase IV Expansion which meets the applicable liner system and leachate system regulations set forth in 25 Pa. Code Chapter 277 and as per Form 24 – Liner System – Phase II of the approved major modification application.
3. Capping shall be completed consistent with the capping plan/schedule as shown on the Stage Development/Closure Plan Permit Drawing Sheets LF-13 through LF-15 in the approved major modification application. However, at any given time, the amount of uncapped portion of the active landfill area shall not be greater than 26 acres.
4. Construction of the facility shall be in accordance with the approved landfill sequencing plans. A minor modification application is required to deviate from the approved sequencing plans.
5. The permittee shall conduct regular inspection and required maintenance of each sediment basin at the landfill. Basins shall be maintained and dredged as needed to maintain the designed stormwater volumes and operation as per Form I – Erosion and Sediment Controls of the approved major modification application.
6. The permittee shall submit to the Department all documents relating to a formal agreement with the Lower Lackawanna Valley Sewer Authority (LLVSA) or an alternative treatment plant prior to waste acceptance and waste disposal operations at the landfill.
7. The permittee must begin conveying leachate from the landfill to LLVSA for treatment no later than 3 years after the date of this modification. All hauling agreements with leachate hauling and trucking companies shall be submitted to the Department prior to waste disposal operations at the landfill.
8. The permittee must construct a leachate conveyance system and leachate storage tanks which meet the applicable leachate and leachate storage regulations set forth in 25 Pa. Code Chapter 277 and as per Form 25 – Leachate Management of the approved application.
9. Any upgrade, maintenance, or changes to the Union Street pump house suggested by LLVSA and/or Taylor Borough must be completed by the permittee prior to leachate discharge to the LLSVA conveyance piping system.
10. The permittee shall conduct quarterly lab analysis of leachate generated at the landfill and any fluid detected in the leachate detection zones as per the Form 50 – Leachate Analyses. All results shall be submitted to the Department on a quarterly basis. This shall be in addition to any further leachate analysis requested by LLVSA.
11. The permittee shall maintain the existing gas collection system currently in place for the existing landfill so that the gas collection system can be expanded throughout each Stage of the Phase IV Expansion if needed in the future per the approved permit application.
12. The permittee shall reconfigure groundwater monitoring well MW-1 within ninety (90) days of the date of this major modification. The reconfigured MW-1 shall be similar in design to MW-5 as per the proposed reconfiguration.
13. The permittee shall install a replacement groundwater monitoring well for MW-3 within ninety (90) days of the date of this major modification. The replacement groundwater monitoring well

(MW-3R) shall be installed with the possibility of a nested structure or configuration similar to the reconfigured MW-5.

14. The permittee shall properly decommission MW-3 as soon as possible once MW-3R is installed.
15. The permittee shall properly seal groundwater monitoring well MW-4 within ninety (90) days of the date of this major modification.
16. The permittee shall notify the Department one (1) week prior to the day any groundwater monitoring well drilling, reconfiguration, or sealing occurs.
17. MW-1 and MW-3R shall be sampled for groundwater within one (1) week after reconfiguration or installation to gather baseline data for wells. This shall be performed outside of a normal groundwater monitoring event.
18. The permittee shall update ERSI's Groundwater Sampling and Analysis Plan and any site figures or drawings with the new well's data and location.
19. The permittee shall provide a summary Excel data table submitted with each quarterly sampling event that is updated with most recent groundwater, surface water, and leachate analytical results. The data should be organized by location with each round of quarterly data occupying a new row. This should be a running table which includes at least twenty quarters of past data. The table shall be updated quarterly.
20. Prior to the second Monday of each month, the permittee shall prepare and have available for DEP staff a landfill report documenting operations from the previous month. The landfill report shall include data for the following categories: site operations, average daily tonnage, radiation monitoring, truck overweight and truck rejections, leachate management, leachate storage, gas management, groundwater, reports submitted to the Department, applications submitted to the Department, and a summary of all current and planned construction activity.
21. The remaining \$7,449,629 of the increased bond amount shall be made in equal, annual incremental payments as follows:

June 16, 2027- \$1,489,925.80
June 16, 2028- \$1,489,925.80
June 16, 2029- \$1,489,925.80
June 16, 2030- \$1,489,925.80
June 16, 2031- \$1,489,925.80
22. The permittee shall provide in each annual report submitted a description of the approved benefits for the Phase IV Expansion along with a description addressing details for each. The approved benefits are as follows:
 - a. Activities or facilities onsite that will benefit the environment: types, volumes and markets of material recycled or salvaged.
 - b. Reducing infiltration through landfill cover/reduction of leachate generation.
 - c. Enhancement of gas collection and reduction of greenhouse gas emissions: ERSI shall document the improvement in gas collection system efficiency.
 - d. Continued employment of approximately 18 employees.

