



December 13, 2023

**NOTICE OF VIOLATION**

**VIA E-MAIL:** [dano@kslco.com](mailto:dano@kslco.com)

Mr. Dan O'Brien, Business Manager  
Keystone Sanitary Landfill, Inc.  
249 Dunham Drive  
Dunmore, Pennsylvania 18512

Re: Keystone Sanitary Landfill, Inc. ("KSL")  
PADEP Permit No. 101247  
Dunmore and Throop Boroughs, Lackawanna County

Dear Mr. O'Brien:

As a result of an investigation by the Commonwealth of Pennsylvania, Department of Environmental Protection ("Department"), into odors surrounding the above-referenced facility, which included twice daily odor patrols since November 13, 2023; the evaluation of KSL's enhanced surface monitoring records obtained on November 8 and 22, 2023; and a November 16, 2023 inspection at the above-referenced facility, the Department has determined that KSL was in violation of the Solid Waste Management Act, Act of July 7, 1980, P.L. 380, No. 97, 35 P.S. Sections 6018.101 et seq., the Municipal Waste Management Rules and Regulations found at 25 Pa. Code Chapters 271 to 285, and the facility's permit conditions as follows:

KSL failed to maintain a uniform intermediate cover that prevents odors, in violation of 25 Pa. Code §§ 273.201(c) and 273.233(b)(1) and Solid Waste Management Permit No. 101247 Part II Section III Condition 3.b. Specifically, a review of the results of the odor patrols revealed that the Department detected landfill gas odors off KSL property on numerous occasions; KSL's enhanced surface monitoring results for the months of September and October of 2023 indicated extensive areas of intermediate cover with excessive methane emissions; and, during the Department's November 16, 2023 inspection of KSL, strong landfill gas odors and elevated methane readings were detected in intermediate cover areas along the Western and Northwestern slopes of the Phase II area of the landfill.

Within thirty (30) days of receipt of this notice, please submit to the Department a proposed plan and schedule that addresses the correction and prevention of the above violation.

You are hereby notified of both the existence of the violation as well as the need to provide for prompt correction. Under the Solid Waste Management Act, each day a violation continues is considered a distinct and separate offense. The violation noted herein may result in an enforcement action under the Solid Waste Management Act.

This Notice of Violation is neither an order nor any other final action of the Department. It neither imposes nor waives any enforcement action available to the Department under any of its statutes. If the Department determines that an enforcement action is appropriate, you will be notified of the action.

If you have any questions about this letter, please contact me at [rachmiller@pa.gov](mailto:rachmiller@pa.gov) or (570) 826-2434.

Sincerely,

*Rachel Miller*

Rachel Miller  
Environmental Group Manager  
Waste Management Program

cc: Dominick DeNaples, Keystone Sanitary Landfill, Inc. (via e-mail: [dominickd@kslco.com](mailto:dominickd@kslco.com))  
Dunmore Borough (via e-mail: [greg.wolff@dunmorepa.gov](mailto:greg.wolff@dunmorepa.gov) )  
Throop Borough (via e-mail: [lcimini@throopboro.com](mailto:lcimini@throopboro.com))