- e. Emergency Assistance: ERSI shall document the use of landfill equipment to assist the community at times of emergencies any time it is requested.
- f. Benefits from the Host Agreement with Taylor Borough: \$0.20 per ton fee paid to the Borough.
- g. Fees Paid to Riverside School District \$0.20 per ton fee paid to the school district.
- h. Economic Benefit to Local Businesses: ERSI shall document the purchase of goods and services from local area businesses. ERSI previously provided a breakdown of the location of vendors with which it does business: 25% of purchases from businesses within 1 mile and 61.5% from businesses within 10 miles. The remaining purchases are from other areas of Pennsylvania (10.5%) and out of state (3%).
- i. Income Tax Payable to the State.

23. The permittee shall begin waste placement by December 31, 2027.

This modification shall be attached to the existing Solid Waste Permit described above and shall become a part thereof effective on (date)

June 16, 2026

Roger Bellas

FOR THE DEPARTMENT OF ENVIRONMENTAL PROTECTION

Comment-Response Document

**Environmental & Recycling Services, Inc.
Major Permit Modification Application
Permit No. 100932
Taylor Borough, Lackawanna County
August 28, 2025 Public Hearing**

Prepared by:
Pa. Department of Environmental Protection
Northeast Regional Office
Waste Management – Facilities Section

May 2026



Pennsylvania
**Department of
Environmental Protection**

PROJECT DESCRIPTION

ERSI is an existing permitted construction and demolition (C&D) waste landfill. ERSI is proposing to redesign the ±50.65 acre Phase IV Expansion in accordance with the permit renewal that was issued on October 13, 2021. The proposed redesign includes both liner and leachate collection system modifications. Additional site improvements would include creation of a new storm water management basin and reconstruction of portions of the site access road. No increase to the permit area, volume to be accepted, or waste types is proposed. ERSI has not actively disposed of C&D waste onsite since 2007. The application was submitted to the Department on June 3, 2025, and the application was accepted as administratively complete on June 5, 2025.

A public meeting and hearing regarding the application was held on August 28, 2025. The Municipal Waste regulations require DEP to prepare a summary of the written and oral comments received and provide responses to the comments. This Comment-Response Document summarizes public comments received by DEP at the public hearing and provides the Department's responses to those comments. All commenters are individually listed in this document.

LIST OF COMMENTATORS

1. William T. Jones
Taylor Borough Solicitor
2. Tim Holden, P.E.
Taylor Borough Engineer
3. Dan Zeleniak
Assistant Borough Manager, Taylor Borough
4. Dave Wilce
Citizen
5. Tamra Applegate
Citizen
6. Ed Fortuna
Citizen

COMMENTS AND RESPONSES

1. **Comment:** What is the expected volume and flow rate of leachate?

Response: The expected volume and flow rate of leachate was calculated for the Phase IV expansion using the Hydrologic Evaluation of Landfill Performance (HELP) Model for each stage of construction. Estimates show an average 30-day leachate generation rate of approximately 39,000 gallons per acre during Stage 2 operations. This is the maximum average 30-day leachate flow rate expected throughout all stages of Phase IV.

2. **Comment:** The Borough would like the leachate tested before discharge. It is helpful to know what is in the leachate if the sewer system were to back up or be discharged during storm overflow events.

Response: ERSI is currently in communication with the Lower Lackawanna Valley Sewer Authority (LLVSA) to determine the leachate discharge requirements. An agreement which outlines all requirements will be provided to the Department prior to operation of the landfill.

3. **Comment:** The pump station where the landfill will connect was last rehabbed in 2003 and landfill leachate volume was not accounted for. This needs to be evaluated.

Response: ERSI is currently in communication with LLVSA to determine if the Union Street pump station will require any improvements prior to operation of the landfill. ERSI has committed to funding any pump station improvements required by LLVSA, and all improvements must be completed prior to accepting waste at ERSI.

4. **Comment:** The pump station is located in a low area that has flooded in the past. The Borough would like the landfill to have enough storage that they can stop discharging during storm/flooding events.

Response: ERSI will comply with the solid waste regulations requiring that the landfill provide the required amount of leachate storage capacity as per Pa. Code §277.275.

5. **Comment:** There have been historic complaints of noise and dust from the landfill.

Response: Procedures for mitigation of noise and dust are documented in the Operation Plan under Section L. Nuisance Minimization and Control Plan Section 5 and 6 respectively. Noise will be mitigated by ceasing all heavy equipment operations by 4:30 p.m. when the landfill is closed. All heavy equipment will be returned to the maintenance garage by 7:00 p.m. Water trucks will be used during construction, earthmoving and disposal activities. Trucks moving soils will be tarped to prevent dust emissions. The landfill will be closed during severe wind events where all controls are unable to mitigate dust emissions. The Department will conduct routine inspections at ERSI to ensure they are operating per the approved Nuisance Minimization and Control Plan.

6. **Comment:** The landfill had problems with hydrogen sulfide odors in the past and there is a concern there could be odor problems again.

Response: To correct past problems ERSI had with hydrogen sulfide odors, ERSI installed a landfill gas collection and control system. This system will remain as part of the Phase IV redesign. The gas collection and control system will be expanded throughout the operation of the landfill as needed. The proposed design is detailed in the May 2025 Drawing titled 'Landfill Gas Collection System'.

7. **Comment:** There is already a low spot prone to flooding in the area which could be made worse if there is stormwater runoff from the landfill.

Response: PennDOT and Taylor Borough have drilled 4 borings into the mine pool along Union Street to mitigate flooding issues in the low spot to the northeast of the landfill. Stormwater in this area will be directed to Basin 3 which discharges into a water re-use basin. Stormwater discharge from the water-reuse basin is conveyed to an on-site borehole where it enters the mine pool.

8. **Comment:** When you go down Schultheist Lane, there are houses where the fence is right against the front, which makes it very hard for the people to get in.

Response: The 4-foot fence this comment refers to has been removed from the properties that requested removal. The 6-foot-tall security fence that currently exists within the permit boundary of ERSI and is not a public entry point into the landfill.

9. **Comment:** Potential fires is a concern.

Response: ERSI will maintain a Preparedness, Prevention and Contingency Plan which includes measures to minimize and control potential fires including those caused by lithium batteries.

10. **Comment:** Potential noise, dirt, and dust is a concern.

Response: (By way of reference see response to comment #5)

11. **Comment:** What are the real benefits to Taylor of having another landfill.

Response: Benefits were documented and approved in the original Phase IV application and permit issuance. The approved benefits associated with the Phase IV expansion are: recycling/salvaging of materials, reducing infiltration through landfill cover/reduction of leachate generation, enhancement of gas collection and reduction of greenhouse gas emissions, employment of approximately 18 employees, use of landfill equipment to assist the community at times of emergencies any time it is requested, \$0.20 per ton host

fee paid to Taylor Borough, \$0.20 per ton fee paid to Riverside school district, purchase of goods and services from local area businesses, and the payment of income tax.

12. **Comment:** Will the landscape change, specifically the tree line that exists between the homes on Powell Street and the landfill?

Response: Landscape changes in the approximate 50.65-acre footprint of Stage 1 through Stage 5 of the Phase IV expansion are depicted in Drawings LF-11 'Final Grading (With Subgrade Contours)' and LF-12 'Final Grading (Without Subgrade Contours)'. The maximum increase in elevation within this area will be approximately 100 feet. All areas of the Phase IV Expansion will have final capping installed with vegetation during closure activities. The tree line along Powell Street will remain unchanged as there are no planned landfill operations to the East of the existing Phase I-III landfill.

13. **Comment:** Odors, dust, and air quality are a concern.

Response: (By way of reference see response to comment #5)

14. **Comment:** The landfill has a history of violations.

Response: Under the Solid Waste Management Act, the Department may deny a permit if it finds that the applicant has failed or continues to fail to comply with the environmental protection acts, rules or regulations of the Department, or any permits or orders issued by the Department; or if the Department finds that the applicant has shown a lack of ability or intention to comply. Further, the Solid Waste Management Act provides that any person who has engaged in unlawful conduct as defined in the Act shall be denied any permit required by the Solid Waste Management Act unless the permit application demonstrates to the satisfaction of the Department that the unlawful conduct has been corrected. While ERSI does have past violations, the Department has not determined that ERSI demonstrates a lack of ability or intention to comply. The Department's review of ERSI's compliance history also shows that the past violations identified in its application have been corrected.

The Department will conduct monthly site inspections at ERSI throughout the lifespan of the landfill. Any violations determined by the Department will be handled as necessary to ensure the violations are appropriately addressed by ERSI.